

**MINUTES OF REGULAR MEETING OF
THE TOWNSHIP COMMITTEE HELD ON
WEDNESDAY, MAY 20, 2009, 8:00 P.M.**

CALL TO ORDER

The May 20, 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.

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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
Township Committee Member Raymond L. Snyder

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 H. Scott Rosenbush.

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**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 May 15, 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".

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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.

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APPROVAL OF MINUTES

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

MARCH 18, 2009 - REGULAR MEETING
MARCH 18, 2009 - CLOSED MEETING
APRIL 15, 2009 - REGULAR MEETING
APRIL 15, 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 YES
MAYOR ROSENBUSH YES

* * *

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PRESENTATION - ANNUAL AWARDS TO POLICE DEPARTMENT

Police Chief Timothy Quinn with Captain Dennis Riley and Captain John McGuinness assisting, presented the following awards:

Heather Riley and Edward Conrad - Life Saving Award;
Thomas Manning - Exceptional Duty Award;
Marc DeCarlo, Brian Hollick and Mark McGuinness - Exceptional Duty Awards;
Gary Webb - Exceptional Duty Award - most drunk driving arrests, Letter of Recognition
From graduate College of St. Elizabeth;
David Powell - 2008 Officer of the Year.

Matthew Berg - Citizen for Lifesaving - commended for his actions

Mayor presentation of bike proclamation 'Bike to Work' Week to Mr. Marty Epstein.

* * *

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 #7-09 - RE: ACCEPTING A DEDICATION OF A PORTION OF JOCKEY HOLLOW ROAD AND SUGARLOAF ROAD

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

SECTION ONE: The tender of dedication of a portion of Jockey Hollow Road and Sugarloaf Road as set forth on the annexed descriptions by the Order of St. Benedict of New Jersey Inc., be and the same is hereby accepted.

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)**

ORDINANCE #7-09 - RE: ACCEPTING A DEDICATION OF A PORTION OF JOCKEY HOLLOW ROAD AND SUGARLOAF ROAD (CONTINUED)

PUBLIC COMMENT
NONE

COMMUNICATIONS OF RECORD
NONE

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

- - -

ORDINANCE #8-09 - AUTHORIZING THE CONTRIBUTION OF OPEN SPACE TRUST AND GREEN ACRES PLANNING INCENTIVE GRANT FUNDING 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. In cooperation with The Trust for Public Land d/b/a/TPL-New Jersey, Inc. and the County of Morris, there is hereby appropriated from the Open Space Trust Fund of the Township of Morris and the Township's Green Acres' Planning Incentive Grant, the sum of \$1,100,000.00 to be contributed toward the acquisition of real property interests in approximately 188 acres currently owned by the Order of St. Benedict – St. Mary's Abbey.
- B. As a result of the Township of Morris' contribution, the municipality will take ownership of approximately ten (10) acres, known as Lot 2.03, Block 4501.

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

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

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**TOWNSHIP COMMITTEE MEETING
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ORDINANCES - INTRODUCTION

Each ordinance as hereinafter set forth was introduced, passed on first reading by the vote as hereinafter indicated, with a public hearing thereon scheduled for the June 17, 2009 regular meeting at 8:00 P.M.:

ORDINANCE #9-09 - AMENDING CHAPTER 95, SECTION 34.2 OF THE ZONING ORDINANCE OF THE TOWNSHIP OF MORRIS AND CHAPTER 57, SECTIONS 95 AND 112 OF THE LAND DEVELOPMENT ORDINANCE OF THE TOWNSHIP OF MORRIS

IT IS HEREBY ORDAINED by the Township Committee of the Township of Morris, Morris County, State of New Jersey, as follows:

Section 1. Chapter 95, Section 34.2, Subsection A is hereby amended by revising the initial paragraph to read as follows:

Permitted Uses; definitions. The following uses as defined in this subsection shall be permitted in the PRC-Planned Retirement Community Zone. The purpose of the PRC Zone is to provide a broad range of housing options for elderly persons and, in certain cases, persons of all ages, including (1) housing for the elderly with associated health care services, (2) small scale age-restricted housing communities, and (3) non-age-restricted townhouses and non-age-restricted single-family detached dwellings.

Section 2. Chapter 95, Section 34.2, Subsection A is hereby amended by adding the following after the definition of RESIDENTIAL HEALTHCARE FACILITY.

NON-AGE-RESTRICTED SINGLE-FAMILY DETACHED DWELLINGS or SINGLE FAMILY DWELLINGS – buildings designed for occupancy by not more than one (1) family or household, without restriction on the age of any occupant, not attached to any other dwelling, with direct access from the outside, and with cooking, sleeping and sanitary facilities for the exclusive use of the occupants of the building.

NON-AGE-RESTRICTED TOWNHOUSES or TOWNHOUSES –buildings designed for occupancy by not more than one (1) family or household, without restriction on the age of any occupant, and attached to other similar buildings or structures by party walls extending from the foundation to the roof and providing two (2) direct means of access from the outside, and provided with separate cooking, sleeping, and sanitary facilities and separate facilities for electric service, heating facilities, and gas service. For the purpose of this Ordinance, a "Townhouse" may include a building in fee simple, condominium, or cooperative ownership, or any combination thereof.

Section 3. Chapter 95, Section 34.2, Subsection B is hereby amended by replacing the first two lines of text of that subsection with the following:

Permitted uses in the PRC Zone shall comply, to the extent applicable, with the following development standards. Townhouses and single-family dwellings shall be governed by standards applicable to age-restricted housing.

Section 4. Chapter 57, Section 95, Subsection B is hereby amended by adding the following at the end of that Subsection:

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ORDINANCES - INTRODUCTION (CONTINUED)

ORDINANCE #9-09 - AMENDING CHAPTER 95, SECTION 34.2 OF THE ZONING ORDINANCE OF THE TOWNSHIP OF MORRIS AND CHAPTER 57, SECTIONS 95 AND 112 OF THE LAND DEVELOPMENT ORDINANCE OF THE TOWNSHIP OF MORRIS (CONTINUED)

No housing unit approved as an age-restricted housing unit in the PRC Zone shall be converted to a non-age-restricted housing unit until a site plan approving such conversion is submitted to and approved by the Planning Board.

Section 5. Chapter 57, Section 112 is hereby amended by adding a new Subsection I reading in its entirety as follows:

An applicant seeking site plan approval for conversion of age-restricted housing to non-age-restricted housing shall have the burden of proving the following:

- (1) That neither the applicant nor any affiliated person or entity is a party to any contract for sale of any dwelling unit in the subject development which contemplates or requires that the unit to be sold shall be age-restricted. Alternatively, the applicant shall establish that any and all purchasers under such contract(s) have consented to the application to convert the development to non-age-restricted housing.
- (2) That the development meets applicable parking requirements under the Residential Site Improvement Standards ("RSIS").
- (3) That the development includes recreation improvements and amenities that meet the needs of a non-age-restricted population. The Planning Board, in its discretion, may require that the non-age-restricted development include appropriate play or recreation areas suitable for residents of all ages.
- (4) That water supply for the non-age-restricted development is adequate as determined pursuant to N.J.A.C. 5:21-5.1, *et seq.*
- (5) That the sanitary sewer system serving the project is adequate under the requirements of N.J.A.C. 7:14A-23.3.
- (6) That the development (including any increased improved coverage in connection with the conversion to non-age-restricted housing) complies with all applicable stormwater management requirements of RSIS.

If a reduction in the number of approved dwelling units is necessary to achieve any of the above requirements for conversion to non-age-restricted housing, the Board shall have authority to require such a reduction.

Section 6. 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 7. If any provision of this ordinance is declared to be invalid by a court of competent jurisdiction, this declaration shall not affect the remainder of the ordinance.

Section 8. This ordinance shall take effect upon final passage and publication as provided by law.

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ORDINANCES - INTRODUCTION (CONTINUED)

ORDINANCE #9-09 - AMENDING CHAPTER 95, SECTION 34.2 OF THE ZONING ORDINANCE OF THE TOWNSHIP OF MORRIS AND CHAPTER 57, SECTIONS 95 AND 112 OF THE LAND DEVELOPMENT ORDINANCE OF THE TOWNSHIP OF MORRIS (CONTINUED)

ROLL CALL: MR. CAFFREY YES MR. GRAYZEL NO
MR. GOLDBERG YES MR. SNYDER YES
MAYOR ROSENBUSH YES

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ORDINANCE #10-09 - RE: REMOVING CERTAIN LANDS AND PREMISES OF THE ORDER OF ST. BENEDICT FROM THE CCRC ZONE

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

SECTION ONE:

The lands and premises identified as Block 4501, Lots: 2, 2.01, 2.02, 2.03, and 2.04 as set forth on the tax map of the Township of Morris (all of said lots previously identified as Lot 2 in Block 4501) are hereby removed from the CCRC zone. The Official Township zoning map shall be amended accordingly.

B. The following ordinance sections shall be deleted from Chapters 95 and 57:

95-27A 6,7,8

95-27.3 in its entirety

95-37 P in its entirety

57-3 all references to "Continuing Care Retirement Community" or "CCRC"

57-115.1 A in its entirety

C. The CCRC zone was an overlay zone on the OSGU zone. Any lands previously subject to the CCRC overlay shall revert back and remain regulated pursuant to the provisions of the OSGU zone.

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.

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ORDINANCES - INTRODUCTION (CONTINUED)

ORDINANCE #10-09 - RE: REMOVING CERTAIN LANDS AND PREMISES OF THE ORDER OF ST. BENEDICT FROM THE CCRC ZONE (CONTINUED)

SECTION FOUR: this ordinance shall take effect upon final passage and publication thereof as provided by law.

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

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ORDINANCE #11-09 - AN ORDINANCE AMENDING CHAPTER 45, FEES, ARTICLE I, GENERAL FEES SECTION 45-1, SCHEDULE OF FEES FOR COPIES OF PUBLIC RECORDS, OF THE CODE OF 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: Chapter 45, Fees, Article I, General Fees, Section 45-1, Schedule of fees for copies of public records, of the Ordinances of the Township of Morris is hereby amended to read as follows:

§ 45-1. Schedule of fees for copies of public records.

H. Electronic searches of the status of taxes and utility payments on all properties located in the Township of Morris shall be provided to search companies upon written request at a fee of \$1,100 per year or \$25.00 per file.

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.

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

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INTRODUCTION OF LOCAL 2009 MUNICIPAL BUDGET

After commentary by Mayor H. Scott Rosenbush, the Governing Body announced that the public would be afforded an additional opportunity for comment at the June 17, 2009 meeting.

On resolution duly offered, seconded and adopted by the vote as recorded herein the 2009 Municipal Budget, included as part of the official minutes of this meeting for purposes of record continuity, as a numbered minute book attachment (#1) dated May 20, 2009, was introduced and approved on first reading with a public hearing and final consideration scheduled for a meeting to be held on June 17, 2009 at 8:00 P.M., in the Municipal Building, 50 Woodland Avenue, with legal advertisement scheduled for June 4, 2009 in the Morris News Bee. MINUTE BOOK ATTACHMENT NO. 1 (MBA #1) dated May 20, 2009.

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

ORDINANCE #12-09 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14) (CALENDAR YEAR 2009)

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A: 4-45.1 et seq. provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

ORDINANCE #12-09 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14) (CALENDAR YEAR 2009) (CONTINUED)

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the Township Committee of the Township of Morris in the County of Morris finds it advisable and necessary to increase its CY 2009 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township Committee hereby determines that a 1% increase in the budget for said year, amounting to \$243,329 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Township Committee hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Morris, in the County of Morris, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2009 budget year, the final appropriations of the Township of Morris shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$851,650.77 and that the CY 2009 municipal budget for the Township of Morris be approved and adopted in accordance with this ordinance; and

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and

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ORDINANCES - INTRODUCTION (CONTINUED)

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

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

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SUMMARY OF BIDS RECEIVED MAY 14, 2009

Township Administrator Fred J. Rossi reported that on May 14, 2009, the Receipt of Public Bids Committee met at 10:00 A.M., in the Municipal Building, 50 Woodland Avenue, and received bids on the projects hereafter enumerated from the bidders and at the prices as indicated:

<u>NAME OF PROJECT</u>	<u>NAME/ADDRESS OF BIDDERS</u>	<u>TOTAL BID PRICES</u>
OTE: 2009-10 Old Glen Road & Turtle Roadway Improvements	Jenicar Builders Contractors Co., Inc. 573 Belgrove Drive Kearny, NJ 07032	\$690,820.54
	Crossroad Construction 312 Emmet Street Newark, NJ 07114	\$806,424.04
	DLS Contracting 633 Franklin Avenue, Suite 170 Nutley, NJ 07110	\$929,340.45
	English Paving Co., Inc. 650 Route 46 West Clifton, NJ 07013	\$970,692.72
	Granada Construction Corp. 147 Thomas Street Newark, NJ 07114	\$776,089.65
	Lakeside Construction P.O. Box 806 Hopatcong, NJ 07843	\$1,065,796.40
	Paving Materials & Construction Co., Inc. 616 West First Avenue Roselle, NJ 07203	\$1,111,312.64
	S. Brothers Inc. P.O. Box 317 South River, NJ 08882	\$818,425.00
	Smith-Sondy Asphalt Construction Co. 150 Anderson Avenue Wallington, NJ 07057	\$974,637.16

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SUMMARY OF BIDS RECEIVED MAY 14, 2009 (CONTINUED)

<u>NAME OF PROJECT</u>	<u>NAME/ADDRESS OF BIDDERS</u>	<u>TOTAL BID PRICES</u>
OTE: 2009-10 Continued	Top Line Construction Corp. 22 Fifth Street Somerville, NJ 08876	\$830,110.40

Submitted, read in full, and placed on file in the Office of the Municipal Clerk, is a letter of recommendation from the Township Engineer dated May 18, 2009 (ENG-120-09).

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

* * *

RESOLUTIONS

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

99-09 RESOLUTION SUPPORTING THE NEW JERSEY DEPARTMENT OF TRANSPORTATION PROPOSED DETOUR DURING THE REPLACEMENT OF THE EXISTING HARTER ROAD BRIDGE DECK OVER INTERSTATE 287

WHEREAS, it has been determined that the Harter Road bridge deck over Interstate 287 is in need of replacement; and

WHEREAS, the New Jersey Department of Transportation (NJDOT) held a meeting on December 2, 2008 at the Morris Township Municipal Building to discuss the aforementioned project; and

WHEREAS, in order for repairs to be conducted in a safe manner, NJDOT proposes the closure of Harter Road at the Interstate 287 overpass bridge in both directions during the summer of 2009. Motorists exiting I-287 North with the need to go to Mount Kemble Avenue will be detoured to James Street and to Route 287 South to exit at Harter Road from the southbound exit. This will allow motorists to exit the ramp and proceed west on Harter Road to Mount Kemble Avenue. Motorists exiting I-287 South with the need to go to James Street will be detoured west on Harter Road to Mount Kemble Avenue (south) to Sand Spring Road to Blue Mill Road and back to James Street; and

WHEREAS, the Township Committee is of the opinion that the public interest would be best served by the implementation of the aforesaid repairs and proposed detour.

NOW, THEREFORE, BE IT RESOLVED this by the Township Committee of the Township of Morris, County of Morris, New Jersey does hereby support the proposed improvements and detour by the New Jersey Department of Transportation for the necessary length of time to accomplish the project.

BE IT FURTHER RESOLVED, that the Clerk of the Township shall forward a certified copy of this Resolution to the New Jersey Department of Transportation, the Morris Township Police Department, the Morris Township Fire Department and the Morris Township Engineer.

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RESOLUTIONS (CONTINUED)

**99-09 RESOLUTION SUPPORTING THE NEW JERSEY DEPARTMENT OF TRANSPORTATION
PROPOSED DETOUR DURING THE REPLACEMENT OF THE EXISTING HARTER ROAD BRIDGE
DECK OVER INTERSTATE 287 (CONTINUED)**

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

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**100-09 AUTHORIZING AWARD OF A NONFAIR AND OPEN CONTRACT FOR A PROFESSIONAL
ENGINEERING SERVICES CONTRACT TO HATCH MOTT MAC DONALD IN CONNECTION WITH
WOODLAND STP RAW SEWERAGE PUMPS VFD AND CONTROLS UPGRADES AND SCADA
SYSTEM UPGRADE PROJECT – NOT TO EXCEED \$89,800**

WHEREAS, the Township of Morris has a need to acquire professional services of a professional engineering firm to be used in the design and installation of Variable Frequency Drives (VFD) and new pump controls for the recently (2002) installed raw sewerage pumps at the Woodland STP, including the design, bidding support and installation/construction inspection and administration as a nonfair 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, the Township Administrator has determined and certified in writing that the value of the acquisition will exceed \$17,500; and

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

WHEREAS, Hatch Mott MacDonald has submitted a proposal dated April 20, 2009 indicating they will provide the professional services of a licensed engineer for \$89,800; 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 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, the Chief Financial Officer of the Township of Morris has filed a Certificate of Availability of Funds indicating funds are available in Department of Sewer Capital S-06-55-818-003 in the amount of \$89,800.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Township of Morris authorizes the Mayor and Township Clerk to enter into a contract with Hatch Mott MacDonald for the provision of professional engineering services with respect to the Woodland STP VFD Upgrade in an amount not to exceed \$89,800.

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

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RESOLUTIONS (CONTINUED)

101-09 RESOLUTION IN OPPOSITION TO A PROPOSED DIVERSION OF FUNDS FROM THE EMERGENCY MEDICAL TECHNICIAN TRAINING FUND

WHEREAS, the Emergency Medical Technician ("EMT") Training Fund was created by New Jersey P.L. 1992, Chapter 143 (N.J.S.A. 26:2K-54 et seq.) as a dedicated, non-lapsing, revolving fund, established to reimburse any private agency, organization or entity which is certified by the Commissioner of Health and Senior Services to provide training and testing for volunteer ambulance, first aid and rescue squad personnel who are seeking EMT certification and/or recertification; and

WHEREAS, the Fund has allowed thousands of Volunteer EMTs to earn and maintain their EMT certification without incurring out-of-pocket personal expense and without the need for funding from their volunteer squad or municipality; and

WHEREAS, the EMT Training Fund is not supported through the use of any tax money, but rather is supported by a \$0.50 surcharge on each fine, penalty and forfeiture imposed and collected by the State of New Jersey for motor vehicle or traffic violations and is currently running at approximately a \$1,000,000 deficit per year; and

WHEREAS, on April 23, 2009 the Department of Health and Senior Services Office of Emergency Medical Services (OEMS) informed the New Jersey State First Aid Council of Governor Corzine's intention to redirect \$4,000,000 from the dedicated EMT Training Fund to the general treasury of the State of New Jersey leaving only a proposed \$400,000 balance in the Fund; and,

WHEREAS, a \$400,000 balance in the EMT Training Fund is inadequate to meet the annual training needs of the Volunteer EMTs of this State and will result in severe cut-backs of state-paid EMT training for New Jersey's EMS Volunteer Community;

NOW, THEREFORE, BE IT RESOLVED, that Township of Morris formally opposes Governor Corzine's plan to transfer money from the EMT Training Fund, because of the detrimental effect this will have on the availability of EMT training for New Jersey's Volunteer EMS Community; and

BE IT FURTHER RESOLVED, that the Mayor and Township Committee of the Township of Morris oppose the intended re-appropriation of monies from the dedicated EMT Training Fund, which would shift the cost of Volunteer EMT Training to Morris Minute Men First Aid Squad, the municipality and its residents, which during this time of economic hardship, when squads continue to see a decrease in donations, contributions, and a short fall in fund raising, is fundamentally unfair to those who already volunteer their time to attend training courses and answer emergency calls and to require them to pay for their own training, when they already provide so much to their community, and which will, further, significantly impact the recruitment of new members, as well as retention of existing members since many will not be able to pay for their training; and

BE IT FURTHER RESOLVED, that the Governor and the Legislature of the State of New Jersey are requested not to remove any money from the EMT Training Fund and to return any money to the Fund that has already been removed for purposes other than those specified in New Jersey P.L. 1992, Chapter 143; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to Governor Corzine, to our State Legislators and to the New Jersey League of Municipalities.

ROLL CALL: MR. CAFFREY YES MR. GRAYZEL YES
MR. GOLDBERG YES MR. SNYDER YES
MAYOR ROSENBUCH YES

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RESOLUTIONS (CONTINUED)

102-09 RESOLUTION SUPPORTING THE TOWNSHIP OF MORRIS' PARTICIPATION IN THE SUSTAINABLE JERSEY MUNICIPAL CERTIFICATION PROGRAM

WHEREAS, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

WHEREAS, the Township of Morris strives to save tax dollars, assure clean land, air and water, improve working and living environments as steps to building a sustainable community that will thrive well into the new century; and

WHEREAS, Township of Morris hereby acknowledges that its residents desire a stable, sustainable future for themselves and future generations; and

WHEREAS, Township of Morris wishes to support a model of government which benefits our residents now and far into the future by exploring and adopting sustainable, economically-sound, local government practices; and

WHEREAS, by endorsing a sustainable path, Morris Township is pledging to educate itself and community members further about sustainable activities and to develop initiatives supporting sustainable local government practices; and

WHEREAS, as elected representatives of Morris Township, we have a significant responsibility to provide leadership which will seek community-based sustainable solutions to strengthen our community.

NOW THEREFORE BE IT RESOLVED, that to focus attention and effort within Morris Township on matters of sustainability, the Township Committee wishes to pursue local initiatives and actions that will lead to Sustainable Jersey Municipal Certification.

BE IT FURTHER RESOLVED, by the Township Committee of the Township of Morris that we do hereby authorize Fred J. Rossi, Township Administrator, to serve as Morris Township's agent for the Sustainable Jersey Municipal Certification process and authorize him to complete the Municipal Registration on behalf of Morris Township.

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

- - -

103-09 RE: SUPPORTING SENATE BILL NO. 2711 ALLOWING FOR REASSESSMENT OF CERTAIN SECTIONS OF A MUNICIPALITY

WHEREAS, the present law restricts reassessment of property and provides a cumbersome procedure for the Assessor to reassess particular areas of properties; and

WHEREAS, in changing times of market values, it would be beneficial to allow the Assessor to reassess sections of a municipality to keep current with changing property values; and

WHEREAS, Senate Bill No. 2711 seeks to amend the law to permit this procedure; and

WHEREAS, the Township Tax Assessor of the Township of Morris is in favor of this legislation; and

WHEREAS, the Township of Morris wishes to go on record of supporting this legislation.

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RESOLUTIONS (CONTINUED)

103-09 RE: SUPPORTING SENATE BILL NO. 2711 ALLOWING FOR REASSESSMENT OF CERTAIN SECTIONS OF A MUNICIPALITY (CONTINUED)

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Morris, Morris County, New Jersey, that it does hereby go on record of supporting Senate Bill No. 2711; and

BE IT FURTHER RESOLVED that copies of this Resolution be forwarded to the State Legislature, to the Governor of the State of New Jersey, and to the representatives who represent the residents of the Township of Morris.

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

- - -

104-09 AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO ENTER INTO AN AGREEMENT WITH THE TOWN OF MORRISTOWN FOR THE COLONIAL COACH BUS SERVICE

WHEREAS, the Township of Morris has been presented with a proposed agreement for the joint provision of bus service by the Town of Morristown, and

WHEREAS, the Township and Town have shared in providing this service since 1978, and

WHEREAS, it is necessary and desirable to approve the agreement as an interlocal services agreement pursuant to N.J.S.A. 40:8A-1 et seq., and

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Township Committee of the Township of Morris that the Mayor and Clerk be and they are authorized to execute the form of interlocal services agreement for the period January 1, 2009 to December 31, 2009, a copy of which is on file in the Office of the Township Clerk.

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

- - -

105-09 IN RECOGNITION AND OF CONGRATULATIONS - GRACE TERWILLIGER

WHEREAS, GRACE TERWILLIGER, a long-time resident of Morris Township, will celebrate fifty (50) years of service as a member of the Ladies Auxiliary of the Hillside Hose Company, and

WHEREAS, it is fitting and proper that public recognition be made of this celebration.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Governing Body of the Township of Morris, Morris County, New Jersey behalf of the residents of the municipality wishes to extend best wishes and congratulations on this special occasion to

Grace Terwilliger

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

- - -

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RESOLUTIONS (CONTINUED)

106-09 IN RECOGNITION AND OF CONGRATULATIONS - MADELEINE CASELLI

WHEREAS, MADELEINE CASELLI, a long-time resident of Morris Township, will celebrate fifty (50) years of service as a member of the Ladies Auxiliary of the Hillside Hose Company, and

WHEREAS, it is fitting and proper that public recognition be made of this celebration.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Governing Body of the Township of Morris, Morris County, New Jersey on behalf of the residents of the municipality wishes to extend best wishes and congratulations on this special occasion to Madeleine Caselli

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

- - -

107-09 IN OPPOSITION TO THE NEW JERSEY FY 2010 BUDGET PROPOSAL WHICH INCLUDES FURTHER CUTS IN MUNICIPAL AID TO MORRIS TOWNSHIP SHIFTING THE TAX BURDEN TO THE LOCAL PROPERTY OWNERS

WHEREAS, New Jersey's tax burden has become so oppressive that it is driving tens of thousands of hard working middle class families out of our state each year, and

WHEREAS, the 2009 State Budget reduced municipal aid to Morris Township by \$358,500, and

WHEREAS, the 2010 State budget will further hurt property taxpayers by reducing municipal aid to Morris Township by \$178,481, and

WHEREAS, the State continues to burden local governments with an increasing number of unfunded mandates which have to be paid by property tax payers, and

WHEREAS, these State budget cuts to municipal aid and unfunded mandates further shift the tax burden from the state to local property taxpayers and make our municipality ever more unaffordable,

NOW, THEREFORE, BE IT RESOLVED that we voice our objections to the New Jersey FY 2010 State Budget and insist on reinstatement of municipal aid, a freeze on any new unfunded state mandates and removal of existing unfunded state mandates.

A certified copy of this resolution shall be sent to Governor Jon S. Corzine, Assembly Speaker Joseph Roberts, Senate President Richard J. Codey, Senate Minority Leader Tom Kean, Jr., Assembly Minority Leader Alex DeCroce and all state legislators representing our legislative district.

ROLL CALL: MR. CAFFREY YES MR. GRAYZEL NO
MR. GOLDBERG NO MR. SNYDER YES
MAYOR ROSENBUSH YES

- - -

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RESOLUTIONS (CONTINUED)

108-09 IN RECOGNITION AND OF CONGRATULATIONS - HERBERT AND ELLIE BERMAN

WHEREAS, HERBERT AND ELLIE BERMAN have been active members of Temple B'nai Or for fifteen (15) years, and

WHEREAS, it is fitting and proper that public recognition be made of this celebration, and

WHEREAS, the Bermans have used their education and life experiences to serve their community. Herb, a professional engineer, has been involved in construction of major stores and high-rise buildings, libraries, museums and senior centers, providing these services pro bono. Ellie has held many volunteer positions in the New York and New Jersey communities, is a life member of the National Council for Jewish Women and has a master's degree in library science, currently organizing the Temple's library at Beit Midrash, and

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Governing Body of the Township of Morris, Morris County, New Jersey, on behalf of the residents of the municipality, wishes to extend best wishes and congratulations on this special occasion to HERBERT AND ELLIE BERMAN.

NOW, THEREFORE, I, H. SCOTT ROSENBUSH, MAYOR of the Township of Morris wish to congratulate the BERMANS on this special occasion.

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

- - -

109-09 AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO ENTER INTO AN AGREEMENT WITH THE COUNTY OF MORRIS FOR ROAD OPENING PURPOSES

WHEREAS, the Township of Morris has been presented with a proposed agreement for Road Opening Purposes from the County of Morris, Department of Public Works, Division of Engineering, and

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Township Committee of the Township of Morris that the Mayor and Clerk be and they are authorized to execute the Agreement, for a period of five (5) years after approval of the restoration by said Board, a copy of which is on file in the Office of the Township Clerk.

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

- - -

110-09 AUTHORIZING CHANGE ORDER #1 TO RJR ENGINEERING CO. INC., 105 GUINEA HOLLOW ROAD, CALIFON, NJ 08750 FOR OTE: 2009-4 - STREETER SWIMMING POOL FILTRATION, RECIRCULATION, CONTROL AND CHEMICAL EQUIPMENT, IN THE AMOUNT OF \$2,488

WHEREAS, the Township Engineer has recommended a Change Order (#1) to RJR Engineering Co. Inc., 105 Guinea Hollow Road, Califon, NJ 08750 for the Streeter Swimming Pool Filtration, Recirculation, Control and Chemical Equipment, in the amount of \$2,488, and

WHEREAS, the Chief Financial Officer of the Township of Morris has filed a Certificate of Availability of Funds indicating funds are available in Department of General Capitol, G-04-55-712-700.

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RESOLUTIONS (CONTINUED)

110-09 AUTHORIZING CHANGE ORDER #1 TO RJR ENGINEERING CO. INC., 105 GUINEA HOLLOW ROAD, CALIFON, NJ 08750 FOR OTE: 2009-4 - STREETER SWIMMING POOL FILTRATION, RECIRCULATION, CONTROL AND CHEMICAL EQUIPMENT, IN THE AMOUNT OF \$2,488 (continued)

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

1. A Change Order in the amount of \$2,488 to RJR Engineering Co. Inc., 105 Guinea Hollow Road, Califon, NJ 08750 is hereby approved.

ROLL CALL: MR. CAFFREY YES MR. GRAYZEL YES
MR. GOLDBERG YES MR. SNYDER YES
MAYOR ROSENBUHSH YES

- - -

111-09 IN MEMORIAM - CHARLES PETER ENGLE

WHEREAS, our Heavenly Father has called unto His side, His servant **CHARLES PETER ENGLE**, 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, 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 CHARLES PETER ENGLE on the citizens of the community, having served as volunteer fireman for the Township for forty (40) years, and held the position of First Assistant Chief during that time and was Volunteer Director of th Emergency Management Department of the Township for over ten (10) years 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. CAFFREY YES MR. GRAYZEL YES
MR. GOLDBERG YES MR. SNYDER YES
MAYOR ROSENBUHSH YES

- - -

112-09 AUTHORIZING REFUND OF MONIES DUE TO TAX OVERPAYMENTS (4-\$4,767.94) & SEWER OVERPAYMENTS (1-\$418.78)

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.:

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

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RESOLUTIONS (CONTINUED)

112-09 AUTHORIZING REFUND OF MONIES DUE TO TAX OVERPAYMENTS (4-\$4,767.94) & SEWER OVERPAYMENTS (1-\$418.78) (CONTINUED)

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

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

Block	Lot	Name	Reason	Amount
<u>TAX</u>				
2005	14	David & Marlene Eickmeyer	O/P 2 nd qtr 2009	\$2,411.72
7704	3	Countrywide Tax Services	O/P 3 rd Qtr 2007	\$1,804.54
7902	1 C4409	Township of Morris	To Sewer from Tax	\$ 301.68
8301	1 C0334	Paula Collier	O/P 4 th Qtr 2008	\$ 250.00
<u>SEWER</u>				
8301	1 C0334	Paula Collier	O/P 4 th Qtr 2008 & 2009	\$ 418.78

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

- - -

113-09 AUTHORIZING EXEMPTION OF TAXES - 30 EMMETT AVENUE, BLOCK 10315, LOT 2, ORIS C. CLARY - DUE TO DISABLED VETERAN STATUS

WHEREAS, Oris C. Clary is the owner of 30 Emmett Avenue, Block 10315 Lot 2, and

WHEREAS, the aforementioned owner has been declared a permanently and totally disabled Veteran, and

WHEREAS, N.J.S.A 54:4-3.30 allows for the exemption of property taxes in such a circumstance.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Morris, being the Governing Body thereof, does hereby exempt the property tax amount due for the year 2007 in the amount of \$997.91, for the year 2008 in the amount of \$3,933.87 and preliminary tax amount due for the year 2009 in the amount of \$1,966.94, with the final balance for the year 2009 as yet to be determined.

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

- - -

114-09 AUTHORIZING AWARD OF A FAIR AND OPEN CONTRACT FOR BID OTE: 2009-10 OLD GLEN ROAD AND TURTLE ROADWAY IMPROVEMENTS TO JENICAR BUILDERS CONTRACTORS CO., INC. 573 BELGROVE DRIVE, KEARNY, NJ 07032 IN AN AMOUNT NTE \$690,820.54

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

OLD GLEN ROAD AND TURTLE ROADWAY IMPROVEMENTS, and

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RESOLUTIONS (CONTINUED)

114-09 AUTHORIZING AWARD OF A FAIR AND OPEN CONTRACT FOR BID OTE: 2009-10 OLD GLEN ROAD AND TURTLE ROADWAY IMPROVEMENTS TO JENICAR BUILDERS CONTRACTORS CO., INC. 573 BELGROVE DRIVE, KEARNY, NJ 07032 IN AN AMOUNT NTE \$690,820.54

WHEREAS, after review and recommendation from the appropriate official, it appears that the contract should be awarded to the lowest responsible bidder, JENICAR BUILDERS CONTRACTORS CO., 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 appropriations: G-04-55-816-700 and S-06-55-818-700.

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

1. That the subject contract is hereby awarded to JENICAR BUILDERS CONTRACTORS CO., INC. 573 BELGROVE DRIVE, KEARNY, NJ 07032 in the amount of \$690,820.54.
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 YES
MAYOR ROSENBUSH YES

- - -

115-09 AUTHORIZING FRED ROSSI, TOWNSHIP ADMINISTRATOR TO ENTER INTO A SETTLEMENT AND SIDE BAR LETTER OF AGREEMENT BETWEEN THE TOWNSHIP OF MORRIS AND P.B.A. LOCAL #133

WHEREAS, A Settlement and Side Bar Letter of Agreement Between The Township of Morris and P.B.A. Local #133 has been presented.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Township Committee of the Township of Morris that Fred J. Rossi, Township Administrator is hereby authorized to enter into the agreement with the P.B.A. Local #133.

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

- - -

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RESOLUTIONS (CONTINUED)

1167-09 IN RECOGNITION AND OF CONGRATULATIONS - ILLENE AND BRUCE JACOBS

WHEREAS, ILLENE AND BRUCE JACOBS have been active members of Temple B'nai Or for fifteen (15) years, and

WHEREAS, it is fitting and proper that public recognition be made of this celebration, and

WHEREAS, the Jacobs have served their community through the children's B'nei Mitzvah, Bruce serving on the Temple's Board of Trustees, Illene volunteered with Sisterhood. They participated in Mitzvah Days, walk-a-thons and fundraisers. Outside of Temple, Ilene and Bruce extended their generosity to Federation of Metro-West, Hillel at several universities and other Jewish causes. Bruce, a founding partner of Jacobs Levy Equity Management, serves the financial community by raising ethical standards in the industry, authorizing and reviewing educational materials, and supporting research centers. Through their general support of many causes, especially as the founding benefactor of the Joel and Helen Jacobs Religious School at Temple B'nai Or, Ilene and Bruce honor their parents and continue the family traditions of charitable giving and volunteer service.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Governing Body of the Township of Morris, Morris County, New Jersey, on behalf of the residents of the municipality, wishes to extend best wishes and congratulations on this special occasion to ILENE AND BRUCE JACOBS.

NOW, THEREFORE, I, H. SCOTT ROSENBUSH, MAYOR of the Township of Morris wish to congratulate the JACOBS on this special occasion.

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

- - -

117-09 IN RECOGNITION AND OF CONGRATULATIONS - JAY AND AMY OYERS

WHEREAS, JAY AND AMY OYERS have been active members of Temple B'nai Or for fifteen (15) years, and

WHEREAS, it is fitting and proper that public recognition be made of this celebration, and

WHEREAS, the Oyers have been volunteer leaders at Temple since the early 1990s. Jay joined the religious school board and served as chair for several years. More recently he served on the Temple Board of Trustees and its executive committee. Amy co-chaired the 2007 Tikkun Olam dinner dance, a most successful fundraiser. In addition to their work with Temple, Amy and Jay focus their energies on helping non-profit organizations become self-sustaining, productive and effective in the community. Community groups benefiting from their financial support and involvement include Big Brothers and Sisters, the Interfaith Food Pantry and the Madison Area YMCA. Amy and Jay point to their parents, grandparents, aunts and uncles as role models who showed them the joy of service to Temple and community.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Governing Body of the Township of Morris, Morris County, New Jersey, on behalf of the residents of the municipality, wishes to extend best wishes and congratulations on this special occasion to JAY AND AMY OYERS.

NOW, THEREFORE, I, H. SCOTT ROSENBUSH, MAYOR of the Township of Morris wish to congratulate the OYERS on this special occasion.

**TOWNSHIP COMMITTEE MEETING
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RESOLUTIONS (CONTINUED)

117-09 IN RECOGNITION AND OF CONGRATULATIONS - JAY AND AMY OYERS (CONTINUED)

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

- - -

118-09 RESOLUTION FOR GRANT ADMINISTRATIVE SUPPORT 2009 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM

WHEREAS, the Governing Body of Township of Morris and the Governing Bodies of Town of Dover, Township of Jefferson, Town of Morristown, Township of Parsippany-Troy Hills, Township of Rockaway, and Township of Roxbury agree to make a consolidated application for a 2009 Edward Byrne Memorial Justice Assistance Grant (JAG) Program award through the U.S. Department of Justice, Office of Justice Programs in the total amount of \$201,116 for the seven municipalities; and

WHEREAS, U.S. Department of Justice, Office of Justice Programs awards non-competitive formula grants to support components of the criminal justice system, including but not limited to, multijurisdictional drug and gang task forces; crime prevention and domestic violence programs; and courts, corrections, treatment, and justice information sharing initiatives; and

WHEREAS, the Township of Parsippany-Troy Hills agrees to act as Lead Agency for the 2009 JAG program, submit the consolidated grant application, and provide ongoing grant administrative support including oversight and assistance to the other participating Municipalities as required by the JAG program; and

WHEREAS, in return for the grant administrative support provided by Parsippany, each other Municipality has agreed to cover costs of providing this support by accepting a modification to the Municipality's 2009 JAG award amount prior to dispersal.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of Township of Morris, that the Township does hereby join with the Governing Bodies of Town of Dover, Township of Jefferson, Town of Morristown, Township of Parsippany-Troy Hills, Township of Rockaway, and Township of Roxbury in applying for a grant for the purpose of certain criminal justice system programs and initiatives; and

BE IT FURTHER RESOLVED that Township of Morris agrees to provide a portion of its awarded formula grant in the amount of \$1,000.00 to the Township of Parsippany-Troy Hills prior to funds dispersal as its contribution to the costs associated with the ongoing grant administrative support.

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

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119-09 RE: SELF-EXAMINATION OF BUDGET RESOLUTION

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination, and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997, and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Township of Morris has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial

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RESOLUTIONS (CONTINUED)

119-09 RE: SELF-EXAMINATION OF BUDGET RESOLUTION (CONTINUED)

Officer has determined that the local government meets the necessary conditions to participate in the program for the 2009 budget year.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Township of Morris that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:

- a. Payment of interest and debt redemption charges
- b. Deferred charges and statutory expenditures
- c. Cash deficit of preceding year
- d. Reserve for uncollected taxes
- e. Other reserves and non-disbursement items
- f. Any inclusions of amounts required for school purposes.

2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).

3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.

4. That pursuant to the Local Budget Law:

- a. All estimates of revenue are reasonable, accurate and correctly stated,
- b. Items of appropriation are properly set forth
- c. In itemization, form, arrangement and content, the budget will permit permit the exercise of the comptroller function within the municipality.

ROLL CALL: MR. CAFFREY YES MR. GRAYZEL YES
MR. GOLDBERG YES MR. SNYDER YES
MAYOR ROSENBUCH YES

- - -

120-09 IN RECOGNITION OF THE APPROVAL OF COAH FOR THE APPOINTMENT OF NANCY SHAY AS THE MUNICIPAL HOUSING LIAISON FOR THE ADMINISTRATION OF THE AFFORDABLE HOUSING PROGRAM OF THE TOWNSHIP OF MORRIS

WHEREAS, the Township of Morris petitioned the Council on Affordable Housing (COAH) for revised Third Round Substantive Certification on December 22, 2008, and

WHEREAS, pursuant to N.J.A.C. 5:96-17 and N.J.A.C. 5:80-26.1 et. seq., the Township of Morris is required to appoint a Municipal Housing Liaison for the administration of the Township of Morris's affordable housing program to enforce the requirements of N.J.A.C. 5:96-17 and N.J.A.C. 5:80-26.1 et. seq. and

WHEREAS, on July 8, 2008 the Governing Body of the Township of Morris adopted Ordinance #15-06 to provide for the appointment of a Municipal Housing Liaison to administer the Township of Morris's affordable housing program, and

**TOWNSHIP COMMITTEE MEETING
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RESOLUTIONS (CONTINUED)

120-09 IN RECOGNITION OF THE APPROVAL OF COAH FOR THE APPOINTMENT OF NANCY SHAY AS THE MUNICIPAL HOUSING LIAISON FOR THE ADMINISTRATION OF THE AFFORDABLE HOUSING PROGRAM OF THE TOWNSHIP OF MORRIS (CONTINUED)

WHEREAS, on July 19, 2006 the Governing Body of the Township of Morris adopted Resolution #144-06 appointing Nancy Shay as the Municipal Housing Liaison for the administration of the affordable housing program, pursuant to and in accordance with Ordinance #15-06, and

WHEREAS, Nancy Shay has successfully completed Module I COAH Training for Municipal Housing Liaisons, and

WHEREAS, COAH has reviewed the ordinance and adopted resolution for compliance with N.J.A.C. 5:96-17 and N.J.A.C. 5:80-26.1 et. seq., and has determined that the appointment of Nancy Shay complies with all requirements set forth in these sections.

NOW, THEREFORE, BE IT RESOLVED that COAH hereby approves Nancy Shay as the Municipal Housing Liaison for the administration of the affordable housing program in the Township of Morris, and

BE IT FURTHER RESOLVED that Nancy Shay will attend any necessary continuing education opportunities provided or required by COAH, and

BE IT FURTHER RESOLVED that should Nancy Shay cease to be employed by the Township of Morris or cease to fulfill the duties of municipal housing liaison as prescribed, the Township of Morris shall be required to appoint a municipal housing liaison subject to COAH'S approval.

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

- - -

121-09 AUTHORIZING CHANGE ORDERS #3 AND #4 AND FINAL PAYMENT TO CONTRACT #53 - PLYMOUTH AND MAC KENZIE ROADS DRAINAGE IMPROVEMENTS - AWARDED TO PM CONSTRUCTION CORPORATION, 1310 CENTRAL AVENUE, HILLSIDE, NJ 07205

WHEREAS, a contract was awarded by the Township Committee at a meeting held on March 19, 2009 to PM Construction Corporation, 1310 Central Avenue, Hillside, NJ 07205 in the amount of \$509,461.27, and

WHEREAS, it has been determined that certain changes and modifications are needed, and

WHEREAS, Change Orders #3 is \$5,500 and Change Order #4 in the reduced amount of \$91,315.61, leaving a contract total value of \$418,145.66 as indicated below:

- 1) Change Order No. 3 – Full Depth Reconstruction of MacKenzie Road.
The use of heavy construction equipment on MacKenzie Road resulted in severely cracked pavement. When investigated, a base course of pavement was non-existent and full depth road reconstruction was the only effective method of repair. The full depth road reconstruction consisted of the excavation of the existing pavement and soil and the installation of 4-inches of dense graded aggregate, 4-inches of base course pavement and 2-inches of final course pavement. The amount of Change Order No. 3 is \$5,500.00.
- 2) Change Order No. 4 - Adjustment of Final Quantities
This Contract Modification is a Final Quantities Change Order to balance the Contract Bid amount to the actual amounts furnished and installed by the Contractor. A final adjustment of quantities

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
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RESOLUTIONS (CONTINUED)

121-09 AUTHORIZING CHANGE ORDERS #3 AND #4 AND FINAL PAYMENT TO CONTRACT #53 - PLYMOUTH AND MAC KENZIE ROADS DRAINAGE IMPROVEMENTS - AWARDED TO PM CONSTRUCTION CORPORATION, 1310 CENTRAL AVENUE, HILLSIDE, NJ 07205 (CONTINUED)

is a credit to the Township in the amount of \$233,772.17 and is detailed in Contract Modification No. 4 – Attachment “A”. The Contract Bid amount was \$509,461.27 and the final Contract value is \$418,145.66, which is \$91,315.61 less than the bid amount. The major changes to the Contract quantities included under Change Order No. 4 are listed below:

-Item 1d Additional Price for Rock Excavation – No rock was encountered during the installation of the storm sewer pipes or manholes. The original Contract bid amount was \$6,500.00 and this resulted in a credit in the amount of \$6,500.00.

-Items 3 & 4 For Furnishing and Placing Broken Stone And Select Back Fill Material – PM Construction used \$16,678.00 of the above mentioned items. The combined original Contract bid amount was \$33,000.00 and this resulted in a credit to the Township in the amount of \$16,222.00.

-Item 7 For Precast Manholes – Due to field changes, the quantity of 48-inch diameter manholes installed changed from the bid quantity of one (1) to zero (0) and the number of 60-inch diameter manholes changed from the bid quantity of four (4) to two (2). This resulted in a credit to the Township in the amount of \$16,500.00.

-Item 9a For Traffic Control – A limited amount of traffic control was required for this project and resulted in a credit to the Township in the amount of \$6,000.00.

-Item 15b For Permanent Bituminous Pavement Replacement – The original Contract amount was \$22,000.00 for Item 15b. Due to the cracking of existing pavement and large patches in the existing pavement, it was decided by the Township Engineering Department to have additional pavement milled and replaced on both Plymouth and MacKenzie Roads. This resulted in an increase of Item 15b in the amount of \$13,816.00. The final cost of permanent pavement replacement was \$35,816.00.

- Item 24 For Casing Installation – This item was deleted as part of Change Order No. 1, an alteration from jacking and boring installation of the storm sewer piping under Columbia Road to open cutting Columbia Road. The open cut pipe installation across Columbia Road was paid for under Change Order No. 1 in the amount of \$104,000.00. The original Contract Bid amount for Item 24 was \$158,000.00 and resulted in a credit to the Township in the amount of \$158,000.00.

- Item 25 Allowance Item For Utility Relocation By The Utility Companies – There was no utility relocation required for this project. The original Contract bid amount was \$10,000.00 and this resulted in a credit to the Township in the amount of \$10,000.00.

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

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**TOWNSHIP COMMITTEE MEETING
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RESOLUTIONS (CONTINUED)

122-09RE: 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. CAFFREY YES MR. GRAYZEL YES
MR. GOLDBERG YES MR. SNYDER YES
MAYOR ROSENBUSH YES

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123-09 A UTHORIZING SETTLEMENT OF U.S. REALTY FINANCIAL CORP. VS. TOWNSHIP OF MORRIS, BLOCK 10312/LOT 1

WHEREAS, the Township Assessor 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. It is agreed that the assessment will be reduced from \$1,140,400 to \$875,000 for the 2007 tax year and to \$850,000 for the 2008 tax year.

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

* * *

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:

Barbara Perina, 4 Woodside Road - municipal aid and opposed to sidewalks.

David Anolick, 5 Netherton Terrace - opposed to Ordinance #9-09 -

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
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PUBLIC COMMENT/INQUIRY (CONTINUED)

Gregory Taylor, 9 Netherton Terrace - opposed to Ordinance #9-09.

Ned Gardner, 15 Alexandria Road - can't afford to fail in favor of Ordinance #9-09.

Lee Goldberg, 10 Arrowhead Road - fine men and women on Police Department; televising meeting; Bike to Work Week; clearing path on Punch Bowl Road, tree removal; thanked George Duffy for excellent customer service; walking path-Ginty; shared services; Turtle & Old Glen Roads project; IT consultant bid; work session budget; sidewalk project - Olmstead Road.

Lance Davis, 7 Netherton Terrace - PRC length of construction permit.

Eric Goldstein, 65 Alexandria Road - Ordinance #9-09 - PRC.

Mr. & Mrs. O'Peachy, 23 Olmstead Road - opposed to sidewalks.

Mrs. Gene Watson, 30 Olmstead Road - opposed to sidewalks.

Andrew Broome, 40 Olmstead - opposed to sidewalks.

Steve Bachman, 55 MacKenzie Road - opposed to sidewalks.

Luis Gervais, 15 Columbia Road - opposed to sidewalks.

James McGuire, 3 Woodside Road - opposed to sidewalks.

Chris Roehrer, 9 Woodside Road - opposed to sidewalks.

George Kanelis, 72 Kahdena Road - PRC development construction.

Tom Duetsch, 11 Netherton Terrace - Deborah Drive install fence.

* * *

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 April 22, 2009 from Craig Goss, Fire Chief, William M. Duggan, 8 Darnay Road, Morristown, as a volunteer member of the Township Fire Department (Woodland Hook & Ladder Company).
2. Granted permission to Morris County Bar Foundation to hang a banner over Woodland Avenue from June 25 to July 9, 2009, for the event on July 10, 2009, 7 PM to dusk, to advertise the Fifth Annual 'Lawyers for Kids 5K Run', contingent upon approval of JCP&L Coordinator for the utility companies.
3. Accepted, with regret and appreciation for services rendered, the retiring of James Miller, Foreman with the Department of Public Works, effective May 31, 2009.

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
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CONSENT CALENDAR (CONTINUED)

4. Granted permission to the residents of Tracy Court to hold their annual block party on June 20, 2009, from 3:00 P.M. to 8:00 P.M., closing Tracy Court, subject to approval of the Police and Fire Chiefs.
5. Granted permission to Kaleidoscope of Hope Foundation to tie ribbons around trees in the Township to advertise September as Ovarian Cancer Awareness Month, subject to the filing of a Certificate of Insurance with a Hold Harmless Clause.
6. Approved, in accordance with a memo dated May 11, 2009 from Craig Goss, Fire Chief, Ross M. Dillon, 24 Idlewild Drive, Morris Plains, 07950 as a volunteer member of the Township Fire Department (Fairchild Fire Company).
7. Approved, in accordance with a memo dated May 11, 2009 from Craig Goss, Fire Chief, Tom F. Hochman, 18 Craig Road, Morristown, 07960 as a volunteer member of the Township Fire Department (Fairchild Fire Company).
8. Granted permission to the Morris Educational Foundation to change the date of their Fundraiser from October 25 to October 18, 2009, 10 A.M., and to change the 5K run to a 10K run with a 5K split, combined with a shorter Kids' Run/Walk, with the route being the same as the old Country Squire Run Route, subject to the filing of a Certificate of Insurance with a Hold Harmless Clause and the approval of the Police and Fire Chiefs and the Director of Parks and Recreation.
9. Granted permission to the residents of Gregory Avenue to hold their annual block party on June 13, 2009, from 12:00 P.M. to 10:00 P.M., closing Gregory Avenue, subject to approval of the Police and Fire Chiefs. Also if possible to have a Police car to come by that day for the kids to see.
10. Approved, in accordance with a memo dated May 15, 2009 from Police Chief Timothy Quinn, Andrew Moore for permanent appointment as a Communications Officer Class 1, effective immediately.
11. Reduced, in accordance with a memo dated May 18, 2009 from James Slate, Township Engineer (ENG-122-09), in connection with the Seneca, LLC Subdivision, Block 5903, Lots 2, 2.01 and 3, Westminster Place, Performance Bond S13373 from \$279,000.00 to \$64,665.36, as the majority of the construction has been completed, and subject to receipt, review and approval of as-built plans of the completed improvements, the remaining monies being held to cover the remaining site improvements.

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

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MATTERS OF OTHER BUSINESS

NONE

* * *

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
MAY 20, 2009 PAGE 29**

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 appeals filed with the Tax Court of New Jersey:
Block 7501, Lot 41, 19 Three Gables Road, owners: Jay & Shari Stack;
Block 7501, Lot 46, 1 Three Gables Road, owners: James & Leslie Ann Bolin;
Block 3601, Lot 7, 54 Schoolhouse Lane, owners: Marc & Judy Allen.
2. Tax appeal filed with the County Board of Taxation, Block 3102, Lot 3, 1 Deborah Drive, owners: James M. & Cynthia Chiariello.
3. Copy of the Florham Park Sewerage Authority's Wastewater Management Plan Update received May 11, 2009.

* * *

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

1. Thanked audience (Olmstead and Wheatsheaf); Police Department congratulations, Matthew Burger and all who received awards tonight; Wheatsheaf project - age restriction (1) questions on stress on school and traffic when removing restriction; Rose Arbor - 93 units (8 children) \$1.2 million price per unit - 23 units 55 to 58 still work and travel to work; town pools opening soon - please enjoy upgrades.

MR. GOLDBERG

Addressed Olmstead and surrounding area that he visited and surveyed – concluded that there is no need for sidewalks; thanked Mr. Slate for notifying residents; commend all for coming out; Wheatsheaf development needs to hear explanation of Ordinance (PRC); public support needed by the Morris Minute Men - need more community support; new recycling service -save money, thanked DPW professionals for idea; congratulated Jim Miller on retirement from DPW; June 12, 2009 TV will go digital, outdated TVs -Township will pick up TV by making an appointment, see website - electronic container at DPW.

MR. GRAYZEL

Thanked residents who came out to attend meeting; Wheatsheaf development as a resident would oppose, need to have project finished, wants give back from developer, explore give and take with developer, personal discussion with residents and developers; Olmstead sidewalks - street preservation of character of neighborhood would not recommend sidewalks in the neighborhood and on residents who do not want them; member of Path and Trails will revisit a better connection to Frelinghuysen Park; resolution of recognition for volunteers of Auxiliary Women, Hillside Fire Co. 50 years of service; Charles Peter Engle resolution highlights his

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
MAY 20, 2009 PAGE 30**

TOWNSHIP COMMITTEE MEMBERS COMMENTS/QUESTIONS (CONTINUED)

volunteer services; recognized members for the Minute Men present in the audience thanked them for their service; June 2, 2009 is Primary Election; nine (9) Township police officers received awards - thanked them; commended on the Police Unity Tour to Washington DC.

MR. SNYDER

1. Thanked Olmstead Road area residents for attending tonight.

MAYORAL COMMENTARY - MAYOR H. SCOTT ROSENBUSH

1. PROCLAMATION "BIKE TO WORK WEEK" - MAY 11-15, 2009

WHEREAS, bicycle riding is a viable and environmentally-sound form of transportation, an alternative means of commuting to work, an excellent form of fitness and provides quality family recreation;

WHEREAS, we acknowledge TransOptions, Inc. for their support of bicycle riding, greater public awareness of bicycle operation and safety education, and the sponsorship of "Bike to Work Week", May 11th through May 15th;

WHEREAS, we acknowledge the supporters of "Bike to Work Week" for graciously contributing to growing awareness of bicycle riding and safety education;

WHEREAS, we acknowledge the sponsors for generously supporting "Bike to Work Week" and as such, enhancing the quality of life for residents and commuters.

NOW, THEREFORE, BE IT RESOLVED that I, H. SCOTT ROSENBUSH, MAYOR of the Township of Morris, do hereby proclaim the week of May 11-15, 2009

"BIKE TO WORK WEEK".

2. PROCLAMATION - SEPTEMBER - OVARIAN CANCER AWARENESS MONTH

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

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

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

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

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

WHEREAS, KOH will be holding its annual Walkathons in September this year in Morristown, Avon-by-the-Sea and Lyndhurst.

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
MAY 20, 2009 PAGE 31**

TOWNSHIP COMMITTEE MEMBERS COMMENTS/QUESTIONS (CONTINUED)

MAYORAL COMMENTARY - MAYOR H. SCOTT ROSENBUSH (CONTINUED)

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Township Committee of the Township of Morris, declare their support for the Kaleidoscope of Hope Walkathons and proclaim
"SEPTEMBER 2008 - OVARIAN CANCER AWARENESS MONTH.

3. Sidewalks - pleasantly surprised asked not to spend money; meeting tomorrow on this subject; Wheatshaeaf information public needs to hear as the Committee and Planning Board Members have heard from professionals confident when information is known; Township pursuing Red Light Camera approvals for trial by State - Columbia/Normandy referred to Police Department Committee - would cameras improve traffic safety - waiting for reports to see if Red Light Cameras make sense; can pay tax and sewer taxes on line - no charge.

* * *

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:

<u>2008 ANNUAL REPORT</u>	<u>APRIL 2009</u>
BOARD OF ADJUSTMENT	TAX COLLECTOR

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

* * *

APPROVAL OF CLAIMS FOR PAYMENT - LIST OF BILLS AND VOUCHERS

Minute Book Attachment #2 (MBA #2) dated May 20, 2009 \$14,520,994.65

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

WHEREAS, the Treasurer of the Township of Morris has prepared and has approved for payment the list of Vouchers attached to and hereby made a part hereof as Schedule A.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Mayor and Township Committee of the Township of Morris that the proper officers of the Township of Morris be and are hereby authorized and directed to draw checks of the Township of Morris for a total of \$14,520,994.65 for payment of the itemized Vouchers set forth on Schedule A, referenced as Minute Book Attachment No. 2, 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. CAFFREY YES MR. GRAYZEL YES
MR. GOLDBERG YES MR. SNYDER YES
MAYOR ROSENBUSH YES

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**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
MAY 20, 2009 PAGE 32**

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

The Governing Body recessed at 10:45 P.M., the May 20, 2009 Regular Meeting in order to conduct a "Closed Meeting" concerning "Legal and Personnel Matters", as authorized this date.

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CALL TO ORDER AND ADJOURNMENT

At 10:50 P.M. the May 20, 2009 recessed Regular Meeting was called to order and with no further business to be considered, on motion duly made, seconded and unanimously (5-0) adopted, the meeting was adjourned at 1:19 A.M., next to convene at the 4:00 P.M., June 1, 2009, Special Meeting, in the Municipal Building, 50 Woodland Avenue, Township of Morris.

CATHLEEN AMELIO
TOWNSHIP CLERK

DATED: JUNE 16, 2009

**MINUTES OF “CLOSED MEETING” OF
THE TOWNSHIP COMMITTEE HELD ON
WEDNESDAY, MAY 20, 2009, 10:50 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 May 20, 2009 Regular Meeting, was called to order by Mayor H. Scott Rosenbush at 10:50 P.M., in the Municipal Building, 50 Woodland Avenue, Morris Township, New Jersey, during a recess of the May 20, 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
Township Committee Member Raymond L. Snyder

APPOINTED OFFICERS

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

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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”.

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**TOWNSHIP OF MORRIS
CLOSED MEETING
MAY 20, 2009 – PAGE 2**

DISCUSSION CONCERNING "LEGAL MATTERS"

1. Speedwell Avenue property.
2. Open space acquisition.

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DISCUSSION CONCERNING "PERSONNEL MATTERS"

1. Fire Department matter - present were Craig Goss, Fire Chief, Scott Lovenberg, Deputy Chief and Jeff Gast, FMBA Representative.

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ADJOURNMENT

With no further business to be considered, on motion duly made, seconded and unanimously adopted, the Closed Meeting was adjourned at 1:18 A.M., to resume the May 20, 2009 Regular Meeting agenda.

CATHLEEN AMELIO, TOWNSHIP CLERK

DATED: JUNE 8, 2009