

## **Grayzel Remarks**

### **Township Committee Meeting**

**8/1/2012**

The process to examine Honeywell's redevelopment plans started over 18 months ago. For all of these 18 months the process has been in the hands of the planning board, and it should be pointed out that the planning board is an appointed body, not an elected body. After a long drawn-out process, which I personally believe was prolonged solely due to the way both the planning board and Honeywell chose to deal with the matter, a proposed ordinance has now been passed to the Township Committee. It should be also noted, although obvious to all, that the Township Committee is the duly elected governing body of this municipality.

As many of you have already heard, I have been asked by the Morris Township Municipal Attorney John Mills to voluntarily recuse myself from the Honeywell proceedings because my wife, a former employee of Honeywell International, holds a pension fund and retiree savings plan with them. It should be understood that this is a fixed benefit and she has no voice in the management of either of these funds, and is also unable to divest them.

However, both Attorney Mills and I are concerned with the public perception that it could be perceived as a conflict of interest if I participate in these proceedings. Even the hint of personal gain is sufficient to undermine public trust. Therefore, I will recuse myself from the proceedings related to the zoning ordinance for Honeywell.

I am quite disappointed that the hint of conflict has to compete with the legislative obligations I have to the voters of Morris Township who elected me to this position just 9 months ago. Although many of these residents surely voted for me to be their

voice in these hearings specifically, it should be understood that. I always try to speak out for what is best for Morris Township as one community and for ALL its residents no matter where they live. I really do feel terribly that I will not be able to represent our residents on this important issue facing our community.

But even if I do not participate in this legislative process, I want it to be successful for ALL of Morris Township and for it to be untainted. I want the help of this body to assure that is the case here. This requires explanation.

In the case before us tonight, a single, property-tax-paying corporation has asked for special treatment and has created a new and separate zone, and so needs a law to be passed that's just for itself. This unique situation sets up an opportunity for conflict of interest. Normally, laws apply more generally, and identifying an individual's financial interest would be difficult and probably irrelevant. And we wouldn't have a name or face to put to the question, "Is your family or business partner financially connected to this entity in any way?" So we are in a bit of uncharted waters for Morris Township. By example, if Honeywell had more typically applied for sub-division and use variance, we would not be considering a new zoning ordinance today. Instead, Honeywell pushed for Planned Unit Development and Master Plan change and got it from the Planning Board. It was in their financial interest to do this, so that is what they pursued..

I am determined that there be no double standard applied here. I have asked Mr. Mills to ensure that the standard of absolute absence of financial connection with or benefit from Honeywell be applied to the other Committeemen. In my many discussions with Mr. Mills, he has indicated that even one dollar of equity or one share of stock is enough for there to be a possible public perception of undue influence on the proceedings.

However, according to Mr. Mills' reading of case law, any other member of our Committee who owns shares of a mutual fund which invests in Honeywell stock would not be in conflict. His interpretation is that they would have no voice in the selection of the fund's investments or the fund's management. However, my wife also has no voice in the management of her Honeywell funds. To me, the reasons are very similar and thus the standard applied should be similar.

Thus, even while I voluntarily recuse myself, I am asking our Attorney Mr. Mills to be very strict in applying the standard of one dollar/one share to our other Township Committeemen and to look for ownership of Honeywell stock through any mutual funds, pension fund, or other investment instruments. If Mr. Mills does not agree that this standard should be applied to the other members, then I respectfully request that the Morris Township Board of Ethics be convened to rule on whether the standard I suggest should be used. I would then agree to abide by the determination of this Board.

It is important that we take these steps for our residents to assure them that our Committee is constituted in a manner that allows it to do the public business and to assure its final vote and decision to stand without the expense or delay of a court challenge.

I believe the residents of Morris Township deserve to know that all their Committeemen abide by the highest ethical standards. Mr. Mayor, I hope you would agree with this. Please tell me and the public how you feel about this, and then I will stop down. Thank you.

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Other items:

National Night Out is a unique crime/drug prevention event sponsored by the National Association of Town Watch (NATW), and it is scheduled for this Tuesday, August 7. The National Night Out campaign involves citizens, law enforcement agencies, civic groups, businesses, neighborhood organizations and local officials.

NATIONAL NIGHT OUT is designed to:

- Heighten crime and drug prevention awareness;
- Generate support for, and participation in, local anticrime programs;
- Strengthen neighborhood spirit and police-community partnerships; and
- Send a message to criminals letting them know that neighborhoods are organized and fighting back.

The Morris County Park Commission is sponsoring our local event at Mennen Arena in Morris Township. The event runs from 5-8pm and **FREE** food, entertainment, ice skating, giveaways will be provided. You can explore emergency vehicles, and meet the horses of the Morris County Park Police's Mounted Equestrian Unit, as well as take part in the Child ID Initiative.

Thank you.

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