

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

CALL TO ORDER

The October 17, 2007 Regular Meeting was called to order by Mayor Robert E. Nace at 8:00 P.M., in the Municipal Building, 50 Woodland Avenue, Morris Township, New Jersey.

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ATTENDANCES

ELECTED OFFICERS

GOVERNING BODY

Mayor Robert E. Nace
Township Committee Member Jeffrey R. Grayzel
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, Director, Parks & Recreation
James Slate, Township Engineer
Michael Loughman, Police Chief
Timothy Quinn, Captain, Police Department

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PLEDGE OF ALLEGIANCE

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

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

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PRESENTATION/PROMOTIONS - POLICE DEPARTMENT

Police Chief Michael Loughman thanked the Committee for their support. The following men received the Oath of Office for the Police Department, with the Chief giving background history on each. Captain Tim Quinn was also present. Mr. Mills sworn in the following:

Dominick DiAngelis with his wife Nicci holding the bible, was sworn in as a Probationary Patrolman.

Mark DiCarlo, with his wife Melissa holding the bible, was sworn in as Sergeant.

Richard Ferrone, with his wife Diane and children holding the bible, was sworn in as Lieutenant.

Dennis Reilly, with his wife Mary and daughters holding the bible, was sworn in as Captain.

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MORRIS TOWNSHIP RECREATION FOUNDATION

Mayor Nace explained the Recreation Foundation and history of its development, 501 C3 foundation, and commented as follows:

Several years ago I began discussions with some of our local business and community leaders as well as various recreation stakeholders to determine how we can work together to meet the recreation facility development needs of Morris Township.

During this time, I have encouraged our municipal leadership to develop a view of our long term community recreational needs. I envisioned that this view would be the basis for a strategic long term Parks and Recreation Master Plan. Rick Watson and Kathleen Hyland have been working with our new Director of Parks and Recreation, Bill Foelsch, and the Recreation Advisory Committee towards that end. Recently they provided the basis for our long term plan as an update to the Recreation Component of the Township Master Plan. That plan calls for significant investment in durable multipurpose fields, encourages trails, pathways and linkages to local and inter-local trail systems. It also looks to the future by suggesting the need for a community center to address the needs of our senior and indoor recreation program needs. In surrounding communities 9 out of 10 towns have existing turf filled installations (Chatham Boro. 2, Chatham Twp. 3, Dover 1, Madison 1, Montville 3, Parsippany 3, Randolph 1).

I would be remiss if I did not also mention that many of our active recreation facilities are the result of our open space acquisition program. The Township has been very successful in Open Space acquisition. Today approximately 25% of our Township is in some form of Open Space Preservation. Open Space acquisitions have been made for various purposes, some of our acquisitions are made specifically for environmental protection and preservation purposes while other acquisitions have been made specifically for passive and active recreation.

The Township faces a significant challenge in determining how best to meet the needs of the community in a timely and fiscally conservation fashion. I believe we can only meet all of the current and long term Parks and Recreation facility needs with a partnership with our business leaders, residents, recreation stakeholders.

I am pleased to announce the formation of the Township of Morris Parks and Recreation Foundation.

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MORRIS TOWNSHIP RECREATION FOUNDATION (CONTINUED)

The Township of Morris Parks and Recreation Foundation serves as a dynamic catalyst for increasing the available physical, human, and financial resources of the Township's system of parks, playgrounds and recreational services.

The objectives of the Foundation shall be:

- * *To create and help implement a common vision for a high quality park and recreation system fully serving the needs of residents of the Township of Morris.*
- * *To enhance existing resources through funding and partnerships for capital improvement projects and new recreational and community services and facilities.*
- * *To increase the level of volunteer commitment to the Township's parks, recreational services, and community facilities through donations of direct service, property, money, investments, educational assistance, and scholarships.*
- * *To provide a sounding board for enhancement of facilities, services, and communications for the parks, playgrounds, and programs of the Township of Morris.*
- * *To solicit, collect, receive, hold, and invest money and property from grants, gifts, bequests, and contributions for the above purposes.*

The Foundation will be comprised of an 18 member Board of Directors. Fourteen of the Board members will be permanent and four will be selected from the various Recreation Program stakeholder organizations.

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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 #24-07 - AN ORDINANCE OF THE TOWNSHIP OF MORRIS AMENDING SECTIONS 95-5, 95-6 OF THE ZONING ORDINANCE & ADDING A NEW SECTION 95-18.2 CREATING THE TH-4 TOWNHOUSE RESIDENTIAL ZONE

James Slate, Township Engineer gave the background and overview of zone change and the process. This property was vacant for four years. Mr. Slate was available for questions.

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

ORDINANCE #24-07 - AN ORDINANCE OF THE TOWNSHIP OF MORRIS AMENDING SECTIONS 95-5, 95-6 OF THE ZONING ORDINANCE & ADDING A NEW SECTION 95-18.2 CREATING THE TH-4 TOWNHOUSE RESIDENTIAL ZONE (CONTINUED)

PUBLIC COMMENT

Dr. Lynn Siebert, 178 Hillcrest Avenue - vacancy rates in town homes.

Mr. Jack Plaxe, 10 Victoria Lane - in favor.

Mr. Ron Goldberg, 4 1/2 Hilltop Circle - water problem relief.

Mr. Joseph Calvanelli, 12 Victoria Lane - in favor - future review of 100 year flood zone (not 1970).

Mr. David Budd, 80 Overlook Road - in support - spot zoning. Zoning change is part of Master Plan Review.

Mr. John McNamara, 3 Longwood Road - zone setback history.

Ms. Sally Muscarella, 11 Eagle Nest Road - density.

Township Committee comments:

Mr. Watson, financial impact.

Mr. Grayzel, questioned the validity of rezoning and the profit of property owner.

Mr. Rosenbush, thanked individuals for coming out to comment on this ordinance,
Took exception to individual comments on development of property.

Mayor Nace, Research has been done on this ordinance.

Boards and the professionals are relied on during the application process.

Vacant buildings are not an asset to the Township.

Less traffic, water and children, schools.

Better rateables.

No negatives.

COMMUNICATIONS OF RECORD

(LETTER OF APPROVAL FROM PLANNING BOARD)

ROLL CALL: MR. GRAYZEL NO MR. ROSENBUSH YES
MRS. HYLAND ABSENT MR. WATSON YES
MAYOR NACE YES

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ORDINANCE #25-07 - AN ORDINANCE OF THE TOWNSHIP OF MORRIS, MORRIS COUNTY, NEW JERSEY, ESTABLISHING SALARIES AND COMPENSATION FOR EMPLOYEES OF THE POLICEMEN'S BENEVOLENT ASSOCIATION (PBA LOCAL NO. 133) OF THE TOWNSHIP OF MORRIS

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

ORDINANCE #25-07 - AN ORDINANCE OF THE TOWNSHIP OF MORRIS, MORRIS COUNTY, NEW JERSEY, ESTABLISHING SALARIES AND COMPENSATION FOR EMPLOYEES OF THE POLICEMEN'S BENEVOLENT ASSOCIATION (PBA LOCAL NO. 133) OF THE TOWNSHIP OF MORRIS

PUBLIC COMMENT

NONE

COMMUNICATIONS OF RECORD

NONE

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

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ORDINANCES - INTRODUCTION

ORDINANCE #26-07 - "ORDINANCE OF THE TOWNSHIP OF MORRIS ADDING SECTION 57-164, DEVELOPMENT FEES FOR AFFORDABLE HOUSING, TO CHAPTER 57 'LAND DEVELOPMENT'"

WHEREAS, in Holmdel Builder's Association v. Holmdel Township, 121 N.J. 550 (1990), the New Jersey Supreme Court determined that mandatory development fees are authorized by the Fair Housing Act of 1985, N.J.S.A. 52:27D-301 et seq., and the State Constitution, subject to the Council on Affordable Housing's ("COAH") adoption of rules; and

WHEREAS, it is in the best interest of the Township of Morris to establish standards for the collection, maintenance and expenditure of development fees pursuant to COAH's rules; and

WHEREAS, it is the intent of the Governing Body that fees collected pursuant to this ordinance shall be used for the sole purpose of providing low and moderate income housing and that this subsection shall be interpreted within the framework of the COAH's rules on development fees.

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

There is hereby established under Chapter 57, "Land Development" a new Section 57-164 entitled "Development Fees for Affordable Housing" which Section shall read in its entirety as follows:

ORDINANCE #26-07 - "ORDINANCE OF THE TOWNSHIP OF MORRIS ADDING SECTION 57-164, DEVELOPMENT FEES FOR AFFORDABLE HOUSING, TO CHAPTER 57 'LAND DEVELOPMENT'" (CONTINUED)

"Section 57-164. Development Fees for Affordable Housing

A. Residential Development Fees.

- (1) Within all residential zone districts, developers shall pay a fee of one percent (1%) of the equalized assessed value for residential development provided no increased density is permitted.
- (2) If a "d" variance is granted pursuant to N.J.S.A. 40:55D-70d(5), then the

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ORDINANCES - INTRODUCTION (CONTINUED)

ORDINANCE #26-07 - "ORDINANCE OF THE TOWNSHIP OF MORRIS ADDING SECTION 57-164, DEVELOPMENT FEES FOR AFFORDABLE HOUSING, TO CHAPTER 57 'LAND DEVELOPMENT'" (CONTINUED)

additional residential units realized (above what is permitted by right under the existing zoning) will incur a bonus development fee of six percent (6%) rather than the development fee of one percent (1%). However, if the zoning on a site has changed during the two-year period preceding the filing of the "d" variance application, the density for the purposes of calculating the bonus development fee shall be the highest density permitted by right during the two-year period preceding the filing of the "d" variance application. On the non-bonus units the developer shall pay the regular fee of one percent (1) of the equalized assessed value.

B. Nonresidential Development Fees.

- (1) Developers within all nonresidential zone districts shall pay a fee of two percent (2%) of the equalized assessed value for non-residential development.
- (2) If a "d" variance is granted pursuant to N.J.S.A. 40:55D-70d(4), then the additional floor area realized (above what is permitted by right under the existing zoning) will incur a bonus development fee of six percent (6%) rather than the development fee of one percent (1%). However, if the zoning on a site has changed during the two-year period preceding the filing of the "d" variance application, the base floor area for the purposes of calculating the bonus development fee shall be the highest floor area permitted by right during the two-year period preceding the filing of the "d" variance application. The development fee shall be based on the equalized assessed value for non-residential development. On the non-bonus floor area the developer shall pay the regular fee of two percent (2%) of the equalized assessed value.

C. Eligible Development, Ineligible Development and Exemptions.

- (1) Developments of low and moderate income units and inclusionary housing units shall be exempt from paying development fees.
- (2) Developments that have received preliminary or final approval prior to the effective date of this ordinance shall be exempt from paying a development fee unless the developer seeks a substantial change in the approval.
- (3) Developments of new individual structures, excluding teardowns and rebuilds of single-family dwellings that receive municipal construction approvals, shall pay a development fee. The development fee shall be calculated based on the percent of equalized assessed value of the development pursuant to Subsections A and B of this section.
- (4) Bona fide houses of worship and other not-for-profit institutions shall be exempt from paying development fees.

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ORDINANCES - INTRODUCTION (CONTINUED)

ORDINANCE #26-07 - "ORDINANCE OF THE TOWNSHIP OF MORRIS ADDING SECTION 57-164, DEVELOPMENT FEES FOR AFFORDABLE HOUSING, TO CHAPTER 57 'LAND DEVELOPMENT'" (CONTINUED)

- (5) Additions to existing single-family dwelling which do not exceed fifty (50%) percent of the original dwelling floor area shall be exempt from paying development fees.

D. Collection of Fees.

- (1) Developers shall pay fifty percent (50%) of the calculated development fee to the Township at the issuance of building permits. At the issuance of certificates of occupancy, the appropriate development fee shall be based on the percent of equalized assessed value of the development pursuant to Subsections A and B of this section. The developer shall be responsible for paying the difference between the fee calculated at building permit and paid at issuance of certificate of occupancy.
- (2) Developers shall pay the remaining fee to the Township at the issuance of certificates of occupancy. At the issuance of certificates of occupancy, the Township Tax Assessor shall calculate the equalized assessed value and the appropriate development fee. The developer shall be responsible for paying the difference between the fee calculated at certificate of occupancy and the amount paid at building permit.
- (3) No fees shall be collected until COAH has approved 57-164.

E. Housing Trust Fund.

- (1) There is hereby created an interest-bearing Housing Trust Fund in (name of bank) for the purpose of receiving development fees from residential and nonresidential developers. All development fees paid by developers pursuant to this subsection shall be deposited in this fund. No money shall be expended from the Housing Trust Fund unless the expenditure conforms to a spending plan approved by COAH.
- (2) If COAH determines that the Township of Morris is not in conformity with COAH's rules on development fees, COAH is authorized to direct the manner in which all development fees collected pursuant to this Section shall be expended. Such authorization is pursuant to: this subsection, COAH's rules on development fees and the written authorization from the Township Committee to the (name of bank) (the depository for the Fund).

F. Use of Funds.

- (1) Money deposited in a Housing Trust Fund may be used for any activity approved by COAH for addressing the Township's low-and-moderate housing obligation. Such activities may include, but are not necessarily limited to: housing rehabilitation, new construction, regional contribution agreements, the purchase of land for low-and-moderate-income housing, extensions and/or improvements of roads and infrastructure to low-and-

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ORDINANCES - INTRODUCTION (CONTINUED)

ORDINANCE #26-07 - "ORDINANCE OF THE TOWNSHIP OF MORRIS ADDING SECTION 57-164, DEVELOPMENT FEES FOR AFFORDABLE HOUSING, TO CHAPTER 57 'LAND DEVELOPMENT'" (CONTINUED)

moderate-income housing sites, assistance designed to render units to be more affordable to low-and-moderate-income households and administrative costs necessary to implement Morris Township's housing element. The expenditure of all money shall conform to a spending plan approved by COAH.

- (2) At least thirty percent (30%) of the revenue collected shall be devoted to render units more affordable. Examples of such activities include, but are not limited to: down payment assistance, low interest loans, rental assistance and rehabilitation.
- (3) No more than twenty percent (20%) of the revenues shall be expended on administrative costs necessary to develop, revise or implement the housing element. Examples of eligible administrative activities include: personnel, consultant services, space costs, consumable supplies and rental or purchase of equipment.
- (4) Development fee revenues are not to be expended to reimburse Morris Township for housing activities that preceded first or second round substantive certification.

G. Expiration of Ordinance. This ordinance shall expire if:

- (1) COAH dismisses or denies Morris Township's petition for substantive certification.
- (2) COAH revokes substantive certification or its approval of this ordinance.
- (3) Substantive certification expires prior to Morris Township's filing an adopted housing element with COAH or the Court petitioning for third round substantive certification and receiving COAH's approval of this ordinance.

H. Definitions.

As used in this ordinance, the following terms have the meanings indicated:

COAH - The New Jersey Council on Affordable Housing.

DEVELOPMENT FEES - Money paid by an individual, person partnership, association, company or corporation for the improvement of property as permitted in COAH's rules.

EQUALIZED ASSESSED VALUE - The value of a property determined by the Township Tax Assessor through a process designed to ensure

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ORDINANCES - INTRODUCTION (CONTINUED)

ORDINANCE #26-07 - "ORDINANCE OF THE TOWNSHIP OF MORRIS ADDING SECTION 57-164, DEVELOPMENT FEES FOR AFFORDABLE HOUSING, TO CHAPTER 57 'LAND DEVELOPMENT'" (CONTINUED)

that all property in the municipality is assessed at the same assessment ratio or ratios required by law. Estimates at the time of issuance of a building permit may be obtained by the Tax Assessor utilizing estimates for construction cost. Final equalized assessed value will be determined at the project completion by the Township Tax Assessor.

SUBSTANTIVE CERTIFICATION - A determination by COAH approving a municipality's housing element and fair share plan in accordance with the provisions of the Fair Housing Act and the rules and criteria as set forth herein. A grant of substantive certification shall be valid for a period of six (6) years unless extended by COAH in accordance with the terms and conditions contained therein."

This ordinance shall take effect immediately.

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

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RESOLUTIONS

In the next matter of business the following resolutions were duly offered, seconded and adopted by the vote as indicated at the end of the text of the resolutions:

AUTHORIZING RETURN OF MONIES REMAINING IN CLIENTS' ESCROW ACCOUNTS

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

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee that the following escrow accounts be closed and the balance of all monies returned to the applicants.

Name	Balance	Escrow Account #
Jerry & Carolyn Winston	\$ 404.31	E-12-56-808-677
Cardone Contracting Corp. Inc.	\$ 432.42	E-12-56-808-701
Alfieri Property Management	\$ 247.74	E-12-56-808-417

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

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RESOLUTIONS (CONTINUED)

AUTHORIZING REFUND OF MONIES DUE TO TAX OVERPAYMENTS (1-\$687.00)

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

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

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

<u>BLOCK</u>	<u>LOT</u>	<u>NAME</u>	<u>REASON</u>	<u>AMOUNT</u>
8301	3 C0414	Fidelity Tax LLC	Tax O/P 4th Qtr. 2007	\$687.00

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

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RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL CONSULTING SERVICES TO AMY S. GREENE ENVIRONMENTAL CONSULTANTS – NTE \$6,500

WHEREAS, the Township of Morris has need for the professional services of an environmental consulting firm with respect to wetland delineation services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and,

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

WHEREAS, Amy S. Greene Environmental Consultants, 4 Walter E. Foran Blvd., Suite 209, Flemington, NJ 08822, has submitted a proposal dated September 20, 2007; and

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 Capital Improvement Fund in the amount of \$6,500.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Morris authorizes the Township Administrator to enter into a contract with Amy S. Greene Environmental Consultants as described herein.

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 ABSENT MR. WATSON YES
 MAYOR NACE YES

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RESOLUTIONS (CONTINUED)

SUPPORTING ASSEMBLY BILL NO. 1293, APPROPRIATING THE SUM OF \$12 MILLION TO THE DEPARTMENT OF ENVIRONMENTAL PROTECTION (DEP) FROM THE GARDEN STATE GREEN ACRES PRESERVATION TRUST FUND

WHEREAS, Assembly Bill No. 1293 would appropriate to the Department of Environmental Protection from the "Garden State Green Acres Preservation Trust Fund" \$12 Million to provide 75% matching grants to assist local government units to develop inactive or former municipal reservoirs and associated lands for recreation and conservation purposes, and

WHEREAS, the DEP would be required to develop criteria, policies and procedures for the evaluation and priority ranking of projects for eligibility to receive funding pursuant to the bill. The maximum amount for any grant awarded pursuant to the bill would be \$3 million for any individual project, and

WHEREAS, this bill would also require the DEP to (1) compile a list of all inactive or former municipal reservoirs and associated lands in the State, and (2) evaluate those listed sites for suitability for development for recreation and conservation purposes, estimate the cost thereof, and make recommendations accordingly, as appropriate, to the Governor, the legislature, and the appropriate local government unit.

SUPPORTING ASSEMBLY BILL NO. 1293, APPROPRIATING THE SUM OF \$12 MILLION TO THE DEPARTMENT OF ENVIRONMENTAL PROTECTION (DEP) FROM THE GARDEN STATE GREEN ACRES PRESERVATION TRUST FUND (CONTINUED)

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Township Committee of the Township of Morris, County of Morris, New Jersey, supports Assembly Bill No. 1293.

ROLL CALL: MR. GRAYZEL ABSTAINED MR. ROSENBUSH YES
 MRS. HYLAND ABSENT 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".

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

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RESOLUTIONS (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 ABSENT MR. WATSON YES
 MAYOR NACE YES

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AUTHORIZING SETTLEMENT OF HONEYWELL INTERNATIONAL VS. TOWNSHIP OF MORRIS, BLOCK 9101, LOT 4

WHEREAS, the Township Assessor, tax appeal expert and consulting tax attorney have recommended that the Township Committee of the Township of Morris enter into a settlement for the above-referenced case for the years 2006 and 2007.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Township's consulting tax attorney is authorized to execute a Stipulation of Settlement with the taxpayer as follows:

1. Block 9101, Lot 4 - the assessment will be reduced from \$89,090,000 to \$81,483,000 for the 2006 tax year and to \$73,375,000 for the 2007 tax year.

It is further agreed that the assessment for the year 2008 will be reduced to \$64,900,000.

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

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PUBLIC COMMENT/INQUIRY

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

Mr. Elliot, 445 Mt. Kemble Avenue - televise meetings. Reply: under consideration.

Mr. Paul Ferdenzi, 29 Harwich Road - developer's contribution to the 501 C3 rec.

Mr. Joseph Rumsdorf, 7 Egbert Hill Road - sewer in area, video taping meetings - new sign, visual problem.

Mr. Lee Goldberg, 10 Arrowhead Road - recreation fields.

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CONSENT CALENDAR (CONTINUED)
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 permission to the Butterworth residents to hold a Trick or Treat event on October 31, 2007, from 4-9 P.M., blocking off Buckley Hill Road, subject to Police and Fire Chiefs approval.
2. Removed, in accordance with a memo from Craig Goss, Fire Chief dated September 28, 2007, Ralph Depp, Jr. from the rolls of the Township Fire Department (Hillside Hose Company #1).
3. Granted permission to the American Diabetes Association to hold the 2007 Step Out to Fight Diabetes Walk on October 21, 2007 at 100 Southgate Parkway, using surrounding roads, subject to approval of the Police and Fire Chiefs, and the filing of a Certificate of Insurance with a Hold Harmless Clause, naming the Township as an additional insured.
4. Granted permission to the residents of the Bradford Estates to hold a block party on October 20, 2007 from 2-7 P.M., blocking off Lord William Penn Drive between #42 and #47, subject to approval of the Police and Fire Chiefs.
5. Accepted, in accordance with a memo dated October 3, 2007 from Craig Goss, Fire Chief, Thomas M. Pagano, as a Junior Firefighter.
6. Promoted, in accordance with a memo of recommendation from Chief of Police Michael Loughman dated October 10, 2007, effective October 29, 2007, the following:

Detective Lt. Dennis Reilly to Captain starting salary \$115,943.
Sgt. Richard Ferrone to Lieutenant starting salary \$109,315.
Detective Mark Di Carlo to Sergeant starting salary \$95,908.

7. Approved hanging two banners for a period of 30 days at locations to be approved by the Department of Public Works by the Morris Minute Men, and the receipt of a Certificate of Insurance with a Hold Harmless Clause, naming the Township of Morris as an additional insured.

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

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MATTERS OF OTHER BUSINESS

NONE

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MATTERS RECEIVED FOR THE RECORD

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

1. Landlord Registration Statements for:

 3 Thompson Court, Block 6404, Lot 18, owners: David & Kimberly Bush.
2. Notice from the County of Morris that they received Ordinance #24-07, as introduced by the Township of Morris on September 20, 2007, which ordinance amended the Zoning Ordinance.
3. Abstract of Ratables, Morris County 2007, received October 12, 2007 from the Morris County Board of Taxation.

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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. Proposed open appointment ordinance - being reviewed by the Legislative Committee.
2. Planning Board tear down ordinance - urge Planning Board to review it. Suggested TH-4 needs age restriction added to the ordinance - restriction of developers should be done.
3. Fire Inspection Night was last Friday - met all the volunteers.

MRS. HYLAND

ABSENT

MR. ROSENBUSH

1. It's not up to Committee to dictate what happens to a property; boards review applications, Mr. Grayzel can get testimony from boards if he wishes.

MR. WATSON

1. Morris Museum will be having grand opening events and hopes everyone participates.

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MAYORAL COMMENTARY - MAYOR ROBERT E. NACE

1. Proclamation: "**LIGHTS ON AFTERSCHOOL DAY**".

WHEREAS, the citizens of the Township of Morris stand firmly committed to quality afterschool programs and opportunities because they:

- Provide safe, challenging, engaging and fun learning experiences to help children and youth develop their social, emotional, physical, cultural and academic skills.
- Support working families by ensuring their children are safe and productive after the regular school day ends.
- Build stronger communities by involving our students, parents, business leaders and adult volunteers in the lives of our young people, thereby promoting positive relationships among children, youth, families and adults.
- Engage families, schools and diverse community partners in advancing the welfare of our children.

WHEREAS, the Morristown Neighborhood House has provided significant leadership in the area of community involvement in the education and well-being of our youth, grounded in the

1. Proclamation: "**LIGHTS ON AFTERSCHOOL DAY**" (CONTINUED)

principle that quality afterschool programs are key to helping our children become successful adults, and

WHEREAS, "*Lights On Afterschool*", a national celebration of afterschool programs on October 18, 2007 promotes the critical importance of quality afterschool programs in the lives of children, their families and their communities, and

WHEREAS, more than 28 million children in the U.S. have parents who work outside the home, and 14.3 million children have no place to go after school, and

WHEREAS, many afterschool programs across the country are facing funding shortfalls so severe that they are being forced to close their doors and turn off their lights, and

NOW, THEREFORE, BE IT HEREBY RESOLVED that I, Robert E. Nace, Mayor of the Township of Morris do hereby proclaim October 18, 2007, as "**LIGHTS ON AFTERSCHOOL DAY**", and

BE IT FURTHER RESOLVED that the Mayor of Morris Township enthusiastically endorses "*Lights On Afterschool Day*" and commits Morris Township residents to engage in innovative afterschool programs and activities that ensure the lights stay on and the doors stay open for all children after school.

2. Proclamation: "**NOVEMBER 2007 "NATIONAL FAMILY CAREGIVERS MONTH"**

WHEREAS, during this season of Thanksgiving, as we pause to reflect on the many blessings that have been bestowed on us as individuals and as a community, we are especially grateful

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
OCTOBER 17, 2007 PAGE 19**

**APPROVAL OF CLAIMS FOR PAYMENT - LIST OF BILLS AND VOUCHERS
CONTINUED**

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 \$7,558,711.22 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 ABSENT MR. WATSON YES
 MAYOR NACE YES

* * *

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

The Governing Body recessed at 10:17 P.M., the October 17, 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 10:56 P.M. the October 17, 2007 was resumed and a resolution entitled "AUTHORIZING SETTLEMENT OF HONEYWELL INTERNATIONAL VS. TOWNSHIP OF MORRIS, BLOCK 9101, LOT 4", was adopted (4-0-0-1-Mrs. Hyland absent), thereafter the recessed regular meeting was called to order and with no further business to be considered, on motion duly made, seconded and unanimously adopted, the meeting was adjourned at 11:00 P.M., next to convene at the 8:00 P.M., November 7, 2007, regular meeting, in the Municipal Building, 50 Woodland Avenue, Township of Morris.

CATHLEEN AMELIO
TOWNSHIP CLERK

DATED: NOVEMBER 1, 2007