

**MINUTES OF REGULAR MEETING OF  
THE TOWNSHIP COMMITTEE HELD ON  
WEDNESDAY, OCTOBER 15, 2008, 8:00 P.M.**

**CALL TO ORDER**

The October 15, 2008 Regular Meeting was called to order by Deputy Mayor Richard A. Watson at 8:00 P.M., in the Municipal Building, 50 Woodland Avenue, Morris Township, New Jersey.

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**ATTENDANCES**

**ELECTED OFFICERS**

**GOVERNING BODY**

Richard A. Watson, Deputy Mayor  
Township Committee Member Ronald M. Goldberg  
Township Committee Member Jeffrey R. Grayzel  
Township Committee Member H. Scott Rosenbush

**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 Deputy Mayor Richard A. Watson

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

Deputy Mayor Watson 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 September 12, 2008 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**

Deputy Mayor Watson 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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**APPROVAL OF MINUTES**

At this time the Township Clerk presented for approval, the following minutes:

MAY 20, 2008 - SPECIAL  
AUGUST 20, 2008 - REGULAR - CLOSED  
SEPTEMBER 3, 2008 - SPECIAL  
OCTOBER 15, 2008 - REGULAR - CLOSED

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. GOLDBERG YES MR. ROSENBUSH YES  
MR. GRAYZEL YES DEPUTY MAYOR WATSON YES  
MAYOR NACE ABSENT

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**ORDINANCES - PUBLIC HEARING**

(ATTORNEY)

**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:

**33-08 – AN ORDINANCE AMENDING CHAPTER 88 ENTITLED VEHICLES AND TRAFFIC, ARTICLE II, SECTION 88-2.11, SCHEDULE IX NO PARKING (BISHOP COURT AND CANFIELD ROAD) INTRODUCED 9/17/08**

**BE IT HEREBY ORDAINED** by the Township Committee of the Township of Morris, they being the governing body thereof that the Code of the Township of Morris is hereby amended as follows:

**SECTION ONE:** The following article, section and schedule as designated in Chapter 88 of the Code of the Township of Morris are hereby amended as set forth below.

1. Article II, Section 88-2.1, Schedule IX: Time Limit Parking, Except Sundays and Holidays

<u>Name of Street</u>	<u>Side</u>	<u>Time Limit</u>	<u>Hours</u>	<u>Location</u>
Bishop Court	Both	2 Hours	8:00 AM – 6:00 PM	Entire length
Canfield Road	Both	2 Hours	8:00 AM – 6:00 PM	East end for 550 feet from Madison Avenue

**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.

PUBLIC COMMENT

NONE

COMMUNICATIONS OF RECORD

NONE

ROLL CALL: MR. GOLDBERG YES MR. ROSENBUSH YES  
MR. GRAYZEL YES DEPUTY MAYOR WATSON YES  
MAYOR NACE ABSENT

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**TOWNSHIP COMMITTEE MEETING  
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**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 October 15, 2008 meeting at 8:00 P.M.:

**34-08** – AMENDING ORDINANCE NO. 15-08 FOR THE PURPOSE OF **CORRECTING THE SALARY FOR A COMMUNICATIONS OFFICER CLASS 1 IN THE POLICE DEPARTMENT**

**BE IT HEREBY ORDAINED** by the Township Committee of the Township of Morris, they being the governing body thereof that Ordinance No. 15-08 is hereby amended as follows:

**SECTION ONE:** The following starting salary for a Communications Officer Class 1 in the Police Department shall be amended from \$34,374.00 to \$32,523.00.

**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.

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**35-08** – AN ORDINANCE **AMENDING CHAPTER 89** ENTITLED, "**VEHICLES TOWING AND STORAGE**" REGULATION TOW STORAGE YARDS FOR COMPANIES THAT DO NOT TOW FOR THE MORRIS TOWNSHIP POLICE BUT MAINTAIN A STORAGE YARD WITHIN THE TOWNSHIP OF MORRIS

**Chapter 89: VEHICLE TOWING AND STORAGE**

[HISTORY: Adopted by the Township Committee of the Township of Morris 2-16-2000 by Ord. No. 2-00. Amendments noted where applicable.]

**§ 89-1. Definitions.**

As used in this chapter, the following terms shall have the meanings indicated:

**ADMINISTRATIVE FEE** — A one time fee per vehicle for the purpose of compensating the licensee for inspecting the vehicle, allowing owners to retrieve personal property from the vehicle and for the preparation of additional paperwork beyond the initial towing bill.

**CRUISING** — The operation of a tow truck in and upon a roadway within the Township of Morris to solicit vehicle towing and/or storage business except in response to a police request.

**HEAVY DUTY** — A tow truck with dual wheels, capable of towing large trucks and shall meet the following minimum requires: G.V.W. - 30,000 lbs./G.C.W.R. 888 80,000 lbs./Boom rating - 50,000 lbs./Winch rating -50,000 lbs./Cable size and length \*\*\* 5/8" and 200'/Equipped with chassis lift/under-reach -Retracted rating 30,000 lbs. and Extended rating -15,000 lbs.

**LABOR** — The additional work done at the scene by the tow truck operator which is beyond that required to perform a basic tow or any additional man power needed to complete a recovery, winching or towing of a vehicle. Labor charged for additional man power shall be based on a per man, per hour basis.

**LEASE** — A vehicle leased by the licensee, through a leasing company, and showing the licensee on the registration as the owner or lessee. If the registration is such that the lessee is not listed, the licensee will be required to show a lease agreement.

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**ORDINANCES – INTRODUCTION (CONTINUED)**

LICENSE TO TOW — The document approved and issued by the Township of Morris granting the privilege to tow and store vehicles and perform other towing operations for the Township of Morris.

**LICENSE FOR STORAGE — The document approved and issued by the Township of Morris granting the privilege to store vehicles within the Township of Morris.**

**35-08 – AN ORDINANCE AMENDING CHAPTER 89 ENTITLED, " VEHICLES TOWING AND STORAGE" REGULATION TOW STORAGE YARDS FOR COMPANIES THAT DO NOT TOW FOR THE MORRIS TOWNSHIP POLICE BUT MAINTAIN A STORAGE YARD WITHIN THE TOWNSHIP OF MORRIS (CONTINUED)**

LICENSEE — A towing operator having a license granted by the township pursuant to the provisions of this chapter.

HEAVY-DUTY WRECKER — A tow truck with dual wheels, capable of towing large trucks, and shall meet the following minimum requirements:

- A. Gross vehicle weight (GVW): 30,000 pounds.
- B. Gross combination weight rating (GCWR): 80,000 pounds.
- C. Boom rating: 50,000 pounds.
- D. Winch rating: 50,000 pounds.
- E. Cable size and length: five-eighths inch and 200 feet.
- F. Equipped with chassis lift/underreach:
  - (1) Retracted rating: 30,000 pounds.
  - (2) Extended rating: 15,000 pounds.

LIGHT-DUTY WRECKER — A tow truck with dual wheels, capable of towing passenger cars, and shall meet the following minimum requirements:

- A. Gross vehicle weight (GVW): 14,000 pounds.
- B. Gross combination weight rating (GCWR): 18,000 pounds.
- C. Boom rating: 8,000 pounds.
- D. Winch rating: 8,000 pounds.
- E. Cable size and length: three-eighths inch and 100 feet.
- F. Wheel lift:
  - (1) Retracted rating: 6,000 pounds.
  - (2) Extended rating: 3,000 pounds.

LIGHT-DUTY FLATBED — A car carrier of the rollback and tilt type, with dual wheels, capable of removing and transporting passenger cars damage free and shall meet the following minimum requirements:

- A. Gross vehicle weight (GVW): 14,000 pounds.
- B. (Reserved)
- C. Winch rating: 8,000 pounds.

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**ORDINANCES – INTRODUCTION (CONTINUED)**

**35-08 – AN ORDINANCE AMENDING CHAPTER 89 ENTITLED, " VEHICLES TOWING AND STORAGE" REGULATION TOW STORAGE YARDS FOR COMPANIES THAT DO NOT TOW FOR THE MORRIS TOWNSHIP POLICE BUT MAINTAIN A STORAGE YARD WITHIN THE TOWNSHIP OF MORRIS (CONTINUED)**

- D. Cable size and length: three-eighths inch and 50 feet.
- E. Bed length: 17 feet.
- F. Bed width: 84 inches inside side rails.
- G. Wheel lift:
  - (1) Retracted rating: 6,000 pounds.
  - (2) Extended rating: 3,000 pounds.

**MEDIUM-DUTY WRECKER** — A tow truck with dual wheels, capable of towing small trucks, and shall meet the following minimum requirements:

- A. Gross vehicle weight (GVW): 18,000 pounds.
- B. Gross combination weight rating (GCWR): 30,000 pounds.
- C. Boom rating: 16,000 pounds.
- D. Winch rating: 16,000 pounds.
- E. Cable size and length: one-half inch and 200 feet.
- F. Wheel lift:
  - (1) Retracted rating: 10,500 pounds.
  - (2) Extended rating: 8,500 pounds.

**MEDIUM-DUTY FLATBED** — A car carrier of the rollback and tilt type, with dual wheels, capable of removing and transporting small trucks, full-size vans or large passenger cars damage free and shall meet the following minimum requirements:

- A. Gross vehicle weight (GVW): 18,000 pounds.
- B. (Reserved)
- C. Winch rating: 8,000 pounds.
- D. Cable size and length: three-eighths inch and 50 feet.
- E. Bed length: 19 feet.
- F. Bed width: 84 inches inside side rails.
- G. Wheel lift:
  - (1) Retracted rating: 6,000 pounds.
  - (2) Extended rating: 3,000 pounds.

**OWNER** — An individual or entity who or which owns or leases and/or operates, parks or abandons a vehicle within the township.

**POLICE** — The Police Department of the Township of Morris or of any jurisdiction having authority in the subject matter.

**PRINCIPAL LOCATION** — The business office of an applicant/licensee, where licensee shall conduct

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**ORDINANCES – INTRODUCTION (CONTINUED)**

business associated with the towing and storage of vehicles under authority of the towing license issued by the Township of Morris.

**35-08 – AN ORDINANCE AMENDING CHAPTER 89 ENTITLED, " VEHICLES TOWING AND STORAGE" REGULATION TOW STORAGE YARDS FOR COMPANIES THAT DO NOT TOW FOR THE MORRIS TOWNSHIP POLICE BUT MAINTAIN A STORAGE YARD WITHIN THE TOWNSHIP OF MORRIS (CONTINUED)**

RECOVERY — When the tow truck operator applies his training and knowledge in a skillful manner to preserve the condition of the vehicle while moving it to a towable position. This can be accomplished in various ways, including, but not limited to, winching and rigging.

ROAD SERVICE — A service provided at the scene to enable a vehicle to be driven away, including, but not limited to, the changing of a flat tire, jump start of a vehicle or the delivery of fuel. There will be a separate charge for the fuel at its face value.

ROUTE CALLS FOR SERVICE — A police request for road service of a disabled vehicle, i.e., dead batteries, flat tires, out of gas or other services that do not require towing.

STORAGE SERVICES — The storage, housing or holding of vehicles, indoors or outdoors, by a licensee under authority of this chapter.

TEMPORARY LICENSE — A towing license, authorized by the Chief of Police, and issued by the Township of Morris for the purpose of replacing a current license, whether that replacement be due to the closing of the business or the revocation of the licensee's towing license for a violation of this chapter. This license is for emergency situations only and the cost will be prorated on a monthly basis.

TOWING OPERATOR — An individual or entity engaged in the business of providing towing and storage services.

TOWING SERVICES — The towing service and/or onsite vehicle repair, including tire changes, jump starts or furnishing fuel, rendered by a towing operator.

VEHICLE — Every device in, upon or by which a person or property is or may be transported upon the highway, excepting devices moved by human power or used exclusively upon stationary rails or tracks or motorized bicycles.

WAITING TIME — The time a licensee has equipment and personnel waiting at a scene to perform a towing operation.

WINCHING — The process of moving a vehicle by the use of the tow cable from a position that is not accessible for direct hookup by conventional means for loading onto a tow vehicle. Winching shall not mean pulling a vehicle onto a flatbed or carrier or lifting a vehicle with a conventional tow truck.

YARD CHARGE — The relocation of a vehicle from the licensee's storage facility to a public roadway for removal by another towing company. It shall not apply to vehicles that are capable of being driven from the storage facility to the roadway.

**§ 89-2. License required.**

A. No towing operator shall operate within the township for police-requested towing services and/or storage services unless the towing operator has obtained a license issued by the township.

**B. No towing operator shall operate within the Township of Morris a storage facility unless the towing operator has obtained a (STORAGE) license issued by the Township.**

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**ORDINANCES – INTRODUCTION (CONTINUED)**

**35-08 – AN ORDINANCE AMENDING CHAPTER 89 ENTITLED, " VEHICLES TOWING AND STORAGE" REGULATION TOW STORAGE YARDS FOR COMPANIES THAT DO NOT TOW FOR THE MORRIS TOWNSHIP POLICE BUT MAINTAIN A STORAGE YARD WITHIN THE TOWNSHIP OF MORRIS (CONTINUED)**

**§ 89-3. Exemptions.**

- A. **35-08 – AN ORDINANCE AMENDING CHAPTER 89 ENTITLED, " VEHICLES TOWING AND STORAGE" REGULATION TOW STORAGE YARDS FOR COMPANIES THAT DO NOT TOW FOR THE MORRIS TOWNSHIP POLICE BUT MAINTAIN A STORAGE YARD WITHIN THE TOWNSHIP OF MORRIS (CONTINUED)**
- B. Towing from private property. No license shall be required by the police to tow any vehicle from private property without the consent of the owner and private property owner except on the express instruction of the police in the event of an emergency. **This applies to vehicles towed within the Township of Morris only.**

**§ 89-4. Term of license.**

Licenses to tow **and provide storage of vehicles** shall be issued for three calendar years commencing January 1 of the initial calendar year.

**§ 89-5. Application for license.**

- A. Form; required information. An application for a license shall be in writing, signed by the applicant on the form furnished by the township, and shall contain all information necessary to evidence the applicant's identity and legal address, compliance with the requirement of this chapter and ability to perform the towing services contemplated by this chapter.
- B. Filing. Applications shall be filed by October 1 of the year prior to the license year with the Township Clerk, together with the application fee specified in § 89-8.
- C. Eligibility. The applicant must have its primary business location within a distance of five miles from the boundary of the Township of Morris. **[Amended 10-18-2006 by Ord. No. 22-06]**  
**Exception: Tow operators who do NOT perform towing services for the Township of Morris.**

**§ 89-6. Review of application.**

- A. Reference to Chief of Police. Applications received by the Township Clerk shall be referred within two business days to the Township Chief of Police for his review.
- B. Inspection/recommendations. After such examination of the applications and such inspections as the Township Chief of Police may consider necessary to evaluate the applicant's compliance with, and ability to continue to comply with, the requirements of this chapter, the applications shall be returned to the Township Clerk with the recommended approval or disapproval of each application by the Township Chief of Police based upon his examinations, inspections and evaluations. Applicants and licensees shall cooperate with any and all investigations conducted by the Township Chief of Police or his designee or other law enforcement agency working in conjunction with the township police. The requirement of cooperation shall continue throughout the period of application and the duration of the license and storage of vehicles (even if a license is no longer in effect). A license may be denied for fraud, misrepresentation or false statement in the application.

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**ORDINANCES – INTRODUCTION (CONTINUED)**

**35-08 – AN ORDINANCE AMENDING CHAPTER 89 ENTITLED, " VEHICLES TOWING AND STORAGE" REGULATION TOW STORAGE YARDS FOR COMPANIES THAT DO NOT TOW FOR THE MORRIS TOWNSHIP POLICE BUT MAINTAIN A STORAGE YARD WITHIN THE TOWNSHIP OF MORRIS (CONTINUED)**

**§ 89-7. Issuance of not more than six licenses.**

- A. Authorization. The Township Committee shall, at a public meeting by resolution, authorize the issuance of not more than six licenses after consideration of the applications and the recommendations of the Township Chief of Police. Minor irregularities in the application may be waived by the Township Committee. In the event that more than six applicants qualify for a license, the names of all qualified applicants shall be placed in a container, on uniform slips of paper with the identity of every applicant concealed, and the Township Clerk shall draw six slips from the container after all applicants have received at least 10 calendar days, notice of the time when and place where the drawing will occur. Licenses shall be issued to each of the six applicants selected at the drawing. Licensees must have the favorable recommendations of the Chief of Police prior to the new license being issued.

**ONLY two (2) Storage Licenses shall be permitted in the Township of Morris and follow the aforementioned process for the issuance of the licenses should more than two applications arise.**

- B. Issuance. The authorized license or licenses shall be issued by the Township Clerk in writing upon payment by the towing operator of the license fee specified in § 89-8.

**§ 89-8. Fees.**

The following schedule of nonrefundable fees is adopted for the obtaining of a towing **or Storage** license:

- A. Application fee. Three hundred dollars for three-year licenses, payable before January 1 of the initial license year. For a temporary license for a period of less than 12 months, the fee shall be prorated on a monthly basis.

**§ 89-9. Suspension or revocation.**

- A. General.

- (1) The Township Committee shall have the right to suspend or revoke any license issued under this chapter for good cause upon written complaint of the Chief of Police following his determination that there is probable cause for suspension or revocation based upon violation of this chapter.
- (2) A license may be denied, suspended or revoked for fraud, misrepresentation or false statement in the course of conducting the towing operation, for violation of this chapter or for the conviction of the applicant, its officers or a person or entity holding a 10% or larger interest in the applicant of a crime involving moral turpitude or relating to the towing business. A license may also be denied if the applicant has had a towing license or contract revoked while working for any other municipal, county or state agency. Such revocation shall have occurred within a twelve-month period prior to making application to the Township of Morris.
- (3) Written notice of such complaint and the bests of the complaint shall be given to the licensee, and the licensee shall be entitled to a hearing before the Township Committee prior to final

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**ORDINANCES – INTRODUCTION (CONTINUED)**

**35-08 – AN ORDINANCE AMENDING CHAPTER 89 ENTITLED, " VEHICLES TOWING AND STORAGE" REGULATION TOW STORAGE YARDS FOR COMPANIES THAT DO NOT TOW FOR THE MORRIS TOWNSHIP POLICE BUT MAINTAIN A STORAGE YARD WITHIN THE TOWNSHIP OF MORRIS (CONTINUED)**

determination of the complaint by the Township Committee. If, after the hearing, a majority of the members of the Township Committee present and voting decide that there has been a violation, they may terminate or suspend the license.

- B. Emergency suspension. A license may be suspended by the Township Chief of Police whenever the Chief, in his reasonable judgment, considers such suspension necessary for reasons of safety, **or any significant violation of chapter 89.13.H,** or has reason to believe that the licensee is not covered by the insurance required by § 89-15A of this chapter. Such suspension shall continue until terminated by the Chief, provided that, if the suspension is not terminated within three business days, the Chief shall file a complaint for suspension or revocation pursuant to § 89-9A, and the suspensions shall remain in effect pending a determination of the complaint.
- C. Temporary license. In the event of an emergency suspension or other failure of the licensee to perform its duties under this chapter, the Chief of Police may issue a temporary license to a towing operator to operate during any licensee's failure to perform should the replacement of said licensee be deemed necessary. The issuance of a temporary license shall be reported to the Township Committee immediately upon issuance. Temporary licenses may be issued for such period of time as may be deemed necessary by the Chief of Police.

**§ 89-10. Equipment.**

A. Required equipment.

- (1) A towing operator, when filing an application for and at all times while holding a license under this chapter, shall own or lease for use in performing the services required by the license the following items of equipment:
- (a) One light-duty wrecker, or flat bed both types to be equipped with wheel lift.
  - (b) One medium-duty flat bed truck with wheel lift.
  - (c) (Above-mentioned equipment classes (light/medium/heavy) must meet the standards as stated in § 89-1 of this chapter.
- (2) Safety equipment to be carried on all trucks shall include:
- (a) Wheel lift or chassis lift/under reach.
  - (b) "J" hooks and chains or tie-downs.
  - (c) Snatch block.
  - (d) Two high-test safety chains.
  - (e) Auxiliary safety light kit (to be placed on rear of towed vehicle that does not have functioning tail light flashers).
  - (f) Rotating amber emergency lights mounted on top of truck (state-issued permit required and must be in truck).
  - (g) Two white work lights facing the rear of vehicle.
  - (h) Two safety cones with reflective strip (minimum height 18 inches).

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**ORDINANCES – INTRODUCTION (CONTINUED)**

**35-08 – AN ORDINANCE AMENDING CHAPTER 89 ENTITLED, " VEHICLES TOWING AND STORAGE" REGULATION TOW STORAGE YARDS FOR COMPANIES THAT DO NOT TOW FOR THE MORRIS TOWNSHIP POLICE BUT MAINTAIN A STORAGE YARD WITHIN THE TOWNSHIP OF MORRIS (CONTINUED)**

- (i) One shovel.
  - (j) One broom.
  - (k) One fuel can capable of carrying five United States gallons of fuel.
  - (l) Toolbox with assorted hand tools.
- B. Tow truck lettering. All tow trucks operated by the licensee shall be permanently lettered on both sides in accordance with New Jersey Statute Title 39. (Newly purchased vehicles will be allowed a four week grace period during which time a pair of magnetic signs may be used).
- C. Required communication. Licensee shall maintain a twenty-four-hour phone number which is manned by the licensee's personnel. Such personnel must have constant two-way communication, radio or cellular, with the licensee's vehicles. Phone calls may be forwarded from the principal business location to a residence during nighttime hours as long as two-way communication can be maintained with licensee's vehicles.

**§ 89-11. Storage and garage facilities.**

- A. Outside secured storage. Each licensee shall have an outside secured storage area to accommodate at least five vehicles at any one time. The outside secured storage area must be solely under the control of the licensee at all times. All storage areas must meet the requirements of N.J.A.C. 11:3-38.2 (definitions) which states: "Outdoor secured" means an automotive storage facility that is not indoors and is secured by a fence, wall or other manmade barrier, that is at least six feet high.
- B. Equipment facility. Each licensee shall have an area and facility adequate for the storage and servicing of the required equipment specified in § 89-10 of this chapter when not in use. Such equipment facility must be within 10 miles, by radius, of the municipal building of the township.
- C. Hours/condition. The required storage and equipment facilities shall be as follows:
- (1) The hours of recovery of vehicles from storage shall be no less than Monday through Friday 8:00 a.m. to 5:00 p.m. and Saturday 9:00 a.m. to 12:00 noon, and prominently posted at all of the above mentioned facilities of the licensee and also made available at the township police headquarters. The vehicle shall be made available by the licensee immediately upon an emergency request by the Township Police Department. Facilities shall be kept clean and in good order to accommodate persons who may enter facilities with respect to any vehicles stored therein. The principal location, in addition to the above mentioned items, shall have adequate rest room facilities, with running water, that are clean and in good working order available to persons who may enter the facility with respect to any vehicle towed by the licensee.
- D. Unsecured outside storage. No unsecured storage area of any kind will be permitted for use by any licensee for storage of any vehicle towed under the license.

**E. The Licensee shall provide the Township of Morris Police Department 24 hour emergency contact information for the licensee and for the company.**

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**ORDINANCES – INTRODUCTION (CONTINUED)**

**35-08 – AN ORDINANCE AMENDING CHAPTER 89 ENTITLED, " VEHICLES TOWING AND STORAGE" REGULATION TOW STORAGE YARDS FOR COMPANIES THAT DO NOT TOW FOR THE MORRIS TOWNSHIP POLICE BUT MAINTAIN A STORAGE YARD WITHIN THE TOWNSHIP OF MORRIS (CONTINUED)**

**§ 89-12. Licensee's personnel.**

- A. All tow truck drivers must have an adequate, valid New Jersey driver's license with no restrictions or conditional endorsements, except conditions requiring glasses. Each driver/employee shall be of good moral character, mentally alert and present a neat appearance at all times. Drivers and employees shall wear clothing bearing the licensee's name. Drivers and employees shall behave in a professional and courteous manner at all times when dealing with the Police Department and the public. Possession of a commercial license with appropriate endorsements, when required by law, shall be a minimum mandatory requirement of this chapter.
- B. Light- and medium-duty drivers must obtain Level 1 driver certification from a tow truck operator's training course. New hires must obtain certification within nine months from start of employment.
- C. Heavy-duty drivers must obtain Level 2 driver certification from a tow truck operator's training course. New hires must obtain certification within nine months from start of employment. Heavy-duty drivers must have commercial driver's license (CDL) endorsement on their license.
- D. Recovery supervisors must obtain Level 3 driver certification from a tow truck operator's training course (within nine months of availability) and have training from an industry-recognized recovery course. On the recovery scene, not all personnel need to be recovery qualified, but a responsible recovery supervisor must have the listed requirements.
- E. The licensee must certify that it has provided ongoing training and education of its employees. The towing operator shall show proof of a minimum of six hours of training per employer, per year. If good cause exists to question the training, knowledge or driving record of any tow truck driver or other personnel, the Township Police Department shall inform the applicant or licensee, which shall then be given an opportunity to show cause to the contrary.
- F. At the time of the application or at any time a new tow truck driver is assigned, the licensee shall submit to the Township Clerk the name, driver's license number, social security number and date of birth of the tow truck driver prior to the driver's operation of any tow truck pursuant to a Township Police Department request.
- G. No licensee shall employ, directly or indirectly, any officers of the Township Police Department who may have a financial interest in the business or who are part owners in any way.

**§ 89-13. Towing and storage services.**

Towing and Storage services shall be governed by the following provisions:

- A. the **TOW** schedule when a **TOW** licensee will be on duty will be set by the Township Police Department's Traffic Bureau and approved by the Chief of Police. The schedule shall be known as the "rotational duty service list."
- B. **TOW** Licensee's will respond to all police requests for towing and/or road service when requested by a police dispatcher or any other police officer expressly authorized to communicate such a request. Licensee will respond with the number of tow trucks requested to the scene within a reasonable time. Such reasonable time shall be deemed to be within 20 minutes under normal atmospheric conditions.

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**ORDINANCES – INTRODUCTION (CONTINUED)**

**35-08 – AN ORDINANCE AMENDING CHAPTER 89 ENTITLED, " VEHICLES TOWING AND STORAGE" REGULATION TOW STORAGE YARDS FOR COMPANIES THAT DO NOT TOW FOR THE MORRIS TOWNSHIP POLICE BUT MAINTAIN A STORAGE YARD WITHIN THE TOWNSHIP OF MORRIS (CONTINUED)**

- C. If a **TOW** licensee is wholly or partially unable to respond due to failure of any equipment or personnel insufficiencies, the licensee will immediately notify the Police Department, who will contact the next towing company in the rotation to handle the request. If such an incident occurs, the licensee will furnish, in writing, within five business days, the details of the circumstances which caused the failure to respond to the Township Police Department's Traffic Bureau, which will make a determination if a follow-up investigation and/or inspection of the licensee's facility is required.
- D. Tow trucks of a licensee shall not cruise roadways within the township for business and shall not respond to any scene where towing may be required except upon request of the Township Police Department or as permitted under § 89-3A of this chapter.
- E. No rotating or flashing lights or sirens shall be used on a tow truck except as permitted by New Jersey Department of Motor Vehicles/Department of Transportation (NJDMV/DOT) (N.J.S.A. 39:3-50), and all vehicles operated by the licensee shall have a current permit for said lights issued by the DOT, along with all other required vehicle documents.
- F. All tow trucks shall be operated in accordance with all existing traffic regulations and in a safe and prudent manner. Tow truck drivers will request police assistance when they find it necessary to turn around, back up, tow in a direction opposite the flow of traffic, cross a median or other hazardous situation during the course of providing service or towing.
- G. Each licensee will be responsible for all vehicles and visible contents in their custody that are towed off the roads under direction of the police and shall make an inventory at the scene to note such contents of each vehicle.
- H. No vehicle will be removed from any roadway within the township without proper authorization from the police at the scene or the vehicle owner or operator as the case may be.

**(1) NO vehicle shall be removed from any roadway or private property within the Township of Morris where it is evident that the vehicle has been involved in a motor vehicle accident without authorization from the Police Department . Vehicles with any noticeable body damage, or in close proximity of property damage shall be considered evidence of a possible vehicle accident that the police shall be present to investigate.**

**(2) NO vehicle shall be removed from any roadway or private property where the operator of the vehicle appears to under the influence of alcohol or drugs based upon the observations of any reasonable person.**

**Violations of section H (1) or (2) shall be forwarded immediately to the Chief of Police and the Township Committee for their review.**

- I. No licensee shall be required to tow to an area farther than the licensed storage area between the hours of 6:00 p.m. and 8:00 a.m. unless said licensee agrees to tow farther. If licensee agrees to tow farther than the licensed storage area between 6:00 p.m. and 8:00 a.m., he/she will only do so if adequate towing coverage will be available to the Township of Morris.
- J. The investigating officer and/or supervisor at the incident scene is in complete charge of the incident scene (excluding actual towing operations), and all tow trucks drivers shall comply with the officer/supervisor's instructions.

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**ORDINANCES – INTRODUCTION (CONTINUED)**

**35-08 – AN ORDINANCE AMENDING CHAPTER 89 ENTITLED, " VEHICLES TOWING AND STORAGE" REGULATION TOW STORAGE YARDS FOR COMPANIES THAT DO NOT TOW FOR THE MORRIS TOWNSHIP POLICE BUT MAINTAIN A STORAGE YARD WITHIN THE TOWNSHIP OF MORRIS (CONTINUED)**

- K. Each licensee, prior to departing from the scene of towing services, shall be required to clean and clear the roadway of any debris resulting from any accident at such scene when rendering towing services and at all times carry the necessary equipment to perform such cleaning services. Such equipment shall minimally include, but is not limited to, a broom and shovel. The licensee may charge the owner's insurance company for the services rendered.
- L. In the event that a licensee refuses to tow or render services at the scene of an accident or disabled vehicle when requested by the police or vehicle owner/operator, the officer assigned to the incident shall report the refusal to his supervisor with all pertinent details. Police Department standard operating procedure (SOP) will be followed to secure a service to clear the scene and the report of the refusal shall be forwarded to the Township Chief of Police and Township Traffic Bureau as soon as possible for evaluation and follow-up and follow-up of the licensee's refusal to perform its obligation under the license. No towing operator shall be required to tow any vehicle in an unsafe manner or in such a way as to cause unnecessary damage to the vehicle towed or that may cause damage to the towing vehicle.
- M. Each licensee shall be required to keep up-to-date records of all vehicles towed in conjunction with this license. Each licensee shall provide the Township Police Traffic Bureau with a list of all vehicles towed by order of the police (impounded) that remain unclaimed in storage every Friday by 12:00 noon.
- N. Vehicles impounded or confiscated by the police and stored by the licensee shall not be released by the licensee without written authorization by the Police Department.  
**1. The Authorization to Release document must be signed by an authorized Police Department representative before it is provided to the licensee.**
- O. The on-call service when called out must respond with their own equipment.
- P. If the on-call towing service is unable to respond when called for any reason (inability to handle heavy duty, etc.), that towing service must advise the front desk officer so that the next towing service can be called.

**§ 89-14. Towing and storage charges.**

Towing and storage charges shall be paid by the owner of the vehicle towed and/or stored by a licensee at police request and pursuant to N.J.A.C. 11:3-38.6, such charges shall be as follows:

- A. Towing services. The following is the fee schedule for towing services (the fees do not include state taxes): [Amended 8-17-2005 by Ord. No. 18-05]
  - (1) Passenger vehicle rates.
    - (a) Basic towing service.
      - [1] Day or night rate; light-duty tow: \$95.
      - [2] Day or night rate; medium-duty tow: \$175.
    - (b) Road service. Day or night rate (price does not include the cost of fuel for vehicles out of gas): \$65.

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**ORDINANCES – INTRODUCTION (CONTINUED)**

**35-08 – AN ORDINANCE AMENDING CHAPTER 89 ENTITLED, " VEHICLES TOWING AND STORAGE" REGULATION TOW STORAGE YARDS FOR COMPANIES THAT DO NOT TOW FOR THE MORRIS TOWNSHIP POLICE BUT MAINTAIN A STORAGE YARD WITHIN THE TOWNSHIP OF MORRIS (CONTINUED)**

- (c) Cleanup and/or labor charge (per hour): \$50. Charge for cleanup and/or removal of debris or mechanical work to ready vehicle for towing. This charge shall be in effect for additional manpower needed at scene (per man/per hour). To be charged in thirty-minute increments with a one-half-hour minimum. As provided for in N.J.S.A. 39:4-58.8, the towing service is not required to remove any hazardous materials.
  - (2) Heavy-duty rates (non-passenger vehicles).
    - (a) Basic towing service (per hour), day or night: \$300, to be charged in thirty-minute increments with a one-hour minimum.
    - (b) Recovery and/or winching service (per hour): \$350.
  - B. Storage charges. [Amended 8-17-2005 by Ord. No. 18-05]
    - (1) Inside secured storage (per calendar day).
      - (a) Passenger vehicles: \$40.
      - (b) Vehicles over 22 feet in length will be charged double the rate.
    - (2) Outside secured storage (per calendar day).
      - (a) Passenger vehicles: \$30.
      - (b) Large truck: \$70.
      - (c) Tractor trailer: \$140.
      - (d) Vehicles over 22 feet in length will be charged double the rate.
  - C. The licensee shall accept a minimum of two major credit cards 24 hours a day and must be able to do so at the principal location, on the road at the time service or tow is performed, **or at the storage facility location.**
  - D. The township and its Police Department shall not be liable to a licensee with respect to towing and/or service rendered to any owner pursuant to the licensee or otherwise. The licensee shall look to the registered owner of such vehicle for payment of towing and/or storage service charges or any other compensation.
  - E. If a vehicle is towed by a licensee to premises controlled by the Police Department for the purpose of utilizing the vehicle or its contents as evidence or in an on-going criminal investigation, such vehicle shall not be released from Police Department custody, except to the licensee, unless the owner of the vehicle furnishes the Police Department with a receipt that all applicable fees for towing and/or service have been paid in full. A second fee may be charged if the vehicle is removed to the licensee's storage area or other destination desired by the police or vehicle owner. If a vehicle is released by the police to any party other than the licensee without proper receipt, the township shall be responsible for at charges, but may pursue its remedy against the owner or other person(s) responsible.
- § 89-15. Insurance.** The licensee shall have in effect, prior to application and at times during the term of the license, the following insurance:
- A. Garage keepers' policy in the amount of \$1,000,000 for any one claimant and \$3,000,000 for more than one claimant, with \$500,000 coverage for property damage for any one event. This policy must include on-hook coverage of at least \$100,000.

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**ORDINANCES – INTRODUCTION (CONTINUED)**

**35-08 – AN ORDINANCE AMENDING CHAPTER 89 ENTITLED, " VEHICLES TOWING AND STORAGE" REGULATION TOW STORAGE YARDS FOR COMPANIES THAT DO NOT TOW FOR THE MORRIS TOWNSHIP POLICE BUT MAINTAIN A STORAGE YARD WITHIN THE TOWNSHIP OF MORRIS (CONTINUED)**

- B. Automobile liability insurance issued by a financially sound insurance corporation of, or authorized to transact business in, the state, insuring the licensee and every tow truck operator against liability imposed by law for damages because of bodily injury, including death, sustained by any person and injury to or destruction of property, including the loss of use thereof, caused by accident and arising out of the ownership, maintenance or use of tow trucks of the licensee. The amount of the limits of liability coverage to be offered by such policy shall be \$500,000 for bodily injury to each person, \$1,000,000 for bodily injuries in each accident and \$500,000 for property damage in each accident.
- C. The licensee shall supply a certificate of insurance to the Township Clerk describing every policy of insurance and identifying the township as an insured party. Each such certificate of insurance shall contain a provision that no cancellation of the policy shall become effective until after the expiration of 15 days' written notice of such proposed cancellation forwarded by the insurance company to the Township Clerk.
- D. The insurance coverage carrier shall have an A.M. Best rating of A or better.

**§ 89-16. Indemnity.**

The application of any towing operator for a license pursuant to this chapter shall include an agreement by the towing operator that, upon the issuance of a license, the licensee shall indemnify the township against all claims of third parties relating to towing and/or storage service of the licensee.

**§ 89-17. Motor vehicle information.**

The Township Police Department shall provide, when requested, towing operators with Department of Motor Vehicles information regarding registered owners and lien holders. The information requested and given shall be in conformance with N.J.S.A. 39:10A et seq. and shall not in any way violate the confidentiality that is reported in the Police Department.

**§ 89-18. Supplementary rules and regulations.**

- A. The Township Chief of Police may issue rules and regulations from time to time on the operation of towing services and storage facilities to implement but not exceed the purpose of this section.
- B. Such rules and regulations shall be issued by publication in a newspaper in the township. Copies shall be mailed to any and all towing operators licensed by the township or any interested parties who request such copies.
- C. Towing operators may, in writing, request a hearing before the Township Business Administrator within 30 days of the issuance of the rules and regulations.
- D. **Towing Operators and Storage facilities within the Township of Morris must be in compliance with any rule or regulation set forth by the New Jersey Division of Consumer Affairs in the Department of Law and Public Safety. Chapter 89 shall not supersede the aforementioned regulations.**

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**ORDINANCES – INTRODUCTION (CONTINUED)**

**35-08** – AN ORDINANCE **AMENDING CHAPTER 89** ENTITLED, " **VEHICLES TOWING AND STORAGE**" REGULATION TOW STORAGE YARDS FOR COMPANIES THAT DO NOT TOW FOR THE MORRIS TOWNSHIP POLICE BUT MAINTAIN A STORAGE YARD WITHIN THE TOWNSHIP OF MORRIS (CONTINUED)

**§ 89-19. Enforcement.**

The Township Chief of Police is hereby designated to enforce the provisions of this chapter in accordance with due process of law.

**§ 89-20. Copies of regulations and fees.**

Copies of such rules and regulations, this chapter and the fee schedule of the licensees shall be made available to the public at the township police headquarters during normal business hours.

ROLL CALL: MR. GOLDBERG ABSTAIN MR. ROSENBUSH YES  
MR. GRAYZEL YES DEPUTY MAYOR WATSON YES  
MAYOR NACE ABSENT

\* \* \*

**36-08** – AN ORDINANCE AUTHORIZING **APPROPRIATION** FROM THE **SEWER CAPITAL FUND BALANCE** IN THE AMOUNT OF **\$75,000** FOR THE **BURNHAM ROAD IMPROVEMENT PROJECT**

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: There is hereby appropriated from the Sewer Capital Fund Balance, the sum of \$75,000 for the Burnham Road Improvement Project

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 by law.

Intro: 10-15-08

ROLL CALL: MR. GOLDBERG YES MR. ROSENBUSH YES  
MR. GRAYZEL YES DEPUTY MAYOR WATSON YES  
MAYOR NACE ABSENT

\* \* \*

**TOWNSHIP COMMITTEE MEETING  
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**ORDINANCES – INTRODUCTION (CONTINUED)**

**ORDINANCE 37-08**

**ORDINANCE AUTHORIZING APPROPRIATION FROM THE GENERAL CAPITAL FUND BALANCE FOR THE BURNHAM ROAD IMPROVEMENT PROJECT**

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: There is hereby appropriated from the General Capital Fund Balance, the sum of \$75,000 for the Burnham Road Improvement Project

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 by law.

ROLL CALL: MR. GOLDBERG YES MR. ROSENBUSH YES  
MR. GRAYZEL YES DEPUTY MAYOR WATSON YES  
MAYOR NACE ABSENT

\* \* \*

**SUMMARY OF BIDS RECEIVED SEPTEMBER 3, 2008**

Township Administrator Fred J. Rossi reported that on October 8, 2008, the Receipt of Public Bids Committee met at 10:00 A.M., in the Municipal Building, 50 Woodland Avenue, and received bids on the projects hereafter enumerated from the bidders and at the prices as indicated:

**NAME OF PROJECT**

OTE: 2008-8 REBID DPW FLOOR DRAIN CONNECTIONS – Submitted, read in full, and placed on file in the Office of the Municipal Clerk, is a letter from Township Engineer, James Slate, dated October 15, 2008 to reject all bids submitted due to an administrative error. On motion duly made, seconded and unanimously carried (4-0)

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**SUMMARY OF BIDS RECEIVED OCTOBER 8, 2008 (CONTINUED)**

authorization was given for the rejection of the bid received by the Township Engineer as specified in the appropriate resolutions set forth hereinafter.

<u>NAME OF PROJECT</u>	<u>VENDOR ADDRESS</u>	<u>AMOUNT</u>
OTE: 2008-10 REBID	PUMPING SERVICES, INC.	\$92,345
PROCUREMENT SPECIFICATIONS FOR STP AERATION TANK MIXERS AND APPURTENANCES	201 LINCOLN BLVD, P.O. BOX 117 MIDDLESEX, NJ 08846	

Submitted, read in full, and placed on file in the Office of the Municipal Clerk, is a letter from the Township Superintendent of the WPCU, Mark Howarth dated October 8 , 2008.

On motion duly made, seconded and unanimously carried (5-0) authorization was given for the approval of the bid received by the Township Engineer as specified in the appropriate resolutions set forth hereinafter.

\* \* \*

**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:

**RESOLUTION NO. 163-08**

**IN MEMORIAM - KATHARINE L. BLEKICKI**

WHEREAS, our Heavenly Father has called unto His side, His servant, Katharine L. Blekicki, and

WHEREAS, through her dedicated public service, foresight and zeal for the community, she earned the affection and admiration of the people of the Township of Morris, and

WHEREAS, the stature she attained by her exemplary life and achievements was recognized during her lifetime.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Morris, does, by this resolution and public record, recognize the profound influence of Katharine L. Blekicki on the citizens of the community, recognizing further that her death is a distinct loss, and

BE IT FURTHER RESOLVED that this resolution be spread in full upon the official record as permanent expression of sympathy.

ROLL CALL: MR. GOLDBERG YES MR. ROSENBUSH YES  
MR. GRAYZEL YES DEPUTY MAYOR WATSON YES  
MAYOR NACE ABSENT  
\* \* \*

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**RESOLUTIONS (CONTINUED)**

**RESOLUTION NO. 164-08**

**IN MEMORIAM SAMUEL W. BARRATT**

WHEREAS, Samuel W. Barratt has been called by our Heavenly Father unto His side, and

WHEREAS, Mr. Barratt lived his entire life in Morris Township, after serving in the United States Navy, from 1945-1948. He was a member of the Morristown Ambulance Squad, before joining the Fairchild Fire Company in 1959. He was a past Battalion Chief and served as a secretary for the Fairchild Fire Company, the Morris Township Firemen's Relief Association and the New Jersey Exempt Firemen's Association. Through his dedicated public service, foresight and zeal for the community, he earned the affection and admiration of the citizens of the Township of Morris, and

WHEREAS, Sam participated in Appalachian Outreach Projects, was an Assistant Boy Scout Leader for Troop 39, Morris Plains, served on the Election Board and was a past president of the Holy Name Society at St. Virgil's Church.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Morris, does, by this resolution and public record, recognize the profound influence of Samuel W. Barratt on the citizens of Morris Township, recognizing further that his death is a distinct loss, and

BE IT FURTHER RESOLVED that this resolution be spread in full upon the official record as permanent expression of sympathy.

ROLL CALL: MR. GOLDBERG YES MR. ROSENBUH YES  
MR. GRAYZEL YES DEPUTY MAYOR WATSON YES  
MAYOR NACE ABSENT  
\* \* \*

**RESOLUTION NO. 165-08**

**AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO ENTER INTO AN AGREEMENT WITH GREEN SKY INDUSTRIES, 42 CHESTNUT STREET, CLIFTON, NJ 07011 FOR DISPOSAL OF RECYCLED MATERIALS FOR A THREE-YEAR PERIOD**

BE IT HEREBY RESOLVED by the Township Committee of the Township of Morris that the Mayor and Township Clerk are hereby authorized to enter into an agreement with Green Sky Industries, 42 Chestnut Street, Clifton, NJ 07011 for the disposal of recycled materials, including newspapers, corrugated cardboard, mixed papers, and commingled containers for a three-year period, effective October 1, 2008.

ROLL CALL: MR. GOLDBERG YES MR. ROSENBUH YES  
MR. GRAYZEL YES DEPUTY MAYOR WATSON YES  
MAYOR NACE ABSENT

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**RESOLUTIONS (CONTINUED)**

**RESOLUTION NUMBER 166-08**

**SUPPORTING THE TOWN OF MORRISTOWN IN ITS' INITIATIVE PROMOTING THE PROSPECT OF THE U.S. BICYCLING HALL OF FAME ESTABLISHING ITS' NEW HEADQUARTERS WITHIN THE TOWN OF MORRISTOWN**

WHEREAS, the parks, recreation activities, cultural activities, historic sites, and leisure experiences of the Town of Morristown and the region receive significant visitation, and;

WHEREAS, Morristown, Morris Township and the County of Morris as a whole, have numerous opportunities for bicycling, and;

WHEREAS, the United States Bicycling Hall of Fame (USBHOF) is actively engaged in a nationwide search for a new headquarters facility, and;

WHEREAS, the facility will be home base for the operations of the USBHOF and a museum to showcase the USBHOF inductees and to display cycling memorabilia, and;

WHEREAS, the USBHOF was created to preserve the history of the sport of cycling in the United States and to recognize athletes and contributors who have had a significant positive impact on the sport, and;

WHEREAS, the USBHOF since 1988 has held induction ceremonies, promoted cycling events, and partnered with other organizations to celebrate the sport, and;

WHEREAS, the community or organization that affiliates itself with the USBHOF will, by that association, benefit from its prestige and cache, and;

WHEREAS, the USBHOF headquarters brings to any location numerous benefits including hosting an induction ceremony and banquet every year that is of national scope and interest and community events from State Cycling Associations to Chamber of Commerce meetings and seeks to play an active role in cycling education, bicycle safety, helmet laws, and bicycling awareness, and;

WHEREAS, cycling is the quintessential "green" activity as it is competitive, healthy, and utilitarian as a mode of transport and physical well being, and the USBHOF is iconic of these values.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Morris, they being the Governing Body thereof, that it encourages and supports the Town of Morristown's initiative to promote the prospect of the United States Bicycling Hall of Fame to establish its new headquarters facility in the Town of Morristown.

Mr. Brad Nelson, Member of the Free Wheelers, advise the Committee of the purpose of this organization and thanked the Committee for their support.

ROLL CALL: MR. GOLDBERG YES MR. ROSENBUHSH YES  
MR. GRAYZEL YES DEPUTY MAYOR WATSON YES  
MAYOR NACE ABSENT

**TOWNSHIP COMMITTEE MEETING  
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**RESOLUTIONS (CONTINUED)**

**RESOLUTION NO. 167-08**

AUTHORIZING AWARD OF A NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL SERVICES TO TK DESIGN ASSOCIATES, 23 WOOD ROAD, MORRIS TOWNSHIP, NJ 07960, FOR THE PURPOSE OF PERFORMING A BALLOON TEST OF PROPOSED ATHLETIC FIELD LIGHTING STRUCTURES ON BLOCK 23.02, LOT 5 IN THE TOWNSHIP OF HARDING, IN AN AMOUNT NOT TO EXCEED \$1,300.00.

WHEREAS, the Township of Morris has need for the professional services of a professional planner as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; 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, TK Design Associates, 23 Wood Road, Morris Township, NJ 07960, has submitted a proposal dated September 18, 2008 indicating they will provide the professional services for \$1,300.00; 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 the Open Space Trust Fund.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Township of Morris hereby awards the contract to TK Design Associates for the provision of professional planning services for the purpose of performing a balloon test of proposed athletic field lighting structures for the Township of Morris for a fee not to exceed \$1,300 and the Mayor and Township Clerk are authorized to execute same; and,

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.

ROLL CALL: MR. GOLDBERG YES MR. ROSENBUSH YES  
MR. GRAYZEL YES DEPUTY MAYOR WATSON YES  
MAYOR NACE ABSENT

\* \* \*

**RESOLUTION NO. 168-08**

AUTHORIZING AWARD OF AN INCREASE OF A NON-FAIR AND OPEN PROFESSIONAL SERVICES AGREEMENT IN THE AMOUNT OF \$8,000.00 TO COFFEY AND ASSOCIATES, COUNSELLORS AT LAW, 465 SOUTH STREET, MORRISTOWN, NJ 07960 FOR SPECIAL LEGAL SERVICES REGARDING PARTICIPATION IN THE JOINT DEFENSE GROUP FOR THE COMBE LANDFILL SOUTH LITIGATION IN AN AGGREGATE AMOUNT FOR CALENDAR YEAR 2008 NOT TO EXCEED \$25,000.00

WHEREAS, the Township of Morris has need to retain professional services for special legal counsel for the Township of Morris as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5, and

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**RESOLUTIONS (CONTINUED)**

**RESOLUTION NO. 168-08 - CONTINUED**

WHEREAS, the Township Committee awarded a contract in the amount of \$15,000.00 to Coffey and Associates, Counselors at Law, 465 South Street, Morristown, NJ 07960 at a meeting held on May 21, 2008, Resolution No. 95-08; and

WHEREAS, an additional award of \$2,000 was granted on September 17, 2008, Resolution No. 161-08; and

WHEREAS, it is now necessary to increase this amount, and

WHEREAS, the Chief Financial Officer of the Township of Morris has filed a certificate of availability of funds indicating funds are available in Legal O.E.

WHEREAS, Coffey and Associates has completed and submitted a Business Entity Disclosure Certification which certifies that they have 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 them from making any reportable contributions through the term of the contract; and

WHEREAS, the anticipated term of this contract is per their proposal or extended as approved by the Township Committee;

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

1. A contract for special legal services in regard to the Combe Landfill South litigation is hereby awarded to Coffey and Associates, 465 South Street, Morristown, New Jersey for special legal counsel in an additional amount of \$8,000.00, for a total not to exceed \$25,000.00.

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

ROLL CALL:	MR. GOLDBERG	YES	MR.	ROSENBUSH	YES
	MR. GRAYZEL	YES		DEPUTY MAYOR WATSON	YES
			MAYOR NACE	ABSENT	

\* \* \*

**RESOLUTION NO 169-08**

**RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL CONSULTING SERVICES TO AMY S. GREENE ENVIRONMENTAL CONSULTANTS, 4 WALTER E. FORAN BLVD, SUITE 209, FLEMINGTON, NJ 08822 IN AN AMOUNT NTE \$ 5,000.00**

WHEREAS, the Township of Morris has need for the professional services of an Environmental consulting firm with respect to wetlands delineation services and preparation of an application to the New Jersey Department of Environmental Protection for a Regulatory Line Verification Letter of Interpretation as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and,

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

WHEREAS, Amy S. Greene Environmental Consultants, 4 Walter E. Foran Blvd., Suite 209 Flemington, NJ 08822, has submitted a proposal dated September 26, 2008; and

**TOWNSHIP COMMITTEE MEETING  
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**RESOLUTIONS (CONTINUED)**

**RESOLUTION NO. 169-08 - CONTINUED**

WHEREAS, the Chief Financial Officer of the Township of Morris has filed a certificate of availability of funds indicating funds at available in the Open Space Capital Improvement Fund in the amount of \$ 5,000.00.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Morris authorizes the Township Administrator to enter into a contract with Amy S. Greene Environmental Consultants as described herein; and,

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

ROLL CALL: MR. GOLDBERG YES MR. ROSENBUSH YES  
MR. GRAYZEL YES DEPUTY MAYOR WATSON YES  
MAYOR NACE ABSENT

\* \* \*

**RESOLUTION NO 170-08**

**AUTHORIZING RETURN OF MONIES REMAINING IN CLIENT'S ESCROW ACCOUNT**

WHEREAS, the following escrow accounts have completed the Planning Board/Board of Adjustment application process, and

WHEREAS, the Township Engineer has certified these escrow accounts may now be released, and

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

<u>Name</u>	<u>Balance</u>	<u>Escrow Account #</u>
Mountain Shadows Homeowners Assoc.	\$525.21	E-12-56-808-693

ROLL CALL: MR. GOLDBERG YES MR. ROSENBUSH YES  
MR. GRAYZEL YES DEPUTY MAYOR WATSON YES  
MAYOR NACE ABSENT

\* \* \*

**RESOLUTION NO 171-08**

**AUTHORIZING RELEASE OF A PERFORMANCE BOND ENTITLED "ROLLING HILL AT KAHDNA/SPENCER ESTATES" BOND NUMBER S04747 IN THE AMOUNT OF \$657,152.20. TOWNSHIP ACCOUNT NUMBER 050041, TOWNSHIP ENGINEER NUMBER ENG-282-08, BLOCK 2802, LOTS 9 AND 21**

WHEREAS, Performance Bond #SO4747 was approved by the Township of Morris, dated October 23, 1996 in the bond amount of \$1,406,552.74 on December 16, 1998, being reduced to \$657,152.20 January 19, 2001, and

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**RESOLUTIONS (CONTINUED)**

**RESOLUTION NO. 171-08 – CONTINUED**

WHEREAS, the Township Engineer, in a memo dated, October 8, 2008 approving release of said performance bond and in accordance with N.J.S.A. 40:50D-53 has certified that the Engineering Department has completed final inspections of all utilities and improvements as required by the Planning Board and has verified that the same have been installed and completed in accordance with applicable Township Ordinances and Engineering Department standards.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee that Bond #SO4747 being secured by First Indemnity of America Insurance Company in the amount of \$657,152.20 released to the Developer.

ROLL CALL: MR. GOLDBERG YES MR. ROSENBUSH YES  
MR. GRAYZEL YES DEPUTY MAYOR WATSON YES  
MAYOR NACE ABSENT

\* \* \*

**RESOLUTION NO. 172-08**

AUTHORIZING AWARD OF A NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL LAND SURVEYING SERVICES TO SMITH SURVEYING, INC. COURTHOUSE PLAZA, 60 WASHINGTON STREET, SUITE 203, MORRISTOWN, NJ 07960 NTE \$4,500.00

WHEREAS, the Township of Morris has need for the services of a professional surveyor with respect to mapping of a boundary survey, topographic mapping and wetlands delineation of Tax Lot 1 in Block 1201, Cornine Field, as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the practice of land surveying 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, Smith Surveying, Inc, 60 Washington Street, Morristown, NJ 07960 has submitted a proposal dated October 9, 2008 indicating they will provide the professional services for \$3,500.00 plus fees for installation of corner irons at \$100.00 each for corners not found to be marked; and

WHEREAS, Smith Surveying, Inc has submitted a Business Entity Disclosure Certification which certifies that Smith Surveying, Inc 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 Smith Surveying, Inc from making any reportable contributions through the term of the contract and certification shall be on file in the Office of the Township Clerk; and

WHEREAS, the Chief Financial Officer of the Township of Morris has filed a certificate of availability of funds indicating funds are available in the Open Space Capital Improvement Fund in the amount of \$ 4,500.00.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Morris authorizes the Mayor and Township Clerk to execute a contract with Smith Surveying, Inc as described herein; and,

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,

**TOWNSHIP COMMITTEE MEETING  
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**RESOLUTIONS (CONTINUED)**

**RESOLUTION NO. 172-08 – CONTINUED**

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

ROLL CALL: MR. GOLDBERG YES MR. ROSENBUCH YES  
MR. GRAYZEL YES DEPUTY MAYOR WATSON YES  
MAYOR NACE ABSENT

\* \* \*

**RESOLUTION NO. 173-08**

A RESOLUTION AUTHORIZING THE TOWNSHIP OF MORRIS TO ENTER INTO A COOPERATIVE PRICING AGREEMENT WITH THE TOWNSHIP OF CRANFORD, 8 SPRINGFIELD AVENUE, CRANFORD, NJ 07046

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the Cranford Police Cooperative Pricing System (ID # 47-CPCPS), hereinafter referred to as the "Lead Agency" has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services; and

WHEREAS, on October 15, 2008 the governing body of the Township of Morris, in the County of Morris, State of New Jersey duly considered participation in a Cooperative Pricing System for the provision and performance of goods and services; and

WHEREAS, this resolution shall be known and may be cited as the Cooperative Pricing Resolution of the Township of Morris; and

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the provisions of N.J.S.A. 40A:11-11(5), the Township of Morris authorizes the Mayor and Township Clerk to execute a contract to enter into a Cooperative Pricing Agreement with the Lead Agency, the Township of Cranford

BE IT FURTHER RESOLVED, The Township of Cranford shall be responsible for complying with the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) and all other provisions of the revised statutes of the State of New Jersey.

ROLL CALL: MR. GOLDBERG YES MR. ROSENBUCH YES  
MR. GRAYZEL YES DEPUTY MAYOR WATSON YES  
MAYOR NACE ABSENT

\* \* \*

**TOWNSHIP COMMITTEE MEETING  
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**RESOLUTIONS (CONTINUED)**

**RESOLUTION NO. 174-08**

RE: AUTHORIZING TRANSFER OF OWNERSHIP OF A 1982 DODGE POLICE VAN, NO LONGER NEEDED FOR PUBLIC PURPOSES WHICH HAS BEEN ASSIGNED NO VALUE - VIN NO. 2B4GB13E0CK115736 TO MORRISTOWN NEIGHBOR HOUSE, 12 FLAGLER STREET, MORRISTOWN, NJ 07960

WHEREAS, the Township of Morris is in receipt of a request for equipment from the Morristown Neighbor House to aid in the delivery of meals for the summer food program, classroom/office supplies and/or furniture, and equipment in a safe, more reliable manner; and

WHEREAS, the Township of Morris has the above referenced vehicle which is no longer needed for public purposes.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Township Committee of the Township of Morris that the Township does hereby convey title for the above referenced vehicle (no value) to the Morristown Neighbor House, 12 Flagler Street, Morristown, NJ 07960.

ROLL CALL: MR. GOLDBERG YES MR. ROSENBUCH YES  
MR. GRAYZEL YES DEPUTY MAYOR WATSON YES  
MAYOR NACE ABSENT

\* \* \*

**RESOLUTION NO. 175-08**

RESCINDING RESOLUTION NO. 142-08 WHICH AUTHORIZED THE PURCHASE A VEHICLE THROUGH THE MORRIS COUNTY COOPERATIVE FROM FLEMINGTON CAR AND TRUCK COUNTRY FLEET SALES, 215 ROUTES 202 AND 31, FLEMINGTON, NJ 08822 IN THE AMOUNT NTE \$37,000 AS THIS VEHICLE WILL NOT SERVE THE NEEDS OF THE TOWNSHIP OF MORRIS

WHEREAS, on August 20, 2008, the Township Committee of the Township of Morris adopted Resolution No. 142-08 authorizing the purchase of a vehicle for the Department of Parks and Recreation, and

WHEREAS, the Township of Morris has determined that the above referenced purchase will not meet the needs of the department.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Township Committee of the Township of Morris that the Township does hereby rescind resolution no. 142-08 in its entirety.

ROLL CALL: MR. GOLDBERG YES MR. ROSENBUCH YES  
MR. GRAYZEL YES DEPUTY MAYOR WATSON YES  
MAYOR NACE ABSENT

\* \* \*

**TOWNSHIP COMMITTEE MEETING  
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**RESOLUTIONS (CONTINUED)**

**RESOLUTION NO. 176-08**

**RESOLUTION FOR THE INTENT TO PARTICIPATE IN THE IMPLEMENTATION STUDY FOR REGIONAL ANIMAL CONTROL, SHELTERING, AND CRUELTY SERVICES**

WHEREAS, a Feasibility Study exploring the viability of regionally aligned animal control, sheltering, and cruelty services has been conducted and recommends the establishment of a "joint meeting" with two regions to perform all animal-related functions and activities currently handled by participating local units; and

WHEREAS, the Feasibility Study found that municipalities within Morris County can improve overall service levels and potentially save several hundreds of thousands of dollars in operating costs by implementing regionally aligned animal control, sheltering, and cruelty services; and

WHEREAS, the Feasibility Study found that a capital investment of approximately three million dollars in regional animal welfare facilities was necessary to support regionally aligned animal control, sheltering, and cruelty services; and

WHEREAS, knowledge of the actual number of local units interested in participating will be necessary to establish the "joint meeting" regional coverage, contractual terms and conditions, organizational structure, staffing model, and formula for apportioned capital costs and operating expenses; and

WHEREAS, the true viability of "joint meeting" implementation can only be determined once the actual number of local units interesting in participating is known and appropriate decision support information based on that number is made available; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Morris, that the Township of Morris does hereby agree to join with other interested local units, including the Township of Montville and the Township of Randolph, to create the necessary decision support information to evaluate the true viability of "joint meeting" implementation for regional animal control, sheltering, and cruelty services; and,

BE IT FURTHER RESOLVED that an Implementation and Transition Grant from the Department of Community Affairs, Local Government Services, may be sought if deemed appropriate by Morris County's Shared Services Coordinator with the understanding that there are no required local matching funds from the participating municipalities as contribution to the study's costs.

ROLL CALL: MR. GOLDBERG YES MR. ROSENBUSH YES  
MR. GRAYZEL YES DEPUTY MAYOR WATSON YES  
MAYOR NACE ABSENT

\* \* \*

**RESOLUTION NO. 177-08**

**AUTHORIZING AWARD OF CONTRACT FOR BID OTE: 2008-10- PROCUREMENT SPECIFICATIONS FOR SEWAGE TREATMENT PLANT AERATION TANK MIXERS AND APPURTENANCES - AWARDED THROUGH A FAIR AND OPEN PROCESS TO PUMPING SERVICES, INC, 201 LINCOLN BLVD., MIDDLESEX, NJ 08846 IN AN AMOUNT NTE \$92,345.00**

WHEREAS, this municipality has, in accordance with the Local Public Contracts Law of the State of New Jersey, received bids for the following:

**TOWNSHIP COMMITTEE MEETING  
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**RESOLUTIONS (CONTINUED)**

**RESOLUTION NO. 177-08 (CONTINUED)**

PROCUREMENT SPECIFICATIONS FOR SEWAGE TREATMENT PLANT AERATION TANK MIXERS AND APPURTENANCES, and

WHEREAS, after review and recommendation from the appropriate official, it appears that the contract should be awarded to the lowest responsible bidder: PUMPING SERVICES, INC, 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 line item appropriation, S-06-55-512-040.

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 is hereby awarded to PUMPING SERVICES, INC, 201 LINCOLN BLVD., MIDDLESEX, NJ 08846
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.

ROLL CALL: MR. GOLDBERG YES MR. ROSENBUSH YES  
MR. GRAYZEL YES DEPUTY MAYOR WATSON YES  
MAYOR NACE ABSENT

\* \* \*

**RESOLUTION NO. 178-08**

**RE: REJECTING BID OTE: 2008-8 – DPW FLOOR DRAIN PROJECT**

WHEREAS, the Township of Morris did advertise for bids with respect to the above referenced item; and

WHEREAS, five bid proposals were submitted; and

WHEREAS, per memo of rejection from James R. Slate, Township Engineer dated October 14, 2008 regarding Bid OTE: 2008-8 DPW Floor Drain Project; and

WHEREAS, said bid proposals were deficient due to administrative error.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Township Committee of the Township of Morris that the bid be rejected for the reasons set forth above.

ROLL CALL: MR. GOLDBERG YES MR. ROSENBUSH YES  
MR. GRAYZEL YES DEPUTY MAYOR WATSON YES  
MAYOR NACE ABSENT

\* \* \*

**TOWNSHIP COMMITTEE MEETING  
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**RESOLUTIONS (CONTINUED)**

**RESOLUTION NO. 179-09**

**AUTHORIZING REFUND OF MONIES DUE TO TAX OVERPAYMENTS (3-\$4,657.96) AND SEWER OVERPAYMENTS (1-\$27.96)**

WHEREAS, the Collector of Taxes has certified to the Township of Morris that certain payments be refunded, and

WHEREAS, the Governing Body has reviewed said certification and approved the same.

NOW THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Morris, being the Governing Body thereof, that these monies be refunded, i.e.:

<b>TAX Block</b>	<b>Lot</b>	<b>Name</b>	<b>Reason</b>	<b>Amount</b>
10300	3	Carolyn Winston	Refund O/P 3 <sup>rd</sup> Qtr 2008	\$1,243.61
2204	15	Hiawatha Baron	Refund O/P 3 <sup>rd</sup> Qtr 2008	\$1,854.92
1501	1 C2003	John Phillips	Refund O/P 3 <sup>rd</sup> Qtr 2008	\$1,559.43

**SEWER**

9604 4 Township Of Morris Payment from sewer to tax account \$ 27.96

ROLL CALL: MR. GOLDBERG YES MR. ROSENBUSH YES  
MR. GRAYZEL YES DEPUTY MAYOR WATSON YES  
MAYOR NACE ABSENT

\* \* \*

**RESOLUTION NO. 180-08**

**AUTHORIZING REFUND OF MONIES DUE TO NJ HOMESTEAD REBATE PAYMENTS**

WHEREAS, the NJ Homestead Rebate is sent to the Township of Morris when a delinquency exists, and

WHEREAS, the delinquency has since been satisfied and said monies need to be refunded,

NOW THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Morris, being the Governing Body thereof, that these monies be refunded, i.e.:

<b>Block/ Lot</b>	<b>Name</b>	<b>Amount</b>
7902 1 C4317	Saad & Fadia Abdelhadi	\$ 364.23
7704 8	Joseph & Maureen Adamo	\$1,576.20
1802 3.01	Joseph & Yvette Auriemma	\$1,460.02
3906 2	Anthony & Carol Bivens	\$ 860.09
5605 4	Maurizio & Maria Canino	\$ 555.50
3910 24	Rita Hogan	\$1,250.00
7901 1 C3310	Helen Massengill	\$1,456.06
3106 1	Petro & Marieta Mataj	\$ 309.93
3003 2	Estate of J Merlo	\$1,122.08

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**RESOLUTIONS (CONTINUED)**

**RESOLUTION NO. 180-08(CONTINUED)**

<b>Block/ Lot</b>	<b>Name</b>	<b>Amount</b>
203 3	Carol Murdichian	\$ 662.85
3903 5	Lois Pierson	\$ 79.58
5301 5	Paul & Susan Porter	\$1,646.91
5602 3	Rein Hilma Raago	\$1,549.52
2201 6	Matthew & Maria Salerno	\$ 189.87
8303 18	Gregory Swanson	\$1,862.04
10311 1 C008	Mohamed & Tantawi & Nabila Abdelhadi	\$ 156.55
8301 3 C0610	James Treanor	\$ 298.20
1501 1 C2602	Kathleen Wargo	\$1,143.38

ROLL CALL: MR. GOLDBERG YES MR. ROSENBUSH YES  
MR. GRAYZEL YES DEPUTY MAYOR WATSON YES  
MAYOR NACE ABSENT

\* \* \*

**RESOLUTION NO. 181-08**

AUTHORIZING PURCHASE OF TWO POLICE VEHICLES (2009 CROWN VICTORIAS)  
AVAILABLE THROUGH THE CRANFORD POLICE COOPERATIVE PRICING SYSTEM  
THROUGH WARNOCK FLEET AND LEASING, 175 ROUTE 10 EAST, PO BOX 524, EAST  
HANOVER, NEW JERSEY 07936-0524 IN A TOTAL AMOUNT NTE \$44,086

WHEREAS, the Township of Morris wishes to purchase two (2) police vehicles, and

WHEREAS, the above items are available through the Cranford Police Cooperative Pricing System from Warnock Fleet and Leasing, and

WHEREAS, the Director of Finance has certified that funds are available in Parking Enterprise in the total amount of \$44,086.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Township Committee of the Township of Morris being the Governing Body thereof, that a contract be awarded to Warnock Fleet & Leasing, 175 Route 10 East, PO Box 524, East Hanover, New Jersey 07936-0524 for the purchase of two (2) 2009 Ford Crown Victorias with options in the total amount not to exceed \$44,086.

ROLL CALL: MR. GOLDBERG YES MR. ROSENBUSH YES  
MR. GRAYZEL YES DEPUTY MAYOR WATSON YES  
MAYOR NACE ABSENT

\* \* \*

**TOWNSHIP COMMITTEE MEETING  
REGULAR MEETING  
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**RESOLUTIONS (CONTINUED)**

**RESOLUTION NO. 182-08**

AUTHORIZING PURCHASE OF ONE POLICE VEHICLE (2009 DODGE CHARGER) AVAILABLE THROUGH THE CRANFORD POLICE COOPERATIVE PRICING SYSTEM THROUGH WARNOCK FLEET AND LEASING, 175 ROUTE 10 EAST, PO BOX 524, EAST HANOVER, NEW JERSEY 07936-0524 IN A TOTAL AMOUNT NTE \$22,201

WHEREAS, the Township of Morris wishes to purchase one (1) police vehicle, and

WHEREAS, the above items are available through the Cranford Police Cooperative Pricing System from Warnock Fleet and Leasing, and

WHEREAS, the Director of Finance has certified that funds are available in Purchase of Police Vehicles and Parking Enterprise in the total amount of \$22,101.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Township Committee of the Township of Morris being the Governing Body thereof, that a contract be awarded to Warnock Fleet & Leasing, 175 Route 10 East, PO Box 524, East Hanover, New Jersey 07936-0524 for the purchase of one (1) 2009 Dodge Charger with options in the total amount not to exceed \$22,101.

ROLL CALL: MR. GOLDBERG YES MR. ROSENBUCH YES  
MR. GRAYZEL YES DEPUTY MAYOR WATSON YES  
MAYOR NACE ABSENT

\* \* \*

**RESOLUTION NO. 183-08**

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.

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**RESOLUTIONS (CONTINUED)**

**RESOLUTION NO. 183-08 (CONTINUED)**

ROLL CALL: MR. GOLDBERG YES MR. ROSENBUSH YES  
MR. GRAYZEL YES DEPUTY MAYOR WATSON YES  
MAYOR NACE ABSENT

\* \* \*

**RESOLUTION NO. 184-08**

**AUTHORIZING SETTLEMENT OF INNKEEPERS MORRISTOWN LLC VS. TOWNSHIP OF MORRIS, BLOCK 10001/LOT 6 & 7**

WHEREAS, the Township Assessor, tax appeal expert and consulting tax attorney have recommended that the Township Committee of the Township of Morris enter into a settlement for the above-referenced case for the years 2006, 2007, and 2008.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Township's consulting tax attorney is authorized to execute a Stipulation of Settlement with the taxpayer as follows:

1. Block 10001, Lot 6 – The assessment will be reduced from \$19,212,600 to \$16,904,600 for the 2006 tax year, to \$15,222,600 for the 2007 tax year, and to 15,084,300 for the 2008 tax year.
2. Block 10001, Lot 7 – The assessment will be reduced from \$2,750,500 to \$2,419,400 for the 2006 tax year, to \$2,178,600 for the 2007 tax year, and to \$2,158,800 for the 2008 tax year.

ROLL CALL: MR. GOLDBERG YES MR. ROSENBUSH YES  
MR. GRAYZEL YES DEPUTY MAYOR WATSON YES  
MAYOR NACE ABSENT

\* \* \*

**RESOLUTION NO. 185-08**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MORRIS RE: GRANTING SIX WEEK UNPAID LEAVE OF ABSENCE TO KRIS AARESKJOLD**

WHEREAS, the Township of Morris did receive a request from Kris Aareskjold an employee of the Department of Public Works, seeking an unpaid leave of absence for six (6) weeks for health reasons; and

WHEREAS, the Township Superintendent of the Department of Public Works and the Township Administrator have recommended that the request be granted;

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Township Committee of The Township of Morris that an unpaid leave of absence be granted from October 6, 2008 to November 14, 2008.

ROLL CALL: MR. GOLDBERG YES MR. ROSENBUSH YES  
MR. GRAYZEL YES DEPUTY MAYOR WATSON YES  
MAYOR NACE ABSENT  
\* \* \*

Deleted: I, Cathleen Amelio,  
Township Clerk of the Township of  
Morris, Morris County, New Jersey,

Deleted: do hereby certify that the  
forgoing is a true copy of a resolution  
adopted by the Governing Body

**TOWNSHIP COMMITTEE MEETING  
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**PUBLIC COMMENT/INQUIRY**

Deputy Mayor Watson, 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:

Mr. Steven Neblett, Assistant Executive Director of the Morristown Neighborhood

12 Flagler St, Morristown, NJ 07960

Thanked the Mayor, Township Committee and the Morris Township Police force for their generosity in donating the 1982 Dodge Police Van which will be put to good use at the Neighborhood.

Mr. Lee Goldberg

10 Arrowhead Road

Traffic Study – Exxon property development, Florham Park

The outcome of the balloon demonstration for lighting on proposed Mt.

Kemble recreation facility. Outcome of the live demonstration of existing lighting at the Borough of Morris Plains field.

Inquired as to the disposition of the Township tear-down ordinance.

Asked the following questions:

Traffic cameras, Fox Hollow proposed water-line; cable broadcast of Township meetings; IT Consultant Gary DuBois, \$96,000 annual income.

\* \* \*

**CONSENT CALENDAR**

At this time the Township Clerk presented the Consent Calendar as hereinafter set forth.

1. Granted permission to residents of Gilbert Estates to hold a block party on October 4, 2008 Closing Stratford Drive from 2:30PM to 6:30 PM with a rain date of Saturday, October 5, 2008.
2. Approved in accordance with a memo dated October 14, 2008 from Craig R. Goss, Fire Chief Membership application for Joshua R. Wolfson as a volunteer firefighter, for the Woodland Fire Company.
3. Granted permission to residents of Butterworth Farms to conduct a neighborhood Trick or Treat event from 4 P.M. to 9 P.M. on Friday, October 31, 2008. The residents are requesting that Stonehenge Road be closed and have received approvals from the Morris Township Police Department and the Morris Township Fire Department.
4. Accepted with regret, the resignation of Louise Jensen from the Environmental Commission.

**TOWNSHIP COMMITTEE MEETING  
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**CONSENT CALENDAR - CONTINUED**

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:

ROLL CALL: MR. GOLDBERG YES MR. ROSENBUSH YES  
MR. GRAYZEL YES DEPUTY MAYOR WATSON YES  
MAYOR NACE ABSENT

\* \* \*

**MATTERS OF OTHER BUSINESS**

NONE

\* \* \*

**MATTERS RECEIVED FOR THE RECORD**

The following items were officially received for the record and placed on file in the Office of the Township Clerk, to be retained in accordance with the related specific detail of the current record retention schedule promulgated by the New Jersey Bureau of Archives:

1. Landlord Registration Statement for 16 Shelley Place, owner: Kathryn Zawacke.
2. Landlord Registration Statement for 60 Old Glen Road, owner: Estate of Samuel R. Mulligan.
3. Landlord Registration Statement for 21 Briant Avenue , owner: Ralph and Amy Van Dyk.

\* \* \*

**TOWNSHIP COMMITTEE MEMBERS COMMENTS/QUESTIONS**

At this time Deputy Mayor Watson called upon the Members of the Township Committee for comments which are summarized as follows:

MR. GOLDBERG Attended Fire Inspection Night at the Township Fire Companies on October 10, 2008 to review the firemen; wished the Jewish Community a 'Happy New Year'; Attended McGreentable – Land Conservancy of New Jersey and was a rewarding experience; attended 'Call to service" seminar at Monmouth University; reminded everyone that on October 21, 2008 the League of Women Voters will be hold 'Candidates Night' and encouraged all to attend.

MR. GRAYZEL Attended Fire Inspection Night at the Township Fire Companies on October 10, 2008 to review the firemen and gave a brief history of the reason behind 'Inspection night'; announced on behalf of the Police Chief Timothy Quinn that patrols were stepped up for Sherman Avenue; attended Morris County Open Space in reference to the Delbarton, the subdivision will be considered by the Morris Township Planning Board; reminded that leaf collection season will begin and please note the leaf pick-up guidelines.

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

MR. ROSENBUSH The passion of Mr. Sam Barratt and long time resident and volunteer fire fighter was missed on Inspection night and by Fire Department tradition all Firefighters who have passed away are all remembered on Inspection night; attended an Open Space Preservation meeting in reference to the Township's participation in the purchase of the Delbarton property and that Mayor Nace was one of the spearheads in the preservation of this property for open space.

DEPUTY MAYOR WATSON Congratulated Mayor Nace on the Delbarton project; was unable to go to the Fire Department Inspection night; was saddened by the passing of Firefighter Barratt and Kathleen Blekicki; Township pool party was successful; revenues are up in the pool enterprise; improvements at the pools have enhanced the patrons attendance; the report from the Morristown/Morris Township Library indicates that the Township payments are on time, but Morristown is falling behind on their contribution and directed Fred Rossi, Township Administrator to ask Julia Hasbrouck, Township Chief Financial Officer to look into that matter.

MAYORAL COMMENTARY - MAYOR ROBERT E. NACE ABSENT

\* \* \*

**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:

SEPTEMBER 2008 - TAX COLLECTOR

ROLL CALL: MR. GOLDBERG YES MR. ROSENBUSH YES  
MR. GRAYZEL YES DEPUTY MAYOR WATSON YES  
MAYOR NACE ABSENT

\* \* \*

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

Minute Book Attachment #1 (MBA #1) dated OCTOBER 15, 2008 \$7,349,058.79

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 \$ for payment

**TOWNSHIP COMMITTEE MEETING  
REGULAR MEETING  
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**APPROVAL OF CLAIMS FOR PAYMENT - LIST OF BILLS AND VOUCHERS  
(CONTINUED)**

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. GOLDBERG YES MR. ROSENBUSH YES  
MR. GRAYZEL YES DEPUTY MAYOR WATSON YES  
MAYOR NACE ABSENT

\* \* \*

**RECESSED MEETING FOR PURPOSE OF CONDUCTING "CLOSED MEETING"  
CONCERNING "LEGAL AND PERSONNEL MATTERS"**

The Governing Body recessed at 9:01 P.M., the OCTOBER 15, 2008 Regular Meeting in order to conduct a "Closed Meeting" concerning "Legal and Personnel Matters", as authorized this date.

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**CALL TO ORDER AND ADJOURNMENT**

At 10:38 P.M. the OCTOBER 15, 2008 recessed Regular Meeting was called to order and with no further business to be considered, on motion duly made, seconded and unanimously (4-0) adopted, the meeting was adjourned at 10:45 P.M., next to convene at the 8:00 P.M., NOVEMBER 12, 2008, Regular Meeting, in the Municipal Building, 50 Woodland Avenue, Township of Morris.

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CATHLEEN AMELIO  
TOWNSHIP CLERK