

**TOWNSHIP OF MORRIS  
REGULAR MEETING  
MARCH 18, 2009 – 8:00 P.M.**

**AGENDA**

**CALL TO ORDER (ATTENDANCE NOTED)**

(MAYOR)

**PLEDGE OF ALLEGIANCE**

(MAYOR)

**PRESIDING OFFICER'S STATEMENT RE: OPMA**

(MAYOR)

**APPROVAL OF MINUTES**

NONE

**PRESENTATION BY "WHEATSHEAF BY FENIX, LLC" REGARDING  
STATUS OF PROJECT KAHDNA ROAD AND DEBORAH DRIVE**

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

(ATTORNEY)

**2-09** AN ORDINANCE AMENDING CHAPTER 49 OF THE CODE OF THE TOWNSHIP OF MORRIS ENTITLED "FIRE PREVENTION"

**3-09** AN ORDINANCE AMENDING CHAPTER 88 OF THE CODE OF THE TOWNSHIP OF MORRIS ENTITLED 'VEHICLES AND TRAFFIC, ARTICLE X, SECTION 88-10.2 AND SCHEDULE XX STOP INTERSECTIONS'

**4-09** AN ORDINANCE AMENDING CHAPTER 11 OF THE CODE OF THE TOWNSHIP OF MORRIS ENTITLED, FIRE DEPARTMENT, PART 2, "VOLUNTEER FIRE FIGHTER INCENTIVE PROGRAM, ARTICLE III, ESTABLISHMENT AND SPECIFICATIONS"

**6-09** ORDINANCE OF THE TOWNSHIP OF MORRIS AMENDING §95-6 ZONING MAP, §95-25 I-21 INDUSTRIAL ZONE AND §57-3 DEFINITIONS AND WORD USAGE  
**(TO BE CONTINUED TO THE APRIL 15, 2009 MEETING DUE TO LACK OF NOTICE)**

**ORDINANCES – INTRODUCTION**

(ATTORNEY)

NONE

**REPORT OF BID RECEIPT COMMITTEE**

OTE: 2009-1 - DRAINAGE, SIDEWALKS & CURBS AT VARIOUS LOCATIONS IMPROVEMENTS;

OTE: 2009-3 - GINTY FIELD & POLICE DEPARTMENT IMPROVEMENT PROJECT;

OTE: 2009-4 - STREETER SWIMMING POOL FILTRATION, RECIRCULATION,  
CONTROL & CHEMICAL EQUIPMENT;

OTE: 2009-5 - INFORMATION TECHNOLOGY (IT) SUPPORT SERVICES;

OTE: 2009-6 - 2009 SEASONAL LEASE OF CONCESSION STAND AT GINTY POOL;

OTE: 2009-7 - 2009 SEASONAL ICE CREAM MOBILE VENDOR SERVICES;

OTE: 2009-8 - 2009 MOBILE FOOD VENDOR SERVICES FOR STREETER POOL.

**RESOLUTIONS**

(ATTORNEY)

**60-09** RE: AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE AN AGREEMENT FOR RISK MANAGEMENT SERVICES WITH RICHARD ALLOCCA OF ADVENT INSURANCE SERVICES RELATIVE TO THE NEW JERSEY JOINT INSURANCE FUND.

**RESOLUTIONS (CONTINUED)**

**(ATTORNEY)**

- 61-09** AGREEMENT FOR THE PROVISION OF RECYCLING SERVICES – FIRST OCCUPATIONAL RECYCLING AND WASTE, INC., 391 LAKESIDE AVENUE, ORANGE, NJ 07050 – 4 CREWS - 2 MEN PER CREW AT \$420.00 PER DAY X 27 WEEKS - NTE \$45,360.00.
  
- 62-09** AUTHORIZING AWARD OF A NON-FAIR AND OPEN CONTRACT FOR LEGAL COUNSEL FOR TAX APPEALS TO NOWELL AMOROSO KLEIN BIERMAN, P.A., 155 POLIFLY ROAD, HACKENSACK, NJ 07601., NOT TO EXCEED \$30,000. (JOHN LLOYD).
  
- 63-09** AUTHORIZING REFUND OF MONIES DUE TO TAX OVERPAYMENTS (6-\$383,002.32) & SEWER OVERPAYMENT (1- \$245.00).
  
- 64-09** RESOLUTION RELEASING PERFORMANCE BOND #07-2823PP TO T. SLACK ENVIRONMENTAL SERVICES, INC. - OTE: 2007-6 GREGORY AVENUE PUMPING STATION UPGRADE PROJECT AND THE ACCEPTANCE OF ONE (1) YEAR MAINTENANCE BOND 09-0593-MN IN THE AMOUNT OF \$213,035.62.
  
- 65-09** RE: CONSENTING TO THE APPLICATION FOR WATER SERVICE OUTSIDE THE DISTRICT OF THE SOUTHEAST MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY
 

<u>MUNICIPALITY</u>	<u>BLOCK</u>	<u>LOT</u>	<u>STREET</u>
Harding Township	19	5	James Street & Sand Spring Lane
	22	3.02, 4, 4.03, 4.04, 5	
  
- 66-09** AUTHORIZING AWARD OF A PROFESSIONAL SERVICES AGREEMENT TO COFFEY AND ASSOCIATES, COUNSELLORS AT LAW, 465 SOUTH STREET, MORRISTOWN, NJ 07960 FOR SPECIAL LEGAL COUNSEL REGARDING PARTICIPATION IN THE JOINT DEFENSE GROUP FOR THE COMBE LANDFILL SOUTH LITIGATION AND SHARKEY’S LANDFILL FOR CALENDAR YEAR 2009, NOT TO EXCEED \$15,000.00.
  
- 67-09** AUTHORIZING THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MORRIS TO ENTER INTO LEASE AGREEMENT FOR THE USE OF MORRIS TOWNSHIP SWIMMING POOLS - LAKELAND HILLS YMCA.
  
- 68-09** AUTHORIZING AWARD OF A FAIR AND OPEN CONTRACT FOR BID OTE: 2009-8 - 2009 MOBILE FOOD VENDOR SERVICES AT STREETER POOL TO RAINBOW FOOD SERVICE, 3 SOUTH GREY ROCK AVENUE, LITTLE FALLS, NJ 07424 IN THE AMOUNT OF FIFTEEN PERCENT OF GROSS SALES FOR THE 2009 SWIM POOL SEASON EFFECTIVE JUNE 6, 2009 THROUGH SEPTEMBER 7, 2009.
  
- 69-09** **AUTHORIZING AWARD OF A FAIR AND OPEN CONTRACT FOR BID OTE: 2009-1 - DRAINAGE, SIDEWALKS & CURBS AT VARIOUS LOCATIONS IMPROVEMENTS - TO CROSS ROAD CONSTRUCTION CORP., 312 EMMETT STREET, NEWARK, NJ 07105 IN AN AMOUNT NOT TO EXCEED \$778,495.00.**
  
- 70-09** RESOLUTION RE: SALE OF PERSONAL PROPERTY.
  
- 71-09** **AUTHORIZING AWARD OF A FAIR AND OPEN CONTRACT FOR BID OTE: 2009-3 - GINTY FIELD AND POLICE DEPARTMENT IMPROVEMENT PROJECT - TO JENICAR BUILDERS CONTRACTORS CO., INC., 573 BELGROVE DRIVE, KEARNY, NJ 07032 IN AN AMOUNT NOT TO EXCEED \$241,858.27.**
  
- 72-09** AUTHORIZING THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MORRIS TO ENTER INTO LEASE AGREEMENT FOR THE USE OF MORRIS TOWNSHIP SWIMMING POOLS - MORRIS CENTER YMCA.
  
- 73-09** AUTHORIZING THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MORRIS TO ENTER INTO GROUP ADMISSION AGREEMENT FOR THE USE OF MORRIS TOWNSHIP SWIMMING POOLS - BRIGHT HORIZON-HONEYWELL CHILD DEVELOPMENT CENTER.

**AGENDA**

**74-09** AUTHORIZING THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MORRIS TO ENTER INTO GROUP ADMISSION AGREEMENT FOR THE USE OF MORRIS TOWNSHIP SWIMMING POOLS - SEATON HACKNEY FARMS - EQUISHARE USA.

**75-09** RESOLUTION REDUCING THE SITE RESTORATION BOND #5033201 TO \$100,000 FOR WHEATSHEAF BY FENIX, LLC SUBDIVISION, BLOCK 3103, LOTS 59 & 60, KAHDNA ROAD AND DEBORAH DRIVE.

**76-09** AUTHORIZING AWARD OF A FAIR AND OPEN CONTRACT FOR OTE: 2009-4 STREETER SWIMMING POOL FILTRATION, RECIRCULATION, CONTROL AND CHEMICAL EQUIPMENT TO RJR ENGINEERING CO., INC., 105 GUINEA HOLLOW ROAD, CALIFON, NJ 07830 IN THE AMOUNT OF \$192,770.

**77-09** IN MEMORIAM - JAMES F. O'KEEFE.

**78-09** IN MEMORIAM - LAWRENCE C. VITALE.

**79-09** AUTHORIZING AWARD OF A FAIR AND OPEN CONTRACT FOR BID OTE: 2009-6 - 2009 SEASONAL LEASE OF CONCESSION STAND AT GINTY POOL TO MICKEY'S SOFTEE, INC., 79 ROMAINE AVENUE, JERSEY CITY, NJ 07306 IN THE AMOUNT OF \$4,500 FOR THE 2009 SWIM POOL SEASON EFFECTIVE JUNE 6, 2009 THROUGH SEPTEMBER 7, 2009.

**80-09** AUTHORIZING AWARD OF A FAIR AND OPEN CONTRACT FOR BID OTE: 2009-07 - 2009 SEASONAL ICE CREAM MOBILE VENDOR SERVICES AT GINTY POOL AND STREETER POOL TO MICKEY'S SOFTEE, INC., 79 ROMAINE AVENUE, JERSEY CITY, NJ 07306 IN THE AMOUNT OF FIFTEEN PERCENT OF GROSS SALES FOR THE 2009 SWIM POOL SEASON EFFECTIVE JUNE 6, 2009 THROUGH SEPTEMBER 7, 2009.

**81-09** AUTHORIZING THE CONDUCTING OF A "CLOSED MEETING" AS DEFINED IN THE OPEN PUBLIC MEETINGS ACT CONCERNING "LEGAL AND PERSONNEL MATTERS.

**PUBLIC COMMENT/INQUIRY**

**GENERAL BUSINESS CORRESPONDENCE**

(CLERK)

A. CONSENT CALENDAR

(ATTACHMENT "A")

B. OTHER BUSINESS NOT LISTED ON CONSENT CALENDAR

(ATTACHMENT "B")

C. MATTERS RECEIVED FOR THE RECORD

(ATTACHMENT "C")

**COMMENTARY BY TOWNSHIP COMMITTEE**

**CONSIDERATION OF MONTHLY REPORTS**

FEBRUARY 2009

TAX COLLECTOR

**CLAIMS FOR PAYMENT - LIST OF BILLS AND VOUCHERS**

\$8,375,963.64

**RECESS MEETING – CONDUCT "CLOSED MEETING"**

**CALL TO ORDER - RESUMPTION OF MARCH 18, 2009 AGENDA**

**ADJOURNMENT** - NEXT TO CONVENE **AT 8:00 P.M.** ON **APRIL 15, 2009**  
IN THE MUNICIPAL BUILDING, 50 WOODLAND AVENUE.

**MARCH 18, 2009**

**CONSENT CALENDAR**

**ATTACHMENT "A" - PAGE 1**

1. Granted permission to Livingston High School to hold Project Graduation, an annual Road Rally on April 26, 2009 from 11 AM to 4 PM, using our municipal parking lot, subject to the filing of a Certificate of Insurance, and a Hold Harmless Clause, and the approval of the Police Chief and the Director of Parks and Recreation.
2. Granted permission to Morris Educational Foundation to hold a 5K Race on October 25, 2009 from 8:30 A.M. to 12:00 Noon, starting and ending at Ginty Field, subject to the filing of a Certificate of Insurance, and a Hold Harmless Clause, and the approval of the Police and Fire Chiefs, the Director of Parks and Recreation and the Board of Health.

**RECEIVED FOR THE RECORD**

**ATTACHMENT "B"**

1. Tax appeal filed with the County Board of Taxation for Block 7401, Lot 8, 105 Kitchell Road, owners: Anthony and Diann Haynes.
2. Petition of Appeal filed with the Morris County Board of Taxation for Block 9402, Lot 14, 1 Cromwell Drive, owner: Arne A. Kellstrom.
3. Petition of Appeal filed with the Morris County Board of Taxation for Block 5102, Lot 2, 17 Forest
4. Tax appeal filed with the Tax Court of New Jersey, Civil Action Complaint (Real Property Tax) Block 10104, Lot 1, 307 East Hanover Avenue, owner: M.T. Associates/YSI II, LLC.
5. Tax appeal filed with the Tax Court of New Jersey, Civil Action Complaint (Real Property Tax) for Block 5902, Lot 2, 63 Overlook Road, owners: Douglas Dethy and Marianne Kozlowski.