

**MINUTES OF REGULAR MEETING OF
THE TOWNSHIP COMMITTEE HELD ON
WEDNESDAY, MARCH 4, 2009, 8:00 P.M.**

CALL TO ORDER

The March 4, 2009 Regular Meeting was called to order by Mayor H. Scott Rosenbush, 8:00 P.M., in the Municipal Building, 50 Woodland Avenue, Morris Township, New Jersey.

ATTENDANCES

**ELECTED OFFICERS
GOVERNING BODY**

Mayor H. Scott Rosenbush
Township Committee Member Daniel W. Caffrey
Township Committee Member Ronald M. Goldberg
Township Committee Member Jeffrey R. Grayzel

APPOINTED OFFICERS

Cathleen Amelio, Township Clerk
John M. Mills, III, Township Attorney
Fred J. Rossi, Township Administrator

* * *

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor H. Scott Rosenbush.

* * *

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
MARCH 4, 2009 PAGE 2**

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

Mayor Rosenbush issued the following statement of adequate notice:

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

Written Notice was given on February 27, 2009 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 Rosenbush 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:

JANUARY 21, 2009 - REGULAR MEETING
JANUARY 21, 2009 - CLOSED MEETING
FEBRUARY 4, 2009 - REGULAR MEETING
FEBRUARY 4, 2009 - CLOSED MEETING

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

ROLL CALL: MR. CAFFREY YES MR. GRAYZEL YES
MR. GOLDBERG YES MR. SNYDER ABSENT
MAYOR ROSENBUSH YES

* * *

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
MARCH 4, 2009 PAGE 3**

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 NO. 1-09 AN ORDINANCE AMENDING CHAPTER 18 OF THE CODE OF THE TOWNSHIP OF MORRIS, ENTITLED "RECREATION ADVISORY COMMITTEE"

SECTION ONE: BE IT HEREBY ORDAINED by the Township Committee of the Township of Morris that Chapter 18, Recreation Advisory Committee, of the Code of the Township of Morris be amended in its entirety as follows:

Chapter 18, PARKS AND RECREATION ADVISORY COMMITTEE

[HISTORY: Adopted by the Township Committee of the Township of Morris 6-14-1972 by Ord. No. 17-72. Amendments noted where applicable.]

GENERAL REFERENCES

Parks, playground and public places -- See Ch. 61A. Municipal pools -- See Ch. 67.

§ 18-1. Creation.

There is hereby created a Parks and Recreation Advisory Committee of the Township of Morris.

§ 18-2. Membership. [Amended 3-12-1975 by Ord. No. 8-75; 7-11-1979 by Ord. No. 22-79; 9-26-1979 by Ord. No. 36-79; 2-20-1991 by Ord. No. 6-91; 2-7-1996 by Ord. No. 1-96; 3-18-1998 by Ord. No. 5-98; 2-15-2006 by Ord. No. 3-06]

The Parks and Recreation Advisory Committee of the Township of Morris shall be composed of 21 members to be appointed as follows:

A. Class I: 18 residents of the Township of Morris appointed at large by the Township Committee for terms of two years, said terms to commence on January 1 of the year of appointment. Within this class of appointees there exists two groups, all of which serve for two years having staggered anniversary dates:

(1) Group I consists of that group (initially) appointed or their successors under the prior ordinance for a term designated as two years and shall be constituted with nine members.

(2) Group II consists of that group appointed or their successors (initially appointed) under the prior ordinance for a term designated as two years and shall be constituted with nine members.

B. Class II: the Parks and Recreation Committee Chairman of the Township Committee, the Deputy Parks and Recreation Committee Chairman of the Township Committee, and the Township Parks and Recreation Director, their terms to correspond to their terms of appointment by the Township Committee.

§ 18-3. Vacancies.

In the event that any member of the Parks and Recreation Advisory Committee shall resign or be unable to serve for any reason as a member of said Committee, the vacancy created thereby shall be filled for the remainder of his term in the manner provided for appointments under § 18-2 above.

of this Ordinance are he§ 18-4. Duties and powers.

A. It shall be the duty of the Parks and Recreation Advisory Committee of the Township of Morris to:

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
MARCH 4, 2009 PAGE 5**

ORDINANCES - INTRODUCTION

Each ordinance as hereinafter set forth was introduced, passed on first reading by the vote as hereinafter indicated, with a public hearing thereon scheduled for the April 15, 2009 regular meetings for Ordinance #5-09 and March 18, 2009 for Ordinance #6-09 at 8:00 P.M.:

ORDINANCE 5-09 "AN ORDINANCE AMENDING CHAPTER 88 OF THE CODE OF THE TOWNSHIP OF MORRIS ENTITLED 'VEHICLES AND TRAFFIC', ARTICLE III, SECTION 88-3.2, SUBSECTIONS A. "LEGAL PARKING LIMITS; FEES; ISSUANCE OF PERMIT; PERSONS ENTITLED TO PARK" AND B. "FEES"

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

SECTION ONE: Chapter 88, Vehicles and Traffic, Article III Section 88-3.2 A. "Legal parking limits; fees; issuance of permit; persons entitled to park" is amended as follows:

A. Between the hours of 6:00 a.m. and 6:00 p.m., prevailing time, there shall be a fee or charge for the use of a parking space in the Convent Station Parking Facility. No vehicle shall be parked in said facility unless the same shall be properly parked in accordance with this section and within the parking space as defined in this section and designated at the parking facility. No vehicle shall be parked in said facility unless the operator thereof is parking the vehicle at the Convent Station Parking Facility for the purpose of utilizing the railroad commutation services. [Amended 12-7-2005 by Ord. No. 33-05]

SECTION TWO: Chapter 88, Vehicles and Traffic, Article III Section 88-3.2 B. "Fees" is amended as follows:

B. Fees.

- (1) The permit fees and metered charges shall be as follows:
 - (a) Resident permit: \$400 per year (July 1 through June 30).
 - (b) Nonresident permit: \$800 per year (July 1 through June 30).
 - (c) Metered parking: up to \$5 per day. The exact amount to be established by resolution. In the event no resolution shall be adopted, the fee shall be fixed at \$5 per day.
 - (d) Resident ID permit for metered parking: no charge.
 - (e) Fee for the "Smart Card" (a debit card): \$8 for a new card or to replace lost card.
 - (f) Replacement fee for lost resident and non-resident permit tag \$10.00
- (2) Permits can be purchased for the remaining portion of the permit year, which expires June 30, and shall be calculated on the basis of full months, including the month the permit is purchased.
- (3) Permit refunds may, upon approved voucher claim, be given based upon the number of full months remaining, excluding the month of surrender, less an administrative charge of \$20.

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

ROLL CALL: MR. CAFFREY YES MR. GRAYZEL YES
MR. GOLDBERG YES MR. SNYDER ABSENT
MAYOR ROSENBUSH YES

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
MARCH 4, 2009 PAGE 6**

ORDINANCES - INTRODUCTION (CONTINUED)

ORDINANCE #6-09 - ORDINANCE OF THE TOWNSHIP OF MORRIS AMENDING §95-6 ZONING MAP, §95-25 I-21 INDUSTRIAL ZONE AND §57-3 DEFINITIONS AND WORD USAGE

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

Section 1: Chapter 95, Section 6, Zoning Map of the Township is hereby amended to remove from the B-11 Zone and incorporated into the RB-7 Zone all of the property designated as Tax Block 10312, Lots 1 and 2

Section 2: Chapter 95, Section 25 I-21 Industrial Zone. is hereby amended to add "essential service maintenance facility" as a new permitted principal use.

Section 3: Chapter 57, Section 3, Definitions and Word Usage. is hereby amended to add the following definition of "essential service maintenance facilities" to read in its entirety as follows:

"Land, buildings and/or other structures used for the storage, maintenance and/or repair of vehicles, equipment and/or supplies which are used for the provision, construction, installation, maintenance, repair and/or replacement of any essential service as defined in this Chapter."

Section 4: Chapter 57, Section 3, Definitions and Word Usage. is hereby amended to insert the following language before the last sentence in the definition "Essential Service":

Notwithstanding anything to the contrary elsewhere herein, "ESSENTIAL SERVICES" shall not include essential service maintenance facilities."

Section 5: If any section or provision of this Ordinance shall be held to be invalid in any Court of competent jurisdiction, the same shall not affect the other sections or provisions of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder of any portion thereof.

Section 6: All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 7: This ordinance shall take effect immediately upon final passage and publication in the manner provided for by law.

ROLL CALL: MR. CAFFREY YES MR. GRAYZEL YES
MR. GOLDBERG YES MR. SNYDER ABSENT
MAYOR ROSENBUSH YES

* * *

SUMMARY OF BIDS RECEIVED

Township Administrator Fred J. Rossi summarized the receipt of bids received by the Bid Committee on February 25, 2009, in the Municipal Building, 50 Woodland Avenue, Re: OTE: 2009-2-1 HVAC Services.

* * *

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
MARCH 4, 2009 PAGE 7**

RESOLUTIONS

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

RESOLUTION AUTHORIZING RETURN OF MONIES REMAINING IN CLIENT'S ESCROW ACCOUNT

WHEREAS, the following escrow account has 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 account be closed and the balance of all monies returned to the applicant.

Name	Balance	Escrow Account #
Marc Benton & Deborah Pasik	\$1,000.00	E-12-56-808-769

ROLL CALL: MR. CAFFREY YES MR. GRAYZEL YES
MR. GOLDBERG YES MR. SNYDER ABSENT
MAYOR ROSENBUSH YES

- - -

OPPOSING ASSEMBLY BILL NO. 3686 WHICH PROPOSES THE TRANSFER OF THE GOVERNOR'S COUNCIL ON ALCOHOLISM AND DRUG ABUSE TO THE NEW JERSEY DEPARTMENT OF HUMAN SERVICES

WHEREAS, the Township of Morris Mayor and Township Committee desires to oppose Assembly Bill No. 3686 sponsored by Assemblywoman Sheila Y. Oliver, Assemblywoman Connie Wagner and Assemblywoman Elease Evans, which proposes the transfer of the Governor's Council on Alcoholism and Drug Abuse and control of the Drug Enforcement Demand Reduction Fund to the New Jersey Department of Human Services; and

WHEREAS, the Township of Morris Township Committee has been advised and believes that Assembly Bill No. 3686 is not in the public interest as it would dramatically diminish, if not eliminate, the role of the Municipal Alliances to Prevent Substance Abuse which is an invaluable community program and an effective asset for the development and implementation of "grass roots" local programs for the prevention of alcohol and drug abuse; and

WHEREAS, the Township of Morris has been advised during the Human Services Assembly Hearing on January 26, 2009 that Raquel Mazon Jeffers, Director of Division of Addiction Services, indicated during her testimony that the Municipal Alliance Funding would be placed into a competitive RFP process; and

WHEREAS, this money was originally intended not to be a hindrance for volunteers to obtain; however, with a competitive RFP process this will put communities at an unfair disadvantage to compete for funding with non-profit and for profit agencies such as, the Southwest Council, Inc., as these are groups

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
MARCH 4, 2009 PAGE 8**

RESOLUTIONS (CONTINUED)

OPPOSING ASSEMBLY BILL NO. 3686 WHICH PROPOSES THE TRANSFER OF THE GOVERNOR'S COUNCIL ON ALCOHOLISM AND DRUG ABUSE TO THE NEW JERSEY DEPARTMENT OF HUMAN SERVICES (CONTINUED)

with paid employees who have more expertise in grant writing to obtain these types of grants versus volunteers who have no background in competitive grant writing; and

WHEREAS, a competitive RFP eliminates addressing community specific needs as towns within a county do not have the same problems, and often within a town there are different specific needs in the various sections of a community. Community volunteers know town- specific information and are better to identify and address the problems and issues; and

WHEREAS, the basis of the Comptroller's Audit Report was misleading and insinuated that the funding was not being used properly, but when reviewed, the funds were used according to the guidelines. The perception that the funding was spent improperly when in fact in a case by case basis it was following the procedures put into place as well as understanding prevention of substance abuse often times needs creative and alternative programs to bring the public out in numbers; and

WHEREAS, the dissolving of the volunteer based Municipal Alliance Program undermines the Governor's Plan to put out a three pronged approach as indicated in the State of New Jersey Executive Summary A Strategy for Safe Streets and Neighborhoods; and

WHEREAS,the Township of Morris opposes the transfer of the Governor's Council on Alcoholism and Drug Abuse and control of the Drug Enforcement Demand Reduction Fund to the New Jersey Department of Human Services as the consequences of those actions are likely to diminish or eliminate a data-driven, evidence producing drug and alcohol prevention program that already effectively uses the efforts and expertise of dedicated local volunteers; and

WHEREAS, the Township of Morris hereby opposes Assembly Bill No. 3686 and if there is an absolute need to transfer the Governor's Council on Alcoholism and Drug Abuse, the Department of Law and Public Safety would be a more proper fit due to the Strategy for Safe Streets and Neighborhoods Strategy and framework described.

NOW, THEREFORE, BE RESOLVED that the Township of Morris, County of Morris through this Resolution strongly opposes and objects to Assembly Bill No. 3686 sponsored by Assemblywoman Sheila Y. Oliver, Assemblywoman Connie Wagner and Assemblywoman Elease Evans which Bill proposes the transfer of the Governor's Council on Alcoholism and Drug Abuse and control of the Drug Enforcement Demand Reduction Fund to the New Jersey Department of Human Services; and

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be sent to Governor Jon S. Corzine, Senate President Richard J. Codey, Senate Minority Leader Leonard Lance, Senator Christopher "Kip" Bateman, Assembly Speaker Joseph J. Roberts, Assembly Minority Leader Alex DeCroce, Assemblyman Peter J. Biondi, Assemblywoman Denise Coyle, and all state legislators representing legislative districts with municipalities in the County of Morris.

ROLL CALL: MR. CAFFREY YES MR. GRAYZEL YES
MR. GOLDBERG YES MR. SNYDER ABSENT
MAYOR ROSENBUSH YES

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
MARCH 4, 2009 PAGE 9**

RESOLUTIONS (CONTINUED)

AUTHORIZING AWARD OF CONTRACTS FOR OTE: 2009-2-1 HVAC SERVICES TO ENVIROCON, LLC, 490 SCHOOLEY'S MOUNTAIN ROAD, HACKETTSTOWN, NJ 07840

WHEREAS, this Township has heretofore, in accordance with the Local Public Contracts Law of the State of New Jersey, received bids for the hereinafter entitled item: HVAC SERVICES

WHEREAS, the bid is awarded in the following amounts: 1. Normal hours: 7:30 a.m. to 3:30 p.m., 1.a Monday through Friday: \$68/hour, helper \$48/hour, 1.b Nights and Saturdays: \$102/hour, helper \$72/hour, Sundays, & Holidays: \$204/hour, helper \$144/hour, Markup: 15%

WHEREAS, after review and recommendation from the appropriate official, it appears that the contracts should be awarded to the lowest responsible bidder: ENVIROCON, LLC, 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: DEPARTMENT OF CURRENT, SEWER, SWIM POOL, AND PARKING BUDGETS.

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: ENVIROCON, LLC, 490 SCHOOLEY'S MOUNTAIN ROAD, HACKETTSTOWN, NJ 07840 NTE \$15,840.
2. The Mayor and Clerk of this Township be and are hereby authorized and directed to execute the contract and all other necessary documents in order to effectuate the purpose of this resolution.
3. That the Certificate of Availability of Funds supplied by the Chief Financial Officer of this Township shall be attached to a copy of this resolution and kept on file in the Office of the Municipal Clerk.

ROLL CALL: MR. CAFFREY YES MR. GRAYZEL YES
MR. GOLDBERG YES MR. SNYDER ABSENT
MAYOR ROSENBUSH YES

- - -

IN RECOGNITION AND OF CONGRATULATIONS - MICHAEL JOHN SANTORO - EAGLE SCOUT

WHEREAS, Michael John Santoro, of Morris Township, has achieved the distinguished status of Eagle Scout in Troop 112 in Morristown; and

WHEREAS, Michael Santoro's Trail to Eagle started with Cub Scout Pack 125. He earned his Arrow of Light while a Cub Scout; and attained his Scout and Tenderfoot ranks in 2002, Second Class Scout in 2002, First Class Scout in 2003 and Star rank in 2004. Life Scout rank was earned on October 18, 2006. On September 30, 2008, Mike was certified by the Fishawack District Eagle Scout Advancement Board as having met requirements for Eagle Scout Rank; and

WHEREAS, Michael served Troop 112 in a number of leadership positions: Patrol Leader, Assistant Senior Patrol Leader, Senior Patrol Leader (2005-06), Troop Instructor, Troop Guide, and, most recently, as Patrol Leader for the Panther Patrol, which is composed of new Scouts; and

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
MARCH 4, 2009 PAGE 10**

RESOLUTIONS (CONTINUED)

IN RECOGNITION AND OF CONGRATULATIONS - MICHAEL JOHN SANTORO - EAGLE SCOUT (CONTINUED)

WHEREAS, he participated in the National Boy Scout Jamboree in 2005 and made an expedition to Philmont New Mexico in 2006, where he served as Chaplain for his Crew; and

WHEREAS, Michael Santoro's Eagle Scout project was to reconstruct a path to improve Morristown's Speedwell Lake Park. This park is the site of a historic foundry that produced parts for the Samuel Morse's telegraph and, before that, was a mill used in the production of gears and cogs. The park covers the shoreline of Speedwell Lake and the Whippany River as it exits the lake. It is also part of Patriot's Path walking trail; and

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

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Mayor and Members of the Township Committee, on behalf of the citizens of the municipality, by individual hand and seal, recognize and extend congratulations and best wishes to **EAGLE SCOUT MICHAEL JOHN SANTORO**.

ROLL CALL: MR. CAFFREY YES MR. GRAYZEL YES
MR. GOLDBERG YES MR. SNYDER ABSENT
MAYOR ROSENBUSH YES

- - -

IN RECOGNITION AND OF CONGRATULATIONS - DAVID B. GALLAGHER - EAGLE SCOUT

WHEREAS, David B. Gallagher, of Morris Township, has achieved the distinguished status of Eagle Scout in Troop 112 in Morristown; and

WHEREAS, the trail that led David Gallagher to the rank of Eagle Scout began when he graduated from Pack 125, Morristown, New Jersey; and

WHEREAS, David served in a number leadership positions while a member of Troop 112: Senior Patrol Leader, Patrol Leader, Assistant Patrol Leader and Troop Guide for three years. David also worked on Staff at Mt. Allamuchy Scout Reservation for two years, serving as a Dan Beard Instructor and a Sailing Instructor. He plans to work at Mt. Allamuchy again this summer. One of David's biggest adventures in Scouting was when he attended the Philmont Scout Ranch in New Mexico during the summer of 2005; and

WHEREAS, David's Eagle Scout project took place at Woodland School located in Morris Township, New Jersey. The school had recently removed several overgrown shrubs from the front of the building because they were blocking the windows and were deemed to be a security threat. The school ground had also shifted slightly around the school causing the concrete base of the building to become visible. The project consisted of several different components to help improve the appearance of the school and make it more inviting for the students. The project, which was originally expected to take three days to complete, was completed in two days thanks to the overwhelming response from volunteers and all their hard work; and

WHEREAS, David B. Gallagher is a credit to family, Troop 112 and the entire community.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Mayor and Members of the Township Committee, on behalf of the citizens of the municipality, by individual hand and seal, recognize and extend congratulations and best wishes to: **EAGLE SCOUT DAVID B. GALLAGHER**.

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
MARCH 4, 2009 PAGE 11**

RESOLUTIONS (CONTINUED)

IN RECOGNITION AND OF CONGRATULATIONS - DAVID B. GALLAGHER - EAGLE SCOUT
(CONTINUED)

ROLL CALL: MR. CAFFREY YES MR. GRAYZEL YES
MR. GOLDBERG YES MR. SNYDER ABSENT
MAYOR ROSENBUSH YES

- - -

IN RECOGNITION AND OF CONGRATULATIONS - STEPHEN J. ALLEGRA - EAGLE SCOUT

WHEREAS, Stephen J. Allegra, of Morris Township, has achieved the distinguished status of Eagle Scout in Troop 112 in Morristown; and

WHEREAS, Stephen's Trail to Eagle started when he joined the Boy Scouts of America as a Scout in Troop 112, Morristown, New Jersey, on February 6, 2002. Stephen attained the rank of Tenderfoot on August 8, 2002, and the rank of Second Class on January 15, 2003. He became First Class Scout on December 10, 2003, a Star Scout on November 3, 2004 and a Life Scout on July 11, 2007. On August 12, 2008, Stephen went before the Fishawack District Eagle Advancement Board and successfully met all the requirements necessary to obtain the rank of Eagle Scout; and

WHEREAS, Stephen served Troop 112 in a number of leadership positions: Quartermaster, Patrol Leader, Assistant Patrol Leader, and Troop Instructor; and

WHEREAS, Stephen's Eagle Scout project consisted of the restoration and addition to the herb garden 50' by 50' long located down the hill from the Delbarton Abbey Church. The project restored the property to its original beauty. The renovated garden is now a pleasant outdoor space with shade, benches, a picnic table, easily accessible pathways, and beautiful flowers. The monks have an established place to sit, relax, and enjoy the outdoors; and

WHEREAS, Stephen J. Allegra is a credit to family, Troop 112 and the entire community.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Mayor and Members of the Township Committee, on behalf of the citizens of the municipality, by individual hand and seal, recognize and extend congratulations and best wishes to **STEPHEN J. ALLEGRA, EAGLE SCOUT**.

ROLL CALL: MR. CAFFREY YES MR. GRAYZEL YES
MR. GOLDBERG YES MR. SNYDER ABSENT
MAYOR ROSENBUSH YES

- - -

IN RECOGNITION AND OF CONGRATULATIONS -EAGLE SCOUT ALEXANDER D. MILLER

WHEREAS, Alexander D. Miller, of Morris Township, has achieved the distinguished status of Eagle Scout in Troop 112 in Morristown; and

WHEREAS, Alexander's Trail to Eagle began with Cub Scout Pack 125 when he graduated on December 12, 2001. Alexander attained the Rank of Tenderfoot and Second class on October 23, 2002. He became a First Class Scout on January 15, 2003, a Star Scout on January 14, 2004, and a Life Scout on October 27, 2004. On November 25, 2008, Alex went before the Fishawack District Advancement Board and successfully met all the requirements for the rank of Eagle Scout.; and

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
MARCH 4, 2009 PAGE 12**

RESOLUTIONS (CONTINUED)

IN RECOGNITION AND OF CONGRATULATIONS - EAGLE SCOUT ALEXANDER D. MILLER
(CONTINUED)

WHEREAS, Alexander served Troop 112 in a number of leadership positions: Assistant Senior Patrol Leader, Patrol Leader, Assistant Patrol leader, Quartermaster, and Scribe; and

WHEREAS, in scouting, Alexander also received the Arrow of Light, the Gettysburg Medal, Boston Freedom Trail Medal and is a brotherhood member of the Order of the Arrow Woopalanne Lodge 43; and

WHEREAS, Alexander's Eagle Scout project consisted of building a reading area in the courtyard at the Normandy Park School in Morris Township. His project included building a patio, a path to the area and painting a beautiful mural on the courtyard wall; and

WHEREAS, Alexander D. Miller is a credit to family, Troop 112 and the entire community.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Mayor and Members of the Township Committee, on behalf of the citizens of the municipality, by individual hand and seal, recognize and extend congratulations and best wishes to **EAGLE SCOUT ALEXANDER D. MILLER.**

ROLL CALL: MR. CAFFREY YES MR. GRAYZEL YES
MR. GOLDBERG YES MR. SNYDER ABSENT
MAYOR ROSENBUSH YES

- - -

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

WHEREAS, this meeting is a duly and properly called meeting of the Township Committee of the Township of Morris and adequate notice has been given as required by the "Open Public Meetings Act", and

WHEREAS, it is now necessary that this Governing Body consider matters involving "Legal and Personnel Matters", exceptions in the "Open Public Meetings Act", and which this Governing Body determines should be discussed at a "Closed Meeting".

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

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

ROLL CALL: MR. CAFFREY YES MR. GRAYZEL YES
MR. GOLDBERG YES MR. SNYDER ABSENT
MAYOR ROSENBUSH YES

* * *

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
MARCH 4, 2009 PAGE 13**

PUBLIC COMMENT/INQUIRY

Mayor Rosenbush, 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. William Lukaszuk, 5 Brookfield Way, a 40 year resident is opposed to any consideration of the Township Committee to merge with Morristown.

Mr. Lee Goldberg, 10 Arrowhead Road, inquired in reference to the following: Deferred pension plan; snow removal cost, exceeded salt budget; public comment portion should be in the middle of meeting; IT position posting – noted the removal of the IT award resolution the agenda.

* * *

CONSENT CALENDAR

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

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

1. Approved, in accordance with a memo dated February 20, 2009 from Craig Goss, Fire Chief, the application of Kevin L. Zeller, 24 Fairchild Avenue, Morris Plains, NJ 07950 as a volunteer fireman for the Township Fire Department (Fairchild Fire Company).
2. Approved, in accordance with a memo dated February 24, 2009 from Craig Goss, Fire Chief, David Mayer as a qualified driver and operator of Fire Department Equipment, Rescue 406 Truck (Fairchild Fire Company).
3. Approved the following Vehicle For Hire Licenses:
Pamela S. Watson, owner-operator, Alpha & Omega Services;
Joshua Cochran, operator, Alpha & Omega Services;
Charlie L. Peoples, owner, Peoples Taxi.

ROLL CALL: MR. CAFFREY YES MR. GRAYZEL YES
MR. GOLDBERG YES MR. SNYDER ABSENT
MAYOR ROSENBUSH YES

* * *

MATTERS OF OTHER BUSINESS

NONE

* * *

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
MARCH 4, 2009 PAGE 14**

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. Tax appeal filed with the Tax Court of New Jersey for Block 8104, Lot 23, 50 Canfield Road, owners: Thomas and Donna Pepe.

* * *

TOWNSHIP COMMITTEE MEMBERS COMMENTS/QUESTIONS

At this time Mayor Rosenbush called upon the Members of the Township Committee for comments which are summarized as follows:

MR. CAFFREY

Would oppose merger with Morristown; shared services with Morristown and other adjoining municipality with Morris Township would make economic sense;

Will be presenting Eagle Scout award which in order to achieve this level in Scouting it takes dedication and hard work and pointed out that only 4% of Scouts reach the Eagle level. Noted that Eric Myner was in the audience and was five (5) badges out of twenty-one (21) away from Eagle, good work;

Noted the great job done in keeping the roadways safe by the Department of Public Works during the winter months.

MR. GOLDBERG

Would oppose any merger with the Town of Morristown; Attended the Morristown Council meetings of February 24, 2009, and March 2, 2009 and invited them to meet in reference to merged Fire services;

Condolences to the Luby family;

Met with the Parking sub-committee to assess and approve the facility Ordinance, working on increasing the general parking area, new signs, credit card machine;

Met with the Sewer employees discussed operations, personnel and budget issues, reserve depleted and needs to be rebuilt;

Thanked the Department of Public Works for a great job in keeping the streets safe during storms;

Is opposed to deferral of the Township contribution to Public Employees Retirement System.

MR. GRAYZEL

Police Chief Quinn met with Brother Paul, Headmaster for Delbarton School. Brother Paul will address the traffic issues with the student population in reference to Mendham Road, Picatinny Road, Whitehead Road, Washington Valley Road and other roadways in vicinity of the school. Brother Paul is going to address the following issues: Speeding, aggressive driving and littering and will also follow up with the parents by way of the school newsletter;

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
MARCH 4, 2009 PAGE 15**

TOWNSHIP COMMITTEE MEMBERS COMMENTS/QUESTIONS

Mr. Grayzel – Continued

Municipal Messenger has an article on the graduated driver's license provision and urged all parents with teen drivers to read the article. Questions can be addressed by calling the Police Department Traffic Safety Unit;

The Police Department was awarded the "Hang Up Just Drive" cell phone enforcement grant. Enforcement will take place March 2nd to March 15th and 80 hours of overtime targeting cell phone violations. New Jersey Highway Traffic Safety will be doing a media release in conjunction with the program. The Township Police Department are one of only a few jurisdictions selected for this enforcement grant.

MR. SNYDER - ABSENT

MAYORAL COMMENTARY - MAYOR H. SCOTT ROSENBUSH

Committee as a whole oppose any merger with Morristown; looks forward to meeting with Morristown on shared services; Thanked the Township Committee and the Planning Board for expediting the Ordinance in reference to 240 Martin Luther King Avenue;

State Aid figures have not come from the state which makes the Township budget process take longer due to the fact that a substantial amount of the Township budget depends on State Aid;

Mayoral appointment – Mr. Edward J. Thornton, 13 Brookfield Way to the Recreation Advisory Committee. Mayor Rosenbush thanked Mr. Champi service to the Recreation Advisory.

CONSIDERATION OF MONTHLY REPORTS

On motion duly made, seconded and unanimously carried, the following internal operational monthly reports as indicated were received, approved (by the vote as hereinafter indicated) and placed on file in the Office of the Township Clerk, to be retained in accordance with the specific detail of the current record retention schedule promulgated by the New Jersey Bureau of Archives:

ROLL CALL: MR. CAFFREY YES MR. GRAYZEL YES
MR. GOLDBERG YES MR. SNYDER ABSENT
MAYOR ROSENBUSH YES

* * *

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

The Governing Body recessed at 8:52 P.M., the March 4, 2009 Regular Meeting in order to conduct a "Closed Meeting" concerning "Legal and Personnel Matters", as authorized this date.

- - -

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
MARCH 4, 2009 PAGE 16**

CALL TO ORDER AND ADJOURNMENT

At 11:39 P.M. the March 4, 2009 recessed Regular Meeting was called to order and the following resolution was seconded and approve:

RESOLUTION NO. 59-09

AUTHORIZING SETTLEMENT OF COLUMBIA ASSOCIATES C/O BAYER CORP. VS. TOWNSHIP OF MORRIS, BLOCK 9301, LOT 7, 36 COLUMBIA ROAD

WHEREAS, the Tax 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, 2007, 2008, and 2009.

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. It is agreed that the appeal for the 2006 tax year will be withdrawn. It is further agreed that the assessment will be reduced from \$27,835,000 to \$20,135,000 for the 2007 tax year, to \$19,955,000 for the 2008 tax year and to \$17,505,000 for the 2009 tax year.

ROLL CALL: MR. CAFFREY YES MR. GRAYZEL YES
MR. GOLDBERG YES MR. SNYDER ABSENT
MAYOR ROSENBUSH YES

with no further business to be considered, on motion duly made, seconded and unanimously (4-0) adopted, the meeting was adjourned at 11:44 P.M., next to convene at the 8:00 P.M., March 18, 2009, Regular Meeting, in the Municipal Building, 50 Woodland Avenue, Township of Morris.

CATHLEEN AMELIO
TOWNSHIP CLERK

DATED: April 9, 2009

**MINUTES OF "CLOSED MEETING" OF
THE TOWNSHIP COMMITTEE HELD ON
WEDNESDAY, MARCH 4, 2009, 8:52 P.M.**

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 March 4, 2009 Regular Meeting, was called to order by Mayor H. Scott Rosenbush at 8:52 P.M., in the Municipal Building, 50 Woodland Avenue, Morris Township, New Jersey, during a recess of the March 4, 2009 Regular Meeting.

* * *

ATTENDANCES

The following attendances were noted:

ELECTED OFFICERS

GOVERNING BODY

Mayor H. Scott Rosenbush
Deputy Mayor Daniel W. Caffrey
Township Committee Member Ronald M. Goldberg
Township Committee Member Jeffrey R. Grayzel

APPOINTED OFFICERS

Cathleen Amelio, Township Clerk
John M. Mills, III, Township Attorney
Fred J. Rossi, Township Administrator

* * *

ALSO PRESENT

Sue Aceto, Tax Assessor
Kathryn Viarengo, Assistant Tax Assessor
John R. Lloyd, Esq., Special Tax Counsel
Anthony Marchese, Esq.

* * *

PRESIDING OFFICER'S STATEMENT OF DISCUSSION ITEMS

Mayor H. Scott Rosenbush 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".

* * *

**TOWNSHIP OF MORRIS
CLOSED MEETING
MARCH 4, 2009 – PAGE 2**

DISCUSSION CONCERNING “LEGAL MATTERS”

John Lloyd, Esq., Special Tax Counsel, summarized the tax appeal of Columbia Associates, c/o Bayer Corp., Block 9301, Lot 7, 36 Columbia Road. A settlement for the 2006, 2007, 2008 and 2009 years was authorized and a resolution adopted.

Litigation - 240 Martin Luther King Avenue.

Litigation - Cedar Street (Powlett) - property - construction; Salisbury property - dumpsters.

Mt. Kemble sports field - property acquisition.

Cornine Field - property on Ketch and West Hanover Avenue improvements.

* * *

ADJOURNMENT

With no further business to be considered, on motion duly made, seconded and unanimously adopted, the Closed Meeting was adjourned at 11:40 P.M., to resume the March 4, 2009 Regular Meeting agenda.

CATHLEEN AMELIO, TOWNSHIP CLERK

DATED: APRIL 9, 2009