

**MINUTES OF REGULAR MEETING OF
THE TOWNSHIP COMMITTEE HELD ON
WEDNESDAY, JANUARY 17, 2007, 8:00 P.M.**

CALL TO ORDER

The January 17, 2007 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 Joseph V. Calvanelli
Township Committee Member Kathleen G. Hyland
Township Committee Member H. Scott Rosenbush
Township Committee Member Richard A. Watson

APPOINTED OFFICERS

Cathleen Amelio, Township Clerk
John M. Mills, III, Township Attorney
Fred J. Rossi, Township Administrator

* * *

PLEDGE OF ALLEGIANCE

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

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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 January 12, 2007 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.

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APPROVAL OF MINUTES

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

DECEMBER 6, 2006 - REGULAR MEETING
DECEMBER 6, 2006 - CLOSED MEETING
DECEMBER 20, 2007 - REGULAR MEETING
DECEMBER 20, 2007 - 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: MR. CALVANELLI ABSTAINED MR. ROSENBUSH YES
MRS. HYLAND YES MR. WATSON YES
MAYOR NACE YES

* * *

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**PUBLIC AUCTION - ABANDONED VEHICLE - 1993 HONDA CIVIC
VIN #1HGEG865XPLO38851- MINIMUM BID \$3,900.00**

At the request of Mayor Robert E. Nace, Township Attorney John M. Mills, conducted a public auction of an abandoned vehicle which had come into the possession of the Police Department and had been stored at Morristown Auto Body, 17 Martin Luther King Avenue, Morristown, NJ since August 2, 2006. Despite repeated efforts by the Police Department to arrange for the owner to secure the vehicle, all efforts had been unsuccessful, leading to the necessity for public auction.

With standard auction procedures being observed, Township Attorney John M. Mills, III opened the matter for bids from the general public and no bids were received.

On motion duly made, seconded and unanimously adopted (5-0), the Township Clerk was authorized and directed to endorse the Junk Title Certificate for the 1993 Honda Civic, VIN #1HGEG865XPLO38851 to Morristown Auto Body, Morristown, NJ to offset the total towing and storing charges of \$3,900.00.

* * *

DISCUSSION RE: ABC VIOLATION - THE LIQUOR STOP

John M. Mills, III, Township Attorney summarized the charges and was authorized to prefer charges against the Liquor Stop.

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**PUBLIC DISCUSSION OF 2007 MORRIS COUNTY COMMUNITY DEVELOPMENT -
BLOCK GRANT APPLICATION FOR THE RECONSTRUCTION OF HIGHLAND
AVENUE - \$80,000**

Fred J. Rossi, Township Administrator summarized the application. The money is to be used in the reconstruction of Highland Avenue. No one from the public appeared to comment on this Application.

* * *

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

ORDINANCE #1-07 - "AMENDING CHAPTER 95, ADDING NEW SECTION 95-28.1 MAXIMUM PERMITTED RESIDENTIAL FLOOR AREA FOR SINGLE FAMILY DWELLINGS"

ROLL CALL: MR. CALVANELLI YES MR. ROSENBUSH YES
MRS. HYLAND YES MR. WATSON 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 RETURN OF MONIES REMAINING IN CLIENT'S ESCROW ACCOUNT

WHEREAS, the following escrow accounts have completed the Planning Board/Board of Adjustment application process, and

WHEREAS, the Township Engineer has certified these escrow accounts may now be released, and

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RESOLUTIONS (CONTINUED)

**AUTHORIZING RETURN OF MONIES REMAINING IN CLIENT'S ESCROW ACCOUNT
(CONTINUED)**

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee that the following escrow account(s) be closed and the balance of all monies returned to the applicant(s).

Name	Balance	Escrow Account #
TMK Builders, LLC	\$57.35	E-12-56-808-500

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

- - -

**AUTHORIZING APPLICATION FOR GRANT MONIES IN THE AMOUNT OF \$80,000 FROM
THE MORRIS COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FOR
THE RECONSTRUCTION OF HIGHLAND AVENUE**

WHEREAS, the Township of Morris has need to make improvements on Highland Avenue; and

WHEREAS, it is the belief of the Township of Morris that the purpose of these improvements would qualify for community development block grant monies.

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

1. That the Township of Morris shall, through its appropriate officers, make application to the Morris County Community Development Block Grant Program for grant funds in the amount of \$80,000 for the purpose of making the necessary road improvements on Highland Avenue.

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

- - -

**AUTHORIZING APPLICATION FOR GRANT MONIES IN THE AMOUNT OF \$50,000 FROM
THE NEW JERSEY DEPARTMENT OF TRANSPORTATION MUNICIPAL AID PROGRAM
FOR THE RECONSTRUCTION OF SPRINGBROOK ROAD PHASE 1 - DISCRETIONARY AID**

WHEREAS, the Township of Morris has need to make improvements on Springbrook Road, Phase I; and

WHEREAS, it is the belief of the Township of Morris that the purpose for these improvements would qualify for Municipal Aid; and

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RESOLUTIONS (CONTINUED)

AUTHORIZING APPLICATION FOR GRANT MONIES IN THE AMOUNT OF \$50,000 FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION MUNICIPAL AID PROGRAM FOR THE RECONSTRUCTION OF SPRINGBROOK ROAD PHASE 1 - DISCRETIONARY AID (CONTINUED)

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

1. That the Township of Morris, shall, through its appropriate officers, make application to the State of New Jersey Department of Transportation for grant funds in the amount of \$50,000 for Discretionary Aid necessary for road improvements, Springbrook Road, Phase 1.

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

RE: CONSENTING TO THE APPLICATION FOR WATER SERVICE OUTSIDE THE DISTRICT OF THE SOUTHEAST MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY MUNICIPALITY NAME

Township of Harding The Ridge at Sand Spring (Ravenswood Lane) Harvey Caplan

WHEREAS, The Southeast Morris County Municipal Utilities Authority has received a request from the Township of Harding for water service for a new development - The Ridge at Sand Spring in a private road (Ravenswood Lane), which is outside the District of the Authority, and

WHEREAS, the proposed extension requires the approval of the Authority's four creating municipalities, and

WHEREAS, the property in question fronts on or has reasonable access to the Authority's system and no "new extension" (as defined in the Service Contract between the Authority and its creating municipalities dated January 20, 1977) is required, and

WHEREAS, the Authority has determined and advised that the proposed service connection can be made without any adverse effect on the system and that no further extension of the system is foreseen as a result of providing service to this property, and

WHEREAS, the Authority has requested that the creating municipalities give consent to the proposed new extension.

BE IT RESOLVED that consent is hereby given to The Southeast Morris County Municipal Utilities Authority to provide water service to this new development in the Township of Harding.

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

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RESOLUTIONS (CONTINUED)

RE: CONSENTING TO THE APPLICATION FOR WATER SERVICE OUTSIDE THE DISTRICT OF THE SOUTHEAST MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY MUNICIPALITY

	<u>NAME</u>	
Township of Harding		3 Lots - Sand Spring Road/Sycamore Farm Road John Wilkerson

WHEREAS, The Southeast Morris County Municipal Utilities Authority has received a request from the Township of Harding for water service for a new development - 3 Lots - Sand Spring Road/Sycamore Farm Road (a private road, which is outside the District of the Authority, and

WHEREAS, the proposed extension requires the approval of the Authority's four creating municipalities, and

WHEREAS, the property in question fronts on or has reasonable access to the Authority's system and no "new extension" (as defined in the Service Contract between the Authority and its creating municipalities dated January 20, 1977) is required, and

WHEREAS, the Authority has determined and advised that the proposed service connection can be made without any adverse effect on the system and that no further extension of the system is foreseen as a result of providing service to this property, and

WHEREAS, the Authority has requested that the creating municipalities give consent to the proposed new extension.

BE IT RESOLVED that consent is hereby given to The Southeast Morris County Municipal Utilities Authority to provide water service to this new development in the Township of Harding.

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

- - -

AUTHORIZING REFUND OF MONIES DUE TO TAX OVERPAYMENTS (2- \$4,790.55) & SEWER OVERPAYMENT (1- \$1,519.00)

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.:

<u>Block</u>	<u>Lot</u>	<u>Name</u>	<u>Reason</u>	<u>Amount</u>
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TAX

2502	2	Holger T & Mareike Crift	Refund of Tax O/P 3 rd Qtr 2006	\$2,843.55
8301	3 C0308	Richard & Mercedes D'Angelo	Refund of Tax O/P 3 rd 2005, 3 rd & 4 th 2006	\$1,947.00

SEWER

1901	1	Twp of Morris-Treasurer's Misc	Pymt of Assessor Comp.-fr Sewer Acct.	\$1,519.00
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RESOLUTIONS (CONTINUED)

AUTHORIZING REFUND OF MONIES DUE TO TAX OVERPAYMENTS (2- \$4,790.55) & SEWER OVERPAYMENT (1- \$1,519.00) (CONTINUED)

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

- - -

AUTHORIZING THE EXECUTION OF THE STREET LIGHT MODIFICATION AGREEMENT WITH JCP&L COMPANY FOR THE INSTALLATION OF LIGHT FIXTURES AT THE CONVENT STATION AND SPEEDWELL AVENUE PARKING LOTS

WHEREAS, the Township of Morris has the need for street lights at the Convent Station parking lot and the Speedwell Avenue parking lot; and

WHEREAS, the Chief Financial Officer has filed a Certificate of Availability of Funds indicating funds are available in Parking Lot Capital (Ordinance No. 26-06); and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Morris that the Township Administrator is hereby authorized to sign the Street Light Modification Agreements with JCP&L Company for the installation of light fixtures for the Convent Station parking lot and the Speedwell Avenue parking lot in the amount of \$51,000.00 all in accordance with N.J.S.A. 40A:11-5, 1(f).

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

- - -

APPOINTING GENERAL COUNSEL – JOHN M. MILLS, III, ESQ. - \$125/HR. – NTE \$90,000

WHEREAS, the Township of Morris has a need to acquire professional services of a general counsel as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; 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 one year; and

WHEREAS, John M. Mills, III, Esq. has submitted a proposal indicating he will provide the professional services of general counsel for \$125 per hour; and

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RESOLUTIONS (CONTINUED)

APPOINTING LEGAL COUNSEL - PUBLIC DEFENDER - TIMOTHY BRUNNOCK, ESQ. , 67
PARK PLACE, MORRISTOWN, NJ 07960 - \$125/HR. - NOT TO EXCEED \$22,500
(CONTINUED)

WHEREAS, Timothy Brunnock of the firm Brunnock & Fleming, PC has completed and submitted a Business Entity Disclosure Certification which certifies that Brunnock & Fleming, PC has 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 Brunnock & Fleming, PC from making any reportable 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 that the Governing Body of the Township of Morris authorizes the Mayor and Township Clerk to enter into a contract with Timothy Brunnock, Esq. of the firm of Brunnock & Fleming, PC for a total not to exceed \$22,500 and,

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

BE IT FURTHER RESOLVED that an official notice of this action shall be published in accordance with the law.

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

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APPOINTING MUNICIPAL AUDITOR – TIMOTHY M. VRABEL, R.M.A., OF THE FIRM OF
DICKINSON, VRABEL & CASSELLS, P.A. – NOT TO EXCEED \$76,500

WHEREAS, the Township of Morris has a need to acquire professional services of a registered municipal accountant as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and,

WHEREAS, municipal accounting 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 one year; and,

WHEREAS, Dickinson, Vrabel & Cassells, PA has submitted a proposal dated December 11, 2006 indicating they will provide the professional services of a registered municipal accountant for \$76,500; and,

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RESOLUTIONS (CONTINUED)

AUTHORIZING AWARD OF A CONTRACT TO GARY J. DUBOIS OF DB DATA SYSTEMS, 101 GATES AVENUE, GILLETTE, NJ 07933 FOR EXTRAORDINARY UNSPECIFIABLE SERVICES AS IT RELATES TO INFORMATION TECHNOLOGY – IN AN AMOUNT NOT TO EXCEED \$96,000 (CONTINUED)

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 one year; and,

WHEREAS, DB Data Systems has submitted a proposal dated December 20, 2006 indicating they will provide the professional advisory service for Information Technology for \$96,000; and,

WHEREAS, DB Data Systems has completed and submitted a Business Entity Disclosure Certification which certifies that DB Data Systems has 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 DB Data Systems from making any reportable 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 Information Technology Budget, Computer IT O.E., in the amount of \$67,200 and the Sewer Utility, O.E. budget in the amount of \$28,800 in the total amount of \$96,000.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Township of Morris authorizes the Mayor and Township Clerk to enter into a contract with Gary DuBois of DB Data Systems as professional advisor for Information Technology for a fee not to exceed \$96,000.

This contract is awarded without competitive bidding as an Extraordinary, Unspecifiable Service in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because the services required cannot reasonably be described by written specifications to assure that the qualitative and quantitative assessment of the problems involved, which require expertise, extensive training, and proved reputation in the field of endeavor are obtained.

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

BE IT FURTHER RESOLVED that an official notice of this action shall be published in accordance with the law.

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

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RESOLUTIONS (CONTINUED)

AUTHORIZING AWARD OF PROFESSIONAL LEGAL SERVICES/BOND COUNSEL CONTRACT TO JOHN L. KRAFT, ESQ., L.L.C., 70 SOUTH ORANGE AVENUE, LIVINGSTON, NJ 07039

WHEREAS, the Township of Morris has need for the services of a professional Bond Counsel and

WHEREAS, John L. Kraft, Esq., L.L.C. is a Bond Counsel, located at 70 South Orange Avenue, Livingston, New Jersey 07039, 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 legal 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.

NOW, THEREFORE, BE IT 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, on file In the Office of the Township Clerk, with John L. Kraft, Esq., L.L.C., 70 South Orange Avenue, Livingston, NJ 07039 for Bond Counsel services.
2. An official notice of this action shall be published in accordance with the law.

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

- - -

AUTHORIZING AWARD OF A CONTRACT FOR ANIMAL CONTROL SERVICE TO ST. HUBERT'S GIRALDA, 575 WOODLAND ROAD, MADISON, NEW JERSEY 07940 – IN AN AMOUNT NOT TO EXCEED \$41,000

WHEREAS, the Township of Morris has a need to acquire professional services for animal control service as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Local Public Contracts Law requires that the resolution authorizing the award of contracts for "Extraordinary Unspecifiable Services" without bids and the contract itself must be available for public inspection, 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 certified that this meets the statute and regulations governing the award of said contracts; and

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RESOLUTIONS (CONTINUED)

AUTHORIZING AWARD OF A CONTRACT FOR ANIMAL CONTROL SERVICE TO ST. HUBERT'S GIRALDA, 575 WOODLAND ROAD, MADISON, NEW JERSEY 07940 – IN AN AMOUNT NOT TO EXCEED \$41,000 (CONTINUED)

WHEREAS, the Township Administrator has determined and certified in writing that the value of the contract will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is one year; and

WHEREAS, St. Hubert's Giralda has submitted a proposal dated October 23, 2007 indicating they will provide the animal control services for \$41,000 plus callouts; and

WHEREAS, St. Hubert's Giralda has completed and submitted a Business Entity Disclosure Certification which certifies that St. Hubert's Giralda has 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 St. Hubert's Giralda from making any reportable 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.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Township of Morris authorizes the Mayor and Township Clerk to enter into a contract with St. Hubert's Giralda for animal control services for a fee not to exceed \$41,000.

This contract is awarded without competitive bidding as an Extraordinary, Unspecifiable Service in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because the services required cannot reasonably be described by written specifications to assure that the qualitative and quantitative assessment of the problems involved, which require expertise, extensive training, and proved reputation in the field of endeavor are obtained.

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

BE IT FURTHER RESOLVED that an official notice of this action shall be published in accordance with the law.

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

- - -

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RESOLUTIONS (CONTINUED)

AUTHORIZING AWARD OF CONTRACT FOR LEGAL SERVICES/SPECIAL LABOR COUNSEL – FREDRIC M. KNAPP, ESQ. OF FIRM OF LAUFER, KNAPP, TORZEWSKI, DALENA & SPOSARO, L.L.C., 23 CATTANO AVENUE, MORRISTOWN, NJ 07960. - \$125/HR. – NOT TO EXCEED \$20,000

WHEREAS, the Township of Morris has a need to acquire professional services of a labor counsel as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; 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 one year; and

WHEREAS, Frederic M. Knapp, Esq. of the firm Laufer, Knapp, Torzewski, Dalena & Sposaro, L.L.C. has submitted a proposal dated January 17, 2006 indicating he will provide the professional services of labor counsel for \$125 per hour; and

WHEREAS, Frederic M. Knapp, Esq. of the firm Laufer, Knapp, Torzewski, Dalena & Sposaro, L.L.C. has completed and submitted a Business Entity Disclosure Certification which certifies that Laufer, Knapp, Torzewski, Dalena & Sposaro, L.L.C. has 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 Laufer, Knapp, Torzewski, Dalena & Sposaro, L.L.C. from making any reportable 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 that the Governing Body of the Township of Morris authorizes the Mayor and Township Clerk to enter into a contract with Frederic M. Knapp, Esq. of the firm of Laufer, Knapp, Torzewski, Dalena & Sposaro, L.L.C. for a total not to exceed \$20,000; and

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

BE IT FURTHER RESOLVED that an official notice of this action shall be published in accordance with the law.

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

**TOWNSHIP COMMITTEE MEETING
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RESOLUTIONS (CONTINUED)

AUTHORIZING AWARD OF CONTRACT TO RICHARD F. SMITH, JR., LAND SURVEYOR, 60 WASHINGTON STREET, MORRISTOWN, NJ 07960 FOR LAND SURVEYING SERVICES FOR MAINTENANCE OF TAX MAPS FOR THE YEAR 2007 – IN AN AMOUNT NOT TO EXCEED \$4,500

WHEREAS, the Township of Morris has need for the professional services of a professional land surveyor for maintenance of tax maps for the year 2007, and

WHEREAS, Richard F. Smith, Jr. is a professional land surveyor located at 60 Washington Street, Morristown, New Jersey 07960, 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 land surveying 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 in Tax Assessor O/E.

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 Richard F. Smith, Jr., for professional land surveying services as more fully described in a proposed scope of services dated October 13, 2006 in an amount not to exceed \$4,500.00.
2. An official notice of this action shall be published in accordance with the law.

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

- - -

AUTHORIZING AWARD OF A CONTRACT FOR SPECIAL COUNSEL FOR THE MORRIS TOWNSHIP POLICE DEPARTMENT AND FOR GENERAL LEGAL SERVICES TO JOHN M. IACIOFANO, ESQ., IACIOFANO, FIAMINGO & PERRONE, ESQS., 157 WASHINGTON STREET, MORRISTOWN, N.J. 07960 IN THE AMOUNT OF \$125.00/HR. - NTE \$15,000.00

WHEREAS, the Township of Morris has need for legal representation with respect to Special Council for the Morris Township Police Department and general legal services, and

WHEREAS, the practices of law is a professional service within the meaning of N.J.S.A. 40A:11-5 being a recognized profession with a practice regulated by law, the performance of which services requires knowledge of an advanced type in a field of learning acquired by a prolonged formal course of specialized instruction, and

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RESOLUTIONS (CONTINUED)

AUTHORIZING AWARD OF A PROFESSIONAL ENGINEERING SERVICES CONTRACT FOR GENERAL CONSULTING AND ENGINEERING SERVICES, SEWER UTILITY – HATCH MOTT MAC DONALD – NOT TO EXCEED \$60,000 (CONTINUED)

year, and that the contract will prohibit Hatch Mott MacDonald from making any reportable 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 Sewer Operating in the amount of \$60,000.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Township of Morris authorizes the Mayor and Township Clerk to enter into a contract with Hatch Mott MacDonald for the provision of professional engineering services with respect to general consulting and engineering services for the sewer utility for a fee not to exceed \$60,000.

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

BE IT FURTHER RESOLVED that an official notice of this action shall be published in accordance with the law.

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

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

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

WHEREAS, it is now necessary that this Governing Body consider matters involving “Legal and Personnel Matters”, exceptions in the “Open Public Meetings Act”, and which this Governing Body determines should be discussed at a “Closed Meeting”.

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

That this body shall conduct a “Closed Meeting” concerning the above-expected matters, which are exceptions set forth in the said act, and upon which a public disclosure will be made as expeditiously as possible; said meeting to be held during a recess of this Regular Meeting at the Municipal Building, 50 Woodland Avenue.

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

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
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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:

Mrs. Julie Baron, 41 Springbrook Road, thanked the Committee for her reelection to the Open Space Committee. Requested consideration of traffic calming devices on Springbrook Road.

* * *

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 Joseph V. Calvanelli as a member of the Board of Adjustment, effective January 5, 2007.
2. Accepted, with regret and appreciation for services rendered, the resignation of Linda A. Gray of the Police Department, effective January 5, 2007.
3. Granted municipal consent to WDHA-FM and Greater Media New Jersey to hold their 3rd Annual Men's Expo at the Morristown Armory on January 28, 2007 from 1:00 to 5:00 P.M.
4. Approved, in accordance with a memo from Craig Goss, Fire Chief dated January 4, 2007 David J. Mayer, 6 Ventosa Drive, Morristown, as a volunteer fireman for the Township Fire Department (Fairchild Fire Company).
5. Approved the following Applications for License of a Vehicle For Hire:
 1. Jerry R. Rosner, T/A Comfort Cab of Convent Station (owner/operator).
 2. Arthur Ritter, T/A ART'S Taxi (owner/operator).
 3. James R. Jones, III, T/A J&J Taxi (owner/operator).
 4. Diana B. Ritchie, George Johnson, Edward Robinson, Jr., T/A J&J Taxi (operators).
 5. Tim Scanlon, T/A Harding Private Livery Service (owner/operator).
 6. Patrick F. McCormack, Carl A. Romano, Thomas Vigilante, Ralph C. Hansen, Ed McNeil, James Stoddard, John O'Brien, Jr., T/A Harding Private Livery Service (operators).
6. 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-1979 - Tri-County Scholarship Fund - 50/50 Off-Premise Raffle - June 12, 2007 - 12:30-9:00 P.M. - Morris County Golf Club, 36 Punch Bowl Road.

**TOWNSHIP COMMITTEE MEETING
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CONSENT CALENDAR (CONTINUED)

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

* * *

MATTERS OF OTHER BUSINESS

NONE

* * *

MATTERS RECEIVED FOR THE RECORD

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

1. Certificate of Registration (Landlord) for 408 Pitney Place, Block 8301, Lot 3, CO408, owner: Donald & Alberta Marcy.
2. Certificate of Registration received from the State of New Jersey, Department of Community Affairs for The Timbers Inc., 1 Convent Road, Block 391, Lot 6, owners: D. Peter Keller, Richard C. Keller and Eugene J. Keller.
3. Landlord Registration Statement for 7 Davenport Place, Block 7902, Lot 1, C3804, owners: Lynn McGuire and Betty Landgraber.

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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:

MR. CALVANELLI

1. The Pool Committee should be commended for their dedication to pool improvements, their Energy is enormous.
2. Is impressed with the budget process.

MRS. HYLAND

1. The Teen Pride Center at the Salvation Army, 24 hour referral, will manage the counseling service. Would like to increase the funds from the Township of Morris. This organization has been a positive impact on the young people in our community and it is important to support this program for the future of our young people, an investment in our future.

**TOWNSHIP COMMITTEE MEETING
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TOWNSHIP COMMITTEE MEMBERS COMMENTS/QUESTIONS (CONTINUED)

MR. ROSENBUSH

1. As of January 2, 2007 the State of New Jersey has new safety codes for the handling of food; Board of Health got out the notices in short time.
2. Thanked the Planning Board for the approach to the Ordinance #1-07 (amending Chapter 95).

MR. WATSON

1. Thanked the members of the Pool Committee; improvements to be made before the 2007 season.

MAYORAL COMMENTARY - MAYOR ROBERT E. NACE

1. Floor area ratio is very important issue and the public should be aware of this ordinance (Ordinance #1-07) and what the impact of oversized homes are to a neighborhood. Hopes this ordinance will address the issue.
2. Traffic calming issue - state statistics regulate the roads, the Township would need to support the Engineering Department to draft a five year plan that would address traffic calming in neighborhoods, would also address speed bumps issue. Springbrook Road needs signage, side stripping, lane narrowing which should be addressed. As reconstruction of various roads are proposed, speed bumps should be considered.

Mr. Watson in favor of traffic calming with more enforcement and less tolerance; need to develop standards.

Mrs. Hyland how would speed bumps affect emergency services? All residential roads should be 25 MPH. Enforcement on all roads is impossible and not a solution; not sure about speed bumps, need input from emergency services.

Mr. Rosenbush short-term need/opportunity with road reconstruction of Springbrook Road to install a speed bump - long-term challenge, controls of speeding in the neighborhoods; agree with Mrs. Hyland in reducing speed limits to 25 MPH in residential areas, should encourage a speed bump with the Springbrook Road reconstruction.

Mr. Calvanelli traffic calming procedures and/or road bump policy need to be developed with the assistance of police, fire and first aid personnel. Springbrook Road bump would still need input from emergency services prior to installation. Speed limit roll-back to 25 MPH is wonderful, speed cameras should be pursued. Engineer to draft a plan for long-term approach to new road resurfacing (bump) and traffic calming.

The Township Administrator was authorized to do a benefit analysis and report back To the Finance Committee.

Hillside Fire Company/Civil Defense will have a rose sale February 12 to 14, 2007.

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
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CALL TO ORDER AND ADJOURNMENT

At 10:07 P.M. the January 17, 2007 recessed Regular Meeting was called to order and with no further business to be considered, on motion duly made, seconded and unanimously (5-0) adopted, the meeting was adjourned at 1010 P.M., next to convene at the 8:00 P.M., February 7, 2007, Regular Meeting, in the Municipal Building, 50 Woodland Avenue, Township of Morris.

CATHLEEN AMELIO
TOWNSHIP CLERK

DATED: FEBRUARY 1, 2007