

MINUTES
Regular Meeting of Town Council

Tuesday, August 11, 2015
7:30pm
with Executive Session
beginning at 7:00 p.m.

A. Statement of Compliance with Open Public Meetings Act

Minutes of a regular meeting of the Town Council of the Town of Morristown, held on August 11, 2015, in the Council Room of the Morristown Town Hall located at 200 South Street, Morristown, New Jersey, beginning at 7:11p.m., prevailing time.

Council President Feldman presiding.

Town Clerk Kevin D. Harris read the following statement: Notice of this meeting was provided in compliance with the Open Public Meetings Act in accordance with a Resolution adopted by the Council of the town of Morristown at the Organization Meeting on January 6, 2015 setting forth the time, date and location of each meeting. A copy of the Resolution was distributed to the Morris County Daily Record and the Star Ledger, filed with the Town Clerk, posted on the Bulletin Board at the Municipal Building and mailed to any person who has requested and prepaid the established fee for such meeting notice.

The Honorable Timothy P. Dougherty, Mayor was in attendance.

B. Roll Call

ATTENDANCE:

PRESENT: Mr. Armington, Mr. Elms*, Ms. Foster, Ms. Harris*, Mrs. Smith- Reid, Council President Feldman

ABSENT: Ms. Deeb.

* Indicates that Council Member was available telephonically on the conference device.

Council Member Deeb arrived at 7:20 p.m..

C. Executive Session – The Town Clerk read a Resolution to Enter into Executive session to discuss matters of contract negotiation or

current or anticipated litigation in which the municipality may become a party pursuant to N.J.S.A. 10:4-12b(7).

Council President Feldman offered a motion to enter into Executive Session which was seconded by Council Member Foster and approved on the following roll call vote:

YEAS: Mr. Armington, Mr. Elms, Ms. Foster, Ms. Harris, Mrs. Smith-Reid, Council President Feldman

NAYS: None

ABSTAINING: None

ABSENT: Ms. Deeb

Council entered into Executive Session at 7:13 p.m. to discuss the following:

- (1) Resolution of the Town Council of the Town of Morristown authorizing execution of a Municipal Shared Services Defense Agreement regarding Affordable Housing Matters – COAH Pending Litigation.

Purpose: Authorizes the execution of a Municipal Shared Services Defense Agreement or a \$2,000 fee per municipality.

- (2) Ordinance amending and supplementing Chapter 30 “Land Use Regulations” Article VIIA “Affordable Housing Overlay Zone”.

Purpose: Modifies current ordinance to increase the set-aside number for low and moderate income households to fifteen percent (15%) of the total number of dwelling units developed at the same site of the development application.

- (3) Resolution approving the application of 55 Market Urban Renewal, LLC for a Long Term Tax Exemption.

Purpose: Approves the application of 55 Market Urban Renewal, LLC for a Long Term Tax Exemption as it relates to proposed improvements along Market Street.

(4) Ordinance approving the Financial Agreement for Long Term Tax Exemption by and between the Town of Morristown and 55 Market Street.

Purpose: Approves the Financial Agreement for Long Term Tax Exemption for the property location at 49-55 Market Street (Block 6002, Lot 1), owned by 55 Market Urban Renewal, LLC.

(5) Resolution approving the application for a Long Term Tax Exemption of Lofts at Morristown Urban Renewal, LLC.

Purpose: Approves the application of Lofts at Morristown Urban Renewal, LLC for a Long Term Tax Exemption as it relates to proposed improvements at 10 Ford Avenue.

(6) Ordinance approving the Financial Agreement for Long Term Tax Exemption by and between the Town of Morristown and Lofts at Morristown Urban Renewal, LLC.

Purpose: Approves the Financial Agreement for Long Term Tax Exemption for the property location at 10 Ford avenue (Block 3701, Lot 10), owned by Lofts at Morristown Urban Renewal, LLC.

D. Resumption of Regular Meeting – The Regular Meeting resumed at 8:26 p.m., with the Roll Call of Council Members as follows:

PRESENT: Mr. Armington, Ms. Deeb, Mr. Elms, Ms. Foster, Ms. Harris, Mrs. Smith- Reid, Council President Feldman

ABSENT: None.

E. Moment of Silence – The Town Clerk asked the assembly to observe a moment of silence.

F. Pledge of Allegiance – Council President Feldman led the meeting in reciting the Pledge of Allegiance.

G. Consent Agenda

The Town Clerk presented the Consent Agenda consisting of the following items:

1. Letter dated July 20, 2015 to the Town Council from Benjamin Finley and Victoria Norcross (both of 26 Cutler Street, Morristown, New Jersey), requesting permission for the Annual Block Party for Cutler Street residents on Saturday, September 26, 2015 (with a raindate of Sunday, September 27, 2015), from 2:00 p.m. to 8:00 p.m..
2. Letter from Shane Joseph of Liberty Street requesting permission for a block party on Liberty Street from Mt. Airy to Linden Street, on Saturday, August 29, 2015 (with a raindate of Saturday, September 5, 2015), from 2:00 p.m. to 9:00 p.m..
3. Letter dated August 6, 2015 from William Lescohier on behalf of the Windmill Pond Block Party Committee requesting permission for its annual block party on Saturday, August 22, 2015 (with a raindate of Sunday, August 23, 2015) from 3:00 p.m. to 8:00 p.m..
4. Approval of Volunteer Fire Fighter Applications for Christopher Donnelley and Gabriel Messuti.

Council President Feldman made a motion that the Consent Agenda be moved for Adoption which was seconded by Council Member Foster and adopted on the following roll call vote.

YEAS: Mr. Armington, Ms. Deeb, Ms. Foster, Mrs. Smith-Reid, Council President Feldman

NAYS: None

ABSTAIN: Mr. Elms, Ms. Harris

ABSENT: None.

H. Mayor's Proclamations and Presentations

1. The Honorable Timothy P. Dougherty, Mayor of the Town of Morristown, presented a Proclamation for Community Health Day.

Mayor Dougherty read the Proclamation into the record Proclaiming the 20th Annual Community Health Day forum in the Town of Morristown and proclaiming Saturday, September 12, 2015 as Community Health Day in the Town of Morristown.

Accepting the Proclamation was Dwight Peavy who expressed appreciation.

2. The Honorable Timothy P. Dougherty, Mayor of the Town of Morristown, presented a proclamation for National Recovery Month.

Mayor Dougherty read the Proclamation into the record proclaiming September 2015 as National Recovery Month and encouraged all to participate in this year's theme and support all of those who have chosen the road to recovery from substance abuse.

3. Mayor Doughty took the time to thank Town Business Administrator Michael Rogers for his nine years of dedicated service as Mr. Rogers departs to take a position in Summit.
4. Mayor Dougherty reminded all about the Jazz Festival on The Green this coming Saturday.

I. Public Hearing

1. There was a public hearing/presentation to the Council from Karen Johanson, BA/EMTO, President of the Morristown Ambulance Squad.

Ms. Johanson stated that she is a resident of 320 South Street, Morristown, and she addressed Council concerning the Morristown Ambulance Squad, as a volunteer agency and provided a history about the Ambulance Squad in their present location. Ms. Johanson also outlined the training process to become a volunteer emergency medical technician.

Ms. Johanson stated that the Ambulance Squad is in the process of negotiating a lease. However, she stated that the Ambulance Squad would like a Resolution of Support in favor of the Morristown Ambulance Squad.

At this time the Council President opened the meeting to the public asking if there were any citizen or taxpayer who wished to be heard concerning this matter.

There appearing no one further to be heard, the Council President closed the public portion of the meeting as to this item.

Council President Feldman thanked Ms. Johanson and those who came out in support and informed them that the Council shall be considering the budget process in the Fall.

2. Any matter the public wishes to bring before Council.

At this time the Council President opened the meeting to the public asking

if there were any citizen or taxpayer who wished to be heard concerning any matter.

Debra Gottsleben, Morristown, Chair of the Morristown Environmental Commission addressed the Council in support of Resolution R-106-15 which opposes the Pilgrim Pipeline.

Bill Byrne, 100 Franklin Street, Morristown, addressed Council in support of the Morristown Ambulance Squad. Mr. Byrne stated how the Ambulance Squad saved a friend of his while they attended a movie. Mr. Byrne asked that Council consider the Ambulance Squad in budget considerations.

Peter Gilpatrick, Morristown, President of the Franklin Corners Condo Association, addressed the Council as to Resolution R-117-15. Mr. Gilpatrick states that the Condo Association supports redevelopment of the area referenced in the Resolution as long as it is consistent with the Master Plan of the Town of Morristown. Mr. Gilpatrick inquired as to the Hill Street properties included and their designations. Lastly, Mr. Gilpatrick stated that residents were unsure and sought clarification as to “non-condemnation” vs. “condemnation”.

Ken Hoffman, 12 Hill Street, Morristown, addressed Council and asked how would adoption of Resolution R-117-15 impact the designated historical residences within the area. Mr. Hoffman also asked why non-condemnation redevelopment of this area is needed and where did the idea originate.

There appearing no one further to be heard, the Council President closed the public portion of the meeting.

Council Member Deeb stated that she has an issue with the present status of the Ambulance Service and what she feels is the neglect that they have received. Council Member Deeb stated that she is willing to author and draft a Resolution of Support.

Council President Feldman expressed appreciation for all that she heard this evening and she is thankful for the efforts of volunteers such as the Ambulance Service. Council President Feldman further stated that “where the rubber” meets the road shall be in the budget discussion.

Mayor Dougherty stated that no one is trying to eliminate the Morristown Ambulance Squad, but there is a burden on the part of several of the volunteer ambulance squads and the Morristown Fire Department. Mayor Dougherty stated that he views this as a call for volunteers to continue operation of the Ambulance Squad. Mayor Dougherty encouraged the Ambulance Squad to sign the lease and expressed a call for volunteers.

Council Member Deeb nonetheless expressed a desire to move forward with presenting a Resolution of Support. Council Member Armington advised Council Member Deeb to draft and present the resolution. Council Member

Armington stated that his son has received great benefit from being a volunteer member of the Morristown Minutemen.

Council President Feldman stated that this is has been an important step as Council prepares to entertain the budget.

J. Report of Mayor and Town Officials

The Mayor expressed congratulations to Town Clerk Kevin D. Harris on the passing of his certification examination as a Registered Municipal Clerk.

K. Council Liaison Reports

No Council Members had reports to offer.

L. Regular Business

Motion to Suspend the Rules for Council to Consider Resolutions R-123-2015 & R-124-2015 Out of Order

The Town Clerk entertained a motion which was offered by Council President Feldman and seconded by Council Member Foster which passed on the following roll call:

YEAS: Mr. Armington, Ms. Deeb, Mr. Elms, Ms. Foster, Ms. Harris, Mrs. Smith-Reid, Council President Feldman

NAYS: None

ABSTAINING: None

ABSENT: None

The Rules were thus deemed suspended and the following items which were presented in Executive Session were heard for consideration.

Resolution No. R-123-15

Passed

Council President Feldman moved the adoption of the following resolution: Here follows Resolution R-123-15 entitled:

“Resolution approving the application for a Long Term Tax Exemption of Leona Morris Street Urban Renewal Associates, LLC.”

Purpose: Self Explanatory.

The motion was seconded by Ms. Foster and passed on the following roll call:

YEAS: Mr. Armington, Ms. Deeb, Mr. Elms, Ms. Foster, Ms. Harris, Mrs. Smith-Reid, Council President Feldman

NAYS: None

ABSTAINING: None

ABSENT: None

Resolution No. R-124-15

Passed

Council President Feldman moved the adoption of the following resolution: Here follows Resolution R-124-15 entitled:

“Resolution approving the application for a Long Term Tax Exemption of Leona Morris Street Urban Renewal Associates, LLC.”

Purpose: Self Explanatory.

The motion was seconded by Ms. Foster and passed on the following roll call:

YEAS: Mr. Armington, Ms. Deeb, Mr. Elms, Ms. Foster, Ms. Harris, Mrs. Smith-Reid, Council President Feldman

NAYS: None

ABSTAINING: None

ABSENT: None

Ordinances for Introduction

Ordinance No. O-22-2015

Introduced The Town Clerk offered for introduction

Ordinance No. O-22-2015

“Ordinance of the Town of Morristown, in the County of Morris, State

of New Jersey, amending Ordinance O-11-2015 establishing compensation for Management/Non Union positions in the Town of Morristown, New Jersey and amending all Ordinances concerning such compensation heretofore adopted”.

Purpose: Amends and establishes an annual range or rate for the title of Business Administrator.

Council President Feldman made a motion that Ordinance O-22-2015 be introduced, read by title, passed on first reading and that a meeting be held on September 8, 2015 at 7:30 pm, in the council room, 200 South Street for a second reading and consideration of final passage of said ordinance. The motion was seconded by Council Member Foster.

Called to question Ordinance No. O-22-2015 was introduced on the following roll call:

YEAS: Mr. Armington, Ms. Deeb, Mr. Elms, Ms. Foster, Ms. Harris, Mrs. Smith-Reid, Council President Feldman

NAYS: None

ABSTAINING: None

ABSENT: None

Ordinance No. O-23-2015

Introduced The Town Clerk offered for introduction

Ordinance No. O-23-2015

“Ordinance amending and supplementing the Code of the Town of Morristown Chapter 13 ‘Housing and Property Maintenance’”.

Purpose: See attached Legal Memo and Red Line Version

Council President Feldman made a motion that Ordinance O-23-2015 be introduced, read by title, passed on first reading and that a meeting be held on September 8, 2015 at 7:30 pm, in the council room, 200 South Street for a second reading and consideration of final passage of said ordinance. The motion was seconded by Council Member Foster.

Called to question Ordinance No. O-23-2015 was introduced on the following roll call:

YEAS: Mr. Armington, Ms. Deeb, Mr. Elms, Ms. Foster, Ms. Harris, Mrs. Smith-Reid, Council President Feldman

NAYS: None

ABSTAINING: None

ABSENT: None

Ordinance No. O-24-2015 – Item was discussed in Executive Session and agreed by Council to be considered this evening.

Introduced The Town Clerk offered for introduction

Ordinance No. O-24-2015

“Ordinance approving the Financial Agreement for Long Term Tax Exemption by and between the Town of Morristown and 55 Market Street.”

Purpose: Approves the Financial Agreement for Long Term Tax Exemption for the property location at 49-55 Market Street (Block 6002, Lot 1), owned by 55 Market Urban Renewal, LLC.

Council President Feldman made a motion that Ordinance O-24-2015 be introduced, read by title, passed on first reading and that a meeting be held on September 8, 2015 at 7:30 pm, in the council room, 200 South Street for a second reading and consideration of final passage of said ordinance. The motion was seconded by Council Member Foster.

Called to question Ordinance No. O-24-2015 was introduced on the following roll call:

YEAS: Mr. Armington, Ms. Deeb, Mr. Elms, Ms. Foster, Ms. Harris, Mrs. Smith-Reid, Council President Feldman

NAYS: None

ABSTAINING: None

ABSENT: None

Ordinance No. O-25-2015 – Item was discussed in Executive Session and agreed by Council to be considered this evening.

Introduced The Town Clerk offered for introduction

Ordinance No. O-25-2015

“Ordinance approving the Financial Agreement for Long Term Tax Exemption by and between the Town of Morristown and Lofts at Morristown Urban Renewal, LLC.”

Purpose: Approves the Financial Agreement for Long Term Tax Exemption for the property location at 10 Ford avenue (Block 3701, Lot 10), owned by Lofts at Morristown Urban Renewal, LLC.

Council Member Armington made a motion that Ordinance O-25-2015 be introduced, read by title, passed on first reading and that a meeting be held on September 8, 2015 at 7:30 pm, in the council room, 200 South Street for a second reading and consideration of final passage of said ordinance. The motion was seconded by Council Member Foster.

Called to question Ordinance No. O-25-2015 was introduced on the following roll call:

YEAS: Mr. Armington, Ms. Deeb, Mr. Elms, Ms. Foster, Ms. Harris, Mrs. Smith-Reid, Council President Feldman

NAYS: None

ABSTAINING: None

ABSENT: None

Ordinances for Public Hearing and Adoption

Ordinance No. O-19-2015

ADOPTED The Town Clerk offered for public hearing and adoption

Ordinance O-19-2015 entitled:

“Ordinance amending and supplementing Chapter 11 ‘Parks and

Recreation Areas' Section 4 'Conduct in Park and Recreation Areas'".

Purpose: Amends the Town Code to permit the use of canoes and kayaks on Speedwell Lake.

Council President Feldman directed that the ordinance be read by title only.

The Town Clerk read the ordinance by title and stated that it had been published in the Morris County Daily Record, according to law.

Council Member Armington moved for adoption of Ordinance No. O-19-2015 by title only on second reading and final adoption thereof. The motion was seconded by Council Member Foster.

Public Hearing: The Council-President opened the meeting for public hearing on the ordinance and invited all citizens and tax payers to speak in regard thereto.

There being no one to be heard, the Council President declared the public hearing closed.

Council Member Armington asked if the Ordinance would have to wait 20 days for passage. Town Attorney Vijayant Pawar, Esq., replied yes it would have to wait the 20 days.

Called to question Ordinance No. O-19-2015 was adopted on the following roll call:

YEAS: Mr. Armington, Ms. Deeb, Mr. Elms, Ms. Foster, Ms. Harris, Mrs. Smith-Reid, Council President Feldman

NAYS: None

ABSTAINING: None

ABSENT: None

The Town Clerk announced that the ordinance had been finally adopted, that notice of final adoption would be published in the Morris County Daily Record, as required by law.

Ordinance No. O-20-2015

ADOPTED The Town Clerk offered for public hearing and adoption Ordinance O-20-2015 entitled:

“Ordinance authorizing the lease of a parking area at the corner of Coal Avenue and Martin Luther King Avenue to the Calvary Baptist Church of Morristown Inc.”.

Purpose: Authorizes the lease of parking area at the corner of Coal Avenue and Martin Luther King Avenue to the Calvary Baptist Church of Morristown Inc. for the term of two (2) years and in the amount of One Dollar (\$1) per month.

Council President Feldman directed that the ordinance be read by title only.

The Town Clerk read the ordinance by title and stated that it had been published in the Morris County Daily Record, according to law.

Council Member Smith-Reid moved for adoption of Ordinance No. O-20-2015 by title only on second reading and final adoption thereof. The motion was seconded by Council President Feldman.

Public Hearing: The Council-President opened the meeting for public hearing on the ordinance and invited all citizens and tax payers to speak in regard thereto.

There being no one to be heard, the Council President declared the public hearing closed.

Called to question Ordinance No. O-20-2015 was adopted on the following roll call:

YEAS: Mr. Armington, Ms. Deeb, Mr. Elms, Ms. Foster, Ms. Harris, Mrs. Smith-Reid, Council President Feldman

NAYS: None

ABSTAINING: None

ABSENT: None

The Town Clerk announced that the ordinance had been finally

adopted, that notice of final adoption would be published in the Morris County Daily Record, as required by law.

Ordinance No. O-21-2015

ADOPTED The Town Clerk offered for public hearing and adoption

Ordinance O-21-2015 entitled:

“Ordinance appropriating \$670,000 from the Sewer Capital Improvement Fund for various sewer improvements in and by the Town of Morristown, in the County of Morris, New Jersey.

Purpose: Self-explanatory.

Council President Feldman directed that the ordinance be read by title only.

The Town Clerk read the ordinance by title and stated that it had been published in the Morris County Daily Record, according to law.

Council President Feldman moved for adoption of Ordinance No. O-21-2015 by title only on second reading and final adoption thereof. The motion was seconded by Council Member Foster.

Public Hearing: The Council-President opened the meeting for public hearing on the ordinance and invited all citizens and tax payers to speak in regard thereto.

There being no one to be heard, the Council President declared the public hearing closed.

Called to question Ordinance No. O-21-2015 was adopted on the following roll call:

YEAS: Mr. Armington, Ms. Deeb, Mr. Elms, Ms. Foster, Ms. Harris, Mrs. Smith-Reid, Council President Feldman

NAYS: None

ABSTAINING: None

ABSENT: None

The Town Clerk announced that the ordinance had been finally

adopted, that notice of final adoption would be published in the Morris County Daily Record, as required by law.

Resolutions for Adoption

A Motion to Add Resolutions R-122-15 to Resolution Items for Consideration on the Regular Agenda

Proposed Resolution R-122-15 was discussed in Executive Session with Council deciding to consider it this evening. Council President Feldman moved that Resolutions R-122-15 be added to the list of Resolutions to be considered for the evening. Council Member Foster seconded and the Motion was adopted by the following Roll Call vote:

YEAS: Mr. Armington, Ms. Deeb, Mr. Elms, Ms. Foster, Ms. Harris, Mrs. Smith-Reid, Council President Feldman

NAYS: None

ABSTAINING: None

ABSENT: None

Resolution No. R-106-15

Tabled

Council Member Armington moved the adoption of the following resolution: Here follows Resolution R-106-15 entitled:

“Resolution of the Town Council of the Town of Morristown, County of Morris, State of New Jersey, Opposing The Pilgrim Pipeline Holdings, LLC’s Proposed Underground Oil Pipeline from Albany, NY to Linden, NJ”.

Purpose: Self-explanatory.

The motion was seconded by Council President Feldman. However, during discussion, it was agreed that modifications were to be made which Town Attorney Vijayant Pawar agreed to assist with. Council Member Armington and Council President Feldman then withdrew their respective motion and second.

Council Member Armington then moved that

Resolution R-106-15 be tabled until the next regular meeting of September 8, 2015 which was seconded by Council President Feldman and carried on the following roll call:

YEAS: Mr. Armington, Ms. Deeb, Mr. Elms, Ms. Foster, Ms. Harris, Mrs. Smith-Reid, Council President Feldman

NAYS: None

ABSTAINING: None

ABSENT: None

Resolution No. R-107-15

Passed

Council Member Deeb moved the adoption of the following resolution: Here follows Resolution R-107-15 entitled: “Resolution of the Town Council of the Town of Morristown, County of Morris, State of New Jersey, In Support of Designating A Bus Stop on Route NJ 124 (South Street)”.

Purpose: Self-explanatory.

The motion was seconded by Ms. Foster and passed on the following roll call:

YEAS: Mr. Armington, Ms. Deeb, Mr. Elms, Ms. Foster, Ms. Harris, Mrs. Smith-Reid, Council President Feldman

NAYS: None

ABSTAINING: None

ABSENT: None

Resolution No. R-108-15

Passed

Council Member Deeb moved the adoption of the following resolution: Here follows Resolution R-108-15 entitled: “Resolution of the Town Council of the Town of Morristown, County of Morris, State of New Jersey, In Support of Designating A ‘No Passing Zone’ on Route US 202”.

Purpose: Self-explanatory.

The motion was seconded by Ms. Foster and passed on the following roll call:

YEAS: Mr. Armington, Ms. Deeb, Mr. Elms, Ms. Foster, Ms. Harris, Mrs. Smith-Reid, Council President Feldman

NAYS: None

ABSTAINING: None

ABSENT: None

Resolution No. R-109-15

Passed

Council Member Deeb moved the adoption of the following resolution: Here follows Resolution R-109-15 entitled: “Resolution authorizing submission of a letter of interest and corresponding Grant Application to People for Bikes.”

Purpose: Authorizes submission of a letter of interest and grant application to People for Bikes for the project titled Morristown Bicycle Rack Program in the amount of \$7,500.

The motion was seconded by Ms. Foster and passed on the following roll call:

YEAS: Mr. Armington, Ms. Deeb, Mr. Elms, Ms. Foster, Ms. Harris, Mrs. Smith-Reid, Council President Feldman

NAYS: None

ABSTAINING: None

ABSENT: None

Resolution No. R-110-15

Passed

Council Member Deeb moved the adoption of the following resolution: Here follows Resolution R-110-15 entitled: “Resolution transferring funds to accumulated sick and vacation trust fund.”

Purpose: Authorizes transfer of \$64,345.00 to the accumulated sick

and vacation trust fund.

The motion was seconded by Ms. Foster and passed on the following roll call:

YEAS: Mr. Armington, Ms. Deeb, Mr. Elms, Ms. Foster, Ms. Harris, Mrs. Smith-Reid, Council President Feldman

NAYS: None

ABSTAINING: None

ABSENT: None

Resolution No. R-111-15

Passed

Council Member Deeb moved the adoption of the following resolution: Here follows Resolution R-111-15 entitled: “Resolution authorizing the 2014 Corrective Action Plan.”

Purpose: Authorizes the 2014 Audit Correction Action Plan.

The motion was seconded by Ms. Foster and passed on the following roll call:

YEAS: Mr. Armington, Ms. Deeb, Mr. Elms, Ms. Foster, Ms. Harris, Mrs. Smith-Reid, Council President Feldman

NAYS: None

ABSTAINING: None

ABSENT: None

Resolution No. R-112-15

Passed

Council Member Deeb moved the adoption of the following resolution: Here follows Resolution R-112-15 entitled: “Resolution regarding the Governing Body Certification of the Annual Audit.”

Purpose: Provides certification that the Governing Body has reviewed the annual audit.

The motion was seconded by Ms. Foster and passed on

the following roll call:

YEAS: Mr. Armington, Ms. Deeb, Mr. Elms, Ms. Foster,
Ms. Harris, Mrs. Smith-Reid, Council President Feldman

NAYS: None

ABSTAINING: None

ABSENT: None

Resolution No. R-113-15

Passed

Council Member Deeb moved the adoption of the following resolution: Here follows Resolution R-113-15 entitled:
“Resolution transferring funds to the storm recovery trust fund.”

Purpose: Authorizes the transfer of \$19,000 to the Storm Recovery fund account.

The motion was seconded by Ms. Foster and passed on the following roll call:

YEAS: Mr. Armington, Ms. Deeb, Mr. Elms, Ms. Foster,
Ms. Harris, Mrs. Smith-Reid, Council President Feldman

NAYS: None

ABSTAINING: None

ABSENT: None

Resolution No. R-114-15

Passed

Council President Feldman moved the adoption of the following resolution: Here follows Resolution R-105-15 entitled:
“Resolution authorizing an increase in the bid threshold.”

Purpose: Authorizes the increase of the bid threshold to \$40,000.

The motion was seconded by Ms. Foster and passed on the following roll call:

YEAS: Mr. Armington, Ms. Deeb, Mr. Elms, Ms. Foster,
Ms. Harris, Mrs. Smith-Reid, Council President Feldman

NAYS: None

ABSTAINING: None

ABSENT: None

Resolution No. R-115-15

Passed

Council Member Deeb moved the adoption of the following resolution: Here follows Resolution R-115-15 entitled: “Resolution authorizing a purchase order under state contract with MorphoTrak for a Police Livescan Fingerprint Machine.”

Purpose: Authorizes purchase of one LiveScan Fingerprint Machine in the amount of \$21,615.55.

The motion was seconded by Ms. Foster and passed on the following roll call:

YEAS: Mr. Armington, Ms. Deeb, Mr. Elms, Ms. Foster,
Ms. Harris, Mrs. Smith-Reid, Council President Feldman

NAYS: None

ABSTAINING: None

ABSENT: None

Resolution No. R-116-15

Passed

Council President Feldman moved the adoption of the following resolution: Here follows Resolution R-116-15 entitled: “Resolution authorizing the award of bid to PIM Corporation for Sewer TV Inspection on Call Services, Two Year Contract.”

Purpose: Authorizes award of bid to PIM Corporation in the amount of \$162.00 per hour for Sewer TV Inspection on Call Services.

The motion was seconded by Ms. Foster and passed on the following roll call:

YEAS: Mr. Armington, Ms. Deeb, Mr. Elms, Ms. Foster,
Ms. Harris, Mrs. Smith-Reid, Council President Feldman

NAYS: None

ABSTAINING: None

ABSENT: None

Resolution No. R-117-15

Passed

Council President Feldman moved the adoption of the following resolution: Here follows Resolution R-117-15 entitled:

“Resolution of the Town Council of the Town of Morristown authorizing the Planning Board of the Town of Morristown to conduct a Preliminary Investigation to determine whether a certain area within the municipality is a non-condemnation area in need of redevelopment.”

Purpose: Authorizes the Morristown Planning Board to conduct a preliminary investigation determine whether the area known as 62 Elm Street (Block 3702, Lot 18), 57 Elm Street (Block 3702, Lot 17), 26 Hill Street (Block 3702, Lot 8), 22 Hill Street (Block 3702, Lot 9) is in a non-condemnation area in need of redevelopment.

The motion was seconded by Ms. Foster and passed on the following roll call:

YEAS: Mr. Armington, Ms. Deeb, Mr. Elms, Ms. Foster,
Council President Feldman

NAYS: Mrs. Smith-Reid

ABSTAINING: Ms. Harris

ABSENT: None

Resolution No. R-118-15

Passed

Council Member Deeb moved the adoption of the following resolution: Here follows Resolution R-118-15 entitled:

“Resolution awarding contract to Shauger Property Services, Inc. for

Lidgerwood Softball Field Rehabilitation Project.”

Purpose: Awards contract in the amount of \$121,550.70.

The motion was seconded by Ms. Foster and passed on the following roll call:

YEAS: Mr. Armington, Ms. Deeb, Mr. Elms, Ms. Foster, Ms. Harris, Mrs. Smith-Reid, Council President Feldman

NAYS: None

ABSTAINING: None

ABSENT: None

Resolution No. R-119-15

Passed

Council Member Deeb moved the adoption of the following resolution: Here follows Resolution R-119-15 entitled: “Resolution authorizing the submission of a Grant Application to the State of New Jersey in connection with the 2015 Drive Sober or Get Pulled Over statewide Labor Day crackdown.”

Purpose: Authorizes submission of grant application in the amount of \$5,000.

The motion was seconded by Ms. Foster and passed on the following roll call:

YEAS: Mr. Armington, Ms. Deeb, Mr. Elms, Ms. Foster, Ms. Harris, Mrs. Smith-Reid, Council President Feldman

NAYS: None

ABSTAINING: None

ABSENT: None

Resolution No. R-120-15

Passed

Council Member Deeb moved the adoption of the following resolution: Here follows Resolution R-120-15 entitled: “Resolution authorizing amendment to contract with Group Melvin Design for Form Based Code and Audit of Land Use Ordinances of the

Town of Morristown.”

Purpose: Authorizes amendment to contract in the amount of \$7,500 for Form Based Code and Audit of Land Use Ordinances services.

The motion was seconded by Ms. Foster and passed on the following roll call:

YEAS: Mr. Armington, Ms. Deeb, Mr. Elms, Ms. Foster, Ms. Harris, Mrs. Smith-Reid, Council President Feldman

NAYS: None

ABSTAINING: None

ABSENT: None

Resolution No. R-122-15

Passed

Council Member Deeb moved the adoption of the following resolution: Here follows Resolution R-122-15 entitled: “Resolution of the Town Council of the Town of Morristown authorizing execution of a Municipal Shared Services Defense Agreement regarding Affordable Housing Matters – COAH Pending Litigation.”

Purpose: Authorizes the execution of a Municipal Shared Services Defense Agreement or a \$2,000 fee per municipality.

The motion was seconded by Ms. Foster and passed on the following roll call:

YEAS: Mr. Armington, Ms. Deeb, Mr. Elms, Ms. Foster, Ms. Harris, Mrs. Smith-Reid, Council President Feldman

NAYS: None

ABSTAINING: None

ABSENT: None

M. Unfinished Business – None for the evening.

N. New Business – None for the Evening.

1. Appointment of a Housing Authority Commissioner. The Mayor's Appointment of Vera White and the Council's Appointment of Michael Cherello are scheduled to expire on September 5, 2015.

The Town Clerk informed the Council that they would have to consider an appointment to the Morristown Housing Authority's Board of Commissioners do to the expiration of terms for Commissioners Michael Cherello and Vera White. As Ms. White was appointed by Mayor Dougherty and Mr. Cherello by the Council; Council should be guided accordingly.

The Town Clerk also informed Council that based on his research; there was no longer a "Resident" Commissioner on the Board and pursuant to the United States Housing and Urban Development Regulations, one member of the Board was required to be a resident.

Council President Feldman advised the Clerk to make sure the requirements of the Citizen Service Act of the Code of the Town of Morristown had been met.

Council Member Smith-Reid inquired about the Board's composition.

Council Member Deeb asked if both incumbents wished to continue serving. The Town Clerk stated yes.

Council President Feldman stated that the Council most likely would not have been able to consider this on September 8, 2015 and asked that it being considered at the second meeting in September.

2. Burnham Pool – Pool registration/membership numbers & a survey of pool member conducted yearly (requested by Council Member S. Armington).

Council Member Armington stated that he had been trying to have conversation with the Administration about this for some time. Council Member Armington stated that many of his constituents expressed concern about excessive rules and other requirements and chose to belong to the Township's Pool. Council Member Armington noted a survey and based on the survey had other Council Members heard any complaints from residents.

Council President Feldman stated that survey of those residents who do not belong to the Association and why they do not wish to use the pool may be more interesting.

Mayor Dougherty stated that he has heard nothing but extreme positives and the rules were enforced even when he was a child. Mayor Dougherty stated that he shall personally conduct a survey of residents.

Council Member Deeb stated that she has only heard positive remarks on the Pool and that she has heard that it is one of the Gems of Morristown. However, Council Member Deeb did note that the Township did renovations on the Pool and while she hasn't seen it; she heard it is nice.

Council President stated that she would like an Ordinance amending to the Code on Pool Fees to give residents and others an opportunity to participate in an Open House to see if there would be an interest in joining.

Council Member Smith-Reid asked as to what the concern was concerning the Pool (i.e., is it losing money). Council Member Armington replied that he heard complaints from residents and as a father; his children would rather go to the Township.

Mr. Rogers stated that revenues were steady or increasing. Mr. Rogers stated that in the future; there may be consideration for other uses of the Pool.

3. Colonial Coach Ridership – information concerning the number of riders per day/week (requested by Council Member S. Armington).

Council Member Armington stated that he has information that approximately 67 people use the Coach daily. Council Member Armington requested information from the Administration about the number of riders on a monthly basis and the cost per rider.

Mayor Dougherty asked if Council Member Armington was advocating elimination. Council Member Armington stated no; he just wanted to see the numbers and to see what can be done to increase riders. Mayor Dougherty stated that the Township opted out and that on residents of the Town utilize it,

Council Member Smith-Reid stated that there was an expansion of the route and some residents have stated that it takes longer. Council Member

Smith-Reid further stated that the numbers need to be updated and Council can look at it further.

- O. Adjournment. There being no further business, a motion to adjourn was made by Council President Feldman and seconded by Council Member Foster and passed by acclamation. The meeting was adjourned at 10:26 p.m..

Respectfully Submitted

ATTEST

APPROVED

KEVIN D. HARRIS
TOWN CLERK

REBECCA FELDMAN
COUNCIL PRESIDENT

I do hereby certify the above to be a true and exact copy of the Minutes of the Regular Meeting of the Town Council held on Tuesday, August 11, 2015, duly passed and adopted by the Town Council of the Town of Morristown at the Regular Meeting of the Town Council held on August 9, 2016 in the Morristown Council Room, 200 South Street, Morristown, New Jersey, beginning at 7:30P.M., prevailing time.

DATED: _____

Kevin D. Harris, Town Clerk