

**MINUTES OF REGULAR MEETING OF
THE TOWNSHIP COMMITTEE HELD ON
WEDNESDAY, NOVEMBER 7, 2007, 8:00 P.M.**

CALL TO ORDER

The November 7, 2007 Regular Meeting was called to order by Mayor Robert E. Nace at 8:00 P.M., in the Municipal Building, 50 Woodland Avenue, Morris Township, New Jersey.

* * *

ATTENDANCES

ELECTED OFFICERS

GOVERNING BODY

Mayor Robert E. Nace
Township Committee Member Jeffrey R. Grayzel
Township Committee Member Kathleen G. Hyland
Township Committee Member Richard A. Watson

APPOINTED OFFICERS

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

* * *

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Robert E. Nace.

* * *

Full text of Ordinances can be obtained in the office of the Township Clerk

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
NOVEMBER 7, 2007 PAGE 2**

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

Mayor Nace 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 November 2, 2007 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".

* * *

SPEAKER'S TIME LIMITATION

Mayor Nace 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.

* * *

APPROVAL OF MINUTES

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

OCTOBER 17, 2007 - REGULAR MEETING
OCTOBER 17, 2007 - CLOSED MEETING

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. GRAYZEL YES MR. ROSENBUSH ABSENT
MRS. HYLAND YES MR. WATSON YES
MAYOR NACE YES

* * *

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
NOVEMBER 7, 2007 PAGE 3**

**ORDINANCES - PUBLIC HEARING, FINAL CONSIDERATION AND ADOPTION
CONTINUED TO THE 12/19/07 MEETING**

ORDINANCE #26-07 - "ORDINANCE OF THE TOWNSHIP OF MORRIS ADDING SECTION 57-164, DEVELOPMENT FEES FOR AFFORDABLE HOUSING, TO CHAPTER 57 'LAND DEVELOPMENT'"

* * *

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 December 19, 2007 meeting at 8:00 P.M.:

ORDINANCE #27-07 - AN ORDINANCE AMENDING CHAPTER 88 OF THE CODE OF THE TOWNSHIP OF MORRIS ENTITLED 'VEHICLES AND TRAFFIC', ARTICLE IIA, SECTION 88-2A.2 AND SCHEDULE II 'HANDICAPPED PARKING SPACES' (20 MAX DRIVE)

ROLL CALL: MR. GRAYZEL YES MR. ROSENBUSH ABSENT
MRS. HYLAND YES MR. WATSON YES
MAYOR NACE YES

- - -

ORDINANCE #28-07 - "ORDINANCE AUTHORIZING THE ACQUISITION OF LOT 5, BLOCK 23.02 IN THE TOWNSHIP OF HARDING BY THE TOWNSHIP OF MORRIS" (MT. KEMBLE AVENUE)

ROLL CALL: MR. GRAYZEL YES MR. ROSENBUSH ABSENT
MRS. HYLAND YES MR. WATSON YES
MAYOR NACE YES

* * *

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:

IN RECOGNITION AND OF CONGRATULATIONS - HAROLD HATHAWAY

WHEREAS, HAROLD HATHAWAY has rendered to the citizens and residents of the Township of Morris, forty (40) years of faithful service, and

WHEREAS, during his years of service, he faithfully performed the duties and obligations thrust upon him, and above and beyond these duties has given his utmost to the Township of Morris to the end that all citizens have benefited from his experience, faithfulness and dedication, and

WHEREAS, Harold worked with the Road Department 1967 to 1970, remembering when rock salt was delivered in 100 pound bags, with the Sanitation Department 1970 to 2000, and back to

Formatted: Font: 11 pt, Not Italic, Underline

Formatted: Font: 12 pt, Bold, Underline

Formatted: Font: 11 pt, Not Bold, Not Italic

Formatted: Justified

Formatted: Font: 11 pt, Not Bold, Not Italic

Formatted: Font: 11 pt, Not Bold, Not Italic

Formatted: Font: 11 pt, Not Bold, Not Italic

Formatted: Justified

Formatted: Font: 11 pt, Not Bold, Not Italic

Formatted: Font: 11 pt, Not Bold, Not Italic

Formatted: Font: 11 pt, Not Bold, Not Italic

Formatted: Font: 11 pt, Not Bold, Not Italic

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
NOVEMBER 7, 2007 PAGE 4**

RESOLUTIONS (CONTINUED)

IN RECOGNITION AND OF CONGRATULATIONS - HAROLD HATHAWAY (CONTINUED)

the Road Department 2000 to present. Harold was a thirty (30) year member of the Morris Township Volunteer Fire Department (Collinsville Fire Company) and six (6) years with the Morris Minute Men.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Township Committee of the Township of Morris, in the County of Morris and State of New Jersey, being the Governing Body of said Township, as follows:

That this Township Committee, on behalf of the citizens of, the Township of Morris, does hereby extend appreciation for forty years of dedicated service and best wishes for the future.

BE IT FURTHER RESOLVED that this recognition be presented to

HAROLD HATHAWAY

ROLL CALL: MR. GRAYZEL YES MR. ROSENBUSH ABSENT
MRS. HYLAND YES MR. WATSON YES
MAYOR NACE YES

- - -

IN RECOGNITION AND OF CONGRATULATIONS - JAMES J. LAVIN

WHEREAS, JAMES J. LAVIN has rendered to the citizens and residents of the Township of Morris, forty (40) years of faithful service as Clerk of the Municipal Court, and

WHEREAS, during his years of service, he faithfully performed the duties and obligations thrust upon him, and above and beyond these duties has given his utmost to the Township of Morris to the end that all citizens have benefited from his experience, faithfulness, professionalism and dedication.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Township Committee of the Township of Morris, in the County of Morris and State of New Jersey, being the Governing Body of said Township, as follows:

That this Township Committee, on behalf of the citizens of, the Township of Morris, does hereby extend appreciation for forty years of dedicated service and best wishes for the future.

BE IT FURTHER RESOLVED that this recognition be presented to

JAMES J. LAVIN

ROLL CALL: MR. GRAYZEL YES MR. ROSENBUSH ABSENT
MRS. HYLAND YES MR. WATSON YES
MAYOR NACE YES

- - -

- Formatted: Font: 11 pt, Not Italic, Underline
- Formatted: Font: 12 pt, Underline
- Formatted: Font: 11 pt, Not Bold, Not Italic
- Formatted: Font: 11 pt, Not Bold, Not Italic
- Formatted: Justified
- Formatted: Font: 11 pt, Not Bold, Not Italic
- Formatted: Font: 11 pt, Not Bold, Not Italic
- Formatted ... [1]
- Formatted ... [2]
- Formatted ... [3]
- Formatted ... [4]
- Formatted ... [5]
- Formatted ... [6]
- Formatted ... [7]
- Formatted: Justified
- Deleted: ¶
- Formatted: Font: 12 pt
- Formatted: Font: 11 pt, Not Italic
- Formatted ... [8]
- Formatted ... [9]
- Formatted: Justified
- Formatted ... [10]
- Formatted ... [11]
- Formatted ... [12]
- Formatted: Justified
- Formatted ... [13]
- Formatted ... [14]
- Formatted ... [15]
- Formatted ... [16]
- Formatted ... [17]
- Formatted ... [18]
- Formatted ... [19]
- Formatted ... [20]
- Formatted ... [21]
- Formatted ... [22]
- Formatted ... [23]
- Formatted ... [24]
- Formatted ... [25]
- Formatted ... [26]
- Formatted ... [27]
- Formatted ... [28]
- Formatted: Justified
- Formatted: Centered
- Deleted: ¶
- Formatted ... [29]

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
NOVEMBER 7, 2007 PAGE 5**

RESOLUTIONS (CONTINUED)

AUTHORIZING AWARD OF CONTRACT THROUGH A FAIR AND OPEN PROCESS FOR REAL ESTATE APPRAISAL SERVICES FOR BLOCK 23.02, LOT 5, MOUNT KEMBLE AVENUE (HARDING TWP.) - AWARDED TO LANDMARK I APPRAISAL, LLC, 555 EAST MAIN STREET, P.O. BOX 121, CHESTER, NJ 07930 IN THE AMOUNT NOT TO EXCEED \$3,050.00

WHEREAS, this municipality has, in accordance with the Local Public Contracts Law of the State of New Jersey, received quotes for the following: REAL ESTATE APPRAISAL SERVICES FOR BLOCK 23.02, LOT 5, MOUNT KEMBLE AVENUE (HARDING TWP.); and

WHEREAS, the practice of real estate appraisal is a professional service with the meaning of N.J.S.A. 40A:11-5 being a recognized profession with a practice regulated by law, the performance of which services requires knowledge of an advanced type in a field of learning acquired by a prolonged course of specialized instruction; and

WHEREAS, professional services may be awarded without public advertising for bids therefore; and

WHEREAS, after review and recommendation from the appropriate official, it appears that the contract should be awarded to: Landmark I Appraisal, LLC, 555 East Main Street, P.O. Box 121, Chester, NJ 07930 in accordance with their proposal dated June 18, 2007; and

WHEREAS, a Certificate of Availability of Funds has been provided to the Township Clerk by the Chief Financial Officer of this Township, certifying that the funds for said contract are available in the: OPEN SPACE TRUST FUND.

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

1. That the subject contract be awarded pursuant to a fair and open process to Landmark I Appraisal, LLC in an amount not to exceed \$3,050.00.
2. The Township Administrator is hereby authorized to sign the letter proposal (contract) on behalf of the Township.
3. That the Certificate of Availability of Funds supplied by the Chief Financial Officer of this Township shall be attached to a copy of this resolution and kept on file in the Office of the Township Clerk.
4. That an official notice of this action shall be published in accordance with the law.

ROLL CALL: MR. GRAYZEL YES MR. ROSENBUSH ABSENT
MRS. HYLAND YES MR. WATSON YES
MAYOR NACE YES

- - -

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
NOVEMBER 7, 2007 PAGE 6**

RESOLUTIONS (CONTINUED)

RESOLUTION AUTHORIZING TRANSFER OF FUNDS

WHEREAS, various 2007 Current Fund bills will be presented for payment, and

WHEREAS, NJS 40A:4-58 and NJS 40A:4-59 provides that excess unexpended balances in appropriations can be transferred to meet specific needs which are deemed to be insufficient.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee that in accordance with the provisions of NJS 40A:4-58 and NJS 40A:4-59 that the excess, in certain appropriations, be and the same are hereby transferred to the appropriations that are deemed insufficient.

<u>AMOUNT</u>	<u>FROM APPROPRIATION</u>	<u>TO APPROPRIATION</u>
\$21,800	Maintenance of Parks S/W	Maintenance of Parks O/E
\$10,000	Administration & Executive S/W	Telephone O/E
\$10,000	Administration & Executive S/W	Engineering S/W

ROLL CALL: MR. GRAYZEL YES MR. ROSENBUSH ABSENT
MRS. HYLAND YES MR. WATSON YES
MAYOR NACE YES

- - -

AUTHORIZING AN INTERLOCAL SERVICES AGREEMENT BY AND BETWEEN THE TOWNSHIP OF MORRIS AND THE COUNTY OF MORRIS, PROVIDING FOR THE AUTHORIZATION OF A PROJECT TO ANALYZE TRAFFIC AT THREE (3) INTERSECTIONS AND ON ONE CORRIDOR TO DETERMINE POTENTIAL IMPROVEMENTS DUE TO BUILD OUT OF THE FORMER EXXON RESEARCH FACILITY PROPERTY ON PARK AVENUE

WHEREAS, the Township of Morris and County of Morris desire to analyze potential traffic impacts in the Township of Morris to expedite the safe movement of traffic; and

WHEREAS, it is the purpose of this Interlocal Services Agreement to provide for the participation of the County and the Township in the cost of the aforesaid intersections and corridor traffic study analysis; and

WHEREAS, the total cost of the project, including engineering, is to be apportioned as follows:

<u>EST. COST</u>	<u>COUNTY SHARE</u>	<u>TOWNSHIP OF MORRIS SHARE</u>
\$29,000.00	\$15,500.00	\$13,500.00

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

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Mayor and Township Clerk are hereby authorized to enter into said agreement for the above described purposes; and

BE IT FURTHER RESOLVED that a copy of said agreement shall be maintained on file in the Office of the Township Clerk and open to public inspection in accordance with statute.

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
NOVEMBER 7, 2007 PAGE 7**

RESOLUTIONS (CONTINUED)

AUTHORIZING AN INTERLOCAL SERVICES AGREEMENT BY AND BETWEEN THE TOWNSHIP OF MORRIS AND THE COUNTY OF MORRIS, PROVIDING FOR THE AUTHORIZATION OF A PROJECT TO ANALYZE TRAFFIC AT THREE (3) INTERSECTIONS AND ON ONE CORRIDOR TO DETERMINE POTENTIAL IMPROVEMENTS DUE TO BUILD OUT OF THE FORMER EXXON RESEARCH FACILITY PROPERTY ON PARK AVENUE (CONTINUED)

ROLL CALL: MR. GRAYZEL YES MR. ROSENBUSH ABSENT
MRS. HYLAND YES MR. WATSON YES
MAYOR NACE YES

- - -

AUTHORIZING REFUND OF MONIES DUE TO TAX OVERPAYMENTS (1-\$624.50)

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.:

<u>Block</u>	<u>Lot</u>	<u>Name</u>	<u>Reason</u>	<u>Amount</u>
8301	3 C0419	Sunny & Celine Pais	Tax O/P 3 rd Qtr 2007	\$ 624.50

ROLL CALL: MR. GRAYZEL YES MR. ROSENBUSH ABSENT
MRS. HYLAND YES MR. WATSON YES
MAYOR NACE YES

- - -

AUTHORIZED THE EMPLOYMENT OF DAVID HANSEN AS ASSISTANT TOWNSHIP ENGINEER FOR A SIX-MONTH PROBATIONARY PERIOD

BE IT RESOLVED by the Township Committee of the Township of Morris that the appointment of David Hansen as Assistant Township Engineer for a six month probationary period is hereby confirmed, effective October 22, 2007.

ROLL CALL: MR. GRAYZEL YES MR. ROSENBUSH ABSENT
MRS. HYLAND YES MR. WATSON YES
MAYOR NACE YES

- - -

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
NOVEMBER 7, 2007 PAGE 8**

RESOLUTIONS (CONTINUED)

AUTHORIZING THE PURCHASE OF ONE SPORT UTILITY VEHICLE THROUGH MORRIS COUNTY COOPERATIVE PRICING COUNCIL, CONTRACT NO. 15-C, ITEM 1, FROM PRINCETON NASSAU/CONOVER FORD, 902 ROUTE 206, PRINCETON, NJ 08540 NTE \$19,870

WHEREAS, the Township of Morris wishes to purchase a sport utility vehicle, and

WHEREAS, the above item is available through the Morris County Cooperative Pricing Council Contract No. 15-C, Item 1, from Princeton Nassau/Conover Ford, 902 Route 206, Princeton, NJ 08540, and

WHEREAS, the Director of Finance has certified that funds are in Engineering OE in the amount of \$19,870.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee, Township of Morris, State of New Jersey, that a contract be awarded to Princeton Nassau/Conover Ford for the purchase of a Ford Escape 4 Door SUV.

ROLL CALL: MR. GRAYZEL YES MR. ROSENBUSH ABSENT
MRS. HYLAND YES MR. WATSON YES
MAYOR NACE YES

- - -

AUTHORIZING A NON-FAIR AND OPEN CONTRACT FOR THE DEVELOPMENT OF MORRIS TOWNSHIP'S 2008-2013 COMMUNITY FORESTRY MANAGEMENT PLAN BY PAUL COWIE & ASSOCIATES, MONTVILLE, NEW JERSEY - NTE \$4,500

WHEREAS, the Township of Morris has need for the professional services of a certified and registered arborist 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 forestry management is a recognized profession, regulated by law requiring extensive and specialized training and as such is an exception to the bidding requirements set forth in N.J.S.A. 40A:11-5 et. seq.; and

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

WHEREAS, Paul Cowie & Associates, Suite D4, 150 River Road, Montville, NJ 07045, has submitted a proposal dated October 15, 2007 indicating they will provide the professional forestry management services for \$4,500; 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 a 2004 Green Community grant (\$3,000.00) and the Department Public Works' salaries and wages budget (\$1,500.00) in the amount of \$4,500.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Township of Morris hereby awards the contract to Paul Cowie & Associates for the provision of professional forestry management services for the purpose of developing a 2008-2013 Community Forestry

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
NOVEMBER 7, 2007 PAGE 9**

RESOLUTIONS (CONTINUED)

AUTHORIZING A NON-FAIR AND OPEN CONTRACT FOR THE DEVELOPMENT OF MORRIS TOWNSHIP'S 2008-2013 COMMUNITY FORESTRY MANAGEMENT PLAN BY PAUL COWIE & ASSOCIATES, MONTVILLE, NEW JERSEY - NTE \$4,500 (CONTINUED)

Management Plan for the Township of Morris for a fee not to exceed \$4,500 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. GRAYZEL YES MR. ROSENBUSH ABSENT
MRS. HYLAND YES MR. WATSON YES
MAYOR NACE YES

- - -

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

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

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

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

That this body shall conduct a "Closed Meeting" concerning the above-expected matters, which are exceptions set forth in the said act, and upon which a public disclosure will be made as expeditiously as possible; said meeting to be held during a recess of this Regular Meeting at the Municipal Building, 50 Woodland Avenue.

ROLL CALL: MR. GRAYZEL YES MR. ROSENBUSH ABSENT
MRS. HYLAND YES MR. WATSON YES
MAYOR NACE YES

- - -

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
NOVEMBER 7, 2007 PAGE 10**

RESOLUTIONS (CONTINUED)

AUTHORIZING AWARD OF CONTRACT FOR PROFESSIONAL ENVIRONMENTAL ASSESSMENT SERVICES ON BLOCK 23.02, LOT 5, IN THE TOWNSHIP OF HARDING, MORRIS COUNTY, NJ, THROUGH A FAIR AND OPEN PROCESS - AWARDED TO ENVIROTACTICS, INC., 1625 HIGHWAY 71, WALL, NJ 07719 IN THE AMOUNT NOT TO EXCEED \$2,300.00

WHEREAS, this municipality has, in accordance with the Local Public Contracts Law of the State of New Jersey, solicited quotations for PROFESSIONAL ENVIRONMENTAL ASSESSMENT SERVICES ON BLOCK 23.02, LOT 5, IN THE TOWNSHIP OF HARDING, MORRIS COUNTY, NJ., and

WHEREAS, after review and recommendation by the Township Administrator, it appears that the contract should be awarded to Envirotactics, Inc., 1625 Highway 71, Wall, NJ 07719, and

WHEREAS, a Certificate of Availability of Funds has been provided to the Township Clerk by the Chief Financial Officer of this Township, certifying that the funds for said contract are available in the following account: OPEN SPACE TRUST FUND

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

1. That the subject contract be awarded pursuant to a fair and open process to Envirotactics, Inc., 1625 Highway 71, Wall, NJ 07719 in an amount not to exceed \$2,300.00.
2. The Mayor and Clerk of this Township be and are hereby authorized and directed to execute the contract and all other necessary documents in order to effectuate the purpose of this resolution.
3. That the Certificate of Availability of Funds supplied by the Chief Financial Officer of this Township shall be attached to a copy of this resolution and kept on file in the Office of the Municipal Clerk.
4. That an official notice of this action shall be published in accordance with the law.

ROLL CALL: MR. GRAYZEL YES MR. ROSENBUSH ABSENT
 MRS. HYLAND YES MR. WATSON YES
 MAYOR NACE YES

- - -

RE: IMPOSING DISCIPLINARY ACTION RE: LICENSE #1422-33-002-008 (TEQUILA EDDIES)

WHEREAS, the Township of Morris did prefer certain charges relative to certain liquor violations for the above licensee, and

WHEREAS, the licensee through its counsel and special counsel for the Township of Morris did reach a mutually agreeable resolution for presentation to the Township Committee of the

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
NOVEMBER 7, 2007 PAGE 11**

RESOLUTIONS (CONTINUED)

RE: IMPOSING DISCIPLINARY ACTION RE: LICENSE #1422-33-002-008 (TEQUILA EDDIES) (CONTINUED)

Township of Morris, they being the issuing authority and the Township Committee of the Township of Morris having listened to the agreement reached by both parties.

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

1. The Township of Morris does accept the guilty plea of the licensee to the three counts charged in the notice of violation. The Township Committee does agree with and accepts the recommendation of the Police Department that the appropriate penalty in this matter, given all of the facts, is a letter of admonition.

BE IT FURTHER RESOLVED that a copy of this resolution and the letter of admonition be made a part of the file pertaining to this licensee.

ROLL CALL: MR. GRAYZEL YES MR. ROSENBUSH ABSENT
MRS. HYLAND YES MR. WATSON YES
MAYOR NACE YES

- - -

RE: INNKEEPERS HOSPITALITY MANAGEMENT INC. LIQUOR LICENSE #1422-36-013-001 (WESTIN HOTEL)

WHEREAS, this matter has come before the Township Committee of the Township of Morris pursuant to charges of three violations of Title 33 of the revised New Jersey Statutes, and

WHEREAS, the Township of Morris is represented by Special Counsel John Iacofano, Esq. with the licensee being represented by Edward F. Broderick, Jr., Esq. and it having been represented to the Township Committee that a mutually acceptable arrangement had been worked out pursuant to which, a plea of guilty would be entered to two of the three charges with the third charge being dismissed.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Township Committee of the Township of Morris:

1. The Township of Morris does accept the guilty plea to two of the three charges in the charging documents alleging the presence of non-employees on the licensed premises after the legal hour of sale and in count three, alleging the sale or consumption of alcohol in areas of the premises beyond the scope of the license.

BE IT FURTHER RESOLVED that, in accordance with the Plea Agreement and upon the affirmation that the licensee accepts said penalty, the Township Committee of the Township of Morris does hereby impose a ten day suspension of the license, which suspension may be served over an eighty day period on days selected by the licensee. The licensee shall communicate the days of proposed suspension to the Police Department of the Township of Morris, said days of suspension shall be from 12 o'clock midnight to 11:59 P.M. o'clock the same day.

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
NOVEMBER 7, 2007 PAGE 12**

RE: INNKEEPERS HOSPITALITY MANAGEMENT INC. LIQUOR LICENSE #1422-36-013-001
(WESTIN HOTEL) (CONTINUED)

BE IT FURTHER RESOLVED that a copy of this resolution be placed in the official records of the Township of Morris with respect to this licensee.

ROLL CALL: MR. GRAYZEL YES MR. ROSENBUSH ABSENT
MRS. HYLAND YES MR. WATSON YES
MAYOR NACE YES

* * *

ADMINISTRATIVE HEARINGS - VIOLATION OF ABC LAW

TEQUILA EDDIES

Present were: John Iacofano, Esq., Captain Dennis Reilly and Captain Timothy Quinn for the Township and Gary F. Werner, Esq. for Tequila Eddies.

Mr. Iacofano summarized the violation of May 20, 2007. The licensee will focus on minimizing any violation, professionally managed; will cooperate to all enforcements efforts, admits charges; recommendation is to issue a warning letter.

Mr. Werner agrees with the prosecution; ownership group is not related to previous owners; client will be good owners; violations happened on third day of operation and have not had any other issues.

Mr. Nicholas Oliveri explained the new policies that have been adopted; cameras, securities implemented; continued training; full security staff.

Motion to accept plea and letter of warning.

- - -

WESTIN HOTEL

Present: Edward Broderick, Esq., attorney for the Westin; Mr. Iacofano, Prosecutor, Township of Morris; Mr. Glenn Reynold, Manager, Westin Hotel. Mr. Iacofano summarized the charges of April 28, 2007.

Disposition of three counts complaint: first count be dismissed; licensee must admit guilty on 2 and 3. Police Department recommended 10 day suspension; condition of plea - suspension over 80 day period, selected by licensees.

Mr. Broderick - 5th of September served charges and entered plea of not guilty; plead guilty on 2nd and 3rd counts of complaint; summarized events on charges on this licensee. Suspension dates have been selected: November 25, December 2, 23, 26, 27, 30, 2007 and January 1, 2, 3, 6, 2008. Motion accepted - guilty on 2nd and 3rd counts and 10 day suspension and terms of penalty selected by licensee.

* * *

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
NOVEMBER 7, 2007 PAGE 13**

PUBLIC COMMENT/INQUIRY

Mayor Nace, 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:

Mary Bush, 9 Ventosa Drive, member of the Conservation Committee, was concerned about changing the designation areas in Washington Valley.

Mr. Elliott, 415 Mt. Kemble Avenue, member of the NJ Highland Coalition was directed to Mr. Slate and Planning Board.

* * *

CONSENT CALENDAR

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

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:

1. Accepted, in accordance with a memo of recommendation dated October 24, 2007 from Craig Goss, Fire Chief, Denise Broesler, 42 Raynor Road, Morristown as a volunteer In the Township of Morris Fire Department (Fairchild Fire Company).
2. Granted permission to Interfaith Food Pantry and Literacy Volunteers of Morris County to hang a banner on Woodland Avenue from November 12 to November 23, 2007 for their first Annual Turkey Trot, a joint fundraiser, on Thanksgiving morning, November 22, 2007, subject to the filing of a Certificate of Insurance, with a Hold Harmless Clause Naming the Township as an additional insured.

ROLL CALL: MR. GRAYZEL YES MR. ROSENBUSH ABSENT
MRS. HYLAND YES MR. WATSON YES
MAYOR NACE YES

* * *

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. Notice from the County of Morris that they received Ordinance #24-07 on October 22, 2007, as adopted by the Township of Morris on October 17, 2007, which ordinance amends the Zoning Ordinance.
2. Landlord Registration Statement for 16 Fox Hollow Road, Block 8202, Lot 12, owners: Ira J. Pitel & Flva Joy Pitel.

* * *

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
NOVEMBER 7, 2007 PAGE 14**

TOWNSHIP COMMITTEE MEMBERS COMMENTS/QUESTIONS

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

MR. GRAYZEL

1. Train package - Wednesday matinee day.
2. Election day, voting is a great honor; congratulations to candidates.

MRS. HYLAND

1. Spoke with Sister at St. Elizabeth regarding parking; MUA awards; the Messenger should include more on recycling; environmental concerns.
2. Dedication of benches - Mrs. Gribbon and Mrs. Dries.
3. Veterans Day ceremony starts at 10 A.M. on Monday.

MR. ROSENBUSH

ABSENT

MR. WATSON

1. Election congratulations to Mr. Goldberg.
2. Attended grand opening of Morris Museum.
3. Presented explanation to County Open Space Trust Fund - will recommend \$400,000 to new complex - \$1.462 will be contributed by County.

MAYORAL COMMENTARY - MAYOR ROBERT E. NACE

NONE

* * *

CONSIDERATION OF MONTHLY REPORTS

NONE

* * *

APPROVAL OF CLAIMS FOR PAYMENT - LIST OF BILLS AND VOUCHERS

Minute Book Attachment #1 (MBA #1) dated November 7, 2007 - \$5,975,246.56

The Resolution as hereinafter set forth was duly offered, seconded and adopted by the vote as hereinafter indicated:

**TOWNSHIP COMMITTEE MEETING
REGULAR MEETING
NOVEMBER 7, 2007 PAGE 15**

**APPROVAL OF CLAIMS FOR PAYMENT - LIST OF BILLS AND VOUCHERS
(CONTINUED)**

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 \$5,975,246.56 for payment 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. GRAYZEL YES MR. ROSENBUSH ABSENT
MRS. HYLAND YES MR. WATSON YES
MAYOR NACE YES

* * *

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

The Governing Body recessed at 9:16 P.M., the November 7, 2007 Regular Meeting in order to conduct a "Closed Meeting" concerning "Legal and Personnel Matters", as authorized this date.

- - -

CALL TO ORDER AND ADJOURNMENT

At 9:45 P.M. the November 7, 2007 recessed Regular Meeting was called to order and Ordinance #28-07 was introduced entitled "ORDINANCE AUTHORIZING THE ACQUISITION OF LOT 5, BLOCK 23.02 IN THE TOWNSHIP OF HARDING BY THE TOWNSHIP OF MORRIS" and resolutions entitled "AUTHORIZING AWARD OF CONTRACT FOR PROFESSIONAL ENVIRONMENTAL ASSESSMENT SERVICES ON BLOCK 23.02, LOT 5, IN THE TOWNSHIP OF HARDING, MORRIS COUNTY, NJ, THROUGH A FAIR AND OPEN PROCESS - AWARDED TO ENVIROTACTICS, INC., 1625 HIGHWAY 71, WALL, NJ 07719 IN THE AMOUNT NOT TO EXCEED \$2,300.00" , "IMPOSING DISCIPLINARY ACTION RE: LICENSE #1422-33-002-008 (TEQUILA EDDIES", AND "RE: INNKEEPERS HOSPITALITY MANAGEMENT INC. LIQUOR LICENSE #1422-36-013-001 (WESTIN HOTEL) were adopted, thereafter with no further business to be considered, on motion duly made, seconded and unanimously (5-0) adopted, the meeting was adjourned at 9:46 P.M., next to convene at the 8:00 P.M., December 19, 2007, Regular Meeting, in the Municipal Building, 50 Woodland Avenue, Township of Morris.

CATHLEEN AMELIO
TOWNSHIP CLERK

DATED: DECEMBER 17, 2007

Page 4: [1] Formatted Font: 11 pt, Not Bold, Not Italic	bprudden	7/19/2006 10:20:00 AM
Page 4: [2] Formatted Font: 11 pt, Not Bold, Not Italic	bprudden	7/19/2006 10:20:00 AM
Page 4: [3] Formatted Font: 11 pt, Not Bold, Not Italic	bprudden	7/19/2006 10:20:00 AM
Page 4: [4] Formatted Font: 11 pt, Not Bold, Not Italic	bprudden	7/19/2006 10:20:00 AM
Page 4: [5] Formatted Font: 11 pt, Not Bold, Not Italic	bprudden	7/19/2006 10:20:00 AM
Page 4: [6] Formatted Font: 11 pt, Not Bold, Not Italic	bprudden	7/19/2006 10:20:00 AM
Page 4: [7] Formatted Font: 11 pt, Not Bold, Not Italic	bprudden	7/19/2006 10:20:00 AM
Page 4: [8] Formatted Font: 11 pt, Bold, Not Italic	bprudden	7/19/2006 10:20:00 AM
Page 4: [9] Formatted Font: 11 pt, Not Bold, Not Italic	bprudden	7/19/2006 10:20:00 AM
Page 4: [10] Formatted Font: 11 pt, Not Bold, Not Italic	bprudden	7/19/2006 10:20:00 AM
Page 4: [11] Formatted Font: 11 pt, Not Bold, Not Italic	bprudden	7/19/2006 10:20:00 AM
Page 4: [12] Formatted Font: 11 pt, Not Bold, Not Italic	bprudden	7/19/2006 10:20:00 AM
Page 4: [13] Formatted Font: 11 pt, Not Bold, Not Italic	bprudden	7/19/2006 10:20:00 AM
Page 4: [14] Formatted Font: 11 pt, Not Bold, Not Italic	bprudden	7/19/2006 10:20:00 AM
Page 4: [15] Formatted Font: 11 pt, Not Bold, Not Italic	bprudden	7/19/2006 10:20:00 AM
Page 4: [16] Formatted Font: 11 pt, Not Bold, Not Italic	bprudden	7/19/2006 10:20:00 AM
Page 4: [17] Formatted Font: 11 pt, Not Bold, Not Italic	bprudden	7/19/2006 10:20:00 AM
Page 4: [18] Formatted Font: 11 pt, Not Bold, Not Italic	bprudden	7/19/2006 10:20:00 AM
Page 4: [19] Formatted Font: 11 pt, Not Bold, Not Italic	bprudden	7/19/2006 10:20:00 AM
Page 4: [20] Formatted Font: 11 pt, Not Bold, Not Italic	bprudden	7/19/2006 10:20:00 AM
Page 4: [21] Formatted Font: 11 pt, Not Bold, Not Italic	bprudden	7/19/2006 10:20:00 AM
Page 4: [22] Formatted Font: 11 pt, Not Bold, Not Italic	bprudden	7/19/2006 10:20:00 AM

Page 4: [23] Formatted	bprudden	7/19/2006 10:20:00 AM
Font: 11 pt, Not Bold, Not Italic		
Page 4: [24] Formatted	bprudden	7/19/2006 10:20:00 AM
Font: 11 pt, Not Bold, Not Italic		
Page 4: [25] Formatted	bprudden	7/19/2006 10:20:00 AM
Font: 11 pt, Not Bold, Not Italic		
Page 4: [26] Formatted	bprudden	7/19/2006 10:20:00 AM
Font: 11 pt, Not Bold, Not Italic		
Page 4: [27] Formatted	bprudden	7/19/2006 10:20:00 AM
Font: 11 pt, Not Bold, Not Italic		
Page 4: [28] Formatted	bprudden	7/19/2006 10:20:00 AM
Font: 11 pt, Not Bold, Not Italic		
Page 4: [29] Formatted	bprudden	7/19/2006 10:20:00 AM
Font: 11 pt, Not Bold, Not Italic		