

**MINUTES**  
Regular Meeting of Town Council

Tuesday, March 22, 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 March 22, 2016, in the Council Room of the Morristown Town Hall located at 200 South Street, Morristown, New Jersey, beginning at 7:34 p.m., prevailing time.

Council Vice President Foster 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, Mr. Iannaccone,  
Council Vice President Foster

ABSENT: Ms. Harris, Council President Armington

- C. Moment of Silence – The Town Clerk asked the assembly to observe a moment of silence.
- D. Pledge of Allegiance – Council Vice President Foster 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. Request by Karen Joyner-Winlund, American Red Cross for approval of a “coin toss” to take place on Elm Street at the Franklin Street light, Saturday, April 2, 2016, from 10:00 a.m. – 4:00 p.m..
2. Approval of Application for Sale of Alcoholic Beverages at Sidewalk Café – The Office, 3 South Street, Morristown.
3. Approval of Application for Sale of Alcoholic Beverages at Sidewalk Café – Urban Table, 40 West Park Place, Morristown.
4. Approval of Application for Sale of Alcoholic Beverages at Sidewalk Café – Iron Bar, 5 South Street, Morristown.

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

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

NAYS: None

ABSTAIN: None

ABSENT: Ms. Harris, Council President Armington

#### F. Public Hearing

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

**Colleen McKeon**, 23 Greenwood Road, Morris Plains, addressed Council concerning a parking crises around Morristown High School.

**Keith Cervel**, 18 Erskine Drive, Morristown, presented Council with a photo of a juvenile bald eagle taken at Foote’s Pond. Mr. Cervel urged Council and the Administration to take necessary steps to preserve Foote’s Pond so that we may continue to see beautiful birds such as the one he presented in his photograph.

**Bill Byrne**, 100 Franklin Street, Morristown, asked about a question that was raised a couple of weeks back regarding housing. Mr. Byrne stated that while he has no objection to helping people released from prison, veterans and the homeless; more attention should be given to people with developmental

challenges.

**Brian Sullivan**, 35 Maxwell Court, Morristown, addressed Council concerning issues at Foote's Pond and the decrease in the debt. Mr. Sullivan presented photos showing sediment buildup.

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

#### G. Council Comments to Comments Presented During Public Hearing

Council Member Deeb expressed thanks to the residence who came out to speak on behalf of Foote's Pond. Council Member Deeb urged the Administration and Council to take steps to please keep body of water alive. Council Member Deeb asked the Administration to look into signage regarding dumping.

Mayor Dougherty stated that he was not aware of any signs but the Town Administrator and he shall look into the matter.

Council Member Iannaccone asked the Administration to look into the issues raised by Ms. McKeon and Mr. Byrne.

#### H. Mayor's Proclamations and Presentations

1. The Honorable Timothy P. Dougherty, Mayor of the Town of Morristown, presented a Proclamation for March 2016 as American Red Cross Month.

Mayor Dougherty read the Proclamation into the record proclaiming March 2016 as American Red Cross Month in the Town of Morristown.

No one was present to accepting the Proclamation.

2. The Honorable Timothy P. Dougherty, Mayor of the Town of Morristown, presented a proclamation for March 2016 as National Nutrition Month.

Mayor Dougherty read the Proclamation into the record proclaiming March 2016 as National Nutrition Month in the Town of Morristown.

Accepting the Proclamation was Monica and Amanda, who are Registered Dieticians from Morristown ShopRite who expressed appreciation.

#### I. Report of Mayor and Town Officials

The Mayor thanked all who were involved in the St. Patrick's Day Parade,

Fire, DPW, volunteers, but especially Police.

J. Council Liaison Reports

Council Member Deeb stated that she attended a “Bunny Hop” with the Mayor. Council Member Deeb also asked about snow removal and where you can deposit plowed snow.

Council Member Elms stated that one of the objectives this year of the Partnership is to overhaul their webpage. The Partnership did put out a Request for Proposals and did receive some proposals.

Council Vice President Foster stated that she attended the last Parking Authority Meeting and the issues of enforcement of commercial parking on sidewalks is being addressed.

K. Regular Business

**Ordinances for Introduction**

**Ordinance No. O-10-2016**

**Introduced** The Town Clerk offered for introduction

Ordinance No. O-10-2016

“Ordinance Amending and Supplementing the Code of the Town of Morristown Chapter 7 “Traffic”, Section 40.2 “Handicapped Parking on Streets for Private Residences” to Add a Dedicated Handicapped Parking Space for a Resident of 29 Columba Street.”

Purpose: Self-explanatory.

Council Vice President Foster made a motion that Ordinance O-10-2016 be introduced, read by title, passed on first reading and that a meeting be held on April 12, 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 Davis.

Called to question Ordinance No. O-10-2016 was introduced on the following roll call:

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

NAYS: None

ABSTAINING: None

ABSENT: Ms. Harris, Council President Armington

**Ordinance No. O-11-2016**

**Introduced** The Town Clerk offered for introduction

Ordinance No. O-11-2016

“Ordinance Amending and Supplementing the Code of the Town of Morristown Chapter 7 “Traffic”, Section 40.2 “Handicapped Parking on Streets for Private Residences” to Add a Dedicated Handicapped Parking Space for a Resident of 31 Western Street.”

Purpose: Self-explanatory.

Council Vice President Foster made a motion that Ordinance O-11-2016 be introduced, read by title, passed on first reading and that a meeting be held on April 12, 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 Davis.

Called to question Ordinance No. O-11-2016 was introduced on the following roll call:

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

NAYS: None

ABSTAINING: None

ABSENT: Ms. Harris, Council President Armington

**Ordinance No. O-12-2016**

**Introduced** The Town Clerk offered for introduction

Ordinance No. O-12-2016

“Ordinance Amending and Supplementing the Code of the Town of Morristown Chapter 7 “Traffic”.”

Purpose: Amends Code to modify parking restrictions located north

of the Administration and Records Building main entrance on Court Street, pursuant to March 1, 2016 request by the County of Morris.

Council Vice President Foster made a motion that Ordinance O-12-2016 be introduced, read by title, passed on first reading and that a meeting be held on April 12, 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 Davis.

Called to question Ordinance No. O-12-2016 was introduced on the following roll call:

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

NAYS: None

ABSTAINING: None

ABSENT: Ms. Harris, Council President Armington

### **Ordinance No. O-13-2016**

**Introduced** The Town Clerk offered for introduction

Ordinance No. O-13-2016

“Ordinance Amending and Supplementing Chapter 4 “Licensing and Business Registration” Section 26 “Taxicabs”.”

Purpose: Amends Chapter 4, Section 26.12 of the Morristown Town Code to include a provision that permits these license fees to be waived upon approval from the Town Council.

Council Vice President Foster made a motion that Ordinance O-13-2016 be introduced, read by title, passed on first reading and that a meeting be held on April 12, 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 Davis.

Called to question Ordinance No. O-13-2016 was introduced on the following roll call:

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

NAYS: None

ABSTAINING: None

ABSENT: Ms. Harris, Council President Armington

**Ordinance No. O-14-2016**

**Introduced** The Town Clerk offered for introduction  
Ordinance No. O-14-2016

“Ordinance Amending and Supplementing the Code of the Town of  
Morristown Chapter 13 “Housing and Property Maintenance”.”

Purpose: Amends the Town Code requiring the registration of  
vacant and abandoned properties for pest control services.

Council Vice President Foster made a motion that Ordinance O-14-  
2016 be introduced, read by title, passed on first reading and that a  
meeting be held on April 12, 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 Members Deeb  
and Davis.

Called to question Ordinance No. O-14-2016 was introduced on  
the following roll call:

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

NAYS: None

ABSTAINING: None

ABSENT: Ms. Harris, Council President Armington

## **Ordinances for Public Hearing and Adoption**

### **Ordinance No. O-8-2016**

**ADOPTED** The Town Clerk offered for public hearing and adoption

Ordinance O-8-2016 entitled:

“Ordinance amending and supplementing the Code of the Town of Morristown Chapter 7 “Traffic”.”

Purpose: Amends the code Chapter 7 “Traffic” to add no stopping or standing on Speedwell Avenue (West Side) from Sussex Avenue to Early Street between the hours of 7:00am-9:00am and 4:30pm – 6:30pm Monday through Friday, and; Early Street (South Side) from Speedwell Avenue to Lot 6R Driveway between the hours of 7:00am-9:30am and 2:30pm – 4:00pm Monday through Friday School Days.

Council Vice President Foster 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 Vice President Foster moved for adoption of Ordinance No. O-8-2016 by title only on second reading and final adoption thereof. The motion was seconded by Council Member Deeb.

Public Hearing: The Council Vice 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 Vice President declared the public hearing closed.

Called to question Ordinance No. O-8-2016 was adopted on the following roll call:

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

NAYS: None

ABSTAINING: None

ABSENT: Ms. Harris, Council President Armington

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-55-2016**

**Passed** Council Member Deeb moved the adoption of the following resolution: Here follows Resolution R-55-2016 entitled: “Resolution Designating Official Tow Companies for the Town of Morristown for the Calendar Year 2016.”

Purpose: Licensing of towers for towing privileges from private and public property.

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

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

NAYS: None

ABSTAINING: None

ABSENT: Ms. Harris, Council President Armington

#### **Resolution No. R-56-2016**

**Passed** Council Member Deeb moved the adoption of the following resolution: Here follows Resolution R-56-2016 entitled: “Resolution Authorizing the Award of Contract to Hamfeldt Video, LLC for Videotaping of Town Council Meetings.”

Purpose: Self-explanatory.

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

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

NAYS: None

ABSTAINING: None

ABSENT: Ms. Harris, Council President Armington

**Resolution No. R-57-2016**

**Passed**

Council Member Deeb moved the adoption of the following resolution: Here follows Resolution R-57-2016 entitled: “Resolution endorsing Housing Element and Fair Share Plan, adopting spending plan and authorizing submission to Superior Court of New Jersey.”

Purpose: Self-explanatory.

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

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

NAYS: None

ABSTAINING: None

ABSENT: Ms. Harris, Council President Armington

**Resolution No. R-58-2016**

**Passed**

Council Member Deeb moved the adoption of the following resolution: Here follows Resolution R-58-2016 entitled: “Resolution Approving 2016 Temporary Appropriations.”

Purpose: Approves the 2016 Temporary Appropriations for Budget Line Item: Zoning in the amount of \$1,490.

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

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

Council Vice President Foster

NAYS: None

ABSTAINING: None

ABSENT: Ms. Harris, Council President Armington

**Resolution No. R-59-2016**

**Passed**

Council Member Deeb moved the adoption of the following resolution: Here follows Resolution R-59-2016 entitled: “Resolution approving to maintain the Morristown Fire Department staffing levels during the period of performance for FEMA’s Staffing for adequate Fire and Emergency Response (SAFER) Grant.”

Purpose: Approves the application for FEMA’s Staffing for Adequate Fire and Emergency Response (SAFER) Grant for the hiring of four (4) firefighters.

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

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

NAYS: None

ABSTAINING: None

ABSENT: Ms. Harris, Council President Armington

**Resolution No. R-60-2016**

**Passed**

Council Member Deeb moved the adoption of the following resolution: Here follows Resolution R-60-2016 entitled: “Resolution awarding contract to Park Eats, LLC for Food Concession at Burnham Park Pool.”

Purpose: Awards contract to Park Eats, LLC for Food Concession at Burnham Park Pool for the 2016 Season, in the amount of \$2,666.00.

The motion was seconded by Council Vice President Foster and

passed on the following roll call:

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

NAYS: None

ABSTAINING: None

ABSENT: Ms. Harris, Council President Armington

**Resolution No. R-61-2016**

**Passed**

Council Vice President Foster moved the adoption of the following resolution: Here follows Resolution R-61-2016 entitled:

“Resolution authorizing the rejection of all bids submitted for the Spring Tree Planting Bid.”

Purpose: Authorizes the rejection of all bids submitted for the Spring Tree Planting Bid based on the recommendation of the Acting Director of Public Works that the specifications will be revised and be included within the bid for curb, sidewalk and drainage improvement, and re-bid.

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

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

NAYS: None

ABSTAINING: None

ABSENT: Ms. Harris, Council President Armington

**Resolution No. R-62-2016**

**Passed**

Council Vice President Foster moved the adoption of the following resolution: Here follows Resolution R-62-2016 entitled:

“Resolution Authorizing Application for and Approval of a Grant Agreement By and Between the Town of Morristown and the State of

New Jersey By and For the Department of Environmental Protection.”

Purpose: Authorizes the Business Administrator to make application for a \$30,000 grant award to be used in conjunction with the Community Forestry Program: Community Stewardship Incentive Program (CSIP) for Reforestation/Tree Planting to plant approximately eighty (80) trees within the Town of Morristown as well as maintenance and care for said planted trees.

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

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

NAYS: None

ABSTAINING: None

ABSENT: Ms. Harris, Council President Armington

L. Unfinished Business – None for the evening.

M. New Business

Council Member Deeb asked that the Administration submit a report at the next meeting concerning Foote’s Pond; and what she would like to see is the budgeting of some funds towards a Plan to deal with the issue.

N. Correspondence Comments.

Council Member Deeb asked about the Street Smart Morristown Program. Mayor Dougherty replied.

O. Adjournment. There being no further business, a motion to adjourn was made by Council President Armington and seconded by Council Member Foster and passed by acclamation. The meeting was adjourned at 9:00 p.m..

Respectfully Submitted

ATTEST

APPROVED

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KEVIN D. HARRIS  
TOWN CLERK

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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, March 22, 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: \_\_\_\_\_

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Kevin D. Harris, Town Clerk