

THE REGULAR MEETING WILL BEGIN AT 7:30 PM

Regular Meeting of Town Council

Tuesday, March 22, 2016

Statement of Compliance with Open Public Meetings Act

- A. Roll-Call
- B. Moment of Silence
- C. Pledge of Allegiance
- D. Consent Agenda
  - 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.
- E. Public Hearing
- F. Council Comments on Items Discussed at Public Hearing
- G. Mayor’s Proclamations and Presentations
  - 1. Proclamation designating March 2016 as American Red Cross Month.
  - 2. Proclamation designating March 2016 as National Nutrition Month.
- H. Report of Mayor and Town Officials
- I. Council Liaison Reports

J. Regular Business

1. Ordinances 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.

**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.

**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.

**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.

**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.

2. Ordinances for Adoption

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

“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.

3. Resolutions for Adoption

**Resolution R- 55 -2016**

“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.

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

“Resolution Authorizing the Award of Contract to Hamfeldt Video, LLC for Videotaping of Town Council Meetings.”

Purpose: Self-explanatory

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

“Resolution endorsing Housing Element and Fair Share Plan, adopting spending plan and authorizing submission to Superior Court of New Jersey.”

Purpose: Self-explanatory.

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

“Resolution Approving 2016 Temporary Appropriations.”

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

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

“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.

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

“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.

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

“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.

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

“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.

K. Unfinished (Old) Business

L. New Business

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](http://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.

## MEMORANDUM

To: Stefan Armington, Council President  
All Members of Council

From: Kevin D. Harris, Town Clerk

Sub: Correspondence

Date: March 17, 2016

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 March 22, 2016.

- A. Mayor's Correspondence
- B. Correspondence and Reports, Counsel and Department Heads
- C. General Correspondence
  - Letter and materials dated March 1, 2016 from Kristian McMorland, Director, Morris County Division of Mosquito Control, providing the Town with yearly information packet pursuant to the New Jersey Pesticide Control Regulations. The information packet contains information and fact sheets various adult mosquito control products.
  - Letter dated March 7, 2016 from Mark A. Mader, Director, Rates & Regulatory Affairs, NJ at Jersey Central Power & Light ("JCP&L") regarding a Notice of Public Hearing for JCP&L's proposed increase in the Company's Rider RAC – Remediation Adjustment Clause to recover costs incurred for environmental remediation of manufactured gas plant sights. The next scheduled date in the Morristown area is Tuesday, March 22, 2016, at 1:30 p.m., at the Morris County Administration & Records Building, Public Meeting Room, 5<sup>th</sup> Floor, 10 Court Street, Morristown.
  - Announcement regarding Street Smart Morristown – Street Smart Pedestrian Safety Campaign scheduled for Tuesday, March 29, 2016, 11:00 a.m., Morristown Town Hall, 200 South Street, Morristown
  - Announcement regarding Sandy Hook Ride on Washington Benefit Dinner, Saturday, April 9, 2016, 7:00 p.m., Morristown Hyatt.
  - Announcement regarding Morristown Clean Up to be held on Saturday, April 23, 2016, beginning at 9:00 a.m. (with a rain date of Sunday, April 24, 2016), assembling in the Town Hall Parking Lot, 200 South Street, Morristown (co-sponsored by Morristown Clean Communities Program and Morristown Beautiful, Inc.).

- D. Department Reports
- E. Resolutions of Other Jurisdictions
- F. Meeting Notices
- G. Confidential Correspondence

**TOWN OF MORRISTOWN**

**ORDINANCE O- 10 -2016**

**AN 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**

**NOW, THEREFORE, BE IT ORDAINED**, by the Town Council of the Town of Morristown in the County of Morris, and State of New Jersey, as follows:

**Section 1.** The Code of the Town of Morristown is hereby amended and supplemented in accordance with the provisions of this Ordinance.

**Section 2.** Chapter 7, entitled "Traffic" is hereby amended by the addition of the following new handicapped parking space solely for the use by designated New Jersey Division of Motor Vehicles Permanent Disabled Person Parking Permit Placard and/or License Plate number as set forth and described in Section 7-40.2, Handicapped Parking on Streets for Private Residences below:

- A. The following shall be a designated handicapped parking space solely for use by the designated New Jersey Division of Motor Vehicles Permanent Disabled Person Parking Permit Placard

Handicapped Parking – On Street Location

<b>Street</b>	<b>Location</b>
29 Columba Street (1 Space)	Measuring from a point created at the northwest corner of the intersection of Columba Street @ Bellevue Terrace. On the north side curb line of Columba Street 120' east to 142'; or directly in front of #29 Columba Street (P1531953).

**Section 3.** Appropriate signs shall be erected and maintained furnishing notice to the public of the above designated handicapped parking space.

**Section 4.** If any section, paragraph, subsection, clause, or provision of this Ordinance shall be adjudged 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

**Section 5.** Any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict; and

**Section 6.** This Ordinance shall take effect upon passage and publication in accordance with applicable law.

**ATTEST:**

**ADOPTED:**

\_\_\_\_\_  
Kevin D. Harris,  
Town Clerk

\_\_\_\_\_  
Timothy P. Dougherty,  
Mayor

Date: \_\_\_\_\_

**TOWN OF MORRISTOWN**

**ORDINANCE O- 11 -2016**

**AN 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 AVENUE**

**NOW, THEREFORE, BE IT ORDAINED**, by the Town Council of the Town of Morristown in the County of Morris, and State of New Jersey, as follows:

**Section 1.** The Code of the Town of Morristown is hereby amended and supplemented in accordance with the provisions of this Ordinance.

**Section 2.** Chapter 7, entitled “Traffic” is hereby amended by the addition of the following new handicapped parking space solely for the use by designated New Jersey Division of Motor Vehicles Permanent Disabled Person Parking Permit Placard and/or License Plate number as set forth and described in Section 7-40.2, Handicapped Parking on Streets for Private Residences below:

- A. The following shall be a designated handicapped parking space solely for use by the designated New Jersey Division of Motor Vehicles Permanent Disabled Person Parking Permit Placard

Handicapped Parking – On Street Location

<b>Street</b>	<b>Location</b>
31 Western Avenue (1 Space)	Measuring from a point created at the southeast corner of the intersection of Western Avenue & Ann Street. On the south side curb line of Western Avenue 140’ west to 162’; or directly across the street from 31 Western Avenue (P1245566).

**Section 3.** Appropriate signs shall be erected and maintained furnishing notice to the public of the above designated handicapped parking space.

**Section 4.** If any section, paragraph, subsection, clause, or provision of this Ordinance shall be adjudged 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

**Section 5.** Any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict; and

**Section 6.** This Ordinance shall take effect upon passage and publication in accordance with applicable law.

**ATTEST:**

**ADOPTED:**

\_\_\_\_\_  
Kevin D. Harris,  
Town Clerk

\_\_\_\_\_  
Timothy P. Dougherty,  
Mayor

Date: \_\_\_\_\_

**TOWN OF MORRISTOWN  
ORDINANCE O- 12 -2016**

**AN ORDINANCE AMENDING AND SUPPLEMENTING THE CODE  
OF THE TOWN OF MORRISTOWN CHAPTER 7 "TRAFFIC"**

**WHEREAS**, the County of Morris desires to modify parking restrictions located north of the Administration and Records Buildings main entrance on Court Street; and

**WHEREAS**, the County of Morris proposes to eliminate one law enforcement only parking space in order to widen three (3) of the existing public parking spaces and to modify their use for County use only; and

**WHEREAS**, these parking restrictions are codified in the Town of Morristown Code; and

**WHEREAS**, the Town of Morristown desires to modify the Town Code to reflect the parking changes requested by the County of Morris;

**NOW, THEREFORE BE IT ORDAINED**, by the Town Council of the Town of Morristown, County of Morris and State of New Jersey, being the governing body thereof, that Chapter 7 Traffic, Section 12 Time Limit Parking and Section 14 Parking Prohibited at All Times on Certain Streets be and are hereby amended and supplemented to read as follows:

**7-12 TIME LIMIT PARKING.**

**7-12.1 Parking Time Limited on Certain Streets.**

No person shall park a vehicle for longer than the time limit between the hours listed on any day upon any of the streets or parts of streets described.

<b>Name of Street</b>	<i>Side(s)</i>	<i>Limit</i>	<i>Hours</i>	<i>Location</i>
Court Street	a. Deleted			
	b. Visitor Center Only: West	30 minutes	All	From the southerly curbline of Washington Street, south, from a point of 155 feet to a point of 178 feet (a total of 2 parking spaces).
	c. West-Public Parking County Business Only	30 minutes	M-F 8:30 a.m.- 4:30 p.m.	From the southerly curbline of Washington Street, south, from a point of 189 feet to a point of 235 feet (a total of 4 parking spaces).

d. West County Use Only	N/A	N/A	From a southerly curblineline of Washington Street, south, from a point of 235 feet to a point of 280 feet (a total of 3 parking spaces).
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**7-14 PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS**

**7-14.1 Reserved Parking Spaces for Law Enforcement or County Buildings and Grounds.**

Court Street Reserved Parking, Law Enforcement or County Buildings or Grounds Only.

West side from the southerly curblineline of Washington Street,

- a. South, from a point of 178 feet to a point of 189 feet (a total of 1 parking space), and
- b. South, from a point of 367 feet to a point of 379 feet (a total of 1 parking space), and
- c. South, from a point of 423 feet to a point of 463 feet, for the use of Morris County Buildings and Grounds (a total of 2 parking spaces).

**BE IT FURTHER ORDAINED** if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged 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.

**BE IT FURTHER ORDAINED**, any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

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

**ATTEST:**

**ADOPTED:**

\_\_\_\_\_  
Kevin D. Harris  
Clerk

\_\_\_\_\_  
Timothy P. Dougherty,  
Mayor

Date: \_\_\_\_\_

TOWN OF MORRISTOWN  
ORDINANCE O - 13 - 2016

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 4 "LICENSING AND BUSINESS REGISTRATION" SECTION 26 "TAXICABS"

WHEREAS, Chapter 4, Section 26.12 of the Morristown Town Code establishes certain license fees for the operation of a taxicab or private livery service; and

WHEREAS, the Town Council now desires to amend the current ordinance to include a provision that permits these license fees to be waived upon approval from the Town Council;

NOW, THEREFORE BE IT ORDAINED, by the Town Council of the Town of Morristown, County of Morris, State of New Jersey, being the governing body thereof, that Chapter 4 *Licensing and Business Registration*, Section 26 *Taxicabs* be and hereby is amended and supplemented to read as follows:

4-26.12 License Fees.

License fees shall be as follows:

- a. Hack license, per year \$250.00
- b. Private livery license, per year \$250.00
- c. For each hackman or driver of a licensed vehicle, per year \$ 50.00
- d. Medallion fee \$ 50.00

A waiver of any of the above referenced license fees may be granted upon approval by the Town Council.

BE IT FURTHER ORDAINED, if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged 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.

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

BE IT FURTHER ORDAINED, this Ordinance shall take effect upon passage.

ATTEST:

ADOPTED:

\_\_\_\_\_  
Kevin D. Harris,  
Town Clerk

\_\_\_\_\_  
Timothy P. Dougherty,  
Mayor  
Date: \_\_\_\_\_

**TOWN OF MORRISTOWN****ORDINANCE O- 14 -2016****AN ORDINANCE AMENDING AND SUPPLEMENTING THE CODE OF THE  
TOWN OF MORRISTOWN CHAPTER 13 HOUSING AND PROPERTY  
MAINTENANCE**

**WHEREAS**, the Town of Morristown (the “Town”) recognizes that vacant and/or abandoned properties create a wide range of problems for the communities in which they are located, including fostering criminal activity, creating public health problems, diminishing property values, and otherwise diminishing the quality of life for neighboring residents and businesses; and

**WHEREAS**, in many instances the owners or other responsible parties of these structures are neglectful of them, are not maintaining or securing them to an adequate standard, or not restoring them to productive use; and

**WHEREAS**, the Town of Morristown incurs costs related to these vacant and abandoned structures, including, but not limited to, excessive Police, Fire, Code Enforcement, and Public Works calls; and

**WHEREAS**, it is in the public’s interest to adopt an ordinance requiring the registration of vacant and abandoned structures and the payment of a yearly registration fee; and

**WHEREAS**, Governor Christie recently signed S-1229 into law as P.L. 2014, c. 35, which permits a municipality to adopt an ordinance that regulates the care, maintenance, security and upkeep of the exterior of vacant and abandoned residential properties on which a foreclosure complaint has been filed and requires that an Out of State creditor appoint an In State representative or agent; and

**WHEREAS**, the Town of Morristown desires to adopt an ordinance addressing issues related to vacant and abandoned properties;

**NOW, THEREFORE BE IT ORDAINED**, by the Town Council of the Town of Morristown, County of Morris and State of New Jersey, being the governing body thereof, that Chapter 13 Housing and Property Maintenance Section 14 Vacant Buildings be and is hereby amended and supplemented as follows:

**13-14 VACANT BUILDINGS.***13-14.1 Definitions.*

**Abandoned Property** – defined in accordance with N.J.S.A. 55:19-78 et seq. and means improved real property that has not been legally occupied for six months and which meets any one of the criteria set forth in N.J.S.A. 55:19-81, which includes:

- i. The property is in need of rehabilitation in the reasonable judgment of the public officer, and no rehabilitation has taken place during that six month period;
- ii. Construction was initiated on the property and was discontinued prior to completion, leaving the building unsuitable for occupancy, and no

- construction has taken place for at least six (6) months as of the date of a determination by the public officer pursuant to this section;
- iii. At least one installment of property tax remains unpaid and delinquent on that property in accordance with Chapter 4 of Title 54 of the Revised Statutes as of the date of the determination by the Chief Financial Officer for the Town of Morristown; or
  - iv. The property has been determined to be a nuisance by the Director of Code Enforcement in accordance with Section 5 of P.L. 2003, c. 210 (N.J.S.A. 55:19-82).
  - v. A property which contains both residential and nonresidential space may be considered abandoned pursuant to P.L. 2003, c. 210 (N.J.S.A. 55:19-78 et seq.) so long as 2/3 or more of the total net square footage of the building was previously legally occupied for at least six months at the time of the determination of abandonment by the Director of Code Enforcement and the property meets the criteria of either Subsection i or Subsection iv of this definition.

**Creditor** –shall mean consistent with Section 3 of P.L. 2008, c. 86, a State chartered bank, savings bank, savings and loan association or any credit union, any person required to be licensed under the provisions of the “New Jersey Residential Mortgage Lending Act”, and any entity acting on behalf of the Creditor named in the debt obligation, including, but not limited to, servicers.

**Evidence of Vacancy** – means any condition that on its own, or combined with other conditions present would lead a reasonable person to believe that the property is or has been vacant for six or more months. Such conditions include, but are not limited to, overgrown or dead vegetation, accumulation of newspapers, circulars, flyers or mail, past due utility notices or disconnected utilities, accumulation of trash, junk or debris, absence of window coverings, absence of furnishings or personal items consistent with residential habitation, statements by neighbors, delivery agents, or government employees that the property is vacant or abandoned.

**Public Officer** – means the Director of Code Enforcement or any designee of the Director of Code Enforcement.

**Owner** – means any person, co-partnership, agent, operator, firm, association, corporation, or fiduciary having a legal or equitable interest in the property, or appears on the official records of the state, county, or municipality as holding title to the property, or otherwise exercises control of the property, including the trustee or guardian of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of the real property by the court.

**Vacant Property** – means any property used or to be used as a residence, commercial, or industrial structure which is (i) not legally occupied or (ii) at which substantially all lawful construction operations or occupancy has ceased, and which is in such condition that it cannot legally be reoccupied without repair or rehabilitation, including, but not limited to any property meeting the definition of “abandoned property” in N.J.S.A. 55:19-81, provided

however that any property where all building systems are in working order, where the building and grounds are maintained in good order, and which is being actively marketed by its owner for sale or rental, shall not be deemed a vacant property for purposes of this Section.

*13-14.2 General Requirements.*

- i. Effective immediately, the Owner of any property which is, becomes, or is found to be vacant shall within sixty (60) days or, within thirty (30) days of assuming ownership of such property, file a registration statement for each such property with the Department of Code Enforcement. The registration shall remain valid until the subsequent January 1st. The Owner shall be required to renew the registration annually as long as the property remains vacant or abandoned and shall pay a registration or renewal fee in the amount prescribed by Section 14.6 of this Ordinance. The initial registration fee shall be pro-rated for registration statements received less than three (3) months prior to January 1<sup>st</sup>.
- ii. The Owner shall notify the Department of Code Enforcement within thirty (30) days of any change in the registration information by filing an amended registration statement on a form provided for such purpose.
- iii. The registration statement shall be deemed prima facie proof of the statements therein contained in any administrative enforcement proceeding or court proceeding instituted by the Town of Morristown against the Owner or Owners of the property.

*13-14.3 Registration Requirements.*

- A. The Owner shall provide the following information to the Department of Code Enforcement, with a copy to the Fire Bureau, on a form prescribed by the Department:
  - (a) Name, address, email address and contact telephone number of the Owner(s);
  - (b) Name, address, email address and contact telephone number of any local agent(s) or representative for the property;
  - (c) Name, address, email address and contact telephone number of the person assigned to the property for the security and maintenance of the property- the individual or firm responsible for the security and maintenance of the property shall be available by telephone or in person on a 24 hour, seven day per week basis;
  - (d) Common address and tax assessor's block and lot designation of the property;
  - (e) The date on which the property became vacant;
  - (f) Proof of utility (gas, electric, water) connections or disconnections;
  - (g) Any other information reasonably required by the Department of Code Enforcement to ensure the safety of all persons and to prevent neglect; and
  - (h) Names, address, email address and contact telephone number of a Licensed Pest Control Company contracted to provide pest control services.

B. By identifying and designating an authorized agent under the provisions of this Section, the Owner consents to receive any and all notices of code violations concerning the registered vacant property and all process in any court proceedings or administrative enforcement proceeding brought to enforce code provisions concerning the registered building by service of the notice or process on the authorized agent. Any Owner who has designated an authorized agent under the provisions of this Section shall be deemed to consent to the continuation of the agent's designation for the purposes of this Section until the Owner notifies the Town in writing of a change of authorized agent or until the Owner files a new annual registration statement.

*13-14.4 Property Inspection.*

After filing a registration statement or a renewal of a registration statement and upon reasonable notice, the owner of any Vacant Property shall provide access to the Town to conduct an exterior and interior inspection of the building to determine compliance with the municipal code. Such inspections shall be carried out on weekdays during the hours of 9:00 a.m. and 4:00 p.m. or during such other times as may be mutually agreed upon between the Town and the property owner.

*13-14.5 List of Abandoned Property to be Maintained by the Director of Code Enforcement*

The Director of Code Enforcement shall maintain a list of Vacant and Abandoned Properties. With respect to any property on the Abandoned Property List, the Town may pursue any statutory remedy, including, but not limited to, the sale of tax sale certificates subject to the condition that the purchaser or assignee shall be obligated to complete any rehabilitation or repairs required to render the property eligible for removal from the Abandoned Property list.

*13-14.6 Fees.*

The initial registration fee for each vacant or abandoned property shall be Five Hundred Dollars (\$500.00). The fee for the first renewal shall be One Thousand Dollars (\$1,000.00). The fee for the second renewal shall be Two Thousand Dollars (\$2,000.00). The fee for any subsequent renewal shall be Three Thousand Five Hundred Dollars (\$3,500.00). The renewal fee for the annual registration shall be due by January 1<sup>st</sup> of each year. The renewal registration fee will not be prorated or refunded. The initial registration fee will be prorated if a registration statement is received less than three (3) months prior to January 1<sup>st</sup>.

Vacant and/or Abandoned Property Fee Schedule

Initial Registration	\$500.00
First Renewal	\$1,000.00
Second Renewal	\$2,000.00
Subsequent Renewals	\$3,500.00

*13-14.7 Insurance Requirements.*

The Owner of any Vacant or Abandoned Property shall acquire or otherwise maintain liability insurance, in an amount not less than Three Hundred Thousand Dollars (\$300,000.00) for buildings designed exclusively for use as residential units and not less than One Million Dollars (\$1,000,000.00) for any other building, including but not limited to, buildings designed for manufacturing, industrial, storage or commercial uses, covering any damage to any person or any property caused by any physical condition of or in the building. Any insurance policy acquired or renewed after the building has become vacant shall provide for written notice to the Town within thirty (30) days of any lapse, cancellation or change in coverage. The Owner shall attach evidence of the insurance to the Owner's annual registration statement. Any registration statement submitted that does not include such evidence shall not be deemed to be a valid registration.

*13-14.8 Safe and Sanitary Maintenance.*

All vacant or abandoned buildings shall comply with the following minimum standards for safe and sanitary maintenance:

1. Every foundation, exterior wall and exterior roof shall be weathertight, watertight and rodent proof, shall be kept in sound condition and good repair, and shall be safe to use and capable of supporting the load which normal use may cause to be placed thereon.
2. A Pest Control Report documenting dates and type of service must be submitted to the Division of Housing and Property Maintenance at the time of initial registration and every 90 days thereafter.
3. Every floor, interior wall and ceiling shall be substantially rodent proof, shall be kept in sound condition and good repair and shall be safe to use and capable of supporting the load which normal use may cause to be placed thereon.
4. Every window, exterior door and basement or cellar door and hatchway shall be weathertight, watertight, rodent proof and locked and shall be kept in sound working condition and good repair.
5. Every inside and outside stair, porch and any appurtenance thereto shall be safe to use and capable of supporting the load that normal use may cause to be placed thereon and shall be kept in sound condition and good repair.
6. Every yard shall be properly graded so as to prevent the accumulation of stagnant water.
7. There shall be a controlled method of disposing of water from roofs by use of gutters and downspouts, which shall be installed and maintained in sound condition, free of leaks and obstructions.
8. Every building's cellar, basement and crawl space shall be maintained reasonably free from dampness.

9. The exterior of every structure or accessory structure shall be maintained free of broken windows, loose shingles, crumbling stone, brick or excessive peeling paint, or loose siding and/or soffits.

10. The exterior of the premises and the condition of accessory structures shall be maintained so that the appearance of the premises and all buildings thereon shall reflect a level of maintenance in keeping with the standards of the neighborhood such that the appearance of the premises and structures shall not constitute a blighting factor for adjoining property owners nor an element leading to the progressive deterioration and downgrading of the neighborhood with the accompanying diminution of property values.

11. Any yard area (front, side and rear) adjacent to a vacant or abandoned building shall be cleared and maintained free of trash, solid debris or any other materials that cause litter to accumulate to unhealthy and blighting proportion. The delivery of all mail, newspapers, advertisements and circulars to the property shall cease.

12. Grass, weeds or vegetation shall not be permitted to grow or remain on the side, front and/or rear yards of any vacant or abandoned building so as to exceed a height of twelve (12) inches. Any edible vegetation or vegetation planted for some useful or ornamental purpose shall not be governed by this provision.

13. Vacant or abandoned buildings shall not be utilized for storage of any materials, whether solid or liquid, including the yard portion of that building.

14. When a vacant building is found to be infested with rats, termites, roaches and/or any other insects and vermin, the owner shall undertake an expedient means of extermination of such nuisances.

15. All doors and/or lids on appliances, furniture utilized for storage or on heating furnace shall be locked in order to deny entry to an individual(s) where the potential for physical harm or death may result should said door close and prevent the individual's escape.

16. A sign shall be posted and affixed to the vacant and/or abandoned building indicating the name, address and telephone number of the owner, the owner's authorized agent for the purpose of service of process and the person responsible for day to day supervision and management of the building, if such person is different from the owner holding title or the authorized agent. The sign shall be of a size and placed in such a location so as to be legible from the nearest public street or sidewalk, whichever is nearer, but shall be no smaller than 18 inches by 24 inches. The sign shall be maintained until the building is either legally occupied or demolished.

17. Every abandoned and/or vacant building shall be secured and enclosed from unauthorized entry until the building is legally occupied or demolished or until repair or rehabilitation of the building is complete.

#### *13-14.9 Safety from Fire.*

All owners of vacant or abandoned properties shall comply with the applicable provisions of the New Jersey Uniform Fire Code, N.J.A.C. 5:70, and the following additional standards for safety from fire:

1. No vacant or abandoned building shall contain any space utilized for the storage of flammable liquids.

2. No room within any vacant or abandoned building shall be used for the storage of junk, rubbish or wastes, furniture or building materials not intended to be used in the existing building.

3. The early detection and containment of fire being a valid municipal concern, the boarding up of doors and windows shall not be permitted except with the permission of the Fire Official in emergency situations. When doors and windows are boarded up, they shall be covered with no less than one-half (1/2) inch exterior plywood or equivalent. No property owner shall board up doors and windows for periods exceeding ninety (90) days except under the following circumstances:

(a) The Fire Official may extend the time that the property may be boarded up for periods up to ninety (90) days, where the property owner is able to demonstrate that the property must remain vacant for longer than ninety (90) days by reason of a pending State or local application that is required prior to the building being occupied. The Fire Official may extend the periods for additional periods of time so long as the property owner diligently pursues the processing of the application. In the event that the Fire Official finds that the property owner is not diligently pursuing approval of the application, he may direct that a notice of violation of this section be issued to the property owner.

(b) The property owner shall paint the exterior boards that cover the windows and doorways of a vacant or abandoned property so that they either match or reasonably coordinate with the color of the rest of the building's exterior.

4. All windows within twenty (20) feet of the ground or which may be readily accessible shall be secured with security screens, bars and/or grills, and the security screens, bars and/or grills on open windows shall include quick-release mechanisms, both of which shall be subject to the approval of the Fire Official.

#### *13-14.10 Responsibilities of Creditors.*

Pursuant to the provisions of Public Laws of 2014, Chapter 35, a creditor filing a summons and complaint to foreclosure a lien on a residential property that is vacant and/or abandoned, whether the filing of the summons and complaint is made before or after the determination that the property is vacant and/or abandoned, shall be responsible for the care, maintenance, security and upkeep of the exterior of the residential property and any applicable registration fee.

#### *13-14.11 Notice to Creditor; Time to Correct Violations.*

If the Director of Code Enforcement determines that a creditor obligated to care, maintain, secure and keep up a vacant and/or abandoned property has failed to do so in violation of the provisions of this Section, he/she shall issue a notice of violation to the creditor that has filed a summons and complaint to foreclose on the property in question. The notice shall require the person or the entity to correct the violation within thirty (30) days of receipt of the notice, or

within ten (10) days of receipt of the notice if the violation presents an imminent threat to the public health and safety. The issuance of the notice shall constitute evidence that the property is “vacant and abandoned” for purposes of N.J.S.A. 2A:50-73.

*13-14.12 Designated Representative of Out Of State Creditor; Violation.*

Where a creditor is located Out of State, the creditor shall appoint an In State representative who shall be responsible for the care, maintenance, security and upkeep of the property. The Out of State creditor shall provide the full name and contact information for the In State representative or agent responsible for the care, maintenance, security and upkeep of the property in the notice required to be provided to the municipal clerk pursuant to paragraph one of N.J.S.A. 46:10B-51. An Out of State creditor found by a court of competent jurisdiction to have violated this provision shall be subject to a fine of \$2,500.00 for each day of the violation commencing on the day after the ten (10) day period set forth in paragraph one of N.J.S.A. 46:10B-51, which requires notice to the municipal clerk that a summons and complaint in an action to foreclose on a mortgage has been served.

*13-14.13 Violations and Penalties.*

- A. Any person who violates any provision of this Section or the rules and regulations issued hereunder shall be fined not less than five hundred dollars (\$500.00) and not more than one thousand (\$1,000.00) for each offense. Every day that a violation continues shall constitute a separate and distinct offense. Fines assessed under this Section shall be recoverable from the Owner and shall be a lien on the property.
- B. For purposes of this Section, the failure to file a registration statement within thirty (30) calendar days after a building becomes vacant, or within thirty (30) calendar days after assuming ownership of a vacant property, whichever is later, or within ten (10) calendar days of receipt of notice by the municipality, or the failure to provide correct information on the registration statement, or the failure to comply with any of the provisions contained herein, shall be deemed to be a violation.
- C. Any creditor required under this Section to care, maintain, secure and keep up the exterior of vacant residential property, found to be in violation of this requirement and cited in a notice issued pursuant to this Section, shall be subject to a fine of \$1,500.00 for each day of the violation. Any fines imposed against a creditor pursuant to this Section shall commence thirty one (31) days following the creditor’s receipt of the notice of violation, except if the violation presents an imminent risk to the public health and safety, in which case any fine shall commence eleven (11) days following receipt of the notice.

*13-14.14* The standards and requirements of this Section shall apply as long as any building remains vacant or unoccupied. Upon occupancy, the other appropriate sections of this Code shall prevail.

**BE IT FURTHER ORDAINED**, if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged 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.

**BE IT FURTHER ORDAINED**, any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

**BE IT FURTHER ORDAINED**, this Ordinance shall take effect upon passage.

**ATTEST:**

\_\_\_\_\_  
Kevin D. Harris,  
Town Clerk

**ADOPTED:**

\_\_\_\_\_  
Timothy P. Dougherty,  
Mayor

Date: \_\_\_\_\_

O-8-2016  
I-3/8

TOWN OF MORRISTOWN

ORDINANCE O- 8 - 2016

AN ORDINANCE AMENDING AND SUPPLEMENTING THE CODE OF THE TOWN OF MORRISTOWN CHAPTER 7 "TRAFFIC"

WHEREAS, the Town of Morristown desires to prohibit stopping or standing on Speedwell Avenue between Sussex Avenue and Early Street (West side) and on Early Street from Speedwell Avenue to Lot 6R Driveway (South side) during certain times of the day Monday through Friday;

NOW, THEREFORE BE IT ORDAINED, by the Town Council of the Town of Morristown, County of Morris and State of New Jersey, being the governing body thereof, that Chapter 7 Traffic, Section 11 Stopping or Standing Prohibited During Certain Hours on Certain Streets be and is hereby amended and supplemented to add the following street and restrictions:

7-11 STOPPING OR STANDING PROHIBITED DURING CERTAIN HOURS ON CERTAIN STREETS.

a. No person shall stop or stand a vehicle between the hours specified on any day upon any of the streets or parts of streets described.

<i>Name of Street</i>	<i>Sides</i>	<i>Hours</i>	<i>Location</i>
Speedwell Avenue	West	7:00 a.m. – 9:00 a.m. and 4:30 p.m. – 6:30 p.m. Saturdays, Sundays, and Holidays excluded	Sussex Avenue to Early Street
Early Street	South	7:00 a.m.-9:30 a.m. and 2:30 p.m.-4:00 p.m. Monday-Friday School Days	Speedwell Avenue to Lot 6R Driveway

BE IT FURTHER ORDAINED If any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged 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.

BE IT FURTHER ORDAINED, Any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

BE IT FURTHER ORDAINED, This Ordinance shall take effect upon passage and publication in accordance with law.

ATTEST:

ADOPTED:

\_\_\_\_\_  
Kevin D. Harris  
Clerk

\_\_\_\_\_  
Timothy P. Dougherty,  
Mayor

Date: \_\_\_\_\_

**TOWN OF MORRISTOWN**

**RESOLUTION R- 55 -2016**

**RESOLUTION DESIGNATING OFFICIAL TOW COMPANIES FOR THE TOWN OF MORRISTOWN FOR THE CALENDAR YEAR 2016**

**WHEREAS**, the Town of Morristown (the “Town”) adopted an Ordinance regulating the towing of vehicles within the Town including requiring all towers to obtain a license from the Town before being permitted to tow from private or public property; and

**WHEREAS**, various towing companies have submitted applications to be licensed to tow vehicles within the Town as part of the Town Rotating Call List towing and/or for Private Trespass Towing; and

**WHEREAS**, it has been recommended by the Morristown Police Department that the following tow companies be deemed qualified to tow vehicles within the Town as follows:

**Qualified Firms for the Town Rotating Call List Towing**

- 1. Morristown Auto Body
- 2. Meslar’s Auto Body
- 3. Speedwell Auto Body
- 4. C&L Towing

**Qualified Firms for Private Trespass Towing**

- 1. Peace of Mind Towing
- 2. Meslar’s Auto Body
- 3. C&L Towing

**NOW, THEREFORE, BE IT RESOLVED**, by the Town Council of the Town of Morristown, County of Morris and State of New Jersey as follows:

- 1. That the following tow companies are issued a license for Town Rotating Call List Towing within the Town of Morristown for the calendar year 2016:
- 2. That the following tow companies are issued a license permitting Private Trespass Towing within the Town of Morristown for the calendar year 2016:
- 3. A copy of this Resolution shall be forwarded to the Morristown Police Department; and

4. The provisions of the Town's Towing Ordinance shall continue in full force and effect, including, but not limited to, the fees which may be charged by the towing companies for the services to be provided.

ATTEST:

ADOPTED:

\_\_\_\_\_  
KEVIN D. HARRIS,  
TOWN CLERK

\_\_\_\_\_  
STEFAN ARMINGTON  
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 March 22, 2016 in the Morristown Council Room, 200 South Street, Morristown, New Jersey, beginning at \_\_\_\_\_ P.M., prevailing time.

DATED: March 22, 2016

\_\_\_\_\_  
Kevin D. Harris, Town Clerk

TOWN OF MORRISTOWN

RESOLUTION R- 56 -2016

A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT TO HAMFELDT VIDEO, LLC FOR VIDEOTAPING OF TOWN COUNCIL MEETINGS

WHEREAS, the Town of Morristown ("Town") desires that its Town Council meetings be videotaped to provide the public with complete coverage of such meetings on local access cable television and streaming on the internet, as a non-fair and open contract pursuant to the provisions of N.J.S.A 19:44A20.5; and

WHEREAS, the Town sought quotes from vendors capable of providing the required videotaping services; and

WHEREAS, the Town has determined that Michael Hamfeldt of Hamfeldt Video, LLC is the best vendor to provide these services; and

WHEREAS, Haamfeldt Video, LLC has agreed to videotape the Town Council meetings within the calendar year 2016 at the rate of \$500.00 per meeting; and

WHEREAS, funds are available and have been certified to by the Chief Financial Officer of the Town of Morristown for this contract which will not exceed \$17,500; and

WHEREAS, Hamfeldt Video, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that it has not made any reportable contributions to a political or candidate committee in the Town of Morristown in the previous one year, and that the contract will prohibit him from making any reportable contribution throughout the term of the contract; and

WHEREAS, the Mayor and Town Council have indicated their desire to engage Hamfeldt Video, LLC, 47 North Star Drive, Morristown, New Jersey 07960 for the Videotaping of Town Council Meetings;

NOW, THEREFORE, BE IT HEREBY RESOLVED, by the Town Council of the Town of Morristown that a contract be and is hereby awarded to Hamfeldt Video, LLC, for the Videotaping of Town Council Meetings within the calendar year 2016 for the purposes of watching on local access cable television and streaming on the internet and

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute and the Town Clerk to witness a Contract with Hamfeldt Video, LLC for the Videotaping of Town Council Meetings in a form to be approved by the Town Attorney, for the aforementioned services.

ATTEST:

ADOPTED:

\_\_\_\_\_  
KEVIN D. HARRIS,  
TOWN CLERK

\_\_\_\_\_  
STEFAN ARMINGTON  
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 March 22, 2016 in the Morristown Council Room, 200 South Street, Morristown, New Jersey, beginning at \_\_\_\_\_ P.M., prevailing time.

DATED: March 22, 2016

\_\_\_\_\_  
KEVIN D. HARRIS, TOWN CLERK

**TOWN OF MORRISTOWN****RESOLUTION R- 57 -2016****RESOLUTION ENDORSING HOUSING ELEMENT AND FAIR SHARE PLAN,  
ADOPTING SPENDING PLAN, AND AUTHORIZING SUBMISSION TO SUPERIOR  
COURT OF NEW JERSEY**

**WHEREAS**, the Planning Board of the Town of Morristown, Morris County, State of New Jersey, (the "Town") adopted its prior Interim Housing Element and Fair Share Plan ("Housing Plan") pursuant to N.J.S.A. 40:55D-28 in September 2011; and

**WHEREAS**, the Governing Body subsequently endorsed the 2011 Housing Plan and authorized the submission of a petition for third round substantive certification to the Council on Affordable Housing ("COAH"); and

**WHEREAS**, the Town had not yet received third round substantive certification from COAH, when, in March 2015, the New Jersey Supreme Court held, in its ruling entitled, In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing, 221 N.J. 1 (2015), that New Jersey municipalities are to comply with the constitutional requirement to provide their fair share of affordable housing by proposing housing elements and fair share plans to designated Mt. Laurel trial judges; and

**WHEREAS**, on April 9, 2015, the Appellate Division issued a decision in In re Failure of the Council on Affordable Housing to Adopt Trust Fund Commitment Regulations, 440 N.J. Super. 220, 228 (App. Div. 2015), divesting COAH of jurisdiction to administer or approve any amendments to municipal Spending Plans, and transferred jurisdiction over such matters to the designated Mt. Laurel trial judges; and

**WHEREAS**, on July 8, 2015, the Township filed a Declaratory Judgement Action seeking, in part, judicial approval of its Housing Plan as well as any amendments to its Spending Plan in accordance with the April 9, 2015 ruling; and

**WHEREAS**, the Planning Board of the Town of Morristown, County of Morris, State of New Jersey ("Planning Board"), adopted an updated Housing Plan prepared by Topology NJ, LLC dated February 26, 2016 ("Housing Plan") and transmitted same to the Township Council; and

**WHEREAS**, a true copy of the resolution of the Planning Board adopting the updated Housing Plan is attached hereto; and

**WHEREAS**, the Town of Morristown intends to seek continued immunity from builder's remedy actions and comply with various Court Orders issued by the Honorable Stephan C. Hansbury, P.J., Ch., mandating the submission of an updated Housing Plan by April 4, 2016;

**WHEREAS**, the Mayor and Council of the Town of Morristown also intend to seek judicial approval of the Spending Plan from the Superior Court of New Jersey.

**NOW, THEREFORE, BE IT RESOLVED** by the Town Council of the Town of Morristown, Morris County, State of New Jersey, as follows:

1. That the aforesaid recitals are hereby adopted and incorporated herein as if repeated in full; and

2. That the Town of Morristown hereby endorses this updated Housing Element and Fair Share Plan prepared by Topology NJ, LLC dated February 26, 2016, subject to the Court's approval of the same; and

3. That the Town Council of the Town of Morristown, pursuant to the Court Orders dated November 2, 2015 and February 10, 2016, in the case entitled In the Matter of the Application of the Town of Morristown for a Determination of Mount Laurel Compliance (Docket No. MRS-L-1697-15) hereby authorizes the submission of the updated Housing Element and Fair Share Plan prepared by Topology NJ, LLC dated February 26, 2016, and requests that the Court review and approve the same.

4. That the Town Council of the Town of Morristown hereby adopts this Spending Plan prepared by Topology NJ, LLC dated February 26, 2016, authorizes the submission of the Spending Plan to the Court, and requests that the Court review and approve the same.

ATTEST:

ADOPTED:

\_\_\_\_\_  
KEVIN D. HARRIS,  
TOWN CLERK

\_\_\_\_\_  
STEFAN ARMINGTON  
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 March 22, 2016 in the Morristown Council Room, 200 South Street, Morristown, New Jersey, beginning at \_\_\_\_\_ P.M., prevailing time.

DATED: March 22, 2016

\_\_\_\_\_  
Kevin D. Harris, Town Clerk

TOWN OF MORRISTOWN

RESOLUTION NO. R- 58 - 2016

2016 TEMPORARY APPROPRIATIONS

WHEREAS, no adequate provision has been made in the 2016 temporary budget for certain purposes, and N.J.S.A. 40A:4-20 provides for the creation of emergency appropriations for the purposes stated below; and

WHEREAS, said total emergency temporary appropriations adopted in the year 2016 pursuant to the provision of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) pertaining to this resolution total \$1,490,

NOW, THEREFORE, BE IT RESOLVED, by the Town Council of the Town of Morristown, County of Morris, State of New Jersey, (not less than two-thirds of the members thereof affirmatively confirming) that in accordance with N.J.S.A. 40A:4-20, Temporary Appropriations be and the same is hereby made for:

Town of Morristown 2016 Temporary Budget Increase

<u>Budget Line Item</u>	<u>Salaries &amp; Wages</u>	<u>Other Expenses</u>
Zoning-	\$-0-	\$1,490
<b>Total Temporary Emergency Appropriations</b>		\$1,490

ATTEST:

ADOPTED:

\_\_\_\_\_  
KEVIN D. HARRIS,  
TOWN CLERK

\_\_\_\_\_  
STEFAN ARMINGTON  
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 March 22, 2016 in the Morristown Council Room, 200 South Street, Morristown, New Jersey, beginning at 7:30 P.M., prevailing time.

DATED: March 22, 2016

\_\_\_\_\_  
Kevin D. Harris, Town Clerk

TOWN OF MORRISTOWN

RESOLUTION NO. R- 59 - 2016

**RESOLUTION: APPROVAL TO MAINTAIN MORRISTOWN FIRE DEPARTMENT STAFFING LEVELS DURING THE PERIOD OF PERFORMANCE FOR FEMA'S STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE (SAFER) GRANT, IF AWARDED.**

WHEREAS, the Town of Morristown Fire Department desires to apply for and obtain a grant from FEMA's Staffing for Adequate Fire and Emergency Response (SAFER) Grant for the hiring of four (4) firefighters; and

WHEREAS, the Federal Emergency Management Agency (FEMA) requires that staffing levels must be maintained during the period of performance of an awarded grant; and

WHEREAS, it is a requirement of the applicant organization's governing body to include a commitment adhering to the specified staffing levels within the application;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council for the Town of Morristown are in support of this application and the Town is committed to maintaining fire department staffing levels during the period of performance for the grant, and fulfilling the grant requirements in relation to the administration during the period of performance, if awarded.

BE IT FURTHER RESOLVED that the Mayor and Council for the Town of Morristown are hereby authorized to sign the letter of commitment for the Morristown Fire Department's SAFER grant application.

ATTEST:

ADOPTED:

\_\_\_\_\_  
KEVIN D. HARRIS,  
TOWN CLERK

\_\_\_\_\_  
STEFAN ARMINGTON  
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 March 22, 2016 in the Morristown Council Room, 200 South Street, Morristown, New Jersey, beginning at 7:30 P.M., prevailing time.

DATED: March 22, 2016

\_\_\_\_\_  
Kevin D. Harris, Town Clerk

60

TOWN OF MORRISTOWN

RESOLUTION R- 60 -2016

RESOLUTION AWARDING CONTRACT TO PARK EATS, LLC FOR FOOD CONCESSION AT BURNHAM PARK POOL

WHEREAS, the Town of Morristown authorized the acceptance of responses to Requests for Proposals on Thursday, February 25, 2016 for the 2016 Seasonal Lease for the Operation of the Food Concession at Burnham Park Pool, Route 124 and Scherzer Way, Morristown; and

WHEREAS, the Town of Morristown received one (1) bid from Park Eats, LLC, which offered a lease payment of 2,666.00 for the year; and

WHEREAS, the Acting Director of Public Works has reviewed the proposal submitted and finds same to be in accordance with the Request for Proposals and finds that Park Eats, LLC is qualified to perform the tasks required including, staffing the facility, maintaining standards of public health, providing a diverse selection of quality food products at a reasonable price and being responsive to the conditions set forth by the Town of Morristown; and

WHEREAS, the lease payment submitted is higher than the minimum lease proposed by the Town of Morristown; and

WHEREAS, the Mayor and Town Council have indicated their desire to engage Park Eats LLC, 6 Danae Court, Holmdel, New Jersey 07733 for the operation of the food concession at Burnham Park Pool for the 2016 Season; and

WHEREAS, Park Eats LLC has completed and submitted a Business Entity Disclosure Certification which certifies that neither the company 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 the company, and any member of the firm from making any reportable contributions through the term of the contract;

NOW THEREFORE, BE IT HEREBY RESOLVED, by the Town Council of the Town of Morristown being the governing body thereof, that a contract be and is hereby awarded to Park Eats LLC, 6 Danae Court, Holmdel, New Jersey 07733 for the operation of the food concession at Burnham Park Pool for the 2016 Season; and

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute and the Town Clerk to witness a Contract with Park Eats LLC, 6 Danae Court, Holmdel, New Jersey 07733 for the operation of the food concession at Burnham Park Pool for the 2016 Season.

ATTEST:

ADOPTED:

\_\_\_\_\_  
KEVIN D. HARRIS,  
TOWN CLERK

\_\_\_\_\_  
STEFAN ARMINGTON  
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 March 22, 2016 in the Morristown Council Room, 200 South Street, Morristown, New Jersey, beginning at \_\_\_\_\_ P.M., prevailing time.

DATED: March 22, 2016

\_\_\_\_\_  
Kevin D. Harris, Town Clerk

TOWN OF MORRISTOWN

RESOLUTION R- 61 -2016

A RESOLUTION AUTHORIZING THE REJECTION OF ALL BIDS SUBMITTED FOR THE SPRING TREE PLANTING BID

WHEREAS, on March 15, 2016 at 10:00am, the Town of Morristown received bids for spring tree planting; and

WHEREAS, three (3) bids were received as follows:

<u>Bidder:</u>	<u>Bid Amount:</u>
Louis Barbato Landscaping, Inc.	\$23,579.00;
Pat Scanlan Landscaping, Inc.	\$24,517.00; and
Ascape Landscape and Construction Corp.	\$29,200.00

WHEREAS, the Town of Morristown believes that it would be in the municipalities best interest to reject all bids submitted and to include the proposed work within the upcoming bid for curb, sidewalk and drainage improvements; and

WHEREAS, N.J.S.A. 40A:11-13.2(d) permits a contracting unit to reject all bids if it wants to substantially revise its specifications for goods and services; and

WHEREAS, the Acting Director of Public Works recommends that all bids be rejected, the specifications revised to be included within the bid for curb, sidewalk and drainage improvements, and re-bid;

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Town Council of the Town of Morristown, being the governing body thereof, that the aforesaid bids received for spring tree planting be and are hereby rejected in accordance with N.J.S.A. 40A:11-13(2)(d) of the Local Public Contracts Law ; and

BE IT FURTHER RESOLVED, that the Department of Public Works be and hereby is authorized to re-bid the bid for spring tree plantings.

ATTEST:

ADOPTED:

\_\_\_\_\_  
KEVIN D. HARRIS,  
TOWN CLERK

\_\_\_\_\_  
STEFAN ARMINGTON  
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 March 22, 2016 in the Morristown Council Room, 200 South Street, Morristown, New Jersey, beginning at 7:30 P.M., prevailing time.

DATED: March 22, 2016

\_\_\_\_\_  
Kevin D. Harris, Town Clerk

**GRANT AGREEMENT BETWEEN  
Town of Morristown**

**AND  
THE STATE OF NEW JERSEY  
BY AND FOR  
THE DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**GRANT IDENTIFIER: CSIP**

**TOWN OF MORRISTOWN**

**RESOLUTION R- 62 -2016**

The governing body of The Town of Morristown desires to further the public interest by obtaining a grant from the State of New Jersey in the amount of approximately \$30,000 to fund the following project: Community Forestry Program: Community Stewardship Incentive Program (CSIP) for Reforestation/Tree Planting to plant approximately 80 trees within the Town of Morristown as well as for care and maintenance of the planted trees.

Therefore, the governing body resolves that Jillian C. Barrick or the successor to the office of Administration is authorized (a) to make application for such a grant, (b) if awarded, to execute a grant agreement with the State for a grant in an amount not less than \$30,000 and not more than \$30,000 and (c) to execute any amendments thereto.

ATTEST:

ADOPTED:

\_\_\_\_\_  
KEVIN D. HARRIS,  
TOWN CLERK

\_\_\_\_\_  
STEFAN ARMINGTON  
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 March 22, 2016 in the Morristown Council Room, 200 South Street, Morristown, New Jersey, beginning at 7:30 P.M., prevailing time.

DATED: March 22, 2016

\_\_\_\_\_  
Kevin D. Harris, Town Clerk

COUNTY OF MORRIS  
DEPARTMENT OF PLANNING & PUBLIC WORKS  
DIVISION OF MOSQUITO CONTROL

Board of Chosen Freeholders

*Director*

Kathryn A. DeFillippo

*Deputy Director*

Hank Lyon

Douglas R. Cabana

John Cesaro

Thomas J. Mastrangelo

Christine Myers

Deborah Smith

P.O. Box 900

Morristown, New Jersey 07963-0900



*County Administrator*

John Bonanni

*Director, Planning & Public Works*

Deena Leary

*Director*

Kristian McMorland

973-285-6450

kmmorland@co.morris.nj.us

March 1, 2016

Dear Municipal Clerk,

As per New Jersey Pesticide Control Regulations (N.J.A.C. Title 7, Chapter 30), the Morris County Division of Mosquito Control is required to supply you with this information packet yearly.

Enclosed you will find basic information about our program, philosophy, and fact sheets on our adult mosquito control products. This supplied information is meant for general distribution to your residents if you so choose. Please do not hesitate to contact us with any questions or concerns.

Thank you in advance for your cooperation.

Sincerely,



Kristian McMorland

Director

**COUNTY OF MORRIS**  
**DEPARTMENT OF PLANNING & PUBLIC WORKS**  
**DIVISION OF MOSQUITO CONTROL**

Board of Chosen Freeholders

*Director*

Kathryn A. DeFillippo

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Thomas J. Mastrangelo

Christine Myers

Deborah Smith

P.O. Box 900

Morristown, New Jersey 07963-0900



*County Administrator*

John Bonanni

*Director, Planning & Public Works*

Deena Leary

*Director*

Kristian McMorland

973-285-6450

kmmorland@co.morris.nj.us

**Municipalities are encouraged to share this information  
with all residents in their community**

**THE MORRIS COUNTY DIVISION OF MOSQUITO CONTROL**

The Morris County Division of Mosquito Control, founded in 1928 as the Morris County Mosquito Commission, has the goal of reducing the number of nuisance and disease transmitting mosquitoes within the County. The Division employs a number of techniques to provide this service to residents with minimal impact on the environment. The program can be summarized as follows:

- 1) Water Management - The Division carries out extensive efforts to remove blockages from Morris County waterways, and to maintain drainage systems as needed. Such work is done carefully, with environmental impacts kept clearly in mind. This program helps reduce the use of insecticides needed to control mosquitoes.
- 2) Larval Control - Mosquitoes all start out in water as larvae, or "wrigglers". In areas where water management is not feasible, larval control is necessary. Some locations are suitable for stocking with mosquitofish, which provide continuous, biological control of mosquitoes. In other areas, larvicides may be used to eliminate mosquitoes. We choose products that are specific for mosquitoes and have minimal or no effect on other organisms in the aquatic environment for this purpose, and these are applied by trained staff licensed by the NJDEP. All products are registered with both the USEPA and the NJDEP which mean they are legal to use in NJ and are reviewed and recommended by the New Jersey Agricultural Experiment Station, Cook College/Rutgers University. Locations receive treatment only when surveys show that large numbers of mosquitoes are a threat to populated regions. These products applied by hand crews, by all terrain vehicles, or by helicopter. Larval habitats are treated only when larvae are present.
- 3) Adult Control - Although this is the most visible aspect of mosquito control, we consider this to be a last resort. We try to stop mosquitoes before they are out and flying around. When adult control is needed because of a severe mosquito infestation, we generally use truck mounted sprayers that apply 1/2 – 1 ounce of material per acre. Sometimes, small hand sprayers are used to treat remote locations.

Homeowners can help control mosquitoes by making sure they do not have containers around the home that hold water. Buckets, gutters, bird baths, toys, tarpaulins and anything else that can contain water should be emptied or removed from the yard. Do not dispose of leaves and grass clippings in ditches, streams or catch basins. Make sure your screens are in good repair, and consider moving inside during periods of high mosquito activity (early evening and early morning).

The Morris County Division of Mosquito Control is constantly striving to improve our operations. These efforts include employing new products that are more specific for mosquitoes, using new equipment that gets us into problem areas more easily, and trying new methods for controlling mosquitoes. The employees of the Division take their service to the public seriously, and will work to serve Morris County residents with the best possible mosquito control efforts.

**Where can I find more specific information on mosquito spraying in Morris County, and how will I be notified of the spraying?**

Call the Morris County Division of Mosquito Control at 973-285-6450. Attached is an example of a newspaper notice placed in the Daily Record and Star-Ledger by the Morris County Division of Mosquito Control throughout the mosquito control treatment season. A citizen has the right to ask the Morris County Division of Mosquito Control for specific information about a planned application in the county prior to that application.

If you have any questions about the Morris County Division of Mosquito Control, please let us know, or visit our web site at [www.morrismosquito.org](http://www.morrismosquito.org).

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***“Duet Dual-Action”<sup>®</sup> Adulcicide***<sup>®</sup>

This sheet answers some basic questions about a mosquito control product in use in Morris County. Morris County Division of Mosquito Control, along with several other resources (listed at the end of this sheet), can provide more detailed information.

**What is *Duet Dual-Action*<sup>®</sup> adulcicide and how is it used?**

*Duet Dual-Action*<sup>®</sup> contains two pesticides called ***Prallethrin*** and ***Sumithrin***, and a synergistic compound called ***piperonyl butoxide*** which increases the effectiveness of the pesticides. Prallethrin and Sumithrin are members of a category of pesticides called ***pyrethroids***, which in turn are synthetic versions of pesticides produced by plants called ***pyrethrins***. Pyrethroid/piperonyl butoxide mixtures have been recommended for Ultra-Low-Volume (ULV) mosquito control in New Jersey by Rutgers, The State University of New Jersey. The U.S. Environmental Protection Agency’s (EPA) current evaluation considers pyrethroid-containing products to be slightly toxic with minimal potential risk to people when used properly as part of an integrated mosquito control program.

This pyrethroid-containing product is used for the control of adult mosquitoes. While habitat management and measures to control immature mosquitoes in water are preferred and most used, the spraying of adult mosquitoes is called for when biting populations reach critical levels or when a disease organism is present in adult mosquitoes. A very fine mist is sprayed into the air since flying mosquitoes must directly contact the pesticide in order for it to be effective. The combination of the two pesticides has been shown to produce what the manufacturer calls ‘benign agitation’. In other words mosquitoes are agitated from a resting state to a non-biting flying state where they are more vulnerable to pesticide exposure. This makes *Duet Dual-Action*<sup>®</sup> adulcicide more effective against hard-to-control species like *Aedes albopictus* which typically rest during the evening hours when adulticiding usually takes place.

**How can I reduce my exposure to *Duet Dual-Action*<sup>®</sup>?**

Because of the very small amounts of active ingredients released per acre, the risk to the general public from the use of pyrethroid-containing products is minimal. Avoiding exposure is always the safest course of action. Any possible exposure risk can be reduced by following some common sense actions:

- Pay attention to notices about spraying found through newspapers, websites, automated telephone messages or distributed by municipal, county or state agencies.
- Plan your activities to limit time spent outside during times of possible pesticide treatments.
- Move your pets, their food, and water dishes inside during ULV application. Also bring clothing and children's toys inside.
- Stay away from application equipment, whether in use or not.
- Whenever possible, remain indoors with windows closed and with window air conditioners on non-vent (closed to the outside air) and window fans turned off during spraying.
- Avoid direct contact with surfaces that are still wet from pesticide spraying. Do not allow children to play in areas that have been sprayed until they have completely dried (approximately one hour).
- If you must remain outdoors, avoid eye and skin contact with the spray. If you get spray in your eyes or on your skin, immediately flush and rinse with water.

**What are the symptoms of exposure to *Duet Dual-Action*<sup>®</sup> ?**

Symptoms of over-exposure can include irritation to skin and eyes, respiratory and nasal irritation, irritability to sound or touch, abnormal facial sensation, sensation of prickling, tingling or creeping of skin, numbness, headache, dizziness, nausea, vomiting, diarrhea, excessive salivation, and fatigue. The chance of experiencing these symptoms of over-exposure with proper use is low. You should contact your physician, other medical providers, or the New Jersey Poison Information and Education System (NJPIES) at **1-800-222-1222** if you experience these symptoms following a pesticide spraying.

**How long will *Duet Dual-Action*<sup>®</sup> last in the environment?**

Pyrethroids have a soil half-life of 12 days. They have an extremely low pesticide movement rating because they bind tightly to the soil. Pyrethroids are unstable in light and air. They rapidly degrade in sunlight at the soil surface and in water. Piperonyl butoxide has a soil half-life of approximately 4 days.

**Where can I get more information on this adulticide?**

The following are resources for more information regarding *Duet Dual-Action*<sup>®</sup> and mosquito control in your area (unless otherwise noted, available during normal business hours):

For overall pesticide-specific information – 9:30am to 7:30pm:

**National Pesticide Information Center**

**800-858-7378**

<http://npic.orst.edu>

For pesticide health information & possible exposures – 24 hours:

**New Jersey Poison Information & Education System**

**800-222-1222**

<http://www.njpies.org>

For New Jersey pesticide regulation & misuse complaints:

**NJDEP Pesticide Control Program** 609-984-6507  
<http://www.state.nj.us/dep/enforcement/pcp/>

For Federal pesticide regulations:  
**USEPA Region 2 Office of Pesticide Programs** 732-321-6759  
<http://www.epa.gov/ebtpages/pesticides.html>

For state-wide mosquito control information:  
**NJDEP Office of Mosquito Control Coordination** 609-292-3649  
<http://www.state.nj.us/dep/mosquito>

For local mosquito control information:  
**Morris County Division of Mosquito Control** 973-285-6450  
<http://morrismosquito.org>

For mosquito control recommendations:  
**Rutgers University, Department of Entomology** 732-932-9437  
<http://www-rci.rutgers.edu/~insects>

Spraying for adult mosquitoes is a last resort. Most mosquito control work goes on “behind the scenes”, using water management, fish, and products to control immature mosquitoes in the water where they begin their life cycle. Controlling adult mosquitoes is more difficult because they are spread out and moving.

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**Malathion Fact Sheet**  
**("Atrapa<sup>®</sup>" "Fyfanon<sup>®</sup>" "Microflo<sup>®</sup>")**

What is malathion?

The above products all contain the pesticide malathion, a slightly toxic compound that is used in very small amounts to control adult mosquitoes. Malathion is not residual (does not last long) and is applied with specialized equipment in a manner that maximizes mosquito control but minimizes the impact on other organisms. The product is included in the insecticides recommended for adult mosquito control list produced by Rutgers, the State University of New Jersey.

How does malathion work?

Malathion disrupts the nervous system of target organisms. In mammals, the product is broken down quickly, while in insects it is broken down into other products that are fatal to them.

Is there danger to humans from this chemical?

Malathion is an organophosphate insecticide with very low toxicity for mammals. During mosquito control operations, the product is applied at ½ to 1 ounce per acre.

How is malathion applied?

Malathion is put out using Ultra Low Volume (ULV) equipment that produces droplets that are about 5 – 25 microns in size. There are 24,000 microns in an inch. In Morris County, we have found that the lowest application rate, ½ ounce per acre, is adequate for mosquito control. Malathion is broken down rapidly after application, and must contact flying mosquitoes directly to kill them.

Is malathion harmful to other insects?

Other insects may be harmed by malathion, so care must be taken to avoid beneficial insects, such as honeybees.

## Malathion/2

### How can I avoid exposure to malathion?

Exposure to malathion, even during spray operations, is minimal for the general public because of the small quantities used. There are, however, steps that can reduce this exposure even further:

- Note contact information regarding spraying in newspapers, published every 23 days during the mosquito season. Local municipalities may also be contacted, since spray activities are coordinated with them.
- Plan your activities to limit time spent outside during times of possible pesticide treatments (when mosquitoes are very high in number, and usually in the evening).
- Move your pets, their food, water dishes inside during a ULV application.
- Stay away from application equipment, whether in use or not.
- Whenever possible, remain indoors with windows closed and with window air conditioners on non-vent (closed to the outside air) and window fans turned off during spraying.
- Avoid direct contact with surfaces that are still wet from pesticide spraying. Do not allow children to play in areas that have been sprayed until they have completely dried (approximately one hour). Very little settling of a ULV spray takes place, however, so the chances of contacting malathion this way is minimal.
- If you must remain outdoors, avoid eye and skin contact with the spray. If you get spray in your eyes or on your skin, immediately flush and rinse with water.
- Move children's toys out of application areas.

### What are symptoms of exposure to malathion?

Symptoms of exposure can include headache, nausea, dizziness, excessive sweating, salivation, excessive tearing and a runny nose. The chance of experiencing these symptoms of over-exposure with proper use is extremely low. You should contact your physician, other medical providers or the New Jersey Poison Information and Education System (NJPIES) at **1-800-222-1222** if you experience these symptoms following a pesticide spraying.

### Where can I get more information on malathion?

For overall pesticide-specific information – 9:30am to 7:30pm:

**National Pesticide Information Center: 800-858-7378**

For pesticide health information & possible exposures – 24 hours:

**New Jersey Poison Information & Education System: 800-222-1222**

For New Jersey pesticide regulation & misuse complaints:

**NJDEP Pesticide Control Program: 609-984-6507**

For Federal insecticide regulation:

**USEPA Region 2 Office of Pesticide Programs: 732-321-6768**

Malathion/3

Where can I get more information about local mosquito control?

**The Morris County Division of Mosquito Control: 973-285-6450 or [www.morrismosquito.org](http://www.morrismosquito.org)**

For state-wide mosquito control information:

**NJDEP Office of Mosquito Control Coordination: 609-292-3649**

Spraying for adult mosquitoes is a last resort. Most mosquito control work goes on “behind the scenes”, using water management, fish, and products to control immature mosquitoes in the water where they begin their life cycle. Controlling adult mosquitoes is more difficult because they are spread out and moving.

If you have questions about malathion or any other mosquito control related products or practices, please feel free to call the Morris County Division of Mosquito Control at (973) 285-6450, or visit our web site at [www.morrismosquito.org](http://www.morrismosquito.org)

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**Resmethrin Fact Sheet**  
**("Scourge<sup>®</sup>")**

What is resmethrin?

The above product contains the pesticide resmethrin, a low toxicity compound that is used in very small amounts to control adult mosquitoes. Resmethrin is not residual (does not last long) and is applied with specialized equipment in a manner that maximizes mosquito control but minimizes the impact on other organisms. The product is included in the insecticides recommended for adult mosquito control list produced by Rutgers, the State University of New Jersey.

How does resmethrin work?

Resmethrin is a synthetic version of natural pesticides produced by certain chrysanthemums. The product disrupts nerve transmissions of target organisms. In mammals, the product is broken down quickly.

Is there danger to humans from this chemical?

Resmethrin has very low toxicity for mammals. During mosquito control operations, the product is applied at ½ to 3 ounces per acre. The insecticide is mixed with an agent that makes it more effective, called a synergist (piperonyl butoxide), so that only 0.02 to 0.12 ounces of insecticide are actually applied per acre.

How is resmethrin applied?

Resmethrin is put out using Ultra Low Volume (ULV) equipment that produces droplets that are about 5 – 25 microns in size. There are 24,000 microns in an inch. In Morris County, we have found that the application rate of 1 ounce per acre is adequate for mosquito control. Resmethrin is broken down very rapidly after application, and must contact flying mosquitoes directly to kill them.

Is resmethrin harmful to other insects?

Other insects may be harmed by resmethrin, but generally not at the rate at which mosquito control operations apply this product. Even very sensitive honeybees are not harmed when Scourge 4 + 12 is applied at 10 times the label rate.

## Resmethrin/2

### How can I avoid exposure to resmethrin?

Exposure to resmethrin, even during spray operations, is minimal for the general public because of the small quantities used. There are, however, steps that can reduce this exposure even further:

- Note contact information regarding spraying in newspapers, published every 23 days during the mosquito season. Local municipalities may also be contacted, since spray activities are coordinated with them.
- Plan your activities to limit time spent outside during times of possible pesticide treatments (when mosquitoes are very high in number, and usually in the evening).
- Move your pets, their food, water dishes inside during a ULV application.
- Stay away from application equipment, whether in use or not.
- Whenever possible, remain indoors with windows closed and with window air conditioners on non-vent (closed to the outside air) and window fans turned off during spraying.
- Avoid direct contact with surfaces that are still wet from pesticide spraying. Do not allow children to play in areas that have been sprayed until they have completely dried (approximately one hour). Very little settling of a ULV spray takes place, however, so the chances of contacting resmethrin this way is minimal.
- If you must remain outdoors, avoid eye and skin contact with the spray. If you get spray in your eyes or on your skin, immediately flush and rinse with water.
- Move children's toys out of application areas.

### What are symptoms of exposure to resmethrin?

Symptoms of exposure can include an asthmatic reaction or a skin rash. Resmethrin is related to chrysanthemums, and some people are allergic to them. The chance of experiencing these symptoms of exposure with proper use is extremely low. You should contact your physician, other medical providers or the New Jersey Poison Information and Education System (NJPIES) at **1-800-222-1222** if you experience these symptoms following a pesticide spraying.

### Where can I get more information on resmethrin?

For overall pesticide-specific information – 9:30am to 7:30pm:

**National Pesticide Information Center: 800-858-7378**

For pesticide health information & possible exposures – 24 hours:

**New Jersey Poison Information & Education System: 800-222-1222**

For New Jersey pesticide regulation & misuse complaints:  
**NJDEP Pesticide Control Program : 609-984-6568**

Resmethrin/3

Where can I get more information about local mosquito control?

**The Morris County Division of Mosquito Control: 973-285-6450 or [www.morrismosquito.org](http://www.morrismosquito.org)**

For state-wide mosquito control information:

**NJDEP Office of Mosquito Control Coordination: 609-292-3649**

For Federal insecticide regulation:

**USEPA Region 2 Office of Pesticide Programs: 732-321-6768**

Spraying for adult mosquitoes is a last resort. Most mosquito control work goes on “behind the scenes”, using water management, fish, and products to control immature mosquitoes in the water where they begin their life cycle. Controlling adult mosquitoes is more difficult because they are spread out and moving.

If you have questions about resmethrin or any other mosquito control related products or practices, please feel free to call the Morris County Division of Mosquito Control at (973) 285-6450, or visit our web site at [www.morrismosquito.org](http://www.morrismosquito.org)

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**Etofenprox Adulticide Fact Sheet**  
"Zenivex"

**Municipalities are encouraged to share this information with all residents in their community**

This Fact Sheet answers some basic questions about mosquito control products in use in your County. The Morris County Division of Mosquito Control, along with several other resources (listed at the end of this sheet), can provide more detailed information.

**What is *Etofenprox* and how is it used?**

*Zenivex*<sup>TM</sup> contains a pesticide called Etofenprox, a member of the category of pesticides called *non-ester pyrethroids*, which are synthetic versions of pesticides produced by plants called pyrethrins. Traditional pyrethroid/piperonyl butoxide mixtures are recommended for Ultra-Low-Volume (ULV) mosquito control in New Jersey by Rutgers, The State University of New Jersey. *Zenivex*<sup>TM</sup> is a non-ester pyrethroid, and therefore does not require a synergist such as piperonyl butoxide. The U.S. Environmental Protection Agency (EPA) has classified Etofenprox as a reduced risk molecule. It poses a low risk to human health and the environment when used properly as part of an integrated mosquito control program. As formulated in *Zenivex*<sup>TM</sup> adulticide, Etofenprox is considered a non-carcinogen, non-teratogen and non-mutagen.

This non-ester pyrethroid-containing product is used for the control of adult mosquitoes. While habitat management and measures to control immature mosquitoes in water are preferred and most used, the spraying of adult mosquitoes is necessary when biting populations reach critical levels or when a disease organism is present in adult mosquitoes. A very fine mist is sprayed into the air since flying mosquitoes must directly contact the pesticide in order for it to be effective.

**How can I reduce my exposure to Etofenprox?**

Because of the very small amounts of active ingredients released per acre, the risk to the general public from the use of non-ester pyrethroid-containing products is minimal. Avoiding exposure is always the



For statewide mosquito control information:

**NJDEP Office of Mosquito Control Coordination**                      **609-292-3649**

For local mosquito control information:

**Morris County Division of Mosquito Control**                                      **973-285-6450**

For mosquito control recommendations:

**Rutgers University, Department of Entomology**                      **732-932-9437**

Spraying for adult mosquitoes is a last resort. Most mosquito control work goes on “behind the scenes”, using water management, fish, and products to control immature mosquitoes in the water where they begin their life cycle. Controlling adult mosquitoes is more difficult because they are spread out and moving.

If you have questions about Zenivex or any other mosquito control related products or practices, please feel free to call the Morris County Division of Mosquito Control at (973) 285-6450, or visit our web site at [www.morrismosquito.org](http://www.morrismosquito.org)

March 7, 2016

TO: Each Municipal Clerk and County  
Executive or Administrator of the  
Municipalities and Counties of  
New Jersey Served by Jersey  
Central Power & Light Company

RE: In the Matter of the Verified Petition of **Jersey Central Power &  
Light Company** for the Review and Approval of Costs Incurred for  
Environmental Remediation of Manufactured Gas Plant Sites  
Pursuant to the Remediation Adjustment Clause of Its Filed Tariff  
("2012-2014 RAC Filing")  
BPU Docket No. ER15040499

Dear Sir/Madam:

We herewith serve upon you a copy of a Notice of Public Hearing for Jersey Central Power & Light Company's ("JCP&L") proposed increase in the Company's Rider RAC – Remediation Adjustment Clause to recover costs incurred for environmental remediation of manufactured gas plant sites.

**PLEASE TAKE NOTICE** that the BPU has scheduled public hearings on this matter at the times and places set forth in the enclosed Public Notice.

Copies of the Verified Petitions, together with supporting attachments, are available for inspection at the Company's regional headquarters at 300 Madison Avenue, Morristown, New Jersey 07962 and 331 Newman Springs Road, Building 3, Red Bank, New Jersey 07701, on the Company's website at [https://www.firstenergycorp.com/jersey\\_central\\_power\\_light/regulatory.html](https://www.firstenergycorp.com/jersey_central_power_light/regulatory.html), and at the New Jersey Board of Public Utilities, 44 South Clinton Avenue, 3<sup>rd</sup> Floor, Suite 314, P.O. Box 350, Trenton, New Jersey 08625-0350.

We will be pleased to furnish you with any assistance or additional information that you might reasonably require.

Sincerely,



Mark A. Mader  
Director  
Rates & Regulatory Affairs-NJ

# PUBLIC NOTICE

## JERSEY CENTRAL POWER & LIGHT COMPANY

### NOTICE OF PROPOSED INCREASE IN REMEDIATION ADJUSTMENT CLAUSE AND NOTICE OF PUBLIC HEARINGS THEREON

**TO OUR CUSTOMERS:** On April 30, 2015, Jersey Central Power & Light Company ("JCP&L" or the "Company") filed a Verified Petition with the New Jersey Board of Public Utilities (the "Board") Board, under BPU Docket No. ER15040499, OAL Docket No. PUC 15672-2015N, together with supporting attachments.

The Verified Petition provides for a reconciliation of the actual costs and collections during 2012, 2013 and 2014 under the Remediation Adjustment Clause ("RAC"), which is a component of the Societal Benefits Charge of JCP&L's filed Tariff. The Verified Petition also provides for an assessment of the need for changes after 2014 in the level of collections under the RAC. In the Verified Petition, JCP&L is requesting to increase collections under Rider RAC, which funds the remediation of former manufactured gas plant sites, by approximately \$6.457 million annually. The Company proposed that the change in rates would become effective on October 1, 2015 or on such date as the Board may determine.

The annual percentage change in rates, if any, applicable to specific customers will vary according to the applicable rate schedule and the level of the customer's usage. Copies of the Verified Petition, together with supporting attachments, are available for inspection at the Company's regional headquarters at 300 Madison Avenue, Morristown, New Jersey 07962 and 331 Newman Springs Road, Building 3, Red Bank, New Jersey 07701, on the Company's website at [https://www.firstenergycorp.com/jersey\\_central\\_power\\_light/regulatory.html](https://www.firstenergycorp.com/jersey_central_power_light/regulatory.html) and at the New Jersey Board of Public Utilities, 44 South Clinton Avenue, 3rd Floor, Suite 314, P.O. Box 350, Trenton, New Jersey 08625-0350.

The following comparisons of present and proposed rates will permit customers to determine the approximate net effect upon them of the proposed increase in charges of \$6.457 million annually. Any assistance required by customers in this regard will be furnished by the Company upon request.

#### STATEMENT OF THE MONTHLY EFFECT OF PROPOSED INCREASE IN RIDER RAC CHARGES AS COMPARED TO THE RATES IN EFFECT AS OF FEBRUARY 1, 2016

<b>Residential Average Bill (Includes 7% Sales and Use Tax)</b>			
<b>Residential (RS)</b>	Current Monthly Bill (1)	Proposed Monthly Bill (2)	Proposed Monthly Increase
500 kWh average monthly usage	\$69.56	\$69.72	\$0.16
1000 kWh average monthly usage	\$144.00	\$144.33	\$0.33
1500 kWh average monthly usage	\$220.14	\$220.63	\$0.49
<b>Residential Time-of-Day (RT)</b>			
500 kWh average monthly usage	\$74.76	\$74.92	\$0.16
1000 kWh average monthly usage	\$144.93	\$146.01	\$1.08
1500 kWh average monthly usage	\$215.13	\$215.62	\$0.49
<b>Overall Class Average Per Customer (Includes 7% Sales and Use Tax)</b>			
<b>Rate Class</b>	Current Monthly Bill (1)	Proposed Monthly Bill (2)	Proposed % Increase
Residential (RS))	\$114.86	\$115.13	0.2%
Residential Time of Day (RT)	\$159.34	\$159.70	0.2%
General Service – Secondary (GS)	\$633.01	\$634.52	0.2%
General Service - Secondary Time of Day (GST)	\$27,695.27	\$27,772.37	0.3%
General Service – Primary (GP)	\$39,781.21	\$39,907.05	0.3%
General Service – Transmission (GT)	\$119,237.90	\$119,669.88	0.4%
Lighting (Average Per Fixture)	\$10.85	\$10.86	0.1%

(1) Rates effective 2/1/2016 (2) Proposed rates effective TBD

Please note that the Board in its discretion may apply all or any portion of whatever rate adjustment the Board may ultimately allow to other rate schedules or in a different manner than what JCP&L has proposed in its filing. Accordingly, the final rates and charges to be determined by the Board in these proceedings may be different from what JCP&L has described herein.

Notice of this filing together with a statement of the effect thereof on customers are being served upon the clerk, executive or administrator of each municipality and county within the Company's service areas. Such notice has also been served, together with the supporting attachments, upon the Director of the Division of Rate Counsel, who will represent the interests of ratepayers in these proceedings.

PLEASE TAKE NOTICE that the Office of Administrative Law ("OAL") has scheduled public hearings on the Verified Petition under BPU Docket No. ER15040499, OAL Docket No. PUC 15672-2015N, at the following times and places:

**March 22, 2016**  
**1:30 p.m.**  
**Morris County Administration & Records Building**  
**Public Meeting Room, 5th Floor**  
**10 Court Street**  
**Morristown, New Jersey 07963**

**March 22, 2016, 2016**  
**5:30 p.m.**  
**Freehold Township Municipal Building**  
**One Municipal Plaza**  
**(Schanck Road at Stillwells Corner Road)**  
**Freehold, New Jersey 07728**

Members of the public will have an opportunity to be heard and/or to submit written comments or statements at each or either of the public hearings if they wish to do so. Persons requiring special accommodations because of disability should contact the Clerk of the Office of Administrative Law at (973) 648-7143 at least 48 hours prior to the scheduled hearing so that appropriate arrangements can be made. Written comments or statements may also be submitted directly to the Clerk of the Office of Administrative Law, 33 Washington Street, Newark, New Jersey 07102.

**JERSEY CENTRAL POWER & LIGHT COMPANY**

## Kevin Harris

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**From:** Wedderburn, Kristen  
**Sent:** Monday, March 14, 2016 3:47 PM  
**To:** Kevin Harris; Jillian Barrick  
**Subject:** FW: Press Conference Invite: Street Smart Morristown  
**Attachments:** Street Smart Morristown Press Conference Flyer.pdf

Kevin and Jillian,

Laura Cerutti with TransOptions would like to speak at the April 12<sup>th</sup> Council Meeting regarding Street Smart Morristown – Street Smart Pedestrian Safety Campaign. Council President Armington asked that she inquire with our office to be placed on the Council Agenda. Jillian, if this is ok with you, can Kevin place on the April 12<sup>th</sup> agenda?

*Kristen E. Wedderburn*

Town of Morristown  
Assistant to the Mayor and Business Administrator  
Office of the Mayor and Administration  
200 South Street, 2nd Floor, Room 239  
P.O. Box 914  
Morristown, New Jersey 07963-0914  
Phone: (973) 644-3293  
Fax: (973) 267-2726  
Website: [www.townofmorristown.org](http://www.townofmorristown.org)

**From:** Wedderburn, Kristen  
**Sent:** Monday, March 14, 2016 12:52 PM  
**To:** Kevin Harris <k-harris@townofmorristown.org>; Kesselmeyer, Robin <R-Kesselmeyer@TOWNOFMORRISTOWN.ORG>; TownClerk <TownClerk@TOWNOFMORRISTOWN.ORG>  
**Cc:** Lara, Wilma <W-Lara@TOWNOFMORRISTOWN.ORG>  
**Subject:** FW: Press Conference Invite: Street Smart Morristown

Kevin, can you please pass this along to the Council Members? Thanks.

*Kristen E. Wedderburn*

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**From:** Wedderburn, Kristen  
**Sent:** Monday, March 14, 2016 12:50 PM

To: Kristen Wedderburn ([k-wedderburn@townofmorristown.org](mailto:k-wedderburn@townofmorristown.org)) <[k-wedderburn@townofmorristown.org](mailto:k-wedderburn@townofmorristown.org)>

Subject: Press Conference Invite: Street Smart Morristown



**STREETSMART  
MORRISTOWN**

**KICKOFF PRESS CONFERENCE**

**TUESDAY, MARCH 29, 2016  
MORRISTOWN TOWN HALL  
200 SOUTH STREET  
MORRISTOWN, NJ  
11:00 AM**

**Please join TransOptions, the Town of Morristown & the  
Morristown Police Department in launching the Street  
Smart Pedestrian Safety Campaign.**

**Street Smart is NJ's pedestrian safety program that aims to  
raise awareness of safety laws and promote positive behaviors  
when walking and driving on a local level**

**[transoptions.org/street-smart](http://transoptions.org/street-smart)  
(973) 267-7600 / [lcerutti@transoptions.org](mailto:lcerutti@transoptions.org)**

*Kristen E. Wedderburn*

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Assistant to the Mayor and Business Administrator  
Office of the Mayor and Administration  
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## Kevin Harris

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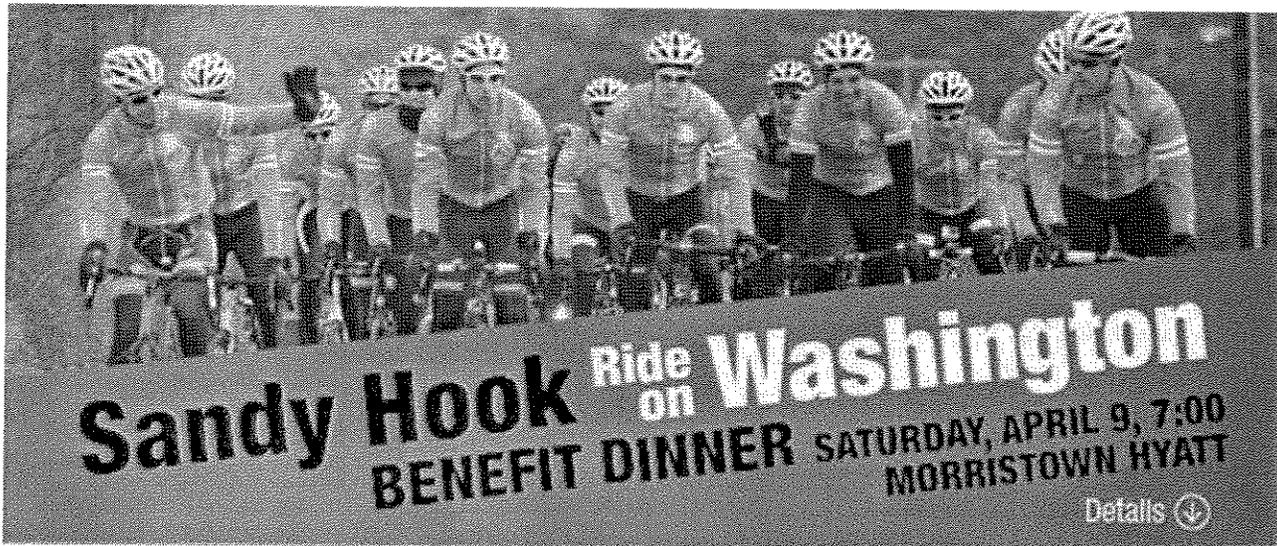
**From:** Wedderburn, Kristen  
**Sent:** Monday, March 14, 2016 2:54 PM  
**To:** Kevin Harris; TownClerk; Lara, Wilma; Kesselmeier, Robin  
**Subject:** FW: Mayor Dougherty Invites you to attend: Sandy Hook Ride on Washington

Kevin, good afternoon. Please forward the event information to the Town Council Members. Thank you.

Dear Colleagues and Friends,

As the Morristown Mayor, I would like to personally invite you to attend the Saturday, April 9, 2016, 7:00pm Sandy Hook-Ride on Washington Benefit Dinner at the Hyatt Morristown.

Benefit Dinner tickets may be purchased at <http://shride.eventbrite.com> .



Morristown will proudly host Team 26 as they ride from Sandy Hook, CT to Washington, D.C. to advocate common sense gun legislation.

**Join Team 26 for a dinner reception at the Hyatt to benefit Mary's Fund, named in memory of the school psychologist at the Sandy Hook School.**

The event will feature a performance by **New Jersey Youth Chorus** and words from **Maura Sherlach**, who created Mary's Fund in honor of her mother to support programs that aid the mental and social wellness of children and adolescents as Mary did in her day-to-day life.

**Saturday, April 9 at 7:00 pm, Morristown Hyatt**  
**Tickets: \$100**  
**Purchase tickets at <http://shride.eventbrite.com>**

Support Team 26 at these other Morristown events!

## **WELCOME RALLY**

**Saturday, April 9, 5:00 pm, Morristown Hall, 200 South St**

Bring handmade signs to show your support for Team 26 as they arrive in Morristown!

## **DEPARTURE RIDE**

**Sunday, April 10, 8:30 am, Morristown Hyatt at Speedwell Ave**

Cheer on Team 26 as they leave Morristown on their way to DC, or join the bike escort guiding them out of town!

*Sincerely,*

*Timothy P. Dougherty*

# **MORRISTOWN**



**Saturday, April 23, 2016**

**9:00AM**

Heavy Rain Date: Sunday, April 24

**Meet at the Town Hall Parking Lot,  
200 South Street**

Clean up sites include: parks, lots, playgrounds,  
and roadways, as well as public benches and  
trash cans.

For more information, or to request a specific site, contact Kathleen Margiotta at [k-margiotta@townofmorristown.org](mailto:k-margiotta@townofmorristown.org) or 973-644-4363.

Sponsored by Town of Morristown Clean Communities Program

And Morristown Beautiful, Inc.