

**MINUTES OF REGULAR MEETING OF
THE TOWNSHIP COMMITTEE HELD ON
WEDNESDAY, JUNE 20, 2007, 8:00 P.M.**

CALL TO ORDER

The June 20, 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 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

ALSO PRESENT

William Foelsch, Parks & Recreation Director
Michael Loughman, Police Chief

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PLEDGE OF ALLEGIANCE

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

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Note: The full context of Ordinances can be obtained in the office of the Township Clerk

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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 June 15, 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.

* * *

APPROVAL OF MINUTES

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

MAY 16, 2007 - REGULAR MINUTES
MAY 16, 2007 - CLOSED MINUTES

On motion duly made, seconded and carried by the vote as hereinafter indicated, the reading of the above-specified minutes was waived, the minutes approved as circulated, and placed on file in the Office of the Township Clerk:

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

* * *

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ANNUAL AWARD PRESENTATION - POLICE & FIRE DEPARTMENTS

Police Chief Michael Loughman thanked the Committee for allowing annual award to be presented. The following awards were made:

Ptl Marc Costa and Ptl Adam Sutherland: Lifesaving on 8/04/06 CPR at East Drive.

Ptl. Mark Osterhoudt, Ptl Jon Rynander and Firefighter Mark Tureo: Lifesaving on 6/07/06 choking victim at Friendly's Ice Cream, Madison Ave

Sgt. Martin Tessmer, Ptl. Sean O'Hare and Ptl. David Crowley: Lifesaving on 10/15/06 unresponsive infant at Knollwood Dr.

Ptl David Powell, Ptl Mark Osterhoudt and Firefighter Mark Tureo: Lifesaving on 10/11/06 at Molly Stark Drive.

Ptl. Jon Rynander: Meritorious Service on 9/18/06 for saving suicidal female from throwing herself in front of speeding train.

Ptl Gary Webb: Officer of the Year for 2006 for outstanding performance of duty throughout year.

Special Award to A & A Auto Wreckers for their continued support to our DWI educational programs at various schools in Morris Township

Chief Loughman is proud of all the officers and thanked the Township Committee for the time to present these awards.

* * *

DISCUSSION - LIQUOR LICENSE VIOLATIONS - THE PALM BAR/TEQUILA EDDIE'S & WESTIN MORRISTOWN HOTEL

After discussion on the above violations, John M. Mills, III, Township Attorney was authorized to prepare charges to be served, which charges will be heard at a later date.

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

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

PUBLIC COMMENT

NONE

COMMUNICATIONS OF RECORD

NONE

Mr. Rosenbush expressed his concern for individuals who sell vehicles on their front Lawn when the homeowner does not own the vehicle - anything for sale shall be owned by the property owner - this should be added to this ordinance.

Mayor Nace explained the history of this ordinance.

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

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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 July 18, 2007 regular meeting at 8:00 P.M.:

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ORDINANCES - INTRODUCTION (CONTINUED)

ORDINANCE #20-07 - "ORDINANCE AMENDING CHAPTER 95, SECTION 95-35A (ANIMALS)

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

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ORDINANCE #21-07 - "AN ORDINANCE OF THE TOWNSHIP OF MORRIS, MORRIS COUNTY, NEW JERSEY, ESTABLISHING SALARIES AND COMPENSATION FOR EMPLOYEES OF THE POLICE ADMINISTRATOR'S ASSOCIATION (F.O.P.) OF THE TOWNSHIP OF MORRIS"

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ORDINANCES - INTRODUCTION (CONTINUED)

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

* * *

SUMMARY OF BIDS RECEIVED JUNE 13, 2007

Township Administrator Fred J. Rossi reported that on June 13, 2007, the Receipt of Public Bids Committee met at 10:00 A.M., in the Municipal Building, 50 Woodland Avenue, and received bids on the projects hereafter enumerated from the bidders and at the prices as indicated:

<u>NAME OF PROJECT</u>	<u>NAME/ADDRESS OF BIDDERS</u>	<u>TOTAL BID PRICES</u>
OTE: 2007-5 - Renovation of Ginty & Streeter Municipal Pool Houses and Police Station Bathroom	Liberato Giambattista 381 Berwick Street Orange, NJ 07050	\$436,000.00
	Murray Hill Enterprise 10 First Street Murray Hill, NJ 07974	\$495,000.00
	Pakis Construction, Inc. 86 James Street Bloomfield, NJ 07003	\$583,800.00
	Northstar Enterprises Inc. 80 Main Street West Orange, NJ 07052	\$550,000.00
OTE: 2007-6 - Fire Department Hydraulic Tools	State Line Fire & Safety P.O. Box 250, 50 Park Avenue Park Ridge, NJ 07656	\$ 29,189.90
	Breathe Safe Fire & Safety P.O. Box 520 Warrington, PA 18976	\$ 17,450.50 (incomplete)
OTE: 2007-8 - One All Aluminum Custom Fire/Rescue Pumper	Absolute Fire Protection Co., Inc. 2800 South Hamilton Blvd. South Plainfield, NJ 07080	\$461,421.00

Submitted, read in full, and placed on file in the Office of the Municipal Clerk, are letters of recommendation from William Foelsch, Director, Parks and Recreation dated June 19, 2007 for

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SUMMARY OF BIDS RECEIVED JUNE 13, 2007 (CONTINUED)

OTE: 2007-5; letter from Craig Goss, Fire Chief dated June 15, 2007 for OTE: 2006-12; and letter from Craig Goss, Fire Chief dated June 18, 2007 for OTE: 2007-8.

On motion duly made, seconded and unanimously carried (5-0) authorization was given for the award of the bids as recommended and as specified in the appropriate resolutions set forth hereinafter.

* * *

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:

2007/2008 ALCOHOLIC BEVERAGE LICENSES RENEWALS

BE IT RESOLVED by the Township Committee of the Township of Morris, Morris County, New Jersey, that the following applications for Plenary Retail Consumption Licenses and Plenary Retail Distribution Licenses, for the respective premises hereinafter designated for the 2007/2008 license year commencing July 1, 2007 and ending June 30, 2008 be and the same are hereby granted, the fees having been paid and the applicants having complied with all of the requirements of the statutes and the rules and regulations of the Division of Alcoholic Beverage Control, Special Ruling procedures and ruling from the Attorney General of the State of New Jersey and the ordinances of the Township of Morris:

PLENARY RETAIL CONSUMPTION LICENSES
LOCATION OF LICENSED

<u>NAME OF LICENSEE</u>	<u>PREMISES</u>	<u>FEE</u>	<u>NUMBER</u>
Innkeepers Hospitality Management, Inc. T/A Westin Morristown 460, Lot 19)	2 Whippany Road Morris Township, N.J. (P.O. Morristown, N.J.)	\$2,000 (Block 10001, Lot 6, F/K/A Block	1422-36-013-001
Hunan of Morris Food Corporation T/A Hunan Chinese Room	255 Speedwell Avenue Morris Township, N.J. (Block 10501, Lot 2, F/K/A Block 481, Lot 2)	\$2,000	1422-33-004-007
The Timbers, Inc., T/A The Madison Hotel, Also T/A Rod's Steak and Seafood Grille	Rt. 124, Madison Avenue Morris Township, N.J. (Block 8464, Lot 6, F/K/A Block 391, Lots 6 & 7)	\$2,000	1422-33-010-003
Morris County Golf Club T/A. Morris County Golf Club	36 Punch Bowl Road Morris Township, N.J. (Block 9101, Lots 2&3, F/K/A Block 431, Lot 72)	\$2,000	1422-33-007-001
Tiffany's Restaurant, Inc. T/A Tiffany's Restaurant	231 Speedwell Avenue Morris Township, N.J. (Block 10501, Lot 31, F/K/A Block 481, Lot 31)	\$2,000	1422-33-011-004
Spring Brook Country Club T/A Spring Brook Country Club	9 Springbrook Road Morris Township, N.J. (Block 5801, Lot 1, F/K/A Block 341, Lot 87)	\$2,000	1422-33-009-001

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RESOLUTIONS (CONTINUED)

2007/2008 ALCOHOLIC BEVERAGE LICENSES RENEWALS

<u>NAME OF LICENSEE</u>	<u>PREMISES</u>	<u>FEE</u>	<u>NUMBER</u>
Lynnedr, LLC T/A The Palm Bar Tequila Eddie's	4 John Street Morris Township, N.J. (Block 10102, Lots 1&2, F/K/A Block 463, Lots 6, 7 & 11)	\$2,000	1422-33-002-009
Mai-Bel, Inc. T/A Fairchild Super Market	16 Burnham Road Morris Township, N.J. (Block 204, Lot 16, F/K/A Block 209, Lot 15)	\$2,000	1422-44-006-004
Ritchie Enterprise, Inc. T/A Just Around the Corner	88 Martin Luther King Avenue Morris Township, N.J. (Block 10314, Lot 1, F/K/A Block 479, Lot 1)	\$2,000	1422-44-001-005
Quality Liquors Inc. T/A The Liquor Stop	167 Speedwell Avenue Morris Township, N.J. (Block 10501, Lot 83, F/K/A Block 481, Lot 85)	\$2,000	1422-44-005-005

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

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STATE OF NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION GREEN ACRES ENABLING RESOLUTION - MORRIS TOWNSHIP OPEN SPACE ACQUISITION

WHEREAS, the New Jersey Department of Environmental Protection, Green Acres Program ("State"), provides loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition and development of lands for outdoor recreation and conservation purposes; and

WHEREAS, the Township of Morris desires to further the public interest by obtaining a grant of \$3,515,000.00 from the State to fund the Township's Open Space Acquisitions.

NOW, THEREFORE, the Governing Body resolves that Fred J. Rossi or the successor to the Township Administrator is hereby authorized to:

- (a) Make application for such a loan and/or such a grant
- (b) Provide additional application information and furnish such documents as may be required
- (c) Act as the authorized correspondent of the above named applicant, and

WHEREAS, the State shall determine if the application is complete and in conformance with the scope and intent of the Green Acres Program, and notify the applicant of the amount of the funding award; and

WHEREAS, the applicant is willing to use the State's funds in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the State for the above named project;

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RESOLUTIONS (CONTINUED)

STATE OF NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION GREEN ACRES ENABLING RESOLUTION - MORRIS TOWNSHIP OPEN SPACE ACQUISITION (CONTINUED)

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

1. That the Mayor and Township Clerk of the Township of Morris is hereby authorized to execute an agreement and any amendment thereto with the State known as Morris Township Open Space Acquisition, Project #1422-97-017.
2. That the applicant has its matching share of the project, if a match is required, in the amount of \$3,515,000.00.
3. That, in the event the State's funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project.
4. The applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project.
5. That this resolution shall take effect immediately.

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

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ESTABLISHMENT OF CHANGE FUND

WHEREAS, it is necessary to establish a Change Fund in the amount of \$50.00 for the Recreation Department, and

WHEREAS, in accordance with N.J.S.A. 40:5-21, the Township of Morris hereby appoints William Foelsch as custodian of the Recreation Change Cash Fund, and

WHEREAS, William Foelsch is bonded through the Township of Morris Blanket Bond through the New Jersey Intergovernmental Insurance Fund.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Morris, in the County of Morris, being the Governing Body thereof, hereby authorizes such action.

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

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RESOLUTIONS (CONTINUED)

AUTHORIZING AWARD OF AN INCREASE IN THE PROFESSIONAL SERVICE CONTRACT IN THE AMOUNT OF \$15,000 TO FREDERIC M. KNAPP, ESQ., FOR LABOR NEGOTIATIONS, MAKING THE NEW TOTAL NTE \$35,000.

WHEREAS, the Township of Morris has the need for legal representation with respect to labor negotiations for the Township of Morris as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5, and

WHEREAS, the Township Committee awarded a contract to Frederic M. Knapp, Esq., of the firm Laufer, Knapp, Torzewski, Dalena & Sposaro, L.L.C., 23 Cattano Avenue at Chancery Square, Morristown, NJ 07960 at a meeting held on January 17, 2007, and

WHEREAS, the Township Committee awarded said contract in an amount not to exceed \$20,000, and

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

WHEREAS, the Chief Financial Officer has filed a Certificate of Availability of Funds indicating 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 Frederic M. Knapp, Esq. of Laufer, Knapp, Torzewski, Dalena & Sposaro, L.L.C., for special legal services related to labor negotiations in an additional amount of **\$15,000**, for a total not to exceed \$35,000.

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with Resolution No. 37-07 dated January 17, 2007.

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

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 (3-\$6,982.11) AND SEWER OVERPAYMENT (1- \$133.13)

WHEREAS, the Collector of Taxes has certified to the Township of Morris that certain payments be refunded, and

WHEREAS, the Governing Body has reviewed said certification and approved the same.

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

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RESOLUTIONS (CONTINUED)

AUTHORIZING REFUND OF MONIES DUE TO TAX OVERPAYMENTS (3-\$6,982.11) AND SEWER OVERPAYMENT (1- \$133.13) (CONTINUED)

Block	Lot	Name	Reason	Amount
<u>TAX</u>				
1007	5	ABN AMRO Mortgage	Refund O/P 2 nd Qtr 2007	\$3,119.92
4002	73	Corporate Relocation Services	Refund O/P 4 th Qtr 2006	\$2,122.54
7901	1 C3705	Audrey E. Roast	Refund Tax Payment 3 rd Qtr 2007	\$1,739.65
<u>SEWER</u>				
7504	14	Township of Morris	Deposit Error- from sewer to tax	\$ 133.13

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

AUTHORIZING AWARD OF CONTRACT FOR BID OTE: 2007-8 - FIRE DEPARTMENT VEHICLE - ONE ALL ALUMINUM CUSTOM FIRE/RESCUE PUMPER - AWARDED TO ABSOLUTE FIRE PROTECTION CO., 2800 HAMILTON BLVD., SOUTH PLAINFIELD, NJ 07080 - \$461,421.00

WHEREAS, this municipality has, in accordance with the Local Public Contracts Law of the State of New Jersey, received bids for the following: FIRE DEPARTMENT VEHICLE - ONE ALL ALUMINUM CUSTOM FIRE/RESCUE PUMPER, and

WHEREAS, after review and recommendation from the appropriate official, it appears that the contract should be awarded to the lowest responsible bidder: Absolute Fire Protection Co., 2800 Hamilton Blvd., South Plainfield, NJ 07080, and

WHEREAS, a Certificate of Availability of Funds has been provided to the Township Clerk by the Chief Financial Officer of this Township, certifying that the funds for said contract are available in the following line item appropriation, resolution or ordinance: General Capitol.

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

1. That the subject contract is hereby awarded to Absolute Fire Protection Co., 2800 Hamilton Blvd., South Plainfield, NJ 07080 in an amount not to exceed \$461,421.00.
2. The Mayor and Clerk of this Township be and are hereby authorized and directed to execute the contract and all other necessary documents in order to effectuate the purpose of this resolution.
3. That the Certificate of Availability of Funds supplied by the Chief Financial Officer of this Township shall be attached to a copy of this resolution and kept on file in the Office of the Municipal Clerk.

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

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RESOLUTIONS (CONTINUED)

AUTHORIZING AWARD OF CONTRACT FOR BID OTE: 2006-12- FIRE DEPARTMENT HYDRAULIC TOOLS - AWARDED TO STATE LINE FIRE & SAFETY, 50 PARK AVENUE, P.O. BOX 250, PARK RIDGE, NJ 07656 - IN AN AMOUNT NTE \$29,189.90

WHEREAS, this municipality has, in accordance with the Local Public Contracts Law of the State of New Jersey, received bids for the following FIRE DEPARTMENT HYDRAULIC TOOLS: (1 Hurst model ML-28 Defender Demo Unit \$5,793.75; 1 Hurst model MOCIL Cutter \$4,743.35); 1 Hurst model ML-16SII Maverick \$4,959.00; 1 Hurst Trimo power JL-4G-TR power unit \$8,807.00; 1 Hurst model mini mate power Demo unit \$3,580.00; 3 Hose lines; blue, green, orange, 30 foot length \$1,306.80 - Total \$29,189.90), and

WHEREAS, after review and recommendation from the appropriate official, it appears that the contract should be awarded to the lowest responsible bidder: State Line Fire & Safety, 50 Park Avenue, P. O. Box 250, Park Ridge, NJ 07656, and

WHEREAS, a Certificate of Availability of Funds has been provided to the Township Clerk by the Chief Financial Officer of this Township, certifying that the funds for said contract are available in the following line item appropriation
\, resolution or ordinance: General Capitol. Ord. 6-06.

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

1. That the subject contract is hereby awarded to State Line Fire & Safety, 50 Park Avenue, P.O. Box 250, Park Ridge, NJ 07656,
2. The Mayor and Clerk of this Township be and are hereby authorized and directed to execute the contract and all other necessary documents in order to effectuate the purpose of this resolution.
3. That the Certificate of Availability of Funds supplied by the Chief Financial Officer of this Township shall be attached to a copy of this resolution and kept on file in the Office of the Municipal Clerk.

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

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AUTHORIZING PURCHASE OF ONE DODGE DURANGO (FOR FIRE DEPARTMENT) FROM WARNOCK FLEET AND LEASING, 175 ROUTE 10, P.O. BOX 524, EAST HANOVER, NJ 07936-0524, STATE CONTRACT A67059 - NTE \$22,582.00

WHEREAS, the Township of Morris wishes to purchase a 4-wheel drive, 4-door vehicle for use by the Fire Department, and

WHEREAS, the above item is available through State Contract under Contract No. A67059 from Warnock Fleet and Leasing, 175 Route 10, P.O. Box 524, East Hanover, NJ 07936-0524, and

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RESOLUTIONS (CONTINUED)

AUTHORIZING PURCHASE OF ONE DODGE DURANGO (FOR FIRE DEPARTMENT) FROM WARNOCK FLEET AND LEASING, 175 ROUTE 10, P.O. BOX 524, EAST HANOVER, NJ 07936-0524, STATE CONTRACT A67059 - NTE \$22,582.00 (CONTINUED)

WHEREAS, the Director of Finance has certified that funds are available in Fire O.E. and Capital in the amount of \$22,582.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee, Township of Morris, State of New Jersey, that a contract be awarded to Warnock Fleet and Leasing for the purchase of a Dodge Durango in the amount not to exceed \$22,582.

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

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AUTHORIZING PURCHASE OF ONE 4-WHEEL DRIVE PICKUP TRUCK (FORD F350) FOR SEWER DEPARTMENT, FROM PRINCETON NASSAU/CONOVER FORD, 902 ROUTE 206, PRINCETON, NJ 08540, STATE CONTRACT A67059 - NTE \$28,862

WHEREAS, the Township of Morris wishes to purchase a 4-wheel drive, pickup truck for use by the Sewer Department, and

WHEREAS, the above item is available through State Contract under Contract No. A67608 from Princeton Nassau/Conover Ford, and

WHEREAS, the Director of Finance has certified that funds are available in Sewer O.E. in the amount of \$28,862.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee, Township of Morris, State of New Jersey, that a contract be awarded to Princeton Nassau/Conover Ford, 902 Route 206, Princeton, NJ 08540 for the purchase of a Ford F350 in the amount not to exceed \$28,862.

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

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AUTHORIZING AWARD OF CONTRACT FOR BID OTE: 2007-5 RENOVATION OF GINTY AND STREETER POOL HOUSES AND POLICE STATION BATHROOM - AWARDED TO LIBERATO GIAMBATTISTA, 381 BERWICK STREET, ORANGE, NJ 07050 - NOT TO EXCEED \$436,000.00

WHEREAS, this municipality has, in accordance with the Local Public Contracts Law of the State of New Jersey, received bids for the following: RENOVATION OF GINTY AND STREETER POOL HOUSES AND POLICE STATION BATHROOM, and

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RESOLUTIONS (CONTINUED)

AUTHORIZING AWARD OF CONTRACT FOR BID OTE: 2007-5 RENOVATION OF GINTY AND STREETER POOL HOUSES AND POLICE STATION BATHROOM - AWARDED TO LIBERATO GIAMBATTISTA, 381 BERWICK STREET, ORANGE, NJ 07050 – NOT TO EXCEED \$436,000.00 (CONTINUED)

WHEREAS, after review and recommendation from the appropriate official, it appears that the contract should be awarded to the lowest responsible bidder: Liberato Giambattista, 391 Berwick Street, Orange, NJ 07050, and

WHEREAS, a Certificate of Availability of Funds has been provided to the Township Clerk by the Chief Financial Officer of this Township, certifying that the funds for said contract are available in the following line item appropriation, resolution or ordinance: General Capitol.

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

1. That the subject contract is hereby awarded to Liberato Giambattista, 391 Berwick Street, Orange, NJ 07050 in an amount not to exceed \$436,000.
2. The Mayor and Clerk of this Township be and are hereby authorized and directed to execute the contract and all other necessary documents in order to effectuate the purpose of this resolution.
3. That the Certificate of Availability of Funds supplied by the Chief Financial Officer of this Township shall be attached to a copy of this resolution and kept on file in the Office of the Municipal Clerk.

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

- - -

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

BE IT HEREBY RESOLVED that the Mayor and Township Clerk of the Township of Morris be and they are hereby authorized to enter into an Agreement with Honeywell Child Development Center for the use of Morris Township Swimming Pools for the year 2007, and that the agreement shall be maintained on file in the Office of the Municipal Clerk for public inspection.

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

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RESOLUTIONS (CONTINUED)

AUTHORIZING AWARD OF A PROFESSIONAL ENGINEERING SERVICE CONTRACT TO SWM CONSULTING, 1108 OLD YORK ROAD, P.O. BOX 727, RINGOES, NJ 08551 FOR WATNONG BROOK FLOOD MITIGATION STUDY - IN AN AMOUNT NTE \$2,552.40

WHEREAS, the Township of Morris has need of professional engineering consulting services associated with the Watnong Brook flooding, and

WHEREAS, SWM Consulting is a firm specializing in said flood mitigation study services, 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

WHEREAS, the award of a professional services contract is exempt from the necessity of public bidding.

WHEREAS, the Chief Financial Officer of the Township of Morris has filed a Certificate of Availability of Funds indicating funds are available for these services from the Capital Ordinance G-04-55-511-802.

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 engineering services is hereby awarded to SWM Consulting, 1108 Old York Road, P.O. Box 727, Ringoes, NJ 08551 for the Watnong Brook Flood Mitigation Study in an amount of \$2,552.40.

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

- - -

AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT TO KINSEY ASSOCIATES, 486 SCHOOLEY'S MTN. ROAD, SUITE 207, HACKETTSTOWN, NJ 07840-4000 - PREPARATION OF: FEASIBILITY STUDY AND REPORT EVALUATING THE CORNINE FIELD SITE FOR FUTURE CONSTRUCTION OF A SYNTHETIC TURF FIELD IN AN AMOUNT NOT TO EXCEED \$16,250.

WHEREAS, the Township of Morris has need of professional services to prepare a Feasibility Study and Report Evaluating the Cornine Field Site, and

WHEREAS, Kinsey Associates is a firm specializing in such a study, and

WHEREAS, park and recreation consultants 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 award of a professional services contract is exempt from the necessity of public bidding.

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
JUNE 20, 2007 PAGE 15**

RESOLUTIONS (CONTINUED)

AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT TO KINSEY ASSOCIATES, 486 SCHOOLEY'S MTN. ROAD, SUITE 207, HACKETTSTOWN, NJ 07840-4000 - PREPARATION OF: FEASIBILITY STUDY AND REPORT EVALUATING THE CORNINE FIELD SITE FOR FUTURE CONSTRUCTION OF A SYNTHETIC TURF FIELD IN AN AMOUNT NOT TO EXCEED \$16,250 (CONTINUED)

WHEREAS, the Chief Financial Officer of the Township of Morris has filed a Certificate of Availability of Funds indicating funds are available for these services from the Department of Open Space Capital Improvement Fund in the amount of \$16,250.

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 the Study & Report Evaluating the Cornine Field Site is awarded to Kinsey Associates in the amount of \$16,250.

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

- - -

RESOLUTION OF THE TOWNSHIP OF MORRIS CALLING FOR THE PHASING-OUT OF STAGE 1 AND STAGE 2 AIRCRAFT WEIGHING LESS THAN 75,000 POUNDS

WHEREAS, the Morris County Board of Chosen Freeholders adopted a resolution calling for the phasing-out of Stage 1 and Stage 2 aircraft weighing less than 75,000 pounds, and

WHEREAS, members of Sound Initiative, a coalition formed by airport managers with the support of local and community leaders, have petitioned Congress to either phase-out these older aircraft or require them to upgrade to meet new standards, and

WHEREAS, New Jersey Assembly Resolution No. 70 memorializing the United States Congress to immediately commence phasing-out of these aircraft has yet to be passed by the Assembly, and

WHEREAS, as Morristown Municipal Airport lies within a densely populated county in the most densely populated state and noise from aircraft is a concern to many residents, and

WHEREAS, Congressman Rodney P. Frelinghuysen has expressed his desire to ensure that the general aviation airports benefit from noise reduction initiatives, and

WHEREAS, the elimination of Stage 1 and Stage 2 aircraft at Morristown Municipal Airport would reduce noise and be beneficial to our residents.

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

- . The Township of Morris supports the phase-out of Stage 1 and Stage 2 aircraft weighing less than 75,000 pounds.

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
JUNE 20, 2007 PAGE 16**

RESOLUTIONS (CONTINUED)

RESOLUTION OF THE TOWNSHIP OF MORRIS CALLING FOR THE PHASING-OUT OF STAGE 1 AND STAGE 2 AIRCRAFT WEIGHING LESS THAN 75,000 POUNDS (CONTINUED)

- . A copy of this resolution is to be sent to Congressman Frelinghuysen, Governor Corzine, Assembly Chair of the Transportation and Public Works Committee John Wisniewski, the Morris County State Legislative Delegation, the Mayors of Hanover, Florham Park, Morris Plains, Morristown, Sound Initiative and the Morris County Board of Chosen Freeholders.

ROLL CALL: MR. GRAYZEL 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. 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. Mark George, 43 Fanok Road, referred to the renovation and contractor on the bathroom renovations and fire truck; pedestrian traffic and pool traffic control; Kelsey Building proposed driveway exit onto Old Glen Road.

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
JUNE 20, 2007 PAGE 17**

PUBLIC COMMENT/INQUIRY (CONTINUED)

Mayor Nace, the Township has requested the County of Morris widening of West Hanover Avenue from Burnham Road to Speedwell Avenue into four lanes - will not be taking any property or sidewalks.

Mr. Joseph Caloni, 59 West Hanover Avenue, the Mayor and Council of the Borough of Morris Plains are vehemently opposed to a four lane highway, no one wants a four lane highway, the Borough will not give up an inch of property.

Mrs. Rosario Zambrano, 80 West Hanover Avenue, opposed.

Mr. Gary Tahlmore, 81 West Hanover Avenue, opposed.

Mr. Matthew Kolster, 60 West Hanover Avenue, opposed.

Mr. Joseph Signorelli, 59 West Hanover Avenue, opposed.

Fifth Grader Damien Valenza, 58 West Hanover Avenue opposed.

Mrs. Olga Byrne, 58 West Hanover Avenue opposed.

Mr. Ken Johnson, 56 West Hanover Avenue, opposed.

Mr. Keif Samulski, 78 West Hanover Avenue opposed.

Mr. Desmond Lloyd, 23 West Hanover Avenue opposed.

Mr. Robert Mooney, 40 West Hanover Avenue opposed.

Mr. Edward Schrak, 62 West Hanover Avenue opposed.

Mr. Kevin Johnson, 51 West Hanover Avenue opposed.

Ms. Cheryl MacDougall, 64 West Hanover Avenue opposed.

Mr. Greg Manning, 24 West Hanover Avenue opposed.

Ms. Megan Barlotta, 41 West Hanover Avenue opposed.

- - -

Mr. Robert Miller, 19 Craig Road, requested access to his property through Edward Shippen Lane - request was referred to Engineering Department who will contact owner with a recommendation.

Mrs. Mary Hess, 11 Bell Drive, electrical inspector shortage - took three weeks for a kitchen electrical inspection - residents deserve better service.

Mrs. Sharon Baldwin, 5 Hillview Terrace, questioned why the pools were not open? Was advised they open on June 23, 2007.

* * *

CONSENT CALENDAR

At this time the Township Clerk presented the Consent Calendar as hereinafter set forth.

On resolution duly offered, seconded and adopted by the roll call as indicated (exceptions, if any, noted thusly*), the Consent Calendar was adopted and thereby the Governing Body took the following actions:

1. Granted approval to carry all unused 2006 vacation time for non-union personnel to December 31, 2007.
2. Granted permission to the residents of Normandy Blvd. East and West to hold a Normandy Park Olympics on Saturday, June 30 and Sunday, July 1, 2007, closing the circle from 11 A.M. to 3 P.M., subject to the approval of the Police and Fire Chiefs.

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
JUNE 20, 2007 PAGE 18**

CONSENT CALENDAR (CONTINUED)

3. Approved the application for an Automobile Junkyard License for 245-251 East Hanover Avenue, LLC, located at 245-251 East Hanover Avenue for the year July 1, 2007 to June 30, 2008; junkyard is presently vacant, but applicant, who is the owner of the property wishes to continue to junkyard license.
4. Granted permission to the Calvary Baptist Church to hold their annual church picnic on August 4, 2007, from 7 A.M. to 6 P.M. at Alfred Vail School, Speedwell Avenue; tents will be provided in case of inclement weather and for areas of shade, subject to approval of of the Police and Fire Chiefs.
5. Grant permission to the Interfaith Food Pantry and The Literacy Volunteers of Morris County to hold a 5K Run and 1 Mile Walk on Thanksgiving Day, November 22, 2007 (rain or shine), starting at 8:30 A.M. at the Ginty Field Complex at Woodland Avenue and Dwyer Lane, subject to approval of the Police and Fire Chiefs and the Recreation Director and subject to the filing of a Certificate of Insurance, with a Hold Harmless Clause) naming the Township as an additional insured.
6. Granted permission to The Shakespeare Theatre of New Jersey to hang a banner across Woodland Avenue at South Street from June 21 through July 22, 2007, which banner presents 'A Midsummer Night's Dream', an annual Outdoor Stage production - at the Greek Theatre on the campus of the College of St. Elizabeth from June 19 to July 22, 2007, subject to approval of the Police Chief and Superintendent of the Department of Public Works and the filing of a Certificate of Insurance with a Hold Harmless Clause naming the Township as an additional insured.
7. Appointed, in accordance with a recommendation from Michael Loughman, Police Chief, dated June 12, 2007, William J. O'Connor, 65 Valley View Drive, Morristown, NJ 07960 as a Probationary Patrolman, effective July 2, 2007 at a starting salary of \$31,656.00 (2005 contract).
8. Granted permission to The Blair Beinhaker Friendship Foundation Inc. to hang banners for 'Care Blairs', a Music Festival at Mennen Arena on August 4, 2007 at 5:00 P.M., banners would be placed on Sussex Avenue on July 13, 2007 and on Woodland Avenue on July 22, 2007, subject to approval of the Police Chief and Superintendent of the Department of Public Works and the filing of a Certificate of Insurance with a Hold Harmless Clause naming the Township as an additional insured.
9. Accepted, with regret and appreciation for services rendered, the resignation of Ptl. George Sklavounos, Police Department, effective July 1, 2007.
10. Approved, in accordance with a memo of recommendation from Craig Goss dated June 18, 2007, Mark Sampson, 166 West Hanover Avenue, Morristown, NJ as a volunteer fireman for the Morris Township Fire Department (Fairchild Fire Company).
11. Approved, in accordance with a memo of recommendation from Michael Loughman, Police Chief dated June 20, 2007, Steven R. Crump, 36 Condit Street, Succasunna, NJ 07876 as a probationary patrolman, effective July 2, 2007 at a salary of \$31,656 (2005 contract).

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
JUNE 20, 2007 PAGE 19**

CONSENT CALENDAR (CONTINUED)

12. Granted permission to the residents of Convent Station to hold a Block Party at Connie Place on June 30, 2007 from 2 to 7 P.M. (rain date will be Sunday July 1, 2007), subject to the approval of the Police and Fire Chiefs.

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. Landlord Registration Statement for 33 Midland Drive, Block 3911, Lot 10, owner: David Ching.
2. Letter dated May 25, 2007 from Sidney D. Weiss, Esq., Counsel for Southeast Morris County Municipal Utilities Authority, advising that on May 17, 2007 a professional service contract was awarded as follows:
 - a. Schoor DePalma for engineering services in connection with preparations of Plans, Specifications and Bid Documents for the Wing Well Discharge Piping Modifications in an amount not to exceed \$48,550.
3. Differentiated Case Management Pilot Program for Block 10001, Lot 4, 44 Whippany Road, owner Reckson Associates Realty Corp.
4. Landlord Registration Statement for 15 Locust Street, Block 3903, Lot 17, owners: Steven R. and Carolyn F. Stein.

* * *

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. Regarding widening of West Hanover Avenue, many valid issues brought up by residents, property value issues; valued comments.

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

MR. GRAYZEL (CONTINUED)

2. Playground safety, junkyard renewal; hotel ordinance; landlord registration, bikeways; cable TV.

MRS. HYLAND

1. Widening of West Hanover Avenue would cause a hardship.
2. Morris Plains Firemen Parade is Saturday, June 23, 2007, 100 year anniversary.

MR. ROSENBUSH

1. Take everyone's comments into consideration; request expansion of the study area; has safety concerns; improve traffic and safety. Thanks Police and Fire Chiefs.

MR. WATSON

1. The County will decide on widening West Hanover Avenue; Mayor asked the County to consider this request.

MAYORAL COMMENTARY - MAYOR ROBERT E. NACE

1. Not fond of widening of road; timing of lights could help; public safety concerns.

* * *

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:

MAY 2007
TAX COLLECTOR

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

* * *

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
JUNE 20, 2007 PAGE 21**

APPROVAL OF CLAIMS FOR PAYMENT - LIST OF BILLS AND VOUCHERS

Minute Book Attachment #1 (MBA #1) dated June 20, 2007 \$8,517,312.20

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 \$8,517,312.20 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

* * *

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

The Governing Body recessed at 10:48 P.M., the June 20, 2007 Regular Meeting in order to conduct a "Closed Meeting" concerning "Legal and Personnel Matters", as authorized this date.

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CALL TO ORDER AND ADJOURNMENT

At 11:54 P.M. the June 20, 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 11:55 P.M., next to convene at the 8:00 P.M., July 18, 2007, Regular Meeting, in the Municipal Building, 50 Woodland Avenue, Township of Morris

CATHLEEN AMELIO
TOWNSHIP CLERK

DATED: JULY 12, 2007