

Regular Meeting of Town Council

Tuesday, January 13, 2009

The ordinances, resolutions and correspondence can viewed by clicking on the title. If you have any questions, or have problems viewing the items, please call 973-292-6714.

- A. Statement of Compliance with Open Public Meetings Act
- B. Roll-Call
- C. Executive Session
 - 1. Negotiations - Passaic River Coalition / Willow Hall
- D. Moment of Silence
- E. Pledge of Allegiance
- F. Consent Agenda
 - 1. Executive Session minutes – October 28, 2008
 - 2. Regular meeting minutes – October 28, 2008
 - 3. Permission to hold the St. Patrick’s Day Parade – March 14, 2009 (see material enclosed)
- G. Holiday Decorations Awards – Kathleen O’Neill Margiotta and Mayor Cresitello
- H. Morristown Sustainable Design Assessment Team update – Paul Miller
- I. Public Hearing
- J. Report of Mayor and Town Officials
- K. Council Liaison Reports
- L. Regular Business
 - 1. Ordinances for Public Hearing and Adoption

2. Ordinances for Introduction

Ordinance No. O-1-09

ORDINANCE AMENDING AND SUPPLEMENTING THE CODE OF THE TOWN OF MORRISTOWN, CHAPTER XXX "LAND USE REGULATIONS", ARTICLE IX", "SITE PLAN REQUIREMENTS", SECTION 30-920, "DESIGN REVIEW COMMITTEE", BY CREATING A NEW SECTION 30-920-.4 ENTITLED "CENTRAL BUSINESS DISTRICT FAÇADE DESIGN GUIDELINES" TO ADOPT THE CENTRAL BUSINESS DISTRICT FAÇADE GUIDELINES.

Purpose: Self Explanatory

3. Resolutions for Adoption

Resolution No. R-9-09

RESOLUTION AUTHORIZING AN INTER-LOCAL SERVICES AGREEMENT BETWEEN THE TOWN OF MORRISTOWN AND THE TOWNSHIP OF MONTVILLE FOR ANIMAL SHELTER SERVICES FOR THE YEAR 2009.

Purpose: Self Explanatory

Resolution No. R-10-09

RESOLUTION AUTHORIZING THE AWARD OF CONTRACT FOR PROFESSIONAL SERVICES TO JONATHON L. WILLIAMS, ESQ. OF DECOTIIS, FITZPATRICK, COLE & WISLER, LLP FOR GENERAL LEGAL SERVICES IN ADDITION TO THOSE LEGAL SERVICES PROVIDED IN HIS CAPACITY AS DIRECTOR OF LAW TO THE TOWN OF MORRISTOWN.

Purpose: Self Explanatory

Resolution No. R-11-09

RESOLUTION AUTHORIZING THE AWARD OF CONTRACT FOR PROFESSIONAL SERVICES TO CME ASSOCIATES AS SPECIAL CONSULTING ENGINEER TO THE TOWN OF MORRISTOWN.

Purpose: Self Explanatory

Resolution No. R-12-09
RESOLUTION AUTHORIZING THE AWARD OF CONTRACT
FOR PROFESSIONAL SERVICES TO CHRISTOPHER E.
MARTIN, ESQ. OF MORRISON MAHONEY, LLP AS
SPECIAL TAX APPEAL COUNSEL.

Purpose: Self Explanatory

Resolution No. R-13-09
RESOLUTION AUTHORIZING THE AWARD OF CONTRACT
FOR PROFESSIONAL SERVICES TO STEVEN A. LOEB,
ESQ., OF FEIN, SUCH, KAHN & SHEPARD, P.C. AS SPECIAL
TAX APPEAL COUNSEL.

Purpose: Self Explanatory

Resolution No. R-14-09
RESOLUTION AUTHORIZING THE AWARD OF CONTRACT
FOR PROFESSIONAL SERVICES TO BARRY J. KRAUSER
OF INTEGRA REALTY RESOURCES FOR APPRAISAL
SERVICES FOR TAX ASSESSMENTS AS EXTRAORDINARY
UNSPECIFIABLE SERVICES.

Purpose: Self Explanatory

Resolution No. R-15-09
RESOLUTION AUTHORIZING THE AWARD OF CONTRACT
FOR PROFESSIONAL SERVICES TO LERCH, VINCI &
HIGGINS, LLP AS AUDITOR AND FINANCIAL ADVISOR TO
THE TOWN OF MORRISTOWN.

Purpose: Self Explanatory

Resolution No. R-16-09
RESOLUTION AUTHORIZING THE AWARD OF CONTRACT
FOR PROFESSIONAL SERVICES TO THE INSTITUTE FOR
FORENSIC PSYCHOLOGY FOR THE PROVISION OF
PSYCHOLOGICAL SERVICES TO THE BUREAU OF POLICE
PROTECTION.

Purpose: Self Explanatory

Resolution No. R-17-09
RESOLUTION AUTHORIZING THE AWARD OF CONTRACT
FOR PROFESSIONAL SERVICES TO PAMELA A.
DOUGHERTY, ESQ. AS MUNICIPAL PUBLIC DEFENDER.

Purpose: Self Explanatory

Resolution No. R-18-09
RESOLUTION AUTHORIZING THE AWARD OF CONTRACT
FOR PROFESSIONAL SERVICES TO ROGUT MCCARTHY,
LLC AS BOND COUNSEL.

Purpose: Self Explanatory

Resolution No. R-19-09
RESOLUTION AUTHORIZING THE AWARD OF CONTRACT
FOR PROFESSIONAL SERVICES TO FREDRIC M. KNAPP,
ESQ. OF KNAPP, TRIMBOLI & PRUSINOWSKI, LLC AS
LABOR COUNSEL.

Purpose: Self Explanatory

Resolution No. R-20-09
RESOLUTION AUTHORIZING THE AWARD OF CONTRACT
FOR PROFESSIONAL SERVICES TO ROBERT A.
WARMINGTON, ESQ. AS CONFLICT MUNICIPAL PUBLIC
DEFENDER.

Purpose: Self Explanatory

Resolution No. R-21-09
RESOLUTION FOR AN ALTERNATE CALCULATION OF A
RESERVE FOR UNCOLLECTED TAXES.

Purpose: Self Explanatory

Resolution No. R-22-09
RESOLUTION URGING THE NEW JERSEY STATE
LEGISLATURE TO SUPPORT THE MUNICIPAL REVENUE
RESTORATION ACT OF 2008.

Purpose: Self Explanatory

Resolution No. R-23-09
RESOLUTION CONSENTING TO THE APPLICATION OF
JOHN CURLEY FOR WATER SERVICE OUTSIDE THE
DISTRICT OF THE SOUTHEAST MORRIS COUNTY
MUNICIPAL UTILITIES AUTHORITY.

Purpose: Self Explanatory

Resolution No. R-24-09
RESOLUTION IN SUPPORT OF THE PROPOSED NEW
JERSEY STATE LEGISLATURE BILL ENTITLED THE
“COURT SECURITY ENHANCEMENT FUND” UNDER
ASSEMBLY NO. A-2760 AND SENATE NO. S-1785 FOR THE
CREATION OF FUNDING TO ENHANCE SECURITY IN AND
AROUND MUNICIPAL AND COUNTY COURT FACILITIES
THROUGHOUT THE STATE OF NEW JERSEY.

Purpose: Self Explanatory

Resolution No. R-25-09
RESOLUTION APOSING THE SALE OF GREYSTONE
PARK PSYCHIATRIC HOSPITAL PROPERTY TO A
DEVELOPER.

Purpose: Self Explanatory

Resolution No. R-26-09
RESOLUTION AUTHORIZING RELEASE OF
PERFORMANCE GUARANTEE FOR HOMELESS
SOLUTIONS, BLOCK 2101, LOTS 1 AND 1.01,
MORRISTOWN, NEW JERSEY.

Purpose: Self Explanatory

Resolution No. R-27-09
RESOLUTION AUTHORIZING AWARD OF PROFESSIONAL
SERVICES CONTRACT TO TERMS ENVIRONMENTAL
SERVICES, INC. FOR ENVIRONMENTAL SERVICES FOR
THE AMBULANCE SQUAD FACILITY LOCATED AT 16
EARLY STREET, MORRISTOWN, NEW JERSEY.

Purpose: Self Explanatory

Resolution No. R-28-09

RESOLUTION AUTHORIZING THE MAYOR TO SIGN AND SUBMIT AN APPLICATION TO THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR A MEMORANDUM OF AGREEMENT FOR NON-RESIDENTIAL PROPERTIES, IN PARTICULAR, TAX BLOCK 5803, LOT 37, WHICH IS OWNED BY THE TOWN OF MORRISTOWN, LOCATED IN THE SPEEDWELL AVENUE REDEVELOPMENT AREA, CURRENTLY USED BY THE DEPARTMENT OF PUBLIC WORKS AND AMBULANCE SQUAD AND IS PROPOSED FOR SALE PURSUANT TO A REDEVELOPMENT AGREEMENT BETWEEN THE TOWN OF MORRISTOWN AND MORRISTOWN DEVELOPMENT, LLC.

Purpose: Self Explanatory

Resolution No. R-29-09

RESOLUTION AUTHORIZING A PLANNING ASSISTANCE AGREEMENT BETWEEN THE TOWN OF MORRISTOWN AND THE UNITED STATES OF AMERICA, U.S. ARMY CORPS ENGINEERS TO UNDERTAKE A JOINT SCOPE OF STUDIES REPORT ON SPEEDWELL LAKE TO IMPROVE WATER AND HABITAT QUALITY.

Purpose: Self Explanatory

Resolution No. R-30-09

RESOLUTION AUTHORIZING RENEWAL OF PLENARY RETAIL DISTRIBUTION LICENSE 2008-2009 UPON RECEIPT OF A SPECIAL RULING FOR AN INACTIVE LICENSE M EPSTEIN, INC. 1424-44-024-002

Purpose: Self Explanatory

M. Unfinished Business

1. Sidewalk cleanup (letter from Mr. Cryan)
2. Compensation and benefits for elected official – See draft ordinances enclosed – Ms. Feldman and Mr. Cryan
3. Board of Adjustment appointments (see material enclosed)

ADMINISTRATION REPORTS FORTHCOMING

4. Open application process for filling appointments to boards and bodies – legal will report after further analysis – Ms. Feldman
5. Proposed forms of ordinance amending regulations for ice cream trucks – Will be listed for introduction at the next meeting

N. New Business

1. Council Committees (see material enclosed)
2. Morristown Morris Township Library 2009 Budget request (see material enclosed)
3. Upcoming appointment to the SMCMUA (see material enclosed)
Mr. Dougherty has requested reappointment

O. Correspondence

P. Adjournment

MEMORANDUM

John Cryan, Council President
All Members of Council

From: Matthew Knight Stechauner, Town Clerk

SUB: Correspondence

Date: January 8, 2009

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 January 13, 2009.

A. Mayor's Correspondence:

1. Alison Deeb, Chair, Morristown USBHOF Steering Committee, to Mayor and Town Council, re: The final proposal submitted by the Morristown Steering Committee to the USBHOF Home Search Committee
2. Mayor Cresitello, re: letters of reappointment and appointment for the Morristown Planning Board, Morristown Morris Township Library Board and the Historic Preservation Commission
3. Michael P. Turner to Mayor and Council, re: The Municipal Revenue Restoration Act of 2008 (along with a sample Resolution)
4. Eileen Swan, Executive Director, Highlands Council, to Mayor Cresitello, re: Highlands Regional Master Plan

B. Correspondence and Reports, Counsel and Department Heads:

C. General Correspondence

5. Raymond Zabihach, Morris County Planning Director, to Town Council, re: NJDEP Wastewater Management Plan for Morris County – Request for comments/Offer to confer
6. The Board of Commissioners of the Morristown Parking Authority are proud to announce that on December 15, 2008, they moved into their new office building at 14 Maple Street, Suite 101
7. Article in the Star Ledger, December 11, 2008 by Lawrence Ragonese, “Morris Hopes its Tourism Thrives”
8. New Jersey Department of Community Affairs – Help with Residential Foreclosures
9. JCP&L – Proposed New Solar Financing Program
10. NJ Future Facts, re: New Jersey Should Get to Work Making it Easier to Get to Work
11. PSE&G Customer Care Newsletter, Fall 2008
12. Great Swamp Watershed Association, re: The need of continuing support of our member as well as gifts from new friends in order to continue their important work
13. NJLM, 2008 – 93rd Annual League of Municipalities Conference Session Handouts and Presentations are available to purchase
14. New Jersey Transit Corporation, Fiscal Year 2009 Request for Federal Financial Assistance

D. Departmental Reports

15. December Check List

E. Resolutions of Other Jurisdictions

16. Township of Denville and Township of Parsippany Troy Hills, Resolutions “Opposing State Proposal to Violate New Jersey State Statutes and Legislative Intent to Preserve Surplus Greystone Park Lands by Offering Greystone State Hospital Lands for Private Sale”
17. Township of Jefferson, Resolution “Opposing Any Rate Increase for Applied Wastewater Management, Inc. with Reference to the Wastewater Treatment Facility Operated at the Peaks Development in the Township of Jefferson”

F. Meeting Notices and Invitations

18. Rutgers, Municipal Elected Officials Training Program, Spring 2009 Course Schedule
19. NJLM, Invitation to Attend, “An Orientation for Municipal Officials that are Newly Elected, Re- Elected or Experienced”

20. The 24th Annual Interfaith Breakfast, Monday, January 19th, Celebrating the 80th Birthday Anniversary Observance of Dr. Martin Luther King, Jr.
21. Morris County, Division on Aging, Disabilities & Veterans, January 2009 Calendar of Events

G. Confidential Attorney Correspondence

22. The Green at Park Place East to Town Council, re: Closing date for sale of property (two letters)