

MINUTES
Regular Meeting of Town Council

Tuesday, October 13, 2015
7:30pm
with Executive Session
beginning at 7:00 p.m.

A. Statement of Compliance with Open Public Meetings Act

Minutes of a regular meeting of the Town Council of the Town of Morristown, held on October 13, 2015, in the Council Room of the Morristown Town Hall located at 200 South Street, Morristown, New Jersey, beginning at 7:04p.m., prevailing time.

Council President Feldman presiding.

Town Clerk Kevin D. Harris read the following statement: Notice of this meeting was provided in compliance with the Open Public Meetings Act in accordance with a Resolution adopted by the Council of the town of Morristown at the Organization Meeting on January 6, 2015 setting forth the time, date and location of each meeting. A copy of the Resolution was distributed to the Morris County Daily Record and the Star Ledger, filed with the Town Clerk, posted on the Bulletin Board at the Municipal Building and mailed to any person who has requested and prepaid the established fee for such meeting notice.

The Honorable Timothy P. Dougherty, Mayor was in attendance.

B. Roll Call

ATTENDANCE:

PRESENT: Mr. Armington, Ms. Deeb, Mr. Elms, Ms. Foster, Ms. Harris, Mrs. Smith- Reid, Council President Feldman

ABSENT: None.

C. Executive Session – The Town Clerk read a Resolution to Enter into Executive session to discuss matters of present and/or pending litigation; as well as matters under the attorney client privilege pursuant to N.J.S.A. 10:4-12b(7).

Council President Feldman offered a motion to enter into Executive Session which was seconded by Council Member Foster and

approved on the following roll call vote:

YEAS: Mr. Armington, Ms. Deeb, Mr. Elms, Ms. Foster,
Ms. Harris, Mrs. Smith-Reid, Council President Feldman

NAYS: None

ABSTAINING: None

ABSENT: None

Council entered into Executive Session at 7:07 p.m. to discuss the following:

(1) Matters of pending litigation or contract negotiations other than collective bargaining negotiations pursuant N.J.S.A. 10:4-12b(7).

(2) Pending Litigation

- a. Resolution of the Town of Morristown authorizing an amendment to the Municipal Shared Services Defense Agreement.
- b. Resolution of the Mayor and Town Council of the Town of Morristown in the County of Morris authorizing settlement of the 2010 Tax Appeal entitled Epstein's B Rentals LLC v. Town of Morristown, Docket No: 015593-2010 of the tax assessment of Block 6004, Lots 1.01, 1.02, 1.03, 1.04, 1.05, 1.06, 1.07, 1.08 known as 40 Park, in the Town of Morristown, Morris County, New Jersey.

Purpose: Authorizes the Tax Appeal Settlement for 2010 in the amount of \$215,000 for Lots 1.01 through 1.08.

- c. Resolution of the Mayor and Town Council of the Town of Morristown in the County of Morris authorizing settlement of the 2010 Tax Appeal entitled 40 Park LLC v. Town of Morristown, Docket No: 015556-2010 of the tax assessment of Block 6004, Lots 1.201, 1.202, 1.203, 1.204, 1.205, 1.206, 1.207, 1.208, 1.209, 1.210, 1.211, 1.212, 1.213, 1.214, 1.215, 1.216, 1.301, 1.302, 1.303, 1.304, 1.305, 1.306, 1.307, 1.308,

1.309, 1.310, 1.311, 1.312, 1.313, 1.314, 1.315, 1.316, 1.401, 1.402, 1.403, 1.404, 1.405, 1.406, 1.407, 1.408, 1.409, 1.410, 1.411, 1.412, 1.413, 1.414, 1.415, 1.501, 1.502, 1.503, 1.504, 1.505, 1.506, 1.507, 1.508, 1.509, 1.510, 1.511, 1.512, 1.513, 1.514, 1.515, 1.516, 1.601, 1.602, 1.603, 1.604, 1.605, 1.606, 1.607, 1.608, 1.701, 1.702, 1.703, 1.704, 1.705 known as 40 Park, in the Town of Morristown, Morris County, New Jersey.

Purpose: See attached 2010 Settlement Appeal Spreadsheet.

- d. Resolution of the Mayor and Town Council of the Town of Morristown in the County of Morris authorizing settlement of the 2012 Tax Appeal entitled Geoffrey A. Dugue et al v. Town of Morristown, Docket No: 008915-2012 of the tax assessment of Block 8801, Lot 2 known as 43 Ogden Place, in the Town of Morristown, Morris County, New Jersey.

Purpose: Authorizes the Tax Appeal Settlement for 2012: \$1,100,000.

- e. Resolution of the Mayor and Town Council of the Town of Morristown in the County of Morris authorizing settlement of the 2012, 2013, 2014 and 2015 Tax Appeals entitled Caroline McCann et all v. Town of Morristown, Docket Nos: 013216-2012, 011116-2013, 008636-2014, 008607-2015 of the tax assessment of Block 5501, Lot 18 known as 11 Milton Place, in the Town of Morristown, Morris County, New Jersey.

Purpose: Authorizes the Tax Appeal Settlement for 2012: \$283,300; 2013, 2014, 2015: \$405,000.

- f. Resolution of the Mayor and Town Council of the Town of Morristown in the County of Morris authorizing settlement of the 2010, 2012, 2013 and 2014 Tax Appeals entitled 195 Speedwell Avenue, LLC v. Town of Morristown, Docket Nos: 010373-2010, 014276-0212, 012282-2013, 010501-2014 of the tax assessment of Block 3303, Lot 1 known as 195 Speedwell Avenue, in the Town of Morristown, Morris County, New Jersey.

Purpose: Authorizes the Tax Appeal Settlement for 2010: \$1,100,000, 2012, 2013; 2014: Withdrawn.

- g. Resolution of the Mayor and Town Council of the Town of Morristown in the County of Morris authorizing settlement of the 2013 Tax Appeal entitled Anthony D. Allocco v. Town of Morristown, Docket No: 015370-2013 of the tax assessment of Block 7403, Lot 19 known as 17 Colles Avenue, in the Town of Morristown, Morris County, New Jersey.

Purpose: Authorizes the Tax Appeal Settlement for 2013:
\$415,000.

- h. Resolution of the Mayor and Town Council of the Town of Morristown in the County of Morris authorizing settlement of the 2009, 2010, 2012, 2013 and 2014 Tax Appeals entitled Lafayette Court LLC v. Town of Morristown, Docket Nos: 001588-2009, 006287-2010, 003793-2011, 001840-2012, 000538-2013, 002083-2014 of the tax assessment of Block 3702, Lot 1 known as 70-74 Hill Street, in the Town of Morristown, Morris County, New Jersey.

Purpose: Authorizes the Tax Appeal Settlement for 2009 and 2010: \$1,700,000; 2011, 2012, 2013, 2014: Withdrawn.

- D. Resumption of Regular Meeting – The Regular Meeting resumed at 7:30 p.m., with the Roll Call of Council Members as follows:

PRESENT: Mr. Armington, Ms. Deeb, Mr. Elms, Ms. Foster, Ms. Harris, Mrs. Smith- Reid, Council President Feldman

ABSENT: None

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

1. Approval of Volunteer Fire Fighter, Daniel Whitehead.
2. Letter dated September 18, 2015 from Marty Epstein, Founder of Gran Fondo, NJ requesting permission for their annual premier endurance cycling event to be held on September 11, 2016 in the Town of Morristown.
3. Letter dated October 1, 2015 from George Fiore, Executive Director of the Morristown Parking Authority, requesting some “temporary” handicapped space be designated for the first parking spot on the corner of Maple Avenue & Market Street (A letter dated October 5, 2015 from Rolando Rios is attached in support of this request).
4. Email dated October 8, 2015 from Jennifer Santori requesting permission for the Washington Headquarters’ Neighborhood Association to hold its annual Halloween Party on Saturday, October 31, 2015, from 3:30 p.m. – 7:00 p.m..

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

YEAS: Mr. Armington, Ms. Deeb, Mr. Elms, Ms. Foster, Ms. Harris, Mrs. Smith-Reid, Council President Feldman

NAYS: None

ABSTAIN: None

ABSENT: None

H. Mayor’s Proclamations and Presentations – The Mayor had no proclamations or presentations for the evening.

I. Public Hearing

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

Vera White, 44 Prospect Street, Morristown, addressed Council regarding actions and “myths” at the Morristown Housing Authority. Ms. White stated that there was never an audit conducted by HUD; only by the Executive Director. Ms. White further stated that no Board Members stole any money. Ms. White also address allegations that there was an altercation at the last Board meeting where one commissioner “swung on or at” another commissioner. Ms. White concluded her comments by stating that Council follow the law and appoint a “resident” commissioner.

Tawanna Cotten, 30 Flagler Street, Morristown, addressed Council regarding the appointment of a Commissioner to the Morristown Housing Authority and that it is important to have a resident commissioner. Ms Cotten brought a copy of the Federal Register with her and asked Council to uphold the law.

David Gillingham, 24 Liberty Street, Morristown, addressed Council on Ordinance O-28-2015 and O-29-2015. Mr. Gillingham asked that these items be tabled sighting that these properties have issues that need to be discussed and issues worked out.

Donna Howard, 39 Early Street, Morristown, addressed Council regarding resident membership on the Morristown Housing Authority Board of Commissioners.

Mary Booze, 32 Flagler Street, Morristown, addressed Council regarding the vacancy on the Morristown Housing Authority Board of Commissioners. Mr. Booze stated that there is a need for a Resident Commissioner and she asked Council to appoint one. Ms. Booze stated there is no reason to sue the Town; however, residents will take necessary steps to get what they need.

Linda Carrington, 49 Macculloch Avenue, Morristown, addressed Council to consider collecting a “hotel tax” from establishments such as “AirBNB”. Ms. Carrington stated that there are residences in Morristown that are listed on AirBnB. Ms. Carrington stated that Jersey City has enacted an ordinance and that these residences may be valid provided they have complied with all applicable laws. Ms. Carrington stated that as a Member of the Board of Adjustment; she may not be able to participate in assisting Council; she did provide information for Council’s review and consideration.

Council President Feldman directed the Clerk to distribute copies to Council Members and the Administration via email.

Greg Bruen, 277 Speedwell Avenue, Morristown, addressed Council regarding comments he made at the last meeting and the Town’s response at the last meeting. Mr. Bruen further stated that several residences in Town are “stacked”. Mr. Bruen again alleged harassment against him by Morristown Officials. Mr. Bruen again provided several addresses where residents are “stacking”. Mr. Bruen concluded his remarks by stating that he shall institute a “class action” suit against the Town.

Michael Pooler, 8 Ames Place, Morristown, addressed Council regarding an article in the paper regarding the Morristown Housing Authority and inquired as to what authority the Council has over the Morristown Housing Authority. Mr. Pooler further stated that he would like to see the Town conduct an audit.

Carlos Abad, “LaunchNJ”, a group that started in August 2013, and has grown to over 2700 members. The group focuses on innovation and

technology. Ms. Abad stated that the group is looking to relocate its headquarters to Morristown and hopes that the Town shall want his organization in Town.

Bill Byrne, 100 Franklin Street, Morristown, addressed Council regarding the biking situation where bike riders are riding on sidewalks. Mr. Byrne stated that he was almost struck by one. Mr. Byrne stated that the Town needs to enforce the law.

Christine Conte-Collins, 40 West Park Street, #702, Morristown, addressed Council regarding questions regarding the Morristown Housing Authority. Ms. Conte-Collins inquired as to Council's appointment of present Commissioners. Ms. Conte-Collins also inquired as to Council's awareness of the MHA Board's use of public funds.

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

Council Member Smith-Reid stated that she found it appalling that Ordinances O-28-2015 and O-29-2015 were introduced and withdrawn without speaking with her as the Ward representative where the property is located. Council Member Smith-Reid asked that there be community involvement and participation in redevelopment in that area as she constantly receives telephone calls from people regarding housing. Council Member Smith-Reid encouraged involvement from the community and offered to serve on a committee at the discretion of the Council President.

Council Member Harris stated that she too was surprised to see Ordinances O-28-2015 and O-29-2015 on the agenda as well. Council Member Harris had numerous conversations and was greatly upset. Council Member Harris requested that items such as this be provided to Council with advance notice so they may be provided the respected deserved.

Council President Feldman at this time stated that she would organize a subcommittee consisting of Council Members Deeb, Harris and Smith-Reid, and asked that they report back at the next meeting as to how they wished to proceed.

Council Member Deeb commented on the article referenced by Ms. Carrington. Council Member Deeb further commented on cycling on the sidewalk and that cycling by adults should be on the street. Council Member Deeb further stated that children as long as they are not going at high speeds should be allowed on sidewalks. Council Member Deeb asked if the Council President would be willing to set up a subcommittee regarding this as well.

Council Member Armington stated that he started the "task force" consisting of residents as well as members of the Administration. Council Member Deeb asked if membership was open to other Council Members. Council Member Armington stated that it was open and he would send her an

invitation.

Town Attorney Vijayant Pawar, Esq., stated that due to a number of complaints regarding aggressive biking; he has spoken with Police Chief Demnitz and that there were progressive steps being taken to enforce the Town's laws in these areas.

J. Report of Mayor and Town Officials

The Mayor introduced to all Jillian Barrick as the new Business Administrator.

Mayor Dougherty stated that with respects to the property at 95-97 Martin Luther King Avenue, he was approached by Billy "Breeze" Riley on how to use the property. Mayor Dougherty stated that he supports the idea and shall continue to support it. Mayor Dougherty states that underprivileged people who has legal troubles in their background face the "injustice of economics" which affects their future.

Mayor Dougherty further stated that there was no political motivation.

Council Member Smith-Reid stated there is no disagreement as to the use of the property. However, Council Member Smith-Reid stated that uses of the property in the Second Ward need to be discussed among the residents in that Ward.

Council Member Harris stated that these matters need to be discussed prior to the item being presented Council on the day of the meeting.

Mayor Dougherty stated that items presented to Council are vetted. Mayor Dougherty stated that this property has been vacant back to Mayor Bloch and that he shall provide them with all information about prior discussions regarding the property.

Town Attorney Vijayant Pawar, stated that the Morris County Bar Association and Morris County Bar Foundation approached the Mayor about a clinic here in Morristown on October 24, 2015 from 9:00 a.m. – 1:00 p.m., at 12 Flagler Street.

Mayor Dougherty directed the Director of Code Enforcement to investigate all of the properties provided by Mr. Bruen.

K. Council Liaison Reports

Council President Feldman stated that the new solar powered credit cards parking meetings shall be installed this month.

Council Member Elms, Council Liaison, Morristown Partnership, stated the “Meet me in Morristown” series concluded as a success as was the Fall Festival. Council Member Elms further stated that this evening the Morristown Partnership hosted a business card exchange. Council Member Elms further stated that there is a Partnership Meeting scheduled for tomorrow.

L. Regular Business

Nomination, Selection and Appointment by the Town Council of One (1) Commissioner for the Morristown Housing Authority Board of Commissioners for a five (5) year term from September 2015 – September 2020.

(Tabled from the September 22, 2015 Town Council Meeting)

After discussion on this matter amongst Council Members and a question and answer session involving the Town Attorneys. Council Member Harris made a motion to lift this matter from the table for consideration. Council Member Armington seconded and the Motion to Lift from the Table passed on the following Roll Call vote:

YEAS: Mr. Armington, Ms. Deeb, Mr. Elms, Ms. Foster, Ms. Harris, Mrs. Smith-Reid, Council President Feldman

NAYS: None

ABSTAINING: None

ABSENT: None

Council President Feldman made a motion that the matter be withdrawn until such time as it is reintroduced for consideration by Council. Council Member Harris seconded and the Motion to Withdraw passed on the following Roll Call vote:

YEAS: Ms. Deeb, Mr. Elms, Ms. Harris, Mrs. Smith-Reid,
Council President Feldman

NAYS: Mr. Armington, Ms. Foster

ABSTAINING: None

ABSENT: None

Ordinances for Introduction

Ordinance No. O-27-2015

Introduced The Town Clerk offered for introduction

Ordinance No. O-27-2015

“An Ordinance of the Town of Morristown, in the County of Morris, State of New Jersey, amending Ordinance O-11-2015 establishing compensation for Management/Non Union positions in the Town of Morristown, New Jersey and amending all Ordinances concerning such compensation heretofore adopted”.

Purpose: Amends the salary range of the Sewage Plant Superintendent/Sewer Superintendent.

Council President made a motion that Ordinance O-27-2015 be introduced, read by title, passed on first reading and that a meeting be held on October 27, 2015 at 7:30 pm, in the council room, 200 South Street for a second reading and consideration of final passage of said ordinance. The motion was seconded by Council Member Foster.

Called to question Ordinance No. O-27-2015 was introduced on the following roll call:

YEAS: Mr. Armington, Ms. Deeb, Mr. Elms, Ms. Foster,
Ms. Harris, Mrs. Smith-Reid, Council President Feldman

NAYS: None

ABSTAINING: None

ABSENT: None

Ordinance No. O-28-2015

Withdrawn The Town Clerk announced that the following ordinance was withdrawn at the request of the Administration.

Ordinance No. O-28-2015

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

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

Ordinance No. O-29-2015

Withdrawn The Town Clerk announced that the following ordinance was withdrawn at the request of the Administration.

Ordinance No. O-29-2015

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

Purpose: Self-Explanatory.

Ordinances for Public Hearing and Adoption

Ordinance No. O-26-2015

ADOPTED The Town Clerk offered for public hearing and adoption

Ordinance O-26-2015 entitled:

“Ordinance of the Town of Morristown, in the County of Morris, State of New Jersey, Amending Ordinance O-11-2015, which Establishes Compensation for Management/Non-Union Positions in the Town of Morristown, New Jersey and Amending All Ordinances Concerning Such Compensation Heretofore Adopted.”

Purpose: Adjust the salary range of the Sewerage Plant Superintendent/Sewer Superintendent.

Council President Feldman directed that the ordinance be read by title only.

The Town Clerk read the ordinance by title and stated that it had been published in the Morris County Daily Record, according to law.

Council President moved for adoption of Ordinance No. O-26-2015 by title only on second reading and final adoption thereof. The motion was seconded by Council Member Foster.

Public Hearing: The Council-President opened the meeting for public hearing on the ordinance and invited all citizens and tax payers to speak in regard thereto.

There being no one to be heard, the Council President declared the public hearing closed.

Called to question Ordinance No. O-26-2015 was adopted on the following roll call:

YEAS: Mr. Armington, Ms. Deeb, Mr. Elms, Ms. Foster, Ms. Harris, Mrs. Smith-Reid, Council President Feldman

NAYS: None

ABSTAINING: None

ABSENT: None

The Town Clerk announced that the ordinance had been finally adopted, that notice of final adoption would be published in the Morris County Daily Record, as required by law.

Resolutions for Adoption

A Motion to Add Resolutions R-165-15 through R-172-15 to Resolution Items for Consideration on the Regular Agenda

Proposed Resolutions R-165-15 through R-172-15 were discussed in Executive Session with Council deciding to consider them this evening. Council President Feldman moved that Resolutions R-165-15 through R-172-15 be added to the list of Resolutions to be considered for the evening. Council Member Foster seconded and the Motion was adopted by the following Roll Call vote:

YEAS: Mr. Armington, Ms. Deeb, Mr. Elms, Ms. Foster,
Ms. Harris, Mrs. Smith-Reid, Council President Feldman

NAYS: None

ABSTAINING: None

ABSENT: None

Council President Feldman determined and announced that these Resolutions would be placed at the end of the Resolution items on the agenda.

Resolution No. R-159-15

Passed

Council Member Armington moved the adoption of the following resolution: Here follows Resolution R-159-15 entitled:

“Resolution of the Town Council of the Town of Morristown declaring a certain area within the Town a non-condemnation area in need of redevelopment.”

Purpose: Declares the property located along Elm Street and Hills Street and identified as Block 3702, Lot 18 (63 Elms Street); Block 3702, Lot 17 (57 Elm Street); Block 3702, Lot 8 (26 Hill Street); and Block 3702, Lot 9 (22 Hill Street) as shown on the official Tax Map of the Town of Morristown is hereby designated a non-condemnation area in need of redevelopment.

The motion was seconded by Ms. Foster and Ms. Harris and passed on the following roll call:

YEAS: Mr. Armington, Mr. Elms, Ms. Foster, Ms. Harris,
Mrs. Smith-Reid, Council President Feldman

NAYS: Ms. Deeb

ABSTAINING: None

ABSENT: Council President Feldman

Resolution No. R-160-15

Passed

Council Member Harris moved the adoption of the following

resolution: Here follows Resolution R-160-15 entitled:
“Resolution approving the Best Practices Worksheet for CY2015 and authorizing the Town Clerk to complete the certification portion of the Best Practices Worksheet.”

Purpose: Approves the 2015 Best Practices Checklist.

The motion was seconded by Ms. Foster and passed on the following roll call:

YEAS: Mr. Armington, Ms. Deeb, Mr. Elms, Ms. Foster, Ms. Harris, Mrs. Smith-Reid, Council President Feldman

NAYS: None

ABSTAINING: None

ABSENT: None

Resolution No. R-161-15

Passed

Council President Feldman moved the adoption of the following resolution: Here follows Resolution R-161-15 entitled:

“Resolution authorizing the removal of hazardous overgrown vegetation and garbage on the property location at 65 Valley View West, Morristown, New Jersey and authorizing a Lien be placed against the property.”

Purpose: Authorizes the removal of hazardous overgrown vegetation and garbage on the property location at 65 Valley View West and authorizes a lien be placed against the property in the amount \$3,095.00.

The motion was seconded by Mr. Armington and passed on the following roll call:

YEAS: Mr. Armington, Ms. Deeb, Mr. Elms, Ms. Foster, Ms. Harris, Mrs. Smith-Reid, Council President Feldman

NAYS: None

ABSTAINING: None

ABSENT: None

Resolution No. R-162-15

Passed

Council Member Smith-Reid moved the adoption of the following resolution: Here follows Resolution R-162-15 entitled:

“Resolution authorizing amendment to 2015 Capital Budget.”

Purpose: Authorizes amendments to the 2015 Capital Budget providing for certain capital improvements at the Morristown Municipal Airport and for the purchase of property located at 95-97 Martin Luther King Avenue.

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

YEAS: Mr. Armington, Ms. Deeb, Mr. Elms, Ms. Foster, Ms. Harris, Mrs. Smith-Reid, Council President Feldman

NAYS: None

ABSTAINING: None

ABSENT: None

Resolution No. R-163-15

Passed

Council Member Harris moved the adoption of the following resolution: Here follows Resolution R-163-15 entitled:

“Resolution cancelling the emergency appropriation authorized pursuant to N.J.S.A. 40A:4-46 to fund the demolition of fire damaged buildings at 84 Elm Street, Block 4701, Lot 6 and 88 Elm Street, Block 4701, Lot 5.”

Purpose: Self Explanatory

The motion was seconded by Ms. Foster and passed on the following roll call:

YEAS: Mr. Armington, Ms. Deeb, Mr. Elms, Ms. Foster, Ms. Harris, Mrs. Smith-Reid, Council President Feldman

NAYS: None

ABSTAINING: None

ABSENT: None

Resolution No. R-164-15

Passed

Council Member Harris moved the adoption of the following resolution: Here follows Resolution R-164-15 entitled: “Resolution rejecting bids submitted for building demolition and site protection for Block 4701, Lots 5 & 6 (84-90 Elm Street).”

Purpose: Self Explanatory

The motion was seconded by Ms. Foster and passed on the following roll call:

YEAS: Mr. Armington, Ms. Deeb, Mr. Elms, Ms. Foster, Ms. Harris, Mrs. Smith-Reid, Council President Feldman

NAYS: None

ABSTAINING: None

ABSENT: None

Resolution No. R-165-15

Passed

Council Member Harris moved the adoption of the following resolution: Here follows Resolution R-165-15 entitled: “Resolution of the Town of Morristown authorizing an amendment to the Municipal Shared Services Defense Agreement.”

The motion was seconded by Ms. Foster and passed on the following roll call:

YEAS: Mr. Armington, Ms. Deeb, Mr. Elms, Ms. Foster, Ms. Harris, Mrs. Smith-Reid, Council President Feldman

NAYS: None

ABSTAINING: None

ABSENT: None

Resolution No. R-166-15

Passed

Council Member Harris moved the adoption of the following resolution: Here follows Resolution R-166-15 entitled:
“Resolution of the Mayor and Town Council of the Town of Morristown in the County of Morris authorizing settlement of the 2010 Tax Appeal entitled Epstein’s B Rentals LLC v. Town of Morristown, Docket No: 015593-2010 of the tax assessment of Block 6004, Lots 1.01, 1.02, 1.03, 1.04, 1.05, 1.06, 1.07, 1.08 known as 40 Park, in the Town of Morristown, Morris County, New Jersey.”

Purpose: Authorizes the Tax Appeal Settlement for 2010 in the amount of \$215,000 for Lots 1.01 through 1.08.

The motion was seconded by Ms. Foster and passed on the following roll call:

YEAS: Mr. Armington, Ms. Deeb, Mr. Elms, Ms. Foster, Ms. Harris, Mrs. Smith-Reid, Council President Feldman

NAYS: None

ABSTAINING: None

ABSENT: None

Resolution No. R-167-15

Passed

Council Member Harris moved the adoption of the following resolution: Here follows Resolution R-167-15 entitled:
“Resolution of the Mayor and Town Council of the Town of Morristown in the County of Morris authorizing settlement of the 2010 Tax Appeal entitled 40 Park LLC v. Town of Morristown, Docket No: 015556-2010 of the tax assessment of Block 6004, Lots 1.201, 1.202, 1.203, 1.204, 1.205, 1.206, 1.207, 1.208, 1.209, 1.210, 1.211, 1.212, 1.213, 1.214, 1.215, 1.216, 1.301, 1.302, 1.303, 1.304, 1.305, 1.306, 1.307, 1.308, 1.309, 1.310, 1.311, 1.312, 1.313, 1.314, 1.315, 1.316, 1.401, 1.402, 1.403, 1.404, 1.405, 1.406, 1.407, 1.408, 1.409, 1.410, 1.411, 1.412, 1.413, 1.414, 1.415, 1.501, 1.502, 1.503, 1.504, 1.505, 1.506, 1.507, 1.508, 1.509, 1.510, 1.511, 1.512, 1.513, 1.514, 1.515, 1.516, 1.601, 1.602, 1.603, 1.604, 1.605, 1.606, 1.607, 1.608, 1.701, 1.702, 1.703, 1.704, 1.705 known as 40 Park, in the Town of Morristown, Morris County, New Jersey.”

Purpose: See attached 2010 Settlement Appeal Spreadsheet.

The motion was seconded by Ms. Foster and passed on the following roll call:

YEAS: Mr. Armington, Ms. Deeb, Mr. Elms, Ms. Foster, Ms. Harris, Mrs. Smith-Reid, Council President Feldman

NAYS: None

ABSTAINING: None

ABSENT: None

Resolution No. R-168-15

Passed

Council Member Harris moved the adoption of the following resolution: Here follows Resolution R-168-15 entitled: “Resolution of the Mayor and Town Council of the Town of Morristown in the County of Morris authorizing settlement of the 2012 Tax Appeal entitled Geoffrey A. Dugue et al v. Town of Morristown, Docket No: 008915-2012 of the tax assessment of Block 8801, Lot 2 known as 43 Ogden Place, in the Town of Morristown, Morris County, New Jersey.”

Purpose: Authorizes the Tax Appeal Settlement for 2012: \$1,100,000.

The motion was seconded by Ms. Foster and passed on the following roll call:

YEAS: Mr. Armington, Ms. Deeb, Mr. Elms, Ms. Foster, Ms. Harris, Mrs. Smith-Reid, Council President Feldman

NAYS: None

ABSTAINING: None

ABSENT: None

Resolution No. R-169-15

Passed

Council Member Harris moved the adoption of the following resolution: Here follows Resolution R-169-15 entitled: “Resolution of the Mayor and Town Council of the Town of Morristown in the County of Morris authorizing settlement of the

2012, 2013, 2014 and 2015 Tax Appeals entitled Caroline McCann et al v. Town of Morristown, Docket Nos: 013216-2012, 011116-2013, 008636-2014, 008607-2015 of the tax assessment of Block 5501, Lot 18 known as 11 Milton Place, in the Town of Morristown, Morris County, New Jersey.”

Purpose: Authorizes the Tax Appeal Settlement for 2012: \$283,300; 2013, 2014, 2015: \$405,000.

The motion was seconded by Ms. Foster and passed on the following roll call:

YEAS: Mr. Armington, Ms. Deeb, Mr. Elms, Ms. Foster, Ms. Harris, Mrs. Smith-Reid, Council President Feldman

NAYS: None

ABSTAINING: None

ABSENT: None

Resolution No. R-170-15

Passed

Council Member Harris moved the adoption of the following resolution: Here follows Resolution R-170-15 entitled: “Resolution of the Mayor and Town Council of the Town of Morristown in the County of Morris authorizing settlement of the 2010, 2012, 2013 and 2014 Tax Appeals entitled 195 Speedwell Avenue, LLC v. Town of Morristown, Docket Nos: 010373-2010, 014276-0212, 012282-2013, 010501-2014 of the tax assessment of Block 3303, Lot 1 known as 195 Speedwell Avenue, in the Town of Morristown, Morris County, New Jersey.”

Purpose: Authorizes the Tax Appeal Settlement for 2010: \$1,100,000, 2012, 2013; 2014: Withdrawn.

The motion was seconded by Ms. Foster and passed on the following roll call:

YEAS: Mr. Armington, Ms. Deeb, Mr. Elms, Ms. Foster, Ms. Harris, Mrs. Smith-Reid, Council President Feldman

NAYS: None

ABSTAINING: None

ABSENT: None

Resolution No. R-171-15

Passed

Council Member Harris moved the adoption of the following resolution: Here follows Resolution R-171-15 entitled:

“Resolution of the Mayor and Town Council of the Town of Morristown in the County of Morris authorizing settlement of the 2013 Tax Appeal entitled Anthony D. Allocco v. Town of Morristown, Docket No: 015370-2013 of the tax assessment of Block 7403, Lot 19 known as 17 Colles Avenue, in the Town of Morristown, Morris County, New Jersey.”

Purpose: Authorizes the Tax Appeal Settlement for 2013:
\$415,000.

The motion was seconded by Ms. Foster and passed on the following roll call:

YEAS: Mr. Armington, Ms. Deeb, Mr. Elms, Ms. Foster, Ms. Harris, Mrs. Smith-Reid, Council President Feldman

NAYS: None

ABSTAINING: None

ABSENT: None

Resolution No. R-172-15

Passed

Council Member Harris moved the adoption of the following resolution: Here follows Resolution R-172-15 entitled:

“Resolution of the Mayor and Town Council of the Town of Morristown in the County of Morris authorizing settlement of the 2009, 2010, 2012, 2013 and 2014 Tax Appeals entitled Lafayette Court LLC v. Town of Morristown, Docket Nos: 001588-2009, 006287-2010, 003793-2011, 001840-2012, 000538-2013, 002083-2014 of the tax assessment of Block 3702, Lot 1 known as 70-74 Hill Street, in the Town of Morristown, Morris County, New Jersey.”

Purpose: Authorizes the Tax Appeal Settlement for 2009 and 2010: \$1,700,000; 2011, 2012, 2013, 2014: Withdrawn.

The motion was seconded by Ms. Foster and passed on the following roll call:

YEAS: Mr. Armington, Ms. Deeb, Mr. Elms, Ms. Foster, Ms. Harris, Mrs. Smith-Reid, Council President Feldman

NAYS: None

ABSTAINING: None

ABSENT: None

M. Unfinished Business

1. Amended Swimming Pool Ordinance (requested by Council President R. Feldman).

Council President Feldman requested that this matter be considered for introduction at the next Council Meeting on October 27, 2016.

2. Ordinance amending and supplementing Chapter 30 “Land Use Regulations” Article VIIA “Affordable Housing Overlay Zone”.

At the direction of Council President Feldman; this matter is tabled until the October 27, 2016 Regular Town Council Meeting.

3. Maintenance of all NJDOT right of way/ramp areas (landscaping & other functions)(requested by Council Members S. Armington & Council President R. Feldman).

Council Member Armington stated that is there any reason why the Town could not repair the sidewalk at Speedwell Avenue and NJ Rt. 24 extension. Mr. Pawar stated that there is always an issue of liability if the Town exercises control over the area. Council Member Deeb stated that she contacted Carolyn Potter through the Governor’s Office and she was referred to the New Jersey Department of Transportation where she received several suggestions regarding maintenance (including hiring a private contractor – as long as they are insured and list the Town as an additional insured) as well as “Adopt a Spot”.

N. New Business

1. Water Conservation Ordinance (requested by Council President R. Feldman) – **carried from the September 22, 2015 Regular Town Council Meeting.**

Council President Feldman stated that it is well known that water is not an infinite resource and the sample ordinance is a model provided by the State. Council President Feldman sought an opinion from the Administration and perhaps the Environmental Commission as to what other municipalities are doing.

2. “Gifts” to Council Members (requested by Council Member Smith-Reid) – **carried from the September 22, 2015 Regular Town Council Meeting.**

Council President Feldman thanked the attorneys for providing the written memorandum concerning an opinion. Assistant Municipal Attorney Joni Noble McDonnell gave a synopsis of what the memorandum contains and how it applies to the Town Council.

- O. Adjournment. There being no further business, a motion to adjourn was made by Council President Feldman seconded by Council Member Foster and passed by acclamation. The meeting was adjourned at 9:33 p.m..

Respectfully Submitted

ATTEST

APPROVED

KEVIN D. HARRIS
TOWN CLERK

REBECCA FELDMAN
COUNCIL PRESIDENT

I do hereby certify the above to be a true and exact copy of the Minutes of the Regular Meeting of the Town Council held on Tuesday, October 13, 2015, duly passed and adopted by the Town Council of the Town of Morristown at the Regular Meeting of the Town Council held on August 9, 2016 in the Morristown Council Room, 200 South Street, Morristown, New Jersey, beginning at 7:30P.M., prevailing time.

DATED: _____

Kevin D. Harris, Town Clerk