

EXECUTIVE SESSION WILL BEGIN AT 7:00 PM

THE REGULAR MEETING WILL BEGIN AT 7:30 PM

Regular Meeting of Town Council

Tuesday, December 22, 2015

Statement of Compliance with Open Public Meetings Act

A. Roll-Call

B. Executive Session

1. Resolution to Enter Into Executive Session to discuss matters of current and/or pending litigation and contract negotiations other than those of collective bargaining and any matter falling within the Attorney/Client privilege pursuant to N.J.S.A. 10:4-12b(7).
2. Pending Litigation – Iron Bistro.
3. Morristown Housing Authority Board of Commissioners.

C. Moment of Silence

D. Pledge of Allegiance

E. Consent Agenda

1. Request by the George Granby Observance Committee to hold the 1st Annual Morris County Recovery Walk on Saturday, September 17, 2016 (rain date: September 18, 2016) from 9:00 a.m. – 5:00 p.m. through the Town of Morristown.
2. Request by the Verizon Corporate Classic Committee requesting permission for the annual “Verizon Corporate Classic 5K Race” on Thursday, July 14, 2016, with a start time of 7:30 p.m..

F. Public Hearing

G. Mayor’s Proclamations and Presentations

H. Report of Mayor and Town Officials

I. Council Liaison Reports

J. Regular Business

1. Ordinances for Introduction
2. Ordinances for Adoption

Ordinance No. O-31-2015

“Ordinance accepting dedication of Public Road, Right-of-Way and related improvements for a portion of Prospect Street.”

Purpose: Provides for the acceptance of dedication of Public Road, Right-of-Way and related improvements for a portion of Prospect Street.

3. Resolutions for Adoption

Resolution No. R-198-2015

“Resolution Requesting Approval for the Insertion of a Special Item of Revenue in the 2015 Budget Pursuant to N.J.S. 40A:4-87 for the Morris County CDBG Speedwell Streetscape Improvements Grants.”

Purpose: Provides approval for the insertion of \$80,000 in the 2015 Budget for the Morris County CDBG Speedwell Streetscape Improvements Grant.

Resolution No. R-199-2015

“Resolution of the Town of Morristown, in the County of Morris, New Jersey providing for the cancellation of \$3,773.76 in Bond Authorization not needed for its original purpose.”

Purpose: Authorizes the cancellation of \$3,773.76 in Bond Authorization.

Resolution No. R-200-2015

“Resolution acknowledging continuation of Special Improvement Assessment through pay off of Lakeland Bank Credit Line for Morristown Partnership if the Special Improvement District is eliminated by the Town of Morristown.”

Purpose: Self Explanatory.

Resolution No. R-201-2015

“Resolution awarding execution of Service Agreement for Emergency 911 and Dispatching Services the County for the Calendar Year 2016.”

Purpose: Self Explanatory.

K. Unfinished (Old) Business

1. Amendment of the Code of the Town of Morristown concerning “Noise” (Requested by Council Member A. Deeb, and Council President R. Feldman).

2. Pioneer Plaza Redesign Project and the plans of the Administration (requested by Council Member A. Deeb).
3. Ogden Traffic Study (requested by Council Member A. Deeb).

L. New Business

1. Paid parking in the Verizon Oak Street lot (requested by Council Member A. Deeb).

M. Correspondence Comments

N. Adjournment

CORRESPONDENCE

The correspondence portion of the agenda is now on the web. To view the ordinances, resolutions and correspondence, go to the town's web site www.townofmorristown.org and click on the Agenda's & Minutes.

All the correspondence, ordinances and resolutions are listed at the end of the agenda document.

M E M O R A N D U M

To: Rebecca Feldman, Council President
All Members of Council

From: Kevin D. Harris, Town Clerk

Sub: Correspondence

Date: December 17, 2015

The following items of correspondence have been received in the Office of the Town Clerk for inclusion on the agenda of the Regular Meeting of December 22, 2015

- A. Mayor's Correspondence
- B. Correspondence and Reports, Counsel and Department Heads
- C. General Correspondence
 - December 3, 2015 letter from Joseph Falkowski, Chairman of the Morris County Planning Board regarding proposed Water Quality Management Planning (WQMP) Rules.
 - Notice from the Borough of Madison announcing and extending an invitation to the 2016 Reorganization Meeting to be held on Friday, January 1, 2016, at 1:00 p.m., at the Hartley Dodge Memorial, 50 Kings Road, Madison, New Jersey.
- D. Department Reports
- E. Resolutions of Other Jurisdictions
- F. Meeting Notices
- G. Confidential Correspondence

O-31-2015
I-12/8

TOWN OF MORRISTOWN

ORDINANCE O-31-2015

AN ORDINANCE OF THE TOWN OF MORRISTOWN, COUNTY OF MORRIS, STATE OF NEW JERSEY ACCEPTING DEDICATION OF PUBLIC ROAD, RIGHT-OF-WAY AND RELATED IMPROVEMENTS FOR A PORTION OF PROSPECT STREET

WHEREAS, pursuant to N.J.S.A. 40A:12-4 and 40A:12-5, the Town of Morristown (the "Town") is authorized to acquire, by ordinance, real property by purchase, gift, devise, lease, exchange, condemnation, or installment purchase agreement; and

WHEREAS, Morristown Urban Renewal Phase I, LLC, a Delaware limited liability company, whose address is 135 Route 202/206, Suite 9, 1st Floor, Bedminster, New Jersey 07921 (the "Grantor"), is the owner in fee simple of a certain tract of real property situated in the Town of Morristown, County of Morris, State of New Jersey (the "Grantor's Property"); and

WHEREAS, in accordance with the preliminary and final site plan and subdivision approval granted by the Town of Morristown Planning Board concerning the Grantor's Property, and pursuant to that certain Amended and Restated Redevelopment Agreement between Grantor, as successor to Morristown Development, LLC, and the Town, dated January 12, 2012, Grantor is required to dedicate to the Town a certain portion of Grantor's Property for public road and right-of-way purposes; and

WHEREAS, Grantor is willing to dedicate and convey to the Town, and the Town is willing to accept from Grantor, the portion of Grantor's Property shown and described as Prospect Street 42' Wide R.O.W. on that certain "Survey and Major Subdivision of Lands Final Plat" prepared by Richard F. Smith, Jr., P.L.S., P.P., dated December 10, 2012 and recorded on December 26, 2012 in the Morris County Clerk's Office in Deed Book 8, Page 31, for public road and right-of-way purposes (the "Dedicated Property"); and

WHEREAS, the Dedicated Property to be conveyed to the Town shall be free and clear of any liens and encumbrances.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Morristown, County of Morris, State of New Jersey, that the dedication from Morristown Urban Renewal Phase I, LLC of the Dedicated Property more particularly described herein for use as a public roadway as described in that certain Deed of Dedication for Public Road, Right of Way and Related Improvement from Morristown Urban Renewal Phase I, LLC to the Town is hereby accepted; and

BE IT FURTHER ORDAINED, that the Mayor and Town Clerk are hereby authorized and directed to execute and deliver any document and, together with the Town's consultants, to take any and all necessary steps as would be reasonable or necessary to effectuate said acceptance and to effectuate the purposes of this Ordinance; and

BE IT FURTHER ORDAINED, that if any section, paragraph, subsection, clause or provision of this Ordinance shall be judged by the Courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective; and

BE IT FURTHER ORDAINED, that any Ordinance or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict; and

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon the passage and publication in accordance with the applicable law.

ATTEST:

ADOPTED:

Kevin Harris, Town Clerk

Timothy P. Dougherty, Mayor

Date: _____

TOWN OF MORRISTOWN

RESOLUTION NO. R- 198 -2015

Requesting Approval for the Insertion of a Special Item of Revenue in the 2015 Budget Pursuant to N.J.S. 40A:4-87 for the Morris County CDBG Speedwell Streetscape Improvements Grant

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for an equal amount, and

WHEREAS, the Town Council of the Town of Morristown, County of Morris will receive funding and wishes to accept funding from the Morris County CDBG, Speedwell Streetscape Improvements Grant in the amount of \$80,000 and wishes to amend its 2015 budget in the sum of \$80,000 which is now available as a revenue from:

- Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services:
- Public & Private Revenues
- Offset with Appropriations:
- Morris County CDBG**
- Speedwell Streetscape Improvements Grant**
- Pursuant to provisions of Statute ; now, therefore

BE IT RESOLVED by the Town Council of the Town of Morristown, County of Morris that a like sum of \$80,000 be and it is hereby appropriated and accepted under the caption of

- General Appropriations
- (a) Operations Excluded from Caps
- Public & Private Programs
- Offset by Revenues:
- Morris County CDBG**
- Speedwell Streetscape Improvements Grant**
- Pursuant to provisions of Statute ; now, therefore

BE IT FURTHER RESOLVED that the CFO will electronically file and process this resolution with the Director of the Division of Local Government Services.

ATTEST:

ADOPTED:

KEVIN D. HARRIS,
TOWN CLERK

REBECCA FELDMAN
COUNCIL PRESIDENT

I do hereby certify the above to be a true and exact copy of a Resolution duly passed and adopted by the Town Council of the Town of Morristown at the Regular meeting of the Town Council held on December 22, 2015 in the Morristown Council Room, 200 South Street, Morristown, New Jersey, beginning at _____ P.M., prevailing time.

DATED: December 22, 2015

Kevin D. Harris, Town Clerk

TOWN OF MORRISTOWN
RESOLUTION R - 199 -2015

RESOLUTION OF THE TOWN OF MORRISTOWN, IN THE COUNTY OF MORRIS, NEW JERSEY PROVIDING FOR THE CANCELLATION OF \$3,773.76 IN BOND AUTHORIZATIONS NOT NEEDED FOR ITS ORIGINAL PURPOSE.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MORRISTOWN, IN THE COUNTY OF MORRIS, NEW JERSEY AS FOLLOWS:

Section 1. Pursuant to N.J.S.A. 40A:2-39, it is hereby determined that bond authorizations in the amount of \$3,773.76 provided for in the bond ordinances listed below are no longer needed for the purpose referenced therein. The Town of Morristown, in the County of Morris, New Jersey (the "Town") desires, therefore, to cancel the following bond authorizations:

02-31	Firehouse improvements	\$57.80
03-44	Elevator improvements	\$1,236.00
04-22	Pool improvements	\$91.37
04-22	Park improvements	\$14.93
04-22	Fire apparartus	\$90.60
05-17	DPW facility design	\$230.44
07-18	Pool Improvements	\$1,650.74
07-17	Computer equipment	\$401.11
08-20	Park improvements	\$0.77
	TOTAL	\$3,773.76

Section 2. BE IT RESOLVED, that this cancellation is effective upon adoption of this resolution.

ATTEST:

ADOPTED:

KEVIN D. HARRIS,
TOWN CLERK

REBECCA FELDMAN
COUNCIL PRESIDENT

I do hereby certify the above to be a true and exact copy of a Resolution duly passed and adopted by the Town Council of the Town of Morristown at the Regular meeting of the Town Council held on December 22, 2015 in the Morristown Council Room, 200 South Street, Morristown, New Jersey, beginning at _____ P.M., prevailing time.

DATED: December 22, 2015

KEVIN D. HARRIS, TOWN CLERK

TOWN OF MORRISTOWN

RESOLUTION R-200-2015

RESOLUTION ACKNOWLEDGING CONTINUATION OF SPECIAL IMPROVEMENT ASSESSEMENT THROUGH PAY OFF OF LAKELAND BANK CREDIT LINE FOR MORRISTOWN PARTNERSHIP IF THE SPECIAL IMPROVEMENT DISTRICT IS ELIMINATED BY THE TOWN OF MORRISTOWN

WHEREAS, the Town Council of the Town of Morristown established the Special Improvement District and designated Morristown Partners, Inc., doing business as Morristown Partnership, the District Management Corporation for the Morristown Special Improvement District; and

WHEREAS, the Morristown Partnership has played an important role in the revitalization of the Town of Morristown; and

WHEREAS, the enabling statute for Special Improvement Districts permit the Morristown Partnership to maintain a long term line of credit; and

WHEREAS, the line of credit assists the Morristown Partnership in implementing its various projects and programs, particularly capital improvements, by improving cash flow; and

WHEREAS, Lakeland Bank has agreed to provide a line of credit to the Morristown Partnership to support the Morristown Partnership's projects and programs; and

WHEREAS, Lakeland Bank has requested that the Town Council of the Town of Morristown confirm that in the event that the Special Improvement District is eliminated by action of the Town of Morristown, the Town of Morristown will continue to maintain the assessment within the Special Improvement District until such time as any outstanding balance due Lakeland Bank under the line of credit is paid in full;

NOW THEREFORE, BE IT RESOLVED by the Town Council of the Town of Morristown being the governing body thereof, that recognizing the value of Lakeland Bank providing a line of credit to the Morristown Partnership in the event that the Special Improvement District is eliminated by action of the Town of Morristown, the Town of Morristown will continue to maintain the assessment within the Special Improvement District until such time as any outstanding balance due Lakeland Bank under the line of credit for the Morristown Partnership is paid in full.

ATTEST:

ADOPTED:

KEVIN D. HARRIS,
TOWN CLERK

REBECCA FELDMAN
COUNCIL PRESIDENT

I do hereby certify the above to be a true and exact copy of a Resolution duly passed and adopted by the Town Council of the Town of Morristown at the Regular meeting of the Town Council held on December 8, 2015 in the Morristown Council Room, 200 South Street, Morristown, New Jersey, beginning at _____ P.M., prevailing time.

DATED: December 22, 2015

KEVIN D. HARRIS, TOWN CLERK

TOWN OF MORRISTOWN

RESOLUTION R- 201-2015

A RESOLUTION AUTHORIZING EXECUTION OF SERVICE AGREEMENT FOR EMERGENCY 911 AND DISPATCHING SERVICES WITH THE COUNTY OF MORRIS FOR THE CALENDAR YEAR 2016

WHEREAS, the Town of Morristown (the “Town”) has a need for emergency 911 and radio dispatching services and the County of Morris (“County”) has the ability to make the service available; and

WHEREAS, the County and the Town previously entered into a Service Agreement for radio dispatching services for a continuous, 24 hour per day basis that began on April 1, 2011 and ends on December 31, 2015; and

WHEREAS, because this agreement with the County is about to expire the Town desires to enter into a new one (1) year service agreement with the County beginning January 1, 2016, where the County has agreed to provide the following services:

1. accept and transmit emergency calls for police, fire, ambulance vehicles within the territorial jurisdiction of Morristown and activate sirens and/or plectrons and/or pagers when appropriate;
2. maintain a computer log of all calls dispatched, showing date, time, source, and disposition of each call;
3. provide event reports, based on the material in the computer log, as requested by corresponding emergency service agency heads of Morristown;
4. page individual officials of Morristown, to the extend that paging devices are made available to those individuals at the expense of Morristown; and
5. monitor existing municipal government alarm installations where facilities are established therefore at the expense of Morristown and dispatch police, fire, and/or first aid units in response thereto; and

WHEREAS, the services identified above shall be performed by personnel to be hired, paid and supervised by the Department of Law and Public Safety of the County and using physical facilities of the County; and

WHEREAS, in exchange for providing these services the Town has agreed to pay the County a yearly service fee of \$331,821.76 and a radio recurring fee of \$40,800.00 for a total yearly fee of \$372,621.76 ; and

WHEREAS, this agreement is being entered into pursuant to the provisions of N.J.S.A. 40A:65-1 et seq., the Uniform Shared Services and Consolidation Act, which authorizes any local

unit to enter into an agreement with any other local unit to provide or receive any service that each local unit participating in the agreement is empowered to provide or receive within its own jurisdiction, including services incidental to the primary purposes of any of the participating local units; and

WHEREAS, the Town and the County desire to enter into a Service Agreement for the furnishing of such emergency 911 and radio dispatching services; and

WHEREAS, annexed hereto is the Service Agreement to be entered into between the Town and the County for the provision of emergency 911 and radio dispatching services for the calendar year 2016; and

WHEREAS, funds are available for this agreement and a Certificate of Availability has been filed by the Town of Morristown's Chief Financial Officer;

NOW, THEREFORE, BE IT HEREBY RESOLVED, by the Town Council of the Town of Morristown, the governing body hereof, that the Town of Morristown be and hereby is authorized to enter into and the Mayor be and hereby is authorized to execute the annexed Service Agreement with the County of Morris for emergency 911 and radio dispatching services for the calendar year 2016.

ATTEST:

ADOPTED:

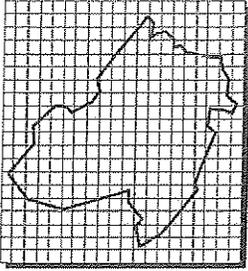
KEVIN D. HARRIS,
TOWN CLERK

REBECCA FELDMAN
COUNCIL PRESIDENT

I do hereby certify the above to be a true and exact copy of a Resolution duly passed and adopted by the Town Council of the Town of Morristown at the Regular meeting of the Town Council held on December 22, 2015 in the Morristown Council Room, 200 South Street, Morristown, New Jersey, beginning at 7:30 P.M., prevailing time.

DATED: December 22, 2015

KEVIN D. HARRIS, TOWN CLERK



MORRIS COUNTY PLANNING BOARD

P.O. Box 900, Morristown, NJ 07963-0900

Joseph Falkoski, *Chairman*
Steve Rattner, *Vice-Chairman*
Isobel W. Olcott, *Secretary*
Kathryn A. DeFillippo,
Freeholder Director
John Cesaro, *Freeholder*
David Scapicchio,
Freeholder Alternate

Christopher J. Vitz, *County Engineer*
Roslyn Khurdan, *Alt. County Engineer*
Ted Eppel
Annabel Pierce
Everton Scott
Stephen Jones, *Alternate 1*
Nita Galate, *Alternate 2*

W. Randall Bush, Esq.,
First Assistant County Counsel
Christine Marion, P.P.
Planning Director
(973) 829-8120
FAX (973) 826-9025
EMAIL: cmarion@co.morris.nj.us

December 3, 2015

Hon. Jon M. Bramnick, Assemblyman
251 North Avenue, 2nd Floor
Westfield, NJ 07090

Re: Proposed Water Quality Management Planning (WQMP) Rules

Dear Assemblyman Bramnick:

I am writing on behalf of the Morris County Planning Board to express its support for the revised Water Quality Management Planning (WQMP) Rules as proposed by the New Jersey Department of Environmental Protection (NJDEP) on October 19, 2015.

Morris County accepted the responsibility of wastewater management planning (WMP) entity in 2007 to support its municipalities. This responsibility is a requirement under the current WQMP rules and is maintained in the proposed rules. We have reviewed the proposed rules and believe that they provide a better framework to undertake wastewater management **planning** in New Jersey. The removal of onerous and unrealistic requirements (i.e. down zoning) will make the process much more manageable and will enable the counties to complete the plans in a timely manner. The proposed rule will allow for better coordination between municipalities, the NJDEP and the counties to develop practical and real world solutions to wastewater management planning needs.

The Morris County Planning Board will be submitting comments which are due by **December 28th**. The Board encourages you to lend support to this markedly improved rule proposal and support its adoption.

Sincerely,

Joseph Falkoski
Chairman, Morris County Planning Board

Cc: Morris County Planning Board (*via email*)
Morris County Board of Chosen Freeholders
Morris County Legislators
Morris County Mayors
New Jersey Association of Counties (*via email*)
Deena Leary, Morris County Dept. of Planning and Public Works (*via email*)
Christine Marion, Morris County Dept. of Planning and Public Works (*via email*)
Morris County Municipal Wastewater Management Plan Committees (*via email*)
New Jersey County Planners Association (*via email*)

Recipients

Hon. Jon M. Bramnick, Assemblyman

Ms. Shellyne Brown, Legislative Aide

Hon. Anthony M. Bucco, Esq., Assemblyman

Hon. Anthony R. Bucco, Senator

Hon. Michael Carroll, Assemblyman

Hon. Richard J. Codey, Senator

Hon. BettyLou DeCroce, Assemblywoman

Mr. George Dredden, Chief of Staff, Assemblywoman BettyLou DeCroce

Hon. Mila M. Jasey, Assemblywoman

Hon. Thomas H. Kean, Jr., Senator

Hon. Alison Littell McHose, Assemblywoman

Hon. John F. McKeon, Assemblyman

Hon. Nancy F. Munoz, Assemblywoman

Hon. Steven V. Oroho, Senator

Hon. Kevin O'Toole, Senator

Hon. Joseph Pennacchio, Senator

Ms. Ashley Rosone, Legislative Aide

Hon. Scott T. Rumana, Assemblyman

Hon. David C. Russo, Assemblyman

Mr. Bruce D. Sisler, Chief of Staff

Hon. Parker Space, Assemblyman

Hon. Jay Webber, Assemblyman



*You are cordially invited
by the
Mayor and Council
of the Borough of Madison
to the
2016 Reorganization Meeting
Friday, January 1, 2016
1:00 p.m.
Hartley Dodge Memorial
50 Kings Road
Madison, New Jersey*

Kindly RSVP to
Elizabeth Osborne 973-593-3041 or clerk@rosenet.org