

**MINUTES OF REGULAR MEETING OF
THE TOWNSHIP COMMITTEE HELD ON
WEDNESDAY, SEPTEMBER 16, 2009, 6:00 P.M.**

CALL TO ORDER

The September 16, 2009 Regular 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

ALSO PRESENT

James R. Slate, Township Engineer
Timothy Quinn, Police Chief

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PLEDGE OF ALLEGIANCE

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

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

Mayor Rosenbush issued the following statement of adequate notice:

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

Written Notice was given on September 11, 2009 to the official newspapers, Daily Record and Morris News Bee, and to the additional newspaper, Star Ledger, by mail at least 48 hours prior to the date of this meeting, and a copy of the Notice was posted on the Bulletin Board in the Municipal Building of the Township of Morris by the Township Clerk and a copy of the Notice was likewise filed in the Township Clerk's Office and copies of this Notice were mailed by certified mail to all persons who have requested individual notice, pursuant to N.J.S.A. 10:4-19, all of which Notices were given at least 48 hours prior to the date of this meeting, and I hereby hand to the Township Clerk, a copy of the Notice which was given as above set forth for appropriate retention in the Municipal Files".

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SPEAKER'S TIME LIMITATION

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

* * *

RESOLUTION

**173-09 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

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

The Governing Body recessed at 6:02 P.M. in order to conduct a "Closed Meeting" concerning "Legal and Personnel Matters", as authorized this date.

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CALL TO ORDER

At 8:09 P.M. the meeting was called to order.

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APPROVAL OF MINUTES

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

JULY 15, 2009 - REGULAR MEETING (8:00 PM)
JULY 15, 2009 - SPECIAL MEETING (6:00 PM)
JULY 15, 2009 - CLOSED MEETING (6:04 PM)
JULY 15, 2009 - CLOSED MEETING (9:05 pm)

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

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

* * *

**SWEARING IN OF VICTOR H. GALLARDO AS PATROLMAN FOR THE TOWNSHIP OF
MORRIS POLICE DEPARTMENT**

Victor H. Gallardo, with his mother holding the bible, was sworn in by John M. Mills, III, Township Attorney, as a Patrolman for the Township Police Department. Mayor Rosenbush and Mr. Grayzel pinned the badge on Victor.

* * *

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:

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

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.

PUBLIC COMMENT
NONE

COMMUNICATIONS OF RECORD
NONE

ROLL CALL: MR. CAFFREY YES MR. GRAYZEL YES
 MR. GOLDBERG YES MR. SNYDER YES
 MAYOR ROSENBUSH YES
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ORDINANCE #25-09 ORDINANCE AUTHORIZING THE ACQUISITION OF 3.0 +/- ACRES OF LAND IN THE TOWNSHIP OF MORRIS

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

SECTION ONE:

- A. The Mayor and Township Clerk be and they are hereby authorized and directed to enter into a Contract of Sale for the acquisition of approximately 3.0 acres of land located on Indian Head Road in the Township of Morris for the purchase price of \$320,000.00.
- B. The Township Clerk and Township Administrator are hereby directed to obtain all necessary appraisals and submit all necessary applications to secure such grants or other funding that may be available to assist in the financial acquisition of this property, including, but not limited to, County Open Space Funding.
- E. There is hereby appropriated from the Open Space Trust Fund of the Township of Morris, sufficient monies as are necessary to consummate this transaction including sufficient monies necessary to pay for the costs of acquisition, including, but not limited to appraisal fees, application fees, title search, survey and legal fees.

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

ORDINANCE #25-09 ORDINANCE AUTHORIZING THE ACQUISITION OF 3.0 +/- ACRES OF LAND IN THE TOWNSHIP OF MORRIS (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

Mr. Thomas O'Reilly, 50 Independence Way - funding the purchase.

Mr. Lee Goldberg, 10 Arrowhead Road - funding and what is funding by County Open Space.

COMMUNICATIONS OF RECORD

NONE

ROLL CALL: MR. CAFFREY YES MR. GRAYZEL ABSTAINED
 MR. GOLDBERG YES MR. SNYDER YES
 MAYOR ROSENBUSH YES
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**ORDINANCES - PUBLIC HEARING, FINAL CONSIDERATION AND ADOPTION
CONTINUED TO THE MEETING OF OCTOBER 21, 2009**

ORDINANCE #26-09 ORDINANCE - CITIZEN SERVICE ACT

PUBLIC COMMENT

Mr. David Gruel, 161 Western Avenue.

Mr. Lee Goldberg, 10 Arrowhead Road.

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ORDINANCES - INTRODUCTION

Each ordinance as hereinafter set forth was introduced, passed on first reading by the vote as hereinafter indicated, with a public hearing thereon scheduled for the October 21, 2009 regular meeting at 6:00 P.M.:

ORDINANCE #27-09 AN ORDINANCE AMENDING CHAPTER 78 OF THE CODE OF THE TOWNSHIP OF MORRIS ENTITLED "SOLID WASTE DISPOSAL," NEW SECTION 78-32, ENTITLED "DUMPSTERS AND OTHER REFUSE CONTAINERS"

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 I. Purpose:

An ordinance requiring dumpsters and other refuse containers that are outdoors or exposed to stormwater to be covered at all times and prohibits the spilling, dumping, leaking, or otherwise discharge of liquids, semi-liquids or solids from the containers to the municipal separate storm sewer system(s) operated by the Township of Morris and/or the waters of the State so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

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ORDINANCES - INTRODUCTION (CONTINUED)

ORDINANCE #27-09 AN ORDINANCE AMENDING CHAPTER 78 OF THE CODE OF THE TOWNSHIP OF MORRIS ENTITLED "SOLID WASTE DISPOSAL," NEW SECTION 78-32, ENTITLED "DUMPSTERS AND OTHER REFUSE CONTAINERS" (CONTINUED)

For the purpose of this ordinance, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

a. Municipal separate storm sewer system (MS4) – a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by [insert name of municipality] or other public body, and is designed and used for collecting and conveying stormwater.

b. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

c. Refuse container – any waste container that a person controls whether owned, leased, or operated, including dumpsters, trash cans, garbage pails, and plastic trash bags.

d. Stormwater – means water resulting from precipitation (including rain and snow) that runs off the land's surface, is transmitted to the subsurface, is captured by separate storm sewers or other sewerage or drainage facilities, or is conveyed by snow removal equipment.

e. Waters of the State – means the ocean and its estuaries, all springs, streams and bodies of surface or ground water, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.

SECTION III. Prohibited Conduct:

Any person who controls, whether owned, leased, or operated, a refuse container or dumpster must ensure that such container or dumpster is covered at all times and shall prevent refuse from spilling out or overflowing.

Any person who owns, leases or otherwise uses a refuse container or dumpster must ensure that such container or dumpster does not leak or otherwise discharge liquids, semi-liquids or solids to the municipal separate storm sewer system(s) operated by the Township of Morris.

SECTION IV. Exceptions to Prohibition:

a. Permitted temporary demolition containers

b. Litter receptacles (other than dumpsters or other bulk containers)

c. Individual homeowner trash and recycling containers

d. Refuse containers at facilities authorized to discharge stormwater under a valid NJPDES permit

e. Large bulky items (e.g., furniture, bound carpet and padding, white goods placed curbside for pickup)

SECTION V. Enforcement:

This ordinance shall be enforced by the Police Department, Engineering Department and those other appropriate municipal officials of the Township of Morris.

SECTION VI. Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine not to exceed [insert amount].

SECTION VII. Severability:

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

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ORDINANCES - INTRODUCTION (CONTINUED)

ORDINANCE #27-09 AN ORDINANCE AMENDING CHAPTER 78 OF THE CODE OF THE TOWNSHIP OF MORRIS ENTITLED "SOLID WASTE DISPOSAL," NEW SECTION 78-32, ENTITLED "DUMPSTERS AND OTHER REFUSE CONTAINERS" (CONTINUED)

SECTION VIII. Effective date:

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

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

ROLL CALL: MR. CAFFREY YES MR. GRAYZEL YES
 MR. GOLDBERG YES MR. SNYDER YES
 MAYOR ROSENBUSH YES
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ORDINANCE #28-09 AN ORDINANCE AMENDING CHAPTER 78A OF THE CODE OF THE TOWNSHIP OF MORRIS ENTITLED "STORM SEWER SYSTEM," NEW SECTION 78A-7 ENTITLED "STORM DRAIN INLETS ABUTTING PRIVATE PROPERTY"

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 I. Purpose:

An ordinance requiring the retrofitting of existing storm drain inlets which are in direct contact with repaving, repairing, reconstruction, or resurfacing or alterations of facilities on private property, to prevent the discharge of solids and floatables (such as plastic bottles, cans, food wrappers and other litter) to the municipal separate storm sewer system(s) operated by the Township of Morris so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

SECTION II. Definitions:

For the purpose of this ordinance, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

a. Municipal separate storm sewer system (MS4)– a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by the Township of Morris or other public body, and is designed and used for collecting and conveying stormwater.

b. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

c. Storm drain inlet- an opening in a storm drain used to collect stormwater runoff and includes, but is not limited to, a grate inlet, curb-opening inlet, slotted inlet, and combination inlet.

d. Waters of the State – means the ocean and its estuaries, all springs, streams and bodies of surface or ground water, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.

SECTION III. Prohibited Conduct:

No person in control of private property (except a residential lot with one single family house) shall authorize the repaving, repairing (excluding the repair of individual potholes), resurfacing (including top coating or chip sealing with

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ORDINANCES - INTRODUCTION (CONTINUED)

ORDINANCE #28-09 AN ORDINANCE AMENDING CHAPTER 78A OF THE CODE OF THE TOWNSHIP OF MORRIS ENTITLED "STORM SEWER SYSTEM," NEW SECTION 78A-7 ENTITLED "STORM DRAIN INLETS ABUTTING PRIVATE PROPERTY" (CONTINUED)

asphalt emulsion or a thin base of hot bitumen), reconstructing or altering any surface that is in direct contact with an existing storm drain inlet on that property unless the storm drain inlet either:

1. Already meets the design standard below to control passage of solid and floatable materials; or
2. Is retrofitted or replaced to meet the standard in Section V below prior to the completion of the project.

SECTION IV. Design Standard:

Storm drain inlets identified in Section IV above shall comply with the following standard to control passage of solid and floatable materials through storm drain inlets. For purposes of this paragraph, "solid and floatable materials" means sediment, debris, trash, and other floating, suspended, or that settle. For exemptions to this standard see Section V.3 below.

1. Design engineers shall use either of the following grates whenever they use a grate in pavement or another ground surface to collect stormwater from that surface into a storm drain or surface water body under that grate:

a. The New Jersey Department of Transportation (NJDOT) bicycle safe grate, which is described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines (April 1996); or

b. A different grate, if each individual clear space in that grate has an area of no more than seven (7.0) square inches, or is no greater than 0.5 inches across the smallest dimension.

Examples of grates subject to this standard include grates in grate inlets, the grate portion (non-curb-opening portion) of combination inlets, grates on storm sewer manholes, ditch grates, trench grates, and grates of spacer bars in slotted drains. Examples of ground surfaces include surfaces of roads (including bridges), driveways, parking areas, bikeways, plazas, sidewalks, lawns, fields, open channels, and stormwater basin floors.

2. Whenever design engineers use a curb-opening inlet, the clear space in that curb opening (or each individual clear space, if the curb opening has two or more clear spaces) shall have an area of no more than seven (7.0) square inches, or be no greater than two (2.0) inches across the smallest dimension.

3. This standard does not apply:

a. Where the municipal engineer agrees that this standard would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets that meet these standards;

b. Where flows are conveyed through any device (e.g., end of pipe netting facility, manufactured treatment device, or a catch basin hood) that is designed, at a minimum, to prevent delivery of all solid and floatable materials that could not pass through one of the following:

i. A rectangular space four and five-eighths inches long and one and one-half inches wide (this option does not apply for outfall netting facilities); or

ii. A bar screen having a bar spacing of 0.5 inches.

c. Where flows are conveyed through a trash rack that has parallel bars with one-inch (1") spacing between the bars; or

d. Where the New Jersey Department of Environmental Protection determines, pursuant to the New Jersey Register of Historic Places Rules at N.J.A.C. 7:4-7.2(c), that action to meet this standard is an undertaking that constitutes an encroachment or will damage or destroy the New Jersey Register listed historic property.

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ORDINANCES - INTRODUCTION (CONTINUED)

ORDINANCE #28-09 AN ORDINANCE AMENDING CHAPTER 78A OF THE CODE OF THE TOWNSHIP OF MORRIS ENTITLED "STORM SEWER SYSTEM," NEW SECTION 78A-7 ENTITLED "STORM DRAIN INLETS ABUTTING PRIVATE PROPERTY" (CONTINUED)

SECTION V. Enforcement:

This ordinance shall be enforced by the Police Department, Engineering Department and those other appropriate municipal officials of the Township of Morris.

SECTION VI. Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine not to exceed \$50.00 for each storm drain inlet that is not retrofitted to meet the design standard.

SECTION VII. Severability:

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

SECTION VIII. Effective date:

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

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

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

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ORDINANCE #29-09 AN ORDINANCE CREATING A NEW CHAPTER 65A OF THE TOWNSHIP OF MORRIS ENTITLED "PROPERTY MAINTENANCE – FERTILIZER USE"

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 I. Purpose:

An ordinance to regulate the outdoor application of fertilizer so as to reduce the overall amount of excess nutrients entering waterways, thereby helping to protect and improve surface water quality. This ordinance does not apply to fertilizer application on commercial farms.

SECTION II. Basis and Background:

Elevated levels of nutrients, particularly phosphorus, in surface waterbodies can result in excessive and accelerated growth of algae and aquatic plants (eutrophication). Excessive plant growth can result in diurnal variations and extremes in dissolved oxygen and pH, which, in turn, can be detrimental to aquatic life. As algae and plant materials die off, the decay process creates a further demand on dissolved oxygen levels. The presence of excessive plant matter can also restrict use of the affected water for recreation and water supply. While healthy vegetated areas are protective of water quality by stabilizing soil and filtering precipitation, when fertilizers are applied to the land surface improperly or in excess of the needs of target vegetation, nutrients can be transported by means of stormwater to nearby waterways, contributing to the problematic growth of excessive aquatic vegetation. Most soils in New Jersey

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ORDINANCES - INTRODUCTION (CONTINUED)

ORDINANCE #29-09 AN ORDINANCE CREATING A NEW CHAPTER 65A OF THE CODE OF THE TOWNSHIP OF MORRIS ENTITLED "PROPERTY MAINTENANCE – FERTILIZER USE" (CONTINUED)

contain sufficient amounts of phosphorus to support adequate root growth for established turf. Over time, it is necessary to replenish available phosphorus, but generally not at the levels commonly applied. Other target vegetation, such as vegetable gardens and agricultural/horticultural plantings, will have a greater need for phosphorus application, as will the repair or establishment of new lawns or cover vegetation. A soils test and fertilizer application recommendation geared to the soil and planting type is the best means to determine the amount of nutrients to apply. Timing and placement of fertilizer application is also critical to avoid transport of nutrients to waterways through stormwater runoff. Fertilizer applied immediately prior to a runoff-producing rainfall, outside the growing season or to impervious surfaces is most likely to be carried away by means of runoff without accomplishing the desired objective of supporting target vegetation growth. Therefore, the management of the type, amount and techniques for fertilizer application is necessary as one tool to protect water resources. This ordinance does not apply to application of fertilizer on commercial farms, but improper application of fertilizer on farms would be problematic as well. Stewardship on the part of commercial farmers is needed to address this potential source of excess nutrient load to waterbodies. Commercial farmers are expected to implement best management practices in accordance with conservation management plans or resource conservation plans developed for the farm by the Natural Resource Conservation Service and approved by the Soil Conservation District Board.

SECTION III. Definitions:

For the purpose of this ordinance, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this Ordinance clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- a. Buffer - the land area, 25 feet in width, adjacent to any waterbody.
- b. Commercial farm - a farm management unit producing agricultural or horticultural products worth \$2,500 or more annually.
- c. Fertilizer - means a fertilizer material, mixed fertilizer or any other substance containing one or more recognized plant nutrients, which is used for its plant nutrient content, which is designed for use or claimed to have value in promoting plant growth, and which is sold, offered for sale, or intended for sale.
- d. Impervious Surface - a surface that has been covered with a layer of material so that it is highly resistant to infiltration by water. This term shall be used to include any highway, street, sidewalk, parking lot, driveway, or other material that prevents infiltration of water into the soil.
- e. Person - any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- f. Phosphorus fertilizer - any fertilizer that contains phosphorus, expressed as P₂O₅, with a guaranteed analysis of greater than zero; except that it shall not be considered to include animal (including human) or vegetable manures, agricultural liming materials, or wood ashes that have not been amended to increase their nutrient content.
- g. Soils Test - a technical analysis of soil conducted by an accredited soil testing laboratory following the protocol for such a test established by Rutgers Cooperative Research and Extension.
- h. Waterbody - a surface water feature, such as a lake, river, stream, creek, pond, lagoon, bay or estuary.

SECTION IV. Prohibited Conduct:

No person may do any of the following:

- a) Apply fertilizer when a runoff producing rainfall is occurring or predicted and/or when soils are saturated and a potential for fertilizer movement off-site exists.
- b) Apply fertilizer to an impervious surface. Fertilizer inadvertently applied to an impervious surface must be swept or blown back into the target surface or returned to either its original or another appropriate container for reuse.

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ORDINANCES - INTRODUCTION (CONTINUED)

ORDINANCE #29-09 AN ORDINANCE CREATING A NEW CHAPTER 65A OF THE CODE OF THE TOWNSHIP OF MORRIS ENTITLED "PROPERTY MAINTENANCE – FERTILIZER USE" (CONTINUED)

c) Apply fertilizer within the buffer of any waterbody.

d) Apply fertilizer more than 15 days prior to the start of or at any time after the end of the recognized growing season – March 15th to October 31st. Should the ground still be frozen or susceptible to heavy frost, the March 15th starting date shall be rescheduled to a date where the threat of frost and frozen ground conditions no longer exist. Likewise, should frost occur prior to October 31st, care should be given to applying fertilizer when the colder weather sets in and the likelihood of frozen, or continuously frosted, ground will not allow the applied fertilizer to break down and be absorbed into the lawn.

SECTION V. Phosphorus Fertilizer Application

No person may do the following:

a) Apply phosphorus fertilizer in outdoor areas except as demonstrated to be needed for the specific soils and target vegetation in accordance with a soils test and the associated annual fertilizer recommendation issued by Rutgers Cooperative Research and Extension.

b) Exceptions

1. Application of phosphorus fertilizer needed for

a. establishing vegetation for the first time, such as after land disturbance, provided the application is in accordance with the requirements established under the Soil Erosion and Sediment Control Act, N.J.S.A. 4:24-39 et seq. and implementing rules,

b. re-established or repairing a turf area.

2. Application of phosphorus fertilizer that delivers liquid or granular fertilizer under the soils surface, directly to the feeder roots.

3. Application of phosphorus fertilizer to residential container plantings, flowerbeds, or vegetable gardens.

SECTION VI. Enforcement:

This ordinance shall be enforced by the Police Department, Engineering Department and those other appropriate municipal officials of the Township of Morris.

SECTION VII. Violations and Penalties:

Any person(s) found to be in violation of the provisions of this ordinance shall be subject to a fine not to exceed [insert amount].

SECTION VIII. Severability:

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

SECTION IX. Effective date:

This Ordinance shall be in full force and effect upon adoption by the governing body of the Township of Morris.

SECTION X. 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 XI. 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.

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
SEPTEMBER 16, 2009 PAGE 12**

ORDINANCES - INTRODUCTION (CONTINUED)

ORDINANCE #29-09 AN ORDINANCE CREATING A NEW CHAPTER 65A OF THE CODE OF THE TOWNSHIP OF MORRIS ENTITLED "PROPERTY MAINTENANCE – FERTILIZER USE" (CONTINUED)

SECTION XII. 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

- - -

SUMMARY OF BIDS RECEIVED

NONE

* * *

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:

174-09 AUTHORIZING AWARD OF AN INCREASE OF A NONFAIR AND OPEN CONTRACT FOR LEGAL SERVICES/SPECIAL LABOR COUNSEL IN THE AMOUNT OF \$20,000 TO FREDERIC M. KNAPP, ESQ., FOR LABOR NEGOTIATIONS, MAKING THE NEW TOTAL NTE \$70,000.

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, the Township Committee increased the original contract award of \$25,000 by \$25,000 via Resolution No. 144-09 at a meeting held on July 15, 2009 to a new not to exceed amount of \$50,000.

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 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 \$20,000, for a total not to exceed \$70,000.

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
SEPTEMBER 16, 2009 PAGE 13**

RESOLUTIONS (CONTINUED)

174-09 AUTHORIZING AWARD OF AN INCREASE OF A NONFAIR AND OPEN CONTRACT FOR LEGAL SERVICES/SPECIAL LABOR COUNSEL IN THE AMOUNT OF \$20,000 TO FREDERIC M. KNAPP, ESQ., FOR LABOR NEGOTIATIONS, MAKING THE NEW TOTAL NTE \$70,000 (CONTINUED)

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

- - -

175-09 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 NTE \$25,000.00

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, the Township Committee increased the original contract award in the amount of \$15,000 by \$5,000 via Resolution No. 143-09 at a meeting held on July 15, 2009 to a new total not to exceed amount of \$20,000.

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, 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 \$25,000.00.

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

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**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
SEPTEMBER 16, 2009 PAGE 14**

RESOLUTIONS (CONTINUED)

176-09 AUTHORIZING AWARD OF A NONFAIR AND OPEN CONTRACT FOR A PROFESSIONAL ENGINEERING SERVICES CONTRACT TO FRENCH & PARRELLO ASSOCIATES, P.A., 43A NEWBURGH ROAD, SUITE 100, HACKETTSTOWN, NJ 07840 IN CONNECTION WITH THE REPLACEMENT OF THE WESTERN AVENUE CULVERT – NTE \$67,950.00

WHEREAS, the Township of Morris has need for professional consulting & engineering services; and

WHEREAS, FRENCH & PARRELLO ASSOCIATES, P.A. is a professional engineering firm having engineering personnel staff licensed in the State of New Jersey; and

WHEREAS, N.J.S.A. 40A:11-1 et seq. authorizes professional service contracts without public advertising for bids therefore provided the subject matter of the contract is a professional service; and

WHEREAS, the practice of 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, French & Parrello Associates, P.A. 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;

WHEREAS, the Chief Financial Officer of the Township of Morris has filed a Certificate of Availability of Funds indicating funds are available in the following accounts:

G-04-55-015-507; G-04-55-113-903; and Sewer Capital S-06-55-111-003

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

1. The Mayor and Township Clerk are authorized to enter into an agreement to engage French & Parrello Associates, P.A. for professional engineering consulting services for the replacement of the Western Avenue Culvert in an amount not to exceed \$67,950 in accordance with their proposal dated September 10, 2009.
2. 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

- - -

177-09 AUTHORIZING AWARD OF AN INCREASE OF A NONFAIR AND OPEN CONTRACT FOR ENGINEERING SERVICES IN THE AMOUNT OF \$40,000 TO HATCH MOTT MACDONALD, MAKING THE NEW TOTAL NTE \$100,000.

WHEREAS, the Township of Morris has the need for engineering services with respect to general consulting and engineering services of the Sewer Utility 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 \$60,000 to Hatch Mott MacDonald at a meeting held on January 21, 2009, Resolution No. 28-09; and

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

RESOLUTIONS (CONTINUED)

177-09 AUTHORIZING AWARD OF AN INCREASE OF A NONFAIR AND OPEN CONTRACT FOR ENGINEERING SERVICES IN THE AMOUNT OF \$40,000 TO HATCH MOTT MACDONALD, MAKING THE NEW TOTAL NTE \$100,000 (CONTINUED)

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 Sewer Utility O.E.

WHEREAS, Hatch Mott MacDonald 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, being the Governing Body thereof, as follows:

A contract for additional professional engineering services is hereby awarded to Hatch Mott MacDonald, for general consulting and engineering services of the Sewer Utility in an additional amount of \$40,000, for a total not to exceed \$100,000.

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 ROSENBUSH YES

- - -

178-09 AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE A RENEWAL AGREEMENT WITH ST. THOMAS MORE ROMAN CATHOLIC CHURCH FOR LEASE OF PARKING SPACES

BE IT RESOLVED by the Township Committee of the Township of Morris that the Mayor and Township Clerk are hereby authorized to execute a lease renewal agreement with St. Thomas More Roman Catholic Church for the lease of 100 parking spaces, more or less, for the period October 1, 2009 to September 30, 2011 as follows:

10/01/09 – 09/30/10	\$17,000.00
10/01/10 – 09/30/11	\$18,000.00

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

- - -

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
SEPTEMBER 16, 2009 PAGE 16**

RESOLUTIONS (CONTINUED)

179-09 REAPPOINTMENT - TOWNSHIP ENGINEER, JAMES R. SLATE

BE IT RESOLVED by the Township Committee of the Township of Morris, they being the governing body thereof, that James R. Slate is hereby appointed Township Engineer for a three (3) year period effective October 1, 2009 expiring September 30, 2012.

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

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180-09 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

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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:

James Slate, Township Engineer, thanked the Committee for his reappointment.

Lee Goldberg, 10 Arrowhead Road, IT position; parking fees; NY Jets traffic study update; Police Department parking lot and Ginty trail schedule; Citizen Service Act - notice; employment application - notice; cost of flu shots 10/8/09 and 10/14/09.

Thomas O'Reilly, 50 Independence Way - civil service procedure.

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**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
SEPTEMBER 16, 2009 PAGE 17**

CONSENT CALENDAR

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

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

1. Approved Ismail Ibrahim, 114 North Beverwyck Road, Apt. B, Lake Hiawatha, NJ as an Operator of a Vehicle for Hire for Peoples Taxi.
2. Approved Charles J. Herron, 49 Park Avenue, #202, Madison, NJ as an Operator of a Vehicle for Hire for J & J Taxi and Limo.
3. Approved, in accordance with a memo dated September 9, 2009 from Craig Goss, Fire Chief, Ryan M. Hayes, 28 Wildflower Lane, Morristown as a volunteer fireman for the Township Fire Department (Fairchild Fire Company).
4. Accepted, in accordance with a memo from William Foelsch, Director of Parks & Recreation dated September 9, 2009, Maintenance Bond #1539MB in the amount of \$9,396.25 issued by Bondex Insurance Company on behalf of RJR Engineering Company, Inc. for bid OTE: 2009-4 Streeter Swimming Pool Filtration System and released Performance Bond #1539MB in the amount of \$183,590, all contract work and punch list being completed.
5. Accepted the Developers Agreement for Block 3703, Lots 6 & 7, 22-24 Indian Head Road, developers: Joseph Prestifilippo, Jr. & Christine Prestifilippo.
6. Granted permission to the residents of Pepperidge Road to hold a Halloween Party on October 31, 2009 between 3:00 and 10:00 P.M., closing Pepperidge Road between the corners of Raynor Road and Fieldstone Drive (to all but local and emergency traffic), 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

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MATTERS OF OTHER BUSINESS

NONE

* * *

MATTERS RECEIVED FOR THE RECORD

NONE

* * *

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
SEPTEMBER 16, 2009 PAGE 18**

TOWNSHIP COMMITTEE MEMBERS COMMENTS/QUESTIONS

MR. CAFFREY

1. Congratulated Jim Slate on his reappointment as Township Engineer.
2. Congratulated Victor Gallardo on his appointment as a patrolman for the Police Dept.
3. October 21, 2009 leaf season - out of roadway.
4. Thanked the pool managers for a great job.
5. Thanked Mr. Grayzel, Fire Chief - check from Butterworth \$3,000 for Santa's Sled and Suit - Fairchild Fire Co.

MR. GOLDBERG

1. Process for introduction and adoption of ordinances, should have a standard procedure for assuring that legislation is ready for consideration and to eliminate double standards. Committee held back the Citizen Service Act ordinance over wording defects that were less egregious than flaws which in the three (3) storm water ordinances that were introduced.
2. Attended a recognition service at Bethel AME Church on Sunday to honor residents of Morris Township and Morristown who each gave decades of service to the community. The honors went to: Ethel Montgomery, past president of the School Board, William Butch Barber, youth development leader, Reno Smith, educator and past president of Morris County NAACP, and William Primus, current CEO of Morris County Urban League. Thanks and congratulations to them.
3. Attended the Ginty Pool end season pool party and the Seniors picnic. Thank you to Jo Ormsbee and Bill Foelsch from the Township Recreation Department for all the hard work and caring. These are really sweet activities that I hope one day will draw out more residents. Even if you only come for the food and music, they are really a great deal.
4. Reminded the public of curbside-recycle plastics classes 1-7, and to bring large plastic pieces to our DPW site on Jane Way. Also, please bring all electrical and electronic waste to Jane Way to help keep toxic metals out of our waste stream.
5. Parking permits is 90% of last year's level, and all of our metered parking is occupied mid week. Morristown is opening parking to the public at the Transit Village. The price will be considerably higher than a permit at Convent Station. It will also make meter parking at Convent look attractive. The Parking sub-Committee will consider increase in parking fees tomorrow.
6. Informed the public of how much good work is going on in the Township Engineering Department. Projects that have recently been completed or are about to begin include Burnham Road, Woodland Ave., Burnham Park intersection redesign, Gaston Road force main, Egbert Hill sewer, Armstrong Road, Old Glen and Turtle Roads.

**TOWNSHIP COMMITTEE MEETING
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SEPTEMBER 16, 2009 PAGE 19**

TOWNSHIP COMMITTEE MEMBERS COMMENTS/QUESTIONS (CONTINUED)

MR. GRAYZEL

1. Monday night - Keep Kids Alive Program - signs moved from neighborhood to neighborhood successful.
2. Seeing Eye anniversary - over 300 students in 2009 - served 8,000 people - proud.
3. Outdoor movie and concert series - thanked OEM for lighting.
4. 6/13/09 Free Wheeler Ramble raised \$14,000, gave \$1,000 grants (Minute Men).
5. Clerk - posting of ordinances and resolutions - great job, thanked staff.

MR. SNYDER

1. Wished new officer good luck.
2. Congratulated Jim Slate and Rich Noonan, OEM - thanked him.
3. Citizen Service Act. Look forward to next month's meeting.

MAYORAL COMMENTARY - MAYOR H. SCOTT ROSENBUSH

1. Thanked CFO and Administrator for bond sale - long-term low 3.03% - Moody report on Morris Township was excellent.
2. Thanked Jim Slate - look forward to working with him.
3. Attended open of SUS anniversary - 100th school year; anniversary of St. Elizabeth's College 150 anniversary.
4. Star Ledger editorial re: red light camera - continue to support red light program - not rushing into it.

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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:

AUGUST 2009
TAX COLLECTOR

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

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**TOWNSHIP COMMITTEE MEETING
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SEPTEMBER 16, 2009 PAGE 20**

APPROVAL OF CLAIMS FOR PAYMENT - LIST OF BILLS AND VOUCHERS

Minute Book Attachment #1 (MBA #1) dated September 16, 2009 \$7,354,066.30

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 \$7,354,066.30 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

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

The Governing Body recessed at 9:45 P.M., the September 16, 2009 Regular Meeting in order to conduct a "Closed Meeting" concerning "Legal and Personnel Matters", as authorized this date.

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CALL TO ORDER AND ADJOURNMENT

At 10:27 P.M. the September 16, 2009 recessed Regular Meeting was called to order and with no further business to be considered, on motion duly made, seconded and unanimously (5-0) adopted, the meeting was adjourned at 10:30 P.M., next to convene at the 6:00 P.M., October 21, 2009, Regular Meeting, in the Municipal Building, 50 Woodland Avenue, Township of Morris.

CATHLEEN AMELIO
TOWNSHIP CLERK

DATED: SEPTEMBER 30, 2009