

**MINUTES OF REGULAR MEETING OF
THE TOWNSHIP COMMITTEE HELD ON
WEDNESDAY, JUNE 17, 2009, 8:00 P.M.**

CALL TO ORDER

The June 17, 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
Township Committee Member Raymond L. Snyder

APPOINTED OFFICERS

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

* * *

OTHERS PRESENT

Brian Burns, Esquire, Planning Board Attorney

* * *

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 June 12, 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

NONE

* * *

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 #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:

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

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:

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:

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

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.

Amendment – duly made seconded and approved

- (7) Planning Board to consider any and all conditions that are impacted by the "Age Restriction" designation.

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.

PUBLIC COMMENT

Mr. Brian Burns, Esq., Planning Board Attorney, summarized the ordinance.

Mr. Gregory Taylor, 9 Netherton Terrace, thanked the Committee - different parking, etc. - site condition-fence.

Mr. James Kelly, 18 Deborah Drive, thanked the Committee - had concerns for what could be constructed within that zone.

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

PUBLIC COMMENT (CONTINUED)

Mr. Michael Tobia, 4 John Glen Road, Morristown. planning consultant for the property owner - explained Section 4 and 5.

COMMUNICATIONS OF RECORD

Memo dated 6/8/09 from the Planning Board approving ordinance for adoption.

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

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.

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

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

SECTION THREE: all ordinances of the Township of Morris which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

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

PUBLIC COMMENT
NONE

COMMUNICATIONS OF RECORD

Memo dated 6/8/09 from the Planning Board approving ordinance for adoption.

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

- - -

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.

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

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 (CONTINUED)

SUBCEDED BY THE OPEN PUBLIC RECORDS ACT – THIS ORDINANCE IS UNENFORCEABLE AND IS THEREFORE NULL AND VOID.

PUBLIC COMMENT
NONE

COMMUNICATIONS OF RECORD
NONE

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

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

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.

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

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)

PUBLIC COMMENT

Mr. Luis Gervais, 15 Columbia Road - concerned with order of ordinance.

COMMUNICATIONS OF RECORD

NONE

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

- - -

ORDINANCE #13-09 - BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO TOWNSHIP SWIMMING POOLS IN AND BY THE TOWNSHIP OF MORRIS, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING \$125,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$119,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MORRIS, IN THE COUNTY OF MORRIS, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Township of Morris, New Jersey as a general improvement. For the improvement or purpose described in Section 3, there is hereby appropriated the sum of \$125,000, including the sum of \$6,000 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$119,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is including, but not limited to, bathhouse partitions for the Ginty Pool and Street Pool; bridge replacement at Streeter Pool; ultraviolet light disinfection system to Ginty Pool; and votex slides to Ginty and Streeter Pools, including all work and materials necessary therefor or incidental thereto.

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

ORDINANCE #13-09 - BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO TOWNSHIP SWIMMING POOLS IN AND BY THE TOWNSHIP OF MORRIS, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING \$125,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$119,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF (CONTINUED)

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8.1. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget of the Township of Morris is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose that the Township may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this ordinance, is 15 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$119,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$12,500 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated costs indicated herein for the purposes or improvements.

Section 7. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

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

ORDINANCE #13-09 - BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO TOWNSHIP SWIMMING POOLS IN AND BY THE TOWNSHIP OF MORRIS, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING \$125,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$119,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF (CONTINUED)

Section 8. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

PUBLIC COMMENT
NONE

COMMUNICATIONS OF RECORD
NONE

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

ORDINANCE #14-09 - BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS BY THE TOWNSHIP OF MORRIS, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$2,440,500 THEREFOR, INCLUDING A GRANT IN THE AMOUNT OF \$200,000 EXPECTED TO BE RECEIVED FROM THE STATE OF NEW JERSEY DEPARTMENT OF TRANSPORTATION AND AUTHORIZING THE ISSUANCE OF \$2,128,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MORRIS, IN THE COUNTY OF MORRIS, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Township of Morris, New Jersey as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$2,440,500, including a grant in the amount of \$200,000 expected to be received from the State of New Jersey Department of Transportation and including the aggregate sum of \$112,500 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, negotiable bonds are hereby authorized to be issued in the principal amount of \$2,128,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefore, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

- (a) Providing for improvements to Old Glen Road, including all work and materials necessary therefore or incidental thereto.

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

ORDINANCE #14-09 - BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS BY THE TOWNSHIP OF MORRIS, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$2,440,500 THEREFOR, INCLUDING A GRANT IN THE AMOUNT OF \$200,000 EXPECTED TO BE RECEIVED FROM THE STATE OF NEW JERSEY DEPARTMENT OF TRANSPORTATION AND AUTHORIZING THE ISSUANCE OF \$2,128,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF (CONTINUED)

<u>APPROPRIATION</u>	<u>BOND AUTHORIZATION</u>	<u>PERIOD OF USEFULNESS</u>
\$ 200,000 (Including a grant in the amount of \$200,000 expected to be received from the State of New Jersey Department of Transportation)	\$0	N/A

(b) Purchase of police equipment consisting of a digital in-car video system and mobile data computers.

<u>APPROPRIATION</u>	<u>BOND AUTHORIZATION</u>	<u>PERIOD OF USEFULNESS</u>
\$ 107,000	\$ 101,500	5 years

(c) Improvements to the Fire Stations consisting of roof replacement at the Fairchild Fire Station/Smoke House, including all work and material necessary therefore or incidental thereto.

<u>APPROPRIATION</u>	<u>BOND AUTHORIZATION</u>	<u>PERIOD OF USEFULNESS</u>
\$ 30,000	\$ 28,500	15 years

(d) Providing for the purchase of various vehicles for the Department of Public Works consisting of a 4x4 cab and chassis with hydraulics and plow; a 4x4 full size one ton pickup with utility body and plow, two 4x2 23 cubic yard recycling vehicles, one 10 ton and one 20 ton air operated shop jacks; and two 40 cubic yard roll-off recycling containers.

<u>APPROPRIATION</u>	<u>BOND AUTHORIZATION</u>	<u>PERIOD OF USEFULNESS</u>
\$ 403,000	\$ 382,500	5 years

(e) Providing for 2009 Road Overlay Program, including all work and materials necessary therefor or incidental thereto.

<u>APPROPRIATION</u>	<u>BOND AUTHORIZATION</u>	<u>PERIOD OF USEFULNESS</u>
\$ 800,000	\$ 760,500	10 years

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

ORDINANCE #14-09 - BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS BY THE TOWNSHIP OF MORRIS, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$2,440,500 THEREFOR, INCLUDING A GRANT IN THE AMOUNT OF \$200,000 EXPECTED TO BE RECEIVED FROM THE STATE OF NEW JERSEY DEPARTMENT OF TRANSPORTATION AND AUTHORIZING THE ISSUANCE OF \$2,128,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF (CONTINUED)

(f) Providing for the construction of a 2500 square foot modular classroom building for the Parks Department, including all work and materials necessary therefor or incidental thereto.

<u>APPROPRIATION</u>	<u>BOND AUTHORIZATION</u>	<u>PERIOD OF USEFULNESS</u>
\$ 125,000	\$ 119,000	20 years

(g) Providing for the purchase of pole barns for the Florance Avenue Garage.

<u>APPROPRIATION</u>	<u>BOND AUTHORIZATION</u>	<u>PERIOD OF USEFULNESS</u>
\$ 65,000	\$ 61,500	20 years

(h) Providing for improvements to the playground shelters at Butterworth, Collinsville, Green and Ginty playgrounds; and fencing improvements to Lake Road Field, Blekicky Field, Green Field,

Frelinghuysen Filed, and Ginty Field at South Street, including all work and materials necessary therefor or incidental thereto.

<u>APPROPRIATION</u>	<u>BOND AUTHORIZATION</u>	<u>PERIOD OF USEFULNESS</u>
\$ 56,500	\$ 53,500	15 years

(i) Providing for the 2009 Sidewalk Improvement Program, including all work and materials necessary therefor or incidental thereto.

<u>APPROPRIATION</u>	<u>BOND AUTHORIZATION</u>	<u>PERIOD OF USEFULNESS</u>
\$ 30,000	\$ 28,500	10 years

(j) Providing for the preliminary study of Loantaka Brook.

<u>APPROPRIATION</u>	<u>BOND AUTHORIZATION</u>	<u>PERIOD OF USEFULNESS</u>
\$ 50,000	\$ 47,500	15 years

(k) Providing for road improvements to Armstrong Road and Locust Street, including all work and materials necessary therefore or incidental thereto.

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

ORDINANCE #14-09 - BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS BY THE TOWNSHIP OF MORRIS, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$2,440,500 THEREFOR, INCLUDING A GRANT IN THE AMOUNT OF \$200,000 EXPECTED TO BE RECEIVED FROM THE STATE OF NEW JERSEY DEPARTMENT OF TRANSPORTATION AND AUTHORIZING THE ISSUANCE OF \$2,128,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF (CONTINUED)

<u>APPROPRIATION</u>	<u>BOND AUTHORIZATION</u>	<u>PERIOD OF USEFULNESS</u>
\$ 321,500	\$ 305,500	10 years

(l) Providing for drainage improvements to Watnong Road at Holloway Place, Washington Valley Road to Gaston Road, Cory Road, Fox Chase Run and Herms Place, including all work and materials necessary therefor or incidental thereto.

<u>APPROPRIATION</u>	<u>BOND AUTHORIZATION</u>	<u>PERIOD OF USEFULNESS</u>
\$ 82,500	\$ 78,000	40 years

(m) Providing for curb replacement and repairs to Ventosa Drive and Brookfield Way, including all work and materials necessary therefore or incidental thereto.

<u>APPROPRIATION</u>	<u>BOND AUTHORIZATION</u>	<u>PERIOD OF USEFULNESS</u>
\$ 120,000	\$ 114,000	10 years

(n) Providing for improvements to Bradwahl Dam, including all work and materials necessary therefor or incidental thereto.

<u>APPROPRIATION</u>	<u>BOND AUTHORIZATION</u>	<u>PERIOD OF USEFULNESS</u>
\$ 50,000	\$ 47,500	15 years

<u>TOTAL APPROPRIATION</u>	<u>TOTAL BOND AUTHORIZATION</u>	<u>AVERAGE PERIOD OF USEFULNESS</u>
\$2,440,500	\$2,128,000	11.23 years

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8.1. The chief financial officer is

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

ORDINANCE #14-09 - BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS BY THE TOWNSHIP OF MORRIS, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$2,440,500 THEREFOR, INCLUDING A GRANT IN THE AMOUNT OF \$200,000 EXPECTED TO BE RECEIVED FROM THE STATE OF NEW JERSEY DEPARTMENT OF TRANSPORTATION AND AUTHORIZING THE ISSUANCE OF \$2,128,000 BONDS

hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF (CONTINUED) to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget of the Township of Morris is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements that the Township may lawfully undertake as general improvements, and no part of the costs thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 11.23 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$2,128,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$240,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated costs indicated herein for the purposes or improvements.

Section 7. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 8. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

PUBLIC COMMENT
NONE

COMMUNICATIONS OF RECORD
NONE

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

- - -

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

ORDINANCE #15-09 - BOND ORDINANCE PROVIDING FOR VARIOUS SEWER IMPROVEMENTS IN AND BY THE TOWNSHIP OF MORRIS, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$3,589,300 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$3,409,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MORRIS, IN THE COUNTY OF MORRIS, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Township of Morris, New Jersey as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$3,589,300, including the aggregate sum of \$180,300 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, negotiable bonds are hereby authorized to be issued in the principal amount of \$3,409,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefore, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

(a) Providing for Phase II improvements to Egbert Hill Project, including all work and materials necessary therefore or incidental thereto.

<u>APPROPRIATION</u>	<u>BOND AUTHORIZATION</u>	<u>PERIOD OF USEFULNESS</u>
\$2,600,000	\$2,470,000	40 years

(b) Providing for improvements to the force main on Gaston Road, including all work and materials necessary therefore or incidental thereto.

<u>APPROPRIATION</u>	<u>BOND AUTHORIZATION</u>	<u>PERIOD OF USEFULNESS</u>
\$ 505,300	\$ 480,000	40 years

(c) Providing for improvements to Lindsley Drive Pump Station, including all work and materials necessary therefore or incidental thereto.

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

ORDINANCE #15-09 - BOND ORDINANCE PROVIDING FOR VARIOUS SEWER IMPROVEMENTS IN AND BY THE TOWNSHIP OF MORRIS, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$3,589,300 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$3,409,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF (CONTINUED)

<u>APPROPRIATION</u>	<u>BOND AUTHORIZATION</u>	<u>PERIOD OF USEFULNESS</u>
\$ 100,000	\$ 95,000	40 years

(d) Providing for infiltration/inflow/control to including, but not limited to, Watnong Road at Holloway Place, Cory Road, Fox Chase Run and Herms Place, and including all work and materials necessary therefore or incidental thereto.

<u>APPROPRIATION</u>	<u>BOND AUTHORIZATION</u>	<u>PERIOD OF USEFULNESS</u>
\$ 62,500	\$ 59,000	40 years

(e) Providing for sewer and drainage improvements to Armstrong Road and Locust Street, and including all work and materials necessary therefore or incidental thereto.

<u>APPROPRIATION</u>	<u>BOND AUTHORIZATION</u>	<u>PERIOD OF USEFULNESS</u>
\$ 321,500	\$ 305,000	40 years

<u>TOTAL APPROPRIATION</u>	<u>TOTAL BOND AUTHORIZATION</u>	<u>AVERAGE PERIOD OF USEFULNESS</u>
\$3,589,300	\$3,409,000	40 years

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8.1. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

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

ORDINANCE #15-09 - BOND ORDINANCE PROVIDING FOR VARIOUS SEWER IMPROVEMENTS IN AND BY THE TOWNSHIP OF MORRIS, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$3,589,300 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$3,409,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF (CONTINUED)

Section 5. The capital budget of the Township of Morris is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements that the Township may lawfully undertake as general improvements, and no part of the costs thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 40 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$3,409,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$350,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated costs indicated herein for the purposes or improvements.

Section 7. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 8. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

PUBLIC COMMENT

Dr. Lynn Siebert, 178 Hillcrest Avenue - what is being slated.

COMMUNICATIONS OF RECORD

NONE

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

- - -

**TOWNSHIP COMMITTEE MEETING
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ORDINANCE - PUBLIC HEARING HELD AND ORDINANCE DEFEATED

ORDINANCE #16-09 - BOND ORDINANCE PROVIDING FOR THE JOCKEY HOLLOW WATER MAIN PROJECT IN AND BY THE TOWNSHIP OF MORRIS, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING \$355,000 THEREFOR, INCLUDING A CONTRIBUTION OF \$60,000 FROM THE SOUTHEAST MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY AND AUTHORIZING THE ISSUANCE OF \$280,000 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING PART OF THE COST THEREOF AND DIRECTING THE SPECIAL ASSESSMENT OF PART OF THE COST THEREOF

Deputy Mayor Daniel Caffrey directed the ordinance:

Mayor Rosenbush abstained:

Mr. Jack Shepard, 540 Jockey Hollow Road - opposed

Mr. Joseph Altier, 530 Jockey Hollow Road -opposed;

Mr. Thomas Schrooyen, 9 Brigade Hill Road - opposed;

Mrs. Sharon Remlinger, 9 Brigade Hill Road; oposed

Mr. Carl Hess, 529 Jockey Hollow Road - opposed;

Mr. Robert Corman, 6 Brigade Hill Road - opposed

Mr. James Hampfeldt, 570 Jockey Hollow Road - oppo;

Mr. Steve Richter, 4 Brigade Hill Road - opposed;

Ms. Cindy Zimmerman, 5 Bettin Drive, **for** ordinance;

Ms. Dian Freeman, 10 Brigade Hill Road - opposed;

Ms. Sue Sinclair, 4 Brigade Hill Road - opposed

Dr. Lynn Siebert, 178 Hillcrest Avenue - opposed;

Mr. Edward Broderick, Esq., 65 Millbrook Road, Harding, representing St. Mary's;

Mrs. Linda Snyder, 541 Jockey Hollow Road - opposed;

Mr. Ted Cassero, Engineer for Delbarton.

After discussion, this ordinance was rescinded in its entirety.

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

- - -

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

ORDINANCE #17-09 - AN ORDINANCE APPROPRIATING THE SUM OF \$71,500 FROM THE GENERAL CAPITAL FUND BALANCE FOR VARIOUS PROJECTS AND PURCHASES

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

SECTION ONE: There is hereby appropriated from the General Capital Fund Balance the sum of \$71,500 for the following purposes:

- A. Improvements to Police Headquarters to include Heating/Air Conditioning upgrades, and Door Security \$24,000.
- B. Improvements to Fire Department Radio System \$12,000
- C. Purchase of Dumpsters for the Woodland and Mt. Kemble Fire Stations \$5,000
- D. Purchase of Computer Equipment – Police Server, Enforsys, Morris 1 Server \$8,000
- E. Purchase of Parks Equipment to include soil renovator, gang roller, and sod cutter \$22,500.

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

ORDINANCE #17-09 - AN ORDINANCE APPROPRIATING THE SUM OF \$71,500 FROM THE GENERAL CAPITAL FUND BALANCE FOR VARIOUS PROJECTS AND PURCHASES (CONTINUED)

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

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

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

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

PUBLIC COMMENT

NONE

COMMUNICATIONS OF RECORD

NONE

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

- - -

ORDINANCE #18-09 - ORDINANCE AUTHORIZING APPROPRIATION FROM THE SEWER CAPITAL FUND BALANCE FOR VARIOUS IMPROVEMENT PROJECTS

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

SECTION ONE: There is hereby appropriated from the Sewer Capital Fund Balance, the sum of \$439,000 for the following purposes:

- A. Woodland Programmable Logic Controllers VFD \$272,000
- B. James Street Pump Station Upgrades \$150,000
- C. Infiltration/Inflow/Control Manhole Upgrades \$17,000

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 by law.

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

ORDINANCE #18-09 - ORDINANCE AUTHORIZING APPROPRIATION FROM THE SEWER CAPITAL FUND BALANCE FOR VARIOUS IMPROVEMENT PROJECTS (CONTINUED)

PUBLIC COMMENT
NONE

COMMUNICATIONS OF RECORD
NONE

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

* * *

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 July 15, 2009 regular meeting at 8:00 P.M.:

ORDINANCE #19-09 - AN ORDINANCE AMENDING CHAPTER 88 OF THE CODE OF THE TOWNSHIP OF MORRIS, ENTITLED, "VEHICLES AND TRAFFIC," ARTICLE II, SECTION 88-2.7 AND SCHEDULE VI "NO PARKING: SNOW- COVERED ROADS" (MOUNTAINSIDE DRIVE)

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

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

1. Schedule VI: No Parking: Snow-Covered Roads

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
Mountainside Drive	Both (24 hours when snow covered)	Cul-de-sac

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

- - -

**TOWNSHIP COMMITTEE MEETING
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ORDINANCES - INTRODUCTION (CONTINUED)

ORDINANCE #20-09 - AN ORDINANCE AMENDING CHAPTER 88 OF THE CODE OF THE TOWNSHIP OF MORRIS, ENTITLED, "VEHICLES AND TRAFFIC," ARTICLE II, TO ADD A NEW SECTION 88-2.12 AND SCHEDULE IX(A) "TIME LIMIT PARKING-TOWNSHIP MUNICIPAL BUILDING"

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

SECTION ONE: BE IT HEREBY ORDAINED by the Township Committee of the Township of Morris that the following sections and schedules as designated in Chapter 88 of the Code of the Township of Morris are hereby amended as set forth below.

1. A new section is added:

88-2.12. Time limit parking-Township Municipal Building
No person shall park a motor vehicle for longer than the time shown on Schedule IX(A) at any time between the hours listed in said schedule of any day upon the streets, roads or parking areas described in said Schedule IX(A) attached hereto and made a part hereof.

2. A new Schedule is added:

Schedule IX(A): Time Limit Parking, Municipal Building

<u>Name of Street</u>	<u>Side</u>	<u>Time Limit</u>	<u>Hours</u>	<u>Location</u>
Municipal Building	Parking spots	20 minutes	8:30 am –	310 feet
Parking Lot	1-8 Row 2		4:30 pm (Monday through Friday)	north of Woodland Avenue at Municipal Building Driveway to a point 92 feet east

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
- - -

ORDINANCE #21-09 - AN ORDINANCE OF THE TOWNSHIP OF MORRIS, MORRIS COUNTY, NEW JERSEY CONCERNING SALARIES FOR NONUNION PERSONNEL

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:

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ORDINANCES - INTRODUCTION (CONTINUED)

ORDINANCE #21-09 - AN ORDINANCE OF THE TOWNSHIP OF MORRIS, MORRIS COUNTY, NEW JERSEY CONCERNING SALARIES FOR NONUNION PERSONNEL (CONTINUED)

1. Effective January 1, 2009 the following salaries or compensations are established for the following named officers, employees, or positions in the Township of Morris.

ADMINISTRATIVE

Mayor		\$7,140.00 Per year
Township Committee Members		\$6,426.00 Per year
Township Administrator	\$70,000.00 to	\$99,782.00 Per year
Administrative Assistant/Purchasing Agent	\$30,000.00 to	\$56,228.00 Per year
Secretary/Assistant Purchasing Agent	\$20,000.00 to	\$30,000.00 Per Year
Special Projects Coordinator	\$20,000.00 to	\$41,429.00 Per year
Township Clerk	\$41,000.00 to	\$82,773.00 Per year
Deputy Township Clerk	\$27,000.00 to	\$62,102.00 Per year
Subdivision Search Officer		\$250.00 Per search
Director of Finance/CFO/Treasurer	\$57,000.00 to	\$79,206.00 Per year
Tax Collector	\$20,000.00 to	\$23,733.00 Per year
Deputy Tax Collector	\$14,000.00 to	\$20,000.00 Per year
Tax Search Officer	\$1,000.00 to	\$2,056.00 Per year
Tax Assessor	\$32,000.00 to	\$58,384.00 Per year
Township Engineer	\$49,000.00 to	\$75,425.00 Per year
Assistant Township Engineer	\$35,000.00 to	\$60,690.00 Per year
Assistant Township Engineer/Part-time	\$50.00 to	\$90.09 Per hour
Jr. Design Engineer/CAD Operator	\$14,000.00 to	\$28,931.00 Per year
Engineer, Part-time	\$50.00 to	\$85.00 Per hour
Draftsman/Summer Help/Engineering	\$8.00 to	\$12.90 Per hour
Building Maintenance Supervisor	\$15,000.00 to	\$31,578.00 Per year
Groundskeeper	\$9,000.00 to	\$13,549.00 Per year
Construction Code Official	\$45,000.00 to	\$92,398.00 Per year
Municipal Code Enforcement Officer	\$4,000.00 to	\$7,977.00 Per year
Secretaries	\$20,000.00 to	\$54,486.00 Per year

PLANNING BOARD

Engineer \$83.50 per hour to \$417.50 Per meeting

BOARD OF ADJUSTMENT

Engineer \$83.50 per hour to \$417.50 Per meeting

POLICE

Police Chief	\$100,000.00	to	\$134,476.00 Per year
Prosecutor	\$52,060.00	to	\$53,101.00 Per year
School Guards	\$10.00	to	\$23.27 Per hour

FIRE

Fire Chief	\$90,000.00	to	\$108,944.00 Per year
Deputy Fire Chief	\$70,000.00	to	\$99,684.00 Per year
Relief Drivers			\$27.21 Per hour

**TOWNSHIP COMMITTEE MEETING
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ORDINANCES - INTRODUCTION (CONTINUED)

ORDINANCE #21-09 - AN ORDINANCE OF THE TOWNSHIP OF MORRIS, MORRIS COUNTY, NEW JERSEY CONCERNING SALARIES FOR NONUNION PERSONNEL (CONTINUED)

ROADS AND SANITATION

Superintendent	\$88,000.00	to	\$104,203.00	Per year
Assistant Superintendent	\$85,000.00	to	\$94,118.00	Per year
Foremen	\$65,000.00	to	\$93,442.00	Per year
Assistant Foreman	\$55,000.00	to	\$86,022.00	Per year
Extra Help	\$9.70	to	\$15.02	Per hour
Summer Help	\$8.00	to	\$13.26	Per hour

VEHICLE MAINTENANCE

Foreman, Fleet Maintenance	\$65,000.00	to	\$93,442.00	Per year
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RECREATION

Recreation Director	\$35,000.00	to	\$64,260.00	Per year
Office Help Temporary Part-time	\$10.00	to	\$17.50	Per hour
Summer Program Personnel:				
Playground Supervisors	\$15.00	to	\$28.00	Per hour
Playground Directors	\$12.00	to	\$16.00	Per hour
Playground Assistant Directors	\$8.00	to	\$11.00	Per hour
Playground Leaders	\$7.75	to	\$10.50	Per hour
Specialty Instructor/Leader	\$8.50	to	\$22.00	Per hour
Tennis Instructor	\$10.00	to	\$50.00	Per hour
Gymnastics Instructor	\$30.00	to	\$70.00	Per hour
Gymnastics Assistant	\$8.50	to	\$16.00	Per hour
Fall, Winter, and Spring Program Personnel:				
Supervisors and Instructors	\$10.00	to	\$50.00	Per hour

PARKS

Parks Maintenance Foreman	\$65,000.00	to	\$90,298.00	Per year
Parks Maintenance Assistant Foreman	\$10,000.00	to	\$17,020.00	Per year
Parks Temporary/Summer Help	\$8.00	to	\$12.50	Per hour

MUNICIPAL COURT

Municipal Court Judge	\$48,589.00	to	\$49,561.00	Per year
Acting Municipal Court Judge	\$200.00	to	\$400.00	Per session
Municipal Court Administrator	\$45,000.00	to	\$77,428.00	Per year

TEMPORARY HELP, PART-TIME

Plumbing Inspector, Temporary Part-time	\$15.00	to	\$40.00	Per hour
Electrical Inspector, Temporary Part-time	\$15.00	to	\$40.00	Per hour
Building Inspector, Temporary Part-time	\$15.00	to	\$40.00	Per hour
Fire Inspector, Temporary Part-time	\$15.00	to	\$40.00	Per hour
Clerical, Temporary Part-time	\$8.00	to	\$15.00	Per hour
Secretarial, Temporary Part-time	\$10.00	to	\$30.00	Per hour

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ORDINANCES - INTRODUCTION (CONTINUED)

ORDINANCE #21-09 - AN ORDINANCE OF THE TOWNSHIP OF MORRIS, MORRIS COUNTY, NEW JERSEY CONCERNING SALARIES FOR NONUNION PERSONNEL (CONTINUED)

SEWER UTILITY

Mayor		\$3,060.00 Per year
Township Committee		\$2,754.00 Per year
Township Administrator	\$20,000.00 to \$42,765.00	Per year
Administrative Assistant/Purchasing Agent	\$15,000.00 to \$24,099.00	Per year
Secretary/Assistant Purchasing Agent	\$9,000.00 to \$13,238.00	Per Year
Special Project Coordinator	\$10,000.00 to \$17,754.00	Per year
Director of Finance/CFO/Treasurer	\$20,000.00 to \$33,945.00	Per year
Collector of Sewer Fees	\$20,000.00 to \$25,790.00	Per year
Deputy Collector of Sewer Fees	\$14,000.00 to \$20,000.00	Per year
Engineer	\$21,000.00 to \$32,324.00	Per year
Assistant Engineer	\$15,000.00 to \$26,010.00	Per year
Assistant Engineer/Part-time	\$50.00 to \$90.09	Per hour
Jr. Design Engineer/CAD Operator	\$14,000.00 to \$28,931.00	Per year
Engineer, Part-time	\$20.00 to \$85.00	Per hour
Operating Superintendent	\$70,000.00 to \$99,190.00	Per year
Assistant Superintendent	\$65,000.00 to \$95,770.00	Per year
Foremen	\$52,000.00 to \$81,405.00	Per year
Maintenance Supervisor		\$76,823.00 Per year
Secretary	\$10,000.00 to \$17,312.00	Per year

MUNICIPAL SWIMMING POOL UTILITY

Recreation Director		\$27,540.00 Per year
Pool Manager	\$7,500.00 to \$10,600.00	Per season
Assistant Manager	\$6,600.00 to \$8,600.00	Per season
Head Lifeguard	\$13.00 to \$20.00	Per hour
Lifeguards	\$8.25 to \$13.00	Per hour
Lifeguards Substitute/Part-Time	\$7.85 to \$9.00	Per hour
Gate Attendant/Baby Pool Attendant	\$7.85 to \$8.00	Per hour
Swim Instructor	\$16.00 to \$18.00	Per half hour
Maintenance Men	\$8.50 to \$12.50	Per hour
Swim Team Coach	\$2,000.00 to \$2,750.00	Per season
Assistant Swim Team Coach	\$800.00 to \$1,300.00	Per season
Swim Team Aid	\$8.25 to \$13.00	Per hour
Pool Maintenance Supervisor	\$25,000.00 to \$51,060.00	Per year
Clerical Help/Pool Registration/Part-time	\$10.00 to \$17.50	Per hour

PARKING ENTERPRISE UTILITY

Parking Lot Supervisor	\$9,000.00 to \$13,534.00	Per year
Groundskeeper	\$9,000.00 to \$13,548.00	Per year
Maintenance	\$8.00 to \$15.53	Per hour

3. That the said salaries or compensation shall be in lieu of any and all fees.

4. For so long as it remains the policy of the Township of Morris to provide health care benefits to full-time employees, each affected employee shall share in the increase in premium by paying one-half of

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
JUNE 17, 2009 PAGE 25**

ORDINANCES - INTRODUCTION (CONTINUED)

ORDINANCE #21-09 - AN ORDINANCE OF THE TOWNSHIP OF MORRIS, MORRIS COUNTY, NEW JERSEY CONCERNING SALARIES FOR NONUNION PERSONNEL (CONTINUED)

any such increase in premium for dental coverage and prescription medication coverage over the base year of 1991 to present.

5. Any employee who voluntarily resigns or is discharged from employment prior to the introduction date of this ordinance shall not be entitled to receive the salary adjustment set forth herein.

6. 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

* * *

2009 MUNICIPAL BUDGET - PUBLIC HEARING AND ADOPTION

The 2009 Municipal Budget was introduced on May 20, 2009, published in the Morris News Bee on May 25, 2009, posted on the Municipal Bulletin Board, with copies made available to the general public upon request and adopted on June 17, 2009.

After comprehensive comment from H. Scott Rosenbush, Chairman of the Standing Finance Committee, with supplementary comment from members of the Governing Body, the following resolution was duly offered, seconded and unanimously adopted:

"BE IT RESOLVED by the Township Committee of the Township of Morris, County of Morris, that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of \$\$34,638,631.43 for municipal purposes" and for purposes of record completion is referenced as MINUTE BOOK ATTACHMENT #1 DATED June 17, 2009.

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

* * *

SUMMARY OF BIDS RECEIVED JUNE 17, 2009

Township Administrator Fred J. Rossi reported that on June 4, 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: 2009-11 One 4/2 Vacuum Street Sweeper	US Municipal Supply, Inc. P.O. Box 574 Huntingdon, PA 16652	\$207,265.00 (\$7,300 trade-in)

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SUMMARY OF BIDS RECEIVED JUNE 17, 2009

Submitted, read in full, and placed on file in the Office of the Municipal Clerk, is a letter of recommendation from the Superintendent of DPW dated June 12, 2009.

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:

124-09 AUTHORIZING CONTRIBUTION TO THE MORRIS COUNTY ADAPTIVE RECREATIONAL PROGRAM FOR 2009 – NOT TO EXCEED \$3,259.00

WHEREAS, there has been created a Morris County Adaptive Recreational Program (McARP); and

WHEREAS, said program intends to provide recreational services for persons with disabilities of all ages, and further to give said persons an opportunity to explore new leisure time skills in conjunction with their age and abilities; and

WHEREAS, the Township of Morris's costs with respect thereto will be approximately \$3,259.00; and

WHEREAS, the Chief Financial Officer of the Township of Morris has filed a Certificate of Availability of Funds.

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

1. That the Township of Morris hereby intends to join the Morris County Adaptive Recreational Program (McARP) as described above and contribute thereto in the amount not in excess of \$3,259.00 for one year.

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

- - -

125-09 2009/2010 ALCOHOLIC BEVERAGE LICENSES RENEWALS

BE IT RESOLVED by the Township Committee of the Township of Morris, Morris County, New Jersey, that the following applications for Plenary Retail Consumption Licenses and Plenary Retail Distribution Licenses, for the respective premises hereinafter designated for the 2009/2010 license year commencing July 1, 2009 and ending June 30, 2010 be and the same are hereby granted, the fees having been paid and the applicants having complied with all of the requirements of the statutes and the rules and regulations of the Division of Alcoholic Beverage Control, Special Ruling procedures and ruling from the Attorney General of the State of New Jersey and the ordinances of the Township of Morris:

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REGULAR MEETING
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RESOLUTIONS (CONTINUED)

2009/2010 ALCOHOLIC BEVERAGE LICENSES RENEWALS (CONTINUED)

**PLENARY RETAIL CONSUMPTION LICENSES
LOCATION OF LICENSED**

<u>NAME OF LICENSEE</u>	<u>PREMISES</u>	<u>FEE</u>	<u>NUMBER</u>
Island Hospitality Management T/A Westin Moristown	2 Whippany Road Morris Township, N.J. (P.O. Morristown, N.J.) (Block 10001, Lot 6, F/K/A Block 460, Lot 19)	\$2,000	1422-36-013-001
Hunan of Morris Food Corporation T/A Hunan Chinese Room	255 Speedwell Avenue Morris Township, N.J. (P.O. Morris Plains, N.J.) (Block 10501, Lot 2, F/K/A Block 481, Lot 2)	\$2,000	1422-33-004-007
The Timbers, Inc., T/A The Madison Hotel, Also T/A Rod's Steak and Seafood Grille	Rt. 124, Madison Avenue Morris Township, N.J. (Block 8464, Lot 6, F/K/A Block 391, Lots 6 & 7)	\$2,000	1422-33-010-003
Morris County Golf Club T/A. Morris County Golf Club	36 Punch Bowl Road Morris Township, N.J. (Block 9101, Lots 2&3, F/K/A Block 431, Lot 72)	\$2,000	1422-33-007-001
Tiffany's Restaurant, Inc. T/A Tiffany's Restaurant	231 Speedwell Avenue Morris Township, N.J. (Block 10501, Lot 31, F/K/A Block 481, Lot 31)	\$2,000	1422-33-011-004
Spring Brook Country Club T/A Spring Brook Country Club	9 Springbrook Road Morris Township, N.J. (Block 5801, Lot 1, F/K/A Block 341, Lot 87)	\$2,000	1422-33-009-001
Lynnedr, LLC T/A The Palm Bar Tequila Eddie's	4 John Street Morris Township, N.J. (Block 10102, Lots 1&2, F/K/A Block 463, Lots 6, 7 & 11)	\$2,000	1422-33-002-010
Ritchie Enterprise, Inc. T/A Just Around The Corner	88 Martin Luther King Avenue Morris Township, N.J. (P.O. Morristown, N.J.) (Block 10314, Lot 1, F/K/A Block 479, Lot 1)	\$2,000	1422-44-001-005
Quality Liquors Inc. T/A The Liquor Stop	167 Speedwell Avenue Morris Township, N.J. (Block 10501, Lot 83, F/K/A Block 481, Lot 85)	\$2,000	1422-44-005-005

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

- - -

126.-09 AUTHORIZING EXPANSION OF PLENARY RETAIL CONSUMPTION LICENSE #1422-33-011-004 TIFFANY'S RESTAURANT, INC., 231 SPEEDWELL AVENUE, MORRIS PLAINS, NJ 07950 TO INCLUDE THE SECOND FLOOR AND OUTDOOR PATIO AREA - EFFECTIVE JUNE 17, 2009

WHEREAS, application has been made to this Township Committee for a Place-To-Place Transfer of the Plenary Consumption License No.1422-33-011-004, heretofore issued by the Township of Morris to

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RESOLUTIONS (CONTINUED)

126-09 AUTHORIZING EXPANSION OF PLENARY RETAIL CONSUMPTION LICENSE #1422-33-011-004 TIFFANY'S RESTAURANT, INC., 231 SPEEDWELL AVENUE, MORRIS PLAINS, NJ 07950 TO INCLUDE THE SECOND FLOOR AND OUTDOOR PATIO AREA - EFFECTIVE JUNE 17, 2009 (CONTINUED)

Tiffany's Restaurant, Inc., a New Jersey Corporation, T/A Tiffany's Restaurant, covering premises at 231 Speedwell Avenue, Morris Township, New Jersey, and

WHEREAS, this Township Committee, after investigation, has made the following findings and determinations that:

- a. The submitted application form is complete in all respects.
- b. The applicant is qualified to be licensed according to all standards established by New Jersey Statute and Rules and Regulations and local ordinances.
- c. Proof of Publication in proper form has been filed.
- d. Five whole business days have passed following publication of the second notice of application.
- e. No written objections to the transfer have been received.
- f. All proper and necessary fees for the transfer have been paid.
- g. The New Jersey Department of Taxation Tax Clearance Certificate has been received.

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

1. That this Township Committee does hereby approve the Place-To-Place Transfer of Plenary Consumption Distribution License No. 1422-33-011-004, issued by the Township of Morris to include the outside seasonal patio area and the second floor, covering the premises at 231 Speedwell Avenue, Morris Plains, NJ 07950.
2. That the Clerk of this Township be and is hereby authorized and directed to forthwith forward a certified copy of this resolution to the State of New Jersey, Department of Law and Public Safety, Division of Alcoholic Beverage Control.

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

- - -

127-09 AUTHORIZING AWARD OF CONTRACT FOR BID OTE: 2009-11 - ONE 4/2 VACUUM STREET SWEEPER - AWARDED TO US MUNICIPAL SUPPLY, INC., P.O. BOX 102, LIBERTY CORNER, NJ 07938 IN THE AMOUNT OF \$207,265.00 (TRADE-IN ALLOWANCE \$7,300.00)

WHEREAS, this municipality has, in accordance with the Local Public Contracts Law of the State of New Jersey, received bids for the following: ONE 4/2 VACUUM STREET SWEEPER

WHEREAS, after review and recommendation from the appropriate official, it appears that the contract should be awarded to the lowest responsible bidder: US Municipal Supply, Inc.

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RESOLUTIONS (CONTINUED)

127-09 AUTHORIZING AWARD OF CONTRACT FOR BID OTE: 2009-11 - ONE 4/2 VACUUM STREET SWEEPER - AWARDED TO US MUNICIPAL SUPPLY, INC., P.O. BOX 102, LIBERTY CORNER, NJ 07938 IN THE AMOUNT OF \$207,265.00 (TRADE-IN ALLOWANCE \$7,300.00) (CONTINUED)

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: General Capital G-4-55-816-090.

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 US Municipal Supply Inc., P.O. Box 102, Liberty Corner, NJ 07938 in the amount of \$207,265.00 with a trade-in allowance of \$7,300.00.
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

- - -

128-09 AUTHORIZING REFUND OF MONIES DUE TO TAX OVERPAYMENTS (2-\$4,661.00) & SEWER OVERPAYMENTS (1-\$1,317.32)

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

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

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

Block/Lot	Name	Reason	Amount
<u>TAX</u>			
303 13	Investors Savings Bank	O/P 2 nd Qtr 2009	\$ 1,124.07
6302 26	Martin Light	O/P 2 nd Qtr 2009	\$ 3,536.93
<u>SEWER</u>			
7902 1 C4421	Township of Morris	Deposit Error- fr sewer to tax	\$1,317.32

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

- - -

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
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RESOLUTIONS (CONTINUED)

129-09 AUTHORIZING FINAL CHANGE ORDER AND FINAL PAYMENT TO CONCRETE MASTERS, INC., 105 SOUTH STREET, NEWARK, NJ 07114 FOR BID OTE: 2008-07 - SPEEDWELL AVENUE BEAUTIFICATION - FINAL PAYMENT \$22,229.12

WHEREAS, the Township Engineer has recommended a Final Change Order to Concrete Masters, Inc., 105 South Street, Newark, NJ 07114 for bid OTE: 2008-07 Speedwell Avenue Beautification, and

WHEREAS, the original project was \$297,152.50 - during construction various field changes resulted in \$14,913.00 in additional work and elimination of \$49,088.33 of contract work, with final adjusted contract award of \$262,977.17, with a final payment in the amount of \$22,229.12, the maintenance bond (#1855947) has been received.

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

1. A Final Change Order results in adjusted contract award amount to \$262,977.17 with a final payment of \$22,229.12.

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

- - -

130-09 RESOLUTION - IN MEMORIAM - THOMAS BRENDAN BRISCOE

WHEREAS, our Heavenly Father has called unto His side, His servant THOMAS BRENDAN BRISCOE, 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 THOMAS BRENDAN BRISCOE on the citizens of the community, 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 ROSENBUSH YES

- - -

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
JUNE 17, 2009 PAGE 31**

RESOLUTIONS (CONTINUED)

132-09 RESOLUTION ADOPTING 2009 MUNICIPAL BUDGET

"BE IT RESOLVED by the Township Committee of the Township of Morris, County of Morris, New Jersey, that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of \$34,638,631.43 for municipal purposes"

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

- - -

133-09 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 YES
MAYOR ROSENBUSH YES

- - -

**TOWNSHIP COMMITTEE MEETING
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134-09 RE: AUTHORIZING EXECUTION OF REINSTATEMENT OF AGREEMENT OF SALE: BLOCK 23.02 LOT 5, HARDING TOWNSHIP

WHEREAS, a certain reinstatement agreement with respect to property identified as Block 23.02, Lot 5, Harding Township, Morris County New Jersey had previously terminated by its own terms, and

WHEREAS, the parties have reached a modified agreement revising and amending certain terms and conditions of the prior agreement,

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Township Committee of the Township of Morris, that the Mayor and Township Clerk are authorized to sign a certain reinstatement agreement dated June 17, 2009 containing among other revisions, an amended purchase price of \$ 2,250,000.00 dollars.

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

SIDEWALKS ON OLMSTEAD ROAD

Mr. Paul Hebert, 27 Columbia Road - For sidewalks;
Mr. Luis Gervals, 15 Columbia Road -Opposed;
Mr. Michael Oppici, 43 Olmstead Road - Opposed;
Mr. James King, 37 Olmstead Road - Opposed;
Mr. Alan Bensen, 10 MacKenzie Road - Opposed.

Ms. Judith Redling, 16 Starlight Drive - would like speed limit reduced from 35 MPH to 25 MPH.

* * *

CONSENT CALENDAR

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

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

1. Accepted, with regret and appreciation for services rendered, the retirement of Stephen E. Simms, Department of Public Works, effective May 29, 2009.
2. Approved, in accordance with a memo dated June 2, 2009 from Craig Goss, Fire Chief, Peter Lang, 150 Mt. Kemble Avenue, Morristown as a volunteer fireman for the Township Fire Department (Mt. Kemble Fire Company).
3. Granted permission to the residents of Oak Park Drive to have a block party on September 5, 2009 (rain date September 6), blocking Oak Park Drive, subject to approval of Police and Fire Chiefs.

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
JUNE 17, 2009 PAGE 33**

CONSENT CALENDAR (CONTINUED)

4. Accepted, in connection with Ryan Motors of Morristown/Mini, 170 Madison Avenue, Block 8603, Lot 1.01, the following:
 - a. Mini Site Performance Bond #864701 issued by Universal Insurance Company in the amount of \$121,116.24.
 - b. LukOil Facility Sewer Connection Bond #864702 issued by Universal Insurance Company in the amount of \$23,739.52.
 - c. Check #5248 in the amount of \$13,457.36 for site construction, forwarded to Finance.
 - d. Check #5249 in the amount of \$2,637.73 for the LukOil Facility Sewer Connection, forwarded to Finance.
5. Approved James Jones IV, 63 Highland Avenue, Morristown as an Operator of a Vehicle For Hire License for J & J Limo & Taxi.
6. Approved, in accordance with a memo dated June 10, 2009 from Craig Goss, Fire Chief, Nicholas P. Dimogerodakis, 19 Normandy Blvd. East, Convent Station as a volunteer fireman for the Township Fire Department (Woodland Hook & Ladder Company).
7. Approved, in accordance with a memo dated June 11, 2009 from Craig Goss, Fire Chief, Neil Davies as a qualified driver of Fire Department Engine #404.
8. Approved, in accordance with a memo dated June 11, 2009 from Craig Goss, Fire Chief, James J. Behnke, 15 Delmar Avenue, Morris Plains as a volunteer fireman for the Township Fire Department (Fairchild Fire Company).
9. Appointed, in accordance with a memo dated June 11, 2009 from Police Chief Timothy Quinn, Stephen Higgins, 1 Washington Avenue, 3-4A, Morristown, NJ 07960 as a Special Police Officer, Class II, an hourly employee, at the rate of \$20.00 an hour (2008 salary ordinance).
10. Granted permission to the National Multiple Sclerosis Society's New Jersey Metro Chapter to host their annual Bike MD Ride on September 12 and 13, 2009, starting and ending at 445 South Street, riding on some of Township's roads, subject to approval of the Police and Fire Chiefs. A Certificate of Insurance with a Hold Harmless Clause has been received.
11. Granted permission to The Seeing Eye to hold three events, the annual Staff Picnic on August 13, 2009, the annual Family Day Picnic on August 15, 2009 from 11 A.M. to 4 P.M. on its main campus on Washington Valley Road, and hosting a Graduate Reunion Picnic to celebrate the 80th Anniversary on August 21, 2009 from 11 A.M. to 3 P.M., subject to approval of the Police and Fire Chiefs, the Board of Health and the Construction Code Official and filing of a Certificate of Insurance with a Hold Harmless Clause.
12. Granted permission to Spring Brook Country Club to hold a 4th of July Fireworks Display at the country club from 9:00 P.M. to 9:20 P.M., taking place over Armstrong Pond, subject to approval of the Police and Fire Chiefs, and the filing of a Certificate of Insurance, with a Hold Harmless Clause and notifying the surrounding residents of the display.

**TOWNSHIP COMMITTEE MEETING
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CONSENT CALENDAR (CONTINUED)

13. Accepted, with regret and appreciation for services rendered, the resignation of Ellen Didimamoff as a member of the Township Board of Health, effective June 17, 2009.
14. Granted permission to Andrea Levine of 12 Normandy Parkway for parking of vehicles on one (1) side of Normandy Parkway on Sunday afternoon, June 21, 2009 for a wedding, subject to approval of the Police and Fire Chiefs.

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

* * *

MATTERS OF OTHER BUSINESS

NONE

* * *

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:

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

1. Memo dated June 23, 2009 from Craig Goss, Fire Chief, advising that a group insurance Claim, Morris Township Fire Department INA Policy GL005964 was processed for Charles P. Engle in the amount of \$500.00.

* * *

TOWNSHIP COMMITTEE MEMBERS COMMENTS/QUESTIONS

MR. CAFFREY NONE

MR. GOLDBERG

1. Attended DARE breakfast and graduation;
2. Is a member of senior clubs - pool membership for Seniors is \$60.00;
3. Burnham Park worked together with residents for intersection;
4. Parking Committee and Sewer Committee met; parking looking to increase revenue at the Speedwell Avenue lot.

MR. GRAYZEL

1. Olmstead Road is a quaint street; does not want to force sidewalks on them if they do not want them;
2. The PRC we are creating is too broad and is no longer meaningful for planning purposes;
3. Noted passing of Thomas Briscoe and Jim Nile with condolences;
4. Attended Yankee game with Recreation sponsored outing;
5. Attended 6th grade DARE Program;
6. Noted new volunteer firemen and one current volunteer who qualified as a driver.

MR. SNYDER

1. May 23, 2009 baseball field at Delbarton School dedication;
2. May 25, 2009 attended Memorial Day Parade; 40th for Bob Tracey;

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
JUNE 17, 2009 PAGE 35**

TOWNSHIP COMMITTEE MEMBERS COMMENTS/QUESTIONS (CONTINUED)

MR. SNYDER (CONTINUED)

3. June 8, 2009 Attended ribbon cutting along with the Morris County Freeholders – Inamere Road bridge opening;
4. June 13, 2009 recognition for Tony Romano - 60 years;
5. East Hanover Avenue pothole by Library - was told Morris County DPW filled within 2 hours.

MAYORAL COMMENTARY - MAYOR H. SCOTT ROSENBUSH

1. PROCLAMATION - CONGRATULATIONS - 60TH WEDDING ANNIVERSARY
MARY AND PAUL CARMAN

WHEREAS, MARY AND PAUL CARMAN, long time Township of Morris residents from Woodland Avenue, will celebrate sixty years of marriage on June 26, 2009, and

WHEREAS, Mary and Paul have two children, son Paul III and daughter-in-law Kathleen, and son Mark and daughter-in-law Karen; and three grandchildren, Jeffrey, Melissa, and Kelly, and

WHEREAS, Mary and Paul have served the Township of Morris: Paul as a volunteer firefighter in the Woodland Fire Company, as Captain in 1963; and Mary as a volunteer member of the Ladies Auxiliary of the Woodland Fire Company; and members of the Morris Township Senior Citizen Club, and

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

NOW, THEREFORE, I, H. SCOTT ROSENBUSH, Mayor of the Township of Morris do hereby extend congratulations to Mary and Paul on their sixtieth wedding anniversary with best wishes for continued good health and happiness together.

2. Sussex Avenue was quickly reopened after the water main break.

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CONSIDERATION OF MONTHLY REPORTS

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

MAY 2009
TAX COLLECTOR

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

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APPROVAL OF CLAIMS FOR PAYMENT - LIST OF BILLS AND VOUCHERS

Minute Book Attachment #2 (MBA #2) dated June 17, 2009 - \$7,953,343.79

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.

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

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Mayor and Township Committee of the Township of Morris that the proper officers of the Township of Morris be and are hereby authorized and directed to draw checks of the Township of Morris for a total of \$7,953,343.79 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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**RECESSED MEETING FOR PURPOSE OF CONDUCTING "CLOSED MEETING"
CONCERNING "LEGAL AND PERSONNEL MATTERS"**

The Governing Body recessed at 12:00 P.M., the June 17, 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 12:05 P.M. the June 17, 2009 recessed Regular Meeting was called to order and a resolution entitled "RE: AUTHORIZING EXECUTION OF REINSTATEMENT OF AGREEMENT OF SALE: BLOCK 23.02 LOT 5, HARDING TOWNSHIP" was adopted (5-0) and with no further business to be considered, on motion duly made, seconded and unanimously (5-0) adopted, the meeting was adjourned at 2:20 A.M., next to convene at the 8:00 P.M., July 15, 2009, Regular Meeting, in the Municipal Building, 50 Woodland Avenue, Township of Morris.

CATHLEEN AMELIO
TOWNSHIP CLERK

DATED: JULY 2, 2009

**MINUTES OF “CLOSED MEETING” OF
THE TOWNSHIP COMMITTEE HELD ON
WEDNESDAY, JUNE 17, 2009, 12:05 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 June 17, 2009 Regular Meeting, was called to order by Mayor H. Scott Rosenbush at 12:05 P.M., in the Municipal Building, 50 Woodland Avenue, Morris Township, New Jersey, during a recess of the June 17, 2009 Regular Meeting.

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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
JUNE 17, 2009 – PAGE 2**

DISCUSSION CONCERNING "PERSONNEL MATTERS"

1. Fire Department matter - present were Thomas Nunn, firefighter, Craig Goss, Fire Chief, Scott Lovenberg, Deputy Fire Chief, Jeff Gast, FMBA Representative, Jim Prusenowski, labor counsel Township of Morris and Lindsey Johnson, Mr. Nunn's attorney.

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DISCUSSION CONCERNING "LEGAL MATTERS"

1. Open space acquisition - Mt. Kemble property - reinstate agreement.

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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 2:20 A.M., to resume the June 17, 2009 Regular Meeting agenda.

CATHLEEN AMELIO, TOWNSHIP CLERK

DATED: JUNE 30, 2009