

TOWNSHIP OF MORRIS
REGULAR MEETING
JANUARY 22, 2014 – 5:30 P.M. (CLOSED)
WEDNESDAY 7:00 P.M. (REGULAR)

AGENDA

CALL TO ORDER (ATTENDANCE NOTED) (MAYOR)

PRESIDING OFFICER’S STATEMENT RE: OPMA (MAYOR)

RESOLUTION (ATTORNEY)

[15-13](#) AUTHORIZING THE CONDUCTING OF A "CLOSED MEETING" AS DEFINED IN THE OPEN PUBLIC MEETINGS ACT CONCERNING "LEGAL AND PERSONNEL MATTERS".

ADJOURN TO CLOSED MEETING

REGULAR MEETING AT 7:00 P.M.

CALL TO ORDER - RESUMPTION OF JANUARY 22, 2014 AGENDA

PLEDGE OF ALLEGIANCE (MAYOR)

APPROVAL OF MINUTES - DECEMBER 18, 2013 - REGULAR/CLOSED – JANUARY 8, 2014 – ORGANIZATION MEETING

ORDINANCES - INTRODUCTION (ATTORNEY)

[01-14](#) AMENDING CHAPTER 89, SECTION 14 "TOWING AND STORAGE CHARGES"

[02-14](#) ORDINANCE AMENDING CHAPTER 67 - "POOL, MUNICIPAL: RULES AND REGULATIONS" IN PARTICULAR REPLACING §67-5. ENTITLED: MEMBERSHIP FEES. A. THROUGH F

[03-14](#) RE: AMENDING CHAPTER 45 "FEES", SECTION 3 "GENERAL FEES", SUBSECTIONS G AND H

[04-14](#) "AN ORDINANCE OF THE TOWNSHIP OF MORRIS, MORRIS COUNTY, NEW JERSEY CONCERNING SALARIES FOR NONUNION PERSONNEL"

REPORT OF BID COMMITTEE

REJECTION

RESOLUTIONS

[17-14](#) RE: AUTHORIZING THE CONDUCTING OF A "CLOSED MEETING" AS DEFINED IN THE OPEN PUBLIC MEETINGS ACT CONCERNING "LEGAL AND PERSONNEL MATTERS"

[18-14](#) AUTHORIZING AWARD OF A NONFAIR AND OPEN CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES CONTRACT FOR GENERAL CONSULTING AND ENGINEERING SERVICES, 111 WOOD AVENUE SOUTH, ISELIN, NJ 08830-4112 - SEWER UTILITY – HATCH MOTT MAC DONALD – NOT TO EXCEED \$60,000

[19-14](#) AUTHORIZING AWARD OF A NONFAIR AND OPEN PROFESSIONAL ENGINEERING SERVICES CONTRACT FOR THE INDUSTRIAL PRETREATMENT PROGRAM – HATCH MOTT MAC DONALD, 111 WOOD AVENUE SOUTH, ISELIN, NJ 08830-4112 – NOT TO EXCEED \$33,500

[20-14](#) AUTHORIZING AWARD OF A NONFAIR AND OPEN CONTRACT FOR PROFESSIONAL BOND COUNSEL SERVICES TO JOHN L. KRAFT, ESQ., L.L.C., 505 THORNALL STREET, SUITE 206, EDISON, NJ 08837

RESOLUTIONS (CONTINUED)

- [21-14](#) 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 NISIVOCIA & COMPANY, LLP, ACCOUNTANTS AND AUDITORS, 200 VALLEY ROAD, SUITE 300, MT. ARLINGTON, NJ 07856 – NOT TO EXCEED \$92,000
- [22-14](#) AUTHORIZING AWARD OF PROFESSIONAL SERVICES CONTRACT TO ALBERT I. TELSEY, ESQUIRE OF MEYNER AND LANDIS, LLP, ONE GATEWAY CENTER, SUITE 2500, NEWARK, NJ FOR ENVIRONMENTAL MATTERS - TOTAL NTE \$5,000
- [23-14](#) AUTHORIZING AWARD OF A NONFAIR AND OPEN CONTRACT FOR GENERAL COUNSEL JOHN M. MILLS, III, ESQ. - \$138/HR. – NTE \$85,000
- [24-14](#) AUTHORIZING AWARD OF A NONFAIR AND OPEN CONTRACT FOR LEGAL SERVICES IN THE POSITION OF MUNICIPAL PROSECUTOR TO MATHEU D. NUNN, ESQUIRE of EINHORN, HARRIS, ASCHER, BARBARITO & FROST, P.C. FROM JANUARY 1, 2014 TO DECEMBER 31, 2014 - IN THE AMOUNT NOT TO EXCEED \$25,000
- [25-14](#) AUTHORIZING AWARD OF A NONFAIR AND OPEN CONTRACT FOR LEGAL SERVICES/SPECIAL LABOR COUNSEL – TO THE FIRM OF TRIMBOLI, & PRUSINOWSKI, LLC, 268 SOUTH STREET, MORRISTOWN, NJ 07960. - \$138/HR – NTE \$45,000
- [26-14](#) AUTHORIZING AWARD OF A NONFAIR AND OPEN CONTRACT FOR SPECIAL COUNSEL AND FOR GENERAL LEGAL SERVICES TO JOHN M. IACIOFANO, ESQ., IACIOFANO & PERRONE, ESQS., 157 WASHINGTON STREET, MORRISTOWN, N.J. 07960 IN THE AMOUNT OF \$138/HR. - NTE \$15,000.
- [27-14](#) AUTHORIZING AWARD OF A NONFAIR AND OPEN CONTRACT FOR LEGAL COUNSEL FOR TAX APPEALS TO NOWELL AMOROSO KLEIN BIERMAN, P.A., 155 POLIFLY ROAD, HACKENSACK, NJ 07601., NTE \$50,000
- [28-14](#) AUTHORIZING AWARD OF A NONFAIR AND OPEN PROFESSIONAL SERVICES AGREEMENT WITH COFFEY AND ASSOCIATES, COUNSELLORS AT LAW, 465 SOUTH STREET, MORRISTOWN, NJ 07960 FOR SPECIAL LEGAL COUNSEL RELATIVE TO THE COMBE SOUTH LANDFILLS LITIGATION IN AN AMOUNT NTE \$20,000
- [29-14](#) AUTHORIZING AN AGREEMENT BETWEEN ADVENT INSURANCE SERVICES, INC. AND THE TOWNSHIP OF MORRIS FOR PROFESSIONAL RISK MANAGEMENT CONSULTING SERVICES AS REQUIRED IN THE BYLAWS OF THE GARDEN STATE MUNICIPAL JOINT INSURANCE FUND AUTHORIZING TIMOTHY F. QUINN, TOWNSHIP ADMINISTRATOR AND FUND COMMISSIONER
- [30-14](#) RE: AUTHORIZING REFUND DUE TO PAYMENT MADE IN ERROR
- [31-14](#) RE: AMENDING RESOLUTION NO. 11-14 - THE TEMPORARY OPERATING BUDGET FOR 2014
- [32-14](#) AUTHORIZING AWARD OF A NONFAIR AND OPEN CONTRACT FOR ANIMAL CONTROL SERVICE TO ANIMAL CONTROL SOLUTIONS LLC, 2 MARSHALL DRIVE, FLEMINGTON, NJ 08822 FOR A ONE (1) YEAR PERIOD – IN AN AMOUNT NTE \$42,200
- [33-14](#) REJECTION OF BID NO. QPA-1-2014 FOR THE GINTY POOL RENOVATIONS
- [34-14](#) AUTHORIZING A FINAL CHANGE ORDER TO MIDWEST CONSTRUCTION, INC. AND ACCEPTANCE OF MAINTENANCE BOND NUMBER S279549 FOR CONTRACT NO. OTE: 2012-5 – 2012 VARIOUS ROAD IMPROVEMENTS FOR VALLEY VIEW STREET AREA PROJECT, AWARDED DECEMBER 19, 2012 – OVERALL INCREASE IN CONTRACT OF \$37,554.47; TOTAL NOT TO EXCEED \$795,870.55
- [35-14](#) AUTHORIZING AWARD OF A NONFAIR AND OPEN CONTRACT TO SMITH SURVEYING, INC., 28 SCHUYLER PLACE, MORRISTOWN, NJ 07960 FOR LAND SURVEYING SERVICES AS IT RELATES TO THE PURCHASE OF OPEN SPACE PROPERTY – IN THE AMOUNT OF \$6,900
- [36-14](#) AUTHORIZING AWARD OF A NONFAIR AND OPEN CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES CONTRACT FOR CONSTRUCTION PHASE SERVICES FOR BUTTERWORTH AND WOODLAND SEWER TREATMENT PLANT MISCELLANEOUS REPLACEMENTS TO HATCH MOTT MACDONALD, 111 WOOD AVENUE SOUTH, ISELIN, NJ 08830-4112 – NOT TO EXCEED \$29,500.00

RESOLUTIONS (CONTINUED)

[37-14](#) RE: AUTHORIZING RETURN OF MONIES REMAINING IN CLIENT'S ESCROW ACCOUNT

PUBLIC COMMENT/INQUIRY

GENERAL BUSINESS CORRESPONDENCE

(CLERK)

A. CONSENT CALENDAR

(ATTACHMENT "A")

B. OTHER BUSINESS NOT LISTED ON CONSENT CALENDAR

(ATTACHMENT "B")

APPOINTMENT - BOARD OF ETHICS (§10-5(2))

Mr. Paul J. Halasz, 7 Fieldstone Drive, appointment to the Board of Ethics for an unexpired five (5) year term, expiring December 31, 2016.

COMMENTARY BY TOWNSHIP COMMITTEE

MAYOR SISLER

MAYORAL APPOINTMENT - Mr. Sean Moronski, 16 Thomas Paine Road, as Alternate #2 to the Environmental Commission for an unexpired two (2) year term, expiring December 31, 2015.

[PROCLAMATION – FEBRUARY, 2014 – BLACK HISTORY MONTH](#)

CONSIDERATION OF MONTHLY REPORTS – THE FOLLOWING REPORTS ARE ON FILE IN THE OFFICE OF THE TOWNSHIP ADMINISTRATOR:

TAX COLLECTOR – DECEMBER 2013/END OF YEAR REPORT
FINANCE – DECEMBER 2013

CLAIMS FOR PAYMENT - LIST OF BILLS AND VOUCHERS - \$8,271,978.37

ADJOURNMENT - NEXT TO CONVENE AT THE **5:00 P.M.** CLOSED MEETING ON **FEBRUARY 19, 2014** IN THE MUNICIPAL BUILDING, 50 WOODLAND AVENUE.

1. Approved, in accordance with a memo dated January 2, 2014 from Police Chief John K. McGuinness, requesting the permanent appointment of the following Patrolmen: Anthony Sandelli, badge #138 and Matthew Flynn badge 139 who have completed their one (1) probationary period .
2. Approved, Morristown Running Company to hold their annual St. Patrick's 5K run on Saturday, March 15, 2014 at 10:00 A.M. for the following charities: Overlook Foundation and the Police Unity Tour.; the race Director is Heather McDermott. The request includes using Ginty Pool, and local streets for parking; the use of the Morris Township Police Garage and Ginty Field for registration; the expected number of participants will be approximately 1,200; Township roads that will be used will be Kitchell Road, Woodland Avenue, Symor Drive and South Street; This approval is contingent on the following: **That all property owners along the route must be notified and that proof of notification must be provided to the Police Department and Administrators Office at least 48 hours prior to the event, approval of Insurance naming the Township as an additional insured; accompanied by the Hold Harmless Clause and the approval, from Police Chief John McGuinness, Kevin Breen, Health Officer and William Foelsch, Parks and Recreation Director.**
3. Approved, in accordance with a memo dated December 20, 2013 from Scott J. Lovenberg, Fire Chief, requesting the approval of Firefighter Sean McCloskey to the position of Firefighter Class 1 at a salary of \$62,153 (2013) effective January 1, 2014.
4. In a memo dated December 20, 2013 from Scott J. Lovenberg, Fire Chief advising the Committee that Firefighter Matthew Kaufhold has successfully completed his one (1) year probationary period for the Morris Township Fire Department.
5. Approved, P.G. Chambers School, 15 Halko Drive, Cedar Knolls, NJ 07927, the use of Ginty Field on Sunday, June 1, 2014 to host their second annual walk/run/fun 5K fundraiser for their school in generating funds for the school children with significant and multiple disabilities; anticipate is 200 runners and the timing of the race will be done by the Best Racing Systems; This approval is contingent on the following: **That all property owners along the route must be notified and that proof of notification must be provided to the Police Department and Administrators Office at least 48 hours prior to the event, approval of Insurance naming the Township as an additional insured; accompanied by the Hold Harmless Clause and the approval, from Police Chief John McGuinness, Kevin Breen, Health Officer and William Foelsch, Parks and Recreation Director.**
6. Granted approval on the following renewal of taxi licenses for the licensing period of January 1, 2014 to December 31, 2014 to the following:
 - Owner/Operator for Peoples Taxi Service, 7 Jersey Avenue, Morristown, NJ 07960 –
Charlie L. Peoples, 7 Jersey Avenue, Morristown, NJ 07960
 - Operator renewals for J & J Taxi and Limo Service:
 - Gertrude D. Taylor – 31 Early Street, Apt 5B, Morristown, NJ 07960
 - John Drayton. – 46 Cleveland Avenue, Morristown, NJ 07960
 - Edward Robinson, Jr. – 30 Highland Avenue, Morristown, NJ 07960
 - Michelle Paula Thomas – 73 Village Green, Apt. B, Budd Lake, NJ 07828
 - Owner/Operator for A.R.T.S., LLC – 138 Hillcrest Avenue, Morristown, NJ 07960
Arthur Ritter – 138 Hillcrest Avenue, Morristown, NJ 07960
7. Approved, The Literacy Volunteers of Morris County and The Interfaith Food Pantry to hold their annual 5K Thanksgiving Turkey Trot Charitable Fundraiser which is a 5K run and 1mile walk on Thanksgiving morning, November 27, 2014, at 8:30 A.M. at the Ginty Field Complex at Woodland Avenue and Dwyer Lane. The course for the race includes portions of Dwyer Lane, Woodland Avenue, Kitchell Road and Spring Valley Road. This approval is contingent on the following: **That all property owners along the route must be notified and that proof of notification must be provided to the Police Department and Administrators Office at least 48 hours prior to the event, approval of Insurance naming the Township as an additional insured; accompanied by the Hold Harmless Clause and the approval, from Police Chief John McGuinness, Kevin Breen, Health Officer and William Foelsch, Parks and Recreation Director.**

8. Approved, the On Your Mark Production to hold the annual Lawyers for Kids 5K Road Race on Thursday, July 10, 2014. The following roads will be used: Dwyer Land, Fanok Road, Symor Drive, Woodland Avenue, Kitchell Road, Spring Valley Road, and South Street. This race is to benefit Court Appointed Special Advocate and the children it represents. This approval is contingent on the following: **That all property owners along the route must be notified and that proof of notification must be provided to the Police Department and Administrators Office at least 48 hours prior to the event, approval of Insurance naming the Township as an additional insured; accompanied by the Hold Harmless Clause and the approval, from Police Chief John McGuinness, Kevin Breen, Health Officer and William Foelsch, Parks and Recreation Director.**
9. Approved, the Morris Township Emergency Management Association to hold their annual "Rose Sale" fundraiser. At the Hillside Firehouse on Wednesday, February 12th from 3:00 P.M. to 7:00 P.M., Thursday, February 13th from 12:00 Noon to 8:00 P.M., and Friday, February 14th, 2014 from 7:00 A.M. to 7:00 P.M. with a setup time of Tuesday, February 11, 2014 at 7:30 P.M. – will be taking pre-orders.
10. Granted permission, to Saint Virgil Church, 250 Speedwell Avenue, Morris Plains, NJ to hold its' annual carnival May 7, 2014 - May 9, 2014 hours 6-10 P.M. and on May 10, 2014 hours 4-10 P.M.; granted permission to exceed 10 P.M. end time on May 10, 2013 for cleanup purposes. Additionally, the request for courtesy parking for their staff and carnival guests to park in the municipal lot on Speedwell Avenue from May 7 thru May 10, 2014 (Note: Please advise those who will be parking in the Municipal lot that there is NO PARKING in spaces that are posted "Parking for Mario's Pizzeria or Nugent's Prime Meats ONLY" located on the West side of the parking lot. All violators will be ticketed and/or towed at the owner's expense no exceptions). A waiver of the administrative police services fee is hereby granted. This approval is subject to the approvals of the Police Chief, John McGuinness, Kevin Breen, Health Administrator, William Duffy, Fire Inspector, and the filing of a Certificate of Insurance naming the Township as an additional insured with a Hold Harmless.
11. Approved the Fire Department Junior Firefighter program membership application of Oscar J. Ponciano, 22 Carlton Street, as per memo from Fire Captain Jesse T. Kaar Jesse T. Kaar, dated January 21, 2014.
12. Granted approval to the Jersey United Soccer Organization for the installation of temporary lighting at the Morristown Beard School Burke and Billings softball field, Whippany Road. Temporary lighting will be used from 6:00 P.M.- 9:00 P.M. from March 3, 2014 to March 27, 2014. The condition of approval is to notify the residents in the area that could be affected by the temporary lighting.
13. Approved, in accordance with a memo of recommendation from Timothy F. Quinn, Township Administrator, dated January 22, 2014, the promotion of John Flanagan to Assistant Superintendent of the Department of Public Works at a yearly salary of \$106,000, effective February 1, 2014.
14. Accepts with regret the resignation of Mr. Patrick B. Minter from the Open Space Committee, and thank him for his service to the Township of Morris.