

TOWNSHIP OF MORRIS

50 WOODLAND AVENUE
PO BOX 7603
CONVENT STATION, NEW JERSEY 07961-7603
FAX NO. (973) 605-8363
WWW.MORRISTWP.COM

CATHLEEN AMELIO, RMC
TOWNSHIP CLERK
(973) 326-7430

RESOLUTION NO. 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

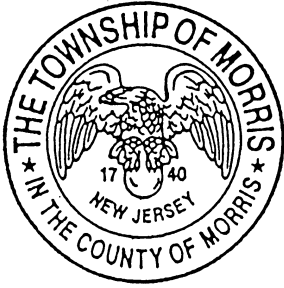
WHEREAS, it is now necessary that this Governing Body consider matters involving "Legal and Personnel Matters", exceptions in the "Open Public Meetings Act", and which this Governing Body determines should be discussed at a "Closed Meeting".

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.

I, Cathleen Amelio, Township Clerk of the Township of Morris, Morris County, New Jersey do hereby certify that the forgoing is a true copy of a resolution adopted by the Governing Body at a duly authorized meeting held on October 21, 2009.

Cathleen Amelio, Township Clerk
Township of Morris, County of Morris
State of New Jersey



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RESOLUTION NO. 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.

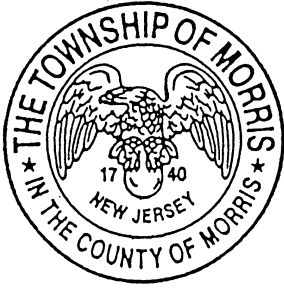
NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Morris, formally approves the grant application for the above stated project.

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.

I, Cathleen Amelio, Township Clerk of the Township of Morris, Morris County, New Jersey, do hereby certify that the foregoing is a true copy of a resolution adopted by the Governing Body at a duly authorized meeting held on October 21, 2009.

Cathleen Amelio, Township Clerk
Township of Morris, County of Morris
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CATHLEEN AMELIO, RMC
TOWNSHIP CLERK
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RESOLUTION NO. 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.

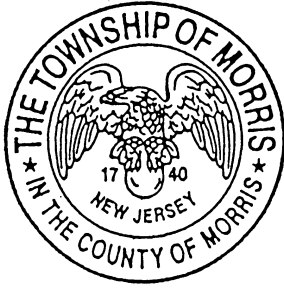
NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Morris, formally approves the grant application for the above stated project.

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.

I, Cathleen Amelio, Township Clerk of the Township of Morris, Morris County, New Jersey, do hereby certify that the foregoing is a true copy of a resolution adopted by the Governing Body at a duly authorized meeting held on October 21, 2009.

Cathleen Amelio, Township Clerk
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RESOLUTION NO. 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:

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.

I, Cathleen Amelio, Township Clerk of the Township of Morris, Morris County, New Jersey do hereby certify that the foregoing is a true copy of a resolution adopted by the Governing Body at a duly authorized meeting held on October 21, 2009.

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RESOLUTION NO. 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

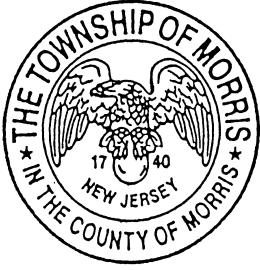
WHEREAS, in a concurring opinion it was stated that the Legislature may need to act to correct the apparent conflict between the concept of "inherently beneficial uses" under the Municipal Land Use Law and the Fair Housing Act.

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.

I, Cathleen Amelio, Township Clerk of the Township of Morris, Morris County, New Jersey do hereby certify that the foregoing is a true copy of a resolution adopted by the Governing Body at a duly authorized meeting held on October 21, 2009.

Cathleen Amelio, Township Clerk
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RESOLUTION NO. 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.

I, Cathleen Amelio, Township Clerk of the Township of Morris, Morris County, New Jersey do hereby certify that the foregoing is a true copy of a resolution adopted by the Governing Body at a duly authorized meeting held on October 21, 2009.

Cathleen Amelio, Township Clerk
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RESOLUTION NO. 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

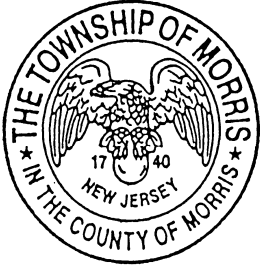
WHEREAS, the Township Engineer has certified this escrow account may now be released.

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:

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

I, Cathleen Amelio, Township Clerk of the Township of Morris, Morris County, New Jersey do hereby certify that the foregoing is a true copy of a resolution adopted by the Governing Body at a duly authorized meeting held on October 21, 2009.

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RESOLUTION NO. 188-09

AUTHORIZING AWARD OF A NONFAIR AND OPEN CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES TO CREW ENGINEERS INC., 1250 ROUTE 23 NORTH, BUTLER, NJ 07405 FOR ADDITIONAL SURVEYING AND ENGINEERING SERVICES FOR THE EGBERT HILL AREA SEWER EXPANSION PROJECT, IN AN AMOUNT NOT TO EXCEED \$8,026.00

WHEREAS, the Township of Morris has a need to acquire services of a professional engineering firm for purposes of designing the Egbert Hill Area Sewer Expansion Project as a nonfair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; 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, Crew Engineers, Inc., 1250 Route 23 North, Butler, NJ 07405, has submitted a proposal dated January 13, 2009 (and revised July 27, 2009) indicating they will provide the professional engineering services for \$8,026.00 for the Mendham Avenue and Scherzer Way Areas; and

WHEREAS, the Chief Financial Officer of the Township of Morris has filed a certificate of availability of funds stating that funds are available in S-06-55-512-001 in the amount of \$8,026.00.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Township of Morris hereby awards a contract to Crew Engineers, Inc. for the provision of professional engineering services for the purpose of additional surveying and engineering services for the Egbert Hill Area Sewer Expansion Project for a fee not to exceed \$8,026.00 and the Mayor and Township Clerk are authorized to execute same.

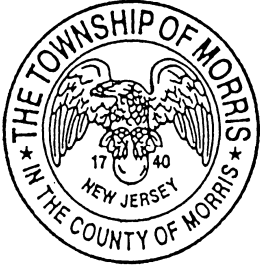
BE IT FURTHER RESOLVED that the certificate of availability of funds is attached to this resolution and is filed in the Township Clerk's office; and,

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

I, Cathleen Amelio, Township Clerk of the Township of Morris, Morris County, New Jersey do hereby certify that the forgoing is a true copy of a resolution adopted by the Governing Body at a duly authorized meeting held on October 21, 2009.

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RESOLUTION NO. 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

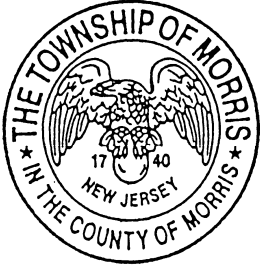
WHEREAS, the County of Morris has agreed to make available to the Township of Morris its Mobile Data Terminal System at a cost of \$1.00.

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.

I, Cathleen Amelio, Township Clerk of the Township of Morris, Morris County, New Jersey do hereby certify that the forgoing is a true copy of a resolution adopted by the Governing Body at a duly authorized meeting held on October 21, 2009.

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RESOLUTION NO. 190-09

DECLARING FEBRUARY 15, 2010 AS A HOLIDAY, NAMELY, WASHINGTON'S BIRTHDAY.

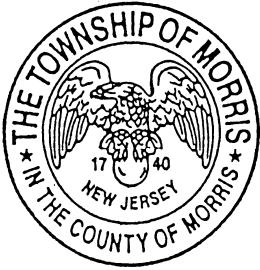
WHEREAS, by ordinance the Township of Morris has created a list of annual holidays that will be observed by the Township, and

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.

I, Cathleen Amelio, Township Clerk of the Township of Morris, Morris County, New Jersey do hereby certify that the forgoing is a true copy of a resolution adopted by the Governing Body at a duly authorized meeting held on October 21, 2009.

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RESOLUTION NO. 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 CAPITAL IMPROVEMENT 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.

I, Cathleen Amelio, Township Clerk of the Township of Morris, Morris County, New Jersey do hereby certify that the forgoing is a true copy of a resolution adopted by the Governing Body at a duly authorized meeting held on October 21, 2009.

Cathleen Amelio, Township Clerk
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