

**MINUTES OF REGULAR MEETING OF  
THE TOWNSHIP COMMITTEE HELD ON  
WEDNESDAY, JULY 15, 2009, 8:00 P.M.**

**CALL TO ORDER**

The July 15, 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

\* \* \*

**PLEDGE OF ALLEGIANCE**

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

\* \* \*

**TOWNSHIP COMMITTEE MEETING  
REGULAR MEETING  
JULY 15, 2009 PAGE 2**

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

Mayor Rosenbush issued the following statement of adequate notice:

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

Written Notice was given on July 10, 2009 to the official newspapers, Daily Record and Morris News Bee, and to the additional newspaper, Star Ledger, by mail at least 48 hours prior to the date of this meeting, and a copy of the Notice was posted on the Bulletin Board in the Municipal Building of the Township of Morris by the Township Clerk and a copy of the Notice was likewise filed in the Township Clerk's Office and copies of this Notice were mailed by certified mail to all persons who have requested individual notice, pursuant to N.J.S.A. 10:4-19, all of which Notices were given at least 48 hours prior to the date of this meeting, and I hereby hand to the Township Clerk, a copy of the Notice which was given as above set forth for appropriate retention in the Municipal Files".

\* \* \*

**SPEAKER'S TIME LIMITATION**

Mayor Rosenbush announced that in order to give interested parties a fair chance to be heard, each speaker could comment for an unassignable period of five minutes before turning the microphone over to the next speaker, and that after each has had one turn, a person may be heard for an additional unassignable period of 5 minutes.

\* \* \*

**APPROVAL OF MINUTES**

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

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:

MAY 20, 2009 - REGULAR MEETING  
MAY 20, 2009 - CLOSED MEETING  
JUNE 1, 2009 - SPECIAL MEETING  
JUNE 17, 2009 - REGULAR MEETING  
JUNE 17, 2009 - CLOSED MEETING

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

\* \* \*

**PRESENTATION TO MARY AND PAUL CARMAN - 60TH ANNIVERSARY**

Mayor Rosenbush presented a Proclamation to Mr. & Mrs. Carman congratulating them on their 60th Wedding Anniversary.

\* \* \*

**TOWNSHIP COMMITTEE MEETING  
REGULAR MEETING  
JULY 15, 2009 PAGE 3**

**APPLICATION TO THE MORRIS COUNTY PRESERVATION TRUST FOR AN OPEN SPACE  
GRANT TOWARDS THE PURCHASE OF 3 ACRES ON INDIAN HEAD ROAD KNOWN AS  
LOT 6, IN BLOCK 3703 - PUBLIC COMMENTARY**

Mr. Richard Noonan, 69 Fairchild Avenue - why more open space purchases? The Township of Morris needs more ratable.

\* \* \*

**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:

**#146-09 - RESOLUTION AUTHORIZING THE CANCELLATION OF BALANCES REMAINING  
ON CERTAIN GENERAL CAPITAL DEDICATED PROJECTS**

WHEREAS, certain Capital funded balances remain dedicated to General Capital projects now complete, and

WHEREAS, it is necessary to formally cancel said balances,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee of the Township of Morris, that the unexpended and dedicated balances of the General Capital appropriations that are funded, are to be cancelled to the General Capital Fund Balance, as listed below.

| <u>General Capital</u>  |  | <u>Total</u>        |                       |
|-------------------------|--|---------------------|-----------------------|
| <u>Ordinance Number</u> | <u>Description</u>                             | <u>Funded</u>       | <u>Total Canceled</u> |
| <b>Ordinance 13-01</b>  |  |                     |                       |
| G-04-55-113-909         | Drainage Florence Ave                          | \$50,136.00         |                       |
| G-04-55-113-401         | Road Overlay 2001                              | \$67,631.97         |                       |
|                         |  |                     | \$117,767.97          |
| <b>Ordinance 10-02</b>  |  |                     |                       |
| G-04-55-210-905         | Drainage Canfield West                         | \$4,600.00          |                       |
|                         |  |                     | \$4,600.00            |
| <b>Ordinance 6-06</b>   |  |                     |                       |
| G-04-55-606-020         | Speedwell Avenue Sidewalk                      | \$110,302.78        |                       |
| G-04-55-606-808         | Drainage Lord William Penn                     | \$3,000.00          |                       |
| G-04-55-606-813         | Drainage Harwich Road                          | \$4,000.00          |                       |
|                         |  |                     | \$117,302.78          |
| <b>Ordinance 20-06</b>  |  |                     |                       |
| G-04-55-620-804         | Drainage Amy Drive                             | \$14,398.30         |                       |
|                         |  |                     | \$14,398.30           |
|                         | <b>Grand Total of Canceled Ordinances 2009</b> | <b>\$254,069.05</b> |                       |

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

**RESOLUTIONS (CONTINUED)**

**#146-09 - RESOLUTION AUTHORIZING THE CANCELLATION OF BALANCES REMAINING ON CERTAIN GENERAL CAPITAL DEDICATED PROJECTS (CONTINUED)**

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

- - -

**#147-09 - AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO ENTER INTO AN AGREEMENT WITH DELBARTON/ST. MARY'S ABBEY AND SOUTHEAST MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY FOR THE SHARING OF THE COSTS TO INSTALL A WATER MAIN IN JOCKEY HOLLOW ROAD**

**THIS RESOLUTION IS CONTINUED TO THE 8/19/09 MEETING OF THE TOWNSHIP COMMITTEE - NO ACTION TAKEN AT THE 7/15/09 MEETING**

\* \* \*

**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 #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<br>(24 hours when<br>snow covered) | Cul-de-sac      |

**TOWNSHIP COMMITTEE MEETING  
REGULAR MEETING  
JULY 15, 2009 PAGE 5**

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

**ORDINANCE #19-09** - 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) (CONTINUED)

**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 YES  
MR. GOLDBERG YES MR. SNYDER YES  
MAYOR ROSENBUSH YES  
- - -

**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<br>Parking Lot | Parking spots<br>1-8 Row 2 | 20 minutes        | 8:30 am –<br>4:30 pm<br>(Monday<br>Through<br>Friday) | 310 feet north of<br>Woodland Avenue<br>at Municipal<br>Building<br>Driveway to a<br>Point 92 feet<br>east |

**TOWNSHIP COMMITTEE MEETING  
REGULAR MEETING  
JULY 15, 2009 PAGE 6**

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

**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 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:

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.

| <b><u>ADMINISTRATIVE</u></b>              |                                     |
|---|-------------------------------------|
| 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 COMMITTEE MEETING  
REGULAR MEETING  
JULY 15, 2009 PAGE 7**

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

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

**ADMINISTRATIVE**

|                                       |                |                      |
|---------------------------------------|----------------|----------------------|
| 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      |

**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 |
|----------------------------|-------------|----|----------------------|

**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     |

**TOWNSHIP COMMITTEE MEETING  
REGULAR MEETING  
JULY 15, 2009 PAGE 8**

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

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

**RECREATION**

|  |         |    |         |          |
|--|---------|----|---------|----------|
| 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:<br>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 |

**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 |

**TOWNSHIP COMMITTEE MEETING  
REGULAR MEETING  
JULY 15, 2009 PAGE 9**

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

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

**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 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.

**PUBLIC COMMENT**

Robert Shearer, Sr., 40 Clairview Road, Denville, NJ 07832, Township Employee.  
Marley Reidy, 13 Arrowhead Road - salary ranges.

**COMMUNICATIONS OF RECORD**

NONE

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

\* \* \*

**TOWNSHIP COMMITTEE MEETING  
REGULAR MEETING  
JULY 15, 2009 PAGE 10**

**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 August 19, 2009 regular meeting at 8:00 P.M.:

**ORDINANCE #23-09** - AN ORDINANCE AMENDING CHAPTER 88 OF THE CODE OF THE TOWNSHIP OF MORRIS, ENTITLED "VEHICLES AND TRAFFIC", ARTICLE X, SECTION 88-10.1 SCHEDULE XIX "THROUGH STREETS" AND SECTION 88-10.2 SCHEDULE XX "STOP INTERSECTIONS"

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:** Chapter 88, Article X, Section 88-10.1, and Schedule XIX, "Through Streets" are amended to change the language for Lake Road insofar as the reconfiguration of the intersection as part of the Burnham Road reconstruction removes the requirement for a yield sign on Burnham Road at Lake Road, to the following:

Lake Road Between Burnham Road and Ketch Road

**SECTION TWO:** Chapter 88, Article X, Section 88-10.2, and Schedule XX, "Stop Intersections" are amended to include the following:

"Lake Road (southbound) at Burnham Road and Lake Road"

"A stop sign shall be installed on Lake Road at Burnham Road/Lake Road"

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

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

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

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

- - -

**ORDINANCE #24-09** - AN ORDINANCE APPROPRIATING THE SUM OF \$225,000 FROM THE GENERAL CAPITAL FUND BALANCE FOR JOCKEY HOLLOW WATER MAIN

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 \$225,000 for the following purpose:

A. The Construction of the Jockey Hollow Water Main Project and including all work and materials necessary therefore or incidental thereto.

**TOWNSHIP COMMITTEE MEETING  
REGULAR MEETING  
JULY 15, 2009 PAGE 11**

**ORDINANCES - INTRODUCTION (CONTINUED)**

**ORDINANCE #24-09** - AN ORDINANCE APPROPRIATING THE SUM OF \$225,000 FROM THE GENERAL CAPITAL FUND BALANCE FOR JOCKEY HOLLOW WATER MAIN

**SECTION TWO:** It is expected that the Township of Morris, the Southeast Morris County Municipal Utilities Authority, and the Order of St. Benedict – St. Mary’s Abbey will contribute to offset the cost of the improvements.

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

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

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

**SECTION SIX:** The capital budget of the Township of Morris is hereby amended to conform with the provisions of this ordinance to the extend of any inconsistency herewith.

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

\* \* \*

**SUMMARY OF BIDS RECEIVED JULY 9, 2009**

Township Administrator Fred J. Rossi reported that on July 9, 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: 2009-12 Jockey Hollow Road Water Main Project | Matina & Son, Inc.<br>146 English Street<br>Hackensack, NJ 07601        | \$200,032.50            |
|  | Petillo, Inc.<br>167 Flanders-Netcong Road<br>Flanders, NJ 07836        | \$225,815.00            |
|  | Vernieri Contractor, Inc.<br>P.O. Box 277<br>Franklin Lakes, NJ 07417   | \$233,005.00            |
|  | Reivax Contracting Corp.<br>46 Washington Street<br>Harrison, NJ 07029  | \$240,384.00            |
|  | Montana Construction Corp., Inc.<br>80 Contant Avenue<br>Lodi, NJ 07644 | \$248,710.00            |

**TOWNSHIP COMMITTEE MEETING  
REGULAR MEETING  
JULY 15, 2009 PAGE 12**

**SUMMARY OF BIDS RECEIVED JULY 9, 2009 (CONTINUED)**

| <u>NAME OF PROJECT</u> | <u>NAME/ADDRESS OF BIDDERS</u>  | <u>TOTAL BID PRICES</u> |
|------------------------|---|-------------------------|
|                        | D.R Mullen Const. Co., Inc.<br>38 Edison Avenue<br>Oakland, NJ 07436                          | \$270,612.50            |
|                        | P.M. Construction Corp.<br>1310 Central Avenue<br>Hillside, NJ 07205                          | \$274,577.50            |
|                        | John Garcia<br>183 Friar Lane<br>Clifton, NJ 07013  | \$276,675.10            |
|                        | Sanitary Construction Company, Inc.<br>415 Franklin Avenue<br>Rockaway, NJ 07866              | \$277,443.75            |
|                        | Caro Construction Corp.<br>70-76 Passaic Avenue<br>Florham Park, NJ 07932                     | \$281,350.00            |
|                        | Dumor Contracting, Inc.<br>901 Woodruff Lane<br>Elizabeth, NJ 07201                           | \$305,875.00            |
|                        | Grabowski Construction<br>770 North Field Avenue<br>West Orange, NJ 07052                     | \$312,750.00            |
|                        | Schenley Construction Inc.<br>731 Warwick Tpke.<br>Hewitt, NJ 07421                           | \$319,601.00            |
|                        | CRJ Contracting Corp.<br>1340 South Avenue<br>Plainfield, NJ 07062                            | \$327,925.00            |
|                        | Group Construction<br>382 Newark Pompton Tpke.<br>Wayne, NJ 07470                             | \$349,700.00            |
|                        | Barnard Construction Co.<br>P.O. Box 245<br>Pompton Plains, NJ 07444                          | \$352,750.00            |
|                        | PACT Construction Inc.<br>P.O. Box 74<br>Ringoes, NJ 08551                                    | \$368,650.00            |
|                        | Mountain View Development & Contracting Corp.<br>P.O. Box 395, Route 513<br>Califon, NJ 07830 | \$374,625.00            |

**TOWNSHIP COMMITTEE MEETING  
REGULAR MEETING  
JULY 15, 2009 PAGE 13**

**SUMMARY OF BIDS RECEIVED JULY 9, 2009 (CONTINUED)**

| <u>NAME OF PROJECT NAME/ADDRESS OF BIDDERS</u>                                       | <u>TOTAL BID PRICES</u> |
|--|-------------------------|
| Clemente Bros Contracting Corp.<br>50 South Bridge Street<br>Staten Island, NY 10309 | \$385,627.50            |
| Dulaine Contracting Inc.<br>904 McKinley Street<br>Bridgewater, NJ 08807             | \$397,822.50            |
| M.S.P. Construction Corp.<br>126 Walnut Street<br>Newark, NJ 07105                   | \$398,170.00            |
| Stacy Contracting Inc.<br>642 Broad Street<br>Clifton, NJ 07013                      | \$453,120.00            |

**THIS BID WAS TABLED TO A FUTURE MEETING. NO AWARD WAS MADE.**

\* \* \*

**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:

**#131-09 - AUTHORIZING MAYOR AND TOWNSHIP CLERK TO FILE A GRANT APPLICATION WITH THE MORRIS COUNTY PRESERVATION TRUST FOR BLOCK 3703, LOT 6, INDIAN HEAD ROAD, 3.0 ACRES**

BE IT RESOLVED by the Township Committee of the Township of Morris that in accordance with the recommendation of the Open Space Committee and after conducting a public hearing, the Township Committee does hereby authorize the Mayor and Township Clerk to file the following grant application with the Morris County Open Space and Farmland Preservation Trust Fund:

1. Block 3703, Lot 6  
Indian Head Road  
3.0 acres

BE IT FURTHER RESOLVED that a copy of said application be placed on file in the Office of the Township Clerk.

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

- - -

**#135-09 - AUTHORIZING RETURN OF MONIES REMAINING IN DEVELOPERS' ESCROW ACCOUNT**

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

**TOWNSHIP COMMITTEE MEETING  
REGULAR MEETING  
JULY 15, 2009 PAGE 14**

**RESOLUTIONS (CONTINUED)**

**#135-09 - AUTHORIZING RETURN OF MONIES REMAINING IN DEVELOPERS' ESCROW ACCOUNT (CONTINUED)**

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

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

| <b>Name</b>             | <b>Balance</b> | <b>Escrow Account #</b> |
|-------------------------|----------------|-------------------------|
| Thomas Seneca, LLC      | \$7,378.97     | E-12-56-808-615         |
| James & Elizabeth Brown | \$ 662.92      | E-12-56-808-757         |

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

- - -

**#136-09 - AUTHORIZING AWARD OF A NONFAIR AND OPEN CONTRACT FOR A PROFESSIONAL ENGINEERING SERVICES CONTRACT TO HATCH MOTT MAC DONALD IN CONNECTION WITH GASTON ROAD PUMP STATION - FORCE MAIN & PUMP REPLACEMENT PROJECT - NOT TO EXCEED \$105,300**

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 the Gaston Road Pump Station - Force Main

and Pump Replacement Project 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 May 4, 2009 indicating they will provide the professional services of a licensed engineer for \$105,300; 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-06-55-405-100 \$49,813.50 and S-06-55-915-002 \$55,486.50 for a total amount of \$105,300.

**TOWNSHIP COMMITTEE MEETING  
REGULAR MEETING  
JULY 15, 2009 PAGE 15**

**RESOLUTIONS (CONTINUED)**

#136-09 - AUTHORIZING AWARD OF A NONFAIR AND OPEN CONTRACT FOR A PROFESSIONAL ENGINEERING SERVICES CONTRACT TO HATCH MOTT MAC DONALD IN CONNECTION WITH GASTON ROAD PUMP STATION - FORCE MAIN & PUMP REPLACEMENT PROJECT - NOT TO EXCEED \$105,300 (CONTINUED)

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 \$105,300.

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

#137-09 - RESOLUTION FOR THE INTENT TO PARTICIPATE IN THE IMPLEMENTATION OF A MASTER PUBLIC WORKS SHARED SERVICES AGREEMENT FOR SHARING PUBLIC WORKS EQUIPMENT AND PERSONNEL BETWEEN THE COUNTY OF MORRIS AND THE TOWNSHIP OF MORRIS

WHEREAS, the Township of Morris is desirous of sharing Public Works equipment and necessary operating personnel owned and employed by the County of Morris to provide Public Works services, general maintenance and related services on an as needed basis; and

WHEREAS, a shared services agreement is established in accordance with the Uniform Shared Services and Consolidation Act, P.L. 2007, c. 63 (C.40A:65-1, et. seq.).

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Morris, that the Township of Morris does hereby approve the submittal of a Shared Services Agreement to rent Public Works equipment and necessary operating personnel provided by the Morris County Public Works to assist in the Township's ability to provide services, general maintenance and other related services on an as needed basis.

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

#138-09 - AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO ENTER INTO AN AGREEMENT WITH VILLA WALSH, INSTITUTE OF RELIGIOUS TEACHERS FILIPPINI, BLOCK 4101, LOT 1, FOR STORMWATER DETENTION FACILITY MAINTENANCE

BE IT RESOLVED by the Township Committee of the Township of Morris, Morris County, New Jersey that the Mayor and Township Clerk enter into a Stormwater Detention Facility Maintenance Agreement with Villa Walsh, Institute of Religious Teachers Filippini, 455 Western Avenue, Block 4101, Lot 1, and

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

**TOWNSHIP COMMITTEE MEETING  
REGULAR MEETING  
JULY 15, 2009 PAGE 16**

**RESOLUTIONS (CONTINUED)**

#139-09 - AUTHORIZING AWARD OF CHANGE ORDER #1 FOR OTE: 2009-9 WOODLAND STP BOILERS AND PUMPS TO ENVIROCON, LLC, 490 SCHOOLEY'S MOUNTAIN ROAD, HACKETTSTOWN, NJ 07840 IN THE AMOUNT OF \$1,025.25 FOR A TOTAL CONTRACT AMOUNT NTE \$39,398.25 (CONTINUED)

WHEREAS, the Township Engineer has recommended Change Order #1 to Envirocon, LLC, 490 Schooley's Mountain Road, Hackettstown, NJ 07840 for OTE: 2009-9 Woodland STP Boilers and Pumps in the amount of \$1,025.25, and

WHEREAS, the Chief Financial Officer of the Township of Morris has filed a Certificate of Availability of Funds indicating funds are available in S-06-55-607-050.

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 (#1) in the amount of \$1,025.25 to Envirocon, LLC, 490 Schooley's Mountain Road, Hackettstown, NJ 07840 is hereby approved.

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

- - -

#140-09 - AUTHORIZING CHANGE ORDER #2 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 \$1,847.00

WHEREAS, the Township Engineer has recommended a Change Order (#2) 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 \$1,847.00, 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 Capital, G-04-55-712-700.

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 \$1,847.00 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 ROSENBUSH YES

- - -

#141-09 - AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE THE STORMWATER DETENTION FACILITY MAINTENANCE AGREEMENT FOR RYAN MOTORS OF MORRISTOWN, INC., 170 MADISON AVENUE, BLOCK 8603, LOT 1.01

WHEREAS, the Mayor and Township Clerk are authorized to execute the Stormwater Detention Facility Maintenance Agreement for Ryan Motors of Morristown, Inc., 170 Madison Avenue, Block 8603, Lot 1.01, 170 Madison Avenue.

**TOWNSHIP COMMITTEE MEETING  
REGULAR MEETING  
JULY 15, 2009 PAGE 17**

**RESOLUTIONS (CONTINUED)**

#141-09 - AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE THE STORMWATER DETENTION FACILITY MAINTENANCE AGREEMENT FOR RYAN MOTORS OF MORRISTOWN, INC., 170 MADISON AVENUE, BLOCK 8603, LOT 1.01 (CONTINUED)

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Township of Morris will enter into a Stormwater Detention Facility Maintenance Agreement with Ryan Motors of Morristown, Inc.

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

- - -

#142-09 - AUTHORIZING REFUND OF MONIES DUE TO TAX OVERPAYMENTS (2-\$3,375.28) & SEWER OVERPAYMENTS (3-\$437.66)

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      |
|---------------------|-----|----------------------------------|--|-------------|
| <b><u>TAX</u></b>   |     |                                  |  |             |
| 1201                | 26  | Michael & Marianne Levandorski   | Refund O/P 2 <sup>nd</sup> Qtr 2009        | \$ 2,241.36 |
| 204                 | 4   | Brian Doyle                      | Refund O/P 2 <sup>nd</sup> Qtr 2009        | \$ 1,133.92 |
| <b><u>SEWER</u></b> |     |                                  |  |             |
| 1602                | 13  | Township of Morris- Current Acct | Refund O/P 2 <sup>nd</sup> Qtr 2009 to tax | \$ 104.66   |
| 5506                | 5   | Township of Morris- Current Acct | Refund O/P 4 <sup>th</sup> Qtr 2009 to tax | \$ 50.00    |
| 7504                | 14  | Township of Morris- Current Acct | Refund O/P 2 <sup>nd</sup> Qtr 2009 to tax | \$ 283.00   |

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

- - -

#143-09 - AUTHORIZING AWARD OF AN INCREASE OF A NONFAIR AND OPEN PROFESSIONAL SERVICES AGREEMENT IN THE AMOUNT OF \$5,000.00 TO COFFEY AND ASSOCIATES, COUNSELLORS AT LAW, 465 SOUTH STREET, MORRISTOWN, NJ 07960 FOR SPECIAL LEGAL SERVICES REGARDING PARTICIPATION IN THE JOINT DEFENSE GROUP FOR THE COMBE LANDFILL SOUTH LITIGATION IN AN AGGREGATE AMOUNT FOR CALENDAR YEAR 2009 NOT TO EXCEED \$20,000.00

WHEREAS, the Township of Morris has need to retain professional services for special legal counsel for the Township of Morris as a nonfair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5, and

WHEREAS, the Township Committee awarded a contract in the amount of \$15,000.00 to Coffey and Associates, Counselors at Law, 465 South Street, Morristown, NJ 07960 at a meeting held on March 18, 2009, Resolution No. 66-09; and

WHEREAS, it is now necessary to increase this amount, and

**TOWNSHIP COMMITTEE MEETING  
REGULAR MEETING  
JULY 15, 2009 PAGE 18**

**RESOLUTIONS (CONTINUED)**

#143-09 - AUTHORIZING AWARD OF AN INCREASE OF A NONFAIR AND OPEN PROFESSIONAL SERVICES AGREEMENT IN THE AMOUNT OF \$5,000.00 TO COFFEY AND ASSOCIATES, COUNSELLORS AT LAW, 465 SOUTH STREET, MORRISTOWN, NJ 07960 FOR SPECIAL LEGAL SERVICES REGARDING PARTICIPATION IN THE JOINT DEFENSE GROUP FOR THE COMBE LANDFILL SOUTH LITIGATION IN AN AGGREGATE AMOUNT FOR CALENDAR YEAR 2009 NOT TO EXCEED \$20,000.00 (CONTINUED)

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

WHEREAS, Coffey and Associates has completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in the Township of Morris in the previous one year, and that the contract will prohibit them from making any reportable contributions through the term of the contract; and

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

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

1. A contract for special legal services in regard to the Combe Landfill South litigation is hereby awarded to Coffey and Associates, 465 South Street, Morristown, New Jersey for special legal counsel in an additional amount of \$5,000.00, for a total not to exceed \$20,000.00.

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

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

- - -

#144-09 - AUTHORIZING AWARD OF AN INCREASE OF A NONFAIR AND OPEN CONTRACT FOR LEGAL SERVICES/SPECIAL LABOR COUNSEL IN THE AMOUNT OF \$25,000 TO FREDERIC M. KNAPP, ESQ., FOR LABOR NEGOTIATIONS, MAKING THE NEW TOTAL NTE \$50,000.

WHEREAS, the Township of Morris has the need for legal representation with respect to labor negotiations for the Township of Morris as a nonfair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Township Committee awarded a contract in the amount of \$25,000 to Frederic M. Knapp, Esq., of the firm Knapp, Trimboli & Prusinowski, L.L.C., 210 Park Avenue, Suite 302, Florham Park, NJ 07932 at a meeting held on January 21, 2009, Resolution No. 24-09; and

WHEREAS, it is now necessary to increase this amount; and

WHEREAS, the Chief Financial Officer of the Township of Morris has filed a Certificate of Availability of Funds indicating funds are available in Legal O.E.

WHEREAS, Frederic M. Knapp, Esq., of the firm Knapp, Trimboli & Prusinowski, L.L.C. has completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in the Township of Morris in the previous

**TOWNSHIP COMMITTEE MEETING  
REGULAR MEETING  
JULY 15, 2009 PAGE 19**

**RESOLUTIONS (CONTINUED)**

#144-09 - AUTHORIZING AWARD OF AN INCREASE OF A NONFAIR AND OPEN CONTRACT FOR LEGAL SERVICES/SPECIAL LABOR COUNSEL IN THE AMOUNT OF \$25,000 TO FREDERIC M. KNAPP, ESQ., FOR LABOR NEGOTIATIONS, MAKING THE NEW TOTAL NTE \$50,000 (CONTINUED)

one year, and that the contract will prohibit them from making any reportable contributions through the term of the contract; and

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

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

1. A contract for additional legal services is hereby awarded to Frederic M. Knapp, Esq. of Knapp, Trimboli & Prusinowski, L.L.C., 210 Park Avenue, Suite 302, Florham Park, NJ 07932, for special legal services related to labor negotiations in an additional amount of **\$25,000**, for a total not to exceed \$50,000.

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

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

#145-09 - AUTHORIZING AWARD OF A NONFAIR AND OPEN CONTRACT FOR A PROFESSIONAL ENGINEERING SERVICES CONTRACT TO HATCH MOTT MAC DONALD IN CONNECTION WITH THE LINDSLEY DRIVE PUMP STATION FEASIBILITY STUDY - NOT TO EXCEED \$10,000

WHEREAS, the Township of Morris has a need to acquire professional services of a professional engineering firm to be used in the Lindsley Drive Pump Station Feasibility Study 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 indicating they will provide the professional services of a licensed engineer for \$10,000; 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 S-06-55-915-003 in the amount of \$10,000, and

**TOWNSHIP COMMITTEE MEETING  
REGULAR MEETING  
JULY 15, 2009 PAGE 20**

**RESOLUTIONS (CONTINUED)**

#145-09 - AUTHORIZING AWARD OF A NONFAIR AND OPEN CONTRACT FOR A PROFESSIONAL ENGINEERING SERVICES CONTRACT TO HATCH MOTT MAC DONALD IN CONNECTION WITH THE LINDSLEY DRIVE PUMP STATION FEASIBILITY STUDY - NOT TO EXCEED \$10,000 (CONTINUED)

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 Lindsley Drive Pump Feasibility Study in the amount of \$10,000.

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

#146-07 IS LOCATED ON PAGE 3 IN FULL

#147-09 AUTHORIZED THE MAYOR AND TOWNSHIP CLERK TO ENTER INTO AN AGREEMENT WITH DELBARTON/ST. MARY'S ABBEY AND SOUTHEAST MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY FOR THE INSTALLATION OF A WATER MAIN ON JOCKEY HOLLOW ROAD **TABLED TO AUGUST 19, 2009 MEETING**

- - -

#148-09 - 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 ROSENBUCH YES  
- - -

#149-09 - AUTHORIZING SETTLEMENT OF THOMAS PEPE ET AL VS. TOWNSHIP OF MORRIS, BLOCK 8104/LOT 23

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 2008 and 2009.

**TOWNSHIP COMMITTEE MEETING  
REGULAR MEETING  
JULY 15, 2009 PAGE 21**

**RESOLUTIONS (CONTINUED)**

**#149-09 - AUTHORIZING SETTLEMENT OF THOMAS PEPE ET AL VS. TOWNSHIP OF MORRIS, BLOCK 8104/LOT 23 (CONTINUED)**

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 2008 complaint will be withdrawn. It is further agreed that the assessment will be reduced from \$1,719,200 to \$1,513,600 for the 2009 tax year.

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

- - -

**#150-09 - AUTHORIZING THE TOWNSHIP ATTORNEY TO PREPARE A NOTICE OF VIOLATION RE: TIFFANY'S RESTAURANT, LICENSE #1422-36-011-004**

BE IT RESOLVED that the Township Committee hereby authorizes the Township Attorney to prepare a Notice of Violation in accordance with the Report of the Police Department of the Township of Morris dated July 6, 2009 for Tiffany's Restaurant, License #1422-36-011-004.

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

- - -

**#151-09 - RE: AUTHORIZING THE TOWNSHIP ATTORNEY TO FILE A RESPONSE TO THE PLEADING IN THE MATTER OF U.S. REALTY FINANCIAL CORP. VS. THE TOWNSHIP OF MORRIS, DOCKET #MRS-L-1968-09**

BE IT HEREBY RESOLVED that with respect to the above entitled matter the Township Attorney is authorized to file a Response to the Pleading.

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:

Mr. Paul Cavanaugh, 9 Meslar Road, new curbing is needed to replace where roadway was torn up by plows (asphalt).

Mrs. Gail Biggs, 30 Sherwood Drive - petition for foot path, James Street to Fooths Pond, need help to convince the Town of Morristown to install sidewalks/path.

\* \* \*

**TOWNSHIP COMMITTEE MEETING  
REGULAR MEETING  
JULY 15, 2009 PAGE 22**

**CONSENT CALENDAR**

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

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

1. Granted municipal consent to the Oak Hill Homeowners Association to conduct a block party on September 12, 2009 (rain date September 13) between 3-8 P.M., blocking (1) Stonybrook Way-north from the intersection with Beekman Place to the cul-de-sac with Manor Drive and (2) Manor Drive-east from the intersection of Willison Park Drive to the cul-de-sac, which will allow cars to be diverted through Beekman Place and Homewood Drive and then around to Manor Drive with minimal disruption to traffic flow, subject to the approval of the Police and Fire Chiefs.
2. Accepted, with regret and appreciation for services rendered, the resignation of Steven Smith from the Township Police Department, effective June 30, 2009.
3. Granted permission to Kaleidoscope of Hope to hang a banner across Woodland Avenue near Dwyer Lane from August 31, 2009 to September 13, 2009, subject to approval of the Police Chief and Superintendent of DPW, and subject to the filing of a Certificate of Insurance with a Hold Harmless Clause naming the Township as an additional insured, as well as JCP&L, Cablevision and Verizon and contingent upon approval of all insurance and final approval of the utilities coordinator.
4. Authorized the release of Performance Bond #S05079 of John G. Volpecello, Jr. and Livio Colantone for Block 7701, Lot 14, Woodland Avenue/Brothers Place/Fanok Road, in the amount of \$16,411.79 and authorized the return of the cash portion in the amount of \$1,823,53.
5. Granted permission to the Melanoma Research Foundation, Hillsborough, NJ to hang two Banners, one across Woodland Avenue at the Municipal Complex and one on Sussex Avenue at Tikvah Way from September 14 to 21, 2009, subject to the filing of a Certificate of Insurance with a Hold Harmless Clause naming the Township as an additional insured as well as JCP&L, Cablevision and Verizon and contingent upon approval of all insurance and final approval of the utilities coordinator.
6. Approved, in accordance with a memo from Craig Goss, Fire Chief, dated July 7, 2009, Conor F. Boucher, 21 Pepperidge Road, Morristown as a volunteer fireman for the Township Fire Department (Fairchild Fire Company).

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

\* \* \*

**TOWNSHIP COMMITTEE MEETING  
REGULAR MEETING  
JULY 15, 2009 PAGE 23**

**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:

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.
2. Supplemental Debt Statement received from the Director of Local Government Services for Bond Ordinances #13-09, #14-09 and #15-09 and dated June 19, 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. Congratulated Mr. & Mrs. Carman on their 60th wedding anniversary.

**MR. GOLDBERG**

NONE

**MR. GRAYZEL**

1. Police Department has completed program "Keep Kids Alive Drive 25".
2. Police Department participated in "Click It or Ticket" - issued 205 summons - 90% compliance raised awareness of wearing seat belts.
3. Police Department received a bike in memory of Keith Noon (a patrol officer).

**MR. SNYDER**

NONE

**MAYORAL COMMENTARY - MAYOR H. SCOTT ROSENBUSH**

1. Township taxpayers' taxes are going down - partly due to reduction of school taxes - everyone worked hard to hold the taxes down.
2. Red light camera program approved by State for Columbia Road and Normandy - it is still under review, tests are being done.

**TOWNSHIP COMMITTEE MEETING  
REGULAR MEETING  
JULY 15, 2009 PAGE 24**

**TOWNSHIP COMMITTEE MEMBERS COMMENTS/QUESTIONS (CONTINUED)**

**MAYORAL COMMENTARY - MAYOR H. SCOTT ROSENBUSH (CONTINUED)**

3. Appointed Jane Byron, 75 Mill Street, as a member of the Beautification Committee for a term to expire December 31, 2009.
4. Appointed Siobhan Kirk, 16 Fieldstone Drive as a member of the Beautification Committee for a term to expire December 31, 2009.

\* \* \*

**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:

JUNE 2009  
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 #1 (MBA #1) dated July 15, 2009, 2009 \$11,205,288.48

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 \$11,205,288.48 for payment of the itemized Vouchers set forth on Schedule A, referenced as Minute Book Attachment No. 1, all of which have been approved by the several committees of the Township of Morris, and which are hereby made a part of the minutes of this meeting.

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

\* \* \*

**TOWNSHIP COMMITTEE MEETING  
REGULAR MEETING  
JULY 15, 2009 PAGE 25**

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

The Governing Body recessed at 9:18 P.M., the July 15, 2009 Regular Meeting in order to conduct a "Closed Meeting" concerning "Legal and Personnel Matters", as authorized this date.

- - -

**CALL TO ORDER AND ADJOURNMENT**

At 11:35 P.M. the July 15, 2009 recessed Regular Meeting was called to order and four new resolutions were adopted: "AUTHORIZING SETTLEMENT OF THOMAS PEPE ET AL VS. TOWNSHIP OF MORRIS, BLOCK 8104/LOT 23"; "AUTHORIZING THE TOWNSHIP ATTORNEY TO PREPARE A NOTICE OF VIOLATION RE: TIFFANY'S RESTAURANT, LICENSE #1422-36-011-004"; "RE: AUTHORIZING THE TOWNSHIP ATTORNEY TO FILE A RESPONSE TO THE PLEADING IN THE MATTER OF U.S. REALTY FINANCIAL CORP. VS. THE TOWNSHIP OF MORRIS, DOCKET #MRS-L-1968-09" and "RESOLUTION - DISCIPLINARY CHARGES - THOMAS H. NUNN, JR.", thereafter with no further business to be considered, on motion duly made, seconded and unanimously (5-0) on the first three resolutions and two YES and three NO on the last resolution, these resolutions were adopted, and the meeting was adjourned at 11:45 P.M., next to convene at the 8:00 P.M., August 19, 2009, Regular Meeting, in the Municipal Building, 50 Woodland Avenue, Township of Morris.

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CATHLEEN AMELIO  
TOWNSHIP CLERK

DATED: JULY 31, 2009

**MINUTES OF "CLOSED MEETING" OF  
THE TOWNSHIP COMMITTEE HELD ON  
WEDNESDAY, JULY 15, 2009, 9:25 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 July 15, 2009 Regular Meeting, was called to order by Mayor H. Scott Rosenbush at 9:25 P.M., in the Municipal Building, 50 Woodland Avenue, Morris Township, New Jersey, during a recess of the July 15, 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

\* \* \*

**PRESIDING OFFICER'S STATEMENT OF DISCUSSION ITEMS**

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

\* \* \*

**TOWNSHIP OF MORRIS  
CLOSED MEETING  
JULY 15, 2009 – PAGE 2**

**DISCUSSION CONCERNING "PERSONNEL MATTERS"**

1. Fire Department matter - present were Thomas Nunn, Jr., Fire Fighter, Craig Goss, Fire Chief, Scott Lovenberg, Deputy Fire Chief, James Prusenowski, Township of Morris Labor Counsel, Jeff Gast, Union President and Lindsley Johnson, Mr. Nunn's Attorney.
2. Council 6 - updated negotiations.

\* \* \*

**DISCUSSION CONCERNING "LEGAL MATTERS"**

1. Open space acquisition - Mt. Kemble property.
2. US Realty Lawsuit - Martin Luther King Avenue property.
3. Tax appeal "AUTHORIZING SETTLEMENT OF THOMAS PEPE ET AL VS. TOWNSHIP OF MORRIS, BLOCK 8104/LOT 23".
4. Violation re: TIFFANY'S RESTAURANT, LICENSE #1422-36-011-004.

\* \* \*

**ADJOURNMENT**

With no further business to be considered, on motion duly made, seconded and unanimously adopted, the Closed Meeting was adjourned at 11:45 P.M., to resume the July 15, 2009 Regular Meeting agenda.

\_\_\_\_\_  
CATHLEEN AMELIO, TOWNSHIP CLERK

DATED: JULY 30, 2009

**MINUTES OF SPECIAL MEETING OF  
THE TOWNSHIP COMMITTEE HELD ON  
WEDNESDAY, JULY 15, 2009, 6:00 P.M.**

**CALL TO ORDER**

The July 15, 2009 Special Meeting was called to order by Mayor H. Scott Rosenbush, 6:00 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

\* \* \*

**PLEDGE OF ALLEGIANCE**

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

\* \* \*

**TOWNSHIP COMMITTEE MEETING  
SPECIAL MEETING  
JULY 15, 2009 PAGE 2**

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

Mayor Rosenbush issued the following statement of adequate notice:

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

Written Notice was given on July 10, 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.

\* \* \*

**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:

**#148A-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

- - -

**TOWNSHIP COMMITTEE MEETING  
SPECIAL MEETING  
JULY 15, 2009 PAGE 3**

**RESOLUTIONS (CONTINUED)**

**#148A-09 - RE: AUTHORIZING THE CONDUCTING OF A "CLOSED MEETING" AS DEFINED IN THE OPEN PUBLIC MEETINGS ACT CONCERNING "LEGAL AND PERSONNEL MATTERS" (CONTINUED)**

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

- - -

**152-09 RESOLUTION - DISCIPLINARY CHARGES - THOMAS H. NUNN, JR.**

WHEREAS, disciplinary charges were served on Thomas H Nunn, Jr., a firefighter in the Township of Morris and a member of the Firemen's Mutual Benevolent Association Local 70;

WHEREAS, the disciplinary charges alleged that Nunn abandoned his post on May 6, 2009 and left an empty bottle of vodka in the firehouse, engaged in absence without leave, incompetence or inefficiency, insubordination or serious breach of discipline, consumption of alcoholic beverages while on duty or reported for work in an unfit condition, conduct unbecoming a public employee, neglect of duty and other sufficient cause;

WHEREAS, the Township Committee in closed session reviewed the factual basis supporting the disciplinary charges which were preferred against Nunn and provided Nunn an opportunity to address the allegations set forth in the disciplinary charges.

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

1. Nunn is in violation of the charges set forth in the disciplinary action, and such charges shall be sustained.
2. For violation of the charges set forth in the charges, Nunn shall serve a four (4) month suspension without pay, which shall commence on July 16, 2009 and Nunn shall be reinstated to his position on his next regularly scheduled shift on or after November 16, 2009.
3. Nunn shall execute a last chance agreement, which shall include, *inter alia*, the following:
  - a. He shall not present a blood alcohol reading of more than 0.00 at any time;
  - b. He shall continue alcohol dependency treatment as prescribed by his counselors and medical professionals;
  - c. He shall provide the Township with a release regarding any medical treatment and/or counseling he receives concerning his alcohol addiction;

**TOWNSHIP COMMITTEE MEETING  
SPECIAL MEETING  
JULY 15, 2009 PAGE 4**

**RESOLUTIONS (CONTINUED)**

**152-09 RESOLUTION - DISCIPLINARY CHARGES - THOMAS H. NUNN, JR. (CONTINUED)**

- d. He shall be subject to random alcohol testing during his suspension and upon return to work;
  - e. He shall submit to alcohol testing prior to any shift he works when returned to duty; and
  - f. He will not be arrested for any alcohol or drug related offenses or any offense that constitutes a fourth degree crime.
  - g. Violation of any of the last chance provisions will result in his termination as a Morris Township firefighter.
4. The Township shall cease to pay for Nunn's medical health, prescription and dental health insurance effective August 1, 2009; Nunn has the option to continue such coverage at his own expense by making the premium payments to the Township prior to August 1, 2009 and continuing thereafter until he returns to work on or after November 16, 2009. If Nunn elects to continue such coverage and fails to make the required payments at any time prior to his return to work on or after November 16, 2009, then such coverage shall be terminated without prior notice to Nunn.

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

\* \* \*

**ADJOURNMENT**

With no further business to be considered, on motion duly made, seconded and unanimously adopted, the Closed Meeting was adjourned at 7:34 P.M., to the July 15, 2009 8:00 P.M. Regular Meeting agenda.

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CATHLEEN AMELIO, TOWNSHIP CLERK

DATED: JULY 31, 2009

**MINUTES OF “CLOSED MEETING” (SPECIAL)  
OF THE TOWNSHIP COMMITTEE HELD ON  
WEDNESDAY, JULY 15, 2009, 6:04 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 July 15, 2009 Special Meeting, was called to order by Mayor H. Scott Rosenbush at 6:04 P.M., in the Municipal Building, 50 Woodland Avenue, Morris Township, New Jersey, during a recess of the July 15, 2009 Special 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

**ALSO PRESENT**

Craig Goss, Fire Chief  
Scott Lovenberg, Deputy Fire Chief  
Thomas Nunn, Jr., Fire Fighter  
James Prusinowski, Esq., Labor Counsel -Township  
Jeff Gast, Union President  
Lindsley Johnson, Mr. Nunn's Attorney

\* \* \*

**PRESIDING OFFICER’S STATEMENT OF DISCUSSION ITEMS**

Mayor H. Scott Rosenbush announced that in accordance with the resolution adopted this date authorizing the conducting of this “Closed Meeting”, discussion would be limited to “Legal and Personnel Matters”.

\* \* \*

**TOWNSHIP OF MORRIS  
CLOSED MEETING  
JULY 15, 2009 – PAGE 2**

**RESOLUTION**

**#148-09 - 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-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

\* \* \*

**ADJOURNMENT**

With no further business to be considered, on motion duly made, seconded and unanimously adopted, the Closed Meeting was adjourned at 7:34 P.M., next to resume the July 15, 2009 Special Meeting.

\_\_\_\_\_  
CATHLEEN AMELIO, TOWNSHIP CLERK

Dated: July 31, 2009

**MINUTES OF “CLOSED MEETING” OF  
THE TOWNSHIP COMMITTEE HELD ON  
WEDNESDAY, JULY 15, 2009, 9:05 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 July 15, 2009 Special Meeting, was called to order by Mayor H. Scott Rosenbush at 9:05 P.M., in the Municipal Building, 50 Woodland Avenue, Morris Township, New Jersey, during a recess of the July 15, 2009 Special 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

**ALSO PRESENT**

Craig Goss, Fire Chief  
Scott Lovenberg, Deputy Fire Chief  
Thomas Nunn, Jr., Fire Fighter  
James Prusinowski, Esq., Labor Counsel -Township  
Jeff Gast, Union President  
Lindsley Johnson, Mr. Nunn's Attorney

\* \* \*

**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”.

\* \* \*

**DISCUSSION CONCERNING "PERSONNEL MATTERS"**

1. Fire Department Drivers - settlement.
2. Council 6 - updated negotiations.

\* \* \*

**DISCUSSION CONCERNING "LEGAL MATTERS"**

1. Tax appeal - Thomas Pepe et al vs. Township of Morris -Block 8104, Lot 23.
2. Lawsuit - US Realty - Martin Luther King Avenue.
3. Open space - Mt. Kemble Avenue.
4. Tiffany's - prefer charges - violation.

\* \* \*

**ADJOURNMENT**

With no further business to be considered, on motion duly made, seconded and unanimously adopted, the Closed Meeting was adjourned at 11:45 P.M., next to resume at the July 15, 2009 Regular Meeting.

\_\_\_\_\_  
CATHLEEN AMELIO, TOWNSHIP CLERK

DATED: JULY 31, 2009