

MINUTES
Regular Meeting of Town Council

Tuesday, February 23, 2016
7:30pm

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 February 23, 2016, in the Council Room of the Morristown Town Hall located at 200 South Street, Morristown, New Jersey, beginning at 7:33 p.m., prevailing time.

Council President Armington 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 5, 2016 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: Ms. Davis, Ms. Deeb, Mr. Elms, Ms. Foster, Ms. Harris, Mr. Iannaccone, Council President Armington

ABSENT: None.

- C. Moment of Silence – The Town Clerk asked the assembly to observe a moment of silence.
- D. Pledge of Allegiance – Council President Armington led the meeting in reciting the Pledge of Allegiance.
- E. Consent Agenda – The Town Clerk presented the Consent Agenda consisting of the following items:

1. Petition of George & Martha's, LLC for authorization to extend licensed premises to sponsor an outdoor event during the St. Patrick's Day Parade on Saturday, March 12, 2016 with a raindate of Sunday, March 13, 2016 from 10:00 a.m. – 12:00 a.m..
2. February 2, 2016 Letter (with copy of proposed Litter Management Plan) from Joann McEniry, MSW, LSW, Chief Operating Officer of New Jersey Aids Services requesting approval of the Annual New Jersey AIDS Walk on Sunday, May 1, 2016 from 11:00 a.m. (registration) to 5:00 p.m. (end of walk).

Council President Armington made a motion that the Consent Agenda be moved for Adoption. However, he noted with respect to Item #1 that his motion would be based on an amended end time of 10:00 p.m., which was the time the event ended last year. The motion was seconded by Council Members Foster and Iannaccone and adopted on the following roll call vote.

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

NAYS: Ms. Harris

ABSTAIN: None

ABSENT: None

F. Public Hearing

1. Presentation from Susan Stocker, Esq., of Zublatt & Jones, P.C., Verizon and Pinnacle Telecom Group of an EMF compliance report concerning the proposed cellular site in Burnham Park (A brief presentation was given at the February 9, 2016 meeting).

Ms. Stocker had appeared at the February 9, 2016 meeting where she gave brief remarks. Ms. Stocker provided a more formal presentation on what was needed to complete the process.

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.

2. All other interested parties who desire to address 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.

Rob Walton of JCP&L, 52 Summit Road, Chatham, advised the Council of the tree-trimming policies and requirements around power lines. **Budd Street**, Morristown, read a statement regarding quiet enjoyment of property and stated that his quiet enjoyment is being interrupted due to activity at Whole Foods. Mr. Tamburro states that the proposed Noise Ordinance would cover issues raised.

Christine Conte-Collins, 40 West Park Place, #702, Morristown, addressed (1) the staging of races and the problem of staging it in the in the center of Town. Ms. Conte stated that another location should be found; (2) in looking at applications for development; please keep in mind that the traffic around Dehart Street is a disaster.

Virginia Rich, 1 Vanderpool Drive, Morristown, gave comments of concern about sewer fees.

Raline Smith-Reid, 20 Cottage Drive, Morristown, addressed Council concerning O-4-2016 and O-5-2016.

Thomas Alexander, 48 Court Street, Morristown, addressed Council concerning O-4-2016 and O-5-2016.

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

G. Council Comments in Response to Comments Raised in Public Hearing.

Council Member Davis stated that she desires to see the Second Ward look like other wards in Town; the way she feels that it would best be achieved is to get rid of an obvious eyesore.

Council Member Harris stated that in the past; there have always been meetings to discuss issues such as those raised in Ordinances O-4-2016 and O-5-2016.

H. Mayor's Proclamations and Presentations – None for the evening.

I. Report of Mayor and Town Officials

The Mayor advised that everyone check the website on the sewer and water. The Mayor further advised on the appraisal and that the price can be no higher than the appraised amount.

J. Council Liaison Reports

Council Member Foster stated that she was unable to attend the Parking Authority meeting but was able to study the materials and that the Parking Authority did make their voluntary tax deferment payment.

Council Member Davis stated that the Housing Authority meeting was recently cancelled and this is a serious concern because issues of the Housing Authority residents are not being dealt with.

Council Member Elms stated that the 14th Annual Taste of Morristown shall be held on February 29, 2016.

Council Member Deeb stated that she and Council Member Iannaccone attended a training session for elected officials in Mount Laurel.

K. Regular Business

Ordinances for Introduction

Ordinance No. O-7-2016

Introduced The Town Clerk offered for introduction

Ordinance No. O-7-2016

“Ordinance Amending and Supplementing Chapter 3 “Police Regulations” Section 1 “Noise” to Include Hours for Garbage and Recycling Collection and Deliveries.”

Purpose: Allows amendment to restrict times for collection.

Council Member Deeb made a motion that Ordinance O-7-2016 be introduced, read by title, passed on first reading and that a meeting be held on March 8, 2016 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-7-2016 was introduced on the following roll call:

YEAS: Ms. Davis, Ms. Deeb, Mr. Elms, Ms. Foster, Ms. Harris, Mr. Iannaccone, Council President Armington

NAYS: None

ABSTAINING: None

ABSENT: None

Ordinances for Public Hearing and Adoption

Ordinance No. O-4-2016

ADOPTED The Town Clerk offered for public hearing and adoption

Ordinance O-4-2016 entitled:

“Ordinance of the Town of Morristown in the County of Morris, New Jersey, to authorize the purchase of real property located at 95-97 Martin Luther King Avenue, Block 3501, Lots 13 and 14.”

Purpose: Authorizes the purchase of 95-97 Martin Luther King Avenue, Block 3501, Lots 13 and 14 for \$330,000.00.

Council President Armington 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 Armington moved for adoption of Ordinance No. O-4-2016 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-4-2016 was adopted on the following roll call:

YEAS: Ms. Davis, Mr. Elms, Ms. Foster, Mr. Iannaccone,
Council President Armington

NAYS: Ms. Deeb, Ms. Harris

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-5-2016

ADOPTED The Town Clerk offered for public hearing and adoption Ordinance O-5-2016 entitled:

“Bond Ordinance providing for the acquisition of property in and by the Town of Morristown, in the County of Morris, New Jersey, appropriating \$355,000 therefor and authorizing the issuance of \$337,000 bonds or notes of the town to finance part of the cost thereof.”

Purpose: Provides for the acquisition of property located at 95-97 Martin Luther King Avenue, Block 3501, Lots 13 and 14 for \$330,000.00.

Council President Armington 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 Armington moved for adoption of Ordinance No. O-5-2016 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-5-2016 was adopted on the following roll call:

YEAS: Ms. Davis, Mr. Elms, Ms. Foster, Mr. Iannaccone,
Council President Armington

NAYS: Ms. Deeb, Ms. Harris

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-6-2016

ADOPTED The Town Clerk offered for public hearing and adoption

Ordinance O-6-2016 entitled:

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

Purpose: Approves the Financial Agreement for long term tax exemption for Block 5803, Lots 1, 2, 3, 4, 5, 6, 7.01, 7.02, 7.03, 7.04, 7.05, 7.06, 7.07, 7.08, 7.09, 29, 30, 31, 32, 33, 34, 35, 36 37, 38, 39, 40, 41, 42, 43, 44, 44.01, 44.02 and 44.03; Block 5702, Lots 19, 20, 21, 22, 23, 24, 25, 26, 27, 28 and 29; and Block 5001, Lots 4, 5, 6, 7, 7.01, 8, 9, 10, 11 and 12, all as shown on the official Tax Maps of the Town of Morristown.

Council President Armington 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 Armington moved for adoption of Ordinance No. O-6-2016 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-6-2016 was adopted on the following roll call:

YEAS: Ms. Davis, Ms. Deeb, Ms. Foster, Mr. Iannaccone,
Council President Armington

NAYS: Ms. Harris

ABSTAINING: Mr. Elms

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

Resolution No. R-49-2016

Passed

Council President Armington moved the adoption of the following resolution: Here follows Resolution R-49-2016 entitled:

“Resolution authorizing the rejection of all bids submitted for Licensed Electrical Contractor, On-Call Services, Two Year Contract.”

Purpose: Authorizes the rejection of bids for a licensed Electrical Contractor, On-Call Services, Two Year Contract due to issues with the prevailing wage rate requirements and the discovery of an absent mandatory bid form.

The motion was seconded by Council Member Foster and passed on the following roll call:

YEAS: Ms. Davis, Ms. Deeb, Mr. Elms, Ms. Foster, Ms.

Harris, Mr. Iannaccone, Council President Armington

NAYS: None

ABSTAINING: None

ABSENT: None

Resolution No. R-50-2016

Passed

Council President Armington moved the adoption of the following resolution: Here follows Resolution R-50-2016 entitled:

“Resolution approving appropriations transfer.”

Purpose: Approves the appropriations transfer of \$35,600.00 for General Government and \$6,100.00 for Sewer Utility.

The motion was seconded by Council Member Foster and passed on the following roll call:

YEAS: Ms. Davis, Ms. Deeb, Mr. Elms, Ms. Foster, Ms. Harris, Mr. Iannaccone, Council President Armington

NAYS: None

ABSTAINING: None

ABSENT: None

L. Unfinished Business – None for the evening.

M. New Business

1. Shoveling/Snow Removal from around fire hydrants (requested by Council President S. Armington).

Council President Armington stated that snow must be removed as soon as possible in the event of a fire and that the Governor has issued an Order allowing for municipalities to enforce shoveling snow around fire hydrants and he encouraged the Town Administration to conduct an education forum.

N. Correspondence Comments.

Council Member Deeb asked questions on items 1,4 and 5. Council President Armington addressed item 1; the Town Clerk addressed item 4 and the Town Attorney addressed item 5.

- O. Adjournment. There being no further business, a motion to adjourn was made by Council Member Foster and seconded by Council President Armington and passed by acclamation. The meeting was adjourned at 9:40 p.m..

Respectfully Submitted

ATTEST

APPROVED

KEVIN D. HARRIS
TOWN CLERK

STEFAN P. ARMINGTON
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, February 23, 2016, duly passed and adopted by the Town Council of the Town of Morristown at the Regular Meeting of the Town Council held on September 27, 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