

**MINUTES**  
Regular Meeting of Town Council

Tuesday, September 8, 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 September 8, 2015, in the Council Room of the Morristown Town Hall located at 200 South Street, Morristown, New Jersey, beginning at 7:05p.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, Ms. Foster, Ms. Harris, Mrs. Smith- Reid, Council President Feldman

ABSENT: Mr. Elms.

Council Member arrived by telephone at 8:51 p.m..

C. Executive Session – The Town Clerk read a Resolution to Enter into Executive session to discuss matters of terms and/or conditions of employment pursuant to N.J.S.A. 10:4-12b(8).

Council Member Deeb offered a motion to enter into Executive Session which was seconded by Council President Feldman and Council Member Foster and approved on the following roll call vote:

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

NAYS: None

ABSTAINING: None

ABSENT: Mr. Elms

Council entered into Executive Session at 7:09 p.m. to discuss the following:

(1) Matters involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of, promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body pursuant to N.J.S.A. 10:4-12b(8).

D. Resumption of Regular Meeting – The Regular Meeting resumed at 7:48 p.m., with the Roll Call of Council Members as follows:

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

ABSENT: Mr. Elms.

E. Moment of Silence – Council President Feldman 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. Letter dated August 25, 2015 to Mayor Timothy P. Dougherty from Karen Winlund, on behalf of the American Red Cross, North Jersey Region requesting approval of a coin toss for Sunday, October 4, 2015, from 10:00 a.m – 4:00 p.m., on Elm Street, at the Franklin Street traffic light.
2. Request for Colonial Road Block Party to be held on Saturday, September 12, 2015, from 12:00 p.m
3. Request from Paul Miller requesting permission for a block party on September 19, 2015.

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, Ms. Foster, Ms. Harris, Mrs. Smith-Reid, Council President Feldman

NAYS: None

ABSTAIN: None

ABSENT: Mr. Elms.

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.

**Karl Roettger**, 16 Shenandoah Place, Morristown, commented as Chair of the Town of Morristown's Shade Tree Commission commented on Resolution R-141-15 which is on for consideration this evening. Mr. Roettger stated that approval is necessary in that it provides liability for both the Town and Shade Tree Commission. Mr. Roettger stated that timing now was of the essence and he requested the Council to approve the Resolution.

**Tawanna Cotten**, 30 Flagler Street, Morristown, stated that as a Resident of the Morristown Housing Authority that he hoped Council would appoint a resident commissioner to satisfy HUD requirements. Ms. Cotten also inquired about the selection process and when Council hopes to make an appointment.

**Robert Coyne**, 43 Ogden Place, Morristown, addressed the Council

regarding the reckless driving on Ogden Place at excessive speed. Mr. Coyne stated that many ignore the stop sign at Miller and Ogden and others who violate the traffic laws of the area. Mr. Coyne asked the Council to consider either enhanced enforcement or speed bumps.

**Nicole Wisner**, 64 Ogden Place, Morristown, stated that countless times per month; many disregard the speed limit of 20 MPH and she herself has seen motorists go around school buses. Ms. Ogden collected signatures in request of speed bumps and has video of vehicles violating traffic laws.

**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.

**Mike Acken**, 129 Washington Avenue, Morristown, addressed Council regarding the recent Steering Commission meeting for Washington Avenue. Mr. Acken expressed appreciation to the Council and Administration for taking steps to put this action in place and he inquired as to what the next step would be.

**Ann Marie Bergwall**, 89 Washington Avenue, Morristown, expressed appreciation for the Meeting referenced by Mr. Acken and she also inquired as to what the next step would be.

**Bill Byrne**, 100 Franklin Street, Morristown, addressed Council regarding traffic on Madison Avenue. Mr. Byrne focused on items that have been done; however, Mr. Byrne stated that there is more work that needs to be done and he asked Council to fix the outstanding problems. Mr. Byrne further stated that more intersection sidewalks need to be handicapped accessible.

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

Mayor Dougherty expressed that the video of violations on Ogden would go to the Police Chief. Mayor Dougherty further stated that more sidewalk crossings have been made handicapped accessible. Mayor Dougherty further stated that he shall work with the Police Department to ensure that enforcement of traffic laws are being enforced. Mayor Dougherty stated that he was forwarding information to the Town Engineer regarding a study for speed bumps.

Council Member Deeb asked if the study would be specific to Ogden or would it include other streets. Council President Feldman stated that speed bumps are not within Council's jurisdiction. Council Member Deeb asked

questions regarding milling and pavement; she asked if it is necessary to pull the work. Mayor Dougherty asked if that is what the residents want. Council Member Deeb also stated that speed bumps are only one “calming measure” that can be enacted. Council Member Armington stated that the survey should allow residents the opportunity to state whether speed bumps should be placed.

Mayor Dougherty addressed the plans to improve traffic on Washington Avenue and what the next stage would be in that the residents will be notified as to what the result of the survey was. The Engineering Department shall then estimate as to the cost and residents shall get notice of a new hearing. Council Member Deeb stated that she inquired of former Town Administrator Michael Rogers as to why more curb cuts were not placed. Council Member Deeb stated that this is a problem that she sees cost as being a major factor. Council Member Deeb stated that she would be willing to work with the Mayor to attempt to find better solutions to the problem.

Council President Feldman addressed the final issue raised during the public hearing – the issue concerning the vacancy on the Morristown Housing Authority Board of Commissioners. The Town Clerk informed the Council that he requested information from the Executive Director regarding the present composition of the Board. The Town Clerk further informed the Council that he received an unsigned response from the Executive Director not on MHA letterhead which asked that a decision on the appointment be withheld until the MHA gets a response from HUD as to a waiver request.

Assistant Municipal Attorney Elnardo Webster, II, Esq., stated that ultimately it is the Council’s decision as to whether to appoint a member this evening. Mr. Webster stated that the request from the MHA is purely advisory and has no bearing on Council’s decision.

Council Member Smith-Reid state that she was ready to vote for an appointment. Council Member Harris stated same. Council President Feldman stated that the matter should be tabled until the next Council Meeting of September 22, 2016 as it was not on the agenda for this evening and the 30 days notice requirement does not expire until September 11, 2016.

The Town Clerk informed Council that he received a request from Ada Harris for an application.

Council Member Harris moved that Council make an appointment this evening. The motioned was seconded by Council Member Smith-Reid and failed on the following roll call:

YEAS: Mr. Armington, Ms. Harris, Mrs. Smith-Reid

NAYS: Ms. Deeb, Ms. Foster, Council President Feldman

ABSTAIN: None

ABSENT: Mr. Elms.

Council Member Harris moved that the deadline for the receipt of applications for members to serve on the Morristown Housing Authority be set for Friday, September 11, 2015, at the end of business, with an appointment to be considered at the September 22, 2015 meeting. The motion was seconded by Council Member Smith-Reid as passed on the following roll call:

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

NAYS: None

ABSTAIN: None

ABSENT: Mr. Elms.

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

The Mayor asked Council to mark their calendars for some coming events. Mayor Dougherty thanked all who came out to support the Jazz Festival and he wished Council Member Harris a happy birthday for Sunday, September 13, 2015.

Council President Feldman expressed a happy birthday to Mayor Dougherty.

#### K. Council Liaison Reports

Council President Feldman gave comments from the Parking Authority stating that a budget workshop is coming up and she urged those interested to attend to see where the money is going to be held at the Office of the Parking Authority on October 13, 2015, at 4:30 p.m.. Furthermore, Council President Feldman expressed a rollout on the new parking meters scheduled for November 2015 on May 19, 2015.

Council Member Armington stated that the Long Range Planning discussed the Form-Based Code which is moving forward and should be on the Town's website this week.

#### L. Regular Business

##### **Ordinances for Introduction**

The Town Clerk informed the Council President that there were no ordinances on the agenda for introduction this evening.

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

#### **Ordinance No. O-22-2015**

**ADOPTED** The Town Clerk offered for public hearing and adoption Ordinance O-22-2015 entitled:

“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 and establishes an annual range or rate for the title of Business Administrator.

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 Feldman moved for adoption of Ordinance No. O-22-2015 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-22-2015 was adopted on the following roll call:

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

NAYS: None

ABSTAINING: None

ABSENT: Mr. Elms

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.

**Ordinance No. O-23-2015**

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

Ordinance O-23-2015 entitled:

“Ordinance amending and supplementing the Code of the Town of Morristown Chapter 13 ‘Housing and Property Maintenance’”.

Purpose: See attached Legal Memo and Red Line Version

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 Feldman moved for adoption of Ordinance No. O-23-2015 by title only on second reading and final adoption thereof. The motion was seconded by Council President 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-23-2015 was adopted on the following roll call:

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

NAYS: None

ABSTAINING: None

ABSENT: Mr. Elms

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.

**Ordinance No. O-25-2015**

**ADOPTED** The Town Clerk offered for public hearing and adoption Ordinance O-25-2015 entitled:

“Ordinance approving the Financial Agreement for Long Term Tax Exemption by and between the Town of Morristown and Lofts at Morristown Urban Renewal, LLC.”

Purpose: Approves the Financial Agreement for Long Term Tax Exemption for the property location at 10 Ford avenue (Block 3701, Lot 10), owned by Lofts at Morristown Urban Renewal, LLC.

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 Feldman moved for adoption of Ordinance No. O-25-2015 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-25-2015 was adopted on the following roll call:

YEAS: Mr. Armington, Ms. Deeb, Ms. Foster, Ms. Harris,

Mrs. Smith-Reid, Council President Feldman

NAYS: None

ABSTAINING: None

ABSENT: Mr. Elms

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-146-15 and R-147-15 to Resolution Items for Consideration on the Regular Agenda**

Proposed Resolution R-146-15 was presented to the Clerk's Office after preparation of the agenda and distributed to Council Members at table. Proposed Resolution R-147-15 was discussed in Executive Session with Council deciding to consider it this evening. Council President Feldman moved that Resolutions R-146-15 and R-147-15 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, Ms. Foster, Ms. Harris, Mrs. Smith-Reid, Council President Feldman

NAYS: None

ABSTAINING: None

ABSENT: Mr. Elms

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-125-15**

**Passed** Council President Feldman moved the adoption of the following resolution: Here follows Resolution R-125-15

entitled:  
“Resolution Authorizing Renewal of Plenary Retail Club Licenses  
2015 – 2016.”

Purpose: Self-Explanatory.

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

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

NAYS: None

ABSTAINING: None

ABSENT: Mr. Elms

**Resolution No. R-126-15**

**Passed** Council President Feldman moved the adoption of the  
following resolution: Here follows Resolution R-126-15  
entitled:  
“Resolution Authorizing Renewal of Plenary Retail Consumption  
Licenses 2015 – 2016.”

Purpose: Self-Explanatory.

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

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

NAYS: None

ABSTAINING: None

ABSENT: Mr. Elms

**Resolution No. R-127-15**

**Passed** Council President Feldman moved the adoption of the  
following resolution: Here follows Resolution R-127-15  
entitled:

“Resolution Authorizing Renewal of Plenary Retail Consumption License (Hotel Exception) 2015 – 2016.”

Purpose: Self-Explanatory.

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

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

NAYS: None

ABSTAINING: None

ABSENT: Mr. Elms

**Resolution No. R-128-15**

**Passed**

Council President Feldman moved the adoption of the following resolution: Here follows Resolution R-128-15 entitled:

“Resolution Authorizing Renewal of Plenary Retail Consumption License (Theatre Exception) 2015 – 2016.”

Purpose: Self-Explanatory.

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

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

NAYS: None

ABSTAINING: None

ABSENT: Mr. Elms

**Resolution No. R-129-15**

**Passed**

Council President Feldman moved the adoption of the following resolution: Here follows Resolution R-129-15 entitled:

“Resolution Authorizing Renewal of Plenary Retail Distribution

Licenses 2015 – 2016.”

Purpose: Self-Explanatory.

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

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

NAYS: None

ABSTAINING: None

ABSENT: Mr. Elms

**Resolution No. R-130-15**

**Passed**

Council President Feldman moved the adoption of the following resolution: Here follows Resolution R-130-15 entitled:

“Resolution Authorizing Renewal of Plenary Retail Consumption License 1424-33-029-015 Issued to Iron Bar LLC T/A The Iron Bar and Iron Bistro For 2015 – 2016 Subject to Conditions.”

Purpose: Self-Explanatory.

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

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

NAYS: None

ABSTAINING: None

ABSENT: Mr. Elms

**Resolution No. R-131-15**

**Passed**

Council President Feldman moved the adoption of the following resolution: Here follows Resolution R-131-15 entitled:

“Resolution Authorizing Renewal of Plenary Retail Consumption

License 2015 – 2016 With Conditions Dehart Associates, LLC  
D/B/A Tashmoo.”

Purpose: Self-Explanatory.

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

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

NAYS: None

ABSTAINING: None

ABSENT: Mr. Elms

**Resolution No. R-132-15**

**Passed**

Council President Feldman moved the adoption of the  
following resolution: Here follows Resolution R-132-15  
entitled:

“Resolution Adopting the Morris County Multi-Jurisdictional Multi-  
Hazard Mitigation Plan Update As An Official Plan of the Town of  
Morristown.”

Purpose: Authorizes adoption of the hazard mitigation plan  
submitted to the New Jersey Office of Emergency  
Management and the Federal Emergency Management  
Agency in July 2015 by the Morris County Office of  
Emergency Management. Said plan includes a  
prioritized list of mitigation actions including activities  
that consider natural hazards and over time, will help  
minimize and reduce safety threats and damage to public  
and private property.

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

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

NAYS: None

ABSTAINING: None

ABSENT: Mr. Elms

**Resolution No. R-133-15**

**Passed**

Council President Feldman moved the adoption of the following resolution: Here follows Resolution R-133-15 entitled:

“Resolution Authorizing Disposal of Surplus Property.”

Purpose: Authorizes the sale of certain surplus property, specifically miscellaneous office equipment – Computer monitors, keyboards, printers, scanners, fax machines, phone, computer speakers and other miscellaneous office supplies no longer needed for public use.

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

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

NAYS: None

ABSTAINING: None

ABSENT: Mr. Elms

**Resolution No. R-134-15**

**Passed**

Council President Feldman moved the adoption of the following resolution: Here follows Resolution R-134-15 entitled:

“Resolution authorizing appointment of Frank Mason as Acting Business Administrator for the Town of Morristown.”

Purpose: Appoints Frank Mason as Acting Business Administrator effective September 8, 2015 and to serve until such time as the Mayor and Town Council appoints a permanent Business Administrator.

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

YEAS: Mr. Armington, Ms. Deeb, Ms. Foster, Council President Feldman

NAYS: Mrs. Smith-Reid

ABSTAINING: Ms. Harris

ABSENT: Mr. Elms

**Resolution No. R-135-15**

**Passed**

Council President Fedlman moved the adoption of the following resolution: Here follows Resolution R-135-15 entitled:

“Resolution authorizing award of emergency contract to Jo-Med Contracting Corp. for emergency sanitary sewer repair work by 95 Madison Avenue.”

Purpose: Authorizes an emergency contract with Jo-Med Contracting Corp. for emergency sanitary sewer repair work by 95 Madison Avenue on August 20, 2015.

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

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

NAYS: None

ABSTAINING: None

ABSENT: Mr. Elms

**Resolution No. R-136-15**

**Passed**

Council President Feldman moved the adoption of the following resolution: Here follows Resolution R-136-15 entitled:

“Resolution authorizing the award of bid to Jo-Med Contracting Corp. for Sanitary Sewer Repairs-Variou Streets 2015.”

Purpose: Awards bid to Jo-Med Contracting Corp. for Sanitary

Sewer Repairs-Various Streets 2015 in the amount of \$127,021.56.

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

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

NAYS: None

ABSTAINING: None

ABSENT: Mr. Elms

**Resolution No. R-137-15**

**Passed**

Council President Feldman moved the adoption of the following resolution: Here follows Resolution R-137-15 entitled:

“Resolution amending Resolution R-90-2015 authorizing application for New Jersey Airport Improvement Program (NJAIP) Grant and Execution of NJAIP Grant Agreement with the New Jersey Department of Transportation in Connection with the Runway 5-23 Keel Rehabilitation Project at the Morristown Municipal Airport to correct the relative shares of the cost of the project such that NJDOT’s Share is 85% and DM AIRPORT, LTD’s share is 15%.”

Purpose: See attached August 21, 2015 letter from Darren S. Large, A.A.E., Manager of Facilities and Projects.

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

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

NAYS: None

ABSTAINING: None

ABSENT: Mr. Elms

**Resolution No. R-138-15**

**Passed**

Council President Feldman moved the adoption of the following resolution: Here follows Resolution R-138-15 entitled:

“Resolution authorizing a contract with Richview Consulting for Part-Time Arborist Consulting Services.”

Purpose: Authorizes contract with Richview Consulting in the amount of \$86.00/hour for Consulting Forester/CTE Services, and \$60.00/hour for Clerical Services, for an amount not to exceed \$35,000 and reimbursement of \$.0575 per mile for vehicle travel.

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

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

NAYS: None

ABSTAINING: None

ABSENT: Mr. Elms

**Resolution No. R-139-15**

**Passed**

Council President Feldman moved the adoption of the following resolution: Here follows Resolution R-139-15 entitled:

“Resolution authorizing execution of memorandum of understanding between the Town of Morristown Division of Health and the City of Paterson, Division of Health for Public Health Nurse Case Management Services for Childhood Lead Poisoning.”

Purpose: Authorizes MOU between the Town of Morristown Division of Health and the City of Paterson, Division of Health for Public Health Nurse Case Management Services for Childhood Lead Poisoning for a one year period beginning September 1, 2015 and ending August 31, 2016.

The motion was seconded by Ms. Foster and passed on

the following roll call:

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

NAYS: None

ABSTAINING: None

ABSENT: Mr. Elms

**Resolution No. R-140-15**

**Passed**

Council President Feldman moved the adoption of the following resolution: Here follows Resolution R-140-15 entitled:

“Resolution authorizing the execution of a contract with Animal Control Solutions, Inc.”

Purpose: Authorizes the execution of a one year contract with Animal Control Solutions, Inc. at an hourly rate of \$30.00 for all work performed on behalf of Morristown, and a two (2) hour minimum charge per incident and court appearance.

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

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

NAYS: None

ABSTAINING: None

ABSENT: Mr. Elms

**Resolution No. R-141-15**

**Passed**

Council President Feldman moved the adoption of the following resolution: Here follows Resolution R-141-15 entitled:

“Resolution accepting and approving a Community Forestry Management Plan for the Town of Morristown for 2015 to 2019 and authorizing the submission of the plan to the New Jersey Forest

Service.”

Purpose: Authorizes the adoption of a Community Forestry Management Plan to reduce or eliminate liability associated with local tree care programs and shade tree commissions.

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

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

NAYS: None

ABSTAINING: None

ABSENT: Mr. Elms

**Resolution No. R-142-15**

**Passed**

Council President Feldman moved the adoption of the following resolution: Here follows Resolution R-142-15 entitled:

“Resolution authorizing the submission of a grant application to the State of New Jersey Department of Transportation for the Fiscal Year 2016 Municipal Aid Program.”

Purpose: Authorizes the submission of an application to the State of New Jersey Department of Transportation for the Fiscal Year 2016 Municipal Aid Program for the Washington Street Streetscape Phase II.

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

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

NAYS: None

ABSTAINING: None

ABSENT: Mr. Elms

**Resolution No. R-143-15**

**Passed**

Council President Feldman moved the adoption of the following resolution: Here follows Resolution R-143-15 entitled:

“Resolution Authorizing Renewal of Plenary Retail Consumption License 1424-33-034-007 Issued To 13 South Group, LLC T/A SONA 13 For 2015 – 2016, Subject to Conditions.”

Purpose: Self-Explanatory.

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

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

NAYS: None

ABSTAINING: None

ABSENT: Mr. Elms

**Resolution No. R-144-15**

**Passed**

Council President Feldman moved the adoption of the following resolution: Here follows Resolution R-144-15 entitled:

“Resolution Authorizing Renewal of Plenary Retail Consumption License 1424-33-033-008 Issued To Dehart Ventures, LLC T/A Dark Horse For 2015 – 2016, Subject to Conditions.”

Purpose: Self-Explanatory.

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

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

NAYS: None

ABSTAINING: None

ABSENT: Mr. Elms

**Resolution No. R-145-15**

**Passed**

Council President Feldman moved the adoption of the following resolution: Here follows Resolution R-145-15 entitled:

“Resolution Authorizing Renewal of Plenary Retail Consumption License 1424-33-015-013 Issued To Uncle Baxter LLC, DBA Veronica’s Speedwell For 2015 – 2016, Subject to Conditions.”

Purpose: Self-Explanatory.

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

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

NAYS: None

ABSTAINING: None

ABSENT: Mr. Elms

**Resolution No. R-146-15**

**Passed**

Council President Feldman moved the adoption of the following resolution: Here follows Resolution R-146-15 entitled:

“Resolution Awarding Bid to Jo-Med Contracting Corp., for Washington Street Streetscape Improvements.”

Purpose: Self-Explanatory.

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

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

NAYS: None

ABSTAINING: None

ABSENT: Mr. Elms

**Resolution No. R-147-15**

**Passed**

Council President Feldman moved the adoption of the following resolution: Here follows Resolution R-147-15 entitled:

“Resolution Authorizing Appointment of Jillian Barrick as Business Administrator for the Town of Morristown.”

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

M. Unfinished Business

1. Burnham Park Pool Ordinance – looking at methods to amend the current Code to establish pool fees, to enable the Town to hold low-cost or no-cost open houses for non-members (as mentioned at the August 11, 2015 Meeting by Council President R. Feldman).

Council President Feldman requested that the item be tabled until the September 22, 2015 Meeting. At the request of the Council President, the Town Clerk provided copies of the Morris Township Town Code and the Township of Morris’ recent ordinance concerning fees.

Council Member Deeb requested that a copy of the Morristown Town Code regarding fees be provided to Council before the next meeting.

2. Proposed Resolution in Support of the Morristown Ambulance Squad (to be prepared and submitted by Council Member A. Deeb).

Council Member Deeb stated that she prepared a proposed Resolution and wishes it to be considered at the next Council Meeting on the Regular Business Agenda.

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

The Town Clerk informed the Council that Council may wish to table discussion. Council President Feldman agreed.

#### N. New Business

1. Parking Issue – Morristown High School. Please see correspondence attached (requested by Council Member A. Deeb).

Council Member Deeb stated that she was seeking guidance as to how to respond to the resident who wrote the letter. Council Member Armington stated that based on complaints from residents in the area surrounding the High School; Council adopted Ordinances allowing for 2 hour parking and steps were taken to provide parking for students in alternative areas at a reduced rate.

Council Member Deeb stated that there may be a need for a Council Committee. Council Member Armington stated that this is a school issue. Mayor Dougherty stated that the Board of Education did not address the parking issue when the Board considered expansion despite being recommended by the Town. Council Member Deeb asked that the Administration study the issue. Mayor Dougherty advised Council Member Deeb to advise the constituent to contact the Superintendent of Schools.

2. Parking Issue – Clyde Potts Drive (requested by Council Member R. Smith-Reid).

Council Member Smith-Reid stated that she spoke by telephone with Acting Town Administrator Frank Mason on Friday, September 4, 2015. Council Member Smith-Reid stated that there are vehicles who are ignoring the residential parking restrictions parking on Clyde Potts Drive. Those who do not have parking permits to park in housing authority are stacking on that little section of Clyde Potts Drive and asked if that is under jurisdiction of the Town. Mayor Dougherty stated that he did not know the answer, but he shall look into the matter and address it.

3. Blachley Place building demolition status (requested by Council President R. Feldman).

Mayor Dougherty stated that he heard from J.C.P&L regarding the removal of the pole which has to be done prior to any demolition being done. All agreements have been signed and dates are being coordinated. Mayor Dougherty predicted that it should be within the next month and a half.

Council President Feldman stated from a safety standpoint that no one should stand within close proximity.

- O. Adjournment. Prior to adjournment Mayor Dougherty thanked Council for support of Jillian Barrick as the new Business Administrator and Frank Mason as the Acting Business Administrator.

There being no further business, a motion to adjourn was made by Council Member Armington seconded by Council President Feldman and Council Member Foster and passed by acclamation. The meeting was adjourned at 9:24 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, September 8, 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