

THE REGULAR MEETING WILL BEGIN AT 7:30 P.M.

Regular Meeting of the Town Council

Tuesday, May 26, 2015

Statement of Compliance with Open Public Meetings Act

A. Roll Call

B. Moment of Silence

C. Pledge of Allegiance

D. Consent Agenda

- 1) Email communication dated May 11, 2015 from Mary Morse, 27 Continental Avenue, Morristown, 07960, requesting permission on behalf of the residents of Continental Avenue to close off the street from where South Street and Continental meet down to the Continental and Sandhill intersection, on Saturday, June 27, 2015 (rain date Sunday, June 28, 2015) from 3:00 p.m. – 8:00 p.m., for their Annual Block Party.
- 2) Letter dated May 18, 2015 from Deanna Agee, 17 Liberty Street, Morristown, 07960 requesting permission on behalf of the residents of Liberty Street to close off the street from Corner of Mt. Airy to the Corner of Linden Street, on Saturday, August 8, 2015 (rain date Sunday, August 9, 2015) from 3:00 p.m. – 9:00 p.m., for their Annual Block Party.

E. Mayor's Presentations and Proclamations

F. Public Hearing

G. Report of Mayor and Town Officials

H. Council Liaison Reports

I. Regular Business

1) Ordinances for Introduction

**Ordinance No. O-15-2015**

“Ordinance of the Town of Morristown Town Council accepting an easement on a portion of Lot 4.01, Block 5001 shown on the official tax map of the Town of Morristown for public open space.”

Purpose: Self Explanatory.

1) Ordinances for Introduction (cont.)

**Ordinance No. O-16-2015**

“Ordinance amending and supplementing the code of the Town of Morristown Chapter 7 ‘Traffic’”.

Purpose: Modifies certain parking restrictions on various streets within the Town including, Morris Street, Speedwell Avenue, Washington Street, Early Street, and South Park Place.

2) Ordinances for Adoption

**Ordinance No. O-8-2015 (Tabled from May 12, 2015 Meeting)**

“Ordinance amending and supplementing the code of the Town of Morristown Chapter 7 ‘Traffic’”.

Purpose: Amends the code to include on street parking regulations on Washington Street and Miller Street and parking meter changes on various streets.

**Ordinance No. O-9-2015**

“Bond Ordinance Providing For Various Capital Improvements In And By The Town Of Morristown, In The County of Morris, New Jersey, Appropriating \$2,822,600 Therefor And Authorizing The Issuance Of \$2,681,470 Bonds Or Notes Of The Town To Finance Part Of The Cost Thereof.”

Purpose: Approves bond ordinance for various capital improvements to roads and sidewalks, parks and recreation, DPW/UCC/Fire Equipment, Building Improvements, Firehouse and Joint Morristown/Morris Township Library.

**Ordinance No. O-10-2015**

“Ordinance of the Town of Morristown, in the County of Morris, State of New Jersey, for compensation for the elected Mayor, Town Council Members and Council President in the Town of Morristown, New Jersey and amending all Ordinances concerning such compensation heretofore adopted.”

Purpose: Establishes compensation for the Mayor, Town Council Members and Council President for 2015.

**Ordinance No. O-11-2015**

“Ordinance of the Town of Morristown, in the County of Morris, State of New Jersey, for compensation for Management/Non-Union positions in the Town of Morristown, New Jersey and amending all ordinances concerning such compensation heretofore adopted.”

Purpose: Establishes compensation ranges for Management/Non-Union positions for 2015.

2) Ordinances for Adoption (cont.)

**Ordinance No. O-12-2015**

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

Purpose: Amends the time limit parking fee to \$0.75 per hour for non-credit card meters having a time limit of 60-120 minutes, \$1.00 per hour for non-credit card meters having a time limit of less than 60 minutes, \$0.25 per 45 minutes for credit card meters having a time limit of 18 hours, and \$1.00 per hour for all other credit card meters.

**Ordinance No. O-13-2015**

“Ordinance amending and supplementing Chapter 25 ‘Health’ to amend Section 2 ‘Definitions’, Section 6 ‘Licenses’, Section 10 ‘Food Establishments’ and to add Section 11 ‘Beauty, Barber, and Nail Salons’ to the Code of the Town of Morristown.”

Purpose: See attached Memo from Carlos Perez, Health Officer.

3) Resolutions for Adoption

**Resolution No. R-84-2015**

“Resolution Approving the Person-to-Person Transfer of Plenary Alcoholic Beverage Distribution License # 1424-44-016-009 NY Thymes and Deli, Inc. to Dove Lending Company, LLC.”

Purpose: Self Explanatory.

**Resolution No. R-85-2015**

“Resolution of the Town of Morristown, in the County of Morris, New Jersey authorizing an Emergency Appropriation pursuant to N.J.S.A. 40A:4-46 to fund demolition of fire damaged buildings at 84 Elm Street, Block 4701, Lot 6 and 88 Elm Street, Block 4701, Lot 5.”

Purpose: Self Explanatory.

**Resolution No. R-86-2015**

“Resolution authorizing purchases from the North Jersey Wastewater Cooperative Pricing System for 2015.”

Purpose: Self Explanatory.

**Resolution No. R-87-2015**

“Resolution authorizing purchase of goods and services through State Contract.”

Purpose: Authorizes the Town to purchase equipment, supplies and services from State Contract # A85089, T0983 with Applied Analytics Inc as it relates to the operation of the Morristown Sewage Treatment Plant.

J. Unfinished (Old) Business

K. New Business

- 1) Street Light Study/Survey – Martin Luther King Boulevard (Requested by Councilwoman R. Smith-Reid).
- 2) Discussion of Ordinance Establishing a Loading Zone on DeHart Street (7:00 a.m. – 11:00 a.m.). Community concerns (Requested by Administration – please see letter dated May 18, 2015 from Mark Axelrod, Assistant Director of the Morristown Parking Authority submitted in support).

L. 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: Rebecca Feldman, Council President  
All Members of Council

From: Kevin D. Harris, Town Clerk

Sub: Correspondence

Date: May 21, 2015

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 May 26, 2015

- A. Mayor's Correspondence
- B. Correspondence and Reports, Counsel and Department Heads
- C. General Correspondence
  - Email transmission dated April 7, 2015 from Drs. Don and Lynn Siebert to Mayor Dougherty, Administrator Rogers and the Town Council regarding snow removal/dumping in Burnham Park (forwarded to the Town Clerk on May 13, 2015 and requested for placement in Correspondence section of Agenda by Councilwoman A. Deeb).
  - Email transmission dated May 4, 2015 from Drs. Don and Lynn Siebert to Mayor Dougherty, Administrator Rogers and the Mr. (Jeff) Hartke regarding snow piles / follow-up photos, and support for alternative plan (forwarded to the Town Clerk on May 13, 2015 and requested for placement in Correspondence section of Agenda by Councilwoman A. Deeb).
  - Email transmission dated May 12, 2015 from Roger Mayerson to Ms. Bierce Riley and Councilwoman A. Deeb regarding parking restrictions on Miller Street in reference to Ordinance No. O-8-2015 (There is also a reply email transmission dated May 12, 2015 from Bierce Riley to Roger Mayerson and Councilwoman A. Deeb) (forwarded to the Town Clerk on May 12, 2015 and requested for distribution to Council by Councilwoman A. Deeb).
  - Letter dated May 12, 2015 from Pete Tamburro, 22 Budd Street, Morristown, 07960 regarding heavy traffic right onto Budd Street coming from the Hillcrest light

(requested for placement in Correspondence section Agenda by Councilwoman A. Deeb).

D. Departmental Reports

E. Resolutions of Other Jurisdictions

F. Meeting Notices

- Two (2) Notices of a Filing and Notices of Public Hearings from PSE&G.
  - In the Matter of the Petition of Public Service Electric and Gas Company To Modify its Manufactured Gas Plant (MGP) Remediation Component Within Its Electric Societal Benefits Charge (SBC) and Its Gas SBC; For A Board Order Finding That Its MGP Remediation Work Performed During The Remediation Adjustment Charge (RAC) 22 Period, August 1, 2013 to July 31, 2014 Was Prudent; That The Resulting RAC 22 Costs Are Reasonable And Available For Recovery; And To Make Changes in The Tariff For Electric Service B.P.U.N.J. No. 15 And To Make Changes in the Tariff For Gas Service B.P.U.N.J. No. 15, Pursuant to N.J.S.A. 48:2-21 and N.J.S.A. 48:2-21.1
  - In the Matter of the Petition of Public Service Electric and Gas Company For Approval Of Electric And Gas Rate Adjustments Pursuant To The Energy Strong Program.

G. Confidential Correspondence

O-15-2015

**TOWN OF MORRISTOWN**

**ORDINANCE O- 15 -2015**

**AN ORDINANCE OF THE TOWN OF MORRISTOWN TOWN COUNCIL ACCEPTING AN EASEMENT ON A PORTION OF LOT 4.01, BLOCK 5001 SHOWN ON THE OFFICIAL TAX MAP OF THE TOWN OF MORRISTOWN FOR PUBLIC OPEN SPACE**

**WHEREAS**, pursuant to N.J.S.A. 40A:12-4 and 40A:12-5, the Town of Morristown (the "Town") is authorized to acquire, by ordinance, real property by purchase, gift, devise, lease, exchange, condemnation, or installment purchase agreement; and

**WHEREAS**, Speedwell CVS Urban Renewal, L.L.C. ("CVS") is the owner of a certain tract of land located in the Town of Morristown, County of Morris, State of New Jersey, and designated as Lot 4.01, Block 5001 on the Tax Map of the Town of Morristown (the "Premises"); and

**WHEREAS**, by Resolution dated February 28, 2013 ("Resolution"), the Planning Board of the Town of Morristown approved an application by First Hartford Realty Corp. ("First Hartford"), acting on behalf of CVS, for preliminary and final site plan approval to construct a CVS retail pharmacy and associated improvements on the Premises (the "Approved Development"), which was approved in accordance with the Speedwell Redevelopment Plan, dated November 30, 2012 (the "Redevelopment Plan"); and

**WHEREAS**, CVS's predecessor in interest, First Hartford, entered into a Redevelopment Agreement with CVS, dated March 19, 2014; and

**WHEREAS**, the Approved Development, among other things, provides for the construction of a pedestrian plaza and associated landscaping, benches, bike rack, planters, solar charging station and other associated improvements within that portion of the Premises situated adjacent to Speedwell Avenue and the granting of an easement by CVS for public access thereto (the "Easement"); and

**WHEREAS**, the improvements to be constructed and maintained within the Easement are more particularly depicted on a certain plan entitled "Parklet," prepared by Carolle Huber and dated December 17, 2012, to be attached to the Easement; and

**WHEREAS**, CVS, consistent with the terms of the Resolution, the Redevelopment Agreement and the Redevelopment Plan, desires to grant a public access easement over the portion of the Premises as described in the Easement subject to the terms set forth therein; and

**WHEREAS**, the easement rights to be granted are free and clear of any liens and encumbrances which would unreasonably limit the purposes of the Easement; and

**WHEREAS**, the Town desires to accept the grant of the easement rights on a portion of the Premises for public open space purposes and as more particularly set forth in that certain Pedestrian Plaza Easement.

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

Section 1. The easement grant from Speedwell CVS Urban Renewal, L.L.C., as Grantor, to the Town as set forth in set forth in the Pedestrian Plaza Easement on a portion of the property designated as Lot 4.01, Block 5001 on the Tax Map of the Town of Morristown along Spring Street and Speedwell Avenue for public open space purposes is hereby accepted; and

Section 2. The Mayor and Town Clerk are hereby authorized to execute and deliver any document and, together with the Town's consultants, to take any and all necessary steps as would be reasonable or necessary to effectuate said acceptance and to effectuate the purposes of this Ordinance; and

Section 3. The Town Business Administrator, Town Attorney, Town Redevelopment Counsel and the Mayor are hereby authorized to sign, and the Town Clerk to witness, any document in a form acceptable to the Town Attorney or Redevelopment Counsel necessary or desirable to accomplish the actions set forth herein; and

Section 4. The aforesaid recitals be and hereby are adopted and incorporated herein as if repeated in full; and

Section 5. 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 6. Any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict; and

Section 7. This Ordinance shall take effect upon passage and publication in accordance with applicable law.

**ATTEST:**

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

**ADOPTED:**

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

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

TOWN OF MORRISTOWN

ORDINANCE O- 16 -2015

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

WHEREAS, the Town of Morristown desires to modify certain parking restrictions on various streets within the Town including, Morris Street, Speedwell Avenue, Washington Street, Early Street, and South Park Place;

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, be and is hereby amended and supplemented to include and read as follows:

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

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

<u>Name of Street</u>	<u>Sides</u>	<u>Hours</u>	<u>Location</u>
Cattano Avenue	a. East	All times	From northerly curblines of Washington Street to a point (50) feet north thereof, and from a point 443 north of the northerly curblines of Washington Street to Rt. 202, Speedwell Avenue
Lackawanna Place	a. West	All	From Lafayette Avenue to a point 124 feet south thereof
	b. West	All	From a point 184 feet south of Lafayette Avenue to 239 feet south thereof
	c. East	All	From the south edge of Lafayette Avenue to a point 100 feet south thereof
	d. East	All	From a point 184 feet south of the south edge of Lafayette Avenue to a point 239 feet south thereof
Elm Street	a. East	All	From the north curblines of South Street north for 74 feet

Washington Street	a. South	All	From the Town line to Budd Street
	b. South	All	From Budd Street east for 60 feet
	c. South	All	From a point 60 feet east of Budd Street to a point 285 feet east of Budd Street
	d. South	All	From a point 285 feet east of Budd Street to Cobb Place
	e. South	All	From Western Avenue to Market
	f. North	All	From Conklin Avenue to Colonial Road
	g. North	2:00 a.m. to 8:00 a.m.	From Colonial Road to a point 115 feet west of Mills Street
	h. North	All	From a point 115 feet west of Mills Street to a point 25 feet east of an extension of the eastern curb line of Budd Street
	i. North	2:00 a.m. to 8:00 a.m.	From a point 25 feet east of an extension of the eastern curb line of Budd Street for a distance of 270 feet in an easterly direction
	j. North	All	From a point 30 feet east of an extension of the eastern curb line of Cobb Place for a distance of 350 feet in a westerly direction
	k. North	2:00 a.m. to 8:00 a.m.	From a point 30 feet east of an extension of the eastern curb line of Cobb Place to Atno Avenue
l. North	All	From Atno Avenue to North Park Place	

b. *Stopping Standing or Parking Prohibited Between the Hours of 2:00 a.m. and 7:00 a.m.* No person shall stop or stand a vehicle between the hours of 2:00 a.m. and 7:00 a.m. on any of the following named roadways:

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
Morris Avenue	Both	From Morris Street in an easterly direction to the Town line
Morris Street	Both	From Park Place to Morris Avenue

**7-12 TIME LIMIT PARKING.**

**7-12.2 Time Limit Metered Parking - (Parking Meters: Zones).**

a. *Definitions.* As used in this subsection:

*Parking meter* shall mean and include any mechanical device or meter not inconsistent with this subsection placed or erected for the regulation of parking by authority of this subsection.

*Parking meter space* shall mean a space in the street alongside the curb within which a vehicle shall be properly parked, which space shall be bounded by the curb and lines marked on the street and shall have a parking meter installed adjacent to the curb side of the space.

b. *Time Limits Established.* The following time limits are hereby established in parking meter zones in the Town of Morristown: 30 minutes; 60 minutes; 90 minutes; 2 hours; 12 hours; 18 hours.

c. *Effective Meter Periods Established.* The following effective meter periods are hereby established in parking meter zones in the Town of Morristown:

Period A – 8AM to 8PM, Monday through Saturday, holidays excepted.

Period B – 8AM to 5PM, Monday through Saturday, holidays excepted.

Period C – 6AM to 12 Midnight, Monday through Saturday, holidays excepted.

Period D – 9AM to 8PM, Monday through Friday, 8AM to 8PM Saturday, holidays excepted.

Period E – 9AM to 4:30 PM and 6:30 PM to 8PM, Monday through Friday, 8AM to 8PM Saturday, holidays excepted.

Period F – 9:30AM to 2:30PM and 4:00PM to 8PM, Monday through Friday, 8AM to 8PM Saturday, holidays excepted.

Period G – 9:30AM to 8PM, Monday through Saturday, holidays excepted.

d. *Parking Meter Zones Regulations.* Parking meter zones and regulations are hereby established as described in paragraphs b., c., and d. on the streets, portions of streets, and sides of streets indicated, as set forth Schedule I.

**SCHEDULE I - PARKING METER ZONES & REGULATIONS**

Street	Limit 1 (From)	Limit 2 (To)	Side(s)	Time Limit	Meters in Effect
Ann Street	Court Street	Western Avenue	East	2 hours	Period A
Bank Street	Washington Street	Ann Street	South	90 minutes or 2 hours / Per Meter Instructions	Period A
Blachley Place	Morris Street	Elm Street	Both	90 minutes	Period A
Cattano Avenue	Mall Lot Driveway	Prospect Street	North	90 minutes	Period A

Community Place	South Street	Maple Avenue	South	90 minutes or 2 hours / Per Meter Instructions	Period A
Court Street	Ann Street	West Terminus	Both	2 hours	Period A
DeHart Street	South Street	Residential Parking Zone	South	90 minutes	Period A
Dumont Place	Morris Street	Pine Street	West	2 hours	Period A
Early Street	Speedwell Avenue	Lot 6R Driveway	South	2 hours	Period F
Elm Street	Morris Street	Hill Street	South	2 hours	Period A
Elm Street	Hill Street	Franklin Street	Both	2 hours	Period B
Elm Street	Franklin Street	South Street	Both	30 minutes, 90 minutes or 2 hours / Per Meter Instructions	Period A
Flagler Street	Speedwell Avenue	Lot 13 Exit Driveway	Both	2 hours	Period A
King Place	Pine Street	King Street	West	2 hours	Period A
King Street	Morris Street	Residential Parking Zone	Both	60 minutes	Period A
Lackawanna Place	Morris Street	Lumber Street	East	30 minutes, 60 minutes or 2 hours / Per Meter Instructions	Period A
Lackawanna Place	Morris Street	Lot 3R	West	2 hours	Period A
Lackawanna Place	Morris Street	Lot 3R	West	18 hours	Period C
M.L. King Avenue	Spring Street	Flagler Street	South	2 hours	Period A
Madison Street	South Street	Maple Avenue	Both	2 hours	Period A
Maple Avenue	Market Street	Miller Road	Both	2 hours	Period A
Maple Avenue	Miller Road	Madison Street	Both	2 hours	Period A
Market Street	South Street	Maple Avenue	North	30 minutes or 90 minutes / Per Meter Instructions	Period A

Miller Road	South Street	Maple Avenue	North	2 hours	Period A
Morris Street	Dumont Place	Spring Street	Both	30 minutes or 90 minutes / Per Meter Instructions	Period A
Morris Street	Spring Street	Blachley Place	South	90 minutes	Period A
Morris Street	Elm Street	Ridgedale Ave	North	2 hours	Period A
Olyphant Place	Morris Street	North Terminus	West	60 minutes	Period A
North Park Place	East Park Place	South Street	Both	30 minutes or 90 minutes / Per Meter Instructions	Period A
South Park Place	East Park Place	South Street	Both	90 minutes	Period A
Pine Street	South Street	King Place	Both	2 hours	Period A
Prospect Street	Cattano Avenue	Clinton Street	Both	2 hours	Period A
Schuyler Place	Washington Street	Ann Street	Both	90 minutes	Period A
South Street	North Park Place	James Street	Both	30 minutes or 90 minutes / Per Meter Instructions	Period A
Speedwell Avenue	Henry Street	Sussex Avenue	West	2 hours	Period D
Speedwell Avenue	Sussex Avenue	Early Street	West	2 hours	Period E
Speedwell Avenue	Early Street	Clinton Street	West	2 hours	Period D
Speedwell Avenue	Clinton Street	North Park Place	West	90 minutes	Period D
Washington Street	Atno Avenue	Cobb Place	East	2 hours	Period A
Washington Street	Atno Avenue	Cobb Place	West	2 hours	Period G
Washington Street	Phoenix Avenue	Western Avenue	West	2 hours	Period G
Western Avenue	Washington Street	Ann Street	South	2 hours	Period A

Note: Time periods provided in Schedule I are subject to limitations for designated loading zones pursuant to Section 7-37 of this Ordinance.

e. *Installation of Meters.* In the parking meter zones hereby created or hereafter created, a parking meter shall be installed adjacent to the curb side of each parking meter space as may be designated by the Governing Body. The meter shall be placed not more than two (2) feet from the curb and each space shall be marked out as an individual parking space for vehicles. Each meter shall be set to operate upon the deposit of one (1) or more coins as set forth in subsection.

f. Each meter shall be arranged so as to show or display a signal which shall clearly indicate whether the time limit during which parking in the space is permitted has expired.

i. *Unlawful Extension of Parking Time.* It shall be unlawful for any person to deposit or cause to be deposited in a parking meter, any coins for the purpose of extending the parking time beyond the total lawful parking period provided for the parking space along side or next to which the parking meter is placed. It shall be unlawful to willfully break, destroy or impair the usefulness of, or to open without lawful authority, any parking meter installed in a parking meter zone. It shall be unlawful to deposit or cause to be deposited in any parking meter any slug, device or substitute for a coin of the United States of America. It shall be unlawful to deposit or cause to be deposited a "sleeper" coin, which is a coin placed in the coin slot without the handle being turned thus activating the mechanism as per instructions.

**7-14 PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS.**

No person shall park a vehicle at any time upon any streets or parts thereof described.

<i>Street</i>	<i>Side</i>	<i>Location</i>
Early Street	a. North	Entire length
	b. South	From the westerly curblines of Atno Avenue to a point 103 feet west of the west edge of Harrison Street (Morristown High School Driveway)
Sherman Place	East	Entire length
	West	From Mills Street to Shenandoah Place

**7-15 PARKING PROHIBITED DURING CERTAIN HOURS ON CERTAIN STREETS.**

No person shall park a vehicle between the hours specified any day (except Sundays and public holidays) upon any of the streets or parts of streets described.

All prohibited parking areas designated below shall be further designated and posted as a "Tow-Away Zone," and in accordance with Section 7-3 of the Code of the Town of Morristown (2005), any vehicle parked in any place where parking is prohibited may be impounded by the Morristown Bureau of Police and shall be towed or transported to any place designated by the Chief of the Bureau of Police.

a. *Parking Prohibited between 2:00 a.m. and 7:00 a.m.*

<i>Name of Street</i>	<i>Sides</i>	<i>Hours</i>	<i>Location</i>
Bank Street	East	Between 2:00 a.m. and 7:00 a.m.	Park Place to Market Street
Elm Street	Both	Between 2:00 am. and 7:00 a.m.	Entire length
Market Street	West	Between 2:00 a.m. and 7:00 a.m.	Maple Avenue to West Park Place
Morris Avenue	Both	Between 2:00 a.m. and 7:00 a.m.	From Morris Street in an easterly direction to the Town line
Morris Street	Both	Between 2:00 am. and 7:00 a.m.	From Park Place to Morris Avenue
Mt. Kemble Avenue	East	Between 2:00 a.m. and 7:00 a.m.	MacCulloch Avenue to Town Line
North Park Place	Both	Between 2:00 a.m. and 7:00 a.m.	Entire length
South Park Place	Both	Between 2:00 a.m. and 7:00 a.m.	Entire length

South Street	Both	Between 2:00 a.m. and 7:00 a.m.	Park Place to James Street
Speedwell Avenue	Both	Between 2:00 a.m. and 7:00 a.m.	Park Place to Frederick Street
Spring Street	Both	Between 2:00 a.m. and 7:00 a.m.	From Morris Street to Martin Luther King Avenue
West Park Place	Both	Between 2:00 a.m. and 7:00 a.m.	Entire length

b. *Parking Prohibited between 2:00 a.m. and 8:00 a.m.*

<i>Name of Street</i>	<i>Sides</i>	<i>Hours</i>	<i>Location</i>
Washington Street	North	Between 2:00 a.m. and 8:00 a.m.	Atno Avenue and the Town Line

c. *Parking Prohibited between 2:00 a.m. and 9:30 a.m.*

<i>Name of Street</i>	<i>Sides</i>	<i>Hours</i>	<i>Location</i>
Washington Street	South	Between 2:00 a.m. and 9:30 a.m.	The Town Line to North Park Place

**7-17 RESIDENTIAL PERMIT PARKING.**

**7-17.6 Schedule of Streets.**

i. Parking shall be limited two (2) hour parking between the hours of 8:00 a.m. and 6:00 p.m. Monday through Friday only on the following described streets or portions thereof in the Town of Morristown, except for cars with resident permit stickers:

<i>Street</i>	<i>Side</i>	<i>Location</i>
Washington Street	North	<ul style="list-style-type: none"> <li>a. Atno Avenue starting at a point of the last metered space in a westerly direction towards Mill Street for a distance of 290 feet.</li> <li>b. In a westerly direction from the end of the no stopping, standing and parking zone for 300 feet between Cobb Place and Budd Street</li> <li>c. In a westerly direction from 120 feet from the end of the no stopping, standing or parking zone by Mills Street for 195 feet</li> <li>d. From Knox Road to Colonial Road 90 feet in a westerly direction</li> </ul>

j. Parking shall be limited two (2) hour parking between the hours of 9:30 a.m. and 6:00 p.m. Monday through Friday only on the following described streets or portions thereof in the Town of Morristown, except for cars with resident permit stickers:

<i>Street</i>	<i>Side</i>	<i>Location</i>
Washington Street	South	<ul style="list-style-type: none"> <li>a. In an easterly direction from Budd Street for 63 feet to a point of 220 feet</li> <li>b. From Cobb Place in an easterly direction to a point of the first metered space or 360 feet</li> </ul>

**7-37 LOADING ZONES**

The locations described are hereby designated as Loading Zones. No person shall park a vehicle in said location during the times indicated other than for the loading or unloading of goods and materials.

<u>Name of Street</u>	<u>Time</u>	<u>Side(s)</u>	<u>Location</u>
Speedwell Avenue	7:00 a.m. to 10 a.m. Monday through Friday	South	From Cattano Avenue (South Side) in an Easterly direction including the first two metered 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: \_\_\_\_\_

O-8-2015  
I: 4/28/2015

ORDINANCE O-8 - 15

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

WHEREAS, the Town of Morristown desires to modify certain parking restrictions on various streets within the Town including, Morris Street, Speedwell Avenue, Washington Street, Miller Street, Early Street, and South Park Place;

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, be and is hereby amended and supplemented to include and read as follows:

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

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

<u>Name of Street</u>	<u>Sides</u>	<u>Hours</u>	<u>Location</u>
Cattano Avenue	a. East	All times	From northerly curblines of Washington Street to a point (50) feet north thereof, and from a point 443 north of the northerly curblines of Washington Street to Rt. 202, Speedwell Avenue
Lackawanna Place	a. West	All	From Lafayette Avenue to a point 124 feet south thereof
	b. West	All	From a point 184 feet south of Lafayette Avenue to 239 feet south thereof
	c. East	All	From the south edge of Lafayette Avenue to a point 100 feet south thereof
	d. East	All	From a point 184 feet south of the south edge of Lafayette Avenue to a point 239 feet south thereof
Elm Street	a. East	All	From the north curblines of South Street north for 74 feet

Washington Street	a. South	All	From the Town line to Budd Street
	b. South	All	From Budd Street east for 60 feet
	c. South	All	From a point 60 feet east of Budd Street to a point 285 feet east of Budd Street
	d. South	All	From a point 285 feet east of Budd Street to Cobb Place
	e. South	All	From Western Avenue to Market
	f. North	All	From Conklin Avenue to Colonial Road
	g. North	2:00 a.m. to 8:00 a.m.	From Colonial Road to a point 115 feet west of Mills Street
	h. North	All	From a point 115 feet west of Mills Street to a point 25 feet east of an extension of the eastern curb line of Budd Street
	i. North	2:00 a.m. to 8:00 a.m.	From a point 25 feet east of an extension of the eastern curb line of Budd Street for a distance of 270 feet in an easterly direction
	j. North	All	From a point 30 feet east of an extension of the eastern curb line of Cobb Place for a distance of 350 feet in a westerly direction
	k. North	2:00 a.m. to 8:00 a.m.	From a point 30 feet east of an extension of the eastern curb line of Cobb Place to Atno Avenue
	l. North	All	From Atno Avenue to North Park Place

b. *Stopping Standing or Parking Prohibited Between the Hours of 2:00 a.m. and 7:00 a.m.*  
 No person shall stop or stand a vehicle between the hours of 2:00 a.m. and 7:00 a.m. on any of the following named roadways:

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
Morris Avenue	Both	From Morris Street in an easterly direction to the Town line
Morris Street	Both	From Park Place to Morris Avenue

**7-12 TIME LIMIT PARKING.**

**7-12.2 Time Limit Metered Parking - (Parking Meters: Zones).**

a. *Definitions.* As used in this subsection:

*Parking meter* shall mean and include any mechanical device or meter not inconsistent with this subsection placed or erected for the regulation of parking by authority of this subsection.

*Parking meter space* shall mean a space in the street alongside the curb within which a vehicle shall be properly parked, which space shall be bounded by the curb and lines marked on the street and shall have a parking meter installed adjacent to the curb side of the space.

b. *Time Limits Established.* The following time limits are hereby established in parking meter zones in the Town of Morristown: 30 minutes; 60 minutes; 90 minutes; 2 hours; 12 hours; 18 hours.

c. *Effective Meter Periods Established.* The following effective meter periods are hereby established in parking meter zones in the Town of Morristown:

Period A – 8AM to 8PM, Monday through Saturday, holidays excepted.

Period B – 8AM to 5PM, Monday through Saturday, holidays excepted.

Period C – 6AM to 12 Midnight, Monday through Saturday, holidays excepted

Period D – 9AM to 8PM, Monday through Friday, 8AM to 8PM Saturday, holidays excepted

Period E – 9AM to 4:30 PM and 6:30 PM to 8PM, Monday through Friday, 8AM to 8PM Saturday, holidays excepted

Period F – 9:30AM to 2:30PM and 4:00PM to 8PM, Monday through Friday, 8AM to 8PM Saturday, holidays excepted

Period G – 9:30AM to 8PM, Monday through Saturday, holidays excepted

d. *Parking Meter Zones Regulations.* Parking meter zones and regulations are hereby established as described in paragraphs b., c., and d. on the streets, portions of streets, and sides of streets indicated, as set forth Schedule I.

**SCHEDULE I - PARKING METER ZONES & REGULATIONS**

<b>Street</b>	<b>Limit 1 (From)</b>	<b>Limit 2 (To)</b>	<b>Side(s)</b>	<b>Time Limit</b>	<b>Meters in Effect</b>
Ann Street	Court Street	Western Avenue	East	2 hours	Period A
Bank Street	Washington Street	Ann Street	South	90 minutes or 2 hours / Per Meter Instructions	Period A
Blachley Place	Morris Street	Elm Street	Both	90 minutes	Period A
Cattano Avenue	Mall Lot Driveway	Prospect Street	North	90 minutes	Period A
Community Place	South Street	Maple Avenue	South	90 minutes or 2 hours / Per Meter Instructions	Period A
Court Street	Ann Street	West Terminus	Both	2 hours	Period A
DeHart Street	South Street	Residential Parking Zone	South	90 minutes	Period A
Dumont Place	Morris Street	Pine Street	West	2 hours	Period A
Early Street	Speedwell Avenue	Lot 6R Driveway	South	2 hours	Period F
Elm Street	Morris Street	Hill Street	South	2 hours	Period A
Elm Street	Hill Street	Franklin Street	Both	2 hours	Period B
Elm Street	Franklin Street	South Street	Both	30 minutes, 90 minutes or 2 hours / Per Meter Instructions	Period A
Flagler Street	Speedwell Avenue	Lot 13 Exit Driveway	Both	2 hours	Period A
King Place	Pine Street	King Street	West	2 hours	Period A
King Street	Morris Street	Residential Parking Zone	Both	60 minutes	Period A
Lackawanna Place	Morris Street	Lumber Street	East	30 minutes, 60 minutes or 2 hours / Per Meter Instructions	Period A
Lackawanna Place	Morris Street	Lot 3R	West	2 hours	Period A

Lackawanna Place	Morris Street	Lot 3R	West	18 hours	Period C
M.L. King Avenue	Spring Street	Flagler Street	South	2 hours	Period A
Madison Street	South Street	Maple Avenue	Both	2 hours	Period A
Maple Avenue	Market Street	Miller Road	Both	2 hours	Period A
Maple Avenue	Miller Road	Madison Street	Both	2 hours	Period A
Market Street	South Street	Maple Avenue	North	30 minutes or 90 minutes / Per Meter Instructions	Period A
Miller Road	South Street	Maple Avenue	North	2 hours	Period A
Morris Street	Dumont Place	Spring Street	Both	30 minutes or 90 minutes / Per Meter Instructions	Period A
Morris Street	Spring Street	Blachley Place	South	90 minutes	Period A
Morris Street	Elm Street	Ridgedale Ave	North	2 hours	Period A
Olyphant Place	Morris Street	North Terminus	West	60 minutes	Period A
North Park Place	East Park Place	South Street	Both	30 minutes or 90 minutes / Per Meter Instructions	Period A
South Park Place	East Park Place	South Street	Both	90 minutes	Period A
Pine Street	South Street	King Place	Both	2 hours	Period A
Prospect Street	Cattano Avenue	Clinton Street	Both	2 hours	Period A
Schuyler Place	Washington Street	Ann Street	Both	90 minutes	Period A
South Street	North Park Place	James Street	Both	30 minutes or 90 minutes / Per Meter Instructions	Period A
Speedwell Avenue	Henry Street	Sussex Avenue	West	2 hours	Period D
Speedwell Avenue	Sussex Avenue	Early Street	West	2 hours	Period E
Speedwell Avenue	Early Street	Clinton Street	West	2 hours	Period D
Speedwell Avenue	Clinton Street	North Park Place	West	90 minutes	Period D
Washington Street	Atno Avenue	Cobb Place	East	2 hours	Period A

Washington Street	Atno Avenue	Cobb Place	West	2 hours	Period G
Washington Street	Phoenix Avenue	Western Avenue	West	2 hours	Period G
Western Avenue	Washington Street	Ann Street	South	2 hours	Period A

Note: Time periods provided in Schedule I are subject to limitations for designated loading zones pursuant to Section 7-37 of this Ordinance.

e. *Installation of Meters.* In the parking meter zones hereby created or hereafter created, a parking meter shall be installed adjacent to the curb side of each parking meter space as may be designated by the Governing Body. The meter shall be placed not more than two (2) feet from the curb and each space shall be marked out as an individual parking space for vehicles. Each meter shall be set to operate upon the deposit of one (1) or more coins as set forth in subsection.

f. Each meter shall be arranged so as to show or display a signal which shall clearly indicate whether the time limit during which parking in the space is permitted has expired.

g. *Operation of Parking Meters and Rate Schedule.* Except in a period of emergency determined by a member of the Department of Administration and Public Safety, or except in compliance with the directions of a Police or Fire Officer, or except during certain hours on certain streets, or portions thereof, when and where parking is prohibited in order to expedite the flow of traffic, when any vehicle shall be parked in a parking meter space between the hours specified in paragraph c. of this subsection, the owner, operator or driver of any vehicle shall, upon entering the parking meter space, immediately deposit a coin or coins in the parking meter as follows:

1. (Rate Schedule a) In one-half (1/2) hour zones, deposit one (1) ten (\$.10) cent coin for each twelve (12) minutes of parking time.

2. (Rate Schedule b) In one (1) hour zones, deposit one (1) ten (\$.10) cent coin for each fifteen (15) minutes of parking time or one (1) twenty-five cent (\$.25) "convenience coin" for thirty (30) minutes of parking time.

3. (Rate Schedule c) In two (2) hour zones, deposit one (1) ten (\$.10) cent coin for each twelve (12) minutes of parking time.

4. (Rate Schedule d) In twelve (12) hour zones, deposit one (1) twenty-five (\$.25) cent coin for each two (2) hours of parking time to a maximum of twelve (12) hours of parking time.

h. *Parking Time Limits.* Any vehicle parking or standing in any designated parking meter space in a parking meter zone shall be parked within the lines marked on the street or curb and may occupy the space during the parking limit provided by the ordinance of the town for the part of the street in which the parking meter space is located. In a 30-minute zone, parking or standing a vehicle in a designated parking meter space shall be lawful for fifteen minutes for each ten-cent (\$.10) coin deposited, not exceeding a total of 30 minutes. In a one-hour zone, parking or standing a vehicle in a designated parking meter space shall be lawful for fifteen minutes for each ten-cent (\$.10) coin deposited, not exceeding a total of one hour, or for one twenty-five cent (\$.25)

"convenience coin" deposited for a thirty-minute period. In a two-hour zone, parking or standing a vehicle in a designated parking meter space shall be lawful for one ten-cent (\$.10) coin for each fifteen-minutes or one twenty-five cent (\$.25) "convenience coin" deposited for each thirty-minutes, not exceeding a total of two hours. In a twelve-hour zone, parking or standing a vehicle in a designated parking meter space shall be lawful for two hours for each twenty-five cent (\$.25) coin deposited, not to exceed a total of twelve hours.

i. *Unlawful Extension of Parking Time.* It shall be unlawful for any person to deposit or cause to be deposited in a parking meter, any coins for the purpose of extending the parking time beyond the total lawful parking period provided for the parking space along side or next to which the parking meter is placed. It shall be unlawful to willfully break, destroy or impair the usefulness of, or to open without lawful authority, any parking meter installed in a parking meter zone. It shall be unlawful to deposit or cause to be deposited in any parking meter any slug, device or substitute for a coin of the United States of America. It shall be unlawful to deposit or cause to be deposited a "sleeper" coin, which is a coin placed in the coin slot without the handle being turned thus activating the mechanism as per instructions.

**7-14 PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS.**

No person shall park a vehicle at any time upon any streets or parts thereof described.

<u>Street</u>	<u>Side</u>	<u>Location</u>
Early Street	a. North	Entire length
	b. South	From the westerly curbline of Atno Avenue to a point 103 feet west of the west edge of Harrison Street (Morristown High School Driveway)
Sherman Place	East	Entire length
	West	From Mills Street to Shenandoah Place

**7-15 PARKING PROHIBITED DURING CERTAIN HOURS ON CERTAIN STREETS.**

No person shall park a vehicle between the hours specified any day (except Sundays and public holidays) upon any of the streets or parts of streets described.

All prohibited parking areas designated below shall be further designated and posted as a "Tow-Away Zone," and in accordance with Section 7-3 of the Code of the Town of Morristown (2005), any vehicle parked in any place where parking is prohibited may be impounded by the Morristown Bureau of Police and shall be towed or transported to any place designated by the Chief of the Bureau of Police.

a. *Parking Prohibited between 2:00 a.m. and 7:00 a.m.*

<i>Name of Street</i>	<i>Sides</i>	<i>Hours</i>	<i>Location</i>
Bank Street	East	Between 2:00 a.m. and 7:00 a.m.	Park Place to Market Street
Elm Street	Both	Between 2:00 am. and 7:00 a.m.	Entire length
Market Street	West	Between 2:00 a.m. and 7:00 a.m.	Maple Avenue to West Park Place
Morris Avenue	Both	Between 2:00 a.m. and 7:00 a.m.	From Morris Street in an easterly direction to the Town line
Morris Street	Both	Between 2:00 am. and 7:00 a.m.	From Park Place to Morris Avenue
Mt. Kemble Avenue	East	Between 2:00 a.m. and 7:00 a.m.	MacCulloch Avenue to Town Line
North Park Place	Both	Between 2:00 a.m. and 7:00 a.m.	Entire length
South Park Place	Both	Between 2:00 a.m. and 7:00 a.m.	Entire length

South Street	Both	Between 2:00 a.m. and 7:00 a.m.	Park Place to James Street
Speedwell Avenue	Both	Between 2:00 a.m. and 7:00 a.m.	Park Place to Frederick Street
Spring Street	Both	Between 2:00 a.m. and 7:00 a.m.	From Morris Street to Martin Luther King Avenue
West Park Place	Both	Between 2:00 a.m. and 7:00 a.m.	Entire length

b. *Parking Prohibited between 2:00 a.m. and 8:00 a.m.*

<i>Name of Street</i>	<i>Sides</i>	<i>Hours</i>	<i>Location</i>
Washington Street	North	Between 2:00 a.m. and 8:00 a.m.	Atno Avenue and the Town Line

c. *Parking Prohibited between 2:00 a.m. and 9:30 a.m.*

<i>Name of Street</i>	<i>Sides</i>	<i>Hours</i>	<i>Location</i>
Washington Street	South	Between 2:00 a.m. and 9:30 a.m.	The Town Line to North Park Place

**7-17 RESIDENTIAL PERMIT PARKING.**

**7-17.6 Schedule of Streets.**

a. Two-hour parking only in designated residential areas is effective on the following described streets or portions thereof in the Town of Morristown between the hours of 8:00 am. and 4:00 p.m., Monday through Friday:

<i>Street</i>	<i>Location</i>
Miller Street	Entire length

i. Parking shall be limited two (2) hour parking between the hours of 8:00 a.m. and 6:00 p.m. Monday through Friday only on the following described streets or portions thereof in the Town of Morristown, except for cars with resident permit stickers:

<i>Street</i>	<i>Side</i>	<i>Location</i>
Washington Street	North	<ul style="list-style-type: none"> <li>a. Atno Avenue starting at a point of the last metered space in a westerly direction towards Mill Street for a distance of 290 feet.</li> <li>b. In a westerly direction from the end of the no stopping, standing and parking zone for 300 feet between Cobb Place and Budd Street</li> <li>c. In a westerly direction from 120 feet from the end of the no stopping, standing or parking zone by Mills Street for 195 feet</li> <li>d. From Knox Road to Colonial Road 90 feet in a westerly direction</li> </ul>

j. Parking shall be limited two (2) hour parking between the hours of 9:30 a.m. and 6:00 p.m. Monday through Friday only on the following described streets or portions thereof in the Town of Morristown, except for cars with resident permit stickers:

<i>Street</i>	<i>Side</i>	<i>Location</i>
Washington Street	South	a. In an easterly direction from Budd Street for 63 feet to a point of 220 feet  b. From Cobb Place in an easterly direction to a point of the first metered space or 360 feet

**7-37 LOADING ZONES**

The locations described are hereby designated as Loading Zones. No person shall park a vehicle in said location during the times indicated other than for the loading or unloading of goods and materials.

<u>Name of Street</u>	<u>Time</u>	<u>Side(s)</u>	<u>Location</u>
Speedwell Avenue	7:00 a.m. to 10 a.m. Monday through Friday	South	From Cattano Avenue (South Side) in an Easterly direction including the first two metered 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: \_\_\_\_\_

O-9-2015  
I- 5/12/2015

**TOWN OF MORRISTOWN**  
**ORDINANCE NO. O- 9 -2015**

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWN OF MORRISTOWN, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING \$2,822,600 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,681,470 BONDS OR NOTES OF THE TOWN TO FINANCE PART OF THE COST THEREOF.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MORRISTOWN, IN THE COUNTY OF MORRIS, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Town of Morristown, in the County of Morris, New Jersey (the "Town") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$2,822,600, and further including the aggregate sum of \$141,130 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, negotiable bonds are hereby authorized to be issued in the principal amount of \$2,681,470 pursuant to the Local Bond

Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

<u>Purpose</u>	<u>Appropriation &amp; Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds &amp; Notes</u>	<u>Period of Usefulness</u>
<b><u>a) Road and Sidewalk Improvements</u></b> Various road and sidewalk improvements, including, but not limited to, co-op milling and resurfacing to various streets, all as set forth on a list on file in the Office of the Clerk, curb sidewalk and drainage improvements, MLK Avenue corridor improvement plan, police traffic control, crack sealing, striping co-op, casting co-op, shade tree re-forestation, and preliminary planning and engineering expenses, including all work and materials necessary therefor and incidental thereto.	\$1,825,000	\$1,733,750	10 years

**b) Parks and Recreation**

Various park and recreation improvements, including, but not limited to, Gramby Park improvements, Burnham Pool-playground improvements, shade structure, and the acquisition of a pool cover and pool vacuum, including all work and materials necessary therefor and incidental thereto and further including all related costs and expenditures incidental thereto.

\$265,000

\$251,750

15 years

**c) DPW/UCC/Fire Equipment**

1) The acquisition of sport utility vehicles and a pickup truck and plow, including all related costs and expenditures incidental thereto.

\$108,000

\$102,600

5 years

2) The acquisition of a street sweeper and recycling compactors, including all related costs and expenditures incidental thereto.

\$260,000

\$247,000

15 years

**d) Building Improvements**

**1) Town Hall**

Various improvements to Town Hall, including, but not limited to, refurbish bathrooms, repoint and clean exterior trim and the acquisition of a HVAC controller, including all work and materials necessary therefor and incidental thereto and further including all related costs and expenditures incidental thereto.

\$67,600

\$64,220

15 years

2) Firehouse

Various improvements to the Firehouse, including, but not limited to, the acquisition and installation of garage doors and refinish fire bay floor with drains, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.

\$47,000

\$44,650

15 years

e) Joint Morristown/Morris Township Library

Contribution for 1987 Stone Wall Construction Project, including all related costs and expenditures incidental thereto.

\$250,000

\$237,500

15 years

Total:

\$2,822,600

\$2,681,470

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief

financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Town hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Town is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3(a) of this bond ordinance are not current expenses. They are all improvements or purposes that the Town may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 11.38 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Town as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$2,681,470, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$564,520 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements.

Section 7. The Town hereby declares the intent of the Town to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes or improvements described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations.

Section 8. Any grant moneys received for the purposes or improvements described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Town is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be

distributed in connection with the sale of obligations of the Town and to execute such disclosure document on behalf of the Town. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Town pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Town and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Town fails to comply with its undertaking, the Town shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Town are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Town, and the Town shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Town for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

ADOPTED:

ATTEST:

\_\_\_\_\_  
KEVIN D. HARRIS,  
Town Clerk

\_\_\_\_\_  
TIMOTHY P. DOUGHERTY,  
Mayor

**DATED:** \_\_\_\_\_

O-10-2015  
I- 5/12/2015

TOWN OF MORRISTOWN

ORDINANCE NO: O- 10 -2015

AN ORDINANCE OF THE TOWN OF MORRISTOWN, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, FOR COMPENSATION FOR THE ELECTED MAYOR, TOWN COUNCIL MEMBERS AND COUNCIL PRESIDENT IN THE TOWN OF MORRISTOWN, NEW JERSEY AND AMENDING ALL ORDINANCES CONCERNING SUCH COMPENSATION HERETOFORE ADOPTED

BE IT ORDAINED, by the Town Council of the Town of Morristown, County of Morris, State of New Jersey, being the governing body thereof as follows that:

- (1) The Town of Morristown is organized under the "Mayor-Council Plan" form of government as established under the Optional Municipal Charter Act, i.e., The Faulkner Act, at N.J.S.A. 40:69A-31 et seq., which provides for a separately elected Mayor and Council to serve as the elected officials of the said municipality; and
- (2) The elected Mayor, Town Council Members and Council President of the Town of Morristown shall be compensated within the salary ranges set forth in this Ordinance and shall perform all duties as are prescribed by law. All salary amounts shall be effective as of January 1, 2015; and

BE IT FURTHER ORDAINED, that the annual salary amount for the Mayor of the Town of Morristown shall be \$26,042.00; and

BE IT FURTHER ORDAINED, that the annual salary amount for each Town Council Member shall be \$9,676.00; and

BE IT FURTHER ORDAINED, that the Council President shall receive an additional \$1,000.00 above the annual Town Council Member salary amount; and

BE IT FURTHER ORDAINED, that all provisions of this Ordinance are subject to the available appropriations of the Town of Morristown and that this Ordinance does not and shall not legally bind the Town of Morristown to pay any of the wages or compensation set forth herein unless and until appropriations have been made in sufficient amounts to pay said wages or compensations to those holding the title and position set forth herein; and

BE IT FURTHER ORDAINED, that 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

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

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

ATTEST:

ADOPTED:

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

\_\_\_\_\_  
TIMOTHY DOUGHERTY  
MAYOR

I do hereby certify the above to be a true and exact copy of an Ordinance duly passed and adopted by the Town Council of the Town of Morristown at the Regular meeting of the Town Council held on May \_\_\_\_, 2015 in the Morristown Council Room, 200 South Street, Morristown, New Jersey, beginning at \_\_\_\_ P.M., prevailing time.

DATED: May \_\_, 2015

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

0-11-2015  
I-5/12/2015

TOWN OF MORRISTOWN  
ORDINANCE O- 11 -2015

AN ORDINANCE OF THE TOWN OF MORRISTOWN , IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, FOR COMPENSATION FOR MANAGEMENT/NON-UNION POSITIONS IN THE TOWN OF MORRISTOWN, NEW JERSEY AND AMENDING ALL ORDINANCES CONCERNING SUCH COMPENSATION HERETOFORE ADOPTED

BE IT ORDAINED, by the Town Council of the Town of Morristown, County of Morris, State of New Jersey, being the governing body thereof as follows that:

- (1) The Town of Morristown is organized under the "Mayor-Council Plan form" of government as established under the Optional Municipal Charter Act ("the Faulkner Act"), N.J.S.A. 40:69A-31, et. seq., which provides for a separately elected Mayor and Council to serve as the elected officials of the municipality.
- (2) The Management/Non-Union positions in the Town of Morristown set forth in this Ordinance and not otherwise provided for by law are hereby ORDAINED and established. Management/Non-Union positions are defined as those positions not included in any collective bargaining unit.
- (3) All Management/Non-Union employees of the Town of Morristown shall be compensated at the rates or within the ranges set forth in this Ordinance and shall perform such duties as may be prescribed by law.
- (4) The appointing authority may hire personnel or such additional personnel as may be required on a part-time or temporary basis, to be compensated within available appropriations at a rate or lesser rate than set forth in this Ordinance.
- (5) All rates and ranges are effective January 1, 2015 except for Second Class Special Officers, which are effective upon adoption of this Ordinance.

Title	Annual Range or Rate
Business Administrator	\$95,000-\$140,000
Chief Financial Officer/Treasurer	\$85,000-\$140,000
Police Chief	\$123,000-\$137,000
Fire Chief	\$110,000-\$131,000
Deputy Fire Chief	\$113,000-\$131,000
Town Engineer	\$95,000-\$144,000
Director of Code Enforcement	\$75,000-\$95,000
Construction Official	\$65,000-\$129,000
Assistant Construction Official	\$10,000-\$30,000
Town Planner	\$70,000-\$120,000
Assistant Chief Housing Inspector	\$60,000-\$72,000
Housing/Zoning Inspector	\$57,000-\$67,000
Housing/Zoning Inspector Trainee	\$45,000-\$55,000
Municipal Attorney	\$95,000-\$115,000
Municipal Court Administrator	\$64,000-\$92,000
Deputy Court Administrator	\$40,000-\$56,000

Title	Annual Range or Rate
Town Clerk	\$72,000-\$96,000
Deputy Town Clerk	\$60,000-\$78,000
Assistant Municipal Treasurer	\$50,000-\$75,000
Tax Collector	\$55,000-\$86,000
Payroll/Employee Benefits Specialist	\$50,000-\$75,000
Payroll Clerk	\$50,000-\$63,000
Confidential Secretary/Administrative Clerk	\$50,000-\$69,000
Electrical Sub-Code Official	\$60,000-\$78,000
Fire Protection Sub-Code Official	\$60,000-\$78,000
Plumbing Sub-Code Official	\$60,000-\$78,000
Electrical Sub-Code Official/Building Inspector/Code Enforcement	\$60,000-\$78,000
Building Inspector	\$45,000-\$69,000
Electrical Inspector	\$45,000-\$69,000
Fire Protection Inspector	\$45,000-\$69,000
Plumbing Inspector	\$45,000-\$69,000
Technical Assistant to the Construction Official	\$35,000-\$48,000
Senior Account Clerk	\$37,000-\$53,000
Registrar of Vital Statistics	\$48,000-\$64,000
Deputy Registrar of Vital Statistics	\$35,000-\$40,000
Keyboarding Clerk 1 (Bilingual)	\$28,000-\$40,000
Keyboarding Clerk 2 (Bilingual)	\$36,000-\$51,000
Keyboarding Clerk 3 (Bilingual)	\$49,000-\$59,000
Keyboarding Clerk 4 (Bilingual)	\$51,000-\$65,000
Clerk Typist 1 (Bilingual)	\$23,000-\$33,000
<b><u>PART-TIME</u></b>	
Municipal Prosecutor	\$35,000-\$55,000
Municipal Court Judge	\$17,000-\$45,000
Tax Assessor	\$30,000-\$46,000
Clean Communities Coordinator	\$15,000-\$23,000
OEM Coordinator	\$5,000
Assistant OEM Coordinator	\$3,000
Town Planner	\$40.00 per hour-\$66.00 per hour
Public Health Nurse	\$30.00 per hour - \$47.00 per hour
Assistant Municipal Treasurer	\$30.00 per hour-\$41.00 per hour
Payroll/Employee Benefits Specialist	\$30.00 per hour-\$41.00 per hour
Electric Sub-Code Official	\$30.00 per hour-\$42.00 per hour
Fire Protection Sub-Code Official	\$30.00 per hour-\$42.00 per hour
Plumbing Sub-Code Official	\$30.00 per hour-\$42.00 per hour
Electrical Sub-Code Official/Building Inspector/Code Enforcement	\$30.00 per hour-\$42.00 per hour
Registrar of Vital Statistics	\$26.00 per hour-\$34.00 per hour
Housing/Zoning Inspector	\$25.00 per hour-\$35.00 per hour
Housing/Zoning Inspector Trainee	\$15.00 per hour-\$27.00 per hour
Building Inspector	\$25.00 per hour-\$38.00 per hour
Electrical Inspector	\$25.00 per hour-\$38.00 per hour
Fire Protection Inspector	\$25.00 per hour-\$38.00 per hour

Title	Annual Range or Rate
Plumbing Inspector	\$25.00 per hour-\$38.00 per hour
Bi-lingual Principal Clerk Typist	\$20.00 per hour-\$31.00 per hour
Technical Assistant to the Construction Official	\$19.00 per hour-\$26.00 per hour
Deputy Registrar of Vital Statistics	\$19.00 per hour-\$22.00 per hour
Laborer	\$12.50 per hour-\$25.00 per hour
Housing Inspector Trainee	\$15.00 per hour-\$27.00 per hour
Senior Account Clerk	\$15.00 per hour-\$28.00 per hour
Animal Control Officer	\$15.00 per hour-\$28.00 per hour
Omnibus Driver	\$15.00 per hour-\$21.00 per hour
Motor Broom Operator	\$25.00 per hour-\$32.00 per hour
Recycling Enforcement	\$10.00 per hour-\$20.00 per hour
Keyboarding Clerk 1 (Bilingual)	\$19.00 per hour-\$22.00 per hour
Keyboarding Clerk 2 (Bilingual)	\$22.00 per hour-\$30.00 per hour
Keyboarding Clerk 3 (Bilingual)	\$31.00 per hour-\$33.00 per hour
Keyboarding Clerk 4 (Bilingual)	\$34.00 per hour-\$40.00 per hour
Clerk 1 (Bilingual)	\$9.00 per hour-\$21.00 per hour
Janitor	\$10.00 per hour-\$16.00 per hour
First Class Special Officer	\$25.00 per hour
Second Class Special Officer	\$32.50 per hour

**BE IT FURTHER ORDAINED**, that all provisions of this Ordinance are subject to available appropriations of the Town of Morristown and this Ordinance does not and shall not legally bind the Town of Morristown to pay any of the wages or compensations set forth herein unless and until appropriations have been made in sufficient amounts to pay said wages or compensation to those holding the title and position set forth herein; and

**BE IT FURTHER ORDAINED**, that 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

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

**BE IT FURTHER ORDAINED**, that this Ordinance shall take effect upon passage and publication according with applicable law.

ATTEST:

ADOPTED:

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

\_\_\_\_\_  
 TIMOTHY DOUGHERTY  
 MAYOR

I do hereby certify the above to be a true and exact copy of an Ordinance duly passed and adopted by the Town Council of the Town of Morristown at the Regular Meeting of the Town Council held on May \_\_\_\_, 2015, in the Morristown Council Room, 200 South Street, Morristown, New Jersey, beginning at \_\_\_\_ P.M., prevailing time.

DATED: May \_\_\_\_, 2015

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

O-12-2015  
I-5/12/2015

TOWN OF MORRISTOWN

ORDINANCE O- 12 - 2015

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

WHEREAS, the Town of Morristown desires to establish and fix rates for on-street parking meters within the Town;

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, be and is hereby amended and supplemented to include and read as follows:

7-12 TIME LIMIT PARKING.

7-12.2 Time Limit Metered Parking - (Parking Meters: Zones).

g. *Operation of Parking Meters and Rate Schedule.* Except in a period of emergency determined by a member of the Department of Administration and Public Safety, or except in compliance with the directions of a Police or Fire Officer, or except during certain hours on certain streets, or portions thereof, when and where parking is prohibited in order to expedite the flow of traffic, when any vehicle shall be parked in a parking meter space between the hours specified in paragraph e. of this subsection, the owner, operator or driver of any vehicle shall, upon entering the parking meter space, immediately deposit a coin or coins, or credit card payment, where applicable, in the parking meter in the amounts specified on the parking meter, which shall be based on \$0.75 per hour for non-credit card meters having a time limit of 60 or 120 minutes, \$1.00 per hour for non-credit card meters having a time limit that is less than 60 minutes, \$0.25 per 45 minutes for credit card meters having a time limit of 18 hours, and \$1.00 per hour for all other credit card meters. Credit card meters shall be subject to a minimum charge, as indicated on the meter.

h. *Parking Time Limits.* Any vehicle parking or standing in any designated parking meter space in a parking meter zone shall be parked within the lines marked on the street or curb and may only occupy the space during the parking limit provided by the ordinance of the town for the part of the street in which the parking meter space is located and shall not exceed the time limit indicated on the meter.

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 Harris,  
Clerk

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

O-13-2015  
I- 5/12/2015

TOWN OF MORRISTOWN

ORDINANCE O - 13 - 2015

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 25 "HEALTH" TO AMEND SECTION 2 "DEFINITIONS", SECTION 6 "LICENSES", SECTION 10 "FOOD ESTABLISHMENTS" AND TO ADD SECTION 11 "BEAUTY, BARBER, AND NAIL SALONS" TO THE CODE OF THE TOWN OF MORRISTOWN

WHEREAS, currently the Code of the Town of Morristown, Chapter 25, "Health", Section 6 requires a person to obtain a license or permit from the Town Division of Health prior to opening and operating a beauty, barber, and/or nail salon; and

WHEREAS, as part of the licensing process the Town Division of Health is required to perform an inspection of the proposed premises; and

WHEREAS, the State of New Jersey currently also requires such establishments to obtain licenses from the New Jersey Board of Cosmetology and Hairstyling and with this licensing process the State of New Jersey conducts inspections of the establishments; and

WHEREAS, the Town Division of Health believes that requiring local inspections would be a duplication of services; and

WHEREAS, the Town Division of Health desires to remove beauty, barber and nail salons from the section of the Town Ordinance requiring licensing and inspections by the Town; and

WHEREAS, the Town Division of Health desires to add a section to the Code that requires beauty, barber and nail salons to annually register with the Town of Morristown, by showing evidence the establishment and the employees are properly registered with the New Jersey Board of Cosmetology and Hairstyling; and

WHEREAS, the Town of Morristown believes that this registration process will help protect the public's health by allowing the Division of Health to identify and report any unlicensed establishments to the New Jersey Board of Cosmetology and Hairstyling;

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 25, Health, Section 2, Definitions, Section 6, Licenses, Section 10, Food Establishments* and *Section 11* to be referred to as Beauty, Barber and Nail Salons, be and hereby are amended and supplemented to state as follows:

25-2 DEFINITIONS.

As used in this chapter:

*Antiseptic* shall mean any substance which will inhibit the growth and multiplication of microorganisms, without necessarily killing them.

*Bactericidal Process* shall mean the application of any method or substance for the destruction of pathogens and all other organisms, as far as practicable, which is effective and does not adversely affect the equipment or the food or drink or the health of the consumer.

*Boarding Home* shall mean any house or other place where one (1) or more children is received, cared for or kept, unattended by his parents or legal guardian, for the purpose of providing such child or children with food, lodging or care.

*Caterer* shall mean one who prepares food at one location and transports it to another location for consumption, or one who prepares food for special functions with facilities provided by those being served, with or without additional equipment of his own.

*Cellar* shall mean the lowermost portion of the building partly or totally underground, having one-half (1/2) or more of its height measured from clear floor to ceiling below the average adjoining ground level. Where the natural contour of the ground level immediately adjacent to the building is interrupted by ditching, pits or trenching, then the average adjoining ground level shall be the nearest natural contour line parallel to the walls of the building without regard to the levels created by the ditching, pits or trenching.

*Cleaning* shall mean removal by scrubbing and washing, as with hot water, soap, detergent or by vacuuming infectious agents from surfaces.

*Cleansing* shall mean the thorough removal of dust and other contaminating material in such a way as to prevent the entry thereof as far as may be possible into either rooms or dwellings; washing with soap and hot water; scouring, airing and exposure to sunlight.

*Code* shall mean any systematic body of law, especially one given statutory force.

*Communicable Disease* shall mean an illness due to a specific infectious agent or its toxic products that arises through transmission of that agent or its products from an infected person, animal or other object to a susceptible host, either directly or indirectly.

*Communicable Disease Period* shall mean the time during which an infectious agent may be transferred directly or indirectly from an infected person to another infected person.

*Condemn* shall mean to adjudge or pronounce to be unfit for use or service.

*Contact* shall mean person or animal in close proximity to an infected person so as to have an opportunity to be infected.

*Dairy Products* shall mean the definitions of dairy products as defined in N.J.S.A. 24:10-1 et seq. and in N.J.A.C. 8:21-10.1 et seq. are incorporated herein as if set forth at length.

*Disinfectant* shall mean any chemical substance or agent which will destroy microorganisms.

*Disinfection* shall mean the process of destroying the vitality of the disease-producing organisms by physical or chemical means.

*Division of Health* shall mean the Division of Health of the Department of Human Services for the Town of Morristown.

*Dwelling* shall mean a building or structure or part thereof containing one (1) or more dwelling units or lodging units.

*Dwelling Unit* shall mean any room or group of rooms or any part thereof located within a building and forming a single habitable unit with facilities which are used or designed to be used for living, sleeping, cooking and eating.

*Food* shall mean any raw, cooked, processed, edible substances, water, ice, beverage or ingredient used or intended for use for sale, in whole or in part, for human consumption.

*Food Establishment* shall mean any fixed or mobile restaurant, coffee shop, cafeteria, short order cafe, luncheonette, grill, tearoom, sandwich shop, soda shop, ice cream parlor, tavern, bar, night club, industrial cafeteria, bakery, public food market, meat market, dairy, non-profit caterers, food stands, liquor stores and supermarkets and grocery stores where food is prepared on or off-site for sale.

*Garbage* shall mean putrescible animal and/or vegetable waste resulting from the handling, preparation, consumption or cooking of food.

*Germicide* shall mean any substance which will kill microorganisms.

*Habitable Room* shall mean a room or enclosed floor space within a dwelling unit used or designed to be used for living, sleeping, cooking or eating purposes, excluding bathrooms, water closet compartments, laundries, pantries, foyers or communicating corridors, closets and storage spaces.

*Health* shall mean physical, mental and social well being with the absence of disease.

*Health Nuisance* shall mean anything that is detrimental to health or is potentially injurious or dangerous to health.

*Health Officer* shall mean the Health Officer for the Town of Morristown. A person who holds a license as a Health Officer from the New Jersey Department of Health and Senior Services.

*Incubation Period* shall mean the time from contact with an infectious agent to showing signs and symptoms.

*Infection* shall mean the entry, development or multiplication of an infectious agent into the body of a human or an animal.

*Isolation* shall mean the placing apart of a person or persons affected with or exposed to a communicable disease for the purpose of preventing contact with other persons, and the establishment of restrictions directly surrounding such person or persons.

*Itinerant Restaurant* shall mean hawking, soliciting or peddling ready-to-eat produce, meat, fish, poultry or any other edible substance from a vehicle, cart, truck or other conveyance on any public or private thoroughfare in the Town of Morristown.

*License* shall mean the formal, written permission to perform certain acts or carry on a certain business embodied in the document granting such permission, issued by the Division of Health in accordance with its rules and regulations and the Sanitary Code.

*Massaging Establishment* shall mean any place where for a fee a business is conducted which involves caring for and beautifying the human body by means of hand manipulation or instrumental devices, except such places where the individual performing such hand manipulations or operating such instruments, operating or supervising the operation of such devices is licensed by the State Board of Medical Examiners.

*Milk* shall mean the secretion produced by the mammary glands of humans, cows and other mammals.

*NJDOHSS* shall mean the New Jersey Department of Health and Senior Services.

*Nuisance* shall mean anything which is detrimental or hazardous to health or which is potentially detrimental or hazardous to health, as determined by the Division of Health.

*Number or Gender* whenever, in describing or referring to any person, party, matter or thing, any word importing the singular number or masculine gender is used, the same shall be understood to include and to apply to several persons or parties, as well as to one (1) person, and to females as well as males, and to bodies corporate as well as individuals, and to several matters and things as well as one (1) matter or thing.

*Occupant* shall mean any person or persons in actual possession of and living in the building or dwelling unit, including the owner.

*Operator* shall mean any person who, by contract, agreement or ownership, conducts a restaurant, food-handling establishment or itinerant restaurant or operates a vending machine or apparatus, or who vends any food or food products within the Town.

*Permit* shall mean temporary permission, in writing, to cover the doing of a single act or series of acts and which may be revoked by the Division of Health for cause, at any time, although the act or acts for which the permit was granted have not been completed.

*Person* shall mean any person or persons, firm, corporation, association, societies, firms, partnerships, joint-stock companies and political subdivisions, as well as individuals.

*Personal Hygiene* shall mean those protective measures taken by a person to promote health and limit the spread of infectious disease.

*Plumbing Fixtures* shall mean and include all installed receptacles or devices which are supplied with water or which receive or discharge liquid waste or sewage into the drainage system with which they are directly or indirectly connected.

*Potentially Hazardous Foods* shall mean any food which consists in whole or in part of milk or milk products, eggs, meat, poultry, fish, shellfish, edible crustacea, raw seed sprouts, heat treated vegetables and vegetable products, or other ingredients, including synthetic ingredients, in a form capable of supporting rapid and progressive growth of infectious or toxigenic microorganisms, or the slower growth of *C. botulinum*. The term does not include foods which have a pH level of 4.6 or below or a water activity ( $a_w$ ) value of 0.85 or less.

*Quarantine* shall mean the placing of restrictions upon households or premises, or the persons thereof, for the purpose of preventing the spread of a communicable disease to other persons, households or premises.

*Refuse* shall mean and include but shall not be limited to garbage, ashes, street cleanings, abandoned vehicles or parts thereof, dead animals, paper, cardboard, glass, tin cans, yard trimmings, leaves, wood and dead tree limbs, bedding, furniture, excelsior and discarded clothing.

*Related Person or Persons Related* shall mean two (2) or more persons who live together in one (1) dwelling unit or rooming unit and who maintain a common household and who are related by blood, marriage or

adoption, except as hereinafter provided. For the purpose of this chapter, "related persons" includes only a husband and wife, son, son-in-law, daughter, daughter-in-law, brother, brother-in-law, sister, sister-in-law, nephew, niece, father, father-in-law, mother, mother-in-law, grandparent, grandchild, stepchild, adopted child and bona fide family servants living in and working full time on the premises. "Related persons" shall also mean foster children placed in homes by a duly authorized State agency or court of competent jurisdiction.

*Reporting of a Disease* shall mean the process of notifying the Health Division of the occurrence of a communicable disease.

*Restaurant* shall mean restaurant, hotel, coffee shop, dining room, cafeteria, luncheonette, soda fountain, sandwich stand or any other place where food or drink is prepared, handled, stored, sold or served for consumption on the premises to the public, organization members or employees, with or without charge.

*Safe Temperature* shall mean, as applied to hazardous foods, below 45°F, or above 140°F.

*Sale* shall mean every delivery of food, whether the same is by direct sale or the solicitation or acceptance of an order for food, and including exchange, barter, traffic in, keeping and exposing for sale, displaying for sale, serving with meals, delivering for value, peddling, possession with intent to sell, the gratuitous delivery or gift of any food by any licensee or person to whom a food certificate has been issued or by any other person.

*Sanitary or Sanitation* shall mean that degree of cleanliness as the Division of Health may demand.

*Sanitize* shall mean the method of removing microorganisms from surfaces as approved by the NJDOHSS.

*Sanitization* shall mean the process of rendering eating or drinking utensils free from disease, bacteria or other organisms indicative of unsanitary conditions.

*Shellfish* shall mean edible species consisting of clams, mussels and oysters, either shucked or in a shell, either fresh or frozen.

*Single-Service Container* shall mean a vessel of paper or plastic which may be used only one (1) time.

*State Sanitary Code* shall mean the Sanitary Code enacted by the Department of Health of the State of New Jersey.

*Sterilization* shall mean the destruction of all microbial life on or in an object.

*Swimming Pool* shall mean and include outdoor and indoor pools which are artificially constructed to provide recreational facilities for swimming, bathing or wading. It shall not include artificially constructed outdoor ponds, rivers or lakes nor swimming or wading pools maintained by an individual for his own or his family's use or for the guests of his household.

*Swimming Pool Operator* shall mean a person, corporation or partnership operating a swimming pool for profit.

*Tattoo* shall mean to mark or color the skin by pricking in coloring matter so as to form indelible marks or figures or by the production of scars.

*Tattoo Establishment* shall mean any room or space where tattooing is practiced or where the business of tattooing is conducted, or any part thereof.

*Tattoo Operator* shall mean any person who controls, operates, conducts or manages any tattoo establishment, whether actually performing the work of tattooing or not.

*Tattoo Parlor* shall mean any place where a business is conducted which involves the placing of an indelible mark or figure upon the body by insertion of a pigment under the skin or by the production of scars.

*Town, the Town or Municipality* shall mean the Town of Morristown, County of Morris, State of New Jersey.

*Utilities* shall mean and include electric, gas, heating, water and sewerage services and equipment therefor.

*Vermin* shall mean rats, mice, roaches, bed bugs, fleas and other animals and insects of like nature.

## 25-6 LICENSES

### 25-6.1 License or Permit Required.

- a. No person shall conduct, maintain or operate a retail food establishment, mobile retail food establishment, temporary retail food establishment, seasonal retail food establishment, food vending machine, body art establishment, public recreational bathing facility, massage, bodywork, and somatic therapy establishment, or tanning salon, without first making a written application for a license or permit to do so and securing approval from the Town Health Officer for the conduct of such establishment at a stated location.
- b. No person shall demolish any building in the Town of Morristown without first making a written application for demolition permit from the Town Health Officer. Issuance of said permit shall be contingent upon submission of written documentation from a licensed professional exterminator verifying that adequate and proper rodent control measures have been implemented in accordance with Chapter 25-14.10.
- c. If upon inspection by the Health Officer of the Town an establishment receives a conditionally satisfactory or unsatisfactory rating, a subsequent inspection will be necessary and the payment of a re-inspection fee required prior to the issuance of any license or permit.
- d. Licenses and/or permits are subject to renewal as specified in subsection 25-6.5.
- e. Licenses and/or permits are not transferable and are not prorated. Any establishment that changes ownership or engages in any remodeling of the premises must submit plans and obtain approval of plans and receive a new license and/or permit prior to the opening of the establishment.
- f. The holder of a license or permit for a new retail food establishment, body art establishment, public recreational bathing facility, or massage, bodywork, and somatic therapy establishment or tanning salon shall schedule an initial preoperational inspection at least ten (10) calendar days prior to the anticipated opening date.
- g. License or permit holders shall notify the Town Division of Health within ten (10) calendar days of any change in the owner's contact information or of discontinuance of operations which exceed thirty (30) calendar days or more.

- h. License or permit holders which have discontinued operations for thirty (30) calendar days or more and intend to reopen shall notify the Town Division of Health within five (5) calendar days of the anticipated reopening date.
- i. Failure to obtain the required license and/or permit shall be a violation and result in a fine payable to the Municipal Court.

**25-6.5 Fees.**

License, permit, registration, reinspection, and plan review fees shall be as provided below:

- a. Retail food establishment license
  - 1. 1-1,499 sq.ft. \$200.00
  - 2. 1,500-2,999 sq. ft. \$350.00
  - 3. 3,000-4,999 sq. ft. \$450.00
  - 4. 5,000-9,999 sq. ft. \$750.00
  - 5. Over 10,000 sq. ft. \$1,000.00
  - 6. Non-food preparation/prepackaged food \$200.00
- b. Mobile (itinerant) retail food establishment license
  - 1. Class I \$750.00
  - 2. Class II \$375.00
  - 3. Class III \$375.00
  - 4. Class IV (per day) \$100.00
- c. Temporary retail food establishment license  
(24-48 hours from date of issuance, for one day permit; 48 hours from date of issuance for 2 day permit)
  - 1. Blanket/Organizer \$100.00
  - 2. Food Vendor \$50.00
- d. Seasonal retail food establishment license  
(Saturdays and Sundays from June through November)
  - 1. Blanket/Organizer \$100.00
  - 2. Food Vendor \$50.00
- e. Food Vending machine license (per address) –  
Non-time/temperature control for safety food
  - 1. First machine \$100.00
  - 2. Each additional machine after first \$50.00
- f. Food Vending machine license (per address) –  
Time/temperature control for safety food
  - 3. First machine \$200.00
  - 4. Each additional machine after first \$100.00
- g. Public recreational bathing facility license  
(Seasonal & Year-Round) \$150.00
- h. Body art establishment license \$1,000.00

i. Massage, bodywork, and somatic therapy establishment license	
1. 1-1,499 sq.ft.	\$200.00
2. 1,500-2,999 sq. ft.	\$350.00
3. 3,000-4,999 sq. ft.	\$450.00
4. 5,000-9,999 sq. ft.	\$750.00
5. Over 10,000 sq. ft.	\$1,000.00
j. Tanning salon license	\$100.00
k. Beauty, barber, and nail salon registration	\$100.00
l. Demolition permit	\$100.00
m. Reinspection fee (all licenses and registrations)	
1. First reinspection	\$100.00
2. Each subsequent reinspection	\$200.00
n. Plan review fees (all establishments)	
1. Initial plan review	\$100.00
2. Subsequent plan review (submitted 6 months after initial plan review)	\$100.00
o. Application late fees (incurred for license and registration renewal applications received 30 days from the date of license expiration).	
1. Late fee (first 30 days)	\$50.00
2. Late fee (every additional 30 days from first 30 days)	\$50.00

**25-6.6 Expiration Dates.**

Expiration dates for licenses, permits, and registrations shall be as follows:

<u>Type of License, Permit, or Registration</u>	<u>Expiration Date</u>
a. Retail food establishment	June 30
b. Mobile retail food establishment (itinerant)	May 31
c. Temporary retail food establishment (one-day permit)	24 hours from date of issuance
d. Temporary retail food establishment (two-day permit)	48 hours from date of issuance
e. Vending machines	June 30
f. Public recreational bathing facility (year-round)	June 30
g. Public recreational bathing facility (seasonal)	September 30

- h. Body art establishments December 31
- i. Massage, bodywork, and somatic therapy establishments December 31
- j. Tanning salon December 31
- k. Beauty, barber, and nail salon registration December 31

**25-10 FOOD ESTABLISHMENTS.**

**25-10.4. Food handling training.**

- a. The Department of Code Enforcement, Division of Health shall provide food-handling training courses periodically to persons engaged in the business of preparing, handling, or processing of foods intended for human consumption.
- b. A food establishment owner or any food handler under his employ may be required, at the direction of the Health Officer, to complete the food-handling training course offered by the Department of Code Enforcement, Division of Health or an equivalent food-handling training course. The Health Officer's determination to require a food-handling course shall be based on evidence of repeated violations of state and local regulations governing food-handling, food service worker hygiene, and food establishment sanitation.
- c. A food-handling training course certificate shall be issued by the Department of Code Enforcement, Division of Health to individuals upon successful completion of the food-handling training course. Certificates shall bear an expiration date of three years after issuance.
- d. The Department of Code Enforcement, Division of Health shall maintain a registry of all persons who have completed food-handling training.
- e. A food establishment owner or any food handler directed by the Health Officer to complete food-handling training and who fails to do so shall be subject to the general penalty provisions of the Town of Morristown.

**25-11 BEAUTY, BARBER AND NAIL SALONS.**

**25-11.1 Definitions.**

As used in this chapter, the following terms shall have the meanings indicated:

*BARBER* – any person who is licensed by the New Jersey Board of Cosmetology & Hairstyling to engage in the practices encompassed in barbering.

*BARBERING* – any one or combination of the following practices when done on the human body for cosmetic purposes and not for the treatment of disease or physical or mental ailments and when done for payment either directly or indirectly or when done without payment for the general public:

- a. Shaving or trimming of the beard, mustache, or other facial hair;

- b. Shampooing, cutting, arranging, relaxing, or styling of the hair;
- c. Singeing or dyeing of hair;
- d. Applying cosmetic preparations, antiseptics, tonics, lotions, or creams to the hair, scalp, face, or neck;
- e. Massaging, cleansing, or stimulating the face, neck, or scalp with or without cosmetic preparations, either by hand, mechanical, or electrical appliances; and/or
- f. Cutting, fitting, coloring, or styling of hairpieces or wigs, to the extent that the services are performed while the wig is being worn by a person.

*BEAUTY CULTURE* – any one or combination of the following practices when done on the human body for cosmetic purposes and not for the treatment of disease or physical or mental ailments and when done for payment either directly or indirectly or when done without payment for the general public:

- a. Shampooing, cutting, arranging, relaxing, or styling of the hair;
- b. Singeing or dyeing of hair;
- c. Applying cosmetic preparations, antiseptics, tonics, lotions, or creams to the hair, scalp, face, or neck;
- d. Massaging, cleansing, or stimulating the face, neck, or scalp with or without cosmetic preparations, either by hand, mechanical, or electrical appliances;
- e. Removing superfluous hair from the face, neck, arms, legs, or abdomen by use of depilatories, waxing, or tweezers, but not the use of electrolysis;
- f. Manicuring the fingernails, nail-sculpting, or pedicures; and/or
- g. Cutting, fitting, coloring, or styling of hairpieces or wigs, to the extent that the services are performed while the wig is being worn by a person.

*BEAUTY CULTURE PRACTITIONER* – any person who is licensed by the New Jersey Board of Cosmetology & Hairstyling to engage in the practices encompassed in beauty culture.

*COSMETOLOGIST/HAIRSTYLIST* – any person who is licensed by the New Jersey Board of Cosmetology & Hairstyling to engage in the practices encompassed in cosmetology and hairstyling.

*COSMETOLOGY/HAIRSTYLING* – any one or combination of the following practices when done on the human body for cosmetic purposes and not for the treatment of disease or physical or mental ailments and when done for payment either directly or indirectly or when done without payment for the general public:

- a. Shaving or trimming of the beard, mustache, or other facial hair;
- b. Shampooing, cutting, arranging, relaxing, or styling of the hair;
- c. Singeing or dyeing of hair;
- d. Applying cosmetic preparations, antiseptics, tonics, lotions, or creams to the hair, scalp, face, or neck;

- e. Massaging, cleansing, or stimulating the face, neck, or scalp with or without cosmetic preparations, either by hand, mechanical, or electrical appliances;
- f. Removing superfluous hair from the face, neck, arms, legs, or abdomen by use of depilatories, waxing, or tweezers, but not the use of electrolysis;
- g. Manicuring the fingernails, nail-sculpting, or pedicures;
- h. Cutting, fitting, coloring, or styling of hairpieces or wigs, to the extent that the services are performed while the wig is being worn by a person; and/or
- i. Hair-weaving to the extent that the procedure does not involve the replacements of human hair by means of the insertion of any natural or synthetic fiber hair into the scalp.

*MANICURIST* - any person who is licensed by the New Jersey Board of Cosmetology & Hairstyling to engage in the practices encompassed in manicuring.

*MANICURING* - any one or combination of the following practices when done on the human body for cosmetic purposes and not for the treatment of disease or physical or mental ailments and when done for payment either directly or indirectly or when done without payment for the general public:

- a. Manicuring of the fingernails;
- b. Pedicures;
- c. Nail sculpting; and/or
- d. Removing superfluous hair from the face, neck, arms, legs, or abdomen by use of depilatories, waxing, or tweezers, but not the use of electrolysis.

*PRACTITIONER* – any person licensed by the NJ Board of Cosmetology & Hairstyling as a barber, beauty culture technician, cosmetologist/hairstylist, manicurist, or of skin care specialist.

*SKIN CARE SPECIALTY PRACTITIONER* – any person who is licensed by the NJ Board of Cosmetology & Hairstyling as a skin care specialist.

**25-11.2 State licenses and display required.**

- a. No person shall employ any person to engage in the practices of a barber, cosmetologist/hairstylist, or manicurist in the Town of Morristown without such person holding a valid license as such from the NJ Board of Cosmetology & Hairstyling.
- b. No person shall operate a business wherein the services of barbering, cosmetology/hairstyling, or manicuring without a valid shop license from the NJ Board of Cosmetology.
- c. No person owning a business wherein the services of barbering, beauty culture, cosmetology/hairstyling, or manicuring are provided shall employ a beauty culture practitioner or skin care specialist practitioner unless said practitioner is licensed by the NJ Board of Cosmetology.
- d. An establishment's shop license and all licenses issued to practitioners by the NJ Board of Cosmetology & Hairstyling rendering from the establishment shall be displayed in a location which is

clearly visible to all patrons and in accordance with N.J.A.C. 13:28, as the same may from time to time be amended or supplemented.

**25-11.3 Registration.**

- a. No person shall operate a business for the services of barbering, beauty culture, cosmetology/hairstyling, manicuring without first registering with the Town Division of Health. Registrations for such businesses shall be renewed on an annual basis.
- b. An establishment's registration shall not be transferrable from person to person, business to business, or from location to location.
- c. Registrations shall be posted in a conspicuous place, at eye-level, unobstructed, and adjacent to the public entrance of the establishment.

**25-11.4 Application for an initial and renewal of registration.**

- a. Initial and renewal applications for registration shall be submitted on forms promulgated by the Division of Health. As a condition of registration, copies of the shop license and licenses issued persons employed as barbers, cosmetologists/hairstylists, manicurists, beauty technicians, and skin care specialists issued by the NJ Board of Cosmetology & Hairstyling shall be provided. Such applications shall also be accompanied by the fee as forth in Chapter 25-6.5.
- b. In the event the applicant hires new licensed employees for which no copy of a license was included in the initial or renewal registration application, same shall be provided to the Division of Health within ten (10) days of hire.

**25-11.5 Inspection, Access to Premises, if deemed necessary.**

The Health Officer or his/her authorized agent shall have the right to inspect any beauty, barber and/or nail salon establishment if he/she deems it necessary. The Health Officer or his/her authorized agent shall have access to all parts of the establishment.

**25-11.6 Order to Close Establishment.**

- a. The Health Officer or his designee may summarily order any establishment registered under this Chapter closed when, in the opinion of the Health Officer or his/her authorized agent, such action is necessary to abate an existing or threatened menace to the public's health.
- b. Immediate closure shall be in addition to and shall supplement any other penalty or remedy that may be authorized by the Code of the Town of Morristown, as the same may be from time to time amended and supplemented.

**25-11.7 Enforcement.**

The provisions of this article shall be enforceable by the Health Officer or his/her authorized representative.

**25.11.8 Violations and penalties.**

The general penalty provisions of the Code of the Town of Morristown shall govern violations of this Chapter.

**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: \_\_\_\_\_

84  
5/26/2015

TOWN OF MORRISTOWN

R - 84 - 2015

RESOLUTION APPROVING PERSON-TO-PERSON TRANSFER OF PLENARY RETAIL DISTRIBUTION LICENSE NO. 1424-44-016-009 NY THYMES & DELI, INC. TO DOVE LENDING COMPANY, LLC

WHEREAS, an application has been filed for a person-to-person transfer of Plenary Retail Distribution License No. 1424-44-016-009, heretofore issued NY Thymes and Deli, Inc., which is presently classified as an inactive or "pocket" license; and

WHEREAS, the submitted application form complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

WHEREAS, the applicant has disclosed and the issuing reviewed the source of all funds used in the purchase of the license and the licensed business and all addition financing obtained in connection with the licensed business;

NOW THEREFORE, BE IT RESOLVED that the Town of Morristown does hereby approve, effective May 27, 2015, the transfer of the aforesaid Plenary Retail Distribution License to Dove Lending Company, LLC, and does hereby direct the Municipal Clerk to endorse the license certificate to the new ownership as follows: "His license, subject to all its terms and conditions, is hereby transferred to Dove Lending Company, LLC, effective May 27, 2015."; and

BE IT FURTHER RESOLVED that said license shall continue to remain inactive or "in pocket" until such time as the license holder sites the license at an operating place of business and approval of same is granted by the Director of the New Jersey Division of Alcoholic Beverage Control and the Town Council as the municipal issuing authority.

ADOPTED:

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Rebecca Feldman  
Council President

ATTEST:

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Kevin D. Harris  
Town Clerk

85  
5/26/2015

TOWN OF MORRISTOWN  
RESOLUTION R- 85 -2015

**RESOLUTION OF THE TOWN OF MORRISTOWN, IN THE COUNTY OF MORRIS, NEW JERSEY AUTHORIZING AN EMERGENCY APPROPRIATION PURSUANT TO N.J.S.A. 40A:4-46 TO FUND DEMOLITION OF FIRE DAMAGED BUILDINGS AT 84 ELM STREET, BLOCK 4701, LOT 6 AND 88 ELM STREET, BLOCK 4701, LOT 5**

**WHEREAS**, on January 31, 2015 a large fire destroyed several buildings and displaced residents and business owners at 84 Elm Street, also know Block 4701, Lot 6, and 88 Elm Street, also known as Block 4701, Lot 5 on the tax maps of the Town of Morristown; and

**WHEREAS**, the Construction Official for the Town of Morristown has declared that the buildings affected by the fire are unsafe structures pursuant to N.J.A.C. 5:23-2.32 and ordered that same be demolished; and

**WHEREAS**, because of the unsafe nature of the buildings and the imminent hazard of collapse the Town desires to retain a contractor to demolish the burnt out buildings; and

**WHEREAS**, in order to perform this demolition work it is necessary for the Town to make an emergency appropriation of \$75,000 to meet the extraordinary expenses to be incurred, by reason of the damage caused by the fire at the properties; and

**WHEREAS**, no adequate provision was made in the Calendar Year 2015 budget for this demolition work; and

**WHEREAS**, N.J.S.A. 40A:4-46 provides for the creation of an emergency appropriation for the purpose above mentioned; and

**WHEREAS**, the total amount of the emergency appropriation to be created by this resolution is \$75,000 and three percent of the total current and utility operations in the budget for the year is \$1,343,157;

**NOW THEREFORE, BE IT HEREBY RESOLVED**, by the Town Council of the Town of Morristown being the governing body thereof, (by not less than two thirds of all the members thereof affirmatively concurring) that in accordance with N.J.S.A. 40A:4-48:

1. An emergency appropriation be and the same is hereby made for the demolition contract for the properties located at 84 Elm Street and 88 Elm Street destroyed by the fire on January 31, 2015 in the amount of \$75,000;
2. That said emergency appropriation shall be provided in full in the 2016 budget;
3. That the Chief Financial Officer has certified that the expenditures to be financed through this resolution are related to the aforementioned emergency;
4. That two certified copies of this resolution be filed with the Director of the Division of Local Government Services.

ATTEST:

ADOPTED:

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

\_\_\_\_\_  
REBECCA FELDMAN  
COUNCIL PRESIDENT

I do hereby certify the above to be a true and exact copy of a Resolution duly passed and adopted by the Town Council of the Town of Morristown at the Regular meeting of the Town Council held on May 26, 2015 in the Morristown Council Room, 200 South Street, Morristown, New Jersey, beginning at \_\_\_\_\_ P.M., prevailing time.

DATED: May 26, 2015

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

(86)  
5/26/2015

**TOWN OF MORRISTOWN**

**RESOLUTION R- 86 -2015**

**RESOLUTION AUTHORIZING PURCHASES FROM THE NORTH JERSEY  
WASTEWATER COOPERATIVE PRICING SYSTEM FOR 2015**

**WHEREAS**, by resolution R-167-14 the Town of Morristown (the "Town") executed an agreement to enter into the North Jersey Wastewater Cooperative Pricing System ("NJWCPS") for a five-year period beginning November 25, 2014; and

**WHEREAS**, the NJWCPS enters into contracts for a wide variety of goods and services which can be applied to improvements at Morristown's Sewer Plant and sanitary sewer collection system; and

**WHEREAS**, the intent is to obtain better prices than the Town would be able to obtain individually, and to save the Town the expense of bidding; and

**WHEREAS**, the goods or services may include spare parts, instrumentation equipment, chemicals, motor repairs/replacements, mechanical seals, safety equipment, electrical equipment, and laboratory supplies and

**WHEREAS**, the Town Engineer recommends that the Town Council adopt the instant resolution authorizing purchases from the following vendors under the NJWCPS in amounts not exceeding the amounts set forth below:

<u>Contract #</u>	<u>Vendor</u>	<u>Amount</u>
A761	Applied Analytics Inc.	\$200,000
A791	Nebula NJ LLC	\$200,000
A730A	G.M.H. Associates of America, Inc.	\$150,000
A853-6	Ufferfilge Contracting, LLC	\$150,000
A897A-2	Pumping Services, Inc.	\$500,000; and

**WHEREAS**, the purchases will be made using available funds from various sewer utility capital and operating accounts as applicable; and

**WHEREAS**, items will not be purchased until a certification of funds has been filed certifying as to availability of funds;

**NOW, THEREFORE, BE IT RESOLVED** by the Town Council of the Town of Morristown, being the governing body thereof, that the Administration be and hereby is authorized to purchase the following items from the following vendors through the New Jersey Wastewater Cooperative Pricing System in amounts not to exceed those listed:

<u>Contract #</u>	<u>Vendor</u>	<u>Amount</u>
A761	Applied Analytics Inc.	\$200,000
A791	Nebula NJ LLC	\$200,000
A730A	G.M.H. Associates of America, Inc.	\$150,000
A853-6	Ufferfilge Contracting, LLC	\$150,000
A897A-2	Pumping Services, Inc.	\$500,000; and

**BE IT FURTHER RESOLVED**, that the Administration be and is hereby authorized to execute and the Town Clerk to witness any Contract with the above referenced vendors for the items and the amounts listed above; and

**BE IT FURTHER RESOLVED**, that the items will not be purchased from these vendors until a certification of funds has been filed certifying as to the availability of funds.

ATTEST:

ADOPTED:

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

\_\_\_\_\_  
REBECCA FELDMAN  
COUNCIL PRESIDENT

I do hereby certify the above to be a true and exact copy of a Resolution duly passed and adopted by the Town Council of the Town of Morristown at the Regular meeting of the Town Council held on May 26, 2015 in the Morristown Council Room, 200 South Street, Morristown, New Jersey, beginning at 7:30 P.M., prevailing time.

DATED: May 26, 2015

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

87  
5/26/2015

TOWN OF MORRISTOWN  
RESOLUTION R- 87 -2015

RESOLUTION AUTHORIZING PURCHASE OF GOODS AND SERVICES  
THROUGH STATE CONTRACT

WHEREAS, the Town of Morristown, pursuant to N.J.S.A. 40A:11-12(a) and N.J.A.C. 5:34-7.29(c) may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into and on behalf of the State by the Division of Purchase and Property in the Department of Treasury; and

WHEREAS, the State Contracts allow municipalities to obtain better bid prices without having to prepare their own bid specifications; and

WHEREAS, the Town of Morristown desires to purchase the following items through State Contracts:

<u>Contract #</u>	<u>Description</u>	<u>Amount</u>
A85089, T0983	Applied Analytics Inc.	\$250,000; and

WHEREAS, funds for the contract will be certified to by the Town of Morristown at the time of purchase and will be made using available funds from various sewer utility capital and operating accounts as applicable; and

WHEREAS, any purchase will be made in accordance with the conditions contained within N.J.S.A. 40A:11-12(b);

**NOW THEREFORE, BE IT HEREBY RESOLVED**, by the Town Council of the Town of Morristown being the governing body thereof, that the Mayor be and hereby is authorized to enter into State Contract #A85089, T0983 with Applied Analytics, Inc. for the purposes of purchasing equipment, supplies and services related to the operation of the Morristown Sewage Treatment Plant for an amount not to exceed \$250,000.

ATTEST:

ADOPTED:

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

\_\_\_\_\_  
REBECCA FELDMAN  
COUNCIL PRESIDENT

I do hereby certify the above to be a true and exact copy of a Resolution duly passed and adopted by the Town Council of the Town of Morristown at the Regular meeting of the Town Council held on May 26, 2015 in the Morristown Council Room, 200 South Street, Morristown, New Jersey, beginning at \_\_\_\_\_ P.M., prevailing time.

DATED: May 26, 2015

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

## Kevin Harris

---

**From:** aadeeb@optonline.net  
**Sent:** Wednesday, May 13, 2015 7:52 AM  
**To:** Kevin Harris  
**Subject:** Fw: Snow dumping/disposal in Burnham Park

Kevin, here is another letter regarding the issue of snow dumping. Please include in council correspondence for the 5/26 meeting so the matter can be resolved.

Thank you,

Alison

Sent from my BlackBerry 10 smartphone.

---

**From:** Drs. Don & Lynn Siebert <donlynn1@verizon.net>  
**Sent:** Tuesday, April 7, 2015 10:21 AM  
**To:** mayor@townofmorristown.org; rsmithreid@cs.com; aadeeb@optonline.net; mdupreeharris@aol.com; r-feldman@townofmorristown.org; s-armington@townofmorristown.org; m-rogers@townofmorristown.org  
**Reply To:** DonLynn1@verizon.net  
**Cc:** Carter, Alantha; Hope Carter; Attamante, Joe; 'Carcich, Jen'; Dougals Vorolieff; 'Ann Lyons'  
**Subject:** Snow dumping/disposal in Burnham Park



Dear Mayor Dougherty, Administrator Rogers and members of the Town Council,

On March 21, 2015, we sent a letter expressing our sincere concerns about the damage done to Burnham Park by the extensive dumping of snow removed from roadways in Morristown. This is dirty, debris and chemical laden snow and represents a dramatic assault on the sensitive lands of this beautiful park. For your edification, I am attaching photos taken today (April 6) of the snowpiles which, as you can see, are immense and pose a serious problem for the wellbeing of this park.

We know the Little League shares our concern about the inappropriateness of using Burnham Park as a dumping site for this garbage- and contaminant-laden snow...and they are also concerned about the impact it will have on their opening day. In some of the photos you can also see the playground which is not very far away...and understand our concern that children will be tempted to climb these unsafe "mountains" as well. Finally, as mentioned before, we are concerned about contamination of soil and ponds which form a tributary of the Whippany River - as well as the negative impacts on the many trees we have worked so hard to plan in the adjoining field area.

In anticipation of the imminent need to clear parking for Little League's opening day, we ask that you move the snowpiles away altogether or, if that is not possible, then move same to the side of the lot furthest from the trees (closer to the field side)...in order to protect these valuable and critical plantings.

We would be happy to meet with Administrator Rogers, representatives of the DPW, the Mayor or others who share responsibility for the decision of where to place snow removed from roadways so that this does

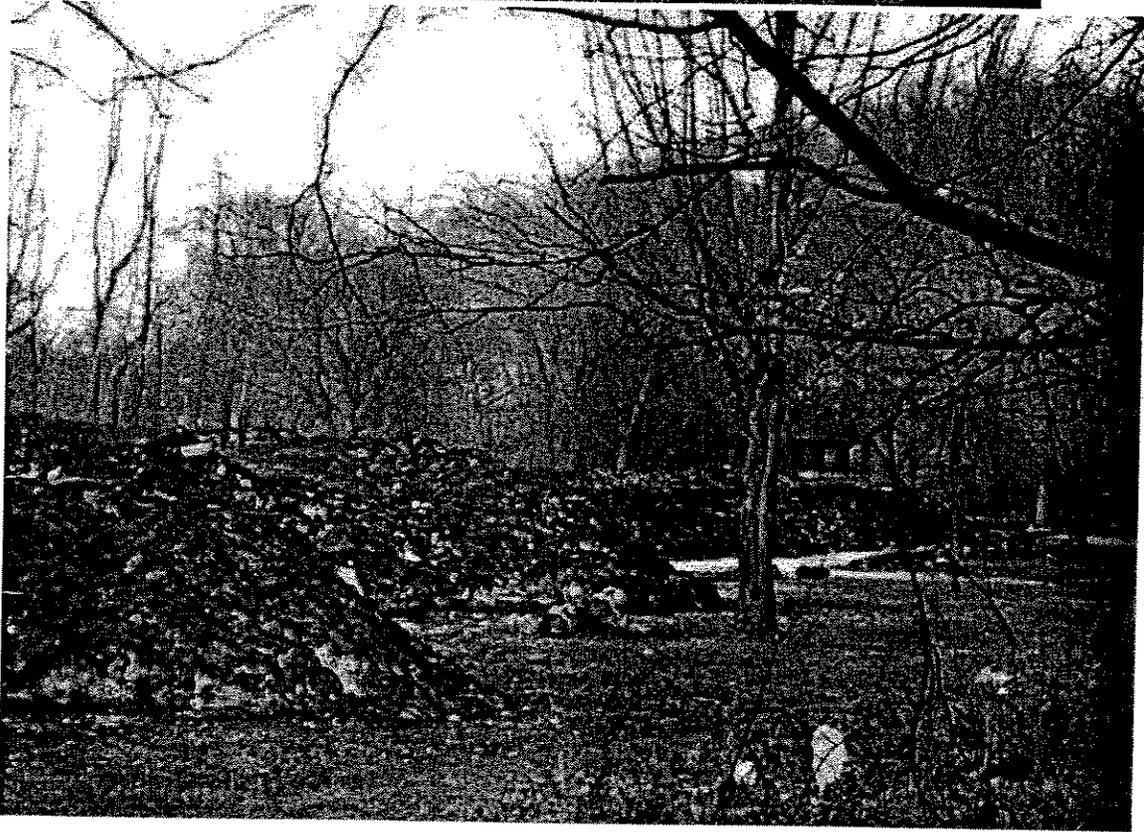
not become a chronic problem for Burnham Park going forward. Thank you for your attention and for your anticipated response to this matter.

Sincerely,

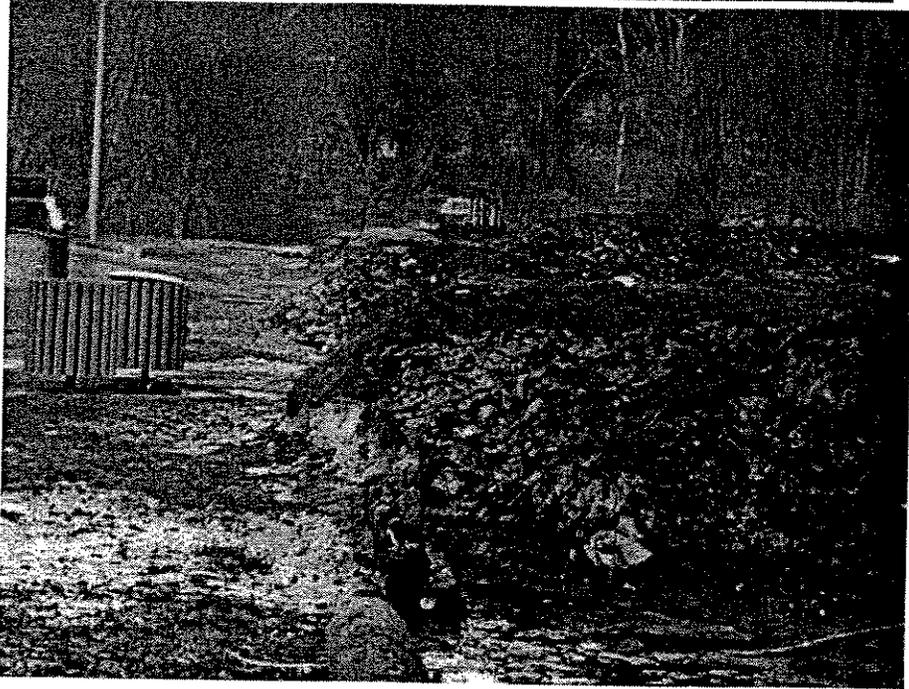
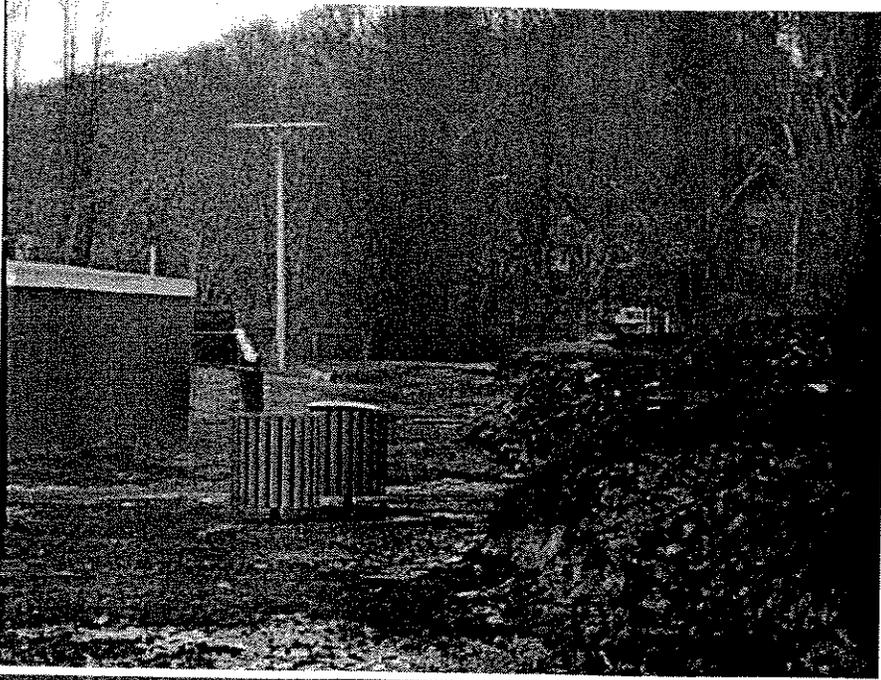
*Dr. Lynn L. Siebert*

Dr. Lynn L. Siebert, President  
Burnham Park Association









## Kevin Harris

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**From:** aadeeb@optonline.net  
**Sent:** Wednesday, May 13, 2015 7:49 AM  
**To:** Kevin Harris  
**Cc:** Rebecca Feldman  
**Subject:** Fw: Burnham Park snowpiles followup photo, support for alternative plan  
**Attachments:** child climbing dirty snowpiles.jpg

Kevin,

Please include this letter as well as original letter (I will forward under separate cover) as matter of public record in council correspondence for 5/26 agenda.

Thank you,

Alison

Sent from my BlackBerry 10 smartphone.

---

**From:** Drs. Don & Lynn Siebert <donlynn1@verizon.net>  
**Sent:** Monday, May 4, 2015 8:53 AM  
**To:** m-rogers@townofmorristown.org; Hartke,Jeff; mayor@townofmorristown.org  
**Reply To:** donlynn1@verizon.net  
**Cc:** r-feldman@townofmorristown.org; s-armington@townofmorristown.org; aadeeb@optonline.net  
**Subject:** Burnham Park snowpiles followup photo, support for alternative plan

Dear Mayor Dougherty, Administrator Rogers, and Mr. Hartke,

I thought you might like to see this photo (taken April 18 while we had our 27<sup>th</sup> Arbor Day celebration in Burnham Park) of a child climbing on the piles of contaminated snow in the park...It validates our concern about safety for children in the area - especially if the snowpiles are right there when kids might attend other events or ballgames in the park.

I also wanted to pass along the support I received from Drs. Harry and Margorie Keyishian - who live at the corner of Scherzer Way and Burnham Parkway in the only house with frontage right at that intersection...They strongly support using the road that runs along the back of the pool for disposal of the road snow in the future. Both confirmed that the road is NOT used at all during the winter and that it would be very much preferable from their standpoint to dispose of the snow on that side road than to continue to dispose of the snow in the park. They found it unpleasant to see the high piles of filthy snow (their house is on the hill with a driveway down towards the intersection and the park). They also indicated that it was very noisy when the snowpiles were being moved to one side while preparing the lot for opening day of Little League. If the snow were on the side street, the Town could save the costs of preparing the parking lot for Little League season and spare the neighbors the attendant noise and commotion - as well as protecting the many plantings and wetlands areas in the park, as we have previously discussed.

Please let us know if you would like us to talk with Tim Quinn at the Township. We are interested in resolving this matter sooner rather than later so we don't have to be concerned about revisiting it yet again next winter, perhaps under emergency conditions. We look forward to hearing from you in the near future.

We also wanted to thank Mr. Hartke for restoring the fencing along Burnham Parkway near the playground. We appreciate that very much - especially now that children are more actively using the playground area. Sincerely,

*Lynn Siebert*

Dr. Lynn L. Siebert, President  
Burnham Park Association

**Kevin Harris**

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**From:** aadeeb@optonline.net  
**Sent:** Tuesday, May 12, 2015 5:37 PM  
**To:** Kevin Harris  
**Subject:** Fw: Parking Restrictions for Miller Street

Kevin, please place letter at table.

Thank you,

Alison

Sent from my BlackBerry 10 smartphone.

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**From:** Roger Mayerson <nedludd63@hotmail.com>  
**Sent:** Tuesday, May 12, 2015 5:05 PM  
**To:** Bierce Riley; Alison Deeb  
**Subject:** Parking Restrictions for Miller Street

Hi Alison:

As a resident of Miller Street, I feel compelled to inform you as our council representative that, after having conferred with the residents of Miller Street, that 100% of them are against placing parking restrictions on Miller Street for the following reasons:

(1) Now that Whole Foods has contracted with the Morristown Parking Authority for parking privileges, we see no urgency for placing parking restrictions on our street. We feel that Miller Street is a safe haven, free from parking restrictions and meters that other streets in Morristown have. I liken it to a little oasis in our neighborhood, yet still within walking distance from the center of town.

(2) We feel that this parking restriction resolution to be considered at tonight's meeting should be tabled to give us residents of Miller Street time to consider all the ramifications of such a proposal. After all, we are the residents of Miller Street and deem it appalling that we were given no prior notice of this motion.

I shall try to attend tonight's meeting. If I cannot, I implore you as our council representative to postpone final consideration on this issue to give us at least a month to study all the consequences of this resolution which will so greatly affect us as owners, renters and residents of our street.

Thanks for your consideration, Roger

---

**From:** bierce.riley@ogilvy.com  
**To:** aadeeb@optonline.net; nedludd63@hotmail.com  
**Subject:** RE: 2 - Parking Restrictions for Miller Street and Washington Street  
**Date:** Tue, 12 May 2015 15:36:27 +0000

No, of course not. We only live here and pay taxes, why should we be included?????

## Kevin Harris

---

**From:** aadeeb@optonline.net  
**Sent:** Tuesday, May 12, 2015 10:15 PM  
**To:** Kevin Harris; Hartke, Jeff  
**Subject:** Fw: Budd Street Traffic Cut-Through  
**Attachments:** BuddStreetTraffic.docx

Kevin, please include attached amended letter in council correspondence for 5/26 council agenda.

Thank you.

Alison

Sent from my BlackBerry 10 smartphone.

---

**From:** PTamburro@aol.com  
**Sent:** Tuesday, May 12, 2015 9:57 PM  
**To:** aadeeb@optonline.net  
**Subject:** Re: Thx

Alison,

We'll see. Three things. I have attached the corrected letter (left changed to right turn). Yes please include that in council correspondence. Secondly, I would like to be forewarned about the traffic study dates so I can see how they do them. Third, please forward my letter to Mr. Hartke (spelling?).

Thanks,  
Pete

In a message dated 5/12/2015 8:29:21 P.M. Eastern Daylight Time, aadeeb@optonline.net writes:

Are you pleased with discussion tonight? I will ask that your letter as well as another letter be included in council correspondence for 5/26 agenda.

AD

Sent from my BlackBerry 10 smartphone.

# RECEIVED

MAY 12 2015

TOWN OF MORRISTOWN  
TOWN CLERK'S OFFICE

Pete Tamburro  
22 Budd Street  
Morristown, NJ 07960  
May 12, 2015

To the Mayor and Town Council,

A while back, I expressed my concerns to a representative (Michael Rogers) of the town at a neighborhood meeting in my home. My topic was the heavy volume of traffic between 700am and 900am resulting from vehicles turning right onto Budd St. coming from the Hillcrest light.

These vehicles use Budd Street, going south from Washington, as a bypass to avoid going through town. Even Mr. Rogers volunteered that he, too, used our road at this time, which discouraged me from thinking we were going to get a solution any time soon.

During the meeting, I presented my own one day vehicle count for southerly Budd St. traffic between 6am and 9am. I had sent it to the council back then, too. Today, I did another count. I share the details below. What both counts showed was that about two dozen vehicles turn onto Budd St. every 5 minutes between 730am and 900am. They usually come in groups because of the light on Washington St. When there is snow, it becomes quite bad because Budd St. becomes a one lane road due to the town's hesitation to declare a snow emergency on our busy street as renters are often parked on the street to save money because landlords additionally charge them for off-street parking.

In 2013, when I did my first count, I was staggered by the numbers: from 6-9, 544 vehicles turned onto Budd Street with 478 of those coming between 730 and 900. Today, I did another one, and the count from 6-9 was 430 vehicles with 358 coming between 730-900. The breakdown by times is appended below.

The route most of these cars take is to then turn left onto Miller, turn left onto Western, go right behind the courthouse, turn right again onto 202 and then go left onto MacCulloch and then left onto James Street to go back up to South Street. I have gone that way at that time several times. I have found the commuters to often be impatient, too closely following, aggressive and risky in making turns and even passing.

As we have children walking to school or going to a bus stop during these times, this increase in traffic flow could disturb me for safety issues alone.

A suggestion was made at that neighborhood meeting to have a "No Right Turn 6am-9am" sign (6am to avoid "early birds" avoiding 7-9) on Washington St. to reduce this problem. It is certainly worth a try. I realize that this will then slow traffic on Washington going toward the Square; however, a few well-placed traffic officers could take the place of the awfully timed lights at the Court intersection and the Green to expedite traffic flow. It's amazing how well it works when some other occasion merits

officers at the Green. Having lived in Long Valley for a decade years ago, I am familiar with sitting in the traffic jams in Mendham, so I have little sympathy for the Mendham commuters coming here and getting some of their own medicine.

The council should treat with care and responsiveness every residential neighborhood in town, not just historic ones. It would be irresponsible for you to ignore this complaint another two years.

Pete Tamburro

**Budd Street Vehicular Traffic**  
**Sept. 24, 2013—May 12, 2015**  
**Turning Left from Washington Street onto Budd Street**

<b>Time Period</b>	<b>2013</b>	<b>2015</b>
<b>600-630 AM</b>	<b>3</b>	<b>9</b>
<b>630-700 AM</b>	<b>17</b>	<b>11</b>
<b>700-730 AM</b>	<b>46</b>	<b>62</b>
<b>730-800 AM</b>	<b>162</b>	<b>149</b>
730-735	25	21
735-740	31	23
740-745	20	21
745-750	26	25
750-755	31	29
755-800	29	30
<b>800-830 AM</b>	<b>138</b>	<b>155</b>
800-805	33	22
805-810	23	27
810-815	12	25
815-820	15	22
820-825	27	29
825-830	28	30
<b>830-900 AM</b>	<b>178</b>	<b>126</b>
830-835	44	19
835-840	22	23
840-845	38	26
845-850	26	19
850-855	29	21
855-900	19	18

# NOTICE TO PUBLIC SERVICE ELECTRIC AND GAS COMPANY ELECTRIC AND GAS CUSTOMERS

**In The Matter Of The Petition Of Public Service Electric And Gas Company  
To Modify Its Manufactured Gas Plant (MGP) Remediation Component Within Its Electric Societal Benefits Charge (SBC) And Its Gas SBC;  
For A Board Order Finding That Its MGP Remediation Work Performed During The Remediation Adjustment Charge (RAC) 22 Period, August 1, 2013  
to July 31, 2014 Was Prudent; That The Resulting RAC 22 Costs Are Reasonable And Available For Recovery; And To Make Changes In The Tariff  
For Electric Service B.P.U.N.J. No. 15 And To Make Changes In The Tariff For Gas Service B.P.U.N.J. No. 15,  
Pursuant To N.J.S.A. 48:2-21 and N.J.S.A. 48:2-21.1**

**Notice of Filing And Notice of Public Hearings | Docket No. GR14121411**

TAKE NOTICE that, on December 9, 2014 Public Service Electric and Gas Company ("Public Service", "PSE&G", "the Company") filed a petition and supporting documentation with the New Jersey Board of Public Utilities ("Board", "BPU") in Docket Number GR14121411 requesting an increase in its Manufactured Gas Plant ("MGP") Remediation charges, in its Remediation Adjustment Charge ("RAC") component of its Societal Benefits Charge ("SBC"), pursuant to N.J.S.A. 48:2-21 and N.J.S.A. 48:2-21.1. The Company's RAC has been implemented in accordance with prior BPU Orders which allow the Company to recover, through successive 7 year amortizations, reasonable costs incurred in the Company's MGP Program. This Program has been and continues to be carried out under the direction and supervision of the NJDEP. In this filing, the Company seeks an Order finding that its Program costs incurred during the RAC 22 period, August 1, 2013 through July 31, 2014, are reasonable for recovery, and the rates are proposed to be effective on or about March 1, 2015. Included in this filing is one seventh (1/7) of each of RAC 16 through RAC 22 Program costs. The Company requests that the Board increase its current gas RAC rates by \$1,821 million and increase the current electric RAC rates by \$2,863 million, for a total increase of \$4,504 million on an annual basis for customers receiving service under tariff rates.

The new proposed RAC charges for electric and gas customers, if approved by the Board, are shown in Table #1. The allocation to gas contract customers has been incorporated on the basis of the terms of the particular contracts and/or applicable Board Orders, rather than on a volumetric basis. The approximate effect of the proposed increase on typical electric and gas residential monthly bills, if approved by the Board, is illustrated in Tables # 2 and #3. Table #3 does not include any Basic Gas Supply Service (BGSS-RSG) Bill Credits.

Based on the filing, a typical residential electric customer using 750 kilowatt-hours per summer month and 7,200 kilowatt-hours on an annual basis would see an increase in the annual bill from \$1,340.16 to \$1,340.84, or \$0.68 or approximately 0.05%.

A residential gas heating customer using 100 therms per month during the winter months and 610 therms on an annual basis would see an increase in the annual bill from \$583.37 to \$583.49, or \$0.12 or approximately 0.02%. Moreover, under the Company's proposal, a typical residential gas heating customer using 165 therms per month during the winter months and 1,010 therms on an annual basis would see an increase in the annual bill from \$919.91 to \$920.17 or \$0.26 or approximately 0.03%. These residential gas heating customer bill calculations do not include any BGSS-RSG Bill Credits. The Board has the statutory authority pursuant to N.J.S.A. 48:2-21, to establish the RAC charges at levels it finds just and reasonable. Therefore, the Board may establish the RAC charges at a level other than that proposed by Public Service. Therefore, the described charges may increase or decrease based upon the Board's decision.

Copies of the Company's filing are available for review at the Company's Customer Service Centers, online at the PSEG Web site at <http://www.pseg.com/pseandgfilings> and at the Board of Public Utilities, 44 South Clinton Avenue, Seventh Floor, Trenton, New Jersey 08625-0350.

The following dates, times and locations for public hearings have been scheduled on the Company's filing so that members of the public may present their views. Information provided at the public hearings will become part of the record of this case and will be considered by the Board in making its decision.

- |   |  |   |
|---|--|---|
| <b>June 1, 2015</b><br>4:30 and 5:30 PM<br>Burlington County<br>Human Services Facility<br>Lecture Hall - A<br>795 Woodlawn Road<br>Westampton, New Jersey<br>08060 | <b>June 4, 2015</b><br>4:30 and 5:30 PM<br>Bergen County<br>Administration Building<br>Learning Center<br>5th Floor - Room 101<br>1 Bergen County Plaza<br>Hackensack, New Jersey<br>07601 | <b>June 10, 2015</b><br>4:30 and 5:30 PM<br>Middlesex County<br>Administration Building<br>Freeholders Meeting Room<br>1st Floor Meeting Room<br>75 Bayard Street<br>New Brunswick, New Jersey<br>08901 |
|---|--|---|



**PUBLIC SERVICE ELECTRIC AND GAS COMPANY**

Martin C. Rothfelder, Esq.  
Associate General Regulatory Counsel

In order to encourage full participation in this opportunity for public comment, please submit any requests for needed accommodations, such as interpreters, listening devices or mobility assistance, 48 hours prior to the above hearings to the Board's Secretary at the following address. Customers may also file written comments with the Secretary of the Board of Public Utilities at 44 South Clinton Avenue, Ninth Floor, P.O. Box 350, Trenton, New Jersey, 08625-0350 ATTN: Secretary Irene Kim Asbury whether or not they attend the public hearings. To review PSE&G's rate filing, visit <http://www.pseg.com/pseandgfilings>

**Table # 1**

Electric Tariff Rates Voltage (Rate Schedule)	Manufactured Gas Plant Remediation Component of the SBC		Total Societal Benefits Charge	
	Present \$/MWhr (Incl. SUT)	Proposed \$/MWhr (Incl. SUT)	Present \$/MWhr (Incl. SUT)	Proposed \$/MWhr (Incl. SUT)
Secondary (RS, RHE, RLM, VM, WHS, HS, GLP, LPL-S, BPL, BPL-POF, PSAL)	\$0.000403	\$0.000502	\$0.008221	\$0.008319
Primary (LPL-P)	0.000384	0.000489	0.008081	0.008177
Subtransmission (HTS-S)	0.000385	0.000478	0.007961	0.008054
High Voltage (HTS-HV)	0.000379	0.000471	0.007882	0.007974
Gas Tariff Rates	Present \$/Therm (Incl. SUT)	Proposed \$/Therm (Incl. SUT)	Present \$/Therm (Incl. SUT)	Proposed \$/Therm (Incl. SUT)
Rate Schedule (RSG, GSG, LVG, BLG, TSG-F, TSG-NF, CIG)	\$0.008260	\$0.008552	\$0.054462	\$0.054734

**Table # 2 — Residential Electric Service**

If Your Annual MWh Use Is:	Then Your Present Monthly Summer Bill (1) Would Be:		And Your Proposed Monthly Summer Bill (2) Would Be:		Your Monthly Summer Bill Increase Would Be:	And Your Monthly Summer Percent Increase Would Be:
	And Your Monthly Summer kWh Use Is:	Present Monthly Summer Bill (1) Would Be:	And Your Pro- posed Monthly Summer Bill (2) Would Be:	Your Monthly Summer Increase Would Be:		
1,920	200	\$38.80	\$38.82	\$0.02	0.05%	
4,320	450	84.26	84.30	0.04	0.05	
7,200	750	149.82	149.89	0.07	0.05	
7,800	803	151.15	151.23	0.08	0.05	
13,160	1,360	259.81	259.94	0.13	0.05	

(1) Based upon current Delivery Rates and Basic Generation Service Fixed Pricing (BGS-FP) charges in effect December 1, 2014 and assumes that the customer's monthly kWh use is based on Public Service.  
(2) Same as (1) except includes change in the Manufactured Gas Plant Remediation component of SBC.

**Table # 3 — Residential Gas Service**

If Your Annual Therm Use Is:	Then Your Present Monthly Winter Bill (1) Would Be:		And Your Pro- posed Monthly Winter Bill (2) Would Be:		Your Monthly Winter Bill In- crease Would Be:	And Your Monthly Winter Percent Increase Would Be:
	And Your Monthly Winter Therm Use Is:	Present Monthly Winter Bill (1) Would Be:	And Your Pro- posed Monthly Winter Bill (2) Would Be:	Your Monthly Winter Increase Would Be:		
180	25	\$28.89	\$27.00	\$0.01	0.04%	
360	50	48.14	48.16	0.02	0.04	
610	100	91.38	91.40	0.02	0.02	
1,010	165	146.89	147.03	0.04	0.03	
1,224	200	176.82	176.98	0.06	0.03	
1,636	300	262.45	262.53	0.08	0.03	

(1) Based upon current Delivery Rates and Basic Gas Supply Service in effect December 1, 2014 and assumes that the customer receives commodity service from Public Service.  
(2) Same as (1) except includes change in the Manufactured Gas Plant Remediation component of SBC.

**NOTICE TO PUBLIC SERVICE ELECTRIC AND GAS COMPANY CUSTOMERS**  
**IN THE MATTER OF THE PETITION OF PUBLIC SERVICE ELECTRIC AND GAS COMPANY FOR APPROVAL**  
**OF ELECTRIC AND GAS BASE RATE ADJUSTMENTS PURSUANT TO THE ENERGY STRONG PROGRAM**  
**Notice of a Filing And Notice of Public Hearings | Docket Nos. ER16030389 and GR 16030380**

**TABLE NOTICE** filed on March 31, 2016 Public Service Electric and Gas Company (PSE&G) is filing with the New Jersey Board of Public Utilities (BPU) a proposed rate schedule for electric and gas service for the period beginning on April 1, 2016. The proposed rate schedule is being filed in accordance with the Energy Strong Program (ESP) and the Board's Order on May 21, 2014, the Board's Order on May 21, 2015, and the Board's Order on May 21, 2016. The proposed rate schedule is being filed in accordance with the Energy Strong Program (ESP) and the Board's Order on May 21, 2014, the Board's Order on May 21, 2015, and the Board's Order on May 21, 2016. The proposed rate schedule is being filed in accordance with the Energy Strong Program (ESP) and the Board's Order on May 21, 2014, the Board's Order on May 21, 2015, and the Board's Order on May 21, 2016.

Under the Company's proposal, a typical residential electric customer using 750 kilowatt-hours per summer month and 7,200 kilowatt-hours per year would see an increase in the annual bill from \$1,343.76 to \$1,345.20, or \$1.44, or approximately 0.11%. The proposed rate schedule is being filed in accordance with the Energy Strong Program (ESP) and the Board's Order on May 21, 2014, the Board's Order on May 21, 2015, and the Board's Order on May 21, 2016. The proposed rate schedule is being filed in accordance with the Energy Strong Program (ESP) and the Board's Order on May 21, 2014, the Board's Order on May 21, 2015, and the Board's Order on May 21, 2016.

Under the Company's proposal, a typical residential gas customer using 100 therms per month during the winter months and 610 therms per year would see an increase in the annual bill from \$583.37 to \$589.11, or \$5.74, or approximately 0.98%. The proposed rate schedule is being filed in accordance with the Energy Strong Program (ESP) and the Board's Order on May 21, 2014, the Board's Order on May 21, 2015, and the Board's Order on May 21, 2016. The proposed rate schedule is being filed in accordance with the Energy Strong Program (ESP) and the Board's Order on May 21, 2014, the Board's Order on May 21, 2015, and the Board's Order on May 21, 2016.

Any rate adjustments with resulting changes in bill impacts borne by the Board to be just and reasonable as the result of the Company's filing may be modified and allocated by the Board in its discretion. The proposed rate schedule is being filed in accordance with the Energy Strong Program (ESP) and the Board's Order on May 21, 2014, the Board's Order on May 21, 2015, and the Board's Order on May 21, 2016. The proposed rate schedule is being filed in accordance with the Energy Strong Program (ESP) and the Board's Order on May 21, 2014, the Board's Order on May 21, 2015, and the Board's Order on May 21, 2016.

Copies of the Company's filing are available for review at the Company's Customer Service Center, offices at the PSE&G Web site at <http://www.pseg.com/customerinfo>, and at the Board of Public Utilities at 44 South Clinton Avenue, Seventh Floor, Trenton, New Jersey 08625-0330. The following dates, times and locations for public hearings have been scheduled on the Company's filing as the members of the public may present their views. Information provided at the public hearings will become part of the record of the case and will be considered by the Board in making its decision.

**June 1, 2016**  
 6:30 and 8:30 PM  
 Hudson County  
 Administration Building  
 Learning Center  
 5th Floor - Room 101  
 785 Westside Road  
 Westampton, New Jersey 08086

**June 10, 2016**  
 4:30 and 6:30 PM  
 Middlesex County  
 Administration Building  
 Learning Center  
 1st Floor - Meeting Room  
 75 Beyond Street  
 New Brunswick, New Jersey 08901

In order to encourage full participation in this opportunity for public comment, please submit any requests for needed accommodations, such as interpreters, hearing devices or mobility assistance, 48 hours prior to the above hearings to the Board's Secretary at the following address: 350 Trenton, New Jersey, 08625-0350 ATTN: Secretary. Please call 609-426-2221 for more information or to request a sign language interpreter. Visit <http://www.pseg.com/customerinfo>.

**Table # 1 - ELECTRIC & GAS BASE RATES FOR Residential Customers - Rates if Effective September 1, 2016**

Electric	Service Charge	per month	Charges in Effect March 1, 2016 including SUT	Proposed Charges in Effect September 1, 2016 including SUT
RS	Distribution 0-600, June-September	\$/MWh	\$3.43	\$7.43
	Distribution 0-600, October-May	\$/MWh	0.037154	0.037933
	Distribution over 600, June-September	\$/MWh	0.039678	0.039678
	Distribution over 600, October-May	\$/MWh	0.041242	0.041720
	Distribution over 600, October-May	\$/MWh	0.035876	0.035876
Gas	Service Charge	per month	\$5.84	\$5.84
	Distribution Charge	\$/Therm	0.301833	0.311359
	OK Fuel Use	\$/Therm	0.150917	0.159695
	Basic Gas Supply Service - RSG (RSGS-RSG) (Rate includes one-time bill credit for January 2014 usage)	\$/Therm	0.451680	0.451788

**Table # 2 - Proposed Percentage Change By Customer Class For Electric Service - For Rates if Effective September 1, 2016**

Customer Class	Rate Class	Percent Change
Residential Services	RSG	0.99%
General Services	GSD	0.79%
Large Volume Services	LVS	0.54%
Street Lighting Service	SLG	1.23%
Firm Transportation Gas Service	TSG-F	0.48%
Non-Firm Transportation Gas Service	TSG-NF	0.25%
Cooperation Interruptible Services	CIG	0.27%
Overall		0.80%

The percent increases noted above are based upon March 1, 2016 Delivery Rates. The applicable Basic Gas Supply Service (RSG) charges, and assumed that customer's current electricity service from Public Service Electric and Gas Company.

**Table # 3 - Proposed Percentage Change By Customer Class For Electric Service - For Rates if Effective September 1, 2016**

Electric	Rate Class	Percent Change
Residential	RS	0.11%
Residential Heating	RHS	0.10%
Residential Load Management	RLM	0.09%
Water Heating	WH	0.17%
Water Heating Storage	WHS	0.03%
Building Heating	HB	0.12%
General Lighting & Power	GLP	0.08%
Large Power & Lighting - Sec.	LPL-S	0.06%
Large Power & Lighting - Pri.	LPL-P	0.04%
High Tension-Subc.	HTE-S	0.03%
High Tension-HV	HTE-HV	0.02%
Body Public Lighting	BPL	0.34%
Body Public Lighting-POF	BPL-POF	0.10%
Private Street & Area Lighting	PSAL	0.34%
Overall		0.09%

The percent increases noted above are based upon March 1, 2016 Delivery Rates. The applicable Basic Gas Supply Service (RSG) charges, and assumed that customer's current electricity service from Public Service Electric and Gas Company.

**Table # 4 - Residential Electric Service For Rates if Effective September 1, 2016**

If Your Annual kWh Use Is:	And Your Monthly Summer kWh Use Is:	This Year's Proposed Monthly Summer kWh Bill (1) Would Be:	And Your Proposed Monthly Summer kWh Bill (2) Would Be:	Your Monthly Summer kWh Increase Would Be:	And Your Monthly Summer kWh Increase Percent Increase Would Be:
1,920	200	\$38.91	\$38.71	\$0.10	0.26%
4,320	450	\$4.52	\$4.73	0.21	0.25%
7,200	750	\$14.24	\$14.80	0.56	0.25%
7,600	800	\$15.80	\$15.99	0.19	0.26%
13,980	1,580	\$60.37	\$61.23	0.86	0.25%

(1) Based upon Delivery Rates and Basic Gas Supply Service (RSG-RSGC) charges in effect March 1, 2016 and assumed that customer's current electricity service from Public Service Electric and Gas Company.  
 (2) Same as (1) except includes the charge for the Energy Strong Program.

**Table # 5 - Residential Gas Service For Rates if Effective September 1, 2016**

Your Annual Therm Use Is:	And Your Monthly Winter Therm Use Is:	This Year's Proposed Monthly Winter Therm Bill (1) Would Be:	And Your Proposed Monthly Winter Therm Bill (2) Would Be:	Your Monthly Winter Therm Increase Would Be:	And Your Monthly Winter Therm Increase Percent Increase Would Be:
160	25	\$26.99	\$27.21	\$0.22	0.82%
360	50	\$45.14	\$46.82	\$1.68	1.00%
610	100	\$91.38	\$92.32	\$0.94	1.03%
1,010	165	\$165.99	\$168.56	\$2.57	1.06%
1,224	200	\$176.62	\$178.79	\$2.17	1.08%
1,836	300	\$267.45	\$268.27	\$0.82	1.07%

(1) Based upon Delivery Rates and Basic Gas Supply Service (RSGS-RSG) charges in effect March 1, 2016 and assumed that the customer receives the Energy Strong Program credit.  
 (2) Same as (1) except includes charge for the Energy Strong Program.

**PS&G**  
 PUBLIC SERVICE ELECTRIC AND GAS COMPANY  
 Martin C. Rothfelder, Esq.  
 Associate General Regulatory Counsel