

# MINUTES

## Executive Meeting of Town Council

Tuesday, February 10, 2015

Being a continuation of a regular meeting called on even date, and convened for the purposes set for in the motion passed at the same meeting

Executive Session commenced at 7:04 p.m.

### ATTENDANCE

PRESENT: Mr. Stefan Armington, Ms. Alison Deeb, Mr. Michael Elms, Ms. Rebecca Feldman, Ms. Toshiba Foster, Ms. Michelle Dupree Harris, Mrs. Raline Smith-Reid

ABSENT: None

Mayor Timothy P. Dougherty was also present.

The subject to be discussed in Executive Session was:

(1)

“Resolution of the Mayor and Town Council of the Town of Morristown in the County of Morris authorizing settlement of the 2010, 2011, 2012, 2013 and 2014 Tax Appeals entitled LWH Morristown, LLC v. Town of Morristown, Docket Nos.: 015453-2010, 010077-2011, 0110921-2012, 005836-2013 and 009218-2014 of the Tax Assessment of Block 7601, Lot 4, known as 30 Court Street in the Town of Morristown, Morris County, New Jersey.”

Purpose: Authorizes settlement of the LWH Morristown, LLC Tax Appeal in the following amount: 2010: withdrawn; 2011: withdrawn; 2012: \$3,400,000; 2013: \$3,000,000; 2014: \$2,500,000.

Assistant Town Attorney Elnardo J. Webster, II, Esq., addressed the Council stating the present position of the litigation and recommended to Council for authority to settle. Counsel stressed the benefits of the settlement and what the Town was gaining due to the settlement.

A straw poll of the Council authorized settlement of the matter; and

(2)

“Discussion on Pending Iron Bar Appeal”

Assistant Town Attorney Elnardo J. Webster, II, Esq., stated that the matter would be coming up for trial during the Summer of 2015 in the Office of Administrative Law. He further stated that if members of Council desired to proceed; some would have to be available to testify before the Administrative Law Judge. Mr. Webster asked Council to

conduct a straw poll and determine which members of Council would be available to testify and notify him by the next meeting (February 24, 2015). Mr. Webster stated that at a later time; he would provide possible hearing dates when they became available to him.

There being no further business appropriate to the executive session, Council President Feldman moved to close. Council Member Foster seconded and the motion passed unanimously by acclamation. Executive Session ended at 7:57 p.m., and the Council President ordered that the public be readmitted.

I, Kevin D. Harris, Town Clerk of the Town of Morristown, hereby certify that the above reflect the true and accurate minutes from the Executive Session of the Morristown Town Council, held on Tuesday, February 10, 2015 and approved by the Morristown Town Council at the Town Council Meeting held on Tuesday, October 27, 2015.

Date: October 28, 2015

A handwritten signature in black ink, appearing to read "Kevin D. Harris", written over a horizontal line.

KEVIN D. HARRIS, Town Clerk