

**CONFERENCE MEETING
FEBRUARY 14, 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 (via telephonic communication equipment due to his commitment in the Air Force Reserve), and Agostini

OTHERS PRESENT: J. Lim, Business Administrator; A. DeCotiis, Esq., and J. Verrone, Township Attorneys; J. Silver, Township Clerk

Council Members reviewed the agenda for the meeting.

Council President Agostini asked Ms. Lim to clarify which Mt. Tabor roads have been taken over by the Township and which remain private. She commented that the Public Works Department did a fine job removing snow in Mt. Tabor.

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

NOTES:

February 21, 2006 @ 7:30 p.m.	Agenda Meeting Public Invited – Public Participation
February 28, 2006 @ 7:30 p.m.	Regular Meeting - Commencing with the Conference Portion Public Invited - Public Participation

BIDS TO BE TAKEN:

March 2, 2006 @ 11:00 a.m.	New Irrigation Pump System for the Knoll West Golf Course
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ORDINANCE(S):

Second Readings

Ordinance #2006:01

Amending Chapter 385, Towing of the Township Code

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

BE IT RESOLVED that an Ordinance entitled, “AN ORDINANCE OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, MORRIS COUNTY, NEW JERSEY, TO AMEND THE TOWNSHIP CODE, CHAPTER 385 ENTITLED “TOWING,” be read in title only on second reading and a hearing held thereon.

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

Council President Agostini opened the meeting to the public on this ordinance only. Seeing no one wishing to speak, he closed the public hearing.

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

WHEREAS, the above ordinance was read in title on second reading and a 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, Vigilante and Agostini

Public Hearing

Council President Agostini opened the meeting to the public to speak on any topic.

Betty Wyka, 1 Bennett Court, commented that she has been concerned about rising heating costs for her home and has looked into solar energy. She indicated that the Bayonne School System is installing an entire solar energy system. While there is an initial cost, this system will ultimately will run the grid backwards and feed energy into the local grid as well as credit money to the bill as opposed to costing money. She noted that the rooftops of the schools will be feeding the air-conditioners in the neighborhood all summer long. Ms. Wyka thought maybe this would be something worth looking into. Mr. Cesaro asked if studies have been done comparing two schools of comparable size and student population. Ms. Wyka explained that studies have been done mostly for the commercial side, noting this is an emergent technology. It was suggested to Ms. Wyka to make a presentation to the School Board.

Bernie Schagen, Mt. Tabor, advised that the parking situation in Mt. Tabor has gotten worse since the snowstorm. The lack of parking is causing a quality of life issue. Something needs to be done. He

asked the Council to take action to resolve the problem. He indicated that his house, if things continue as is, is worth zero due to the lack of parking. Additionally, Mr. Schagen stated that there are streets that have not been taken over by the Township. He questioned why. All of the streets, per Mr. Schagen, should be taken over by the Township instead of the Association (Camp Meeting) picking and choosing. He asked the Council to please change the ordinance so residents can at least park on the streets where parking is available. Council President Agostini asked Ms. Lim to review the parking situation. She also asked Mr. DeCotiis to review the ordinance, noting that this is a critical issue for the Mt. Tabor residents.

Pat Petaccia, 182 Hawkins Avenue, noted that Vuolo (Outback) did not have the chain up at all this weekend. Council President Agostini indicated to Ms. Lim that this has been an ongoing problem. She asked that a summons be issued. Ms. Petaccia indicated that the Zoning Office is pursuing the issuance of a summons.

Melinda Cooper, 21 Wesley Place, commented that Mt. Tabor residents are still concerned about the parking problem. She also confirmed that the Township did an excellent job plowing the roads in Mt. Tabor.

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

CONSENT AGENDA:

Ms. Grossi 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. Ms. Grossi moved the approval of the consent agenda, seconded by Mr. dePierro.

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

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MINUTES FOR APPROVAL:

* Organization Meeting of January 3, 2006

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BID REJECTION(S):

* **Bunker Restoration Project at the Knoll West Golf Course**

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WHEREAS, the Township of Parsippany-Troy Hills received bid proposals for Bunker Restoration Project at the Knoll West Golf Course-Rebid on January 19, 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 Bunker Restoration Project at the Knoll West Golf Course-Rebid be rejected.

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BID AWARD(S):

* **Records Management Needs Assessment & Strategic Plan, Phase 1 – PARIS Grant**

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WHEREAS, the Township of Parsippany-Troy Hills received a RFP for Records Management Needs Assessment and Strategic Plan Phase 1-Paris Grant on December 22, 2005, and

WHEREAS, the Business Administrator, Director of Purchasing and Township Clerk have reviewed the RFP and recommend that the RFP be awarded to Eisenberg Associates, Inc., 6 Cliff Drive, Andover, NJ 07821, for a Total Project Cost of \$38,610.00, and

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

“2006 Temporary Budget-Public Buildings O/E.”

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Parsippany-Troy Hills that the RFP for Records Management Needs Assessment and Strategic Plan Phase 1-Paris Grant 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 contract contingent upon receipt of the Paris Grant.

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RESOLUTIONS:

* **Granting Exempt Fireman Certificate to Brian Dohm of the Lake Hiawatha Fire Department District No. 4**

WHEREAS, Brian Dohm, a member of the Lake Hiawatha Volunteer Fire Dept., District No. 4, has met certain requirements pursuant to N.J.S.A. 40A:14-56, which include having performed during a period of seven years, 60% of fire duty, in each year respectively.

NOW, THEREFORE, BE IT RESOLVED that **Brian Dohm** be granted a Certificate of Exemption pursuant to the aforementioned statute.

* **Authorizing Settlement of an Amount Due to Novell, Inc.**

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WHEREAS, the Township entered into a Master License Agreement with Novell, Inc. dated August 12, 1998 to purchase 190 Server Concurrent licenses of Netware (the "Agreement"); and

WHEREAS, pursuant to such Agreement, Novell is permitted to audit the Township's use of Novell's NetWare product, and therefore in 2004, Novell audited the Township's use of NetWare and compliance with the Agreement; and

WHEREAS, Novell's audit reflects that the Township owes to Novell \$16,500 in overdue maintenance fees that were not paid, covering the period through September 30, 2005, and the Township disputes this amount; and

WHEREAS, because the parties disagree as to the amount due pursuant to the Agreement and the audit, the Township Attorney and the Business Administrator have recommended a settlement of this matter; and

WHEREAS, the Council finds that it is in the best interest of the Township to settle this matter at this time.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Parsippany-Troy Hills that it hereby approves the payment of \$10,000 to Novell, Inc. in full settlement of all claims arising from this audit, approves the Settlement and Release Agreement between the parties as on file in the office of the Township Clerk, and authorizes the Mayor and Township Attorney to take all steps necessary to effectuate the settlement on behalf of the Township.

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APPLICATIONS:

* **Bingos & Raffles**

Raffle – On Premise 50/50

PTA Mount Tabor

ORDINANCE(S):

- **Introduction(s):**

2006:02

Establishing Fire Zones at Arya International, Route 46 East, Block 726, Lot 1
(Attachment #1)

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

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 February 14, 2006 and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on March 14, 2006 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, Vigilante and Agostini

MINUTES FOR APPROVAL

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Mr. Vigilante moved the approval of the minutes of the Regular Meeting of December 20, 2005 (Present Agostini, dePierro and Vigilante), seconded by Council President Agostini.

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

Mr. Vigilante moved the approval of the minutes of the Agenda Meeting of January 17, 2006 (Absent dePierro), seconded by Council President Agostini.

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

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

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

The meeting adjourned at 7:50 p.m.

Respectfully submitted,

Judith I. Silver,
Township Clerk

Rosemarie C. Agostini, Council President

Minutes approved February 28, 2006

ORDINANCE #2006:02

AN ORDINANCE AMENDING SECTION 285-4, SCHEDULE A, NO PARKING FIRE ZONES, OF ARTICLE I, OF CHAPTER 285, PARKING, OF THE CODE OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS TO ESTABLISH FIRE ZONES AND REGULATE PARKING AT:

Arya International, Route 46 East, Block 726, Lot 1

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

SECTION 1. Section 285-4, Schedule A, No Parking Fire Zones, is hereby amended to include:

Arya International, Route 46 East, Block 726, Lot 1

SECTION 2. In connection with the above listed property (or properties), there shall be **No Parking in the Fire Zones** as outlined by cross-hatching on map(s) on file in the Office of the Township Clerk.

SECTION 3. Pavement markings and signage, as hereinafter described, shall be installed by the owner of each property listed in Section 1 within 30 days from the effective date of this ordinance.

- a) pavement marking: all curbs within the designated fire zone shall be painted yellow except when Belgian block curbing is utilized, then a 4 inch solid - line, 1 foot from the base of the curb shall be painted.
- b) signage: "no parking-any time" signs as deemed appropriate by the District Fire Chief shall be installed as indicated on the above referenced map(s). All signs shall be of uniform size and height being not less than 7 feet from the ground to the sign. All signs shall be in accordance with the Manual on Uniform Traffic Control.

SECTION 4. For violation of any provision of this ordinance, the penalty, upon conviction, shall be as set forth in Chapter 1, Section 1-17 of the Code of the Township of Parsippany- Troy Hills.

SECTION 5. For failure to install the required signs and lines as detailed in this ordinance, the owner of each property listed in Section 1 shall be subject to penalty and/or arrest as provided for in New Jersey Uniform Fire Code, N.J.A.C. 5:70-2.12.

SECTION 6. This ordinance shall take effect upon final passage, approval and publication as required by law.

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