

**MINUTES OF REGULAR MEETING OF  
THE TOWNSHIP COMMITTEE HELD ON  
WEDNESDAY, JANUARY 21, 2009, 8:00 P.M.**

**CALL TO ORDER**

The January 21, 2009 Regular Meeting was called to order by Mayor H. Scott Rosenbush, 8:21 P.M., in the Municipal Building, 50 Woodland Avenue, Morris Township, New Jersey.

\* \* \*

**ATTENDANCES**

**ELECTED OFFICERS**  
**GOVERNING BODY**

Mayor H. Scott Rosenbush  
Township Committee Member Daniel W. Caffrey  
Township Committee Member Ronald M. Goldberg  
Township Committee Member Jeffrey R. Grayzel  
Township Committee Member Raymond L. Snyder

**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 Mayor H. Scott Rosenbush.

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TOWNSHIP COMMITTEE MEETING  
REGULAR MEETING  
JANUARY 21, 2009 PAGE 2

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

Mayor Rosenbush 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 January 16, 2009 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 Rosenbush 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**

NONE

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

NONE

\* \* \*

**ORDINANCES - INTRODUCTION**

NONE

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TOWNSHIP COMMITTEE MEETING  
REGULAR MEETING  
JANUARY 21, 2009 PAGE 3

**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:

RE: CONSENTING TO THE APPLICATION FOR WATER SERVICE OUTSIDE THE DISTRICT OF THE SOUTHEAST MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY

<u>MUNICIPALITY</u>	<u>LOT</u>	<u>BLOCK</u>	<u>STREET</u>	<u>NAME</u>
Township of Harding	5.02	21	1 Sycamore Farm Lane	John Curley

WHEREAS, the Southeast Morris County Municipal Utilities Authority has received a request from the Township of Harding for water service for one single family residence - Block 21, Lot 5.02, 1 Sycamore Farm Lane, which is outside the District of the Authority, and

WHEREAS, the proposed extension requires the approval of the Authority's four creating municipalities, and

WHEREAS, the property in question fronts on or has reasonable access to the Authority's system and no "new extension" (as defined in the Service Contract between the Authority and its creating municipalities dated January 20, 1977) is required, and

WHEREAS, the Authority has determined and advised that the proposed service connection can be made without any adverse effect on the system and that no further extension of the system is foreseen as a result of providing service to this property, and

WHEREAS, the Authority has requested that the creating municipalities give consent to the proposed new extension.

BE IT RESOLVED that consent is hereby given to the Southeast Morris County Municipal Utilities Authority to provide water service to a single-family residence, i.e., Block 21, Lot 5.02, 1 Sycamore Farm Lane, Township of Harding.

ROLL CALL: MR. CAFFREY YES MR. GRAYZEL YES  
MR. GOLDBERG YES MR. SYNDER YES  
MAYOR ROSENBUSH YES

- - -

AUTHORIZING THE MAYOR AND TOWNSHIP TO ENTER INTO AN AGREEMENT WITH THE ORDER OF ST. BENEDICT OF NEW JERSEY (ST. MARY'S ABBEY), 230 MENDHAM ROAD, MORRISTOWN, NJ 07960 - STORMWATER DETENTION FACILITY AND SITE STREAM MAINTENANCE AGREEMENT

WHEREAS, the Township of Morris will enter into a Stormwater Detention Facility and Site Stream Agreement with the Order of St. Benedict of New Jersey (St. Mary's Abbey) for property located at 230 Mendham Road, Morristown, New Jersey 07960, Block 4501, Lot 2.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Township of Morris authorizes the Mayor and Township Clerk to enter into a contract with the Order of St. Benedict of New Jersey (St. Mary's Abbey).

TOWNSHIP COMMITTEE MEETING  
REGULAR MEETING  
JANUARY 21, 2009 PAGE 4

**RESOLUTIONS (CONTINUED)**

AUTHORIZING THE MAYOR AND TOWNSHIP TO ENTER INTO AN AGREEMENT WITH THE ORDER OF ST. BENEDICT OF NEW JERSEY (ST. MARY'S ABBEY), 230 MENDHAM ROAD, MORRISTOWN, NJ 07960 - STORMWATER DETENTION FACILITY AND SITE STREAM MAINTENANCE AGREEMENT (CONTINUED)

ROLL CALL: MR. CAFFREY YES MR. GRAYZEL YES  
MR. GOLDBERG YES MR. SYNDER YES  
MAYOR ROSENBUSH YES

- - -

AUTHORIZING REFUND OF MONIES DUE TO TAX OVERPAYMENT (1-\$2,388.49)

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>
6402	17	Ruth W. Laing	2008 Tax Refund due to Vet Exemption	\$2,388.49

ROLL CALL: MR. CAFFREY YES MR. GRAYZEL YES  
MR. GOLDBERG YES MR. SYNDER YES  
MAYOR ROSENBUSH YES

- - -

AUTHORIZING EXEMPTION OF TAXES- 19 HILLTOP CIRCLE, BLOCK 6402, LOT 17- RUTH W. LAING-DUE TO SURVIVING SPOUSE OF DISABLED VETERAN STATUS

WHEREAS, Ruth W. Laing is the owner of 19 Hilltop Circle, Block 6402 Lot 17, and

WHEREAS, the aforementioned owner is the surviving spouse of a permanently and totally disabled Veteran, and

WHEREAS, N.J.S.A 54:4-3.30 allows for the exemption of property taxes in such a circumstance.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Morris, being the Governing Body thereof, does hereby exempt the property tax amount due for the year 2008 in the amount of \$2,388.49 and preliminary tax amount due for the year 2009 in the amount of \$5,792.45, with the final balance for the year 2009 as yet to be determined.

ROLL CALL: MR. CAFFREY YES MR. GRAYZEL YES  
MR. GOLDBERG YES MR. SYNDER YES  
MAYOR ROSENBUSH YES

- - -

TOWNSHIP COMMITTEE MEETING  
REGULAR MEETING  
JANUARY 21, 2009 PAGE 5

**RESOLUTIONS (CONTINUED)**

AUTHORIZING APPLICATION FOR GRANT MONIES IN THE AMOUNT OF \$80,000 FROM THE MORRIS COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FOR THE RECONSTRUCTION OF HIGHLAND AVENUE

WHEREAS, the Township of Morris has need to make improvements on Highland Avenue; and

WHEREAS, it is the belief of the Township of Morris that the purpose of these improvements would qualify for community development block grant monies.

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

1. That the Township of Morris shall, through its appropriate officers, make application to the Morris County Community Development Block Grant Program for grant funds in the amount of \$80,000 for the purpose of making the necessary road improvements on Highland Avenue.

ROLL CALL: MR. CAFFREY YES MR. GRAYZEL YES  
MR. GOLDBERG YES MR. SYNDER YES  
MAYOR ROSENBUSH YES

- - -

AUTHORIZING AWARD OF A NONFAIR AND OPEN CONTRACT FOR ANIMAL CONTROL SERVICE TO ST. HUBERT'S GIRALDA, 575 WOODLAND ROAD, MADISON, NEW JERSEY 07940 – IN AN AMOUNT OF \$45,200 PLUS \$150.00 EACH AFTER-HOURS CALL OUT FOR A TOTAL AMOUNT NOT TO EXCEED \$46,000

WHEREAS, the Township of Morris has a need to acquire professional services for animal control service as a nonfair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Local Public Contracts Law requires that the resolution authorizing the award of contracts for "Extraordinary Unspecifiable Services" without bids and the contract itself must be available for public inspection, 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 Township Administrator has certified that this meets the statute and regulations governing the award of said contracts; and

WHEREAS, the Township Administrator has determined and certified in writing that the value of the contract will exceed \$17,500; and

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

WHEREAS, St. Hubert's Giralda has submitted a proposal dated October 14, 2008 indicating they will provide the animal control services in an amount of \$45,200 plus \$150.00 each after hours callout, for a total amount not to exceed \$46,000, and

TOWNSHIP COMMITTEE MEETING  
REGULAR MEETING  
JANUARY 21, 2009 PAGE 6

**RESOLUTIONS (CONTINUED)**

AUTHORIZING AWARD OF A NONFAIR AND OPEN CONTRACT FOR ANIMAL CONTROL SERVICE TO ST. HUBERT'S GIRALDA, 575 WOODLAND ROAD, MADISON, NEW JERSEY 07940 – IN AN AMOUNT OF \$45,200 PLUS \$150.00 EACH AFTER-HOURS CALL OUT FOR A TOTAL AMOUNT NOT TO EXCEED \$46,000 (CONTINUED)

WHEREAS, St. Hubert's Giralda has completed and submitted a Business Entity Disclosure Certification which certifies that St. Hubert's Giralda 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 St. Hubert's Giralda from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer of the Township of Morris has filed a Certificate of Availability of Funds indicating funds are available.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Township of Morris authorizes the Mayor and Township Clerk to enter into a contract with St. Hubert's Giralda for animal control services for a fee not to exceed \$46,000.

This contract is awarded without competitive bidding as an Extraordinary, Unspecifiable Service in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because the services required cannot reasonably be described by written specifications to assure that the qualitative and quantitative assessment of the problems involved, which require expertise, extensive training, and proved reputation in the field of endeavor are obtained.

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

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

ROLL CALL: MR. CAFFREY YES MR. GRAYZEL YES  
MR. GOLDBERG YES MR. SYNDER YES  
MAYOR ROSENBUSH YES

- - -

AUTHORIZING AWARD OF A NONFAIR AND OPEN CONTRACT FOR GENERAL COUNSEL JOHN M. MILLS, III, ESQ. - \$125/HR. – NTE \$90,000

WHEREAS, the Township of Morris has a need to acquire professional services of a general counsel as a nonfair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

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

WHEREAS, the Township Administrator has determined and certified in writing that the value of the acquisition will exceed \$17,500; and

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

TOWNSHIP COMMITTEE MEETING  
REGULAR MEETING  
JANUARY 21, 2009 PAGE 7

**RESOLUTIONS (CONTINUED)**

**AUTHORIZING AWARD OF A NONFAIR AND OPEN CONTRACT FOR GENERAL COUNSEL JOHN M. MILLS, III, ESQ. - \$125/HR. – NTE \$90,000 (CONTINUED)**

WHEREAS, John M. Mills, III, Esq. has submitted a proposal indicating he will provide the professional services of general counsel for \$125 per hour; and

WHEREAS, John M. Mills, III, Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that John M. Mills, III, Esq. 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 John M. Mills, III, Esq. from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer of the Township of Morris has filed a Certificate of Availability of Funds indicating funds are available as follows: Legal O.E. - \$85,000; Sewer O.E. - \$5,000.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Township of Morris authorizes the Mayor and Township Clerk to enter into a contract with John M. Mills, III, Esq. as general counsel for a total not to exceed \$90,000, and

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

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

ROLL CALL: MR. CAFFREY YES MR. GRAYZEL YES  
MR. GOLDBERG YES MR. SYNDER YES  
MAYOR ROSENBUSH YES

- - -

**AUTHORIZING AWARD OF A NONFAIR AND OPEN CONTRACT FOR LEGAL COUNSEL - PUBLIC DEFENDER - TIMOTHY BRUNNOCK, ESQ. , 67 PARK PLACE, MORRISTOWN, NJ 07960 - \$125/HR. - NOT TO EXCEED \$22,500**

WHEREAS, the Township of Morris has a need to acquire professional services of legal counsel to act as the public defender as a nonfair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

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

WHEREAS, the Township Administrator has determined and certified in writing that the value of the acquisition will exceed \$17,500; and

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

TOWNSHIP COMMITTEE MEETING  
REGULAR MEETING  
JANUARY 21, 2009 PAGE 8

**RESOLUTIONS (CONTINUED)**

AUTHORIZING AWARD OF A NONFAIR AND OPEN CONTRACT FOR LEGAL COUNSEL - PUBLIC DEFENDER - TIMOTHY BRUNNOCK, ESQ. , 67 PARK PLACE, MORRISTOWN, NJ 07960 - \$125/HR. - NOT TO EXCEED \$22,500 (CONTINUED)

WHEREAS, Timothy Brunnock, of the firm Brunnock & Fleming, PC has agreed to provide the professional services of public defender for \$125 per hour, not to exceed \$22,500; and

WHEREAS, Timothy Brunnock, Brunnock & Fleming, PC, 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 Chief Financial Officer of the Township of Morris has filed a Certificate of Availability of Funds indicating funds are available in Legal O.E.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Township of Morris authorizes the Mayor and Township Clerk to enter into a contract with Timothy Brunnock, Esq. of the firm of Brunnock & Fleming, PC for a total not to exceed \$22,500 and

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

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

ROLL CALL: MR. CAFFREY YES MR. GRAYZEL YES  
MR. GOLDBERG YES MR. SYNDER YES  
MAYOR ROSENBUSH YES

- - -

RESOLUTION OF SUPPORT AND COMMITMENT TO COOPERATION AND PARTICIPATION IN THE PARIS GRANT PROGRAM WITH THE COUNTY OF MORRIS FOR THE PURPOSE OF IMAGING PERMANENT PUBLIC RECORDS

WHEREAS, the State of New Jersey has launched its pioneering Public Archives and Records Infrastructure Support (PARIS) grant program to meet the strategic records management, preservation, and storage needs of county and municipal governments; and

WHEREAS, a top priority of the PARIS grants program is to achieve efficiencies of cost and operation through shared services and to create a service structure for municipalities that do not have the resources to create one for themselves; and

WHEREAS, in the 2009-10 grant cycle, priority funding will be given to county projects to perform municipal imaging for all of their municipalities; and

WHEREAS, the Township of Morris desires to collaborate with the County of Morris in the performance of imaging business critical records; and

TOWNSHIP COMMITTEE MEETING  
REGULAR MEETING  
JANUARY 21, 2009 PAGE 9

**RESOLUTIONS (CONTINUED)**

**RESOLUTION OF SUPPORT AND COMMITMENT TO COOPERATION AND PARTICIPATION IN THE PARIS GRANT PROGRAM WITH THE COUNTY OF MORRIS FOR THE PURPOSE OF IMAGING PERMANENT PUBLIC RECORDS (CONTINUED)**

WHEREAS, the Township of Morris is acknowledging that their eligible funding of \$40,000 will be leveraged with the County of Morris; and

WHEREAS, the Township of Morris is acknowledging that the County of Morris would be both the lead agency and the applicant for such a proposal.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Morris, that the Township of Morris does support and commit to cooperation and participation in the PARIS grant for the purposes set forth above, and to execute and deliver all documents required incident thereto.

ROLL CALL: MR. CAFFREY YES MR. GRAYZEL YES  
MR. GOLDBERG YES MR. SYNDER YES  
MAYOR ROSENBUSH YES

- - -

**AUTHORIZING AWARD OF A NONEXCLUSIVE, NONFAIR AND OPEN CONTRACT FOR PROFESSIONAL BOND COUNSEL SERVICES TO JOHN L. KRAFT, ESQ., L.L.C., LOMURO, DAVISON, EASTMAN MUNOZ, P.A., MONMOUTH EXECUTIVE CENTER, 100 WILLOWBROOK ROAD, BLDG. 1, FREEHOLD, N.J. 07728**

WHEREAS, the Township of Morris has need to acquire professional bond counsel services as a nonexclusive, nonfair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5, and

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

WHEREAS, the Township Administrator has determined and certified in writing that the value of the acquisition will exceed \$17,500, and

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

WHEREAS, the Chief Financial Officer of the Township of Morris has filed a Certificate of Availability of Funds indicating funds will be available upon adoption of the appropriate capital ordinance, and

WHEREAS, John L. Kraft, Esq., L.L.C. has completed and submitted a Business Entity Disclosure Certification which certifies that he 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 him from making any reportable contributions through the term of the contract; and

TOWNSHIP COMMITTEE MEETING  
REGULAR MEETING  
JANUARY 21, 2009 PAGE 10

**RESOLUTIONS (CONTINUED)**

AUTHORIZING AWARD OF A NONEXCLUSIVE, NONFAIR AND OPEN CONTRACT FOR PROFESSIONAL BOND COUNSEL SERVICES TO JOHN L. KRAFT, ESQ., L.L.C., LOMURO, DAVISON, EASTMAN MUNOZ, P.A., MONMOUTH EXECUTIVE CENTER, 100 WILLOWBROOK ROAD, BLDG. 1, FREEHOLD, N.J. 07728 (CONTINUED)

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

1. A nonexclusive contract for bond counsel services is hereby awarded to John L. Kraft, Esq., L.L.C., Lomurro, Davison, Eastman & Munoz, P.A., Monmouth Executive Center, 100 Willowbrook Road, Bldg. 1, Freehold, NJ 07728.
2. An official notice of this action shall be published in accordance with the law.

ROLL CALL: MR. CAFFREY YES MR. GRAYZEL YES  
MR. GOLDBERG YES MR. SYNDER YES  
MAYOR ROSENBUSH YES

- - -

AUTHORIZING AWARD OF A NONFAIR AND OPEN CONTRACT FOR LEGAL SERVICES/SPECIAL LABOR COUNSEL – FREDRIC M. KNAPP, ESQ. OF THE FIRM OF KNAPP, TRIMBOLI, & PRUSINOWSKI, LLC, 210 PARK AVENUE, SUITE 302, FLORHAM PARK. NJ 07932. - \$125/HR. – NTE \$25,000

WHEREAS, the Township of Morris has a need to acquire professional services of a labor counsel as a nonfair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

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

WHEREAS, the Township Administrator has determined and certified in writing that the value of the acquisition will exceed \$17,500; and

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

WHEREAS, Frederic M. Knapp, Esq. of the firm Knapp, Trimboli & Prusinowski, LLC has submitted a proposal indicating he will provide the professional services of labor counsel for \$125 per hour, not to exceed \$25,000; and

WHEREAS, Frederic M. Knapp, Esq. of the firm of Knapp, Trimboli & Prusinowski, LLC 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 Chief Financial Officer of the Township of Morris has filed a Certificate of Availability of Funds indicating funds are available in Legal O.E.

TOWNSHIP COMMITTEE MEETING  
REGULAR MEETING  
JANUARY 21, 2009 PAGE 11

**RESOLUTIONS (CONTINUED)**

AUTHORIZING AWARD OF A NONFAIR AND OPEN CONTRACT FOR LEGAL SERVICES/SPECIAL LABOR COUNSEL – FREDRIC M. KNAPP, ESQ. OF THE FIRM OF KNAPP, TRIMBOLI, & PRUSINOWSKI, LLC, 210 PARK AVENUE, SUITE 302, FLORHAM PARK. NJ 07932. - \$125/HR. – NTE \$25,000 (CONTINUED)

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Township of Morris authorizes the Mayor and Township Clerk to enter into a contract with Frederic M. Knapp, Esq. of the firm of Knapp, Trimboli & Prusinowski,, L.L.C, 210 Park Avenue, Suite 302, Florham Park. NJ 07932 for a total not to exceed \$25,000; and

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

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

ROLL CALL: MR. CAFFREY YES MR. GRAYZEL YES  
MR. GOLDBERG YES MR. SYNDER YES  
MAYOR ROSENBUSH YES

- - -

AUTHORIZING AWARD OF A NONFAIR AND OPEN CONTRACT FOR SPECIAL COUNSEL FOR THE MORRIS TOWNSHIP POLICE DEPARTMENT AND FOR GENERAL LEGAL SERVICES TO JOHN M. IACIOFANO, ESQ., IACIOFANO, FIAMINGO & PERRONE, ESQS., 157 WASHINGTON STREET, MORRISTOWN, N.J. 07960 IN THE AMOUNT OF \$125.00/HR. - NTE \$17,500

WHEREAS, the Township of Morris has need to acquire professional services (Special Counsel) for the Morris Township Police Department and general legal services as a nonfair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5, and

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

WHEREAS, the Township Administrator has determined and certified in writing that the value of the acquisition will exceed \$17,500, and

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

WHEREAS, John M. Iaciovano, Esq. of the firm of Iaciovano, Fiamingo & Perrone, Esqs. 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

TOWNSHIP COMMITTEE MEETING  
REGULAR MEETING  
JANUARY 21, 2009 PAGE 12

**RESOLUTIONS (CONTINUED)**

AUTHORIZING AWARD OF A NONFAIR AND OPEN CONTRACT FOR SPECIAL COUNSEL FOR THE MORRIS TOWNSHIP POLICE DEPARTMENT AND FOR GENERAL LEGAL SERVICES TO JOHN M. IACIOFANO, ESQ., IACIOFANO, FIAMINGO & PERRONE, ESQS., 157 WASHINGTON STREET, MORRISTOWN, N.J. 07960 IN THE AMOUNT OF \$125.00/HR. - NTE \$17,500 (CONTINUED)

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.

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

1. A contract for legal services is hereby awarded to John M. Iaciovano, Esq. of Iaciovano, Fiamingo & Perrone, Esqs., 157 Washington Street, Morristown, NJ 07960 in the amount of \$125.00 per hour, not to exceed \$17,500.
2. An official notice of this action shall be published in accordance with the law.

ROLL CALL: MR. CAFFREY YES MR. GRAYZEL YES  
MR. GOLDBERG YES MR. SYNDER YES  
MAYOR ROSENBUSH YES

- - -

AUTHORIZING AWARD OF CONTRACT FOR PROFESSIONAL ACCOUNTING SERVICES FOR THE TOWNSHIP OF MORRIS THROUGH A NONFAIR AND OPEN PROCESS - AWARDED TO RAYMOND G. SARINELLI AND DAVID H. EVANS, PARTNERS IN THE FIRM OF NISIVOCCIA & COMPANY, LLP, ACCOUNTANTS AND AUDITORS, 200 VALLEY ROAD, SUITE 300, MT. ARLINGTON, NJ 07856 – NOT TO EXCEED \$65,000

WHEREAS, the Township of Morris has a need to acquire professional services of a registered municipal accountant as a nonfair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and,

WHEREAS, municipal accounting 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 Township Administrator has determined and certified in writing that the value of the acquisition will exceed \$17,500; and,

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

WHEREAS, Nisivoccia and Company, LLP has submitted a proposal dated December 29, 2008 indicating they will provide the professional services of a registered municipal accountant for \$65,000; and,

WHEREAS, Raymond G. Sarinelli and David H. Evans of the firm of Nisivoccia and Company, LLP have completed and submitted a Business Entity Disclosure Certification which certifies that Nisivoccia and Company, LLP has not made any reportable contributions to a political or

TOWNSHIP COMMITTEE MEETING  
REGULAR MEETING  
JANUARY 21, 2009 PAGE 13

**RESOLUTIONS (CONTINUED)**

AUTHORIZING AWARD OF CONTRACT FOR PROFESSIONAL ACCOUNTING SERVICES FOR THE TOWNSHIP OF MORRIS THROUGH A NONFAIR AND OPEN PROCESS - AWARDED TO RAYMOND G. SARINELLI AND DAVID H. EVANS, PARTNERS IN THE FIRM OF NISIVOCCIA & COMPANY, LLP, ACCOUNTANTS AND AUDITORS, 200 VALLEY ROAD, SUITE 300, MT. ARLINGTON, NJ 07856 – NOT TO EXCEED \$65,000 (CONTINUED)

candidate committee in the Township of Morris in the previous one year, and that the contract will prohibit Nisivoccia and Company, LLP from making any reportable contributions through the term of the contract; and,

WHEREAS, the Chief Financial Officer of the Township of Morris has filed a Certificate of Availability of Funds indicating funds are available in Finance O.E., Tax Collection O.E., Sewer Operating, Swimming Pool, Parking Enterprise, and all Capital and Trust Accounts in the amount of \$65,000.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Township of Morris authorizes the Mayor and Township Clerk to enter into a contract with Raymond G. Sarinelli and David H. Evans. and the firm of Nisivoccia and Company, LLP as municipal auditors to prepare the 2009 audit report for a fee not to exceed \$65,000. Additional work shall be charged at the rates set forth in said Agreement and charged to the appropriate bond ordinance(s) or accounts; and,

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

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

ROLL CALL: MR. CAFFREY YES MR. GRAYZEL YES  
MR. GOLDBERG YES MR. SYNDER YES  
MAYOR ROSENBUSH YES

- - -

AUTHORIZING AWARD OF A NONFAIR AND OPEN PROFESSIONAL ENGINEERING SERVICES CONTRACT FOR THE INDUSTRIAL PRETREATMENT PROGRAM – HATCH MOTT MAC DONALD – NOT TO EXCEED \$42,000

WHEREAS, the Township of Morris has a need to acquire professional services of a professional engineering firm for purposes of providing guidance and general consultation with respect to the Industrial Pretreatment Sewage Program as a nonfair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

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

WHEREAS, the Township Administrator has determined and certified in writing that the value of the acquisition will exceed \$17,500; and

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

TOWNSHIP COMMITTEE MEETING  
REGULAR MEETING  
JANUARY 21, 2009 PAGE 14

**RESOLUTIONS (CONTINUED)**

AUTHORIZING AWARD OF A NONFAIR AND OPEN PROFESSIONAL ENGINEERING SERVICES CONTRACT FOR THE INDUSTRIAL PRETREATMENT PROGRAM – HATCH MOTT MAC DONALD – NOT TO EXCEED \$42,000 (CONTINUED)

WHEREAS, Hatch Mott MacDonald has submitted a proposal dated December 17, 2008 indicating they will provide the professional services of a licensed engineer for \$42,000; and

WHEREAS, Hatch Mott MacDonald has completed and submitted a Business Entity Disclosure Certification which certifies that Hatch Mott MacDonald 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 Hatch Mott MacDonald from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer of the Township of Morris has filed a Certificate of Availability of Funds indicating funds are available in Sewer Operating in the amount of \$42,000.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Township of Morris authorizes the Mayor and Township Clerk to enter into a contract with Hatch Mott MacDonald for the provision of professional engineering services with respect to the Industrial Pretreatment Program and Local Limits Review Report for a fee not to exceed \$42,000.

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

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

ROLL CALL: MR. CAFFREY YES MR. GRAYZEL YES  
MR. GOLDBERG YES MR. SYNDER YES  
MAYOR ROSENBUSH YES

- - -

AUTHORIZING AWARD OF A NONFAIR AND OPEN CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES CONTRACT FOR GENERAL CONSULTING AND ENGINEERING SERVICES, SEWER UTILITY – HATCH MOTT MAC DONALD – NOT TO EXCEED \$60,000

WHEREAS, the Township of Morris has a need to acquire professional services of a professional engineering firm for purposes of providing guidance and general consultation with respect to general consulting and engineering services of the Sewer Utility as a nonfair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

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

WHEREAS, the Township Administrator has determined and certified in writing that the value of the acquisition will exceed \$17,500; and

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

TOWNSHIP COMMITTEE MEETING  
REGULAR MEETING  
JANUARY 21, 2009 PAGE 15

**RESOLUTIONS (CONTINUED)**

**AUTHORIZING AWARD OF A NONFAIR AND OPEN CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES CONTRACT FOR GENERAL CONSULTING AND ENGINEERING SERVICES, SEWER UTILITY – HATCH MOTT MAC DONALD – NOT TO EXCEED \$60,000 (CONTINUED)**

WHEREAS, Hatch Mott MacDonald has submitted a proposal dated December 17, 2008 indicating they will provide the professional services of a licensed engineer for \$60,000; and

WHEREAS, Hatch Mott MacDonald has completed and submitted a Business Entity Disclosure Certification which certifies that Hatch Mott MacDonald 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 Hatch Mott MacDonald from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer of the Township of Morris has filed a Certificate of Availability of Funds indicating funds are available in Sewer Operating in the amount of \$60,000.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Township of Morris authorizes the Mayor and Township Clerk to enter into a contract with Hatch Mott MacDonald for the provision of professional engineering services with respect to general consulting and engineering services for the sewer utility for a fee not to exceed \$60,000.

ROLL CALL: MR. CAFFREY YES MR. GRAYZEL YES  
MR. GOLDBERG YES MR. SYNDER YES  
MAYOR ROSENBUSH YES

- - -

**AUTHORIZING AWARD OF A NONFAIR AND OPEN CONTRACT TO RICHARD F. SMITH, JR., SMITH SURVEYING, INC., 60 WASHINGTON STREET, MORRISTOWN, NJ 07960 FOR LAND SURVEYING SERVICES FOR MAINTENANCE OF TAX MAPS FOR THE YEAR 2009 – IN AN AMOUNT NOT TO EXCEED \$5,500**

WHEREAS, the Township of Morris has need for professional land surveying services as a nonfair 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, Richard F. Smith, Jr., Smith Surveying, Inc., 60 Washington Street, Morristown, New Jersey 07960 has submitted a proposal dated October 17, 2008 indicating they will provide the surveying services for \$5,500; and

WHEREAS, Richard Smith, Smith Surveying, Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that Richard Smith has not made any reportable contributions to a political or candidate committee in the Township of Morris in the previous one

TOWNSHIP COMMITTEE MEETING  
REGULAR MEETING  
JANUARY 21, 2009 PAGE 16

**RESOLUTIONS (CONTINUED)**

AUTHORIZING AWARD OF A NONFAIR AND OPEN CONTRACT TO RICHARD F. SMITH, JR., SMITH SURVEYING, INC., 60 WASHINGTON STREET, MORRISTOWN, NJ 07960 FOR LAND SURVEYING SERVICES FOR MAINTENANCE OF TAX MAPS FOR THE YEAR 2009 – IN AN AMOUNT NOT TO EXCEED \$5,500 (CONTINUED)

year, and that the contract will prohibit them from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer of the Township of Morris has filed a Certificate of Availability of Funds stating that funds are available in Tax Assessor O/E.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Morris hereby awards the contract to Richard F. Smith, Jr., Smith Surveying, Inc., for professional land surveying services to the Township of Morris for a fee not to exceed \$5,500 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. CAFFREY YES MR. GRAYZEL YES  
MR. GOLDBERG YES MR. SYNDER YES  
MAYOR ROSENBUSH YES

- - -

RESOLUTION AUTHORIZING THE AWARD OF A NONFAIR AND OPEN CONTRACT FOR PROFESSIONAL SERVICES TO RICHARD SMITH, JR., SMITH SURVEYING, INC. - \$8,200

WHEREAS, the Township of Morris has need for services of a professional surveyor as a nonfair 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 the contract is one year; and

WHEREAS, Richard Smith, Jr., Smith Surveying, Inc., 60 Washington Street, Morristown, NJ 07960, has submitted a proposal dated October 15, 2008 indicating they will provide the professional surveying services for \$8,200; 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 amount of \$8,200 in General Capital Accounts.

TOWNSHIP COMMITTEE MEETING  
REGULAR MEETING  
JANUARY 21, 2009 PAGE 17

**RESOLUTIONS (CONTINUED)**

**RESOLUTION AUTHORIZING THE AWARD OF A NONFAIR AND OPEN CONTRACT FOR PROFESSIONAL SERVICES TO RICHARD SMITH, JR., SMITH SURVEYING, INC. - \$8,200 (CONTINUED)**

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 Richard Smith, Jr., 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

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

ROLL CALL: MR. CAFFREY YES MR. GRAYZEL YES  
MR. GOLDBERG YES MR. SYNDER YES  
MAYOR ROSENBUSH YES

- - -

**AUTHORIZING APPOINTMENT OF FRED J. ROSSI, TOWNSHIP ADMINISTRATOR, AS THE DESIGNATED PUBLIC AGENCY COMPLIANCE OFFICER (P.A.C.O.) RELATIVE TO PUBLIC CONTRACTS AND EQUAL EMPLOYMENT IN PUBLIC CONTRACTS**

WHEREAS, the New Jersey Department of the Treasury, Division of Contract Compliance and Equal Employment Opportunity in Public Contracts, requires the designation of a Public Agency Compliance Officer; and

WHEREAS, the Township Administrator is responsible for overseeing all contracts awarded by the Township and appropriate official to fulfill this requirement made by the Department of the Treasury; and

WHEREAS, the New Jersey Department of the Treasury requires the annual appointment of the P.A.C.O.

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. Fred J. Rossi, Township Administrator shall be designated as the Public Agency Compliance Officer for the Township of Morris for the year 2009.
2. That a certified copy of this resolution be filed with the New Jersey Department of the Treasury.

ROLL CALL: MR. CAFFREY YES MR. GRAYZEL YES  
MR. GOLDBERG YES MR. SYNDER YES  
MAYOR ROSENBUSH YES

- - -

TOWNSHIP COMMITTEE MEETING  
REGULAR MEETING  
JANUARY 21, 2009 PAGE 18

**RESOLUTIONS (CONTINUED)**

AUTHORIZING AWARD OF AN INCREASE IN THE PROFESSIONAL SERVICE CONTRACT FOR ENGINEERING SERVICES IN CONJUNCTION WITH CONTRACT NO. 53 ENTITLED, "PLYMOUTH AND MAC KENZIE ROADS DRAINAGE IMPROVEMENT PROJECT" IN THE AMOUNT OF \$27,900 TO HATCH MOTT MAC DONALD FOR A TOTAL NTE \$98,900

WHEREAS, the Township of Morris has the need for professional engineering services for the Plymouth and MacKenzie Roads Drainage and Improvement Project as a nonfair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Township Committee awarded a contract to Hatch Mott Mac Donald, 27 Bleeker St. , Millburn, NJ 07041-1008 at a meeting held on July 16, 2008; and

WHEREAS, the Township Committee awarded said contract in an amount not to exceed \$71,000; and

WHEREAS, due to a change order proposed by the contractor of the project, a significant review of the plan was required at an additional cost of \$27,900; and

WHEREAS, the Chief Financial Officer has filed a Certificate of Availability of Funds indicating funds are available in General Capital Account No. G-040550712-800.

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

1. A contract for additional professional services is hereby awarded to Hatch, Mott MacDonald. for professional engineering services related to Contract No. 53 in an additional amount of \$27,900, for a total not to exceed \$98,900

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with Resolution No. 16-08 dated July 16, 2008.

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

ROLL CALL: MR. CAFFREY YES MR. GRAYZEL YES  
MR. GOLDBERG YES MR. SYNDER YES  
MAYOR ROSENBUH YES

- - -

**AUTHORIZING RETURN OF MONIES REMAINING IN CLIENTS' ESCROW ACCOUNTS**

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 accounts be closed and the balance of all monies returned to the applicants.

TOWNSHIP COMMITTEE MEETING  
 REGULAR MEETING  
JANUARY 21, 2009 PAGE 19

**RESOLUTIONS (CONTINUED)**

**AUTHORIZING RETURN OF MONIES REMAINING IN CLIENTS' ESCROW ACCOUNTS (CONTINUED)**

<b>Name</b>	<b>Balance</b>	<b>Escrow Account #</b>
Raymond Webb	\$1,118.77	E-12-56-808-762
Laura & Matthew Davis	\$656.23	E-12-56-808-739
Sam Samman	\$2,679.50	E-12-56-808-732
Hans Levenbach	\$2,679.51	E-12-56-808-732

ROLL CALL: MR. CAFFREY YES MR. GRAYZEL YES  
 MR. GOLDBERG YES MR. SYNDER YES  
 MAYOR ROSENBUSH YES

- - -

**AUTHORIZING CHANGE ORDER #1 - OTE: 2008-06 - CONTRACT #51 - BUTTERWORTH UV DISINFECTION SYSTEM AND SERVICE WATER PUMP REPLACEMENT - AWARDED TO COTHERY CONSTRUCTION COMPANY, P.O. BOX 817, LANGHORNE, PA 29047 IN THE AMOUNT OF \$260.00 FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$371,585.**

WHEREAS, a contract was awarded by the Township Committee to Cothery Construction Company at a meeting held on March 5, 2008 for OTE: 2008-6, Contract #51-Butterworth UV Disinfection System and Service Water Pump Replacement, the amount of \$371,585.00, and

WHEREAS, Clothery Construction Company has requested an additional amount of \$260.00 as follows:

Concrete fill required for reduction baffle  
 A reduction baffle was installed as part of the new ultraviolet disinfection system. During construction of the baffle it was determined by plant personal that filling the baffle would reduce future maintenance.  
 Total amount of increase \$5,260.00.

Allowance to correct control wire problem for service water pumps  
 A lump sum amount of \$5,000.00 was included in the contract to correct a problem with wiring for the service water pumps. The Sewer Department was able to correct the problem with the Township electrical contractor therefore the item is no longer required as part of this contract.  
 Total amount of decrease \$5,000.00.

**Change Order #1:**

Total Increase: \$ 260.00  
 Original Contract Award: \$371,585.00  
**Total Adjusted Contract: \$371,845.00**

WHEREAS, the Chief Financial Officer of the Township of Morris has filed a Certificate of Availability of Funds, certifying that funds are available in the amount of \$260.00.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Township Committee of the Township of Morris, being the Governing Body thereof, that change order #1 in the amount of \$260.00 is hereby approved for a total contract amount not to exceed \$371,845.00.

TOWNSHIP COMMITTEE MEETING  
REGULAR MEETING  
JANUARY 21, 2009 PAGE 20

**RESOLUTIONS (CONTINUED)**

AUTHORIZING CHANGE ORDER #1 - OTE: 2008-06 - CONTRACT #51 - BUTTERWORTH UV DISINFECTION SYSTEM AND SERVICE WATER PUMP REPLACEMENT - AWARDED TO COTHERY CONSTRUCTION COMPANY, P.O. BOX 817, LANGHORNE, PA 29047 IN THE AMOUNT OF \$260.00 FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$371,585 (CONTINUED)

ROLL CALL: MR. CAFFREY YES MR. GRAYZEL YES  
MR. GOLDBERG YES MR. SYNDER YES  
MAYOR ROSENBUSH 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. CAFFREY YES MR. GRAYZEL YES  
MR. GOLDBERG YES MR. SYNDER YES  
MAYOR ROSENBUSH YES

\* \* \*

**PUBLIC COMMENT/INQUIRY**

Mayor Rosenbush, 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:

Opposition - Collinsville Cell Tower

Mrs. Merle Johnson, 73 Whippany Road;  
Mr. Gary Johnson, 73 Whippany Road;  
Mrs. Ros Yannotti, 75 Whippany Road;  
Mrs. Kathleen Del Giudice, 28 vom Eigen Drive;

TOWNSHIP COMMITTEE MEETING  
REGULAR MEETING  
JANUARY 21, 2009 PAGE 21

**PUBLIC COMMENT/INQUIRY (CONTINUED)**

Opposition - Collinsville Cell Tower (Continued)

Mrs. Ilene Wolff, 32 Lord Stirling Drive;

Mrs. Claudia Torrisi, 8 Sylvan Way, Columbia Turnpike Improvements;

Mr. Richard Torrisi, 8 Sylvan Way;

Mr. William Ryan, 28 Turtle Road;

Mr. Lee Goldberg, 10 Arrowhead Road;

Mrs. Nancy Berns, 18 Brandywine Terrace.

Mr. Lee Goldberg, 10 Arrowhead Road, 1. congratulations Messrs. Snyder and Coffrey on their election to the Township Committee. 2. Requested public comment sooner in the meeting. 3. Definition of CFO; would support broadcasting of meeting if cost effective.

Mayor Rosenbush - comment: Columbia Turnpike is a County road; time of meeting will be considered; will look into cell tower.

\* \* \*

**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. Appointed, in accordance with a memo dated January 15, 2009 from Police Chief Timothy Quinn, Ptl. Steven R. Crump as a permanent patrolman for the Township Police Department Effective January 1, 2009.
2. Approved the following Taxi Licenses - Owner/Operators and Operators of a Vehicle for Hire for the year 2009:
  - Arthur Ritter, T/A A.R.T.S. Taxi Service, LLC - owner/operator.
  - James Robert Jones, III, J & J Taxi & Limo Service, owner/operator.
  - Edward Robinson, Jr., J & J Taxi & Limo Service - operator.
  - George Earl Johnson, J & J Taxi & Limo Service - operator.
  - John Watson, III, J & J Taxi & Limo Service - operator.
3. Granted municipal consent to the Morris Educational Foundation to hang a banner across Woodland Avenue from February 6, 2009 to February 25, 2009 for the "Morristown's Got Talent" at the Community Theatre in Morristown on February 25, 2009 subject to the approval of the Police Chief and Superintendent of the Department of Public Works and the filing of a Certificate of Insurance, with a Hold Harmless Clause, naming the Township as an additional insured.
4. Granted municipal consent to the Interfaith Food Pantry to hang a banner across Woodland Avenue from November 16, 2009 to November 27, 2009 for the 3rd Annual Thanksgiving Turkey Trot Charitable Fundraiser, promoting Literacy Volunteers of Morris County and the Interfaith Food Pantry of Morris County on November 26, 2009, subject to the approval of the Police Chief and Superintendent of the Department of Public Works and the filing of a Certificate of Insurance, with a Hold Harmless Clause, naming the Township as an additional insured.

TOWNSHIP COMMITTEE MEETING  
REGULAR MEETING  
JANUARY 21, 2009 PAGE 22

**CONSENT CALENDAR (CONTINUED)**

5. Granted municipal consent to the Interfaith Food Pantry to hold its 3rd Annual Thanksgiving Turkey Trot Charitable Fundraiser, i.e., 5K Run and 1 Mile Walk, promoting Literacy Volunteers of Morris County and the Interfaith Food Pantry of Morris County on November 26, 2009, 8:30 A.M. at Ginty Field Complex, subject to the approval of the Police Chief, Parks and Recreation Director and Board of Health, and the filing of a Certificate of Insurance, with a Hold Harmless Clause, naming the Township as an additional insured.
6. Granted municipal consent to On Your Mark Productions, Inc. to hold the 5,000 Strides to Stage a 3.1 mile road race on June 8, 2009, starting at 7:15 P.M. and concluding by 8:00 P.M., starting/finishing at the Township Municipal Complex, using local roads, which run provides funds for the non-profit Foundation For Advanced Reproductive Science, subject to the approval of the Police Chief, Parks and Recreation Director and Board of Health, and the filing of a Certificate of Insurance, with a Hold Harmless Clause, naming the Township as an additional insured.
7. Granted municipal consent to On Your Mark Productions, Inc., Morris County Bar Association Foundation, to hold on behalf of the the Lawyers For Kids 5K (3.1 miles) road to race on July 9, 2009, starting at 7:15 P.M. and concluding by 8:00 P.M., starting/ finishing at the Township Municipal Complex, using local roads, which run benefits CASA (Court Appointed Special Advocate), subject to the approval of the Police Chief, Parks and Recreation Director and Board of Health, and the filing of a Certificate of Insurance, with a Hold Harmless Clause, naming the Township as an additional insured.
8. Approved, in accordance with a memo dated January 20, 2009 from Fire Chief Craig Goss, Omar Jabri, 9 Turtle Road, Morristown, NJ 07960 as a member of the Township Fire Department (Woodland Hook & Ladder Co.).
9. Accepted, with regret and appreciation for services rendered, the resignation of Nelson Morales as a member of the Board of Health for the Township, effective January 21, 2009.
10. Granted permission to Morristown-Beard School to erect a tent on their property in front of the main building June 9 to 15, 2009 to hold the annual Moving up and Commencement Ceremonies on June 12 and 13, 2009, subject to the approval of the Police Chief, Bill Duffy, Fire Department and Construction Code Official and the filing of a Certificate of Insurance, with a Hold Harmless Clause, naming the Township as an additional insured.

ROLL CALL: MR. CAFFREY YES MR. GRAYZEL YES  
MR. GOLDBERG YES MR. SYNDER YES  
MAYOR ROSENBUSH YES

\* \* \*

**MATTERS OF OTHER BUSINESS**

Mayor Rosenbush appointed Mr. Andres Benenuto to the Open Space Committee for a two (2) year term expiring December 31, 2010 and Mr. Walter Piccollo to an unexpired term expiring December 31, 2009 to the Parks and Recreation Advisory Committee.

\* \* \*

TOWNSHIP COMMITTEE MEETING  
REGULAR MEETING  
JANUARY 21, 2009 PAGE 23

**MATTERS RECEIVED FOR THE RECORD**

NONE

\* \* \*

**TOWNSHIP COMMITTEE MEMBERS COMMENTS/QUESTIONS**

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

**MR. CAFFREY**

1. The cell tower at Collinsville is an eye sore.
2. Commended the Fire and Police Departments in connection with an accident at Ketch-Koch Roads and the Minute Men; wonderful job - double entrapment.

**MR. GOLDBERG**

NONE

**MR. GRAYZEL**

1. Collinsville cell tower, was shocked at what it looks like. Noted that this application was approved by the Board of Adjustment. Suggestions were made that the Township Committee should be able to over-rule the Board of Adjustment decision. Requested that Mr. Mills review other municipalities in their handling to Board of Adjustment decisions. Mr. Mills stated that 'Use Variances" that are denied by the Board of Adjustment can be appealed to the Governing Body. That is was not a good idea to second guess appointees to the Board of Adjustment.

Mr. Grayzel recommended that the Governing Body take control and requested further discussion of this matter.

2. The Township should televise Township committee meetings, Mr. Caffrey, Mr. Snyder and Mr. Goldberg previously agreed.
3. The police department reported that the police program titled "Over the Limit Under Arrest 2008 Year End crackdown" was a success and resulted in 9 DWI arrests, 2 drug arrests, 1 wanted person arrest and approximately 75 traffic violations.
4. Mayor Rosenbush, Mr. Goldberg and Mr. Grayzel attended The Good Citizens Breakfast at Frelinghuysen Middle School. Approximately fifty 5<sup>th</sup>, 6<sup>th</sup> & 7<sup>th</sup> grade students are nominated by their peers, teachers, school administrators and our School Resource Police Officers as demonstrating good will, compassion, helpfulness and respect towards their fellow students and teachers.

The students are invited to the breakfast with their parents. Would like to recognize the students for them being good citizens.

5. The Keep Kids Alive Drive 25 campaign was implemented in the Fairchild area by the Township Police Department. This program consists of signs that are placed throughout a

**TOWNSHIP COMMITTEE MEETING  
REGULAR MEETING  
JANUARY 21, 2009 PAGE 24**

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

neighborhood, and are primarily lawn signs being placed on individual front yards of as many residents in a neighborhood as possible. Will try to continue throughout other neighborhoods in the Township.

MR. SNYDER

1. Will be meeting with Mr. Goldberg regarding train station parking lot.

**MAYORAL COMMENTARY - MAYOR H. SCOTT ROSENBUSH**

1. Two weeks ago in the Mayoral address one of the key themes was the financial challenges in 2009, everything is on the table - suggestion, DPW and Clerk thanked for their efforts to cut costs.
2. Thanked the DPW for the outstanding job they did in clearing roads and keeping everyone safe.

\* \* \*

**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:

DECEMBER 2008

TAX COLLECTOR

ROLL CALL: MR. CAFFREY YES MR. GRAYZEL YES  
MR. GOLDBERG YES MR. SYNDER YES  
MAYOR ROSENBUSH YES

\* \* \*

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

Minute Book Attachment #1 (MBA #1) dated January 21, 2009 \$7,934,150.11

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 \$7,934,150.11 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. CAFFREY YES MR. GRAYZEL YES  
MR. GOLDBERG YES MR. SYNDER YES  
MAYOR ROSENBUSH YES

TOWNSHIP COMMITTEE MEETING  
REGULAR MEETING  
JANUARY 21, 2009 PAGE 25

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

The Governing Body recessed at 9:22 P.M., the January 21, 2009 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 9:25 P.M. the January 21, 2009 recessed Regular Meeting was called to order and with no further business to be considered, on motion duly made, seconded and unanimously (5-0) adopted, the meeting was adjourned at 11:16 P.M., next to convene at the 8:00 P.M., February 18, 2009, Regular Meeting, in the Municipal Building, 50 Woodland Avenue, Township of Morris.  
CATHLEEN AMELIO, TOWNSHIP CLERK

DATED: FEBRUARY 3, 2009

**MINUTES OF “CLOSED MEETING” OF  
THE TOWNSHIP COMMITTEE HELD ON  
WEDNESDAY, JANUARY 21, 2009, 9:22 P.M.**

**CALL TO ORDER**

The “Closed Meeting” as defined in the Open Public Meetings Act, Chapter 231 of the Public Laws of 1975, as authorized by the resolution duly adopted at the January 21, 2009 Regular Meeting, was called to order by Mayor H. Scott Rosenbush at 9:22 P.M., in the Municipal Building, 50 Woodland Avenue, Morris Township, New Jersey, during a recess of the January 21, 2009 Regular Meeting.

\* \* \*

**ATTENDANCES**

The following attendances were noted:

**ELECTED OFFICERS**

**GOVERNING BODY**

Mayor H. Scott Rosenbush  
Deputy Mayor Daniel W. Caffrey  
Township Committee Member Ronald M. Goldberg  
Township Committee Member Jeffrey R. Grayzel  
Township Committee Member Raymond L. Snyder

**APPOINTED OFFICERS**

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

\* \* \*

**PRESIDING OFFICER’S STATEMENT OF DISCUSSION ITEMS**

Mayor H. Scott Rosenbush announced that in accordance with the resolution adopted this date authorizing the conducting of this “Closed Meeting”, discussion would be limited to “Legal and Personnel Matters”.

\* \* \*

**TOWNSHIP OF MORRIS  
CLOSED MEETING  
JANUARY 21, 2009 – PAGE 2**

**DISCUSSION CONCERNING "LEGAL MATTERS"**

1. Mr. Greg Coffey, Legal Environmental Counsel for the Township of Morris summarized the Combe Landfill South settlement. Requested that the Mayor and Township Committee direct Mr. John Mills, Township Attorney to prepare a Consent Decree Resolution for the settlement.
2. COAH 3rd round certification.
3. Litigation - Colonial Coach.

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**DISCUSSION CONCERNING "PERSONNEL MATTERS"**

1. Joe DeBari - update on court case.
2. Jason Boyd - Fred to write a letter.
3. New union - approved by PERC.

\* \* \*

**ADJOURNMENT**

With no further business to be considered, on motion duly made, seconded and unanimously adopted, the Closed Meeting was adjourned at 11:16 P.M., to resume the January 21, 2009 Regular Meeting agenda.

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CATHLEEN AMELIO, TOWNSHIP CLERK

DATED: FEBRUARY 3, 2009