

**TOWNSHIP OF MORRIS
REGULAR MEETING
MAY 20, 2009 – 8:00 P.M.**

AGENDA

CALL TO ORDER (ATTENDANCE NOTED)

(MAYOR)

PLEDGE OF ALLEGIANCE

(MAYOR)

PRESIDING OFFICER'S STATEMENT RE: OPMA

(MAYOR)

APPROVAL OF MINUTES

MARCH 18, 2009 - REGULAR MEETING
MARCH 18, 2009 - CLOSED MEETING
APRIL 15, 2009 - REGULAR MEETING
APRIL 15, 2009 - CLOSED MEETING

PRESENTATION - ANNUAL AWARDS TO POLICE DEPARTMENT

**ORDINANCES - PUBLIC HEARING
FINAL CONSIDERATION AND ADOPTION**

(ATTORNEY)

7-09 RE: ACCEPTING A DEDICATION OF A PORTION OF JOCKEY HOLLOW ROAD AND SUGARLOAF ROAD

8-09 AUTHORIZING THE CONTRIBUTION OF OPEN SPACE TRUST AND GREEN ACRES PLANNING INCENTIVE GRANT FUNDING FOR THE ACQUISITION OF A PORTION OF THE ST. MARY'S ABBEY PROPERTY IN THE TOWNSHIP OF MORRIS

ORDINANCES – INTRODUCTION

(ATTORNEY)

9-09 AMENDING CHAPTER 95, SECTION 34.2 OF THE ZONING ORDINANCE OF THE TOWNSHIP OF MORRIS AND CHAPTER 57, SECTIONS 95 AND 112 OF THE LAND DEVELOPMENT ORDINANCE OF THE TOWNSHIP OF MORRIS

10-09 RE: REMOVING CERTAIN LANDS AND PREMISES OF THE ORDER OF ST. BENEDICT FROM THE CCRC ZONE

11-09 AN ORDINANCE AMENDING CHAPTER 45, FEES, ARTICLE I, GENERAL FEES SECTION 45-1, SCHEDULE OF FEES FOR COPIES OF PUBLIC RECORDS, OF THE CODE OF THE TOWNSHIP OF MORRIS

12-09 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14) (CALENDAR YEAR 2009)

INTRODUCTION - 2009 MUNICIPAL BUDGET

REPORT OF BID RECEIPT COMMITTEE

OTE: 2009-10 - OLD GLEN ROAD & TURTLE ROAD ROADWAY IMPROVEMENT PROJECT

RESOLUTIONS**(ATTORNEY)**

- 99-09** RESOLUTION SUPPORTING THE NEW JERSEY DEPARTMENT OF TRANSPORTATION PROPOSED DETOUR DURING THE REPLACEMENT OF THE EXISTING HARTER ROAD BRIDGE DECK OVER INTERSTATE 287.
- 100-09** AUTHORIZING AWARD OF A NONFAIR AND OPEN CONTRACT FOR A PROFESSIONAL ENGINEERING SERVICES CONTRACT TO HATCH MOTT MAC DONALD IN CONNECTION WITH WOODLAND STP RAW SEWERAGE PUMPS VFD AND CONTROLS UPGRADES AND SCADA SYSTEM UPGRADE PROJECT – NOT TO EXCEED \$89,800.
- 101-09** RESOLUTION IN OPPOSITION TO A PROPOSED DIVERSION OF FUNDS FROM THE EMERGENCY MEDICAL TECHNICIAN TRAINING FUND.
- 102-09** RESOLUTION SUPPORTING THE TOWNSHIP OF MORRIS' PARTICIPATION IN THE SUSTAINABLE JERSEY MUNICIPAL CERTIFICATION PROGRAM.
- 103-09** RE: SUPPORTING SENATE BILL NO. 2711 ALLOWING FOR REASSESSMENT OF CERTAIN SECTIONS OF A MUNICIPALITY.
- 104-09** AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO ENTER INTO AN AGREEMENT WITH THE TOWN OF MORRISTOWN FOR THE COLONIAL COACH BUS SERVICE.
- 105-09** IN RECOGNITION AND OF CONGRATULATIONS - GRACE TERWILLIGER.
- 106-09** IN RECOGNITION AND OF CONGRATULATIONS - MADELEINE CASELLI.
- 107-09** IN OPPOSITION TO STATE OF NEW JERSEY FY 2010 STATE BUDGET.
- 108-09** IN RECOGNITION AND OF CONGRATULATIONS - HERBERT AND ELLIE BERMAN.
- 109-09** AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO ENTER INTO AN AGREEMENT WITH THE COUNTY OF MORRIS FOR ROAD OPENING PURPOSES.
- 110-09** AUTHORIZING CHANGE ORDER #1 TO RJR ENGINEERING CO. INC., 105 GUINEA HOLLOW ROAD, CALIFON, NJ 08750 FOR OTE: 2009-4 - STREETER SWIMMING POOL FILTRATION, RECIRCULATION, CONTROL AND CHEMICAL EQUIPMENT, IN THE AMOUNT OF \$2,488.
- 111-09** RESOLUTION **IN MEMORIAM** - CHARLES PETER ENGLE.
- 112-09** AUTHORIZING REFUND OF MONIES DUE TO TAX OVERPAYMENTS (4-\$4,767.94) & SEWER OVERPAYMENTS (1-\$418.78).
- 113-09** AUTHORIZING EXEMPTION OF TAXES - 30 EMMET AVENUE, BLOCK 10315, LOT 2, ORIS C. CLARY - DUE TO DISABLED VETERAN STATUS.
- 114-09** AUTHORIZING AWARD OF A FAIR AND OPEN CONTRACT FOR BID OTE: 2009-10 OLD GLEN ROAD AND TURTLE ROADWAY IMPROVEMENTS TO JENICAR BUILDERS CONTRACTORS CO., INC. 573 BELGROVE DRIVE, KEARNY, NJ 07032 IN AN AMOUNT NTE \$690,820.54.
- 115-09** AUTHORIZING FRED J. ROSSI, TOWNSHIP ADMINISTRATOR TO ENTER INTO A SETTLEMENT AND SIDE BAR LETTER OF AGREEMENT BETWEEN THE TOWNSHIP OF MORRIS AND P.B.A. LOCAL #133.
- 116-09** IN RECOGNITION AND OF CONGRATULATIONS ILLENE AND BRUCE JACOBS.
- 117-09** IN RECOGNITION AND OF CONGRATULATIONS JAY AND AMY OYERS.
- 118-09** RESOLUTION FOR GRANT ADMINISTRATIVE SUPPORT 2009 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM

RESOLUTIONS (CONTINUED)

(ATTORNEY)

119-09 RE: SELF-EXAMINATION OF BUDGET RESOLUTION.

120-09 RESOLUTION APPROVING THE MUNICIPAL HOUSING LIAISON OF THE TOWNSHIP OF MORRIS, COUNTY OF MORRIS.

121-09 AUTHORIZING CHANGE ORDERS #3 AND #4 AND FINAL PAYMENT TO CONTRACT #53 - PLYMOUTH AND MAC KENZIE ROADS DRAINAGE IMPROVEMENTS.

122-09 AUTHORIZING THE CONDUCTING OF A "CLOSED MEETING" AS DEFINED IN THE OPEN PUBLIC MEETINGS ACT CONCERNING "LEGAL AND PERSONNEL MATTERS".

PUBLIC COMMENT/INQUIRY

GENERAL BUSINESS CORRESPONDENCE

(CLERK)

A. CONSENT CALENDAR

(ATTACHMENT "A")

B. OTHER BUSINESS NOT LISTED ON CONSENT CALENDAR

(ATTACHMENT "B")

C. MATTERS RECEIVED FOR THE RECORD

(ATTACHMENT "C")

COMMENTARY BY TOWNSHIP COMMITTEE

MR. CAFFREY

MR. GOLDBERG

MR. GRAYZEL

MR. SNYDER

MAYORAL COMMENTARY - MAYOR H. SCOTT ROSENBUSH

1. PROCLAMATION - "BIKE TO WORK WEEK" - MAY 11-15, 2009.

2. PROCLAMATION - "SEPTEMBER - OVARIAN CANCER AWARENESS MONTH".

CONSIDERATION OF MONTHLY REPORTS

2008 ANNUAL REPORT
BOARD OF ADJUSTMENT

APRIL 2009
TAX COLLECTOR

CLAIMS FOR PAYMENT - LIST OF BILLS AND VOUCHERS

\$14,520,994.65

RECESS MEETING – CONDUCT "CLOSED MEETING"

CALL TO ORDER - RESUMPTION OF MAY 20, 2009 AGENDA

ADJOURNMENT - NEXT TO CONVENE **AT 8:00 P.M.** ON **JUNE 17, 2009**
IN THE MUNICIPAL BUILDING, 50 WOODLAND AVENUE.

1. Approved, in accordance with a memo dated April 22, 2009 from Craig Goss, Fire Chief, William M. Duggan, 8 Darnay Road, Morristown, as a volunteer member of the Township Fire Department (Woodland Hook & Ladder Company).
2. Granted permission to Morris County Bar Foundation to hang a banner over Woodland Avenue from June 25 to July 9, 2009, for the event on July 10, 2009, 7 PM to dusk, to advertise the Fifth Annual 'Lawyers for Kids 5K Run', subject to approval of the Police and Fire Chiefs, Director of Parks and Recreation and JCP&L Coordinator for the utility companies, and subject to the filing of a Certificate of Insurance, with a Hold Harmless Clause.
3. Accepted, with regret and appreciation for services rendered, the retiring of James Miller, Forman with the Department of Public Works, effective May 31, 2009.
4. Granted permission to the residents of Tracy Court to hold their annual block party on June 20, 2009, from 3:00 P.M. to 8:00 P.M., closing Tracy Court, subject to approval of the Police and Fire Chiefs.
5. Granted permission to Kaleidoscope of Hope Foundation to tie ribbons around trees in the Township to advertise **September as Ovarian Cancer Awareness Month**, subject to the filing of a Certificate of Insurance with a Hold Harmless Clause.
6. Approved, in accordance with a memo dated May 11, 2009 from Craig Goss, Fire Chief, Ross M. Dillon, 24 Idlewild Drive, Morris Plains, 07950 as a volunteer member of the Township Fire Department (Fairchild Fire Company).
7. Approved, in accordance with a memo dated May 11, 2009 from Craig Goss, Fire Chief, Tom F. Hochman, 18 Craig Road, Morristown, 07960 as a volunteer member of the Township Fire Department (Fairchild Fire Company).
8. Granted permission to the Morris Educational Foundation to change the date of their Fundraiser from October 25 to October 18, 2009, 10 A.M., and to change the 5K run to a 10K run with a 5K split, combined with a shorter Kids' Run/Walk, with the route being the same as the old Country Squire Run Route, subject to the filing of a Certificate of Insurance with a Hold Harmless Clause and the approval of the Police and Fire Chiefs and the Director of Parks and Recreation.
9. Granted permission to the residents of Gregory Avenue to hold their annual block party on June 13, 2009, from 12:00 P.M. to 10:00 P.M., closing Gregory Avenue, subject to approval of the Police and Fire Chiefs. Also if possible to have a Police car to come by that day for the kids to see.
10. Approved, in accordance with a memo dated May 15, 2009 from Police Chief Timothy Quinn, Andrew Moore for permanent appointment as a Communications Officer Class 1, effective immediately.
11. Reduced, in accordance with a memo dated May 18, 2009 from James Slate, Township Engineer (ENG-122-09), in connection with the Seneca, LLC Subdivision, Block 5903, Lots 2, 2.01 and 3, Westminster Place, Performance Bond S13373 from \$279,000.00 to \$64,665.36, as the majority of the construction has been completed, and subject to receipt, review and approval of as-built plans of the completed improvements, the remaining monies being held to cover the remaining site improvements.

MAY 20, 2009

CONSENT CALENDAR (CONTINUED)

ATTACHMENT "A" - PAGE 2

12. Granted permission to The Shakespeare Theatre of New Jersey to erect a banner over Woodland Avenue from July 9, 2009 to August 3, 2009 advertising presentation of The tempest by William Shakespeare, their 8th annual Outdoor Stage Production, subject to approval of the Police and Fire Chiefs, Director of Parks and Recreation and JCP&L Coordinator for the utility companies, and subject to the filing of a Certificate of Insurance, with a Hold Harmless Clause.

RECEIVED FOR THE RECORD

ATTACHMENT "C" - PAGE 2

1. Tax appeals filed with the Tax Court of New Jersey:
Block 7501, Lot 41, 19 Three Gables Road, owners: Jay & Shari Stack;
Block 7501, Lot 46, 1 Three Gables Road, owners: James & Leslie Ann Bolin;
Block 3601, Lot 7, 54 Schoolhouse Lane, owners: Marc & Judy Allen.
2. Tax appeal filed with the County Board of Taxation, Block 3102, Lot 3, 1 Deborah Drive, owners: James M. & Cynthia Chiariello.
3. Copy of the Florham Park Sewerage Authority's Wastewater Management Plan Update received May 11, 2009.

MAY 20, 2009

CONSENT CALENDAR

ATTACHMENT "A" - PAGE 1

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