

**MINUTES OF REGULAR MEETING OF
THE TOWNSHIP COMMITTEE HELD ON
WEDNESDAY, MAY 16, 2007, 8:00 P.M.**

CALL TO ORDER

The May 16, 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.

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ATTENDANCES

ELECTED OFFICERS

GOVERNING BODY

Mayor Robert E. Nace

Township Committee Member Jeffrey R. Grayzel
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.

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NOTE: FULL TEXT OF ORDINANCES CAN BE OBTAINED IN THE OFFICE OF THE TOWNSHIP CLERK

**TOWNSHIP COMMITTEE MEETING
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**PRESIDING OFFICER'S STATEMENT RE: ADEQUATE NOTICE - O.P.M.A. -
(RECORD INSERT)**

Mayor Nace issued the following statement of adequate notice:

"Adequate Notice" of this meeting of the Township Committee of the Township of Morris, was given as required and defined by the Open Public Meetings Act, as follows:

Written Notice was given on May 11, 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".

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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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**SUBMISSION OF STATEMENT OF DETERMINATION CONCERNING THE MAY 1, 2007
SPECIAL ELECTION - ANNOUNCING JEFFREY R. GRAYZEL - WINNER TOWNSHIP
COMMITTEE MEMBER FOR A THREE YEAR TERM**

OATH OF OFFICE TO TOWNSHIP COMMITTEE ELECT JEFFREY R. GRAYZEL

The Oath of Office was administered to Mr. Grayzel by Assemblyman Joseph Cryan, 20th District and attested to by his wife, Lynn.

"Mayor Nace, Township Committee members, distinguished guests and fellow Morris Township residents. Good evening.

I am humbled by the vote of confidence my fellow residents have given me. I am also thankful for the opportunity to serve on our Township Committee and provide a new voice for our great community.

I'm grateful to those who shared my vision and helped communicate it to the voters, and grateful to the voters who took the time to vote in the Special election of May 1st. The power of your vote has restored the Township Committee to full membership. The election was an example of democracy at work, as it reasserted that it is the voters who decide who is to represent them. This is certainly better than breaking the impasse by flipping a coin or running a 100-yard dash down Court Street, as I had once proposed to Joe Calvanelli, whose strong campaign made me work that much harder. The electoral struggle from November to May proves how important each and every vote is.

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**OATH OF OFFICE TO TOWNSHIP COMMITTEE ELECT JEFFREY R. GRAYZEL
(CONTINUED)**

I am proud to live and now to serve in Morris Township. My colleagues on the dais have each been serving one or two decades, and I respect their desire to serve and acknowledge their sacrifices on our behalf.

To Mayor Bob Nace, Committeewoman Kathleen Hyland, Committeeman Rick Watson, Committeeman Scott Rosenbush, and to Jan Wotowicz who recently stepped down from the Committee: Thank you for your service to our municipality. I ask that you please share your experience with me, and help me be a productive public servant. I especially want to thank my wife, Lynn, and two sons, Jacob and Alexander for being the support system that carried me to this opportunity for service to Morris Township. It was my need to provide the best possible environment for my family that set me on the path to make a better township for all Morris Township residents.

For almost ten years now, I've had the opportunity to speak with many of my Morris Township neighbors. From T-ball and soccer practices to school activities and community events, I have heard about what each feels is right about our township and what areas we can improve upon. It is clear that residents are ready to work with the Township Committee to find ways to maintain what is great about Morris Township as a place to live and work, and to improve where we can agree improvement is needed.

Now that I hold office, I will not forget the commitments I have made along the way. One of my top priorities is to bring the public into the Township Committee's deliberations. I know that as we work to include more residents in the process, we will forge a stronger bond between the community and its elected representatives.

I also made a commitment to be a voice for ALL our residents. And for those of you who do not know me, and also those who voted against me, I look forward to listening to your concerns and also to your suggestions on how to improve our community.

Quality of life issues will be front and center during my tenure. ALL of our neighborhoods need to be equally groomed and nurtured by our Township government, and ALL of our neighborhoods need to be equally safe and secure.

I look forward to our debates on preserving open space. We as a Township Committee bear an important responsibility to preserve land for our kids to enjoy as they grow up. Certainly there must be balance between development and land preservation, but we must not forget the purpose of the open space funds taxpayers have contributed and the priority they have placed on acquiring and preserving open space.

We must also work to preserve the character of our Township by putting in place strong ordinances that will preserve the high quality of neighborhood life which attracted all of us to Morris Township.

With regard to working with my new colleagues, I look forward to increased discussion and healthy debate of the issues facing our municipality. I will exercise the right to dissent, if necessary, but I believe we CAN work well together as a Committee to address the critical needs of all parts of our municipality. We were all elected for this purpose, and together we will continue to keep Morris Township the great place that it is.

We have a lot of important work to accomplish during my term on the Township Committee. However, neither I nor the rest of the Township Committee can accomplish it alone. I want to increase public input to Committee decisions, and I encourage all of you here tonight to come back to several committee meetings over the course of the year. Together, we WILL make a difference in our community.

Thank you all for being here tonight. It is my immediate pleasure to begin my service to my community."

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APPROVAL OF MINUTES

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

APRIL 4, 2007 - REGULAR MEETING
APRIL 4, 2007 - CLOSED MEETING
APRIL 18, 2007 - REGULAR MEETING
APRIL 18, 2007 - CLOSED MEETING
MAY 9, 2007 - SPECIAL 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. GRAYZEL ABSTAINED MR. ROSENBUSH YES
MRS. HYLAND YES MR. WATSON YES
MAYOR NACE YES

* * *

**ORDINANCES - PUBLIC HEARING, FINAL CONSIDERATION
CARRIED FROM THE MAY 16, 2007 TC MEETING**

ORDINANCE #17-07 - "ORDINANCE REGULATING THE SALE OF MOTOR VEHICLES, BOATS & BULKY ITEMS"

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After discussion final hearing on this ordinance was continued to the meeting of June 20, 2007.

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ORDINANCES - PUBLIC HEARING, FINAL CONSIDERATION AND ADOPTION

The Township Clerk advised that each Ordinance scheduled for public hearing at this meeting had been duly posted on the legal notice bulletin board in the Municipal Building, published in the Daily Record, as supported by proof of publication which had been received and placed on file, and further, that copies of the Ordinance had been provided to the members of the General Public on request.

Each Ordinance as hereinafter set forth in full was read a second time, a public hearing held hereon, with public comments and communications of record, if any, as hereinafter noted, finally adopted by the vote as herein recorded:

ORDINANCE #18-07 - "ORDINANCE AMENDING AND ESTABLISHING VARIOUS FEES, CHARGES AND ESCROWS IN THE TOWNSHIP OF MORRIS"

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**ORDINANCES - PUBLIC HEARING, FINAL CONSIDERATION AND ADOPTION
(CONTINUED)**

PUBLIC COMMENT
NONE

COMMUNICATIONS OF RECORD
NONE

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

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ORDINANCES – INTRODUCTION

(ATTORNEY)

NONE

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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:

RESOLUTION AMENDING THE 2007 STANDING COMMITTEES

MAYOR NACE APPOINTED THE FOLLOWING STANDING COMMITTEES FOR THE YEAR 2007 (*FIRST NAMED IS CHAIRMAN)

BEAUTIFICATION	*KATHLEEN G. HYLAND, JEFFREY R. GRAYZEL
BUILDINGS & GROUNDS, STREET LIGHTS	*KATHLEEN G. HYLAND, JEFFREY R. GRAYZEL
ENGINEERING AND CODE ENFORCEMENT	*ROBERT E. NACE, RICHARD A. WATSON
FINANCE, INSURANCE & TAX ASSESSOR	*RICHARD A. WATSON, ROBERT E. NACE
FIRE	*KATHLEEN G. HYLAND, JEFFREY R. GRAYZEL
INFORMATION TECHNOLOGY	*ROBERT E. NACE, H. SCOTT ROSENBUSH
LEGISLATION AND TOWNSHIP CLERK	*H. SCOTT ROSENBUSH, JEFFREY R. GRAYZEL
MUNICIPAL COURT	*H. SCOTT ROSENBUSH, RICHARD A. WATSON
PARKING LOT	*RICHARD A. WATSON, ROBERT E. NACE
PERSONNEL	*RICHARD A. WATSON, JEFFREY R. GRAYZEL
POLICE	*ROBERT E. NACE, H. SCOTT ROSENBUSH
RECREATION	*RICHARD A. WATSON, KATHLEEN G. HYLAND
ROADS AND SANITATION	*H. SCOTT ROSENBUSH, JEFFREY R. GRAYZEL
SANITARY SEWERS	*H. SCOTT ROSENBUSH, JEFFREY R. GRAYZEL

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

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RE: 2006 MUNICIPAL AUDIT

WHEREAS, N.J.S.A. 40A:5-4 requires the Governing Body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2006 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S. 40A:5-6, and a copy has been received by each member of the Governing Body, and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs as per R.S. 52:27BB-34, and

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the Governing Body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the Governing Body have reviewed, as a minimum, the sections of the annual audit entitled:

**GENERAL COMMENTS
RECOMMENDATIONS**

RE: 2006 MUNICIPAL AUDIT (CONTINUED)

WHEREAS, the members of the Governing Body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

**GENERAL COMMENTS
RECOMMENDATIONS**

as evidenced by the group affidavit form of the Governing Body, and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, as per the regulations of the Local Finance Board, and

WHEREAS, all members of the Governing Body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 - to wit:

R.S. 52:27BB-52 - "A local officer or member of the local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars \$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office".

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RESOLUTIONS (CONTINUED)

resolution and the required affidavit to said Board to show evidence of said compliance, and does hereby direct that the recommendations contained therein be implemented immediately.

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

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AUTHORIZING CONTRIBUTION TO THE MORRIS COUNTY ADAPTIVE RECREATIONAL PROGRAM – NOT TO EXCEED \$3,164.00

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

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

AUTHORIZING CONTRIBUTION TO THE MORRIS COUNTY ADAPTIVE RECREATIONAL PROGRAM – NOT TO EXCEED \$3,164.00 (CONTINUED)

WHEREAS, the Township of Morris's costs with respect thereto will be approximately \$3,164.00; and

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

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

1. That the Township of Morris hereby intends to join the Morris County Adaptive Recreational Program (McARP) as described above and contribute thereto in the amount not in excess of \$3,164.00 for one year.

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

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AUTHORIZING REFUND OF MONIES DUE TO TAX OVERPAYMENTS (2-\$2,725.73) & SEWER OVERPAYMENTS (1- \$346.68)

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.

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RESOLUTIONS (CONTINUED)

NOW THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Morris, being the Governing Body thereof, that these monies be refunded, i.e.:

Block	Lot	Name	Reason	Amount
<u>TAX</u>				
7902	1 C4410	Wells Fargo Real Estate Tax Srvc	Refund O/P 3 rd Qtr 2006	\$ 125.00
8302	3	Wells Fargo Real Estate Tax Srvc	Refund O/P 1 st Qtr 2007	\$ 2,600.73
<u>SEWER</u>				
9801	16	Kathryn Parkot	Refund O/P 4 th 2006, 1 st &2 nd 2007	\$ 346.68

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

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IN RECOGNITION AND OF CONGRATULATIONS - EAGLE SCOUT MICHAEL SCOTT MOORE

WHEREAS, MICHAEL SCOTT MOORE, of Morris Township, has achieved the distinguished status of EAGLE SCOUT in Troop 112 of Morris Township, and;

WHEREAS, Michael has held positions of leadership in Troop 112, including Patrol Leader, Troop Librarian and Troop Instructor, and;

WHEREAS, Michael anticipates graduation from Morristown High School in June of 2007, where he has been an honor student and has participated in many school activities, including, but not limited to, the Marching Colonials and WJSV 90.5 FM radio and television, and;

WHEREAS, Michael will be attending Elon University this fall, and;

WHEREAS, Michael has been an active leader in the youth group of the Church of Christ the King as well as serving as a tutor for math and reading enrichment for children for five years, and;

WHEREAS, Michael worked in conjunction with his fellow members of Troop 112 on his Eagle Scout Project constructing an outdoor environmental classroom for the Alexander Hamilton school in Morristown for the use of 300 students at the school and other Morris District Schools and the community at large, and;

WHEREAS, Michael is a credit to his family, Troop 112 and the entire community.

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 and best wishes to

EAGLE SCOUT MICHAEL SCOTT MOORE

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RESOLUTIONS (CONTINUED)

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

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AUTHORIZING AWARD OF A PROFESSIONAL ENGINEERING SERVICES CONTRACT FOR THE GREGORY AVENUE STATION UPGRADE-CONSTRUCTION ADMINISTRATIVE SERVICES - HATCH MOTT MAC DONALD – NOT TO EXCEED \$38,500

WHEREAS, the Township of Morris has a need to acquire professional services of a professional engineering firm for purposes of Construction Administrative Services in connection with the Gregory Avenue Station Upgrade, and

WHEREAS, engineering 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

AUTHORIZING AWARD OF A PROFESSIONAL ENGINEERING SERVICES CONTRACT FOR THE GREGORY AVENUE STATION UPGRADE-CONSTRUCTION ADMINISTRATIVE SERVICES - HATCH MOTT MAC DONALD – NOT TO EXCEED \$38,500 (CONTINUED)

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

WHEREAS, Hatch Mott MacDonald has submitted a proposal dated April 19, 2007 indicating they will provide the professional services of a licensed engineer for an amount not to exceed \$38,500; and

WHEREAS, Hatch Mott MacDonald has completed and submitted a Business Entity Disclosure Certification which certifies that Hatch Mott MacDonald 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 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 the ordinance S-06-55-405-101 in the amount of \$38,500.

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 professional services of a professional engineering firm for purposes of providing Construction Administrative Services in connection with the Gregory Avenue Station Upgrade, 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.

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RESOLUTIONS (CONTINUED)

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

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AUTHORIZING AWARD OF A PROFESSIONAL ENGINEERING SERVICES CONTRACT FOR THE COMPLETION OF THE PLYMOUTH AND MAC KENZIE DRAINAGE PROJECT - HATCH MOTT MAC DONALD – NOT TO EXCEED \$34,500

WHEREAS, the Township of Morris has a need to acquire professional services of a professional engineering firm for purposes of Completing the Plymouth and MacKenzie Drainage Project, and

WHEREAS, engineering 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

AUTHORIZING AWARD OF A PROFESSIONAL ENGINEERING SERVICES CONTRACT FOR THE COMPLETION OF THE PLYMOUTH AND MAC KENZIE DRAINAGE PROJECT - HATCH MOTT MAC DONALD – NOT TO EXCEED \$34,500 (CONTINUED)

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

WHEREAS, Hatch Mott MacDonald has submitted a proposal dated April 19, 2007 indicating they will provide the professional services of a licensed engineer for an amount not to exceed \$34,500; and

WHEREAS, Hatch Mott MacDonald has completed and submitted a Business Entity Disclosure Certification which certifies that Hatch Mott MacDonald 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 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 the ordinance G-04-55-511-800 in the amount of \$34,500.

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 professional services of a professional engineering firm for purposes of Completing the Plymouth and MacKenzie Drainage Project.

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.

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RESOLUTIONS (CONTINUED)

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

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AUTHORIZING AWARD OF A CONTRACT FOR SPECIAL COUNSEL FOR THE MORRIS TOWNSHIP POLICE DEPARTMENT TO JOHN M. IACIOFANO, ESQ., IACIOFANO, FIAMINGO & PERRONE, ESQS., 157 WASHINGTON STREET, MORRISTOWN, NEW JERSEY 07960, IN THE ADDITIONAL AMOUNT OF \$2,000, FOR A TOTAL NOT TO EXCEED \$17,000

WHEREAS, the Township of Morris has need for legal representation with respect to Special Council for the Morris Township Police Department and general legal service and in matters pertaining to the administrative/disciplinary prosecution of police personnel matters, and

AUTHORIZING AWARD OF A CONTRACT FOR SPECIAL COUNSEL FOR THE MORRIS TOWNSHIP POLICE DEPARTMENT TO JOHN M. IACIOFANO, ESQ., IACIOFANO, FIAMINGO & PERRONE, ESQS., 157 WASHINGTON STREET, MORRISTOWN, NEW JERSEY 07960, IN THE ADDITIONAL AMOUNT OF \$2,000, FOR A TOTAL NOT TO EXCEED \$17,000 (CONTINUED)

WHEREAS, the practice 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

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

WHEREAS, the Township Committee awarded a contract to John M. Iaciovano, Esq. of the firm Iaciovano, Fiamingo & Perrone, Esqs. 157 Washington Street, Morristown, New Jersey 07960 at a meeting held on January 17, 2007, and

WHEREAS, it is now necessary to increase this amount, and

WHEREAS, the Chief Financial Officer of the Township of Morris has filed a certificate of availability of funds indicating that funds are available in Legal O.E.

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

1. A contract for additional legal services is hereby awarded to John M. Iaciovano, Esq. of Iaciovano, Fiamingo & Perrone, Esqs., 157 Washington Street, Morristown, New Jersey for special legal services in an additional amount of \$2,000, for a total not to exceed \$17,000.
2. The Mayor and Township Clerk are hereby authorized to sign an agreement with Mr. Iaciovano for legal services in relation to this administrative/disciplinary prosecution in the amount of \$5,000.

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

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

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. GRAYZEL YES MR. ROSENBUSH YES
MRS. HYLAND YES MR. WATSON YES
MAYOR NACE YES
* * *

PUBLIC COMMENT/INQUIRY

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

Mr. David Bolson, 39 West Lake Blvd. - traffic and speed, would like monitoring of speed.

Mr. Stephen Bachmann, 55 MacKenzie Road, parking of Morristown-Beard students at Frelinghuysen Park, 15 to 20 cars and buses which has impact on the park as the lot is full. A letter has been received from Morristown-Beard School to use the parking lot next year. This letter will be reviewed by Mrs. Hyland and Mr. Watson.

Mrs. Susan McManus, 91 Ketch Road, spoke about a year-old problem with the sidewalk in front of her house and the drainage onto her property. Mayor Nace will get an answer from the Township Engineer by week end.

Mr. Mark George, 43 Fanok Road, stressed the need for stop signs as road conditions are dangerous, this request will be passed on to the Police Department.

Mr. John Storey, 8 Doe Hill Road, need a transcript from nearby property at 12 Doe Hill Road.

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PUBLIC COMMENTS (CONTINUED)

Mr. Jay Hellstrom, 75 Overlook Road, traffic calming, speed bumps; storm drain within buffer; and lack of minutes posted. Engineering is looking into options with pipe.

Mr. Stanton Peale, Chatham, what committee will Mr. Grayzel be on. Mrs. Hyland read the list.

* * *

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. Approved the requests to extend the time to take 2006 vacation to December 31, 2007 to the following: Kevin Breen, Julia A. Hasbrouck, Betty J. Prudden, Cathleen Amelio.
2. Approved the request of Josephine Ormsbee to extend the time to take her 2006 vacation to November 3, 2007.
3. Granted permission to the American Diabetes Association to conduct the Tour de Cure Bike-a-Thon on June 9, 2007, 7:30 A.M. to 3:00 P.M., starting/finishing at Verizon Wireless facility at 100 Southgate Parkway, and the emplacement of 8 tents on the property at 100 Southgate Parkway, subject to approval of the Police and Fire Chiefs and the Construction Code Official, and the filing of a Certificate of Insurance and a Hold Harmless Clause, naming the Township of Morris as an additional insured, which must be faxed to the Township of Morris, Attention: Administrator's Office #973-605-8363.
4. Waived the building fees for a handicap ramp to be built by the F.M.B.A. Local #70 for Ms. Murphy, whose son is disabled, at 202 Lindsley Drive, Apt. 1D.
5. Granted permission to Warnock Ford to erect two tents (30' x 45') on both of their locations on Ridgedale Avenue to conduct a Tent Sale from May 17 to May 31, 2007, subject to approval of the Fire Chief and Construction Code Official, and the filing of a Certificate of Insurance and a Hold Harmless Clause, naming the Township of Morris as an additional insured, which must be faxed to the Township of Morris, Attention: Administrator's Office #973-605-8363.
6. Granted permission to Spring Brook Country Club to host fireworks on Wednesday, July 4, 2007 (rain date July 6) at 9 Spring Brook Road, subject to approval of the Fire Chief and the filing of a Certificate of Insurance and a Hold Harmless Clause, naming the Township of Morris as an additional insured, which must be faxed to the Township of Morris, Attention: Administrator's Office #973-605-8363 and notifying the neighbors of the event.
7. Granted permission to the residents of Tracy Court to hold the annual block party on June 16, 2007 from 3 P.M. to 8 P.M., and to close the street to vehicular traffic during those hours, subject to approval of the Police and Fire Chief.

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CONSENT CALENDAR (CONTINUED)

8. Granted permission to Morristown-Beard School to erect a tent on the circle in front of Beard Hall, on June 6, 2007 and be removed sometime between the afternoon of June 9 and June 11, 2007, to hold its 8th grade and 12th grade graduation ceremonies on June 8 and 9, 2007, subject to approval of the Fire Chief and Construction Code Official and the filing of a Certificate of Insurance and a Hold Harmless Clause, naming the Township of Morris as an additional insured, which must be faxed to the Township of Morris, Attention: Administrator's Office #973-605-8363.

9. Granted municipal consent to the National Multiple Sclerosis Society, Greater North Jersey Chapter to host the 20th annual MS-100 Bike Tour on September 15-16, 2007 And to pass through Morris Township, subject to approval of the Police and Fire Chiefs and the filing of a Certificate of Insurance and a Hold Harmless Clause, naming the Township of Morris as an additional insured, which must be faxed to the Township of Morris, Attention: Administrator's Office #973-605-8363.

ROLL CALL: MR. GRAYZEL 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. Active Firemen's Membership Reports for the year January 1 to December 31, 2006 for the five fire companies of the Township.

2. Petition of Appeal filed with the County Board of Taxation for Block 7401, Lot 6, 99 Kitchell Road, owner: Frederick M. Truncale.

3. Statements of Determination from the Board of Canvassers re: Township of Morris/Morris School District Annual Election, determining that the school budget passed and two members were elected to the office of Member of Board of Election for a three year term.

4. Statement of Determination from the County Board of Canvassers that Jeff Grayzel was duly elected, on May 1, 2007, as a Township Committeeman for the term of three years.

5. Copy of the 2006 Audit Report of the Morristown and Morris Township Joint Free Public Library, prepared by the Township Auditor.

**TOWNSHIP COMMITTEE MEETING
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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. GRAYZEL

1. Morristown is rezoning at the end of Woodland. The Township Planning Board and Board of Adjustment are addressing this issue.

MRS. HYLAND

1. Congratulations to Jeff, looking forward to working with him.
2. Congratulations to the Police Unity Tour, it was really great, the Police Department should be commended.

MR. ROSENBUSH

1. Welcomed Jeff to the Board.
2. The Sewer Department is well run.
3. Complimented the Police and volunteers on the Unity Tour.

MR. WATSON

1. Congratulated Jeff and all the people who supported him.

MAYORAL COMMENTARY - MAYOR ROBERT E. NACE

1. Congratulated Jeff.
2. All who helped on the Police Unity Tour can take pride in its success - \$1.1 Million Dollars was raised.

* * *

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:

YEAR 2006
BOARD OF ADJUSTMENT

APRIL 2007
TAX COLLECTOR

ROLL CALL: MR. GRAYZEL YES MR. ROSENBUSH YES
MRS. HYLAND YES MR. WATSON YES
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 #1) dated May 16, 2007 \$11,463,943.19

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 \$11,463,943.19 for payment of the itemized Vouchers set forth on Schedule A, referenced as Minute Book Attachment No. 1, 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: MR. GRAYZEL YES MR. ROSENBUSH YES
MRS. HYLAND YES MR. WATSON YES
MAYOR NACE YES
* * *

HOTEL ORDINANCE DISCUSSION - EXTENDED STAY

Discussion regarding amending Chapter 95-Section 37-I, Hotel Stay, was brought before the Committee. Mr. Mills was directed to prepare an ordinance to address issues of extended stay facility in the Township. The ordinance is being referred to the Planning Board for review and comment.

ROLL CALL: MR. GRAYZEL SAFETY ISSUES MR. ROSENBUSH AGREES
MRS. HYLAND CONCURS MR. WATSON AGREES
MAYOR NACE AGREES
* * *

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

The Governing Body recessed at 9:16 P.M., the May 16, 2007 Regular Meeting in order to conduct a "Closed Meeting" concerning "Legal and Personnel Matters", as authorized this date.

CALL TO ORDER AND ADJOURNMENT

At 10:05 P.M. the May 16, 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 10:07 P.M., next to convene at the 8:00 P.M., June 20, 2007, Regular Meeting, in the Municipal Building, 50 Woodland Avenue, Township of Morris.

CATHLEEN AMELIO
TOWNSHIP CLERK

DATED: MAY 30, 2007

