

MINUTES OF REGULAR MEETING OF
THE TOWNSHIP COMMITTEE HELD ON
WEDNESDAY, OCTOBER 19, 2016
7:00 P.M. REGULAR MINUTES
PAGE 1

CALL TO ORDER

The October 19, 2016 Regular Meeting was called to order by Mayor Daniel W. Caffrey at 5:00 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 Louise T. Johnson
Township Committee Member Bruce D. Sisler
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 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 October 14, 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”.

PRESIDING OFFICER'S STATEMENT OF DISCUSSION ITEMS

John M. Mills, Esquire, Township Counsel 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”.

MINUTES OF REGULAR MEETING OF
THE TOWNSHIP COMMITTEE HELD ON
WEDNESDAY, OCTOBER 19, 2016
7:00 P.M. REGULAR MINUTES
PAGE 2

RESOLUTION

RESOLUTION NO. 189-16-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 | YES | MRS. JOHNSON | YES |
| | MAYOR CAFFREY | YES | | |

* * * *

Recessed to closed session at 5:11 p.m.. Recessed at 6:40 to Regular Meeting.

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: September 21, 2016 Regular/Closed.

MINUTES OF REGULAR MEETING OF
THE TOWNSHIP COMMITTEE HELD ON
WEDNESDAY, OCTOBER 19, 2016
7:00 P.M. REGULAR MINUTES
PAGE 3

APPROVAL OF MINUTES(CONTINUED)

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 | YES | MRS. JOHNSON | YES |
| | MAYOR CAFFREY | YES | | |

SWEARING-IN- PHILLIP J. ESPOSITO, FIREFIGHTER CLASS 2, CAREER DIVISION- Fire Chief Jesse Kaar thanked the Committee. Chief Kaar stated that Phillip Esposito joined the Morris Township Fire Department as a Junior Firefighter in 2011. In the Summer of 2011 Phillip attended the Firefighter 1 class, Vehicle Extraction 1 and 2 and firefighter 2 at the Morris County Fire and Police Academy. In December of 2015 he attended Flammable Liquid Fire Training at Texas A&M, College Station, Texas. Phillip obtained his EMT certification and is currently attending the County College of Morris pursuing a degree in Fire Science. Firefighter Esposito did an Internship with the Morris Township Fire Department where he worked with other career firefighters learning equipment, and training and responded to fire calls. Once Phillip completes his probationary training he will be assigned to Station #2 as a Class 2 Firefighter. Firefighter Esposito is replacing retired Firefighter Jeff Gast. Mr. Nunn and Mrs. Johnson, member of the Fire Committee presented Firefighter Esposito with his badge. Mr. John Mills, Esquire sworn in Firefighter Esposito with his mother and father holding the Bible. The members of the Township Committee congratulated Firefighter Phillip J. Esposito and welcomed him to the Township family.

ORDINANCE – PUBLIC HEARING AND FINAL CONSIDERATION

The Township Clerk advised that each Ordinance scheduled for public hearing at this meeting had been duly posted on the legal notice bulletin board in the Municipal Building, published in the Daily Record, as supported by proof of publication which had been received and placed on file, and further, that copies of the Ordinance had been provided to the members of the General Public on request.

Each Ordinance as hereinafter set forth in full was read a second time, a public hearing held hereon, with public comments and communications of record, if any, as hereinafter noted, finally adopted by the vote as herein recorded:

13-16 AN ORDINANCE VACATING THE RIGHTS OF THE TOWNSHIP OF MORRIS IN AND TO A CERTAIN TWENTY FOOT WIDE PEDESTRIAN ROW EXISTING BETWEEN HARWICH ROAD AND STONEHENGE ROAD

BE IT HEREBY ORDAINED by the Township Committee of the Township of Morris they being the governing body thereof as follows:

SECTION ONE: The Township of Morris is the owner of a certain 20 foot right of way which is shown on two (2) filed maps identified as “Map of Section No. 1 Butterworth Farms, Township of Morris, Morris County, New Jersey filed in the Morris County Clerk’s Office on October 29, 1962 as Map No. 2311” and as shown on a filed map identified as “Map of Section No. 2 Butterworth Farms, Township of Morris, Morris County, New Jersey filed in the Morris County Clerk’s Office on July 5, 1964 as Map No. 2362”.

MINUTES OF REGULAR MEETING OF
THE TOWNSHIP COMMITTEE HELD ON
WEDNESDAY, OCTOBER 19, 2016
7:00 P.M. REGULAR MINUTES
PAGE 4

ORDINANCE – PUBLIC HEARING AND FINAL CONSIDERATION (CONTINUED)

13-16 AN ORDINANCE VACATING THE RIGHTS OF THE TOWNSHIP OF MORRIS IN AND TO A CERTAIN TWENTY FOOT WIDE PEDESTRIAN ROW EXISTING BETWEEN HARWICH ROAD AND STONEHENGE ROAD (CONTINUED)

The Township of Morris declares this land as no longer needed for public purposes and does ordain to vacate the public rights and title in said land to the abutting owners, four in number, each said owner to receive one half of the portion of said right of way abutting his, her or their property. Two (2) of said properties front on Harwich Road and two (2) front on Stonehenge Road.

The abutting lands are now or formerly identified on the tax map of the Township of Morris as Block 2103

- Lot 10 (Lot 10 Block 251 on Map 2311)
- Lot 11 (Lot 11 Block 251 on Map 2311)
- Lot 28 (Lot 32 Block 251 on Map 2362)
- Lot 29 (Lot 33 Block 251 on Map 2362)

This ordinance shall, upon adoption be recorded in the office of the Morris County Clerk.

SECTION TWO: If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance. SECTION THREE: All

Ordinances of the Township of Morris which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION FOUR: This Ordinance shall take effect upon final passage and publication thereof, as provided for by law.

On motion made and seconded this Ordinance will be continued to the November 9, 2016 meeting of the Township Committee without further notice required.

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

* * * *

MINUTES OF REGULAR MEETING OF
THE TOWNSHIP COMMITTEE HELD ON
WEDNESDAY, OCTOBER 19, 2016
7:00 P.M. REGULAR MINUTES
PAGE 5

ORDINANCE – INTRODUCTION

Each ordinance as hereinafter set forth was introduced, passed on first reading by the vote as hereinafter indicated, with a public hearing thereon scheduled for a regular meeting to be held on November 9, 2016 at 7:00 P.M.:

14 -16-AN ORDINANCE OF THE TOWNSHIP OF MORRIS AUTHORIZING AS A LOCAL IMPROVEMENT THE RESURFACING OF OLD ARMY POST ROAD

BE IT HEREBY ORDAINED by the Township Committee of the Township of Morris they being the governing body thereof as follows:

SECTION ONE:

1. Whereas, Old Army Post Road is a private road whose responsibility for maintenance is with the eight property owners who utilize the roadway for ingress and egress to their residences.
2. Whereas, the eight property owners and the Township of Morris entered into an agreement for the Township to mill and repave the roadway in 2016 and for the residents to reimburse the Township for the cost over a seven year period commencing in 2017 (Resolution 60-16).
3. Whereas the funding for this project was authorized in ordinance, 09 -16 and the project was completed in August 2016.
4. Whereas, the improvement authorized in this ordinance was undertaken as a local improvement pursuant to Chapter 56 of Title 40 of the Revised Statutes of New Jersey. The cost thereof shall be assessed upon the properties abutting the said road in a manner described below.
5. Whereas, the cost of said improvement is \$44,200.
6. Whereas, the owner of any property upon which any assessment for the said local improvement shall have been made, may pay such assessment in the number of equal yearly installments herein determined as seven (7). The first of the said installments shall be due and payable sixty (60) days after the confirmation of the assessments by the Township Administrator. Annual installments shall be payable on April 1st 2017 and in the same day and month each successive year thereafter, provided that any owner of land so assessed shall have the privilege of paying the whole of any assessment or of any balance of installments, provided, however, in case any such assessment shall remain unpaid for thirty (30) days, the governing body may, by resolution, permit a person who is delinquent in the payment of such an installment to pay only the amount of the delinquent payment and any interest on the delinquent payment that has accrued

MINUTES OF REGULAR MEETING OF
THE TOWNSHIP COMMITTEE HELD ON
WEDNESDAY, OCTOBER 19, 2016
7:00 P.M. REGULAR MINUTES
PAGE 6

ORDINANCE – INTRODUCTION (CONTINUED)

14 -16-AN ORDINANCE OF THE TOWNSHIP OF MORRIS AUTHORIZING AS A LOCAL IMPROVEMENT THE RESURFACING OF OLD ARMY POST ROAD(CONTINUED)

from the date that the installment was due and payable until the date that payment of the delinquent installment is made. After the delinquent installment is satisfied, the person assessed shall be reinstated on a regular installment payment schedule. The rate of interest on the delinquent installment will be 5% per annum. A delinquent installment remaining unpaid at year end will be subject to the tax sale process.

7. Whereas, should any property be sold prior to paying for the improvements in full, the total amount due must be paid prior to the transfer of ownership.
8. Whereas, the assessment shall constitute a first and paramount lien as provided for by NJSA 40:56-33.

Whereas, in accordance herewith a special assessment is hereby imposed upon the described properties to be paid in time and manner hereinabove set forth.

SECTION TWO: If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

SECTION THREE: All Ordinances of the Township of Morris which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION FOUR: This Ordinance shall take effect upon final passage and publication thereof, as provided for by law.

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

* * * *

MINUTES OF REGULAR MEETING OF
THE TOWNSHIP COMMITTEE HELD ON
WEDNESDAY, OCTOBER 19, 2016
7:00 P.M. REGULAR MINUTES
PAGE 7

SUMMARY OF BIDS RECEIVED - BID COMMITTEE REPORT – Mr. Timothy F. Quinn, Township Administrator summarized the following bids that were received on October 12, 2016 in the Municipal Building, 50 Woodland Avenue, and received bids and or proposals on the project hereafter enumerated from bidders and prices:

OTE:2016-7- Old Glen Road Sewer Trunk Line Rehabilitation Project

On October 12, 2016 bids were received for Bid No. OTE-2016-7 – Old Glen Road Sewer Trunk Line Rehabilitation Project. Eleven vendors picked up the specifications, and three submitted bids from the following vendors in amounts indicated as follows: AllState Power Vac, Rahway, NJ \$127,481.00, AM Liner East Inc, Berryville VA \$214,425.00, Insituform Technologies, LLC, Chesterfield, MO \$229,680.00. The bids were reviewed by the Engineering Department as well as Karen Carman, QPA and the recommendation to award to the lowest responsive and responsible bidder as follows: Allstate Power Vac 928 E. Hazelwood Ave., Rahway, New Jersey for a price not to exceed \$127,481. Funds are in Sewer Capital, Line No. S-06-55-522-801.

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. 190-16-AUTHORIZING RETURN OF MONIES REMAINING IN THE ENGINEERING INSPECTION FEE ACCOUNT-EVERGREEN CEMETERY, BLOCK 10201, LOT 1

WHEREAS, the following site work has been satisfactorily completed; and

WHEREAS, the Township Engineer has certified the remaining funds may now be released.

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

| Name | Account # | Address | Amount |
|--------------------|------------------|---|------------------------------|
| Evergreen Cemetery | D-11-59-050-143 | 65 Martin Luther King Ave Block 10201, Lot 1 | \$26,459.04 Plus interest |
| Evergreen Cemetery | D-11-59-050-144 | 65 Martin Luther King Ave Block 10201, Lot 1 | \$4,256.28 |

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

* * * *

MINUTES OF REGULAR MEETING OF
 THE TOWNSHIP COMMITTEE HELD ON
WEDNESDAY, OCTOBER 19, 2016
7:00 P.M. REGULAR MINUTES
 PAGE 8

RESOLUTIONS(CONTINUED)

RESOLUTION NO. 191-16-AUTHORIZING RETURN OF MONIES REMAINING IN THE ROAD
 OPENING PERMIT BOND ACCOUNT-PERMIT #'S 2015-74, 2015-83 AND 2015-73

WHEREAS, the following Road Opening Permits have been satisfactorily completed;
 and

WHEREAS, the Township Engineer has certified these bonds may now be released.

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

| Name | Permit # | Address | Amount |
|---------------------|-----------------|-------------------------------------|---------------|
| Rona Edelman | 2015-74 | 66 Egbert Avenue, Block 3002, Lot 9 | \$1,000.00 |
| Doris Hines | 2015-83 | 279 MLK Avenue, Block 10309, Lot 24 | \$500.00 |
| Semeraro Const. Co. | 2015-73 | One Cory Road, Block 10401, Lot 2 | \$500.00 |

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

* * * *

RESOLUTION NO. 192-16-AUTHORIZING RETURN OF MONIES REMAINING IN THE
 DEVELOPERS ESCROW ACCOUNT NUMBERS - D-11-59-050-125, D-11-59-050-165

WHEREAS, the following site work has been satisfactorily completed; and

WHEREAS, the Township Engineer has certified the remaining funds may now be released.

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

| Name | Account | Address | Amount |
|---------------|-----------------|-----------------------------------|--|
| K. Aitchinson | D-11-59-050-125 | Kahdena Road B 3103, L 59 & 60 | \$5,256.20 Plus interest |
| K. Aitchinson | D-11-59-050-165 | Kahdena Road B 3103, L 59 & 60 | \$70,000.00 Plus interest Partial refund |

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

* * * *

MINUTES OF REGULAR MEETING OF
 THE TOWNSHIP COMMITTEE HELD ON
WEDNESDAY, OCTOBER 19, 2016
7:00 P.M. REGULAR MINUTES
 PAGE 9

RESOLUTIONS(CONTINUED)

RESOLUTION NO. 193-16-AUTHORIZING RETURN OF MONIES REMAINING IN THE ROAD OPENING PERMIT BOND ACCOUNT PERMIT NUMBERS 2015-92 AND 2015-82

WHEREAS, the following Road Opening Permits have been satisfactorily completed; and

WHEREAS, the Township Engineer has certified these bonds may now be released.

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

| Name | Permit # | Address | Amount |
|--------------------|-----------------|--|---------------|
| B.G. Coston & Sons | 2015-92 | 19 Carlton Street, Block 10304, Lot 25 | \$1,000.00 |
| Valerie Granet | 2015-82 | 12 Van Beuren Road, Block 7602, Lot 4.01 | \$1,000.00 |

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

* * * *

RESOLUTION NO. 194-16-RE: AUTHORIZING REFUND OF 2016 TAXES DUE TO AN OVERPAYMENT-BLOCK 5503 LOT 3

WHEREAS, the Tax Collector has certified to the Township of Morris that a payment be refunded due to an overpayment in error by the title company; 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 payment is refunded as follows:

| Block & Lot & Qualifier | Refund to: | Amount |
|--|---|---------------|
| 5503 3 38 Molly Stark Dr. | Kenworth Title LLC 5A Franklin Place Morristown, NJ 07960 | \$1,927.99 |

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

* * * *

MINUTES OF REGULAR MEETING OF
THE TOWNSHIP COMMITTEE HELD ON
WEDNESDAY, OCTOBER 19, 2016
7:00 P.M. REGULAR MINUTES
PAGE 10

RESOLUTIONS (CONTINUED)

RESOLUTION NO. 195-16-RE: AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE A DEED IMPOSING "GREEN ACRES" RESTRICTIONS UPON PROPERTY OWNED BY THE TOWNSHIP OF MORRIS KNOWN AS BLOCK 4807, LOTS 15 AND 30

WHEREAS, the Township of Morris (hereinafter the "Township") is the owner of the above properties; and

WHEREAS, said properties were conveyed to the Township in 1960 for open space purposes; and

WHEREAS, the County of Morris has advised the Township of certain express language which must be placed in the public record in order for the Township to remain eligible for open space and recreational funding; and

WHEREAS, the uses to which the Township has and will apply to the property are not inconsistent with the requested restrictions.

NOW THEREFORE, BE IT HEREBY RESOLVED by the Township Committee of the Township of Morris that the Mayor and Township Clerk be and they are hereby authorized and directed to execute a deed restricting the properties to recreational and conservation purposes.

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

* * * *

RESOLUTION NO. 196-16-AUTHORIZING AWARD OF A NONFAIR AND OPEN CONTRACT FOR SPECIAL COUNSEL AND FOR GENERAL LEGAL SERVICES, AMENDING RESOLUTION NO. 24-16 AND 142-16 IN THE ADDITIONAL AMOUNT OF \$10,000, TO JOHN M. IACIOFANO, ESQ., IACIOFANO & PERRONE, ESQS., 157 WASHINGTON STREET, MORRISTOWN, N.J. 07960 IN THE AMOUNT OF \$144/HR. - NTE \$40,000.

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 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 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

MINUTES OF REGULAR MEETING OF
THE TOWNSHIP COMMITTEE HELD ON
WEDNESDAY, OCTOBER 19, 2016
7:00 P.M. REGULAR MINUTES
PAGE 11

RESOLUTIONS (CONTINUED)

RESOLUTION NO. 196-16-AUTHORIZING AWARD OF A NONFAIR AND OPEN CONTRACT FOR SPECIAL COUNSEL AND FOR GENERAL LEGAL SERVICES, AMENDING RESOLUTION NO. 24-16 AND 142-16 IN THE ADDITIONAL AMOUNT OF \$10,000, TO JOHN M. IACIOFANO, ESQ., IACIOFANO & PERRONE, ESQS., 157 WASHINGTON STREET, MORRISTOWN, N.J. 07960 IN THE AMOUNT OF \$144/HR. - NTE \$40,000 (CONTINUED)

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 amended that resolution by resolution No. 142-16 in the additional amount of \$15,000 on July 20, 2016, 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 Nos. 24-16 and 142-16 in the additional amount of \$10,000, for a total not to exceed \$40,000

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

* * * *

RESOLUTION NO. 197-16-AUTHORIZING AWARD OF A CONTRACT THROUGH A FAIR AND OPEN PROCESS FOR BID NO. OTE: 2016-7 OLD GLEN ROAD SEWER TRUNK LINE REHABILITATION PROJECT TO ALLSTATE POWER VAC, 928 EAST HAZELWOOD AVE., RAHWAY, NEW JERSEY 07065 – IN AN AMOUNT NOT TO EXCEED \$127,481

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: 2016-7 OLD GLEN ROAD SEWER TRUNK LINE REHABILITATION 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: ALLSTATE POWER VAC, 928 EAST HAZELWOOD AVE., RAHWAY, NEW JERSEY 07065

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-06-55-522-801.

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 Allstate Power Vac, 928 East Hazelwood Ave., Rahway, NJ 07065.
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.

MINUTES OF REGULAR MEETING OF
 THE TOWNSHIP COMMITTEE HELD ON
WEDNESDAY, OCTOBER 19, 2016
7:00 P.M. REGULAR MINUTES
 PAGE 12

RESOLUTIONS (CONTINUED)

RESOLUTION NO. 197-16-AUTHORIZING AWARD OF A CONTRACT THROUGH A FAIR AND OPEN PROCESS FOR BID NO. OTE: 2016-7 OLD GLEN ROAD SEWER TRUNK LINE REHABILITATION PROJECT TO ALLSTATE POWER VAC, 928 EAST HAZELWOOD AVE., RAHWAY, NEW JERSEY 07065 – IN AN AMOUNT NOT TO EXCEED \$127,481 (CONTINUED)

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 YES MRS. JOHNSON YES
 MAYOR CAFFREY YES

* * * *

RESOLUTION 198-16-AUTHORIZING RETURN OF MONIES REMAINING IN THE DEVELOPERS ESCROW ACCOUNT-ACCOUNT NO. D-11-59-050-074

WHEREAS, the following site work has been satisfactorily completed; and

WHEREAS, the Township Engineer has certified the remaining funds may now be released.

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

| Name | Account | Address | Amount |
|---------|-----------------|-----------------------------------|------------|
| TD Bank | D-11-59-050-074 | 218 Madison Avenue B 8602, L 6 | \$3,396.00 |

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

* * * *

MINUTES OF REGULAR MEETING OF
THE TOWNSHIP COMMITTEE HELD ON
WEDNESDAY, OCTOBER 19, 2016
7:00 P.M. REGULAR MINUTES
PAGE 13

RESOLUTIONS (CONTINUED)

RESOLUTION NO. 199-16-AUTHORIZING AWARD OF CONTRACT TO WILFRED
MACDONALD, INC., 19 CENTRAL BOULEVARD, SOUTH HACKENSACK, NJ 07606
THROUGH MIDDLESEX REGIONAL COOP, CONTRACT NO. MRESC 15/16-08, FOR A
REDEXIM VERTI-DRAIN DEEP TINE AERATOR, FOR A TOTAL AMOUNT NOT TO EXCEED
\$26,223.00

WHEREAS, the Township of Morris wishes to purchase an aerator through the Middlesex County Coop contract; and

WHEREAS, this item is available from Wilfred MacDonald, Inc., 19 Central Boulevard, South Hackensack, NJ 07606, under Contract No. MRESC 15/16-08 and

WHEREAS, a Certificate of Availability of Funds has been provided to the Township Clerk by the Chief Financial Officer certifying that funds for said contract are available in General Capital Line No. G-04-55-607-622.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee, Township of Morris, State of New Jersey, that a contract be awarded to Wilfred MacDonald, Inc., 19 Central Boulevard, South Hackensack, NJ 07606 for a Redexim Verti-drain Deep Tine Aerator in the amount not to exceed \$26,223.00.

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

* * * *

RESOLUTION NO. 200-16-RE: AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE AN
AGREEMENT WITH THE SOUTHEAST MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY FOR THE
REPLACEMENT OF WATER SERVICES AND FIRE HYDRANTS ON THE NORMANDY HEIGHTS ROAD
RECONSTRUCTION PROJECT AS A JOINT VENTURE BETWEEN THE TOWNSHIP OF MORRIS AND THE
SOUTHEAST MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY

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

WHEREAS, Normandy Heights Road is an improved public roadway located within the Township of Morris, and

WHEREAS, SMCMUA maintains water service and fire protection facilities located on Normandy Heights Road in the Township of Morris, which are owned and operated by SMCMUA, and is in need to be relocated or replaced, and

WHEREAS, the Township of Morris owns and operates various roadway facilities including storm drainage, sanitary sewer, and curbing that will be impacted by the water service and fire hydrant replacement, and

WHEREAS, the water services and fire hydrants are in need of replacement to assure their continued use will not impact the new roadway being constructed, and

MINUTES OF REGULAR MEETING OF
THE TOWNSHIP COMMITTEE HELD ON
WEDNESDAY, OCTOBER 19, 2016
7:00 P.M. REGULAR MINUTES
PAGE 14

RESOLUTIONS (CONTINUED)

RESOLUTION NO. 200-16-RE: AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE AN AGREEMENT WITH THE SOUTHEAST MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY FOR THE REPLACEMENT OF WATER SERVICES AND FIRE HYDRANTS ON THE NORMANDY HEIGHTS ROAD RECONSTRUCTION PROJECT AS A JOINT VENTURE BETWEEN THE TOWNSHIP OF MORRIS AND THE SOUTHEAST MORRIS COUNTY MUNICIPAL UTILITIES AUTHORITY

WHEREAS, the Township of Morris, SMCMUA, and Blackrock Enterprises, LLC, the contractor for the Normandy Heights Road Improvement Project, have agreed to jointly work towards the replacement of these facilities where the contractor will perform the excavation work and roadway restoration and those costs will be reimbursed to the Township of Morris by SMCMUA and said costs are estimated at \$30,000 (\$1,500 per unit) and

WHEREAS, the Township of Morris has the funding available for these expenditures subject to the reimbursement from SMCMUA, and

WHEREAS, the Chief Financial Officer has provided a Certificate of Availability of Funds indicating that funds are available in Sewer Capital, Line No. S-06-55-617-516, and

WHEREAS, the Township of Morris and SMCMUA are desirous to complete repairs to the existing water system as part of the Normandy Heights Road Reconstruction Project.

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

1. The Township of Morris, lead agency for the roadway reconstruction project, shall be responsible for coordinating with their contractor the excavation work for the replacement of the water facilities within the roadway improvements limits.
2. Commencement of the water facilities shall commence upon a fully executed contract between the Township of Morris and SMCMUA.
3. SMCMUA will perform and provide all labor and materials on the water facilities to repair, replace, or relocate existing water services and fire hydrants.
4. Upon completion of the project, the Township of Morris shall invoice SMCMUA for the services provided, who will reimburse the Township of Morris for all costs associated with the Township's contractor performing the excavation and road restoration work. The total number of services will be reimbursed on all invoices at a rate of \$1,500 per excavation as provided in the written estimate from Blackrock Enterprises, LLC, which is attached to the agreement.

NOW THEREFORE, BE IT HEREBY RESOLVED that the Township Committee of the Township of Morris hereby authorizes the Mayor and Township Clerk to enter into an agreement with the Southeast Morris County Municipal Utilities Authority for the replacement of water facilities on Normandy Heights Road as a joint venture between SMCMUA and the Township of Morris.

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

* * * *

MINUTES OF REGULAR MEETING OF
THE TOWNSHIP COMMITTEE HELD ON
WEDNESDAY, OCTOBER 19, 2016
7:00 P.M. REGULAR MINUTES
PAGE 15

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. Marlene Memmer – 63 Independence Way – What is the status of delivery of the 45 gallon automated trash cans? Ans. will be in and delivered sometime next week. When the recycling program begins the residents of the condominiums will require smaller recycling receptacles and will these receptacles be delivered. Ans. Yes, by the Department of Public Works. Inquired about the property construction activity of Crum and Foster, 305 Madison Avenue, Morris Township. Ans. The property owners, after receiving approval from the Planning Board, is rehabbing the property to a Class “A” Office space and will be returning after the rehab; What is the Abbey (355 Madison Avenue, Morris Township) status. Ans. Morristown Medical Center Women Association will be holding their yearly fund raiser “Mansions in May” and that there is no further information on the future of that property.

Ms. Cathy Wilson – 20 Beechwood Drive – Loved the “blue line”, that represents support of the Police Department that was painted on Woodland Avenue. Stated that government should be transparent, but that the Township Resolution #179-16 in reference to a redevelopment study did not indicate the addresses of the property and that that is not being transparent and recommended the name of the property owner and address location of the property be included in the resolution, and not just the block and lot numbers. That the Township Committee meeting agendas should be posted on the Friday prior to the meetings. Closed meeting discussions should be brought out to the public portion of the meeting and that the Committee should have discussions among themselves during the public portion of the meeting. Ans. Mayor Caffrey directed Mr. Mills, Esquire to explain to Ms. Wilson the law pertaining to “Closed Sessions” Meetings: The public body may exclude the public from portions of a meeting known as the “executive” or “closed session.” Prior to excluding the public, a resolution is adopted at a meeting which is open to the public indicating generally what matters will be discussed in closed session and when these discussions will be disclosed to the public. The following items are permitted to be discussed in closed session.

1. Any collective bargaining agreements or other discussion of the terms and conditions of a collective bargaining agreement, including negotiations leading up to such an agreement.
2. Any matter involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds where disclosure of such matter could adversely affect the public interest.
3. Any tactics and techniques used in protecting the safety and property of the public and investigations of violations or possible violation.
4. Any pending or anticipated litigation or contract negotiations in which the public body is or may become a party, and any matter falling within the attorney-client privilege, to the extent that confidentiality is required to preserve the attorney-client relationship.
5. Personnel matters related to the employment, appointment or termination of current or prospective employees, unless all individuals who could be adversely affected request, in writing, that the matter be discussed at a public meeting.

MINUTES OF REGULAR MEETING OF
THE TOWNSHIP COMMITTEE HELD ON
WEDNESDAY, OCTOBER 19, 2016
7:00 P.M. REGULAR MINUTES
PAGE 16

PUBLIC COMMENT (CONTINUED)

Ms. Cathy Wilson – 20 Beechwood Drive-Mr. John Mills, Esquire response (CONTINUED)

6. Any deliberations of a public body occurring after a public hearing that may result in the imposition of a fine upon an individual or the suspension or the loss of license or permit belonging to an individual.

That the Committee in "Closed Session" has not violated any law and that Mr. Mills, Esquire is present at all "Closed Session" meetings providing legal guidance in all matters.

Mrs. Wilson would like to see discussion on matters between the Committee Members.

Mrs. Wilson requested additional information on Resolution 195-16. Ans. Mr. Quinn stated that this resolution relates to Saunders Field that was purchased in 1960 and that this property is part of the Open Space inventory and as such the law requires Open Space restrictions.

Ms. Melanie Hostetter – 22 Lynnfield Drive- Referred to the past hearing of the Morris Township Ethic Board and their decision in a matter before the Committee. Mr. Mill, Esquire advised Ms. Hostetter that the Township Committee cannot comment on complaints or decisions of the Ethics Board. Ms. Hostetter is alarmed and concerned at the dishonesty during this election occurring at the Federal, State and level. That the political scene is out of control.

* * * *

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. Approved the request of the Oak Hills Homeowners Association (Manor Drive) residents to hold a Halloween block party on Saturday, October 29, 2016 from 3:00 P.M. to 6:00 P.M.. The event will take place at the cul-de-sac at the east end of Manor Drive. The request also includes barriers that will be used to block off and slow down traffic approaching the cul-de-sac of Manor Drive. This approval is subject to the approval, if required, of Police Chief John McGuinness and Fire Chief Jesse Kaar.
2. Approved the membership application of Daniel Martin for the Morris Township Fire Department as a member of the Fire Department Junior Program per memo from Fire Chief Jesse Kaar, dated October 14, 2016.
3. Granted approval to Morristown-Beard School Athletic Department, 76 Whippany Road, Morristown, NJ 07960 for the installation of temporary lighting at the Morristown Beard School athletic field. Morristown-Beard School will be hosting evening soccer, field hockey and football games on Thursday, October 20, 2016, Friday, October 21, 2016 and Saturday, October 22, 2016 at 5:00 P.M. and 7:00 P.M. each night. Temporary lighting will be used from 6:00 P.M. to 10:00 P.M.. The condition of approval is to notify the residents in the area who may be affected by the temporary lighting (prior request for temporary lighting was approved at the August 17, 2016 meeting for Soccer United).
4. Approved the Morristown High School Theater Committee to put a sandwich board on township property from Nov 1 - 20, 2016 promoting our fall drama "You Can't Take It With You" and again March 6 - 26, 2017 promoting the spring musical "Legally Blonde".). Final approval is contingent on receiving and approval of Insurance of a Certificate of Insurance naming the Township as an additional insured, accompanied by the Hold Harmless Clause.

MINUTES OF REGULAR MEETING OF
THE TOWNSHIP COMMITTEE HELD ON
WEDNESDAY, OCTOBER 19, 2016
7:00 P.M. REGULAR MINUTES
PAGE 17

CONSENT CALENDAR (CONTINUED)

5. Granted the request of the George Gramby Observance Committee to hold their 2nd Annual Morris County Recovery Walk that will be held on September 18, 2017 from 8:00 A.M. to 5:00 P.M.. The route is located in Morris Township and Morristown. This event is to celebrate recovery during the national month of recovery. Funds raised for this event will be for the George Gramby Observance Committee and the Freedom House. Staging and registration will be at Ginty Field from 8:00 A.M. to 10:30 A.M.. Parking will be limited to volunteers. A permit request is for Ginty Field (parking lot and field). Final approval is contingent on receiving a permit from Morris Township Parks and Recreation, approval of Insurance naming the Township as an additional insured; accompanied by the Hold Harmless Clause, the approval (if required), from Police Chief John McGuinness, Fire Chief Jesse Kaar, and Kevin Breen, Health Officer.

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

* * * *

MAYORAL APPOINTMENTS

Upon motion made and seconded, and unanimously approved upon the call of the roll, the following were appointed to the Board of Adjustment:

Mayor Caffrey appointed the following:

Appointing Joen Ferrari as regular member for a term expiring December 31, 2018;

Appointing Paul Staudt as Alternate #1 for a term expiring December 31, 2016.

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 - Ms. Johnson agreed with Mrs. Wilson in regards to identification of property as referred to Resolution No. 179-16 for redevelopment study should have address of property location and not just the block and lot; applauded the Fire Fighter who attended in support of new Fire Fighter Phillip Esposito; thank Mr. Tom Luby for his service and contribution to the Township of Morris; voting is important and hopes that everyone get out and votes.

MR. NUNN – Thanked Ms. Hostetter for her comments; can't wait to November 9, 2016, and that this election is disgraceful.

MR. SISLER – Congratulated Mr. Luby and thanked him for his service on the Board of Adjustment; congratulated Fire Fighter PJ Esposito and for his participation in the Junior Fire Fighter program from the age of 14 to 16 years of age and would respond to fires getting at the scene before the regular member of the Fire Company arrived. When PJ was 16 year old the law allowed him to go to the scene on a fire vehicle; hope more individual participate in the Junior Fire Fighter program.

MINUTES OF REGULAR MEETING OF
THE TOWNSHIP COMMITTEE HELD ON
WEDNESDAY, OCTOBER 19, 2016
7:00 P.M. REGULAR MINUTES
PAGE 18

TOWNSHIP COMMITTEE MEMBERS COMMENTS/QUESTIONS (CONTINUED)

MR. MANCUSO – Congratulated Fire Fighter Esposito and the support for new Fire Fighters is evident at the meeting this evening. Get out and vote. Is proud of the Blue line down Woodland Avenue and that this is a symbol of support of our Police; thanked Mr. Luby for his service as a member of the Board of Adjustment and that he is a great friend and person and will be missed.

MAYOR CAFFREY – Wished Mr. Tom Luby well and thanked him for his service; congratulated Fire Fighter Phillip Esposito; announced that leaf collection will be starting and reminded residents to keep the storm drains clear and not put the leaves in the roadway; there will a flu clinic on October 25th and again on November 4, 2016.

Mayor Caffrey stated that the allegations, made by Ms. Wilson are unfounded. Closed session are for discussions of employee contracts, litigation, property acquisitions, and personnel. Mr. Mills, Esquire stated that all governing bodies are required to comply with the Open Public Meetings Act and that this Committee adheres to the letter of the law. Mayor Caffrey assured the public that there is no deviation from the law during discussions in Closed Session.

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 REPORT ARE ON FILE IN THE OFFICE OF THE TOWNSHIP CLERK AND/OR TOWNSHIP ADMINISTRATOR: TAX COLLECTOR –TAX REPORT – SEPTEMBER, 2016; FINANCE – SEPTEMBER, 2016; POLICE - SEPTEMBER, 2016; JOINT COURT- SEPTEMBER; JOINT LIBRARY- SEPTEMBER

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

* * * *

CLAIMS FOR PAYMENT - LIST OF BILLS AND VOUCHERS

Minute Book Attachment #1 (MBA #1) dated October 19, 2016, in the amount of \$9,081,928.04.

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 \$9,081,928.04 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: | MRS. JOHNSON | YES | MR. SISLER | YES |
| | MR. NUNN | YES | MR. MANCUSO | YES |
| | MAYOR CAFFREY | YES | | |

MINUTES OF REGULAR MEETING OF
THE TOWNSHIP COMMITTEE HELD ON
WEDNESDAY, OCTOBER 19, 2016
7:00 P.M. REGULAR MINUTES
PAGE 19

CALL TO ADJOURNMENT

At 7:36 P.M. with no further business to be considered, on motion duly made, seconded and unanimously (5-0) adopted that the October 19, 2016 meeting be adjourned, next to convene on November 9, 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