

## CONFERENCE MEETING JANUARY 24, 2006

Council President Agostini opened the Conference Portion of the Regular Meeting at 7:30 p.m. and noted 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 November 30, 2005 where it has remained posted since that date. A legal notice appeared in both the Daily Record and Star Ledger on December 7, 2005. Additionally, copies of this notice were forwarded by fax to other local newspapers and to local radio stations on November 30, 2005.

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

**OTHERS PRESENT:** R. Strechay, Business Administrator; M. Fabian, Esq., Representing the Office of the Township Attorney; J. Silver, Township Clerk

Prior to reviewing the agenda for the regular portion of the meeting, Mrs. Agostini confirmed that the Council Members received a memo from Ron Bauer, the Construction Official, regarding current Building Department concerns. This will be discussed at the next agenda meeting. Additionally, Council President Agostini reminded everyone about the special meeting scheduled for January 26, 2006 regarding the police communications tower. The Council President noted that Ms. Grossi will recuse herself from this meeting. The format of this special meeting was briefly discussed.

Ms. Grossi questioned the status of her request for a copy of Dr. Obropta's report (entitled "*Characterization and Assessment of the Regional Stormwater Management Planning Area for the Troy Brook Watershed*"). Ms. Grossi is to obtain a copy of the portion specific to DeCozen Dam from the Township Engineer.

Mr. Vigilante advised the Council that on February 14, 2006 and February 21, 2006 he will be deployed and will be participating at the meetings by telephone. Council President Agostini advised that she has information that phone conferences are really not considered to be "in attendance." She asked that the Township Attorney make sure this is legal. Mr. Vigilante commented that this matter was already brought before the Township Attorney. Mr. Cesaro aired on the side of Mr. Vigilante being present (via the telephone), noting that while clerking for a state judge, a lot of motions were argued and some parts of trials were done via telephone conference. Ms. Fabian will confirm the legality of attendance at meetings via the telephone at the next meeting.

Council President Agostini opened the regular portion of the meeting with a flag salute.

**NOTES:**

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| January 26, 2006 @ 7:00 p.m. | Special Meeting – Police Communications Tower<br>Public Invited - Public Participation |
| February 7, 2006 @ 7:30 p.m. | Agenda Meeting<br>Public Invited – Public Participation                                |

February 14, 2006 @ 7:30 p.m.

Regular Meeting - Commencing with the  
Conference Portion  
Public Invited - Public Participation

**BIDS TO BE TAKEN:**

- February 2, 2006 @ 11:00 a.m. Construction of Blender Covers at the Parsippany Wastewater Treat Plant
- February 9, 2006 @ 11:00 a.m. Reconstruction of Fanny Road

**Presentation of a Certificate of Recognition to Dave Stivers for Over 21 Years of Dedicated Service and Commitment to the Township’s Board of Adjustment**

The presentation was made by Council Vice-President Vigilante.

**ORDINANCE(S):**

**Second Readings**

**None**

**Public Hearing**

Council President Agostini opened the meeting to the public to speak on any topic, noting a five-minute time limit per speaker.

**Tom Wyka, 1 Bennett Court**, questioned the status of revamping the Parsippany website and if there is money in the budget to proceed this year. Council President Agostini indicated that the Council has discussed putting the minutes of its meetings on the website and the Township Clerk has agreed to accomplish this. Mr. Wyka suggested, in order to keep citizens involved, a “newsletter feature” so that if something is updated, an e-mail is generated advising individuals of the update. Mr. Wyka will call the Township’s IT person and suggest this. Council President Agostini confirmed that the website will be a budgetary item for consideration.

Additionally, Mr. Wyka advised that he noticed on NJN that Somerset County has a business group that helps municipalities look into shared services. He asked if there have been any efforts in connection with shared services between Parsippany and Morris County. Council President Agostini indicated that there will be a new business administrator; the Council will be discussing this with the Administration during the budgetary process. Mr. Vigilante pointed out the resolution being considered this evening regarding purchases of goods and services utilizing New Jersey Cooperative Purchasing Program and

Morris County Cooperative Pricing Council.

**Roy Messmer, 10 Drumlin Drive**, thanked Mr. Stivers for his service to the Board of Adjustment and his efforts on behalf of residents.

Mr. Messmer then told the Council that he has been researching the DeCotiis Law Firm, noting that he has numerous contacts in Bergen County. He stated his belief that the choice of DeCotiis (as Township Attorney) is because the New Jersey Democratic Party wants DeCotiis here; it's "payback." He indicated that he would provide information in the future regarding this firm and the work that they have performed in New Jersey.

Two weeks ago, Ms. Fabian, in response to Ms. Grossi's comment about the \$615,000 in legal fees, indicated that it was a year of a tremendous amount of tax appeals. Mr. Messmer stated that Ms. Fabian failed to mention the tremendous amount of lawsuits that occurred in that year also. He commented that it is hard to do an analysis of what the legal fees would be for 2006 if the tax appeals and the amount of lawsuits are taken out. Mr. Messmer asked if Ms. Fabian's firm handled all of the tax appeals and the lawsuits. Ms. Fabian responded that her firm handles the tax appeals and some lawsuits, noting that some lawsuits, such as police lawsuits, are assigned to counsel through the Township's insurance carrier. Mr. Messmer commented that what bothers him about the 100 million in tax appeals in Parsippany, that he read about in the newspapers, is how could the revaluation company been so incompetent. He noted that one hundred million dollars has been won by property owners. He doesn't understand why the revaluation company is not responsible to represent the Township at no charge since they are the ones who valued the property.

**Jim Harris, 29 Trinity Place**, suggested that money be spent to purchase a better sound system for the Council Chambers. He also recommended a podium. Regarding the lawsuits with the Police Department, Mr. Harris disagreed with a comment made by Mr. Vigilante, noting that it doesn't have anything to do with who represented the Township, but everything to do with the law.

**Sylvia Schuman, 18 Ferndale Drive**, indicated that she noticed blue and yellow flags on lawns in her neighborhood and asked what is being planned. It was suggested to Ms. Schuman that she contact the Engineering Division for an explanation.

Additionally, Ms. Schuman explained that last summer the Engineering Department finally pinpointed the problem relative to the flooding in the adjacent rear yards of several homes on Sandalwood and Ferndale Drive. An extra drain was added to what once was a swale, but the flooding worsened. The Council President directed the Township Clerk to add this matter to the agenda. Mr. dePierro noted that the Township Engineer just had a study done for Sandalwood. Mr. Strechay is to provide an update as to the status of this study.

**Steve Frankel, 1 Winding Way**, asked Ms. Grossi the reason why she is recusing herself from the police communications tower meeting. Ms. Grossi explained that she was president of the Hills of Troy Neighborhood Association and, as president, she was named in the original court papers.

Mr. Frankel indicated that he lives on the corner of Winding Way and Forest Drive. The people who use Forest Drive either live in the Intervale Heights Community or cut through Forest Drive for easy access to Route 287, Route 80 and sometimes, Route 46 from Mountain Lakes, Boonton and places

beyond. There is a 25 m.p.h. zone on Forest Drive and this speed limit is rarely observed. He noted that there are young children in the neighborhood. He indicated that he does not know who has jurisdiction over traffic abatement like speed humps. Forest Drive is six-tenth of a mile long and almost entirely straight. He has clocked drivers at 40 m.p.h. He asked what he can do to have speed humps installed on Forest Drive. He indicated that he spoke with representatives from the Police Department who indicated that they are against speed humps because it impedes their ability to speed in the event of an emergency. While he respects the Police and Fire Departments' need to get to places quickly, he does not buy that as an argument because other municipalities have speed humps and they too have emergencies. Surely, per Mr. Frankel, these municipalities have solved this issue. He asked how the Town Council can help him through this process. Council President Agostini advised that the Council is creating a Traffic Committee; Mr. Cesaro will be heading it and will be bringing his plan to the next agenda meeting for discussion. She invited Mr. Frankel to attend this meeting, noting that she is sure Mr. Cesaro will be looking for citizen representation to join him in this effort. Council President Agostini commented that this is not just a Forest Drive issue, it is a Parsippany issue. Mr. Vigilante noted the current ordinance that only allows speed humps on a road between two major routes or highways; only two roads fit this description, Brooklawn and Park Road. Mr. Frankel then asked how can this ordinance be changed. Mr. Vigilante advised that ordinances can be changed by the Council. Council President Agostini reiterated that this is a major concern of the Council and it intends to try to address it.

**Seeing no one else come forward to speak, Council President Agostini closed the public portion of the meeting.**

**CONSENT AGENDA:**

Mr. dePierro noted that all items listed with an asterisk (\*) are considered to be routine and noncontroversial 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. Mr. dePierro moved the approval of the consent agenda, seconded by Mr. Vigilante.

ROLL CALL: YES – Council Members Cesaro, dePierro, Grossi, Vigilante and Agostini

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**MINUTES FOR APPROVAL:**

\* Agenda Meeting of January 3, 2006

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**BID REJECTION(S):**

\* **Knoll West Pumping Station Repairs and Upgrades Project**

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**WHEREAS**, the Township of Parsippany-Troy Hills received bid proposals for Knoll West Pumping Station Repairs & Upgrades Project on January 12, 2006, and

**WHEREAS**, the Business Administrator, Director of Purchasing, Director of Municipal Utilities and Golf Superintendent have reviewed the bids and recommend the bids be rejected due to excessive cost.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Parsippany-Troy Hills that the bids for Knoll West Pumping Station Repairs & Upgrades Project be rejected.

\* **Jannarone Park Phase 2 New Baseball Field**

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**WHEREAS**, the Township of Parsippany-Troy Hills received bid proposals for Jannarone Park Phase 2 New Baseball Field on January 12, 2006, and

**WHEREAS**, the Business Administrator, Director of Purchasing and Superintendent of Parks & Forestry have reviewed the bids and recommend the bids be rejected due to excessive cost.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Parsippany-Troy Hills that the bids for Jannarone Park Phase 2 New Baseball Field be rejected.

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**BID AWARD(S):**

\* **Two New ¾ Ton Pick-Ups with Utility Bodies, One New 5/7 Cubic Yard Dump Body with Hoist Package, One New Gledhill Trip Edge Snow Plow, Two New Reversible Trip Edge Snow Plows and Heavy Duty Open Top Containers**

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**WHEREAS**, the Township of Parsippany-Troy Hills received bid proposals for Two New ¾ Ton Pick-ups with Utility Bodies, One New 5/7 Cubic Yard Dump Body with Hoist Package, One New Gledhill Trip Edge Snow Plow, Two New Power Reversible Trip Edge Snow Plows & Heavy Duty Open Top Containers on December 8, 2005, and

**WHEREAS**, the Business Administrator, Director of Purchasing, Director of Public Works and Water Superintendent have reviewed the bids and recommend that the bids be awarded to the lowest responsible bidders as follows:

Scerbo Buick Chevrolet Inc., 650 Myrtle Ave., Boonton, NJ 07005 for Item #1 (Two New ¾ Ton Pick-ups with Utility Bodies) for a Final Bid Price of \$55,687.00;

Cornell Equipment Co., 47 Dell Ave., Kenvil, NJ 07847 for Item #2 (One New 5/7 Cubic Yard Dump Body with Hoist Package) for a Bid Price of \$18,895.00;

Trius, Inc., 93 Stickles Pond Rd., Newton, NJ 07860 for Item #3 (One New Gledhill Trip Snow Plow) for a Bid Price of \$11,403.00 and Item #4 (Two New Power Reversible Trip Edge Snow Plows) for a Bid Price of \$14,660.00; and

Automated Waste Equipment Co., Inc., 3 Tennis Court, Trenton, NJ 08619 for Item #5A (20 Yard Open Top Container) for a Bid Price of \$3,720.00, Item #5B (25 Yard Open Top Container) for a Bid Price of \$3,840.00, Item #5C (30 Yard Open Top Container) for a Bid Price of \$4,075.00 and Item #5D (40 Yard Open Top Container) for a Bid Price of \$4,805.00, and

**WHEREAS**, the Chief Financial Officer of the Township of Parsippany-Troy Hills has certified to the availability of funds in the following:

2005 Budget/Water O/E

and

2006 Temporary Budget/Public Works and Sanitation O/E.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Parsippany-Troy Hills that the bids for Two New ¾ Ton Pick-ups with Utility Bodies, One New 5/7 Cubic Yard Dump Body with Hoist Package, One New Gledhill Trip Edge Snow Plow, Two New Power Reversible Trip Edge Snow Plows & Heavy Duty Open Top Containers be awarded as stated above in accordance with the terms and conditions contained in the advertising specifications and that the Mayor and Township Clerk are authorized to execute the contracts.

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**RESOLUTIONS:**

- \* **Regarding Purchases of Goods and Services Utilizing N.J. Cooperative Purchasing Program and Morris County Cooperative Pricing Council**

**WHEREAS**, the Township of Parsippany-Troy Hills purchases goods and services under the cooperative purchasing contracts utilizing New Jersey Cooperative Purchasing Program and Morris County Cooperative Pricing Council contracts, and

**WHEREAS**, the Local Public Contracts Law requires a resolution authorizing purchases that exceed an expenditure of \$17,500.00 per year for the aggregate cost of similar and like items.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Parsippany-Troy Hills, County of Morris, that it hereby awards contracts to the vendors listed on a schedule, a copy of which is on file in the office of the Township Clerk, and in accordance with the New Jersey Cooperative Purchasing Program and Morris County Cooperative Pricing Council contracts on file in the Purchasing Director's office.

**STATE CONTRACTS**

<b><u>VENDOR</u></b>	<b><u>CONTRACT</u></b>	<b><u>NUMBER</u></b>
Allied Office Supplies	Office Supplies	59768
American Hose & Hydraulic Co.	Equipment, Parts & Repairs	40945
Archonix Systems	Computer Equipment	81204
Atlantic Salt	Rock Salt	60446
BCI Burke Co.	Park & Playground Equipment	59065
Ben Schaeffer Inc.	Park & Playground Equipment	59054
Dell Marketing	Computer Equipment	81247
Dover Brake & Clutch	Equipment, Parts & Repairs	57828
Fire Fighters Equipment	Rescue Equipment	86712
Fisher Scientific	Laboratory Supplies	62165
General Office Environments	Furniture	57606
Hertrich Fleet Service	Motor Vehicles	53136
J.W. Pierson Co.	Diesel Fuel	41872
Jet Vac	Equipment, Parts & Repairs	41382
Johnston Communications	Telephone Equipment & Repairs	42287
McCarthy Tire Service	Tires	61418
Mid Atlantic Park & Playground	Playground Equipment	59050
Mobile Vision Inc.	Police Equipment	44254

Monarch Electric	Electrical Supplies	51808
Motorola Inc.	Radio Equipment	53804

**STATE CONTRACTS**

<b><u>VENDOR</u></b>	<b><u>CONTRACT</u></b>	<b><u>NUMBER</u></b>
National Auto Parts	Auto Parts	57836
National Terminal Inc.	Fuel Oil	41992
On Site Fleet Service	Heavy Duty Repair Services	56247
Orange Carpet	Carpeting	84597
Papermart	Xerox Paper	61056
Plainsman Auto	Auto Parts	57827
Princeton Nassau Ford	Trucks	64080
Ray's Sport Shop Inc.	Police Equipment	60531
Royal Communication	Radio Equipment	54832
Seely Equipment	Snow Plow Parts	636447
Service Tire Truck Center	Tires	61419
Stone Industries	Broken Stone	58125
Storr Tractor	Grounds Maintenance Equip.	47713
Transaxl Corp.	Equipment, Parts & Repairs	40922
Trico	Lawn & Grounds Equipment	58303
Trius	Equipment, Parts & Repairs	41029
Warnock	Motor Vehicles	52986
Weldon Asphalt	Road Material	58127
Wilfred Mac Donald	Grounds Maintenance Equipment	47712
Xerox Corporation	Photocopy Equipment	64042

**COUNTY CONTRACTS**

<b><u>VENDOR</u></b>	<b><u>CONTRACT</u></b>	<b><u>NUMBER</u></b>
Allied Oil	Gasoline	1
International Salt Co.	Rock Salt	3

Van Orden Sand & Gravel	Snow Grits	4
Tilcon New York, Inc.	Paving Materials	5
Tilcon New York, Inc.	Road Resurfacing	6
Kennedy Culvert & Supply	Drainage Pipe	7
Brent Materials	Drainage Pipe	7
S. Cerbo & Sons, Inc.	Lumber & Hardware Supplies	10
Fire Fighters Equipment Co.	Fire Equipment Services	13
Campbell Foundry Co.	Catch Basins & Manholes	14
Warnock	Vehicles	15
Universal Uniforms	Uniforms	23
Garden State Hwy. Products	Sign Materials	28
Denville Line Painting	Traffic Striping	36
Wally Spergel, Inc.	Traffic Signal Repairs	37
Warner Communications	Communication Maintenance	38
Royal Communications	Communications Equipment	41
Warner Communications	Communication Equipment	41
SLC Meter East	Water Meters	47
Storr Tractor	Equipment Parts	48

\* **Designating an Employee to Serve as Public Agency Compliance Officer (P.A.C.O.) for Matters Concerning P.L. 1975 C.127 (NJAC 17:27) as Regulated by the State Affirmative Action Office**

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**WHEREAS**, the Township of Parsippany-Troy Hills must designate an employee to serve as Public Agency Compliance Officer (P.A.C.O.) for matters concerning P.L. 1975, c. 127 (NJAC 17:27).

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Parsippany-Troy Hills that Michael Hardie is designated to serve on behalf of the Township of Parsippany-Troy Hills as Public Agency Compliance Officer (P.A.C.O.) and will act as the official liaison for matters concerning P.L. 1975 c. 127 (NJAC 17:27).

\* **Authorizing Change Order – Fascia and Soffit at Knoll East Country Club**

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**WHEREAS**, a change order is necessary to the contract for the roof replacement at the Water Department Office Building and the Knoll Country Club East with Elite Roofing & Maintenance, Inc. resulting in an increase in contract price in the amount of \$11,300.00; and

**WHEREAS**, Louis R. Slaby Engineering Associates, Inc. the consulting engineers for this project, have recommended the changes as outlined in Change Order #1 in order to cover the fascia and soffits along the periphery of the roof at the Knoll Country Club East in order to reduce maintenance, protect the building and enhance the appearance of the building. This work was not included in the original bid specifications due to cost considerations but can now be performed within the amount set aside for the project due to the favorable bid price received.

**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 an increase in the amount of \$11,300.00 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.

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**APPLICATIONS:**

\* **Bingos & Raffles**

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|---------------------------|--------------------------|
| Raffle – On Premise 50/50 | Delbarton Mother’s Guild |
| Raffle – Penny Auction    | PTA Eastlake School      |
| Raffle – On Premise 50/50 | PTA Eastlake School      |
| Raffle – Penny Auction    | PTA Troy Hills           |
| Raffle – On Premise 50/50 | PTA Troy Hills           |
| Raffle – On Premise 50/50 | HSA Queen of Peace       |
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Mr. Vigilante made a motion to adjourn the meeting, seconded by Mr. dePierro:

ROLL CALL: YES – Council Members Cesaro, dePierro, Grossi, Vigilante and Agostini

The meeting adjourned at 8:10 p.m.

Respectfully submitted,

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Judith I. Silver,  
Township Clerk

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Rosemarie C. Agostini, Council President

Minutes approved February 28, 2006

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