

EXECUTIVE SESSION WILL BEGIN AT 7:00 PM

THE REGULAR MEETING WILL BEGIN AT 7:30 PM

Regular Meeting of Town Council

Tuesday, January 27, 2015

Statement of Compliance with Open Public Meetings Act

A. Roll-Call

B. Executive Session

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Purpose: Authorizes Settlement of the LWH Morristown, LLC Tax Appeal in the following amounts: 2010: withdrawn; 2011: withdrawn; 2012: \$3,400,000; 2013: \$3,000,000; 2014: \$2,500,000.

2.- Discussion on pending Iron Bar ABC appeal.

C. Moment of Silence

D. Pledge of Allegiance

E. Consent Agenda

1. Fraternal Order of Eagles #1311, Social Affair Permit for March 14, 2015
2. Town Council Meeting Minutes – September 9, 2014
3. Town Council Meeting Minutes – September 23, 2014 (Executive Session)
4. Town Council Meeting Minutes – September 23, 2014
5. Town Council Redevelopment Meeting Minutes – October 9, 2014 (Executive Session)
6. Town Council Meeting Minutes – October 9, 2014
7. Request by Super Hero Events to hold a Halloween Half Marathon and Relay on Sunday, October 18, 2015 beginning at 9:00am.
8. Request by Marty Epstein, Founder of Gran Fondo NJ to hold the 2015 Gran Fondo NJ event on Sunday, September 13, 2015 beginning at 7:00am.

F. Mayor Presentation

G. Public Hearing

H. 2015 Community Development Block Grant Application in the amount of \$80,000 for Gramby Park Playground Improvements.

I. Report of Mayor and Town Officials

J. Council Liaison Reports

K. Regular Business

1. Ordinances for Introduction - None

2. Ordinance for Adoption - None

3. Resolutions for Adoption

Resolution No. R-34-15

“Resolution approving a medical and prescription benefits program for employees of the Town of Morristown with Oxford Health Plans for the year 2015.”

Purpose: Authorizes execution of agreement with Oxford Health Plans for medical and prescription benefits coverage for eligible Town employees and their dependents.

Resolution No. R-35-15

“Resolution authorizing execution of deed of Historic Preservation Easement between the Town of Morristown, the Township of Morris and the Morris County Board of Chosen Freeholders.”

Purpose: Authorizes the execution of deed of Historic Preservation Easement for the continued preservation and maintenance of the Morristown and Morris Township Library property.

Resolution No. R-36-15

“Resolution authorizing a retroactive salary adjustment for Robin Kesselmeyer for the period when serving as Acting Town Clerk for the Town of Morristown.”

Purpose: Authorizes retroactive salary adjustment in the amount of \$5,000 for the four (4) month period that she served as Acting Town Clerk.

Resolution No. R-37-15

“Resolution authorizing and approving a contract with TAG Consulting Group.”

Purpose: Authorizes a contract with TAG Consulting Group in the amount of \$2,500.00 to assist with updating and maintaining the Town’s Fixed Asset Accounting System.

L. Unfinished (Old) Business

1. Mrs. Smith Reid – Abbett/Ridgedale/I-287 Ramp intersection functionality – Status? Possibilities?
2. Council President Feldman – report back from 1/22 Planning Board meeting, re: status of and schedule for drafting of new Zoning Ordinance/Form-Based Code
3. Council President Feldman – Subcommittees vs. Advisory Committees and Council discussion of preference for Zoning Ordinance development/adoption process

M. New Business

1. Council President Feldman – How does the Council want to stay informed about status of and progress on designated redevelopment areas?
2. Mr. Armington – Does Property Pilot have the capability to generate monthly reports and if so would the Council like to receive them?

N. Adjournment

TOWN OF MORRISTOWN

RESOLUTION R- 34 -2015

A RESOLUTION APPROVING A MEDICAL AND PRESCRIPTION BENEFITS PROGRAM FOR EMPLOYEES OF THE TOWN OF MORRISTOWN WITH OXFORD HEALTH PLANS FOR THE YEAR 2015

WHEREAS, the Town of Morristown currently provides medical and prescription benefits coverage for its eligible employees and their dependents through Horizon Blue Cross Blue Shield of NJ; and

WHEREAS, in an effort to provide the most cost effective coverage for the Town's eligible employees and their dependents, the Town authorized its Insurance Consultants, Fairview Insurance Agency, to obtain competitive quotes for medical and prescription benefits coverage for the year 2015; and

WHEREAS, upon reviewing the competitive quotes received it was determined that Oxford Health Plans can provide a medical program with benefit levels (i.e., co-payments, coinsurance, deductibles, plan limits and maximums) that are equal to or better than the current Horizon Blue Cross Blue Shield of NJ Plan at the lowest rate, with an increase of only 3.3% over last year's premiums; and

WHEREAS, the Town Council of the Town of Morristown has determined that, due to cost-effectiveness, it is in the best interests of the Town and its employees to enter into an Agreement with Oxford Health Plans for the provision of medical and prescription benefits coverage for the Town of Morristown's eligible employees and their dependents; and

WHEREAS, representatives of Oxford Health Plans will be making presentations to the Town and its employees in early February regarding the level of benefits to be provided;

NOW, THEREFORE, BE IT RESOLVED, by the Town Council of the Town of Morristown, County of Morris and State of New Jersey, being the governing body thereof, that it hereby authorizes the Mayor to execute and the Clerk to witness, any documents necessary to enter into an agreement with Oxford Health Plans for the provision of medical and prescription benefits coverage for the Town of Morristown's eligible employees and their dependents for the year 2015, effective March 1, 2015.

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 January 27, 2015 in the Morristown Council Room, 200 South Street, Morristown, New Jersey, beginning at _____ P.M., prevailing time.

DATED: January 27, 2015

Kevin D. Harris, Town Clerk

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**TOWN OF MORRISTOWN
RESOLUTION R- 35 -2015**

A RESOLUTION AUTHORIZING EXECUTION OF DEED OF HISTORIC PRESERVATION EASEMENT BETWEEN THE TOWN OF MORRISTOWN, THE TOWNSHIP OF MORRIS AND THE MORRIS COUNTY BOARD OF CHOSEN FREEHOLDERS

WHEREAS, the Town of Morristown and the Township of Morris are the sole and exclusive owners of the Morristown & Morris Township Library, located on Block 6102, Lot 4, Morristown, New Jersey; and

WHEREAS, in 2011 the Morristown & Morris Township Library was awarded a grant from the County of Morris in the amount of \$251,950.00 to perform exterior masonry work on the historic Willis Wing of the building; and

WHEREAS, as part of the grant award the Town of Morristown and the Township of Morris were required to execute a thirty (30) year historic preservation easement; and

WHEREAS, pursuant to N.J.S.A. 13:8B-1 et seq. the Morris County Board of Chosen Freeholders are authorized to acquire historic preservation easements to protect Morris County properties with historic, aesthetic or cultural significance being rehabilitated, stabilized, restored and/or preserved through matching grants by the Morris County Historic Preservation Trust Fund in order to assure the continued preservation of grant assisted properties for the public benefit; and

WHEREAS, the Morristown & Morris Township Library property possesses historic, aesthetic, or cultural significance to the County of Morris and is listed individually and/or as part of a historic district that is listed in the New Jersey Register of Historic Places and the National Register of Historic Places; and

WHEREAS, pursuant to the grant the Town of Morristown desires to see that the Morristown & Morris Township Library property is preserved and maintained through the execution of the historic preservation easement;

NOW, THEREFORE, BE IT RESOLVED, by the Town Council of the Town of Morristown, County of Morris and State of New Jersey that the Mayor and the Town Clerk are hereby authorized and directed to execute the annexed Deed of Historic Preservation Easement between the Town of Morristown, the Township of Morris, and the Morris County Board of Chosen Freeholders for the continued preservation and maintenance of the Morristown & Morris Township Library property located at Block 6102, Lot 4, Morristown, New Jersey; and

BE IT FURTHER RESOLVED, that the Mayor and the Town Clerk are hereby authorized and directed to execute any documents necessary to facilitate the execution of the Deed of Historic Preservation Easement.

ATTEST:

ADOPTED:

KEVIN D. HARRIS,
TOWN CLERK

REBECCA FELDMAN
COUNCIL PRESIDENT

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DATED: January _____, 2015

Kevin D. Harris, Town Clerk

TOWN OF MORRISTOWN

RESOLUTION R- 36 -2015

**A RESOLUTION AUTHORIZING A RETROACTIVE SALARY ADJUSTMENT
FOR ROBIN KESSELMAYER FOR PERIOD WHEN SERVING AS
ACTING TOWN CLERK FOR THE TOWN OF MORRISTOWN**

WHEREAS, in accordance with N.J.S.A. 40A:9-133 every municipality in the State of New Jersey is required to have a Town Clerk; and

WHEREAS, the prior Town Clerk, Matthew Stechauner, retired from his position on August 1, 2014; and

WHEREAS, N.J.S.A. 40A:9-133 (c) allows the governing body of any municipality, within ninety (90) days of the occurrence of a vacancy in the office of municipal clerk by reason of the departure of a registered municipal clerk, to appoint a person who does not hold a registered municipal clerk certificate to serve as acting municipal clerk for a period not to exceed one year; and

WHEREAS, effective August 1, 2014, the Town Council appointed the Deputy Town Clerk, Robin Kesselmeyer to act as the Acting Town Clerk until a permanent replacement for the Town Clerk was appointed; and

WHEREAS, Robin Kesselmeyer served in the role as Acting Town Clerk for the period between August 1, 2014 and December 31, 2014; and

WHEREAS, the Town Council desires to make a retroactive salary adjustment for Ms. Kesselmeyer for the period when she served as the Acting Town Clerk for the Town of Morristown; and

WHEREAS, the Town Council desires to give Ms. Kesselmeyer a retroactive salary adjustment of \$5,000 for the four (4) month period that she served as Acting Town Clerk;

NOW, THEREFORE, BE IT HEREBY RESOLVED, by the Town Council of the Town of Morristown, the governing body hereof, that Robin Kesselmeyer be and hereby is authorized to receive a retroactive salary adjustment of \$5,000 for the period of time between August 1, 2014 and December 31, 2014 when she served as the Acting Town Clerk for the Town of Morristown; and

BE IT FUTHER RESOLVED that as of January 1, 2015, Ms. Kesselmeyer returned to her position of Deputy Town Clerk and her salary shall be in accordance with the range established within the 2014 Salary Ordinance.

ATTEST:

ADOPTED:

KEVIN D. HARRIS,
TOWN CLERK

REBECCA FELDMAN
COUNCIL PRESIDENT

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DATED: January ____, 2015

Kevin D. Harris, Town Clerk

TOWN OF MORRISTOWN**RESOLUTION R- 37 -2015****A RESOLUTION AUTHORIZING AND APPROVING A CONTRACT WITH TAG CONSULTING GROUP**

WHEREAS, the New Jersey Division of Local Government Services, in its revisions to the Requirements of Auditing and Accounting, has mandated that all local government units have and maintain a fixed asset accounting system that lists each units general fixed assets under the following categories: land, buildings, equipment, and construction work in progress; and

WHEREAS, the Town of Morristown (the "Town") desires to retain a company that can assist with updating and maintaining the Town's Fixed Asset Accounting System in order to properly account for asset additions, deletions and transfers that occurred during the calendar year 2014; and

WHEREAS, TAG Consulting Group ("TAG") has provided a proposal for such services; and

WHEREAS, the services to be provided by TAG will be provided in accordance with New Jersey Law and satisfy the Town's audit and insurance needs by establishing an effective property control ledger of Town assets; and

WHEREAS, TAG has worked with the Town before and has experience with the Town's operations, locations, employees, and information sources; and

WHEREAS, TAG proposes to provide its professional services, including all travel and out-of-pocket expenses for \$2,500; and

WHEREAS, funds are available for this contract and a Certificate of Availability has been filed by the Chief Financial Officer of the Town of Morristown with the Town Clerk in accordance with the Local Budget Law, N.J.S.A. 40A:4-57 and N.J.A.C. 5:34-5.2; and

WHEREAS, TAG has completed and submitted a Business Entity Disclosure Certification at least ten (10) days prior hereto, as required by P.L. 2005, c.271, which certifies that neither it nor any member nor principle of the firm has made any reportable contributions to a political or candidate committee in the Town of Morristown in the previous one year that would violate either N.J.S.A. 19:44A-20.5, or the Town's Local Unit Pay to Play Ordinance adopted by referendum, or any and all relevant Executive Orders, or the New Jersey Election Law Enforcement Commission disclosure requirements, and that the contract will bar any member of the firm from making any reportable contributions through the term of the contract;

NOW, THEREFORE, BE IT RESOLVED, by the Town Council of the Town of Morristown, County of Morris and State of New Jersey that the Mayor and the Town Clerk are hereby authorized and directed to sign an agreement with TAG Consulting Group for a fee not to exceed \$2,500; and

BE IT FURTHER RESOLVED, that TAG Consulting Group will comply with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 (Affirmative Action), and N.J.S.A. 52:32-44, (Business Registration), and the Town's insurance requirements; and

BE IT FURTHER RESOLVED that the Business Entity Disclosure Certification and Business Entity Disclosure of Campaign Contributions shall be placed on file with this Resolution; and

BE IT FURTHER RESOLVED, that a copy of this Resolution shall be published if required by law within ten (10) days of its passage.

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 January , 2015 in the Morristown Council Room, 200 South Street, Morristown, New Jersey, beginning at _____ P.M., prevailing time.

DATED: January , 2015

Kevin D. Harris, Town Clerk