

EXECUTIVE SESSION, IF ANY, BEGINS AT 7:00 PM

THE Regular Meeting WILL BEGIN AT 7:30 PM
OR IMMEDIATELY AFTER THE CONCLUSION OF EXECUTIVE SESSION

Regular Meeting of Town Council

Tuesday, July 11, 2017

Statement of Compliance with Open Public Meetings Act

- A. Roll-Call
- B. Moment of Silence
- C. Pledge of Allegiance
- D. Consent Agenda
- E. Public Hearing
- F. Council Response to Public Hearing Comments
- G. Mayor's Proclamations and Presentations
- H. Report of Mayor and Town Officials
 - 1. Zoning Code Status Report - Presented by Town Planners
- I. Council Liaison Reports
- J. Calendar of Events
- K. Regular Business
 - 1. Ordinances for Introduction

Ordinance No. O-20-2017

ORDINANCE APPROPRIATING \$670,000 FROM THE SEWER CAPITAL IMPROVEMENT FUND FOR VARIOUS SEWER IMPROVEMENTS IN AND BY THE TOWN OF MORRISTOWN, IN THE COUNTY OF MORRIS, NEW JERSEY

Purpose: \$670,000 is hereby appropriated from the Sewer Capital Improvement Fund for various sewer improvements. Fully Funded, no new debt.

Ordinance No. O-21-2017

ORDINANCE APPROPRIATING \$250,000 FROM A DEVELOPER CONTRIBUTION FOR PROFESSIONAL DESIGN AND CONSTRUCTION

ADMINISTRATION SERVICES FOR SPEEDWELL PARK AND THE CONSTRUCTION OF THE FACILITY IN AND BY THE TOWN OF MORRISTOWN, IN THE COUNTY OF MORRIS, NEW JERSEY.

Purpose: \$250,000 is hereby appropriated from the Morristown Development Urban Renewal PH II for professional design and construction administration at Park at Speedwell Redevelopment Phase II. Fully Funded, no new debt.

Ordinance No. O-22-2017

AN ORDINANCE AUTHORIZING THE LEASE OF CERTAIN OFFICE SPACE WITHIN TOWN HALL LOCATED AT 200 SOUTH STREET, MORRISTOWN, NEW JERSEY TO AHS HOSPITAL CORPORATION MORRISTOWN MEDICAL CENTER CAMPUS

Purpose: Authorizes the lease of Town Hall Office Space to AHS Hospital Corporation Morristown Medical Center Campus for a 2 year period commencing on August 1, 2017 through July 31, 2019.

2. Ordinances for Adoption

Ordinance No. O-19-2017

AN ORDINANCE OF THE TOWN OF MORRISTOWN, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, CREATING THE "TOWN OF MORRISTOWN IDENTIFICATION CARD PROGRAM"

Purpose: Establishes the Town of Morristown Identification Card Program which will be used to individuals who can prove their identity and residency.

3. Resolutions for Adoption

Resolution No. R-107-2017

A RESOLUTION AUTHORIZING THE AWARD OF BID TO GEORGE S. COYNE CHEMICAL CO., INC. FOR FURNISHING AND DELIVERING LIQUID FERRIC CHLORIDE

Purpose: The purpose is to award a bid to George S. Coyne Chemical Co., Inc. for furnishing and delivering liquid ferric chloride for a two (2) year period beginning August 1, 2017 and ending July 31, 2019

Resolution No. R-108-2017

RESOLUTION AUTHORIZING APPLICATION FOR GRANT FUNDING FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION AND EXECUTION OF GRANT AGREEMENT(S) WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION IN CONNECTION WITH AIRPORT

OBSTRUCTION REMOVAL TO THE APPROACH SURFACES OF THE MORRISTOWN MUNICIPAL AIRPORT

Purpose: Authorizes a grant application and agreement to the NJDOT for the costs associated with removing obstructions from the approach surfaces at Morristown Municipal Airport.

Resolution No. R-109-2017

RESOLUTION AUTHORIZING RENEWAL OF PLENARY RETAIL CONSUMPTION LICENSE 1424-33-015-013 ISSUED TO UNCLE BAXTER LLC, DBA THE HORSESHOE FOR 2017-2018 SUBJECT TO CONDITIONS

Purpose: Allows Council to renew for the 2017-2018 Licensing Term the Retail Plenary Consumption License of the Applicant with Conditions previously imposed and agreed to.

- L. Unfinished (Old) Business
- M. New Business
- N. Correspondence
 - 1. Sewer Note Certificate of Determination
- O. Adjournment

TOWN COUNCIL

To:

From: Ms. Jillian Barrick, Business Admin

Date: July 11, 2017

Re: Zoning Code Status Report - Presented by Town Planners

TOWN OF MORRISTOWN

ORDINANCE O-20-2017

ORDINANCE APPROPRIATING \$670,000 FROM THE SEWER CAPITAL IMPROVEMENT FUND FOR VARIOUS SEWER IMPROVEMENTS IN AND BY THE TOWN OF MORRISTOWN, IN THE COUNTY OF MORRIS, NEW JERSEY

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MORRISTOWN, IN THE COUNTY OF MORRIS, NEW JERSEY AS FOLLOWS:

Section 1. \$670,000 is hereby appropriated from the Sewer Capital Improvement Fund for various sewer improvements, including, but not limited to, sanitary sewer repairs, various improvements to the wastewater treatment plant, Capital Maintenance Projects for Pumps, Activated Sludge Energy Reduction Project, On-site Bioaugmentation System, including all work and materials necessary therefor and incidental thereto and further including all related costs and expenditures incidental thereto.

Section 2. The Town hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Town is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 3. This ordinance shall take effect after final adoption and publication and otherwise as provided by law.

ATTEST:

ADOPTED:

Kevin D. Harris,
Town Clerk

Timothy P. Dougherty,
Mayor

Date: _____

TOWN OF MORRISTOWN

ORDINANCE O-21-2017

ORDINANCE APPROPRIATING \$250,000 FROM A DEVELOPER CONTRIBUTION FOR PROFESSIONAL DESIGN AND CONSTRUCTION ADMINISTRATION SERVICES FOR SPEEDWELL PARK AND THE CONSTRUCTION OF THE FACILITY IN AND BY THE TOWN OF MORRISTOWN, IN THE COUNTY OF MORRIS, NEW JERSEY.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MORRISTOWN, IN THE COUNTY OF MORRIS, NEW JERSEY AS FOLLOWS:

Section 1. \$250,000 is hereby appropriated from a contribution from the Morristown Development Urban Renewal PH II to provide for professional design and construction administration services for the Park at Speedwell Redevelopment Phase II and the construction of the facility in and by the Town of Morristown, in the County of Morris, New Jersey (the “Town”), including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto.

Section 2. The Town hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Town is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 3. This ordinance shall take effect after final adoption and publication and otherwise as provided by law.

ATTEST:

ADOPTED:

Kevin D. Harris,
Town Clerk

Timothy P. Dougherty,
Mayor
Date: _____

TOWN OF MORRISTOWN

ORDINANCE O-22-2017

**AN ORDINANCE AUTHORIZING THE LEASE OF CERTAIN OFFICE SPACE
WITHIN TOWN HALL LOCATED AT 200 SOUTH STREET, MORRISTOWN, NEW
JERSEY TO AHS HOSPITAL CORPORATION MORRISTOWN MEDICAL CENTER
CAMPUS**

WHEREAS, the Town of Morristown owns property located at 200 South Street, Town of Morristown, County of Morris, State of New Jersey, which is commonly referred to as Morristown Town Hall (the “Property”); and

WHEREAS, a portion of the second (2nd) floor of the Property consisting of approximately 3,000 square feet is not being used by the Town of Morristown at the present time; and

WHEREAS, the AHS Hospital Corporation/ Morristown Medical Center Campus has expressed an interest in leasing that portion of the Property in order to operate a family health clinic in the space; and

WHEREAS, the Local Land and Building Law, N.J.S.A. 40A:12-1 et seq. authorizes municipalities to lease property to non-profit organizations; and

WHEREAS, AHS Hospital Corporation/Morristown Medical Center is a non-profit organization created exclusively for charitable and education purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code, as amended, and specifically for the purpose of improving the quality of life of Morris County residents by addressing economic, educational and social needs while preserving the cultural and ethnic diversity of the area served by the agency; and

WHEREAS, AHS Hospital Corporation/Morristown Medical Center has requested a lease for a two (2) year period commencing on August 1, 2017 and expiring on July 31, 2019 with an option to extend for an additional three (3) year term; and

WHEREAS, AHS Hospital Corporation/Morristown Medical Center agrees to pay a monthly rent amount of Six Thousand Dollars (\$6,000.00) on the first of every month for the term of the lease; and

WHEREAS, the Town Council of the Town of Morristown finds that it would be in the best interests of both parties to authorize the lease with AHS Hospital Corporation/Morristown Medical Center; and

WHEREAS, N.J.S.A. 40A:12-1 et seq. requires any nonprofit corporation leasing space to annually submit a report setting out the use to which the leasehold was put during each year, the activities of the lessee undertaken in furtherance of the public purpose for which the leasehold was granted; the approximate value or cost, if any, of such activities in furtherance of such purpose; and an affirmation of the continued tax-exempt status of the nonprofit corporation pursuant to both State and Federal law; and

WHEREAS, the Town Business Administrator shall be responsible for ensuring compliance with the conditions of this lease;

NOW, THEREFORE, BE IT ORDAINED, by the Municipal Council of the Town of Morristown, County of Morris, State of New Jersey, that it hereby authorizes and approves a Lease between the Town of Morristown and AHS Hospital Corporation/Morristown Medical Center for the rental of certain office space within Town Hall, 200 South Street, Morristown, New Jersey, for a term of two (2) years, beginning August 1, 2017 and ending July 31, 2019 with an option to extend for an additional three (3) year term; and

BE IT FURTHER ORDAINED, that the Mayor and Clerk are hereby authorized and directed to execute a lease in a form agreed to by the parties; and

BE IT FURTHER ORDAINED, if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective; and

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

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

ATTEST:

ADOPTED:

Kevin D. Harris,
Town Clerk

Timothy P. Dougherty,
Mayor
Date: _____

TOWN OF MORRISTOWN

ORDINANCE O-19-2017

AN ORDINANCE OF THE TOWN OF MORRISTOWN, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, CREATING THE "TOWN OF MORRISTOWN IDENTIFICATION CARD PROGRAM"

WHEREAS, there is a recognition that many residents within the Town of Morristown often times do not have access to various forms of identification and thus have difficulty obtaining services such as banking accounts, access to health care services, as well as public/government buildings. This barrier leaves many individuals, including immigrants, homeless people, formerly incarcerated people, transgender people, senior citizens, and young people without access to critical services, benefits, and cultural, educational, and civic opportunities; and

WHEREAS, it is the intent of the Town of Morristown to build Morristown's standing as a welcoming and inclusive center for all residents, without regard to a person's race, national origin, religion, sex, sexual orientation, gender identity, disability, or immigration, housing, or financial status. Further, it is the intent of the Council that the municipal identification card should affirm the identity and resident status of all Morristown residents; and

WHEREAS, the Town Council in conjunction with the Mayor of the Town of Morristown believe the availability of Municipal identification cards will be positive and productive for so many residents within the Town of Morristown;

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

SECTION 1. Town of Morristown Identification Card Program.

The Town of Morristown hereby establishes a Town of Morristown Identification Card Program which shall be issued to individuals who can prove their identity and residency, in accordance with the terms of this Ordinance. The Division of Vital Statistics (hereinafter referred to as the "Administering Department") shall be designated as the department to administer the Morristown Identification Card Program.

The Administering Department shall issue such policies and procedures necessary to effectuate the purposes of this ordinance; including, the designation of access sites where applications for such cards shall be made available for pick-up and submission. The Administering Department shall also make the applications available online.

SECTION II. Definitions.

"Town of Morristown Municipal Identification ("MMID") Card" or "Morristown Identification Card" shall mean an identification card issued by the Town of Morristown that

shall, at a minimum, display the card holder's photograph, name, date of birth, address, signature, issuance and an expiration date. Such card shall also, at the cardholder's option; display the cardholder's self-designated gender. Such identification card shall be designated in a manner to deter fraud.

"Resident" shall mean a person who can establish that he or she is a current resident of the Town of Morristown.

"Town" unless otherwise identified shall solely mean Town of Morristown.

"Care of Organization" Town Agency, hospital, private or public shelter, non-profit organization, or religious institution in Morristown, New Jersey serving homeless individuals or survivors of domestic violence.

"Care Address" Authorized use of address by Town Agency, hospital, private or public shelter, non-profit organization or religious institution in Morristown serving homeless individuals or survivors of domestic violence.

"Care Address Letter" A letter from a Town Agency, hospital, non-profit organization, private or public shelter, non-profit organization, or religious institution in Morristown, New Jersey authorizing use of address. Letter must indicate applicant has received services from the entity for the past fifteen (15) days and may use entity's address for mailing purposes (dated within fifteen (15) days). Address on card will be "Care Of" the organization.

SECTION III. Issuance of Morristown Identification Cards; Display; Term; Fee

- a. The Town of Morristown Identification Card shall be available to any resident of the Town of Morristown regardless of his or her race, color, creed, age, national origin, alienage, or citizenship status, gender, sexual orientation, disability, marital status, partnership status, any lawful source of income, housing status, status as a victim of domestic violence or status as a victim of sex offenses or stalking, or conviction or arrest record, provided that such resident is able to provide the requirements for establishing his or her identity and residency as set forth in this Ordinance and of any applicable policies and procedures established by the Administering Department.
- b. The Morristown Identification Card shall display at minimum the applicant's full name, photograph, address, date of birth, signature, card issue and expiration dates.
 - i. The Administering Department shall, through policy and procedure establish as required by this Ordinance, guidelines to protect the address of victims of domestic violence or alternate requirements for applicants who lack a permanent address. Such card shall also, at the cardholder's option; display the cardholder's self-designated gender.
 - ii. Such identification card shall be designed in a manner to deter fraud which may include: bar codes, serial numbers, watermarks, Town Seal, and other security measures to deter fraud.

- c. The Town of Morristown Identification card is valid for two (2) years from date of issuance. Residents age fourteen (14) or over may apply for a card. Relocation out of the Town invalidates the Town of Morristown Identification Card and shall be returned to the Town for destruction.
- d. The fee for the issuance of the Town of Morristown Identification Card shall be \$15.00 for adults and \$7.00 for children, veterans, the disabled and senior citizens. Renewal of card shall be \$15.00 and change of information shall be \$7.00. The Administering Department may adopt rules and permit residents who cannot afford to pay such fee(s) to make a hardship application and to be granted a full or partial waiver of the fee. The Administrating Department may in full or in part waive the fee for the Town of Morristown Identification Card, if an applicant can establish a hardship exemption. Applicants may file for a hardship exception waiver during application's intake process. In order for an applicant to be granted a hardship waiver, the applicant must demonstrate and have proof of one of the following circumstances:
 - 1. Applicant is currently homeless; or
 - 2. Applicant has proof of eviction within the last three (3) months; or
 - 3. Applicant has recently reported domestic violence; or
 - 4. Applicant has proof of substantial debt caused by medical expenses within the last twelve (12) months; or
 - 5. Applicant is currently unemployed; or
 - 6. Applicant has filed for bankruptcy within the last six (6) months; or
 - 7. Applicant currently receives one of the following:
 Supplemental Nutrition Assistance Program, or SSI, or TANF, or Food Stamps;
 or The applicant should provide proof in the form of a letter, notice or other official document containing the name of the agency granting the benefit, the name of the recipient of the benefit and the name of the benefit received.
 - 8. Applicant's current household income is at or below 15% of the federal poverty level.

SECTION IV. Proof of Residency and Identity.

- a. In order to obtain a Town of Morristown Identification Card an applicant must establish their identity and residency within the Town of Morristown as follows:
 - i. Proof of Identity. The Town of Morristown Identification Card Program will use a point system to determine if applicants are able to prove identity and residency in Morristown, New Jersey. In order to establish identity, an

applicant shall be required to produce one or more of the following **expired or unexpired** documents (**expired documents must contain a profile picture**) **with a valid Morristown address**: a U.S. or foreign passport; a U.S. driver's license; a U.S. boater's license; a voter registration card; a valid U.S. state corrections identification card; a formerly incarcerated release form; a U.S. state identification card; a U.S. permanent resident card; a consular identification card; a photo identification card with name, address, date of birth, and expiration date issued by another country to its citizens or nationals as an alternative to a passport for re-entry to the issuing country; a certified copy of U.S. or foreign birth certificate; Social Security card; a national identification card with photo, name, address, date of birth, and expiration date; a valid foreign driver's license; a U.S. or foreign military identification card; a current visa issued by a government agency; a current U.S. work permit; a U.S. Individual Taxpayer Identification Number ("ITIN") authorization letter; an Electronic Benefit Transfer (EBT) card; or any other documentation that the (administering agency) deems acceptable. If the individual is a minor, proof must be furnished on behalf of said minor by the individual's parents or legal guardian or by a court of competent jurisdiction. The Administering Department shall, through the policy and procedure it establishes, create a point system to ensure uniformity and non-biased requirements by which individuals may establish identity and residency. The Administering Department through its policies and procedures shall determine the weight to be given to each type of document provided in this paragraph, and require that at a minimum an applicant produce more than one document to establish identity.

- ii. Proof of Residency. In order to establish residency, an applicant must present one or more of the following items showing both the applicant's name and residential address located within the Town: a utility bill, a local property tax statement or mortgage payment receipt within one (1) year of the date it is submitted; a bank account statement, proof that the applicant has a minor child currently enrolled in a school located within the Town; an employment pay stub; a jury summons or court order issued by State or Federal court; a Federal or State income tax or refund statement; an insurance bill (homeowner's, health, life or automobile insurance); Care Address Letter confirming residency; and any other document the Administering Department determines is acceptable which shall be set forth in its policies and procedures it promulgates. The Administering Department shall create through its policies and procedures alternative methods to establish residency, notwithstanding the lack of fixed address. The Administering Department may consider a care address acceptable for the homeless and domestic violence applicants.
- b. All Town of Morristown departments shall accept the Morristown Municipal Identification Card as proof of identity and residence for access to Town services and benefits unless such acceptance is prohibited by Federal or State law or unless the

department or authority has reason to suspect fraud by the purported cardholder. The Town of Morristown shall take reasonable efforts to promote the acceptance of the card by banks and other public and private institutions and publicize the benefits associated with the Town of Morristown Identification Cards.

SECTION V. Confidentiality

The records relating to the application and issuance of the Town of Morristown identification cards shall be maintained in accordance with law.

- a. The Town of Morristown shall make best efforts to protect the confidentiality of all municipal card applicants to the maximum extent allowable by federal and state law. The Town of Morristown shall not disclose personal information obtained from an applicant for a Town of Morristown Municipal Identification card to any individual, public, or private entity, unless required by a court of competent jurisdiction, or authorized in writing by the individual to whom such information pertains, or when such individual is a minor or is otherwise not legally competent, by such individual's parent or legal guardian; when so ordered by a court of competent jurisdiction; to a requesting Town department for the limited purpose of administering the program or determining or facilitating the applicant's eligibility for additional benefits or services or care and provided that such disclosure is made in accordance with all applicable Federal and State privacy laws and regulations.
- b. The Administering Department shall not retain original or copies of documents provided by an applicant to prove identity or residency when applying for a Morristown Town Identification Card. Any documentation provided by the applicant during the application process shall be immediately returned to the applicant after the Morristown Identification Card is printed.

SECTION VI. Access to Services

- a. All municipal agencies and offices, and all municipal employees, including law enforcement officers, shall accept such card as proof of identity and residency.
- b. The Town of Morristown shall seek to expand the benefits associated with the Morristown Identification Card, including encouraging eligible persons to apply for the card and promoting the acceptance of the municipal identity card by banks and other public and private institutions.
- c. The Town of Morristown agencies and officers shall not require the possession of a Town of Morristown Identification Card where identification is not already required to obtain city services. Provided, however the agencies may require the possession of a Municipal Identification Card to obtain benefits or privileges offered exclusively to those who possess a Municipal Identification Card as an incentive to apply for a Municipal Identification Card.

- d. No Town of Morristown agencies or officers shall discriminate against or draw any inference about an individual's national origin, race, language proficiency, immigration status, religion, sexual orientation, disability, housing status, financial status, marital status, status as a victim of domestic violence, criminal history, or gender identity (although an inference about an individual's gender identity is permissible if the cardholder has elected to designate a gender on the card), based upon the fact that the individual holds or presents a municipal identity card issued under this ordinance.

SECTION VII. Disclaimer

- a. The Town of Morristown is providing the Morristown Identification Card for identification and access to services provided by the Town of Morristown. The Town does not act as guarantor or warrantor either of the information provided by the applicant for the Morristown Identification Card or against any acts, criminal or otherwise committed by the individual(s) while possessing or using the Morristown Identification Card. The Town does not waive any of its protections afforded under Federal, State or Local laws, including, but not limited to, the immunities under the New Jersey Torts' Claims Act N.J.S.A. 59:1-1 et seq. by processing or issuing the Morristown Identification Card.
- b. The Administering Department shall submit a report to the Mayor and the Town of Morristown Council on the status of the Morristown Identification Card Program on a yearly basis or at the request of the Mayor and/or Town Council.

SECTION VIII. Community Outreach.

The Town of Morristown shall, consistent with all federal, state and local laws, provide language assistance to applicants for the municipal identity cards to facilitate access thereto. The Town of Morristown shall identify and implement measures, including but not limited to staff training, community outreach, and language assistance tools, to address the needs of limited English proficient individuals seeking to participate in the Morristown Identification Card program.

SECTION IX. Violations and Penalties

It shall be a violation of the Morristown Municipal Code under this section for any person or entity to undertake any of the following acts:

1. To knowingly present false information in the course of applying for a Morristown Identification Card
2. To alter, copy, or replicate the Morristown Identification Card; or,;

- 3. To use the Morristown Identification Card issued to another person, with the intent to cause a third person or entity to believe the holder of the Card is the person to whom the card was issued.

Except as otherwise expressly provided for in this section, any person who violates any provisions of this Ordinance shall, upon conviction thereof, be punished by one or more of the following penalties: (1) a fine not exceeding one thousand dollars (\$1,000.00); (2) imprisonment for any term not exceeding ninety (90) days; or (3) a period of community services not exceeding ninety (90) days. Separate offenses shall be deemed committed on each day during or on which a violation occurs or continues.

SECTION X. Reporting Requirement

The Administering Department shall report monthly to the Business Administrator and the Town Council data outlining how many ID Cards have been dispensed by the Town. The report shall only include information pertinent to determine the effectiveness of the overall program.

SECTION XI. REPEAL OF PREVIOUS ORDINANCE

All ordinances or part of ordinances inconsistent with or in conflict with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION XII. SEVERABILITY

The provisions of this Ordinance are declared to be severable, and if any section, subsection, sentence, clause or phrase hereof shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses or phrases of this Ordinance, but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION XIII. EFFECTIVE DATE

This Ordinance shall take effect immediately upon passage, publication and approval according to law.

ATTEST:

ADOPTED:

Kevin D. Harris,
Town Clerk

Timothy P. Dougherty,
Mayor
Date: _____

TOWN OF MORRISTOWN

RESOLUTION R-107-2017

A RESOLUTION AUTHORIZING THE AWARD OF BID TO GEORGE S. COYNE CHEMICAL CO., INC. FOR FURNISHING AND DELIVERING LIQUID FERRIC CHLORIDE

WHEREAS, the Town of Morristown authorized the acceptance of bids on June 20, 2017 for furnishing and delivering liquid ferric chloride for a two (2) year period beginning August 1, 2017 and ending July 31, 2019; and

WHEREAS, the liquid ferric chloride is used in the treatment process at the Town of Morristown’s wastewater treatment plant; and

WHEREAS, the Town of Morristown received one bid as follows:

<u>Company</u>	<u>Bid Price</u>
George S. Coyne Chemical Co., Inc.	\$1.504 per gallon; and

WHEREAS, George S. Coyne Chemical Co., Inc. is the current supplier of this chemical to the Town of Morristown; and

WHEREAS, the current contract with George S. Coyne Chemical Co., Inc. expires on July 31, 2017 and the price submitted in the bid represents only a 7.6% increase from the current price of \$1.397 per gallon; and

WHEREAS, the Town Engineer reviewed the bid submitted and found that George S. Coyne Chemical Co., Inc. constituted the lowest complying and responsible bidder pursuant to N.J.S.A. 40:11-1 et seq.; and

WHEREAS, the Mayor and Town Council have indicated their desire to retain George S. Coyne Chemical Co. to furnish and deliver liquid ferric chloride at the cost of \$1.504 per gallon;

WHEREAS, funds for the contract have been certified to by the Chief Financial Officer of the Town of Morristown; and

WHEREAS, George S. Coyne Chemical Co., has completed and submitted a Business Entity Disclosure Certification which certifies that neither the company nor any member nor principle of the firm has made any reportable contributions to a political or candidate committee in the Town of Morristown in the previous one year that would violate either N.J.S.A. 19:44A-20.5, or the Town’s Local Unit Pay to Play Ordinance adopted by referendum, or any and all relevant Executive Orders, or the New Jersey Election Law Enforcement Commission disclosure requirements, and that the contract will bar the company and any member of the firm from making any reportable contributions through the term of the contract;

NOW, THEREFORE, BE IT HEREBY RESOLVED, by the Town Council of the Town of Morristown being the governing body thereof, that the bid and contract be and is hereby awarded to George S. Coyne Chemical Co., 3015 State Road, Croydon, PA 19021-6997 for furnishing and delivering liquid ferric chloride at the cost of \$1.504 per gallon for a two (2) year period beginning August 1, 2017 and ending July 31, 2019; and

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute and the Town Clerk to witness a Contract with George S. Coyne Chemical Co., 3015 State Road, Croydon, PA 19021-6997 for furnishing and delivering liquid ferric chloride at the cost of \$1.504 per gallon for a two (2) year period beginning August 1, 2017 and ending July 31, 2019.

ATTEST:

ADOPTED:

KEVIN D. HARRIS,
TOWN CLERK

STEFAN ARMINGTON
COUNCIL PRESIDENT

I do hereby certify the above to be a true and exact copy of a Resolution duly passed and adopted by the Town Council of the Town of Morristown at the Regular meeting of the Town Council held on July 11, 2017 in the Morristown Council Room, 200 South Street, Morristown, New Jersey, beginning at 7:30 PM, prevailing time.

DATED: July 11, 2017

Kevin D. Harris, Town Clerk

TOWN OF MORRISTOWN**RESOLUTION R-108-2017****RESOLUTION AUTHORIZING APPLICATION FOR GRANT FUNDING FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION AND EXECUTION OF GRANT AGREEMENT(S) WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION IN CONNECTION WITH AIRPORT OBSTRUCTION REMOVAL TO THE APPROACH SURFACES OF THE MORRISTOWN MUNICIPAL AIRPORT**

WHEREAS, the Town of Morristown (“the Town”) owns the Morristown Municipal Airport (“Airport”), which is leased to and managed by DM AIRPORTS, LTD. (“DM”); and

WHEREAS, there is a need for certain obstruction removal to the approach surfaces of the Morristown Municipal Airport (the “Obstruction Removal Project” or “Project”); and

WHEREAS, DM has advised that there is grant money available for the Project from the New Jersey Department of Transportation (“NJDOT”), and NJDOT has requested that the Town apply for available obstruction removal grant funding and execute the grant agreement; and

WHEREAS, the Town as the Airport owner is the sponsor of the Airport for the purpose of NJDOT grant awards and is the party that must apply for and execute the NJDOT grant upon approval by the NJDOT, however, the application process and the work associated with the Project will be conducted by and on behalf of DM, and all expenses associated with the Project shall be paid from funds from the NJDOT and DM; and

WHEREAS, the costs for the Project shall be entirely dependent upon successful procurement of NJDOT grant funding and no contribution shall be required of the Township; and;

WHEREAS, the Town recognizes that during the application process the NJDOT may adjust grant awards as further information on the actual costs are obtained, but any such adjustment will continue to result in no allocation required on the part of the Township; and

WHEREAS, once the NJAIP grant is awarded the NJDOT will require that the NJDOT grant agreement be executed by the Town and returned to the NJDOT immediately; and

WHEREAS, the Town Council has determined that the application for and acceptance of NJDOT grant funds for the Project is in the best interests of the Town.

WHEREAS, the construction costs for the Project are estimated to be \$180,000.00 to be paid as follows:

NJDOT Share (90%)	\$ 162,000
DM's Share (10%)	\$ 18,000
TOTAL	\$180,000.00

NOW, THEREFORE, BE IT RESOLVED, by the Town Council of the Town of Morristown, being the governing body thereof, as follows:

1. The Mayor or Business Administrator are authorized and directed to execute a obstruction removal grant application, and all related application documents required by the NJDOT for NJDOT grant funding for obstruction removal of the approach surfaces of Morristown Municipal Airport.

2. The Mayor or Business Administrator are authorized and directed to execute the grant agreement, upon receipt of same, from the NJDOT for NJDOT grant funding for obstruction removal of the approach surfaces of Morristown Municipal Airport, in the event such grant is awarded.

ATTEST:

ADOPTED:

KEVIN D. HARRIS,
TOWN CLERK

STEFAN ARMINGTON
COUNCIL PRESIDENT

I do hereby certify the above to be a true and exact copy of a Resolution duly passed and adopted by the Town Council of the Town of Morristown at the Regular meeting of the Town Council held on July 11, 2017 in the Morristown Council Room, 200 South Street, Morristown, New Jersey, beginning at 7:30 PM, prevailing time.

DATED: July 11, 2017

Kevin D. Harris, Town Clerk

TOWN OF MORRISTOWN

RESOLUTION R-109-2017

RESOLUTION AUTHORIZING RENEWAL OF PLENARY RETAIL CONSUMPTION LICENSE 1424-33-015-013 ISSUED TO UNCLE BAXTER LLC, DBA THE HORSESHOE FOR 2017-2018 SUBJECT TO CONDITIONS

WHEREAS, it appearing that the following applications are in proper form, that the proper license fees have been paid, and investigations of said premises have been made.

NOW, THEREFORE, BE IT RESOLVED that a Plenary Retail Consumption License be granted to the following applicant for a term beginning July 1, 2017 and ending June 30, 2018, and that the Town Clerk is hereby authorized to issue said licenses and deliver same on behalf of the Town Council of the Town of Morristown subject to the following conditions:

1. Uncle Baxter, LLC shall comply with all applicable State and Federal laws, rules and regulations and ordinances of the Town of Morristown including noise ordinances, and comply with existing and future land use approvals and requirements as determined by the Morristown Zoning Board of Adjustment, Planning Board and/or decisions of the Superior Court of New Jersey;

2. Uncle Baxter, LLC shall comply with the representation made in the application to transfer with regards to the interior of the premises and the sketch of the premises provided; and

3. Applicant shall not use the basement area for public space.

ATTEST:

ADOPTED:

KEVIN D. HARRIS,
TOWN CLERK

STEFAN ARMINGTON
COUNCIL PRESIDENT

I do hereby certify the above to be a true and exact copy of a Resolution duly passed and adopted by the Town Council of the Town of Morristown at the Regular meeting of the Town Council held on July 11, 2017 in the Morristown Council Room, 200 South Street, Morristown, New Jersey, beginning at 7:30 PM, prevailing time.

DATED: July 11, 2017

Kevin D. Harris, Town Clerk

TOWN COUNCIL

To:

From: Mr. Frank Mason,

Date: July 11, 2017

Re: Sewer Note Certificate of Determination

See attached certificate of Determination for Sewer Notes which closed on June 8, 2017 for \$2,954,000 at a Net Interest Cost of 1.347% to Jefferies LLC maturing on June 8, 2018.