

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

CALL TO ORDER

The July 15, 2009 Special Meeting was called to order by Mayor H. Scott Rosenbush, 6:00 P.M., in the Municipal Building, 50 Woodland Avenue, Morris Township, New Jersey.

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ATTENDANCES

**ELECTED OFFICERS
GOVERNING BODY**

Mayor H. Scott Rosenbush
Township Committee Member Daniel W. Caffrey
Township Committee Member Ronald M. Goldberg
Township Committee Member Jeffrey R. Grayzel
Township Committee Member Raymond L. Snyder

APPOINTED OFFICERS

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

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PLEDGE OF ALLEGIANCE

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

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

Mayor Rosenbush issued the following statement of adequate notice:

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

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

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SPEAKER'S TIME LIMITATION

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

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RESOLUTIONS

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

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

WHEREAS, this meeting is a duly and properly called meeting of the Township Committee of the Township of Morris and adequate notice has been given as required by the "Open Public Meetings Act", and

WHEREAS, it is now necessary that this Governing Body consider matters involving "Legal and Personnel Matters", exceptions in the "Open Public Meetings Act", and which this Governing Body determines should be discussed at a "Closed Meeting".

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

That this body shall conduct a "Closed Meeting" concerning the above-expected matters, which are exceptions set forth in the said act, and upon which a public disclosure will be made as

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RESOLUTIONS (CONTINUED)

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

expeditiously as possible; said meeting to be held during a recess of this Regular Meeting at the Municipal Building, 50 Woodland Avenue.

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

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

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

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

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

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

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

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RESOLUTIONS (CONTINUED)

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

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

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

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ADJOURNMENT

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

CATHLEEN AMELIO, TOWNSHIP CLERK

DATED: JULY 31, 2009