

**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, February 26, 2019

Statement of Compliance with Open Public Meetings Act

- A. Call to Order/Statement of Compliance
- B. Roll-Call
- C. Executive Session

1. RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MORRISTOWN IN THE COUNTY OF MORRIS AUTHORIZING SETTLEMENT OF THE 2011, 2012, 2013, 2014, 2015, 2016, 2017 AND 2018 TAX APPEALS ENTITLED JERSEY CENTRAL POWER & LIGHT COMPANY V. TOWN OF MORRISTOWN, DOCKET NOS.: 002368-2011; 003818-2012; 005238-2013; 006607-2014; 003254-2015; 004816-2016; 005945-2017; 002434-2018 OF THE TAX ASSESSMENT OF BLOCK 702, LOTS 5, 5.01, 5.02 AND 5.03, KNOWN AS 11 LEGION PLACE, 90 RIDGEDALE AVENUE, 9 LEGION PLACE AND ABBETT AVENUE, RESPECTIVELY, IN THE TOWN OF MORRISTOWN, MORRIS COUNTY, NEW JERSEY

Purpose: TO APPROVE THE TAX APPEAL SETTLEMENT OF THE 2011, 2012, 2013, 2014, 2015, 2016, 2017 AND 2018 TAX APPEALS ENTITLED JERSEY CENTRAL POWER & LIGHT COMPANY V. TOWN OF MORRISTOWN, DOCKET NOS.: 002368-2011; 003818-2012; 005238-2013; 006607-2014; 003254-2015; 004816-2016; 005945-2017; 002434-2018 FOR 11 LEGION PLACE, 90 RIDGEDALE AVENUE, 9 LEGION PLACE AND ABBETT AVENUE

- D. Moment of Silence
- E. Pledge of Allegiance
- F. Consent Agenda

1. Approval of Minutes - January 22, 2019 Town Council Regular Meeting
2. Freedom House - Morris County Recovery Walk Saturday, September 28, 2019 (Raindate: September 29, 2019) Location: Gramby Park at Abbett Avenue

- G. Public Hearing
- H. Council Response to Public Hearing Comments
- I. Report of Mayor and Town Officials

1. Department of Public Safety Annual Report

**J.** Other Presentations & Reports

1. Foote's Pond Update: Mayor's Environmental Commission
2. Check and Wire Disbursements thru January 2019

**K.** Council Liaison Reports

**L.** Calendar of Events

**M.** Regular Business

1. Ordinances for Introduction

**Ordinance No. O-5-2019**

AN ORDINANCE AMENDING AND SUPPLEMENTING THE CODE OF THE TOWN OF MORRISTOWN CHAPTER 7, "TRAFFIC", SECTION 7-40.2, "HANDICAPPED PARKING ON STREETS FOR PRIVATE RESIDENCES" TO AMEND THE PLACARD NUMBER ASSIGNED TO A DEDICATED PARKING SPACE FOR A RESIDENT ON WESTERN AVENUE

Purpose: To amend the Code of the Town of Morristown to reflect a new placard number assigned to a dedicated parking space for a resident on Western Avenue

2. Ordinances for Adoption

**Ordinance No. O-2-2019**

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 2 "ADMINISTRATION"

Purpose: To amend Chapter 2 "Administration"

3. Resolutions for Adoption

**Resolution No. R-37-2019**

RESOLUTION AUTHORIZING APPLICATION FOR GRANT FUNDING FROM THE FEDERAL AVIATION ADMINISTRATION AND NEW JERSEY DEPARTMENT OF TRANSPORTATION AND EXECUTION OF GRANT AGREEMENT(S) IN CONNECTION WITH AN FAA REIMBURSEABLE AGREEMENT FOR RUNWAY 5-23 FLIGHT CHECKING OF NAVAID EQUIPMENT ASSOCIATED WITH THE REHABILITATION OF RUNWAY 5-23 AND CONSTRUCTION OF ASSOCIATED SAFETY AREAS AT THE MORRISTOWN MUNICIPAL AIRPORT

Purpose: Authorizes application of grant for FAA & NJDOT funding for Runway 5-23 Flight Checking of Navaid Equipment associated

with the rehabilitation of runway 5-23 and construction of associated safety areas.

**Resolution No. R-38-2019**

RESOLUTION AUTHORIZING APPLICATION FOR GRANT FUNDING FROM THE FEDERAL AVIATION ADMINISTRATION AND NEW JERSEY DEPARTMENT OF TRANSPORTATION AND EXECUTION OF GRANT AGREEMENT(S) IN CONNECTION WITH REHABILITATION OF RUNWAY 5-23 AND CONSTRUCTION OF ASSOCIATED SAFETY AREAS AT THE MORRISTOWN MUNICIPAL AIRPORT

Purpose: Authorizes grant application and execution from the FAA and NJDOT for the rehabilitation of Runway 5-23 and construction of associated safety areas.

**Resolution No. R-39-2019**

RESOLUTION EXTENDING THE CONTRACT WITH WILLIAM VALBUENA D/B/A COLONIAL GRILL FOR THE FOOD CONCESSION AT BURNHAM PARK POOL

Purpose: The purpose of this resolution is to extend the contract with William Valbuena d/b/a Colonial Grill for the food concession at Burnham Park Pool for the 2019 Season

**Resolution No. R-40-2019**

RESOLUTION TERMINATING THE CONTRACT WITH BRUNSWICK BUILDERS, LLC FOR THE GEORGE GRAMBY MEMORIAL PARK IMPROVEMENTS- PHASE I

Purpose: The purpose of this resolution is to terminate the contract with Brunswick Builders, LLC for the George Gramby Memorial Park Improvements - Phase I

**Resolution No. R-41-2019**

RESOLUTION AUTHORIZING CONTRACT TO PURCHASE 2019 ODB 25 C.Y. SELF CONTAINED TRAILER-MOUNTED LEAF COLLECTOR, MODEL SCL800 TM THROUGH SOURCEWELL COOPERATIVE PURCHASING SYSTEM (FORMERLY KNOWN AS THE NATIONAL JOINT POWERS ALLIANCE COOPERATIVE PURCHASING PROGRAM)

Purpose: The purpose of this resolution is to authorize a contract to purchase a trailer mounted leaf collector through the Sourcewell Cooperative Purchasing System

**Resolution No. R-42-2019**

RESOLUTION AUTHORIZING CONTRACT WITH APPROVED STATE CONTRACT VENDOR FOR PURCHASE OF 2019 FORD F-250 4 x 4 PICKUP TRUCK WITH REGULAR CAB, 8' BED, AND 9' WESTER PLOW

Purpose: The purpose of this resolution is to authorize a contract with an approved state contract vendor for the purchase of a 2019 Ford F-250 4x4 Pickup Truck with Regular Cab, 8' Bed and 9' Western Plow

**Resolution No. R-43-2019**

RESOLUTION AUTHORIZING CONTRACT WITH APPROVED STATE CONTRACT VENDOR FOR PURCHASE OF PLAYGROUND EQUIPMENT AND MATERIALS FOR THE BURNHAM POOL COMPLEX

Purpose: The purpose of this resolution is to authorize a contract with an approved state contract vendor for the purchase of playground equipment and materials for the Burnham Pool Complex

**Resolution No. R-44-2019**

RESOLUTION AUTHORIZING PURCHASES FROM THE NORTH JERSEY WASTEWATER COOPERATIVE PRICING SYSTEM FOR 2019

Purpose: The purpose of this resolution is to authorize purchases from the North Jersey Wastewater Cooperative Pricing System for 2019

**Resolution No. R-45-2019**

APPROPRIATIONS TRANSFER

Purpose: For 2018 Budget appropriations, Transfers are necessary for unpaid invoices not presented as the time of the adoption of the 2018 Budget.

**Resolution No. R-46-2019**

A RESOLUTION AUTHORIZING AND APPROVING A PROFESSIONAL SERVICES CONTRACT WITH SNS ARCHITECTS & ENGINEERS, P.C. FOR PROFESSIONAL ARCHITECTURAL AND ENGINEERING DESIGN SERVICES IN CONNECTION WITH THE RESTROOM FACILITY AT GEORGE GRAMBY MEMORIAL PARK

Purpose: The purpose of this resolution is to authorize and approve a professional services contract with SNS Architects & Engineers, P.C. for professional architectural and engineering services in connection with the restroom facility at George Gramby Memorial Park

**N.** Unfinished (Old) Business

**O.** New Business

**1.** Housing Authority Vacancies (unexpired terms ending 9/5/2019 and 9/5/2021) - Council President Foster

**P.** Correspondence

1. Letter from Nancy Bangiola, President, Library Board of Trustees to Mayor Dougherty regarding the Recent Manhole Fire

Q. Adjournment

TOWN OF MORRISTOWN

RESOLUTION

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MORRISTOWN IN THE COUNTY OF MORRIS AUTHORIZING SETTLEMENT OF THE 2011, 2012, 2013, 2014, 2015, 2016, 2017 AND 2018 TAX APPEALS ENTITLED JERSEY CENTRAL POWER & LIGHT COMPANY V. TOWN OF MORRISTOWN, DOCKET NOS.: 002368-2011; 003818-2012; 005238-2013; 006607-2014; 003254-2015; 004816-2016; 005945-2017; 002434-2018 OF THE TAX ASSESSMENT OF BLOCK 702, LOTS 5, 5.01, 5.02 AND 5.03, KNOWN AS 11 LEGION PLACE, 90 RIDGEDALE AVENUE, 9 LEGION PLACE AND ABBETT AVENUE, RESPECTIVELY, IN THE TOWN OF MORRISTOWN, MORRIS COUNTY, NEW JERSEY

WHEREAS, appeals of the real property tax assessments for tax years 2011, 2012, 2013, 2014, 2015, 2016, 2017 and 2018 on Block 702, Lots 5, 5.01, 5.02 and 5.03 have been filed by the Taxpayer, Jersey Central Power & Light Company; and

WHEREAS, the proposed Stipulation of Settlement, a copy of which is incorporated herein as if set forth at length, has been reviewed and recommended by the Town Tax Assessor and Town Tax Expert; and

WHEREAS, the settlement of said matter as more fully set forth below is in the best interest of the Town of Morristown.

NOW, THEREFORE, BE IT RESOLVED, by the Town of Morristown, New Jersey, as follows:

- 1. The 2011, 2012 and 2013 tax appeals shall be withdrawn in their entirety.
2. Settlement of the 2014, 2015 and 2016 tax appeals is hereby authorized as follows:

11 Legion Place
Block 702, Lot 5

Years: 2011, 2012, 2013

Table with 4 columns: Category, Original Assessment, County Board Judgment, Settlement Amount. Rows include Land, Imprvts, and Total.

90 Ridgedale Avenue  
Block 702, Lot 5.01

**Years: 2011, 2012, 2013**

	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Settlement Amount</u>
Land:	\$ 350,000	N/A	\$ 350,000
Imprvts:	\$1,780,000	N/A	\$ 0
Total:	\$2,130,000	N/A	\$ 350,000

9 Legion Place  
Block 702, Lot 5.02

**Years: 2011, 2012, 2013**

	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Settlement Amount</u>
Land:	\$ 143,500	N/A	\$ 143,500
Imprvts:	\$ 744,500	N/A	\$ 744,500
Total:	\$ 888,000	N/A	\$ 888,000

Abbett Avenue  
Block 702, Lot 5.03

**Years: 2011, 2012, 2013**

	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Settlement Amount</u>
Land:	\$ 374,000	N/A	\$ 374,000
Imprvts:	\$ 0	N/A	\$ 0
Total:	\$ 374,000	N/A	\$ 374,000

3. The 2017 and 2018 tax appeals shall be withdrawn in their entirety.
  
4. All municipal officials are hereby authorized to take whatever action may be necessary to implement the terms of this Resolution and authorizes the Special Tax Counsel to enter into the Stipulation of Settlement as provided by Taxpayer.

ATTEST:

ADOPTED:

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MARGOT G. KAYE ,  
TOWN CLERK

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TOSHIBA FOSTER  
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 February 26, 2019 in the Morristown Council Room, 200 South Street, Morristown, New Jersey, beginning at 7:30 PM, prevailing time.

DATED: February 26, 2019

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Margot G. Kaye, Town Clerk



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TOWN COUNCIL

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To:

From: Ms. Margot G. Kaye, Town Clerk

Date: February 26, 2019

Re: Approval of Minutes - January 22, 2019 Town Council Regular Meeting

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TOWN COUNCIL

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To:

From: Ms. Margot G. Kaye, Town Clerk

Date: February 26, 2019

Re: Freedom House - Morris County Recovery Walk Saturday, September 28, 2019  
(Raindate: September 29, 2019) Location: Gramby Park at Abbett Avenue

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TOWN COUNCIL

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To:

From: Ms. Margot G. Kaye, Town Clerk

Date: February 26, 2019

Re: Department of Public Safety Annual Report

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TOWN COUNCIL

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To:

From: Ms. Margot G. Kaye, Town Clerk

Date: February 26, 2019

Re: Foote's Pond Update: Mayor's Environmental Commission

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TOWN COUNCIL

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To: Mr. MinuteTraq Admin,  
From: Mr. Frank Mason,  
Date: February 26, 2019  
Re: Check and Wire Disbursements thru January 2019

See attached check and wire disbursements thru January 2019. If you have specific questions on a vendor, please contact Frank Mason for additional information.

**TOWN OF MORRISTOWN**

**ORDINANCE O-5-2019**

**AN ORDINANCE AMENDING AND SUPPLEMENTING THE CODE OF THE TOWN OF MORRISTOWN CHAPTER 7, "TRAFFIC", SECTION 7-40.2, "HANDICAPPED PARKING ON STREETS FOR PRIVATE RESIDENCES" TO AMEND THE PLACARD NUMBER ASSIGNED TO A DEDICATED PARKING SPACE FOR A RESIDENT ON WESTERN AVENUE**

**WHEREAS**, by Ordinance O-11-2016, introduced on March 22, 2016 and adopted on April 12, 2016, a dedicated handicapped parking space was assigned to the home owner at 31 Western Avenue, bearing New Jersey Motor Vehicle Commission Permanent Person with Disability Parking Permit Placard no. P1245566; and

**WHEREAS**, the Town of Morristown was recently advised that this same homeowner was provided with a replacement New Jersey Motor Vehicle Commission Permanent Person with Disability Parking Permit with a new placard number; and

**WHEREAS**, the Town of Morristown desires to amend Ordinance 0-11-2016 so as to change the reference to the New Jersey Motor Vehicle Commission Permanent Person with Disability Parking Permit Placard from no. P1245566 to the newly assigned Placard no. P1765774;

**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, that Chapter 7 Traffic Section 40.2 Handicapped Parking on Streets for Private Residences of the Town of Morristown Ordinances be and hereby is amended to read as follows:

**7-40.2 HANDICAPPED PARKING ON STREETS FOR PRIVATE RESIDENCES**

<u>Street</u>	<u>Location</u>
22 Western Avenue (1 space)	Measuring from a point created at the southeast corner of the intersection of Western Avenue & Ann Street. On the south side curb line of Western Avenue 140' west to 162'; or directly across the street from 31 Western Avenue (P1765774).

**BE IT FURTHER ORDAINED** that appropriate signs shall be erected and maintained furnishing notice to the public of the above designated handicapped parking space.

**BE IT FURTHER ORDAINED** that 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.

**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.

**BE IT FURTHER ORDAINED**, This Ordinance shall take effect upon passage.

**ATTEST:**

**ADOPTED:**

\_\_\_\_\_  
Margot G. Kaye,  
Town Clerk

\_\_\_\_\_  
Timothy P. Dougherty,  
Mayor  
Date: \_\_\_\_\_

**TOWN OF MORRISTOWN**

**ORDINANCE O-2-2019**

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 2  
“ADMINISTRATION”**

**WHEREAS**, the Town of Morristown (the “Town”) desires to amend portions of ordinance relating to the administrative organization of the Town and performance of off duty work by members of the municipal Police Department;

**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, that Chapter 2 “Administration” of the Town of Morristown Ordinances be and hereby is amended to read as follows:

**2-14 ADMINISTRATIVE ORGANIZATION.**

**2-14.2 Departments.**

There shall be the following administrative departments in the government of the Town of Morristown:

- a. Department of Administration.
- b. Department of Law.
- c. Department of Revenue and Finance.
- d. Department of Public Works.
- e. Department of Code Enforcement.
- f. Department of Public Safety.

**2-15 DEPARTMENT OF ADMINISTRATION ESTABLISHED.**

**2-15.2 Qualifications, Powers and Duties of Business Administrator.**

The Business Administrator shall be a person of demonstrated executive and administrative ability. He shall, prior to his appointment by the Mayor with the advice and consent of the Town Council, be qualified in terms of knowledge of and experience in accepted



practice in respect to the duties of his office as hereinafter provided. The Business Administrator need not be a resident of Morristown at the time of his appointment, but during his term of office he may reside outside the Town only with the approval of the Town Council. His term of office shall coincide with the term of the Mayor, and his annual compensation shall be fixed by ordinance of the Town Council. He shall, under the direction and supervision of the Mayor:

a. Supervise the administration of each of the departments, offices and agencies established by ordinance and, for this purpose, prescribe standards and rules of administrative practice and procedure and consult with the heads of departments of the Town government.

b. Study the organization and operation of any and all departments and other spending agencies.

c. Prescribe and require each department and other spending agency for which Town appropriations are made to maintain records and produce reports of their respective workload and performance, expressed in appropriate work units, which he may prescribe or approve for each of the departments and other spending agencies.

d. Develop and enforce, in cooperation with other department heads, standards and procedures for the most efficient management of the Town government, not inconsistent with the Charter and ordinances of the Town.

e. Coordinate the operation and administration of the various departments, divisions and subdivisions, offices and agencies of the Town government.

f. Assist the Mayor in the preparation of the annual budget and maintain a continuing review and analysis of budget operations, work programs and costs of municipal services.

g. Assign and reassign, transfer and retransfer, from time to time, either temporarily or permanently, any property from one function to another or from one administrative unit to another, as the efficient management of the Town government may require.

h. Be responsible for the development and administration of a sound personnel system, acting as personnel officer and having full charge of all matters pertaining to personnel administration, subject to the express provisions of this chapter, N.J.S.A. 11A:1-1 et seq., and all other applicable general laws.

i. Report to the Council annually, at such time as it may require, on the coverage, expiration date and premium of each surety bond and contract of insurance, the nature and terms

of outstanding leases where the town is landlord or tenant, the rent reserved by each lease and their respective expiration dates.

j. Be responsible for labor relations with collective bargaining units representing municipal employees, including, under the direction of the Mayor, the negotiation of collective bargaining agreements.

k. Approve payment of bills, claims, demands or payroll when he has determined that the underlying obligation has been considered and approved by Town Council resolution or ordinance or that the obligation represents a final court judgment.

## **2-16 OTHER RESPONSIBILITIES UNDER THE DEPARTMENT OF ADMINISTRATION.**

- a. Senior Services; and
- b. Violations Bureau.

## **2-17 OFFICE OF SENIOR SERVICES.**

### **2-17.1 Duties of the Office of Senior Services.**

The Office of Senior Services shall be responsible for maintaining a central source of information on programs and services for older people, circulating current knowledge related to aging to the public at large and to individuals and groups to which such knowledge would be of a benefit and stimulate expansion of existing services to more adequately meet the needs of older people, and, where desirable, encourage new programs to meet these needs.

## **2-18 VIOLATIONS BUREAU.**

The Violations Bureau shall consist of the necessary clerical services attendant to the proper operations of the Municipal Court of the Town of Morristown with respect to appeals involving crimes and offenses cognizable by the Municipal Court and violations of ordinances of the Town.

### **2-18.5 Contracted Employment by Outside Individuals or Entities.**

b. *Police Force and Off-Duty Employment.* In accordance with the procedures established herein for the employment of Police Officers by private individuals or outside entities, members of the Bureau of Police Protection, except for the Chief of Police, shall be permitted to accept police-related employment for private employers or school districts only during off-duty hours and at such times as will not interfere with the efficient performance of

regularly scheduled or emergency duty for the Town of Morristown. The Chief of Police shall not undertake any police-related employment from private employers or school districts, whether compensated or not at any time.

## **2-19 DEPARTMENT OF PUBLIC SAFETY.**

### **2-19.1 Department created; Head; Divisions.**

There is hereby established the Department of Public Safety, the head of which shall be the Director of Public Safety. The Department of Public Safety shall consist of the Bureau of Police Protection, which shall be the Police Department, the Bureau of Fire Protection, which shall be the Fire Department, and Emergency Management.

### **2-19.2 Director of Public Safety.**

A. The Director of Public Safety shall be qualified by training and experience for the duties of the position and shall have the following qualifications, unless said qualifications are waived by affirmative vote of at least two-thirds of the entire Council: a minimum of ten (10) years experience as a member of a police department, fire department or other law enforcement agency, five (5) years of which shall have been in a supervisory and administrative capacity.

B. The Director of Public Safety shall be responsible for the administration, regulation and discipline of the Bureau of Police Protection, the Bureau of Fire Protection, and Emergency Management.

C. The Director of the Department of Public Safety can appoint an Assistant Director and assign such person duties as desired. The person appointed as Assistant Director of Public Safety shall be qualified by training and experience for the duties of the position. The person shall not be appointed unless he or she meets the following minimum qualifications, unless said qualifications are waived by affirmative vote of at least two-thirds of the entire Council: a minimum of ten (10) years experience as a member of a police department, fire department or other law enforcement agency, five (5) years of which shall have been in a supervisory and administrative capacity. If the experience of the Director is as a member of a police department, then the experience of the Assistant Director shall be as a member of a fire department. If the experience of the Director is as a member of a fire department, then the experience of the Assistant Director shall be as a member of a police department.

D. The Director of Public Safety shall report to the Business Administrator with recommendations related to conditions of the Department and its improvements and needs.

E. The Director may employ special law-enforcement officers in accordance with N.J.S.A. 40A: 14-146.8 et. seq., "Special Law Enforcement Act;".

F. The Director of Public Safety shall:

- (1) Keep abreast of the public safety requirements of the Town of Morristown and formulate policies, plans and procedures to determine needs;
- (2) Develop organization, manpower and resource recommendations and, upon approval of same, effect their implementation;
- (3) Establish performance criteria for the Department as a whole as well as its individual members and conduct periodic evaluations to assure compliance with those criteria;
- (4) Establish and maintain relations with school, civil and private organizations to assure a full understanding of the public safety effort;
- (5) Conduct public relations and public information programs on behalf of the Department in order to maintain the required relationship between the department and the citizens of the Town of Morristown;
- (6) Promote a close liaison with the various agencies of the Town of Morristown, and to attend meetings of the Town Council to better coordinate the functioning of the Bureau of Police Protection, the Bureau of Fire Protection, and Emergency Management with the work of all municipal agencies.
- (7) Regularly review the ordinances of the Town of Morristown dealing with public safety.

## **2-20 BUREAU OF POLICE PROTECTION.**

### **2-20.1 Chief of Police; Powers and Duties.**

The Chief of Police shall be appointed by the Mayor and shall be the head of and shall administer the Bureau of Police Protection. The Chief of Police shall be directly responsible to the Director of Public Safety who shall be the appropriate authority under N.J.S.A. 40A:14-118 for the efficiency and routine day-to-day operations of the Bureau of Police Protection and shall, pursuant to such rules and regulations as may be promulgated by the Director of Public Safety:

a. Administer and enforce rules and regulations and special emergency directives for the disposition and discipline of the force and its officers and personnel.

b. Have, exercise and discharge the functions, powers and duties of the force.

c. Prescribe the duties and assignments of all subordinates and other personnel.

d. Delegate such of his authority as he may deem necessary for the efficient operation of the force to be exercised under his direction and supervision.

e. Report at least monthly to the Business Administrator in such form as shall be prescribed by the Business Administrator on the operation of the force during the preceding month and make such other reports as may be requested by the Business Administrator.

## **2-21 BUREAU OF FIRE PROTECTION**

### **2-21.1 Fire Chief; Powers and Duties.**

The Fire Chief shall be appointed by the Mayor and shall be the head of and administer the Bureau of Fire Protection. The Fire Chief shall be directly responsible to the Director of Public Safety for the efficiency and routine daily operations of the Bureau of Fire Protection, and shall perform the duties as may be required for efficient operation of the fire protection force which shall include career and volunteer fire fighters.

## **2-22 EMERGENCY MANAGEMENT AND DISASTER CONTROL COUNCIL.**

There shall be an Emergency Management and Disaster Control Council appointed by the Mayor pursuant to Section 2-62 of this Chapter.

**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.

**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.

**BE IT FURTHER ORDAINED**, This Ordinance shall take effect upon passage.

**ATTEST:**

**ADOPTED:**

\_\_\_\_\_  
Margot G. Kaye,  
Town Clerk

\_\_\_\_\_  
Timothy P. Dougherty,  
Mayor  
Date: \_\_\_\_\_

**TOWN OF MORRISTOWN**

**RESOLUTION R-37-2019**

**RESOLUTION AUTHORIZING APPLICATION FOR GRANT FUNDING FROM THE  
FEDERAL AVIATION ADMINISTRATION AND NEW JERSEY DEPARTMENT OF  
TRANSPORTATION AND EXECUTION OF GRANT AGREEMENT(S) IN  
CONNECTION WITH AN FAA REIMBURSEABLE AGREEMENT FOR RUNWAY 5-  
23 FLIGHT CHECKING OF NAVAID EQUIPMENT ASSOCIATED WITH THE  
REHABILITATION OF RUNWAY 5-23 AND CONSTRUCTION OF ASSOCIATED  
SAFETY AREAS AT 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 flight checking of the Runway 5-23 NAVAID equipment the Morristown Municipal Airport (the “Rehabilitate Runway 5-23 Improve Runway Safety Area, Phase III Construction Project” or “NAVAID Equipment Checking Project”); and

**WHEREAS**, NAVAID equipment checking is undertaken by FAA pilots flight checking the accuracy of electronic NAVAID equipment, and is subject to a reimbursable agreement under which the Airport reimburses the FAA for the cost of such work; and

**WHEREAS**, DM has advised that there is grant money available for the Project from the Federal Aviation Administration (“FAA”) and New Jersey Department of Transportation (“NJDOT”), and the FAA and NJDOT have requested that the Town apply for grant funding and execute the grant agreement(s); and

**WHEREAS**, the Town as the Airport owner is the sponsor of the Airport for the purpose of FAA grant award and is the party that must apply for and execute the grant agreement(s) upon approval by the FAA and 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 FAA and NJDOT and DM; and

**WHEREAS**, this grant and the costs to meet the work for the Project will not exceed One Hundred Fifty Thousand (\$150,000.00) and shall be entirely dependent upon successful procurement of FAA and NJDOT grant funding and no contribution shall be required of the Town; and;

**WHEREAS**, the flight checking of the NAVAID equipment for the Project are estimated to be \$150,000.00 and to be paid as follows:

FAA Share (90%)	\$135,000.00
NJ DOT Share (5%)	\$ 7,500.00
DM's Share (5%)	<u>\$ 7,500.00</u>
TOTAL	\$150,000.00

In the event the NJDOT is not able to award a grant for its five (5%) percent contribution, the DM Contribution will be increased to ten (10%) percent, so as to ensure a total aggregate ten (10%) percent appropriation of \$15,000 by DM on behalf of the Town.

**WHEREAS**, the Town recognizes that, during the application process, the FAA and/or 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 Town; and

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

**WHEREAS**, once the NJDOT 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 FAA and NJDOT grant funds for the Project is in the best interests of the Town.

**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 grant applications, and all related application documents required by the FAA for FAA grant funding and by the NJDOT for grant funding for the NAVAID Equipment Checking Project at the Morristown Municipal Airport.

2. The Mayor or Business Administrator are authorized and directed to execute the grant agreement(s), upon receipt of same, from the FAA and/or from the NJDOT for FAA or NJDOT grant funding for the NAVAID Equipment Checking Project at the Morristown Municipal Airport, in the event such grant or grants are awarded.

ATTEST:

ADOPTED:



\_\_\_\_\_  
MARGOT G. KAYE ,  
TOWN CLERK

\_\_\_\_\_  
TOSHIBA FOSTER  
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 February 26, 2019 in the Morristown Council Room, 200 South Street, Morristown, New Jersey, beginning at 7:30 PM, prevailing time.

DATED: February 26, 2019

\_\_\_\_\_  
Margot G. Kaye, Town Clerk

**TOWN OF MORRISTOWN**

**RESOLUTION R-38-2019**

**RESOLUTION AUTHORIZING APPLICATION FOR GRANT FUNDING FROM THE FEDERAL AVIATION ADMINISTRATION AND NEW JERSEY DEPARTMENT OF TRANSPORTATION AND EXECUTION OF GRANT AGREEMENT(S) IN CONNECTION WITH REHABILITATION OF RUNWAY 5-23 AND CONSTRUCTION OF ASSOCIATED SAFETY AREAS AT 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 construction, construction administration and administrative fees related to the rehabilitation of Runway 5-23 and construction of associated safety areas at the Morristown Municipal Airport (the “Rehabilitate Runway 5-23 Improve Runway Safety Area, Phase II Construction Project” or “Project”); and

**WHEREAS**, DM has advised that there is grant money available for the Project from the Federal Aviation Administration (“FAA”) and New Jersey Department of Transportation (“NJDOT”), and the FAA and NJDOT have requested that the Town apply for grant funding and execute the grant agreement(s); and

**WHEREAS**, the Town as the Airport owner is the sponsor of the Airport for the purpose of FAA grant award and is the party that must apply for and execute the grant agreement(s) upon approval by the FAA and 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 FAA and NJDOT and DM; and

**WHEREAS**, this grant and the costs to meet the work for the Project will not exceed Eight Million Five Hundred Thousand (\$8,500,000.00) and shall be entirely dependent upon successful procurement of FAA and NJDOT grant funding and no contribution shall be required of the Town; and;

**WHEREAS**, the construction, construction administration and administrative fees for the Project are estimated to be \$8,500,000.00 and to be paid as follows:

FAA Share (90%)	\$7,650,000.00
NJ DOT Share (5%)	\$ 425,000.00
DM’s Share (5%)	<u>\$ 425,000.00</u>

TOTAL \$8,500,000.00

In the event the NJDOT is not able to award a grant for its five (5%) percent contribution, the DM Contribution will be increased to ten (10%) percent, so as to ensure a total aggregate ten (10%) percent appropriation of \$850,000 by DM on behalf of the Town.

**WHEREAS**, the Town recognizes that, during the application process, the FAA and/or 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 Town; and

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

**WHEREAS**, once the NJDOT 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 FAA and NJDOT grant funds for the Project is in the best interests of the Town.

**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 grant applications, and all related application documents required by the FAA for FAA grant funding and by the NJDOT for grant funding for the Rehabilitate Runway 5-23 Improve Runway Safety Area, Phase II Construction Project at the Morristown Municipal Airport.

2. The Mayor or Business Administrator are authorized and directed to execute the grant agreement(s), upon receipt of same, from the FAA and/or from the NJDOT for FAA or NJDOT grant funding for the Rehabilitate Runway 5-23 Improve Runway Safety Area, Phase II Construction Project at the Morristown Municipal Airport, in the event such grant or grants are awarded.

ATTEST:

ADOPTED:

\_\_\_\_\_  
MARGOT G. KAYE ,

\_\_\_\_\_  
TOSHIBA FOSTER

TOWN CLERK

COUNCIL PRESIDENT

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DATED: February 26, 2019

\_\_\_\_\_  
Margot G. Kaye, Town Clerk

**TOWN OF MORRISTOWN**

**RESOLUTION R-39-2019**

**RESOLUTION EXTENDING THE CONTRACT WITH WILLIAM VALBUENA D/B/A COLONIAL GRILL FOR THE FOOD CONCESSION AT BURNHAM PARK POOL**

**WHEREAS**, the Town of Morristown previously authorized the acceptance of responses to Requests for Proposals for the 2018 Seasonal Lease for the Operation of the Food Concession at Burnham Park Pool, Route 124 and Scherzer Way, Morristown; and

**WHEREAS**, Town of Morristown awarded a contract to William Valbuena d/b/a Colonial Grill, which offered a lease payment of \$2,400.00 for the season; and

**WHEREAS**, the Superintendent of Recreation wishes to extend the contract with William Valbuena d/b/a Colonial Grill for the 2019 Season; and

**WHEREAS**, the original Requests for Proposals included an option to extend the contract for two (2) additional years beyond the 2018 Season; and

**WHEREAS**, the Mayor and Town Council have indicated their desire to extend the contract with William Valbuena d/b/a Colonial Grill, 107 West Hanover Avenue, Morris Plains, New Jersey 07950, for the operation of the food concession at Burnham Park Pool for the 2019 Season;

**NOW THEREFORE, BE IT HEREBY RESOLVED**, by the Town Council of the Town of Morristown being the governing body thereof, that the contract with William Valbuena d/b/a Colonial Grill, 107 West Hanover Avenue, Morris Plains, New Jersey 07950, for the operation of the food concession at Burnham Park Pool, be and hereby is extended to the 2019 Season, on the same terms and conditions as the original contract.

ATTEST:

ADOPTED:

\_\_\_\_\_  
MARGOT G. KAYE ,  
TOWN CLERK

\_\_\_\_\_  
TOSHIBA FOSTER  
COUNCIL PRESIDENT

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DATED: February 26, 2019

\_\_\_\_\_  
Margot G. Kaye, Town Clerk

**TOWN OF MORRISTOWN**

**RESOLUTION R-40-2019**

**RESOLUTION TERMINATING THE CONTRACT WITH BRUNSWICK BUILDERS, LLC FOR THE GEORGE GRAMBY MEMORIAL PARK IMPROVEMENTS- PHASE I**

**WHEREAS**, the Town of Morristown (the “Town”) previously authorized the acceptance of bids for the George Gramby Memorial Park Improvements- Phase I; and

**WHEREAS**, Town Council awarded a contract to Brunswick Builders, LLC for the George Gramby Memorial Park Improvements- Phase I project; and

**WHEREAS**, Brunswick Builders, LLC failed to complete all work required under the contract; and

**WHEREAS**, the Town has borne unreasonable expense and inconvenience due to Brunswick Builders, LLC’s lack of due diligence in scheduling and performing the work on the project; and

**WHEREAS**, the Town Engineer has determined that it would be in the Town’s best interest to terminate the contract with Brunswick Builders, LLC;

**NOW THEREFORE, BE IT HEREBY RESOLVED**, by the Town Council of the Town of Morristown being the governing body thereof, that the Contract with Brunswick Builders, LLC for the George Gramby Memorial Park Improvements- Phase I be and hereby is terminated; and

**BE IT FURTHER RESOLVED**, that based on calculations by the Morristown Engineering Division there are no monies due and owing to Brunswick Builders, LLC under this contract.

ATTEST:

ADOPTED:

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MARGOT G. KAYE ,  
TOWN CLERK

\_\_\_\_\_  
TOSHIBA FOSTER  
COUNCIL PRESIDENT

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DATED: February 26, 2019

\_\_\_\_\_  
Margot G. Kaye, Town Clerk



**TOWN OF MORRISTOWN**

**RESOLUTION R-41-2019**

**RESOLUTION AUTHORIZING CONTRACT TO PURCHASE 2019 ODB 25 C.Y. SELF CONTAINED TRAILER-MOUNTED LEAF COLLECTOR, MODEL SCL800 TM THROUGH SOURCEWELL COOPERATIVE PURCHASING SYSTEM (FORMERLY KNOWN AS THE NATIONAL JOINT POWERS ALLIANCE COOPERATIVE PURCHASING PROGRAM)**

**WHEREAS**, the Department of Public Works requires the purchase of a new leaf collector to replace its aging 2000 model Leaf Vac # 4, which has reached the end of its useful life; and

**WHEREAS**, the collector is a trailer-mounted unit, inclusive of a vacuum and 25 cubic yard storage box, which both collects and stores leaves for transport to the recycling facility; and

**WHEREAS**, the unit is a crucial component to timely and efficiently pick up leaves during the spring and fall seasons; and

**WHEREAS**, the purchase will be made through the Sourcewell Cooperative Purchasing System (formerly known as the National Joint Powers Alliance Cooperative Purchasing Program) which the Town of Morristown is a member of; and

**WHEREAS**, the price offered through the Sourcewell Cooperative Purchasing System is reasonable based on comparative prices researched by the Superintendent of Public Works.

**WHEREAS**, the cost for the purchase of this equipment is \$61,214.40; and

**WHEREAS**, the purchase of this equipment will be fully funded by existing capital funds; and

**WHEREAS**, the Chief Financial Officer of the Town of Morristown has certified as to the availability of funds within Account # C-04-55-236-018-030 for the purchase of this equipment;

**NOW, THEREFORE, BE IT RESOLVED** by the Town Council of the Town of Morristown, being the governing body thereof, that the Business Administrator be and hereby is authorized to purchase a 2019 ODB 25 C.Y. Self Contained Trailer Mounted Leaf Collector,

Model SCL800TM, from Peirce Eagle Equipment Company, 3388 US 22 West, Branchburg, New Jersey, through the Sourcewell Cooperative Purchasing System (formerly known as the National Joint Powers Alliance Cooperative Purchasing Program) for the price of \$61,214.40.

ATTEST:

ADOPTED:

\_\_\_\_\_  
MARGOT G. KAYE ,  
TOWN CLERK

\_\_\_\_\_  
TOSHIBA FOSTER  
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 February 26, 2019 in the Morristown Council Room, 200 South Street, Morristown, New Jersey, beginning at 7:30 PM, prevailing time.

DATED: February 26, 2019

\_\_\_\_\_  
Margot G. Kaye, Town Clerk

**TOWN OF MORRISTOWN**

**RESOLUTION R-42-2019**

**RESOLUTION AUTHORIZING CONTRACT WITH APPROVED STATE CONTRACT  
VENDOR FOR PURCHASE OF 2019 FORD F-250 4 X 4 PICKUP TRUCK WITH  
REGULAR CAB, 8' BED, AND 9' WESTER PLOW**

**WHEREAS**, the Town of Morristown (“Morristown”) Department of Public Works (“DPW”) requires a new vehicle to replace aging Truck 4 (2004 Chevy Pickup WITH 154,652 miles) that is past the end of its useful life; and

**WHEREAS**, the new vehicle will be used by DPW personnel for daily tasks and will be used for winter plowing of Town streets; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-12(a) and N.J.A.C. 5:34-7.29(c), Morristown may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of Treasury; and

**WHEREAS**, Morristown desires to enter into a contract with Beyer Ford, 170 Ridgedale Avenue, Morristown, New Jersey, pursuant to State Contract # A88727, for the purchase of a 2019 Ford F-250 4 x 4 Pickup Truck, model SRW-XL, with a regular cab, 8’ bed and 9’ Western Plow; and

**WHEREAS**, the cost for the vehicle under State Contract # A88727 is \$31,910.50 and

**WHEREAS**, the Chief Financial Officer of the Town of Morristown has certified as to the availability of funds for the purchase of this vehicle in Account C-04-55-236-018-030;

**NOW, THEREFORE, BE IT RESOLVED** by the Town Council of the Town of Morristown, being the governing body thereof, that the Business Administrator be and hereby is authorized to purchase a 2019 Ford F-250 4 x 4 Pickup Truck, model SRW-XL, with a regular cab, 8’ bed and 9’ Western Plow for the Department of Public Works from Beyer Ford under State Contract # A88727 for the price of \$31,910.50, subject to any and all conditions of the individual State contract.

ATTEST:

ADOPTED:

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MARGOT G. KAYE ,  
TOWN CLERK

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TOSHIBA FOSTER  
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 February 26, 2019 in the Morristown Council Room, 200 South Street, Morristown, New Jersey, beginning at 7:30 PM, prevailing time.

DATED: February 26, 2019

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Margot G. Kaye, Town Clerk

**TOWN OF MORRISTOWN**

**RESOLUTION R-43-2019**

**RESOLUTION AUTHORIZING CONTRACT WITH APPROVED STATE CONTRACT  
VENDOR FOR PURCHASE OF PLAYGROUND EQUIPMENT AND MATERIALS  
FOR THE BURNHAM POOL COMPLEX**

**WHEREAS**, Burnham Pool requires improvement to its playground equipment, which has reached the end of its useful life; and

**WHEREAS**, the playground is a valuable amenity to the facility and experiences substantial use during the pool season; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-12(a) and N.J.A.C. 5:34-7.29(c), Morristown may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of Treasury; and

**WHEREAS**, Morristown has the need to purchase certain playground equipment including, a swing set, geodesic climber, ten spin, recycled plastic timber border, and geotextile and wood fiber surface materials from Liberty Parks and Playgrounds through State Contract # Fleet 16-00139; and

**WHEREAS**, Morristown intends to enter into a contract with Liberty Parks and Playgrounds under State Contract # Fleet 16-00139 through this resolution and properly executed contract, which shall be subject to all the conditions applicable to the current State Contract; and

**WHEREAS**, the cost for this equipment and material is \$18,495.38; and

**WHEREAS**, the Chief Financial Officer of the Town of Morristown has certified as to the availability of funds for this purchase in account C-04-55-234-017-022;

**NOW, THEREFORE, BE IT RESOLVED** by the Town Council of the Town of Morristown, being the governing body thereof, that the Purchasing Agent be and hereby is authorized to purchase certain playground equipment for the Burnham Pool, totaling \$18,495.38, from Liberty Parks and Playgrounds, under approved New Jersey State Contract # Fleet-16-00139, pursuant to all conditions of the individual State contract.

ATTEST:

ADOPTED:

\_\_\_\_\_  
MARGOT G. KAYE ,  
TOWN CLERK

\_\_\_\_\_  
TOSHIBA FOSTER  
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 February 26, 2019 in the Morristown Council Room, 200 South Street, Morristown, New Jersey, beginning at 7:30 PM, prevailing time.

DATED: February 26, 2019

\_\_\_\_\_  
Margot G. Kaye, Town Clerk

**TOWN OF MORRISTOWN**

**RESOLUTION R-44-2019**

**RESOLUTION AUTHORIZING PURCHASES FROM THE NORTH JERSEY  
WASTEWATER COOPERATIVE PRICING SYSTEM FOR 2019**

**WHEREAS**, by resolution R-167-14 the Town of Morristown (the “Town”) executed an agreement to enter into the North Jersey Wastewater Cooperative Pricing System (“NJWCPS”) for a five-year period beginning November 25, 2014; and

**WHEREAS**, the NJWCPS enters into contracts for a wide variety of goods and services which can be applied to improvements at Morristown’s Sewer Plant and sanitary sewer collection system; and

**WHEREAS**, the intent is to obtain better prices than the Town would be able to obtain individually, and to save the Town the expense of bidding; and

**WHEREAS**, the goods or services may include spare parts, instrumentation equipment, chemicals, motor repairs/replacements, mechanical seals, safety equipment, electrical equipment, and laboratory supplies; and

**WHEREAS**, the contract goods and services will be used for operations, maintenance and testing, as well as Capital projects including replacement of multiple valves and actuators in the filter building; and

**WHEREAS**, the Town Engineer recommends that the Town Council adopt the instant resolution authorizing purchases from the following vendor under the NJWCPS in amount not exceeding the amount set forth below:

<u>Contract #</u>	<u>Vendor</u>	<u>Amount</u>
B163A-2	Industrial Controls	\$250,000; and

**WHEREAS**, the purchases will be made using available funds from various sewer utility capital and operating accounts as applicable; and

**WHEREAS**, items will not be purchased until a certification of funds has been filed certifying as to availability of funds;

**NOW, THEREFORE, BE IT RESOLVED** by the Town Council of the Town of Morristown, being the governing body thereof, that the Administration be and hereby is authorized to purchase the following items from the following vendor through the New Jersey Wastewater Cooperative Pricing System in amount not to exceed that listed:

<u>Contract #</u>	<u>Vendor</u>	<u>Amount</u>
B163A-2	Industrial Controls	\$250,000

**BE IT FURTHER RESOLVED**, that the Administration be and is hereby authorized to execute and the Town Clerk to witness any Contract with the above referenced vendor within the amount listed above; and

**BE IT FURTHER RESOLVED**, that any items will not be purchased from this vendor until a certification of funds has been filed certifying the availability of funds.

ATTEST:

ADOPTED:

\_\_\_\_\_  
MARGOT G. KAYE ,  
TOWN CLERK

\_\_\_\_\_  
TOSHIBA FOSTER  
COUNCIL PRESIDENT

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DATED: February 26, 2019

\_\_\_\_\_  
Margot G. Kaye, Town Clerk



**TOWN OF MORRISTOWN**

**RESOLUTION R-45-2019**

**APPROPRIATIONS TRANSFER**

WHEREAS, transfers are permitted between appropriations during the first three months of the fiscal year per N.J.S.A. 40A:4-59;

THEREFORE, BE IT RESOLVED, by the Town Council of the Town of Morristown, County of Morris, in the State of New Jersey, by not less than 2/3's vote of the full membership, that transfers be made between Budget Appropriation Reserves as follows:

<u>ACCOUNT</u>	<u>TITLE</u>	<u>FROM</u>	<u>TO</u>
<b>Sewer Utility</b>			
8-07-26-307-001-011	Sewer Salary & Wages	\$27,500	
8-07-26-307-001-024	Sewer Other Expenses		\$27,500

ATTEST:

ADOPTED:

\_\_\_\_\_  
MARGOT G. KAYE ,  
TOWN CLERK

\_\_\_\_\_  
TOSHIBA FOSTER  
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 February 26, 2019 in the Morristown Council Room, 200 South Street, Morristown, New Jersey, beginning at 7:30 PM, prevailing time.

DATED: February 26, 2019

\_\_\_\_\_  
Margot G. Kaye, Town Clerk

**TOWN OF MORRISTOWN**

**RESOLUTION R-46-2019**

**A RESOLUTION AUTHORIZING AND APPROVING A PROFESSIONAL SERVICES CONTRACT WITH SNS ARCHITECTS & ENGINEERS, P.C. FOR PROFESSIONAL ARCHITECTURAL AND ENGINEERING DESIGN SERVICES IN CONNECTION WITH THE RESTROOM FACILITY AT GEORGE GRAMBY MEMORIAL PARK**

**WHEREAS**, the restroom facility at George Gramby Memorial Park has been out of service for a number of years due to flood damage from both Superstorm Sandy and Hurricane Irene; and

**WHEREAS**, a professional assessment of the building determined that restoration as a restroom facility was not feasible, nor cost-effective as the building is located in a Special Flood Hazard Area, which greatly increases the cost of rehab to regulatory compliance and subjects it to the potential for repeated flooding and damage to facilities and equipment; and

**WHEREAS**, the structure itself is otherwise sound and does not warrant demolition, therefore conversion to storage and construction of a new, relocated restroom facility would be preferred; and

**WHEREAS**, proposals for professional architectural and engineering design services were received on January 25, 2019 and updated to February 14, 2019 as follows:

	<u>Build-in -Place</u>	<u>Pre-fab Building</u>
SNS Architects & Engineers, P.C.	\$52,100.00	\$42,100.00
Alaimo Group / Tri-State Architects, P.C.	\$80,200.00	\$64,200.00; and

**WHEREAS**, the scope of work is to provide plans, specifications, and cost estimates for:

- Performing minor rehabilitation work on the existing structure to render it cosmetically acceptable and convert it into a secure storage building; and
- Constructing a new restroom facility near the parking lot at Lincoln Street, outside of the flood zone; and

**WHEREAS**, the professional services include a cost analysis and comparison of building the new facility completely in place vs. installing a prefabricated facility; and

**WHEREAS**, the low proposal is from SNS Architects and Engineers, P.C. and meets the Town's required scope of work, is comparable to the other proposal received, and is a reasonable cost; and

**WHEREAS**, SNS Architects & Engineers, P.C. is an established firm in the rendering of architectural and engineering services of this nature and is currently performing other architectural work for the Town on the police communications area as a sub-consultant to the Town's consultant engineer, Maser Consulting; and

**WHEREAS**, based on the above, the Town Engineer recommends that the Town Council award a contract to SNS Architects & Engineers, P.C. for Architectural and Engineering Design Services for the Restroom Building Repurposing and Installation of New Restroom Facility at George Gramby Memorial Park; and

**WHEREAS**, said services are professional in nature and are therefore exempt from bidding under the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

**WHEREAS**, funds are available for this contract in Account # C-04-55-215-956-920 and a Certificate of Availability has been filed by the Chief Financial Officer of the Town of Morristown with the Town Clerk in accordance with the Local Budget Law, N.J.S.A. 40A:4-57 and N.J.A.C. 5:34-5.2; and

**WHEREAS**, SNS Architects & Engineers, P.C. has completed and submitted a Business Entity Disclosure Certification at least ten (10) days prior hereto, as required by P.L. 2005, c.271, which certifies that neither it 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 any member of the firm from making any reportable contributions through the term of the contract;

**NOW, THEREFORE, BE IT RESOLVED**, by the Town Council of the Town of Morristown, County of Morris and State of New Jersey that the Mayor and the Town Clerk be and hereby are authorized to enter into and sign a contract with SNS Architects & Engineers, P.C., 1 Paragon Drive, Montvale, New Jersey 07645 for Architectural and Engineering Design Services for the Restroom Building Repurposing and Installation of New Restroom Facility at George Gramby Memorial Park for an amount not to exceed \$52,100.00; and

**BE IT FURTHER RESOLVED**, that SNS Architects & Engineers, P.C. will comply with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 (Affirmative Action), and N.J.S.A. 52:32-44, (Business Registration), and the Town's insurance requirements; and

**BE IT FURTHER RESOLVED**, that a copy of this Resolution shall be published if required by law within ten (10) days of its passage.

ATTEST:

ADOPTED:

\_\_\_\_\_  
MARGOT G. KAYE ,  
TOWN CLERK

\_\_\_\_\_  
TOSHIBA FOSTER  
COUNCIL PRESIDENT

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DATED: February 26, 2019

\_\_\_\_\_  
Margot G. Kaye, Town Clerk

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TOWN COUNCIL

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To:

From: Ms. Margot G. Kaye, Town Clerk

Date: February 26, 2019

Re: Housing Authority Vacancies (unexpired terms ending 9/5/2019 and 9/5/2021) - Council  
President Foster

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TOWN COUNCIL

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To:

From: Ms. Margot G. Kaye, Town Clerk

Date: February 26, 2019

Re: Letter from Nancy Bangiola, President, Library Board of Trustees to Mayor Dougherty regarding the Recent Manhole Fire