

2018 ORDINANCES INDEX

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28-18	AN ORDINANCE OF THE TOWNSHIP OF MORRIS, COUNTY OF MORRIS, NEW JERSEY, APPROVING THE FIRST AMENDMENT TO FINANCIAL AGREEMENT FOR TAX EXEMPTION OF LENNAR COLGATE URBAN RENEWAL DEVELOPMENT, LLC (AS SUCCESSOR BY ASSIGNMENT TO JMF/RD NJ PROPERTIES RESIDENTIAL URBAN RENEWAL, LLC) FOR THE REDEVELOPMENT OF BLOCK 10401, LOT 3, IN ACCORDANCE WITH THE LONG TERM TAX EXEMPTION LAW, N.J.S.A. 40A:20-1 ET SEQ	09/19/18	10/17/18
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**TOWNSHIP OF MORRIS
MORRIS COUNTY – NEW JERSEY
ORDINANCE NO. 01-18**

AN ORDINANCE AMENDING CHAPTER 398 ENTITLED, “RESIDENTIAL PROPERTY”

BE IT HEREBY ORDAINED by the Township Committee of the Township of Morris, they being the governing body thereof that the Code of the Township of Morris is hereby amended as follows:

SECTION ONE: Be it hereby ordained by the Township Committee of the Township of Morris that the following section as designated in Chapter 398 of the Code of the Township of Morris is hereby amended as set forth below:

398-2 Certificate of continued occupancy required.

It shall hereafter be unlawful for a property owner to transfer title and/or possession to any residential real property in the Township of Morris without having first obtained a certificate of continued occupancy prior to the sale, lease or occupancy of such premises. A Certificate of Continued Occupancy shall be valid for ninety (90) days from date of issuance. It may be extended for an additional thirty (30) days by the Construction Code Official for good cause.

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

SECTION THREE: all ordinances of the Township of Morris which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

SECTION FOUR: this ordinance shall take effect upon final passage and publication thereof as provided by law.

INTRO: 1/17/18

FINAL: 2/28/18

TOWNSHIP OF MORRIS
MORRIS COUNTY – NEW JERSEY
ORDINANCE NO. 02-18

ORDINANCE APPROPRIATING \$440,000 AVAILABLE IN THE OPEN SPACE TRUST 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. \$440,000 is available in the Open Space Trust 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: improvements to Parks and Recreation facilities to include but not limited to Collinsville Playground, Ginty Recreation Complex, Streeter Recreation Complex, Cornine Field, Baker Farm, Blue Gate Farm, Jockey Hollow Top Preserve, including all work and materials necessary therefor or incidental there to and to maintain lands acquired for recreation and conservancy purposes.

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.

INTRO: 1/17/18

FINAL: 2/28/18

TOWNSHIP OF MORRIS
MORRIS COUNTY – NEW JERSEY
ORDINANCE NO. 03-18

ORDINANCE AMENDING CHAPTER 447 - "POOL, MUNICIPAL: RULES AND REGULATIONS"
IN PARTICULAR REPLACING §447-5. ENTITLED: MEMBERSHIP FEES. A. THROUGH J.

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

SECTION ONE: Chapter §447-5 of the ordinances of the Township of Morris is hereby amended in its entirety to read as follows:

§ 447-5. Membership fees.

A. Fees: amending Ordinance 01-17 adopted 02-15-2017

(1)	Individual membership (12 years and older):	Rate Prior to May 1	Rate Beginning May 1	Rate Beginning August 1
	(a) Resident	\$ 190	\$ 200	\$ 135
	(b) Nonresident:	\$ 325	\$ 340	\$ 245
	(c) Morristown Resident	\$ 260	\$ 270	\$ 195
(2)	Couple membership (2 people, 1 Adult Minimum):			
	(a) Resident:	\$ 275	\$ 295	\$ 200
	(b) Nonresident:	\$ 430	\$ 450	\$ 315
	(c) Morristown Resident	\$ 350	\$ 370	\$ 260
(3)	Baby-sitter/parent's helper:			
	(a) Resident:	\$ 115	\$ 115	\$ 115
	(b) Nonresident:	\$ 115	\$ 115	\$ 115
(4)	Family membership:			
	(a) Resident family:	\$ 370	\$ 390	\$ 270
	(b) Nonresident family:	\$ 540	\$ 550	\$ 395
	(c) Morristown Resident	\$ 460	\$ 480	\$ 340
(5)	Senior citizen individual (62 years and older):			
	(a) Resident:	\$ 80	\$ 85	\$ 55
	(b) Nonresident:	\$ 150	\$ 170	\$ 110
	(c) Morristown Resident	\$ 120	\$ 135	\$ 100
(6)	Senior citizen couple (62 years and older):			
	(a) Resident:	\$ 125	\$ 130	\$ 90
	(b) Nonresident:	\$ 240	\$ 260	\$ 180
	(c) Morristown Resident	\$ 185	\$ 200	\$ 140

- B. Membership fees shall be paid in full with the filing of the application for membership.
- C. Guests will be permitted to members as follows:
1. Registered prior to May 1st
Each Family membership will receive eight (8) free one(1)-day guest privileges, each Couple membership shall receive five (5) free one (1)-day guest privileges, and each individual membership will receive four (4) free one(1)-day guest privileges, which guest privilege may be used at any time during the current pool season only.
 2. Registered May 1st or later
Each Family membership will receive four (4) free one(1)-day guest privileges, each Couple membership shall receive three(3) free one (1)-day guest privileges, and each individual membership will receive two (2) free one(1)-day guest privileges, which guest privilege may be used at any time during the current pool season only.
 3. Thereafter, guests will be permitted to enter with members by purchasing a daily guest pass at the pool at a charge of \$10 each per day on weekdays and \$15 each per day on weekends and holidays. However, all members may purchase cards of ten (10) one(1)-day guest privileges at the rate of \$75 for each card of ten (10) from the Parks and Recreation Department, which guest privileges may be used at any time during the current pool season and the following pool season. All guests, however, must be accompanied by the member at all times. Failure to accompany the member at all times may result in revocation of the membership without refund.
- D. No fees are returnable for any reason after opening day of each season.
- E. Children's group swim lessons may be offered at the discretion of the Township of Morris. If offered, said lessons shall be available to the children between the ages of 4 and 12, four (4) days a week for two (2) weeks at a cost of \$20 per child for a current Swim Pool member and \$35 per child for Non-Members residing in Morris Township. Private swim lessons for children or adults are available to pool members only at a cost of \$22.00 per person per 30-minute class.
- F. Swim team is offered to all children between ages 6-17 at a cost of \$55 per child. Swim team participants must be current members or staff of the Morris Township swim pools.
- G. Lost card replacement fee is \$10.00 per card.
- H. Active volunteer members of the Morris Township Fire Department, the Morris Township Office of Emergency Management, and the Minutemen Volunteer First Aid Squad shall receive a seasonal pool membership for themselves and their immediate family (as defined in this Ordinance) at no charge for the membership season. The chief operating officer of each unit shall certify that the volunteer qualifies as an active member for that year.
- I. Individual employees of the Township of Morris shall be eligible for a seasonal swim pool membership at no charge for the current membership season. Additional family member may join at pro-rated membership rates.

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

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

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

INTRO: 1/17/18

FINAL: 2/28/18

**AN ORDINANCE
TOWNSHIP OF MORRIS
MORRIS COUNTY – NEW JERSEY
ORDINANCE NO. 04-18**

**RE: ADDING A NEW ARTICLE TO CHAPTER 102 OFFICERS AND EMPLOYEES –
HUMAN RESOURCES MANAGER**

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

SECTION ONE: There is hereby created a new article of Chapter 102 to be known as:

HUMAN RESOURCES MANAGER

1. There are hereby created the position of Human Resources Manager
2. The Human Resources Manager shall have the following qualifications:
 - (i) QUALIFICATIONS
 - (A) Have 5 years' experience in Human Resources and/or a Bachelor of Arts/Science degree in Public Administration, Business Administration, Sociology, Psychology, Human Services, Social Sciences or related field.
 - (B) Have considerable knowledge of personnel management and procedures.
 - (C) Have considerable knowledge of the personnel laws and guidelines, both state and federal,
 - (D) Have a Human Resources Certification or in the process of obtaining same.
3. The Human Resources Manager shall perform the following tasks:

Under the direction of the Township Administrator the Human Resources Manager shall serve as Assistant Personnel Officer, Risk Manager, Safety Coordinator, Leave and Benefit Accrual Coordinator, DOL Compliance Officer, Assistant Press Information Officer, and perform the duties and related work as required.
4. The Human Resource Manager shall be a confidential employee, privy to personnel matters, disciplinary matters, contract negotiations and other sensitive matters.
 - (i) EXAMPLES OF WORK
 - (A) Coordinate Employee Hiring Process.
 - (B) Mandatory Leave Coordinator
 - (C) Employee Leave Accrual Management
 - (C) Management of Workers Compensation, Automobile, Property Damage, Liability and other claims.
 - (D) Safety Coordinator
 - (E) Federal and State mandatory reporting
 - (F) Employee Handbook Policies maintenance and updates

(G) Prepare media releases

(H) Assist Township Administrator with projects or duties, as assigned

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

SECTION THREE: All ordinances of the Township of Morris which are Inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

SECTION FOUR: this ordinance shall take effect upon final passage and publication thereof as provided by law.

INTRO: 1/17/18

FINAL: 2/28/18

**AN ORDINANCE
TOWNSHIP OF MORRIS
MORRIS COUNTY – NEW JERSEY
ORDINANCE NO. 05-18**

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

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

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

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

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

FEE SCHEDULE

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

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

SECTION THREE: all ordinances of the Township of Morris which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

SECTION FOUR: this ordinance shall take effect upon final passage and publication thereof as provided by law.

INTRO: 02/28/18

FINAL: 03/28/18

**TOWNSHIP OF MORRIS
COUNTY OF MORRIS, NEW JERSEY**

ORDINANCE NUMBER 06-18

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

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

1. Effective January 1, 2018 the following salaries for non-union employees as established in ordinance 01-18 are hereby increased by 2.0%. Effective January 1, 2018 the following salaries or compensations are established for the following named officers, employees, or positions in the Township of Morris.

2. The following salaries or compensations shall be retroactive to January 1, 2018 for fulltime non-probationary employees and regular part-time employees. Any employee retiring prior to enactment of this ordinance will be entitled to retroactive compensation provision of this ordinance.

ADMINISTRATIVE

Mayor			\$7,110	Per Year
Township Committee Members			\$6,399	Per Year
Township Administrator	\$95,000	To	\$114,823	Per Year
Qualified Purchasing Agent / Admin Assist	\$55,000	To	\$70,570	Per Year
Secretary / Assistant Purchasing Agent	\$25,000	To	\$33,258	Per Year
Human Resource Manager	\$30,000	To	\$44,800	Per Year
Municipal Housing Liaison	\$4,000	To	\$6,368	Per Year
Assistant Municipal Housing Liaison	\$2,000	To	\$5,202	Per year
Township Clerk	\$80,000	To	\$101,034	Per Year
Director of Finance / CFO	\$75,000	To	\$90,706	Per Year
Assistant Treasurer	\$3,500	To	\$6,169	Per Year
Chief Accountant	\$40,000	To	\$52,638	Per Year
Finance Assistant	\$33,000	To	\$40,000	Per Year
Accounts Payable Clerk	\$24,500	To	\$34,300	Per Year
Payroll Clerk	\$24,500	To	\$34,300	Per year
Tax Collector	\$28,500	To	\$36,835	Per Year
Tax Search Officer	\$1,000	To	\$2,817	Per Year
Tax Assessor	\$60,000	To	\$76,092	Per Year
Assistant Tax Assessor	\$40,000	To	\$65,000	Per Year
Licensed Appraiser	\$9,000	To	\$15,606	Per Year
Administrative Assistant (part-time)	\$16.00	To	\$32.00	Per Hour
Township Engineer	\$75,000	To	\$90,051	Per Year
Assistant Township Engineer	\$50,000	To	\$78,800	Per Year
Jr. Design Engineer / CAD Operator	\$35,000	To	\$49,558	Per Year
Project Manager	\$35,000	To	\$45,000	Per Year
Information Technology Manager	\$35,000	To	\$54,439	Per Year
Computer Technician	\$21,000	To	\$29,575	Per Year
Webmaster	\$2,000	To	\$2,707	Per Year
Building Maintenance Supervisor	\$20,000	To	\$26,931	Per Year

Groundskeeper	\$10,000	To	\$22,647	Per Year
Buildings and Grounds Custodian (part-time)	\$10.00	To	\$15.00	Per Hour
Construction Code Official	\$70,000	To	\$112,920	Per Year
Building Sub Code Official	\$50,000	To	\$78,786	Per Year
Building Inspector	\$45,000	To	\$68,276	Per Year
Electrical Inspector – Sub Code (part-time)	\$35.00	To	\$53.50	Per Hour
Plumbing Inspector – Sub Code (part-time)	\$35.00	To	\$53.50	Per Hour
Fire Inspector – Sub Code (part-time)	\$35.00	To	\$53.50	Per Hour
CCO Inspector (part-time)	\$20.00	To	\$40.00	Per Hour
Engineering Inspector (part-time)	\$20.00	To	\$40.00	Per Hour
Municipal Code Enforcement Officer	\$5,000	To	\$9,547	Per Year
Secretary	\$35,000	To	\$47,511	Per Year
Secretary Board of Ethics	\$500	To	\$1,071	Per Year
Secretary EDAC	\$500	To	\$2,060	Per Year
Senior Clerk	\$16,000	To	\$46,263	Per Year

PLANNING BOARD

Engineer	\$94.00 per hour	TO	\$470 Per Meeting	
Secretary	\$23,000	To	\$34,854	Per Year

BOARD OF ADJUSTMENT

Engineer	\$94.00 per hour	TO	\$470 Per Meeting	
Secretary	\$10,000	To	\$17,425	Per Year

OPEN SPACE

Secretary	\$1,500	To	\$3,385	Per Year
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ENVIRONMENTAL COMMISSION

Secretary	\$1,500	To	\$3,385	Per Year
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POLICE

Police Chief	\$140,000	To	\$160,553	Per Year
Records Bureau Supervisor	\$40,000	To	\$49,000	Per Year
Administrative Assistant (part-time)	\$16.00	To	\$32.00	Per Hour
Executive Administrative Assistant	\$75,000	To	\$96,900	Per Year
School Crossing Guards	\$15.00	To	\$27.57	Per Hour
Special Police Officers Class II	\$20.00	To	\$23.00	Per Hour
Secretary	\$35,000	To	\$47,511	Per Year
Senior Clerk	\$32,000	To	\$46,263	Per Year

ROADS AND SANITATION

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

VEHICLE MAINTENANCE

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

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

Summer Program Personnel:

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

PARKS

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

PART-TIME

Plumbing Inspector, As Needed Part-time	\$20.00	To	\$40.00	Per Hour
Electrical Inspector, As Needed Part-time	\$20.00	To	\$40.00	Per Hour
Building Inspector, As Needed Part-time	\$20.00	To	\$40.00	Per Hour
Fire Inspector, As Needed Part-time	\$20.00	To	\$40.00	Per Hour
CCO Inspector, As Needed Part-time	\$20.00	To	\$40.00	Per Hour
Carpenter , As Needed Part-time	\$35.00	To	\$50.00	Per Hour
Carpenter Helper, As Needed Part-time	\$20.00	To	\$35.00	Per Hour
Clerical, As Needed Part-time	\$10.00	To	\$20.00	Per Hour
Secretarial, As Needed Part-time	\$12.00	To	\$25.00	Per Hour

SEWER UTILITY

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

MUNICIPAL SWIMMING POOL UTILITY

Recreation Director	\$25,000	To	\$36,990	Per Year
Pool Maintenance Supervisor	\$40,000	To	\$61,522	Per Year
Senior Clerk	\$22,400	To	\$46,263	Per Year
Pool Manager	\$8,000	To	\$12,500	Per Season
Assistant Manager	\$7,000	To	\$10,000	Per Season
Head Lifeguard	\$14.00	To	\$18.00	Per Hour
Lifeguards	\$8.60	To	\$15.00	Per Hour
Lifeguards Substitute/Part-time	\$8.60	To	\$13.50	Per Hour
Gate Attendant/baby Pool Attendant	\$8.60	To	\$11.50	Per Hour
Swim Instructor –Private Lesson	\$19.00	To	\$25.00	Per ½ Hour
Swim Team Coach	\$3,000	To	\$3,500	Per Season
Assistant Swim Team Coach	\$1,200	To	\$1,700	Per Season
Swim team Aid	\$9.00	To	\$15.00	Per Hour
Clerical/Pool Registration/Part-time	\$9.00	To	\$15.00	Per Hour
Maintenance	\$10.00	To	\$17.00	Per Hour

PARKING ENTERPRISE UTILITY

Parking Lot Supervisor	\$20,000	To	\$26,931	Per year
Groundskeeper	\$7,500	To	\$9,706	Per Year

Secretary	\$10,000	To	\$14,040	Per Year
Parking Enforcement Officer	\$20.00	To	\$40.00	Per Hour

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

INTRO: 2/28/18

FINAL: 3/28/18

TOWNSHIP OF MORRIS
COUNTY OF MORRIS, NEW JERSEY

ORDINANCE NUMBER NO. 07-18

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

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

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

FIRE

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

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

INTRO: 2/28/18

FINAL: 3/28/18

TOWNSHIP OF MORRIS
MORRIS COUNTY – NEW JERSEY

ORDINANCE NO. 08-18

AN ORDINANCE OF THE TOWNSHIP OF MORRIS, MORRIS COUNTY, NEW JERSEY, RECOMMENDING THE ADOPTION OF THE AMENDED REDEVELOPMENT PLAN REGARDING THE FORMER COLGATE-PALMOLIVE PROPERTY IDENTIFIED ON THE TOWNSHIP'S TAX MAPS AS BLOCK 10401, LOT 3 (191 EAST HANOVER AVENUE) PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ. AND AMENDING ORDINANCE 10-17 IN THAT REGARD

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 September 21, 2016, the Township Committee of the Township of Morris adopted Resolution No. 179-16 authorizing and directing the Morris Township Planning Board (the "Planning Board") to undertake a preliminary investigation to determine whether property known as Block 10401, Lot 3 (191 East Hanover 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 October 17, 2016, the Planning Board, pursuant to Section 6 of the LRHL, authorized the firm of Phillips Preiss Grygiel, LLC (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 December 5, 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 November 2016 prepared by the Planning Consultant entitled "Redevelopment Study for Block 10401, Lot 3 Located on East Hanover Avenue in the Township of Morris" (the "Preliminary Investigation Report") and recommended to the Township Committee that the Study Area be deemed a non-condemnation "area in need of redevelopment"; and

WHEREAS, by Resolution No. 241-16, adopted on December 21, 2016, the Township Committee designated the Study Area as a non-condemnation "area in need of redevelopment"; and

WHEREAS, by Resolution No. 21-17, adopted on January 18, 2017, the Township Committee directed the Planning Board to prepare a redevelopment plan for the Study Area pursuant to Section 7f. of the LRHL; and

WHEREAS, the Planning Consultant was authorized on behalf of the Planning Board to prepare a Redevelopment Plan, which Redevelopment Plan, dated March 2017, is entitled "Redevelopment Plan for Block 10401, Lot 3 Located on East Hanover Avenue in the Township of Morris" (the "Redevelopment Plan"); and

WHEREAS, the Planning Board, by Resolution, adopted on March 20, 2017, approved the Redevelopment Plan and recommended its adoption by the Township Committee; and

WHEREAS, the redevelopment plan was proposed to be modified and amended to include an increase in the affordable housing component to a minimum of 31.5 percent of the total number of residential units in the residential and affordable portion of the project; and

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

SECTION TWO. The Amended 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. A copy of this Ordinance and the Redevelopment Plan shall be forwarded, after introduction, to the Planning Board for a Master Plan consistency review in accordance with Section 7e of the LRHL.

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

SECTION SIX. 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 SEVEN. 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.

INTRO: 2/28/18

FINAL: 3/12/18

**TOWNSHIP OF MORRIS
MORRIS COUNTY, NEW JERSEY
ORDINANCE# 09-18**

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

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

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

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

WHEREAS, the Township has determined that its public Rights-of-Way, such as they are or may be, themselves constitute a valuable resource, finite in nature, and which exists as a common right of the public to pass and repass freely over and across said lands without unreasonable obstruction or interference, and which therefore must be managed carefully; and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

95-82 Definitions

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

- i. "Anticipated Municipal Expenses" means the cost of processing an application to place Small Cell Equipment or Wireless Poles in the Municipal Right-of-Way including, but not limited to, all professional fees such as engineer and attorney costs.
- ii. "Applicant" means the person or entity seeking to place Small Cell Equipment, Wireless Cabinets or Wireless Poles within the Municipal Right-of-Way.
- iii. "Existing Pole" means a Wireless Pole, or pole owned by an Incumbent Local Exchange Carrier, Competitive Local Exchange Carrier, Electric Distribution Company or other company that is in lawful existence within the Municipal Right-of-Way. This term does not include a WT Compound, WT Equipment or WT Facilities as those terms

are defined in Section 57-3 of the Revised General Ordinances of the Township of Morris.

- iv. "Ground Level Wireless Cabinet" means a Wireless Cabinet that is not attached to an Existing Pole and is touching the ground.
- v. "Master License Agreement" means an agreement setting forth the terms and conditions applicable to an applicants use of the Municipal Right-of-Way.
- vi. "Municipal Facilities" means any property, both real and personal, including physical installations in the Municipal Right-of-Way that is owned by the Township of Morris.
- vii. "Municipal Right-of-Way" means the surface of, and the space above or below, any public street, road, lane, path, public way or place, sidewalk, alley, boulevard, parkway, drive, and the like, held by the Township as an easement or in fee simple ownership, or any other area that is determined by the Township to be a right-of-way in which the Township may allow the installation of Small Cell Equipment and Wireless Poles. This term may also include County Rights-of-Way where the County requires the approval of the Township pursuant to N.J.S.A. 27:16-6 for the use of same.
- viii. "Pole Mounted Small Cell Equipment" means Small Cell Equipment that is located on an Existing Pole. This term does not include a WT Compound, WT Equipment or WT Facilities as those terms are defined in Section 57-3 of the Revised General Ordinances of the Township of Morris.
- ix. "Pole Mounted Wireless Cabinet" means a Wireless Cabinet that is located on an Existing Pole. This term does not include a WT Compound, WT Equipment or WT Facilities as those terms are defined in Section 57-3 of the Revised General Ordinances of the Township of Morris.
- x. "Processing Fee" shall mean a one-time non-refundable fee paid by an applicant to the Township per proposed Small Cell Equipment location or proposed Wireless Pole location to cover the administrative costs of the Township of Morris in processing said application. Fee shall be as established by Section 57-29 of the Revised General Ordinances of the Township of Morris entitled "Fees and administration of technical review deposits".
- xi. "Small Cell Equipment" means Wireless Facilities and Transmission Media, including femtocells, picocells and microcells, Outside Distributed Antenna Systems (ODAS) attached, mounted or installed on an Existing Pole or Wireless Pole in the public Rights-of-Way and used to provide Personal Communications Services. This term does not include Wireless Cabinets. This term does not include a WT Compound, WT Equipment or WT Facilities as those terms are defined in Section 57-3 of the Revised General Ordinances of the Township of Morris.
- xii. "Township Committee" means the Township Committee of the Township of Morris.
- xiii. "Township Clerk" means the person appointed to be the Township Clerk for the Township of Morris pursuant to N.J.S.A. 40A:9-133
- xiv. "Township Engineer" means the person appointed to be Township Engineer for the Township of Morris pursuant to N.J.S.A. 40A:9-140.
- xv. "Professional Survey" means a raised seal stamped survey completed by a duly licensed surveyor.
- xvi. "Wireless Cabinet" means a cabinet used to store electrical switching equipment for the servicing of Small Cell Equipment. However, a Wireless Cabinet is a distinct and separate structure from Small Cell Equipment. This term does not include a WT Compound, WT Equipment or WT Facilities as those terms are defined in Section 57-3 of the Revised General Ordinances of the Township of Morris.
- xvii. "Wireless Pole" means a column or post lawfully located in the Municipal Right-of-Way used solely to support Small Cell Equipment, Pole Mounted Wireless Cabinets and/or provide Personal Wireless Service. This term does not include a WT Compound, WT Equipment or WT Facilities as those terms are defined in Section 57-3 of the Revised General Ordinances of the Township of Morris.

- xviii. "Personal Wireless Service" means a type of 'commercial mobile radio service' (as that term is defined in 47 CFR 20.3) as listed at 47 CFR 20.9(a)(11) and as defined at 47 CFR 24.5, and provided by the use of 'personal wireless service facilities' (as such phrase is defined in section 704 of the Federal Telecommunications Act of 1996, Pub. L. No. 104-104, 110 State 56 (1996), partially codified at 47 U.S.C. 332(c)(7)(C)(ii).
- xix. "Zone, Non-Residential" means the B-11, OL-5, OL-15, OL-40, I-21 and CEM zones as designated in § 95-5 of the Revised General Ordinances of the Township of Morris.
- xx. "Zone, Residential" means any zones permitting single-family, two-family, or multifamily residences, assisted-living residences, nursing homes, and/or residential health care facilities.

95-83 Applicability

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

95-84 Master License Agreement

- A. A Master License Agreement entered into pursuant to this Chapter shall include the following provisions:
 - i. The Master License Agreement's term shall not exceed fifteen (15) years.
 - ii. The Master License Agreement shall impose reasonable insurance requirements.
 - iii. The Master License Agreement shall impose fees for unauthorized installations.
 - iv. The Master License Agreement shall require that all Small Cell Equipment, Wireless Cabinets and Wireless Poles be removed from the Township Right-of-Way at the end of said Master License Agreement's term.
 - v. The Master License Agreement shall include any other item that may reasonably be required by the Township Committee of the Township of Morris.
 - vi. The term of any site specific supplemental license shall expire upon the expiration of Applicant's Master License Agreement with the Township.
 - vii. The following conditions shall apply to the issuance of site specific supplemental licenses pursuant to any Master License Agreement entered into pursuant to this Section:

1. Pole Mounted Small Cell Equipment and Pole Mounted Wireless Cabinets

- 1. Only proposed Small Cell Equipment and proposed Pole Mounted Wireless Cabinets may be approved by way of supplemental license.
- 2. The proposed Small Cell Equipment and Wireless Cabinet installation must not be in excess of the height of the Existing Pole, before the installation, plus six feet.
- 3. The proposed Small Cell Equipment and Wireless Cabinet must be constructed, finished, painted and otherwise camouflaged, in conformance with best available stealth technology methods, so as to blend in compatibly with its

background and so as minimize its visual impact on surrounding properties.

4. Proposal must include an engineer's certification verifying the structural integrity of the proposal.
 5. The volume the proposed Pole Mounted Small Cell Equipment and Pole Mounted Wireless Cabinet shall not exceed sixteen (16) cubic feet.
 6. No proposed Pole Mounted Small Cell Equipment or Pole Mounted Wireless Cabinet shall be placed within one hundred and fifty (150) feet of an existing Small Cell Equipment installation or Wireless Cabinet. This shall not preclude the collocation of such facilities on the same pole.
 7. Applicant must demonstrate that they have received all historic preservation approvals, as applicable.
 8. Applicant must demonstrate to the Township Engineer that any proposed Small Cell Equipment and proposed Pole Mounted Wireless Cabinet installation does not interfere with the public's use of the Municipal Right-of-Way and that said installation does not hinder any sight triangles or otherwise cause unsafe driving conditions for vehicles within the Municipal Right-of-Way.
- viii. Approval of Wireless Poles and Ground Level Wireless Cabinets may not be issued through a Master License Agreement. Said approvals must conform to the requirements of Section 95-86 of the Revised General Ordinances of the Township of Morris.

95-85 Master Agreement Application Process

A. Application Process.

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

- B. Pursuant to N.J.S.A. 54:30A-124, the Township shall recover reasonable fees for actual services incurred in the review of all applicants under this Section 95-85 of the Revised General Ordinances of the Township of Morris. Applicant shall make a deposit toward Anticipated Municipal Expenses which shall be placed in an escrow account. Escrow deposit shall be as established by Section 57-29 of the Revised General Ordinances of the Township of Morris entitled "Fees and administration of technical review deposits." If said escrow account contains insufficient funds to enable the Township to perform its review, the chief

financial officer shall provide the Applicant a notice of insufficient balance. In order for review to continue, the Applicant shall, within fifteen days, post a deposit to the account in an amount to be mutually agreed upon. Additionally, every application for a supplemental license issued pursuant to Section 95-84 of the Revised General Ordinances of the Township of Morris shall include a non-refundable Processing Fee pursuant to Section 57-29 of the Revised General Ordinances of the Township of Morris.

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

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

A. Ground Level Wireless Cabinets

- i. Ground Level Wireless Cabinets shall be a conditionally permitted use with Non-residential Zones as defined in Section 95-82 of the Revised General Ordinances of the Township of Morris, subject to the following conditions:
 - a. The proposed Ground Level Wireless Cabinet must be less than twenty-eight (28) cubic feet in volume.
 - b. The proposed Ground Level Wireless Cabinet shall be constructed, finished, painted and otherwise camouflaged, in conformance with best available stealth technology methods, so as to blend in compatibly with its background and so as minimize its visual impact on surrounding properties.
 - c. The proposed Ground Level Wireless Cabinet shall not inhibit any existing sight triangles and allows adequate room for the public to pass and repass across the Municipal Right-of-Way.
- ii. Ground Level Wireless Cabinets are prohibited within Residential Zones as defined in Section 95-82 of the Revised General Ordinances of the Township of Morris.

B. Wireless Poles

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

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

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

- A. Procedure for Ground Level Wireless Cabinets and Wireless Poles.
 - i. Applicants who wish to place Ground Level Wireless Cabinets and Wireless Poles must: a) enter into a Master License Agreement with the Township of Morris; and b) submit a development application to the applicable Township land use board.
- B. In making an application to the applicable Township land use board pursuant to Sections 95-86 and 95-87 of the Revised General Ordinances of the Township of Morris, the applicant shall submit all applicable application and escrow payments as required by ordinance.

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

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

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

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

INTRO: 3/28/18

FINAL: 6/20/18

**TOWNSHIP OF MORRIS
MORRIS COUNTY, NEW JERSEY
ORDINANCE NO. 10-18**

AN ORDINANCE OF THE TOWNSHIP OF MORRIS, COUNTY OF MORRIS, NEW JERSEY,
AMENDING AND SUPPLEMENTING CHAPTER 95 ENTITLED ZONING BY ADDING NEW ARTICLE
XIII ENTITLED "COLLOCATION ONTO EXISTING TOWERS AND BASE STATIONS."

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

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

95-88 Preface

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

95-89 Definitions

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

i. Base Station.

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

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

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

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

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

ii. Collocation.

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

iii. Eligible Facilities Request.

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

Collocation of new transmission equipment;

Removal of transmission equipment; or

Replacement of transmission equipment.

iv. Eligible support structure.

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

Existing

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

vi. Site

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

vii. Substantial Change.

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

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

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

It entails any excavation or deployment outside the current site;

It would defeat the concealment elements of the eligible support structure; or

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

viii. Transmission Equipment

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

ix. Tower.

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

95-90 Application Review

Application Review

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

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

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

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

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

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

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

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

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

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

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

INTRO: 3/28/18

FINAL: 6/20/18

**AN ORDINANCE
TOWNSHIP OF MORRIS
MORRIS COUNTY – NEW JERSEY
ORDINANCE NO. 11-18**

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

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

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

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

§ 118-10 Classes of officers.

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

§ 118-11 Appointment of officers.

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

§ 118-12 Requirements.

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

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

H. Receive a favorable recommendation from the Chief of Police as provided in § 118-11 herein.

§ 118-13 Direction and supervision of officers.

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

§ 118-14 Uniforms and equipment.

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

§ 118-15 Training requirements.

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

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

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

- A. Class One (1) Special Officer. Officers of this class shall be authorized to perform routine traffic detail, spectator control and similar duties. Class One officers shall have the power to issue summonses for disorderly persons and petty disorderly persons offenses, violations of Township ordinances and violations of Title 39 of the Revised Statutes. The use of a firearm by an officer of this class shall be strictly prohibited. No Class One Officer shall be assigned any duties which may require the carrying or use of a firearm.
- B. Class Two (2) Special Officer. Officers of this class shall be authorized to exercise full powers and duties similar to those of a permanent, regularly appointed full-time police officer. The use of a firearm by an officer of this class may be authorized only after the officer has been fully certified as successfully completing training as prescribed by the Police Training Commission.
- C. Class Three (3) Special Officer. Officers of this class shall be authorized to exercise full powers and duties to those of a permanent, regularly appointed full-time police officer while providing security at a public or non-public school or a county college on the school or college premises during hours when the public or nonpublic school or county college is normally in session or when it is occupied by public or nonpublic or county college students or their teachers or professors. While on duty in the jurisdiction of employment, an officer may respond to offenses or emergencies off school or college grounds if they occur in the officer's presence while traveling to a school facility or county college, but an officer shall not otherwise be dispatched or dedicated to any assignment off school or college property.

The use of a firearm by an officer of this class shall be authorized pursuant to the provisions of subsection b. of section 7 of P.L. 1985, c. 39 (C.40A:14-146.14). An officer of this class shall not be authorized to carry a firearm while off duty unless the officer complies with the requirements set

forth in subsection I. of N.J.S. 2c:39-6 authorizing a retired law enforcement officer to carry a handgun.

§ 118-17 Hours of duty.

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

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

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

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

INTRO: 3/28/18

FINAL: 4/18/18

**TOWNSHIP OF MORRIS
COUNTY OF MORRIS, NEW JERSEY**

ORDINANCE NUMBER NO. 12-18

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

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

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

POLICE

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

INTRO: 3/28/18

FINAL: 4/18/18

**TOWNSHIP OF MORRIS
COUNTY OF MORRIS, NEW JERSEY**

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.

Intro:3/28/18
Final: 5/16/18

TOWNSHIP OF MORRIS
MORRIS COUNTY, NEW JERSEY
TOWNSHIP OF MORRIS
MORRIS COUNTY – NEW JERSEY

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 April 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

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.

Intro:5/03/18

Final: 5/16/18

**TOWNSHIP OF MORRIS
MORRIS COUNTY, NEW JERSEY**

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 INCLUDE 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

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 3rd, 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.

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.
- (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.
- (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.
- [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.

- 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.

§ 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.
- 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.

- (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.
- (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.

§ 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.
- (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.
- (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.

INTRODUCED: 5/3/18

ADOPTED: 5/24/18

**TOWNSHIP OF MORRIS
MORRIS COUNTY, NEW JERSEY**

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,"

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 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.

“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.

“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.

“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.

“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.

Maximum Percentage of Market-Rate Units Completed	Minimum Percentage of Low- and Moderate-Income Units Completed
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.

(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.
- [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
 - [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

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.

- (h) 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.
- (i) 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.
- (j) 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.
- (k) 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.

- (2) 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.
- (3) 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.
- (4) 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.
- (5) 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.
- (6) The affirmative marketing process for available affordable units shall begin at least four months prior to the expected date of occupancy.
- (7) 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

- (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.

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.

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.
- (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;
 - (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 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.

- (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.

INTRO: 5/3/18

ADOPTION: 5/16/18

TOWNSHIP OF MORRIS
MORRIS COUNTY, NEW JERSEY
TOWNSHIP OF MORRIS
MORRIS COUNTY – NEW JERSEY

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.

<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 (including a grant in the amount of \$175,000 received from the State of New Jersey Department of Transportation)	\$107,350	10 years

(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

<u>TOTAL APPROPRIATION</u>	<u>TOTAL BOND AUTHORIZATION</u>	<u>AVERAGE PERIOD 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 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.

INTRO: 5/16/18

ADOPTION: 6/20/18

TOWNSHIP OF MORRIS
MORRIS COUNTY – NEW JERSEY
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.

INTRO: 5/16/18

ADOPTION: 6/20/18

TOWNSHIP OF MORRIS
MORRIS COUNTY – NEW JERSEY
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.

INTRO: 5/16/18

ADOPTION: 6/20/18

TOWNSHIP OF MORRIS
MORRIS COUNTY – NEW JERSEY
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.

INTRO: 5/16/18

ADOPTION: 6/20/18

TOWNSHIP OF MORRIS
MORRIS COUNTY – NEW JERSEY
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.

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.

INTRO: 5/16/18

ADOPTED: 6/20/18

TOWNSHIP OF MORRIS
MORRIS COUNTY, NEW JERSEY
TOWNSHIP OF MORRIS
MORRIS COUNTY – NEW JERSEY

ORDINANCE NO. 22-18

ORDINANCE ESTABLISHING SALARIES AND COMPENSATION FOR EMPLOYEES OF THE
POLICEMEN’S BENEVOLENT ASSOCIATION (PBA Local 133) OF THE TOWNSHIP OF MORRIS

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

SECTION ONE: The Policemen’s Benevolent Association (PBA Local 133) of the Township of Morris salaries for the years 2018, 2019, 2020 and 2021 shall be as follows:

	2018	2019	2020	2021
	2%	2%	2%	2%
PTC CERTIFIED				
00-12 months	\$ 51,185	\$ 51,185	\$ 51,185	\$ 51,185
13-24 months	\$ 59,337	\$ 59,337	\$ 59,337	\$ 59,337
25-36 months	\$ 67,492	\$ 67,492	\$ 67,492	\$ 67,492
37-48 months	\$ 72,473	\$ 72,473	\$ 72,473	\$ 72,473
49-60 months	\$ 77,454	\$ 77,454	\$ 77,454	\$ 77,454
61-72 months	\$ 83,456	\$ 83,456	\$ 83,456	\$ 83,456
73-84 months	\$ 86,845	\$ 86,845	\$ 86,845	\$ 86,845
85-96 months	\$ 90,234	\$ 90,234	\$ 90,234	\$ 90,234
96-108 months	\$ 95,000	\$ 95,000	\$ 95,000	\$ 95,000
OVER 108 months	\$ 106,410	\$ 108,538	\$ 110,708	\$ 112,923
POLICE ACADEMY	\$ 40,501	\$ 40,501	\$ 40,501	\$ 40,501
COLLEGE / MILITARY FOLLOWING 4 YEARS of PTC SERVICE				
BS	\$ 3,350	\$ 3,350	\$ 3,350	\$ 3,350
AS	\$ 1,700	\$ 1,700	\$ 1,700	\$ 1,700
MILITARY	\$ 1,700	\$ 1,700	\$ 1,700	\$ 1,700

SECTION TWO: The salaries or compensations shall be retroactive to January 1, 2018. Any employee retiring prior to enactment of this ordinance will be entitled to retroactive compensation provision of this ordinance. Any PBA member who voluntarily resign or was otherwise discharged from employment from January 1, 2018 to the introduction date of this ordinance shall not be entitled to receive the salary adjustment herein. The established salaries or compensation shall be in lieu of any and all fees.

SECTION THREE: Effective January 1, 2012 implementation of applicable legislation, , P.L. 2011, Chapter 78 from the State of New Jersey all employees shall contribute towards their health benefits as required by State Statute. No employee will be exempt from payment of such contribution based upon their coverage, health benefit plan selection, compensation and other statutorily required criteria, if any. Employees receiving the enhanced dental plan coverage are required to pay the difference between the cost of the basic plan and the enhanced plan.

SECTION FOUR: Any employee who voluntarily resigns or is discharged from employment prior to the introduction date of this ordinance shall not be entitled to receive the salary adjustment set forth herein.

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

INTRO: 6/20/18

ADOPTED: 7/18/18

TOWNSHIP OF MORRIS
MORRIS COUNTY, NEW JERSEY

ORDINANCE NO. 23-18

AN ORDINANCE OF THE TOWNSHIP OF MORRIS, COUNTY OF MORRIS STATE OF NEW JERSEY, APPROVING THE AGREEMENT FOR PAYMENT IN LIEU OF TAXES FOR HOUSING SOLUTIONS, INC. D/B/A 24 WALNUT STREET, LLC FOR SPECIAL NEEDS HOUSING, LOCATED AT BLOCK, 10306 LOT 7, IN ACCORDANCE WITH THE NEW JERSEY HOUSING AND MORTGAGE FINANCE AGENCY LAW N.J.S.A. 55:14K-37

WHEREAS, the Township of Morris filed a Declaratory Judgement action to establish its compliance with its affordable housing obligations titled In the Matter of the Township of Morris, County of Morris, Docket No. MRS-L-1605-15; and

WHEREAS, the Township has settled that litigation by Agreement dated December 7, 2017, and as part of that settlement, has agreed that the Township has a prospective need of 767 affordable housing units, and further has agreed that a special needs housing project consisting of 2, two bedroom affordable housing units will be developed by Homeless Solutions, Inc. ("Sponsor") at 24 Walnut Street, Block 10306, lot 7 (the "Project") as part of the Township's efforts to provide a reasonable opportunity to satisfy that need; and

WHEREAS, the Superior Court, at a fairness hearing on February 9, 2018 determined that the Settlement Agreement and its terms were acceptable; a final compliance hearing is to be scheduled for follow up by the court on the implementation of the terms of that settlement; and

WHEREAS, the Project has been constructed and mortgage financing for the Project has been provided by the New Jersey Housing and Mortgage Finance Agency and the laws regulating that financing provide that the Project may be exempt from real property taxation if the Sponsor enters into an agreement with the municipality for payments to the municipality in lieu of taxes for municipal services N.J.S.A. 55:14K-37b.; and

WHEREAS, the Sponsor of the Project has applied for a tax exemption under the applicable laws; and

WHEREAS, the Sponsor and the Township have negotiated an Agreement for Payment in Lieu of Taxes ("PILOT Agreement") for municipal services a copy of which is attached hereto as Exhibit A.

NOW THEREFORE, BE IT ORDAINED, by the Governing Body of the Morris Township, County of Morris, State of New Jersey as follows:

1. The Mayor is hereby authorized to execute the Agreement for Payment In Lieu of Taxes attached hereto as Exhibit A, subject however to minor modifications and revisions as deemed necessary and appropriate after consultation with the Housing and Mortgage Finance Agency.
2. The Township Clerk is hereby authorized and directed, upon execution of the PILOT Agreement buy the Mayor, to attest to the signature of the Mayor and to affix the corporate seal of the Township upon such document.
3. The executed copy of the PILOT Agreement shall be certified and filed with the Township Clerk, The Township Clerk shall file certified copies of this ordinance and the PILOT Agreement with the Tax Assessor of the Township, the Chief Financial Officer of Morris County, Morris County Council and the New Jersey Housing and Mortgage Finance Agency.
4. The Mayor and the Township Clerk are hereby authorized to take such action and execute such other documents, on behalf of the Township, as is necessary to effectuate the terms of the PILOT Agreement, as deemed advisable by the Township Attorney or Special Counsel.
5. This Ordinance shall take effect upon adoption and passage.

INTRO: 7/18/18

TOWNSHIP OF MORRIS
MORRIS COUNTY, NEW JERSEY

ORDINANCE NO. 24-18

AMENDING CHAPTER 57, ARTICLE I, SECTION 3, ENTITLED "WORD USAGE; DEFINITIONS", AND 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 INCLUDE TH-6/AH, AND ARTICLE III, SECTION 20.2, ENTITLED "TH-6/AH TOWNHOUSE RESIDENTIAL AFFORDABLE HOUSING ZONE", OF THE CODE OF THE TOWNSHIP OF MORRIS

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

Section 1: Chapter 57, Article I, Section 3, Word Usage; Definitions, is hereby amended to add the following:

TOWNHOUSES, STACKED - A building or structure consisting of segments that

- a) have the appearance from the exterior of conventional townhouses but unlike conventional townhouses may have portions of dwelling units underneath, or to the side of other dwelling units; and above
- b) are designed for or occupied by no more than two families or households, and
- c) are attached to other similar segments by party walls extending from the foundation to the roof.

Section 2: Chapter 95, Article II, Section 5, Designation of Zones, is hereby amended to remove TH-8/AH Townhouse Residential Affordable Housing Zone and add TH-6/AH Townhouse Residential Affordable Housing Zone after TH-8 Townhouse Residential Zone:

Section 3: 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 August 15, 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 4: Chapter 95, Article III, is hereby amended to delete 95-20.2 in its entirety and replace with the following:

§ 95-20.2 TH-6/AH Townhouse Residential Affordable Housing Zone

A. The following are permitted principal uses in the TH-6/AH Zone:

- (1) Townhouses.
- (2) Stacked townhouses.
- (3) Multi-family affordable rental buildings.

B. The following are permitted accessory uses in the TH-6/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, except as otherwise provided herein.
- (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, except as otherwise provided herein. Recreational paths not exceeding six (6) feet in width may be located within the 50 foot tract boundary setback areas provided that adequate landscaping is provided to satisfy the intent of the landscape buffering to all exterior property lines.

(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-6/AH Zone:

(1) None.

D. Development and design requirements:

(1) Maximum density shall not be more than six (6) units per gross acre, but no more than 165 units in the entire zone. Twenty (20) percent of the total number of units shall be set aside as rental units 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 complies with the standards contained herein. If the development is internally subdivided no additional bulk requirements shall be applied, beyond those set forth herein.

(3) The development shall not be subject to the slope disturbance regulations set forth in § 57-160(E)(4), however, within areas with slopes of 20% or greater, not more than 40% of such slopes may be disturbed.

(4) Except for recreational paths, 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 and shall be designed to harmonize with the overall character of the development.

(5) Requirements for Townhouses and Stacked Townhouses.

(a) Design.

[1] No dwelling unit shall have a floor area of less than 800 square feet.

[2] Each dwelling unit shall have no fewer than two exposures.

[3] There shall be no more than twelve dwelling units in any building that contains stacked townhouses and no more than seven dwelling units in any building that exclusively contains conventional townhouses.

[4] No dwelling unit or building containing dwelling units consisting exclusively of conventional townhouses shall exceed 2 1/2 stories or 35 feet in height. No dwelling unit or building containing dwelling units consisting of one or more stacked townhouses shall exceed 3 1/2 stories or 45 feet in height. If a stacked townhouse segment exceeds 3 stories in height, the half story shall not be habitable or otherwise used for dwelling purposes. Maximum building heights shall be measured at each townhouse or stacked townhouse segment using the finished grade elevation averaged at the four corners of the townhouse or stacked townhouse segment. In no event, however, shall the maximum structure height above the actual finished grade at any point exceed by 33 1/3% of the maximum permitted height in the zone. For a townhouse within 100 feet of Punchbowl Road or within 100 feet of the boundary with any TH-8 zone, in no event shall the maximum structure height above the actual finished grade of the side of the townhouse facing Punchbowl Road or the boundary with any TH-8 zone, at any point exceed 35 feet. For a stacked townhouse segment within 100 feet of Punchbowl Road, in no event shall the maximum structure height above the actual finished grade of the side of the stacked townhouse segment facing Punchbowl Road, at any point exceed 45 feet.

[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 two (2) feet and without providing a rear wall setback of not less than two (2) feet.

(b) Siting.

- [1] Dwelling front facades 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. No part of any dwelling unit shall be closer than 15 feet from any interior roadway.
- [2] Each building containing dwelling units shall not be less than 50 feet from any tract boundary line.
- [3] No building containing dwelling units shall be closer than 30 feet to any other building containing dwelling units, except that where the sides of a building having a height of 2 ½ stories or less face the sides of another building having a height of 2 ½ stores or less, a 25-foot minimum separation distance shall apply.
- [4] No stacked townhouse shall be located within 400 feet of any TH-8 Zone.

(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.
 - (a) Parking shall be provided in accordance with New Jersey State Residential Site Improvement Standards (RSIS).
 - (b) Refuse areas shall be located so as to minimize any detrimental effect on the character of the development or of adjacent properties.

(6) Building requirements for multi-family affordable rental units:

- (a) No building shall exceed 3 1/2 stories and 45 feet in height measured from the finished grade averaged at the four corners of the building. If the building exceeds 3 stories in height, the half story shall not be occupied, inhabited or otherwise used for dwelling purposes. In no event, however, shall the maximum structure height above the actual finished grade at any point exceed by 33 1/3% of the maximum permitted height in the zone. For a building within 100 feet of Punchbowl Road, in no event shall the maximum structure height above the actual finished grade of the side of the building facing Punchbowl Road at any point exceed 45 feet.
- (b) There shall be no more than twenty-one (21) 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] Front to front: 50 feet.
 - [2] Rear to rear: 50 feet.
 - [3] All other instances: 30 feet.
- (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 located so as to minimize any detrimental effect on the character of the development or of adjacent properties.
- (g) No building shall be located less than 500 feet from any TH-8 zone.
- (7) 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 which may include walking, bicycling or other trails. Common open space shall be subject to N.J.S.A. 40:55D-43.
- (8) All utilities shall be located underground and the development shall be served by public water and sewer.
- (9) 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 vegetation or new plantings, or where appropriate, a combination of existing vegetation and new plantings.
- (10) An overall landscaping plan shall be provided for the development.
- (11) 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.

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

SECTION THREE: all ordinances of the Township of Morris which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

SECTION FOUR: this ordinance shall take effect upon final passage and publication thereof as provided by law.

**TOWNSHIP OF MORRIS,
MORRIS COUNTY, NEW JERSEY
ORDINANCE NO. 25-18**

**ORDINANCE OF THE TOWNSHIP OF MORRIS IN THE COUNTY OF MORRIS AUTHORIZING THE
MAYOR AND TOWNSHIP CLERK TO EXECUTE A FIRST AMENDMENT TO THAT CERTAIN
REDEVELOPMENT AGREEMENT WITH JMF/RD AFFORDABLE HOUSING URBAN RENEWAL,
LLC FOR THE REDEVELOPMENT OF BLOCK 10401, LOTS 3.03 AND 3.04 IN ACCORDANCE
WITH THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A 40A:12A-1 ET SEQ.**

WHEREAS, by Resolution No. 241-16 dated December 21, 2016, the Township Committee of the Township of Morris (the "Committee"), pursuant to and in accordance with the provisions of the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "LRHL"), and based upon the report and recommendation of the Township's Planning Board (the "Planning Board"), designated that certain property identified on the official tax map of the Township as Block 10401, Lot 3, consisting of approximately 49.1 acres, as an area in need of redevelopment (the "Redevelopment Area"); and

WHEREAS, after review and adoption as required by law the Committee on April 5, 2017 adopted a certain Redevelopment Plan prepared by the Planning Board's consulting planner, Paul Phillips, PP, of Phillips Preiss Grygiel, LLC, dated March, 2017 (the "Original Redevelopment Plan"), pursuant to Section 7(e) of the LRHL; and

WHEREAS, the Township and Redeveloper entered a Redevelopment Agreement on a portion of the Redevelopment Area, to be further subdivided and known as Lots 3.03 and 3.04 in Block 10401, consisting of a total of approximately 2.56 acres, and to be developed by the Redeveloper as the affordable residential component in accordance with the terms of the Redevelopment Plan on October 18, 2017 ("Original Redevelopment Agreement")

WHEREAS, thereafter Redeveloper began pursuing Planning Board Approvals for subdivision and site plan in connection with the redevelopment of the Property with 30 affordable housing units, 6 special needs units, market rate housing and retail/commercial space; those applications include PB-08-17 and PB-09-17 which received resolutions of approval on October 17, 2017 ; and

WHEREAS, as a condition of the PB-08-17 approval, the Redeveloper agreed to seek an amendment to the Redevelopment Plan, and/or amend the approval, so as to provide for the construction and provision of an additional 30 units of affordable housing rental units to be located within the multi-story structure previously approved for 30 affordable housing rental units, for a total of 60 affordable housing rental units, and an aggregate number of affordable housing rental units to be provided by the overall redevelopment of the Property to be 66 affordable housing rental units, including the previously approved 6 unit ARC group home; and

WHEREAS, on February 28, 2018, the Committee reviewed and considered an amendment to the redevelopment plan which, among other things, revised the Redevelopment Plan to allow for the construction and provision of an additional 30 units of rental affordable housing, such that the total number of affordable housing rental units to be located on Lot 3.03 would be 60 units, in addition to the previously approved 6 units to be located on Lot 3.04, wherefore the total number of affordable housing units provided by the overall Redevelopment shall be 66 affordable housing units ("Amended Redevelopment Plan"); and

WHEREAS, the Planning Board by Resolution adopted March 5, 2018 reviewed the Amended Redevelopment Plan and referred it back to the Committee for adoption having found that the Amended Redevelopment Plan was not inconsistent with the Master Plan, pursuant to Section 7(e) of the Redevelopment law; and

WHEREAS, on March 12, 2018 the Committee duly adopted the Amended Redevelopment Plan by Resolution 08-18; and

WHEREAS, the Redeveloper after a public hearing was granted Amended Site Plan and Subdivision approval to implement the changes permitted in the Amended Redevelopment Plan and specifically the additional 30 affordable rental housing units on proposed lot 3.03 and the related site changes, by the Planning Board on March 19, 2018 and that approval was memorialized by Resolution dated April 16, 2018; and

WHEREAS, this amendment is a part of the process of incorporating those additional 30 units, and the associated changes needed to the site plan into the redevelopment approvals; and

WHEREAS, Redeveloper has submitted a revised overall plan to the Township, to construct a mixed use development within the Redevelopment Area consisting of a retail/commercial component, a market rate residential component, an affordable housing component and an open space component (collectively, the "Revised Overall Redevelopment"); and

WHEREAS, the affordable residential component of the Revised Overall Development is now amended to consist of (i) 60 rental units including 1, 2 and 3 bedroom units at low and moderate income rentals; (ii) a 6 bed special needs home; (iii) parking and related improvements (collectively the "Project"); and

WHEREAS, the Project is shown more particularly on the plans for Major Subdivision and Preliminary & Final Major Site Plan, prepared by Arna Engineering, Inc., dated June 20, 2017 and last revised January 15, 2018, as may be further amended, and affordable housing Architectural Plans prepared by Bruce E. Englebaugh, AIA dated September 11, 2017 and last revised December 29, 2017, as may be further amended (collectively, the "Plans"); and

WHEREAS, in order to continue to implement the development, financing, construction, operation and management of the Project, the Committee has determined that it is in the best interest of the Township and its residents to enter into an Amendment to the Redevelopment Agreement with the Redeveloper and this Amendment is executed to memorialize that change; and

WHEREAS the increase in the number of affordable housing units to be provided as part of the redevelopment project increases the benefit to the Township and Community while not significantly altering the physical layout of the project, as previously approved, and is in compliance with the Amended Redevelopment Plan for this Redevelopment Area; and

WHEREAS, Special Redevelopment Counsel for the Committee has reviewed and approved the attached form of First Amendment to Redevelopment Agreement.

NOW THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Morris, Morris County, New Jersey, as follows:

SECTION ONE The Mayor and Township Clerk are hereby authorized to execute the attached First Amendment to Redevelopment Agreement, subject to minor modification or revision, as deemed necessary and appropriate after consultation with counsel.

SECTION TWO JMF/RD Affordable Housing Urban Renewal, LLC is hereby confirmed as the Redeveloper of Block 10401, Lots 3.03 and 3.04 in accordance with the Amended Redevelopment Plan.

SECTION THREE The Township Clerk is directed to forward executed copies of the First Amendment to Redevelopment Agreement to the Township's Special Redevelopment Counsel so that he may forward fully executed copies to counsel for the Redeveloper. The Township Clerk shall retain at least one (1) fully executed copy of the First Amendment to Redevelopment Agreement on file in the office of the Township Clerk.

SECTION FOUR The Mayor and Township Clerk are hereby authorized to take such action and to execute such other documents, on behalf of the Township, as is necessary to effectuate the terms of the Redevelopment Agreement and this First Amendment thereto, as deemed advisable by the Township Attorney or Special Redevelopment Counsel.

INTRO: 8/15/18
ADOPT: 9/19/18

TOWNSHIP OF MORRIS
MORRIS COUNTY, NEW JERSEY
ORDINANCE NO. 26-18

AN ORDINANCE OF THE TOWNSHIP OF MORRIS, COUNTY OF MORRIS, NEW JERSEY, APPROVING THE FIRST AMENDMENT TO FINANCIAL AGREEMENT FOR TAX EXEMPTION OF JMF/RD AFFORDABLE HOUSING URBAN RENEWAL, LLC FOR THE REDEVELOPMENT OF BLOCK 10401, A PORTION OF LOT 3, IN ACCORDANCE WITH THE LONG TERM TAX EXEMPTION LAW, N.J.S.A. 40A:20-1 ET SEQ.

WHEREAS, by Resolution No. 241-16 dated December 21, 2016, the Township Committee of the Township of Morris (the "Committee"), pursuant to and in accordance with the provisions of the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "LRHL"), and based upon the report and recommendation of the Township's Planning Board (the "Planning Board"), designated that certain property identified on the official tax map of the Township as Block 10401, Lot 3, consisting of approximately 49.1 acres, as an area in need of redevelopment (the "Redevelopment Area"); and

WHEREAS, after review and adoption as required by law the Committee on April 5, 2017 adopted a certain Redevelopment Plan prepared by the Board's consulting planner, Paul Phillips, PP, of Phillips Preiss Grygiel, LLC, dated March, 2017 (the "Original Redevelopment Plan"), pursuant to Section 7(e) of the LRHL; and

WHEREAS, The Township and the Redeveloper entered a Redevelopment Agreement on a portion of the Redevelopment Area, to be further subdivided and known as Lots 3.03 and 3.04 in Block 10401, consisting of a total of approximately 2.56 acres, and to be developed by the Redeveloper as the affordable residential component in accordance with the terms of the Redevelopment Plan on October 18, 2017; and

WHEREAS, thereafter Redeveloper began pursuing Planning Board Approvals for subdivision and site plan in connection with the redevelopment of the Property with 30 affordable housing units, 6 special needs units, market rate housing and retail/commercial space; those applications include PB-08-17 and PB-09-17 which received resolutions of approval on October 17, 2017 ; and

WHEREAS, as a condition of the PB-08-17 approval, the Redeveloper agreed to seek an amendment to the Redevelopment Plan, and/or amend the approval, so as to provide for the construction and provision of an additional 30 units of affordable housing rental units to be located within the multi-story structure previously approved for 30 affordable housing rental units, for a total of 60 affordable housing rental units, and an aggregate number of affordable housing rental units to be provided by the overall redevelopment of the Property to be 66 affordable housing rental units, including the previously approved 6 unit ARC group home; and

WHEREAS, on February 28, 2018, the Committee reviewed and considered an amendment to the redevelopment plan which, among other things, revised the Redevelopment Plan to allow for the construction and provision of an additional 30 units of rental affordable housing, such that the total number of affordable housing rental units to be located on Lot 3.03 would be 60 units, in addition to the previously approved 6 units to be located on Lot 3.04, wherefore the total number of affordable housing units provided by the overall Redevelopment shall be 66 affordable housing units ("Amended Redevelopment Plan"); and

WHEREAS, the Planning Board by Resolution adopted March 5, 2018 reviewed the Amended Redevelopment Plan and referred it back to the Committee for adoption having found that the Amended Redevelopment Plan was not inconsistent with the Master Plan, pursuant to Section 7(e) of the LHRL; and

WHEREAS, on March 12, 2018 the committee duly adopted the Amended Redevelopment Plan by Resolution 08-18; and

WHEREAS, the Redeveloper after a public hearing was granted Amended Site Plan and Subdivision approval to implement the changes permitted in the Amended Redevelopment Plan and specifically the additional 30 affordable rental housing units and the related site changes, by the Planning Board on March 19, 2018 and that approval was memorialized by Resolution dated April 16, 2018; and

WHEREAS, this amendment is a part of the process of incorporating those additional 30 units, and the associated changes needed to the site plan into the redevelopment approvals; and

WHEREAS, Redeveloper has submitted a revised overall plan to the Township, to construct a mixed use development within the Redevelopment Area consisting of a retail/commercial component, a market rate residential component, an affordable housing component and an open space component (collectively, the "Revised Overall Redevelopment"; and

WHEREAS, the affordable residential component of the Revised Overall Development for Lot 3.03 is now amended to consist of (i) 60 residential affordable rental units; and (ii) parking and related improvements (collectively the "Project"); and

WHEREAS, the Project is shown more particularly on the plans for Major Subdivision and Preliminary & Final Major Site Plan, prepared by Arna Engineering, Inc., dated June 20, 2017 and last revised January 15, 2018, as may be further amended, and affordable housing Architectural Plans prepared by Bruce E. Englebaugh, AIA dated September 11, 2017 and last revised December 29, 2017, as may be further amended (collectively, the "Plans"); and

WHEREAS, in accordance with the Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 et seq. (the "Exemption Law"), the Entity filed an application with the Township for approval of a long term tax exemption (the "Long Term Tax Exemption") for the Project, which is incorporated herein by reference; (the "Application"); and

WHEREAS, on July 19, 2017, by Resolution No. 173-17, the Governing Body approved the Application, subject to the terms and conditions of the Financial Agreement; and

WHEREAS, on August 15, 2017, by Ordinance No. 24-17, the Governing Body authorized the execution of the Financial Agreement; and

WHEREAS, pursuant to the Exemption Law, the Township and the Entity entered the Original Financial Agreement dated October 18, 2017 to set forth in detail their mutual rights and obligations with respect to the Long Term Tax Exemption; and

WHEREAS, this amendment ("First Amendment to Financial Agreement") is intended to amend the number of affordable units to be constructed on Lot 3.03 to 60 affordable rental units and the associated estimated rents for those units, as well as reconfirm the six bedroom group home on Lot 3.04 and the balance of the terms of the Original Financial Agreement; and

WHEREAS, the Committee has determined that it is in the best interest of the Township and its residents to enter into an amendment to the Original Financial Agreement for Long Term Tax Exemption with the Redeveloper and this First Amendment to Financial Agreement is executed to memorialize that change; and

WHEREAS, contemporaneously with the adoption of this Ordinance, the Township and JMF/RD Affordable Housing Urban Renewal, LLC (the "Entity"), will also enter into that certain Amended Redevelopment Agreement which similarly amends the Original Redevelopment Agreement to incorporate the additional 30 affordable residential rental units on Lot 3.03; and

WHEREAS, in accordance with the Exemption Law, the Entity filed with the Mayor of the Township an application for approval of a long term tax exemption for the Project, the Mayor submitted the Application to the Governing Body with his recommendation for approval, and by Resolution No.173-17 adopted on July 19, 2017, the Governing Body approved the Application and authorized the execution of the Original Financial Agreement establishing the rights, responsibilities and obligations of the Entity in accordance with the Exemption Law; and

WHEREAS, the Governing Body has determined that the portion of Block 10401, Lot 3 comprising the Project (proposed lot 3.03), to be undertaken by the Entity, represents an undertaking permitted by the Exemption Law, and has further determined that the Project constitutes improvements made for the purposes of clearance, re-planning, development or redevelopment of an area in need of redevelopment within the Township, as authorized by the Redevelopment Law and the Exemption Law; and

WHEREAS, the Governing Body makes the following findings in accordance with N.J.S.A. 40A:20-11.a and N.J.S.A. 40:20-11.b regarding the relative benefits and costs of granting the tax abatement for the Project and the amended Plans, and the importance of the tax abatement in realizing the development of the Project:

A. The development and construction of the Project, as set forth in the Amended Redevelopment Agreement and Amended Redevelopment Plan, will help the Township satisfy its affordable housing obligation; will be beneficial to the overall community; will achieve the goals and objectives of the Amended Redevelopment Plan; will help revitalize the Property; will improve the quality of life for the community; will serve as a catalyst for further private investment in areas surrounding the Property and will enhance the economic development of the Township.

B. It is anticipated that the development of the Project will create approximately 120 full-time equivalent construction jobs over the duration of the construction of the Project, and 7 part-time jobs in connection with the operation of the Project, as well as approximately 2 full-time permanent jobs in connection with the operation of the Project. Moreover, the Project includes the environmental remediation of the Property and its return to productive use.

NOW, THEREFORE, BE IT ORDAINED, by the Governing Body of the Township of Morris, Morris County, New Jersey as follows:

SECTION ONE The Mayor is hereby authorized to execute the First Amendment to Financial Agreement attached hereto as Exhibit "A", subject to minor modification or revision, as deemed necessary and appropriate after consultation with redevelopment counsel.

SECTION TWO The Township Clerk is hereby authorized and directed, upon execution of the First Amendment to Financial Agreement by the Mayor, to attest to the signature of the Mayor and to affix the corporate seal of the Township upon such document.

SECTION THREE The executed copy of the First Amendment to Financial Agreement shall be certified by and be filed with the Office of the Township Clerk. Further, the Township Clerk shall file certified copies of this Ordinance and the Financial Agreement with the Tax Assessor of the Township, Director of the Division of Local Government Services, the Chief Financial Officer of Morris County and to Morris County Counsel, in accordance with Section 12 of the Exemption Law.

SECTION FOUR The Mayor and Township Clerk are hereby authorized to take such action and to execute such other documents, on behalf of the Township, as is necessary to effectuate the terms of the First Amendment to Financial Agreement, as deemed advisable by the Township Attorney or Special Redevelopment Counsel.

SECTION FIVE This ordinance shall take effect upon adoption and publication in the manner required by New Jersey law.

INTRO: 8/15/18
ADOPT: 9/19/18

TOWNSHIP OF MORRIS,
MORRIS COUNTY, NEW JERSEY

ORDINANCE NO. 27-18

ORDINANCE OF THE TOWNSHIP OF MORRIS, COUNTY OF MORRIS, NEW JERSEY
AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE A FIRST AMENDMENT TO
THAT CERTAIN REDEVELOPMENT AGREEMENT WITH LENNAR COLGATE URBAN RENEWAL
DEVELOPMENT, LLC (AS SUCCESSOR BY ASSIGNMENT TO JMF/RD NJ PROPERTIES
RESIDENTIAL URBAN RENEWAL) FOR THE REDEVELOPMENT OF BLOCK 10401, LOT 3 IN
ACCORDANCE WITH THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A 40A:12A-1 ET
SEQ.

WHEREAS, by Resolution No. 241-16 dated December 21, 2016, the Township Committee of the Township of Morris (the "Committee"), pursuant to and in accordance with the provisions of the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "LRHL"), and based upon the report and recommendation of the Township's Planning Board (the "Planning Board"), designated that certain property identified on the official tax map of the Township as Block 10401, Lot 3, consisting of approximately 49.1 acres, as an area in need of redevelopment (the "Redevelopment Area"); and

WHEREAS, after review and adoption as required by law the Committee on April 5, 2017 adopted a certain Redevelopment Plan prepared by the Planning Board's consulting planner, Paul Phillips, PP, of Phillips Preiss Grygiel, LLC, dated March, 2017 (the "Original Redevelopment Plan"), pursuant to Section 7(e) of the LRHL; and

WHEREAS, the Township and Redeveloper entered a Redevelopment Agreement on a portion of the Redevelopment Area, known as Lot 3 (remainder) in Block 10401, consisting of a total of approximately 24.3 acres, and to be developed by the Redeveloper as the market rate residential component in accordance with the terms of the Redevelopment Plan on November 8, 2017 ("Original Redevelopment Agreement"); and

WHEREAS, thereafter Redeveloper began pursuing Planning Board Approvals for subdivision and site plan in connection with the redevelopment of the Property with 30 affordable housing units, 6 special needs units, market rate housing and retail/commercial space; those applications include PB-08-17 and PB-09-17 which received resolutions of approval on October 17, 2017 ; and

WHEREAS, as a condition of the PB-08-17 approval, the Redeveloper agreed to seek an amendment to the Original Redevelopment Plan, and/or amend the approval, so as to provide for the construction and provision of an additional 30 units of affordable housing rental units to be located within the multi-story structure previously approved for 30 affordable housing rental units, for a total of 60 affordable housing rental units, and an aggregate number of affordable housing rental units to be provided by the overall redevelopment of the Property to be 66 affordable housing rental units, including the previously approved 6 unit ARC group home; and

WHEREAS, on February 28, 2018, the Committee reviewed and considered an amendment to the Original Redevelopment Plan which, among other things, revised the Original Redevelopment Plan to allow for the construction and provision of an additional 30 units of rental affordable housing, such that the total number of affordable housing rental units to be located on Lot 3.03 would be 60 units, in addition to the previously approved 6 units to be located on Lot 3.04, wherefore the total number of affordable housing units provided by the overall Redevelopment shall be 66 affordable housing units ("Amended Redevelopment Plan"); and

WHEREAS, the Planning Board by Resolution adopted March 5, 2018 reviewed the Amended Redevelopment Plan and referred it back to the Committee for adoption having found that the Amended Redevelopment Plan was not inconsistent with the Master Plan, pursuant to Section 7(e) of the Redevelopment law; and

WHEREAS, on March 12, 2018 the Committee duly adopted the Amended Redevelopment Plan by Resolution 08-18; and

WHEREAS, the Redeveloper after a public hearing was granted Amended Site Plan and Subdivision approval to implement the changes permitted in the Amended Redevelopment Plan including a slight lot

line adjustment to Lot 3 (remainder) and updated circulation plan, by the Planning Board on March 19, 2018 and that approval was memorialized by Resolution dated April 16, 2018; and

WHEREAS, the Amendment to Redevelopment Agreement is a part of the process of incorporating the Amended Site Plan and Subdivision approval into the redevelopment approvals; and

WHEREAS, Redeveloper has submitted a revised overall plan to the Township, to construct a mixed use development within the Redevelopment Area consisting of a retail/commercial component, a market rate residential component, an affordable housing component and an open space component (collectively, the "Revised Overall Redevelopment"; and

WHEREAS, the market rate residential component of the Revised Overall Redevelopment is now amended to consist of an approximately 21.8 acre lot with revised circulation plan as shown on the approved plans (collectively the "Project"); and

WHEREAS, the Project is shown more particularly on the plans for Major Subdivision and Preliminary & Final Major Site Plan, prepared by Arna Engineering, Inc., dated June 20, 2017 and last revised January 15, 2018, as may be further amended, and the market rate residential Architectural Plans which have not changed from the original approval (collectively, the "Plans"); and

WHEREAS, in order to continue to implement the development, financing, construction, operation and management of the Project, the Committee has determined that it is in the best interest of the Township and its residents to enter into an Amendment to the Redevelopment Agreement with the Redeveloper and such Amendment is executed to memorialize the above-referenced change; and

WHEREAS the increase in the number of affordable housing units to be provided as part of the redevelopment project increases the benefit to the Township and Community while only creating slight adjustments to the lot lines and circulation plan of the overall project, and is in compliance with the Amended Redevelopment Plan for this Redevelopment Area; and

WHEREAS, Special Redevelopment Counsel for the Committee has reviewed and approved the attached form of First Amendment to Redevelopment Agreement.

NOW THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Morris, Morris County, New Jersey, as follows:

Section 1. The Mayor and Township Clerk are hereby authorized to execute the attached First Amendment to Redevelopment Agreement, subject to minor modification or revision, as deemed necessary and appropriate after consultation with counsel.

Section 2. Lennar Colgate Urban Renewal Development, LLC (as successor by assignment to JMF/RD NJ Properties Residential Urban Renewal, LLC) is hereby confirmed as the Redeveloper of Block 10401, Lot 3 (remainder) in accordance with the Amended Redevelopment Plan.

Section 3. The Township Clerk is directed to forward execution copies of the First Amendment to Redevelopment Agreement to the Township's Special Redevelopment Counsel so that he may forward fully executed copies to counsel for the Redeveloper. The Township Clerk shall retain at least one (1) fully executed copy of the First Amendment to Redevelopment Agreement on file in his office.

Section 4. The Mayor and Township Clerk are hereby authorized to take such action and to execute such other documents, on behalf of the Township, as is necessary to effectuate the terms of the Original Redevelopment Agreement and the First Amendment thereto, as deemed advisable by the Township Attorney or Special Redevelopment Counsel.

INTRO: 9/19/18
ADOPTED 10/17/18

TOWNSHIP OF MORRIS
MORRIS COUNTY, NEW JERSEY
ORDINANCE NO. 28-18

AN ORDINANCE OF THE TOWNSHIP OF MORRIS, COUNTY OF MORRIS, NEW JERSEY, APPROVING THE FIRST AMENDMENT TO FINANCIAL AGREEMENT FOR TAX EXEMPTION OF LENNAR COLGATE URBAN RENEWAL DEVELOPMENT, LLC (AS SUCCESSOR BY ASSIGNMENT TO JMF/RD NJ PROPERTIES RESIDENTIAL URBAN RENEWAL, LLC) FOR THE REDEVELOPMENT OF BLOCK 10401, LOT 3, IN ACCORDANCE WITH THE LONG TERM TAX EXEMPTION LAW, N.J.S.A. 40A:20-1 ET SEQ.

WHEREAS, by Resolution No. 241-16 dated December 21, 2016, the Township Committee of the Township of Morris (the "Committee"), pursuant to and in accordance with the provisions of the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "LRHL"), and based upon the report and recommendation of the Township's Planning Board (the "Planning Board"), designated that certain property identified on the official tax map of the Township as Block 10401, Lot 3, consisting of approximately 49.1 acres, as an area in need of redevelopment (the "Redevelopment Area"); and

WHEREAS, after review and adoption as required by law the Committee on April 5, 2017 adopted a certain Redevelopment Plan prepared by the Board's consulting planner, Paul Phillips, PP, of Phillips Preiss Grygiel, LLC, dated March, 2017 (the "Original Redevelopment Plan"), pursuant to Section 7(e) of the LRHL; and

WHEREAS, The Township and the Redeveloper entered a Redevelopment Agreement on a portion of the Redevelopment Area, known as Lot 3 (remainder) in Block 10401, consisting of a total of approximately 24.3 acres, and to be developed by the Redeveloper as the market rate residential component in accordance with the terms of the Original Redevelopment Plan on November 8, 2017; and

WHEREAS, thereafter Redeveloper began pursuing Planning Board Approvals for subdivision and site plan in connection with the redevelopment of the Property with 30 affordable housing units, 6 special needs units, market rate housing and retail/commercial space; those applications include PB-08-17 and PB-09-17 which received resolutions of approval on October 17, 2017 ; and

WHEREAS, as a condition of the PB-08-17 approval, the Redeveloper agreed to seek an amendment to the Original Redevelopment Plan, and/or amend the approval, so as to provide for the construction and provision of an additional 30 units of affordable housing rental units to be located within the multi-story structure previously approved for 30 affordable housing rental units, for a total of 60 affordable housing rental units, and an aggregate number of affordable housing rental units to be provided by the overall redevelopment of the Property to be 66 affordable housing rental units, including the previously approved 6 unit ARC group home; and

WHEREAS, on February 28, 2018, the Committee reviewed and considered an amendment to the Original Redevelopment Plan which, among other things, revised the Original Redevelopment Plan to allow for the construction and provision of an additional 30 units of rental affordable housing, such that the total number of affordable housing rental units to be located on Lot 3.03 would be 60 units, in addition to the previously approved 6 units to be located on Lot 3.04, wherefore the total number of affordable housing units provided by the overall Redevelopment shall be 66 affordable housing units ("Amended Redevelopment Plan"); and

WHEREAS, the Planning Board by Resolution adopted March 5, 2018 reviewed the Amended Redevelopment Plan and referred it back to the Committee for adoption having found that the Amended Redevelopment Plan was not inconsistent with the Master Plan, pursuant to Section 7(e) of the LRHL; and

WHEREAS, on March 12, 2018 the committee duly adopted the Amended Redevelopment Plan by Resolution 08-18; and

WHEREAS, the Redeveloper after a public hearing was granted Amended Site Plan and Subdivision approval to implement the changes permitted in the Amended Redevelopment Plan including a slight lot line adjustment to Lot 3 (remainder) and a revised circulation plan, by the Planning Board on March 19, 2018 and that approval was memorialized by Resolution dated April 16, 2018; and

WHEREAS, the Amendment to Financial Agreement is a part of the process of incorporating the Amended Site Plan and Subdivision approval into the redevelopment approvals; and

WHEREAS, Redeveloper has submitted a revised overall plan to the Township, to construct a mixed use development within the Redevelopment Area consisting of a retail/commercial component, a market rate residential component, an affordable housing component and an open space component (collectively, the "Revised Overall Redevelopment"); and

WHEREAS, the market rate residential component of the Revised Overall Redevelopment for Lot 3 (remainder) is now amended to consist of approximately 21.8 acres, and a revised circulation plan as shown on the approved plans (collectively the "Project"); and

WHEREAS, the Project is shown more particularly on the plans for Major Subdivision and Preliminary & Final Major Site Plan, prepared by Arna Engineering, Inc., dated June 20, 2017 and last revised January 15, 2018, as may be further amended, and the Architectural Plans for the market rate residential units which have not changed from the original approval (collectively, the "Plans"); and

WHEREAS, in accordance with the Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 et seq. (the "Exemption Law"), the Entity filed an application with the Township for approval of a long term tax exemption (the "Long Term Tax Exemption") for the Project, which is incorporated herein by reference; (the "Application"); and

WHEREAS, on July 19, 2017, by Resolution No. 172-17, the Governing Body approved the Application, subject to the terms and conditions of the Financial Agreement; and

WHEREAS, on November 8, 2017, by Ordinance No. 26-17, the Governing Body authorized the execution of the Financial Agreement; and

WHEREAS, pursuant to the Exemption Law, the Township and the Entity entered the Original Financial Agreement dated November 8, 2017 to set forth in detail their mutual rights and obligations with respect to the Long Term Tax Exemption; and

WHEREAS, this amendment ("First Amendment to Financial Agreement") is intended to amend the legal description of the "Property" as contained in Exhibit A of the Original Financial Agreement, to comply with the lot boundary adjustments in the amended subdivision recently approved by the Planning Board and reconfirm the balance of the terms of the Original Financial Agreement; and

WHEREAS, the Committee has determined that it is in the best interest of the Township and its residents to enter into an amendment to the Original Financial Agreement for Long Term Tax Exemption with the Redeveloper and this First Amendment to Financial Agreement is executed to memorialize that change; and

WHEREAS, contemporaneously with the adoption of this Ordinance, the Township and Lennar Colgate Urban Renewal Development, LLC will enter into that certain First Amendment to Redevelopment Agreement to incorporate the lot line changes to Lot 3 (remainder); and

WHEREAS, in accordance with the Exemption Law, the Entity filed with the Mayor of the Township an application for approval of a long term tax exemption for the Project, the Mayor submitted the Application to the Governing Body with his recommendation for approval, and by Resolution No.172-17 adopted on July 19, 2017, the Governing Body approved the Application and authorized the execution of the Original Financial Agreement establishing the rights, responsibilities and obligations of the Entity in accordance with the Exemption Law; and

WHEREAS, the Governing Body has determined that the portion of Block 10401, Lot 3 comprising the Project (proposed lot 3 remainder), to be undertaken by the Entity, represents an undertaking permitted by the Exemption Law, and has further determined that the Project constitutes improvements made for the purposes of clearance, re-planning, development or redevelopment of an area in need of redevelopment within the Township, as authorized by the Redevelopment Law and the Exemption Law; and

WHEREAS, the Governing Body makes the following findings in accordance with N.J.S.A. 40A:20-11.a and N.J.S.A. 40:20-11.b regarding the relative benefits and costs of granting the tax abatement for the Project and the amended Plans, and the importance of the tax abatement in realizing the development of the Project:

- A. The development and construction of the Project, as set forth in the Amended Redevelopment Agreement and Amended Redevelopment Plan, will help the Township satisfy its affordable housing obligation; will be beneficial to the overall community; will achieve the goals and objectives of the Amended Redevelopment Plan; will help revitalize the Property; will improve the quality of life for the community; will serve as a catalyst for further private investment in areas surrounding the Property and will enhance the economic development of the Township.

- B. It is anticipated that the development of the Project will create approximately 120 full-time equivalent construction jobs over the duration of the construction of the Project, and 7 part-time jobs in connection with the operation of the Project, as well as approximately 2 full-time permanent jobs in connection with the operation of the Project. Moreover, the Project includes the environmental remediation of the Property and its return to productive use.

NOW, THEREFORE, BE IT ORDAINED, by the Governing Body of the Township of Morris, Morris County, New Jersey as follows:

- Section 1. The Mayor is hereby authorized to execute the First Amendment to Financial Agreement attached hereto as Exhibit "A", subject to minor modification or revision, as deemed necessary and appropriate after consultation with redevelopment counsel.

- Section 2. The Township Clerk is hereby authorized and directed, upon execution of the First Amendment to Financial Agreement by the Mayor, to attest to the signature of the Mayor and to affix the corporate seal of the Township upon such document.

- Section 3. The executed copy of the First Amendment to Financial Agreement shall be certified by and be filed with the Office of the Township Clerk. Further, the Township Clerk shall file certified copies of this Ordinance and the Financial Agreement with the Tax Assessor of the Township and to the Chief Financial Officer of Morris County and to Morris County Counsel, in accordance with Section 12 of the Exemption Law.

- Section 4. The Mayor and Township Clerk are hereby authorized to take such action and to execute such other documents, on behalf of the Township, as is necessary to effectuate the terms of the First Amendment to Financial Agreement, as deemed advisable by the Township Attorney or Special Redevelopment Counsel.

- Section 5. This ordinance shall take effect upon adoption and publication in the manner required by New Jersey law.

INTRO: 9/19/18
ADOPTED 10/17/18

TOWNSHIP OF MORRIS,
MORRIS COUNTY, NEW JERSEY
ORDINANCE NO. 29-18

ORDINANCE OF THE TOWNSHIP OF MORRIS IN THE COUNTY OF MORRIS AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE A FIRST AMENDMENT TO THAT CERTAIN REDEVELOPMENT AGREEMENT AND AMENDED DECLARATION OF COVENANT WITH JMF/RD NJ PROPERTIES URBAN RENEWAL, LLC FOR THE REDEVELOPMENT OF BLOCK 10401, LOT 3.01 IN ACCORDANCE WITH THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A 40A:12A-1 ET SEQ.

WHEREAS, by Resolution No. 241-16 dated December 21, 2016, the Township Committee of the Township of Morris (the "Committee"), pursuant to and in accordance with the provisions of the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "LRHL"), and based upon the report and recommendation of the Township's Planning Board (the "Planning Board"), designated that certain property identified on the official tax map of the Township as Block 10401, Lot 3, consisting of approximately 49.1 acres, as an area in need of redevelopment (the "Redevelopment Area"); and

WHEREAS, after review and adoption as required by law the Committee on April 5, 2017 adopted a certain Redevelopment Plan prepared by the Planning Board's consulting planner, Paul Phillips, PP, of Phillips Preiss Grygiel, LLC, dated March, 2017 (the "Original Redevelopment Plan"), pursuant to Section 7(e) of the LRHL; and

WHEREAS, the Township and Redeveloper entered a Redevelopment Agreement on a portion of the Redevelopment Area, known as Lot 3.01 in Block 10401, consisting of a total of approximately 18.9 acres, and to be developed by the Redeveloper as the commercial component in accordance with the terms of the Redevelopment Plan on November 8, 2017 ("Original Redevelopment Agreement"); and

WHEREAS, pursuant to the Original Redevelopment Agreement, Redeveloper recorded a certain Declaration of Covenants and Restrictions as to Lot 3.01, dated December 21, 2017 in the office of the Morris County Clerk; and

WHEREAS, thereafter Redeveloper began pursuing Planning Board Approvals for subdivision and site plan in connection with the redevelopment of the Property with 30 affordable housing units, 6 special needs units, market rate housing and retail/commercial space; those applications include PB-08-17 and PB-09-17 which received resolutions of approval on October 17, 2017 ; and

WHEREAS, as a condition of the PB-08-17 approval, the Redeveloper agreed to seek an amendment to the Redevelopment Plan, and/or amend the approval, so as to provide for the construction and provision of an additional 30 units of affordable housing rental units to be located within the multi-story structure previously approved for 30 affordable housing rental units, for a total of 60 affordable housing rental units, and an aggregate number of affordable housing rental units to be provided by the overall redevelopment of the Property to be 66 affordable housing rental units, including the previously approved 6 unit ARC group home; and

WHEREAS, on February 28, 2018, the Committee reviewed and considered an amendment to the redevelopment plan which, among other things, revised the Redevelopment Plan to allow for the construction and provision of an additional 30 units of rental affordable housing, such that the total number of affordable housing rental units to be located on Lot 3.03 would be 60 units, in addition to the previously approved 6 units to be located on Lot 3.04, wherefore the total number of affordable housing units provided by the overall Redevelopment shall be 66 affordable housing units ("Amended Redevelopment Plan"); and

WHEREAS, the Planning Board by Resolution adopted March 5, 2018 reviewed the Amended Redevelopment Plan and referred it back to the Committee for adoption having found that the

Amended Redevelopment Plan was not inconsistent with the Master Plan, pursuant to Section 7(e) of the Redevelopment law; and

WHEREAS, on March 12, 2018 the Committee duly adopted the Amended Redevelopment Plan by Resolution 08-18; and

WHEREAS, the Redeveloper after a public hearing was granted Amended Site Plan and Subdivision approval to implement the changes permitted in the Amended Redevelopment Plan including a slight lot line adjustment to Lot 3.01, a small increase to the commercial building footprint and improvements to the circulation plan, by the Planning Board on March 19, 2018 and that approval was memorialized by Resolution dated April 16, 2018; and

WHEREAS, this amendment is a part of the process of incorporating the Amended Site Plan and Subdivision Approval into the redevelopment approvals and a revised declaration of covenants and restrictions; and

WHEREAS, Redeveloper has submitted a revised overall plan to the Township, to construct a mixed use development within the Redevelopment Area consisting of a retail/commercial component, a market rate residential component, an affordable housing component and an open space component (collectively, the "Revised Overall Redevelopment"); and

WHEREAS, the commercial component of the Revised Overall Development is now amended to consist of an approximately 18.7 acre lot with a slightly larger building foot print and revised circulation plan as shown on the approved plans (collectively the "Project"); and

WHEREAS, the Project is shown more particularly on the plans for Major Subdivision and Preliminary & Final Major Site Plan, prepared by Arna Engineering, Inc., dated June 20, 2017 and last revised January 15, 2018, as may be further amended, Architectural Plans for the Office Building prepared by Minno Wasko Architects and Planners, dated January 8, 2018 and last revised February 22, 2018, as may be further amended (collectively, the "Plans"); and

WHEREAS, in order to continue to implement the development, financing, construction, operation and management of the Project, the Committee has determined that it is in the best interest of the Township and its residents to enter into an Amendment to the Redevelopment Agreement with the Redeveloper and this Amendment is executed to memorialize that change; and

WHEREAS the increase in the number of affordable housing units to be provided as part of the redevelopment project increases the benefit to the Township and Community while only creating slight adjustments to the lot lines and circulation plan of the overall project, and is in compliance with the Amended Redevelopment Plan for this Redevelopment Area; and

WHEREAS, Special Redevelopment Counsel for the Committee has reviewed and approved the attached form of First Amendment to Redevelopment Agreement.

NOW THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Morris, Morris County, New Jersey, as follows:

Section 1. The Mayor and Township Clerk are hereby authorized to execute the attached First Amendment to Redevelopment Agreement, and Amendment to Declaration of Covenants and Restrictions, subject to minor modification or revision, as deemed necessary and appropriate after consultation with counsel.

Section 2. JMF/RD NJ Properties Urban Renewal, LLC is hereby confirmed as the Redeveloper of Block 10401, Lot 3.01 in accordance with the Amended Redevelopment Plan.

Section 3. The Township Clerk is directed to forward execution copies of the First Amendment to Redevelopment Agreement to the Township's Special Redevelopment Counsel so that he may forward fully executed copies to counsel for the Redeveloper. The Township Clerk shall retain at least one (1) fully executed copy of the First Amendment to Redevelopment Agreement on file in his office.

Section 4. The Township Clerk is directed to forward an execution copy of the Declaration of Covenants and Restrictions to the Township's Special Redevelopment Council so he may forward it to Redeveloper's Council for filing, filed copies shall be returned to the Township and Special Council upon completion of the filing.

Section 5. The Mayor and Township Clerk are hereby authorized to take such action and to execute such other documents, on behalf of the Township, as is necessary to effectuate the terms of the Redevelopment Agreement and this First Amendment thereto, as deemed advisable by the Township Attorney or Special Redevelopment Counsel.

INTRO: 9/19/18

ADOPTED 10/17/18

TOWNSHIP OF MORRIS
MORRIS COUNTY, NEW JERSEY

ORDINANCE NO. 30-18

AN ORDINANCE OF THE TOWNSHIP OF MORRIS, COUNTY OF MORRIS, NEW JERSEY, APPROVING THE FIRST AMENDMENT TO FINANCIAL AGREEMENT FOR TAX EXEMPTION OF JMF/RD NJ PROPERTIES URBAN RENEWAL, LLC FOR THE REDEVELOPMENT OF BLOCK 10401, LOT 3.01, IN ACCORDANCE WITH THE LONG TERM TAX EXEMPTION LAW, N.J.S.A. 40A:20-1 ET SEQ.

WHEREAS, by Resolution No. 241-16 dated December 21, 2016, the Township Committee of the Township of Morris (the "Committee"), pursuant to and in accordance with the provisions of the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "LRHL"), and based upon the report and recommendation of the Township's Planning Board (the "Planning Board"), designated that certain property identified on the official tax map of the Township as Block 10401, Lot 3, consisting of approximately 49.1 acres, as an area in need of redevelopment (the "Redevelopment Area"); and

WHEREAS, after review and adoption as required by law the Committee on April 5, 2017 adopted a certain Redevelopment Plan prepared by the Board's consulting planner, Paul Phillips, PP, of Phillips Preiss Grygiel, LLC, dated March, 2017 (the "Original Redevelopment Plan"), pursuant to Section 7(e) of the LRHL; and

WHEREAS, The Township and the Redeveloper entered a Redevelopment Agreement on a portion of the Redevelopment Area, known as Lot 3.01 in Block 10401, consisting of a total of approximately 18.9 acres, and to be developed by the Redeveloper as the commercial component in accordance with the terms of the Redevelopment Plan on November 8, 2017; and

WHEREAS, thereafter Redeveloper began pursuing Planning Board Approvals for subdivision and site plan in connection with the redevelopment of the Property with 30 affordable housing units, 6 special needs units, market rate housing and retail/commercial space; those applications include PB-08-17 and PB-09-17 which received resolutions of approval on October 17, 2017 ; and

WHEREAS, as a condition of the PB-08-17 approval, the Redeveloper agreed to seek an amendment to the Redevelopment Plan, and/or amend the approval, so as to provide for the construction and provision of an additional 30 units of affordable housing rental units to be located within the multi-story structure previously approved for 30 affordable housing rental units, for a total of 60 affordable housing rental units, and an aggregate number of affordable housing rental units to be provided by the overall redevelopment of the Property to be 66 affordable housing rental units, including the previously approved 6 unit ARC group home; and

WHEREAS, on February 28, 2018, the Committee reviewed and considered an amendment to the redevelopment plan which, among other things, revised the Redevelopment Plan to allow for the construction and provision of an additional 30 units of rental affordable housing, such that the total number of affordable housing rental units to be located on Lot 3.03 would be 60 units, in addition to the previously approved 6 units to be located on Lot 3.04, wherefore the total number of affordable housing units provided by the overall Redevelopment shall be 66 affordable housing units ("Amended Redevelopment Plan"); and

WHEREAS, the Planning Board by Resolution adopted March 5, 2018 reviewed the Amended Redevelopment Plan and referred it back to the Committee for adoption having found that the Amended Redevelopment Plan was not inconsistent with the Master Plan, pursuant to Section 7(e) of the LRHL; and

WHEREAS, on March 12, 2018 the committee duly adopted the Amended Redevelopment Plan by Resolution 08-18; and

WHEREAS, the Redeveloper after a public hearing was granted Amended Site Plan and Subdivision approval to implement the changes permitted in the Amended Redevelopment Plan including a slight lot line adjustment to Lot 3.01, a slight increase to the commercial building footprint and a revised circulation plan, by the Planning Board on March 19, 2018 and that approval was memorialized by Resolution dated April 16, 2018; and

WHEREAS, this amendment is a part of the process of incorporating the Amended Site Plan and Subdivision approval into the redevelopment approvals; and

WHEREAS, Redeveloper has submitted a revised overall plan to the Township, to construct a mixed use development within the Redevelopment Area consisting of a retail/commercial component, a market rate residential component, an affordable housing component and an open space component (collectively, the "Revised Overall Redevelopment"); and

WHEREAS, the commercial component of the Revised Overall Development for Lot 3.01 is now amended to consist of approximately 18.7 acres, a slightly increase foot print for the commercial building, and a revised circulation plan as shown on the approved plans (collectively the "Project"); and

WHEREAS, the Project is shown more particularly on the plans for Major Subdivision and Preliminary & Final Major Site Plan, prepared by Arna Engineering, Inc., dated June 20, 2017 and last revised January 15, 2018, as may be further amended, and on the previously approved Architectural plans for the market rate residences, which have not changed (collectively, the "Plans"); and

WHEREAS, in accordance with the Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 et seq. (the "Exemption Law"), the Entity filed an application with the Township for approval of a long term tax exemption (the "Long Term Tax Exemption") for the Project, which is incorporated herein by reference; (the "Application"); and

WHEREAS, on July 19, 2017, by Resolution No. 171-17, the Governing Body approved the Application, subject to the terms and conditions of the Financial Agreement; and

WHEREAS, on August 15, 2017, by Ordinance No. 22-17, the Governing Body authorized the execution of the Financial Agreement; and

WHEREAS, pursuant to the Exemption Law, the Township and the Entity entered the Original Financial Agreement dated November 8, 2017 to set forth in detail their mutual rights and obligations with respect to the Long Term Tax Exemption; and

WHEREAS, this amendment ("First Amendment to Financial Agreement") is intended to amend the legal description of the Property as contained in Exhibit A of the Original Financial Agreement, to comply with the lot boundary adjustments in the revised subdivision recently approved by the Planning Board and reconfirm the balance of the terms of the Original Financial Agreement; and

WHEREAS, the Committee has determined that it is in the best interest of the Township and its residents to enter into an amendment to the Original Financial Agreement for Long Term Tax Exemption with the Redeveloper and this First Amendment to Financial Agreement is executed to memorialize that change; and

WHEREAS, contemporaneously with the adoption of this Ordinance, the Township and JMF/RD NJ Properties Urban Renewal, LLC (the "Entity"), will also enter into that certain Amended Redevelopment Agreement which similarly amends the Original Redevelopment Agreement to incorporate the lot line changes to Lot 3.01; and

WHEREAS, in accordance with the Exemption Law, the Entity filed with the Mayor of the Township an application for approval of a long term tax exemption for the Project, the Mayor submitted the Application to the Governing Body with his recommendation for approval, and by Resolution No.171-17 adopted on July 19, 2017, the Governing Body approved the Application and authorized the execution of the Original Financial Agreement establishing the rights, responsibilities and obligations of the Entity in accordance with the Exemption Law; and

WHEREAS, the Governing Body has determined that the portion of Block 10401, Lot 3 comprising the Project (proposed lot 3.01), to be undertaken by the Entity, represents an undertaking permitted by the Exemption Law, and has further determined that the Project constitutes improvements made for the purposes of clearance, re-planning, development or redevelopment of an area in need of redevelopment within the Township, as authorized by the Redevelopment Law and the Exemption Law; and

WHEREAS, the Governing Body makes the following findings in accordance with N.J.S.A. 40A:20-11.a and N.J.S.A. 40:20-11.b regarding the relative benefits and costs of granting the tax abatement for the Project and the amended Plans, and the importance of the tax abatement in realizing the development of the Project:

C. The development and construction of the Project, as set forth in the Amended Redevelopment Agreement and Amended Redevelopment Plan, will help the Township satisfy its affordable housing obligation; will be beneficial to the overall community; will achieve the goals and objectives of the Amended Redevelopment Plan; will help revitalize the Property; will improve the quality of life for the community; will serve as a catalyst for further private investment in areas surrounding the Property and will enhance the economic development of the Township.

D. It is anticipated that the development of the Project will create approximately 120 full-time equivalent construction jobs over the duration of the construction of the Project, and 7 part-time jobs in connection with the operation of the Project, as well as approximately 2 full-time permanent jobs in connection with the operation of the Project. Moreover, the Project includes the environmental remediation of the Property and its return to productive use.

NOW, THEREFORE, BE IT ORDAINED, by the Governing Body of the Township of Morris, Morris County, New Jersey as follows:

Section 1. The Mayor is hereby authorized to execute the First Amendment to Financial Agreement attached hereto as Exhibit "A", subject to minor modification or revision, as deemed necessary and appropriate after consultation with redevelopment counsel.

Section 2. The Township Clerk is hereby authorized and directed, upon execution of the First Amendment to Financial Agreement by the Mayor, to attest to the signature of the Mayor and to affix the corporate seal of the Township upon such document.

Section 3. The executed copy of the First Amendment to Financial Agreement shall be certified by and be filed with the Office of the Township Clerk. Further, the Township Clerk shall file certified copies of this Ordinance and the Financial Agreement with the Tax Assessor of the Township and to the Chief Financial Officer of Morris County and to Morris County Counsel, in accordance with Section 12 of the Exemption Law.

Section 4. The Mayor and Township Clerk are hereby authorized to take such action and to execute such other documents, on behalf of the Township, as is necessary to effectuate the terms of the First Amendment to Financial Agreement, as deemed advisable by the Township Attorney or Special Redevelopment Counsel.

Section 5. This ordinance shall take effect upon adoption and publication in the manner required by New Jersey law.

INTRO: 9/19/18
ADOPTED 10/17/18

TOWNSHIP OF MORRIS
MORRIS COUNTY, NEW JERSEY

ORDINANCE NO. 31-18

ESTABLISHING SALARIES AND COMPENSATION FOR EMPLOYEES OF THE POLICEMEN'S BENEVOLENT ASSOCIATION - SUPERIOR OFFICERS ASSOCIATION (PBA Local 133A) OF THE TOWNSHIP OF MORRIS

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

SECTION ONE: The Policemen's Benevolent Association – Superior Officers Association (PBA Local 133A) of the Township of Morris salaries for the years 2018, 2019, 2020 and 2021 shall be as follows:

SERGEANTS
SALARY

	2018	2019	2020	2021
	2%	2%	2%	2%
GRADE 3 - No College	\$115,892	\$118,210	\$120,575	\$122,986
GRADE 2 - Associates Degree	\$117,864	\$120,220	\$122,625	\$125,078
GRADE 1 - Bachelors Degree	\$119,787	\$122,182	\$124,625	\$127,119

LIEUTENANTS SALARY

	2018	2019	2020	2021
	2%	2%	2%	2%
GRADE 3 - No College	\$130,171	\$132,775	\$135,430	\$138,139
GRADE 2 - Associates Degree	\$133,927	\$136,605	\$139,337	\$142,125
GRADE 1 - Bachelors Degree	\$136,676	\$139,410	\$142,198	\$145,042

CAPTAINS SALARY

	2018	2019	2020	2021
	2%	2%	2%	2%
GRADE 3 - No College	\$139,802	\$142,598	\$145,450	\$148,359
GRADE 2 - Associates Degree	\$142,503	\$145,353	\$148,260	\$151,225
GRADE 1 - Bachelors Degree	\$144,965	\$147,863	\$150,820	\$153,837

SECTION TWO: The salaries or compensations shall be retroactive to January 1, 2018. Any PBA Local 133A member retiring prior to enactment of this ordinance will be entitled to retroactive compensation provision of this ordinance. The established salaries or compensation shall be in lieu of any and all fees.

SECTION THREE: Effective January 1, 2012 implementation of applicable legislation, P.L. 2011, Chapter 78 from the State of New Jersey all employees shall contribute towards their health benefits as required by State Statute. No employee will be exempt from payment of such contribution based upon their coverage, health benefit plan selection, compensation and other statutorily required criteria, if any. Employees receiving the enhanced dental plan coverage are required to pay the difference between the cost of the basic plan and the enhanced plan.

SECTION FOUR: Any PBA Local 133A member who voluntarily resigned or was otherwise discharged from employment from January 1, 2018 to the introduction date of this ordinance shall not be entitled to receive the salary adjustment set forth herein.

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

INTRO: 10/17/18
ADOPTED 11/07/18

TOWNSHIP OF MORRIS
MORRIS COUNTY, NEW JERSEY
TOWNSHIP OF MORRIS
MORRIS COUNTY – NEW JERSEY

ORDINANCE NO. 32-18

ESTABLISHING SALARIES AND COMPENSATION FOR EMPLOYEES OF THE FIREMEN'S MUTUAL BENEVOLENT ASSOCIATION (FMBA Local 70) OF THE TOWNSHIP OF MORRIS

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

SECTION ONE: The Firemen's Mutual Benevolent Association (FMBA Local 70) of the Township of Morris salaries for the years 2018, 2019, 2020 and 2021 shall be as follows:

Members Hired prior to January 1, 2015

	2018	2019	2020	2021
Months of Service	Class 1	Class 1	Class 1	Class 1
1-12(12)	\$ 46,019	\$ 46,019	\$ 46,019	\$ 46,019
13-18(6)	\$ 46,019	\$ 46,019	\$ 46,019	\$ 46,019
19-24(6)	\$ 54,086	\$ 54,086	\$ 54,086	\$ 54,086
25-30(6)	\$ 54,086	\$ 54,086	\$ 54,086	\$ 54,086
31-36 (6)	\$ 62,153	\$ 62,153	\$ 62,153	\$ 62,153
37-42(6)	\$ 62,153	\$ 62,153	\$ 62,153	\$ 62,153
43-48(6)	\$ 70,224	\$ 70,224	\$ 70,224	\$ 70,224
49-54(6)	\$ 70,224	\$ 70,224	\$ 70,224	\$ 70,224
55-60(6)	\$ 78,291	\$ 78,291	\$ 78,291	\$ 78,291
61-66(6)	\$ 78,291	\$ 78,291	\$ 78,291	\$ 78,291
67-72(6)	\$ 86,358	\$ 86,358	\$ 86,358	\$ 86,358
73-78(6)	\$ 86,358	\$ 86,358	\$ 86,358	\$ 86,358
79-84(6)	\$ 94,584	\$ 94,584	\$ 94,584	\$ 94,584
85-up	\$ 101,392	\$ 103,420	\$ 105,488	\$ 107,598
Firefighter/Inspector				
(1 Lie. 3%xbase)	\$ 104,434	\$ 106,523	\$ 108,653	\$ 110,826
Firefighter/Inspector	\$ 107,476	\$ 109,625	\$ 111,817	\$ 114,053
Firefighter/Mechanic	\$ 107,476	\$ 109,625	\$ 111,817	\$ 114,053
	2018	2019	2020	2021
Months of Service	Class 2	Class 2	Class 2	Class 2
1-12 (12)	\$ 45,019	\$ 45,019	\$ 45,019	\$ 45,019
13-18 (6)	\$ 45,019	\$ 45,019	\$ 45,019	\$ 45,019
19-24 (6)	\$ 50,559	\$ 50,559	\$ 50,559	\$ 50,559
25-30 (6)	\$ 50,559	\$ 50,559	\$ 50,559	\$ 50,559
31-36 (6)	\$ 55,434	\$ 55,434	\$ 55,434	\$ 55,434
37-42 (6)	\$ 55,434	\$ 55,434	\$ 55,434	\$ 55,434
43-48 (6)	\$ 61,489	\$ 61,489	\$ 61,489	\$ 61,489
49-54 (6)	\$ 61,489	\$ 61,489	\$ 61,489	\$ 61,489
55-60 (6)	\$ 67,542	\$ 67,542	\$ 67,542	\$ 67,542
61-66 (6)	\$ 67,542	\$ 67,542	\$ 67,542	\$ 67,542
67-72 (6)	\$ 73,597	\$ 73,597	\$ 73,597	\$ 73,597
73-78 (6)	\$ 73,597	\$ 73,597	\$ 73,597	\$ 73,597
79-84 (6)	\$ 79,651	\$ 79,651	\$ 79,651	\$ 79,651
85-up	\$ 85,384	\$ 87,092	\$ 88,834	\$ 90,611

Members Hired after December 31, 2014

	2018	2019	2020	2021
Months of Service	Class 1	Class 1	Class 1	Class 1
1-12 (12)	\$ 46,019	\$ 46,019	\$ 46,019	\$ 46,019
13-18 (6)	\$ 46,019	\$ 46,019	\$ 46,019	\$ 46,019
19-24 (6)	\$ 52,090	\$ 52,090	\$ 52,090	\$ 52,090
25-30 (6)	\$ 52,090	\$ 52,090	\$ 52,090	\$ 52,090
31-36 (6)	\$ 58,161	\$ 58,161	\$ 58,161	\$ 58,161
37-42 (6)	\$ 58,161	\$ 58,161	\$ 58,161	\$ 58,161
43-48 (6)	\$ 64,232	\$ 64,232	\$ 64,232	\$ 64,232
49-54 (6)	\$ 64,232	\$ 64,232	\$ 64,232	\$ 64,232
55-60 (6)	\$ 70,303	\$ 70,303	\$ 70,303	\$ 70,303
61-66 (6)	\$ 70,303	\$ 70,303	\$ 70,303	\$ 70,303
67-72 (6)	\$ 76,374	\$ 76,374	\$ 76,374	\$ 76,374
73-78 (6)	\$ 76,374	\$ 76,374	\$ 76,374	\$ 76,374
79-84 (6)	\$ 82,445	\$ 82,445	\$ 82,445	\$ 82,445
85-96 (12)	\$ 88,516	\$ 88,516	\$ 88,516	\$ 88,516
97-108 (12)	\$ 94,584	\$ 94,584	\$ 94,584	\$ 94,584
109-up	\$ 101,392	\$ 103,420	\$ 105,488	\$ 107,598
Firefighter/Inspector				
(1Lie. 3%x base)	\$ 104,434	\$ 106,523	\$ 108,653	\$ 110,826
Firefighter/Inspector	\$ 107,476	\$ 109,625	\$ 111,817	\$ 114,053
Firefighter/Mechanic	\$ 107,476	\$ 109,625	\$ 111,817	\$ 114,053
	2018	2019	2020	2021
Months of Service	Class 2	Class 2	Class 2	Class 2
1-12 (12)	\$ 45,019	\$ 45,019	\$ 45,019	\$ 45,019
13-18 (6)	\$ 45,019	\$ 45,019	\$ 45,019	\$ 45,019
19-24 (6)	\$ 49,348	\$ 49,348	\$ 49,348	\$ 49,348
25-30 (6)	\$ 49,348	\$ 49,348	\$ 49,348	\$ 49,348
31-36 (6)	\$ 53,677	\$ 53,677	\$ 53,677	\$ 53,677
37-42 (6)	\$ 53,677	\$ 53,677	\$ 53,677	\$ 53,677
43-48 (6)	\$ 58,006	\$ 58,006	\$ 58,006	\$ 58,006
49-54 (6)	\$ 58,006	\$ 58,006	\$ 58,006	\$ 58,006
55-60 (6)	\$ 62,335	\$ 62,335	\$ 62,335	\$ 62,335
61-66 (6)	\$ 62,335	\$ 62,335	\$ 62,335	\$ 62,335
67-72 (6)	\$ 66,664	\$ 66,664	\$ 66,664	\$ 66,664
73-78 (6)	\$ 66,664	\$ 66,664	\$ 66,664	\$ 66,664
79-84 (6)	\$ 70,993	\$ 70,993	\$ 70,993	\$ 70,993
85-96 (12)	\$ 75,332	\$ 75,332	\$ 75,332	\$ 75,332
97-108 (12)	\$ 79,651	\$ 79,651	\$ 79,651	\$ 79,651
109-up	\$ 85,384	\$ 87,092	\$ 88,834	\$ 90,611

SECTION TWO: The salaries or compensations shall be retroactive to January 1, 2018. Any FMBA Local 70 member retiring prior to enactment of this ordinance will be entitled to retroactive compensation provision of this ordinance. The established salaries or compensation shall be in lieu of any and all fees.

SECTION THREE: Effective January 1, 2012 implementation of applicable legislation, P.L. 2011, Chapter 78 from the State of New Jersey all employees shall contribute towards their health benefits as required by State Statute. No employee will be exempt from payment of such contribution based upon their coverage, health benefit plan selection, compensation and other statutorily required criteria, if any. Employees receiving the enhanced dental plan coverage are required to pay the difference between the cost of the basic plan and the enhanced plan.

SECTION FOUR: Any FMBA Local 70 member who voluntarily resigned or was otherwise discharged from employment from January 1, 2018 to the introduction date of this ordinance shall not be entitled to receive the salary adjustment set forth herein.

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

INTRO: 11/28/18

ADOPTED: 12/19/18

TOWNSHIP OF MORRIS
MORRIS COUNTY – NEW JERSEY

ORDINANCE NO. 33-18

RE: AMENDING CHAPTER 460 ENTITLED "TOWING"

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

SECTION ONE: Chapter 460 of the ordinances of the Township of Morris "Towing", is hereby amended as provided herein.

§ #460-5D (ADDITION to section and new Letter D)

All applicants and / or agents will submit to a criminal history check via the third party vendor that Morris Township utilizes for fingerprinting backgrounds. The applicant must obtain an applicant number from the MTPD Detective Bureau prior to making an appointment for the fingerprinting session. After the original fingerprinting is completed the same applicant for renewal may use the name check form (NJSBI form 212B) rather than completing the outside vendor process. An applicant or agent who has received a received a criminal conviction within the last 7 years for any indictable offense involving stolen or embezzled vehicles, fraud related to the towing business, stolen property or a similar offense, which would include an indictable conviction of burglary, theft or controlled dangerous substances shall be deemed disqualified as a licensee hereunder and shall not be permitted to render towing services.

§ #460-12A (AMENDING current language)

The licensee is responsible for verifying their drivers / operators have a valid NJ driver's license of the required class. The licensee is required to submit this request to the NJMVC and provide the results to the MTPD conducting the background investigation. This information should be submitted with the initial application when filed. NJMVC information can be obtained by the licensee completing a NJMVC driver history abstract request form (D.O. # 21). In the event of being unable to locate the form the NJMVC can be reached at (609) 292-6100.

§ #460-12F (ADDITION current language)

The licensee shall submit both of the results for the criminal history check and the NJMVC driver abstract prior to any new employee towing within the Township of Morris. The Traffic Safety Unit of the MTPD may request an active employee list of the Towing Agency at any point during the licensed period of time.

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

SECTION THREE: all ordinances of the Township of Morris which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

SECTION FOUR: this ordinance shall take effect upon final passage and publication thereof as provided by law.

INTRO: 11/07/18

ADOPTED: 12/19/18

TOWNSHIP OF MORRIS
MORRIS COUNTY, NEW JERSEY

ORDINANCE NO. 34-18

AN ORDINANCE OF THE TOWNSHIP OF MORRIS AMENDING SCHEDULE XX OF CHAPTER 88
ARTICLE X, SECTION 88-10.2, STOP INTERSECTIONS DESIGNATED

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

SECTION ONE: Schedule XX of Chapter 88, Article X, Section 10.2, is hereby amended as follows to include:

<u>INTERSECTION</u>	<u>STOP SIGN ON</u>
Cedar Street and Highland Avenue	CEDAR STREET

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

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

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

INTRO: 11/07/18

ADOPTED: 12/19/18