

**TOWNSHIP OF MORRIS  
REGULAR MEETING  
JANUARY 16, 2019 – 5:30 P.M. (CLOSED)  
WEDNESDAY 7:00 P.M. (REGULAR)**

**AGENDA**

**CALL TO ORDER (ATTENDANCE NOTED)** (MAYOR)

**PRESIDING OFFICER'S STATEMENT RE: OPMA** (MAYOR)

**RESOLUTION** (ATTORNEY)

13-19 AUTHORIZING THE CONDUCTING OF A "CLOSED MEETING" AS DEFINED IN THE OPEN PUBLIC MEETINGS ACT CONCERNING "LEGAL AND PERSONNEL MATTERS".

**ADJOURN TO CLOSED MEETING**

**REGULAR MEETING AT 7:00 P.M.**

**CALL TO ORDER - RESUMPTION OF JANUARY 16, 2019 AGENDA**

**PLEDGE OF ALLEGIANCE** (MAYOR)

**APPROVAL OF MINUTES** – DECEMBER 19, 2018 - REGULAR/CLOSED (ELIGIBLE MEMBERS: ARVANITES, MANCUSO, WILSON)  
JANUARY 2, 2019 RE-ORGANIZATION MINUTES (ALL MEMBERS)

**RECOGNITION** – COMMUNITY SERVICE AWARD – JOEN LUY FERRARI

**ORDINANCES – INTRODUCTION** (ATTORNEY)

- 01-19 RE: CREATING A NEW CHAPTER TO BE KNOWN AS CHAPTER 494 PROHIBITING THE POSSESSION OF TOBACCO, SMOKELESS TOBACCO, ELECTRONIC TOBACCO DEVICES BY UNDERAGE PERSONS-NOTE: THIS ORDINANCE ADDRESSES THE POSSESION OF NICOTINE PRODUCTS AND/OR PARAPHERNALIA BY PERSONS UNDER THE LEGAL AGE TO BUY NICOTINE PRODUCTS
- 02-19 AN ORDINANCE OF THE TOWNSHIP OF MORRIS, COUNTY OF MORRIS CONCERNING SALARIES FOR NONUNION PERSONNEL- NOTE: THIS ORDINANCE ADDRESSES THE 2% INCREASE FOR NON-UNION PERSONNEL CONSISTENT WITH NEGOTIATED RAISES FOR THE TOWNSHIP UNION PERSONNEL
- 03-19 AN ORDINANCE OF THE TOWNSHIP OF MORRIS, COUNTY OF MORRIS CONCERNING SALARIES FOR NONUNION PERSONNEL-FIRE DEPARTMENT- NOTE: THIS ORDINANCE ADDRESSES THE 2% INCREASE FOR NON-UNION PERSONNEL CONSISTENT WITH NEGOTIATED RAISES FOR THE TOWNSHIP UNION PERSONNEL
- 04-19 ORDINANCE AMENDING CHAPTER 447 - "POOL, MUNICIPAL: RULES AND REGULATIONS" IN PARTICULAR REPLACING §447-5. ENTITLED: MEMBERSHIP FEES. A. THROUGH K- NOTE: THIS ORDINANCE REVISES THE SWIM POOL MEMBERSHIP AND PROGRAM FEES

**RESOLUTIONS** (ATTORNEY)

- 14-18 RE: AUTHORIZATION FOR 2018 TONNAGE GRANTS - MANDATORY SOURCE SEPARATION AND RECYCLING ACT
- 15-19 RE: GOVERNOR'S COUNCIL ON ALCOHOLISM AND DRUG ABUSE FISCAL GRANT CYCLE JULY 2019 TO JUNE 2020
- 16-19 AUTHORIZING AWARD OF A NONFAIR AND OPEN CONTRACT FOR GENERAL COUNSEL TO JOHN M. MILLS, III, ESQ., MILLS & MILLS, ONE WESTERN AVENUE, MORRISTOWN, NJ 07960 - \$153/HR. – NTE \$85,000
- 17-19 AUTHORIZING THE MAYOR, TOWNSHIP CLERK, AND MUNICIPAL HOUSING LIAISON TO EXTEND THE AGREEMENT WITH THE HOUSING PARTNERSHIP FOR MORRIS COUNTY INC., 2 EAST BLACKWELL STREET, SUITE 12, DOVER, NJ 07801 TO COORDINATE AFFORDABLE HOUSING UNIT FOR A ONE (1) YEAR PERIOD FROM JANUARY 1, 2019 TO DECEMBER 31, 2019 WITH YEARLY AUTOMATIC RENEWAL IN AN AMOUNT NTE: \$20,000

**RESOLUTIONS (CONTINUED)****(ATTORNEY)**

- 18-19 APPOINTING NOEL E. SCHABLIK, ESQ., 8 WOOD HOLLOW ROAD, SUITE206, PARSIPPANY, NJ AS HEARING OFFICER - \$153/HOUR, NTE \$5,000
- 19-19 AUTHORIZING AWARD OF A NONFAIR AND OPEN CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES FOR GENERAL CONSULTING AND ENGINEERING SERVICES, MOTT MAC DONALD, 111 WOOD AVENUE SOUTH, ISELIN, NJ 08830-4112 - SEWER UTILITY – NOT TO EXCEED \$70,000
- 20-19 AUTHORIZING AWARD OF A NONFAIR AND OPEN CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES CONTRACT FOR THE INDUSTRIAL PRETREATMENT PROGRAM – MOTT MAC DONALD, 111 WOOD AVENUE SOUTH, ISELIN, NJ 08830-4112 – NOT TO EXCEED \$36,000
- 21-19 AUTHORIZING AWARD OF CONTRACT FOR PROFESSIONAL ACCOUNTING SERVICES FOR THE TOWNSHIP OF MORRIS THROUGH A NONFAIR AND OPEN PROCESS - AWARDED TO PKF O'CONNOR DAVIES,LLP ACCOUNTANTS AND ADVISORS, 20 COMMERCE DRIVE, SUITE 301, CRANFORD, NJ 07016 – NOT TO EXCEED \$85,000
- 22-19 AUTHORIZING AWARD OF A NONFAIR AND OPEN CONTRACT FOR LABOR COUNSEL – TO TRIMBOLI & PRUSINOWSKI, LLC, 268 SOUTH STREET, MORRISTOWN, NJ 07960. - \$153/HR – NTE \$40,000
- 23-19 AUTHORIZING AWARD OF A NONFAIR AND OPEN CONTRACT FOR SPECIAL COUNSEL AND FOR GENERAL LEGAL SERVICES TO JOHN M. IACIOFANO, ESQ., IACIOFANO & PERRONE, ESQS., 157 WASHINGTON STREET, MORRISTOWN, N.J. 07960 IN THE AMOUNT OF \$153/HR. - NTE \$20,000.
- 24-19 AUTHORIZING AWARD OF A NONFAIR AND OPEN CONTRACT FOR LEGAL COUNSEL FOR TAX APPEALS TO CHIESA, SHAHINIAN, GIANTOMASI, P.C., ONE BOLAND DRIVE, WEST ORANGE, NJ 07052 IN THE AMOUNT OF \$153/HR NTE \$55,000
- 25-19 AUTHORIZING AWARD OF A NONFAIR AND OPEN CONTRACT FOR ANIMAL CONTROL SERVICE TO ANIMAL CONTROL SOLUTIONS LLC, 2 MARSHALL DRIVE, FLEMINGTON, NJ 08822 FOR A two (2) YEAR PERIOD – IN AN AMOUNT NTE \$37,800.00
- 26-19 AUTHORIZING AN AGREEMENT BETWEEN ACRISURE, LLC, 1460 ROUTE 9 NORTH, SUITE 310, WOODBRIDGE, NJ 07095. AND THE TOWNSHIP OF MORRIS FOR PROFESSIONAL RISK MANAGEMENT CONSULTING SERVICES AS REQUIRED IN THE BYLAWS OF THE GARDEN STATE MUNICIPAL JOINT INSURANCE FUND, AUTHORIZING TIMOTHY F. QUINN, TOWNSHIP ADMINISTRATOR AND FUND COMMISSIONER TO EXECUTE SAID AGREEMENT
- 27-19 AUTHORIZING AWARD OF A NONFAIR AND OPEN CONTRACT FOR PLANNING AND LITIGATION SERVICES TO PAUL PHILLIPS OF PHILLIPS, PREISS, GRYGIEL, LLC, - \$153/HR. – NTE \$30,000
- 28-19 AUTHORIZING AWARD OF A NONFAIR AND OPEN CONTRACT FOR LEGAL SERVICES REDEVELOPMENT COUNSEL – TO JEFFREY B. LEHRER, ESQ. OF THE FIRM OF DIFRANCESCO BATEMAN, KUNZMAN, DAVIS, LEHRER & FLAUM, PP.C. ATTORNEYS AT LAW, 15 MOUNTAIN BOULEVARD, WARREN, NEW JERSEY 07059 – NTE \$20,000
- 29-18 RESOLUTION TO AUTHORIZE THE ACCEPTANCE OF THE COPS IN SHOPS FUNDING IN THE GRANT AMOUNT OF \$3,960.00
- 30-19 AUTHORIZING AWARD OF PROFESSIONAL SERVICES CONTRACTS TO VARIOUS PROFESSIONALS IN THEIR FIELD OF PRACTICE FOR A ONE (1) YEAR TERM AS ENUMERATED
- 31-19 AUTHORIZING AWARD OF CONTRACT TO STORR TRACTOR COMPANY, 3191 HIGHWAY 22, BRANCBURG, NJ 08876 THROUGH EDUCATIONAL SERVICES COMMISSION COOP, CONTRACT NO. MRESC 15/16-08, FOR A TORO WORKMAN GROUNDS EQUIPMENT MODEL HDX-D-4WD, FOR A TOTAL AMOUNT NOT TO EXCEED \$25,994.40
- 32-19 RESOLUTION OF APPOINTMENTS/POSITIONS ON VARIOUS AD HOC COMMITTEES FOR A ONE (1) YEAR TERM EXPIRING DECEMBER 31, 2019
- 33-18 AUTHORIZING CHANGE ORDER NO. 1 TO DENVILLE LINE PAINTING, INC. FOR INCREASE IN CONTRACT AWARD BY RESOLUTION NO. 178-18 AWARDED ON AUGUST 15, 2018 IN THE AMOUNT OF \$28,993 FOR THE LINE STRIPING PROJECT FOR WESTERN AVENUE THROUGH THE MORRIS COUNTY COOPERATIVE PRICING COUNCIL CONTRACT NO. 36 INCREASE IN CONTRACT IN THE AMOUNT OF \$3,199.49; TOTAL NOT TO EXCEED \$32,192.49

**RESOLUTIONS (CONTINUED)**

**(ATTORNEY)**

- 34-19 AUTHORIZING AWARD OF A NONFAIR AND OPEN CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES RELATING TO THE CONSTRUCTION DOCUMENTS, BID COORDINATION, CONSTRUCTION ADMINISTRATION, AND POST-CLOSURE MONITORING AND REPORTING REQUIRED BY NJDEP FOR THE GAS VENTING SYSTEM AND ATHLETIC FACILITY IMPROVEMENTS FOR THE CORNINE FIELD IMPROVEMENT PROJECT TO SUBURBAN CONSULTING ENGINEERS, INC. – FOR AN ADDITIONAL AMOUNT OF \$29,200, A TOTAL NOT TO EXCEED \$302,700
- 35-19 AUTHORIZING CHANGE ORDER NO. 1 TO TOP LINE CONSTRUCTION CORP FOR CONTRACT NO. OTE: 2018-04 – LAKE VALLEY ROAD IMPROVEMENTS PROJECT, AWARDED AUGUST 15, 2018 – OVERALL DECREASE IN CONTRACT OF \$1,541.71; TOTAL NOT TO EXCEED \$266,472.55
- 36-19 AUTHORIZING SETTLEMENT OF BOLIN, JAMES & LESLIE V. TOWNSHIP OF MORRIS, BLOCK 7501/LOT 46
- 37-19 APPOINTMENT OF CHRISTOPHER SAGES – PROBATIONARY POLICE OFFICER MORRIS TOWNSHIP POLICE DEPARTMENT EFFECTIVE FEBRUARY 4, 2019
- 38-19 APPOINTMENT OF MOHAMED NASSAR – PROBATIONARY POLICE OFFICER MORRIS TOWNSHIP POLICE DEPARTMENT EFFECTIVE FEBRUARY 4, 2019

**GENERAL BUSINESS CORRESPONDENCE**

**(CLERK)**

A. CONSENT CALENDAR (ATTACHMENT “A”)

**STANDING COMMITTEE REPORTS**

**COMMENTARY BY TOWNSHIP COMMITTEE**

**PUBLIC COMMENT/INQUIRY**

**CONSIDERATION OF MONTHLY REPORTS** – THE FOLLOWING REPORTS FOR THE MONTH OF DECEMBER, 2018 ARE ON FILE IN THE OFFICE OF THE TOWNSHIP CLERK AND TOWNSHIP ADMINISTRATOR: TAX COLLECTOR; FINANCE ; POLICE; JOINT COURT; JOINT LIBRARY; FIRE

**CLAIMS FOR PAYMENT - LIST OF BILLS AND VOUCHERS** - \$ 10,815,701.33

**ADJOURNMENT** - NEXT TO CONVENE ON **FEBRUARY 20, 2019** AT 5:00 P.M. TO CLOSED/ **7:00 P.M.** REGULAR MEETING IN THE MUNICIPAL BUILDING, 50 WOODLAND AVENUE.

CONSENT CALENDAR

(ATTACHMENT "A")

1. Approved the membership application of Frank Mondello. as a member of the Fairchild Fire Company as per memo from Fire Chief Jesse T. Kaar, dated January 2, 2019.
2. Granted municipal consent to the P.G. Chambers School, 15 Halko Drive, Cedar Knolls, NJ 07927 to hold their 7<sup>th</sup> annual Walk, Run, Fun 5K fund raiser to be held on Sunday, June 2, 2019 with a setup time of 7:00 A.M., start time of race 8:30 A.M. at Ginty Field, Woodland Avenue. The 5K run/walk includes the following Township roadways: Dwyer Lane, Fanok Road, Symor Drive, Woodland Avenue, Kitchell Road, Spring Valley, South Street, finish time is approximate 11:00 P.M.(includes breakdown time) at Ginty Field; This approval is contingent on the following: **That all property owners along the route must be notified and that proof of notification must be provided to the Police Department and Administrators Office at least 48 hours prior to the event; approval of Insurance naming the Township as an additional insured; accompanied by the Hold Harmless Clause and the approval, if required, from following: Police Chief Mark DiCarlo, Fire Chief Jesse Kaar, Kevin Breen, Health Officer and William Foelsch, Parks and Recreation Director.**
3. Granted municipal consent to the Interfaith Food Pantry to conduct the 6<sup>th</sup> Annual 5K and 1 mile walk Thanksgiving Turkey Trot Charitable Fundraiser on November 28, 2019 (rain or shine) with a setup time of 7:00 A.M., start time of race 8:30 A.M. at Ginty Field, Woodland Avenue. The 5K run/walk includes the following Township roadways: Dwyer Lane, Fanok Road, Symor Drive, Woodland Avenue, Kitchell Road, Spring Valley, South Street, finish time is approximate 11:00 P.M.(includes breakdown time) at Ginty Field; This approval is contingent on the following **That all property owners along the route must be notified and that proof of notification must be provided to the Police Department and Administrators Office at least 48 hours prior to the event; approval of Insurance naming the Township as an additional insured; accompanied by the Hold Harmless Clause and the approval, if required, from following: Police Chief Mark DiCarlo, Fire Chief Jesse Kaar, Kevin Breen, Health Officer and William Foelsch, Parks and Recreation Director.**
4. Approved, the Morris Township Emergency Management Association, partnering with the Morris Township FMBA to hold their annual "Rose Sale" fundraiser at the Hillside Firehouse on Tuesday, February 12, 2019 from 12:00 P.M. to 7:00 P.M., Wednesday, February 13, 2019 from 8:00 A.M. to 8:00 P.M., and Thursday, February 14<sup>th</sup>, 2019 from 7:00 A.M. to 6:00 P.M. with a setup time on Monday, February 11, 2019– will be taking pre-orders.
5. Approved, the permanent appointment of Patrolman James Leak who has successful completed his one (1) year of probation as per memo from Police Chief Mark DiCarlo, dated January 15, 2019.
6. Granted municipal consent to Heather McDermott and Magdiel Irizarry, FTF, LLC to hold a Food Truck and Family Fun Fest at Ginty Field, on Saturday, August 24, 2019 with a rain date of Sunday, August 25, 2019 from 11:00 am – 7:00 pm; Charity: Homeless Solutions. There would be twenty (20) food trucks, three (3) bands (in gazebo) and activities for children. It is anticipated that there will be approximately 3,500 people in attendance. The Morris Township Police and Fire Fighters would also be invited to set up booths and sell food as fundraisers for their organizations. Parking will be on Morris Township Police Parking lot, 50 Woodland Avenue, Woodland School, local Streets, and Ginty Pool. Police would be hired as necessary. This approval is contingent on the following: **Approval of Insurance naming the Township as an additional insured; accompanied by the Hold Harmless Clause and the approval, if required, from following: Police Chief Mark DiCarlo, Fire Chief Jesse Kaar, Kevin Breen, Health Officer and William Foelsch, Parks and Recreation Director.**
7. Granted approval to Morristown-Beard School, 70 Whippany Road, to erect a tent in front of the main building (Whippany Road) for the June 8, 2019 Commencement Ceremony. The tent will be set up on June 3, 2019 and removed on June 11, 2019. This approval is subject to the approvals, if required, of Fire Chief Jesse Kaar and Albert Mastrobattista, Construction Official.