

**TOWNSHIP OF MORRIS  
BOARD OF ADJUSTMENT  
REORGANIZATION AND  
REGULAR MEETING MINUTES  
JANUARY 22, 2018**

Call to Order

The re-organization and regular meeting of the Township of Morris Board of Adjustment was called to order on Monday evening, January 22, 2018, at 7:30 P.M. in the Municipal Building, 50 Woodland Avenue, Township of Morris.

Statement of Adequate Notice

Sonia Santiago issued the following:

"I hereby announce and state that adequate notice of this meeting was provided by the Secretary of this Board of Adjustment by preparing a notice dated January 16, 2018 specifying the time, date and place of this meeting, posting such notice on the bulletin board in the Municipal Building; filing said notice with the Clerk of the Township of Morris; forwarding the notice to the Morris County Daily Record and the Morris News Bee, and forwarding, by mail, the said notice to all persons on the request list, and I hereby hand a copy of such notice to the Secretary of the Board of Adjustment for inclusion in the minutes of this meeting, all of the above actions being in accordance with N.J.S.A. 10:4-6, et seq., Open Public Meetings Act."

The Pledge of Allegiance was led by Ms. Sonia Santiago, Board Secretary

Roll call of Board Members and Professionals

Members Present

Mr. Timothy Kronk  
Ms. Kathleen Kalaher  
Ms. Joen Luy Ferrari  
Mr. Paul Woodford  
Mr. John Christensen  
Ms. Louise Johnson, Alternate #1  
Mr. Jeremiah Loughman, Alternate #2

Members Absent

Mr. Paul Staudt  
Mr. Donnell Williams

Also Present

Mr. Richard Oller, Board Attorney  
Mr. Paul Phillips, Township Planner  
Mr. James Slate, Township Engineer  
Ms. Sonia Santiago, Board Secretary

Reorganization

Oath of Allegiance and Oath of Office administered by Mr. Rich Oller, Esquire to the following members:

- Ms. Louise Johnson, Alt. 1
- Mr. Jeremiah Loughman, Alt. 2

Sonia Santiago asked for nominations for Chairperson for the year 2018. Mr. Woodford nominated Mr. Kronk as chairperson; no other nominations were made, seconded by Ms. Kalaher and unanimously carried, Mr. Kronk was elected Chairperson for the Board.

Mr. Kronk asked for a nomination for Vice-Chairman for the year 2018 Ms. Kalaher nominated Mr. Woodford with no other nominations to be heard, Ms. Ferrari second and unanimously carried, Mr. Woodford was elected Vice Chairman for the year 2018.

Mr. Kronk asked for a motion to adopt the resolution naming Mr. Richard Oller, Esquire as Board Legal Counsel, for the year 2018; Ms. Kalaher made a motion to accept the resolution, seconded by Ms. Ferrari and unanimously carried, the resolution was adopted as presented.

### **DESIGNATION OF BOARD LEGAL COUNSEL**

**WHEREAS**, the Board of Adjustment of the Township of Morris has need for the professional services of Legal Counsel; and

**WHEREAS**, the practice of law is a recognized profession, regulated by law requiring extensive and specialized training and as such is an exception to the bidding requirements set forth in N.J.S.A. 40A:11-5 et. seq.; and

**WHEREAS**, the anticipated term of this contract is one year; and

**WHEREAS**, Richard Oller, Esq. of the firm OLLER AND BRESLIN, LLC has completed and submitted a business entity disclosure certification which certifies that OLLER AND BRESLIN has not made any reportable contributions to a political or candidate committee in the Township of Morris in the previous one year, and that the contract will prohibit OLLER AND BRESLIN from making any reportable contributions through the term of the contract; and

**WHEREAS**, the Chief Financial Officer of the Township of Morris has filed a certificate of availability of funds in the amount of \$4,000.00;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Adjustment of the Township of Morris, Morris County, New Jersey, that the Chairman and Board Secretary are authorized to enter into an agreement dated January 22, 2018, for the period January 1, 2018 to December 31, 2018 to engage Richard Oller, Esq., as legal counsel at the rate of \$150.00 per hour with a minimum of \$225.00 for attendance at regular and special meetings of the Board. The total to be paid shall not exceed \$4,000.00 to be charged to the Board of Adjustment, Other Expense budget.

**BE IT FURTHER RESOLVED** that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

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

Mr. Kronk asked for a motion to adopt the resolution naming Mr. Paul Phillips as the Board Planning Consultant for the year 2018; Mr. Woodford made a motion to accept the resolution, seconded by Mr. Christensen and unanimously carried, the resolution was adopted as presented.

**DESIGNATION OF BOARD PLANNING CONSULTANT**

**WHEREAS**, the Board of Adjustment of the Township of Morris has need for the professional services of a Planning Consultant; and

**WHEREAS**, the practice of land use planning is a recognized profession, regulated by law requiring extensive and specialized training and as such is an exception to the bidding requirements set forth in N.J.S.A. 40A:11-5 et. seq.; and,

**WHEREAS**, the anticipated term of this contract is one year, and

**WHEREAS**, Paul A. Phillips, AICP/P.P of the firm Phillips, Preiss Grygiel, LLC has completed and submitted a business entity disclosure certification which certifies that Phillips Preiss Grygiel LLC has not make 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 Paul A. Phillips, from making any reportable contributions through the term of the contract, and

**WHEREAS**, the Chief Financial Officer of the Township of Morris has filed a certificate of availability of funds in the amount of \$1,000.00;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Adjustment of the Township of Morris, Morris County, New Jersey that the Chairman and Board Secretary are authorized to enter into an agreement, dated January 22, 2018, for the period January 1, 2018 to December 31, 2018, with Paul A. Phillips, AICP/P.P. of Phillips Preiss Grygiel LLC at the rate of \$150.00 per hour with a minimum of \$225.00 for attendance at regular and special meetings of the board. The total expenditure shall not exceed \$1,000.00 to be charged to the Board of Adjustment, Other Expense budget.

**BE IT FURTHER RESOLVED** that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

Mr. Kronk asked for a motion to adopt the following resolution naming Mr. Ronald Graiff as the Radio Frequency Consultant, for the year 2018; Mr. Woodford made a motion to accept the resolution, seconded by Ms. Ferrari and unanimously carried, the resolution was adopted as presented.

**RADIO FREQUENCY CONSULTANT – RONALD E. GRAIFF, P.E.**

**WHEREAS**, the Township of Morris Board of Adjustment has need for the professional services of a Radio Frequency Engineer; and

**WHEREAS**, this practice 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**, charges incurred at the rate of \$ 250.00 per hour will be billed solely to the developers escrow account;

**NOW, THEREFORE, BE IT RESOLVED** by the Township of Morris Board of Adjustment that Mr. Ronald E. Graiff, PE be hired as a consultant to the Board of Adjustment to particularly discuss the Wireless site plan applications with the Board, applicant's and professionals to clarify certain issues and concerns of the Board. His appearance before the Board may be required in connection with this consultation.

**BE IT FURTHER RESOLVED** that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

**Professional Appointments**

On motion duly made by Ms. Kalaher, seconded by Ms. Ferrari and unanimously carried, the following professionals were appointed for the year 2018.

- Board Engineer – James R. Slate, P.E.
- Alternate Board Engineer - David Hansen, P.E.
- Alternate Board Engineer - Bernard G. Senger III, P.E.
- Board Secretary – Sonia Santiago

On motion made by Mr. Kronk, seconded by Ms. Kalaher and unanimously carried, Mr. Woodford was appointed as the Board designee to the Open Space Committee.

On motion duly made by Mr. Woodford, seconded by Ms. Kalaher and unanimously carried, the following resolutions were adopted setting meeting dates for the year 2018 / January 2019 and designating the newspapers for the year 2018.

**NOTICE OF SCHEDULED MEETINGS  
FOR THE YEAR 2018 AND JANUARY 2019**

**BE IT RESOLVED**, that the Board of Adjustment of the Township of Morris, County of Morris, State of New Jersey, will meet to consider and act upon public business at 7:30 P.M., prevailing time, on each of the dates set forth below, for the year 2018, in the Municipal Building, 50 Woodland Avenue, Township of Morris, New Jersey:

- January 22<sup>nd</sup>, 2018**
- February 26<sup>th</sup>**
- March 26<sup>th</sup>**
- April 23<sup>rd</sup>**
- May 21<sup>st</sup>**
- June 25<sup>th</sup>**
- July 23<sup>rd</sup>**
- August 27<sup>th</sup>**
- September 24<sup>th</sup>**
- October 22<sup>nd</sup>**
- November 26<sup>th</sup>**
- December 10<sup>th</sup>**
- January 28<sup>th</sup>, 2019**

**BE IT FURTHER RESOLVED** that additional meetings, if required, will be at the call of the Chairman with the proper notification, and

**BE IT FURTHER RESOLVED** that the Secretary is authorized and directed to:

- a.) Post said meeting schedule and maintain the same posted throughout the year 2018 on the bulletin board in the Municipal Building of the Township of Morris on Woodland Avenue;
- b.) Mail a copy of same to the Morris County Daily Record, the Morris News Bee and the Star Ledger.

**DESIGNATION OF OFFICIAL NEWSPAPERS**

**WHEREAS**, Chapter 231 of the Public Laws of the State of New Jersey for 1975 (N.J.S.A. 10:4-6 to 10:4-21) known as the “Open Public Meetings Act”, requires adequate notice of meetings of public bodies, as therein defined, and in the manner therein set forth, and prescribed certain other procedures to be followed by such bodies.

**BE IT HEREBY RESOLVED** by the Board of Adjustment of the Township of Morris, Morris County, New Jersey, this 22<sup>nd</sup> day of January 2018, as follows:

1. The Morris County Daily Record is the official paper of the Board of Adjustment (as an alternate, the Morris News Bee or the Star Ledger) and is hereby designated as the newspaper to receive notice of meetings as required by any and all sections of the Open Public Meetings Act, said newspapers are most likely to inform the local public of such meetings.
2. The location of posting of notice of meetings shall be the bulletin board in the Municipal Building of the Township of Morris, located at 50 Woodland Avenue, where notices of this kind are normally posted.

### **Regular Meeting**

Consideration for approval of minutes of the December 11, 2017 regular meeting.

On motion duly made by Mr. Woodford, seconded by Mr. Christensen, and unanimously carried, the minutes of the December 11, 2017 meeting were approved as circulated and placed on file in the office of the Board of Adjustment.

### **Other Matters**

- 2017 Annual Report – Mr. Kronk reviewed the report with the Board a discussion was carried regarding the amount of applications received and applications disposed for the year a minor typo was corrected with no other comments or recommendations from the Board.

On a motion duly made by Ms. Ferrari and seconded by Mr. Woodford and unanimously carried the annual report is adopted and the Board secretary was directed to distribute to the Planning Board and Township Committee for consideration.

With no further business for consideration by the Township of Morris Board of Adjustment, on motion duly made, seconded and unanimously carried, the meeting was adjourned at 7:53 P.M.

Respectfully submitted,

  
Sonia Santiago, Secretary  
Township of Morris Board of Adjustment  
Approved: March 26, 2018