

**MINUTES OF REGULAR MEETING OF
THE TOWNSHIP COMMITTEE HELD ON
WEDNESDAY, JULY 18, 2007, 8:00 P.M.**

CALL TO ORDER

The July 18, 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.

NOTE: ORDINANCES CAN BE OBTAINED AT 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 July 13, 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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APPROVAL OF MINUTES

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

JUNE 20, 2007 - REGULAR MINUTES
JUNE 20, 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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PRESENTATION OF RESOLUTION TO JOHN M. HIGGINS - EAGLE SCOUT

Mayor Nace presented a resolution of congratulations to John M. Higgins who has attained the rank of Eagle Scout, with his mother Camille in attendance.

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**PUBLIC HEARING - APPLICATION OF MORRIS COUNTY OPEN SPACE
AND FARMLAND PRESERVATION TRUST FUND COMMITTEE - MOUNT
KEMBLE AVENUE RECREATION COMPLEX - BLOCK 23.02, LOT 5
PRESENTER: JENNIFER MC CULLOCK, MORRIS LAND CONSERVANCY**

Jennifer McCullock of the Morris Land Conservancy summarized the application. Ms. McCullock stated that this presentation is part of the application process that will be submitted to the County of Morris Open Space and Farmland Preservation Trust Fund.

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Ms. McCullock stated that the Morris Land Conservancy is located in Boonton and advisors to the Township of Morris in reference to open space acquisitions on behalf of the residents of the Township of Morris. The Conservancy is in full support in acquiring property located in Harding Township for the purpose of a recreational complex. A decision will be rendered by the County in November 2007.

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**LIQUOR LICENSE VIOLATION - JUST AROUND THE CORNER, LICENSE NO.
1422-44-001-005 - SERVING LIQUOR TO A MINOR ON JUNE 22, 2007**

After discussion, Mr. Mills was directed to prepare charges for this liquor license violation.

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

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

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

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

- - -

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"

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 August 15, 2007 meeting at 8:00 P.M.:

ORDINANCE #22-07 - "AN ORDINANCE APPROPRIATING THE SUM OF \$108,000 FROM THE GENERAL CAPITAL FUND BALANCE FOR VARIOUS PROJECTS AND PURCHASES"

BE IT ORDAINED by the Township Committee of the Township of Morris, in the County of Morris and State of New Jersey, they being the governing body of said Township, as follows:

SECTION ONE: There is hereby appropriated from the General Capital Fund Balance the sum of \$108,600 for the following purposes:

- A. Traffic signal Upgrade at the intersection of Columbia Turnpike/ Whippany Road/Lindsley Drive \$30,000.
- B. Drainage Improvements including piping drainage inlets and curbing repairs/replacement for Searing Avenue \$30,000.
- C. Sports Court Improvements at Collinsville Playground \$6,500.
- D. Replacement of steps and pathway installation at Cornine Field \$8,000.
- E. Playground Equipment, Safety Surfacing Improvements and Accessible Pathways at Collinsville, Hayward, Children's Delpho and Butterworth Playgrounds \$16,100.

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ORDINANCE #22-07 (CONTINUED) - "AN ORDINANCE APPROPRIATING THE SUM OF \$108,000 FROM THE GENERAL CAPITAL FUND BALANCE FOR VARIOUS PROJECTS AND PURCHASES"

- F. Bulk materials storage bins at the Florence Avenue Garage \$3,000.
- G. Ballfield Safety Fencing Improvements at Lake Road Field, LaRue Field, Tucker Field, Ginty Field, Delpho Field and Butterworth Field \$15,000.

All of the above are in accordance with the list on file in the office of the Chief Financial Officer.

SECTION TWO: If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

SECTION THREE: All Ordinances of the Township of Morris which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION FOUR: The capital budget of the Township of Morris is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith.

SECTION FIVE: This Ordinance shall take effect upon final passage and publication thereof, as provided by law.

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

SUMMARY OF BIDS RECEIVED JULY 11, 2007

Township Administrator Fred J. Rossi reported that on July 11, 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>
Drainage, Curb & Sidewalk Improvements at Various Locations	Jenicar Builders Contractors Co., Inc. 573 Belgrove Drive Kearny, NJ 07032	\$ 876,470.00
	Tomaro Contracting Co., Inc. 195 Green Pond Road Rockaway, NJ 07866	\$1,392,000.00
	Cifelli & Son 4 Coppola Street Nutley, NJ 07110	\$1,543,720.00

Submitted, read in full, and placed on file in the Office of the Municipal Clerk, is a letter of recommendation from the Township Engineer dated July 16, 2007 (ENG-179-07).

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

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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 AUTHORIZING THE CANCELLATION OF BALANCES REMAINING ON CERTAIN GENERAL CAPITAL DEDICATED PROJECTS

WHEREAS, certain Capital funded balances remain dedicated to General Capital projects now complete, and

WHEREAS, it is necessary to formally cancel said balances.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee of the Township of Morris, that the unexpended and dedicated balances of the General Capital appropriation be cancelled to the General Capital Fund Balance.

GENERAL CAPITAL

<u>ORD #</u>	<u>PROJECT DESCRIPTION</u>	<u>BALANCE</u>
10-96	Fire Headquarters	\$ 3,000.00
31-99	Building Improvements	\$11,587.60
10-98	Purchase of Fire Radio System	\$ 285.74
	Drainage Improvements	\$22,091.50
12-00	Improvements to Joint Free Library	\$ 3,779.96
15-00	Purchase of Various Equip	\$19,501.23
	Purchase of Fire Equip	\$ 5,600.00
	Improvement to Parks	\$43,132.54
	Drainage Improvements	\$ 4,200.00
21-00	Improvements to MLK Ave	\$ 9,756.86
8-01	Improvements to Joint Free Library	\$ 1,750.53
13-01	Police Equipment	\$ 777.00
	Improvements to Fire Stations	\$ 7,635.55
	Purchase of DPW Equip	\$ 1,830.00
	DPW Property Improvements	\$ 388.52
	Improvements to Parks	\$ 2,500.00
	Improvement to Tennis Courts	\$ 3,060.00
	Purchase of Recreation Truck	\$ 500.00
	Drainage Improvements	\$ 14,450.15
2-02	Improvement to Joint Free Library	\$ 14,619.85
10-02	Police & DPW Equipment	\$ 4,809.00
	Improvements to Fire Stations	\$ 63.66
TOTAL GENERAL CAPITAL		\$175,319.69

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 - JOHN M. HIGGINS, EAGLE SCOUT

WHEREAS, JOHN M. HIGGINS, of Morris Township, has achieved the distinguished status of EAGLE SCOUT in Troop 112 of Morris Township, and

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RESOLUTIONS (CONTINUED)

WHEREAS, John has held positions of leadership in Troop 112, including Patrol Leader for the Pine Tree Patrol and Den Chief for Cub Scout Pack 175, and;

WHEREAS, John graduated from Morris Catholic High School in June of 2007, was Class President during his Freshman Year of high school, was a member of a peer ministry group called the Holy Bandits, played Ice hockey for the Parsippany PAL and Morristown Junior Colonials, and

WHEREAS, John will be attending Pennsylvania College of Technology this fall, to pursue a degree in Automotive Technology Management, and

WHEREAS, John's project was playground and classroom exit safety improvement project held on the grounds of St. Virgil's School in Morris Plains, took leadership in instructing adults, friends and members of Troop 112 to install railroad ties to contain playground gravel to prevent spilling on sidewalks, weed and mulch a 90' border next to playground fence, install a stockade fence around gas line pipes, remove and install two 5'x 5' cement slabs outside classroom emergency exists and pain exterior wall of the school library, which, with volunteers, project took 375 hours to complete, and

IN RECOGNITION AND OF CONGRATULATIONS - JOHN M. HIGGINS, EAGLE SCOUT (CONTINUED)

WHEREAS, John 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 JOHN M. HIGGINS

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

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RESOLUTION RE: REAL ESTATE APPRAISAL SERVICES FOR BLOCK 23.02, LOT 5, MOUNT KEMBLE AVENUE (HARDING TWP.) - AWARDED TO HOLZHAUER AND HOLENSTEIN, LLC, 222 HIGH STREET, SUITE 202, NEWTON, NJ 07860 - NTE \$4,800

WHEREAS, the Township of Morris has need of professional real estate appraisal services for the purpose of appraising Block 23.02, Lot 5, Mount Kemble Avenue (Harding Township), and in connection with the 2007 application to the Morris County Open Space and Farmland Preservation Trust Fund, and

WHEREAS, Holzhauer and Holenstein, LLC, is a firm specializing in real estate appraisal and consultant services, and

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

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RESOLUTIONS (CONTINUED)

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 in Open Space Trust.

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

1. The Mayor and Township Clerk are authorized to enter into an Agreement, dated June 14, 2007, to engage Holzhauer and Holenstein, LLC, 222 High Street, Suite 202, Newton, NJ 07860 as professional real estate appraisal for a total fee not to exceed \$4,800.
2. An official notice of this action shall be published in accordance with the law.

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RESOLUTION RE: REAL ESTATE APPRAISAL SERVICES FOR BLOCK 23.02, LOT 5, MOUNT KEMBLE AVENUE (HARDING TWP.) - AWARDED TO HOLZHAUER AND HOLENSTEIN, LLC, 222 HIGH STREET, SUITE 202, NEWTON, NJ 07860 - NTE \$4,800 (CONTINUED)

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

AUTHORIZING AWARD OF A PROFESSIONAL SERVICES AGREEMENT WITH COFFEY AND ASSOCIATES, COUNSELLORS AT LAW, 465 SOUTH STREET, MORRISTOWN, NJ 07960 FOR SPECIAL LEGAL COUNSEL IN AN AMOUNT NOT TO EXCEED \$15,000

WHEREAS, the Township of Morris has need to retain professional services for special legal counsel pursuant to N.J.S.A. 40A:11-1 et seq.; and

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

NOW, THEREFORE, BE IT HEREBY RESOLVED, by the Township Committee of the Township of Morris, they being the governing body thereof, as follows:

A contract for special legal services is hereby awarded to Coffey and Associates, 465 South Street, Morristown, New Jersey for special legal counsel in the amount not to exceed \$15,000.00.

ROLL CALL: MR. GRAYZEL YES MR. ROSENBUSH YES
MRS. HYLAND YES MR. WATSON YES
MAYOR NACE YES
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RESOLUTIONS (CONTINUED)

AUTHORIZING REFUND OF MONIES DUE TO TAX OVERPAYMENTS (2-\$72,349.78) & SEWER OVERPAYMENTS (1- \$451.56)

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.:

Block	Lot	Name	Reason	Amount
<u>TAX</u>				
2201	10	Wells Fargo RETS	Refund Tax O/P 2 nd Qtr 2007	\$ 2,080.48
6101	1	Township of Morris	Refund 2001 SBJ-to 6101/5	\$70,269.30
<u>SEWER</u>				
1501	1 C4108	Township of Morris	Deposit Error- from sewer to tax	\$ 451.56

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AUTHORIZING REFUND OF MONIES DUE TO TAX OVERPAYMENTS (2-\$72,349.78) & SEWER OVERPAYMENTS (1- \$451.56) (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 CONTRACT FOR BID OTE: 2007-4 DRAINAGE, CURB & SIDEWALK IMPROVEMENTS AT VARIOUS LOCATIONS - AWARDED TO JENICAR BUILDERS CONTRACTORS, 573 BELGROVE DRIVE, KEARNY, NJ 07032 – NTE \$876,470

WHEREAS, this municipality has, in accordance with the Local Public Contracts Law of the State of New Jersey, received bids for the following: DRAINAGE, CURB & SIDEWALK IMPROVEMENTS AT VARIOUS LOCATIONS, and

WHEREAS, after review and recommendation from the appropriate official, it appears that the contract should be awarded to the lowest responsible bidder: Jenicar Builders Contractors, 573 Belgrove Drive, Kearny, NJ 07032, 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 attached Department of General Capital and Sewer Capital Ordinances.

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 Jenicar Builders Contractors, 573

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RESOLUTIONS (CONTINUED)

Belgrove Drive, Kearny, NJ 07032 in the amount of \$876,470.

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 THE MAYOR AND TOWNSHIP CLERK TO MAKE APPLICATION TO THE MORRIS COUNTY OPEN SPACE AND FARMLAND PRESERVATION TRUST FUND WITH RESPECT TO ADDITIONAL FUNDING FOR ACQUISITION OF BLOCK 23.02, LOT 5, MT. KEMBLE AVENUE, OWNER: S/K PROPERTIES

BE IT RESOLVED by the Township Committee of the Township of Morris that in accordance with the recommendation of the Open Space Committee and after conducting a public hearing, the Township does hereby authorize the Mayor and Township Clerk to file the following applications with the Morris County Open Space and Farmland Preservation Trust Fund:

1. BLOCK 23.02, LOT 5
MT. KEMBLE AVENUE
S/K PROPERTIES, OWNER

BE IT FURTHER RESOLVED that a copy of said application be 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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AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE AN AGREEMENT WITH THE SOMERSET COUNTY COOPERATIVE PRICING SYSTEM

WHEREAS, the Township of Morris desires to become a member of the Somerset County Cooperative Pricing System, #2-SOCCP, effective July 19, 2007, and that such membership shall be for a period ending December 31, 2008, and each renewal, thereafter of the system, unless the Township of Morris elects to formally withdraw from the system.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Township Clerk are hereby authorized to execute the attached agreement for such membership.

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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 PROFESSIONAL SERVICES CONTRACT TO F. J. RAWDING, A.I.A., 141 MORRIS STREET, MORRISTOWN, NJ 07960 FOR CONSTRUCTION SUPERVISION – GINTY AND STREETER POOL HOUSES AND POLICE DEPARTMENT BATHROOM – NTE \$10,500

WHEREAS, the Township of Morris has a need to acquire professional services from the design architect for construction supervision as a nonfair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5 for the improvements to the Ginty and Streeter Pool Houses and the Police Department bathroom; and

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AUTHORIZING AWARD OF PROFESSIONAL SERVICES CONTRACT TO F. J. RAWDING, A.I.A., 141 MORRIS STREET, MORRISTOWN, NJ 07960 FOR CONSTRUCTION SUPERVISION – GINTY AND STREETER POOL HOUSES AND POLICE DEPARTMENT BATHROOM – NTE \$10,500 (CONTINUED)

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

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

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

WHEREAS, F. J. Rawding, A.I.A. has previously submitted a proposal dated October 11, 2006 indicating he will provide construction supervision; and

WHEREAS, F. J. Rawding, A.I.A. has completed and submitted a Business Entity Disclosure Certification which certified that F. J. Rawding, A.I.A. 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 F. J. Rawding, A.I.A. from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer has filed a Certificate of Availability of Funds indicating funds are available in General Capital; and

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Governing Body of the Township of Morris authorizes the Mayor and Township Clerk to enter into a contract with F. J. Rawding, A.I.A. for a total not to exceed \$10,500.

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

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RESOLUTIONS (CONTINUED)

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 THE PURCHASE OF A PICKUP TRUCK THROUGH STATE CONTRACT A67276 FROM PRINCETON NASSAU/CONOVER FORD, 902 ROUTE 206, PRINCETON, NJ 08540 IN AN AMOUNT NOT TO EXCEED \$15,606

WHEREAS, the Township of Morris wishes to purchase a pickup truck, and

WHEREAS, the above item is available through state contract #A67276 from Princeton Nassau/Conover Ford, 902 Route 206, Princeton, NJ 08540, and

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AUTHORIZING THE PURCHASE OF A PICKUP TRUCK THROUGH STATE CONTRACT A67276 FROM PRINCETON NASSAU/CONOVER FORD, 902 ROUTE 206, PRINCETON, NJ 08540 IN AN AMOUNT NOT TO EXCEED \$15,606 (CONTINUED)

WHEREAS, the Director of Finance has certified that funds are available in Construction Code O.E. in the amount of \$15,606.

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 for the purchase of a Ford Ranger Pickup Truck.

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

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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".

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RESOLUTIONS (CONTINUED)

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

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

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

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RESOLUTION RE: AUTHORIZING AGREEMENT WITH CAPTAIN GARY A. ADAMS AND ACCEPTING RELEASE AND NOTICE OF RETIREMENT

WHEREAS, the Township of Morris, through its special counsel, and Captain Adams, through his attorney, have negotiated a mutually satisfactory Separation Agreement pursuant to which Captain Adams shall retire from the police department of the Township of Morris, and

WHEREAS, that Agreement has been presented to the Township Committee for approval, and

WHEREAS, the Township of Morris has determined that it is in the best interest of all parties for the Township of Morris to accept the Notice of Retirement of Captain Adams and the release which he has tendered and further to authorize the signature by the Township of the Separation Agreement.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Township Committee of the Township of Morris does hereby accept Captain Adams' Notice of Retirement, release and authorize the Mayor and Township Clerk to execute the Separation Agreement.

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

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RESOLUTION RE: APPROPRIATING \$2,500.00 TO COVER THE ESTIMATED COST OF TRANSCRIPT - ROCHELLE BUILDERS APPEAL.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the Township Committee does authorize and direct the chief financial officer to issue a check in the amount of \$2,500.00 to cover the cost of preparation of transcripts on Appeal.

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

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RESOLUTIONS (CONTINUED)

RESOLUTION RE: MODIFYING VACATION SCHEDULE OF TOWNSHIP ENGINEER

WHEREAS, at the time of his original employment with the Township of Morris, the Township Engineer negotiated a slightly modified vacation schedule from that which is set forth in the personnel code of the Township of Morris, and

WHEREAS, there was some confusion between the parties as to the extent of the modification to the vacation schedule, and

WHEREAS, the Township Committee desires to eliminate this uncertainty.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Township Engineer, Mr. James Slate, shall be afforded one additional vacation day per year over the next five years, i.e., one

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**RESOLUTION RE: MODIFYING VACATION SCHEDULE OF TOWNSHIP ENGINEER
(CONTINUED)**

additional day in 2007, 2008, 2009, 2010 and 2011 with the fifth additional day in 2011. The total vacation package of the Township Engineer shall be four week. Thereafter, the vacation schedule for Mr. Slate shall be controlled by municipal ordinance, i.e., on attaining twelve years of service, he shall not receive additional vacation time. However, upon attaining seventeen years of service to the Township of Morris, he shall be entitled to the same additional vacation as all other non-union employees.

ROLL CALL: MR. GRAYZEL YES MR. ROSENBUSH NO
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:

Mayor Nace addressed the audience in reference to West Hanover Avenue study - request the County to resurface the roadway. The County is not interested in resurfacing the roadway. A study is still wanted on traffic on Fairchild Avenue, Burnham Road and Lake Road from the County. Requested the NJDOT to review the lights on Speedwell Avenue and the American Way (timing issue). Letter is drafted and clarified the Committee's request for a traffic study in the area, but no widening of West Hanover Avenue. Committee members concur with revisions. Encourage County to pave West Hanover Avenue and the State to review the traffic light on Speedwell Avenue.

Mr. Robert Mooney, 42 West Hanover Avenue, wants the road left as is.

Mr. Kevin Johnson, 51 West Hanover Avenue, put speed bumps on Fairchild Avenue.

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PUBLIC COMMENT/INQUIRY (CONTINUED)

Mr. Joseph Signorelli, 57 West Hanover Avenue, traffic is all over, alternate routes should be looked into.

Mr. Rich Glasson, 54 West Hanover Avenue, pave and maintain the current lanes.

Mr. Edward Schrak, 62 West Hanover Avenue, has there been any surveys of cars turning into Burnham Road and Stiles Avenue.

Mrs. Nancy Myers, 76 West Hanover Avenue, walks her dog on Fairchild Avenue, suggests no left turn from Fairchild Avenue onto Gordon Place in the morning.

Mrs. Barbara Boller, 25 West Hanover Avenue, Hanover is a race track.

Mrs. Ellen Taylor, 48 Mill Road, leave West Hanover Avenue alone, speeding is a concern in the Fairchild area,

Ms. Cheryl MacDougall, 64 West Hanover Avenue, traffic light is the problem on Speedwell Avenue, should be addressed.

Mr. Joseph Cecala, Jr., 59 West Hanover Avenue, Councilman, Borough of Morris Plains, will work with the Township on anything but the widening of West Hanover Avenue. Glad to see that the road will not be widened.

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Mrs. Sofia Bacas, 26 Knollwood Drive, President of Wheatsheaf Farms Association, concert was wonderful. The traffic light at Route 124 (Washington Avenue) will be installed, but will be delayed. Is proud of Morris School District, why isn't there a DARE Program in the high school- they need help in organizing a DARE Program there. Need to go after Morristown Town Council to fund DARE. Thanked Kathleen Hyland for many years of service.

Mr. Mark George, 43 Fanok Road, opposed to the request for a use variance at Exxon Station, Madison Avenue.

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CONSENT CALENDAR

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

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

1. Accepted, in accordance with a recommendation from Michael Loughman, Police Chief dated July 5, 2007, James Perruso as a permanent police officer, effective July 1, 2007
2. Granted permission to Kaleidoscope of Hope to put a banner across Woodland Avenue from September 4 to September 16, 2007 for the 8th Annual Walkathon at Loantaka Brook Reservation, subject to approval of the Police Chief and Superintendent of the Department

**TOWNSHIP COMMITTEE MEETING
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CONSENT CALENDAR (CONTINUED)

- of Public Works and subject to the filing of a Certificate of Insurance, with a Hold Harmless Clause, naming the Township as an additional insured.
3. Granted permission to Kaleidoscope of Hope to tie teal ribbons around the trees on Morris Township properties from September 1 to September 30, 2007, in connection with Ovarian Cancer Awareness Month, subject to approval of the Police Chief and subject to the filing of a Certificate of Insurance, with a Hold Harmless Clause, naming the Township as an additional insured.
 4. Granted permission to the Kiwanis Club of Morristown to hang banners over Woodland Avenue and Sussex Avenue announcing the Kiwanis Country Squire 5K and 10K Runs on October 7, 2007 starting at 10 A.M., subject to approval of the Police Chief and Superintendent of the Department of Public Works and subject to the filing of a Certificate of Insurance, with a Hold Harmless Clause, naming the Township as an additional insured.
 5. Granted permission to The Seeing Eye to host its annual Family Day Picnic for puppy raiser families on August 18, 2007 from 11 A.M. to 4 P.M., erecting a grand tent on the west lawn and serving food, subject to approval of the Construction Code Official, Board of Health and Police Chief, and subject to the filing of a Certificate of Insurance, with a Hold Harmless Clause, naming the Township as an additional insured.
 6. Accepted, in accordance with a recommendation from Craig Goss, Fire Chief dated July 16, 2007 Teddy Cerra, 106 Sun Valley Way, Morris Plains, as a volunteer fireman for the Township of Morris Fire Department (Fairchild Fire Company).
 7. Accepted, in accordance with a recommendation from Craig Goss, Fire Chief dated July 16, 2007 Robert Poli, 32 Brookfield Way, Morristown, as a volunteer fireman for the Township of Morris Fire Department (Hillside Fire Company).
 8. Accepted, in accordance with a recommendation from Michael Loughman, Police Chief, dated July 16, 2007, the resignation as a Probationary Patrolman of William O'Connor and his reinstatement as a Communications Officer Class 1, effective July 9, 2007.
 9. Accepted, in accordance with a recommendation from Michael Loughman, Police Chief, dated 16, 2007, Dominic DeAngelis as Probationary Patrolman, effective June 25, 2007 (originally appointed in 2006).

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

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MATTERS OF OTHER BUSINESS

NONE

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**TOWNSHIP COMMITTEE MEETING
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MATTERS RECEIVED FOR THE RECORD

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

1. Landlord Registration Statement for 25 Black Watch Trail, Block 2906, Lot 18, owner: James and Yvonne Ksionska.

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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. Requested a resolution re: Speedwell Avenue & West Hanover Avenue - opposition to increase in lanes.
2. Appreciated the residents for attending the meeting.
3. Video Township Committee Meetings.
4. Tree cutting on Old Glen Road.

MRS. HYLAND

1. Letter to County re: West Hanover Avenue - should work together.

MR. ROSENBUSH

1. Rabid raccoon in Township - Kevin Breen got treatment for child that was bitten.
2. Thanked everyone for coming to the meeting. Pleased the Borough will sit down with Committee.

MR. WATSON

1. Resolutions should be submitted prior to meeting for consideration.
2. Letter to County re: West Hanover Avenue.
3. Concert series - movie night.

MAYORAL COMMENTARY - MAYOR ROBERT E. NACE

1. Proclamation - SEPTEMBER - OVARIAN CANCER AWARENESS MONTH.

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

MAYORAL COMMENTARY - MAYOR ROBERT E. NACE (CONTINUED)

WHEREAS, Ovarian Cancer is called the "silent killer" because its symptoms are often vague or subtle, and

WHEREAS, Ovarian Cancer is the fourth leading cause of death among women and the leading cause of gynecologic cancer death in the United States, and

WHEREAS, each year, more than 22,000 Americans are diagnosed with the disease and approximately 16,000 die from it, and

WHEREAS, if detected in its early stages, survival from Ovarian Cancer is 90-95 percent. Yet the five-year survival rate for the disease is only 28 percent, because it is so difficult to detect early, and

1. Proclamation - SEPTEMBER - OVARIAN CANCER AWARENESS MONTH (CONTINUED)

WHEREAS, the Kaleidoscope of Hope Foundation (KOH), a local non-profit group co-founded by ovarian cancer survivors Gail MacNeil of Chatham Township and Lois Myers and Patricia Stewart of Harding Township, raises funds for ovarian cancer research and to increase awareness of the disease and its symptoms, and wishes to remind the public that September is Ovarian Cancer Awareness Month, and

WHEREAS, KOH will be holding its annual Walkathons on September 16, 2007 at Loantaka Brook Reservation in Morristown, starting with special guest speaker Senator Richard J. Codey; on September 29, 2007 at Avon and September 30, 2007 at Richard De Korte Park in Lyndhurst.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Township Committee of the Township of Morris, declare their support for the Kaleidoscope of Hope Walkathons and proclaim **"SEPTEMBER - OVARIAN CANCER AWARENESS MONTH"**.

2. Thanked everyone for coming out tonight – Mayor Nace stated that traffic is a concern in the Fairchild area and would like to remediate the situation without affecting the residential neighborhood of West Hanover.

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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:

JUNE 2007
TAX COLLECTOR

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

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

Minute Book Attachment #1 (MBA #1) dated July 18, 2007 \$9,002,770.41

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 \$9,002,770.41 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

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

The Governing Body recessed at 9:48 P.M., the July 18, 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 9:50 P.M. the July 18, 2007 recessed Regular Meeting was called to order and three resolutions were adopted, i.e., 1. purchase of transcripts \$2,500 Rochelle vs. Township; 2. Gary Adams retirement and settlement of agreement; 3. vacation time for James Slate, thereafter with no further business to be considered, on motion duly made, seconded and unanimously (5-0) adopted, the meeting was adjourned at 10:55 P.M., next to convene at the 8:00 P.M., August 15, 2007, Regular Meeting, in the Municipal Building, 50 Woodland Avenue, Township of Morris

CATHLEEN AMELIO
TOWNSHIP CLERK

DATED: AUGUST 1, 2007