

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

March 25, 2008

Council President Cesaro 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 December 19, 2007 where it has remained posted since that date. A legal notice appeared in both the Daily Record and the Star Ledger on December 11, 2007. This notice was forwarded by fax to other local newspapers and local radio stations on December 4, 2007.

PRESENT: Council Members Barberio, dePierro, Fox, Grossi, and Cesaro

OTHERS PRESENT: J. Lim, Business Administrator; J. Verrone, Esq., Township Attorney;
J. Silver, Township Clerk

NOTES:

4/22/08 @ 7:30 p.m.	Agenda Meeting Public Invited – Public Participation
4/29/08 @ 7:00 p.m	Special Meeting - (2008 Budget) Public Invited – Public Participation
4/29/08@ 7:30 p.m.	Regular Meeting Public Invited – Public Participation

BIDS TO BE TAKEN

4/3/08 @ 11:00 a.m.	Insulation Installation for Steelmaster Building at the Wastewater Treatment Plant
---------------------	---

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

4/3/08 @ 10:00 a.m.	Fireworks Display Services
---------------------	----------------------------

REGULAR TOWNSHIP COUNCIL MEETING MARCH 25, 2008

A motion was made by Council President Cesaro to appoint Karen Blunt as a member of the Traffic Advisory Committee to fill an unexpired term ending December 31, 2008, seconded by Mr. Barberio.

ROLL CALL: YES – Council Members Barberio, dePierro, Fox, Grossi and Cesaro

PRESENTATION Michael Melham, representing AlphaDog Solutions, advised that his company specializes in municipal technology, offering several products, one of which is **GovGram**. He explained that **GovGram** is different than most reverse 911 programs. It is more of a community notification system which utilizes three (3) different technologies to notify residents – emails, text messages and voicemail broadcasts. He indicated that the set-up cost to Parsippany would probably be in the range of \$10,000, which is a one-time fee, plus a monthly maintenance of fee of about \$1,000. After year one, the cost would be about \$12,000 per year. This cost would increase somewhat if the Board of Education is merged into the system. Mr. Melham responded to questions posed by Ms. Lim and Council Members. Council President Cesaro suggested to Mr. Melham that he discuss **GovGram** with the Chief of Police and Parsippany’s Emergency Management Coordinator.

Council Members reviewed the agenda for the meeting.

ORDINANCE(S):
Second Reading(s) and Public Hearing(s)

Ordinance #2008:02

**AN ORDINANCE AMENDING
ORDINANCE #2005:21 ENTITLED AN
ORDINANCE ESTABLISHING
HOURLY WAGE RANGES FOR BLUE
COLLAR SUPERVISOR EMPLOYEES
OF THE TOWNSHIP OF
PARSIPPANY-TROY HILLS**

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

BE IT RESOLVED that an Ordinance entitled, “**AN ORDINANCE AMENDING ORDINANCE #2005:21 ENTITLED AN ORDINANCE ESTABLISHING HOURLY WAGE RANGES FOR BLUE COLLAR SUPERVISOR EMPLOYEES OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS**” be read in title only on second reading and a hearing held thereon.

REGULAR TOWNSHIP COUNCIL MEETING MARCH 25, 2008

ROLL CALL: YES – Council Members Barberio, dePierro, Fox, Grossi and Cesaro

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

Seeing no one come forward to speak, Council President Cesaro closed the public hearing on Ordinance No. 2008:02.

The following resolution was offered by Mr. Barberio, 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 Barberio, dePierro, Fox, Grossi and Cesaro

Ordinance #2008:03

AN ORDINANCE OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS IN THE COUNTY OF MORRIS, NEW JERSEY, TO ACQUIRE A PERMANENT WATERLINE UTILITY EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT OVER A PORTION OF PROPERTY KNOWN AS BLOCK 26, LOT 12 ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, MORRIS COUNTY, NEW JERSEY (THE “SUBJECT PROPERTY”), TO INSTALL, MAINTAIN AND REPAIR A 16-INCH TRANSMISSION WATER MAIN AND APPURTENANCES AND TO ACQUIRE AN ADDITIONAL PERMANENT WATERLINE UTILITY EASEMENT OVER A PORTION OF THE SUBJECT PROPERTY IN ORDER TO MAINTAIN AND REPAIR THE EXISTING WATER MAINS AND HYDRANTS IN THE BROOKSTONE DEVELOPMENT

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

REGULAR TOWNSHIP COUNCIL MEETING MARCH 25, 2008

BE IT RESOLVED that an Ordinance entitled, “**AN ORDINANCE OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS IN THE COUNTY OF MORRIS, NEW JERSEY, TO ACQUIRE A PERMANENT WATERLINE UTILITY EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT OVER A PORTION OF PROPERTY KNOWN AS BLOCK 26, LOT 12 ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, MORRIS COUNTY, NEW JERSEY (THE “SUBJECT PROPERTY”), TO INSTALL, MAINTAIN AND REPAIR A 16-INCH TRANSMISSION WATER MAIN AND APPURTENANCES AND TO ACQUIRE AN ADDITIONAL PERMANENT WATERLINE UTILITY EASEMENT OVER A PORTION OF THE SUBJECT PROPERTY IN ORDER TO MAINTAIN AND REPAIR THE EXISTING WATER MAINS AND HYDRANTS IN THE BROOKSTONE DEVELOPMENT**” be read in title only on second reading and a hearing held thereon.

ROLL CALL: YES – Council Members Barberio, dePierro, Fox, Grossi and Cesaro

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

Seeing no one come forward to speak, Council President Cesaro closed the public hearing on Ordinance No. 2008:03.

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

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 Barberio, dePierro, Fox, Grossi and Cesaro

REGULAR TOWNSHIP COUNCIL MEETING MARCH 25, 2008

Ordinance No. 2008:04

**AN ORDINANCE AMENDING
CHAPTER 405, VEHICLES AND
TRAFFIC, SECTION 14,
PARKING PROHIBITED AT
ALL TIMES ON CERTAIN
STREETS, OF THE CODE OF
THE TOWNSHIP OF
PARSIPPANY-TROY HILLS,
MORRIS COUNTY,
NEW JERSEY**

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

BE IT RESOLVED that an Ordinance entitled, “**AN ORDINANCE AMENDING CHAPTER 405, VEHICLES AND TRAFFIC, SECTION 14, PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS, OF THE CODE OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, MORRIS COUNTY, NEW JERSEY**” (INCLUDING CHANGES TO MOUNT TABOR PARKING REGULATIONS) be read in title only on second reading and a hearing held thereon.

ROLL CALL: YES – Council Members Barberio, dePierro, Fox, Grossi and Cesaro

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

Seeing no one come forward to speak, Council President Cesaro closed the public hearing on Ordinance No. 2008:04.

The following resolution was offered by Mr. Fox, 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 Barberio, dePierro, Fox, Grossi and Cesaro

REGULAR TOWNSHIP COUNCIL MEETING MARCH 25, 2008

Ordinance #2008:05

**AN ORDINANCE AMENDING
ORDINANCE #2005:22 ENTITLED AN
ORDINANCE ESTABLISHING
HOURLY WAGE RANGES FOR BLUE
COLLAR EMPLOYEES OF THE
TOWNSHIP OF PARSIPPANY-TROY
HILLS**

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

BE IT RESOLVED that an Ordinance entitled, “**AN ORDINANCE AMENDING ORDINANCE #2005:22 ENTITLED AN ORDINANCE ESTABLISHING HOURLY WAGE RANGES FOR BLUE COLLAR EMPLOYEES 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 Barberio, dePierro, Fox, Grossi and Cesaro

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

Sam Poff, 24 Lake Stockholm Terrace, Lake Stockholm, President of Local 3028, thanked Ms. Lim for the ordinance amendment.

Seeing no one else come forward to speak, Council President Cesaro closed the public hearing on Ordinance No. 2008:05.

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

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 Barberio, dePierro, Fox, Grossi and Cesaro

PUBLIC HEARING:

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

REGULAR TOWNSHIP COUNCIL MEETING MARCH 25, 2008

Roy Messmer, 10 Drumlin Drive, in connection with the annual budget, questioned if Township employees fill out time sheets so that their salaries can be properly distributed to the three (3) utilities. He stated, regarding the \$650,000 “health insurance accrual shortfall,” that moneys were taken from departmental budgets which, in his opinion, resulted in either decreased town services or points to the fact that there was “fat” in the budget. Further, Mr. Messmer requested answers to his March 20, 2008 memo and questioned why the Library Board did not present its budget to the Council this year. Regarding the Montefusco situation, he wondered why a certain developer got preferential treatment from the Planning Board, noting that John Montefusco, Sr. was not a voting member. He questioned how this could have happened and indicated his feeling that there should be a code of conduct prepared by an independent party. In closing his remarks, Mr. Messmer noted that the Council met more in previous years. He felt that the schedule should be reviewed and the number of meetings increased.

Mr. Fox pointed out that planning boards and similar bodies rely upon their attorneys for advice; most of the time the advice given is followed. He told Mr. Messmer that he doesn't think the present Planning Board could be faulted for accepting the advice of its counsel. Mr. dePierro explained that the Planning Board Attorney does not recommend voting for or against any application. His job, specifically, is to explain the Land Use Laws and make sure all votes are within the law.

Paul Breslauer, 8 Deerfield Road, indicated that last week Mr. Fox posed a question about the Township's Drug and Alcohol Policy. He doesn't remember the exact question, but wondered if Ms. Lim had an answer. Ms. Lim explained that the question dealt with the policy for the Police Department and noted that a response was provided. Mr. Fox advised that he received copies of the Attorney General guidelines and it appears that the Police Department is in compliance. At the request of Mr. Breslauer, the Council explained statements made during the budgetary health insurance presentation.

Jerry Manning, Rainbow Lakes, presented two issues. The first, is a parking problem on Oakdale Road with people parking on the little rise which makes it dangerous if you are traveling east off of Fox Hill Road. He also pointed out that vehicles are parked on the mini park property. Additionally, there is a serious parking problem on Upper Rainbow Trail. Too many cars are parking in the roadway; an emergency vehicle cannot get down the street. The second issue involves a “knock-down, build-up” house at 10 Rainbow. What has been dug up from the construction of the foundation is lying on the bank of the lake. Mr. Manning expressed concern that the “pile of dirt” will wind up in the lake. He questioned who is responsible for monitoring this situation. Mr. Manning also indicated that it appears to him that the owner has infringed on the setback from the lake. Ms. Lim, in terms of the piling of the dirt, indicated that she would ask the Township Engineer to investigate. In terms of encroachment on the rear property line, Ms. Lim advised that she would refer this matter to Ms. Collins (Director, Planning, Zoning and Construction Inspections). Additionally, she is to refer the traffic concerns to the Police Department for review.

REGULAR TOWNSHIP COUNCIL MEETING MARCH 25, 2008

Sam Poff, 24 Lake Stockholm Terrace, Lake Stockholm, President, Local 3028, noted the issue he brought up at the last meeting regarding the Drug Testing Policy. He advised that the Union will not tolerate the “prosecutorial mentality” of the Mayor. He explained that the Mayor has implemented discipline that goes beyond tending to correct a problem or an infraction. Discipline is not intended, per Mr. Poff, to financially hurt an employee and his family.

John Chen, 11 Adam Drive, expressed concern about Parsippany’s high school ranking, noting every year property taxes increase, with a majority of the tax supporting the school system. Somehow or somewhere, things must be changed to make the school system better. He noted examples where taxpayers’ money could be better spent.

Dawn Catanzaro, 86 Morris Avenue, questioned if Mr. Melham (AlphaDog Solutions) requested to make the presentation or whether the Township is looking for a system of this type. She advised that there are other systems within the County, one of which is used by the Morris School District where she teaches. She suggested that the Township consider other companies as well.

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

CONSENT AGENDA:

Council President Cesaro 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.

Council President Cesaro moved the approval of the Consent Agenda, seconded by Mr. dePierro:

ROLL CALL: YES – Council Members Barberio, dePierro, Fox, Grossi, and Cesaro

MINUTES FOR APPROVAL:

* Regular Meeting of 2/26/08

REGULAR TOWNSHIP COUNCIL MEETING MARCH 25, 2008

BID REJECTION(S):

None

BID AWARD(S):

* **Reconstruction of Norman Avenue and Wilbur Avenue**

WHEREAS, the Township of Parsippany-Troy Hills received bid proposals for Reconstruction of Norman Avenue and Wilbur Avenue on February 21, 2008, and

WHEREAS, the Business Administrator, Director of Purchasing and Township Engineer have reviewed the bids and recommend that the bid be awarded to the lowest responsible bidder, Crossroad Construction Corporation, 312 Emmet Street, Newark, NJ 07114 for a Total Bid Price of \$690,464.95, and

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

Current Capital Ordinance # 2005:07 adopted May 10, 2005 and
2006:08 adopted May 23, 2006, both entitled,
“Various Improvements.”

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Parsippany-Troy Hills that the bid for Reconstruction of Norman Avenue and Wilbur Avenue 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.

* **One New 2008 Dump Truck for the Wastewater Treatment Plant**

WHEREAS, the Township of Parsippany-Troy Hills received a bid proposal for One New Dump Truck for the Wastewater Treatment Plant on March 13, 2008, and

WHEREAS, the Business Administrator, Director of Purchasing and Assistant Sewer Superintendent have reviewed the bid and recommend that the bid be awarded to the lowest responsible bidder, Beyer Bros. Corp., 109 Broad Avenue, Fairview, NJ 07022 for a Total Bid Price of \$74,650.00, and

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

Sewer Capital Ordinance # 2007:20 adopted July 24, 2007 entitled,

REGULAR TOWNSHIP COUNCIL MEETING MARCH 25, 2008

“Various Improvements.”

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Parsippany-Troy Hills that the bid for One New Dump Truck for the Wastewater Treatment Plant 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.

RESOLUTION(S):

*** In Support of the Passage of S-164 and A-1703 Which Were Pre-Filed for Introduction in the 2008 Session Authorizing the Imposition of Additional Fines for Overcrowding**

WHEREAS, the Township of Parsippany - Troy Hills has enacted its own Ordinance to combat violations of illegal occupancy resulting in overcrowding; and

WHEREAS, it is in the Township’s best interests to support the adoption of laws that strengthen the enforcement capabilities of local zoning or housing code violations for illegal occupancy resulting in overcrowding of certain dwelling units within the Township; and

WHEREAS, the Township recognizes that overcrowding of certain residential units jeopardizes the health, safety and welfare of its residents, first responders and the general population; and

WHEREAS, the Township supports stronger laws to combat overcrowding including but not limited to the imposition of additional fines and other remedies for overcrowding.

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

(1) That the Township urges the Senate to fully adopt Senate Bill No.164 sponsored by Senator Anthony R. Bucco, District 25 (Morris) and Senator Nia H. Gill, District 34 (Essex and Passaic), and co-sponsored by Senators Singer, Scutari, Ciesla, Kyrillos, Girgenti, Sweeney, Lesniak, Sarlo and Allen.

(2) That the Township urges the Assembly to fully adopt Assembly Bill No. 1703 sponsored by Assemblyman Eric Munoz, District 21 (Essex, Morris, Somerset and Union) and co-sponsored by Assemblyman Prieto.

(3) That certified copies of this resolution be forwarded to the Senate and the Assembly.

REGULAR TOWNSHIP COUNCIL MEETING MARCH 25, 2008

* **Council Confirmation of Mayor's Appointments to Municipal Alliance Committee**

BE IT RESOLVED by the Township Council of the Township of Parsippany-Troy Hills, in the County of Morris, and State of New Jersey, that it does hereby advise and consent to the following reappointments made by Mayor Michael M. Luther as members of the **Municipal Alliance Committee** for terms ending December 31, 2008:

**Carole Adamsbaum
Dave Bahn
Sandra Neglia
Hank Pomerantz
Robert Peluso**

BE IT FURTHER RESOLVED by the Township Council of the Township of Parsippany-Troy Hills that it does hereby advise and consent to the following appointments made by Mayor Michael M. Luther as members of the **Municipal Alliance Committee** for terms ending December 31, 2008:

**Alan Gordon
Diane Likman
Betty Wyka**

* **Appointing Animal Cruelty Investigator**

WHEREAS, N.J.S.A. 4:19-15.16C, 4:22 Article 2, Section C and 4:22 Article 3, Section D provide that trained and designated Animal Cruelty Investigators may enforce all laws enacted to protect animals; investigate and sign complaints for any animal control, animal welfare or animal cruelty violation; and detect, apprehend and arrest offenders of the animal welfare statutes; and

WHEREAS, Animal Control Officer, Christopher Dikovics, is a trained Animal Cruelty Investigator.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Parsippany-Troy Hills that Animal Control Officer, Christopher Dikovics, is hereby appointed as an Animal Cruelty Investigator for the Township of Parsippany-Troy Hills.

REGULAR TOWNSHIP COUNCIL MEETING MARCH 25, 2008

* **Approving the Municipal Condominium Agreements**

WHEREAS, pursuant to N.J.S.A. 40:67-23.2, municipalities are required to enter into agreements with Qualified Communities for the providing of municipal services or the reimbursement of the same; and

WHEREAS, the Administration has negotiated with the following condominium associations for reimbursement of municipal services over a ten (10) year period commencing on January 1, 2008, and which Agreements have been submitted to and reviewed by the Township Council:

Par-Troy Condominium Association
Brookstone/Parsippany Homeowners Association
Cambridge Village Board of Trustees
Cedarbrook Condominium Association
Jaime Estates Condominium Association
Mountain Club Condominium Association
Lincoln Gardens Condominium Association
Manor I Condominium Association
Manor II Condominium Association
Sterling Mist Condominium Association

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Parsippany-Troy Hills that it does hereby authorize the Mayor and Township Clerk to execute the agreements between the above noted condominium associations and the Township of Parsippany-Troy Hills providing for reimbursement under the Condominium Municipal Services Act. Copies of the agreements are on file with the Township Clerk.

* **Authorizing an Interlocal Services Agreement with Morris County – Nutrition Center (at the Community Center)**

WHEREAS, the Township has available in its Community Center approximately 1,400 square feet commonly known as the Meeting & Coffee Hour Room, plus associated kitchen space and equipment, rest rooms, office space and storage closets; and

WHEREAS the Morris County Department of Senior, Disability & Veteran Services would like to lease this area of the Community Center to operate a nutrition center; and

REGULAR TOWNSHIP COUNCIL MEETING MARCH 25, 2008

WHEREAS, the Township feels that this is a benefit to the residents of the community;
and

WHEREAS, the Township is authorized pursuant to the Interlocal Services Act, N.J.S.A. 40:8A-1 *et seq.*, to enter into a contract with any other local unit for the provision of any service which that local unit is empowered to render within its own jurisdiction.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Parsippany-Troy Hills hereby authorizes execution of an Interlocal Services Agreement with the County of Morris for a period of one year with an option to renew for an additional one year period, in the form on file in the Office of the Township Clerk, upon the terms and conditions provided therein.

* **Appointing J. Collins as the Municipal Housing Liaison of the Affordable Housing Program**

WHEREAS, the Township Council of the Township of Parsippany-Troy Hills petitioned the Council on Affordable Housing (COAH) for substantive certification of its Housing Element and Fair Share Plan on December 16, 2005; and

WHEREAS, the Township of Parsippany-Troy Hills' Fair Share Plan promotes an affordable housing program pursuant to the Fair Housing Act (N.J.S.A. 52:27D-301, *et. seq.*) and COAH's Third Round Substantive Rules (N.J.A.C. 5:94-1, *et. seq.*); and

WHEREAS, pursuant to N.J.A.C. 5:94-7 and N.J.A.C. 5:80-26.1 *et. seq.*, the Township is required to appoint a Municipal Housing Liaison for the administration of the Township's affordable housing program to enforce the requirements of N.J.A.C. 5:94-7 and N.J.A.C. 5:80-26.1 *et. seq.*; and

WHEREAS, the Township has amended Chapter 4, Administration of Government, Article XI, Department of Planning, Zoning and Construction Inspections to provide for the appointment of a Municipal Housing Liaison to administer the Township's affordable housing program.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Parsippany-Troy Hills in the County of Morris and the State of New Jersey that Jennifer Collins is hereby appointed by the Township Council of the Township of Parsippany-Troy Hills as the Municipal Housing Liaison for the administration of the affordable housing program, pursuant to and in accordance with Articles 14 and 15 of the Township's Chapter 225, Land Use Subdivision and Site Plan Code and with Chapter 4, Administration of Government, Article XI Department of Planning Zoning and Construction Inspections, §4-43.2 Establishment; Township Housing Liaison of the Township Code.

REGULAR TOWNSHIP COUNCIL MEETING MARCH 25, 2008

* **Appointing Anthony M. Bucco, Esq. as Special Legal Counsel in Connection with Tax Appeal Matters**

WHEREAS, the Township of Parsippany-Troy Hills has a need to acquire professional legal services in connection with Tax Appeal matters; and

WHEREAS, the funds are available for this purpose; and

WHEREAS, the term of this contract shall be from January 1, 2008 through December 31, 2008.

WHEREAS, Anthony M. Bucco, Esq. has submitted a Business Entity Disclosure Certification, which Certification provides that no reportable contributions have been made that would bar the award of this Agreement pursuant to P.L. 2004, c. 19, and that no reportable contributions will be made during the term of the Professional Services Agreement to the municipal political or candidate committees of the elected officials of the Township; and

WHEREAS, Anthony M. Bucco, Esq. has provided the disclosure of political contributions required pursuant to P.L. 2005, c.271 at least 10 days prior to award of the Professional Services Agreement; and

WHEREAS, the Chief Financial Officer of the Township of Parsippany-Troy Hills has certified in writing that funds are available for these services.

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

1. The Township of Parsippany-Troy Hills hereby awards and authorizes the Mayor and Township Clerk to execute a professional services contract for Special Legal Counsel in connection with Tax Appeal matters with Anthony M. Bucco, Esq., of the firm Johnson, Murphy, Hubner, McKeon, Wubbenhorst, Bucco & Appelt, P.C., whose offices are located at 51 Route 23 South, Riverdale, New Jersey 07457.
2. That, pursuant to N.J.S.A. 40A:11-1, et seq., this contract shall be awarded pursuant to a non-fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5 and without competitive bid as a "Professional Service" in accordance with N.J.S.A. 40A:11-1, et seq. because said services are performed by persons authorized by law to practice a recognized profession; and
3. A notice of this award be printed in the official newspaper of the Township of Parsippany-Troy Hills in accordance with N.J.S.A. 40A:11-1 et seq.

REGULAR TOWNSHIP COUNCIL MEETING MARCH 25, 2008

* **Authorizing Safe Route to School Grant**

WHEREAS, Safe Routes to School is a federal, state and local effort enabling and encouraging children, including those with disabilities, to walk and bicycle to school and to make walking and bicycling to school safe and appealing; and

WHEREAS, the New Jersey Department of Transportation has allocated \$5.6 million for school safety projects; and

WHEREAS, the Township Council and the Board of Education of the Township of Parsippany–Troy Hills support the concepts in the Safe Routes to School Program; and

WHEREAS, the Board of Education of the Township of Parsippany-Troy Hills, with assistance from the Township of Parsippany-Troy Hills, will apply for a grant to the New Jersey Department of Transportation for funding under the Safe Routes to Schools Program;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Parsippany-Troy Hills that it hereby supports the grant application to the New Jersey Department of Transportation for the Safe Routes to School Program.

This Resolution shall take effect immediately

* **Waiver of Noise Ordinance – NJDOT Bridge Repair**

WHEREAS, the New Jersey Department of Transportation is preparing construction contract documents for bridge repair during the 2008 construction season; and

WHEREAS, the Parsippany Road Bridge over I-287 and Intervale Road Bridge over I-287 in Parsippany-Troy Hills are included in the contract; and

WHEREAS, the New Jersey Department of Transportation has requested a waiver from the requirements of the Township’s noise ordinance for this project to allow night time construction; and

WHEREAS, concerns have been raised about noise generated by this night time construction because of the residential development near these locations; and

WHEREAS, the New Jersey Department of Transportation has indicated that the repair work on the Parsippany Road Bridge should be completed in four days, weather permitting; and

WHEREAS, the New Jersey Department of Transportation has indicated that the repair work on the Intervale Road Bridge is more extensive and will require much more time to be completed; and

REGULAR TOWNSHIP COUNCIL MEETING MARCH 25, 2008

WHEREAS, the Township Engineer has recommended that night time construction be permitted on the Parsippany Road Bridge over I-287 (the bridge is elevated above the residences) and **only day time** construction be permitted on the Intervale Road Bridge over I-287; and

WHEREAS, an appropriate traffic construction plan should be developed to minimize the vehicle congestion; and

WHEREAS, the Township Council has recommended that appropriate Soil Erosion and Sediment Control Measures be included in the contract to protect water quality; and

WHEREAS, the Township Council has recommended that residents in the vicinity of the Parsippany Road Bridge repair over I-287 be notified in advance of the night time construction;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Parsippany-Troy Hills that it hereby waives the Noise Ordinance to allow night time construction for the repair work on the Parsippany Road Bridge over I-287 only.

This Resolution shall take effect immediately

* **Release of Performance Bond – K. Hovnanian Parsippany-Troy Hills, LLC, Four Seasons at Troy Hills**

WHEREAS, K. Hovnanian at Parsippany-Troy Hills, LLC posted a performance guarantee, Westchester Fire Insurance Company Bond No. K070077A, in the amount of \$1,484,947.08 with the Township of Parsippany-Troy Hills, County of Morris, State of New Jersey to guarantee the installation of certain improvements in connection with the development of Four Season at Troy Hills, 315 Old Bloomfield Avenue, Block 698, Lots 16, 17, 18, 19, 29 and 29.01; and

WHEREAS, Michael Pucilowski, Municipal Engineer, recommended in an interoffice memorandum dated March 4, 2008 that the performance guarantee in the amount of \$1,484,947.08 be released as a majority of the improvements have been made; and

WHEREAS, there is sufficient cash escrow in the amount of \$164,994.12 to guarantee completion of the remaining improvements;

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 Westchester Fire Insurance Company Bond No. K070077A posted by K. Hovnanian at Parsippany-Troy Hills, LLC in the amount of \$1,484,947.08 be and the same is hereby released.

This resolution shall take effect immediately.

REGULAR TOWNSHIP COUNCIL MEETING MARCH 25, 2008

*** Amending the Temporary Budget**

WHEREAS, an emergent condition has arisen with respect to the need for CY 2008 appropriations under the temporary budget and no adequate provision has been made in the CY 2008 temporary appropriations for the aforesaid purposes and that N.J.S.A.:40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned,

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Parsippany-Troy Hills that, in accordance with the provision of N.J.S.A. 40A:4-20, the temporary budget is amended with the following additions:

CURRENT FUND

General Administration	Salaries and Wages	140,000.00
	Other Expenses	10,000.00
Township Council	Salaries and Wages	5,000.00
	Other Expenses	5,000.00
Municipal Clerk	Salaries and Wages	50,000.00
	Other Expenses	20,000.00
Treasury	Salaries and Wages	5,000.00
Tax Collection	Salaries and Wages	50,000.00
	Other Expenses	30,000.00
Tax Assessing	Salaries and Wages	45,000.00
Department of Law	Other Expenses	300,000.00
Engineering	Salaries and Wages	130,000.00
	Other Expenses	25,000.00
Department of Planning	Salaries and Wages	5,000.00
	Other Expenses	20,000.00
Board of Adjustment	Salaries and Wages	15,000.00
	Other Expenses	10,000.00
Housing & Zoning Code Enforcement	Salaries and Wages	140,000.00
Building & Inspections	Salaries and Wages	250,000.00
	Other Expenses	125,000.00
Liability Insurance		40,000.00
Workers Compensation		150,000.00
Employee Health & Group Insurance		1,595,000.00

REGULAR TOWNSHIP COUNCIL MEETING MARCH 25, 2008

Police Department	Salaries and Wages	3,000,000.00
	Other Expenses	300,000.00
Municipal Court	Salaries and Wages	100,000.00
	Other Expenses	6,000.00
Prosecutor	Other Expenses	15,000.00
Fire Prevention Bureau	Salaries and Wages	100,000.00
	Other Expenses	30,000.00
Office of Emergency Management	Salaries and Wages	10,000.00
	Other Expenses	10,000.00
First Aid Organizations		75,000.00
Department of Public Works	Salaries & Wages	150,000.00
	Other Expenses	150,000.00
Garbage & Trash Removal	Salaries & Wages	400,000.00
	Other Expenses	200,000.00
Buildings & Grounds	Salaries & Wages	65,000.00
	Other Expenses	60,000.00
Vehicle Maintenance	Other Expenses	257,087.00
Maintenance of Free Public Library		1,000,000.00
Public Health Services	Salaries & Wages	170,000.00
	Other Expenses	25,000.00
Senior Citizen Center	Salaries & Wages	26,000.00
	Other Expenses	60,000.00
Dog Regulation	Other Expenses	40,000.00
Contribution to Day Care Center	Other Expenses	40,000.00
Maintenance of Parks	Salaries & Wages	400,000.00
	Other Expenses	125,000.00
Recreation Services	Salaries & Wages	140,000.00
	Other Expenses	30,000.00
Electricity		100,000.00
Street Lighting		225,000.00
Telephone		100,000.00
Gas (Natural or Propane)		60,000.00
Gasoline		150,000.00
Solid Waste Disposal Costs		800,000.00

REGULAR TOWNSHIP COUNCIL MEETING MARCH 25, 2008

Debt Service		
	Payment of Bond Principal	650,000.00
	Payment of Bond Interest	400,000.00
	Loan Repayments for Principal & Interest	236,000.00
	Interest on Notes	606,200.00
Statutory Expenditures		
	Police and Fireman's Retirement System of NJ	2,488,481.00
	Public Employees Retirement System	535,232.00
<u>TOTAL CURRENT FUND</u>		16,500,000.00

WATER UTILITY

Operating	Salaries & Wages	315,000.00
	Other Expenses	698,060.00
Statutory Expenditures		
	Public Employee's Retirement System	106,040.00
Debt Service		
	Payment of Environmental Infrac. Loan	23,760.00
	Interest on Notes	57,140.00
<u>TOTAL WATER UTILITY</u>		1,200,000.00

SEWER UTILITY

Operating	Salaries & Wages	800,000.00
	Other Expenses	2,016,120.00
Statutory Expenditures		
	Public Employees' Retirement System	161,580.00
Debt Service		
	Interest on Notes	22,300.00
<u>TOTAL SEWER UTILITY</u>		3,000,000.00

REGULAR TOWNSHIP COUNCIL MEETING MARCH 25, 2008

KNOLL COUNTRY CLUB UTILITY

Operating	Salaries & Wages	475,000.00
	Other Expenses	404,800.00
Statutory Expenditures		
	Public Employees' Retirement System	85,840.00
Debt Service	Interest on Notes	34,360.00
TOTAL KNOLL COUNTRY CLUB UTILITY		1,000,000.00

APPLICATION(S):

License(s):

***Limousine Owner's License – New**

BE IT RESOLVED by the Township Council of the Township of Parsippany-Troy Hills that the following new Limousine Owner's License be issued for the year 2008:

ADAM JAKUBIUK
6 Jamaica Road
Morris Plains, NJ 07950
(1 vehicle)

CUNNINGHAM LIMOUSINE, LLC
63 Minnehaha Blvd.
Lake Hiawatha, NJ 07034
(1 vehicle)

MULAZIM HUSSAIN
t/a Access Limousine & Car Service
239 New Road, Bldg. C, Suite 202
Parsippany, NJ 07054
(1 vehicle)

ABDUL R. MALIK
Airedale International Limousine Service
13 Norman Avenue
Lake Hiawatha, NJ 07034
(1 vehicle)

REGULAR TOWNSHIP COUNCIL MEETING MARCH 25, 2008

ORDINANCE(S):

Introduction(s):

Ordinance #2008:06

AN ORDINANCE AUTHORIZING THE ACQUISITION OF A PERMANENT EASEMENT OVER A PORTION OF PROPERTY KNOWN AS 141 NORTH BEVERWYCK ROAD, TOWNSHIP OF PARSIPPANY-TROY HILLS, MORRIS COUNTY, STATE OF NEW JERSEY, ALSO KNOWN AS PART OF LOT 1, BLOCK 513 ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, AS PART OF THE ROADWAY IMPROVEMENT PROJECT KNOWN AS NORTH BEVERWYCK ROAD STREETSCAPE III

(Attachment No. 1)

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

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 **March 25, 2008** and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on **April 29, 2008** 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 Barberio, dePierro, Fox, Grossi, and Cesaro

REGULAR TOWNSHIP COUNCIL MEETING MARCH 25, 2008

Ordinance #2008:07

**AMENDING AND SUPPLEMENTING
CHAPTER 430, ZONING – OFF-
STREET PARKING AND LOADING
(RE: USE AND MINIMUM SPACE
REQUIREMENTS –PLACES OF
WORSHIP)**

(Attachment No. 2)

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

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 **March 25, 2008** and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on **April 29, 2008** 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 Barberio, dePierro, Fox, Grossi, and Cesaro

REGULAR TOWNSHIP COUNCIL MEETING MARCH 25, 2008

Ordinance #2008:08

**CALENDAR YEAR 2008 ORDINANCE
TO EXCEED THE MUNICIPAL
BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A:4-45.14)**
(Attachment # 3)

Prior to considering the introduction of Ordinance No. 2008:08, Ms. Lim, at the Council President's request, explained the purpose of this ordinance, noting that it does not affect the 2008 budget.

The following resolution was offered by Mr. Fox, seconded by Mr. Barberio:

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 **March 25, 2008** and that said Ordinance be further considered for second reading and final passage at a **Special Meeting** to be held on **April 29, 2008** at 7:00 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 Barberio, dePierro, Fox, Grossi, and Cesaro

REGULAR TOWNSHIP COUNCIL MEETING MARCH 25, 2008

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

MUNICIPAL BUDGET NOTICE

Section 1.

Municipal Budget of the Township of Parsippany-Troy Hills, County of Morris for the Fiscal Year 2008

Be it Resolved, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2008;

Be it Further Resolved, that said Budget be published in the Daily Record Newspaper in the issue of April 11, 2008

The Governing Body of the township of Parsippany-Troy Hills does hereby approve the following as the Budget for the year 2008:

		(Barberio	(Abstained	(
		(Cesaro	((None
RECORDED VOTE	Ayes	(dePierro	Nays	(None	(
(Insert last name)		(Fox	((
		(Grossi	(Absent	(None
					(

Notice is hereby given that the Budget and Tax Resolution was approved by the Township Council of the Township of Parsippany-Troy Hills,

County of Morris, on March 25, 2008

A Hearing on the Budget and Tax Resolution will be held at the Municipal Building, on April 29, 2008 at 7 o'clock P.M. at which time and place

objections to said Budget and Tax Resolution for the year 2008 may be presented by taxpayers or other interested person.

REGULAR TOWNSHIP COUNCIL MEETING MARCH 25, 2008

**EXPLANATORY STATEMENT
SUMMARY OF CURRENT FUND SECTION OF APPROVED BUDGET**

		YEAR 2008
General Appropriations For: (Reference to item and sheet number should be omitted in advertised budget)		
1. Appropriations within "CAPS" -		
(a) Municipal Purposes {(Item H-1, Sheet 19) (N.J.S. 40A:4-45.2)}		\$ 43,122,755.01
2. Appropriations excluded from "CAPS"		
(a) Municipal Purposes {(Item O Sheet 29) (N.J.S. 40A:4-45.3 as amended)}		\$ 14,493,551.99
(b) Local district School Purposes in Municipal Budget (Item K, Sheet 29)		
Total General Appropriations excluded from "CAPS" (Item O, Sheet 29)		\$ 14,493,551.99
3. Reserve for Uncollected Taxes (Item M, Sheet 29) Based on Estimated 98.96 Percent of Tax Collections		\$ 1,720,000.00
4. Total General Appropriations (Item 9, Sheet 29)		
	Building Aid Allowance _____	
	for Schools - State Aid _____	\$ 59,336,307.00
5. Less: Anticipated Revenues Other Than Current Property Tax (Item 5, Sheet 11)		\$ 22,197,323.86
(i.e. Surplus, Miscellaneous revenues and Receipts from Delinquent Taxes)		
6. Difference: Amount to be Raised by Taxes for Support of Municipal Budget (as follows)		
(a) Local Tax for Municipal Purposes Including Reserve for Uncollected Taxes (item 6(a), Sheet 11)		\$ 37,138,983.14
(b) Addition to Local District School Tax (Item 6(b), Sheet 11)		

REGULAR TOWNSHIP COUNCIL MEETING MARCH 25, 2008

Prior to the closing of the meeting, Mr. Barberio asked Ms. Lim if he could review a copy of Ocean City's solar panel project contract. He explained that if there is no out cost to Parsippany, he would reconsider looking into the project because the land at the Sewer Plant will probably never be used in the future. Ms. Lim indicated she will try to secure a copy of Ocean City's contract. He suggested that we may be able to lease our property to the contractor or, perhaps, obtain a host fee if electricity is sold to other municipalities. If the Township could save another 11% on top of the 55%, the 52% increase would be reduced. Mr. Fox indicated that he does not have a problem with revisiting the project, but he still has concerns, aside from the cost, of losing all options for the future. The solar panel project would "lock down" the use of the property for the term of the contract. Mr. dePierro confirmed that the Township's number one priority at this point should be upgrading the Sewer Treatment Plant. When this has been accomplished, he would be willing to look at the possibility of saving additional money by installing our own solar panels. Ms. Grossi stated that we may not need 3,600 solar panels after the Plant is updated. She felt that pursuing the solar panels project at this time is "putting the cart before the horse." She commented that she would have preferred to have used the \$1.7 million to retrofit the Township's current buildings with solar panels to reduce our energy costs. Discussion ensued, with Council President Cesaro noting that each of the Council Members have made fine points. Council President Cesaro indicated that Mr. Barberio is making a simple request to do some additional research. He asked Ms. Lim to provide copies of the contract to all Council Members for their review.

A motion was made by Mr. Fox, seconded by Ms. Grossi, to convene in closed session in connection with possible litigation (Attachment No. 4).

REGULAR TOWNSHIP COUNCIL MEETING MARCH 25, 2008

Upon convening in open session, a motion was made by Mr. Barberio, seconded by Council President Cesaro to adjourn.

The meeting adjourned at 9:07 p.m.

Respectfully submitted,

Judith I. Silver, Township Clerk

John Cesaro Council President

Minutes approved: April 29, 2008

REGULAR TOWNSHIP COUNCIL MEETING MARCH 25, 2008

Attachment No. 1
Page 1 of 2

**TOWNSHIP OF PARSIPPANY-TROY HILLS
MORRIS COUNTY, NEW JERSEY
ORDINANCE NO. 2008:06**

**AN ORDINANCE AUTHORIZING THE ACQUISITION OF
A PERMANENT EASEMENT OVER A PORTION OF
PROPERTY KNOWN AS 141 NORTH BEVERWYCK
ROAD, TOWNSHIP OF PARSIPPANY-TROY HILLS,
MORRIS COUNTY, STATE OF NEW JERSEY, ALSO
KNOWN AS PART OF LOT 1, BLOCK 513 ON THE
OFFICIAL TAX MAP OF THE TOWNSHIP OF
PARSIPPANY-TROY HILLS, AS PART OF THE
ROADWAY IMPROVEMENT PROJECT KNOWN AS
NORTH BEVERWYCK ROAD STREETScape III**

WHEREAS, pursuant to N.J.S.A. 40:48-2, the Township of Parsippany-Troy Hills is authorized to adopt an Ordinance for the preservation of public health, safety and welfare; and

WHEREAS, pursuant to N.J.S.A. 40A:12-5, the Township of Parsippany-Troy Hills has the power to acquire any real property or property interests for a public purpose through negotiated agreement; and

WHEREAS, the Township of Parsippany-Troy Hills has determined that it would serve a public purpose for it to acquire a Permanent Sidewalk Easement (“Permanent Sidewalk Easement”) over a portion of the property known as 141 North Beverwyck Road, Township of Parsippany-Troy Hills, County of Morris, State of New Jersey, also known as a part of Lot 1 in Block 513 on the Official Tax Map of the Township of Parsippany-Troy Hills to install a sidewalk as part of the roadway improvements known as North Beverwyck Road Streetscape III, as more fully-described on the metes and bounds description and parcel map on file with the Municipal Clerk’s Office.

NOW, THEREFORE BE IT ORDAINED, by the Township Council of the Township of Parsippany-Troy Hills, County of Morris and State of New Jersey that:

1. the acquisition by negotiation of a Permanent Sidewalk Easement over a portion of the property known as 141 North Beverwyck Road, Township of Parsippany-Troy Hills,

REGULAR TOWNSHIP COUNCIL MEETING MARCH 25, 2008

Attachment No. 1
Page 2 of 2

County of Morris, State of New Jersey, also known as a part of Lot 1, Block 513 on the Official Tax Map of the Township of Parsippany-Troy Hills, New Jersey is hereby authorized for the amount of Six Thousand Three Hundred Twenty-Five Dollars and 00/100 (\$6,325.00); and

2. the Mayor and Township Clerk are hereby authorized to execute and to witness, respectively, the Deed granting the Permanent Sidewalk Easement (which Deed is on file with the Municipal Clerk's Office) and/or any and all other documents necessary to effectuate the acquisition of the Sidewalk Easement to the Township of Parsippany-Troy Hills; and

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

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

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

Attachment No. 2

**TOWNSHIP OF PARSIPPANY-TROY HILLS
ORDINANCE No. 2008:07**

**AN ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER 430, ZONING 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 430, Zoning, Article XXXVII, Off-Street Parking and Loading of the Code of the Township of ParsIPPany-Troy Hills, is hereby amended and supplemented as follows:

§430-276. Minimum parking space requirements.

A. Use and minimum space requirements shall be as follows:

- (5) Church, Synagogue or other places of worship: one (1) space per three seats. Where individual seats are not provided such as a bench or a pew, **one (1) parking space shall be required for each six (6) linear feet of seating on a bench or pew.** Where a place of worship does not utilize seating within a sanctuary space, there shall be **one (1) parking space per twenty-eight (28) square feet** of sanctuary space for the observance of religious services, **excluding the following:**
- a. Space dedicated to altar or similar permanent display space up to a maximum 15% of the area for the observance of religious services;
 - b. **The area dedicated to circulation as calculated by delineating a circulation aisle around the outermost perimeter of the area for observance of religious services. The aisle width shall be three (3) feet for sanctuary areas up to 10,000 square feet and four (4) feet for areas greater than 10,000 square feet. The area delineated for circulation shall circumvent the swing of permanent doorways into the sanctuary observance area. The calculation and illustration of the circulation aisle shall be submitted for review by the approving authority.**

The temporary use of offsite parking for special religious holidays or special events shall require a zoning permit (special events use permit) in accordance with Section 430-296.

REGULAR TOWNSHIP COUNCIL MEETING MARCH 25, 2008

SECTION 3. 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 4. 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 5. This ordinance shall take effect immediately upon its final passage, approval and publication as provided by law.

Attachment No. 3
Page 1 of 1

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

REGULAR TOWNSHIP COUNCIL MEETING MARCH 25, 2008

**CALENDAR YEAR 2008
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

ORDINANCE NO: 2008:08

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Township Council of the Township of Parsippany-Troy Hills in the County of Morris finds it advisable and necessary to increase its CY 2008 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township Council hereby determines that a 3.5 % increase in the budget for said year, amounting to \$ 407,436.74 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Township Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Township Council of the Township of Parsippany-Troy Hills in the County of Morris, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2008 budget year, the final appropriations of the Township of Parsippany shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$ 1,426,028.59, and that the CY 2008 municipal budget for the Township of Parsippany be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized herein above that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

REGULAR TOWNSHIP COUNCIL MEETING MARCH 25, 2008

Attachment #4
Page 1 of 1

RE: Possible Litigation — Civil Action Against Montefusco, Esq.
DATE: March 25, 2008
TIME: 8:40 p.m.

MOTION BY: Mr. Fox
SECONDED BY: Ms. Grossi

Roll Call:	Barberio	Yes
	dePierro	Yes
	Fox	Yes
	Grossi	Yes
	Cesaro	Yes

RESOLUTION

WHEREAS, the Open Public Meetings Act, P.L. 1975, Chapter 231 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, the Township Council is of the opinion that such circumstances presently exist; and

WHEREAS, the Township Council wishes to discuss:

POSSIBLE LITIGATION

AND, WHEREAS, minutes will be kept, and once the matter involving the confidentiality of the above no longer requires confidentiality, the minutes can be made public.

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Parsippany-Troy Hills that the public be excluded from this meeting.

MOTION TO ADJOURN BY: Mr. Fox
SECONDED BY: Ms. Grossi

Roll Call:	Barberio	Yes
	dePierro	Yes
	Fox	Yes
	Grossi	Yes
	Cesaro	Yes

MEETING ADJOURNED: 9:06 P.M.