

MINUTES OF REGULAR MEETING OF
THE TOWNSHIP COMMITTEE HELD ON
WEDNESDAY, JULY 20, 2016
7:00 P.M. REGULAR MINUTES

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CALL TO ORDER

The July 20, 2016 Regular Meeting was called to order by Mayor Daniel W. Caffrey at 5:06 P.M., in the Municipal Building, 50 Woodland Avenue, Morris Township, New Jersey.

ATTENDANCE

ELECTED OFFICERS

GOVERNING BODY

Mayor Daniel W. Caffrey
Deputy Mayor Peter V. Mancuso
Township Committee Member Bruce D. Sisler
Township Committee Member Louise T. Johnson

ABSENT

Township Committee Member Matheu D. Nunn

APPOINTED OFFICERS

Timothy F. Quinn, Township Administrator
John M. Mills, III, Township Attorney
Cathleen Amelio, Township Clerk

* * *

PRESIDING OFFICER'S STATEMENT OF DISCUSSION ITEMS

Mayor Daniel W. Caffrey 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".

RESOLUTION NO. 127-16-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. SISLER	YES	MR. MANCUSO	YES
	MR. NUNN	ABSENT	MRS. JOHNSON	YES
	MAYOR CAFFREY	YES		

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Recessed to closed session at 5:04 p.m.

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

Mayor Caffrey 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 July 17, 2016 to the official newspapers, Daily Record, and to the additional newspaper, Star Ledger, by email 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”.

RESUMPTION OF REGULAR MEETING - Mayor Daniel W. Caffrey resumed the Regular Meeting of the Township Committee at 7:00 P.M.

SPEAKER'S TIME LIMITATION

Mayor Caffrey announced that in order to give interested parties a fair chance to be heard, each speaker could comment for an unassignable period of five (5) 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 five (5) minutes.

* * * *

PLEDGE OF ALLEGIANCE

Mayor Daniel W. Caffrey led the Pledge of Allegiance.

* * * *

APPROVAL OF MINUTES

At this time the Township Clerk presented for approval, the following minutes: June 22, 2016 Regular/Closed and Special Meeting (Closed) June 30, 2016.

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. SISLER	YES	MR. MANCUSO	YES
	MR. NUNN	ABSENT	MRS. JOHNSON	YES
	MAYOR CAFFREY	YES		

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PUBLIC AUCTION – ABANDONED VEHICLE - JUNK TITLE#15-29169 WITH THE VIN NUMBER - 1LNHM97V92Y68460-2002 LINCOLN CONTINENTAL

At the request of Mayor Daniel W. Caffrey, Township Attorney John M. Mills, conducted a public auction of an abandoned vehicle which had come into the possession of the Morris Township Police Department and has been stored at Mesler's Towing, 163 Morris Street, Morristown, since December 8, 2015. Several attempts to contact the owner has been unsuccessful leading to the necessity for public auction.

With standard auction procedures being observed, John M. Mills, Township Attorney opened the matter for bids from the general public, starting the bid at \$500. and no bids were received.

On motion duly made, seconded and unanimously adopted (5-0), the Township Clerk was authorized and directed to endorse the Junk Title Certificate for the 2002 Lincoln Continental, VIN# 1LHM97V2Y68460 to Mesler's Towing, Morristown, NJ to offset the total towing and storing charges, which exceed the value of the vehicle or disposal.

PRESENTATION – Morris County Freeholders Christine Myers and Hank Lyon presented an overview of the 2016 Morris County Budget.

The goal of the Freeholder Board is to develop, adopt, and manage an annual County Operating Budget that: Remains Financially and Operationally efficient Maintains all Public Safety initiatives Sustains all Human Service programs Ensures the maintenance of all critical county wide infrastructure Protects the County ' s long standing " aaa " bond rating preserves the prudent and methodical use of Fund Balance

The development of the annual Operating Budget began with a detailed and thorough review of every Department's Budget, analyzing all: Expense and Revenue opportunities Potential service and funding areas Future year's budget considerations Identified Risk Areas State / Federal funding changes Pension costs Healthcare costs 2016 Operating Budget Development Process:

Morris County Budget 2016 vs. 2015 Managing the impact of anticipated changes to State /Federal Funding combined with increased operating costs , the 2016 Operating Budget rose \$11.3M Increase Included: \$6.35M for Health Insurance \$1.75M for Anticipated Salary Adjustments \$1.20M for State Human Service/Mental Health needs \$.82M For the provision of various Human Service Programs \$.24M Pension Increases

2016 Morris County Budget Highlights Maintains all County services in the midst of difficult economic times Provides valuable Shared Services for other Counties and Morris County Municipalities Delivers critical services for those in need of emergency assistance Supports the various unique a sets of Morris County Educational Institutions 18,900 Acre Park System Historical and Heritage Associations Resource Management Water / Aquifers Recycling Facilities Solid Waste Management Facilities

2016 Morris County Budget Highlights While the 2016 Total Composite Tax effort is up 2.39%, the overall four (4) year, (2012 to 2016) composite tax effort, is up a total of one half of one percent or .5% 2016 2.39% 2015 0 2014 < .54%> 2013 <1.72%> The most significant aspect of the 2016 Budget increase is related to health insurance which rose 18.9% In order to minimize this increase a Health Care Carrier RFP was issued in the fall of 2015 with a new provider beginning in 2016

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PRESENTATION – Morris County Freeholders Christine Myers and Hank Lyon presented an overview of the 2016 Morris County Budget (CONTINUED)

2016 Morris County Operating Budget Trends After three years of no tax increase experiences a moderate 2015 increase is introduced Budget Total Tax Effort 2016 \$340,650,110 \$225,384,598 2015 \$329,353,292 \$217,899,755 2014 \$317,327,448 \$217,899,755 2013 \$311,089,690 \$217,903,029 2012 \$317,334,110 \$217,917,846

2016 Morris County Budget Ensures the broad delivery of services to our residents

2016 Morris County Budget Ongoing Investments in Education/ Recreation:
\$ 11.8M investment in the County College of Morris \$6.2M investment in the Morris County School of Technology \$13.7M investment in the Morris County Park Commission 2016 Morris County Budget Ongoing Investments in Education/ Recreation

2016 Morris County Budget Highlight of Services to be Provided Over 500K Meals will be provided to Morris County Senior Citizens Morris View Health Care will remain home to 283 individuals. The continued provision of a wide variety of Human/Social Service programs: Aging, Disabilities, and Veteran Services Mental Health Services Substance Abuse Services Emergency Assistance Services Transportation Services

2016 Morris County Budget Focused on Public Safety Services Sheriff ' s Office Court House Security Crime Scene Investigation Services provided to all Municipalities Canine services provided to all Municipalities Prosecutor's Office County Correctional Facility County Office of Emergency Management Public Safety Training Academy Certified Police/Fire/ EMS Training Facility 911 Emergency Communication Center Providing Emergency Dispatch Services for 23 Municipalities Providing Interoperable Communications for all Municipalities Office of Health Management – LINC'S Communications / Public Health Planning Environmental Health Services, Hazmat response Provides Local Health Services to 5 Municipalities Juvenile Detention Center/Youth Shelter (Shared Service with 4 Counties) Medical Examiners Office (Shared Service with 3 Counties) County Wide Weights and Measures Services

2016 Morris County Debt Management The 2016 Capital Budget authorizes \$26.1M (To be reduced by \$1.5M Chapter 12 Aid from State) in Debt for various Capital Projects Continued Emphasis on Road / Bridge Infrastructure \$7.6M for 22 miles of County Road Resurfacing 2015 \$7.6M 2014 \$4.8M 2013 \$2.2M \$3.3M for the design of 16 of Bridges and construction of 6 Bridges 2015 \$3.2M 2014 \$2.9M 2013 \$3.7M \$3.7M for Educational Facilities (to be reduced by \$1.5M Ch.12 Bonds) \$1.0M for Criminal Justice Reform Historical Capital Budget Debt Authorized: 2015 - \$26.4M 2013 - \$21.5M 2014 - \$23.8M 2012 - \$29.2M

2016 Morris County Budget Structural Balance Morris County ' s Financial Strength is maintained through: The long standing “ aaa ” Bond rating Continued conservative budgeting practices The oversight of the Governing Body The ongoing engagement of a Budget Sub-Committee Continued advanced Planning in preparation for future reductions in Managed Medicaid Revenues

2016 Morris County Budget Structural Balance The prudent and methodical use of Fund Balance ensures stability in the annual use of Reserves and the continuation of the County's “aaa” 2015 Ending Fund Balance \$53M 2016 Projected Ending Fund Balance \$ 50M to \$ 55M How the Rating Agency's Evaluate Fund Balance : A September 2014 Moody's Investor Service presentation notes that conservative budgeting is one where the entity “appropriates surplus with a strategy to regenerate” Moody's Investor Service December 2015 “aaa” Rating notes “ending Current Fund Balances remain strong at about \$53M” Standard & Poor's Rating

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PRESENTATION – Morris County Freeholders Christine Myers and Hank Lyon presented an overview of the 2016 Morris County Budget (CONTINUED)

Services December 2015 “aaa” Rating “The county has a history of maintaining strong –to-very strong current fund balances... Management expects fund balance to remain at least equal to \$53M at 2015 year end”

2016 Morris County Budget Strategic Planning is Critical Future Budget Risks: Continued uncertainty of Medicaid funding for Morris View Health Care Center partially recognized in 2016 Potential increases in Health Insurance and Pension costs Impact of Criminal Justice Reform and Speedy Trial County Guarantee for Debt Service for Solar I & Solar II Programs Moderating this risk through the completion of 10 remaining sites in Solar II; along with the stabilization of the SREC market Understanding the economic trends and changing demographics in Morris County

2016 County Budget In Summary / In Perspective The Aggregate 2012-2016 combined Tax Effort represents one half of one (.5%) increase While the 2016 Operating Tax effort will increase 3.43%, the reduction in the Open Space Tax, has resulted in an overall 2.39% Tax increase This was accomplished through the \$1 Billion increase in County ratables coupled with the 1/8 of a cent reduction in the Open Space Tax The average household change is approximately \$20 annually based on the average residential value of \$373,000 protects the County’s “aaa” bond rating and permits the final 10 sites in the Solar 2 project to be completed.

SUMMARY OF BIDS RECEIVED - BID COMMITTEE REPORT – Mr. Timothy F. Quinn, Township Administrator summarized the following bids that were received on various dates(as indicated) in the Municipal Building, 50 Woodland Avenue, and received bids and or proposals on the projects hereafter enumerated from bidders and prices as indicated:

OTE: 2016-4 – Picatinny Road Reconstruction Project. On June 16, 2016 bids were received and twelve vendors picked up the specifications, and six submitted bids. The bids were reviewed by the Engineering Department as well as the Purchasing Department. Karen Carman, QPA, recommends award to the lowest responsive and responsible bidder as follows: Midwest Construction, Inc., 23 Dead River Road, Warren, NJ 07059 for a price not to exceed \$1,253,777.60. Funds are available as follows:

OTE: 2016-6 – Procurement of One (1) GMC Sierra 4WD Regular Cab with Option for Service Body and Accessories or Equivalent

On July 15, 2016 bids were received for procurement of one (1) GMC Sierra 4WD Regular Cab with Option for Service Body and Accessories or Equivalent. Five vendors picked up the specifications, and one submitted a bid. After review of the bid documents, the recommendation of award to the lowest responsive and responsible bidder as follows: Beyer Brothers Corp., 109 Broad Avenue, Fairview, NJ 07022

RFQ-1B-2016 – Storm and Sanitary Sewer System Video Investigation Equipment

Quotations were solicited for a Storm and Sanitary Sewer System Video Investigation Equipment for use by the WPCU. It is anticipated that this contract will be over \$17,500 but under \$40,000. The Request for Quotation was sent to three vendors.

Mark Howarth, WPCU Superintendent has reviewed the proposal and recommends award to Peirce Eagle Equipment Co. in the amount of \$39,946.

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RESOLUTIONS

In the next matter of business, the following resolutions were duly offered, seconded, and adopted by the vote as indicated at the end of the text of the resolutions:

RESOLUTION NO. 128-16-AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO ENTER INTO AN AGREEMENT WITH THE STATE OF NEW JERSEY-COMMISSIONER OF TRANSPORTATION FOR THE PURPOSE OF THE INSTALLATION OF A TRAFFIC SIGNAL AT THE INTERSECTION OF ROUTE 124 AND PUNCH BOWL ROAD – CANFIELD ROAD

WHEREAS, a new traffic signal intersection at Route 124 & Punch Bowl Road-Canfield Road in the Township of Morris, in the County of Morris, which requires the installation and operation of a semi-actuated traffic control signal with pedestrian push button, and areas of presence detection in order to minimize the possibility of accidents; and

WHEREAS, it is necessary to expedite the safe movement and conduct of pedestrian and vehicular traffic; and

WHEREAS, the State of New Jersey has indicated its willingness to install a traffic control signal at said intersection; and

WHEREAS, the State of New Jersey has proposed a form of Agreement pertaining to maintenance of said traffic signal; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Municipal Clerk of the said Township of Morris be and hereby is authorized to enter into an Agreement with the State of New Jersey, acting through its Commissioner of Transportation, for the purpose aforesaid, a copy of said agreement being attached hereto and made a part hereof.

ROLL CALL:	MR. SISLER	YES	MR. MANCUSO	YES
	MR. NUNN	ABSENT	MRS. JOHNSON	YES
	MAYOR CAFFREY	YES		

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RESOLUTIONS(CONTINUED)

RESOLUTION NO. 129-16-AMENDING RESOLUTION NO. 70-16 APPOINTING NOEL E. SCHABLIK, ESQ., 35 WATERVIEW BOULEVARD PARSIPPANY, NJ AS HEARING OFFICER - \$144/HOUR, NTE \$5,000

WHEREAS, the Township of Morris has need for a hearing officer for purposes of administering and making factual findings relative to a certain pending personnel matter; and

WHEREAS, NOEL E. SCHABLIK, an attorney at law for the State of New Jersey is experienced in these types of matters and possesses the necessary credentials.

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 that the Township Committee of the Township of Morris, being the Governing Body of said Township, as follows:

1. The Township Committee does hereby appoint Noel E. Schablik, Esq., 35 Waterview Boulevard, Parsippany, NJ as Hearing Officer.
2. The Hearing Officer shall have full authority to determine all procedural and scheduling issues pertaining to the hearing, and shall have full authority and responsibility for the conduct of the hearing in accordance with Applicable law.
3. Upon the conclusion of the hearing, the Hearing Officer shall make all necessary findings of fact and conclusions of law as to the charges and, in the event of a finding of guilty on any or all of the charges, shall determine a penalty.
4. The findings of fact and conclusions of law of the Hearing Officer, together with the penalty (if any) determined shall be immediately communicated to the Township Administrator as the Appropriate Authority in the form of a written opinion. Thereafter, the Township Administrator as the Appropriate Authority shall have the authority to accept, reject, or modify any portion of the opinion of the Hearing Officer, and to take any subsequent action in accordance with law.
5. The compensation herein authorized shall be at the rate of \$144 per hour, not to exceed a total of \$5,000.
6. This award of contract is made without competitive bidding as a professional service (N.J.S.A.40A:11-5).

NOW, THEREFORE BE IT HEREBY RESOLVED that the Township Committee of the Township of Morris hereby appoints Mr. Noel E. Schablik, Esq., as hearing officer - \$144/HOUR, in and amount NTE \$5,000.

ROLL CALL: MR. SISLER YES MR. MANCUSO YES
MR. NUNN ABSENT MRS. JOHNSON YES
MAYOR CAFFREY YES

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RESOLUTIONS(CONTINUED)

3. Upon the conclusion of the hearing, the Hearing Officer shall make all necessary findings of fact and conclusions of law as to the charges and, in the event of a finding of guilty on any or all of the charges, shall determine a penalty.
4. The findings of fact and conclusions of law of the Hearing Officer, together with the penalty (if any) determined shall be immediately communicated to the Township Administrator as the Appropriate Authority in the form of a written opinion. Thereafter, the Township Administrator as the Appropriate Authority shall have the authority to accept, reject, or modify any portion of the opinion of the Hearing Officer, and to take any subsequent action in accordance with law.
5. The compensation herein authorized shall be at the rate of \$144 per hour, not to exceed a total of \$5,000.
6. This award of contract is made without competitive bidding as a professional service (N.J.S.A.40A:11-5).

NOW, THEREFORE BE IT HEREBY RESOLVED that the Township Committee of the Township of Morris hereby appoints Mr. Noel E. Schablik, Esq., as hearing officer - \$144/HOUR, in and amount NTE \$5,000.

ROLL CALL:	MR. SISLER	YES	MR. MANCUSO	YES
	MR. NUNN	ABSENT	MRS. JOHNSON	YES
	MAYOR CAFFREY	YES		
		* * * *		

RESOLUTION NO. 130-16-RE: AUTHORIZING REFUND OF 2016 TAXES DUE TO OVERPAYMENT AS A RESULT OF AN OVERBILL

WHEREAS, the Tax Collector has certified to the Township of Morris that a payment be refunded due to an overpayment as a result of an overbill

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 payment is refunded as follows:

Block & Lot & Qualifier	Refund to:	Amount
6705 1 261 James Street	Medical Condo Associates c/o Joan Cohen 12 Grace Way Morristown, NJ 07960	\$6,142.19

ROLL CALL:	MR. SISLER	YES	MR. MANCUSO	YES
	MR. NUNN	YES	MRS. JOHNSON	YES
	MAYOR CAFFREY	YES		
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RESOLUTIONS(CONTINUED)

RESOLUTION NO. 131-16-RE: AUTHORIZING REFUND OF TAXES DUE TO OVERPAYMENT AS A RESULT OF AN OVERBILL

WHEREAS, the Tax Collector has certified to the Township of Morris that a payment be refunded due to an overpayment as a result of an overbill

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 payment is refunded as follows:

Block & Lot & Qualifier	Refund to:	Amount
6801 75 QFarm 261 James Street	Harding Land Trust P.O. Box 576 New Vernon, NJ 07976	\$8.77

ROLL CALL: MR. SISLER	YES	MR. MANCUSO	YES
MR. NUNN	ABSENT	MRS. JOHNSON	YES
MAYOR CAFFREY	YES		
	* * * *		

RESOLUTION NO. 132-16-RE: AUTHORIZING REFUND OF TAXES DUE TO OVERPAYMENT AS A RESULT OF AN OVERBILL

WHEREAS, the Tax Collector has certified to the Township of Morris that a payment be refunded due to an overpayment as a result of an overbill

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 payment is refunded as follows:

Block & Lot & Qualifier	Refund to:	Amount
9101 4 101 Columbia Road	Honeywell Attn: Ray Merchant 115 Tabor Road Morris Plains, NJ 07950	\$385,151.70

ROLL CALL: MR. SISLER	YES	MR. MANCUSO	YES
MR. NUNN	ABSENT	MRS. JOHNSON	YES
MAYOR CAFFREY	YES		

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RESOLUTIONS(CONTINUED)

**RESOLUTION NO. 133-16-AUTHORIZING CHANGE ORDER NO. 1 TO MIDWEST
CONSTRUCTION CORPORATION FOR CONTRACT NO. OTE: 2015-8 – BLACKWELL
AVENUE IMPROVEMENTS PROJECT, AWARDED DECEMBER 16, 2015 – OVERALL
DECREASE IN CONTRACT OF \$63,239.20; TOTAL NOT TO EXCEED \$250,530.22**

WHEREAS, a contract was awarded by the Township Committee at a meeting held on December 16, 2015 to Midwest Construction Corporation for Contract OTE: 2015-8 Blackwell Avenue Improvements Project, in the amount of \$313,769.42, Resolution No. 241-15; and

WHEREAS, it has been determined that certain changes and modifications were needed, and

WHEREAS, the Township Engineering Department has provided documentation indicating the need for this change order, as outlined in a memo by the Township Engineer dated June 30, 2016, which shall be made a part of this resolution, and

WHEREAS, Change Order No. 1 decreases the amount of the contract by \$63,239.20 which is 20.2% less than the original contract award as is detailed in the attached memo by the Township Engineer.

NOW, THEREFORE BE IT HEREBY RESOLVED that the Township Committee of the Township of Morris hereby authorizes the Change Order No. 1 decreasing this contract in the amount of \$63,239.20 for a total not to exceed \$250,530.22.

ROLL CALL:	MR. SISLER	YES	MR. MANCUSO	YES
	MR. NUNN	ABSENT	MRS. JOHNSON	YES
	MAYOR CAFFREY	YES		
		*	*	*

**RESOLUTION NO. 134-16-RE: REQUESTING APPROVAL OF ITEMS OF REVENUE AND
APPROPRIATION (N.J.S.A. 40A:4-87) 2015 CLEAN COMMUNITIES GRANT IN THE
AMOUNT OF \$60,865.51**

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Morris, in the County of Morris, New Jersey, hereby request the Director of Local Government Services to approve the insertion of an item of revenue in the budget for the year 2016 in the sum of \$60,865.51 which is now available as a revenue from:

Miscellaneous Revenues: Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services:

Public and Private Revenues offset with Appropriations:

State of New Jersey-Department of Environmental Protection- 2015 Clean Communities Grant

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RESOLUTIONS(CONTINUED)

RESOLUTION NO. 134-16-RE: REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION (N.J.S.A. 40A:4-87) 2015 CLEAN COMMUNITIES GRANT IN THE AMOUNT OF \$60,865.51 (CONTINUED)

BE IT FURTHER RESOLVED that the like sum of \$60,865.51 be appropriated under the caption of:

General Appropriations: Operations Excluded from "CAPS"

Public and Private Programs Offset by Revenues: State of New Jersey-Department of Environmental Protection- 2015 Clean Communities Grant

ROLL CALL:	MR. SISLER	YES	MR. MANCUSO	YES
	MR. NUNN	ABSENT	MRS. JOHNSON	YES
	MAYOR CAFFREY	YES		
		*	*	*

RESOLUTION NO. 135-16-RE: REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION (NJ.S.A. 40A:4-87) 2014 AND 2015 BULLETPROOF VESTS GRANT IN THE SUM OF \$3,022.80

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Morris, in the County of Morris, New Jersey, hereby request the Director of Local Government Services to approve the insertion of an item of revenue in the budget for the year 2016 in the sum of \$3,022.80 which is now available as a revenue from:

Miscellaneous Revenues:

Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services:

Public and Private Revenues offset with Appropriations: US Department of Justice 2014 and 2015 Bulletproof Vests Grant

BE IT FURTHER RESOLVED that the like sum of \$3,022.80 be appropriated under the caption of:

General Appropriations: Operations Excluded from "CAPS"

Public and Private Programs Offset by Revenues: US Department of Justice 2014 and 2015 Bulletproof Vests Grant

ROLL CALL:	MR. SISLER	YES	MR. MANCUSO	YES
	MR. NUNN	ABSENT	MRS. JOHNSON	YES
	MAYOR CAFFREY	YES		

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RESOLUTIONS(CONTINUED)

RESOLUTION NO. 136-16-RE: REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION (N.J.S.A. 40A:4-87) 2013 RECYCLING TONNAGE GRANT IN THE AMOUNT OF \$6,525.42

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Morris, in the County of Morris, New Jersey, hereby request the Director of Local Government Services to approve the insertion of an item of revenue in the budget for the year 2016 in the sum of \$6,525.42 which is now available as a revenue from:

Miscellaneous Revenues: Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services:

Public and Private Revenues offset with Appropriations: State of New Jersey-Department of Environmental Protection 2013 Recycling Tonnage Grant

BE IT FURTHER RESOLVED that the like sum of \$6,525.42 be appropriated under the caption of:

General Appropriations: Operations Excluded from "CAPS"

Public and Private Programs Offset by Revenues: State of New Jersey-Department of Environmental Protection 2013 Recycling Tonnage Grant

ROLL CALL:	MR. SISLER	YES	MR. MANCUSO	YES
	MR. NUNN	ABSENT	MRS. JOHNSON	YES
	MAYOR CAFFREY	YES		
		* * * *		

RESOLUTION NO.137-16-RE: REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION (N.J.S.A. 40A:4-87) 2015 YEAR END DRIVE SOBER OR GET PULLED OVER GRANT IN THE AMOUNT OF \$4,847.00

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Morris, in the County of Morris, New Jersey, hereby request the Director of Local Government

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RESOLUTIONS(CONTINUED)

RESOLUTION NO.137-16-RE: REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION (N.J.S.A. 40A:4-87) 2015 YEAR END DRIVE SOBER OR GET PULLED OVER GRANT IN THE AMOUNT OF \$4,847.00 (CONTINUED)

Services to approve the insertion of an item of revenue in the budget for the year 2016 in the sum of \$4,847.00 which is now available as a revenue from:

Miscellaneous Revenues: Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services:

Public and Private Revenues offset with Appropriations: State of New Jersey, Department of Highway Traffic Safety- 2015 Year End Drive Sober or Get Pulled Over Grant

BE IT FURTHER RESOLVED that the like sum of \$4,847.00 be appropriated under the caption of:

General Appropriations: Operations Excluded from "CAPS"

Public and Private Revenues offset with Appropriations: State of New Jersey, Department of Highway Traffic Safety- 2015 Year End Drive Sober or Get Pulled Over Grant

ROLL CALL:	MR. SISLER	YES	MR. MANCUSO	YES
	MR. NUNN	ABSENT	MRS. JOHNSON	YES
	MAYOR CAFFREY	YES		
		*	*	*

RESOLUTION NO. 138-16-AWARD OF A FAIR AND OPEN CONTRACT FOR RFQ-1B-2016 – STORM AND SANITARY SEWER SYSTEM VIDEO INVESTIGATION EQUIPMENT TO PEIRCE EAGLE EQUIPMENT CO., 3388 RT. 22 WEST, CINNAMINSON, NJ 08077 IN THE AMOUNT NOT TO EXCEED \$39,946.00

WHEREAS, quotations were solicited through a fair and open process for the purchase of storm and sanitary sewer system video investigation equipment for use by the Water Pollution Control Utility, and

WHEREAS, quotations were mailed to three vendors, and

WHEREAS, the Request for Quotation was advertised on the Township of Morris website in accordance with the Local Public Contracts Law, and

WHEREAS, one quotation was received, opened, and read at a public bid meeting on July 13, 2016, and

WHEREAS, Karen J. Carman, Qualified Purchasing Agent has provided to the Governing Body a summary of quotations received along with a recommendation to award from the WPCU Superintendent, and

WHEREAS, funds are available in the Sewer Capital, Line NO. S-06-55-522-108 in the amount of \$39,946.00; and

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RESOLUTIONS(CONTINUED)

RESOLUTION NO. 138-16-AWARD OF A FAIR AND OPEN CONTRACT FOR RFQ-1B-2016 – STORM AND SANITARY SEWER SYSTEM VIDEO INVESTIGATION EQUIPMENT TO PEIRCE EAGLE EQUIPMENT CO., 3388 RT. 22 WEST, CINNAMINSON, NJ 08077 IN THE AMOUNT NOT TO EXCEED \$39,946.00(CONTINUED)

WHEREAS, after review and recommendation from the WPCU Superintendent and Qualified Purchasing Agent, it appears that the contract should be awarded to the lowest responsive and responsible bidder: Peirce Eagle Equipment Co., 3388 Rt. 22 West, Cinnaminson, NJ 08077 NOW, THEREFORE, BE IT 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 Peirce Eagle Equipment Co., 3388 Rt. 22 West, Cinnaminson, NJ 08077.
2. The Qualified Purchasing Agent is hereby authorized to issue the purchase order for the procurement of these goods.

ROLL CALL:	MR. SISLER	YES	MR. MANCUSO	YES
	MR. NUNN	ABSENT	MRS. JOHNSON	YES
	MAYOR CAFFREY	YES		
		* * * *		

RESOLUTION NO. 139-16-AUTHORIZING AWARD OF CONTRACT THROUGH A FAIR AND OPEN PROCESS FOR BID NO. OTE: 2016-6 TO BEYER BROTHERS CORP., 109 BROAD AVENUE, FAIRVIEW, NJ 07022 – IN AN AMOUNT NOT TO EXCEED \$65,162.00

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

PROCUREMENT OF ONE (1) CURRENT YEAR GMC SIERRA 4 WD REGULAR CAB WITH OPTION FOR SERVICE BODY AND ACCESSORIES OR EQUIVALENT; and

WHEREAS, after review and recommendation from the Qualified Purchasing Agent, it appears that the contract should be awarded to the lowest responsive and responsible bidder: BEYER BROS CORP.,109 BROAD AVENUE,FAIRVIEW, NJ 07022

WHEREAS, a Certificate of Availability of Funds has been provided to the Township Clerk by the Chief Financial Officer, certifying that the funds for said contract are available in Sewer Operating, Line No. 6-05-55-505-403.

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 Beyer Bros. Corp. in the amount of \$65,162.00 for a Current Year GMC Sierra 4 WD Regular Cab with Service Body and Accessories.
2. The Mayor and Township Clerk are hereby authorized 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.

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RESOLUTIONS(CONTINUED)

RESOLUTION NO. 139-16-AUTHORIZING AWARD OF CONTRACT THROUGH A FAIR AND OPEN PROCESS FOR BID NO. OTE: 2016-6 TO BEYER BROTHERS CORP., 109 BROAD AVENUE, FAIRVIEW, NJ 07022 – IN AN AMOUNT NOT TO EXCEED \$65,162.00 (CONTINUED)

ROLL CALL:	MR. SISLER	YES	MR. MANCUSO	YES
	MR. NUNN	ABSENT	MRS. JOHNSON	YES
	MAYOR CAFFREY	YES		
		* * * *		

RESOLUTION NO. 140-16-RE: AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE AN AGREEMENT WITH THE COUNTY OF MORRIS FOR THE RIDGEDALE AVENUE ROAD IMPROVEMENTS PROJECT AS A JOINT VENTURE BETWEEN MORRIS TOWNSHIP AND MORRIS COUNTY

WHEREAS, the Township of Morris and the County of Morris have need to complete a joint services project pursuant to the provisions of N.J.S.A. 40:8A-1 et. seq., and

WHEREAS, Ridgedale Avenue is an improved public roadway located within Morris Township and Morris County, and

WHEREAS, A County culvert which is located on Ridgedale Avenue in the Town of Morristown, is owned and operated by the County, and is in the process of being replaced, and

WHEREAS, the Township of Morris owns and operates various roadway facilities including storm drainage, curbing and sidewalk that will be impacted by the culvert replacement, and

WHEREAS, the roadway, curbing and sidewalk are in need of reconstruction to provide safer pedestrian access and transitions for vehicles at the rail road crossing located near the County culvert, and

WHEREAS, the approximate cost for the portion of the project located in the Township is \$150,000.00 and whereas Morris Township has the funding available for the project, and

WHEREAS, Morris Township and Morris County are desirous to complete repairs to the existing roadway as part of the county culvert project.

NOW THEREFORE in consideration of the terms and conditions hereinafter set forth, it is agreed as follows:

1. County of Morris, the lead agency for the culvert replacement project, be responsible for coordinating with their contractor the completion of the roadway improvements adjacent to the culvert
2. Upon completion of the project Morris County will provide Morris Township copies of all invoices and proof of payment for the work.
3. Morris Township shall provide detailed construction drawings of the proposed improvements to the County's Contractor.
4. Morris Township shall reimburse the County for the roadway improvements completed in the Township of Morris as detailed on the construction plans prepared by the Township.

NOW THEREFORE, BE IT HEREBY RESOLVED by the Township Committee of the Township of Morris authorizes the Mayor and Township Clerk to enter into this "The Agreement" with the County of Morris for the Ridgedale Avenue Road Improvements Project as a joint venture between Morris County and the Morris Township.

ROLL CALL:	MR. SISLER	YES	MR. MANCUSO	YES
	MR. NUNN	ABSENT	MRS. JOHNSON	YES
	MAYOR CAFFREY	YES		

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RESOLUTIONS(CONTINUED)

RESOLUTION NO. 141-16-AUTHORIZING AWARD OF CONTRACT THROUGH A FAIR AND OPEN PROCESS FOR BID OTE: 2016-2 CHEMICAL ANALYZERS PROJECT TO PUMPING SERVICES, INC. – IN AN AMOUNT NOT TO EXCEED \$146,428.00

WHEREAS, the Township of Morris has, in accordance with the Local Public Contracts Law of the State of New Jersey, received bids for the following: OTE: 2016-2, CHEMICAL ANALYZERS PROJECT; and

WHEREAS, after review by the Engineering Department and recommendation from the Qualified Purchasing Agent, it appears that the contract should be awarded to the lowest responsive and responsible bidder: Pumping Services, Inc., 201 Lincoln Boulevard, Middlesex, NJ 08846

WHEREAS, a Certificate of Availability of Funds has been provided to the Township Clerk by the Chief Financial Officer, certifying that the funds for said contract are available in Sewer Capital, Line No. S-06-55-522-002.

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 Pumping Services, Inc., 201 Lincoln Boulevard, Middlesex, NJ 08846.
2. The Mayor and Township Clerk are hereby authorized to execute the contract and all other necessary documents in order to effectuate the purpose of this resolution.
3. The Township Engineer is authorized to make minor field modifications provided they do not affect the overall scope of the work of the contract subject to final approval by the Township Committee.
4. That the Certificate of Availability of Funds supplied by the Chief Financial Officer of this Township shall be attached to a copy of this resolution and kept on file in the Office of the Municipal Clerk.

ROLL CALL: MR. SISLER YES MR. MANCUSO YES
 MR. NUNN ABSENT MRS. JOHNSON YES
 MAYOR CAFFREY YES

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RESOLUTIONS(CONTINUED)

RESOLUTION NO. 142-16-AND FOR GENERAL LEGAL SERVICES, AMENDING
RESOLUTION NO. 24-16 IN THE ADDITIONAL AMOUNT OF \$15,000, TO JOHN M.
IACIOFANO, ESQ., IACIOFANO & PERRONE, ESQS., 157 WASHINGTON STREET,
MORRISTOWN, N.J. 07960 IN THE AMOUNT OF \$144/HR. - NTE \$30,000

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 anticipated term of this contract is one year, and

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

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

WHEREAS, the Township Committee awarded a contract in the amount of \$15,000 at a meeting held on January 20, 2016, Resolution NO. 24-16 and it is now necessary to increase this award; 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 HEREBY RESOLVED by the Township Committee of the Township of Morris, being the Governing Body thereof, authorizes amending Resolution No. 24-16 adopted on January 20, 2016, in the additional amount of \$15,000, for a total not to exceed \$30,000.

ROLL CALL:	MR. SISLER	YES	MR. MANCUSO	YES
	MR. NUNN	ABSENT	MRS. JOHNSON	YES
	MAYOR CAFFREY	YES		

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RESOLUTIONS(CONTINUED)

RESOLUTION NO. 143-16-AUTHORIZING AWARD OF A NONFAIR AND OPEN CONTRACT FOR PLANNING AND LITIGATION SERVICES, AMENDING RESOLUTION NO. 29-16 IN THE ADDITIONAL AMOUNT OF \$20,000, TO PAUL PHILLIPS OF PHILLIPS, PREISS, GRYGIEL, LLC IN THE AMOUNT OF \$144/HR. - NTE \$50,000.

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

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

WHEREAS, Paul Phillips 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

WHEREAS, the Township Committee awarded a contract in the amount of \$30,000 at a meeting held on January 20, 2016, Resolution No. 29-16 and it is now necessary to increase this award; 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 HEREBY RESOLVED by the Township Committee of the Township of Morris, being the Governing Body thereof, authorizes amending Resolution No. 29-16 adopted on January 20, 2016, in the additional amount of \$20,000, for a total not to exceed \$50,000.

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

ROLL CALL:	MR. SISLER	YES	MR. MANCUSO	YES
	MR. NUNN	ABSENT	MRS. JOHNSON	YES
	MAYOR CAFFREY	YES		

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RESOLUTIONS(CONTINUED)

RESOLUTION NO. 144-16-RE: PURCHASE OF ONE 2017 FORD UTILITY POLICE INTERCEPTOR SUV'S - POLICE DEPARTMENT - NTE: \$23,925.80

WHEREAS, the Township of Morris wishes to purchase a Ford Utility Police Interceptor vehicle for use by the Police Department, and

WHEREAS, the above item is available through State Contract No. 88728 from Winner Ford, and

WHEREAS, the Director of Finance has certified that funds are available in Purchase of Police Cars, line no. 6-01-25-241-268 in the amount of \$23,925.80.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee, Township of Morris, State of New Jersey, that a contract be awarded to Winner Ford for the purchase of one 2017 Ford Utility Police Interceptor at a cost of \$23,925.80.

ROLL CALL:	MR. SISLER	YES	MR. MANCUSO	YES
	MR. NUNN	ABSENT	MRS. JOHNSON	YES
	MAYOR CAFFREY	YES		
		*	*	*

RESOLUTION NO. 145-16-AUTHORIZING AWARD OF A NONFAIR AND OPEN CONTRACT TO GP JAGER INC., PO BOX 50, BOONTON, NJ 07005, FOR THE EMERGENCY REPAIR OF ONE MUFFIN MONSTER CUTTER CARTRIDGE EXCHANGE CUTTER AT THE BUTTERWORTH SEWER PLANT IN THE AMOUNT NOT TO EXCEED \$30,822.60

WHEREAS, the Township of Morris has the need to acquire a replacement of the main sewage grinder (aka Muffin Monster) at the Butterworth Sewer Treatment Plan, 48 Lake Valley Road, as a nonfair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4, as the system is failing and in need of repair; and

WHEREAS, if the sewage grinder is not repaired, it will affect the public health, safety, and welfare of the general public; and

WHEREAS, the Local Public Contracts Law permits the award of such emergency repair without competitive public bids under such circumstances; and

WHEREAS, in accordance with N.J.S.A. 40A:11-6, the Public Contract and Public Bid Laws are suspended for all work necessary as a result of a bona fide emergency; and

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

WHEREAS, GP Jager Inc. has submitted a proposal dated June 3, 2016 indicating they will provide the upgraded grinder for \$30,822.60, which includes freight for delivery and return; and

WHEREAS, GP Jager Inc. has provided documentation that they are the exclusive municipal sales representative for this equipment; and

WHEREAS, GP Jager Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate

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RESOLUTIONS(CONTINUED)

RESOLUTION NO. 145-16-AUTHORIZING AWARD OF A NONFAIR AND OPEN CONTRACT TO GP JAGER INC., PO BOX 50, BOONTON, NJ 07005, FOR THE EMERGENCY REPAIR OF ONE MUFFIN MONSTER CUTTER CARTRIDGE EXCHANGE CUTTER AT THE BUTTERWORTH SEWER PLANT IN THE AMOUNT NOT TO EXCEED \$30,822.60 (CONTINUED)

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 has certified that funds are available in Sewer Capital, Line No. S-06-55-522-004.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Township Committee of the Township of Morris in the County of Morris, State of New Jersey that:

1. The Township Committee of the Township of Morris hereby affirms that a contract shall be awarded to GP Jager Inc.as a nonfair and open contract for the repair of the Muffin Monster Cutter Cartridge Exchange Cutter at the Butterworth Sewer Treatment Plant, 48 Lake Valley Road, in the amount not to exceed \$30,822.60.

ROLL CALL:	MR. SISLER	YES	MR. MANCUSO	YES
	MR. NUNN	ABSENT	MRS. JOHNSON	YES
	MAYOR CAFFREY	YES		

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RESOLUTION NO. 146-16-AUTHORIZING AWARD OF CONTRACT THROUGH A FAIR AND OPEN PROCESS FOR BID QPA-7-2016 SLUDGE HAULING SERVICES TO R & D TRUCKING, INC., 1874 RT. 23 NORTH, WEST MILFORD, NJ 07480 – IN AN AMOUNT NOT TO EXCEED \$0.029 PER GALLON

WHEREAS, the Township of Morris has, in accordance with the Local Public Contracts Law of the State of New Jersey, received bids for the following: SLUDGE HAULING SERVICES; and

WHEREAS, after review and recommendation from the Qualified Purchasing Agent, it appears that the contract should be awarded to the lowest responsible bidder: R & D TRUCKING, INC., 1874 RT. 23 NORTH, WEST MILFORD, NJ 07480

WHEREAS, a Certificate of Availability of Funds has been provided to the Township Clerk by the Chief Financial Officer, certifying that the funds for said contract are available in the Sewer Operating.

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 for a 24 month period effective September 1, 2016 through August 31, 2018 to R & D Trucking, Inc., 1874 Rt. 23 North, West Milford, NJ 07480 in the amount not to exceed \$0.029 per gallon.
2. The Mayor and Township Clerk are hereby authorized to execute the contract and all other necessary documents in order to effectuate the purpose of this resolution.

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RESOLUTION NO. 146-16-AUTHORIZING AWARD OF CONTRACT THROUGH A FAIR AND OPEN PROCESS FOR BID QPA-7-2016 SLUDGE HAULING SERVICES TO R & D TRUCKING, INC., 1874 RT. 23 NORTH, WEST MILFORD, NJ 07480 – IN AN AMOUNT NOT TO EXCEED \$0.029 PER GALLON (CONTINUED)

3. That the Certificate of Availability of Funds supplied by the Chief Financial Officer of this Township shall be attached to a copy of this resolution and kept on file in the Office of the Municipal Clerk.

ROLL CALL:	MR. SISLER	YES	MR. MANCUSO	YES
	MR. NUNN	ABSENT	MRS. JOHNSON	YES
	MAYOR CAFFREY	YES		

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PUBLIC COMMENT

Mayor Caffrey, 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:

Ms. Melanie S. Hostetter – 21 Lynnfield Drive - Inquired as to how priorities for sidewalks and road repair are scheduled. Ans. Mr. Quinn, Township Administrator advised Ms. Hostetter that all roads are evaluated through a rating system which is done yearly. Ms. Hostetter is concerned with the cracked sidewalk and that the sidewalks are in need of repair. Ms. Hostetter was advised that sidewalks are owned by the property own and if the Township receive a call from a resident in reference to the need of sidewalk repair the property owner will be contacted by the Township.

Ms. Cathy Wilson – 20 Beechwood Drive – Advised the Committee that she read that Representatives from Morris County, Florham Park, Madison, Hanover, and Morris Township, Senator Bucco, House of Representative Frelinghuysen will be meeting in reference to the intersection of Park Avenue and Columbia Turnpike and maybe proposing a bypass road to resolve traffic congestion at one of the busiest intersections.

The preliminary plan calls for an overpass to be constructed over Columbia Turnpike. Traffic exiting off of the eastbound lanes of Route 24 would be routed to a T-intersection with Park Avenue. There would be two lanes for left-hand-turns. An additional lane heading in the opposite direction would take drivers from Park Avenue to Route 24 heading east.

In addition, there is a plan for the construction of an office building, hotel, sports training facility and 425 residential units. If built out as expected, by 2019 it would increase the traffic volume there by 7 percent.

Ms. Wilson is hopefully that there will be a solution to the traffic problems at the intersection of Columbia Turnpike and Park Avenue.

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ADMINISTRATIVE HEARING – LIQUOR LICENSE SPECIAL CONDITIONS

Present on behalf of the Licensee – Robert Williams, Esquire, representing LYNNDR; Thomas Jannarone, Esquire, Licensee Anthony D’Auria owner of Rockbottom Entertainment current owner of liquor license #1422-33-002-010

ROCKBOTTOM ENTERTIANMENT, LLC – T/A MINX LOUNGE - 4 JOHN ST., MORRISTOWN
ABC RETAIL CONSUMPTION LICENSE #1422-33-002-010

At this time Mayor Daniel W. Caffrey requested that Township Attorney John M. Mills summarize the reason for this Administrative Hearing on the liquor license number 1422-33-002-010 owned by Rockbottom Entertainment. The License holder appealed the five special conditions imposed on the person-to-person and place-to place transfer of liquor license. Rockbottom sought a stay of special conditions imposed on its license by way of the Township of Morris by Resolution No. 229-15 dated December 15, 2015. In response the licensee appealed the conditions of their license to the State of New Jersey Department of Law and Public Safety Division of Alcoholic Beverage Control. On March 11, 2016, Jonathan A. Orsen, Acting Director of the ABC, conducted a pre-hearing telephone conference with the Township of Morris and representatives of Rockbottom to outline the issues presented in the appeal. During the conference, the parties had an opportunity to discuss the issues that formed the basis for the special conditions imposed. Asking for clarifications as to how a licensee would operate in compliance with each of the five special conditions. Questions regarding the particular activity the Township of Morris sought to prohibit on the licensed premises and the intended result of each special condition. The Director discussed whether these special conditions were true restrictions on a license or whether they were vague, unnecessary, repetitive, and cognizable under Title 33.

The Director remanded the matter back to the Township of Morris for further consideration of the conditions imposed on the operation of the licensed premises, and to review and modify the special conditions as necessary. The Director retain jurisdiction, and upon clarification of the special conditions, will refer the matter to the Office of Administrative Law for a hearing.

Mr. Mills polled the committee to remove conditions: Motion failed.

After discussion of the history of the former licensees from Attorneys Robert Williams, Esquire, representing LYNNDR, Thomas Jannarone, Esquire, and current licensee Anthony D’Auria owner of Rockbottom Entertainment the following resolutions were duly offered, seconded, and adopted by the vote as indicated at the end of the text of the resolutions:

RESOLUTION NO. 147-16-RE: ADOPTING A DEFINITION FOR “GO GO DANCING”

Whereas, there is a matter pending before the Department of law and Public Safety, Division of Alcoholic Beverage Control under License No. 1422-33-002-010, and

Whereas, said pending matter results from an appeal by ROCKBOTTOM ENTERTAINMENT, LLC. Of certain restrictions imposed by the Township of Morris on the renewal of the above liquor license; and

Whereas, the Acting Director of the Division had remanded the appeal back to Morris Township for reconsideration and among other things for tha adoption of a definition of Go Go dancing;
and

Whereas, the Township of Morris did consider the matter.

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ADMINISTRATIVE HEARING – LIQUOR LICENSE SPECIAL CONDITIONS (CONTINUED)
ROCKBOTTOM ENTERTIANMENT, LLC – T/A MINX LOUNGE - 4 JOHN ST., MORRISTOWN
ABC RETAIL CONSUMPTION LICENSE #1422-33-002-010 (CONTINUED)

RESOLUTION NO. 147-16-RE: ADOPTING A DEFINITION FOR “GO-GO DANCING”

Now Therefore, Be It Hereby Resolved by the Township Committee of the Township of Morris does hereby adopt the following definition:

Go Go dancing shall be defined as:

- (1) A rhythmic or exotic form of dance typically occurring in a night club or other similar establishment;
- (2) Performed by a dancer or dancers in a sexually provocative manner emphasizing the dancer’s breasts, and/or buttocks, and/or genitals, on a substantial or regular basis; and
- (3) Performed by a dancer or dancers dressed in a bikini, or bikini-type clothing, or other clothing worn in a sexually provocative manner, that does not actually expose the dancers breasts (if the dancer is a female) or genitalia (male or female).

ROLL CALL:	MR. SISLER	YES	MR. MANCUSO	YES
	MR. NUNN	ABSENT	MRS. JOHNSON	YES
	MAYOR CAFFREY	YES		

RESOLUTION NO. 148 -16-RE: DECLINING RECONSIDERATION OF LICENSE
CONDITIONS

Whereas, there is a matter pending before the Department of law and Public Safety, Division of Alcoholic Beverage Control under License No. 1422-33-002-010; and
Whereas, said pending matter results from an appeal by ROCKBOTTOM ENTERTAINMENT, LLC. of certain restrictions imposed by the Township of Morris on various renewals of the above liquor license; and

Whereas, the Acting Director of the Division had remanded the appeal back to Morris Township for a hearing and further consideration relating to the imposition of the special conditions attached to the renewal of the license; and

Whereas, the Township of Morris did conduct a hearing on the request to eliminate those conditions and in that regard heard from Mr. Thomas Jannarone, Esquire, counsel to ROCKBOTTOM ENTERTAINMENT LLC., and from Mr. Robert C. Williams, Esq., counsel to LYNDR, LLC., a party in interest as the transferor of said license, and from Mr. Anthony D’Auria, a principal in ROCKBIOTTOM ENTERTAINMENT LLC., and

Whereas, after the close of said hearing a motion was offered to review the conditions which motion did not receive a second; and

Whereas, thereafter a motion was offered to deny the reconsideration which said motion passed unanimously.

Now Therefore, Be It Hereby Resolved by the Township Committee of the Township of Morris that the request of the licensee and former licensee to remove the special conditions from the above liquor license is denied.

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RESOLUTION NO. 148 -16-RE: DECLINING RECONSIDERATION OF LICENSE
CONDITIONS (CONTINUED)

ROLL CALL: MR. SISLER YES MR. MANCUSO YES
MR. NUNN ABSENT MRS. JOHNSON YES
MAYOR CAFFREY YES

* * * *

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. Granted consent to The National Multiple Sclerosis Society's New Jersey Metro Chapter for the annual Bike MS Ride starting and ending at 475 South Street through the Township of Morris on Saturday and Sunday, September 17, and 18, 2016. The bike tour is anticipating approximately 300 riders and volunteers. The following roadways will be used: Delmar Ave, Mill Rd., Lake Valley Rd., Lake Road, Sussex Ave, Gaston Rd., Washington Valley Rd., Whitehead Road, Mendham Rd., Southgate Pkwy., James St., Spring Valley Rd., West Hanover Ave., Tempe Wick Rd. South Street, Sand Spring Road, Spring Valley Road, and Fairmount Avenue. Subject to review and approval (if required) of Police Chief John McGuinness and Fire Chief, Jesse Kaar.

ROLL CALL: MR. SISLER YES MR. MANCUSO YES
MR. NUNN ABSENT MRS. JOHNSON YES
MAYOR CAFFREY YES

MATTERS RECEIVED FOR THE RECORD

2016 Petition of Appeals to the Tax Court of NJ for:

NAME	BLOCK	LOT	ADDRESS
Richard O'Donnell	2702	1	72 Gaston Rd.
Francis Donahue	5004	6	2 Bailey Hollow Rd.
Michael & Diane Ashton	6604	14	12 Ironwood Rd.
Anthony Haynes	7401	8	105 Kitchell Rd.
Robert Courtemanche	7901	1	16 Pippin's Way
Kirshin Rijsinghani	1806	13	10 Tree Top Ter.
Barbara L. Easley	7501	47	20 Squirrel Run
James Hamfeldt, Jr.	4701	2	570 Jockey Hollow Rd

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TOWNSHIP COMMITTEE MEMBERS COMMENTS/QUESTIONS

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

MRS. JOHNSON - No comment.

MR. NUNN – Absent

MR. SISLER - No comment.

MR. MANCUSO – Inquired about the condition of the injured Police Officers. Mr. Quinn advised Mr. Mancuso that the Officers are recovering and that they will be returning to duty.

Mayor Caffrey - Streeter Pool opening was a success; thanked the Committee for making opening day a exciting and fun experience; thanked William Foelsch, Parks and Recreation Director for all the hard work in the commission of the renovations of both the Ginty Pool and Streeter Pool; stated that pool membership is exceeding prior years; the last three (3) to four (4) weeks the law enforcement officers of our country are under assault. Our Law Enforcement need our 100% support throughout the nation. There will be choices in November. The sacrifices police officers make on a daily basis for us is a tribute to their dedication and bravery. May God Bless them each and every day. Words cannot express the thanks for their service in keeping us safe. We can't express how much we appreciate their service. I pray that God continues to keep them 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:

THE FOLLOWING REPORTS ARE ON FILE IN THE OFFICE OF THE TOWNSHIP CLERK AND/OR TOWNSHIP ADMINISTRATOR: TAX COLLECTOR –TAX REPORT - JUNE 2016; FINANCE – MAY 2016; POLICE – JUNE, 2016, FIRE-APRIL/MAY, 2016- JOINT COURT-JUNE – JOINT LIBRARY - JUNE

ROLL CALL:	MRS. JOHNSON	YES	MR. SISLER	YES
	MR. NUNN	ABSENT	MR. MANCUSO	YES
	MAYOR CAFFREY	YES		

* * * *

CLAIMS FOR PAYMENT - LIST OF BILLS AND VOUCHERS

Minute Book Attachment #1 (MBA #1) dated July 20, 2016, in the amount of \$ 8,324,206.65.

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 \$ 8,324,206.65 for payment of the itemized

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

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:	MRS. JOHNSON	YES	MR. SISLER	YES
	MR. NUNN	ABSENT	MR. MANCUSO	YES
	MAYOR CAFFREY	YES		

* * * *

CALL TO ADJOURNMENT

At 8:32 P.M. with no further business to be considered, on motion duly made, seconded and unanimously (4-0 (MR. NUNN ABSENT)) adopted that the July 20, 2016 meeting be adjourned, next to convene on August 17, 2016 Regular Meeting 5:00 P.M. (to close) 7:00 P.M. (Regular), in the Municipal Building, 50 Woodland Avenue, Township of Morris.


CATHLEEN AMELIO
TOWNSHIP CLERK