

MINUTES OF REGULAR MEETING OF
THE TOWNSHIP COMMITTEE HELD ON
WEDNESDAY, MARCH 28, 2018
7:00 P.M. REGULAR MINUTES

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CALL TO ORDER

The March 28, 2018 Regular Meeting was called to order by Mayor Peter V. Mancuso , 5:41 P.M., in the Municipal Building, 50 Woodland Avenue, Morris Township, New Jersey.

ATTENDANCE

Mayor Peter V. Mancuso
Deputy Mayor Matheu D. Nunn(Closed Absent)
Township Committee Member John Arvanites
Township Committee Member Peter V. Mancuso
Township Committee Member Catherine Wilson

APPOINTED OFFICERS

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

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PRESIDING OFFICER'S STATEMENT OF DISCUSSION ITEMS

Mayor Peter V. Mancuso 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".

Recessed to closed session at 5:42 p.m.

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

Mayor Mancuso 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 March 21, 2018 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 Peter V. Mancuso resumed the Regular Meeting of the Township Committee at 7:01 P.M.

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SPEAKER'S TIME LIMITATION

Mayor Mancuso 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.

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PLEDGE OF ALLEGIANCE

Mayor Peter V. Mancuso led the Pledge of Allegiance.

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APPROVAL OF MINUTES

At this time the Township Clerk presented for approval, the following minutes: February 21 Regular/Closed and March 12, 2018 Special Meeting.

On motion duly made, seconded and carried by the vote as hereinafter indicated, the reading of the above-specified minutes was waived, the minutes approved as circulated, and placed on file in the Office of the Township Clerk:

ROLL CALL:	MR. ARVANITES	YES	MR. SISLER	YES
	MR. NUNN	YES	MRS. WILSON	YES
	MAYOR. MANCUSO	YES		

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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 April 18, 2018 at 7:00 P.M. unless otherwise indicated:

11-18 RE: AMENDING CHAPTER 118, ARTICLE II ENTITLED SPECIAL LAW ENFORCEMENT OFFICERS

BE IT HEREBY ORDAINED by the Township Committee of the Township of Morris as follows:

SECTION ONE: Chapter 118 Article II: Special Law Enforcement Officers is repealed in its entirety and replaced as follows:

Article II: Special Law Enforcement Officers [Adopted 2-11-1987 by Ord. No. 4-87 (Ch. 17, Art. II, of the 1969 Code)]

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ORDINANCE – INTRODUCTION(CONTINUED)

11-18 RE: AMENDING CHAPTER 118, ARTICLE II ENTITLED SPECIAL LAW ENFORCEMENT OFFICERS(CONTINUED)

§ 118-10 Classes of officers.

- A. The Police Department shall be authorized to have appointed to it Class One special law enforcement officers not to exceed 20 at any time.
- B. The Police Department shall be authorized to have appointed to it Class Two special law enforcement officers not to exceed 12 at any time.
- C. The Police Department shall be authorized to have appointed to it Class Three special law enforcement officers not to exceed 20 at any time.

§ 118-11 Appointment of officers.

- A. The Chief of Police shall ascertain the eligibility and qualifications of applicants and report his determinations and recommendations in writing to the governing body. Upon receipt of such recommendation, the governing body may, in its discretion, appoint special officers for a period not to exceed one year, subject to the limitations of § 118-10 herein.
- B. In addition to the qualifications set forth in § 118-12 a person shall not be appointed as a Class Three special law enforcement officer unless the person is a retired law enforcement officer meeting the requirements of 40A:141-46.10g

§ 118-12 Requirements.

Every applicant for appointment as a special officer must satisfy the following requirements. He must:

- A. Be a resident of the State of New Jersey during the term of the appointment.
- B. Be able to read, write and speak the English language.
- C. Be a high school graduate or possess an equivalency certificate.
- D. Be of good health and moral character.
- E. Not have been convicted of an offense involving dishonesty or which would make the applicant unfit to perform his or her duties.
- F. Successfully undergo the same psychological testing as is required of a full-time police officer in the Township of Morris.
- G. Be fingerprinted according to statute.
- H. Receive a favorable recommendation from the Chief of Police as provided in § 118-11 herein.

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ORDINANCE – INTRODUCTION(CONTINUED)

11-18 RE: AMENDING CHAPTER 118, ARTICLE II ENTITLED SPECIAL LAW ENFORCEMENT OFFICERS(CONTINUED)

§ 118-13 Direction and supervision of officers.

- A. Special officers shall be under the direction and supervision of the Chief of Police or, in his absence, other superior officer designated by the Chief of Police.
- B. Special officers shall only perform their authorized duties within the jurisdictional boundaries of Morris Township unless in fresh pursuit as defined pursuant to Chapter 156 of Title 2A of the New Jersey statutes.
- C. Special officers shall be subject to and comply with all rules and regulations, standard operating procedures, general and special orders and other directives of the Morris Township Police Department.

§ 118-14 Uniforms and equipment.

The uniforms and equipment of special officers shall be determined by the Chief of Police and comply with N.J.S.A. 40A:14-146.12.

§ 118-15 Training requirements.

All special officers must satisfactorily complete all training requirements as established by the Police Training Commission pursuant to N.J.S.A. 40A:14-146.11 et seq. and any additional requirements established by the Chief of Police.

§ 118-16 Powers and duties. [Amended 6-17-2015 by Ord. No. 20-15]

There shall be three classifications of special officers. The Police Training Commission shall prescribe by rule or regulation the training standards for each classification. The classification shall be based on the duties to be performed by the special law enforcement officers as follows:

- A. Class One (1) Special Officer. Officers of this class shall be authorized to perform routine traffic detail, spectator control and similar duties. Class One officers shall have the power to issue summonses for disorderly persons and petty disorderly persons offenses, violations of Township ordinances and violations of Title 39 of the Revised Statutes. The use of a firearm by an officer of this class shall be strictly prohibited. No Class One Officer shall be assigned any duties which may require the carrying or use of a firearm.
- B. Class Two (2) Special Officer. Officers of this class shall be authorized to exercise full powers and duties similar to those of a permanent, regularly appointed full-time police officer. The use of a firearm by an officer of this class may be authorized only after the officer has been fully certified as successfully completing training as prescribed by the Police Training Commission.

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ORDINANCE – INTRODUCTION(CONTINUED)

11-18 RE: AMENDING CHAPTER 118, ARTICLE II ENTITLED SPECIAL LAW ENFORCEMENT OFFICERS(CONTINUED)

C. Class Three (3) Special Officer. Officers of this class shall be authorized to exercise full powers and duties to those of a permanent, regularly appointed full-time police officer while providing security at a public or non-public school or a county college on the school or college premises during hours when the public or nonpublic school or county college is normally in session or when it is occupied by public or nonpublic or county college students or their teachers or professors. While on duty in the jurisdiction of employment, an officer may respond to offenses or emergencies off school or college grounds if they occur in the officer's presence while traveling to a school facility or county college, but an officer shall not otherwise be dispatched or dedicated to any assignment off school or college property.

The use of a firearm by an officer of this class shall be authorized pursuant to the provisions of subsection b. of section 7 of P.L. 1985, c. 39 (C.40A:14-146.14). An officer of this class shall not be authorized to carry a firearm while off duty unless the officer complies with the requirements set forth in subsection l. of N.J.S. 2c:39-6 authorizing a retired law enforcement officer to carry a handgun.

§ 118-17 Hours of duty.

- A. The Chief of Police may assign Class One and Class Two special officers to perform authorized duties not exceeding 20 hours per week.
- B. The Chief of Police may designate one special officer to whom the limitation of hours set forth in Subsection A above shall not apply, in accordance with N.J.S.A. 40A:14-146.8 et seq. [Amended 6-17-2015 by Ord. No. 20-15]
- C. Class One and Class Two special officers may be assigned without a limitation of hours during periods of emergency.
- D. The Chief of Police may assign Class Three special officers to schools as needed as a part-time employee.

SECTION TWO: If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason found to be unconstitutional or unenforceable, such decision shall not affect the remaining portion 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 by law.

ROLL CALL:	MR. ARVANITES	YES	MR. SISLER	ABSTAIN
	MR. NUNN	YES	MRS. WILSON	YES
	MAYOR. MANCUSO	YES		

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ORDINANCE – INTRODUCTION(CONTINUED)

12-18 "AN ORDINANCE OF THE TOWNSHIP OF MORRIS, MORRIS COUNTY, NEW JERSEY CONCERNING SALARIES FOR NONUNION PERSONNEL"

BE IT ORDAINED by the Township Committee of the Township of Morris, in the County of Morris and State of New Jersey, they being the Governing Body of said Township, as follows:

1. Effective April 30, 2018 the following salaries or compensations are established for the following named officers, employees, or positions in the Township of Morris.

POLICE

Special Police Officers Class III	\$20.00	To	\$35.00	Per Hour
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2. This Ordinance shall take effect upon final passage and publication thereof, as provided for by law.

ROLL CALL: MR. ARVANITES YES MR. SISLER YES
 MR. NUNN YES MRS. WILSON YES
 MAYOR. MANCUSO YES

* * * *

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 May 16, 2018 at 7:00 P.M. unless otherwise indicated:

Mr. Edward W. Purcell, Esquire from the firm of DiFrancesco/Bateman summarized Ordinances 09-18 and stated the purpose is to have a mechanism of control and management on the placement in the non-residential Right of Ways. 10-18 is a matter of housekeeping that clarifies FCC rules.

09-18 AN ORDINANCE OF THE TOWNSHIP OF MORRIS, COUNTY OF MORRIS, NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 95 ENTITLED ZONING BY ADDING NEW ARTICLE XII ENTITLED "SMALL CELL EQUIPMENT, WIRELESS CABINETS AND WIRELESS POLES IN THE MUNICIPAL RIGHT OF WAY."

WHEREAS, the Township of Morris ("Township") is aware that certain technological developments have made access to its public Rights-of-Way desirable by certain telecommunications companies; and

WHEREAS, it is "axiomatic that municipal corporations are required to exercise ordinary care to maintain their streets and sidewalks...[n]or may a municipality in any way surrender or impair its control over the streets. McQuillan Mun. Corp. (3rd Ed), Section 30.73; and

WHEREAS, the Township acknowledges that its streets "are used for the ordinary purposes of travel and such other uses as customarily pertain there-to which, in recent years, are numerous and various. It thus follows that these public ways must be kept free from obstruction, nuisances, or unreasonable encroachments which destroy, in whole or in part, or materially impair, their use as public thoroughfares." Id.; and

WHEREAS, the Township has determined that its public Rights-of-Way, such as they are or may be, themselves constitute a valuable resource, finite in nature, and which exists as a

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common right of the public to pass and repass freely over and across said lands without unreasonable obstruction or interference, and which therefore must be managed carefully; and

WHEREAS, the Federal Telecommunications Act preserves local government’s ability to “manage the public Rights-of-Way.” 47 U.S.C. 253(c); and

WHEREAS, the Federal Telecommunications Act preserves local government’s authority over the, “placement, construction and modification of personal wireless service facilities.” 47 U.S.C. 332(c)(7)(A); and

WHEREAS, the Federal Telecommunications Act makes it unlawful for local government to prohibit or have the effect of prohibiting the provision of personal wireless service. 47 U.S.C. 332(c)(7)(B)(i)(II); and

WHEREAS, the Federal Telecommunications Act provides that municipalities “shall not unreasonably discriminate among providers of functionally equivalent services; 47 U.S.C. 332(c)(7)(B)(i)(I); and

WHEREAS, recent developments in wireless technology, specifically the development of 5G, involve the placement of Small Cell Equipment and Wireless Cabinets in the Municipal Right-of-Way. Fitzgerald, Drew Wireless Companies to Offer 5G Plans at Mobile Forum, Wall Street Journal (February 28, 2018); and

WHEREAS, New Jersey municipalities may give consent for the placement of Small Cell Equipment and Wireless Cabinets on poles lawfully erected within the public Rights-of-Way pursuant to N.J.S.A. 48:3-19 and for the erection of Wireless Poles within the public Rights-of-Way pursuant to N.J.S.A. 48:17-10; and

WHEREAS, recent developments in wireless technologies benefit the residents of Morris Township; and

WHEREAS, pursuant to its statutory authority under Title 48, the Township wishes to streamline the adoption of these technologies by allowing for the issuance of supplemental licenses for the placement of Small Cell Equipment and Wireless Cabinets on Existing Poles; and

WHEREAS, the erection of Wireless Poles and Ground Level Wireless Cabinets raise significant safety, Right-of-Way management and aesthetic concerns; and

WHEREAS, Ground Level Wireless Cabinets trigger certain collocation requirements pursuant the Middle Class Tax Relief and Jobs Creation Act of 2012; and

WHEREAS, the proliferation of Ground Level Wireless Cabinets raise concerns as to the public’s interest in the Township’s Rights-Of-Way related to the ability of the public to pass and repass said Rights-Of-Way and for the safety of drivers through the blocking of sight triangles; and

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WHEREAS, the Federal Highway Administration has acknowledged this problem by stating, “[as] demand for the finite space in existing ROW increases, the difficulty and cost of adding new utility facilities and relocating existing utility facilities also increases. Just as significant is how utility service interruptions may add to public discontent with overall highway construction. It is therefore essential for planners, designers, and builders of street and highway projects to avoid unnecessary utility relocations...” Federal Highway Administration, Avoiding Utility Relocations, <https://www.fhwa.dot.gov/utilities/utilityrelo/2.cfm> (accessed March 7, 2018) ; and

WHEREAS, Wireless Poles and Ground Level Wireless Cabinets must be sited so as to protect the rights of the public to the Township’s Rights-Of-Ways but also in a way that allows for wireless companies to provide wireless service to Township residents; and

WHEREAS, the Township has the power to zone “structures” pursuant to N.J.S.A. 40:55D-62; and

WHEREAS, the Municipal Land Use Law defines “structure” as “a combination of materials to form a construction for occupancy, use or ornamentation whether installed on, above, or below the surface of a parcel of land;” and

WHEREAS, the Wireless Poles and Ground Level Cabinets are undoubtedly considered “structures” under this definition; and

WHEREAS, the Township has determined that it is necessary to set forth clear standards in relation to the siting of Small Cell Equipment, Wireless Cabinets and Wireless Poles within the Public Rights-of-Way for the benefit of its citizens and any utilities which use or will seek to make use of said Public Rights-of-Way.

FOR THE FOREGOING REASONS, it is hereby ordained by the Township Committee of the Township of Morris, in the County of Morris and State of New Jersey as follows:

Section 1 Chapter 95 “Zoning” is hereby amended and supplemented through the addition of Article XII “Small Cell Equipment and Wireless Poles in the Municipal Right-of-Way” as follows:

95-82 Definitions

A. As used in this Chapter, the following terms shall have the following meanings:

- i. “Anticipated Municipal Expenses” means the cost of processing an application to place Small Cell Equipment or Wireless Poles in the Municipal Right-of-Way including, but not limited to, all professional fees such as engineer and attorney costs.
- ii. “Applicant” means the person or entity seeking to place Small Cell Equipment, Wireless Cabinets or Wireless Poles within the Municipal Right-of-Way.

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- iii. “Existing Pole” means a Wireless Pole, or pole owned by an Incumbent Local Exchange Carrier, Competitive Local Exchange Carrier, Electric Distribution Company or other company that is in lawful existence within the Municipal Right-of-Way. This term does not include a WT Compound, WT Equipment or WT Facilities as those terms are defined in Section 57-3 of the Revised General Ordinances of the Township of Morris.
- iv. “Ground Level Wireless Cabinet” means a Wireless Cabinet that is not attached to an Existing Pole and is touching the ground.
- v. “Master License Agreement” means an agreement setting forth the terms and conditions applicable to an applicants use of the Municipal Right-of-Way.
- vi. “Municipal Facilities” means any property, both real and personal, including physical installations in the Municipal Right-of-Way that is owned by the Township of Morris.
- vii. “Municipal Right-of-Way” means the surface of, and the space above or below, any public street, road, lane, path, public way or place, sidewalk, alley, boulevard, parkway, drive, and the like, held by the Township as an easement or in fee simple ownership, or any other area that is determined by the Township to be a right-of-way in which the Township may allow the installation of Small Cell Equipment and Wireless Poles. This term may also include County Rights-of-Way where the County requires the approval of the Township pursuant to N.J.S.A. 27:16-6 for the use of same.
- viii. “Pole Mounted Small Cell Equipment” means Small Cell Equipment that is located on an Existing Pole. This term does not include a WT Compound, WT Equipment or WT Facilities as those terms are defined in Section 57-3 of the Revised General Ordinances of the Township of Morris.
- ix. “Pole Mounted Wireless Cabinet” means a Wireless Cabinet that is located on an Existing Pole. This term does not include a WT Compound, WT Equipment or WT Facilities as those terms are defined in Section 57-3 of the Revised General Ordinances of the Township of Morris.
- x. “Processing Fee” shall mean a one time non-refundable fee paid by an applicant to the Township per proposed Small Cell Equipment location or proposed Wireless Pole location to cover the administrative costs of the Township of Morris in processing said application. Fee shall be as established by Section 57-29 of the Revised General Ordinances of the Township of Morris entitled “Fees and administration of technical review deposits”.

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- xi. “Small Cell Equipment” means Wireless Facilities and Transmission Media, including femtocells, picocells and microcells, Outside Distributed Antenna Systems (ODAS) attached, mounted or installed on an Existing Pole or Wireless Pole in the public Rights-of-Way and used to provide Personal Communications Services. This term does not include Wireless Cabinets. This term does not include a WT Compound, WT Equipment or WT Facilities as those terms are defined in Section 57-3 of the Revised General Ordinances of the Township of Morris.
- xii. “Township Committee” means the Township Committee of the Township of Morris.
- xiii. “Township Clerk” means the person appointed to be the Township Clerk for the Township of Morris pursuant to N.J.S.A. 40A:9-133
- xiv. “Township Engineer” means the person appointed to be Township Engineer for the Township of Morris pursuant to N.J.S.A. 40A:9-140.
- xv. “Professional Survey” means a raised seal stamped survey completed by a duly licensed surveyor.
- xvi. “Wireless Cabinet” means a cabinet used to store electrical switching equipment for the servicing of Small Cell Equipment. However, a Wireless Cabinet is a distinct and separate structure from Small Cell Equipment. This term does not include a WT Compound, WT Equipment or WT Facilities as those terms are defined in Section 57-3 of the Revised General Ordinances of the Township of Morris.
- xvii. “Wireless Pole” means a column or post lawfully located in the Municipal Right-of-Way used solely to support Small Cell Equipment, Pole Mounted Wireless Cabinets and/or provide Personal Wireless Service. This term does not include a WT Compound, WT Equipment or WT Facilities as those terms are defined in Section 57-3 of the Revised General Ordinances of the Township of Morris.
- xviii. “Personal Wireless Service” means a type of ‘commercial mobile radio service’ (as that term is defined in 47 CFR 20.3) as listed at 47 CFR 20.9(a)(11) and as defined at 47 CFR 24.5, and provided by the use of ‘personal wireless service facilities’ (as such phrase is defined in section 704 of the Federal Telecommunications Act of 1996, Pub. L. No. 104-104, 110 State 56 (1996), partially codified at 47 U.S.C. 332(c)(7)(C)(ii).
- xix. “Zone, Non-Residential” means the B-11, OL-5, OL-15, OL-40, I-21 and CEM zones as designated in § 95-5 of the Revised General Ordinances of the Township of Morris.
- xx. “Zone, Residential” means any zones permitting single-family, two-family, or multifamily residences, assisted-living residences, nursing homes, and/or residential health care facilities.

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95-83 Applicability

- A. Except as otherwise provided herein, Small Cell Equipment, Wireless Cabinets and Wireless Poles that are proposed to be placed in the Municipal Right-of-Way are solely subject to the standards set forth in §95-82 through §95-87 and § 95-88 through § 95-90 of the Revised General Ordinances of the Township of Morris.
- B. Any person wishing to place Small Cell Equipment, Wireless Cabinets and/or Wireless Poles in the Municipal Right-of-Way must first apply for and enter into a Master License Agreement with the Township of Morris. Pursuant to N.J.S.A. 48:3-19, the placement of specific Small Cell Equipment and Wireless Cabinets onto Existing Poles shall only require the issuance of a supplemental license from the Township Committee based on recommendations by the Township Engineer. The erection of Wireless Poles or Ground Level Wireless Cabinets shall require application to the appropriate Township land use board as set forth herein.

95-84 Master License Agreement

- A. A Master License Agreement entered into pursuant to this Chapter shall include the following provisions:
 - i. The Master License Agreement’s term shall not exceed ten (10) years.
 - ii. The Master License Agreement shall impose reasonable insurance requirements.
 - iii. The Master License Agreement shall impose fees for unauthorized installations.
 - iv. The Master License Agreement shall require that all Small Cell Equipment, Wireless Cabinets and Wireless Poles be removed from the Township Right-of-Way at the end of said Master License Agreement’s term.
 - v. The Master License Agreement shall include any other item that may reasonably required by the Township Committee of the Township of Morris.
 - vi. The term of any site specific supplemental license shall expire upon the expiration of Applicant’s Master License Agreement with the Township.

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- vii. The following conditions shall apply to the issuance of site specific supplemental licenses pursuant to any Master License Agreement entered into pursuant to this Section:
1. Pole Mounted Small Cell Equipment and Pole Mounted Wireless Cabinets
 1. Only proposed Small Cell Equipment and proposed Pole Mounted Wireless Cabinets may be approved by way of supplemental license.
 2. The proposed Small Cell Equipment and Wireless Cabinet installation must not be in excess of the height of the Existing Pole, before the installation, plus six feet.
 3. The proposed Small Cell Equipment and Wireless Cabinet must be constructed, finished, painted and otherwise camouflaged, in conformance with best available stealth technology methods, so as to blend in compatibly with its background and so as minimize its visual impact on surrounding properties.
 4. Proposal must include an engineer’s certification verifying the structural integrity of the proposal.
 5. The volume the proposed Pole Mounted Small Cell Equipment and Pole Mounted Wireless Cabinet shall not exceed sixteen (16) cubic feet.
 6. No proposed Pole Mounted Small Cell Equipment or Pole Mounted Wireless Cabinet shall be placed within one hundred and fifty (150) feet of an existing Small Cell Equipment installation or Wireless Cabinet. This shall not preclude the collocation of such facilities on the same pole.
 7. Applicant must demonstrate that they have received all historic preservation approvals, as applicable.
 8. Applicant must demonstrate to the Township Engineer that any proposed Small Cell Equipment and proposed Pole Mounted Wireless Cabinet installation does not interfere with the public’s use of the Municipal Right-of-Way and that said installation does not hinder any sight triangles or otherwise cause unsafe driving conditions for vehicles within the Municipal Right-of-Way.

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- viii. Approval of Wireless Poles and Ground Level Wireless Cabinets may not be issued through a Master License Agreement. Said approvals must conform to the requirements of Section 95-86 of the Revised General Ordinances of the Township of Morris.

95-85 Master Agreement Application Process

A. Application Process.

- i. Complete Application. Every Applicant must provide the Township Clerk with a complete Pole Mounted Small Cell Equipment/Pole Mounted Wireless Cabinet Application using the Township’s form for each location on which it proposes to place Small Cell Equipment and/or Wireless Cabinet that is located within the Municipal Right-of-Way. Application shall include the required Processing Fee and Escrow Deposit.
- ii. Survey. Every Applicant must provide the Township with a Survey prepared by a New Jersey licensed Professional Land Surveyor demonstrating that the Existing Pole on which it seeks to place Small Cell Equipment and/or a Wireless Cabinet is located within the Municipal Right-of-Way.
- iii. The Township Engineer shall review all applications and make a recommendation to the Township Committee as to whether a supplemental license should be issued.
- iv. Any denial of a supplemental license must be in writing and provide the facts upon which such a denial is based.

- B. Pursuant to N.J.S.A. 54:30A-124, the Township shall recover reasonable fees for actual services incurred in the review of all applicants under this Section 95-85 of the Revised General Ordinances of the Township of Morris. Applicant shall make a deposit toward Anticipated Municipal Expenses which shall be placed in an escrow account. Escrow deposit shall be as established by Section 57-29 of the Revised General Ordinances of the Township of Morris entitled “Fees and administration of technical review deposits.” If said escrow account contains insufficient funds to enable the Township to perform its review, the chief financial officer shall provide the Applicant a notice of insufficient balance. In order for review to continue, the Applicant shall, within fifteen days, post a deposit to the account in an amount to be mutually agreed upon. Additionally, every application for a supplemental license issued pursuant to Section 95-84 of the Revised General Ordinances of the Township of Morris shall include a non-refundable Processing Fee pursuant to Section 57-29 of the Revised General Ordinances of the Township of Morris.

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ORDINANCE – INTRODUCTION (CONTINUED)

09-18 AN ORDINANCE OF THE TOWNSHIP OF MORRIS, COUNTY OF MORRIS, NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 95 ENTITLED ZONING BY ADDING NEW ARTICLE XII ENTITLED “SMALL CELL EQUIPMENT, WIRELESS CABINETS AND WIRELESS POLES IN THE MUNICIPAL RIGHT OF WAY.” (CONTINUED)

- C. An Applicant, upon receiving a supplemental license for the placement of Pole Mounted Small Cell Equipment or Pole Mounted Wireless Cabinets in the Municipal Right-of-Way, may proceed in requesting all other necessary street opening permits and building permits and, upon receiving same, may proceed with construction. Applicants must comply with all other state and federal laws, rules and regulations along with any other applicable local ordinance.

95-86 Wireless Poles and Ground Level Wireless Cabinets – Zoning Standards

A. Ground Level Wireless Cabinets

- i. Ground Level Wireless Cabinets shall be a conditionally permitted use with Non-residential Zones as defined in Section 95-82 of the Revised General Ordinances of the Township of Morris, subject to the following conditions:
 - a. The proposed Ground Level Wireless Cabinet must be less than fourteen (14) cubic feet in volume.
 - b. The proposed Ground Level Wireless Cabinet shall be constructed, finished, painted and otherwise camouflaged, in conformance with best available stealth technology methods, so as to blend in compatibly with its background and so as minimize its visual impact on surrounding properties.
 - c. The proposed Ground Level Wireless Cabinet shall not inhibit any existing sight triangles and allows adequate room for the public to pass and repass across the Municipal Right-of-Way.
- ii. Ground Level Wireless Cabinets are prohibited within Residential Zones as defined in Section 95-82 of the Revised General Ordinances of the Township of Morris.

Wireless Poles

- iii. Wireless Poles are a prohibited use within Residential Zones as defined in Section 95-82 of the Revised General Ordinances of the Township of Morris.
- iv. Wireless Poles shall be a conditionally permitted use within Non-residential Zones as defined in Section 95-82 of the Revised General Ordinances of the Township of Morris, subject to the following conditions:
 - a. The proposed Wireless Pole must be at least one hundred (100) feet from any Existing Pole.
 - b. The height of the proposed Wireless Pole cannot be any more than thirty five (35) feet from the ground to the top of the pole. Height does not include the placement of any proposed Pole Mounted Small Cell Equipment or Pole Mounted Wireless Cabinets.
 - c. The Proposed Wireless Pole shall be constructed, finished, painted and otherwise camouflaged, in conformance with best available stealth technology methods, so as to blend in compatibly with its background and so as minimize its visual impact on surrounding properties.

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09-18 AN ORDINANCE OF THE TOWNSHIP OF MORRIS, COUNTY OF MORRIS, NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 95 ENTITLED ZONING BY ADDING NEW ARTICLE XII ENTITLED “SMALL CELL EQUIPMENT, WIRELESS CABINETS AND WIRELESS POLES IN THE MUNICIPAL RIGHT OF WAY.” (CONTINUED)

d. The proposed Wireless Pole shall not inhibit any existing sight triangles and allows adequate room for the public to pass and repass across the Municipal Right-of-Way.

B. Any development approval received pursuant to Section 95-86 of the Revised General Ordinances of the Township of Morris shall have a duration not to exceed the term of an Applicant’s Master License Agreement with the Township of Morris.

95-87 Wireless Poles and Ground Level Wireless Cabinets – Application Process

A. Procedure for Ground Level Wireless Cabinets and Wireless Poles.

i. Applicants who wish to place Ground Level Wireless Cabinets and Wireless Poles must: a) enter into a Master License Agreement with the Township of Morris; and b) submit a development application to the applicable Township land use board.

B. In making an application to the applicable Township land use board pursuant to Sections 95-86 and 96-87 of the Revised General Ordinances of the Township of Morris, the applicant shall submit all applicable application and escrow payments as required by ordinance.

Section 2. If any section or provision of this Ordinance shall be held invalid in any court of competent jurisdiction, the same shall not affect the other sections or provisions of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

Section 3. A copy of this Ordinance shall be forwarded, after introduction, to the **Morris Township Planning Board for a Master Plan consistency review** in accordance with N.J.S.A. 40:55D-64.

Section 4. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

Section 5. This Ordinance shall take effect upon (i) filing with the **Morris County Planning Board** in accordance with the Municipal Land Use Law; and (ii) adoption and publication in the manner required by New Jersey law.

ROLL CALL: MR. ARVANITES YES MR. SISLER YES
MR. NUNN YES MRS. WILSON YES
MAYOR. MANCUSO YES

* * * *

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ORDINANCE – INTRODUCTION (CONTINUED)

10-18 AN ORDINANCE OF THE TOWNSHIP OF MORRIS, COUNTY OF MORRIS, NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 95 ENTITLED ZONING BY ADDING NEW ARTCILE XIII ENTITLED “COLLOCATION ONTO EXISTING TOWERS AND BASE STATIONS.”

BE IT ORDAINED, by the Township Committee of the Township of Morris, in the County of Morris and State of New Jersey as follows:

Section 1 Chapter 95 “Zoning” is hereby amended and supplemented through the addition of Article XIII “Collocation onto Existing Towers and Base Stations” as follows:

95-88 Preface

This section implements Section 6409(a) of the Middle Class Tax Relief Job Creation Act of 2012 (“Spectrum Act”), as interpreted by the Federal Communications Commission’s (“FCC”) Acceleration of Broadband Deployment Report and Order, which requires a state or local government to approve any Eligible Facilities Request for a Modification of an existing tower or base station that does not result in a Substantial Change to the physical dimensions of such tower or base station.

95-89 Definitions

A. Definitions. The following terms shall, when used in this section, have the following meanings:

i. Base Station.

A structure or equipment at a fixed location that enables FCC-licensed or authorized wireless communications between users, equipment and a communications network. The term does not encompass a tower as defined herein or any equipment associated with a tower. Base station includes, without limitation:

Equipment associated with wireless communications services such as private, broadcast and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul.

Radio transceivers, antennas, coaxial or fiber-optic cable, regular and backup power supplies, and comparable equipment, regardless of technological configuration (including distributed antennae systems or small cells).

Any structure other than a tower that, at the time of the relevant application is filed with the Planning Board or Zoning Board, supports or houses equipment described in paragraphs (i)(a) to (i)(b) of this subsection that has been reviewed and approved under the applicable zoning process, even if the structure was not built for the sole or primary purpose of providing that support.

The term does not include any structure that, at the time of application is filed with the Planning Board or Zoning Board does not support or house equipment described in (i)(a) to (i)(b) of this subsection.

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ii. Collocation.

The mounting or installing of transmission equipment on an eligible support structure for the purpose of transmitting and/or receiving radio frequency signals for communications purposes.

iii. Eligible Facilities Request.

Any request for modification of an existing tower or base station that does not substantially change the physical dimension of such tower or base station, involving:

Collocation of new transmission equipment;

Removal of transmission equipment; or

Replacement of transmission equipment.

iv. Eligible support structure.

Any tower or base station as defined in this section, provided that it is existing at the time the relevant application is filed with the Planning Board or Zoning Board.

Existing

A constructed tower or base station is existing for the purposes of this section if it has been reviewed and approved under the applicable zoning or siting process..

vi. Site

For towers other than towers in the municipal rights-of-way, the current boundaries of the leased or owned property surrounding the tower and any access or utility easements currently related to the site, and, for other eligible support structures, further restricted to that area in proximity to the structure and to other transmission equipment already deployed on the ground.

vii. Substantial Change.

For towers other than towers in the Municipal Rights-of-Way, it increases the height of the tower by more than 10% or by the height of one additional antenna array with separation from the nearest existing antenna not to exceed twenty feet, whichever is greater; for other eligible support structures, it increases the height of the structure by more than 10% or more than ten feet, whichever is greater;

For towers other than towers in the municipal rights-of-way, it involves adding an appurtenance to the body of the tower that would protrude from the edge of the tower more than twenty feet, or more than the width of the tower structure at the level of the appurtenance, whichever is greater; for other eligible support structures, it involves adding an appurtenance to the body of the structure that would protrude from the edge of the structure by more than six feet;

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For any eligible support structure, it involves installation of more than the standard number of new equipment cabinets for the technology involved, but not to exceed four cabinets; or, for towers in the Municipal Rights-of-Way and base stations, it involves installation of any new equipment cabinets on the ground if there are no pre-existing ground cabinets associated with the structure, or else involves installation of ground cabinets that are more than 10% larger in height or overall volume than any other ground cabinets associated with the structure; It entails any excavation or deployment outside the current site;

It would defeat the concealment elements of the eligible support structure; or
It does not comply with the conditions associated with the siting approval of the construction or modification of the eligible support structure or base station equipment, provided that this limitation does not apply to any modification that is non-compliant only in a manner that would not exceed the thresholds identified in paragraphs (vii)(a)-(vii)(e) of this subsection.

viii. Transmission Equipment

Equipment that facilitates transmission for any FCC licensed or authorized wireless communications service, including, but not limited to, radio transceivers, antennas, coaxial or fiber optic cable, and regular and backup power supply. The term includes equipment associated with wireless communications services including, but not limited to, private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul.

ix. Tower.

Any structure built for the sole or primary purpose of supporting any FCC licensed or authorized antennas and their associated facilities, including structures that are constructed for wireless communications services including, but not limited to, private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul, and the associated site. This term includes Wireless Poles in the Municipal Right-of-Way.

95-90 Application Review

Application Review

Type of Review. Upon receipt of an application for an Eligible Facilities Request pursuant to this section, the Planning Board or Zoning Board shall review such application to determine whether the application qualifies.

Timeframe for Review. Within 60 days of the date on which an applicant submits an application seeking approval under this section, the Planning Board or Zoning Board shall approve the application unless it is determined that the application is not covered by this section.

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10-18 AN ORDINANCE OF THE TOWNSHIP OF MORRIS, COUNTY OF MORRIS, NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 95 ENTITLED ZONING BY ADDING NEW ARTCILE XIII ENTITLED “COLLOCATION ONTO EXISTING TOWERS AND BASE STATIONS.”

Tolling of the Timeframe for Review. The 60 day review period begins to run when the application is filed, and may be tolled only by mutual agreement by the Planning Board or Zoning Board, or in the cases where the application is deemed incomplete.

To toll the timeframe for incompleteness, the Planning Board or Zoning Board must provide written notice to the applicant within 30 days of receipt of the application, specifically delineating all missing documents or information required in the application.

The timeframe for review begins running again when the applicant makes a supplemental submission in response to the notice of incompleteness by the Planning Board or Zoning Board.

Following a supplemental submission, the Planning Board or Zoning Board will notify the applicant within 10 days that the supplemental submission did not provide the information identified in the original notice delineating missing information. The timeframe is tolled in the case of second or subsequent notices pursuant to the procedures identified in this subsection. Second or subsequent notices of incompleteness may not specify missing documents or information that were not delineated in the original notice of incompleteness.

Interaction with 42 U.S.C. 332(c)(7). If the Planning Board or Zoning Board determines that the applicant’s request is not covered by the Spectrum Act as delineated under this section, the presumptively reasonable timeframe under 42 U.S.C. 332(c)(7), as prescribed by the FCC, will begin to run from the issuance of decision that the application is not a covered request by the Planning Board or Zoning Board.

Section 2. If any section or provision of this Ordinance shall be held invalid in any court of competent jurisdiction, the same shall not affect the other sections or provisions of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

Section 3. A copy of this Ordinance shall be forwarded, after introduction, to the **Morris Township Planning Board** for a Master Plan consistency review in accordance with N.J.S.A. 40:55D-64.

Section 4. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

Section 5. This Ordinance shall take effect upon (i) filing with the **Morris County Planning Board** in accordance with the Municipal Land Use Law; and (ii) adoption and publication in the manner required by New Jersey law.

ROLL CALL:	MR. ARVANITES	YES	MR. SISLER	YES
	MR. NUNN	YES	MRS. WILSON	YES
	MAYOR. MANCUSO	YES		

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ORDINANCE – INTRODUCTION (CONTINUED)

**13-18 CALENDAR YEAR 2018 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4 45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Governing Body of the Township of Morris, in the County of Morris, finds it advisable and necessary to increase its CY 2018 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Governing Body for said year, amounting final appropriations otherwise advisable and necessary; and, hereby determines that a 3.5% increase in the to \$260,136.49 in excess of the in the Government Cap Law, is advisable and necessary; and,

WHEREAS, the Governing Body hereby determines that any amount authorized hereinabove that is not appropriated, as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Township of Morris, in the County of Morris, a majority of the full authorized of this governing body affirmatively concurring, that, in the CY 2018 budget year, the final appropriations of the Township of Morris shall, in accordance with this ordinance and N.J.S.A. 40: 45.14, be increased by 3.5%, amounting to \$910,477.72 and that the CY 2018 municipal budget for the Township of Morris be approved and adopt accordance with ordinance; and,

BE IF FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, with the that a Director certified copy of this ordinance as of the Division of Local Government Services within 5 days of introduction; and,

BE IF FURTHER ORDAINED that a certified copy adoption, with the recorded vote included thereon be within 5 days after such adoption of this ordinance upon filed with said Director within 5 days after such adoption.

ROLL CALL:	MR. ARVANITES	YES	MR. SISLER	YES
	MR. NUNN	YES	MRS. WILSON	YES
	MAYOR. MANCUSO	YES		

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ORDINANCES - 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:

05-18-RE: AMENDING CHAPTER 57, SECTION 29 A - FEE SCHEDULE

BE IT HEREBY ORDAINED by the Township Committee of the Township of Morris as follows:

SECTION ONE: Chapter 57 Section 29 is hereby amended with respect to subsection A. in particular "Fee Schedule" as follows:

BE IT HEREBY ORDAINED by the Township Committee of the Township of Morris as follows:

SECTION ONE: Chapter 57, Section 29 A is amended as provided herein:

FEE SCHEDULE

RESIDENTIAL SITE PLANS	APPLICATION	ESCROW
Amended Residential Site Plan	\$2,500.00	\$10,000.00
Amended Residential Site Plan Additional lots or units	\$200/unit	\$5,000.00
MISCELLANEOUS		
Small Cell Equipment & Wireless Poles Licensing Agreement	\$500.00	\$2,000.00

SECTION TWO: If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason found to be unconstitutional or unenforceable, such decision shall not affect the remaining portion 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 by law.

PUBLIC COMMENT – NO ONE APPEARED TO BE HEARD.

COMMUNICATIONS OF RECORD - NONE

ROLL CALL: MR. ARVANITES YES MR. SISLER YES
MR. NUNN YES MRS. WILSON YES
MAYOR. MANCUSO YES

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ORDINANCES - PUBLIC HEARING AND FINAL CONSIDERATION (CONTINUED)

06-18-"AN ORDINANCE OF THE TOWNSHIP OF MORRIS, MORRIS COUNTY, NEW JERSEY CONCERNING SALARIES FOR NONUNION PERSONNEL"

BE IT ORDAINED by the Township Committee of the Township of Morris, in the County of Morris and State of New Jersey, they being the Governing Body of said Township, as follows:

2. Effective January 1, 2018 the following salaries for non-union employees as established in ordinance 01-18 are hereby increased by 2.0%. Effective January 1, 2018 the following salaries or compensations are established for the following named officers, employees, or positions in the Township of Morris.
3. The following salaries or compensations shall be retroactive to January 1, 2018 for fulltime non-probationary employees and regular part-time employees. Any employee retiring prior to enactment of this ordinance will be entitled to retroactive compensation provision of this ordinance.

ADMINISTRATIVE

Mayor			\$7,110	Per Year
Township Committee Members			\$6,399	Per Year
Township Administrator	\$95,000	To	\$114,823	Per Year
Qualified Purchasing Agent / Admin Assist	\$55,000	To	\$70,570	Per Year
Secretary / Assistant Purchasing Agent	\$25,000	To	\$33,258	Per Year
Human Resource Manager	\$30,000	To	\$44,800	Per Year
Municipal Housing Liaison	\$4,000	To	\$6,368	Per Year
Assistant Municipal Housing Liaison	\$2,000	To	\$5,202	Per year
Township Clerk	\$80,000	To	\$101,034	Per Year
Director of Finance / CFO	\$75,000	To	\$90,706	Per Year
Assistant Treasurer	\$3,500	To	\$6,169	Per Year
Chief Accountant	\$40,000	To	\$52,638	Per Year
Finance Assistant	\$33,000	To	\$40,000	Per Year
Accounts Payable Clerk	\$24,500	To	\$34,300	Per Year
Payroll Clerk	\$24,500	To	\$34,300	Per year
Tax Collector	\$28,500	To	\$36,835	Per Year
Tax Search Officer	\$1,000	To	\$2,817	Per Year
Tax Assessor	\$60,000	To	\$76,092	Per Year
Assistant Tax Assessor	\$40,000	To	\$65,000	Per Year
Licensed Appraiser	\$9,000	To	\$15,606	Per Year
Administrative Assistant (part-time)	\$16.00	To	\$32.00	Per Hour
Township Engineer	\$75,000	To	\$90,051	Per Year
Assistant Township Engineer	\$50,000	To	\$78,800	Per Year

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ORDINANCE – PUBLIC HEARING AND FINAL CONSIDERATION (CONTINUED)

06-18-"AN ORDINANCE OF THE TOWNSHIP OF MORRIS, MORRIS COUNTY, NEW JERSEY CONCERNING SALARIES FOR NONUNION PERSONNEL"(CONTINUED)

Jr. Design Engineer / CAD Operator	\$35,000	To	\$49,558	Per Year
Project Manager	\$35,000	To	\$45,000	Per Year
Information Technology Manager	\$35,000	To	\$54,439	Per Year
Computer Technician	\$21,000	To	\$29,575	Per Year
Webmaster	\$2,000	To	\$2,707	Per Year
Building Maintenance Supervisor	\$20,000	To	\$26,931	Per Year
Groundskeeper	\$10,000	To	\$22,647	Per Year
Buildings and Grounds Custodian (part-time)	\$10.00	To	\$15.00	Per Hour
Construction Code Official	\$70,000	To	\$112,920	Per Year
Building Sub Code Official	\$50,000	To	\$78,786	Per Year
Building Inspector	\$45,000	To	\$68,276	Per Year
Electrical Inspector – Sub Code (part-time)	\$35.00	To	\$53.50	Per Hour
Plumbing Inspector – Sub Code (part-time)	\$35.00	To	\$53.50	Per Hour
Fire Inspector – Sub Code (part-time)	\$35.00	To	\$53.50	Per Hour
CCO Inspector (part-time)	\$20.00	To	\$40.00	Per Hour
Engineering Inspector (part-time)	\$20.00	To	\$40.00	Per Hour
Municipal Code Enforcement Officer	\$5,000	To	\$9,547	Per Year
Secretary	\$35,000	To	\$47,511	Per Year
Secretary Board of Ethics	\$500	To	\$1,071	Per Year
Secretary EDAC	\$500	To	\$2,060	Per Year
Senior Clerk	\$16,000	To	\$46,263	Per Year
PLANNING BOARD				
Engineer	\$94.00 per hour	TO	\$470 Per Meeting	
Secretary	\$23,000	To	\$34,854	Per Year
BOARD OF ADJUSTMENT				
Engineer	\$94.00 per hour	TO	\$470 Per Meeting	
Secretary	\$10,000	To	\$17,425	Per Year
OPEN SPACE				
Secretary	\$1,500	To	\$3,385	Per Year
ENVIRONMENTAL COMMISSION				
Secretary	\$1,500	To	\$3,385	Per Year
POLICE				
Police Chief	\$140,000	To	\$160,553	Per Year
Records Bureau Supervisor	\$40,000	To	\$49,000	Per Year
Administrative Assistant (part-time)	\$16.00	To	\$32.00	Per Hour
Executive Administrative Assistant	\$75,000	To	\$96,900	Per Year
School Crossing Guards	\$15.00	To	\$27.57	Per Hour
Special Police Officers Class II	\$20.00	To	\$23.00	Per Hour

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ORDINANCE – PUBLIC HEARING AND FINAL CONSIDERATION (CONTINUED)

06-18-"AN ORDINANCE OF THE TOWNSHIP OF MORRIS, MORRIS COUNTY, NEW JERSEY CONCERNING SALARIES FOR NONUNION PERSONNEL"

Secretary	\$35,000	To	\$47,511	Per Year
Senior Clerk	\$32,000	To	\$46,263	Per Year

ROADS AND SANITATION

Superintendent	\$95,000	To	\$125,515	Per year
Assistant Superintendent	\$90,000	To	\$114,738	Per Year
Foreman	\$70,000	To	\$108,504	Per Year
Assistant Foreman	\$60,000	To	\$101,069	Per Year
Part Time Seasonal / Summer Help	\$10.00	To	\$17.00	Per Hour

VEHICLE MAINTENANCE

Foreman, Fleet Maintenance	\$70,000	To	\$108,504	Per Year
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RECREATION

Recreation Director	\$60,000	To	\$86,309	Per Year
Program Supervisor	\$40,000	To	\$55,080	Per Year
Senior Clerk	\$9,000	To	\$42,263	Per Year
Administrative Assistant	\$35,000	To	\$47,512	Per Year

Summer Program Personnel:

Playground Supervisors	\$15.50	To	\$30.00	Per Hour
Playground Directors	\$12.75	To	\$20.00	Per Hour
Playground Assistant Directors	\$9.50	To	\$13.00	Per Hour
Playground Leaders	\$8.60	To	\$11.50	Per Hour
Specialty Instructor/Leader	\$10.00	To	\$35.00	Per Hour
Tennis Instructor	\$12.00	To	\$60.00	Per Hour
Gymnastics Instructor	\$30.00	To	\$75.00	Per Hour
Gymnastics Assistant	\$12.00	To	\$25.00	Per Hour
Fall, Winter, Spring Program Personnel				
Supervisors and Instructors	\$12.00	To	\$55.00	Per Hour

PARKS

Parks Maintenance Foreman	\$70,000	To	\$108,504	Per Year
Parks Maintenance Assistant Foreman	\$15,000	To	\$20,508	Per Year
Parks Part Time Seasonal/ Summer Help	\$10.00	To	\$17.00	Per Hour

PART-TIME

Plumbing Inspector, As Needed Part-time	\$20.00	To	\$40.00	Per Hour
Electrical Inspector, As Needed Part-time	\$20.00	To	\$40.00	Per Hour
Building Inspector, As Needed Part-time	\$20.00	To	\$40.00	Per Hour
Fire Inspector, As Needed Part-time	\$20.00	To	\$40.00	Per Hour
CCO Inspector, As Needed Part-time	\$20.00	To	\$40.00	Per Hour
Carpenter , As Needed Part-time	\$35.00	To	\$50.00	Per Hour
Carpenter Helper, As Needed Part-time	\$20.00	To	\$35.00	Per Hour

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ORDINANCE – PUBLIC HEARING AND FINAL CONSIDERATION CONTINUED)

06-18-"AN ORDINANCE OF THE TOWNSHIP OF MORRIS, MORRIS COUNTY, NEW JERSEY CONCERNING SALARIES FOR NONUNION PERSONNEL"

Clerical, As Needed Part-time	\$10.00	To	\$20.00	Per Hour
Secretarial, As Needed Part-time	\$12.00	To	\$25.00	Per Hour

SEWER UTILITY

Mayor			\$3,047	Per year
Township Committee Members			\$2,743	Per Year
Township Administrator	\$35,000	To	\$49,210	Per Year
Qualified Purchasing Agent / Admin Asst	\$20,000	To	\$30,245	Per Year
Secretary / Assistant Purchasing Agent	\$12,000	To	\$14,254	Per Year
Human Resource Manager	\$8,000	To	\$19,200	Per Year
Director of Finance / CFO	\$25,000	To	\$38,874	Per Year
Assistant Treasurer	\$3,500	To	\$4,370	Per Year
Chief Accountant	\$15,000	To	\$22,559	Per year
Finance Assistant	\$14,000	To	\$18,091	Per Year
Accounts Payable Clerk	\$10,500	To	\$14,700	Per Year
Payroll Clerk	\$10,500	To	\$14,700	Per Year
Collector of Sewer Fees	\$25,000	To	\$41,414	Per Year
Township Engineer	\$25,000	To	\$38,594	Per Year
Assistant Township Engineer	\$20,000	To	\$33,772	Per Year
Jr. Design Engineer / CAD Operator	\$15,000	To	\$21,240	Per Year
Project Manager	\$15,000	To	\$19,000	Per Year
Information Technology Manager	\$15,000	To	\$23,331	Per Year
Computer Technician	\$9,000	To	\$12,675	Per Year
Operating Superintendent	\$95,000	To	\$119,529	Per Year
Assistant Superintendent	\$85,000	To	\$115,446	Per Year
Foreman	\$70,000	To	\$106,415	Per Year
Maintenance Supervisor	\$60,000	To	\$91,723	Per Year
Laboratory Manager	\$60,000	To	\$82,887	Per Year
Senior Clerk	\$9,600	To	\$46,263	Per Year

MUNICIPAL SWIMMING POOL UTILITY

Recreation Director	\$25,000	To	\$36,990	Per Year
Pool Maintenance Supervisor	\$40,000	To	\$61,522	Per Year
Senior Clerk	\$22,400	To	\$46,263	Per Year
Pool Manager	\$8,000	To	\$12,500	Per Season
Assistant Manager	\$7,000	To	\$10,000	Per Season
Head Lifeguard	\$14.00	To	\$18.00	Per Hour
Lifeguards	\$8.60	To	\$15.00	Per Hour
Lifeguards Substitute/Part-time	\$8.60	To	\$13.50	Per Hour
Gate Attendant/baby Pool Attendant	\$8.60	To	\$11.50	Per Hour

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ORDINANCE – PUBLIC HEARING AND FINAL CONSIDERATION (CONTINUED)

06-18-"AN ORDINANCE OF THE TOWNSHIP OF MORRIS, MORRIS COUNTY, NEW JERSEY CONCERNING SALARIES FOR NONUNION PERSONNEL"

Swim Instructor –Private Lesson	\$19.00	To	\$25.00	Per ½ Hour
Swim Team Coach	\$3,000	To	\$3,500	Per Season
Assistant Swim Team Coach	\$1,200	To	\$1,700	Per Season

Swim team Aid	\$9.00	To	\$15.00	Per Hour
Clerical/Pool Registration/Part-time	\$9.00	To	\$15.00	Per Hour
Maintenance	\$10.00	To	\$17.00	Per Hour

PARKING ENTERPRISE UTILITY

Parking Lot Supervisor	\$20,000	To	\$26,931	Per year
Groundskeeper	\$7,500	To	\$9,706	Per Year
Secretary	\$10,000	To	\$14,040	Per Year
Parking Enforcement Officer	\$20.00	To	\$40.00	Per Hour

3. That the said salaries or compensation shall be in lieu of any and all fees. Effective January 1, 2012 implementation of applicable legislation, Chapter 78, P.L. 2011, from the State of New Jersey all employees shall contribute towards their health benefits as required by State Statute.
4. No employee will be exempt from payment of such contribution based upon their coverage, health benefit plan selection, compensation and other statutorily required criteria, if any.
5. Employees receiving the enhanced dental plan coverage are required to pay the difference between the cost of the basic plan and the enhanced plan.
6. Any employee who voluntarily resigns or is discharged from employment prior to the introduction date of this ordinance shall not be entitled to receive the salary adjustment set forth herein.
7. This Ordinance shall take effect upon final passage and publication thereof, as provided for by law.

PUBLIC COMMENT – NO ONE APPEARED TO BE HEARD.

COMMUNICATIONS OF RECORD - NONE

ROLL CALL: MR. ARVANITES YES MR. SISLER YES
 MR. NUNN YES MRS. WILSON YES
 MAYOR. MANCUSO YES

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ORDINANCE – PUBLIC HEARING AND FINAL CONSIDERATION (CONTINUED)

07-18-"AN ORDINANCE OF THE TOWNSHIP OF MORRIS, MORRIS COUNTY, NEW JERSEY CONCERNING SALARIES FOR NONUNION PERSONNEL – FIRE DEPARTMENT"

BE IT ORDAINED by the Township Committee of the Township of Morris, in the County of Morris and State of New Jersey, they being the Governing Body of said Township, as follows:

1. Effective January 1, 2018 the following salaries for non-union employees as established in ordinance 04-16 are hereby increased by 2.0%. Effective January 1, 2018 the following salaries or compensations are established for the following named officers, employees, of the Fire Department in the Township of Morris.
2. The following salaries or compensations shall be retroactive to January 1, 2018 for full-time non-probationary employees and regular part-time employees. Any employee retiring prior to enactment of this ordinance will be entitled to retroactive compensation provision of this ordinance.

FIRE

Fire Chief	\$100,000	To	\$125,368	Per year
Fire Deputy Chief	\$100,000	To	\$117,878	Per Year
Fire Captain	\$100,000	To	\$108,000	Per Year
Fire Lieutenant	\$100,000	To	\$104,000	Per year
Battalion Chief			\$775.00	Per Week
Relief Drivers	\$25.98	To	\$28.65	Per Hour
Fire Official	\$1,000	To	\$2,761	Per Year

3. That the said salaries or compensation shall be in lieu of any and all fees. Effective January 1, 2012 implementation of applicable legislation, Chapter 78, P.L. 2011, from the State of New Jersey all employees shall contribute towards their health benefits as required by State Statute.
4. No employee will be exempt from payment of such contribution based upon their coverage, health benefit plan selection, compensation and other statutorily required criteria, if any.
5. Employees receiving the enhanced dental plan coverage are required to pay the difference between the cost of the basic plan and the enhanced plan.
6. Any employee who voluntarily resigns or is discharged from employment prior to the introduction date of this ordinance shall not be entitled to receive the salary adjustment set forth herein.
7. This Ordinance shall take effect upon final passage and publication thereof, as provided for by law.

PUBLIC COMMENT – NO ONE APPEARED TO BE HEARD.

COMMUNICATIONS OF RECORD - NONE

ROLL CALL:	MR. ARVANITES	YES	MR. NUNN	ABSTAIN
	MR. SISLER	ABSTAIN	MRS. WILSON	YES
	MAYOR. MANCUSO	YES		

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INTRODUCTION OF 2018 MUNICIPAL BUDGET

Mr. Timothy F. Quinn, Township Administrator read the following:

MUNICIPAL BUDGET NOTICE- Municipal Budget of the Township of Morris, County of Morris for the Fiscal Year 2018

Be it Resolved, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2018.

Be it Further Resolved, that said Budget be published in the next available edition of the Morris County Daily Record.

The Governing Body of the Township of Morris does hereby approve the following as the Budget for the year 2018.

ROLL CALL:	MR. ARVANITES	YES	MR. NUNN	YES
	MR. SISLER	YES	MRS. WILSON	YES
	MAYOR. MANCUSO	YES		

Notice is hereby given that the public hearing and final consideration on the 2018 Budget and Tax Resolution by the Mayor and Township Committee will be held on May 16, 2018 at 7:00 P.M. o'clock at the Morris Township Municipal Building, 50 Woodland Avenue, at which time and place objections to said Budget and Tax Resolution for the year 2018 may be presented by taxpayers or other interested persons. (Note that the Budget for 2018 is attached hereto and is made part of the official minutes of this meeting).

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. 57-18 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. ARVANITES	YES	MR. SISLER	YES
	MR. NUNN	YES	MRS. WILSON	YES
	MAYOR. MANCUSO	YES		

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RESOLUTIONS(CONTINUED)

RESOLUTION NO. 58-18 URGING THE STATE LEGISLATURE TO PERMANENTLY EXTEND THE 2 PERCENT CAP ON POLICE AND FIRE ARBITRATION CONTRACT AWARDS

WHEREAS, local municipalities require specific tools to address the rising cost of municipal government; and

WHEREAS, in July 2010 the Governor and New Jersey State Legislature enacted a permanent 2 percent cap on municipal and school board tax levies with limited exceptions that did not include police and fire arbitration contract awards and salary costs, to a great extent, drive property tax increases; and

WHEREAS, in December 2010 the Legislature unanimously approved and the Governor enacted a temporary 2 percent cap on police and fire arbitration contract awards in an effort to control increasing salary costs and provide a solution to assist local governments in keeping property taxes down and cost under control and the December 2010 legislation included an April 1, 2014 sunset on the 2 percent arbitration cap while the 2 percent property tax levy remained permanent for municipalities and school boards; and

WHEREAS, in June 2014 the Legislature unanimously approved and the Governor enacted an extension to December 31, 2017 for the 2 percent arbitration cap, however, the 2 percent property tax levy cap continues to remain permanent, without an exemption for police and fire arbitration contract awards and the Legislature did not pass legislation extending the

December 31, 2017 sunset; therefore, any contract expiring on or after January 1, 2018 will no longer have the protections offered with the 2 percent interest arbitration cap; and

WHEREAS, municipalities continue efforts to contain costs and provide vital services to residents within the 2 percent property tax levy while the New Jersey economy remains sluggish and taxpayers faced with a cap on the SALT deduction struggle to keep their homes and pay their taxes; and

WHEREAS, the final report and recommendations of the Police and Fire Public Interest Arbitration Impact Task Force, which was established in the December 2010 legislation, was not released by its December 31, 2017 deadline; and

WHEREAS, the Governor's Appointees to the Police and Fire Public Interest Arbitration Impact Task Force released a report confirming the positive impact the 2 percent cap has had on providing an efficient and cost-effective procedure to settle labor contracts, and curtailing the rise of property taxes, all without a negative impact on crime rates or the ability of public employers to recruit qualified candidates for police and fire positions; and

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RESOLUTIONS(CONTINUED)

RESOLUTION NO. 58-18 URGING THE STATE LEGISLATURE TO PERMANENTLY EXTEND THE 2 PERCENT CAP ON POLICE AND FIRE ARBITRATION CONTRACT AWARDS (CONTINUED)

WHEREAS, we recognize it is now time for our taxpayers to benefit directly from these cost saving measures as many police and fire contracts will come due for negotiation after the sunset date, and

WHEREAS, if the cap on interest arbitration expires while the 2 percent levy cap remains in effect, municipalities will be forced to reduce or eliminate municipal services in order to fund interest arbitration awards.

NOW, THEREFORE. BE IT RESOLVED, that the governing body of the Township of Morris urges the State Legislature to permanently extend the 2 percent cap on Police and Fire Arbitration Contract Awards; and

Be It Further Resolved, that a copy of this Resolution is forwarded to Assemblyman Anthony M. Bucco, Assemblyman Michael Patrick Carroll, Senator Anthony R. Bucco, the Commissioner of the Department of Community Affairs, the Lieutenant Governor, the Governor of State of New Jersey, and the League of Municipalities.

ROLL CALL: MR. ARVANITES YES MR. SISLER YES
 MR. NUNN YES MRS. WILSON YES
 MAYOR. MANCUSO YES

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RESOLUTION NO. 59-18 GOVERNING BODY CERTIFICATION OF COMPLIANCE WITH THE UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S "ENFORCEMENT GUIDANCE ON THE CONSIDERATION OF ARREST AND CONVICTION RECORDS IN EMPLOYMENT DECISIONS UNDER THE TITLE VII OF THE CIVIL RIGHTS ACT OF 1964"

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit's hiring practices as they pertain to the consideration of an individual's criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

NOW, THEREFORE BE IT RESOLVED, That the Mayor and Township Committee of the Township of Morris, hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit's hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

ROLL CALL: MR. ARVANITES YES MR. SISLER YES
 MR. NUNN YES MRS. WILSON YES
 MAYOR. MANCUSO YES

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RESOLUTIONS(CONTINUED)

RESOLUTION NO. 60-18 RE: AUTHORIZING TAX EXEMPTION DUE TO PERMANENTLY AND TOTALLY DISABLED VETERAN STATUS AS PER NJSA 54:4-3.30, BLOCK 6003 LOT 7, 6 FREDERICK PLACE, PYLER, BONITA

WHEREAS, Bonita Pylar has provided a document from the Department of Veterans Affairs which discloses that her wartime service-connected disability is totally disabling in accordance with state statute NJSA 54:4-3.30, and

WHEREAS, the cancellation of taxes should be effective January 1, 2018, and

WHEREAS, the Tax Assessor and Tax Collector have reviewed the Department of Veteran Affairs document and recommends the following:

Cancel 2018 preliminary taxes billed	\$4,334.11
Total refund due to Bonita Pylar due to cancellation of taxes:	\$2,167.06

ROLL CALL: MR. ARVANITES	YES	MR. SISLER	YES
MR. NUNN	YES	MRS. WILSON	YES
MAYOR. MANCUSO	YES		

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RESOLUTION NO. 61-18 AMENDMENT-TEMPORARY BUDGET

WHEREAS an emergency condition has arisen with respect to emergency temporary appropriations needed in various line items and not adequate provisions has been made in the Calendar Year 2018 for Current, Temporary Budget for the aforesaid purposes and N.J.S.A 40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned; and

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Township of Morris, that in accordance with N.J.S.A 40A:4-20 an emergency appropriation is and the same is hereby made for:

<u>CURRENT</u>	<u>SALARIES & WAGES</u>	<u>OTHER EXPENSES</u>
Administration & Executive	\$ 41,000.00	\$ 6,000.00
Mayor & Committee	\$ 8,500.00	
Township Clerk	\$ 15,200.00	\$ 700.00
Financial Administration	\$ 21,300.00	
Computer IT	\$ 10,000.00	\$ 25,000.00
Tax Collector	\$ 10,000.00	
Tax Assessor	\$ 13,000.00	
Legal		\$ 30,000.00
Engineering	\$ 42,000.00	\$ 500.00
Planning Board	\$ 3,500.00	
Board of Adjustment	\$ 2,200.00	
Environmental Commission	\$ 900.00	
Construction Code Official	\$ 109,000.00	
Group Insurance (Medical Benefits)		\$ 630,000.00
Police Department	\$ 750,000.00	
Fire Department	\$ 225,000.00	
Street and Roads	\$ 700,000.00	\$ 90,000.00
Garbage and Trash	\$ 198,000.00	\$ 200,000.00
Public Buildings and Grounds	\$ 8,000.00	
Vehicle Maintenance	\$ 30,000.00	\$ 40,000.00
Board of Health	\$ 22,700.00	\$ 3,300.00

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RESOLUTIONS(CONTINUED)

RESOLUTION NO. 61-18 AMENDMENT-TEMPORARY BUDGET

Recreation	\$ 14,500.00	\$ 25,000.00
Maintenance of Parks	\$ 79,500.00	
Joint Municipal Court		\$ 86,000.00
Natural Gas		\$ 20,000.00
Gasoline		\$ 10,000.00
Social Security		\$ 100,000.00
PERS		\$ 79,600.14
Joint Free Public Library		\$ 450,000.00

TOTAL \$ 2,304,300.00 \$ 1,796,100.14

<u>SEWER OPERATING</u>	<u>SALARIES & WAGES</u>	<u>OTHER EXPENSES</u>
Sewer Operating	\$ 300,000.00	\$ 500,000.00
Social Security		\$ 27,000.00
PERS		\$ 10,099.86

TOTAL \$ 300,000.00 \$ 537,099.86

<u>PARKING OPERATING</u>	<u>SALARIES & WAGES</u>	<u>OTHER EXPENSES</u>
Social Security		\$ 1,000.00

TOTAL \$ 1,000.00

ROLL CALL: MR. ARVANITES YES MR. SISLER YES
MR. NUNN YES MRS. WILSON YES
MAYOR. MANCUSO YES

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RESOLUTION NO. 62-18 AUTHORIZING THE APPLICATION FOR GRANT MONIES AND EXECUTION OF GRANT AGREEMENT IN THE AMOUNT OF \$13,000 FROM THE NEW JERSEY DEPARTMENT OF LAW AND PUBLIC SAFETY OFFICE OF THE ATTORNEY GENERAL FOR THE HAZARDOUS MATERIALS EMERGENCY PREPAREDNESS GRANT PROGRAM

WHEREAS, the Township of Morris has need to prepare for hazardous materials incidents; and

WHEREAS, it is the belief of the Township of Morris that Township qualifies for funding under the Hazardous Materials Emergency Preparedness Grant Program – CFDA 20.703, sub award 2017-08 for the period of 9/30/2017 to 9/30/2018;

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

1. That the Township Committee formally approves the grant application for the above stated project.
2. That the Township of Morris, shall, through its appropriate officers, make application to the State of New Jersey Department of Law and Public Safety Office of the Attorney General for federal grant funds in the amount of \$13,000 for the Hazardous Materials Emergency Preparedness Program to be implemented by the Morris Township Fire Department.
3. That the Mayor and Clerk, upon award, are hereby authorized to sign the grant agreement on behalf of the Township of Morris and that their signature constitutes acceptance of the terms and conditions of the grant agreement.

ROLL CALL: MR. ARVANITES YES MR. SISLER YES
MR. NUNN YES MRS. WILSON YES
MAYOR. MANCUSO YES

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RESOLUTIONS(CONTINUED)

RESOLUTION NO. 63-18 AUTHORIZING THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MORRIS TO ENTER INTO A LEASE AGREEMENT FOR THE USE OF MORRIS TOWNSHIP SWIMMING POOLS - LAKELAND HILLS YMCA

BE IT HEREBY RESOLVED that the Mayor and Township Clerk of the Township of Morris be and they are hereby authorized to enter into an Agreement with Lakeland Hills YMCA for the use of Morris Township Swimming Pools for the year 2018, and that the agreement shall be maintained on file in the Office of the Municipal Clerk for public inspection.

ROLL CALL: MR. ARVANITES YES MR. SISLER YES
MR. NUNN YES MRS. WILSON YES
MAYOR. MANCUSO YES

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RESOLUTION NO. 66-18 AUTHORIZING THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MORRIS TO ENTER INTO A LEASE AGREEMENT FOR THE USE OF MORRIS TOWNSHIP SWIMMING POOLS – WITH THE GREATER MORRISTOWN YMCA

BE IT HEREBY RESOLVED that the Mayor and Township Clerk of the Township of Morris be and they are hereby authorized to enter into an Agreement with Greater Morristown YMCA for the use of Morris Township Swimming Pools for the year 2018, and that the agreement shall be maintained on file in the Office of the Municipal Clerk for public inspection.

ROLL CALL: MR. ARVANITES YES MR. SISLER YES
MR. NUNN YES MRS. WILSON YES
MAYOR. MANCUSO YES

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RESOLUTION NO. 65-18 AUTHORIZING THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MORRIS TO ENTER INTO A GROUP USE AGREEMENT FOR THE USE OF MORRIS TOWNSHIP SWIMMING POOLS – WITH THE GREATER MORRISTOWN YMCA Y-ZONE DAY CAMP

BE IT HEREBY RESOLVED that the Mayor and Township Clerk of the Township of Morris be and they are hereby authorized to enter into an Agreement with Greater Morristown YMCA Y-Zone Day Camp for the use of Morris Township Swimming Pools for the year 2018, and that the agreement shall be maintained on file in the Office of the Municipal Clerk for public inspection.

ROLL CALL: MR. ARVANITES YES MR. SISLER YES
MR. NUNN YES MRS. WILSON YES
MAYOR. MANCUSO YES

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RESOLUTIONS(CONTINUED)

RESOLUTION NO. 66-18 SELF-EXAMINATION OF BUDGET RESOLUTION

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Morris Township has been declared eligible to participate in the program by the Division of Local government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2018 budget year.

NOW THEREFORE BE IT RESOLVED by the governing body of the Morris Township that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate and correctly stated,
 - b. Items of appropriation are properly set forth
 - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

ROLL CALL:	MR. ARVANITES	YES	MR. SISLER	YES
	MR. NUNN	YES	MRS. WILSON	YES
	MAYOR. MANCUSO	YES		

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RESOLUTIONS(CONTINUED)

RESOLUTION NO. 67-18 RESOLUTION RESCINDING AWARD OF A FAIR AND OPEN CONTRACT TO MORRIS COUNTY OVERHEAD DOOR COMPANY, 943 TABOR ROAD, MORRIS PLAINS, NJ 07950 FOR REPAIRS TO FIRE DEPARTMENT BAY DOORS

WHEREAS, quotations were solicited through a fair and open process for repairs to Fire Department Bay Doors by advertising on the Township of Morris website in accordance with the Local Public Contracts Law as well as mailing requests for quotations to three vendors; and

WHEREAS, the Township Committee awarded a contract to Morris County Overhead Door Company at their meeting of February 28, 2018, Resolution No. 51-18; and

WHEREAS, Morris County Overhead Door Company has advised the Qualified Purchasing Agent that they cannot fulfil the contract as the vendor did not submit the quote based upon prevailing wage rates as required in the specifications.

NOW, THEREFORE, BE IT HEREBY RESOLVED that Resolution No. 51-18 is hereby rescinded and quotations will be resolicited.

ROLL CALL: MR. ARVANITES YES MR. SISLER YES
 MR. NUNN YES MRS. WILSON YES
 MAYOR. MANCUSO YES

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RESOLUTION NO. 68-18 AUTHORIZING THE TOWNSHIP OF MORRIS DEPARTMENT OF PARKS AND RECREATION TO ENTER INTO GROUP USE AGREEMENT FOR THE USE OF MORRIS TOWNSHIP SWIMMING POOLS BY THE HARDING TOWNSHIP RECREATION ASSOCIATION DAY CAMP PROGRAM

BE IT HEREBY RESOLVED that the Director of Parks and Recreation of the Township of Morris be and they are hereby authorized to enter into a Group Use Agreement with the Harding Township Recreation Association Day Camp Program for the use of Morris Township Swimming Pools for the year 2018, and that the agreement shall be maintained on file in the Office of the Municipal Clerk for public inspection.

ROLL CALL: MR. ARVANITES YES MR. SISLER YES
 MR. NUNN YES MRS. WILSON YES
 MAYOR. MANCUSO YES

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RESOLUTIONS(CONTINUED)

RESOLUTION NO. 69-18 AUTHORIZING THE TOWNSHIP OF MORRIS TO ENTER INTO GROUP USE AGREEMENT FOR THE USE OF MORRIS TOWNSHIP SWIMMING POOLS BY THE BRIGHT HORIZONS CHILDREN'S CENTERS AT NOVARTIS EARLY LEARNING CENTER.

BE IT HEREBY RESOLVED that the Mayor and Township Clerk of the Township of Morris be and they are hereby authorized to enter into a Group Use Agreement with Bright Horizons Children's Centers for the use of Morris Township Swimming Pools for the year 2018, and that the agreement shall be maintained on file in the Office of the Municipal Clerk for public inspection.

ROLL CALL: MR. ARVANITES YES MR. SISLER YES
 MR. NUNN YES MRS. WILSON YES
 MAYOR. MANCUSO YES

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RESOLUTION NO. 70-18 AUTHORIZING THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MORRIS TO ENTER INTO A GROUP USE AGREEMENT FOR THE USE OF MORRIS TOWNSHIP SWIMMING POOLS WITH THE COMMUNITY DEVELOPMENT CORPORATION OF NORTHERN NEW JERSEY YOUTH ENRICHMENT SUMMER CAMP (Y.E.S.) PROGRAM.

BE IT HEREBY RESOLVED that the Mayor and Township Clerk of the Township of Morris be and they are hereby authorized to enter into a Group Use Agreement with Community Development Corporation of Northern New Jersey, a.k.a. the Calvary Community Development Corporation of Morristown, Youth Enrichment Summer Camp (Y.E.S.) for the use of Morris Township Swimming Pools for the year 2018, and that the agreement shall be maintained on file in the Office of the Municipal Clerk for public inspection.

ROLL CALL: MR. ARVANITES YES MR. SISLER YES
 MR. NUNN YES MRS. WILSON YES
 MAYOR. MANCUSO YES

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RESOLUTION NO. 71-18 AUTHORIZING A CONTRACT TO MP2 ENERGY FOR POWER SUPPLY OF ELECTRICITY FOR A 24-MONTH PERIOD AT A RATE OF \$0.07381/kWh.

WHEREAS, EMEX, LLC has been approved by the State of New Jersey, Department of Community Affairs, pursuant to the Local Unit Electronic Technology Pilot Program, P.L. 2001, c. 30, as a vendor to offer its reverse auction platform to New Jersey local contracting units for the purchase of energy general services and has been issued Waiver No. EMEX LLC-1; and

WHEREAS, EMEX, LLC conducted a Reverse Auction on March 28, 2018 in accordance with the above referenced waiver; and

WHEREAS, the proposals have been submitted for the purchase of power supply of electricity from various BPU suppliers; and

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RESOLUTIONS(CONTINUED)

RESOLUTION NO. 71-18 AUTHORIZING A CONTRACT TO MP2 ENERGY FOR POWER SUPPLY OF ELECTRICITY FOR A 24-MONTH PERIOD AT A RATE OF \$0.07381/kWh (CONTINUED)

WHEREAS, in accordance with N.J.S.A. 40A:11-5 et. seq., the supplying of any product or the rendering of any service by a public utility, which is subject to the jurisdiction of the Board of Public Utilities in accordance with tariffs and schedules of charges made, is exempt from bidding; and

WHEREAS, MP2 Energy is the lowest responsive and responsible bidder; and

WHEREAS, the Chief Financial Officer of the Township of Morris has filed a Certificate of Availability of Funds indicating that funds are available from various accounts:

08-01-31-430-240 NTE \$30,000
08-01-31-430-241 NTE \$17,000
08-01-31-430-252 NTE \$300
08-10-31-430-265 NTE \$35,000
08-01-31-430-290 NTE \$25,000
08-01-31-430-310 NTE \$50,000
08-01-31-430-375 NTE \$14,000
08-05-55-505-304 NTE \$450,000
08-07-55-507-304 NTE \$36,000
08-09-55-509-304 NTE \$6,000

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Governing Body of the Township of Morris authorizes the Mayor and Township Clerk to enter into a contract with MP2 Energy effective with the meter reading date July, 2018 for a 24-month period at a fixed rate of \$0.07381/kWh.

ROLL CALL: MR. ARVANITES YES MR. SISLER YES
MR. NUNN YES MRS. WILSON YES
MAYOR. MANCUSO YES

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PUBLIC COMMENT

Mayor Mancuso, 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:

Mr. Lee Goldberg – 10 Arrowhead Road – Referenced Resolution 67-18 and asked if will this go out to bid again? Ans. Yes, will be rebid; inquired to whether or not Mr. Purcell will be back to explain Ordinances 09-18 and 10-18. Ans. Yes; C.O.A.H. will the increase in units be paid by the Township? Ans. No. Inquired if the access road to the new development on East Hanover Avenue been settled. Ans. Yes, the issue has been resolved and will be a public roadway that will be a dedicated road; attended a Parks and Recreation meeting and inquired if the Collinsville playground will get new equipment? Ans. Yes.

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CONSENT CALENDAR AND RECEIVED FOR THE RECORD

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 approval to the following Taxi License for the licensing period of January 1, 2018 to December 31, 2018 to the following: (NOTE: All applications for renewal owner operator and operator have been reviewed and approved by the Morris Township Police Department)

J&J TAXI AND LIMO - OWNER/OPERATOR - JAMES R. JONES III., 14 WASHINGTON VALLEY ROAD, MORRISTOWN- BUSINESS 63 HIGHLAND AVENUE, MORRISTOWN, NJ 07960.

2. Granted municipal consent to the Interfaith Food Pantry to conduct the Annual 5K and 1 mile walk Thanksgiving Turkey Trot Charitable Fundraiser on November 22, 2018 (rain or shine) at 8:30 A.M. at the Ginty Field Complex at Woodland Avenue and Dwyer Lane. Final approval is contingent on receipt of an appropriate Certificate of Insurance naming the Township as an additional insured; accompanied by a Hold Harmless Clause and subject to the approval, if required, of the Police Chief Mark DiCarlo, Fire Chief Jesse Kaar, Director of Parks & Recreation, William Foelsch, and Health Administrator Kevin Breen.
3. Accepts with regret the resignation of Susan M. Young from the Morris Township Historic Preservation Commission, effective January 1, 2018 and thank Ms. Young for her dedication to the Commission.
4. Approved the volunteer application of Firefighter Angelito Alacbay, Fairchild Fire Company as per member of Fire Chief Jesse T. Kaar, dated March 13, 2018.
5. Approved the volunteer application of Firefighter Robert E. Carrion, Hillside Hose Company as per memo from Fire Chief Jesse T. Kaar, dated March 13, 2018.
6. Approved the volunteer application of Firefighter Curtis S. Fagan, Morris Township Junior Membership as per memo from Fire Chief Jesse T. Karr, dated March 19, 2018.
7. Approved the membership application of Janet P. Covington, Hillside Hose Company, as per memo from Fire Chief Jesse T. Karr, dated March 19, 2018.
8. Approved the request for the Cheder Lubavitch of Morristown, a division of the Rabbinical College of America to hold a Jewish Pride Parade on May 3, 2018 from approximately 10 am to 12 am. and had a similar parade two (2) years ago through the Wheatsheaf neighborhood. It would be approximately 250 people. Approval is contingent on receipt of an appropriate Certificate of Insurance naming the Township as an additional insured; accompanied by a Hold Harmless Clause and subject to the approval, if required, of the Police Chief Mark DiCarlo, Fire Chief Jesse Kaar, Director of Parks & Recreation, William Foelsch, and Health Administrator Kevin Breen.

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RECEIVED FOR THE RECORD

1. 2018 Petition of Appeals to the Tax Court of New Jersey

<u>NAME/LOCATION</u>	<u>BLOCK</u>	<u>LOT</u>
17 OLD MENDHAM ROAD	4303	4
2 LINDSLEY DRIVE	10001	5
445 SOUTH STREET	7003	20
58 CANFIELD ROAD	8104	20
29 KITCHELL ROAD	8501	1
2 TENNYSON CT	7201	33
8 REED ROAD	4401	2
340 MT. KEMBLE AVENUE	6101	5

2. 2018 Petition of Appeals to the Morris County Board of Appeals

<u>NAME/LOCATION</u>	<u>BLOCK</u>	<u>LOT</u>
408A SOUTH STREET	7309	11
8 WINDSOR WAY	6503	24
1 CHADWELL PLACE	7901	1
3 VALLEY VIEW ROAD	4303	2
24 MARK TWAIN DRIVE	1602	9
72 SPRING BROOK ROAD	6402	7
25 EAGLENEST ROAD	7602	22

ROLL CALL: MR. ARVANITES YES MR. SISLER YES
 MR. NUNN YES MRS. WILSON YES
 MAYOR. MANCUSO YES

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TOWNSHIP COMMITTEE MEMBERS COMMENTS/QUESTIONS

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

MR. ARVANTIES - Thanked Public Safety and Public Work for a great job clearing the roads during the several snow storms; pool membership need to increase and knows that the membership numbers will increase in 2018; is thankful for the Committee members coming together on the 2018 budget and announced that the taxpayer will experience tax relief this year; wished everyone Happy Holidays.

MRS. WILSON- A lot has happened since the last Committee meeting – 4 Northeasters is a lot to deal with and she was without power and that these storms reminded her of Sandy; attended a debriefing on the responses by the Township in addressing the storms; spent 30 years as an educator and is still learning; attended a Firemen breakfast and church service on March 18, 2018 and it was very moving.

MR. NUNN – Committee worked together on the budget and party affiliation were irrelevant and that residents will again experience lower taxes; The Morris Township Police Department will be participating in a distracted driving campaign from April 1 to April 21, 2018.

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TOWNSHIP COMMITTEE MEMBERS COMMENTS/QUESTIONS (CONTINUED)

MR. SISLER - Updates: announced that there will be no rekeying on Good Friday; that the DPW is working on collecting branches, but it will take time. Mr. Eschmann, DPW Superintendent has posted a message on the tree branch collection and the restriction in reference to diameter and length of the branches; there will be a meetings relating to the power outages by JCP&L on April 5, 2018 in Bergen County at the Byram Intermediate School and on April 12, 2018 in Parsippany Town Hall from 4 P.M. to 7 P.M. with JCP&L to discuss the outages and the handling during the storms; attended the Easter egg hunt at the Woodland Fire House and over 100 children attended and fun was had by all; visited the Interfaith Food Pantry and they are doing a great job providing food and fresh produce to those in need; Mr. Sisler read the following letter that will be sent to Mayor Mancuso and Morristown Mayor Dougherty in reference to dangerous trees that are a concern for residents in the Burnham Park area:

“Dear Mayor Mancuso and Mayor Dougherty:

After touring Morris Township these past few weeks to witness first-hand the damage done by the Nor’easters, Winter Storm Riley and Winter Storm Quinn, it has come to my attention that we have a serious safety hazard that concerns both Morris Township and Morristown. As you are well-aware, these storms uprooted and downed many trees taking out power lines that caused numerous road closures, extended power outages and damage to homes, vehicles, land and other property.

While traveling throughout the Township, I was particularly struck by the problem of many dead trees in the Burnham Park area that are close to the roadways that include Morristown. I spoke with several residents in the area and they were concerned about their safety as well as their neighbor’s safety.

It was particularly disconcerting when I witnessed two mothers walking along Burnham Parkway the Sunday after Riley coming from the East Lake Boulevard/ Ferndale direction toward Route 24. One young mother was walking with her child in a stroller and the other carrying her infant in a Babybjorn-style carrier. They walked on the roadway under dead and dying trees that had the potential to fall at any moment.

I would request your attention to this dangerous situation and ask to have an immediate assessment of the Burnham park area by your tree maintenance supervisors. There are many fallen trees and branches already strewn about, cluttering the common areas as well as trees that need either trimming or removal for safety reasons.

Many residents have explained that these common areas have been unsightly for many years and now have become a serious safety concern. With spring approaching and the anticipated increase in pedestrian traffic, I would ask that you expedite an assessment and develop a plan to ensure the safety of our residents. Because of the proximity of our two municipalities, it is important to have a collaborative effort on this issue to assist all of our citizens.

Thank you for your consideration as I know you will both agree that public safety is our number one concern”.

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TOWNSHIP COMMITTEE MEMBERS COMMENTS/QUESTIONS (CONTINUED)

MR. QUINN, TOWNSHIP ADMINISTRATOR – Earlier this month, the residents of Morris Township, as well as a significant number of other Municipalities in northern New Jersey, experienced two Nor'easters. The first brought devastating winds, and the second record-setting snow totals for some; both left downed trees and wires. The Morris Township Department of Public Works would like to assure all residents that we are planning to collect the brush. However, it will take a little time and planning to accomplish this task. Our crews are still removing broken branches and damaged trees within the Township Right of Way. Our strategy remains the same as it was when significant storms in October 2011, October 2012, and July 2016 resulted in a town-wide cleanup of trees and tree parts. At this point we realize that, due to the recent snow, residents have not had enough time, nor has enough snow melted, to place tree debris at the curb for collection, and this will delay the process a while longer. A second notice will be sent out prior to the beginning of brush collection, allowing you enough time to put out all acceptable materials for collection.

We ask that all residents place brush out using the following guidelines:

ACCEPTABLE MATERIALS

Branches and tree parts:

1. Cut into four foot (4') lengths or smaller.
2. Diameter of the branches should not exceed six inches (6").
3. Placed neatly in piles along the curb line with cut ends facing in the same direction.
4. Do not place in the street or on the sidewalk.
5. Twigs, small branches, and light brush may be placed in trash cans not exceeding 50lbs. in weight.

UNACCEPTABLE MATERIALS

- Trees branches and tree parts which exceed six (6") inches in diameter.
- Stumps
- Dirt, grass, and loose piles of leaves.

It is the responsibility of the property owner to dispose of any trees or tree parts which do not meet these requirements. Your patience and cooperation are greatly appreciated.

If you have any questions, please contact our Department of Public Works Office at 973-326-7398.

MR. MANCUSO – The Department of Public Works did a great job addressing the snow storms that we have experienced; starting April 25, 2018 a member of the Township Committee will be available once a month to meet with residents in the Township Hall; had a conference call from the State Governors Office in reference to 'Texting while driving' which is a step closer in implementing a new law; had a debriefing on outages in the Township every day during the storms from JCP&L which was informative; wished everyone a Happy Easter and Passover.

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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 FOR THE MONTH OF FEBRUARY, 2018 ARE ON FILE IN THE OFFICE OF THE TOWNSHIP CLERK AND TOWNSHIP ADMINISTRATOR: TAX COLLECTOR; FINANCE ; POLICE; JOINT COURT; JOINT LIBRARY; FIRE

ROLL CALL: MR. ARVANITES YES MR. SISLER YES
MR. NUNN YES MRS. WILSON YES
MAYOR. MANCUSO YES

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CLAIMS FOR PAYMENT - LIST OF BILLS AND VOUCHERS

Minute Book Attachment #1 (MBA #1) dated MARCH 28, 2018 in the amount of \$ 6,462,939.51.

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 \$ 6,462,939.51 for payment of the itemized Vouchers set forth on Schedule A, referenced as Minute Book Attachment No. 1, all of which have been approved by the several committees of the Township of Morris, and which are hereby made a part of the minutes of this meeting.

ROLL CALL: MR. ARVANITES YES MR. SISLER YES
MR. NUNN YES MRS. WILSON YES
MAYOR. MANCUSO YES

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CALL TO ADJOURNMENT

At 7:33 P.M. with no further business to be considered, on motion duly made, seconded and unanimously (5-0) adopted that the March 28, 2017 meeting was adjourned, next to convene on April 18, 2018 regular Meeting 5:00 P.M.(to closed), and 7:00 P.M. (regular meeting) in the Municipal Building, 50 Woodland Avenue, Township of Morris.



CATHLEEN AMELIO
TOWNSHIP CLERK