

**MINUTES OF REGULAR MEETING OF
THE TOWNSHIP COMMITTEE HELD ON
WEDNESDAY, DECEMBER 17, 2008, 8:00 P.M.**

CALL TO ORDER

The DECEMBER 17, 2008 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 Ronald M. Goldberg
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

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PLEDGE OF ALLEGIANCE

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

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

Mayor Nace issued the following statement of adequate notice:

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

Written Notice was given December 15, 2008 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: November 12, 2008 Regular/Closed

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 amended, circulated and placed on file in the Office of the Township Clerk:

ROLL CALL:	MR. GOLDBERG	YES	MR. ROSENBUSH	YES
	MR. GRAYZEL	YES	MR. WATSON	YES
	MAYOR NACE YES			

* * *

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.

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

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:

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 December 17, 2008 meeting at 8:00 P.M.:

38-08 "AMENDING CHAPTER 88 ENTITLED, "VEHICLES AND TRAFFIC," ARTICLE II, SECTION 88-2.2, ARTICLE XXI, "APPLICATION OF SUBTITLE 1 OF TITLE 39 OF THE REVISED STATUTES TO CERTAIN ROADS, STREETS, DRIVEWAYS AND PARKING AREAS." AND SCHEDULE I "NO PARKING AT ANY TIME" ON CERTAIN STREETS (WESTMINSTER PLACE, INDIAN HEAD ROAD, AND WHEATSHEAF FARM ROAD)"

BE IT HEREBY ORDAINED by the Township Committee of the Township of Morris, they being the governing body thereof that the Code of the Township of Morris is hereby amended as follows:

SECTION ONE: Be it hereby ordained by the Township Committee of the Township of Morris that the following sections and schedules as designated in Chapter 88 of the Code of the Township of Morris are hereby amended as set forth below.

1. Schedule I: No Parking At Any Time

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
Westminster Place	Both	Beginning at a point 500 feet east of its intersection with Overlook Road in a southerly direction to its terminus.
Indian Head Road	Both	Beginning at a point 1,295 feet north of its intersection with Mendham Road (State Route 124) to its terminus.
Wheatsheaf Farm Road		Both Entire length for the purpose of giving the Township the authority to enforce the provisions of Title 39 of the New Jersey State Statutes on a private road.

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.

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

38-08 "AMENDING CHAPTER 88 ENTITLED, "VEHICLES AND TRAFFIC," ARTICLE II, SECTION 88-2.2, ARTICLE XXI, "APPLICATION OF SUBTITLE 1 OF TITLE 39 OF THE REVISED STATUTES TO CERTAIN ROADS, STREETS, DRIVEWAYS AND PARKING AREAS." AND SCHEDULE I "NO PARKING AT ANY TIME" ON CERTAIN STREETS (WESTMINSTER PLACE, INDIAN HEAD ROAD, AND WHEATSHEAF FARM ROAD)" (CONTINUED)

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

PUBLIC COMMENT
NONE

COMMUNICATIONS OF RECORD
NONE

ROLL CALL: MR. GOLDBERG YES MR. ROSENBUSH YES
MR. GRAYZEL YES MR. WATSON YES
MAYOR NACE YES

* * *

39-08 "ORDINANCE AUTHORIZING THE CONTRIBUTION OF OPEN SPACE TRUST FUNDING TO THE TRUST FOR PUBLIC LAND FOR THE ACQUISITION OF A PORTION OF THE ST. MARY'S ABBEY PROPERTY IN THE TOWNSHIP OF MORRIS"

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

SECTION ONE:

- A. There is hereby appropriated from the Open Space Trust Fund of the Township of Morris the sum of \$1,000,000.00 to be contributed toward the acquisition of a portion of Lot 2, Block 4501, amounting to approximately 188 acres owned by the Order of St. Benedict – St. Mary's Abbey, by the Trust for Public Land.

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:

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

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

39-08 "ORDINANCE AUTHORIZING THE CONTRIBUTION OF OPEN SPACE TRUST FUNDING TO THE TRUST FOR PUBLIC LAND FOR THE ACQUISITION OF A PORTION OF THE ST. MARY'S ABBEY PROPERTY IN THE TOWNSHIP OF MORRIS" (CONTINUED)

PUBLIC COMMENT
NONE

COMMUNICATIONS OF RECORD
NONE

ROLL CALL: MR. GOLDBERG YES MR. ROSENBUSH YES
MR. GRAYZEL YES MR. WATSON YES
MAYOR NACE YES

* * *

40-08 RECINDING ORDINANCE NO. 31-08 ENTITLED "AN ORDINANCE AMENDING APPENDIX A119 OF THE CODE OF THE TOWNSHIP OF MORRIS, MORRIS COUNTY, NEW JERSEY, GRANTING AN EASEMENT TO JERSEY CENTRAL POWER AND LIGHT ON TOWNSHIP OWNED PROPERTY KNOWN AS THE COLLINSVILLE FIREHOUSE."

BE IT HEREBY ORDAINED by the Township Committee of the Township of Morris as follows:

SECTION ONE: Ordinance No. 31-08 entitled "An Ordinance amending Appendix A119 of the Code of the Township of Morris, Morris County, New Jersey, granting an easement to Jersey Central Power and Light on Township owned property known as the Collinsville Firehouse" is hereby rescinded.

SECTION TWO: If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason found to be unconstitutional or unenforceable, such decision shall not affect the remaining portion 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: this ordinance shall take effect upon final passage and publication thereof as provided by law.

PUBLIC COMMENT
NONE

COMMUNICATIONS OF RECORD
NONE

ROLL CALL: MR. GOLDBERG YES MR. ROSENBUSH YES
MR. GRAYZEL YES MR. WATSON YES
MAYOR NACE YES

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

41-08 – AMENDING ORDINANCE NO. 29-08 (CHAPTER 57 SECTION 166,
DEVELOPMENT FEES FOR AFFORDABLE HOUSING)

BE IT HEREBY 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: SECTION 57-166(A) IS AMENDED TO REPLACE THE DEFINITION OF EQUALIZED ASSESSED VALUE WITH THE FOLLOWING DEFINITION:

“Equalized assessed value” - the assessed value of a property divided by the current average ratio of assessed to true value for the municipality in which the property is situated, as determined in accordance with sections 1, 5, and 6 of P.L.1973, c.123 (C.54:1-35a through C.54:1-35c).

SECTION 57-166(B)(1) IS AMENDED TO READ AS FOLLOWS:

(1) Pursuant to N.J.A.C. 5:97-8.3 (c), developers shall pay a fee of one and one half percent (1 1/2%) of the equalized assessed value for residential development in all zone districts provided no increased density is permitted.

SECTION 57-166(C) IS AMENDED TO DELETE THE LAST SENTENCE OF SUBSECTION (3) AND ADD A NEW SUBSECTION (4) AS FOLLOWS:

4. The following uses shall also be exempt from the imposition of the non-residential development fee:
 - (a. through f. remain) a new sub-section g. is added:
 - g. Non-residential development taking place entirely within the existing footprint.

SECTION 57-166(C)(7) IS DELETED.

SECTION 57-166(D) IS AMENDED TO READ AS FOLLOWS:

- D. Eligible Residential Development, Ineligible Residential Development and Exemptions

SECTION 57-166(E) IS AMENDED TO ADD A NEW SUB-SECTION (5) AS FOLLOWS:

(5) Payment and collection shall be as prescribed in Form N-RDF or any authorized replacement.

SECTION 57-166(F) IS AMENDED AS FOLLOWS:

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

41-08 – AMENDING ORDINANCE NO. 29-08 (CHAPTER 57 SECTION 166,
DEVELOPMENT FEES FOR AFFORDABLE HOUSING)
(CONTINUED)

1) There is hereby created an interest-bearing Housing Trust Fund to be maintained in a designated depository institution approved by

the Township Committee for the purpose of receiving the development fees from residential (and non-residential 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.

SECTION TWO: If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason found to be unconstitutional or unenforceable, such decision shall not affect the remaining portion of this ordinance.

SECTION THREE: all ordinances of The Board of Health 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: this ordinance shall take effect upon final passage and publication thereof as provided by law.

PUBLIC COMMENT
NONE

COMMUNICATIONS OF RECORD
NONE

ROLL CALL: MR. GOLDBERG YES MR. ROSENBUSH YES
MR. GRAYZEL YES MR. WATSON YES
MAYOR NACE YES

* * *

42-08 AMENDING CHAPTER 67 ENTITLED "POOL MUNICIPAL: RULES AND REGULATIONS"

BE IT HEREBY ORDAINED by the Township Committee of the Township of Morris they being the governing body thereof as follows:

SECTION ONE: Chapter 67 of the Code of the Township of Morris is hereby amended in its entirety to read as follows:

§ 67-1. Definitions.

For the purpose of this ordinance, the terms used herein are defined as follows:

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

42-08 AMENDING CHAPTER 67 ENTITLED "POOL MUNICIPAL: RULES AND REGULATIONS" (CONTINUED)

AGE - The individual's age on July 1 of each season.

AREA - The total area belonging to the Township of Morris.

NONRESIDENT - Any person or persons who do not dwell permanently or continually within the confines of the Township of Morris, New Jersey. [Added 2-9-72 by Ord. No. 6-72]

POOL APRON - The prepared concrete deck immediately surrounding the water surface of the various pools.

POOL AREA - The entire fenced area surrounding the pool.

POOL PATIO - The prepared concrete deck adjoining the refreshment area and the pool building.

RESIDENT - A person who dwells permanently or continually within the confines of the Township of Morris, New Jersey.

§ 67-2. Membership.

A. Membership is open to residents of the Township of Morris. Applications for membership from nonresidents will be accepted on a limited basis to be determined by the Township Committee, Township of Morris. Applications in excess of the maximum membership capacity of 4,000 memberships will be placed on a waiting list. As vacancies occur, the applications from Morris Township residents will be taken from the waiting list in the sequence in which they were received. Membership is valid for one season only and shall have no bearing on eligibility in any successive season. [Amended 2-9-1972 by Ord. No. 6-72; 2-16-2005 by Ord. No. 2-05]

B. Types of membership: [Amended 2-9-1972 by Ord. No. 6-72; 2-13-1974 by Ord. No. 10-74; 1-23-1980 by Ord. No. 1-80; 2-23-1983 by Ord. No. 2-83; 2-17-1993 by Ord. No. 8-93; 12-6-2006 by Ord. No. 25-06]

(1) Family membership, resident or nonresident: this membership includes a couple or widow or widower only and all children, natural or adopted, unmarried and living at home, including state ward children who are not yet twenty-three (23) years of age on July 1 of the membership year.

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

42-08 AMENDING CHAPTER 67 ENTITLED "POOL MUNICIPAL: RULES AND REGULATIONS" (CONTINUED)

- (2) Couple membership of two people, one of whom is an adult, resident or nonresident, who reside in the same dwelling. (Child, if any, who is not yet 23 years of age on 7/1 of the membership year).
 - (3) Baby-sitter or parent's helper, resident or nonresident, does not reside in the same household, but must be accompanied by the children for which they are responsible and which children must be members of a household membership.
 - (4) Individual membership, resident or nonresident, is available to any one individual 12 years of age or over. Children between the ages of 12 and 16 must successfully complete a swim pool proficiency test prior to obtaining an individual membership.
 - (5) Senior citizen individual membership, resident or nonresident, is available to any one individual who is of the age of 62 years or older on July 1 of the membership year, and such person must present proof of age at the time of application by either a photo static copy of his or her birth certificate or other proof satisfactory to the Township of Morris.
 - (6) Senior citizen couple membership, resident or nonresident, is available to any senior couples who are of the age of 62 years or older on July 1 of the membership year, and such persons must present proof of age at the time of application by either a photo static copy of his or her birth certificate or other proof satisfactory to the Township of Morris.
 - (7) The Township of Morris reserves the right to request proof of residency.
- C. Servicemen who are residents of Morris Township and who are on leave or discharged during the period of January through Labor Day of the current pool season shall be given a pool membership free of charge, upon proof of leave or discharge at the time

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

42-08 AMENDING CHAPTER 67 ENTITLED "POOL MUNICIPAL: RULES AND REGULATIONS" (CONTINUED)

of application for this privilege. [Amended 2-16-2005 by Ord. No. 2-05; 4- 5-2006 by Ord. No. 5-06]

§ 67-3. Use of pool.

- A. All members, upon proper identification card being presented to the pool office, shall be entitled to use either pool facility. [Amended 2-9-1972 by Ord. No. 6-72]
- B. Membership will be accomplished by submitting a complete application to the Parks and Recreation Department. Upon approval, an identification card will be issued. This card is nontransferable. [Amended 2-16-2005 by Ord. No. 2-05]
- C. Membership will be accomplished by submission, acceptance, and execution of a written application to the Department of Parks and Recreation:

Mail to:
Township of Morris
Parks & Recreation Department
50 Woodland Avenue
P.O. Box 7603
Convent Station, New Jersey 07961-7603

Upon approval, an identification card will be issued. This card is nontransferable.

- D. Senior citizens who are 62 years of age or over, who are related to pool members, may receive free guest privileges to the pool area only, excluding swimming, and then only when accompanied by the pool member to whom they are related. [Added 4-14-1971 by Ord. No. 16-71; amended 1-23-1980 by Ord. No. 1-80; 4-5-2006 by Ord. No. 5-06]

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

42-08 AMENDING CHAPTER 67 ENTITLED "POOL MUNICIPAL: RULES AND REGULATIONS" (CONTINUED)

§ 67-4. Hours of operation.

The Township Committee of the Township of Morris shall, from time to time and as it sees fit, establish hours of operation of the municipal swimming pool by resolution of said Township Committee.

§ 67-5. Membership fees. (Last amended 2/08 by Ord. No. 2-08)

A. Fees. [Amended 3-1-1995 by Ord. No. 4-95; 2- 20-2002 by Ord. No. 1-02; 2-19-2003 by Ord. No. 3-03; 2-18-2004 by Ord. No. 2-04; 2-16-2005 by Ord. No. 2-05; 12-6-2006 by Ord. No. 25-06: 12-17-08 by Ord. No. 42-08]

(1) Individual membership (12 years and older):	Rate Prior to May 1	Rate Beginning May 1
(a) Resident	\$ 150	\$ 155
(b) Nonresident:	\$ 295	\$ 300
(2) Couple membership (2 people):		
(a) Resident:	\$ 225	\$ 235
(b) Nonresident:	\$ 365	\$ 375
(3) Baby-sitter/parent's helper:		
(a) Resident:	\$ 100	\$ 100
(b) Nonresident:	\$ 100	\$ 100
(4) Family membership:		
(a) Resident family:	\$ 310	\$ 320
(b) Nonresident family:	\$ 465	\$ 480
(5) Senior citizen individual (62 years and older):		

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**ORDINANCES - PUBLIC HEARING, FINAL CONSIDERATION AND ADOPTION
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42-08 AMENDING CHAPTER 67 ENTITLED "POOL MUNICIPAL: RULES AND REGULATIONS" (CONTINUED)

- | | | | |
|-----|--------------|--------|--------|
| (a) | Resident: | \$ 55 | \$ 60 |
| (b) | Nonresident: | \$ 115 | \$ 125 |

(6) Senior citizen couple (62 years and older):

- | | | | |
|-----|--------------|--------|--------|
| (a) | Resident: | \$ 95 | \$ 100 |
| (b) | Nonresident: | \$ 195 | \$ 200 |

B. Membership fees shall be paid in full with the filing of the application for membership.

C. Guests will be permitted to members as follows: Each Family membership will receive four (4) free one(1)-day guest privileges, each Couple membership shall receive three free one (1)-day guest privileges, and each individual membership will receive two (2)free one-day guest privileges, which guest privilege may be used at any time during the pool season. Thereafter, guests will be permitted to members by purchasing a daily guest pass at the pool at a charge of \$8 each per day on weekdays and \$10 each per day on weekends and holidays. However, all members may purchase books of 10 one-day guest privileges at the rate of \$70 for each book of (ten)10 from the Parks and Recreation Department, which guest privileges may be used at any time during the current pool season and the following pool season. All guests, however, must be accompanied by the member at all times. Failure to accompany the member at all times may result in revocation of the membership without refund. Prior year members who renew their membership prior to May 1st of each year shall receive an additional four (4) one(1)-day current season guest privileges for a Family membership or

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**ORDINANCES - PUBLIC HEARING, FINAL CONSIDERATION AND ADOPTION
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42-08 AMENDING CHAPTER 67 ENTITLED "POOL MUNICIPAL: RULES AND REGULATIONS" (CONTINUED)

- an additional two (2) one(1)-day current season guest privileges for a Couple or an Individual ` membership. [Amended 2-18-2004 by Ord. No. 2-04; 4-5-2006 by Ord. No. 5-06; 12-6-2006 by Ord. No. 25-06; 12-17-08 by Ord. No.42-08]
- D. No fees are returnable for any reason after opening day of each season.
 - E. Children's swim lessons may be offered at the discretion of the Township of Morris. If offered, said lessons shall be available to the children between the ages of 4 and 12, four (4) days a week for two (2) weeks at a cost of \$30 per child. [Added 6-7-1995 by Ord. No. 17- 95; amended 2-16-2005 by Ord. No. 2-05; 12-6- 2006 by Ord. No. 25-06]
 - F. Swim team is offered to all children between ages 6 – 17 at a cost of \$30 per child. [Added 12-6-2006 by Ord. No. 25-06]
 - G. The Parks and Recreation Department of the Township of Morris is authorized to offer for sale, from time to time, coffee, bagels and other refreshments. All moneys are to be remitted to the Chief Financial Officer of the Township of Morris. [Added 6-7-1995 by Ord. No. 17-95]
 - H. Camp Fees. The Township Committee of the Township of Morris may set by Resolution fees for pool admissions of participants and staff of private and not-for-profit summer camps located within the Township of Morris.
 - I. Waiver or Reduction of Pool Membership Fees
 - (1) Fees required under Section A. above shall be reduced by 50% for any Township resident receiving public assistance. For the purposes of this section, public assistance shall include

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

42-08 AMENDING CHAPTER 67 ENTITLED "POOL MUNICIPAL: RULES AND REGULATIONS" (CONTINUED)

participation in the following: Welfare assistance, subsidized housing, federal school lunch program, food stamps, or other bona fide forms of public assistance.

(2) Pool Membership fees may be reduced or waived by the Director of Parks and Recreation for individuals residing in transitional housing located within the Township of Morris. Such reductions or waivers shall be requested in writing to the Director of the Department of Parks and Recreation and shall include the specific justification for the fee waiver or reduction request.

§ 67-6. Identification cards.

- A. All members will be issued identification cards which must be shown for admission to the pool area.
- B. Identification cards are not transferable.
- C. Lost cards must be reported immediately to the pool management, and the individual may secure temporary admission for one day only. [Amended 4-14-1971 by Ord. No. 16-71]
- D. New permanent identification cards may be secured at the Parks and Recreation Department at the hours posted by the Parks and Recreation Department. A fee of \$6 will be payable to the Township of Morris for the replacement card. [Amended 4-14-1971 by Ord. No. 16-71; 2-17-1993 by Ord. No. 8-93; 3-23-1994 by Ord. No. 4-94; 4-5-2006 by Ord. No. 5-06; 12-6-2006 by Ord. No. 25-06]
- E. [Repealed 4-14-1971 by Ord. No. 16-71]
- F. [Repealed 4-14-1971 by Ord. No. 16-71]
- G. Membership cards, permanent or temporary, are nontransferable. Anyone transferring and/or anyone who is the recipient of a transferred card, who is also a pool

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**ORDINANCES - PUBLIC HEARING, FINAL CONSIDERATION AND ADOPTION
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42-08 AMENDING CHAPTER 67 ENTITLED "POOL MUNICIPAL: RULES AND REGULATIONS" (CONTINUED)

member, will have pool privileges revoked for the remainder of the season without refund.

H. Persons defacing a card shall lose swimming privileges for seven days and shall be charged \$6 for a new card. A second offense shall cause revocation of pool privileges for the remainder of the season without refund. [Amended 2-16-2005 by Ord. No. 2-05: 12-6-2006 by Ord. No. 25-06]

I. If membership is obtained by a fraudulent statement, the membership of the entire household shall be cancelled without refund. [Added 4-5-2006 by Ord. No. 5-06]

§ 67-7. General rules and general prohibitions. [Added 4-11-1973 by Ord. No. 11-73]

The Township Committee of the Township of Morris may from time to time adopt by resolution general rules and general prohibitions governing the municipal swimming pools in the Township of Morris and may amend the same from time to time by resolution, and said general rules and general prohibitions as may be so adopted by resolution of the Township Committee shall be enforced as set forth in 67-9 hereof, and the penalty as set forth in § 67-10 hereof shall apply.

§ 67-8. (Reserved)

§ 67-9. Enforcement of rules and regulations.

A. Regulations shall be posted at the pool and strictly enforced.

B. The Pool Manager, or the Assistant Manager, or the Head Lifeguard in his/her absence may close or limit the swimming facilities, or establish such additional rules and regulations, whenever in his/her judgment such action is deemed necessary or desirable for the protection of health or safety of such persons entitled to use such facilities.

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**ORDINANCES - PUBLIC HEARING, FINAL CONSIDERATION AND ADOPTION
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42-08 AMENDING CHAPTER 67 ENTITLED "POOL MUNICIPAL: RULES AND REGULATIONS" (CONTINUED)

C. Members of the Police Department of the Township of Morris, the Director of Parks and Recreation, the Pool Manager, the Assistant Manager and all lifeguards, when on duty at the swimming facilities, shall have authority to prohibit any action or conduct which they may consider to be dangerous, improper or immoral and any act or actions in violation of rules and regulations hereinbefore provided.

§ 67-10. Violations and penalties.

Any person or persons who shall violate these rules and regulations shall be subject to immediate ejection from the area by the official in charge thereof, and his membership subject to revocation or suspension by the Township; or, if a complaint shall be filed, any person or persons who shall violate any of the provisions of this ordinance shall, upon conviction thereof, be subject to a fine or imprisonment, or both, in the discretion of the Magistrate imposing said fine or penalty, not exceeding \$200 or 30 days in jail.

§ 67-11. When effective.

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

PUBLIC COMMENT

NONE

COMMUNICATIONS OF RECORD

NONE

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

**42-08 AMENDING CHAPTER 67 ENTITLED "POOL MUNICIPAL: RULES AND
REGULATIONS" (CONTINUED)**

ROLL CALL: MR. GOLDBERG YES MR. ROSENBUSH YES
MR. GRAYZEL YES MR. WATSON YES
MAYOR NACE YES

* * *

SUMMARY OF BIDS RECEIVED DECEMBER 3, 2008

Township Administrator Fred J. Rossi reported that on DECEMBER 3, 2008, 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.

NAME OF PROJECT NAME/ADDRESS OF BIDDERS

OTE: 2008-8 DPW FLOOR DRAIN CONNECTIONS PROJECT

Submitted, read in full, and placed on file in the Office of the Municipal Clerk, is a letter from the James R. Slate, Township Engineer dated December 8, 2008 (ENG- 319 -8).

On motion duly made, seconded and unanimously carried (5-0) authorization was given for the award of bids received by the Township Engineer, OTE: 2008-8

* * *

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 202-08

**RESOLUTION SUPPORTING THE OVER THE LIMIT UNDER ARREST 2008 YEAR END
CRACKDOWN**

WHEREAS, impaired drivers on our nation's roads kill someone every 30 minutes, 50 people per day, and almost 18,000 people each year; and

WHEREAS, 28% of motor vehicle fatalities in New Jersey are alcohol-related; and

WHEREAS, a enforcement crackdown is planned to combat impaired driving; and

WHEREAS, the season at the end of the year is traditionally a time of social gatherings which often include alcohol; and

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RESOLUTIONS (CONTINUED)

RESOLUTION 202-08

**RESOLUTION SUPPORTING THE OVER THE LIMIT UNDER ARREST 2008 YEAR END
CRACKDOWN (CONTINUED)**

WHEREAS, the State of New Jersey, Division of Highway Traffic Safety, has asked law enforcement agencies throughout the state to participate in the *Over the Limit Under Arrest 2008 Year End Crackdown*; and

WHEREAS, the project will involve increased impaired driving enforcement from December 8, 2008 through January 2, 2009; and

WHEREAS, an increase in impaired driving enforcement and a reduction in impaired driving will save lives on our roadways.

NOW, THEREFORE, BE IT RESOLVED that the Township of Morris declares its support for the *Over the Limit Under Arrest 2008 Year End Crackdown* from December 8, 2008 through January 2, 2009 and pledges to increase awareness of the dangers of drinking and driving.

ROLL CALL: MR. GOLDBERG YES MR. ROSENBUSH YES
MR. GRAYZEL YES MR. WATSON YES
MAYOR NACE YES

* * *

RESOLUTION NO. 203-08

**AUTHORIZING AWARD OF FAIR AND OPEN CONTRACT FOR BID OTE: 2008-8 DPW
FLOOR DRAIN CONNECTIONS - AWARDED THROUGH A FAIR AND OPEN PROCESS TO
D&S LAND DEVELOPMENT, LLC, 13 ALIDA PLACE, RAMSEY, NJ 07446 IN THE AMOUNT
OF \$80,400**

WHEREAS, this municipality has, in accordance with the Local Public Contracts Law of the State of New Jersey, received bids for the following: DPW FLOOR DRAIN CONNECTIONS, and

WHEREAS, after review and recommendation with a memo dated December 8, 2008 from James R. Slate, Township Engineer, it was recommended that the contract should be awarded to the lowest responsible bidder: D&S LAND DEVELOPMENT, LLC, 13 ALIDA PLACE, RAMSEY, NJ 07446, 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: G-04-55-511-700 and G-04-55-620-100.

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 D&S Land Development, LLC, 13 Alida Place, Ramsey, NJ 07446, in an amount not to exceed \$80,400.

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RESOLUTIONS (CONTINUED)

RESOLUTION NO. 203-08 (CONTINUED)

AUTHORIZING AWARD OF FAIR AND OPEN CONTRACT FOR BID OTE: 2008-8 DPW FLOOR DRAIN CONNECTIONS - AWARDED THROUGH A FAIR AND OPEN PROCESS TO D&S LAND DEVELOPMENT, LLC, 13 ALIDA PLACE, RAMSEY, NJ 07446 IN THE AMOUNT OF \$80,400 (CONTINUED)

2. 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. GOLDBERG YES MR. ROSENBUSH YES
MR. GRAYZEL YES MR. WATSON YES
MAYOR NACE YES

* * *

RESOLUTION - IN MEMORIAM

RESOLUTION NO. 204-08

PETER DOHERTY

WHEREAS, our Heavenly Father has called unto His side, His servant, PETER DOHERTY; and

WHEREAS, through his dedicated public service, foresight and zeal for the community, he earned the affection and admiration of the people of the Township of Morris; and

WHEREAS, Peter Doherty was a member of the Board of Health for the Township of Morris from January 1994 and President from January 1997 to May 2004, when he retired to Lancaster, Pennsylvania; and

WHEREAS, in 1992 Peter Doherty founded the largest prostate cancer support group at Morristown Memorial Hospital that is named in his honor. In 1999 Mr. Doherty provided the inspiration and created the concept for the design of New Jersey's Conquer Cancer license plate that through his efforts benefits the New Jersey Commission on Cancer Research; and

WHEREAS, the stature he attained by his exemplary life and achievements was recognized during his lifetime.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Morris, does, by this resolution and public record, recognize the profound influence of PETER DOHERTY on the citizens of the community and recognizing further that his death is a distinct loss, and

BE IT FURTHER RESOLVED that this resolution be spread in full upon the official record as a permanent expression of sympathy.

ROLL CALL: MR. GOLDBERG YES MR. ROSENBUSH YES
MR. GRAYZEL YES MR. WATSON YES
MAYOR NACE YES

**TOWNSHIP COMMITTEE MEETING
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RESOLUTIONS (CONTINUED)

RESOLUTION NO. 205-08

RE: IN RECOGNITION AND OF CONGRATULATIONS - Ilene St. John

WHEREAS, special recognition is given to Ilene St. John, the Morris County Board of Chosen Freeholders "Clerk of the Board", as she retires after twenty-seven (27) years of service for the County of Morris; and

WHEREAS, Ilene has held several positions for the Board of Chosen Freeholders and in 1991 she became the "Clerk of the Board"; and

WHEREAS, Freeholder Members are elected from within the 39 municipalities in Morris County and with Ilene at the helm, she was able to aid our Freeholders as well as our residents; and

WHEREAS, through her many years of hard work and dedication, she provided the valuable continuity that became beneficial to the many Freeholder Members that represents our fine County.

NOW THEREFORE BE IT RESOLVED that the Mayor and Township Committee of the Township of Morris hereby thank Ilene St. John for her untiring commitment and contributions as Morris County Freeholder "Clerk of the Board", which benefited the residents of Township of Morris; and

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

That this Township Committee, on behalf of the citizens of the Township of Morris, does hereby extend appreciation for years of dedicated service and best wishes for a happy and healthy retirement.

BE IT FURTHER RESOLVED that this recognition be presented to Ilene St. John

ROLL CALL: MR. GOLDBERG YES MR. ROSENBUSH YES
 MR. GRAYZEL YES MR. WATSON YES
 MAYOR NACE YES

* * *

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RESOLUTIONS (CONTINUED)

RESOLUTION NO.206-08

**RESOLUTION IN SUPPORT OF MORRIS COUNTY PROCEEDING WITH PHASE II
OF THE "CENTRAL PARK OF MORRIS COUNTY PROJECT"**

WHEREAS, Morris Township, like it's surrounding municipal partners, have a significant demand for recreational playing fields and that Phase II of the "Central Park of Morris County Project" will provide fields to meet the demand for soccer, football, and lacrosse; and

WHEREAS, the partnership potential with the county and other municipalities supports the concept of shared services; and

WHEREAS, Morris Township recognizes the budgetary constraints that are impacting all governmental agencies and we strongly urge your assistance in moving Phase II forward in Fiscal Year 2009.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Morris, being the Governing Body thereof, that the Committee urges the Morris County Board of Chosen Freeholders to hasten Phase II of the "Central Park of Morris County Project" with the Township of Morris assisting in any way it can.

ROLL CALL: MR. GOLDBERG YES MR. ROSENBUSH YES
MR. GRAYZEL YES MR. WATSON YES
MAYOR NACE YES

* * *

RESOLUTION NO. 207-08

**AUTHORIZING FINAL CHANGE ORDERS FOR BID OTE: 2007-6, CONTRACT NO. 50 -
GREGORY AVENUE SEWAGE PUMPING STATION UPGRADE - AWARDED TO TED SLACK
ENVIRONMENTAL SERVICES INC., 4 MARK ROAD, SUITE A, KENILWORTH, NJ 07033 -
AMOUNT NTE \$4,674.62**

WHEREAS, a contract was awarded by the Township Committee at a meeting held on April 4, 2007 to Ted Slack Environmental Services Inc., 4 Mark Road, Suite A, Kenilworth, NJ 07033 for the Gregory Avenue Sewage Pumping Station Upgrade; and

WHEREAS, it has been determined that certain upgrades and modifications were required; and

WHEREAS, after review and recommendation from James R. Slate, Township Engineer, per memorandum dated December 9, 2008, a final change order is in order to Ted Slack Environmental Services Inc.; 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: S-06-55-405-101.

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RESOLUTIONS (CONTINUED)

RESOLUTION NO.207-08 (CONTINUED)

AUTHORIZING FINAL CHANGE ORDERS FOR BID OTE: 2007-6, CONTRACT NO. 50 - GREGORY AVENUE SEWAGE PUMPING STATION UPGRADE - AWARDED TO TED SLACK ENVIRONMENTAL SERVICES INC., 4 MARK ROAD, SUITE A, KENILWORTH, NJ 07033 - AMOUNT NTE \$4,674.62 (CONTINUED)

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Township Committee of the Township of Morris, being the Governing Body of said Township, that the following change orders are hereby approved:

1. Upgrade of Generator from 35KW to 50KW. The generator manufacturer suggested that the generator be upgraded to better handle the needs of the pump station. Change order amount \$1,732.12.
2. Additional alarms added to the station to alert Township personnel to take corrective action in order to prevent potential damage to pump motors. Change order for \$2,942.50.

Summary of Contract Adjustments:

Final Change Order:

Total Increase: \$ 4,674.62

Original Contract Award: \$208,361.00

Total Adjusted Contract: \$213,035.62

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. GOLDBERG YES MR. ROSENBUSH YES
MR. GRAYZEL YES MR. WATSON YES
MAYOR NACE YES

* * *

RESOLUTION NO.208-08

AUTHORIZING AN INCREASE IN THE AWARD OF A NON-FAIR AND OPEN CONTRACT TO HATCH MOTT MAC DONALD FOR PROFESSIONAL ENGINEERING SERVICES IN CONNECTION WITH THE GENERAL CONSULTING AND ENGINEERING - IN THE AMOUNT OF \$25,000 FOR A NEW CONTRACT TOTAL NTE \$85,000

WHEREAS, a professional engineering service contract was awarded by Resolution #15-08, and approved by the Township Committee at a meeting of January 16, 2008, to Hatch Mott MacDonald for General Consulting and Engineering Services in the amount of \$60,000 as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; 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, Hatch Mott MacDonald has completed and submitted a Business Entity Disclosure Certification which certifies that Hatch Mott MacDonald has not made any reportable

**TOWNSHIP COMMITTEE MEETING
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RESOLUTIONS (CONTINUED)

RESOLUTION NO.208-08 (CONTINUED)

AUTHORIZING AN INCREASE IN THE AWARD OF A NON-FAIR AND OPEN CONTRACT TO HATCH MOTT MAC DONALD FOR PROFESSIONAL ENGINEERING SERVICES IN CONNECTION WITH THE GENERAL CONSULTING AND ENGINEERING - IN THE AMOUNT OF \$25,000 FOR A NEW CONTRACT TOTAL NTE \$85,000 (CONTINUED)

contributions to a political or candidate committee in the Township of Morris in the previous one year, and that the contract will prohibit Hatch Mott MacDonald from making any reportable contributions through the term of the contract; and

WHEREAS, it has been determined that an additional amount of \$25,000 is needed as per memorandum dated December 12, 2008 from Township Engineer, James R. Slate; and

WHEREAS, the Chief Financial Officer of the Township of Morris has filed a Certificate of Availability of Funds indicating funds are available in the following: Sewer Operating O/E in the amount of \$25,000.

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

1. The Mayor and Township Clerk are hereby authorized to enter into an additional contract with Hatch Mott Mac Donald in the amount not to exceed \$25,000.
2. An official notice of this action shall be published in accordance with the law.

ROLL CALL: MR. GOLDBERG YES MR. ROSENBUSH YES
MR. GRAYZEL YES MR. WATSON YES
MAYOR NACE YES

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RESOLUTION NO.208-08

AUTHORIZING AWARD OF AN INCREASE OF A NON-FAIR AND OPEN PROFESSIONAL SERVICES AGREEMENT IN THE AMOUNT OF \$6,000.00 TO COFFEY AND ASSOCIATES, COUNSELLORS AT LAW, 465 SOUTH STREET, MORRISTOWN, NJ 07960 FOR SPECIAL LEGAL SERVICES REGARDING PARTICIPATION IN THE JOINT DEFENSE GROUP FOR THE COMBE LANDFILL SOUTH LITIGATION IN AN AGGREGATE AMOUNT FOR CALENDAR YEAR 2008 NOT TO EXCEED \$31,000.00

WHEREAS, the Township of Morris has need to retain professional services for special legal counsel 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 in the amount of \$15,000.00 to Coffey and Associates, Counselors at Law, 465 South Street, Morristown, NJ 07960 at a meeting held on May 21, 2008, Resolution No. 95-08; and

WHEREAS, an additional award of \$2,000 was granted on September 17, 2008, Resolution No. 161-08; and

WHEREAS, an additional award of \$8,000 was granted on October 15, 2008, Resolution No. 168-08; and
WHEREAS, it is now necessary to increase this amount, and

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

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RESOLUTIONS (CONTINUED)

RESOLUTION NO.209-08 (CONTINUED)

AUTHORIZING AWARD OF AN INCREASE OF A NON-FAIR AND OPEN PROFESSIONAL SERVICES AGREEMENT IN THE AMOUNT OF \$6,000.00 TO COFFEY AND ASSOCIATES, COUNSELLORS AT LAW, 465 SOUTH STREET, MORRISTOWN, NJ 07960 FOR SPECIAL LEGAL SERVICES REGARDING PARTICIPATION IN THE JOINT DEFENSE GROUP FOR THE COMBE LANDFILL SOUTH LITIGATION IN AN AGGREGATE AMOUNT FOR CALENDAR YEAR 2008 NOT TO EXCEED \$31,000.00 (CONTINUED)

WHEREAS, Coffey and Associates has completed and submitted a Business Entity Disclosure Certification which certifies that they have 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 them from making any reportable contributions through the term of the contract; and

WHEREAS, the anticipated term of this contract is per their proposal or extended as approved by the Township Committee;

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

1. A contract for special legal services in regard to the Combe Landfill South litigation is hereby awarded to Coffey and Associates, 465 South Street, Morristown, New Jersey for special legal counsel in an additional amount of \$6,000.00, for a total not to exceed \$31,000.00.

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

ROLL CALL: MR. GOLDBERG YES MR. ROSENBUSH YES
MR. GRAYZEL YES MR. WATSON YES
MAYOR NACE YES

* * *

RESOLUTION NO. 210-08

RESOLUTION CONTRIBUTING \$100,000 REPRESENTING A PORTION OF THE TOWNSHIP OF MORRIS' GREEN ACRES PLANNING INCENTIVE GRANT BALANCE TO THE TRUST FOR PUBLIC LAND TO ASSIST WITH ITS EFFORT TO ACQUIRE THE "ST. MARY'S ABBEY", PROPERTY KNOWN AS BLOCK 4501, LOT 2 IN THE TOWNSHIP OF MORRIS

WHEREAS, The Trust for Public Land d/b/a TPL-New Jersey has solicited various public agencies and private entities for open space funds for acquisition of the "St. Mary's Abbey," property known as Block 4501, Lot 2 in the Township of Morris; and

WHEREAS, the Township of Morris is contributing \$1,000,000 from its own municipal open space trust fund for the acquisition of the property in question; and

WHEREAS, the Township of Morris has agreed to contribute an additional \$100,000 from the balance remaining in its New Jersey Green Acres Planning Incentive Grant account to The Trust for Public Land to assist with its purchase of the property in question; and

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RESOLUTIONS (CONTINUED)

RESOLUTION NO. 210-08

RESOLUTION CONTRIBUTING \$100,000 REPRESENTING A PORTION OF THE TOWNSHIP OF MORRIS' GREEN ACRES PLANNING INCENTIVE GRANT BALANCE TO THE TRUST FOR PUBLIC LAND TO ASSIST WITH ITS EFFORT TO ACQUIRE THE "ST. MARY'S ABBEY", PROPERTY KNOWN AS BLOCK 4501, LOT 2 IN THE TOWNSHIP OF MORRIS

WHEREAS, under the terms of a certain Agreement with Respect to Funding and Assignment of Interests, to be agreed upon and executed by The Trust for Public Land, the Township of Morris, and other public agencies and private entities, TPL shall reserve the right to assign to the designee(s) specified in such agreement whatever fee interest in the property TPL would be entitled to receive in consideration of the expenditure of said \$100,000 Planning Incentive Grant.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Morris, being the Governing Body thereof, that the Committee supports the contribution of \$100,000 from the Township's balance remaining in its New Jersey Green Acres Planning Incentive Grant account to The Trust for Public Land to assist with their purchase of the St. Mary's Abbey property, known as Block 4501, Lot 2.

ROLL CALL: MR. GOLDBERG YES MR. ROSENBUSH YES
MR. GRAYZEL YES MR. WATSON YES
MAYOR NACE YES

* * *

RESOLUTION 211-08

RE: GOVERNING BODY RESOLUTION PETITIONING COAH WITH A NEW HOUSING ELEMENT AND FAIR SHARE PLAN AS ADOPTED BY THE PLANNING BOARD OF THE TOWNSHIP OF MORRIS ON DECEMBER 15, 2008 AS AN AMENDMENT TO THE TOWNSHIP OF MORRIS MASTER PLAN

WHEREAS, the Planning Board of the Township of Morris, County of Morris, State of New Jersey, adopted a new Housing Element of the Master Plan on December 15, 2008; and

WHEREAS, a true copy of the resolution of the Planning Board adopting the Housing Element is attached pursuant to N.J.A.C. 5:95-2.2(a)2; and

WHEREAS, the Planning Board adopted the Fair Share Plan on December 15, 2008; and

WHEREAS, a true copy of the resolution of the Planning Board adopting the Fair Share Plan is attached pursuant to N.J.A.C. 5:95-2.2(a)2.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Township of Morris, County of Morris, State of New Jersey, hereby endorses the Housing Element and Fair Share Plan as adopted by the Morris Township Planning Board; and

BE IT FURTHER RESOLVED that the Governing Body of the Township of Morris, pursuant to the provisions of N.J.S.A. 52:27D-301 et seq. and N.J.A.C. 5:95-3.2, submits this petition for substantive certification of the new Housing Element and Fair Share Plan to the Council on Affordable Housing for review and certification; and

BE IT FURTHER RESOLVED that a list of names and addresses for all owners of sites in the Housing Element and Fair Share Plan has been included with the petition; and

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RESOLUTIONS (CONTINUED)

RESOLUTION 211-08

RE: GOVERNING BODY RESOLUTION PETITIONING COAH WITH A NEW HOUSING ELEMENT AND FAIR SHARE PLAN AS ADOPTED BY THE PLANNING BOARD OF THE TOWNSHIP OF MORRIS ON DECEMBER 15, 2008 AS AN AMENDMENT TO THE TOWNSHIP OF MORRIS MASTER PLAN (CONTINUED)

BE IT FURTHER RESOLVED that notice of this petition for substantive certification shall be published in a newspaper of countywide circulation pursuant to N.J.A.C. 5:95-3.5 within seven days of issuance of the notification letter from the Council on Affordable Housing's Executive Director indicating that the submission is complete and that a copy of this resolution, the adopted Housing Element and Fair Share Plan and all supporting documentation shall be made available for public inspection at the Township of Morris Municipal Clerk's office located at 50 Woodland Avenue, Convent Station, New Jersey, during the hours of 9:00 a.m. to 4:00 p.m. on Monday through Friday for a period of 45 days following the date of publication of the legal notice pursuant to N.J.A.C. 5:95-3.5.

ROLL CALL: MR. GOLDBERG YES MR. ROSENBUSH YES
MR. GRAYZEL YES MR. WATSON YES
MAYOR NACE YES

* * *

RESOLUTION NO. 212-08

AUTHORIZING REFUND OF MONIES DUE TO TAX OVERPAYMENTS (2-\$10,228.99) AND SEWER OVERPAYMENTS (2-\$331.21)

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>
<u>Tax</u>					
8902	3		Xin Dong	Refund O/P 4 th Qtr 2008	\$7,828.91
8704	20		Maria Driscoll	Refund O/P 4 th Qtr 2008	\$2,400.08
<u>Sewer</u>					
3903	4		Danielle Wysocki	Refund O/P 4 th Qtr 2008	\$ 119.00
9801	7		Monica Benson	Refund O/P 4 th Qtr 2008	\$ 212.21

ROLL CALL: MR. GOLDBERG YES MR. ROSENBUSH YES
MR. GRAYZEL YES MR. WATSON YES
MAYOR NACE YES

* * *

**TOWNSHIP COMMITTEE MEETING
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RESOLUTIONS (CONTINUED)

RESOLUTION NO. 213-08

REQUESTING COAH TO REVIEW ORDINANCE #41-08 PURSUANT TO N.J.A.C. 5:94-6.4

PURSUANT TO N.J.A.C. 5:94-6.4 the Township Committee of the Township of Morris, County of Morris, New Jersey requests that COAH review, and approve, Ordinance #41-08 entitled "ORDINANCE OF THE TOWNSHIP OF MORRIS AMENDING ORDINANCE NO. 29-08 (CHAPTER 57 SECTION 166, DEVELOPMENT FEES FOR AFFORDABLE HOUSING), which ordinance was introduced on November 12, 2008 and finally passed on December 17, 2008.

ROLL CALL: MR. GOLDBERG YES MR. ROSENBUSH YES
MR. GRAYZEL YES MR. WATSON YES
MAYOR NACE YES

* * *

RESOLUTION NO. 214-08

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-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. GOLDBERG YES MR. ROSENBUSH YES
MR. GRAYZEL YES MR. WATSON YES
MAYOR NACE YES

* * *

**TOWNSHIP COMMITTEE MEETING
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RESOLUTIONS (CONTINUED)

RESOLUTION NO. 215-08

RE: IN RECOGNITION AND APPRECIATION RICHARD A. WATSON

WHEREAS, Richard A. Watson, being a resident of the Township of Morris since 1975 has rendered to the citizens of the Township of Morris, twenty-six (26) years of faithful service, having served on the Board of Adjustment (1981 through 1987), Township Committee Member (1988 through 1994 rejoining the Committee April, 1995 through 2008), Mayor for the years 1991, 1992, 1998 to 2000, member and President of the Board of Health, Class I member of the Planning Board, and

WHEREAS, Richard A. Watson, in addition to the aforementioned areas of responsibilities, has served with distinction on the Board of Trustee at the Morris Museum in Morris Township, as a member of the Morris County Open Space Committee, Chairman of the Morris Township Open Space Committee, served on the Board of Trustees as Mayor Ex-Officio of the Joint Free Public Library of Morristown/Morris Township, served on all standing Committees in the Township of Morris and the Morris Township a Parks and Recreation Foundation; and

WHEREAS, during his years of service, he faithfully performed the duties and obligations thrust upon him. Rick has given his utmost to the Township of Morris and all of its citizens who have benefited by his experience, faithfulness, knowledge, foresight and zeal. Rick not only served his community over the years, but also served his country in the United States Military from 1969 to 1971 in Vietnam as a Vietnamese language translator, and

WHEREAS, the Mayor and Township Committee of the Township of Morris wish to recognize his unselfish contribution to the citizens of Morris Township through his dedication to civic duty and for giving of his time and talent without reserve to our community, and

WHEREAS, the Mayor and members of the Township Committee wish to thank Rick's wife, Mary Lee and his family for sharing him for all these many years with our community, and

WHEREAS, Rick has been a tireless volunteer and has committed himself to others with his knowledge, talent, insights and caring for others in his community in making the Township of Morris a better place to live and work; and

WHEREAS, due recognition should be given to the stature he has attained in his public service to the Township of Morris by his exemplary personal life and his public achievements.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Mayor and Members of the Township Committee of the Township of Morris, they being the Governing Body thereof, do hereby recognize the profound influence of Richard A. Watson upon the quality of life in of the Township of Morris, further recognizing that his absence will be a distinct loss to the residents for whom he worked so diligently. with effort and efficiency, has won the deep respect of all who were fortunate to work with him, and that

BE IT FURTHER RESOLVED, that on behalf of the citizens of the Township of Morris we extend our appreciation for years of dedicated service to Richard A. Watson.

ROLL CALL: MR. GOLDBERG YES MR. ROSENBUSH YES
MR. GRAYZEL YES MR. WATSON YES
MAYOR NACE YES

**TOWNSHIP COMMITTEE MEETING
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RESOLUTIONS (CONTINUED)

RESOLUTION NO. 216-08

RE: IN RECOGNITION AND APPRECIATION ROBERT E. NACE

WHEREAS, Robert E. Nace, served as a member of the Township Committee since June, 1998, and was Deputy Mayor in 2004 and 2005, and Mayor from 2006 through 2008; and

WHEREAS, Robert E. Nace untiringly devoted over ten (10) years to the Township of Morris during a period of time that numerous projects were initiated through his leadership, which will continue to have a revitalizing and growing impact on our community far beyond his term of office. Mr. Nace served as Police and Fire Commissioner, and had the following standing committee assignments: Public Works, Engineering, Open Space, Beautification, Courts, and Information Technology, and also served on the Board of Trustees for Teen Pride, Inc.; was the Grand Marshal, Finance Chairman, and Parade Chairman of the Morris County St. Patrick's Day Parade; is an Assistant Scout Master and is proud of his distinction as an Eagle Scout. Mr. Nace served with honor and courage in the United States Military from 1966 to 1969; and

WHEREAS, Mr. Nace has always been willing to place his concern for the public good ahead of his personal interests and thus, has earned the admiration and high regard of other civic leaders and the respect and affection of a host of township residents; and

WHEREAS, Mr. Nace was unique in his sensitivity for doing what was best for the entire community and had the courage in expressing his convictions and a special way of dealing with complex issues and thinking "outside the box"; and

WHEREAS, if there was one characteristic that distinguished Bob's career as a public official, it was his enormous capacity for hard work and his deep and genuine love for the Township of Morris and the surrounding area, and Bob will be joining the ranks of distinguished citizens of our community; and

WHEREAS, the Mayor and members of the Township Committee wish to thank Bob's wife, Judy Doyle for sharing him for many years with our community.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Mayor and Members of the Township Committee of the Township of Morris, they being the Governing Body thereof, that on behalf of the citizens of Morris Township, we hereby extend our appreciation for years of dedicated service to the Township of Morris to Robert E. Nace.

ROLL CALL: MR. GOLDBERG YES MR. ROSENBUSH YES
MR. GRAYZEL YES MR. WATSON YES
MAYOR NACE YES

* * *

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
DECEMBER 17, 2008 PAGE 30**

RESOLUTIONS (CONTINUED)

RESOLUTION NO. 217-08

OPPOSING ORDINANCE NO. 33-08 OF THE TOWNSHIP OF HANOVER WHICH SAID ORDINANCE IS AMENDING AND SUPPLEMENTING CHAPTER 166 OF THE CODE OF THE TOWNSHIP OF HANOVER ENTITLED "LAND USE AND DEVELOPMENT LEGISLATION" WITH THE INCLUSION OF PROVISIONS CHANGING THE ZONE DISTRICT CLASSIFICATION OF CERTAIN PROPERTY IN THE I-5 ZONE DISTRICT TO A NEW D-S2 DESIGNED SHOPPING CENTER ZONE DISTRICT AND OTHER RELATED REGULATIONS INCLUDING ZONING MAP CHANGE

Whereas, the Township of Morris was notified on December 2, 2008 that the Township of Hanover introduced Ordinance 33-08 on November 24, 2008 with public hearing and final consideration scheduled for December 22, 2008; and

Whereas, which said Ordinance would rezone certain land on the westbound side of East Hanover Avenue at the Horsehill Road and East Hanover Avenue intersection so as to permit retail shopping centers; and,

Whereas, the Township of Morris shares the opinion of the Department of Planning of the County of Morris that such a change of use is wholly inappropriate for this already congested roadway corridor; is likely to displace other more highly compensated employment opportunities with lower paying work; and is entirely inconsistent with the long range planning goals for this area.

Now, Therefore, Be It Hereby Resolved by the Mayor and Township Committee of the Township of Morris that this committee does hereby register its most vigorous concern and objection to the proposed rezoning and hereby respectfully requests that our neighbor municipality, in the spirit of cooperation and sound planning reconsider and rescind any efforts toward the proposed zone change.

ROLL CALL: MR. GOLDBERG YES MR. ROSENBUSH YES
MR. GRAYZEL YES MR. WATSON YES
MAYOR NACE YES

* * *

RESOLUTION NO. 218-08

AUTHORIZING SETTLEMENT OF JAMES STREET, LLC VS. TOWNSHIP OF MORRIS, BLOCK 7101/LOT 1

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 2007 and 2008.

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 7101, Lot 4 – It is agreed that the appeal for the 2007 tax year will be withdrawn. It is further agreed that the assessment will be reduced from \$10,657,000 to \$7,500,000 for the 2008 tax year.

ROLL CALL: MR. GOLDBERG YES MR. ROSENBUSH YES
MR. GRAYZEL YES MR. WATSON YES
MAYOR NACE YES

* * *

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
DECEMBER 17, 2008 PAGE 31**

RESOLUTIONS (CONTINUED)

RESOLUTION NO. 219-08

RE: AUTHORIZING MR. FRED J. ROSSI, TOWNSHIP ADMINISTRATOR TO SEND A LETTER TO WALTER P. LAUFENBERG, ESQUIRE, LEGAL COUNSEL FOR MR. JASON BOUGH, EMPLOYEE OF THE DEPARTMENT OF PUBLIC WORKS, DENYING REQUEST FOR A 180 DAY LEAVE OF ABSENCE

WHEREAS, the Mayor and Township Committee of the Township of Morris, after deliberation, denied said request of Mr. Jason Bough for a 180 day leave of absence and directed Mr. Fred

Rossi, Township Administrator to prepare a response advising Mr. Bough of the Township Committee's decision.

NOW, THEREFORE, BE IT HEREBY RESOLVED that Mr. Fred Ross is hereby authorized to prepare a letter of denial to Mr. Jason Bough for a 180-day leave of absence.

ROLL CALL: MR. GOLDBERG YES MR. ROSENBUSH YES
MR. GRAYZEL 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:

Dr. Lynn Siebert 178 Hillcrest Avenue
Resolution No. 210-08 – Congratulated the Township Committee on the acquisition of the St. Mary's property;
Resolution No. 211-08 – Clarification on the Housing Element-Fair Share Plan;
Resolution No. 213-08 – Development Fees.

Kathleen G. Hyland 117 Park Avenue
Thanked Mr. Watson and Mr. Nace for a job well done; Open Space, Mt. Kemble; tax money; both were very dedicated; wished both health and happiness in their retirement.

Mr. Lee Goldberg 10 Arrowhead Road
Thanked Mr. Nace and Mr. Watson for their service to the Township.

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
DECEMBER 17, 2008 PAGE 32**

CONSENT CALENDAR

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

1. Granted municipal consent to the Saint Patrick's Day Parade of Morris County, Inc. to hang banners across both Woodland and Sussex Avenues from March 1 - March 17, 2009, subject to the approval of the Police Chief and Superintendent of Roads and Sanitation, and the filing of a Certificate of Insurance, with a Hold Harmless Clause, naming the Township as an additional insured.
2. Approved, in accordance with a memo dated November 13, 2008 from Scott Lovenberg, Deputy Fire Chief, Steven Cornine (Fairchild Fire Company) as a qualified operator and driver of Fire Department Rescue #406, effective December 17, 2008.
3. Approved, in accordance with a memo dated November 13, 2008 from Scott Lovenberg, Deputy Fire Chief, David Mayer (Fairchild Fire Company) as a qualified operator and driver of Fire Department Ladder #422, effective December 17, 2008.
4. Approved, in accordance with a memo dated November 14, 2008 from Craig Goss, Fire Chief, John M. Poll as a Junior Firefighter, effective December 17, 2008.
5. Approved a New License - Owner/Operator of a Vehicle for Hire -Terrence Portis -Terry's Taxi of Morris Township for the year 2009.
6. Approved a License - Owner/Operator of a Vehicle for Hire - Jerry Rosner - Comfort Cab of Convent Station for the year 2009.
7. Approved a License - Owner/Operator of a Vehicle for Hire - Timothy Scanlon - Harding Private Livery Service, Inc. and (7) drivers (operators) listed below of Morris Township for the year 2009:
 - Ralph C. Hansen, Operator
 - Patrick F. McCormack, Operator
 - Edward J. McNeil, Operator
 - James J. Hannaford, Operator
 - Thomas M. Vigilante, Operator
 - Carl Anthony Romano, Operator
 - John Joseph O'Brien, Operator
8. Approved in accordance with a letter of recommendation dated December 11, 2008 from Timothy Quinn, Police Chief, the permanent appointment of Patrolman Steven Smith effective January 2, 2009.
9. Approved in accordance with a letter of recommendation dated December 11, 2008 from Timothy Quinn, Police Chief, the permanent appointment of Patrolman Justin Crowell effective January 2, 2009.
10. Approved in accordance with a letter of recommendation dated December 11, 2008 from Timothy Quinn, Police Chief, the permanent appointment of Patrolman Robert Hydock effective January 2, 2009.

ROLL CALL: MR. GOLDBERG YES MR. ROSENBUSH YES
MR. GRAYZEL YES MR. WATSON YES
MAYOR NACE YES

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
DECEMBER 17, 2008 PAGE 33**

MATTERS OF OTHER BUSINESS

NONE

* * *

MATTERS RECEIVED FOR THE RECORD

NONE

* * *

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. GOLDBERG

It has been a privilege to work with Mr. Nace and Mr. Watson this past year. I hope I've learned a bit from them. They were always willing to share their knowledge and experience, and did so with great patience. All of the Morris Township has benefited enormously from the work of these two dedicated public servants, but those who worked with them benefited the most. My personal thanks and gratitude.

But I can't miss an opportunity to look at the other side of the coin. Some damage has also been done thanks to Bob, I will never again be able to look at a turtle without imagining a handle protruding from its shell. Nor will I be able to think that a hunter lugging a deer carcass two miles back to his car is really a romantic throw back to pioneer days. Instead, in my mind, I will hear Bob saying, "Be careful what you wish for."

And Rick, with his elegant way of getting the last word. He has ruined my sense of right and wrong. Now, his words bounce around my head whenever I feel at odds with someone. The magic words: "We simply have a philosophical difference."

Rick, I'm grateful for your kindness. Chao, Dai Vi and Shalom.

To all of the Committee, the employees of Morris Township and their families, our volunteers and their families and all of our residents: A happy, healthy holiday season and new year.

MR. GRAYZEL

Three (3) employees of the Township of Morris will have thirty (30) years of service: Fire Chief Craig Goss, Police Chief Timothy Quinn and Michael Ryer and thanked them for their years of service; Police Department awarded a \$5,000 grant (drunk driving); encourage residents to visit the Speedwell Avenue new streetscape; thanked the Beautification volunteers for a job well done on the Speedwell Avenue project; need more members on Beautification; thanked Mr. Nace and Mr. Watson and wished them all the best; that both Rick and Bob spent many hours working on various projects in the Township; were both committed to the Township; thanked them for all their help; happy holidays and wished everyone a safe and peaceful new year

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
DECEMBER 17, 2008 PAGE 34**

TOWNSHIP COMMITTEE MEMBERS COMMENTS/QUESTIONS (CONTINUED)

MR. ROSENBUSH

Presented Mr. Watson and Mr. Nace with engraved Waterford Crystal Clocks on behalf of the Township Committee and the residents of Morris Township; grateful for Bob and Rick and all their accomplishments, effort and time attending meetings; encouraged them to volunteer on the various boards and commissions; wished everyone a happy and healthy holiday and new year.

MR. WATSON

After over four-hundred (400) meetings he would have a lot to say, but will spare the public; presented Mr. Nace with the resolution and literally put Mr. Nace in a box; presented Mrs. Nace with flowers.

MAYORAL COMMENTARY - MAYOR ROBERT E. NACE

Great year! Reached the goal line on the Mt. Kemble project; St. Mary's Abbey has abandoned the CCRC; subdivision of the Abbey property is to preserve the land which has been accomplished; the Parks and Recreation Foundation hopefully will be able to construct a senior citizens center.

Presented Mr. Watson with resolution and extended his thank you to Rick for his dedication the Township of Morris.

Resolution in opposition to the proposed zone change on East Hanover Avenue and Horsehill Road to be sent to Hanover Township. There are better uses for that property; is a dangerous intersection and a traffic study is needed. The Borough of Morris Plains should also oppose the change.

Thanked the employees for their support; Township has the lowest tax rate; Morris Township Police Department and the Public Works Department are the best departments in the area; wished everyone a happy holiday

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CONSIDERATION OF MONTHLY REPORTS – NONE

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APPROVAL OF CLAIMS FOR PAYMENT - LIST OF BILLS AND VOUCHERS

Minute Book Attachment #1 (MBA #1) dated DECEMBER 17, 2008 \$7,119,501.32

The Resolution as hereinafter set forth was duly offered, seconded and adopted by the vote as hereinafter indicated:

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
DECEMBER 17, 2008 PAGE 35**

APPROVAL OF CLAIMS FOR PAYMENT - LIST OF BILLS AND VOUCHERS

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 \$7,119,501.32 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. GOLDBERG YES MR. ROSENBUSH YES
MR. GRAYZEL YES MR. WATSON YES
MAYOR NACE YES

* * *

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

The Governing Body recessed at 9:11 P.M., the DECEMBER 17, 2008 Regular Meeting in order to conduct a "Closed Meeting" concerning "Personnel Matters", as authorized this date.

RESOLUTON 214-08

**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. GOLDBERG YES MR. ROSENBUSH YES
MR. GRAYZEL YES MR. WATSON YES
MAYOR NACE YES

* * *

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
DECEMBER 17, 2008 PAGE 36**

CALL TO ORDER AND ADJOURNMENT

At 10:56 P.M. the November 12, 2008 recessed Regular Meeting was called to order and the following resolutions were read into the record:

RESOLUTION NO. 219-08

RE: AUTHORIZING MR. FRED J. ROSSI, TOWNSHIP ADMINISTRATOR TO SEND A LETTER TO WALTER P. LAUFENBERG, ESQUIRE, LEGAL COUNSEL FOR MR. JASON BOUGH, EMPLOYEE OF THE DEPARTMENT OF PUBLIC WORKS, DENYING REQUEST FOR A 180 DAY LEAVE OF ABSENCE

WHEREAS, the Mayor and Township Committee of the Township of Morris, after deliberation, denied said request of Mr. Jason Bough for a 180 day leave of absence and directed Mr. Fred Rossi, Township Administrator to prepare a response advising Mr. Bough of the Township Committee's decision.

NOW, THEREFORE, BE IT HEREBY RESOLVED that Mr. Fred Ross is hereby authorized to prepare a letter of denial to Mr. Jason Bough for a 180-day leave of absence.

ROLL CALL: MR. GOLDBERG YES MR. ROSENBUSH YES
MR. GRAYZEL YES MR. WATSON YES
MAYOR NACE YES

* * *

RESOLUTION NO. 218-08

AUTHORIZING SETTLEMENT OF JAMES STREET, LLC VS. TOWNSHIP OF MORRIS, BLOCK 7101/LOT 1

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 2007 and 2008.

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:

2. Block 7101, Lot 4 – It is agreed that the appeal for the 2007 tax year will be withdrawn. It is further agreed that the assessment will be reduced from \$10,657,000 to \$7,500,000 for the 2008 tax year.

ADJOURNMENT

With no further business to be considered, on motion duly made, seconded and unanimously (5-0) adopted, the meeting was adjourned at 10:58 P.M., next to convene at the 7:00 P.M., January 7, 2009, Organization Meeting, in the Municipal Building, 50 Woodland Avenue, Township of Morris.

CATHLEEN AMELIO
TOWNSHIP CLERK

**TOWNSHIP COMMITTEE MEETING
CLOSED MEETING
DECEMBER 17, 2008 PAGE 1**

CALL TO ORDER

The "Closed Meeting" as defined in the Open Public Meetings Act, Chapter 231 of the Public Laws of 1975, as authorized by the resolution duly adopted at the December 17, 2008 Regular Meeting, was called to order by Mayor Robert E. Nace at 9:12 P.M., in the Municipal Building, 50 Woodland Avenue, Morris Township, New Jersey, during a recess of the January 20, 2008 Regular Meeting.

* * *

ATTENDANCES

The following attendances were noted:

ELECTED OFFICERS

GOVERNING BODY

Mayor Robert E. Nace

Township Committee Member Ronald M. Goldberg

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

James T. Prusinowski, Esquire

John Lloyd, Esquire

M. Sue Aceto, Tax Assessor

Kathleen Viarengo, Assistant Tax Assessor

PRESIDING OFFICER'S STATEMENT OF DISCUSSION ITEMS

Mayor Robert E. Nace announced that in accordance with the resolution adopted this date authorizing the conducting of this "Closed Meeting", discussion would be limited to "Legal and Personnel Matters".

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LEGAL MATTERS

SETTLEMENT OF JAMES STREET, LLC VS. TOWNSHIP OF MORRIS, BLOCK 7101/LOT 1

Mr. Lloyd summarized the appeal in reference to Block 7101, Lot 4 – That the property owner has agreed that the appeal for the 2007 tax year will be withdrawn. It is further agreed that the assessment will be reduced from \$10,657,000 to \$7,500,000 for the 2008 tax year.

**TOWNSHIP COMMITTEE MEETING
CLOSED MEETING
DECEMBER 17, 2008 PAGE 2**

PERSONELL MATTERS

In a letter dated December 11, 2008 from Mr. Walter P. Laufenberg, Esquire on behalf of Mr. Jason Bough to Mr. James Stoia requesting a 180 day leave of absence was summarized and discussed with the Township Committee by Mr. Fred Rossi, Township Administrator.

With no further matters to be discussed, the Closed Session meeting was adjourned at 10:45 P.M. to the Regular Meeting of the Township Committee.

CATHLEEN AMELIO
TOWNSHIP CLERK

January 30, 2009