

**MINUTES OF REGULAR MEETING OF  
THE TOWNSHIP COMMITTEE HELD ON  
WEDNESDAY, OCTOBER 21, 2009, 6:00 P.M.G**

**CALL TO ORDER**

The October 21, 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

\* \* \*

**PLEDGE OF ALLEGIANCE**

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

\* \* \*

**TOWNSHIP COMMITTEE MEETING  
REGULAR MEETING  
OCTOBER 21, 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 October 16, 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:  
AUGUST 19, 2009 - REGULAR & CLOSED MEETING  
SEPTEMBER 16, 2009 - REGULAR & CLOSED MEETING

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

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

\* \* \*

**LIQUOR LICENSE VIOLATION SETTLEMENT/PRESENTATION - PLEAD GUILTY  
TIFFANY'S RESTAURANT #1422-36-011-004**

Present were John Iacofano, Esquire, Township's attorney, Timothy Quinn, Police Chief, Captain Dennis Reilly, Lt. Kevin O'Shea and licensee Michael Romanelli. The charges were summarized and a suspension of 15 days was the result. John Mills, III to prepare a resolution. All voted YES.

\* \* \*

**TOWNSHIP COMMITTEE MEETING  
REGULAR MEETING  
OCTOBER 21, 2009 PAGE 3**

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

The Township Clerk advised that each Ordinance scheduled for public hearing at this meeting had been duly posted on the legal notice bulletin board in the Municipal Building, published in the Daily Record, as supported by proof of publication which had been received and placed on file, and further, that copies of the Ordinance had been provided to the members of the General Public on request.

Each Ordinance as hereinafter set forth in full was read a second time, a public hearing held hereon, with public comments and communications of record, if any, as hereinafter noted, finally adopted by the vote as herein recorded:

**ORDINANCE #26-09 - ORDINANCE PROVIDING FOR THE VOLUNTEER SERVICE APPLICATION PROCEDURE**

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

SECTION ONE: There is hereby created a new Chapter within the general ordinances of the Township of Morris to be known as Chapter 92 "Volunteer Service Application Procedure".

Intent and Purpose

The purpose of this ordinance is to provide residents of the Township of Morris with information concerning the various vacancies for appointed municipal boards, commissions, and/or committees which exist within the Township. The ordinance further provides for a procedure whereby a citizen can indicate his/her desire to serve on a particular board, commission, and/or committee. Finally, the ordinance provides for a notification process so that those citizens who have indicated a desire to hold a position will be notified when a vacancy occurs on any board, commission, and/or committee.

§92-1 Definitions

The following terms as used in this ordinance shall have the meaning set forth below unless the context within which the term is used clearly provides for a different meaning:

a. Appointing Authority - The official or body which by virtue of statutory law or by ordinance or resolution is given the authority to appoint a person to hold a particular position on any board, commission, and/or committee in the Township of Morris.

b. Appointed Municipal Boards, Commissions, and/or Committees - Any appointment to a board, commission, and/or committee within the Township of Morris, which is created either by statutory law or by ordinance or resolution. Examples of such positions are: Planning Board, Board of Adjustment, Environmental Commission, Recreation Advisory Committee, or any board, commission, and/or committee of the Township of Morris.

**TOWNSHIP COMMITTEE MEETING  
REGULAR MEETING  
OCTOBER 21, 2009 PAGE 4**

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

**ORDINANCE #26-09 - ORDINANCE PROVIDING FOR THE VOLUNTEER SERVICE APPLICATION  
PROCEDURE (CONTINUED)**

§92-2 Registry of Appointed Municipal Positions

The Township Clerk shall maintain a register of all boards, commissions, and/or committees. Such register shall be made available on the Township website and at the Municipal Building and shall set forth at least the following:

- a. Title of each board, commission, and/or committee;
- b. Brief description of each position powers and duties;
- c. The length of term for the position;
- d. The name of the person currently holding the position, the expiration date of his or her term, and the number of vacant seats on the applicable board, commission, and/or committee;
- e. The dates/times and frequency of any meetings which the holder of the position must attend can also be found on the Township website;
- f. The appointing authority for each board, commission, and/or committee who confirms each appointment .

§92-3 Vacancies

The Township Clerk, once notified in writing of a vacancy by the Chairman of a board, commission, and/or committee, shall maintain a current updated listing of all existing vacancies for each appointed board, commission, and/or committee within the Township of Morris. Such list shall be made available free of charge at the Township Clerk's Office as well as the Township website and shall, in addition, be posted by the Township Clerk on a bulletin board, maintained for public announcements in the Municipal Building.

§92-4 Filling Vacancies

Unless essential for the proper functioning and/or carrying on of business of the local agency upon which the vacancy has occurred, a vacancy shall not be filled for a period of 30 days from its posting in order to allow interested persons time to submit applications as provided in §92-5.

§92-5 Application for Citizen Service

The Township Clerk shall maintain an application form to be completed by any person interested in serving on a board, commission, and/or committee. Such application form shall, at a minimum, include:

- a. Name
- b. Address
- c. Telephone number
- d. E-mail address
- e. Township board, commission, and/or committee being sought
- f. Qualifications and/or experience
- g. Signature
- h. Attachment: List of all boards, commissions, and/or committees

§92-6 Applications - Public Record

**TOWNSHIP COMMITTEE MEETING  
REGULAR MEETING  
OCTOBER 21, 2009 PAGE 5**

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

**ORDINANCE #26-09 - ORDINANCE PROVIDING FOR THE VOLUNTEER SERVICE APPLICATION  
PROCEDURE (CONTINUED)**

An Application for Citizen Service for any board, commission, and/or committee filed with the Township Clerk shall be a public record. A person applying shall have the option of keeping their telephone and e-mail address confidential by checking a box designated for such purpose on the application form.

**§92-7 Filing Applications**

Any person interested in serving on any board, commission, and/or committee in the Township of Morris may file an application for such position with the Township Clerk. Such application(s) may be filed at any time, whether or not there exists any vacancies on the board, commission, and/or committee. A person may withdraw his or her application at any time.

**§92-8 Maintaining Applications**

The Township Clerk shall maintain all filed applications. It shall be the responsibility of the applicant to inform the Township Clerk of any changes to their application, such as telephone number and/or e-mail address.

**§92-9 Filling Voluntary Municipal Positions**

Prior to filling a position on any board, commission, and/or committee, the appropriate appointing authority shall review each application filed for that position.

Each person having submitted an application for an appointment on any board, commission, and/or committee position under consideration to be filled shall be notified of said vacancy by the appointing authority.

The appointing authority shall conduct such review, investigation and/or interviews as the appointing authority deems necessary or advisable, in its discretion. After a decision is reached to fill a vacancy of a board, commission, and/or committee, all those who have submitted an application for that position shall be notified of the said decision.

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

**SECTION 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 as provided by law.

**TOWNSHIP COMMITTEE MEETING  
REGULAR MEETING  
OCTOBER 21, 2009 PAGE 6**

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

**ORDINANCE #26-09 - ORDINANCE PROVIDING FOR THE VOLUNTEER SERVICE APPLICATION  
PROCEDURE (CONTINUED)**

PUBLIC COMMENT  
NONE

COMMUNICATIONS OF RECORD  
NONE

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

\* \* \*

**ORDINANCES #27-09, #28-09 AND #29-09 WERE CONTINUED TO THE NOVEMBER 12, 2009  
MEETING FOR PUBLIC HEARING, FINAL CONSIDERATION AND ADOPTION**

\* \* \*

**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 November 12, 2009 meeting at 8:00 P.M.:

**ORDINANCE #30-09 AN ORDINANCE AMENDING CHAPTER 88 OF THE CODE OF THE TOWNSHIP  
OF MORRIS ENTITLED "VEHICLES AND TRAFFIC," ARTICLE XVIIIA, SECTION 88-17A.1 AND  
SCHEDULE XXXI "MID-BLOCK CROSSWALKS"**

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

SECTION ONE: Chapter 88, Article XVIIIA, Section 88-17A.1, and Schedule XXXI, "Mid-Block Crosswalks" are amended to provide that a mid-block crosswalk with associated advanced warning signage be installed at the following location:

Existing Driveway of the Seeing Eye Campus at 10 Washington Valley Road

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

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

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

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

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**TOWNSHIP COMMITTEE MEETING  
REGULAR MEETING  
OCTOBER 21, 2009 PAGE 7**

**RESOLUTIONS**

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

**181-09 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

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**182-09 GRANTED APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE MILL ROAD IMPROVEMENTS PROJECT**

WHEREAS, the Township of Morris has need to make improvements on Mill Road, and

WHEREAS, it is the belief of the Township of Morris that the purpose for these improvements would qualify for Municipal Aid as our second priority application.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Morris, formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2010-Morris Township-00079 to the New Jersey Department of Transportation on behalf of the Township of Morris.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Morris and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

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  
OCTOBER 21, 2009 PAGE 8**

**RESOLUTIONS (CONTINUED)**

**183-09 GRANTED APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE WOODLAND AVENUE IMPROVEMENTS PROJECT**

WHEREAS, the Township of Morris has need to make improvements on Woodland Avenue, and

WHEREAS, it is the belief of the Township of Morris that the purpose for these improvements would qualify for Municipal Aid as our second priority application.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Morris, formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2010-Morris Township-00142 to the New Jersey Department of Transportation on behalf of the Township of Morris.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Morris and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

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

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**184-09 AUTHORIZING AWARD OF CONTRACT THROUGH A FAIR AND OPEN PROCESS FOR PRELIMINARY ENVIRONMENTAL ASSESSMENT SERVICES FOR BLOCK 3703, LOT 6.02, 22 INDIAN HEAD ROAD - AWARDED TO ENVIROTACTICS, INC., 1625 HIGHWAY 71, WALL, NJ 07719 IN THE AMOUNT NOT TO EXCEED \$1,800.00**

WHEREAS, this municipality has, in accordance with the Local Public Contracts Law of the State of New Jersey, received quotes for the following: PRELIMINARY ENVIRONMENTAL ASSESSMENT SERVICES FOR BLOCK 3703, LOT 6.02, 22 INDIAN HEAD ROAD; and

WHEREAS, the practice of environmental assessment is a professional service with the meaning of N.J.S.A. 40A:11-5 being a recognized profession with a practice regulated by law, the performance of which services requires knowledge of an advanced type in a field of learning acquired by a prolonged course of specialized instruction; and

WHEREAS, professional services may be awarded without public advertising for bids therefore; and

WHEREAS, after review and recommendation from the appropriate official, it appears that the contract should be awarded to: Envirotactics, Inc. in accordance with their proposal dated September 11, 2009; and

WHEREAS, a Certificate of Availability of Funds has been provided to the Township Clerk by the Chief Financial Officer of this Township, certifying that the funds for said contract are available in the:  
OPEN SPACE TRUST FUND

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

**TOWNSHIP COMMITTEE MEETING  
REGULAR MEETING  
OCTOBER 21, 2009 PAGE 9**

**RESOLUTIONS (CONTINUED)**

**184-09 AUTHORIZING AWARD OF CONTRACT THROUGH A FAIR AND OPEN PROCESS FOR PRELIMINARY ENVIRONMENTAL ASSESSMENT SERVICES FOR BLOCK 3703, LOT 6.02, 22 INDIAN HEAD ROAD - AWARDED TO ENVIROTACTICS, INC., 1625 HIGHWAY 71, WALL, NJ 07719 IN THE AMOUNT NOT TO EXCEED \$1,800.00 (CONTINUED)**

1. That the subject contract be awarded pursuant to a fair and open process to Envirotactics, Inc., 1625 Highway 71, Wall, NJ 07719 in an amount not to exceed \$1,800.00.
2. The Township Administrator is hereby authorized to sign the letter proposal (contract) on behalf of the Township.
3. That the Certificate of Availability of Funds supplied by the Chief Financial Officer of this Township shall be attached to a copy of this resolution and kept on file in the Office of the Township Clerk.
4. 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 ROSENBUHSH YES

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**185-09 RE: REQUESTING THE STATE LEGISLATURE TO ADDRESS THE INEQUITY IN THE COURT DECISION OF HOMES V. TOWNSHIP OF EASTAMPTON**

WHEREAS, on Monday, August 24, 2009, an Appellate Division panel in the case of Homes of Hope v. Township of Eastampton affirmed a lower court ruling that a developer can still argue affordable housing is "inherently beneficial", and compel a municipality to accept more than its fair share of regional need, even if the municipality has satisfied its regional need; and

WHEREAS, this action was brought against Eastampton even though the Township had met and exceeded its affordable housing obligations; and

WHEREAS, in a concurring opinion it was stated that the Legislature may need to act to correct the apparent conflict between the concept of "inherently beneficial uses" under the Municipal Land Use Law and the Fair Housing Act.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Morris, that the State Legislature should immediately pass legislation to correct the Eastampton decision by providing that no municipality may be compelled to exceed its Fair Share Plan and the commitments made in its approved Municipal Fair Share Plan; and

BE IT FURTHER RESOLVED, that copies of this resolution be forward to State Senator Anthony R. Bucco, Assemblyman Michael P. Carroll, Assemblyman Richard A. Merkt, the President of the State Senate Richard J. Codey, the Speaker of the General Assembly Joseph J. Roberts Jr., the New Jersey League of Municipalities and Governor Jon S, Corzine of the State of New Jersey.

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

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**TOWNSHIP COMMITTEE MEETING  
REGULAR MEETING  
OCTOBER 21, 2009 PAGE 10**

**RESOLUTIONS (CONTINUED)**

**186-09 RESOLUTION ENDORSING THE "GREEN ACRES, WATER SUPPLY AND FLOODPLAIN PROTECTION, AND FARMLAND AND HISTORIC PRESERVATION ACT OF 2009"**

WHEREAS, continued investment in open space, farmland and historic preservation is vitally important to the state, as it enhances New Jersey's economy and health, safeguards its remaining natural, agricultural, recreational and cultural resources and preserves its character, and

WHEREAS, New Jersey continues to face incredible pressure from development, losing 50 acres of open space daily in recent years to new development projects, and

WHEREAS, protecting open spaces and improving community parks throughout the State, including urban areas, supports New Jersey state and local economies by stabilizing local property taxes and revitalizing communities, and

WHEREAS, the Garden State Preservation Trust, the financing authority for the Green Acres, Blue Acres, Farmland Preservation, and Historic Preservation programs, is virtually depleted, and

WHEREAS, on November 3, 2009, the voters of New Jersey will be asked to approve the Green Acres, Water Supply and Floodplain Protection, and Farmland and Historic Preservation Act of 2009, which authorizes the state to issue \$400 million in bonds to fund New Jersey's preservation programs for three years, and

WHEREAS, passage of the Bond Act, which equate to \$10 per household per year, is desperately needed to fund the continued protection of New Jersey's natural areas and cultural sites while a long-term funding solution for the Garden State Preservation Trust is determined and secured.

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

1. We support the passage of the Green Acres, Water Supply and Floodplain Protection and Farmland and Historic Preservation Act of 2009.
2. We encourage the voters of New Jersey to vote YES on the Green Acres, Water Supply and Floodplain Protection and Farmland and Historic Preservation Act of 2009 on November 3, 2009.
3. The Municipal Clerk is hereby authorized to provide a copy of this resolution to the following:

Hon. Jon Corzine, Governor, Senator Anthony Bucco, Assemblymen Carroll and Merkt, the Land Conservancy of New Jersey, Keep it Green c/o Audubon Society, Daily and Weekly Newspapers.

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

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**187-09 RESOLUTION AUTHORIZING RETURN OF MONIES REMAINING IN DEVELOPERS ESCROW ACCOUNT**

WHEREAS, the following escrow account has completed the Board of Adjustment application process, and

**TOWNSHIP COMMITTEE MEETING  
REGULAR MEETING  
OCTOBER 21, 2009 PAGE 11**

**RESOLUTIONS (CONTINUED)**

**187-09 RESOLUTION AUTHORIZING RETURN OF MONIES REMAINING IN DEVELOPERS ESCROW ACCOUNT (CONTINUED)**

WHEREAS, the Township Engineer has certified this escrow account may now be released.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee that the following escrow account be closed and the balance of all monies returned to the applicant:

Name	Balance	Escrow Account #
Brian & Michelle Alexander	\$ 662.92	E-12-56-808-761

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

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**189-09 AUTHORIZING SIGNATURE OF INTERLOCAL SERVICES AGREEMENT FOR UTILIZATION OF MORRIS COUNTY'S MOBILE DATA TERMINAL SYSTEM**

WHEREAS, the Interlocal Services Act, N.J.S.A. 40:8A-1 et. seq., provides that local government units may contract with one another for the joint provisions of services; and

WHEREAS, the County of Morris has agreed to make available to the Township of Morris its Mobile Data Terminal System at a cost of \$1.00.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Mayor and Township Clerk are hereby authorized to enter into an agreement for calendar year 2010 for the above described purposes.

BE IT FURTHER RESOLVED that a copy of said agreement shall be maintained on file in the Office of the Township Clerk and open to public inspection in accordance with statute.

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

- - -

**190-09 DECLARING FEBRUARY 15, 2010 AS A HOLIDAY, NAMELY, WASHINGTON'S BIRTHDAY.**

WHEREAS, by ordinance the Township of Morris has created a list of annual holidays that will be observed by the Township, and

WHEREAS, one of the holidays is Washington's Birthday.

NOW, THEREFORE, BE IT HEREBY RESOLVED that in the year 2010 the Township of Morris will observe Washington's Birthday on February 15, 2010.

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  
OCTOBER 21, 2009 PAGE 12**

**RESOLUTIONS (CONTINUED)**

**191-09 AUTHORIZING AWARD OF A FAIR AND OPEN CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES TO HATCH MOTT MACDONALD FOR THE PREPARATION OF A FEASIBILITY STUDY AND REPORT EVALUATION OF THE MADISON BOROUGH FIELD SITE FOR ATHLETIC FIELD CONSTRUCTION, IN AN AMOUNT NOT TO EXCEED \$3,800.00**

WHEREAS, this municipality has, in accordance with the Local Public Contracts Law of the State of New Jersey, solicited quotations through a fair and open process for the PREPARATION OF A FEASIBILITY STUDY AND REPORT EVALUATION OF THE MADISON BOROUGH FIELD SITE FOR ATHLETIC FIELD CONSTRUCTION, and

WHEREAS, after review and recommendation by the Township Administrator, it appears that the contract should be awarded to Hatch Mott MacDonald, 27 Bleeker Street, Millburn, NJ 07041-1008, and

WHEREAS, a Certificate of Availability of Funds has been provided to the Township Clerk by the Chief Financial Officer of this Township, certifying that the funds for said contract are available in the following account:                                   OPEN SPACE TRUST.

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

1. That the subject contract be awarded pursuant to a fair and open process to Hatch Mott MacDonald, 27 Bleeker Street, Millburn, NJ 07041-1008, in an amount not to exceed \$3,800.00.
2. The Mayor and Clerk of this Township be and are hereby authorized and directed to execute the contract and all other necessary documents in order to effectuate the purpose of this resolution.
3. That the Certificate of Availability of Funds supplied by the Chief Financial Officer of this Township shall be attached to a copy of this resolution and kept on file in the Office of the Municipal Clerk.
4. 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

- - -

**192-09 AUTHORIZING SUBMISSION OF AN APPLICATION FOR MUNICIPAL ALLIANCE GRANT FOR THE YEAR 2010 IN THE AMOUNT OF \$88,158**

WHEREAS, the Township Committee of the Township of Morris, County of Morris, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and

WHEREAS, the Township Committee further recognizes that it is incumbent upon not only public official but upon the entire community to take action to prevent such abuses in our community; and

NOW, THEREFORE, BE IT RESOLVED by the Township of Morris, County of Morris, State of New Jersey hereby recognizes the following:

1. The Township Committee does hereby authorize submission of an application for the Morris Township/Morristown Joint Municipal Alliance grant for the calendar year 2010 in the amount of \$88,158.00.

**TOWNSHIP COMMITTEE MEETING  
REGULAR MEETING  
OCTOBER 21, 2009 PAGE 13**

**RESOLUTIONS (CONTINUED)**

**192-09 AUTHORIZING SUBMISSION OF AN APPLICATION FOR MUNICIPAL ALLIANCE GRANT FOR THE YEAR 2010 IN THE AMOUNT OF \$88,158 (CONTINUED)**

2. The Township Committee acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

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

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**193-09 REQUESTING THE MORRIS COUNTY BOARD OF CHOSEN FREEHOLDERS TO REDUCE THE SPEED LIMIT ON MENDHAM ROAD/ROUTE 124, FROM 45 MPH TO 35 MPH**

BE IT HEREBY RESOLVED by the Township Committee of the Township of Morris, Morris County, New Jersey that the Morris County Board of Chosen Freeholders are hereby requested to reduce the speed limit on Mendham Road/Route 124 from Lewis Morris Park to Picatinny Road from 45 MPH to 35 MPH.

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

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**194-09 RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MORRIS RE: TIFFANY'S RESTAURANT - LICENSE NO. 1422-36-011-004**

WHEREAS, the Township of Morris did prefer certain charges against the above licensee alleging that the licensee suffered or permitted the sale of alcohol to a person actually or apparently intoxicated ( NJAC 13:2-23.1 b); and

WHEREAS, the Township did hold a hearing thereon on October 21, 2009; and

WHEREAS, the licensee did enter a plea of guilty to the violation as alleged; and

WHEREAS, after due deliberation, the Township Committee did enter a finding of violation.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Township of Morris that the penalty hereby levied shall be a suspension of license for a period of fifteen (15) days, said suspension to commence no later than thirty days from the date hereof unless the licensee shall have sooner applied to the Division of Alcoholic Beverage Control for a fine in lieu of suspension, said application to be made within ten days.

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

\* \* \*

**TOWNSHIP COMMITTEE MEETING  
REGULAR MEETING  
OCTOBER 21, 2009 PAGE 14**

**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:

Dr. Douglas Munch, 8 Indian Head Road - speed on Route 24 west bound - petition, copy to Committee.

Mr. Andrew Beavis, 10 Indian Head Road - speed reduction and dangerous intersection.

Mrs. Susan Young, 35 School House Lane - speed Route 24, Mendham Road.

Mr. Jacob Varsano, 223 Mendham Road - speed Route 24, Mendham Road, speed limit reduction.

Mr. Mark Livingston, 213 Mendham Road - speed reduction to 35 MPH.

Mr. Tunde Czirok, 18 Indian Head Road - speed reduction.

Mrs. Arlene Lipsman, 3 Victoria Lane - water problem - requested Township to consider installation of drainage.

Mr. Lee Goldberg, 10 Arrowhead Road - Mill Road - Woodland Avenue resolution; new fire equipment; Route 24 speed reduction.

Mr. John Storey, 8 Doe Hill Road - Route 24 speed reduction- speed reduction on Whitehead Road.

Mrs. Linda Omaggio, 3 Colonel Evans Drive - thanked Committee for helping with Morris Minute Men donation drive.

Mr. Joseph Fiori, 11 Indian Head Road - 24 speed reduction.

Mr. Joseph Prestifilippo, 24 Indian Head Road - speed reduction.

\* \* \*

**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 permission to the Morris County Golf Club to hold fireworks on their property on November 7, 2009. Approval of the Fire Chief and the filing of a Certificate of Insurance, with a hold harmless clause, naming the Township as an additional insured is completed, but they need to advise the neighbors of this event.

2. Approved the following for a license as Operator For A Vehicle For Hire:

Amanda Wills, 100 Seward Street, Apartment A16, Rockaway, NJ 07866.  
driver for Terry's Taxi;

Phillip Heron, 5 Carlton Street, Morristown, NJ 07960, driver for J&J Taxi.

3. Approved, in accordance with a memo dated October 14, 2009 from Craig Goss, Fire Chief, the application of Patrick E. O'Shea, 86 Fairchild Avenue, Morris Plains as a volunteer fireman for the Township Fire Department (Fairchild Fire Company).

4. Approved, in accordance with a memo dated October 14, 2009 from Craig Goss, Fire Chief, the application of Matthew A. Kaufhold, 139 Western Avenue, Morristown as a volunteer fireman for the Township Fire Department (Hillside Fire Company).

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

**CONSENT CALENDAR (CONTINUED)**

5. Approved, in accordance with a memo dated October 15, 2009 from Craig Goss, Fire Chief, the application of Brian T. Kozub, 443 Mt. Kemble Avenue, Morristown as a volunteer fireman for the Township Fire Department (Mt. Kemble Fire Company).
6. Granted permission to Open Road Nissan of Morristown to install a 12' x 12' tent for their National Tent Event from October 1 to November 2, 2009. A Fire Permit has been issued by the Fire Marshall Duffy.
7. Permission has been granted by the Township Committee, Special Projects Coordinator to Morristown Beard School to install temporary lighting on their property each Wednesday and Friday from 6:00 P.M. to 9:00 P.M. beginning October 2, and Tuesdays through Friday from 6:00 P.M. to 9:00 P.M. in November, concluding November 27, 2009, with the condition they notify the residents of the area who may be affected by the lighting.

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

\* \* \*

**MATTERS OF OTHER BUSINESS**

NONE

**MATTERS RECEIVED FOR THE RECORD**

NONE

**TOWNSHIP COMMITTEE MEMBERS COMMENTS/QUESTIONS**

**MR. CAFFREY**

1. Spoke with neighbor Collinsville Fire House regarding cell tower, contacted the FAA regarding colors of tower received approval to paint below tree line another color, vendor to pay for repainting.
2. Leaf collection - not in street or storm drains.
3. Indian Head Road is a challenge - support working to reduce speed.

**MR. GOLDBERG**

1. Flu shots on October 8 and 14, 2009 were efficiently run by the Health Department.
2. Attended the Washington Valley Pancake Breakfast. Attended Fire Department Inspection Night. Thanks to volunteers.

**TOWNSHIP COMMITTEE MEETING  
REGULAR MEETING  
OCTOBER 21, 2009 PAGE 16**

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

**MR. GOLDBERG (CONTINUED)**

3. Attended Green Table at Frelinghuysen Arboretum ballot question #1 to protect farmland.
4. Leaf collection - leaves not in street, 10' from culverts, keep leaves out of storm drains.

**MR. GRAYZEL**

1. Attended Fire Department Inspection Night - thanked all the dedicated volunteers.
2. Meeting Emergency Management, Planning Board (all emergency services); attended OEM Meeting in Morris Township; operation "Medicine Cabinet" - \$25,000 grant received by the Township.
3. Halloween Mischief Night - police will have extra patrols.
4. Citizen Service Act - glad it passed - need to be proactive. Hope residents take advantage.
5. Pay-to-Play Ordinance - regarding political contribution - public contracting reform - public hearing will be December 16, 2009.

**MR. SNYDER**

1. Indian Head Road residents - speeding is an issue - appreciate the Police Chief and patrol will try to solve the problem.

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

1. Veterans Day ceremony at Township Hall on November 11, 2009.
2. Presentation to the County Open Space in reference to the 3 acre parcel on Mendham Road and will know if the County will award funds; storage POD units should be on a temporary basis. POD are becoming a problem. Mr. Mills to look into.
3. Will continue to encourage volunteers to Morris Township - Linda Omaggio, President of the Morris Minute Men, thanked Linda.
4. Tipping fees for garbage dumping increased by 4%, encourage recycling.

\* \* \*

**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:

**TOWNSHIP COMMITTEE MEETING  
REGULAR MEETING  
OCTOBER 21, 2009 PAGE 17**

**CONSIDERATION OF MONTHLY REPORTS (CONTINUED)**

SEPTEMBER 2009  
TAX COLLECTOR

FIRE COMMITTEE, FAIRCHILD FIRE CO.

Engine #404 - what is the appreciated level fire equipment has to have - conduit survey with other communities - their equipment to have population and square milage. Chief Goss to respond to Committee on vocabulary letter. Mr. Kenny to conduct survey.

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 October 21, 2009 \$12,884,544.29

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 \$12,884,544.29 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

\* \* \*

**ADJOURNMENT**

At 10:10 P.M the following resolutions were adopted (5-0):

**192-09 AUTHORIZING SUBMISSION OF AN APPLICATION FOR MUNICIPAL ALLIANCE GRANT FOR THE YEAR 2010 IN THE AMOUNT OF \$88,158**

**193-09 REQUESTING THE MORRIS COUNTY BOARD OF CHOSEN FREEHOLDERS TO REDUCE THE SPEED LIMIT ON MENDHAM ROAD/ROUTE 124, FROM 45 MPH TO 35 MPH (CONTINUED)**

**194-09 RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MORRIS RE: TIFFANY'S RESTAURANT - LICENSE NO. 1422-36-011-004**

**TOWNSHIP COMMITTEE MEETING  
REGULAR MEETING  
OCTOBER 21, 2009 PAGE 18**

Thereafter with no further business to be considered, on motion duly made, seconded and unanimously (5-0) adopted, the meeting was adjourned at 10:14 P.M., next to convene at the 6:00 P.M., November 12, 2009, Closed Meeting, in the Municipal Building, 50 Woodland Avenue, Township of Morris.

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CATHLEEN AMELIO  
TOWNSHIP CLERK

DATED: NOVEMBER 4, 2009