

MINUTES

Regular Meeting of Town Council

Tuesday, January 13, 2009

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 , 2009 in the council room, 200 South Street, Morristown, New Jersey, beginning at 7:00 p.m., prevailing time.

Council President John Cryan presiding.

Municipal Clerk Matthew Stechauner 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 reorganization Meeting on January 6, 2009, 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 had requested and prepaid the established fee for such meeting notice.”

B. Roll-Call

ATTENDANCE

PRESENT: Ms Alison Deeb, Ms Rebecca Feldman, Mrs. Michelle Harris-King, Mr. James Smith, Mrs. Raline Smith-Reid, Council President John Cryan

ABSENT: Mr. Anthony Cattano, Jr.

The mayor, Mr. Donald Cresitello, was in attendance.

C. Executive Session

CLOSED SESSION At this time, the clerk read the following resolution:

BE IT RESOLVED by the council of the Town of Morristown, County of Morris, State of New Jersey, as follows:

That pursuant to Sections 7 and 8 of the "Open Public Meetings Act," the following subjects be discussed in a meeting of the council to be held on this date and closed to the public:

The subjects to be discussed at closed session are:

1. Negotiations - Passaic River Coalition / Willow Hall

The information to be discussed in closed session shall be made available to the public within thirty (30) days and/or at the conclusion of said litigations and negotiations, as determined by council.

Mrs. Michelle Harris-King moved the adoption of the foregoing resolution, which motion was seconded by Ms Alison Deeb and passed on the following roll call:

YEAS: Ms Alison Deeb, Ms Rebecca Feldman, Mrs. Michelle Harris-King, Mr. James Smith, Mrs. Raline Smith-Reid, Council President John Cryan

NAYS: None

ABSTAINING: None

ABSENT: Mr. Anthony Cattano, Jr.

Upon reconvening in open session:

D. Moment of Silence

The Council asked that Frederica Sneet, James Mabin and Gordon Ellis, as well as, the members of the Armed Forces serving around the world be remembered.

E. Pledge of Allegiance

F. Consent Agenda

The Town Clerk presented the Consent Agenda, consisting of the following items:

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)

Mrs. Michelle Harris-King made a motion that the Consent Agenda be approved as distributed. The motion was seconded by Mr. James Smith and passed on the following roll-call:

YEAS: Ms Alison Deeb, Ms Rebecca Feldman, Mrs. Michelle Harris-King, Mr. James Smith, Mrs. Raline Smith-Reid, Council President John Cryan

NAYS: None

ABSTAINING: None

ABSENT: Mr. Anthony Cattano, Jr.

G. Morristown Sustainable Design Assessment Team update – Paul Miller

Paul Miller informed the American Institute of Architects did not have a date certain for the release of their report. He distributed a Sustainable Jersey handout noting that the program could lead to a \$250,000 grant. He said the Town would have to meet the pre-requisites of a "Green Team" and asked for a resolution approving the formation of a "Green Team". He noted the schools and Sustainable Morristown could jointly apply. A sub-committee of Ms Alison Deeb and Ms Rebecca Feldman was assigned by Council President John Cryan. Ms Alison Deeb said they would work to bring forth a "Green Team" resolution for a future meeting.

H. Public Hearing

The President opened the meeting to the public, asking if there were any citizen or taxpayer who wished to be heard concerning any matter.

Council President John Cryan reminded the public that they should limit their comments to 5 minutes and there should be no abusive remarks.

Karen Johansen of the Ambulance Squad, informed there would be an open house for membership on February 18th at 7 p.m.

Stefan Armington of Cutler St., asked if the professional contracts listed on the Agenda were in accordance with the "Pay to Play" ordinance adopted through the November 4th referendum.

Michael Rogers responded all the contractors had provided their Certificate of business entity disclosures.

Bill Byrnes of Franklin St., informed that he was running for a position on the Council One for people with disabilities, he thanked the Council for appointing him as a member of the Rent Leveling Board.

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

I. Report of Mayor and Town Officials

Mayor Cresitello informed that the solar panel installation was going well and should start generating electricity by Spring. In regards to the appeal filed by Hanover Twp., he said the Town would protect its rights.

J. Council Liaison Reports

Council President John Cryan named Ms Rebecca Feldman as liaison to the Parking Authority and himself as liaison to the Housing Authority.

Ms Alison Deeb informed there was an upcoming United Way public officials forum on the subject of "Caring for Military Families".

K. Regular Business

Ordinances for Introduction

**Ordinance No. O-1-09
Introduced**

The Clerk offered for introduction Ordinance No. O-1-09, entitled: 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. The Council President directed that the ordinance be read by title only.

Purpose: Self Explanatory

Ms Rebecca Feldman said that she was thrilled with the design guidelines and thanked the Planning Board for their years of work. She requested that the design guidelines be re-organized so that the section with the map be the first section of the guidelines.

Mrs. Raline Smith-Reid made a motion that Ordinance No. O-1-09 be introduced, read by title, passed on first reading and that a meeting be held on at 7:00 p.m., in the council room, 200 South Street, for a second reading and consideration of final passage of said ordinance. The motion was seconded by Mr. James Smith.

Called to question, Ordinance No. O-1-09 was introduced with the changes incorporated by Ms Rebecca Feldman on the following roll call:

YEAS: Ms Alison Deeb, Ms Rebecca Feldman, Mrs. Michelle Harris-King, Mr. James Smith, Mrs. Raline Smith-Reid, Council President
Mr. John Cryan

NAYS: None

ABSTAINING: None

ABSENT: Mr. Anthony Cattano, Jr.

Resolutions for Adoption

**Resolution No. R-9-09
Passed**

Ms Alison Deeb moved the adoption of the following resolution: Here follows Resolution R-9-09, entitled: "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

The motion was seconded by Council President Mr. John Cryan, and passed on the following roll call:

YEAS: Jr., Ms Alison Deeb, Ms Rebecca Feldman, Mrs. Michelle Harris-King, Mr. James Smith, Mrs. Raline Smith-Reid, Council President Mr. John Cryan

NAYS: None

ABSTAINING: None

ABSENT: Mr. Anthony Cattano, Jr.

Resolution No. R-10-09

Passed

Ms Alison Deeb moved the adoption of the following resolution: Here follows Resolution R-10-09, entitled: "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

The motion was seconded by Council President Mr. John Cryan, and passed on the following roll call:

YEAS: Ms Alison Deeb, Ms Rebecca Feldman, Mrs. Michelle Harris-King, Mr. James Smith, Mrs. Raline Smith-Reid, Council President Mr. John Cryan

NAYS: None

ABSTAINING: None

ABSENT: Mr. Anthony Cattano, Jr.

Resolution No. R-11-09

Passed

Ms Alison Deeb moved the adoption of the following resolution: Here follows Resolution R-11-09, entitled: "RESOLUTION AUTHORIZING THE AWARD OF CONTRACT FOR PROFESSIONAL SERVICES TO CME ASSOCIATES AS SPECIAL CONSULTING ENGINEER TO THE TOWN OF MORRISTOWN."

Purpose: Self Explanatory

The motion was seconded by Council President John Cryan,
and passed on the following roll call:

YEAS: Ms Alison Deeb, Ms Rebecca Feldman, Mrs. Michelle Harris-King, Mr. James Smith, Mrs. Raline Smith-Reid, Council President John Cryan

NAYS: None

ABSTAINING: None

ABSENT: Mr. Anthony Cattano, Jr.

Resolution No. R-12-09

Passed

Ms Alison Deeb moved the adoption of the following resolution:
Here follows Resolution R-12-09, entitled: "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

The motion was seconded by Council President John Cryan, and passed on the following roll call:

YEAS: Ms Alison Deeb, Ms Rebecca Feldman, Mrs. Michelle Harris-King, Mr. James Smith, Mrs. Raline Smith-Reid, Council President John Cryan

NAYS: None

ABSTAINING: None

ABSENT: Mr. Anthony Cattano, Jr.

Resolution No. R-13-09

Passed

Ms Alison Deeb moved the adoption of the following resolution:
Here follows Resolution R-13-09, entitled: "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

The motion was seconded by Council President John Cryan, and passed

on the following roll call:

YEAS: Ms Alison Deeb, Ms Rebecca Feldman, Mrs. Michelle Harris-King, Mr. James Smith, Mrs. Raline Smith-Reid, Council President John Cryan

NAYS: None

ABSTAINING: None

ABSENT: Mr. Anthony Cattano, Jr.

Resolution No. R-14-09

Passed

Ms Alison Deeb moved the adoption of the following resolution:
Here follows Resolution R-14-09, entitled: "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

The motion was seconded by Council President John Cryan, and passed on the following roll call:

YEAS: Ms Rebecca Feldman, Mrs. Michelle Harris-King, Mr. James Smith, Mrs. Raline Smith-Reid, Council President John Cryan

NAYS: None

ABSTAINING: Ms Alison Deeb

ABSENT: Mr. Anthony Cattano, Jr.

Resolution No. R-15-09

Passed

Ms Alison Deeb moved the adoption of the following resolution:
Here follows Resolution R-15-09, entitled: "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

The motion was seconded by Council President John Cryan, and passed on the following roll call:

YEAS: Ms Alison Deeb, Ms Rebecca Feldman, Mrs. Michelle Harris-King, Mr. James Smith, Mrs. Raline Smith-Reid, Council President John Cryan

NAYS: None

ABSTAINING: None

ABSENT: Mr. Anthony Cattano, Jr.

Resolution No. R-16-09

Passed

Ms Alison Deeb moved the adoption of the following resolution: Here follows Resolution R-16-09, entitled: "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

The motion was seconded by Council President John Cryan, and passed on the following roll call:

YEAS: Ms Alison Deeb, Ms Rebecca Feldman, Mrs. Michelle Harris-King, Mr. James Smith, Mrs. Raline Smith-Reid, Council President John Cryan

NAYS: None

ABSTAINING: None

ABSENT: Mr. Anthony Cattano, Jr.

Resolution No. R-17-09

Passed

Ms Alison Deeb moved the adoption of the following resolution: Here follows Resolution R-17-09, entitled: "RESOLUTION AUTHORIZING THE AWARD OF CONTRACT FOR PROFESSIONAL SERVICES TO PAMELA A. DOUGHERTY, ESQ. AS MUNICIPAL PUBLIC DEFENDER."

Purpose: Self Explanatory

The motion was seconded by Council President John Cryan, and passed on the following roll call:

YEAS: Ms Alison Deeb, Ms Rebecca Feldman, Mrs. Michelle Harris-King, Mr. James Smith, Mrs. Raline Smith-Reid, Council President John Cryan

NAYS: None

ABSTAINING: None

ABSENT: Mr. Anthony Cattano, Jr.

Resolution No. R-18-09

Passed

Ms Alison Deeb moved the adoption of the following resolution:
Here follows Resolution R-18-09, entitled: "RESOLUTION
AUTHORIZING THE AWARD OF CONTRACT FOR
PROFESSIONAL SERVICES TO ROGUT MCCARTHY, LLC AS
BOND COUNSEL."

Purpose: Self Explanatory

The motion was seconded by Council President John Cryan, and passed
on the following roll call:

YEAS: Ms Alison Deeb, Ms Rebecca Feldman, Mrs. Michelle Harris-
King, Mr. James Smith, Mrs. Raline Smith-Reid, Council President
John Cryan

NAYS: None

ABSTAINING: None

ABSENT: Mr. Anthony Cattano, Jr.

Resolution No. R-19-09

Passed

Ms Alison Deeb moved the adoption of the following resolution:
Here follows Resolution R-19-09, entitled: "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

The motion was seconded by Council President John Cryan, and passed
on the following roll call:

YEAS: Ms Alison Deeb, Ms Rebecca Feldman, Mrs. Michelle Harris-
King, Mr. James Smith, Mrs. Raline Smith-Reid, Council President
John Cryan

NAYS: None

ABSTAINING: None

ABSENT: Mr. Anthony Cattano, Jr.

Resolution No. R-20-09

Passed

Council President John Cryan moved the adoption of the following resolution: Here follows Resolution R-20-09, entitled: "RESOLUTION AUTHORIZING THE AWARD OF CONTRACT FOR PROFESSIONAL SERVICES TO ROBERT A. WARMINGTON, ESQ. AS CONFLICT MUNICIPAL PUBLIC DEFENDER."

Purpose: Self explanatory

The motion was seconded by Mrs. Michelle Harris-King and passed on the following roll call:

YEAS: Ms Alison Deeb, Ms Rebecca Feldman, Mrs. Michelle Harris-King, Mr. James Smith, Mrs. Raline Smith-Reid, Council President John Cryan

NAYS: None

ABSTAINING: None

ABSENT: Mr. Anthony Cattano, Jr.

Resolution No. R-21-09

Passed

Council President John Cryan moved the adoption of the following resolution: Here follows Resolution R-21-09, entitled: "RESOLUTION FOR AN ALTERNATE CALCULATION OF A RESERVE FOR UNCOLLECTED TAXES."

Purpose: Self Explanatory

Michael Rogers said this resolution dealt with the hospital tax appeal and would allow the Town to take the hospital tax revenue out of the collected taxes so that it would not impact the reserve for uncollected taxes for the 2009 budget.

The motion was seconded by Mrs. Michelle Harris-King and passed on the following roll call:

YEAS: Mr. Anthony Cattano, Jr., Ms Alison Deeb, Ms Rebecca Feldman, Mrs. Michelle Harris-King, Mr. James Smith, Mrs. Raline Smith-Reid, Council President Mr. John Cryan

NAYS: None

ABSTAINING: None

ABSENT: Mr. Anthony Cattano, Jr.

Resolution No. R-22-09

Passed

Council President John Cryan moved the adoption of the following resolution: Here follows Resolution R-22-09, entitled: "RESOLUTION

URGING THE NEW JERSEY STATE LEGISLATURE TO SUPPORT
THE MUNICIPAL REVENUE RESTORATION ACT OF 2008."

Purpose: Self Explanatory

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

YEAS: Ms Rebecca Feldman, Mr. James Smith, Mrs. Raline Smith-Reid, Council President Mr. John Cryan

NAYS: Ms Alison Deeb, Mrs. Michelle Harris-King

ABSTAINING: None

ABSENT: Mr. Anthony Cattano, Jr.

Resolution No. R-23-09

Passed

Council President John Cryan moved the adoption of the following resolution: Here follows Resolution R-23-09, entitled: "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

The motion was seconded by Ms Alison Deeb and passed on the following roll call:

YEAS: Ms Alison Deeb, Ms Rebecca Feldman, Mrs. Michelle Harris-King, Mr. James Smith, Mrs. Raline Smith-Reid, Council President Mr. John Cryan

NAYS: None

ABSTAINING: None

ABSENT: Mr. Anthony Cattano, Jr.

Resolution No. R-24-09

Passed

Council President John Cryan moved the adoption of the following resolution: Here follows Resolution R-24-09, entitled: "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

The motion was seconded by Ms Alison Deeb and passed on the following roll call:

YEAS: Ms Alison Deeb, Ms Rebecca Feldman, Mrs. Michelle Harris-King, Mr. James Smith, Mrs. Raline Smith-Reid, Council President Mr. John Cryan

NAYS: None

ABSTAINING: None

ABSENT: Mr. Anthony Cattano, Jr.

Resolution No. R-25-09

Passed

Council President John Cryan moved the adoption of the following resolution: Here follows Resolution R-25-09, entitled: "RESOLUTION OPPOSING THE SALE OF GREYSTONE PARK PSYCHIATRIC HOSPITAL PROPERTY TO A DEVELOPER."

Purpose: Self Explanatory

The motion was seconded by Mrs. Michelle Harris-King and passed on the following roll call:

YEAS: Ms Alison Deeb, Ms Rebecca Feldman, Mrs. Michelle Harris-King, Mr. James Smith, Mrs. Raline Smith-Reid, Council President Mr. John Cryan

NAYS: None

ABSTAINING: None

ABSENT: None

Resolution No. R-26-09

Passed

Mrs. Michelle Harris-King moved the adoption of the following resolution: Here follows Resolution R-26-09, entitled: "RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEE FOR HOMELESS SOLUTIONS, BLOCK 2101, LOTS 1 AND 1.01, MORRISTOWN, NEW JERSEY."

Purpose: Self Explanatory

The motion was seconded by Ms Rebecca Feldman and passed on the following roll call:

YEAS: Ms Alison Deeb, Ms Rebecca Feldman, Mrs. Michelle Harris-King, Mr. James Smith, Mrs. Raline Smith-Reid, Council President Mr. John Cryan

NAYS: None

ABSTAINING: None

ABSENT: Mr. Anthony Cattano, Jr.

Resolution No. R-27-09

Passed

Council President John Cryan moved the adoption of the following resolution: Here follows Resolution R-27-09, entitled: "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

Ms Rebecca Feldman noted that the contract amount would be paid from the redeveloper's escrow

The motion was seconded by Council President Mr. John Cryan, and passed on the following roll call:

YEAS: Ms Alison Deeb, Ms Rebecca Feldman, Mrs. Michelle Harris-King, Mr. James Smith, Mrs. Raline Smith-Reid, Council President Mr. John Cryan

NAYS: None

ABSTAINING: None

ABSENT: Mr. Anthony Cattano, Jr.

Resolution No. R-28-09

Passed

Council President John Cryan moved the adoption of the following resolution: Here follows Resolution R-28-09, entitled: "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

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

YEAS: Ms Alison Deeb, Ms Rebecca Feldman, Mrs. Michelle Harris-King, Mr. James Smith, Mrs. Raline Smith-Reid, Council President Mr. John Cryan

NAYS: None

ABSTAINING: None

ABSENT: Mr. Anthony Cattano, Jr.

Resolution No. R-29-09

Passed

Council President John Cryan moved the adoption of the following resolution: Here follows Resolution R-29-09, entitled:
"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

The motion was seconded by Ms Rebecca Feldman and passed on the following roll call:

YEAS: Ms Rebecca Feldman, Mrs. Michelle Harris-King, Mr. James Smith, Mrs. Raline Smith-Reid, Council President Mr. John Cryan

NAYS: Ms Alison Deeb

ABSTAINING: None

ABSENT: Mr. Anthony Cattano, Jr.

Resolution No. R-30-09

Passed

Mrs. Michelle Harris-King moved the adoption of the following resolution: Here follows Resolution R-30-09, entitled 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

The motion was seconded by Council President Mr. John Cryan, and passed on the following roll call:

YEAS: Ms Alison Deeb, Ms Rebecca Feldman, Mrs. Michelle Harris-King, Mr. James Smith, Mrs. Raline Smith-Reid, Council President Mr. John Cryan

NAYS: None

ABSTAINING: None

ABSENT: Mr. Anthony Cattano, Jr.

Resolution No. R-31-09

Passed

Council President John Cryan moved the adoption of the following resolution: Here follows Resolution No. R-31-09, entitled: "Resolution Re-appointing Timothy Dougherty to the Southeast Morris County Municipal Authority."

The motion was seconded by Ms Rebecca Feldman and passed on the following roll call:

YEAS: Ms Alison Deeb, Ms Rebecca Feldman, Mrs. Michelle Harris-King, Mr. James Smith, Mrs. Raline Smith-Reid, Council President Mr. John Cryan

NAYS: None

ABSTAINING: None

ABSENT: Mr. Anthony Cattano, Jr.

L. Unfinished Business

1. Sidewalk cleanup (letter from Mr. Cryan)

Council President John Cryan informed that this matter was finished and requested that it not be re-listed.

2. Compensation and benefits for elected official – See draft ordinances enclosed – Ms. Feldman and Mr. Cryan

Ms Rebecca Feldman requested that the form of ordinance providing a 50% for individual and 100% for family benefits be changed to a 25% for single health benefits and maintained at 100% contribution for family and that they should be allowed to opt out at the current level.

3. Board of Adjustment appointments (see material enclosed)

The Council tabled the appointment of the Board of Adjustment to the January 27th meeting, and asked that any council member who wish to nominate someone for the appointments,

should also inform the Clerk of the nominees' name and address so that he/she may be invited to the next council meeting to be interviewed.

4. Open application process for filling appointments to boards and bodies – legal will report after further analysis – Ms. Feldman
Ms Rebecca Feldman informed that she was still waiting for legal review of the issue of whether or not the appointment procedures were applicable to the Mayor's appointments. She commented that it would be acceptable to her if the ordinance was drafted to only apply to

Council appointments. The Council directed that said ordinance be listed for introduction at the of January 27th.

5. Proposed forms of ordinance amending regulations for ice cream trucks – Will be listed for introduction at the next meeting

The Council sub-committee on the ice cream requested the ordinance be listed for introduction at the January 27th meeting.

M. New Business

1. Council Committees (see material enclosed)
Council President John Cryan requested this be re-listed for the January 27th meeting.
2. Morristown Morris Township Library 2009 Budget request (see material enclosed)
Michael Rogers informed the Library budget was in compliance with the statutory contribution.
3. Upcoming appointment to the SMCMUA (see material enclosed) Mr. Dougherty has requested reappointment Council President John Cryan moved the adoption of Resolution R-31-09, re-appointing Timothy Dougherty as commissioner of the SMCMUA for the term expiring on February 1, 2013.

The motion was seconded by Ms Rebecca Feldman and passed on the following roll call:

YEAS: Ms Alison Deeb, Ms Rebecca Feldman, Mrs. Michelle Harris-King, Mr. James Smith, Mrs. Raline Smith-Reid, Council President Mr. John Cryan

NAYS: None

ABSTAINING: None

ABSENT: Mr. Anthony Cattano, Jr.

Mayor Cresitello informed he would make his appointments to the Ten Towns Great Swamp Watershed Association at a future date.

N. Adjournment

There being no further business, a motion to adjourn was made by Council President John Cryan seconded by Ms Rebecca Feldman and passed unanimously by acclamation.

John Cryan
Council President

Matthew Stechauner
Town Clerk
(prepared: Wilma Lara)