

**TOWNSHIP OF PARSIPPANY-TROY HILLS  
TOWNSHIP COUNCIL REGULAR MEETING**

**October 23, 2007**

**Council Vice President Vigilante opened the Regular Meeting at 7:30 p.m., followed by a salute to the Flag. He advised that adequate notice of this meeting has been provided in accordance with the requirements of the Open Public Meetings Law by filing the notice in the Office of the Township Clerk and by posting the meeting notice on the bulletin board at the Municipal Building on January 2, 2007 where it has remained posted since that date. A legal notice appeared in both the Daily Record and the Star Ledger on December 19, 2006. Copies of this notice were forwarded by fax to other local newspapers and to local radio stations on December 12, 2006.**

**PRESENT:** Council Members Cesaro, dePierro, Grossi and Vigilante

**ABSENT:** Council President Agostini

**OTHERS PRESENT:** J. Lim, Business Administrator; J. Verrone, Esq., Township Attorney;  
Ms. O'Keefe, Deputy Twp. Clerk

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**NOTES:**

11/20/07 @ 7:30 p.m.

Agenda Meeting

Public Invited – Public Participation

11/27/07 @ 7:30 p.m.

Regular Meeting Commencing with Conference Portion

Public Invited – Public Participation

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**PRESENTATION by Community Hope, Inc. Regarding Request for Funding from the Township's Affordable Housing Trust Fund**

J. Michael Armstrong, Executive Director of Community Hope, and Peter Scerbo, Executive Director of Comprehensive Behavioral Healthcare, thanked the Members of the Township Council for including Community Hope and CBH on this evening's agenda. Mr. Armstrong detailed the scope of the project which involves three homes located on the Greystone Property that would house five individuals each for a total of fifteen individuals. The request is for \$591,000 to cover the rehabilitation of the three homes. Mr. Armstrong, in response to a question from Mr. dePierro regarding the hours of supervision, stated that the home would not be supervised for the full twenty-four hour period. Ms. Lim stated that a resolution would be prepared for the next meeting detailing the terms, including the 30 COAH credits.

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**REGULAR TOWNSHIP COUNCIL MEETING OCTOBER 23, 2007**

**BIDS TO BE TAKEN**

11/08/07 @ 10:00 a.m. Reconstruction of Curbs and Sidewalks at Various Locations - 2007

11/08/07 @ 2:00 p.m. Marmora Road Construction Project

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**REQUEST(S) FOR QUOTATION(S)/PROPOSAL(S)/QUALIFICATION(S):**

None

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**ORDINANCE(S):**

**Final Consideration:**

**Ordinance #2007:33**

**AN ORDINANCE ESTABLISHING SALARY RANGES FOR POLICE SUPERIOR OFFICERS OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS (FOR THE YEARS 2006, 2007, 2008 AND 2009)**

The following resolution was offered by Mr. dePierro, seconded by Ms. Grossi:

**WHEREAS**, the above ordinance was read in title only on second reading and a public hearing held at the Regular Township Council Meeting of September 18, 2007; and

**WHEREAS**, final consideration of said ordinance was tabled to the Regular Township Council Meeting of October 23, 2007;

**NOW, THEREFORE, BE IT RESOLVED** that said ordinance be passed on final reading and that a Notice of Final Passage of said ordinance be published in the newspaper according to law.

**ROLL CALL: YES** - Council Members Cesaro, dePierro, Grossi and Vigilante

**ABSENT** - Council President Agostini

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**Ordinance #2007:34**

**AN ORDINANCE ESTABLISHING SALARY RANGES FOR PATROLMEN OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS (FOR THE YEARS 2006, 2007, 2008 AND 2009)**

The following resolution was offered by Ms. Grossi, seconded by Mr. Cesaro:

**REGULAR TOWNSHIP COUNCIL MEETING OCTOBER 23, 2007**

**WHEREAS**, the above ordinance was read in title only on second reading and a public hearing held at the Regular Township Council Meeting of September 18, 2007; and

**WHEREAS**, final consideration of said ordinance was tabled to the Regular Township Council Meeting of October 23, 2007;

**NOW, THEREFORE, BE IT RESOLVED** that said ordinance be passed on final reading and that a Notice of Final Passage of said ordinance be published in the newspaper according to law.

**Council Vice President Vigilante explained for those in attendance that the public hearings on ordinances 2007:33 and 2007:34 had been previously held; as such, only the vote on passage would take place this evening.**

**ROLL CALL: YES** - Council Members Cesaro, dePierro, Grossi and Vigilante  
**ABSENT** - Council President Agostini

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**ORDINANCE(S):**

**Second Reading(s): and Public Hearing(s):**

**Ordinance #2007:31**

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 430, ZONING OF THE CODE OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS (OFF-STREET PARKING AND LOADING – PLAN AND DESIGN STANDARDS AND MINIMUM PARKING SPACE REQUIREMENTS)**

The following resolution was offered by Mr. Vigilante, seconded by Mr. dePierro:

**BE IT RESOLVED** that an Ordinance entitled, “**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 430, ZONING OF THE CODE OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, (Off-Street Parking and Loading – Plan and Design Standards and Minimum Parking Requirements)**” be read in title only on second reading and a hearing held thereon.

**ROLL CALL: YES** - Council Members Cesaro, dePierro, Grossi and Vigilante  
**ABSENT** - Council President Agostini

**Council Vice President Vigilante opened the meeting to the public on this ordinance only, noting a three-minute time limit per speaker.**

**REGULAR TOWNSHIP COUNCIL MEETING OCTOBER 23, 2007**

**The following individuals spoke in opposition to Ordinance 2007:31:**

**Robert Garofalo, Esq.**, informed the Council that he was here representing various Indian Temples located in Parsippany. Mr. Garofalo noted that there are approximately two to three days a year where parking is a problem and this issue has been addressed in a responsible manner. Mr. Garofalo would like the Council to dismiss the ordinance in its entirety.

**Raj Shankar, 27 Winfield Drive**, felt that this ordinance needs to be refined so that there are fewer restrictions on parking and to accommodate all the people who want to attend the services.

**Mahendra Ray, 60 Carlton Drive**, noted that there are 5000 Indian people serviced by three temples. There should be additional review by the Planning Board with input from the public.

**Jay Patel, 26 Emerson Road**, wanted the Township Council to take its time in making a decision that affects many people. Mr. Patel asked that there be more discussion between the Indian Temples and the Township. He noted that the representatives from Zimmer TNT are the neighbors of the new Temple to be built and are just here to oppose the new temple.

**Chandu Bhoraniya, 98 Hawkins Avenue**, felt that the Township should be looking to bring more houses of worship into the Community to teach children to live life differently. In his opinion, most families who attend services, drive together in one car.

**Shashi Patel, President of the Yogi Divine Society, 3209 Miriam Court**, questioned where the idea of space requirements came from. He noted the contributions that the Indian community has brought to Parsippany and asked that the Council reassess Ordinance No. 2007:31

**Ojis Ray, 60 Carlton Drive**, noted that there are other areas of the Township that are lacking in parking spaces, in particular, one of the schools which has insufficient parking and uses the existing Temple parking lot during the week for teachers and faculty.

**Ram Patel, 1100 Parsippany Boulevard**, noted that he is a twenty year resident of Parsippany and that all the Indian community is looking for is justice.

**The following people spoke in support of Ordinance 2007:31:**

**Christopher DeGrazia, Drinker, Biddle & Reath**, noted that his office represents Zimmer TNT, which is located in the same office park as the new location for the Yogi Divine Temple. He informed the Council that his client has expressed support for this ordinance, as it is written.

**Peter Steck, 80 Maplewood Avenue**, a planning consultant present on behalf of Zimmer TNT, advised that in his experience, this ordinance uses the most common formula, one that used in other municipalities. Mr. Steck asked that the ordinance be adopted as proposed, noting that this ordinance is in line with the master plan.

**REGULAR TOWNSHIP COUNCIL MEETING OCTOBER 23, 2007**

Council Vice President Vigilante read the following excerpt of a letter from Edward Snieckus of Burgis Associates, Inc., dated October 17, 2007, to the Planning Board:

We offer the following summary of the parking amendment relating to religious institution for the Board's information:

1. The 2004 Master Plan Re-examination Report recommended that the parking standards for the township be re-evaluated to bring them into current day standards. Specifically the report cited a few standards that should be amended including religious institutions.
2. The specific amendment relating to the parking standards for religious institutions was updated for Churches, Synagogues or other places of worship with standards to address permanent seating arrangements and non seating arrangements.
3. These standards when approved by the governing body will apply only to new development applications for religious institutions. Existing facilities will be "grandfathered" to operate as they exist and only when they choose to expand will the new regulations apply.
4. Where a religious institution does not utilize seating in a sanctuary space a standard is implemented to provide for sufficient calculation of the potential parking demand for a facility. This standard needs to anticipate if a facility could accommodate more people than a facility with fixed seating. Fixed seating physically require greater area since access space and corresponding isle width designations by the fixed seating directly affect emergency egress requirements. In a non-seated sanctuary a greater number of people can be accommodated in less space, necessitating to the proposed requirements.

Mr. Garofalo questioned the timing of the reading of this letter. Mr. Garofalo also informed the Council that there had been a meeting with Burgis Associates and he thought there would be additional meetings. Council Vice President Vigilante noted that the ordinance had been amended once to exclude the altar and display areas.

Mr. dePierro explained that the current ordinance does not regulate houses of worship that do not use pews and that is the purpose of this ordinance. He would like to be assured that the ordinance would be universal for all houses of worship. Mr. dePierro recommended that this ordinance be forwarded back to the Planning Board and he will approve the recommendation that comes back from the Planning Board.

Ms. Grossi would like assurance that further meetings would be held between the Township and the Indian Community. Ms. Grossi hoped that a compromise could be reached prior to the next time the Council hears this issue. Regarding lack of parking at the elementary schools, Ms. Grossi noted that when the schools were built parking was not an issue.

Mr. Cesaro would like to see more meetings between the Township and the Indian Community that will result in some sort of agreement. Mr. Cesaro stated for the record that all parties should accept whatever compromise is reached.

**REGULAR TOWNSHIP COUNCIL MEETING OCTOBER 23, 2007**

Council Vice-President Vigilante stated that he takes the recommendation of the Planning Board very seriously, but he will defer to his colleagues and refer this ordinance back to the Planning Board. Mr. Vigilante stated that he was ready to vote in support of this ordinance.

**Seeing no one else come forward to speak, Council Vice President Vigilante closed the public hearing.**

The following resolution was offered by Mr. dePierro, seconded by Ms. Grossi:

**WHEREAS**, the above ordinance was read in title only on second reading and a public hearing held;

**NOW, THEREFORE, BE IT RESOLVED** that final consideration of said ordinance be tabled and referred back to the Planning Board for further reconsideration.

**ROLL CALL: YES** - Council Members Cesaro, dePierro, Grossi and Vigilante  
**ABSENT** - Council President Agostini

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**Ordinance #2007:35**

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 83, "ALCOHOLIC BEVERAGES," ARTICLE II, "POSSESSION, SERVICE, SALE OR CONSUMPTION BY MINORS," TO ADD A NEW SUBSECTION 83-8, "CONSUMPTION AND POSSESSION OF ALCOHOL BY MINOR ON PRIVATE PROPERTY PROHIBITED"**

The following resolution was offered by Mr. Cesaro, seconded by Ms. Grossi:

**BE IT RESOLVED** that an Ordinance entitled, "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 83, "ALCOHOLIC BEVERAGES," ARTICLE II, "POSSESSION, SERVICE, SALE OR CONSUMPTION BY MINORS," TO ADD A NEW SUBSECTION 83-8, "CONSUMPTION AND POSSESSION OF ALCOHOL BY MINORS ON PRIVATE PROPERTY PROHIBITED," be read in title only on second reading and a hearing held thereon.

**ROLL CALL: YES** - Council Members Cesaro, dePierro, Grossi and Vigilante  
**ABSENT** - Council President Agostini

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**REGULAR TOWNSHIP COUNCIL MEETING OCTOBER 23, 2007**

**Council Vice President Vigilante opened the meeting to the public on this ordinance only, noting a three-minute time limit per speaker.**

Mr. dePierro feels that this ordinance is over regulating, and that the state and Alcoholic Beverage Control already have legislation that addresses this issue.

Ms. Verrone explained that municipalities have the authority to pass an ordinance such as this as State and ABC laws generally do not cover this issue.

Ms. Grossi confirmed that this ordinance would exclude the minor when with a parent or legal guardian while on private property, and would include consumption for religious purposes.

**Seeing no one come forward to speak, Council Vice President Vigilante closed the public hearing.**

The following resolution was offered Mr. Cesaro seconded by Ms. Grossi:

**WHEREAS**, the above ordinance was read in title on second reading and hearing held thereon;

**NOW, THEREFORE, BE IT RESOLVED** that said ordinance be passed on final reading and that a Notice of Final Passage of said ordinance be published in the newspaper according to law.

**ROLL CALL: YES** - Council Members Cesaro, dePierro, Grossi and Vigilante  
**ABSENT** - Council President Agostini

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**Ordinance #2007:36**

**AN ORDINANCE AMENDING AND  
SUPPLEMENTING CHAPTER 57, PERSONNEL  
POLICIES, OF THE CODE OF THE TOWNSHIP OF  
PARSIPPANY-TROY HILLS, TO ESTABLISH A  
NEW ARTICLE III ENTITLED "WAIVER OF  
HEALTH BENEFIT COVERAGE"**

The following resolution was offered by Mr. dePierro, seconded by Mr. Cesaro:

**REGULAR TOWNSHIP COUNCIL MEETING OCTOBER 23, 2007**

**BE IT RESOLVED** that an Ordinance entitled, “AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 57, PERSONNEL POLICIES, OF THE CODE OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, TO ESTABLISH A NEW ARTICLE III ENTITLED “WAIVER OF HEALTH BENEFIT COVERAGE,” be read in title only on second reading and a hearing held thereon.

**ROLL CALL: YES** - Council Members Cesaro, dePierro, Grossi and Vigilante  
**ABSENT** - Council President Agostini

**Council Vice President Vigilante opened the meeting to the public on this ordinance only, noting a three-minute time limit per speaker.**

**Pat Petaccia, 182 Hawkins Avenue,** expressed her understanding that this ordinance is an incentive for Township workers and a savings for the taxpayers. However, she felt that Township employees need to start paying for their insurance, due to the rising cost of health insurance.

**Seeing no one come forward to speak, Council Vice President Vigilante closed the public hearing.**

The following resolution was offered by Mr. dePierro, seconded by Ms. Grossi:

**WHEREAS,** the above ordinance was read in title on second reading and hearing held thereon;

**NOW, THEREFORE, BE IT RESOLVED** that said ordinance be passed on final reading and that a Notice of Final Passage of said ordinance be published in the newspaper according to law.

**ROLL CALL: YES** - Council Members Cesaro, dePierro, Grossi and Vigilante  
**ABSENT** - Council President Agostini

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**Ordinance #2007:37**

**AN ORDINANCE OF THE TOWNSHIP COUNCIL  
OF THE TOWNSHIP OF PARSIPPANY-TROY  
HILLS, COUNTY OF MORRIS, STATE OF NEW  
JERSEY, AUTHORIZING A LEASE AGREEMENT  
BETWEEN THE TOWNSHIP AND THE  
PARSIPPANY SOCCER CLUB, INC.**

The following resolution was offered by Ms. Grossi, seconded by Mr. Cesaro:

**REGULAR TOWNSHIP COUNCIL MEETING OCTOBER 23, 2007**

**BE IT RESOLVED** that an Ordinance entitled, “AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, COUNTY OF MORRIS, STATE OF NEW JERSEY, AUTHORIZING A LEASE AGREEMENT BETWEEN THE TOWNSHIP OF PARSIPPANY-TROY HILLS AND THE PARSIPPANY SOCCER CLUB, INC.,” be read in title only on second reading and a hearing held thereon.

**ROLL CALL: YES** - Council Members Cesaro, dePierro, Grossi and Vigilante  
**ABSENT** - Council President Agostini

**Council Vice President Vigilante opened the meeting to the public on this ordinance only, noting a three-minute time limit per speaker.**

**Seeing no one come forward to speak, Council Vice President Vigilante closed the public hearing.**

The following resolution was offered by Ms. Grossi, seconded by Mr. Cesaro:

**WHEREAS**, the above ordinance was read in title on second reading and hearing held thereon;

**NOW, THEREFORE, BE IT RESOLVED** that said ordinance be passed on final reading and that a Notice of Final Passage of said ordinance be published in the newspaper according to law.

**ROLL CALL: YES** - Council Members Cesaro, dePierro, Grossi and Vigilante  
**ABSENT** - Council President Agostini

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**Ordinance #2007:38**

**AN ORDINANCE AUTHORIZING THE BUSINESS ADMINISTRATOR OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS TO EXECUTE AND RENEW, AS NECESSARY, A LEASE WITH THE PAINTER OF CRAFTSMAN FARMS**

The following resolution was offered by Mr. Vigilante, seconded by Ms. Grossi:

**BE IT RESOLVED** that an Ordinance entitled, “AN ORDINANCE AUTHORIZING THE BUSINESS ADMINISTRATOR OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS TO EXECUTE AND RENEW, AS NECESSARY, A LEASE WITH THE PAINTER OF CRAFTSMAN FARMS,” be read in title only on second reading and a hearing held thereon.

**REGULAR TOWNSHIP COUNCIL MEETING OCTOBER 23, 2007**

**ROLL CALL: YES** - Council Members Cesaro, dePierro, Grossi and Vigilante  
**ABSENT** - Council President Agostini

**Council Vice President Vigilante opened the meeting to the public on this ordinance only, noting a three-minute time limit per speaker.**

**Seeing no one come forward to speak, Council Vice President Vigilante closed the public hearing.**

The following resolution was offered by Mr. Vigilante, seconded by Mr. Cesaro:

**WHEREAS**, the above ordinance was read in title on second reading and hearing held thereon;

**NOW, THEREFORE, BE IT RESOLVED** that said ordinance be passed on final reading and that a Notice of Final Passage of said ordinance be published in the newspaper according to law.

**ROLL CALL: YES** - Council Members Cesaro, dePierro, Grossi and Vigilante  
**ABSENT** - Council President Agostini

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**Ordinance #2007:39**

**AN ORDINANCE AUTHORIZING THE BUSINESS ADMINISTRATOR OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS TO EXECUTE AND RENEW, AS A LEASE WITH THE BUILDING MAINTENANCE SUPERINTENDENT OF CRAFTSMAN FARMS**

The following resolution was offered by Mr. Cesaro, seconded by Ms. Grossi:

**BE IT RESOLVED** that an Ordinance entitled, “**AN ORDINANCE AUTHORIZING THE BUSINESS ADMINISTRATOR OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS TO EXECUTE AND RENEW, AS NECESSARY, A LEASE WITH THE BUILDING MAINTENANCE SUPERINTENDENT OF CRAFTSMAN FARMS,**” be read in title only on second reading and a hearing held thereon.

**ROLL CALL: YES** - Council Members Cesaro, dePierro, Grossi and Vigilante  
**ABSENT** - Council President Agostini

**REGULAR TOWNSHIP COUNCIL MEETING OCTOBER 23, 2007**

Council Vice President Vigilante opened the meeting to the public on this ordinance only, noting a three-minute time limit per speaker.

Seeing no one come forward to speak, Council Vice President Vigilante closed the public hearing.

The following resolution was offered by Mr. Cesaro, seconded by Mr. dePierro:

**WHEREAS**, the above ordinance was read in title on second reading and hearing held thereon;

**NOW, THEREFORE, BE IT RESOLVED** that said ordinance be passed on final reading and that a Notice of Final Passage of said ordinance be published in the newspaper according to law.

**ROLL CALL: YES** - Council Members Cesaro, dePierro, Grossi and Vigilante

**ABSENT** - Council President Agostini

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**Ordinance #2007:40**

**AN ORDINANCE SUPPLEMENTING CHAPTER 4, ADMINISTRATION AND GOVERNMENT, ARTICLE XI, DEPARTMENT OF PLANNING, ZONING AND CONSTRUCTION INSPECTIONS, OF THE CODE OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, CREATING THE POSITION OF MUNICIPAL HOUSING LIAISON FOR THE PURPOSE OF ADMINISTERING THE TOWNSHIP'S AFFORDABLE HOUSING PROGRAM PURSUANT TO THE FAIR HOUSING ACT**

The following resolution was offered by Mr. dePierro, seconded by Ms. Grossi:

**BE IT RESOLVED** that an Ordinance entitled, "AN ORDINANCE SUPPLEMENTING CHAPTER 4, ADMINISTRATION AND GOVERNMENT, ARTICLE XI, DEPARTMENT OF PLANNING, ZONING AND CONSTRUCTION INSPECTIONS, OF THE CODE OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, CREATING THE POSITION OF MUNICIPAL HOUSING LIAISON FOR THE PURPOSE OF ADMINISTERING THE TOWNSHIP'S AFFORDABLE HOUSING PROGRAM PURSUANT TO THE FAIR HOUSING ACT," be read in title only on second reading and a hearing held thereon.

**ROLL CALL: YES** - Council Members Cesaro, dePierro, Grossi and Vigilante

**ABSENT** - Council President Agostini

**REGULAR TOWNSHIP COUNCIL MEETING OCTOBER 23, 2007**

**Council Vice President Vigilante opened the meeting to the public on this ordinance only, noting a three-minute time limit per speaker.**

**Seeing no one come forward to speak, Council Vice President Vigilante closed the public hearing.**

The following resolution was offered by Mr. dePierro, seconded by Mr. Cesaro:

**WHEREAS**, the above ordinance was read in title on second reading and hearing held thereon;

**NOW, THEREFORE, BE IT RESOLVED** that said ordinance be passed on final reading and that a Notice of Final Passage of said ordinance be published in the newspaper according to law.

**ROLL CALL: YES** - Council Members Cesaro, dePierro, Grossi and Vigilante  
**ABSENT** - Council President Agostini

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**Ordinance #2007:41**

**AN ORDINANCE OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, COUNTY OF MORRIS AND STATE OF NEW JERSEY TO AMEND THE CODE OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, SECTION 4-34, FEES GOVERNING SERVICES RENDERED BY OFF-DUTY OFFICERS, OF CHAPTER 4, ADMINISTRATION OF GOVERNMENT**

**BE IT RESOLVED** that an Ordinance entitled, “AN ORDINANCE OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, COUNTY OF MORRIS AND STATE OF NEW JERSEY TO AMEND THE CODE OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, SECTION 4-34, FEES GOVERNING SERVICES RENDERED BY OFF-DUTY OFFICERS, OF CHAPTER 4, ADMINISTRATION OF GOVERNMENT ,” be read in title only on second reading and a hearing held thereon.

**A motion was made by Ms. Grossi as no second was received, Council Vice President Vigilante announced, for the record, that the motion was defeated.**

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**REGULAR TOWNSHIP COUNCIL MEETING OCTOBER 23, 2007**

**Ordinance #2007:42**

**AN ORDINANCE OF THE TOWNSHIP OF  
PARSIPPANY-TROY HILLS AUTHORIZING THE  
CONVEYANCE OF AN EXTINGUISHED PORTION  
OF AN EXISTING UTILITY EASEMENT LOCATED  
ON LOT 12.05, IN BLOCK 626 AND MORE  
SPECIFICALLY LOCATED ON BRIGHTON  
TERRACE**

The following resolution was offered by Mr. Vigilante, seconded by Ms. Grossi:

**BE IT RESOLVED** that an Ordinance entitled, “AN ORDINANCE OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS AUTHORIZING THE CONVEYANCE OF AN EXTINGUISHED PORTION OF AN EXISTING UTILITY EASEMENT LOCATED ON LOT 12.05, IN BLOCK 626 AND MORE SPECIFICALLY LOCATED ON BRIGHTON TERRACE,” be read in title only on second reading and a hearing held thereon.

**ROLL CALL: YES** - Council Members Cesaro, dePierro, Grossi and Vigilante  
**ABSENT** - Council President Agostini

**Council Vice President Vigilante opened the meeting to the public on this ordinance only, noting a three-minute time limit per speaker.**

**Seeing no one come forward to speak, Council Vice President Vigilante closed the public hearing.**

The following resolution was offered by Mr. Vigilante, seconded by Ms. Grossi:

**WHEREAS**, the above ordinance was read in title on second reading and hearing held thereon;

**NOW, THEREFORE, BE IT RESOLVED** that said ordinance be passed on final reading and that a Notice of Final Passage of said ordinance be published in the newspaper according to law.

**ROLL CALL: YES** - Council Members Cesaro, dePierro, Grossi and Vigilante  
**ABSENT** - Council President Agostini

**REGULAR TOWNSHIP COUNCIL MEETING OCTOBER 23, 2007**

**Ordinance #2007:43**

**AN ORDINANCE CREATING A NEW CHAPTER 276, OUTDOOR FURNACES, OF THE CODE OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS BANNING THE CONSTRUCTION AND USE OF OUTDOOR FURNACES**

The following resolution was offered by Mr. Cesaro, seconded by Ms. Grossi:

**BE IT RESOLVED** that an Ordinance entitled, “AN ORDINANCE CREATING A NEW CHAPTER 276, OUTDOOR FURNACES, OF THE CODE OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS BANNING THE CONSTRUCTION AND USE OF OUTDOOR FURNACES,” be read in title only on second reading and a hearing held thereon.

**ROLL CALL: YES** - Council Members Cesaro, dePierro, Grossi and Vigilante  
**ABSENT** - Council President Agostini

**Council Vice President Vigilante opened the meeting to the public on this ordinance only, noting a three-minute time limit per speaker.**

**Seeing no one come forward to speak, Council Vice President Vigilante closed the public hearing.**

The following resolution was offered by Mr. Cesaro, seconded by Ms. Grossi:

**WHEREAS**, the above ordinance was read in title on second reading and hearing held thereon;

**NOW, THEREFORE, BE IT RESOLVED** that said ordinance be passed on final reading and that a Notice of Final Passage of said ordinance be published in the newspaper according to law.

**ROLL CALL: YES** - Council Members Cesaro, dePierro, Grossi and Vigilante  
**ABSENT** - Council President Agostini

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**Ordinance #2007:44**

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 234, LICENSING, OF THE CODE OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS**

**REGULAR TOWNSHIP COUNCIL MEETING OCTOBER 23, 2007**

The following resolution was offered by Mr. dePierro, seconded by Ms. Grossi:

**BE IT RESOLVED that an Ordinance entitled, “AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 234, LICENSING, OF THE CODE OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS,” be read in title only on second reading and a hearing held thereon.**

**ROLL CALL: YES** - Council Members Cesaro, dePierro, Grossi and Vigilante  
**ABSENT** - Council President Agostini

**Council Vice President Vigilante opened the meeting to the public on this ordinance only, noting a three-minute time limit per speaker.**

**Seeing no one come forward to speak, Council Vice President Vigilante closed the public hearing.**

The following resolution was offered by Mr. dePierro, seconded by Mr. Cesaro:

**WHEREAS**, the above ordinance was read in title on second reading and hearing held thereon;

**NOW, THEREFORE, BE IT RESOLVED** that said ordinance be passed on final reading and that a Notice of Final Passage of said ordinance be published in the newspaper according to law.

**ROLL CALL: YES** - Council Members Cesaro, dePierro, Grossi and Vigilante  
**ABSENT** - Council President Agostini

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**Ordinance #2007:45**

**AN ORDINANCE AMENDING AND  
SUPPLEMENTING CHAPTER 296,  
PEDDLING AND SOLICITING, OF THE  
CODE OF THE TOWNSHIP OF  
PARSIPPANY-TROY HILLS**

The following resolution was offered by Ms. Grossi, seconded by Mr. Cesaro:

**BE IT RESOLVED that an Ordinance entitled, “AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 296, PEDDLING AND SOLICITING, OF THE CODE OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS,” be read in title only on second reading and a hearing held thereon.**

**ROLL CALL: YES** - Council Members Cesaro, dePierro, Grossi and Vigilante  
**ABSENT** - Council President Agostini

**REGULAR TOWNSHIP COUNCIL MEETING OCTOBER 23, 2007**

**Council Vice President Vigilante opened the meeting to the public on this ordinance only, noting a three-minute time limit per speaker.**

**Seeing no one come forward to speak, Council Vice President Vigilante closed the public hearing.**

The following resolution was offered by Ms. Grossi, seconded Mr. Cesaro:

**WHEREAS**, the above ordinance was read in title on second reading and hearing held thereon;

**NOW, THEREFORE, BE IT RESOLVED** that said ordinance be passed on final reading and that a Notice of Final Passage of said ordinance be published in the newspaper according to law.

**ROLL CALL: YES** - Council Members Cesaro, dePierro, Grossi and Vigilante  
**ABSENT** - Council President Agostini

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**Ordinance #2007:46**

**AN ORDINANCE AMENDING  
CHAPTER 88, AMUSEMENT PARKS,  
CARNIVALS AND CIRCUSES,  
CHAPTER 389, TRAP SHOOTING AND  
TARGET PRACTICE, AND CHAPTER  
396, TRUCK TERMINALS, OF THE  
CODE OF THE TOWNSHIP OF  
PARSIPPANY-TROY HILLS**

The following resolution was offered by Mr. Vigilante, seconded by Mr. Cesaro:

**BE IT RESOLVED** that an Ordinance entitled, “**AN ORDINANCE AMENDING CHAPTER 88, AMUSEMENT PARKS, CARNIVALS AND CIRCUSES, CHAPTER 389, TRAP SHOOTING AND TARGET PRACTICE, AND CHAPTER 396, TRUCK TERMINALS, OF THE CODE OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS,**” be read in title only on second reading and a hearing held thereon.

**ROLL CALL: YES** - Council Members Cesaro, dePierro, Grossi and Vigilante  
**ABSENT** - Council President Agostini

**Council Vice President Vigilante opened the meeting to the public on this ordinance only, noting a three-minute time limit per speaker.**

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**Seeing no one come forward to speak, Council Vice President Vigilante closed the public hearing.**

The following resolution was offered by Mr. Vigilante, seconded Mr. Cesaro:

**WHEREAS**, the above ordinance was read in title on second reading and hearing held thereon;

**NOW, THEREFORE, BE IT RESOLVED** that said ordinance be passed on final reading and that a Notice of Final Passage of said ordinance be published in the newspaper according to law.

**ROLL CALL: YES** - Council Members Cesaro, dePierro, Grossi and Vigilante  
**ABSENT** - Council President Agostini

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**Ordinance #2007:47**

**AN ORDINANCE AMENDING  
CHAPTER 195, HANDBILLS,  
DISTRIBUTION OF, OF THE CODE  
OF THE TOWNSHIP OF  
PARSIPPANY-TROY HILLS**

The following resolution was offered by Mr. Cesaro, seconded by Ms. Grossi:

**BE IT RESOLVED** that an Ordinance entitled, “AN ORDINANCE AMENDING CHAPTER 195, HANDBILLS, DISTRIBUTION OF, OF THE CODE OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS,” be read in title only on second reading and a hearing held thereon.

**ROLL CALL: YES** - Council Members Cesaro, dePierro, Grossi and Vigilante  
**ABSENT** - Council President Agostini

**Council Vice President Vigilante opened the meeting to the public on this ordinance only, noting a three-minute time limit per speaker.**

**Seeing no one come forward to speak, Council Vice President Vigilante closed the public hearing.**

The following resolution was offered by Mr. Cesaro, seconded Mr. dePierro:

**WHEREAS**, the above ordinance was read in title on second reading and hearing held thereon;

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**NOW, THEREFORE, BE IT RESOLVED** that said ordinance be passed on final reading and that a Notice of Final Passage of said ordinance be published in the newspaper according to law.

**ROLL CALL: YES** - Council Members Cesaro, dePierro, Grossi and Vigilante  
**ABSENT** - Council President Agostini

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**Ordinance #2007:48**

**AN ORDINANCE AMENDING AND  
SUPPLEMENTING CHAPTER 430, ZONING  
OF THE CODE OF THE TOWNSHIP OF  
PARSIPPANY-TROY HILLS**

The following resolution was offered by Mr. dePierro, seconded by Ms. Grossi:

**BE IT RESOLVED** that an Ordinance entitled, “**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 430, ZONING OF THE CODE OF THE TOWNSHIP OF PARPIPPANY-TROY HILLS, (Regarding Building Coverage)**” be read in title only on second reading and a hearing held thereon.

**ROLL CALL: YES** - Council Members Cesaro, dePierro, Grossi and Vigilante  
**ABSENT** - Council President Agostini

**Council Vice President Vigilante opened the meeting to the public on this ordinance only, noting a three-minute time limit per speaker.**

**Seeing no one come forward to speak, Council Vice President Vigilante closed the public hearing.**

The following resolution was offered by Mr. dePierro, seconded Mr. Cesaro:

**WHEREAS**, the above ordinance was read in title on second reading and a hearing held thereon; and

**WHEREAS**, Subject Ordinance was forwarded to the Planning Board for its review; and

**WHEREAS**, the Planning Board reviewed the Ordinance at its meeting of October 1, 2007 and recommended approval;

**NOW, THEREFORE, BE IT RESOLVED** that said ordinance be passed on final reading and that a Notice of Final Passage of said ordinance be published in the newspaper according to law.

**REGULAR TOWNSHIP COUNCIL MEETING OCTOBER 23, 2007**

**ROLL CALL: YES** - Council Members Cesaro, dePierro, Grossi and Vigilante  
**ABSENT** - Council President Agostini

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**PUBLIC HEARING**

**Council Vice President Vigilante opened the meeting to the public to speak on this ordinance, noting a three minute time limit per speaker.**

**Robert Simpson, 30 Hilsinger Road,** asked the Township to consider the establishment of quiet zones to combat the noise from the routine sounding of train horns. Mr. Simpson noted that the following municipalities have quiet zones: Westfield, Edison, Hillsborough and Montclair.

Ms. Lim asked that the Council decide as to whether or not a study should be done, as there is quite a disparity in costs. Council Vice President Vigilante questioned the availability of funds in the budget. Mr. dePierro and Council Vice President Vigilante would like to obtain some proposals to determine the cost of the study and the alternatives.

**Fred Griswald, 15 Greenbriar Road,** is appearing before the Council this evening as an employee of Tilcon. Earlier today, Morris County awarded Tilcon the bid for repaving of Parsippany Boulevard north of Waterview Boulevard ending at Intervale Road. Mr. Griswald requested that a waiver of the ordinance be granted so that the paving work may be done on a Saturday, with the start time of 6:00 a.m. and a completion time of 6:00 p.m. which would allow the paving to be completed within a day. The Council decided that a resolution be prepared granting permission, conditional on the following requirements: notification of affected homeowners, emergency services, egress and access time, an explanation of why the road is being shut down.

**Seeing no one else come forward to speak, Council Vice President Vigilante closed the public hearing.**

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**CONSENT AGENDA:**

**All items listed with an asterisk (\*) are considered to be routine and uncontroversial by the Township Council and will be approved by one motion. There will be no separate discussion of these items unless a council member so requests, in which case the item will be removed from the Consent Agenda and considered in its normal sequence on the Agenda**

Ms. Grossi moved the approval of the Consent Agenda, seconded by Mr. dePierro.

**ROLL CALL: YES** - Council Members Cesaro, dePierro, Grossi and Vigilante  
**ABSENT** - Council President Agostini

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**REGULAR TOWNSHIP COUNCIL MEETING OCTOBER 23, 2007**

**MINUTES FOR APPROVAL:**

- \* Agenda Meeting of 09/11/07
  - \* Closed Session Meetings of 09/11/07 and 9/18/07
  - \* Special Meeting (Sewer Utility Operations) of 9/18/07
  - \* Regular Meeting of 09/18/07
- 

**BID REJECTION(S):**

None

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**BID AWARD(S):**

None

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**RESOLUTION(S):**

- \* **Approving Morris County's Request to Allow a Water Connection to the Southeast Morris MUA to Supply Water to County Buildings on its Portion of the Greystone Property**

**WHEREAS**, the County of Morris has acquired a portion of the Greystone Campus to be used by the County for archival storage, offices and recreation facilities; and

**WHEREAS**, the County has requested that it be allowed to connect the Greystone Campus into the Southeast Morris MUA Water Main in lieu of a connection to the Township of Parsippany-Troy Hills' Meadow Bluff Road Water Main due to the fact that the Southeast Morris MUA Main is closer to the Greystone Campus and because the Township's Meadow Bluff Road Water Main would not provide adequate water flows in case of fire; and

**WHEREAS**, the Township's Water Superintendent and the Township's Administration recommend that the County's request to connect the Greystone Campus into the Southeast Morris MUA Water Main in lieu of a connection into the Township of Parsippany-Troy Hills's Meadow Bluff Road Water Main be granted.

**NOW, THEREFORE BE IT RESOLVED**, by the Township Council of the Township of Parsippany-Troy Hills, County of Morris and State of New Jersey that the County of Morris' request to connect the Greystone Campus to the Southeast Morris MUA Water Main in lieu of a connection into the Township of Parsippany-Troy Hills' Meadow Bluff Road Water Main is hereby granted.

**REGULAR TOWNSHIP COUNCIL MEETING OCTOBER 23, 2007**

**\* Granting Application and Entrance into Agreement with JSDD for the Supporting Living Project for Rehabilitation Funding from the Affordable Housing Trust Fund**

**WHEREAS**, the Township of Parsippany-Troy Hills (“Township”) pursuant to Section 225 -90 of the Code of the Township of Parsippany-Troy Hills (“Code”) has created a Housing Trust Fund (“Trust Fund”) for the purpose of receiving development fees from residential and non-residential developers; and

**WHEREAS**, Section 225-91 of the Code, sets forth that all money deposited in said Trust Fund may be used for any activity approved by the Council On Affordable Housing (“COAH”) for addressing the low and moderate income housing needs and obligations of the Township; and

**WHEREAS**, such activities pursuant to Section 225-91 of the Code may include, but are not limited to, housing rehabilitation; new construction; regional contribution agreements; the purchase of land for low and moderate income housing; extensions and/or improvements of road and infrastructure to low and moderate income housing sites; assistance designed to render units to be more affordable to low and moderate income people; and administrative costs necessary to implement the Township’s housing element. The expenditure of all money pursuant to this ordinance must conform to a Township spending plan which has been approved by COAH; and

**WHEREAS**, JSDD Supportive Living Project (“JSDD”) has applied for rehabilitation funding from the Trust Fund of the Township in that JSDD intends to operate a community residence for the developmentally disabled, or group home, with five (5) bedrooms at 5 Pleasant Terrace (Block 446; Lot 10) in the Township; and

**WHEREAS**, an application for rehabilitation funding is governed by the Township’s spending plan approved by COAH and, in accordance with the spending plan, approval of an application such as that filed by JSDD requires adoption of a Resolution by the Township Council at a public meeting; and

**WHEREAS**, the expenditure of such funds is discretionary as to a project and is limited by COAH guidelines as to use; as a general premise, an applicant for funding must be prepared to demonstrate to the Township Council at a public meeting that the proposed project (a) is feasible, (b) will qualify for ten (10) COAH credits and that (c) the funds distributed, if any, will be utilized only for COAH-approved activities; and

**WHEREAS**, JSDD has indicated to the Township Council that the above cited criteria can be satisfied to the satisfaction of the Township and COAH; and

**WHEREAS**, the Township desires to grant funding to JSDD in the amount of \$155,000, all of which shall be for the rehabilitation of the property, and, further to authorize the entering into of an Agreement for such funding;

**REGULAR TOWNSHIP COUNCIL MEETING OCTOBER 23, 2007**

**NOW, THEREFORE BE IT RESOLVED**, by the Township Council of the Township of Parsippany-Troy Hills, County of Morris and State of New Jersey as follows:

- (a) The Township hereby approves the granting of funding to JSDD in the total amount of \$155,000.00 to be spent as previously set forth in this Resolution; and
- (b) The Municipal Attorney is hereby authorized to prepare an Agreement between the Township and JSDD setting forth the terms and conditions by which said money shall be distributed to, and utilized by JSDD;

**NOW, THEREFORE BE IT FURTHER RESOLVED**, that said Agreement shall contain at a minimum, but shall not be limited to, the following areas:

- (a) Information regarding other sources of funding for JSDD with regard to their proposed community residence or group home.
- (b) All projected costs for the completion of construction of the community residence or group home.
- (c) The efforts the applicants will make to offer any of the units to very low-income qualified occupants.
- (d) The number of bedrooms proposed to be restricted to very low-income qualified occupants.
- (e) Whether JSDD has entered into a 20-year Operating Agreement with the Department of Human Services (“DHS”) and, if so, the general details of said Operating Agreement.
- (f) Whether any proposed units will be age-restricted and, if so, the general details regarding same.
- (g) All restrictions, if any, imposed by the Department of Housing and Urban Development (“HUD”).
- (h) The proposed schedule for construction of the community residence or group home, and the inclusion of a written time table.
- (i) The specific use proposed for the funds that JSDD might receive from the Township’s Affordable Housing Trust Fund.
- (j) Any other reasonable information that the Township deems necessary in order to assure that any approved rehabilitation funding from the Township’s Affordable Housing Trust Fund will be utilized appropriately and within the scope of the terms of Township Ordinance, all administrative requirements and all statutory requirements.

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**BE IT FURTHER RESOLVED**, that the Mayor and Clerk are hereby authorized to ultimately execute and witness the Agreement which will be prepared by the Municipal Attorney's office, with the conditions and requirements that have been set forth in this Resolution.

**\* Awarding a Contract to the Tab Group for Microfilming Services**

**WHEREAS**, the Township of Parsippany-Troy Hills has a need to acquire, pursuant to a non-fair and open process in accordance with the provisions of P.L. 2004, c.19 (N.J.S.A. 19:44A-20.5 et seq.), microfilming services for the preservation of its municipal records; and

**WHEREAS**, the Business Administrator has determined and certified in writing that the value of these services will exceed \$17,500 but will not exceed the public bidding threshold of \$29,000 utilizing a purchasing department qualified pursuant to Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., and specifically, N.J.S.A. 40A:11-9; and,

**WHEREAS**, the term of this contract shall be from October 23, 2007 to October 22, 2009, unless sooner terminated in accordance with the provisions thereof; and

**WHEREAS**, The Tab Group has indicated that it will provide the services required as specified for the Township of Parsippany-Troy Hills at the rates and terms specified in its proposal, dated August 23, 2007 and the contract; and

**WHEREAS**, this contract was awarded without competitive bidding as the value of the contract was under the public bidding threshold, pursuant to and in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

**WHEREAS**, the Local Public Contracts Law requires that the resolution awarding a contract without competitive bidding and the contract itself must be available for public inspection; and

**WHEREAS**, the cost of the services to be provided by The Tab Group is estimated to be approximately \$21,000.00 on an annual basis, which amount is above the threshold of \$17,500 under the New Jersey Local Unit Pay-To-Play Law, N.J.S.A. 19:44A-20.4 et seq.; and

**WHEREAS**, The Tab Group is required to complete and submit prior to the award of a contract a Political Contribution Disclosure Form in accordance with N.J.S.A. 19:44A-20.26, a Stockholder Disclosure Certification, and a Business Entity Disclosure Certification, certifying that it has not made any reportable contributions to a political or candidate committee in the Township in the prior year, and that the contract will prohibit it from making any reportable contributions through the term of the contract; and

**WHEREAS**, the Political Contribution Disclosure Form, Stockholder Disclosure Certification, and Business Entity Disclosure Certificate and the certification have been

**REGULAR TOWNSHIP COUNCIL MEETING OCTOBER 23, 2007**

submitted by The Tab Group and shall be placed and maintained on file at the office of the Township Clerk; and

**WHEREAS**, the Chief Financial Officer of the Township of Parsippany-Troy Hills has certified in writing that funds are available for this purpose;

**WHEREAS**, the award of this contract is necessary for the efficient operation of the Township of Parsippany-Troy Hills;

**NOW THEREFORE, BE IT RESOLVED** as follows:

- (1) That the Township Council of the Township of Parsippany-Troy Hills authorizes the Mayor to enter into a contract with The Tab Group for microfilming services; and
- (2) That, pursuant to N.J.S.A. 40A:11-1 et seq., this contract shall be awarded without public bidding pursuant to an exception from public bidding as the value of the contract is not reasonably anticipated to exceed on an annual basis the public bidding threshold, pursuant to and in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.;

**BE IT FURTHER RESOLVED** that the Chief Financial Officer certifies that funds are available for this contract.

**BE IT FURTHER RESOLVED** that the original proposal and contract are available for public inspection in the Township Clerk's office.

**BE IT FURTHER RESOLVED** that the Township Clerk shall advertise the award of the contract in a newspaper as required by law.

**\* Authorizing an Agreement with the Superior Officers Association (SOA) Relative to Wages, Benefits and Working Conditions Effective January 1, 2006 through December 31, 2009**

**WHEREAS**, there exists a contract between the Township of Parsippany-Troy Hills and the Parsippany-Troy Hills Superior Officers Association effective from January 1, 2006 through December 31, 2009; and

**WHEREAS**, it is the desire of the Township of Parsippany-Troy Hills and the Parsippany-Troy Hills Superior Officers Association to renew the contract for the years 2006, 2007, 2008 and 2009 as amended.

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**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of Parsippany-Troy Hills hereby authorizes execution of the renewal contract with the Parsippany-Troy Hills Superior Officers Association for the years 2006, 2007, 2008 and 2009 as amended, in the form on file in the Office of the Township Clerk, upon the terms and conditions provided therein.

**BE IT FURTHER RESOLVED** that the Mayor and Township Clerk are authorized to execute the contract.

**\* Authorizing an Agreement with the Police Benevolent Association, Local 131 (PBA) Relative to Wages, Benefits and Working Conditions Effective January 1, 2006 through December 31, 2009**

**WHEREAS**, there exists a contract between the Township of Parsippany-Troy Hills and the Parsippany-Troy Hills Police Benevolent Association effective from January 1, 2006 through December 31, 2009; and

**WHEREAS**, it is the desire of the Township of Parsippany-Troy Hills and the Parsippany-Troy Hills Police Benevolent Association to renew the contract for the years 2006, 2007, 2008 and 2009 as amended.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of Parsippany-Troy Hills hereby authorizes execution of the renewal contract with the Parsippany-Troy Hills Police Benevolent Association for the years 2006, 2007, 2008 and 2009 as amended, in the form on file in the Office of the Township Clerk, upon the terms and conditions provided therein.

**BE IT FURTHER RESOLVED** that the Mayor and Township Clerk are authorized to execute the contract.

**\* Authorizing Change Order #1 Reconstruction of Dryden Way and Campus Drive Decrease**

**WHEREAS**, a change order is necessary for the contract for the Reconstruction of Dryden Way and Campus Drive project, with Top Line Construction, resulting in a net decrease in costs in the amount of \$45,012.83; and

**WHEREAS**, the Township Engineer has recommended the changes as outlined in Change Order #1, due to various modifications to the contract; and

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**NOW, THEREFORE, BE IT RESOLVED** by the Township Council, of the Township of Parsippany-Troy Hills, that it hereby approves Change Order #1 resulting in the amount of a \$45,012.83 decrease in the contract price.

**BE IT FURTHER RESOLVED** that the Mayor is authorized to execute Change Order #1, in the form on file with the Township Clerk.

**\* Amending Budget – PARIS Grant (10/07)**

**WHEREAS**, N.J.S.A. 40A: 4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

**WHEREAS**, said Director may also approve the insertion of any item of appropriation for equal amount,

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of Parsippany-Troy Hills hereby request the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the Current Fund budget of the year 2007 in the sum of \$ 25,000.00 which item is now available as revenue from:

State of New Jersey  
PARIS GRANT

**BE IT FURTHER RESOLVED** that a like sum of \$ 25,000.00 and the same is hereby appropriated in the Current Fund Budget under the caption of:

State of New Jersey  
PARIS GRANT

**\* Amending Budget – Drunk Driving Enforcement Fund (10/07)**

**WHEREAS**, N.J.S.A. 40A: 4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

**WHEREAS**, said Director may also approve the insertion of any item of appropriation for equal amount,

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of Parsippany-Troy Hills hereby requests the Director of the Division of Local Government

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Services to approve the insertion of an item of revenue in the Current Fund budget of the year 2007 in the sum of \$ 11,237.55 which item is now available as revenue from:

State of New Jersey, Division of Motor Vehicles  
Drunk Driving Enforcement Fund

**BE IT FURTHER RESOLVED** that a like sum of \$ 11,237.55 and the same is hereby appropriated in the Current Fund Budget under the caption of:

State of New Jersey, Division of Motor Vehicles  
Drunk Driving Enforcement Fund

**\* Amending Budget – Pedestrian Safety Program**

**WHEREAS**, N.J.S.A. 40A: 4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

**WHEREAS**, said Director may also approve the insertion of any item of appropriation for equal amount,

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of Parsippany-Troy Hills hereby request the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the Current Fund budget of the year 2007 in the sum of \$ 16,000.00 which item is now available as revenue from:

State of New Jersey, Division of Highway Traffic Safety  
Pedestrian Safety Program

**FURTHER RESOLVED** that a like sum of \$ 16,000.00 and the same is hereby appropriated in the Current Fund Budget under the caption of:

State of New Jersey, Division of Highway Traffic Safety  
Pedestrian Safety Program

**\* Amending Budget – Donation for Civil Defense (10/07)**

**WHEREAS**, N.J.S.A. 40A: 4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

**WHEREAS**, said Director may also approve the insertion of any item of appropriation for equal amount,

**REGULAR TOWNSHIP COUNCIL MEETING OCTOBER 23, 2007**

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of Parsippany-Troy Hills hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the Current Fund budget of the year 2007 in the sum of \$ 2,325.00 which is now available as revenue from:

Donation for Civil Defense

**BE IT FURTHER RESOLVED** that a like sum of \$ 2,325.00 and the same is hereby appropriated in the Current Fund Budget under the caption of:

Donation for Civil Defense

**\* Awarding Sale of Unwanted Vehicles and Equipment**

**WHEREAS**, the Township of Parsippany-Troy Hills desires to sell unwanted vehicles and equipment; and

**WHEREAS**, a legal notice dated September 28, 2007 listing the items to be sold was published in the Daily Record;

**WHEREAS**, a Public Sale was held at 11 a.m. on October 11, 2007;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Parsippany-Troy Hills that said property be sold to the highest bidder as listed on the attached Schedule "A."

**REGULAR TOWNSHIP COUNCIL MEETING OCTOBER 23, 2007**

Schedule "A"

<b>Item #</b>	<b>Description</b>	<b>Serial No.</b>	<b>High Bidder</b>	<b>Amount</b>
1	1987 Dodge Pickup	3B4GW12T2HM732226	Auto Salvage Co.	\$ 230.00
2	1988 Dodge Pickup	1B7KW2453J5798508	Auto Salvage Co.	\$ 280.00
3	1990 Jeep Cherokee	1J4FJ38L4LL259014	Auto Salvage Co.	\$ 280.00
4	1991 Ford F350 Bus	1FDKE30M6MHB33976	Apache Auto	\$ 50.00
5	1991 GMC 2500 Pick-up	1GTGK24J3ME525148	Auto Salvage Co.	\$ 280.00
6	1988 Dodge Pickup	1B7JD24Y2JS776527	Jersey One	\$ 285.00
7	1989 Dodge Pickup	1B7KM2681KS177122	Jersey One	\$ 485.00
8	1989 Dodge Truck	1B6MM3658KS168412	Jersey One	\$ 505.00
9	1989 Jeep Cherokee Wagon	1J4FJ38LXKL592400	R&S	\$ 300.00
10	1992 Jeep Cherokee Wagon	1J4FJ28SONL253974	R&S	\$ 450.00
11	1992 Dodge 350 Utility	1B7KM36Z3NS644253	R&S	\$ 450.00
12	1989 Dodge 350 Utility	1B6MM3652KS184718	R&S	\$ 500.00
13	2001 Chevy Impala	2G1WF55K419334483	Grace Quality	\$ 300.00
14	1990 Chevy Caprice	1G1BL5472LA138974	Auto Salvage Co.	\$ 280.00
15	1982 Dodge Diplomat	2B3BG26L2CR218955	Jersey One	\$ 280.00
16	1988 Chevy S10	1GCCT18R3J0174109	State Surplus Auto	\$ 280.00
17	1988 Dodge Ram	3B4GW02YXJM839505	R&S	\$ 390.00
18	1988 Dodge Ram	3B4GW02Y8JM839504	Auto Salvage Co.	\$ 340.00
19	1989 Chevy Caprice	1G1BL5171KR160209	Auto Salvage Co.	\$ 280.00
20	1989 Chevy Caprice	1G1BL51E8KR161274	Jersey One	\$ 280.00
21	1991 Ford Van	1FTEE14YXMHA82677	Auto Salvage Co.	\$ 340.00
22	1996 Ford Crown Victoria	2FALP71W4TX204672	Grace Quality	\$ 375.00
23	1999 Ford Crown Victoria	2FAFP71W8xx200062	State Surplus Auto	\$ 325.00
24	2000 Chevy Impala	2G1WF55K7Y9374373	Grace Quality	\$ 300.00
25	2000 Chevy Impala	2G1WF55K2Y9371087	Grace Quality	\$ 300.00
26	2003 Ford Crown Victoria	2FAFP71W83X113093	Grace Quality	\$ 630.00
27	1993 Chevy Blazer	1GNDD13W9P2209693	Auto Salvage Co.	\$ 280.00
28	1979 PB Grader *no title*	79F154	Hazelton Equip Co.	\$5,600.00
29	1993 Lee Boy Paving Box	1237-B	Hazelton Equip Co.	\$6,000.00
30	1978 Warner Swasey Gradall	P264768	Devino Trucks	\$1,300.00
31	Floor Scrubber Machine	Serial# 0599603		No Bid
32	1991 Dodge Caravan *no title	2B46K2539MR315220	Auto Salvage Co.	\$ 280.00
33	HP Deskjet 720C printer			No Bid
34	IBM wheelwriter typewriter			No Bid
35	Office Jet Fax Machine			No Bid
36	Panafax UF332 Fax machine			No Bid
37	Savinfax 3630 fax machine			No Bid
38	Viewsonic PC 17" monitor			No Bid
39	(2) Typewriters, (2) Monitor & (1) Keyboard			No Bid
40	Viewsonic monitor			No Bid
41	Xerox 2510 copier			No Bid
42	Xerox 2515 copier			No Bid
43	Vacuum Cleaner Eureka			No Bid
44	Vacuum Cleaner Heavy Duty			No Bid
45	Desk-very small			No Bid

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46	(2) Leather chairs	No Bid
47	Fabric chair	No Bid
<hr/>		
	Total	\$ 22,255.00

**\* Granting Major Soil Moving Permit for Jayant Shah Block 757, Lot 61.11, 28 Phillip Drive**

**WHEREAS**, Jayant Shah has applied to the Township of Parsippany-Troy Hills for a soil moving permit to place approximately 2,145 cubic yards of fill in the rear of the property located at 28 Phillip Drive, known and designated as Block 757, Lot 61.11 on the Tax Maps of the Township of Parsippany-Troy Hills; and

**WHEREAS**, the application has been reviewed by Michael Pucilowski, Municipal Engineer, and his recommendations have been memorialized in a memorandum to the Planning Board dated June 29, 2007; and

**WHEREAS**, the Planning Board considered this application at its meeting of September 17, 2007 and recommends approval to the Township Council, as indicated in a memorandum from the Planning Board dated September 18, 2007, in accordance with the Township Engineer's memoranda dated February 7, May 15, June 12, and June 29, 2007, and further, subject to the hours of operation being 9:00 a.m. to 3:00 p.m., Monday through Friday, and that all streets be cleaned after all work;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Parsippany-Troy Hills that it does hereby grant a major soil moving permit to Jayant Shah for a soil moving permit to place approximately 2,145 cubic yards of fill in the rear of the property located at 28 Phillip Drive, known and designated as Block 757, Lot 61.11 on the Tax Maps of the Township of Parsippany-Troy Hills, subject to the following terms and conditions:

1. The applicant shall comply with all the recommendations and requirements included in the memoranda from Michael Pucilowski, Municipal Engineer, dated February 7, May 15, June 12 and September 17, 2007;
2. That the soil moving operation be conducted between the hours of 9:00 a.m. and 3:00 p.m., Monday through Friday;
3. That all streets be cleaned daily during the soil moving operation; and
4. That all inspection fees and performance guarantees be paid prior to the issuance of the permit.

**REGULAR TOWNSHIP COUNCIL MEETING OCTOBER 23, 2007**

**\* Amending Capital Budget in Connection with Bond Ordinance No. 07:53 (Various Capital Improvements)**

October 23, 2007

**RESOLUTION  
CAPITAL BUDGET AMENDMENT**

WHEREAS, the Local Capital Budget for the year 2007 was approved on the 12th day of June 2007, and

WHEREAS, it is desired to amend said approved Capital Budget,

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Parsippany-Troy Hills that the following amendments to the approved Capital Budget be made:

RECORDED VOTE	AYES	) Cesaro	NAYS	) None	ABSTAIN	) None
		) dePiero		)		)
		) Grossi		)		)
		) Vigilante		)	ABSENT	) Agostini
		)		)		)

AMENDED FROM

CURRENT YEAR ACTION

1 Project	2 Project Number	3 Estimated Cost	4 Amounts Reserved In Prior Years	PLANNED FUNDING SERVICES FOR CURRENT YEAR 2007					6 To Be Funded In Future Years
				5a 2007 Budget Appropriation	5b Capital Improvement Fund	5c Capital Surplus	5d Grants-in- Aid and Other Funds	5e Debt Authorized	
ACQUISITION OF VEHICLES	C07-1	558,500			27,925			530,575	
<b>TOTAL ADOPTED</b>		558,500			27,925			530,575	

AMENDED TO

ACQUISITION OF VEHICLES	C07-1	603,500			30,175			573,325	
<b>TOTAL AMENDED</b>		603,500			30,175			573,325	

**6 YEAR CAPITAL PROGRAM 2007-2012  
ANTICIPATED PROJECT SCHEDULE  
AND FUNDING REQUIREMENT**

AMENDED FROM

1 Project	2 Project Number	3 Estimated Total Cost	4 Estimated Completion Time	Funding Amounts per Year						
				5a 2007	5b 2008	5c 2009	5d 2010	5e 2011	5f 2012	
ACQUISITION OF VEHICLES	C07-1	558,500	2007	558,500						
<b>TOTAL ADOPTED</b>		558,500		558,500						

AMENDED TO

ACQUISITION OF VEHICLES	C07-1	603,500	2007	603,500						
<b>TOTAL AMENDED</b>		603,500		603,500						

**REGULAR TOWNSHIP COUNCIL MEETING OCTOBER 23, 2007**

**\* Authorizing the Expenditure of Open Space Trust Fund Monies for Craftsman Farms**

**WHEREAS**, Ordinance No. 2007-12 authorizes the expenditure of Open Space Trust Fund monies for the preservation of historic properties; and

**WHEREAS**, the Craftsman Farms Foundation has requested \$165,000 in Open Space Trust Fund monies for the following improvements:

- 1) Repair of the roof on the South Cottage (approximately \$10,000)
- 2) ADA bathroom and orientation space in the Annex (approximately \$50,000)
- 3) North Cottage HVAC, plumbing and painting (approximately \$30,000)
- 4) Bedroom restoration in Log House (approximately \$75,000)

and;

**WHEREAS**, the total of the capital improvements listed above exceed the annual allocation available for this purpose under Ordinance No. 2007-12.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Parsippany-Troy Hills that it hereby authorizes the expenditure of \$120,000 from the 2007 Open Space Trust Fund for improvements to Craftsman Farms as specified hereinabove, and

**BE IT FURTHER RESOLVED** that the Township Council hereby commits to grant an additional \$45,000 from the 2008 Open Space Trust Fund for such improvements, subject to availability and appropriation of funds for historic preservation in 2008.

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**APPLICATION(S):**

**License(s):**

\* Liquor License Person to Person Transfer from Tamb 5 Inc. to Ruby Tuesday, Inc.  
t/a Ruby Tuesday

\* Liquor License Place to Place Transfer Tabor 10, LLC from Pocket License with  
No Sited Premises to 510 Tabor Road

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**REGULAR TOWNSHIP COUNCIL MEETING OCTOBER 23, 2007**

**Ordinance**  
**Introduction(s)**

**Ordinance #2007:49**

**AN ORDINANCE OF THE TOWNSHIP  
OF PARSIPPANY-TROY HILLS,  
COUNTY OF MORRIS AND STATE OF NEW  
JERSEY TO AMEND THE CODE OF THE  
TOWNSHIP OF PARSIPPANY-TROY HILLS,  
SECTION 4-34, FEES GOVERNING  
SERVICES RENDERED BY OFF-DUTY  
OFFICERS, OF CHAPTER 4,  
ADMINISTRATION OF GOVERNMENT  
(Attachment #1)**

The following resolution was offered by Mr. Vigilante, seconded by Ms. Grossi:

**BE IT RESOLVED** that the above Ordinance be introduced, read by title, and passed on first reading at a Meeting of the Township Council of the Township of Parsippany-Troy Hills held on **October 23, 2007** and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on **November 27, 2007** at 7:30 p.m., prevailing time, or as soon thereafter as the matter may be reached, at the Municipal Building in said Township, at which time all persons interested shall be given an opportunity to be heard concerning said Ordinance;

**BE IT FURTHER RESOLVED** that the Clerk be authorized and directed to advertise said Ordinance with the Notice of Introduction thereof being published in the official newspaper according to law.

Mr. Cesaro asked that Ms. Lim provide clarification as to the additional costs that are being subsidized by the taxpayers. Mr. dePierro explained that the residents are already subsidizing the cost of these services, with this ordinance they be will subsidizing less. Ms. Grossi noted that she had done some research on this issue and Parsippany was slighter higher on administrative costs yet lower on the actual hourly fee than nearby municipalities. Council Vice President Vigilante would like these costs tracked over the next year and the issue revisited in a year to determine if the fees are appropriate.

**ROLL CALL: YES** - Council Members Cesaro, dePierro, Grossi and Vigilante  
**ABSENT** - Council President Agostini

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**REGULAR TOWNSHIP COUNCIL MEETING OCTOBER 23, 2007**

**ORDINANCE #2007:50**

**ORDINANCE AUTHORIZING THE  
BUSINESS ADMINISTRATOR OF THE  
TOWNSHIP OF PARSIPPANY-TROY -  
HILLS TO EXECUTE AND RENEW,  
AS NECESSARY, A LEASE WITH THE  
CARETAKER OF WATNONG GARDENS  
(Attachment #2)**

The following resolution was offered by Mr. Cesaro, seconded by Ms. Grossi:

**BE IT RESOLVED** that the above Ordinance be introduced, read by title, and passed on first reading at a Meeting of the Township Council of the Township of Parsippany-Troy Hills held on **October 23, 2007** and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on **November 27, 2007** at 7:30 p.m., prevailing time, or as soon thereafter as the matter may be reached, at the Municipal Building in said Township, at which time all persons interested shall be given an opportunity to be heard concerning said Ordinance.

**BE IT FURTHER RESOLVED** that the Clerk be authorized and directed to advertise said Ordinance with the Notice of Introduction thereof being published in the official newspaper according to law.

**ROLL CALL: YES** - Council Members Cesaro, dePierro, Grossi and Vigilante  
**ABSENT** - Council President Agostini

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**Ordinance # 2007:51**

**AN ORDINANCE OF THE TOWNSHIP OF  
PARSIPPANY-TROY HILLS, COUNTY OF  
MORRIS AND STATE OF NEW JERSEY TO  
AMEND THE CODE OF THE TOWNSHIP OF  
PARSIPPANY-TROY HILLS, SECTION 202-6,  
FEES FOR HEALTH CLINIC SERVICES, OF  
CHAPTER 202, HEALTH REGULATIONS,  
MISCELLANEOUS; FEES  
(Attachment #3)**

The following resolution was offered by Mr. dePierro, seconded by Ms. Grossi:

**REGULAR TOWNSHIP COUNCIL MEETING OCTOBER 23, 2007**

**BE IT RESOLVED** that the above Ordinance be introduced, read by title, and passed on first reading at a Meeting of the Township Council of the Township of Parsippany-Troy Hills held on **October 23, 2007** and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on **November 27, 2007** at 7:30 p.m., prevailing time, or as soon thereafter as the matter may be reached, at the Municipal Building in said Township, at which time all persons interested shall be given an opportunity to be heard concerning said Ordinance.

**BE IT FURTHER RESOLVED** that the Clerk be authorized and directed to advertise said Ordinance with the Notice of Introduction thereof being published in the official newspaper according to law.

**ROLL CALL: YES** - Council Members Cesaro, dePierro, Grossi and Vigilante

**ABSENT** - Council President Agostini

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**Ordinance #2007:52**

**AN ORDINANCE OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, IN THE COUNTY OF MORRIS, NEW JERSEY, AMENDING ORDINANCE NO. 2005:10 OF THE TOWNSHIP FINALLY ADOPTED ON MAY 10, 2005, PROVIDING FOR VARIOUS IMPROVEMENTS TO THE GOLF AND RECREATIONAL UTILITY IN AND BY THE TOWNSHIP OF PARSIPPANY-TROY HILLS, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING \$1,060,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$745,000 IN BONDS OR NOTES OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS TO FINANCE THE SAME**  
(Attachment #4)

The following resolution was offered by Ms. Grossi, seconded by Mr. dePierro:

**BE IT RESOLVED** that the above Ordinance be introduced, read by title, and passed on first reading at a Meeting of the Township Council of the Township of Parsippany-Troy Hills held on **October 23, 2007** and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on **November 27, 2007** at 7:30 p.m., prevailing time, or as soon thereafter as the matter may be reached, at the Municipal Building in said Township, at

**REGULAR TOWNSHIP COUNCIL MEETING OCTOBER 23, 2007**

which time all persons interested shall be given an opportunity to be heard concerning said Ordinance.

**BE IT FURTHER RESOLVED** that the Clerk be authorized and directed to advertise said Ordinance with the Notice of Introduction thereof being published in the official newspaper according to law.

**ROLL CALL: YES** - Council Members Cesaro, dePierro, Grossi and Vigilante  
**ABSENT** - Council President Agostini

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**Ordinance #2007:53**

**AN ORDINANCE OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, IN THE COUNTY OF MORRIS, NEW JERSEY, AMENDING ORDINANCE NO. 2006:08 OF THE TOWNSHIP FINALLY ADOPTED MAY 23, 2006, PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS FOR THE OF PARSIPPANY-TROY HILLS AND APPROPRIATING \$5,588,709, THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$5,061,402 IN GENERAL IMPROVEMENT BONDS OR NOTES OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS TO FINANCE THE SAME**  
(Attachment #5)

The following resolution was offered by Mr. Vigilante, seconded by Mr. dePierro:

**BE IT RESOLVED** that the above Ordinance be introduced, read by title, and passed on first reading at a Meeting of the Township Council of the Township of Parsippany-Troy Hills held on **October 23, 2007** and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on **November 27, 2007** at 7:30 p.m., prevailing time, or as soon thereafter as the matter may be reached, at the Municipal Building in said Township, at which time all persons interested shall be given an opportunity to be heard concerning said Ordinance.

**BE IT FURTHER RESOLVED** that the Clerk be authorized and directed to advertise said Ordinance with the Notice of Introduction thereof being published in the official newspaper according to law.

**REGULAR TOWNSHIP COUNCIL MEETING OCTOBER 23, 2007**

**ROLL CALL: YES** - Council Members Cesaro, dePierro, Grossi and Vigilante  
**ABSENT** - Council President Agostini

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**Ordinance #2007:54**

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 213, HOUSING AND PROPERTY MAINTENANCE, AND CHAPTER 214, HOUSING CERTIFICATES, OF THE CODE OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS**  
(Attachment #6)

The following resolution was offered by Mr. Cesaro, seconded by Ms. Grossi:

**BE IT RESOLVED** that the above Ordinance be introduced, read by title, and passed on first reading at a Meeting of the Township Council of the Township of Parsippany-Troy Hills held on **October 23, 2007** and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on **November 27, 2007** at 7:30 p.m., prevailing time, or as soon thereafter as the matter may be reached, at the Municipal Building in said Township, at which time all persons interested shall be given an opportunity to be heard concerning said Ordinance.

**BE IT FURTHER RESOLVED** that the Clerk be authorized and directed to advertise said Ordinance with the Notice of Introduction thereof being published in the official newspaper according to law.

**ROLL CALL: YES** - Council Members Cesaro, dePierro, Grossi and Vigilante  
**ABSENT** - Council President Agostini

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Mr. Vigilante made a motion to **add the following resolution to the agenda**, seconded by Ms. Grossi:

**Authorizing the Business Administrator to Execute a Contract for the Provision of Electric Generation Service to the Wastewater Treatment Plant**

**ROLL CALL: YES** - Council Members Cesaro, dePierro, Grossi and Vigilante  
**ABSENT** - Council President Agostini

The following resolution was offered by Mr. Vigilante, seconded by Mr. dePierro:

**REGULAR TOWNSHIP COUNCIL MEETING OCTOBER 23, 2007**

**WHEREAS**, the cost of electric generation is a major component of the sewer plant operating cost; and

**WHEREAS**, the Township desires to control sewer plant electric generation cost; and

**WHEREAS**, the Township desires to use an auction approach to solicit bids for the procurement of contract for the provision of electricity for the sewer plant; and

**WHEREAS**, the use of an auction for the procurement of electricity is effective in producing a competitive bidding environment such that the maximum cost savings will be obtained for the Township; and

**WHEREAS**, the Township, in cooperation with its energy consultant, Gabel Associates, has designed an auction process that is consistent with the purposes of public bidding; and

**WHEREAS**, prior to participating in the auction, the potential bidders will be required to provide all of the disclosures, documentation and certifications that are required by the Local Public Contracts Law except for the bid amount; and

**WHEREAS**, extreme energy market volatility requires that a decision on the bid award be made by no later than 2:30pm on the day that the auction is conducted.

**NOW, THEREFORE, BE IT RESOLVED**, that the Township Council of the Township of Parsippany-Troy Hills, in the County of Morris in the State of New Jersey authorizes the Business Administrator to award the bid and execute the winning bidder's contract for providing electric generation service to the Township to the lowest responsible bidder, subject to the lowest fixed price bid being no greater than \$0.1050/kwh for a period not to exceed two years.

**ROLL CALL: YES** - Council Members Cesaro, dePierro, Grossi and Vigilante

**ABSENT** - Council President Agostini

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**REGULAR TOWNSHIP COUNCIL MEETING OCTOBER 23, 2007**

Mr. Vigilante made a motion to adjourn the meeting, seconded by Mr. dePierro:

**ROLL CALL: YES** - Council Members Cesaro, dePierro, Grossi and Vigilante  
**ABSENT** - Council President Agostini

The meeting adjourned at 9:30 p.m.

Respectfully submitted,

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Mary A. O'Keefe, Deputy Township Clerk

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Mr. James Vigilante, Council Vice President

Minutes approved: November 27, 2007

REGULAR TOWNSHIP COUNCIL MEETING OCTOBER 23, 2007

Attachment #1  
Page 1 of 2

**TOWNSHIP OF PARSIPPANY-TROY HILLS  
MORRIS COUNTY, NEW JERSEY  
ORDINANCE NO. 2007:49**

**AN ORDINANCE OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, COUNTY OF MORRIS AND STATE OF NEW JERSEY TO AMEND THE CODE OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, SECTION 4-34, FEES GOVERNING SERVICES RENDERED BY OFF-DUTY OFFICERS, OF CHAPTER 4, ADMINISTRATION OF GOVERNMENT**

**BE IT ORDAINED** by the Township Council of the Township of Parsippany-Troy Hills, Morris County, as follows:

**Section 1:** Section 4-34, Fees governing services rendered by off-duty police officers, is hereby deleted in its entirety and replaced as follows:

The salaries for Police Officers of the Township of Parsippany Troy-Hills for off-duty services shall be as follows:

(Per Hour Rate)

All off-duty	<u>Regular Rate</u>	<u>Premium Rate</u>
	\$50.00	\$75.00

All off-duty work will be billed at a minimum duration of four (4) hours up to the fourth (4<sup>th</sup>) hour worked at the regular rate. All work in excess of four (4) hours will be billed at a minimum duration of eight (8) hours up to the eighth (8<sup>th</sup>) hour work at the regular rate. Any work in excess of eight (8) hours will be billed in two (2) hour segments at the premium rate. The premium rate shall be billed for any work that is performed on those holidays observed by the Parsippany Police Department.

Any work requiring the use of a marked vehicle will be billed to the employer at the following rate.

Use of a marked vehicle	Up to 4	4 to 8
	<u>Hour Shift</u>	<u>Hour Shift</u>
	\$50.00	\$100.00

**REGULAR TOWNSHIP COUNCIL MEETING OCTOBER 23, 2007**

Attachment No. 1  
Page 2 of 2

Failure to notify the police department a minimum of two (2) hours prior to a scheduled off duty job, or if the police officer reports to the scheduled job and the contractor cancels, the contractor will be charged a minimum of four (4) hours at the appropriate rate. There shall be an additional charge of \$5 per hour to offset administrative charges.

All work will be paid for in advance and deposited in an escrow account to be held with the Finance Department of the Township of Parsippany-Troy Hills, with the exception of work performed for the Parsippany Board of Education and work related to emergencies.

**Section 2.** If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this ordinance.

**Section 4.** This ordinance shall take effect immediately upon final passage, approval, and publication as required by law.

**TOWNSHIP OF PARSIPPANY-TROY HILLS  
MORRIS COUNTY, NEW JERSEY  
ORDINANCE NO. 2007:50**

**ORDINANCE AUTHORIZING THE BUSINESS ADMINISTRATOR OF THE  
TOWNSHIP OF PARSIPPANY-TROY HILLS TO EXECUTE AND RENEW, AS  
NECESSARY, A LEASE WITH THE CARETAKER OF WATNONG GARDENS**

**WHEREAS**, the Township of Parsippany-Troy Hills is the owner of Watnong Gardens, known on the Official Tax Map of the Township of Parsippany-Troy Hills as Block 15, Lots 28 and 29; and

**WHEREAS**, these premises require the attention of a caretaker; and

**WHEREAS**, the Township desires to execute a lease agreement with the caretaker, who will reside in the premises known as 2387 Watnong Terrace, Morris Plains, NJ 07950; and

**WHEREAS**, the Township pursuant to N.J.S.A. 40A:12-15 has the authority to enter into this lease.

**NOW, THEREFORE, BE IT ORDAINED** by the Township Council of the Township of Parsippany-Troy Hills to authorize the Business Administrator, on behalf of the Township as Landlord, to execute and renew the aforementioned lease as is necessary.

**TOWNSHIP OF PARSIPPANY-TROY HILLS  
MORRIS COUNTY, NEW JERSEY  
ORDINANCE NO. 2007:51**

**AN ORDINANCE OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, COUNTY OF MORRIS AND STATE OF NEW JERSEY TO AMEND THE CODE OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, SECTION 202-6, FEES FOR HEALTH CLINIC SERVICES, OF CHAPTER 202, HEALTH REGULATIONS, MISCELLANEOUS; FEES**

**BE IT ORDAINED** by the Township Council of the Township of ParsIPPany-Troy Hills, Morris County, as follows:

**Section 1:** Section 202-6, Fees for health clinic services, is hereby deleted in its entirety and replaced as follows:

Fees for various clinic services provided by the Health Department are as follows:

Fees for various clinic services will be the actual cost of the program rounded up to the next whole dollar.

**Section 2.** If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this ordinance.

**Section 4.** This ordinance shall take effect immediately upon final passage, approval, and publication as required by law.

**TOWNSHIP OF PARSIPPANY-TROY HILLS  
MORRIS, COUNTY**

**ORDINANCE NO. 2007:52**

**AN ORDINANCE OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, IN THE COUNTY OF MORRIS, NEW JERSEY, AMENDING ORDINANCE NO. 2005:10 OF THE TOWNSHIP FINALLY ADOPTED ON MAY 10, 2005, PROVIDING FOR VARIOUS IMPROVEMENTS TO THE GOLF AND RECREATIONAL UTILITY IN AND BY THE TOWNSHIP OF PARSIPPANY-TROY HILLS, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING \$1,060,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$745,000 IN BONDS OR NOTES OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS TO FINANCE THE SAME**

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, IN THE COUNTY OF MORRIS, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:

Bond Ordinance No. 2005:10 of the Township of Parsippany-Troy Hills, in the County of Morris, New Jersey, finally adopted on May 10, 2005 (the "Prior Ordinance"), is hereby amended in full to read as follows:

Section 1. The improvement or purpose described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Township of Parsippany-Troy Hills, in the County of Morris, New Jersey (the "Township") as a general improvement. For the improvement or purpose described in Section 3 hereof, there is hereby appropriated the sum of \$1,060,000. Although no down payment is required as the purpose authorized herein is deemed self-liquidating and the obligations authorized herein are deductible from the gross debt of the Township, as more fully explained in Section 6(e) of this ordinance, an amount equal to \$315,000 is provided herein for as a down payment for the purpose indicated below. The down payment has been made available by virtue of the provision for down payment in the capital improvement fund in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment or otherwise provided for hereunder, negotiable bonds are hereby authorized to be issued in the principal amount of \$745,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

**REGULAR TOWNSHIP COUNCIL MEETING OCTOBER 23, 2007**

Attachment 4  
Page 2 of 4

Section 3. (a) The improvement hereby authorized and the purpose for which the bonds or notes are to be issued is various improvements to the golf and recreational utility, including, but not limited to, improvements to the bunker and drainage system and the wash water building, pumphouse replacement, parking lot repairs and drainage, a new roof on the East Building and the installation of a fire sprinkler system to the East Building, and including all work and materials necessary therefore or incidental thereto

(b) The estimated maximum amount of bonds or notes to be issued for the several improvements or purposes is as stated in Section 2 hereof.

(c) The estimated cost of the several improvements or purposes is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time, at not less than 99% of par and accrued interest, at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget (or temporary capital budget as applicable) of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget (or amended temporary capital budget as applicable) and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose the Township may lawfully undertake as a general improvement, and no part of the costs thereof have been or shall be specially assessed on property specially benefited thereby.

**REGULAR TOWNSHIP COUNCIL MEETING OCTOBER 23, 2007**

Attachment No. 4  
Page 3 of 4

(b) The period of usefulness of the improvement or purpose, within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 10 years (representing a decrease of 5 years from the prior ordinance).

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$745,000 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$200,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the several improvements or purposes.

(e) This bond ordinance authorizes obligations of the Township solely for a purpose described in N.J.S.A. 40A:2-7(h). The obligations authorized herein are to be issued for a purpose that is deemed to be self-liquidating pursuant to N.J.S.A. 40A:2-47(a) and are deductible from gross debt pursuant to N.J.S.A. 40A:2-44(c).

(f) The Township reasonably expects to commence the acquisition and/or construction of the improvement or purpose described in Section 3 hereof, and to advance all or a portion of the costs in respect thereof, prior to the issuance of bonds or notes hereunder. To the extent such costs are advanced, the Township further reasonably expects to reimburse such expenditures from the proceeds of the bonds or notes authorized by this bond ordinance, in an aggregate amount not to exceed the amount of bonds or notes authorized in Section 2 hereof.

Section 7. Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized hereunder shall be reduced to the extent that such funds are so used.

Section 8. The full faith and credit of the Township is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount

Section 9. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the

**REGULAR TOWNSHIP COUNCIL MEETING OCTOBER 23, 2007**

Attachment No. 4  
Page 4 of 4

appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. This Ordinance amends Bond Ordinance 2005:10 of the Township finally adopted May 10, 2005. To the extent that any previous ordinance or resolution is inconsistent herewith or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

**TOWNSHIP OF PARSIPPANY-TROY HILLS  
MORRIS COUNTY, NEW JERSEY  
ORDINANCE NO. 2007:53**

**AN ORDINANCE OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, IN THE COUNTY OF MORRIS, NEW JERSEY, AMENDING ORDINANCE NO. 2006:08 OF THE TOWNSHIP FINALLY ADOPTED MAY 23, 2006, PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS FOR THE TOWNSHIP OF PARSIPPANY-TROY HILLS AND APPROPRIATING \$5,588,709, THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$5,061,402 IN GENERAL IMPROVEMENT BONDS OR NOTES OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS TO FINANCE THE SAME**

**BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, IN THE COUNTY OF MORRIS, NEW JERSEY** (not less than two-thirds of all members thereof affirmatively concurring) **AS FOLLOWS:**

Section A. Bond Ordinance No. 2006:08 of the Township of Parsippany-Troy Hills, in the County of Morris, New Jersey, finally adopted May 23, 2006, (the "Prior Ordinance"), is hereby amended in full to read as follows:

Section 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Township of Parsippany-Troy Hills, in the County of Morris, New Jersey (the "Township"), as general improvements. For the several improvements or purposes described in Section 3 hereof, there are hereby appropriated the respective sums of money therein stated as the appropriations made for each improvement of purpose, such sums amounting in the aggregate to \$5,588,709 (representing an increase of \$45,000 from the Prior Ordinance), including a \$185,000 Grant expected to be received from the State of New Jersey Department of Transportation, and the aggregate sum of \$266,450 (representing an increase of \$2,250 from the Prior Ordinance) as the several down payments from the Capital Improvement Fund for the improvements or purposes required by the Local Bond Law, and the aggregate sum of \$75,857 as capital appropriations from the Capital Improvement Fund. The down payments have been made available by virtue of the provision for down payment in the capital improvement fund in one or more previously adopted budgets. There is also appropriated for the purpose set forth in Section 3(a) hereof the amount of \$45,000 anticipated to be received by the Township from Parsippany Rescue and Recovery Unit, Inc. (representing an increase of \$45,000 from the Prior Ordinance)

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments or otherwise provided for hereunder, negotiable bonds are hereby authorized to be issued in the principal amount of \$5,061,402

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(representing an increase of \$42,750 from the Prior Ordinance) pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

- (a) Purpose: Acquisition of vehicles including, but not limited to, a Leach Packer Truck, two new ambulances, and a Rescue & Recovery Response Vehicle, including all work and materials necessary therefor or incidental thereto.

Appropriation and Estimated Cost: \$ 719,059 (representing an increase of \$45,000 from the Prior Ordinance)

Maximum Amount of Bonds or Notes: \$ 683,059 (representing an increase of \$42,750 from the Prior Ordinance)

Period or Average Period of Usefulness: 5 years

Amount of Down Payment: \$ 36,000 (representing an increase of \$2,250 from the Prior Ordinance)

- (b) Purpose: Various park improvements including, but not limited to, field turf for Smith Field and a large play structure, and including all other work and materials necessary therefor and incidental thereto.

Appropriation and Estimated Cost: \$ 689,000

Maximum Amount of Bonds or Notes: \$ 654,550

Period or Average Period of Usefulness: 15 years

Amount of Down Payment: \$ 34,450

- (c) Purpose: Construction and/or reconstruction of sidewalks and curbs at various locations, as per a list on file in the office of the Clerk, and including all work and materials necessary therefor or incidental thereto.

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<u>Appropriation and Estimated Cost:</u>	\$ 350,000
<u>Maximum Amount of Bonds or Notes:</u>	\$ 332,500
<u>Period or Average Period of Usefulness:</u>	10 years
<u>Amount of Down Payment:</u>	\$ 17,500

- (d) Purpose: Acquisition of equipment for the Township's Police Department including, but not limited to, one hundred twenty (120) Sig 229 RDAK Pistols and a Radio System , and including all other work and materials necessary therefor and incidental thereto.

<u>Appropriation and Estimated Cost:</u>	\$ 191,793
<u>Maximum Amount of Bonds or Notes:</u>	\$ 182,193
<u>Period or Average Period of Usefulness:</u>	10 years
<u>Amount of Down Payment:</u>	\$ 9,600

- (e) Purpose: Design and development of Greystone Park, including all other work and materials necessary therefor and incidental thereto.

<u>Appropriation and Estimated Cost:</u>	\$ 40,000
<u>Maximum Amount of Bonds or Notes:</u>	\$ 0.00
<u>Period or Average Period of Usefulness:</u>	N/A
<u>Amount of Down Payment:</u>	\$ 0.00
<u>Appropriation from Capital Improvement Fund:</u>	\$ 40,000

- (f) Purpose: Traffic signal design and upgrades at various locations in the Township, including all other work and materials necessary therefor and incidental thereto.

<u>Appropriation and Estimated Cost:</u>	\$ 150,000
<u>Maximum Amount of Bonds or Notes:</u>	\$ 142,500
<u>Period or Average Period of Usefulness:</u>	10 years
<u>Amount of Down Payment:</u>	\$ 7,500

- (g) Purpose: Various road improvements including, but not limited to, drainage construction, road resurfacing and the placement of pavement markers at various locations including, but not limited to, Lake Parsippany Phase V and VI, Mt. Tabor Road,

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Lower Vail Road, Lower Hiawatha Project, Dryden Way & Campus Dr, Intervale culverts, Sandalwood Drive, including all other work and materials necessary therefor and incidental thereto.

<u>Appropriation and Estimated Cost:</u>	\$ 3,150,000
<u>Maximum Amount of Bonds or Notes:</u>	\$ 2,816,750
<u>Period or Average Period of Usefulness:</u>	10 years
<u>Grant Money expected to be received:</u>	\$ 185,000
<u>Amount of Down Payment:</u>	\$ 148,250

- (h) Purpose: Acquisition of various equipment including, but not limited to, a Mini Excavator with a grading blade for the Township's Parks and Forestry Department and a John Deere front-end loader for the Township's Streets and Roads Department, and including all other work and materials necessary therefor and incidental thereto.

<u>Appropriation and Estimated Cost:</u>	\$ 263,000
<u>Maximum Amount of Bonds or Notes:</u>	\$ 249,850
<u>Period or Average Period of Usefulness:</u>	15 years
<u>Amount of Down Payment:</u>	\$ 13,150

- (i) Purpose: Various miscellaneous capital requirements, as per a list on file in the Office of the Clerk, including all other work and materials necessary therefor and incidental thereto.

<u>Appropriation and Estimated Cost:</u>	\$ 35,857
<u>Maximum Amount of Bonds or Notes:</u>	\$ 0.00
<u>Period or Average Period of Usefulness:</u>	N/A
<u>Amount of Down Payment:</u>	\$ 0.00
<u>Appropriation from Capital Improvement Fund:</u>	\$ 35,857

(j) The maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(k) The estimated cost of the several improvements or purposes is equal to the amount of the appropriation herein made therefore.

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Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time, at not less than 99% of par and accrued interest, at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget or temporary capital budget (as applicable) of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or amended temporary capital budget (as applicable) and capital program as approved by the Director of the Division of Local Government Services is on file with the Township Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The several improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are improvements or purposes the Township may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of the several improvements or purposes to be financed with bonds or notes, within the limitations of the Local Bond Law, computed on the basis of the respective amounts of obligations authorized for each improvement or purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 10.2631 years (representing a decrease of .0444 years).

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$5,061,402 (representing an increase of

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\$42,750 from the Prior Ordinance), and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$800,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the several improvements or purposes being financed with bonds or notes.

(e) The Township reasonably expects to commence acquisition of the projects described in Section 3 hereof, and to advance all or a portion of the costs in respect thereof, prior to the issuance of bonds or notes hereunder. To the extent such costs are advanced, the Township further reasonably expects to reimburse such expenditures from the proceeds of the bonds or notes authorized by this bond ordinance, in an aggregate not to exceed the amount of bonds or notes authorized in Section 2 hereof.

Section 7. Any grant moneys received for the purposes described in Section 3 hereof (other than those identified in Section 8 hereof) including the anticipated payment in the aggregate amount of \$45,000 (representing an increase of \$45,000 from the Prior Ordinance) to be received from the Parsippany Rescue and Recovery Unit, Inc., shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued shall be reduced to the extent that such funds are so used.

Section 8. As a portion of the total appropriation of \$5,588,709 (representing an increase of \$45,000 from the Prior Ordinance) made in Section 1 hereof, there is herein appropriated for the improvement or purpose described in Section 3(g) a Grant in the amount of \$185,000 to be received from the State of New Jersey, Department of Transportation.

Section 9. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Township is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance.

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The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This Ordinance amends Bond Ordinance 2006:08 of the Township finally adopted May 23, 2006. To the extent that any previous ordinance or resolution is inconsistent herewith or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section 12. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

**TOWNSHIP OF PARSIPPANY-TROY HILLS  
MORRIS COUNTY, NEW JERSEY  
ORDINANCE NO. 2007:54**

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 213, HOUSING AND PROPERTY MAINTENANCE, AND CHAPTER 214, HOUSING CERTIFICATES, OF THE CODE OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS**

**BE IT ORDAINED** by the Township Council of the Township of Parsippany-Troy Hills, in Morris County, State of New Jersey, as follows:

**SECTION 1.** Chapter 213, HOUSING AND PROPERTY MAINTENANCE, § 213-46, Landlord Amnesty Program, of the Code of the Township of Parsippany-Troy Hills, is hereby amended to delete Subparagraph D(1) in its entirety and replaced with the following:

**§ 213-46 Landlord Amnesty Program.**

D. Landlord Responsibility. A landlord who participates in the Landlord Amnesty Program will have the following responsibilities:

- (1) The landlord will provide the Housing Inspector with copies of any and all notices to abate issued to the occupants.

**SECTION 2.** Chapter 214, HOUSING CERTIFICATES, § 214-1, Housing Certificate required for residential rental property, of the Code of the Township of Parsippany-Troy Hills, is hereby amended to delete Subparagraph D.

**SECTION 3.** Chapter 214, HOUSING CERTIFICATES, § 214-2, Housing Certificate required for residential rental property, of the Code of the Township of Parsippany-Troy Hills, is hereby amended to delete Subparagraph C.

**SECTION 4.** Chapter 214, HOUSING CERTIFICATES, of the Code of the Township of Parsippany-Troy Hills, is hereby amended as follows:

**§ 214-4 Annual Certification of Compliance.**

A. Certificate of Compliance. Any owner, agent or person who rents or leases any residential rental building or dwelling unit subject to this Chapter shall, for each Property, submit to the Township by certified mail an Annual Certification Fee and three (3) notarized Certifications of Compliance containing the following, no later than January 15 of each year:

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- (1) For each dwelling unit rented or leased by such owner, agent or person during the prior year: (a) the address of the dwelling unit; (b) any change(s) in occupancy, indicated by move-in date; and (c) the issuance date appearing on the relevant Housing Certificate.
  - (2) A statement, signed by an individual authorized to make such certification, certifying as follows: I hereby certify that the contents of this Certification of Compliance are true, accurate and complete.
- B. Annual Certification Fee. For purposes of this Section, “Annual Certification Fee” means:
- (1) For a Property with seven (7) dwelling units or less, \$15.00.
  - (2) For a Property with greater than seven (7) dwelling units, but not in excess of twenty-four (24) dwelling units, \$25.00.
  - (3) For a Property with greater than twenty-four (24) dwelling units, but not in excess of forty-eight (48) dwelling units, \$50.00
  - (4) For a Property with greater than forty-eight (48) dwelling units, but not in excess of one hundred (100), \$75.00.
  - (5) For a Property with greater than one hundred (100) dwelling units, \$100.00.
- C. Property. For purposes of this Section, “Property” means a residential rental building or group of residential rental buildings, serving as a distinct rental unit or community, as the case may be, for purposes of doing business.
- D. Township Review. Within thirty (30) days of receiving the Annual Certification Fee and Certificate of Compliance conforming to the requirements of Subparagraph A, the Township shall return to such owner, agent or person a stamped original Certificate of Compliance, indicating compliance with the submission requirements of this Subchapter, failing which such owner, agent or person shall be deemed to have complied. The Township neither here nor upon return of the Certificate of Compliance certifies as the veracity of its contents nor waives its right to pursue remedies for other violations of this Chapter, the Housing and Property Maintenance, the Code of the Township of Parsippany-Troy Hills or other applicable law.

- E. Notice of Violation. Notice of Violation shall be served upon any owner, agent or person who fails to comply with Subparagraph A. Such notice shall (1) be in writing; (2) include a description of the real property affected; (3) specify the violation which exists; (4) specify a reasonable time not to exceed thirty (30) days, as extended by the Township for good cause shown, in which the violation shall be corrected; and (5) state the penalty for violation of this Section.

**SECTION 5.** If any section, paragraph, subsection, clause or provision of this Ordinance shall be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any part thereof.

**SECTION 6.** All ordinances or parts of ordinances of the Township of Parsippany heretofore adopted that are inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

**SECTION 7.** This ordinance shall take effect immediately upon its final passage, approval and publication as provided by law.