

MINUTES OF REGULAR MEETING OF  
THE TOWNSHIP COMMITTEE HELD ON  
WEDNESDAY, MAY 16, 2018  
7:00 P.M. REGULAR MINUTES  
PAGE 1

**CALL TO ORDER**

The May 16, 2018 Regular Meeting was called to order by Mayor Peter V. Mancuso at 5:13 P.M., in the Municipal Building, 50 Woodland Avenue, Morris Township, New Jersey.

**ATTENDANCE**

Mayor Peter V. Mancuso  
Deputy Mayor Matheu D. Nunn(via phone)  
Township Committee Member John Arvanites  
Township Committee Member Bruce D. Sisler  
Township Committee Member Catherine Wilson

**APPOINTED OFFICERS**

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

\* \* \*

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

Mayor 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 5:14 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 May 11, 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.

MINUTES OF REGULAR MEETING OF  
THE TOWNSHIP COMMITTEE HELD ON  
WEDNESDAY, MAY 16, 2018  
7:00 P.M. REGULAR MINUTES  
PAGE 2

**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.

\* \* \* \*

**PLEDGE OF ALLEGIANCE**

Mayor Peter V. Mancuso led the Pledge of Allegiance assisted by the Morris Township Police Department Honor Guard.

\* \* \* \*

**APPROVAL OF MINUTES**

At this time the Township Clerk presented for approval, the following minutes: April 16, 2018 Regular/Closed.

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		

\* \* \* \*

**SWEARING IN-PROMOTIONS-POLICE**

Police Chief Mark DiCarlo presented the following Officers for promotion:

SERGEANT DAVID CROWLEY-David Crowley was born and raised in Hopatcong, attending Hopatcong High School. Dave holds a Bachelor's Degree in Criminal Justice from Caldwell College. He was hired by the Morris Township Police Department on February 7, 2000 where he served as a police dispatcher. He was then hired as a patrol officer December 5, 2001 and attended the Morris County Police Academy where he graduated from the 59<sup>th</sup> Basic Police Training Class in June 2002.

Dave served in the Patrol Division from 2002 to 2008. During those years he was assigned on and off to the Morris County Prosecutor's Office Narcotics Task Force where he assisted with three major operations that combatted narcotics distribution and gangs throughout Morris County. In 2008 to 2010, Dave was assigned to the Detective Bureau where he received two Morris County Detectives Association Certificate of Recognition for Excellence in the Field of Criminal Investigation.

From 2010-2017 Dave was reassigned to the Patrol Division where he served an integral part as a Field Training Officer, training in excess of 10 newly sworn officers. He is a Firearms Instructor, Shotgun Instructor, Rifle Instructor, OC Instructor, Glock Armorer and TASER

MINUTES OF REGULAR MEETING OF  
THE TOWNSHIP COMMITTEE HELD ON  
WEDNESDAY, MAY 16, 2018  
7:00 P.M. REGULAR MINUTES

PAGE 3

**SWEARING IN-PROMOTIONS-POLICE**

Police Chief Mark DiCarlo presented the following Officer for promotion(CONTINUED):

SERGEANT DAVID CROWLEY(CONTINUED)

certified. He is a member of the Emergency Services Unit, Serious Fatal Motor Vehicle Crash Team and was a member of the Morris County Rapid Deployment Team.

In 2017 to present time Dave has been reassigned to the Detective Bureau where he specializes as the Juvenile Detective. Dave is the Terminal Agency Coordinator (TAC) Officer in charge of the departments CJIS/NCIC system. He is the Police Mobile and RMS county computer system liaison and is the computer administrator for both the in house and patrol vehicle computers, where he makes new installs, repairs and provides the department personnel with security clearances.

Throughout his career at the Morris Township Police Department, Dave has received numerous letters of commendations and two Life Saving Awards.

Dave is also an active volunteer in his community which includes being his daughter's softball coach.

Dave resides in Andover Township, NJ with his wife, Joy, and his two children, David and Corinne.

David will be assigned as a Patrol Sergeant in charge of 6 officers.

John Mills, Esquire swore in Sergeant David Crowley with his wife and children assisting.

Mayor Mancuso and Committeeman Arvanites presented Sergeant Crowley with is badge.

LIEUTENANT JAMES PERRUSO

Upon graduating from Rutgers University with a bachelor's degree in Psychology and a minor study in Criminal Justice, James Perruso began his career with the Morris Township Police Department as a Communications Officer in October of 2005. After approximately one year of service as a Communications Officer James was offered the opportunity to attend the 68TH Morris County Basic Police Academy Class that concluded in December of 2006.

Upon graduating from the Police Academy, James was assigned to the Patrol Division where he performed the various job functions of a Patrol Officer. In May of 2010 Officer Perruso received the LIFE SAVING award for performing CPR and using a defibrillator on a Morris Township resident who suffered cardiac arrest while mowing his lawn. During his career Officer Perruso has received numerous Letters of Commendation and Recognition for his dedication to duty.

Officer Perruso was selected to be a member of the Special Operations Unit, a Unit that was responsible for high-risk calls for service, the execution of search and arrest warrants and undercover surveillance details.

Officer Perruso is a member and also the OIC of the Police Department's Honor Guard Unit. This unit performs Officer Funeral details, National Holiday Ceremonies as well as special events in the Township of Morris.

MINUTES OF REGULAR MEETING OF  
THE TOWNSHIP COMMITTEE HELD ON  
WEDNESDAY, MAY 16, 2018  
7:00 P.M. REGULAR MINUTES

PAGE 4

**SWEARING IN-PROMOTIONS-POLICE**

Police Chief Mark DiCarlo presented the following Officer for promotion (CONTINUED):

LIEUTENANT JAMES PERRUSO (CONTINUED)

In October of 2012, Officer Perruso was assigned to the Detective Bureau where he was responsible for more in-depth criminal investigations. Investigations including burglaries, sexual assaults, narcotics offenses and juvenile offenses. In 2014 Detective Perruso was assigned to a Motor Vehicle Burglary and Theft task force where he worked alongside Law Enforcement Officers from Morris, Essex and Middlesex counties as well as New York and New Jersey State Police Officers and Deputies from the United States Marshal's Service. This task force led to the arrest of a large scale theft suspect who was charged with 26 counts of burglary to motor vehicles, 33 counts of theft and 30 counts of criminal mischief.

In 2016 Detective Perruso was assigned to the Morris County Prosecutor's Office to assist with a multi-county drug distribution investigation. This investigation led to the arrest of over 25 individuals, the task-force recovered 1,400 folds of heroin, 55 grams of cocaine, and seized \$33,500 dollars and 11 motor vehicles.

In March of 2017 Officer Perruso was promoted to the rank of Patrol Sergeant where he oversaw a squad of five Patrol Officers. This squad of Officers led the department in criminal arrests and DWI apprehensions.

As a Lieutenant, James will be assigned as the Detective Lieutenant in charge of the Investigative Unit, Crime Prevention, School Resource Officer, Internal Affairs, Records Department and SLEO III officers.

James resides in Morris Plains with his wife Kristen and their daughter Madelyn, where he enjoys spending free time with friends and family.

James participates in the Police Unity Tour every May, which is an event that raises money and awareness for Police Officers who lost their lives in the line of duty.

John Mills, Esquire swore in Lieutenant James Perruso with his wife and daughter assisting.

Mayor Mancuso and Committeeman Arvanites presented Lieutenant James Perruso with is badge.

LIEUTENANT ROBERT SHEARER

Upon graduating from York College of Pennsylvania with a Bachelor's Degree in Criminal Justice in 2003, Robert Shearer attended the 62<sup>nd</sup> Basic Police Recruit Class at the Morris County Police Academy under the alternate route program and graduated in December of 2003. Robert was hired by the Morris Township Police Department as a probationary Patrol Officer on December 15<sup>th</sup> 2003.

Patrolman Shearer was assigned to the Patrol Division from 2003 to 2011. As a Patrolman in 2006 Robert received an Order of Merit from the '200 Club' for rescuing a victim trapped inside a structure fire.

In 2011 Robert was assigned to the Detective Bureau where he was responsible for criminal investigations and was assigned as the Juvenile Officer for the Department. As a Detective,

MINUTES OF REGULAR MEETING OF  
THE TOWNSHIP COMMITTEE HELD ON  
WEDNESDAY, MAY 16, 2018  
7:00 P.M. REGULAR MINUTES

PAGE 5

**SWEARING IN-PROMOTIONS-POLICE (CONTINUED)**

Police Chief Mark DiCarlo presented the following Officers for promotion (CONTINUED)

LIEUTENANT ROBERT SHEARER (CONTINUED)

Robert received a commendation for his role in a nine (9) year old Sexual Assault Investigation. When a suspect was identified he was interviewed and ultimately confessed to several crimes including the first degree sexual assault.

Detective Shearer was assigned to the Morris County Prosecutor's Office narcotics task force from 2014 to 2015. During this time Detective Shearer participated in several narcotics investigations including; a multi-state ***Marijuana Distribution Network*** investigation which resulted in the seizure of 350 pounds of marijuana and \$205,000.00 in cash. Robert also

participated in "*Operation Coke Depot*" which resulted in the seizure of 900 grams of cocaine and 11 vehicles. Det. Shearer worked with the Bergen County Prosecutor's Office ***Heroin Initiative*** which resulted in the arrest of 325 people and the seizure of 30 firearms and heroin with a street value of \$350,000.00. Detective Shearer received a life-saving award for his role in the life saving efforts after a suicide attempt in January of 2017.

On February 20, 2017 Robert Shearer was promoted to Sergeant and was assigned to a squad. Sergeant Shearer is the Administrative Commander of the Emergency Services Unit and the Domestic Liaison Officer.

During his career Robert has received several Departmental Awards, Commendations, and Letters of Recognition

Roberts training and assignments include:

Being a Member of the Department Honor Guard Unit, Domestic Violence Liaison Officer, Administrative Commander of the Emergency Services Unit

Robert is a certified Source and Informant Handler, a Handcuffing Instructor, Attended the TOP GUN narcotics investigation school, and Front Line Supervision School

Robert has attended over 1,700 hours of in-service training during his career.

Robert resides in Andover Township with his wife, Erin and his sons, Kellen and Greyson.

In his free time Robert coaches wrestling for the Newton Recreation Program, Eclipse Wrestling Club, and Team NJ. Robert also assists with the Newton Youth Football Program and Newton Youth Lacrosse Program.

Robert will be assigned as a Patrol Lieutenant in charge of a squad comprised of a sergeant and six officers.

Mayor Mancuso and Committeeman Arvanites presented Sergeant Crowley with is badge.

MINUTES OF REGULAR MEETING OF  
THE TOWNSHIP COMMITTEE HELD ON  
WEDNESDAY, MAY 16, 2018  
7:00 P.M. REGULAR MINUTES  
PAGE 6

**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:

**ORDINANCE - PUBLIC HEARING AND FINAL CONSIDERATION**

**ORDINANCE NUMBER NO. 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.

PUBLIC COMMENT – NO ONE APPEARED TO BE HEARD.

COMMUNICATIONS OF RECORD - NONE

MINUTES OF REGULAR MEETING OF  
THE TOWNSHIP COMMITTEE HELD ON  
WEDNESDAY, MAY 16, 2018  
7:00 P.M. REGULAR MINUTES  
PAGE 7

**ORDINANCE - PUBLIC HEARING AND FINAL CONSIDERATION(CONTINUED)**

ORDINANCE NUMBER NO. 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) (CONTINUED)

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

\* \* \* \*

**PUBLIC HEARING AND FINAL CONSIDERATION 2018 MUNICIPAL BUDGET**

Township Administrator Timothy F. Quinn summarized the 2018 Budget

Mr. Quinn gave an overview of process and thanked the Department heads, Standing Committees, Finance Committee, Nisivoccia for all their hard work on the budge.

There are budget challenges such as: Employee Costs - Salaries across the board 2%, Tax Appeals and Reserve 4.5 m in tax appeals as of 12/31/17. Expectation of settling in 2018 Funds in reserve for this (3.2 m), employee health benefits 0 % increase on medical 0% increase on prescription 0% on dental. Appropriations in 2018 budget are the same as 2017. Employees are contributing \$890,000. (approximately 30% of cost), Increase in Debt Service – BAN Notes \$150,000

The State aid number related to the Energy Tax Receipts and are stagnant and that and iflf we collected what we should've over the years, it would be about 12.2 million more than what we received.

The Pension costs are: PERS (8%), PFRS (3%). The total up by about \$125,000 about 5.0% Note that the cost is assessed by the state.

Commercial assessed value strongly impacted by tax appeals. Has stabilized although we still have a very high exposure.

COST OF STATE MANDATES -Medical up 0% Prescription up by 0% 3.45 million for health premiums/ 890,000 employee contribution + 2,545,750 budget. Chapter 78 full implementation for medical and prescription. Employees paying approximately \$890,000 towards medical benefits. = to about 30% of the premiums.

Statutory expenses (PERS, PFRS & Social Security) are \$3.33 million

OTHER VARIABLES-Low interest rates, Increase in revenue, Labor Contract Negotiations for all Unions, Capital Projects, Debt Service – up \$150,000 for BANS, Reduction in Tax Appeal Emergency Appropriation – completed 5 years of \$558,000 a year.

Township provides a high level of service and the shared services have been a key savings.

2018 ANTICIPATED REVENUES-5.76 million Revenue = fees, permits, hotel room tax, municipal court costs, investments, interest - Local municipal tax levy is less than 2017 tax levy 2018 = 22,147,613 and 2017 = 22,541,486

2018 APPROPRIATIONS-CAP Appropriations up \$366,908.20 or 1.43%, Salaries \$167,975.37 (1%) O/E \$38,240 (1%), Statutory \$135,574 (3.7%)

MINUTES OF REGULAR MEETING OF  
THE TOWNSHIP COMMITTEE HELD ON  
WEDNESDAY, MAY 16, 2018  
7:00 P.M. REGULAR MINUTES

PAGE 8

**PUBLIC HEARING AND FINAL CONSIDERATION 2018 MUNICIPAL BUDGET** (CONTINUED)

Township Administrator Timothy F. Quinn summarized the 2018 Budget

HIGHLIGHTS OF 2018 BUDGET-Review of Capital Projects- CURRENT: 2.8 million, Road Improvements and Reconstruction, Lake Valley Road, Albert, House and Fanok, Rolling Hill Curbing, Major Projects Completed in 2017, Kahdena Road, Western Avenue Culvert, Previously funded Road reconstruction projects to be completed in 2018:Lake Valley Road Overlay, Road Overlay and Crack Sealing, Drainage projects and Sidewalk Improvements, Automated Collection system for Recycling, Purchase of Equipment, Patrol Vehicle In-Car Camera System (Watch Guard), DPW trucks, DPW Tree Equipment/Stump Grinder, Future Fire Apparatus, Recreation - Improvements to Parks, Blue Gate Farm Preserve Connector Trail, Baker Farm Park Development-Phase 1, Synthetic Turf Maintenance Equip-Cornine Field, Park Water Fountain Replacement Phase 2, Sports Court and Pathway Paving, Ginty irrigation, Gazebo, Ginty Field Basketball Courts, Playground Shelters, Fire – Improvements to Firehouses, Curbing, Paving and Stairs.

SEWER: 1.6 million- Butterworth & Woodland – Sluice Gates, DO Sensor, HVAC Replacement Butterworth-Roof, Valve, Muffin Monster Rebuild, Sludge and Raw Sewerage Pumps, Infrastructure \$326,500, Road Improvements \$600,000, Drainage Improvements \$60,500, No debt service, Major Projects Completed in 2017, Clarifier, Major Projects to be Completed in 2018, HVAC

POOLS: \$65,000- Perimeter Safety Fencing Replacement.

MUNICIPAL DEBT AT YEAR END- Review of debt – Township Philosophy of no new debt – only authorize up to what is being retired, General - retires 2.47 million authorizing 2.66 million. Sewer Pay as we go – Year 5, Swim Pool- 4 million for renovated pools 10 year payout/ year 4, Parking Utility - Pay as we go – no new debt – Major renovation of lot in 2015.

UTILITIES- \*Sewer 8.52 million,5.63 Operating, 1.62 million Capital,1.27 Debt  
\*Parking 320,700, 231,339 operating, 89,361 debt  
\*Swim Pool 1,053,076 - 684,773 operating, 3,250 Capital, 365,053 debt

TOTAL PROPERTY TAX RATE

2015/2016	66.28%/33.72%	\$56,456,677	\$557,413
2016/2017	63.74%/36.26%	\$56,326,967	-129,710
2017/2018	63.74%/35.36%	\$56,666,993	+336,226
2018/2019	62.96%/37.04%	\$57,641,137	+974,144

Can expect an average increase of \$104 a year on school tax

Based on the 2% permitted PLUS

School dipping into CAP BANK for \$750,000 for security enhancements

\*COUNTY Taxes - Approximately \$14 per household

Library Assessment - \$2 a household

\*The decrease on the MUNICIPAL tax levy is \$393,873- 3.5 million in add-ons/new construction added in 2017.

2018 Budget - \$35,475,662 decrease of \$396,981- \$43 decrease in municipal tax per household (\$560,000 assessed value)

MINUTES OF REGULAR MEETING OF  
THE TOWNSHIP COMMITTEE HELD ON  
WEDNESDAY, MAY 16, 2018  
7:00 P.M. REGULAR MINUTES

PAGE 9

**PUBLIC HEARING AND FINAL CONSIDERATION 2018 MUNICIPAL BUDGET** (CONTINUED)

Mayor Mancuso, in accordance with standard procedure, opened the meeting for comments by the general public on the 2018 Budget. The name, address and summary of comments and responses, as appropriate, follows:

The following resolution was duly offered, seconded, and adopted by the vote as indicated at the end of the text of the resolution:

Budget for the year 2018

RESOLUTION

Be it Resolved by the Township Committee of the Township of Morris, County of Morris that the Budget herein before set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization, of the amount of :

(a) \$ 22,147,612.94 for municipal purposes, and

(b) \$ \_\_\_\_\_ for school purposes in Type I School Districts only  
(N.J.S. 18A:9-2) to be raised by taxation and,

(c) \$ \_\_\_\_\_ to be added to the certificate of amount to be raised by  
taxation for local school purposes in

Type II School Districts only (N.J.S. 18A:9-3) and certification to the County Board of Taxation the following summary of general revenues and appropriations.

(d) \$ 105,376.73 Open Space, Recreation, Farmland and Historic  
Preservation Trust Fund Levy

(e) \$ 1,769,412.33 Minimum Library Tax

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

**MAYOR MANCUSO** – Thanked Committee Sisler, a member of the Finance Committee, Township Administrator Timothy Quinn, Francine DeAngelis, Valarie Dolan, and the Department Heads for their diligence and hard work on the 2018 Municipal Budget. The budget includes a 2% salary increase; that \$4.5 million was refunded for tax appeal settlements. Mr. Mancuso noted that even though property taxes includes: Schools, County and the Library, the Township when settling a tax appeal pays the whole \$1, and stated that there has been a short fall on State Aid; in 2011 the Township borrowed \$2.7 million from the Township and is now paid back; we are proud of the services that are rendered to the residence of Morris Township; the Joint Court with Madison saved the Township \$150,000 yearly; the Township is address security for the Morris School District which is being addressed by the school system who will be paying for the enhancement of school security; there were tax cuts in the 2016 budget, 2017 the taxes stayed flat and 2018 a tax reduction; this was the first adventure by the full Committee and it was delightful. The members of the Committee worked together in producing this budget; thanked Valerie Dolan, Township Auditor on producing the 2017 Audit.

MINUTES OF REGULAR MEETING OF  
THE TOWNSHIP COMMITTEE HELD ON  
WEDNESDAY, MAY 16, 2018  
7:00 P.M. REGULAR MINUTES  
PAGE 10

**PUBLIC HEARING AND FINAL CONSIDERATION 2018 MUNICIPAL BUDGET** (CONTINUED)

VALERIE DOLAN – The 2018 Budget had three (3) scenarios and the one selected is sound and will benefit the residents of Morris Township with the highest level of service and there will be pressure on future year budgets.

Mayor Mancuso opened the public hearing on the 2018 Municipal Budget.

PUBLIC COMMENT – THE FOLLOWING APPEARED TO BE HEARD:

Jeffrey Grayzel – 1 Indian Head Road – Inquired if the 2018 Budget is on the Township Website-Ans. Yes; asked about the fund balance and the reduction of the tax rate – Ans. Will know and be done on December 31, 2018 to know what the number will be for 2019. The reduction is property tax on a home valued at \$480,000 will be approximately \$43. Is this reduction coming from surplus? Ans. Same as last year. Is the \$45/year a one time savings? Ans. For the 2018 tax year.

Michael Chumer – 16 Powder Horn Drive – Mr. Quinn gave an excellent presentation; commended and thanked the Township.

Louise Johnson – 15 Deer Chase Road – Excellent presentation and a great job on the 2018 budget.

Lee Goldberg – 10 Arrowhead Road – How do you keep the health care at zero. Ans. The Township is part of the State Health Care and they kept the increase at zero; Cost of pension increase will that level off? Ans. There is a 4-5% increase. Debt service? Ans. Valarie Dolan stated that this is catch up and there will be a retirement of the debt service.

Sue Young – 35 School House Road – Commended that Committee for all their hard work on the 2018 Budget which is not an easy task; the Parks and Recreation Department is excellent; the services the Township provides its residents is the best.

At this time Mayor Mancuso called upon the Members of the Township Committee for comments on the 2018, which are summarized as follows:

MR. ARVANTIES – Thanked the team for a great job on the budget and the preparation of the budget is a daunting task; budgets are not an exact science and keeping expenses down is all done through hard work; thanked the employees; Mr. Quinn gave a great presentation and that this budget includes tax relief for the residents.

MS. WILSON – Thanked everyone for all their hard work; that the preparation of a budget is an enormous job. Recommended that like the County, the Township should have a Q&A prior to the budget adoption.

MR. NUNN – Agreed with Ms. Johnson that all the Committee members and Department Heads worked together and did a great job; this budget is fiscally responsible.

MR. SISLER – No comment.

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

The 2018 adopted budget is attached hereto and is made part of the official minutes of this meeting.

MINUTES OF REGULAR MEETING OF  
THE TOWNSHIP COMMITTEE HELD ON  
WEDNESDAY, MAY 16, 2018  
7:00 P.M. REGULAR MINUTES  
PAGE 11

**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 June 20, 2018 at 7:00 P.M. unless otherwise indicated:

**ORDINANCE NO. 17- 18-BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND THE PURCHASE OF EQUIPMENT BY THE TOWNSHIP OF MORRIS, APPROPRIATING THE AGGREGATE AMOUNT OF \$2,985,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,669,500 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF**

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MORRIS (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Township of Morris, a municipal corporation of the State of New Jersey (the "Township") as general improvements. For the improvements or purposes described in Section 3 of this bond ordinance, there is hereby appropriated the sum of \$2,985,000 (which is the aggregate amount of the sums of money appropriated for each respective improvement or purpose), including the sum of \$149,250 as the down payment for the improvements or purposes required by the Local Bond Law. The down payment is now available by virtue of the provision for a down payment for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvements or purposes not covered by the application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$2,669,500 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The improvements or purposes hereby authorized for which bonds or notes are to be issued, the estimated cost of each improvement or purpose and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement or purpose, and the period of usefulness of each improvement or purpose are as follows:

(a) Purchase of police equipment consisting of patrol vehicle in-car camera systems for the Police Department.

<u>APPROPRIATION</u>	<u>BOND AUTHORIZATION</u>	<u>PERIOD OF USEFULNESS</u>
\$115,000	\$109,250	15 years

(b) Purchase of fire equipment consisting of future fire apparatus for the Fire Department.

<u>APPROPRIATION</u>	<u>BOND AUTHORIZATION</u>	<u>PERIOD OF USEFULNESS</u>
\$200,000	\$190,000	10 years

(c) Road overlay improvements and crack sealing improvements throughout the Township, including all work and materials necessary therefor or incidental thereto.

<u>APPROPRIATION</u>	<u>BOND AUTHORIZATION</u>	<u>PERIOD OF USEFULNESS</u>
\$790,000	\$750,000	10 years

(d) Purchase of equipment and vehicles for the Department of Public Works consisting of (i) a recycling collection vehicle; (ii) fleet trucks; and (iii) tree equipment.

MINUTES OF REGULAR MEETING OF  
 THE TOWNSHIP COMMITTEE HELD ON  
WEDNESDAY, MAY 16, 2018  
7:00 P.M. REGULAR MINUTES  
 PAGE 12

**ORDINANCE – INTRODUCTION (CONTINUED)**

ORDINANCE NO. 17- 18-BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND THE PURCHASE OF EQUIPMENT BY THE TOWNSHIP OF MORRIS, APPROPRIATING THE AGGREGATE AMOUNT OF \$2,985,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,669,500 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF (CONTINUED)

<u>APPROPRIATION</u>	<u>BOND AUTHORIZATION</u>	<u>PERIOD OF USEFULNESS</u>
\$679,000	\$662,150	5 years

(e) Purchase of recreation equipment consisting of a parks compact excavator and accessories.

<u>APPROPRIATION</u>	<u>BOND AUTHORIZATION</u>	<u>PERIOD OF USEFULNESS</u>
\$58,000	\$55,100	15 years

(f) Water fountain replacement, sports court and pathway paving, field irrigation and gazebo renovation improvements to various parks in the Township, including all work and materials necessary therefor or incidental thereto.

<u>APPROPRIATION</u>	<u>BOND AUTHORIZATION</u>	<u>PERIOD OF USEFULNESS</u>
\$167,000	\$158,650	15 years

(g) Resurfacing improvements to Lake Valley Road, including all work and materials necessary therefor or incidental thereto.

<u>APPROPRIATION</u>	<u>BOND AUTHORIZATION</u>	<u>PERIOD OF USEFULNESS</u>
\$288,000	\$107,350	10 years

(including a grant in the amount of \$175,000 received from the State of New Jersey Department of Transportation)

(h) Design and construction improvements to Albert Avenue, House Road and Fanok Road, including all work and materials necessary therefore or incidental thereto.

<u>APPROPRIATION</u>	<u>BOND AUTHORIZATION</u>	<u>PERIOD OF USEFULNESS</u>
\$550,000	\$522,500	10 years

(i) Curbing improvements to Rolling Hill Drive, including all work and materials necessary therefor or incidental thereto.

<u>APPROPRIATION</u>	<u>BOND AUTHORIZATION</u>	<u>PERIOD OF USEFULNESS</u>
\$120,000	\$114,000	10 years

MINUTES OF REGULAR MEETING OF  
THE TOWNSHIP COMMITTEE HELD ON  
WEDNESDAY, MAY 16, 2018  
7:00 P.M. REGULAR MINUTES  
PAGE 13

**ORDINANCE – INTRODUCTION (CONTINUED)**

ORDINANCE NO. 17- 18-BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND THE PURCHASE OF EQUIPMENT BY THE TOWNSHIP OF MORRIS, APPROPRIATING THE AGGREGATE AMOUNT OF \$2,985,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,669,500 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF (CONTINUED)

<u>TOTAL</u> <u>APPROPRIATION</u>	<u>TOTAL BOND</u> <u>AUTHORIZATION</u>	<u>AVERAGE PERIOD</u> <u>OF USEFULNESS</u>
\$2,985,000	\$2,669,500	9.359 years

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer; provided that no bond anticipation note shall mature later than one year from its date. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the bond anticipation notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell a part, or all, of the bond anticipation notes from time to time at public or private sale, and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest, if any, from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale of bond anticipation notes issued pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of the bond ordinance are not current expenses. They are all improvements or purposes that the Township may lawfully undertake as general improvements, and no part of the costs thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of the improvements or purposes described in Section 3 of this bond ordinance, computed on the basis of the amounts of obligations authorized for each improvement or purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 9.359 years.

(c) The aggregate amount not exceeding \$298,500 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated costs of the improvements or purposes set forth in Section 3 of this bond ordinance.

(d) The Supplemental debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and submitted to the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township is increased by \$2,669,500 (the amount of the authorization of the obligations provided for in this bond ordinance). The obligations authorized herein will be within all debt limitations prescribed by the Local bond Law.

Section 7. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes

MINUTES OF REGULAR MEETING OF  
THE TOWNSHIP COMMITTEE HELD ON  
WEDNESDAY, MAY 16, 2018  
7:00 P.M. REGULAR MINUTES  
PAGE 14

**ORDINANCE – INTRODUCTION (CONTINUED)**

ORDINANCE NO. 17- 18-BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND THE PURCHASE OF EQUIPMENT BY THE TOWNSHIP OF MORRIS, APPROPRIATING THE AGGREGATE AMOUNT OF \$2,985,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,669,500 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF (CONTINUED)

upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of the rate or amount.

Section 8. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local bond Law.

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

\* \* \* \*

ORDINANCE NO. 18-18-ORDINANCE APPROPRIATING \$215,000 AVAILABLE IN THE GENERAL CAPITAL FUND TO PROVIDE FOR THE PURCHASE OF EQUIPMENT AND VARIOUS IMPROVEMENTS REFERRED TO HEREIN AND BY THE TOWNSHIP OF MORRIS

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MORRIS (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. \$215,000 is available in the General Capital Fund of the Township of Morris, a municipal corporation of the State of New Jersey (the "Township") and is hereby appropriated to provide for the following: (i) curbing and paving improvements at Township fire houses; (ii) the upgrade of the fire alarm system for the Department of Public Works; and (iii) the demolition of various Township structures, including all work and materials necessary therefor or incidental thereto.

Section 2. The capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency hereof.

Section 3. This ordinance shall take effect 10 days after publication hereof after final passage.

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

\* \* \* \*

MINUTES OF REGULAR MEETING OF  
THE TOWNSHIP COMMITTEE HELD ON  
WEDNESDAY, MAY 16, 2018  
7:00 P.M. REGULAR MINUTES  
PAGE 15

**ORDINANCE – INTRODUCTION (CONTINUED)**

**ORDINANCE NO. 19-18-ORDINANCE APPROPRIATING \$1,622,750 AVAILABLE IN THE SEWER UTILITY CAPITAL IMPROVEMENT FUND TO PROVIDE FOR THE PURCHASE OF EQUIPMENT AND VARIOUS IMPROVEMENTS REFERRED TO HEREIN AND BY THE TOWNSHIP OF MORRIS**

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MORRIS (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. \$1,622,750 is available in the Sewer Utility Capital Improvement Fund of the Township of Morris, a municipal corporation of the State of New Jersey (the "Township") and is hereby appropriated to provide for the following: (i) the purchase of equipment for and improvements to the Butterworth and Woodland Sewer Plants; (ii) sewer infrastructure improvements throughout the Township; (iii) sewer related road improvements throughout the Township; and (iv) drainage improvements throughout the Township, including all work and materials necessary therefor or incidental thereto.

Section 2. The capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency hereof.

Section 3. This ordinance shall take effect 10 days after publication hereof after final passage.

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

\* \* \* \*

**ORDINANCE NO. 20-18-ORDINANCE APPROPRIATING \$587,000 AVAILABLE IN THE CAPITAL IMPROVEMENT FUND TO PROVIDE FOR VARIOUS IMPROVEMENTS REFERRED TO HEREIN AND BY THE TOWNSHIP OF MORRIS**

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MORRIS (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. \$587,000 is available in the Capital Improvement Fund of the Township of Morris, a municipal corporation of the State of New Jersey (the "Township") and is hereby appropriated to provide for the following: (i) improvements to the Police Department Headquarters building; (ii) improvements to multiple Township parks and playgrounds; (iii) multiple sidewalk improvements, including Public Works sidewalk repairs; (iv) Public Works drainage inlet repairs; and (v) drainage improvements to Richlyn Court, Washington Valley Road and Whitehead Road, Jacob Arnold Road, Buckley Hill Road, Raynor Road and Northstar Drive, including all work and materials necessary therefor or incidental thereto.

Section 2. The capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency hereof.

Section 3. This ordinance shall take effect 10 days after publication hereof after final passage.

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

\* \* \* \*

MINUTES OF REGULAR MEETING OF  
THE TOWNSHIP COMMITTEE HELD ON  
WEDNESDAY, MAY 16, 2018  
7:00 P.M. REGULAR MINUTES  
PAGE 16

**ORDINANCE – INTRODUCTION (CONTINUED)**

ORDINANCE NO. 21-18-BOND ORDINANCE PROVIDING FOR SWIMMING POOL IMPROVEMENTS AND THE PURCHASE OF EQUIPMENT BY THE TOWNSHIP OF MORRIS, APPROPRIATING \$65,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$61,750 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREFOR

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MORRIS (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement or purpose described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Township of Morris, a municipal corporation of the State of New Jersey (the "Township") as a general improvement. The improvements described in Section 3 of this bond ordinance are self-liquidating improvements under N.J.S.A. 40A:2-46. For the improvement or purpose described in Section 3 of this bond ordinance, there is hereby appropriated the sum of \$65,000, including the sum of \$3,250 as the down payment for the improvement or purpose required by the Local Bond Law. The down payment is now available by virtue of the provisions for a down payment for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by the application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$61,750 pursuant to the Local Bond Law. In anticipation of the issuance of bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement or purpose hereby authorized for which bonds or notes are to be issued is the replacement of perimeter safety fencing at both the Ginty Pool and Streeter Pool, including all work and materials necessary therefor or incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 of this bond ordinance.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation stated in Section 1 of this bond ordinance.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer; provided that no bond anticipation note shall mature later than one year from its date. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the bond anticipation notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell a part, or all, of the bond anticipation notes from time to time at public or private sale, and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest, if any, from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale of bond anticipation notes issued pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget of the township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith.

MINUTES OF REGULAR MEETING OF  
THE TOWNSHIP COMMITTEE HELD ON  
WEDNESDAY, MAY 16, 2018  
7:00 P.M. REGULAR MINUTES  
PAGE 17

**ORDINANCE – INTRODUCTION (CONTINUED)**

ORDINANCE NO. 21-18-BOND ORDINANCE PROVIDING FOR SWIMMING POOL IMPROVEMENTS AND THE PURCHASE OF EQUIPMENT BY THE TOWNSHIP OF MORRIS, APPROPRIATING \$65,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$61,750 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREFOR (CONTINUED)

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose that the Township may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the improvement or purpose described in Section 3 of this bond ordinance, computed on the basis of the amount of obligations authorized for the improvement or purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 15 years.

(c) An aggregate amount not exceeding \$6,500 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost of the improvement or purpose set forth in Section 3 of this bond ordinance.

(d) The Supplemental debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and submitted to the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township is increased by \$61,750 (the amount of the authorization of the obligations provided for in this bond ordinance). The obligation authorized herein will be within all debt limitations prescribed by the Local Bond Law, provided that such debt is subject to dedication from gross debt under N.J.S.A. 40A:2-44.

Section 7. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 8. This bond ordinance shall effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

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

\* \* \* \*

MINUTES OF REGULAR MEETING OF  
THE TOWNSHIP COMMITTEE HELD ON  
WEDNESDAY, MAY 16, 2018  
7:00 P.M. REGULAR MINUTES  
PAGE 18

**THE FOLLOWING ORDINANCES ARE CONTINUED TO THE JUNE 20, 2018 MEETING WITHOUT FURTHER NOTICE REQUIRED**

- 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."
- 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." (PUBLIC HEARING 4/18/18)

**ORDINANCES - PUBLIC HEARING AND FINAL CONSIDERATION**

Also Present: Mr. Paul Phillips, Township Planner, Mr. James Slate, Township Engineer, and Mr. John Barree, AICP, P.P. of the firm Heyer, Gruel & Associates Community Planning Consultants.

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:

Mayor Mancuso, with the approval of the Committee members, amended the Agenda in reference to the order of the public hearing and final consideration of the ordinances as hereto set forth.

ORDINANCE #16-18-AMENDING CHAPTER 95, ZONING OF THE CODE OF THE TOWNSHIP OF MORRIS ADDING TO CHAPTER 95, ARTICLE XII ENTITLED "AFFORADABLE HOUSING," AND REPEALING CHAPTER 102, ARTICLE IV, ENTITLED "MUNICIPAL HOUSING LIAISON."

IT IS HEREBY ORDAINED by the Township Committee of the Township of Morris, Morris County, State of New Jersey, as follows:

SECTION ONE: Chapter 102, Article IV, "Municipal Housing Liaison," of the Code is hereby repealed.

SECTION TWO: Chapter 95, Article XII is hereby added to the Code to read as follows:

**Article XII  
Affordable Housing Ordinance**

§95-82. General Program Purposes, Procedure

A. Affordable Housing Obligation.

- (1) This Ordinance sets forth regulations regarding the low- and moderate-income housing units in the Township consistent with the provisions known as the "Substantive Rules of the New Jersey Council on Affordable Housing," N.J.A.C. 5:93 et seq., the Uniform Housing Affordability Controls ("UHAC"), N.J.A.C. 5:80-26.1 et seq., and the Township's constitutional obligation to provide a fair share of affordable housing for low- and moderate-income

MINUTES OF REGULAR MEETING OF  
THE TOWNSHIP COMMITTEE HELD ON  
WEDNESDAY, MAY 16, 2018  
7:00 P.M. REGULAR MINUTES  
PAGE 19

**ORDINANCES - PUBLIC HEARING AND FINAL CONSIDERATION(CONTINUED)**

**ORDINANCE #16-18-AMENDING CHAPTER 95, ZONING OF THE CODE OF THE TOWNSHIP OF MORRIS ADDING TO CHAPTER 95, ARTICLE XII ENTITLED "AFFORDABLE HOUSING," AND REPEALING CHAPTER 102, ARTICLE IV, ENTITLED "MUNICIPAL HOUSING LIAISON," (CONTINUED)**

households. In addition, this section applies requirements for very low income housing established in P.L. 2008, c.46 (the "Roberts Bill").

- (2) This Ordinance is intended to assure that low- and moderate-income units ("affordable units") are created with controls on affordability over time and that low- and moderate-income households shall occupy these units. This Ordinance shall apply except where inconsistent with applicable law.
- (3) The Morris Township Planning Board has adopted a Housing Element and Fair Share Plan pursuant to the Municipal Land Use Law at N.J.S.A. 40:55D-1, et seq. The Fair Share Plan has been endorsed by the governing body. The Fair Share Plan describes the ways Morris Township shall address its fair share for low- and moderate-income housing as determined by the Superior Court and documented in the Housing Element.
- (4) This Ordinance implements and incorporates the Fair Share Plan and addresses the requirements of N.J.A.C. 5:97, as may be amended and supplemented.
- (5) The Township shall file monitoring reports with the Superior Court and place the reports on its municipal website. Any plan evaluation report of the Housing Element and Fair Share Plan and monitoring prepared by the Special Master in accordance with N.J.A.C. 5:91 shall be available to the public at the Morris Township Municipal Building, 50 Woodland Avenue, P.O. Box 7603, Convent Station, New Jersey, 07961-7603.

B. Definitions.

The following terms when used in this Ordinance shall have the meanings given in this Section:

**"Accessory apartment"** means a self-contained residential dwelling unit with a kitchen, sanitary facilities, sleeping quarters and a private entrance, which is created within an existing home, or through the conversion of an existing accessory structure on the same site, or by an addition to an existing home or accessory building, or by the construction of a new accessory structure on the same site.

**"Act"** means the Fair Housing Act of 1985, P.L. 1985, c. 222 (N.J.S.A. 52:27D-301 et seq.)

**"Adaptable"** means constructed in compliance with the technical design standards of the Barrier Free Subcode, N.J.A.C. 5:23-7.

**"Administrative agent"** means the entity responsible for the administration of affordable units in accordance with this ordinance, N.J.A.C. 5:91, N.J.A.C. 5:93 and N.J.A.C. 5:80-26.1 et seq.

**"Affirmative marketing"** means a regional marketing strategy designed to attract buyers and/or renters of affordable units pursuant to N.J.A.C. 5:80-26.15.

**"Affordability average"** means the average percentage of median income at which restricted units in an affordable housing development are affordable to low- and moderate-income households.

**"Affordable"** means, a sales price or rent within the means of a low- or moderate-income household as defined in N.J.A.C. 5:93-7.4; in the case of an ownership unit, that the sales price for the unit conforms to the standards set forth in N.J.A.C. 5:80-26.6, as may be amended and supplemented, and, in the case of a rental unit, that the rent for the unit conforms to the standards set forth in N.J.A.C. 5:80-26.12, as may be amended and supplemented.

MINUTES OF REGULAR MEETING OF  
THE TOWNSHIP COMMITTEE HELD ON  
WEDNESDAY, MAY 16, 2018  
7:00 P.M. REGULAR MINUTES  
PAGE 20

**ORDINANCES - PUBLIC HEARING AND FINAL CONSIDERATION(CONTINUED)**

ORDINANCE #16-18-AMENDING CHAPTER 95, ZONING OF THE CODE OF THE TOWNSHIP OF MORRIS ADDING TO CHAPTER 95, ARTICLE XII ENTITLED "AFFORDABLE HOUSING," AND REPEALING CHAPTER 102, ARTICLE IV, ENTITLED "MUNICIPAL HOUSING LIAISON," (CONTINUED)

**"Affordable development"** means a housing development all or a portion of which consists of restricted units.

**"Affordable housing development"** means a development included in the Housing Element and Fair Share Plan, and includes, but is not limited to, an inclusionary development, a municipal construction project or a 100 percent affordable development.

**"Affordable housing program(s)"** means any mechanism in a municipal Fair Share Plan prepared or implemented to address a municipality's fair share obligation.

**"Affordable unit"** means a housing unit proposed or created pursuant to the Act, credited pursuant to N.J.A.C. 5:93, and/or funded through an affordable housing trust fund.

**"Agency"** means the New Jersey Housing and Mortgage Finance Agency established by P.L. 1983, c. 530 (N.J.S.A. 55:14K-1, et seq.).

**"Age-restricted unit"** means a housing unit designed to meet the needs of, and exclusively for, the residents of an age-restricted segment of the population such that: 1) all the residents of the development where the unit is situated are 62 years or older; or 2) at least 80 percent of the units are occupied by one person that is 55 years or older; or 3) the development has been designated by the Secretary of the U.S. Department of Housing and Urban Development as "housing for older persons" as defined in Section 807(b)(2) of the Fair Housing Act, 42 U.S.C. § 3607.

**"Alternative living arrangement"** a structure in which households live in distinct bedrooms, yet share kitchen and plumbing facilities, central heat and common areas. Alternate living arrangements includes, but is not limited to: transitional facilities for the homeless, Class A, B, C, D, and E boarding homes, as regulated by the New Jersey Department of Community Affairs; residential health care facilities as regulated by the New Jersey Department of Health; group homes for the developmentally disabled and mentally ill as licensed and/or regulated by the New Jersey Department of Human Services; and congregate living arrangements.

**"Assisted living residence"** means a facility licensed by the New Jersey Department of Health and Senior Services to provide apartment-style housing and congregate dining and to assure that assisted living services are available when needed for four or more adult persons unrelated to the proprietor and that offers units containing, at a minimum, one unfurnished room, a private bathroom, a kitchenette and a lockable door on the unit entrance.

**"Certified household"** means a household that has been certified by an Administrative Agent as a low-income household or moderate-income household.

**"COAH"** means the Council on Affordable Housing, which is in, but not of, the Department of Community Affairs of the State of New Jersey, that was established under the New Jersey Fair Housing Act (N.J.S.A. 52:27D-301 et seq.).

**"DCA"** means the State of New Jersey Department of Community Affairs.

**"Deficient housing unit"** means a housing unit with health and safety code violations that require the repair or replacement of a major system. A major system includes weatherization, roofing, plumbing (including wells), heating, electricity, sanitary plumbing (including septic systems), lead paint abatement and/or load bearing structural systems.

MINUTES OF REGULAR MEETING OF  
THE TOWNSHIP COMMITTEE HELD ON  
WEDNESDAY, MAY 16, 2018  
7:00 P.M. REGULAR MINUTES  
PAGE 21

**ORDINANCES - PUBLIC HEARING AND FINAL CONSIDERATION(CONTINUED)**

ORDINANCE #16-18-AMENDING CHAPTER 95, ZONING OF THE CODE OF THE TOWNSHIP OF MORRIS ADDING TO CHAPTER 95, ARTICLE XII ENTITLED "AFFORDABLE HOUSING," AND REPEALING CHAPTER 102, ARTICLE IV, ENTITLED "MUNICIPAL HOUSING LIAISON," (CONTINUED)

**"Developer"** means any person, partnership, association, company or corporation that is the legal or beneficial owner or owners of a lot or any land proposed to be included in a proposed development including the holder of an option to contract or purchase, or other person having an enforceable proprietary interest in such land.

**"Development"** means the division of a parcel of land into two or more parcels, the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any use or change in the use of any building or other structure, or of any mining, excavation or landfill, and any use or change in the use of any building or other structure, or land or extension of use of land, for which permission may be required pursuant to N.J.S.A. 40:55D-1 et seq.

**"Inclusionary development"** means a development containing both affordable units and market rate units. This term includes, but is not necessarily limited to: new construction, the conversion of a non-residential structure to residential and the creation of new affordable units through the reconstruction of a vacant residential structure.

**"Low-income household"** means a household with a total gross annual household income equal to 50 percent or less of the median household income.

**"Low-income unit"** means a restricted unit that is affordable to a low-income household.

**"Major system"** means the primary structural, mechanical, plumbing, electrical, fire protection, or occupant service components of a building which include but are not limited to, weatherization, roofing, plumbing (including wells), heating, electricity, sanitary plumbing (including septic systems), lead paint abatement or load bearing structural systems.

**"Market-rate units"** means housing not restricted to low- and moderate-income households that may sell or rent at any price.

**"Median income"** means the median income by household size for the applicable county, as adopted annually by COAH or approved by the New Jersey Superior Court.

**"Moderate-income household"** means a household with a total gross annual household income in excess of 50 percent but less than 80 percent of the median household income.

**"Moderate-income unit"** means a restricted unit that is affordable to a moderate-income household.

**"Non-exempt sale"** means any sale or transfer of ownership other than the transfer of ownership between husband and wife; the transfer of ownership between former spouses ordered as a result of a judicial decree of divorce or judicial separation, but not including sales to third parties; the transfer of ownership between family members as a result of inheritance; the transfer of ownership through an executor's deed to a class A beneficiary and the transfer of ownership by court order.

**"Random selection process"** means a process by which currently income-eligible households are selected for placement in affordable housing units such that no preference is given to one applicant over another except for purposes of matching household income and size with an appropriately priced and sized affordable unit (e.g., by lottery).

**"Regional asset limit"** means the maximum housing value in each housing region affordable to a four-person household with an income at 80 percent of the regional median as defined by/approved regional income limits.

MINUTES OF REGULAR MEETING OF  
THE TOWNSHIP COMMITTEE HELD ON  
WEDNESDAY, MAY 16, 2018  
7:00 P.M. REGULAR MINUTES  
PAGE 22

**“Rehabilitation”** means the repair, renovation, alteration or reconstruction of any building or structure, pursuant to the Rehabilitation Subcode, N.J.A.C. 5:23-6.

**ORDINANCES - PUBLIC HEARING AND FINAL CONSIDERATION(CONTINUED)**

ORDINANCE #16-18-AMENDING CHAPTER 95, ZONING OF THE CODE OF THE TOWNSHIP OF MORRIS ADDING TO CHAPTER 95, ARTICLE XII ENTITLED “AFFORDABLE HOUSING,” AND REPEALING CHAPTER 102, ARTICLE IV, ENTITLED “MUNICIPAL HOUSING LIAISON,”  
(CONTINUED)

**“Rent”** means the gross monthly cost of a rental unit to the tenant, including the rent paid to the landlord, as well as an allowance for tenant-paid utilities computed in accordance with allowances published by DCA for its Section 8 program. In assisted living residences, rent does not include charges for food and services.

**“Restricted unit”** means a dwelling unit, whether a rental unit or ownership unit, that is subject to the affordability controls of N.J.A.C. 5:80-26.1, as may be amended and supplemented, but does not include a market-rate unit financed under UHORP or MONI.

**“Special Master”** means an expert appointed by a judge to make sure that judicial orders are followed. A master’s function is essentially investigative, compiling evidence or documents to inform some future action by the court.

**“UHAC”** means the Uniform Housing Affordability Controls set forth in N.J.A.C. 5:80-26.1 et seq.

**“Very low-income household”** means a household with a total gross annual household income equal to 30 percent or less of the median household income.

**“Very low-income unit”** means a restricted unit that is affordable to a very low-income household.

**“Weatherization”** means building insulation (for attic, exterior walls and crawl space), siding to improve energy efficiency, replacement storm windows, replacement storm doors, replacement windows and replacement doors, and is considered a major system for rehabilitation.

C. Township-wide Mandatory Set-Aside

- (1) A multi-family or single-family attached development providing a minimum of five (5) new housing units created through any future municipal rezoning or Zoning Board action, use or density variance, redevelopment plan, or rehabilitation plan that provide for densities at or above six (6) units per acre is required to include an affordable housing set-aside of 20% if the affordable units will be for sale and 15% if the affordable units will be for rent. This requirement does not give any developer the right to any such rezoning, variance or other relief, or establish any obligation on the part of Morris Township to grant such rezoning, variance or other relief. No subdivision shall be permitted or approved for the purpose of avoiding compliance with this requirement.
- (2) This requirement shall not apply to any sites or specific zones otherwise identified in the Township’s Settlement Agreement with Fair Share Housing Center dated December 5, 2017, or in the Township’s Housing Element and Fair Share Plan, adopted by the Township Planning Board and endorsed by the Township Committee, for which density and set-aside standards shall be governed by the specific standards set forth therein.

D. New Construction.

The following general guidelines apply to all newly constructed developments that contain low-and moderate-income housing units, including any currently unanticipated future developments that will provide low- and moderate-income housing units.

- (1) Phasing. Final site plan or subdivision approval shall be contingent upon the affordable housing development meeting the following phasing schedule for low- and moderate-income units.

MINUTES OF REGULAR MEETING OF  
 THE TOWNSHIP COMMITTEE HELD ON  
WEDNESDAY, MAY 16, 2018  
7:00 P.M. REGULAR MINUTES  
 PAGE 23

**ORDINANCES - PUBLIC HEARING AND FINAL CONSIDERATION(CONTINUED)**

ORDINANCE #16-18-AMENDING CHAPTER 95, ZONING OF THE CODE OF THE TOWNSHIP OF MORRIS ADDING TO CHAPTER 95, ARTICLE XII ENTITLED "AFFORDABLE HOUSING," AND REPEALING CHAPTER 102, ARTICLE IV, ENTITLED "MUNICIPAL HOUSING LIAISON," (CONTINUED)

<b>Maximum Percentage of Market-Rate Units Completed</b>	<b>Minimum Percentage of Low- and Moderate-Income Units Completed</b>
25%	0%
25% +1	10%
50%	50%
75%	75%
90%	100%

- (2) Design. In inclusionary developments, to the extent possible, low- and moderate-income units shall be integrated with the market units.
- (3) Payments-in-lieu and off-site construction. The standards for the collection of Payments-in-Lieu of constructing affordable units or standards for constructing affordable units off-site, shall be in accordance with N.J.A.C. 5:93-8.10(c).
- (4) Utilities. Affordable units shall utilize the same type of heating source as market units within the affordable development.
- (5) Low/Moderate Split and Bedroom Distribution of Affordable Housing Units:
  - (a) The fair share obligation shall be divided equally between low- and moderate- income units, except that where there is an odd number of affordable housing units, the extra unit shall be a low income unit.
  - (b) In each affordable development, at least 50 percent of the restricted units within each bedroom distribution shall be low-income units.
  - (c) Within rental developments, of the total number of affordable rental units, at least 13% shall be affordable to very low-income households.
  - (d) Affordable developments that are not age-restricted shall be structured in conjunction with realistic market demands such that:
    - [1.] The combined number of efficiency and one-bedroom units shall be no greater than 20 percent of the total low- and moderate-income units;
    - [2.] At least 30 percent of all low- and moderate-income units shall be two bedroom units;
    - [3.] At least 20 percent of all low- and moderate-income units shall be three bedroom units; and
    - [4.] The remaining units may be allocated among two and three bedroom units at the discretion of the developer.
  - (e) Affordable developments that are age-restricted shall be structured such that the number of bedrooms shall equal the number of age-restricted low- and moderate-income units within the inclusionary development. The standard may be met by having all one-bedroom units or by having a two-bedroom unit for each efficiency unit.

MINUTES OF REGULAR MEETING OF  
THE TOWNSHIP COMMITTEE HELD ON  
WEDNESDAY, MAY 16, 2018  
7:00 P.M. REGULAR MINUTES  
PAGE 24

**ORDINANCES - PUBLIC HEARING AND FINAL CONSIDERATION(CONTINUED)**

ORDINANCE #16-18-AMENDING CHAPTER 95, ZONING OF THE CODE OF THE TOWNSHIP OF MORRIS ADDING TO CHAPTER 95, ARTICLE XII ENTITLED "AFFORDABLE HOUSING," AND REPEALING CHAPTER 102, ARTICLE IV, ENTITLED "MUNICIPAL HOUSING LIAISON," (CONTINUED)

(6) Accessibility Requirements:

- (a) The first floor of all restricted townhouse dwelling units and all restricted units in all other multistory buildings shall be subject to the technical design standards of the Barrier Free Subcode, N.J.A.C. 5:23-7.
- (b) All restricted townhouse dwelling units and all restricted units in other multistory buildings in which a restricted dwelling unit is attached to at least one other dwelling unit shall have the following features:
  - [1.] An adaptable toilet and bathing facility on the first floor;
  - [2.] An adaptable kitchen on the first floor;
  - [3.] An interior accessible route of travel on the first floor;
  - [4.] An interior accessible route of travel shall not be required between stories within an individual unit;
  - [5.] An adaptable room that can be used as a bedroom, with a door or the casing for the installation of a door, on the first floor; and
  - [6.] An accessible entranceway as set forth at P.L. 2005, c. 350 (N.J.S.A. 52:27D-311a et seq.) and the Barrier Free Subcode, N.J.A.C. 5:23-7, or evidence that the Township has collected funds from the developer sufficient to make 10 percent of the adaptable entrances in the development accessible:
    - [a] Where a unit has been constructed with an adaptable entrance, upon the request of a disabled person who is purchasing or will reside in the dwelling unit, an accessible entrance shall be installed.
    - [b] To this end, the builder of restricted units shall deposit funds within the Township's affordable housing trust fund sufficient to install accessible entrances in 10 percent of the affordable units that have been constructed with adaptable entrances.
    - [c] The funds deposited under subsection [b] above shall be used by the Township for the sole purpose of making the adaptable entrance of any affordable unit accessible when requested to do so by a person with a disability who occupies or intends to occupy the unit and requires an accessible entrance.
    - [d] The developer of the restricted units shall submit a design plan and cost estimate for the conversion from adaptable to accessible entrances to the Construction Official of Morris Township.
    - [e] Once the Construction Official has determined that the design plan to convert the unit entrances from adaptable to accessible meet the requirements of the Barrier Free Subcode, N.J.A.C. 5:23-7, and that the cost estimate of such conversion is reasonable, payment shall be made to Morris Township's affordable housing trust fund in care of the Municipal Treasurer who shall ensure that the funds are deposited into the affordable housing trust fund and appropriately earmarked.

MINUTES OF REGULAR MEETING OF  
THE TOWNSHIP COMMITTEE HELD ON  
WEDNESDAY, MAY 16, 2018  
7:00 P.M. REGULAR MINUTES  
PAGE 25

**ORDINANCES - PUBLIC HEARING AND FINAL CONSIDERATION(CONTINUED)**

ORDINANCE #16-18-AMENDING CHAPTER 95, ZONING OF THE CODE OF THE TOWNSHIP OF MORRIS ADDING TO CHAPTER 95, ARTICLE XII ENTITLED "AFFORDABLE HOUSING," AND REPEALING CHAPTER 102, ARTICLE IV, ENTITLED "MUNICIPAL HOUSING LIAISON," (CONTINUED)

[f] Full compliance with the foregoing provisions shall not be required where an entity can demonstrate that it is impracticable to meet the requirements. Determinations of site impracticability shall be in compliance with the Barrier Free Subcode, N.J.A.C. 5:23-7.

(7) Maximum Rents and Sales Prices

- (a) In establishing rents and sales prices of affordable housing units, the administrative agent shall follow the procedures set forth in UHAC and by the Superior Court, utilizing the regional income limits established.
- (b) The maximum rent for restricted rental units within each affordable development shall be affordable to households earning no more than 60 percent of median income, and the average rent for restricted low- and moderate-income units shall be affordable to households earning no more than 52 percent of median income.
- (c) The developers and/or municipal sponsors of restricted rental units shall establish at least one rent for each bedroom type for both low-income and moderate-income units. At least 13 percent of all low- and moderate-income rental units shall be affordable to households earning no more than 30 percent of median income.
- (d) The maximum sales price of restricted ownership units within each affordable development shall be affordable to households earning no more than 70 percent of median income, and each affordable development must achieve an affordability average of 55 percent for restricted ownership units; in achieving this affordability average, moderate-income ownership units must be available for at least three different prices for each bedroom type, and low-income ownership units must be available for at least two different prices for each bedroom type.
- (e) In determining the initial sales prices and rents for compliance with the affordability average requirements for restricted units other than assisted living facilities, the following standards shall be used:
  - [1.] A studio shall be affordable to a one-person household;
  - [2.] A one-bedroom unit shall be affordable to a one and one-half person household;
  - [3.] A two-bedroom unit shall be affordable to a three-person household;
  - [4.] A three-bedroom unit shall be affordable to a four and one-half person household;  
and
  - [5.] A four-bedroom unit shall be affordable to a six-person household.
- (f) In determining the initial rents for compliance with the affordability average requirements for restricted units in assisted living facilities, the following standards shall be used:
  - [1.] A studio shall be affordable to a one-person household;
  - [2.] A one-bedroom unit shall be affordable to a one and one-half person household; and

MINUTES OF REGULAR MEETING OF  
THE TOWNSHIP COMMITTEE HELD ON  
WEDNESDAY, MAY 16, 2018  
7:00 P.M. REGULAR MINUTES  
PAGE 26

**ORDINANCES - PUBLIC HEARING AND FINAL CONSIDERATION(CONTINUED)**

ORDINANCE #16-18-AMENDING CHAPTER 95, ZONING OF THE CODE OF THE TOWNSHIP OF MORRIS ADDING TO CHAPTER 95, ARTICLE XII ENTITLED "AFFORDABLE HOUSING," AND REPEALING CHAPTER 102, ARTICLE IV, ENTITLED "MUNICIPAL HOUSING LIAISON," (CONTINUED)

- [3.] A two-bedroom unit shall be affordable to a two-person household or to two one-person households.
- (g) The initial purchase price for all restricted ownership units shall be calculated so that the monthly carrying cost of the unit, including principal and interest (based on a mortgage loan equal to 95 percent of the purchase price and the Federal Reserve H.15 rate of interest), taxes, homeowner and private mortgage insurance and condominium or homeowner association fees do not exceed 28 percent of the eligible monthly income of the appropriate size household as determined under N.J.A.C. 5:80-26.4, as may be
  - (h) amended and supplemented; provided, however, that the price shall be subject to the affordability average requirement of N.J.A.C. 5:80-26.3, as may be amended and supplemented.
  - (i) The initial rent for a restricted rental unit shall be calculated so as not to exceed 30 percent of the eligible monthly income of the appropriate household size as determined under N.J.A.C. 5:80-26.4, as may be amended and supplemented; provided, however, that the rent shall be subject to the affordability average requirement of N.J.A.C. 5:80-26.3, as may be amended and supplemented.
  - (j) The price of owner-occupied low- and moderate-income units may increase annually based on the percentage increase in the regional median income limit for each housing region. In no event shall the maximum resale price established by the administrative agent be lower than the last recorded purchase price.
  - (k) The rent of low- and moderate-income units may be increased annually based on the percentage increase in the Housing Consumer Price Index for the United States. This increase shall not exceed nine percent in any one year. Rents for units constructed pursuant to low- income housing tax credit regulations shall be indexed pursuant to the regulations governing low- income housing tax credits.
  - (l) Tenant-paid utilities that are included in the utility allowance shall be so stated in the lease and shall be consistent with the utility allowance approved by DCA for its Section 8 program.

E. Condominium and Homeowners Associates Fees.

For any affordable housing unit that is part of a condominium association and/or homeowner's association, the Master Deed shall reflect that the association fee assessed for each affordable housing unit shall be established at 100 percent of the market rate fee.

§95-83. Affordable Unit Controls and Requirements

The following general guidelines apply to all developments that contain low- and moderate-income housing units, including any currently unanticipated future developments that will provide low- and moderate-income housing units.

A. Affirmative Marketing Requirements

- (1) Morris Township shall adopt by resolution an Affirmative Marketing Plan, subject to approval of the Superior Court, compliant with N.J.A.C. 5:80-26.15, as may be amended and supplemented.

MINUTES OF REGULAR MEETING OF  
THE TOWNSHIP COMMITTEE HELD ON  
WEDNESDAY, MAY 16, 2018  
7:00 P.M. REGULAR MINUTES

PAGE 27

**ORDINANCES - PUBLIC HEARING AND FINAL CONSIDERATION(CONTINUED)**

ORDINANCE #16-18-AMENDING CHAPTER 95, ZONING OF THE CODE OF THE TOWNSHIP OF MORRIS ADDING TO CHAPTER 95, ARTICLE XII ENTITLED "AFFORDABLE HOUSING," AND REPEALING CHAPTER 102, ARTICLE IV, ENTITLED "MUNICIPAL HOUSING LIAISON," (CONTINUED)

- (1) The affirmative marketing plan is a regional marketing strategy designed to attract buyers and/or renters of all majority and minority groups, regardless of race, creed, color, national origin, ancestry, marital or familial status, gender, affectional or sexual orientation, disability, age or number of children to housing units which are being marketed by a developer, sponsor or owner of affordable housing. The affirmative marketing plan is also intended to target those potentially eligible persons who are least likely to apply for affordable units in that region. It is a continuing program that directs all marketing activities toward COAH Housing Region 2 and covers the period of deed restriction.
  - (2) The affirmative marketing plan shall provide a regional preference for all households that live and/or work in COAH Housing Region 2 comprised of Essex, Morris, Union and Warren Counties.
  - (3) The Administrative Agent designated by Morris Township shall assure the affirmative marketing of all affordable units consistent with the Affirmative Marketing Plan for the municipality.
  - (4) In implementing the affirmative marketing plan, the Administrative Agent shall provide a list of counseling services to low- and moderate-income applicants on subjects such as budgeting, credit issues, mortgage qualification, rental lease requirements, and landlord/tenant law.
  - (5) The affirmative marketing process for available affordable units shall begin at least four months prior to the expected date of occupancy.
  - (6) The costs of advertising and affirmative marketing of the affordable units shall be the responsibility of the developer, sponsor or owner, unless otherwise determined or agreed to by Morris Township.
- B. Occupancy Standards.
- (1) In referring certified households to specific restricted units, to the extent feasible, and without causing an undue delay in occupying the unit, the Administrative Agent shall strive to:
    - (a) Provide an occupant for each bedroom;
    - (b) Provide children of different sex with separate bedrooms; and
    - (c) Prevent more than two persons from occupying a single bedroom.
  - (2) Additional provisions related to occupancy standards (if any) shall be provided in the municipal Operating Manual.
- C. Selection of Occupants of Affordable Housing Units.
- (1) The administrative agent shall use a random selection process to select occupants of low- and moderate-income housing.
  - (2) A waiting list of all eligible candidates will be maintained in accordance with the provisions of N.J.A.C. 5:80-26 et seq.
- D. Control Periods for Restricted Ownership Units and Enforcement Mechanisms

MINUTES OF REGULAR MEETING OF  
THE TOWNSHIP COMMITTEE HELD ON  
WEDNESDAY, MAY 16, 2018  
7:00 P.M. REGULAR MINUTES  
PAGE 28

**ORDINANCES - PUBLIC HEARING AND FINAL CONSIDERATION(CONTINUED)**

ORDINANCE #16-18-AMENDING CHAPTER 95, ZONING OF THE CODE OF THE TOWNSHIP OF MORRIS ADDING TO CHAPTER 95, ARTICLE XII ENTITLED "AFFORDABLE HOUSING," AND REPEALING CHAPTER 102, ARTICLE IV, ENTITLED "MUNICIPAL HOUSING LIAISON," (CONTINUED)

- (a) Control periods for restricted ownership units shall be in accordance with N.J.A.C. 5:80-26.5, as may be amended and supplemented, and each restricted ownership unit shall remain subject to the requirements of this Ordinance until the Morris Township elects to release the unit from such requirements however, and prior to such an election, a restricted ownership unit must remain subject to the requirements of N.J.A.C. 5:80-26.1, as may be amended and supplemented, for at least 30 years.
  - (b) The affordability control period for a restricted ownership unit shall commence on the date the initial certified household takes title to the unit.
  - (c) Prior to the issuance of the initial certificate of occupancy for a restricted ownership unit and upon each successive sale during the period of restricted ownership, the administrative agent shall determine the restricted price for the unit and shall also determine the non-restricted, fair market value of the unit based on either an appraisal or the unit's equalized assessed value.
  - (d) At the time of the first sale of the unit, the purchaser shall execute and deliver to the Administrative Agent a recapture note obligating the purchaser (as well as the purchaser's heirs, successors and assigns) to repay, upon the first non-exempt sale after the unit's release from the requirements of this Ordinance, an amount equal to the difference between the unit's non-restricted fair market value and its restricted price, and the recapture note shall be secured by a recapture lien evidenced by a duly recorded mortgage on the unit.
  - (e) The affordability controls set forth in this Ordinance shall remain in effect despite the entry and enforcement of any judgment of foreclosure with respect to restricted ownership units.
  - (f) A restricted ownership unit shall be required to obtain a Continuing Certificate of Occupancy or a certified statement from the Construction Official stating that the unit meets all code standards upon the first transfer of title that follows the expiration of the applicable minimum control period provided under N.J.A.C. 5:80-26.5(a), as may be amended and supplemented.
- E. Price Restrictions for Restricted Ownership Units, Homeowner Association Fees and Resale Prices

**Price restrictions for restricted ownership units shall be in accordance with N.J.A.C. 5:80-26.1, as may be amended and supplemented, including:**

- (1) The initial purchase price for a restricted ownership unit shall be approved by the Administrative Agent.
- (2) The Administrative Agent shall approve all resale prices, in writing and in advance of the resale, to assure compliance with the foregoing standards.
- (3) The method used to determine the condominium association fee amounts and special assessments shall be indistinguishable between the low- and moderate-income unit owners and the market unit owners.
- (4) The owners of restricted ownership units may apply to the Administrative Agent to increase the maximum sales price for the unit on the basis of capital improvements. Eligible capital improvements shall be those that render the unit suitable for a larger household or the addition of a bathroom.

MINUTES OF REGULAR MEETING OF  
THE TOWNSHIP COMMITTEE HELD ON  
WEDNESDAY, MAY 16, 2018  
7:00 P.M. REGULAR MINUTES  
PAGE 29

**ORDINANCES - PUBLIC HEARING AND FINAL CONSIDERATION(CONTINUED)**

ORDINANCE #16-18-AMENDING CHAPTER 95, ZONING OF THE CODE OF THE TOWNSHIP OF MORRIS ADDING TO CHAPTER 95, ARTICLE XII ENTITLED "AFFORDABLE HOUSING," AND REPEALING CHAPTER 102, ARTICLE IV, ENTITLED "MUNICIPAL HOUSING LIAISON," (CONTINUED)

F. Buyer Income Eligibility.

- (1) Buyer income eligibility for restricted ownership units shall be in accordance with N.J.A.C. 5:80-26.1, as may be amended and supplemented, such that low-income ownership units shall be reserved for households with a gross household income less than or equal to 50 percent of median income and moderate-income ownership units shall be reserved for households with a gross household income less than 80 percent of median income.
- (2) The Administrative Agent shall certify a household as eligible for a restricted ownership unit when the household is a low-income household or a moderate-income household, as applicable to the unit, and the estimated monthly housing cost for the particular unit (including principal, interest, taxes, homeowner and private mortgage insurance and condominium or homeowner association fees, as applicable) does not exceed 33 percent of the household's certified monthly income.

G. Limitations on indebtedness secured by ownership unit; subordination.

- (1) Prior to incurring any indebtedness to be secured by a restricted ownership unit, the administrative agent shall determine in writing that the proposed indebtedness complies with the provisions of this section.
- (2) With the exception of original purchase money mortgages, during a control period neither an owner nor a lender shall at any time cause or permit the total indebtedness secured by a restricted ownership unit to exceed 95 percent of the maximum allowable resale price of that unit, as such price is determined by the administrative agent in accordance with N.J.A.C.5:80-26.6(b).

H. Control Periods for Restricted Rental Units

- (1) Control periods for restricted rental units shall be in accordance with N.J.A.C. 5:80-26.11, as may be amended and supplemented, and each restricted rental unit shall remain subject to the requirements of this Ordinance until the [insert name of municipality] elects to release the unit from such requirements pursuant to action taken in compliance with N.J.A.C. 5:80-26.1, as may be amended and supplemented, and prior to such an election, a restricted rental unit must remain subject to the requirements of N.J.A.C. 5:80-26.1, as may be amended and supplemented, for at least 30 years.
- (2) Deeds of all real property that include restricted rental units shall contain deed restriction language. The deed restriction shall have priority over all mortgages on the property, and the deed restriction shall be filed by the developer or seller with the records office of the County of [insert name of county]. A copy of the filed document shall be provided to the Administrative Agent within 30 days of the receipt of a Certificate of Occupancy.
- (3) A restricted rental unit shall remain subject to the affordability controls of this Ordinance, despite the occurrence of any of the following events:
  - (a) Sublease or assignment of the lease of the unit;
  - (b) Sale or other voluntary transfer of the ownership of the unit; or
  - (c) The entry and enforcement of any judgment of foreclosure.

MINUTES OF REGULAR MEETING OF  
THE TOWNSHIP COMMITTEE HELD ON  
WEDNESDAY, MAY 16, 2018  
7:00 P.M. REGULAR MINUTES  
PAGE 30

**ORDINANCES - PUBLIC HEARING AND FINAL CONSIDERATION(CONTINUED)**

ORDINANCE #16-18-AMENDING CHAPTER 95, ZONING OF THE CODE OF THE TOWNSHIP OF MORRIS ADDING TO CHAPTER 95, ARTICLE XII ENTITLED "AFFORDABLE HOUSING," AND REPEALING CHAPTER 102, ARTICLE IV, ENTITLED "MUNICIPAL HOUSING LIAISON," (CONTINUED)

I. Price Restrictions for Rental Units; Leases

- (1) A written lease shall be required for all restricted rental units, except for units in an assisted living residence, and tenants shall be responsible for security deposits and the full amount of the rent as stated on the lease. A copy of the current lease for each restricted rental unit shall be provided to the Administrative Agent.
- (2) No additional fees or charges shall be added to the approved rent (except, in the case of units in an assisted living residence, to cover the customary charges for food and services) without the express written approval of the Administrative Agent.
- (3) Application fees (including the charge for any credit check) shall not exceed five percent of the monthly rent of the applicable restricted unit and shall be payable to the Administrative Agent to be applied to the costs of administering the controls applicable to the unit as set forth in this Ordinance.

J. Tenant Income Eligibility.

- (1) Tenant income eligibility shall be in accordance with N.J.A.C. 5:80-26.13, as may be amended and supplemented, and shall be determined as follows:
  - (a) Very low-income rental units shall be reserved for households with a gross household income less than or equal to 30 percent of median income.
  - (b) Low-income rental units shall be reserved for households with a gross household income less than or equal to 50 percent of median income.
  - (c) Moderate-income rental units shall be reserved for households with a gross household income less than 80 percent of median income.
- (2) The Administrative Agent shall certify a household as eligible for a restricted rental unit when the household is a very low-income, low-income household or a moderate-income household, as applicable to the unit, and the rent proposed for the unit does not exceed 35 percent (40 percent for age-restricted units) of the household's eligible monthly income as determined pursuant to N.J.A.C. 5:80-26.16, as may be amended and supplemented; provided, however, that this limit may be exceeded if one or more of the following circumstances exists:
  - (a) The household currently pays more than 35 percent (40 percent for households eligible for age-restricted units) of its gross household income for rent, and the proposed rent will reduce its housing costs;
  - (b) The household has consistently paid more than 35 percent (40 percent for households eligible for age-restricted units) of eligible monthly income for rent in the past and has proven its ability to pay;
  - (c) The household is currently in substandard or overcrowded living conditions;
  - (d) The household documents the existence of assets with which the household proposes to supplement the rent payments; or
  - (e) The household documents proposed third-party assistance from an outside source such as a family member in a form acceptable to the Administrative Agent and the owner of the unit.

MINUTES OF REGULAR MEETING OF  
THE TOWNSHIP COMMITTEE HELD ON  
WEDNESDAY, MAY 16, 2018  
7:00 P.M. REGULAR MINUTES  
PAGE 31

**ORDINANCES - PUBLIC HEARING AND FINAL CONSIDERATION(CONTINUED)**

ORDINANCE #16-18-AMENDING CHAPTER 95, ZONING OF THE CODE OF THE TOWNSHIP OF MORRIS ADDING TO CHAPTER 95, ARTICLE XII ENTITLED "AFFORDABLE HOUSING," AND REPEALING CHAPTER 102, ARTICLE IV, ENTITLED "MUNICIPAL HOUSING LIAISON," (CONTINUED)

- (3) The applicant shall file documentation sufficient to establish the existence of the circumstances in (2)(a) through (e) above with the Administrative Agent, who shall counsel the household on budgeting.

§95-84. Administration

A. Municipal Housing Liaison.

- (1) The position of Municipal Housing Liaison (MHL) for Morris Township is established by this ordinance. The MHL shall be appointed by duly adopted resolution of the Township Committee and be subject to the approval by the Superior Court.
- (2) The MHL must be either a full-time or part-time employee of Morris Township.
- (3) The Municipal Housing Liaison must meet the requirements for qualifications, including initial and periodic training found in N.I.A.C. 5: 93.
- (4) The Municipal Housing Liaison shall be responsible for oversight and administration of the affordable housing program for Morris Township, including the following responsibilities which may not be contracted out to the Administrative Agent:
  - (a) Serving as the municipality's primary point of contact for all inquiries from the State, affordable housing providers, Administrative Agents and interested households;
  - (b) The implementation of the Affirmative Marketing Plan and affordability controls.
  - (c) When applicable, supervising any contracting Administrative Agent.
  - (d) Monitoring the status of all restricted units in the Morris Township's Fair Share Plan;
  - (e) Compiling, verifying and submitting annual reports as required by the Superior Court;
  - (f) Coordinating meetings with affordable housing providers and Administrative Agents, as applicable; and
  - (g) Attending continuing education opportunities on affordability controls, compliance monitoring and affirmative marketing as offered or approved by the Superior Court.

B. Administrative Agent.

- (1) The Township shall designate by resolution of the Township Committee, subject to the approval of the Superior Court, one or more Administrative Agents to administer newly constructed affordable units in accordance with N.J.A.C. 5:93 and UHAC.
- (2) An Operating Manual shall be provided by the Administrative Agent(s) to be adopted by resolution of the governing body and subject to approval of the Superior Court. The Operating Manuals shall be available for public inspection in the Office of the Municipal Clerk and in the office(s) of the Administrative Agent(s).
- (3) The Administrative Agent shall perform the duties and responsibilities of an administrative agent as are set forth in UHAC and which are described in full detail in the Operating Manual, including those set forth in N.J.A.C. 5:80-26.14, 16 and 18 thereof, which includes:
  - (a) Attending continuing education opportunities on affordability controls, compliance monitoring, and affirmative marketing as offered or approved by the Superior Court;

MINUTES OF REGULAR MEETING OF  
THE TOWNSHIP COMMITTEE HELD ON  
WEDNESDAY, MAY 16, 2018  
7:00 P.M. REGULAR MINUTES  
PAGE 32

**ORDINANCES - PUBLIC HEARING AND FINAL CONSIDERATION(CONTINUED)**

ORDINANCE #16-18-AMENDING CHAPTER 95, ZONING OF THE CODE OF THE TOWNSHIP OF MORRIS ADDING TO CHAPTER 95, ARTICLE XII ENTITLED "AFFORDABLE HOUSING," AND REPEALING CHAPTER 102, ARTICLE IV, ENTITLED "MUNICIPAL HOUSING LIAISON," (CONTINUED)

- (b) Affirmative Marketing;
- (c) Household Certification;
- (d) Affordability Controls;
- (e) Records retention;
- (f) Resale and re-rental;
- (g) Processing requests from unit owners; and
- (h) Enforcement, though the ultimate responsibility for retaining controls on the units rests with the municipality.
- (i) The Administrative Agent shall have authority to take all actions necessary and appropriate to carry out its responsibilities, hereunder.

C. Enforcement of Affordable Housing Regulations

- (1) Upon the occurrence of a breach of any of the regulations governing the affordable unit by an Owner, Developer or Tenant the municipality shall have all remedies provided at law or equity, including but not limited to foreclosure, tenant eviction, municipal fines, a requirement for household recertification, acceleration of all sums due under a mortgage, recoupment of any funds from a sale in the violation of the regulations, injunctive relief to prevent further violation of the regulations, entry on the premises, and specific performance.
- (2) After providing written notice of a violation to an Owner, Developer or Tenant of a low- or moderate-income unit and advising the Owner, Developer or Tenant of the penalties for such violations, the municipality may take the following action against the Owner, Developer or Tenant for any violation that remains uncured for a period of 60 days after service of the written notice:
  - (a) The municipality may file a court action pursuant to N.J.S.A. 2A:58-11 alleging a violation, or violations, of the regulations governing the affordable housing unit. If the Owner, Developer or Tenant is found by the court to have violated any provision of the regulations governing affordable housing units the Owner, Developer or Tenant shall be subject to one or more of the following penalties, at the discretion of the court:
    - [1.] A fine of not more than \$500 or imprisonment for a period not to exceed 90 days, or both. Each and every day that the violation continues or exists shall be considered a separate and specific violation of these provisions and not as a continuing offense;
    - [2.] In the case of an Owner who has rented his or her low- or moderate-income unit in violation of the regulations governing affordable housing units, payment into the Morris Township Affordable Housing Trust Fund of the gross amount of rent illegally collected;
    - [3.] In the case of an Owner who has rented his or her low- or moderate-income unit in violation of the regulations governing affordable housing units, payment of an innocent tenant's reasonable relocation costs, as determined by the court.
  - (b) The municipality may file a court action in the Superior Court seeking a judgment, which would result in the termination of the Owner's equity or other interest in the unit, in the

MINUTES OF REGULAR MEETING OF  
THE TOWNSHIP COMMITTEE HELD ON  
WEDNESDAY, MAY 16, 2018  
7:00 P.M. REGULAR MINUTES

PAGE 33

**ORDINANCES - PUBLIC HEARING AND FINAL CONSIDERATION(CONTINUED)**

ORDINANCE #16-18-AMENDING CHAPTER 95, ZONING OF THE CODE OF THE TOWNSHIP OF MORRIS ADDING TO CHAPTER 95, ARTICLE XII ENTITLED "AFFORDABLE HOUSING," AND REPEALING CHAPTER 102, ARTICLE IV, ENTITLED "MUNICIPAL HOUSING LIAISON," (CONTINUED)

- (c) nature of a mortgage foreclosure. Any judgment shall be enforceable as if the same were a judgment of default of the First Purchase Money Mortgage and shall constitute a lien against the low- and moderate-income unit.
- (3) Such judgment shall be enforceable, at the option of the municipality, by means of an execution sale by the Sheriff, at which time the low- and moderate-income unit of the violating Owner shall be sold at a sale price which is not less than the amount necessary to fully satisfy and pay off any First Purchase Money Mortgage and prior liens and the costs of the enforcement proceedings incurred by the municipality, including attorney's fees. The violating Owner shall have the right to possession terminated as well as the title conveyed pursuant to the Sheriff's sale.
- (4) The proceeds of the Sheriff's sale shall first be applied to satisfy the First Purchase Money Mortgage lien and any prior liens upon the low- and moderate-income unit. The excess, if any, shall be applied to reimburse the municipality for any and all costs and expenses incurred in connection with either the court action resulting in the judgment of violation or the Sheriff's sale. In the event that the proceeds from the Sheriff's sale are insufficient to reimburse the municipality in full as aforesaid, the violating Owner shall be personally responsible for and to the extent of such deficiency, in addition to any and all costs incurred by the municipality in connection with collecting such deficiency. In the event that a surplus remains after satisfying all of the above, such surplus, if any, shall be placed in escrow by the municipality for the Owner and shall be held in such escrow for a maximum period of two years or until such earlier time as the Owner shall make a claim with the municipality for such. Failure of the Owner to claim such balance within the two-year period shall automatically result in a forfeiture of such balance to the municipality. Any interest accrued or earned on such balance while being held in escrow shall belong to and shall be paid to the municipality, whether such balance shall be paid to the Owner or forfeited to the municipality.
- (5) Foreclosure by the municipality due to violation of the regulations governing affordable housing units shall not extinguish the restrictions of the regulations governing affordable housing units as the same apply to the low- and moderate-income unit. Title shall be conveyed to the purchaser at the Sheriff's sale, subject to the restrictions and provisions of the regulations governing the affordable housing unit. The Owner determined to be in violation of the provisions of this plan and from whom title and possession were taken by means of the Sheriff's sale shall not be entitled to any right of redemption.
- (6) If there are no bidders at the Sheriff's sale, or if insufficient amounts are bid to satisfy the First Purchase Money Mortgage and any prior liens, the municipality may acquire title to the low- and moderate-income unit by satisfying the First Purchase Money Mortgage and any prior liens and crediting the violating owner with an amount equal to the difference between the First Purchase Money Mortgage and any prior liens and costs of the enforcement proceedings, including legal fees and the maximum resale price for which the low- and moderate-income unit could have been sold under the terms of the regulations governing affordable housing units. This excess shall be treated in the same manner as the excess which would have been realized from an actual sale as previously described.

MINUTES OF REGULAR MEETING OF  
THE TOWNSHIP COMMITTEE HELD ON  
WEDNESDAY, MAY 16, 2018  
7:00 P.M. REGULAR MINUTES  
PAGE 34

**ORDINANCES - PUBLIC HEARING AND FINAL CONSIDERATION(CONTINUED)**

ORDINANCE #16-18-AMENDING CHAPTER 95, ZONING OF THE CODE OF THE TOWNSHIP OF MORRIS ADDING TO CHAPTER 95, ARTICLE XII ENTITLED "AFFORDABLE HOUSING," AND REPEALING CHAPTER 102, ARTICLE IV, ENTITLED "MUNICIPAL HOUSING LIAISON," (CONTINUED)

- (7) Failure of the low-income and moderate-income unit to be either sold at the Sheriff's sale or acquired by the municipality shall obligate the Owner to accept an offer to purchase from any qualified purchaser which may be referred to the Owner by the municipality, with such offer to purchase being equal to the maximum resale price of the low- and moderate-income unit as permitted by the regulations governing affordable housing units.
- (8) The Owner shall remain fully obligated, responsible and liable for complying with the terms and restrictions of governing affordable housing units until such time as title is conveyed from the Owner.

SECTION THREE. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of any inconsistency.

SECTION FOUR. If any section, subsection, paragraph, clause or provision of this Ordinance shall be adjudged to be invalid, such adjudication shall apply only to such section, subsection, paragraph, clause or provision and the remainder of this Ordinance shall be deemed valid and effective.

SECTION FIVE. This ordinance shall take effect upon the last to occur of the (i) filing with the Morris County Planning Board; and (ii) adoption and publication in the manner required by New Jersey law.

PUBLIC COMMENT – THE FOLLOWING SUMMARY OF THE PUBLIC WHO APPEARED TO BE HEARD AS HERETO SETFORTH:

Mr. Mill, Esquire summarized the Ordinance noting the Township's obligation and compliance with NJ Fair Housing. Advised the public that the Township is required to comply and that there will be a attending a compliance hearing on June 15, 2018. The Township obligation as part of the settlement is 400 Low and moderate units on available vacant land, but may not result in construction.

Mr. Phillips, Township Planner gave a brief overview in reference to the Fairness hearing and that the units will be Township wide. This Ordinance is based on the directive of the Court Master and is mandatory.

Ms. Leslie Unger – What is the total number of units? Ans. 717 units.

Mr. Munroe Chirnomas – 47 Skyline Drive – Is zoning in place to produce the required units? Is there land? Ans. The obligation is 400 units and the Township has satisfied 293 units. The Township has details to work out to consider wetland, slopes and woods. Underling zoning needed to be considered, but the Township is required to honor the agreement.

Mr. Lee Goldberg – 10 Arrowhead Road – Who is the Housing Liaison? Ans. Mr. Quinn.

Ms. Kim Brown – 10 Carlton Street – How many units? Ans. A potential of 400 units, but there are 116 surplus from previous rounds. The will be 100 rental, 184 new units. Jobs should be considered with the increase of population.

MINUTES OF REGULAR MEETING OF  
THE TOWNSHIP COMMITTEE HELD ON  
WEDNESDAY, MAY 16, 2018  
7:00 P.M. REGULAR MINUTES  
PAGE 35

**ORDINANCES - PUBLIC HEARING AND FINAL CONSIDERATION(CONTINUED)**

ORDINANCE #16-18-AMENDING CHAPTER 95, ZONING OF THE CODE OF THE TOWNSHIP OF MORRIS ADDING TO CHAPTER 95, ARTICLE XII ENTITLED "AFFORDABLE HOUSING," AND REPEALING CHAPTER 102, ARTICLE IV, ENTITLED "MUNICIPAL HOUSING LIAISON," (CONTINUED)

PUBLIC COMMENT – THE FOLLOWING SUMMARY OF THE PUBLIC WHO APPEARED TO BE HEARD AS HEREFOR SETFORTH (CONTINUED):

Zhibing Pan – 92 Constitution Way – What is rehab? Ans. During the study the formula is to take into consideration the present day need and the need for rehabilitation on certain properties in the Township. Based on the Low and Moderate calculation prepared by the Council on Affordable House the Township is required by law to incorporate low and moderate housing within new developments, either sales or rental (calculations are made by COAH's).

Jeff Grayzel – 1 Indianhead Road – Rentals count as double? Ans. On 100 rental units. Did the Township consider other areas? Ans. Yes.

Barclay Leib – 31 Independence Way – Construction on the L&M units has there been any other sites considered previously? Ans. With Honeywell leaving and the property redevelopment there are 24 Low and Moderate unit to be produced.

COMMUNICATIONS OF RECORD - NONE

On motion duly made and seconded the public hearing on Ordinance 16-18 was closed for public comment.

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

DECLARATION OF FINAL ADOPTION – Mayor Peter V. Mancuso declared the ordinance adopted and finally passed, approved the same; and directed that the Clerk publish the notice in the newspaper and to record the ordinance in the proper place.

\* \* \* \*

ORDINANCE 15-18- AMENDING CHAPTER 95, ZONING OF THE CODE OF THE TOWNSHIP OF MORRIS RE: AMENDING CHAPTER 95, ARTICLE II, SECTION 5 ENTITLED "DESIGNATION OF ZONES," AND AMENDING CHAPTER 95, ARTICLE II, SECTION 6, ZONING MAP OF THE TOWNSHIP OF MORRIS TO INCLUD SAID ZONES

IT IS HEREBY ORDAINED by the Township Committee of the Township of Morris, Morris County, State of New Jersey, as follows:

Section 1: Chapter 95, Article II, Section 5, Designation of Zones, is hereby amended to add the following after TH-8 Townhouse Residential Zone:

TH-7.5/AH Townhouse Residential Affordable Housing Zone  
TH-8/AH Townhouse Residential Affordable Housing Zone  
MF-10/AH Multi-Family Affordable Housing Overlay Zone  
MF-12/AH Multi-Family Affordable Housing Overlay Zone

MINUTES OF REGULAR MEETING OF  
THE TOWNSHIP COMMITTEE HELD ON  
WEDNESDAY, MAY 16, 2018  
7:00 P.M. REGULAR MINUTES  
PAGE 36

**ORDINANCES - PUBLIC HEARING AND FINAL CONSIDERATION(CONTINUED)**

ORDINANCE 15-18- AMENDING CHAPTER 95, ZONING OF THE CODE OF THE TOWNSHIP OF MORRIS RE: AMENDING CHAPTER 95, ARTICLE II, SECTION 5 ENTITLED "DESIGNATION OF ZONES," AND AMENDING CHAPTER 95, ARTICLE II, SECTION 6, ZONING MAP OF THE TOWNSHIP OF MORRIS TO INCLUD SAID ZONES

Section 2: Chapter 95, Article II, Section 6, Zoning Map, is hereby amended to read in its entirety as follows:

The location and boundaries of said zones or districts are hereby established on the Zoning Map of the Township of Morris in Morris County, dated May 3<sup>rd</sup>, 2018, which is attached hereto and hereby made part of this ordinance. Said map and all notations, referenced and designations shown thereon shall be, as such, a part of this ordinance as if the same were all fully described and set further herein.

Section 3: Chapter 95, Article III, is hereby amended to add the following:

**§ 95-20.1 TH-7.5/AH Townhouse Residential Affordable Housing Zone:**

A. The following are permitted principal uses in the TH-7.5/AH Zone:

- (1) Market-rate townhouses.
- (2) Multi-family affordable dwellings, which shall be attached to market rate townhouses structures.

B. The following are permitted accessory uses in the TH-7.5/AH Zone:

- (1) Customary accessory uses to a permitted principal use.
- (2) Off-street parking areas.
- (3) Recreational, social and communal facilities for the exclusive use of residents and guests; the minimum setbacks from property lines and streets shall be the same as for principal uses, buildings and structures.
- (4) Active and passive outdoor recreation facilities for the exclusive use of residents and guests; the minimum setbacks from property lines and streets shall be the same as for principal uses, buildings and structures.
- (5) Roof or building-mounted solar energy systems as provided in § 95-34.4.
- (6) Building-integrated solar energy systems as provided in § 95-34.4.
- (7) Geothermal energy systems as provided in § 95-34.4.

C. The following are permitted conditional uses in the TH-7.5/AH Zone:

- (1) None.

MINUTES OF REGULAR MEETING OF  
THE TOWNSHIP COMMITTEE HELD ON  
WEDNESDAY, MAY 16, 2018  
7:00 P.M. REGULAR MINUTES  
PAGE 37

**ORDINANCES - PUBLIC HEARING AND FINAL CONSIDERATION(CONTINUED)**

ORDINANCE 15-18- AMENDING CHAPTER 95, ZONING OF THE CODE OF THE TOWNSHIP OF MORRIS RE: AMENDING CHAPTER 95, ARTICLE II, SECTION 5 ENTITLED "DESIGNATION OF ZONES," AND AMENDING CHAPTER 95, ARTICLE II, SECTION 6, ZONING MAP OF THE TOWNSHIP OF MORRIS TO INCLUD SAID ZONES

D. Development and design requirements:

- (1) Maximum density shall not be more than seven and one-half (7.5) units per gross acre. A minimum of twenty (20) percent of the total number of units shall be set aside for low- and moderate- income households.
- (2) No building or structure shall be located less than 35 feet from the right-of-way of Mt. Kemble Avenue. No building or structure shall be located closer than 5 feet from an internal access drive.
- (3) Side yard. There shall be a side yard of not less than 40 feet. No parking shall be permitted within a side yard.
- (4) Rear yard. There shall be a rear yard of not less than 35 feet. No parking shall be permitted within a rear yard.
- (5) The width of any individual townhouse unit shall not be less than 24 feet.
- (6) There shall be no more than four (4) townhouse units in any structure that does not also include multi-family affordable units.
- (7) There shall be no more than twelve (12) units in any structure containing a mix of market rate townhouse and multi-family affordable units.
- (8) Market rate townhouses shall be no more than 3 stories and 45 feet in height. However, no more than sixty (60) percent of the townhouses shall be 3 stories and 45 feet in height. The balance of the market rates townhouses shall be no more than 2 stories and 35 feet in height. Structures containing multi-family affordable units may be constructed at 3 stories and 45 feet in height.
- (9) No building or structure containing multi-family affordable units shall be located closer than 75 feet to the right-of-way of Mt. Kemble Avenue.
- (10) No townhouse structure in excess of 2 stories and 35 feet shall be located closer than 75 feet to the right-of-way of Mt. Kemble Avenue.
- (11) No more than two adjacent market rate townhouse units may be constructed without providing a front wall setback of not less than two (2) feet.
- (12) No structure shall be closer than 25 feet to any other structure.
- (13) The exterior walls of residential structures shall be faced with brick, cultured or quarried stone, stucco, wood, cementitious siding or other suitable materials.
- (14) The construction of all dwelling units shall conform to current state regulations/codes.

MINUTES OF REGULAR MEETING OF  
THE TOWNSHIP COMMITTEE HELD ON  
WEDNESDAY, MAY 16, 2018  
7:00 P.M. REGULAR MINUTES  
PAGE 38

**ORDINANCES - PUBLIC HEARING AND FINAL CONSIDERATION(CONTINUED)**

**ORDINANCE 15-18- AMENDING CHAPTER 95, ZONING OF THE CODE OF THE TOWNSHIP OF MORRIS RE: AMENDING CHAPTER 95, ARTICLE II, SECTION 5 ENTITLED "DESIGNATION OF ZONES," AND AMENDING CHAPTER 95, ARTICLE II, SECTION 6, ZONING MAP OF THE TOWNSHIP OF MORRIS TO INCLUD SAID ZONES**

- (15) Parking shall be provided in accordance with New Jersey State Residential Site Improvement Standards (RSIS).
- (16) Common open space shall be set aside for the use and benefit of residents of the development. At least 25% of the total area shall be set aside as open space. Common open space shall be subject to N.J.S.A. 40:55D-43.
- (17) The TH-7.5 AH Zone shall not be subject to the slope disturbance regulations set forth under § 57-160(E)(4), however within areas with slopes of 20% or greater, not more than 50% of such slopes may be disturbed.
- (18) Refuse areas shall be designated so as to minimize any detrimental effect on the character of the development or adjacent properties.
- (19) All utilities shall be underground and the development shall be served by public water and sewer.
- (20) Development shall maintain a minimum 20 foot landscaped buffer to any side lot line to provide an effective year round screen which shall consist of either existing vegetative or new plantings, or where appropriate, a combination of existing and new plantings.
- (21) An overall landscaping plan shall be provided for the development.
- (22) The provision of affordable housing shall be consistent with all applicable rules of the Council on Affordable Housing (COAH) and the Uniform Housing Affordability Controls (UHAC), including with respect to phasing and bedroom distribution.

**§ 95-20.2 TH-8/AH Townhouse Residential Affordable Housing Zone**

A. The following are permitted principal uses in the TH-8/AH Zone:

- (1)Market-rate townhouses.
- (2)Multi-family affordable rental buildings.

B. The following are permitted accessory uses in the TH-8/AH Zone:

- (1)Customary accessory uses to a permitted principal use.
- (2)Off-street parking areas.
- (3) Recreational, social and communal facilities for the exclusive use of residents and guests, provided the minimum setbacks from property lines and streets shall be the same as for principal uses, buildings and structures, except that common accessory buildings and facilities, including recreation, social and communal facilities, shall be located at least 300 feet from any TH-8 zone boundary line.

MINUTES OF REGULAR MEETING OF  
THE TOWNSHIP COMMITTEE HELD ON  
WEDNESDAY, MAY 16, 2018  
7:00 P.M. REGULAR MINUTES  
PAGE 39

**ORDINANCES - PUBLIC HEARING AND FINAL CONSIDERATION(CONTINUED)**

ORDINANCE 15-18- AMENDING CHAPTER 95, ZONING OF THE CODE OF THE TOWNSHIP OF MORRIS RE: AMENDING CHAPTER 95, ARTICLE II, SECTION 5 ENTITLED "DESIGNATION OF ZONES," AND AMENDING CHAPTER 95, ARTICLE II, SECTION 6, ZONING MAP OF THE TOWNSHIP OF MORRIS TO INCLUD SAID ZONES

- (4) Active and passive outdoor recreation facilities for the exclusive use of residents and guests, provided; the minimum setbacks from property lines and streets shall be the same as for principal uses buildings and structures, except that common accessory buildings and facilities, including recreational, social and communal facilities, shall be located at least 300 feet from any TH-8 zone boundary line.
- (5) Roof or building-mounted solar energy systems as provided in § 95-34.4.
- (6) Building-integrated solar energy systems as provided in § 95-34.4.
- (7) Geothermal energy systems as provided in § 95-34.4.
- C. The following are permitted conditional uses in the TH-8/AH Zone:
- (1)None.
- D. Development and design requirements:
- (1)Maximum density shall not be more than eight (8) units per gross acre. A minimum of fifteen (15) percent of the total number of units shall be set aside as rental units for low- and moderate-income households. Notwithstanding the number of market rate townhouses to be developed, a total of no less than 33 multi-family units shall be set aside for low- and moderate-income households.
- (2)The development may be subdivided into different sections to distinguish different ownership entities and/or to permit the phasing of construction provided that the overall development is in compliance with the standards contained herein.
- (3)Requirements for market rate townhouses
- (a) Design.
- [1] No dwelling unit shall have a floor area of less than 800 square feet.
- [2] Each dwelling unit shall have not fewer than two exposures.
- [3] There shall be no more than eight dwelling units in any single group of dwelling units.
- [4] No dwelling unit or group of dwelling units shall exceed 2 1/2 stories or 35 feet, whichever is the lesser.
- [5] The width of any individual dwelling unit shall not be less than 22 feet.
- [6] No more than two adjacent dwelling units may be constructed without providing a front wall setback of not less than four (4) feet.

MINUTES OF REGULAR MEETING OF  
THE TOWNSHIP COMMITTEE HELD ON  
WEDNESDAY, MAY 16, 2018  
7:00 P.M. REGULAR MINUTES  
PAGE 40

**ORDINANCES - PUBLIC HEARING AND FINAL CONSIDERATION(CONTINUED)**

ORDINANCE 15-18- AMENDING CHAPTER 95, ZONING OF THE CODE OF THE TOWNSHIP OF MORRIS RE: AMENDING CHAPTER 95, ARTICLE II, SECTION 5 ENTITLED "DESIGNATION OF ZONES," AND AMENDING CHAPTER 95, ARTICLE II, SECTION 6, ZONING MAP OF THE TOWNSHIP OF MORRIS TO INCLUD SAID ZONES

[7] Common accessory buildings and facilities, shall be designed to harmonize with the overall character of the development.

(b) Siting.

[1] Dwellings, structures or accessory structures shall be set back a minimum of 20 feet from interior roads if no sidewalk is provided; where sidewalks are provided a minimum setback of 24 feet from interior roads shall be provided. Unenclosed entrance porches may protrude up to 4 feet into the setback.

[2] Each group of dwelling units, structures or accessory structures and any interior roadways shall not be less than 50 feet from any tract boundary line.

[3] No group of dwelling units within the tract shall be closer than 30 feet to any other group of dwelling units within the tract.

(c) Construction.

[1] The exterior walls in each group of dwelling units shall be faced with brick, cultured or quarried stone, stucco, wood, cementitious siding or other materials suitable in terms of quality, durability and appearance and approved by the Planning Board.

[2] The construction of all dwelling units shall conform to current state regulations/codes.

(d) Parking shall be provided in accordance with New Jersey State Residential Site Improvement Standards (RSIS).

(e) Refuse storage areas shall be located to minimize any detrimental effect on the character of the development or adjacent properties.

(4) Building requirements for multi-family affordable rental units

(a) No building shall exceed 3 stories and 45 feet in height.

(b) There shall be no more than eighteen (18) units in any multi-family building.

(c) No building shall be located less than 75 feet from any tract boundary line.

(d) The minimum distance between buildings shall be as follows:

[1] Windowless wall to windowless wall: 25 feet.

[2] Window wall to windowless wall: 35 feet.

[3] Window wall to window wall:

a) Front to front: 75 feet.

b) Rear to rear: 50 feet.

c) End to end: 30 feet.

MINUTES OF REGULAR MEETING OF  
THE TOWNSHIP COMMITTEE HELD ON  
WEDNESDAY, MAY 16, 2018  
7:00 P.M. REGULAR MINUTES  
PAGE 41

**ORDINANCES - PUBLIC HEARING AND FINAL CONSIDERATION(CONTINUED)**

**ORDINANCE 15-18- AMENDING CHAPTER 95, ZONING OF THE CODE OF THE TOWNSHIP OF MORRIS RE: AMENDING CHAPTER 95, ARTICLE II, SECTION 5 ENTITLED "DESIGNATION OF ZONES," AND AMENDING CHAPTER 95, ARTICLE II, SECTION 6, ZONING MAP OF THE TOWNSHIP OF MORRIS TO INCLUD SAID ZONES**

- (e) No building shall be located less than 10 feet from a parking area except where garaged parking is provided within the building.
- (f) Refuse areas shall be designated so as to minimize any detrimental effect on the character of the development of adjacent properties.
- (g) No building shall be located less than 500 feet from a TH-8 zone boundary line.
- (5) Common open space shall be set aside for the use and benefit of the residents in such development. At least 25% of the total area shall be set aside as open space, of which 5% shall be in formal recreation facilities. Common open space shall be subject to N.J.S.A. 40:55D-43.
- (6) All utilities shall be underground and the development shall be served by public water and sewer.
- (7) Development shall maintain a minimum 25 foot landscaped buffer to all exterior property lines to provide an effective year round screen which shall consist of either existing vegetative or new plantings, or where appropriate, a combination of existing vegetation and new plantings.
- (8) An overall landscaping plan shall be provided for the development.
- (9) The provision of affordable housing shall be consistent with all applicable rules of the Council of Affordable Housing (COAH) and the Uniform Housing Affordability Controls (UHAC), including with respect to phasing and bedroom distribution.

(10)  
**§ 95-20.3 MF-10/AH Multi-Family Affordable Housing Overlay Zone**

- A. The purpose of the MF-10/AH Overlay Zone is to provide an opportunity for construction of affordable housing as part of a multi-family inclusionary development. Such overlay zoning shall neither replace nor supersede the underlying zone classification, but shall instead provide an additional development option for those properties within the limits of the district. Nothing contained herein shall preclude development of any property within the overlay zone in accordance with its underlying zone classification.
- B. The following are permitted principal uses in the MF-10/AH Overlay Zone:
  - (1)Townhouses.
  - (2)Multi-family dwellings.

MINUTES OF REGULAR MEETING OF  
THE TOWNSHIP COMMITTEE HELD ON  
WEDNESDAY, MAY 16, 2018  
7:00 P.M. REGULAR MINUTES  
PAGE 42

**ORDINANCES - PUBLIC HEARING AND FINAL CONSIDERATION(CONTINUED)**

**ORDINANCE 15-18- AMENDING CHAPTER 95, ZONING OF THE CODE OF THE TOWNSHIP OF MORRIS RE: AMENDING CHAPTER 95, ARTICLE II, SECTION 5 ENTITLED "DESIGNATION OF ZONES," AND AMENDING CHAPTER 95, ARTICLE II, SECTION 6, ZONING MAP OF THE TOWNSHIP OF MORRIS TO INCLUD SAID ZONES**

C. The following are permitted accessory uses in the MF-10/AH Overlay Zone:

- (1) Customary accessory uses to a permitted principal use.
- (2) Off-street parking areas.
- (3) Recreational, social and communal facilities for the exclusive use of residents and guests; the maximum setbacks from property lines and streets shall be the same as for principal uses, buildings and structures.
- (4) Active and passive outdoor recreation facilities for the exclusive use of residents and guests; the minimum setbacks from property lines and streets shall be the same as for principal uses, buildings and structures.
- (5) Roof or building-mounted solar energy systems as provided in § 95-34.4.
- (6) Building-integrated solar energy systems as provided in § 95-34.4.
- (7) Geothermal energy systems as provided in § 95.34.4.

D. The following are permitted conditional uses in the MF-10/AH Overlay Zone:

- (1)None.

E. Development and design requirements:

- (1) Maximum density shall not be more than ten (10) units per gross acre. A minimum of fifteen (15) percent of the total number of units shall be set aside for low- and moderate- income households.
- (2) Front yard. There shall be a front yard of not less than 50 feet.
- (3) Side yard. There shall be a side yard of not less than 40 feet.
- (4) Rear yard. There shall be a rear yard of not less than 35 feet.
- (5) The maximum building height shall be 3 stories and 45 feet.
- (6) The maximum building coverage shall be 30%.
- (7) The maximum impervious surface coverage shall be 60%.
- (8) There shall be no more than eight (8) townhouse units in any single group of dwelling units.

MINUTES OF REGULAR MEETING OF  
THE TOWNSHIP COMMITTEE HELD ON  
WEDNESDAY, MAY 16, 2018  
7:00 P.M. REGULAR MINUTES  
PAGE 43

- (9) Any townhouse unit shall have not fewer than two exposures and no group of townhouse units shall be closer than 30 feet to any other group of townhouse units.

**ORDINANCES - PUBLIC HEARING AND FINAL CONSIDERATION(CONTINUED)**

**ORDINANCE 15-18- AMENDING CHAPTER 95, ZONING OF THE CODE OF THE TOWNSHIP OF MORRIS RE: AMENDING CHAPTER 95, ARTICLE II, SECTION 5 ENTITLED "DESIGNATION OF ZONES," AND AMENDING CHAPTER 95, ARTICLE II, SECTION 6, ZONING MAP OF THE TOWNSHIP OF MORRIS TO INCLUD SAID ZONES**

- (10) No more than two adjacent townhouse units may be constructed without providing a front wall setback of not less than four (4) feet.
- (11) There shall be no more than sixteen (16) units in any multi-family building.
- (12) The minimum distance between multi-family buildings shall be as follows:
- [1] Windowless wall to windowless wall: 25 feet.
  - [2] Window wall to windowless wall: 35 feet.
  - [3] Window wall to window wall:
    - a) Front to front: 75 feet.
    - b) Rear to rear: 50 feet.
    - c) End to end: 30 feet.
- (13) No multi-family building shall be located less than 10 feet from a parking area.
- (14) The exterior walls for residential structures shall be faced with brick, cultured or quarried stone, stucco, wood, cementitious siding or other suitable materials.
- (15) The construction of all dwelling units shall conform to current state regulations/codes.
- (16) Parking shall be provided in accordance with New Jersey Residential Site Improvement Standards (RSIS).
- (17) Refuse areas shall be designated so as to minimize any detrimental effect on the character of the development or adjacent properties.
- (18) All utilities shall be underground and the development shall be served by public water and sewer.
- (19) Development shall maintain a minimum 25 foot landscaped buffer to all exterior property lines which shall consist of either existing vegetation or new plantings, or where appropriate, a combination of existing vegetation and new plantings.
- (20) An overall landscaping plan shall be provided for the development.
- (21) The provision of affordable housing shall be consistent with all applicable rules of the Council on Affordable Housing (COAH) and the Uniform Housing Affordability Controls (UHAC), including with respect to phasing and bedroom distribution.

MINUTES OF REGULAR MEETING OF  
THE TOWNSHIP COMMITTEE HELD ON  
WEDNESDAY, MAY 16, 2018  
7:00 P.M. REGULAR MINUTES  
PAGE 44

**ORDINANCES - PUBLIC HEARING AND FINAL CONSIDERATION(CONTINUED)**

ORDINANCE 15-18- AMENDING CHAPTER 95, ZONING OF THE CODE OF THE TOWNSHIP OF MORRIS RE: AMENDING CHAPTER 95, ARTICLE II, SECTION 5 ENTITLED "DESIGNATION OF ZONES," AND AMENDING CHAPTER 95, ARTICLE II, SECTION 6, ZONING MAP OF THE TOWNSHIP OF MORRIS TO INCLUD SAID ZONES

**§ 95-20.4 MF-12/AH Multi-Family Affordable Housing Overlay Zone**

- A. The purpose of the MF-12/AH Overlay Zone is to provide an opportunity for construction of affordable housing as part of a multi-family inclusionary development. Such overlay zoning shall neither replace nor supersede the underlying zone classification, but shall instead provide an additional development option for those properties within the limits of the district. Nothing contained herein shall preclude development of any property within the overlay zone in accordance with its underlying zone classification.
- B. The following are permitted principal uses in the MF-12/AH Overlay Zone:
- (1) Multi-family dwellings.
- C. The following are permitted accessory uses in the MF-12/AH Overlay Zone:
- (1) Customary accessory uses to a permitted principal use.
  - (2) Off-street parking areas.
  - (3) Recreational, social and communal facilities for the exclusive use of residents and guests; the maximum setbacks from property lines and streets shall be the same as for principal uses, buildings and structures.
  - (4) Active and passive outdoor recreation facilities for the exclusive use of residents and guests; the minimum setbacks from property lines and streets shall be the same as for principal uses, buildings and structures.
  - (5) Roof or building-mounted solar energy systems as provided in § 95-34.4.
  - (6) Building-integrated solar energy systems as provided in § 95-34.4.
  - (7) Geothermal energy systems as provided in § 95-34.4.
- D. The following are permitted conditional uses in the MF-12/AH Overlay Zone:
- (1) None.
- E. Development and design requirements:
- (1) Maximum density shall not be more than twelve (12) units per gross acre. A minimum of fifteen (15) percent of the total number of units shall be set aside for low- and moderate-income households. The maximum density may be increased to not more than fifteen (15) units per gross acre provided that a minimum of twenty (20) percent of the total number of units are set aside for low- and moderate- income households.

MINUTES OF REGULAR MEETING OF  
THE TOWNSHIP COMMITTEE HELD ON  
WEDNESDAY, MAY 16, 2018  
7:00 P.M. REGULAR MINUTES  
PAGE 45

**ORDINANCES - PUBLIC HEARING AND FINAL CONSIDERATION(CONTINUED)**

ORDINANCE 15-18- AMENDING CHAPTER 95, ZONING OF THE CODE OF THE TOWNSHIP OF MORRIS RE: AMENDING CHAPTER 95, ARTICLE II, SECTION 5 ENTITLED "DESIGNATION OF ZONES," AND AMENDING CHAPTER 95, ARTICLE II, SECTION 6, ZONING MAP OF THE TOWNSHIP OF MORRIS TO INCLUD SAID ZONES

- (2) No building or structure shall be located less than 100 feet from the right-of-way of Martin Luther King Avenue. No building or structure shall be located closer than 75 feet from any other right-of-way or property line.
- (3) The minimum building height shall be 3 stories and 45 feet.
- (4) The maximum building coverage shall be 35%.
- (5) The maximum impervious surface coverage shall be 70%.
- (6) There shall be no more than twenty-four (24) units in any multi-family building.
- (7) The minimum distance between multi-family shall be as follows:
  - [1] Windowless wall to windowless wall: 25 feet.
  - [2] Window wall to windowless wall: 35 feet.
  - [3] Window wall to window wall:
    - a) Front to front: 75 feet.
    - b) Rear to rear: 50 feet.
    - c) End to end: 30 feet.
- (8) No multi-family building shall be located less than 10 feet from a parking area.
- (9) The exterior walls of residential structures shall be faced with brick, cultured or quarried stone, stucco, wood, cementitious siding or other suitable materials.
- (10) The construction of all dwelling units shall conform to current state regulations/codes.
- (11) Parking shall be provided in accordance with New Jersey State Residential Site Improvement Standards (RSIS).
- (12) Refuse areas shall be designated so as to minimize any detrimental effect on the character of the development or adjacent properties.
- (13) All utilities shall be underground and the development shall be served by public water and sewer.
- (14) Development shall maintain a minimum 25 foot landscaped buffer to all exterior property lines which shall consist of either existing vegetation or new plantings, or where appropriate, a combination of existing vegetation and new plantings.
- (15) An overall landscaping plan shall be provided for the development.

MINUTES OF REGULAR MEETING OF  
THE TOWNSHIP COMMITTEE HELD ON  
WEDNESDAY, MAY 16, 2018  
7:00 P.M. REGULAR MINUTES  
PAGE 46

**ORDINANCES - PUBLIC HEARING AND FINAL CONSIDERATION(CONTINUED)**

ORDINANCE 15-18- AMENDING CHAPTER 95, ZONING OF THE CODE OF THE TOWNSHIP OF MORRIS RE: AMENDING CHAPTER 95, ARTICLE II, SECTION 5 ENTITLED "DESIGNATION OF ZONES," AND AMENDING CHAPTER 95, ARTICLE II, SECTION 6, ZONING MAP OF THE TOWNSHIP OF MORRIS TO INCLUD SAID ZONES

- (16) The provision of affordable housing shall be consistent with all applicable rules of the Council on Affordable Housing (COAH) and the Uniform Housing Affordability Controls (UHAC), including with respect to phasing and bedroom distribution.

Mr. Paul Phillips, Township Planner, summarized this Ordinance and stated that this Ordinance to creation of inclusionary overlay of possible properties that when developed would include Low and Moderate housing.

PUBLIC COMMENT – THE FOLLOWING SUMMARY OF THE PUBLIC WHO APPEARED TO BE HEARD AS HERETO SETFORTH:

The following residents made recommendation to revise this Ordinance and noted the impact would make on Liberty Greens Townhouse residents, requested more notice, concerns for: wetlands, setbacks, traffic and noise:

Don Felker – 43 Independence Way  
Peter Broeman – 79 Independency Way  
Leslie Unger – 2 Independence Way  
Janice Wood – 65 Independence Way  
Nancy Leib – 31 Independence Way

Susan Cantor – 30 Pilgrim Court  
Patricia Jannaco – 50 Independence Way  
Greg Paragopoulos – 92 Constitution Way  
Steven Gogdell – 7 Independence Way

Grechen Fitz-Punchbowl Road, Florham Park – Owns 20 acres concerned for property value and additional traffic.

PUBLIC COMMENT(CONTINUED)

Lee Goldberg – 10 Arrowhead Road - Recommended that the court to extend the response date. Ans. There are no adjournments. Has any entity been granted an extension? Ans. No such extension was or will be done, no.

John Golertz- 10 Vanderpool, Morristown – Stated that any development on Mt. Kemble Avenue would be an impact on the Town of Morristown with additional traffic.

The following residents made revision recommendation to this Ordinance and noted the impact this would make on residents in and around the Mt. Kemble redevelopment site, requested more notice, concerns for steep slopes, setbacks, requested greater setbacks and traffic:

Delia Smith-19 Zamrock Way  
Munroe Chirnomas-47 Skyline Drive  
Julie Winter-210 Mt. Kemble Avenue  
Morristown Mayor Tim Doherty 10 Wetmore Avenue

Eric Anolik-28 North Bridge Place  
Jeff Wagener-45 Skyline Drive  
Amy Phlan – 89 Wetmore Avenue  
Jayme Siegel Harvey-133 Mt. Kemble Avenue

On motion duly made and seconded, Ordinance 15-18 will be continued for public hearing and final at a Special meeting on May 24, 2018 at 6:00 P.M. without further notice required.

MINUTES OF REGULAR MEETING OF  
THE TOWNSHIP COMMITTEE HELD ON  
WEDNESDAY, MAY 16, 2018  
7:00 P.M. REGULAR MINUTES  
PAGE 47

**ORDINANCES - PUBLIC HEARING AND FINAL CONSIDERATION(CONTINUED)**

ORDINANCE NO. 14-18-AN ORDINANCE OF THE TOWNSHIP OF MORRIS, MORRIS COUNTY, NEW JERSEY, RECOMMENDING THE ADOPTION OF THE MOUNT KEMBLE AVENUE REDEVELOPMENT PLAN REGARDING THE PROPERTY IDENTIFIED ON THE TOWNSHIP'S TAX MAPS AS BLOCK 5506, LOT 25 (95 MOUNT KEMBLE AVENUE) AND BLOCK 5605, LOTS 5, 6, 7, AND 8 (102, 106, AND 108 MOUNT KEMBLE AVENUE) PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ.

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

**SECTION ONE:**

WHEREAS, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "LRHL"), on January 26, 2016, the Township Committee of the Township of Morris adopted Resolution No. 31-16 authorizing and directing the Morris Township Planning Board (the "Planning Board") to undertake a preliminary investigation to determine whether property known as Block 5506, Lot 25 (95 Mount Kemble Avenue), and Block 5605, Lots 5, 6, 7, and 8 (102, 106, and 108 Mount Kemble Avenue) as shown on the Tax Map of the Township of Morris (the "Study Area"), should be designated as a non-condemnation "area in need of redevelopment"; and

WHEREAS, on February 1, 2016, the Planning Board, pursuant to Section 6 of the LRHL, authorized the firm of Heyer, Gruel & Associates (the "Planning Consultant") to assist with the undertaking of a preliminary investigation and to prepare a report for review by the Planning Board concerning the Study Area; and

WHEREAS, the Planning Board conducted a public hearing on July 18, 2016, at which time members of the public, including all persons who were interested in or would be affected by a determination that the Study Area constituted an "area in need of redevelopment" were given an opportunity to be heard; and

WHEREAS, the Planning Board reviewed a report dated May 2016 prepared by the Planning Consultant entitled "Mt. Kemble Avenue Redevelopment Study" (the "Preliminary Investigation Report") and recommended to the Township Committee that Block 5506, Lot 25 in the Study Area be deemed a non-condemnation "area in need of redevelopment" and Block 5605, Lots 5, 6, 7, and 8 be deemed an "area in need of rehabilitation"; and

WHEREAS, by Resolution No. 168-16, adopted on August 17, 2016, the Township Committee designated a portion of the Study Area as a non-condemnation "area in need of redevelopment" and a portion of the Study Area as an "area in need of rehabilitation"; and

WHEREAS, the Planning Consultant was authorized on behalf of the Township Committee to prepare a Redevelopment Plan, which Redevelopment Plan, dated May 2018, is entitled "Township of Morris Mt. Kemble Avenue Redevelopment Plan" (the "Redevelopment Plan"); and

WHEREAS, the Township Committee has reviewed and carefully considered the Redevelopment Plan and has found it to be acceptable as to form and content, and now desires to adopt this Ordinance, formally adopting the Redevelopment Plan; and

MINUTES OF REGULAR MEETING OF  
THE TOWNSHIP COMMITTEE HELD ON  
WEDNESDAY, MAY 16, 2018  
7:00 P.M. REGULAR MINUTES  
PAGE 48

**ORDINANCES - PUBLIC HEARING AND FINAL CONSIDERATION(CONTINUED)**

ORDINANCE NO. 14-18-AN ORDINANCE OF THE TOWNSHIP OF MORRIS, MORRIS COUNTY, NEW JERSEY, RECOMMENDING THE ADOPTION OF THE MOUNT KEMBLE AVENUE REDEVELOPMENT PLAN REGARDING THE PROPERTY IDENTIFIED ON THE TOWNSHIP'S TAX MAPS AS BLOCK 5506, LOT 25 (95 MOUNT KEMBLE AVENUE) AND BLOCK 5605, LOTS 5, 6, 7, AND 8 (102, 106, AND 108 MOUNT KEMBLE AVENUE) PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ. (CONTINUED)

WHEREAS, the Township Committee has forwarded a copy of this Ordinance and the Redevelopment Plan to the Planning Board for a Master Plan consistency review at the Board's May 7, 2018 regular meeting, in accordance with Section 7e of the LRHL; and

WHEREAS, the Planning Board conducted a Master Plan consistency review and found that the Redevelopment Plan is substantially consistent with the Township's Master Plan and Reexamination Reports; and

WHEREAS, the Commissioner of the State of New Jersey, Department of Community Affairs, has heretofore approved the designation of the Study Area as an "area in need of redevelopment" and as an "area in need of rehabilitation".

SECTION TWO. The Redevelopment Plan, a copy of which is annexed hereto and made a part of this Ordinance, is hereby adopted in accordance with Section 7 of the LRHL.

SECTION THREE. This ordinance constitutes an amendment to the zoning district map included in the Morris Township Zoning Ordinance.

SECTION FOUR. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of any inconsistency.

SECTION FIVE. If any section, subsection, paragraph, clause or provision of this Ordinance shall be adjudged to invalid, such adjudication shall apply only to such section, subsection, paragraph, clause or provision and the remainder of this Ordinance shall be deemed valid and effective.

SECTION SIX. This ordinance shall take effect upon the last to occur of the (i) filing with the Morris County Planning Board; and (ii) adoption and publication in the manner required by New Jersey law. 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.

Also Present: Township Planner, Mr. James Slate, Township Engineer, and Mr. John Barree, AICP, P.P. of the firm Heyer, Gruel & Associates Community Planning Consultants.

Mr. John Barree, AICP, P.P. summarized the Redevelopment Plan and noted that the Planning Board is required to review and approve any development of the properties included in this Ordinance.

PUBLIC COMMENT – THE FOLLOWING SUMMARY OF THE PUBLIC WHO APPEARED TO BE HEARD AS HERETO SETFORTH:

MINUTES OF REGULAR MEETING OF  
THE TOWNSHIP COMMITTEE HELD ON  
WEDNESDAY, MAY 16, 2018  
7:00 P.M. REGULAR MINUTES  
PAGE 49

**ORDINANCES - PUBLIC HEARING AND FINAL CONSIDERATION(CONTINUED)**

ORDINANCE NO. 14-18-AN ORDINANCE OF THE TOWNSHIP OF MORRIS, MORRIS COUNTY, NEW JERSEY, RECOMMENDING THE ADOPTION OF THE MOUNT KEMBLE AVENUE REDEVELOPMENT PLAN REGARDING THE PROPERTY IDENTIFIED ON THE TOWNSHIP'S TAX MAPS AS BLOCK 5506, LOT 25 (95 MOUNT KEMBLE AVENUE) AND BLOCK 5605, LOTS 5, 6, 7, AND 8 (102, 106, AND 108 MOUNT KEMBLE AVENUE) PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ. (CONTINUED)

The following residents made recommendation to revise this Ordinance and noted the impact this Ordinance would make on residents, requested more notice, concerns for: creeping growth, wetlands, setbacks, traffic, noise, slopes, deforestation, protection of natural habitat and why the plan did not include additional properties on Mt. Kemble Avenue:

Monroe Chernomas-47 Skyline Dr.	Richard Bourland-26 Mountainside Dr.
Jeff Wagener-45 Skyline Dr.	Amy Fallon-89 Wetmore Ave.
Brian Goss 63 Frederick Pl.	Jayne Harvey-133 Mr. Kemble Ave.
Timothy Dougherty, 10 Wetmore Ave. - Mayor Morristown	
Jeffrey Grayzel-1 Indianhead Rd.	Craig Goss-67 Frederick Pl.
Julie Winter-210 Mt. Kemble	James Harvey-133 Mt. Kemble Ave.
Marie Anderson-26 Northbridge Pl.	

Sue Young Schoolhouse Lane – has followed the Fair Share Housing Laws that have put undo pressure on communities in New Jersey.

Mr. John Barree – Addressed various issues such as why certain properties on Mt. Kemble Avenue were excluded, but will need to be considered as part of a future Master Plan; addressed Fort Nonsense, Morristown that is not part of this Redevelopment Plan.

Mrs. Wilson moved to continue Ordinance 14-18 to the next meeting of the Township Committee, seconded by Mr. Arvanites.

ROLL CALL:	MR. ARVANITES	YES	MR. SISLER	NO
	MR. NUNN	NO	MRS. WILSON	YES
	MAYOR. MANCUSO	NO		

Motion did not carry.

On motion duly made and seconded the public hearing on Ordinance 14-18 was closed.

ROLL CALL:	MR. ARVANITES	NO	MR. SISLER	YES
	MR. NUNN	YES	MRS. WILSON	NO
	MAYOR. MANCUSO	YES		

DECLARATION OF FINAL ADOPTION – Mayor Peter V. Mancuso declared the ordinance adopted and finally passed, approved the same; and directed that the Clerk publish the notice in the Newspaper and to record the ordinance in the proper place.

MINUTES OF REGULAR MEETING OF  
THE TOWNSHIP COMMITTEE HELD ON  
WEDNESDAY, MAY 16, 2018  
7:00 P.M. REGULAR MINUTES  
PAGE 50

**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. 91-18-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		

\* \* \* \*

**RESOLUTION NO. 92-18 RE: AUTHORIZING MAYOR AND CLERK TO EXECUTE A STORM-WATER FACILITY MAINTENANCE AGREEMENT BETWEEN THE TOWNSHIP OF MORRIS AND THE MORRISTOWN BEARD SCHOOL, 70 WHIPPANY ROAD, MORRISTOWN, NJ 07960 FOR THE STORM WATER MANAGEMENT FACILITY LOCATED AT 70 WHIPPANY ROAD, BLOCK 10001, LOT 1**

WHEREAS, the Planning Board of the Township of Morris did grant certain developmental approvals, and have granted preliminary and final site plan that was adopted, by the Planning Board, on October 19, 2015 to the above stated property located at Block 10001, Lot 1 better known as 270 Whippany Road; and

WHEREAS, The Morristown Beard School, 70 Whippany Road, Morristown, NJ property owners, and the Township have under consideration between them a proposed Storm-Water Facility Maintenance Agreement.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Mayor and Township Clerk are authorized to execute the agreement of Storm-Water Facility Maintenance Agreement that has been approved by the Municipal Engineer and Municipal Attorney.

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

MINUTES OF REGULAR MEETING OF  
THE TOWNSHIP COMMITTEE HELD ON  
WEDNESDAY, MAY 16, 2018  
7:00 P.M. REGULAR MINUTES

PAGE 51

**RESOLUTIONS (CONTINUED)**

**RESOLUTION NO. 93-17 PROMOTION OF DETECTIVE DAVID CROWLEY TO SERGEANT – MORRIS TOWNSHIP POLICE DEPARTMENT EFFECTIVE MAY 21, 2018**

BE IT RESOLVED by the Township Committee of the Township of Morris, they being the governing body thereof, that Det. David Crowley is hereby promoted to the rank of Sergeant for the Morris Township Police Department, effective May 21, 2018.

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

\* \* \* \*

**RESOLUTION NO. 94-18 PROMOTION OF SGT. JAMES PERRUSO TO LIEUTENANT – MORRIS TOWNSHIP POLICE DEPARTMENT EFFECTIVE MAY 21, 2018**

BE IT RESOLVED by the Township Committee of the Township of Morris, they being the governing body thereof, that Sgt. James Perruso is hereby promoted to the rank of Lieutenant for the Morris Township Police Department, effective May 21, 2018.

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

\* \* \* \*

**RESOLUTION NO. 95-18 PROMOTION OF SGT. ROBERT SHEARER TO LIEUTENANT – MORRIS TOWNSHIP POLICE DEPARTMENT EFFECTIVE MAY 21, 2018**

BE IT RESOLVED by the Township Committee of the Township of Morris, they being the governing body thereof, that Sgt. Robert Shearer is hereby promoted to the rank of Lieutenant for the Morris Township Police Department, effective May 21, 2018.

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

\* \* \* \*

MINUTES OF REGULAR MEETING OF  
THE TOWNSHIP COMMITTEE HELD ON  
WEDNESDAY, MAY 16, 2018  
7:00 P.M. REGULAR MINUTES  
PAGE 52

**RESOLUTIONS(CONTINUED)**

**RESOLUTION NO. 96-18 AUTHORIZING RETURN OF MONIES REMAINING IN CLIENT'S ESCROW ACCOUNTS- E-12-56-808-987, E-12-56-808-789, AND E-12-56-808-888**

WHEREAS, the following escrow accounts have completed the Planning Board / Board of Adjustment applications process, and

WHEREAS, the Township Engineer has certified these escrow accounts may now be released, and

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

<b><u>Name</u></b>	<b><u>Balance</u></b>	<b><u>Escrow Account #</u></b>
Joseph & Sharon Toris	\$565.31	E-12-56-808-987
NYC Skyline Realty, LLC	\$2,817.70	E-12-56-808-789
OSBNJ / Delbarton	\$732.20	E-12-56-808-888

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

\* \* \* \*

**RESOLUTION NO. 97-18 APPOINTMENT OF DAVID PETERSON SPECIAL LAW ENFORCEMENT OFFICER CLASS 3 MORRIS TOWNSHIP POLICE DEPARTMENT FOR THE PERIOD OF MAY 29, 2018 TO DECEMBER 31, 2018**

BE IT RESOLVED by the Township Committee of the Township of Morris, they being the governing body thereof, that David Peterson, 3 Birch Road, Pompton Plains, NJ is hereby appointed to the position of Special Law Enforcement Officer Class 3 of the Morris Township Police Department, for the period of May 29, 2018 to December 31, 2018.

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

\* \* \* \*

MINUTES OF REGULAR MEETING OF  
THE TOWNSHIP COMMITTEE HELD ON  
WEDNESDAY, MAY 16, 2018  
7:00 P.M. REGULAR MINUTES  
PAGE 53

**RESOLUTIONS(CONTINUED)**

RESOLUTION NO. 98-18 AUTHORIZING AWARD OF A NONFAIR AND OPEN CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES FOR THE DESIGNING, BIDDING, AND CONSTRUCTION/INSPECTION SERVICES FOR BUTTERWORTH AND WOODLAND STP HVAC UPGRADES TO MOTT MACDONALD, 111 WOOD AVENUE SOUTH, ISELIN, NJ 08830-4112, IN THE ADDITIONAL AMOUNT OF \$47,800, FOR A TOTAL NOT TO EXCEED \$282,400

WHEREAS, the Township of Morris has a need to acquire services of a professional engineering firm for purposes of designing, bidding, and construction/inspection services as it relates to the Butterworth and Woodland STP HVAC upgrades as a nonfair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

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

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

WHEREAS, the anticipated term of this contract is until the project is fully completed; and

WHEREAS, Mott MacDonald was awarded a contract under Resolution No. 225-17 on October 18, 2017 and due to additional services required, this contract must be amended; and

WHEREAS, Mott MacDonald has submitted an email to James Slate dated February 14, 2018 indicating that an increase is needed in the amount of \$47,800; and

WHEREAS, Mott MacDonald has completed and submitted a Business Entity Disclosure Certification which certifies that Mott MacDonald has not made any reportable contributions to a political or candidate committee in the Township of Morris in the previous one year, and that the contract will prohibit Mott MacDonald from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer of the Township of Morris has filed a Certificate of Availability of Funds indicating funds are available in Sewer Capital Line No S-06-55-716-001 in the amount of \$47,800.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Township of Morris authorizes the Mayor and Township Clerk to enter into a contract with Mott MacDonald for the provision of professional engineering services with respect to the Butterworth and Woodland HVAC upgrades for an additional amount of \$47,800 for a total fee not to exceed \$282,400.

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

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

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

MINUTES OF REGULAR MEETING OF  
THE TOWNSHIP COMMITTEE HELD ON  
WEDNESDAY, MAY 16, 2018  
7:00 P.M. REGULAR MINUTES  
PAGE 54

**RESOLUTIONS(CONTINUED)**

**RESOLUTION NO. 99-18 RE: GOVERNING BODY CERTIFICATION OF THE 2017 ANNUAL AUDIT**

WHEREAS, N.J.S.A. 40A: 5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2017 has been filed by a Registered Municipal Accountant with the Township Clerk pursuant to N.J.S.A. 40A: 5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, That the Township Committee of the Township of Morris, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

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

MINUTES OF REGULAR MEETING OF  
THE TOWNSHIP COMMITTEE HELD ON  
WEDNESDAY, MAY 16, 2018  
7:00 P.M. REGULAR MINUTES  
PAGE 55

**RESOLUTIONS(CONTINUED)**

**RESOLUTION NO. 100-18 RE: AUTHORIZING REFUND OF 2018 TAXES DUE TO AN OVERPAYMENT- BLOCK 1501 LOT1/C1903**

WHEREAS, the Tax Collector has certified to the Township of Morris that a payment be refunded due to an overpayment by the homeowner

WHEREAS, the Governing Body has reviewed said certification and approved the same.

NOW THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Morris, being the Governing Body thereof that payment is refunded as follows:

Block /Lot/Qualifier	Refund to:	Amount
1501/1/C1903 57 Wildflower Lane	Lisa Rangel & Mark Kontny 25 Lidgerwood Place Morristown, NJ 07960	\$3,465.04

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

\* \* \* \*

**RESOLUTION NO. 101-18 RE: AUTHORIZING REFUND OF 2018 TAXES DUE TO AN OVERPAYMENT- BLOCK 1501 LOT 1/C3150 AND BLOCK 501, LOT 8**

WHEREAS, the Tax Collector has certified to the Township of Morris that a payment be refunded due to an overpayment by the mortgage company

WHEREAS, the Governing Body has reviewed said certification and approved the same.

NOW THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Morris, being the Governing Body thereof that payment is refunded as follows:

Block /Lot/Qualifier	Refund to:	Amount
1501/1/C3105 40 Wildflower Lane	Lereta LLC Attn: Central Refunds 1123 Park View Drive Covina, CA 91724	\$1,640.92
501/18 8 Lake Valley Road	Wells Fargo Attn: Financial Support Unit-Region 4 MAC F2302-035 1 Home Campus Des Moines, IA 50328-0001	\$1,670.62

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

\* \* \* \*

MINUTES OF REGULAR MEETING OF  
THE TOWNSHIP COMMITTEE HELD ON  
WEDNESDAY, MAY 16, 2018  
7:00 P.M. REGULAR MINUTES  
PAGE 56

**RESOLUTIONS(CONTINUED)**

**RESOLUTION NO. 102-18 RE: AUTHORIZING REFUND OF 2018 TAXES DUE TO AN OVERPAYMENT-CORELOGIC CENTRALIZED REFUNDS VARIOUS PROPERTIES**

WHEREAS, the Tax Collector has certified to the Township of Morris that a payment be refunded due to an overpayment by the mortgage company

WHEREAS, the Governing Body has reviewed said certification and approved the same.

NOW THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Morris, being the Governing Body thereof that payment is refunded as follows:

Block /Lot/Qualifier	Refund to:	Amount
2601/6 564 Sussex Avenue	Corelogic Centralized Refunds P.O. Box 9202 Coppell, TX 75019-9760	\$2,258.01
7902/1/C4304 43.14 Piedmont Ct.	Corelogic Centralized Refunds	\$386.32
5902/7 75 Overlook Road	Corelogic Centralized Refunds	\$4,843.34
2901/19 15 Netherton Terrace	Corelogic Centralized Refunds	\$2,664.13
2804/8 360 Sussex Avenue	Corelogic Centralized Refunds	\$1,889.25

Total: \$12,041.05

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

\* \* \* \*

**RESOLUTION NO. 103 -18 RESOLUTION ADOPTING THIRD ROUND AFFORDABLE HOUSING SPENDING PLAN**

WHEREAS, the Township of Morris ("Township"), Morris County, New Jersey has petitioned the Superior Court of New Jersey, Law Division, Morris County, for a judgment of compliance and repose; and

WHEREAS, the Township of Morris adopted a mandatory development fee ordinance that establishes standards for the collection, maintenance, and expenditure of development fees to be used for providing low- and moderate-income housing in the Township; and

WHEREAS, the development fee ordinance establishes an affordable housing trust fund that includes development fees, payments from developers in lieu of construction of affordable units on-site, barrier free escrow funds, repayments from affordable housing program loans, recapture funds, proceeds from the sale of affordable units;

WHEREAS, N.J.A.C. 5:97:8-1(d) requires a municipality with an affordable housing trust fund to receive approval of a spending plan from the Council on Affordable Housing (COAH) or a court of competent jurisdiction prior to spending any of the funds in its housing trust fund; and

MINUTES OF REGULAR MEETING OF  
THE TOWNSHIP COMMITTEE HELD ON  
WEDNESDAY, MAY 16, 2018  
7:00 P.M. REGULAR MINUTES  
PAGE 57

**RESOLUTIONS(CONTINUED)**

**RESOLUTION NO. 103 -18 RESOLUTION ADOPTING THIRD ROUND AFFORDABLE HOUSING SPENDING PLAN (CONTINUED)**

WHEREAS, N.J.A.C. 5:97-8.10 requires a spending plan to include the following:

1. A projection of revenues anticipated from imposing fees on development, based on pending, approved and anticipated developments and historic development activity;
2. A projection of revenues anticipated from other sources, including payments in lieu of constructing affordable units on sites zoned for affordable housing, funds from the sale of units with extinguished controls, proceeds from the sale of affordable units, rental income, repayments from affordable housing program loans, and interest earned;
3. A description of the administrative mechanism that the municipality will use to collect and distribute revenues;
4. A description of the anticipated use of all affordable housing trust funds pursuant to N.J.A.C. 5:97-8.7, 8.8, and 8.9;
5. A schedule for the expenditure of all affordable housing trust funds;
6. If applicable, a schedule for the creation or rehabilitation of housing units;
7. A pro-forma statement of the anticipated costs and revenues associated with the development if the municipality envisions supporting or sponsoring public sector or non-profit construction of housing; and
8. A plan to spend and/or contractually commit all development fees and any payments in lieu of construction within three years of the end of the calendar year in which funds are collected, but no later than the end of third round substantive certification period;
9. The manner through which the municipality will address any expected or unexpected shortfall if the anticipated revenues from development fees are not sufficient to implement the plan; and
10. A description of the anticipated use of excess affordable housing trust funds, in the event more funds than anticipated are collected, or projected funds exceed the amount necessary for satisfying the municipal affordable housing obligation.

WHEREAS, Morris Township has prepared a spending plan consistent with N.J.A.C. 5:97-8.10 and P.L. 2008, c.46.

NOW THEREFORE BE IT RESOLVED that the Governing Body of Morris Township, Morris County requests that the Court review and approve the Morris Township spending plan.

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

\* \* \* \*

MINUTES OF REGULAR MEETING OF  
THE TOWNSHIP COMMITTEE HELD ON  
WEDNESDAY, MAY 16, 2018  
7:00 P.M. REGULAR MINUTES  
PAGE 58

**RESOLUTIONS(CONTINUED)**

**RESOLUTION NO. 104 -18 RESOLUTION ADOPTING AMENDED AFFIRMATIVE FAIR HOUSING  
MARKETING PLAN**

WHEREAS, the Township of Morris has need to amend its Affirmative Marketing Plan; and

NOW THEREFORE BE IT HEREBY RESOLVED by the Township Committee of the Township of Morris that the Amended Affirmative Marketing Plan is hereby accepted and shall be submitted to the Court for final approval.

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

\* \* \* \*

**RESOLUTION NO. 105-18 RE: AUTHORIZING THE EXECUTION OF TRI-PARTY AGREEMENT  
WITH THE BOROUGH OF FLORHAM PARK AND THE MORRIS COUNTY GOLF CLUB**

WHEREAS, there exists a certain private way located on the lands of the Morris County Golf Club (the "Club");

WHEREAS, the nearby residents of the Township of Morris (the "Township") and the Borough of Florham Park make use this traveled way from time to time; and

WHEREAS, a request has been made for a one time contribution from the Township toward the repair of this way; and

WHEREAS, all parties will make an equal contribution which shall not be evidentiary of any intent to accept said travelled ay as a municipal street; and

WHEREAS, all responsibility for arranging the work shall reside with the Township, with the contractor to provide appropriate insurance; and

WHEREAS, the contribution of each party shall not exceed the sum of \$8,000.00 and sufficient funds are available.

NOW THEREFORE BE IT HEREBY RESOLVED by the governing body of the Township of Morris as follows: The Mayor and Clerk shall execute the form of agreement as approved by the Township Attorney to effect the travelled way repair.

ROLL CALL:	MR. ARVANITES	YES	MR. SISLER	YES
	MR. NUNN	YES	MRS. WILSON	NO
	MAYOR. MANCUSO	YES		

\* \* \* \*

MINUTES OF REGULAR MEETING OF  
THE TOWNSHIP COMMITTEE HELD ON  
WEDNESDAY, MAY 16, 2018  
7:00 P.M. REGULAR MINUTES  
PAGE 59

**RESOLUTIONS(CONTINUED)**

RESOLUTION NO. 106-18 AUTHORIZING AWARD OF A NONFAIR AND OPEN CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES CONTRACT FOR THE COLLINSVILLE PLAYGROUND PROJECT TO KELLER & KIRKPATRICK, INC., 301 GIBRALTAR DRIVE, SUITE 2A, MORRIS PLAINS, NJ 07950-3409 – NOT TO EXCEED \$12,000.00

WHEREAS, the Township of Morris has a need to acquire professional services of a professional engineering firm for purposes of the new Collinsville Playground Project as a nonfair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

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

WHEREAS, Keller & Kirkpatrick, Inc. has submitted a proposal dated May 10, 2018 indicating they will provide the professional services of a licensed engineer for \$12,000; and

WHEREAS, the Chief Financial Officer of the Township of Morris has filed a Certificate of Availability of Funds indicating funds are available in G-04-55-802-005 in the amount of \$12,000.00.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Township of Morris authorizes the Mayor and Township Clerk to enter into a contract with Keller & Kirkpatrick, Inc. for the provision of professional engineering services with respect to the Collinsville Playground Project for a fee not to exceed \$12,000.

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

\* \* \* \*

RESOLUTION NO. 107-18 ENSORSEMENT OF THE ADOPTED HOUSING ELEMENT AND FAIR SHARE PLAN

WHEREAS, on March 10, 2015, the New Jersey Supreme Court in, In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing, 221 N.J. 1 (2015), found that the Council on Affordable Housing (“COAH”) administrative process, in which municipalities could elect to participate in order to establish a Housing Element and Fair Share Plan (“HEFSP”) that would satisfy their constitutional obligation to provide a realistic opportunity for the construction of their fair share of the regions’ low- and moderate-income needs, had become non-functioning, and, as a result, the Supreme Court returned primary jurisdiction over affordable housing matters from COAH to the trial courts; and

WHEREAS, on or about July 7, 2015, the Township of Morris (the “Township”) commenced a declaratory judgment action entitled, “In the Matter of the Application of the Township of Morris,” Docket No. MRS-L-1670-15 (the “DJ Action”), in which the Township sought, inter alia, an order declaring that the Township had fully discharged its constitutional affordable housing obligations and granting protection and repose against exclusionary zoning litigation, and the Township requested a period of time within which to prepare a constitutionally compliant HEFSP and continued immunity from third-party lawsuits during the pendency of the DJ Action; and

WHEREAS, at the conclusion of the negotiation process relating to the DJ Action, the Township and Fair Share Housing Center (“FSHC”) memorialized the terms of an agreement settling the DJ Action dated December 7, 2017 (the “Agreement”), and the Agreement was approved by the Superior Court in the DJ Action at the conclusion of a Fairness Hearing on February 9, 2018; and

MINUTES OF REGULAR MEETING OF  
THE TOWNSHIP COMMITTEE HELD ON  
WEDNESDAY, MAY 16, 2018  
7:00 P.M. REGULAR MINUTES  
PAGE 60

**RESOLUTIONS(CONTINUED)**

**RESOLUTION NO. 107-18 ENSORSEMENT OF THE ADOPTED HOUSING ELEMENT AND FAIR SHARE PLAN (CONTINUED)**

WHEREAS, the Agreement provides, in relevant part, that:

Settlement Terms:

The Township and FSHC hereby agree to the following terms:

The Township shall adopt an updated Housing Element and Fair Share Plan consistent with this Agreement which will be submitted to the Court for review and approval and

WHEREAS, in accordance with the Agreement, the Township Planning Board caused a Housing Element and Fair Share Plan to be prepared by the Planning Board's Planner, Phillips Preiss Grygiel Leheny and Hughes, LLC, and the Planning Board, during a public hearing held on May 7, 2018, in accordance with all notice requirements, considered and adopted said Housing Element and Fair Share Plan; and

WHEREAS, a true copy of the resolution of the Planning Board's adoption of the Housing Element and Fair Share Plan is attached hereto.

NOW THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Morris, County of Morris, State of New Jersey, hereby endorses the Housing Element and Fair Share Plan as adopted by the Planning Board on May 7, 2018.

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

\* \* \* \*

**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 responses, as appropriate, follows:

Mr. Jeff Grayzel – 1 Indian Head Road – Concerned for contamination at the Colgate site. Ans. Testing was done and no contamination was found.

Mr. Lee Goldberg – 10 Arrowhead Road – Inquired as to why the Township took the lead on a private road (Minisink) that a large part of the roadway is in Florham Park? Ans. Residents that live on Arrowhead Road use this roadway, but the Township could gate the access road.

\* \* \* \*

MINUTES OF REGULAR MEETING OF  
THE TOWNSHIP COMMITTEE HELD ON  
WEDNESDAY, MAY 16, 2018  
7:00 P.M. REGULAR MINUTES  
PAGE 61

**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. Approved the membership application of Tahj J. Valentine as a volunteer member of the Morris Township Fire Department as per memo from Fire Chief Jesse T. Kaar, Dated April 23, 2018. Firefighter Valentine will become a member of the Woodland Hook & Ladder Company.
2. Approved the membership application of William Beston as a volunteer member of the Morris Township Fire Department as per memo from Fire Chief Jesse T. Kaar, Dated April 25, 2018. Firefighter Beston will become a member of the Fairchild Fire Company.
3. Approved the membership application of Quinton M. Weiss as a volunteer member of the Morris Township Fire Department as per memo from Fire Chief Jesse T. Kaar, Dated April 27, 2018. Firefighter Weiss will become a member of the Fairchild Fire Company.
4. Approved the membership application for the Junior Fire Program of Sean C. Vail as a Junior Fire volunteer member of the Morris Township Fire Department as per memo from Fire Chief Jesse T. Kaar, Dated May 14, 2018.
5. Approved the membership application of Sofia E. Lindegren as a volunteer member of the Morris Township Fire Department as per memo from Fire Chief Jesse T. Kaar, Dated May 14, 2018. Firefighter Lindegren will become a member of the Hillside Hose Company.
6. Approved the membership application of Ryan J. O'Donnell as a volunteer member of the Morris Township Fire Department as per memo from Fire Chief Jesse T. Kaar, Dated May 14, 2018. Firefighter O'Donnell will become a member of the Fairchild Fire Company.
7. Granted permission to Spring Brook Country Club to hold fireworks at 9 Spring Brook Road on July 4, 2018 (rain date Friday, July 6), subject to the approval, if required, of the Police Chief Mark DiCarlo and Fire Chief Jesse Kaar, and the filing of a Certificate of Insurance naming the Township as an additional insured with a Hold Harmless Clause and the notification of the surrounding neighbors in advance of the event.

**RECEIVED FOR THE RECORD**

1. Planning Board Report and Resolutions on Ordinance Numbers 14-18, 15-18 and 16-18, dated May 9, 2018.
2. Planning Board adopted Morris Township Housing Element and Fair share Plan and Resolution.(copy in the Clerk's Office.

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

\* \* \* \*

MINUTES OF REGULAR MEETING OF  
THE TOWNSHIP COMMITTEE HELD ON  
WEDNESDAY, MAY 16, 2018  
7:00 P.M. REGULAR MINUTES  
PAGE 62

**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 - The Mayor and Mr. Arvanites toured the Parks and Recreation facilities in the Township and was a fun trip.

MRS. WILSON- Thanked everyone for attending the meeting; the situation that occurred at this meeting is a case study; not happy with business as usual; Mr. Sisler at the May 3, 2018 meeting was rude and is unacceptable; Ms. Wilson works with resident and asked that everyone should treat each other with respect; that there was a failure in communication and is right for change.

MR. SISLER – No comment.

MR. NUNN – Thanked Mayor Mancuso and Mr. Sisler.

MAYOR MANCUSO – Attended a meeting with other NJ Mayors that was hosted. via phone, by the Governor; ‘Texting while driving’ is a step closer to being implemented into a new law.

\* \* \* \*

**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 APRIL, 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	ABSENT	MRS. WILSON	YES
	MAYOR. MANCUSO	YES		

\* \* \* \*

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

Minute Book Attachment #1 (MBA #1) dated May 16, 2018 in the amount of \$ 10,669,066.51.

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 \$ 10,669,066.51 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	ABSENT	MRS. WILSON	YES
	MAYOR. MANCUSO	YES		

MINUTES OF REGULAR MEETING OF  
THE TOWNSHIP COMMITTEE HELD ON  
WEDNESDAY, MAY 16, 2018  
7:00 P.M. REGULAR MINUTES  
PAGE 63

**CALL TO ADJOURNMENT**

At 1:03 A.M.(May 17, 2018) with no further business to be considered, on motion duly made, seconded and unanimously adopted that the May 16, 2018 meeting was adjourned, next to convene on May 24, 2018 Special Meeting 6:00 P.M in the Municipal Building, 50 Woodland Avenue, Township of Morris.

  
CATHLEEN AMELIO  
TOWNSHIP CLERK