

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

February 15, 2011

Council President Fox 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 15, 2011 where it has remained posted since that date. A legal notice appeared in both the Daily Record and the Star Ledger and was forwarded by fax to other local newspapers and local radio stations on December 16, 2011. He further noted that Council Meetings are videotaped and aired on Cablevision, Public Access Channel 21, at 10:00 a.m. on Sundays.

PRESENT: Council Members Cesaro, dePierro, Ferrara, Stanton and Fox

ALSO PRESENT: Mayor Barberio, J. Lim, Business Administrator; J. Inglesino, Esq., Township Attorney; J. Silver, Township Clerk

The Council reviewed the agenda for the meeting.

**UPCOMING
MEETINGS:**

3/8/11 @ 7:30 p.m.	Agenda Meeting Public Invited – Public Participation
3/15/11 @ 7:30 p.m.	Regular Meeting Public Invited – Public Participation

BID(S) TO BE TAKEN:

2/17/11 @ 11:00 a.m.	Various Materials for the Municipal Utilities and Public Works
2/24/11 @ 11:00 a.m.	Transportation and Disposal of Sewage Sludge Cake

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

None

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PUBLIC HEARING

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

Pat Petaccia, 182 Hawkins Avenue, asked for a total of the tax assessments. Mr. Inglesino advised that the total is the same as provided at the last meeting - \$339,716.50. He noted that one property accounts for \$120,000 of that number. The property, 1639 Route 10, which had Delta Dental as a single tenant in a 152,000 square foot building was sold and, therefore, there was a real number upon which to base the assessment. The property, per Mr. Inglesino, sold for well under the assessed value; there was significant exposure on that building.

Roy Messmer, 10 Drumlin Drive, indicated that he would like to change the fact that the Township pays full salary to the men and women serving their country, but we don't do anything for those residents who serve as reservists, but are not employed by the Township. He suggested that this Council take a little bit away from the men and women who are Township employees and give it to the men and women who are not Township employees.

Additionally, Mr. Messmer advised that he received copies of the 2010 1099s for attorneys. He complimented Mr. Inglesino, noting that it appears that his bills are much lower than the bills of previous Township attorneys. However, he indicated that he does not know whether former attorneys had to handle a lot more lawsuits. Mr. Messmer then questioned what Jim Courter is doing for the Township, noting that his firm received a 1099.

Mr. Messmer also noted that he has always been told that the increase in sewer billing had a lot to do with electric costs. He pointed out, however, that electric costs are coming down in New Jersey.

Mr. Inglesino advised that Courter Kobert served as conflict counsel in connection with a case involving a litigant who he does work for, which conflicted him out of the matter. It is not Jim Courter who did the work, but another lawyer at the firm who had experience and knowledge of that particular area.

Mayor Barberio noted the various surpluses as follows:

Water Utility - \$1,073, 086

Knoll Utility - \$441,845

Sewer Utility - \$5,460,699

Mayor Barberio commented that these are extraordinary times which, sometimes, call for extraordinary measures. He does not want to, but if he has to, he will use some of the Sewer Utility surplus for the general budget to lower the tax levy. He emphasized that we are in an extreme situation, but he would rather not use the surplus. He read excerpts (*italicized below*) from a memo from Phil Bober, Superintendent of the Sewer Utility, outlining the reasons Mr. Bober believes the Township should retain its surplus in the Sewer Utility.

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- *Our current method of sludge disposal is by dewatering our material to about 23 to 25 percent solids from a collected concentration of approximately 1.5 to 2.0 percent and after this dewatering, having the material carried away. Hence, our budget is based on the concentrated amount.*

Mayor Barberio pointed out that if we lose the ability to dewater, our cost would go from \$1.3 million to \$5.4 million per year. The only source to handle this would be surplus. Additionally, because we are updating the Plant, there may be costs not currently recognized.

- *With the new construction complete, only one half of the facility will be left in operation with the new process. The other half of our tankage will be retired and can be used for many other uses. One very good possibility is to convert the four million gallon a day plant into a waste receiving and treatment area which would destroy most of the trucked material accepted and send the water portion back to the main plant for completed treatment. The charges for this waste treatment could go a long way to offset at least a major portion of our Operating & Maintenance budget. The need to rebuild this retired section of the plant for this new task will be a seven figure project. Considering the use of surplus funds for these types of endeavors alleviates the need for future fund procurement.*
- *Surplus funds will be needed to make the above a reality. In my opinion, with all the above possibilities for the Township to decrease expenses, returning surplus funds now would not serve our taxpayers very well if we would have to borrow at future interest rates for monies to make the above a reality.*

Mayor Barberio agreed with Mr. Bober's opinion, pointing out that if we withdraw funds from this surplus right now, although this may be a possibility, we will probably be in a situation of having to increase rates next year or the following year.

Mr. dePierro stated another reason not to use the surplus is that we have several municipalities who pay us for processing their sewerage. Part of that surplus, per Mr. dePierro, was contributed by these fees. Ms. Lim explained that the surplus is generated by the ratepayers. The other towns pay a proportionate share of their gallonage for operating expenses; the Township provides actual operating expenses at the end of every year.

Mr. dePierro told Mr. Messmer that he likes his suggestion (relative to reservists) but the problem is that he doesn't think we can do it. He pointed out that we have control over Township employees and their salaries, but he doesn't think we can legally grant tax credits. It is out of our purview to do so. Mr. Inglesino agreed. Mr. Fox pointed out that a lot of private industries also provide benefits to those who serve in the military.

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

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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. He then moved the approval of the Consent Agenda, seconded by Council President Fox.

ROLL CALL: YES – Council Members Cesaro, dePierro, Ferrara, Stanton and Fox

MINUTES FOR APPROVAL

* Organization Meeting of 1/4/2011

* Agenda Meeting of 1/4/2011

ROLL CALL: YES – Council Members Cesaro, dePierro, Ferrara, Stanton and Fox

BID AWARD(S):

None

RESOLUTION(S):

* **Confirming Mayoral Appointment of Judy Tiedemann 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 Mayor James R. Barberio's appointment of Judy Tiedemann as a member of the **Municipal Alliance Committee** for a term ending December 31, 2012.

* **Authorizing a Contract with Joseph J. Faccone of the Firm of Samuel Klein and Company for Professional Auditing Services**

WHEREAS, the Township of Parsippany-Troy Hills has a need to acquire professional auditing services as a non-fair and open contract pursuant to the N.J.S.A. 19:44A-20.5 et seq.; and

WHEREAS, the Business Administrator has determined and certified in writing that the value of these services will exceed \$17,500; and

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WHEREAS, the Township wishes to provide professional auditing services at an estimated cost of \$100,000; and

WHEREAS, Samuel Klein and Company has completed and submitted a Business Entity Disclosure Certification, which Certification provides that Samuel Klein and Company has not made any reportable contributions to candidate committees, joint candidates committees or political party committees representing the elected officials of the Township in the one year period preceding the award of the Contract, and that the Contract will prohibit Samuel Klein and Company from making any reportable contributions through the term of the contract that would bar the award of this Agreement pursuant to N.J.S.A. 19:44A-20.5 et seq.; and

WHEREAS, Samuel Klein and Company has completed and submitted a Political Contribution Disclosure Form and Stockholder Disclosure Certification, as required pursuant to N.J.S.A. 19:44A-20.26, disclosing all reportable political contributions (more than \$300 per election cycle) made over the 12 months prior to submission to the committees of the government entities listed on the Form provided by the Township; and

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

2011 Temporary Budget: Current Fund - Finance

2011 Temporary Budget: Water, Sewer and Golf Other Expenses

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

1. That the Township of Parsippany-Troy Hills hereby awards, and the Mayor and the Township Clerk are hereby authorized to execute a contract between the Township of Parsippany-Troy Hills and Joseph J. Faccone of the firm Samuel Klein and Company, 550 Broad Street, Newark, New Jersey 07102-4517, to provide professional auditing services for the year 2011 in accordance with the contract on file in the office of the Township Clerk, no sooner than ten (10) days following the submission of a Political Contribution Disclosure Form and Stockholder Disclosure Certification.
2. That the Business Entity Disclosure Certification, which incorporates the provisions of Article I, entitled *Prohibitions on Contract Awards*, of Chapter 12, *Contracts*, of the Township Code; Political Contribution Disclosure Form; Stockholder Disclosure Certification; Determination of Value; and Certificate of Availability of Funds be placed on file in the Office of the Township Clerk with the Contract and authorizing resolution; and
3. That this contract be awarded through a non-fair and open process and without a competitive bid pursuant to N.J.S.A. 19:44A-20.5 and as "Professional Services" in accordance with N.J.S.A. 40a:11-1, et seq.

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*** Authorizing an Amendment to the NJDEP, Green Acres Project Agreement (1429-99-015) for Additional Grant Funds for Open Space Acquisitions**

WHEREAS, the New Jersey Department of Environmental Protection, Green Acres Program (“State”), provides loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition and development of lands for outdoor recreation and conservation purposes; and

WHEREAS, the State and Township of Parsippany-Troy Hills intends to increase Green Acres funding; and

WHEREAS, the applicant is willing to use the State’s funds in accordance with its rules, regulations and applicable statutes, and is willing to enter into an Amendment of the Agreement with the State for the above-named project.

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

1. That James R. Barberio or the successor to the office of Mayor is hereby authorized to execute an Amendment to the Agreement increasing funding to \$5,200,000, and
2. That the applicant has its matching share of the project, if a match is required, in the amount of \$5,200,000.
3. That, in the event the State’s funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project; and
4. The applicant agrees to comply with all applicable federal, state and local laws, rules and regulations in its performance of the project; and
5. That this resolution shall take effect immediately.

*** Regarding Purchases of Goods and Services Utilizing N.J. Cooperative Purchasing Program, Morris County Cooperative Pricing Council and Somerset 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, Morris County Cooperative Pricing Council contracts and Somerset 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.

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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, Morris County Cooperative Pricing Council contracts and Somerset County Cooperative Pricing Council contracts on file in the Purchasing Director's office.

*** Awarding Contract with VSP for Vision Care Benefits**

WHEREAS, the Township of Parsippany-Troy Hills has a need to acquire health insurance services, including vision care coverage, as a non-fair and open contract pursuant to the N.J.S.A. 19:44A-20.5 et seq.; and

WHEREAS, the procurement of insurance services is an exception pursuant to N.J.S.A. 40A:11-5(1) (m), the procurement of which shall comply with N.J.S.A. 40A:11-5(1) (a) (ii); and

WHEREAS, the Business Administrator has determined and certified in writing that the value of these services will exceed \$17,500; and

WHEREAS, the Township's Health Insurance Broker requested quotes from three other carriers (Block Vision, Spectera, and Avesis), but due to the "equal or better" criteria, only VSP was able to issue a 100% reimbursement contract; and

WHEREAS, the Township's Health Insurance Broker, Business Administrator and the Mayor have recommended that a two-year contract commencing on January 1, 2011 be awarded to Vision Service Plan Insurance Company (VSP), 3333 Quality Drive, Rancho Cordova, California 95670, to provide vision care coverage at an estimated yearly cost of \$118,500; and

WHEREAS, Vision Service Plan Insurance Company (VSP) will complete and submit a Business Entity Disclosure Certification, which Certification provides that VSP has not made any reportable contributions to candidate committees, joint candidates committees or political party committees representing the elected officials of the Township in the one year period preceding the award of the Contract, and that the Contract will prohibit VSP from making any reportable contributions through the term of the contract that would bar the award of this Agreement pursuant to N.J.S.A. 19:44A-20.5 et seq.; and

WHEREAS, Vision Service Plan Insurance Company (VSP) will complete and submit a Political Contribution Disclosure Form and Stockholder Disclosure Certification, as required pursuant to N.J.S.A. 19:44A-20.26, not later than 10 days prior to entering into the contract, disclosing all reportable political contributions (more than \$300 per election cycle) made over the 12 months prior to submission to the committees of the government entities listed on the Form provided by the Township; and

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

2011 Temporary Budget: Current Fund - Insurance
2011 Temporary Budget: Water, Sewer and Golf & Recreation Utility- Other Expenses;
and

WHEREAS, funds for the second year of the contract are contingent upon the approval of funding for this purpose in the 2012 Budget.

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

1. That the Township of Parsippany-Troy Hills hereby awards, and the Mayor and the Township Clerk are hereby authorized to execute a contract between the Township of Parsippany-Troy Hills and Vision Service Plan Insurance Company (VSP), 3333 Quality Drive, Rancho Cordova, California 95670, to provide vision care coverage in accordance with the contract on file in the office of the Township Clerk, no sooner than ten (10) days following the submission of a Political Contribution Disclosure Form and Stockholder Disclosure Certification.
2. That the Business Entity Disclosure Certification, which incorporates the provisions of Article I, entitled *Prohibitions on Contract Awards*, of Chapter 12, *Contracts*, of the Township Code; Political Contribution Disclosure Form; Stockholder Disclosure Certification; Determination of Value; Certificate of Availability of Funds; and Certification of Extraordinary Unspecifiable Service be placed on file in the Office of the Township Clerk with the Contract and authorizing resolution; and
3. That this contract be awarded through a non-fair and open process and without a competitive bid pursuant to N.J.S.A. 19:44A-20.5 and as an exception pursuant to N.J.S.A. 40A:11-5(1)(m), the procurement of which shall comply with N.J.S.A. 40A:11-5(1)(a)(ii); and
4. That a notice of this action shall be printed once in the legal newspaper of the Township of Parsippany-Troy Hills.

*** Authorizing Shared Service Agreement with Hanover Township – Animal Control Services**

WHEREAS, there exists a need for the humane treatment and shelter of animals in the Township of Hanover; and

WHEREAS, the Township of Hanover does not maintain a public shelter for the caring and keeping of stray dogs, cats or other domestic pets; and

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WHEREAS, N.J.S.A. 40:48-5.1 provides that any municipality which does not maintain a public pound for the keeping of stray dogs, cats or other domestic pets, may enter into a contract with a humane society not organized for pecuniary profit or other similar organization for the collection, keeping for redemption and disposal of all such stray animals found within the municipal boundaries; and

WHEREAS, N.J.S.A. 40:65-4. et seq. also provides that any municipality may enter into an agreement with any other municipality or municipalities to provide or receive any service that each local unit participating in the agreement is empowered to provide or receive within its own jurisdiction; and

WHEREAS, the Township of Parsippany-Troy Hills maintains and operates an Animal Control Program providing staffing, an animal shelter, related support equipment and materials to serve the residents of its Township; and

WHEREAS, pursuant to the Shared Services Regulations promulgated under N.J.S.A. 40:65-4 et seq., the Township of Parsippany-Troy Hills and the Township of Hanover have agreed that the citizens of their respective communities can be better served, at a reduced expenditure of tax dollars, by arranging for the performance of animal control services by the Township of Parsippany-Troy-Hills for the benefit of the residents of Hanover Township; and

WHEREAS, the Animal Control Shared Services Agreement shall be effective for a one (1) year term commencing March 1, 2011 through February 29, 2012 at a cost to the Township of Hanover not to exceed \$30,000.00; and

WHEREAS, the Shared Services Agreement shall be automatically renewed for a second one year term at the same cost to the Township of Hanover unless one or both parties terminate the Agreement no later than sixty (60) days prior to the end of the first year of the Agreement.

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. In accordance with the Shared Services Regulations promulgated under N.J.S.A. 40A:65-4 et seq. and N.J.S.A. 40:48-5.1, the Township Council hereby approves a Shared Services Agreement by and between the Township of Parsippany-Troy Hills and the Township of Hanover concerning the performance of animal control services by the Township of Parsippany-Troy Hills on behalf of the Township of Hanover; and
2. For the performance of animal control services by the Township of Parsippany-Troy Hills described in full in the Shared Services Agreement in form on file in the Office of the Township Clerk upon the terms and conditions therein. The Township of Hanover shall pay Parsippany the annual sum of \$30,000.00 to be paid in four (4) quarterly payments; and

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3. The Agreement shall be for a one (1) year term commencing on March 1, 2011 and terminate on February 29, 2012. The Agreement shall automatically renew for a second one year term at the same \$30,000.00 fee unless one or both parties terminate the Agreement in writing, no later than sixty (60) days prior to the end of the first year of the Agreement; and
4. The Mayor and Township Clerk are hereby authorized and directed to execute the Shared Services Agreement on behalf of the Township of Parsippany-Troy Hills.

*** Authorizing Change Order #1 – Knoll Road Resurfacing Project, Phase II**

WHEREAS, a change order is necessary for the contract for the Knoll Road Resurfacing Project Phase II with Top Line Construction, Inc., resulting in an increase in net costs in the amount of \$49,375.39; and

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

WHEREAS the funds are available for this purpose.

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 \$49,375.39 increase 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.

*** Authorizing Change Order #1 – Union Hill Road Construction Project**

WHEREAS, a change order is necessary for the contract for the Union Hill Road Reconstruction Project with Top Line Construction, Inc. resulting in a decrease in net costs in the amount of \$31,319.71; and

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

WHEREAS the funds are available for this purpose.

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 \$31,319.71 decrease in the contract price.

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

*** In Support of the Implementation of Various Traffic Regulations at the NJDOT Park and Ride Facility at Route 46 and Waterview Blvd.**

WHEREAS, the Police Department of the Township of Parsippany-Troy Hills has received numerous complaints about vehicles blocking aisles and parking in non-designated locations at the NJDOT Park and Ride Facility located at Route 46 and Waterview Boulevard in the Township of Parsippany-Troy Hills, Morris County; and

WHEREAS, a request was made to the NJDOT to provide traffic regulations to address this problem; and

WHEREAS, the Staff of the Bureau of Traffic Engineering and Investigation completed an investigation and supports the Township's request for the installation of "Parking in Designated Spaces Only" signage at this location; and

WHEREAS, a resolution of support by the Governing Body is required by the NJDOT in order to promulgate a Traffic Regulation Order.

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

1. That the Township supports the promulgation of a Traffic Regulation Order by the NJDOT for the purpose of providing various traffic regulations at the NJDOT Park and Ride Facility located at Route 46 and Waterview Boulevard in the Township of Parsippany-Troy Hills to prohibit parking except in designated spaces only; and
2. That the Municipal Clerk be directed to forward a certified copy of this resolution to the NJDOT Bureau of Traffic Engineering & Investigations.

*** Granting NJDOT Waiver of Noise Ordinance in Connection with the Rehabilitation of Concrete Bridge Decks on Route 80 over Route 287 and Smith Road**

WHEREAS, the New Jersey Department of Transportation is preparing construction contract documents for bridge repair during the 2011 construction season; and

WHEREAS, the project consists of deck replacement, joint repair and corrosion protection of the concrete bridge decks on Route 80 over Route 287 and Smith Road in Parsippany-Troy Hills are included in the contract; and

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WHEREAS, it is anticipated that the majority of the work will take place during daytime hours; however, some shielding work and traffic control measures may be performed overnight; 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, the Township Engineer has recommended that night time construction be permitted for this project; and

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

WHEREAS, the Township Council has recommended that residents in the vicinity of the project 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 of the bridge decks on Route 80 over Route 287 and Smith Road.

This Resolution shall take effect immediately

* **Dedication by Rider – Recreation Trust**

WHEREAS, N.J.S.A. 40A:4-39 provides for the anticipation and expenditures of certain items of dedicated revenues which are not subject to reasonably accurate estimates in advance; and

WHEREAS, N.J.S.A. 40A:4-39 also provides that such anticipation and expenditures of dedicated revenue is subject to the approval of Director of the Division of Local Government Services; and

WHEREAS, it is the desire of the Township of Parsippany-Troy Hills, County of Morris, to anticipate and expend certain dedicated revenue under the provisions of the aforementioned; and

WHEREAS, N.J.S.A. 2B:24-17 authorizes such a dedicated fund for a Recreation Trust;

NOW, THEREFORE, BE IT RESOLVED that the Director of the Division of Local Government Services in the Department of Community Affairs, be and is hereby requested to give his written consent to the insertion, under the Dedication by Rider in the Budget for 2011 of the following:

Recreation Trust

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BE IT FURTHER RESOLVED, that two (2) certified copies of this resolution be furnished to said Director of Division of Local Government Services.

*** Authorizing Settlement of Tax Appeal – Block 18, Lot 18, PSAC Development Partners, 2860 Route 10**

WHEREAS, PSAC DEVELOPMENT PARTNERS occupies certain property described as 2860 Route 10 and known as Block 18, Lot 18; and

WHEREAS, PSAC DEVELOPMENT PARTNERS filed appeals to the Tax Court of New Jersey for said premises for the years 2009 through 2010; and

WHEREAS, the parties have engaged in settlement negotiations; and

WHEREAS, as a result of those settlement negotiations, a settlement has been reached upon the recommendation and concurrence of the Township Attorney, Township Assessor, and the Township's Expert Appraiser; and

WHEREAS, PSAC DEVELOPMENT PARTNERS has agreed to waive all interest due on any refund providing that same is paid by the municipality within sixty (60) days from the date of entry of the New Jersey Tax Court Judgment; and

WHEREAS, the Township Attorney, the Tax Assessor, and the Township's Expert Appraiser have recommended said settlement to the Township Council; and

WHEREAS, the Township Council is of the opinion that said settlement is in the best interests of the Township of Parsippany-Troy Hills;

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. Settlement of the 2009 through 2010 tax appeals are hereby authorized as follows:

	<u>Original Assessment</u>	<u>Settlement Amount</u>
Year: 2009		
LAND	\$ 4,500,000	WITHDRAWN
IMPROVEMENTS	<u>\$ 3,625,000</u>	
TOTAL	\$ 8,125,000	
Year: 2010		
LAND	\$ 4,500,000	\$ 4,500,000
IMPROVEMENTS	<u>\$ 3,625,000</u>	<u>\$ 3,375,000</u>
TOTAL	\$ 8,125,000	\$ 7,875,000

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NOW, THEREFORE, BE IT RESOLVED that all municipal officials are hereby authorized to take whatever action may be necessary to implement the terms of the resolution.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Parsippany-Troy Hills, County of Morris, State of New Jersey, that the settlement in this matter as set forth herein above, be and the same is approved, and the Township Attorney is hereby authorized and directed to affect said settlement.

* **Authorizing Settlement of Tax Appeal – Block 136.01, Lot 2, HPT ING Property Trust, 61 Interpace Parkway**

WHEREAS, HPT ING PROPERTY TRUST occupies certain property described as 61 Interpace Parkway and known as Block 136.01, Lot 2; and

WHEREAS, HPT ING PROPERTY TRUST filed appeals to the Tax Court of New Jersey for said premises for the year 2010; and

WHEREAS, the parties have engaged in settlement negotiations; and

WHEREAS, as a result of those settlement negotiations, a settlement has been reached upon the recommendation and concurrence of the Township Attorney, Township Assessor, and the Township’s Expert Appraiser; and

WHEREAS, HPT ING PROPERTY TRUST has agreed to waive all interest due on any refund providing that same is paid by the municipality within sixty (60) days from the date of entry of the New Jersey Tax Court Judgment; and

WHEREAS, the Township Attorney, the Tax Assessor, and the Township’s Expert Appraiser have recommended said settlement to the Township Council; and

WHEREAS, the Township Council is of the opinion that said settlement is in the best interests of the Township of Parsippany-Troy Hills;

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. Settlement of the 2010 tax appeal is hereby authorized as follows:

	<u>Original Assessment</u>	<u>Settlement Amount</u>
Year: 2010		
LAND	\$ 2,473,000	\$ 2,473,000
IMPROVEMENTS	<u>\$ 7,189,400</u>	<u>\$ 6,589,400</u>
TOTAL	\$ 9,662,400	\$ 9,062,400

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NOW, THEREFORE, BE IT RESOLVED that all municipal officials are hereby authorized to take whatever action may be necessary to implement the terms of the resolution.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Parsippany-Troy Hills, County of Morris, State of New Jersey, that the settlement in this matter as set forth herein above, be and the same is approved, and the Township Attorney is hereby authorized and directed to affect said settlement.

*** Authorizing Settlement of Tax Appeal – Block 200, Lot 1, 1719 Route 10, LP, 1719 Route 10**

WHEREAS, 1719 ROUTE 10, LP occupies certain property described as 1719 Route 10 and known as Block 200, Lot 1; and

WHEREAS, 1719 ROUTE 10, LP filed appeals to the Tax Court of New Jersey for said premises for the years 2009 and 2010; and

WHEREAS, the parties have engaged in settlement negotiations; and

WHEREAS, as a result of those settlement negotiations, a settlement has been reached upon the recommendation and concurrence of the Township Attorney, Township Assessor, and the Township's Expert Appraiser; and

WHEREAS, 1719 ROUTE 10, LP has agreed to waive all interest due on any refund providing that same is paid by the municipality within sixty (60) days from the date of entry of the New Jersey Tax Court Judgment; and

WHEREAS, the Township Attorney, the Tax Assessor, and the Township's Expert Appraiser have recommended said settlement to the Township Council; and

WHEREAS, the Township Council is of the opinion that said settlement is in the best interests of the Township of Parsippany-Troy Hills;

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. Settlement of the 2009 and 2010 tax appeals are hereby authorized as follows:

	<u>Original Assessment</u>	<u>Settlement Amount</u>
Year: 2009		
LAND	\$ 9,414,000	WITHDRAWN
IMPROVEMENTS	<u>\$ 6,702,500</u>	
TOTAL	\$ 16,116,500	

REGULAR TOWNSHIP COUNCIL MEETING, FEBRUARY 15, 2011

Year: 2010

LAND	\$ 9,414,000	\$ 9,414,000
IMPROVEMENTS	<u>\$ 6,702,500</u>	<u>\$ 5,952,500</u>
TOTAL	\$ 16,116,500	\$ 15,366,500

NOW, THEREFORE, BE IT RESOLVED that all municipal officials are hereby authorized to take whatever action may be necessary to implement the terms of the resolution.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Parsippany-Troy Hills, County of Morris, State of New Jersey, that the settlement in this matter as set forth herein above, be and the same is approved, and the Township Attorney is hereby authorized and directed to affect said settlement.

*** Authorizing Settlement of Tax Appeal – Block 200, Lot 1.1, 1639 Real Estate, LLC, 1639 Route 10**

WHEREAS, 1639 REAL ESTATE, LLC occupies certain property described as 1639 Route 10 and known as Block 200, Lot 1.1; and

WHEREAS, 1639 REAL ESTATE, LLC filed appeals to the Tax Court of New Jersey for said premises for the years 2009 and 2010; and

WHEREAS, the parties have engaged in settlement negotiations; and

WHEREAS, as a result of those settlement negotiations, a settlement has been reached upon the recommendation and concurrence of the Township Attorney, Township Assessor, and the Township's Expert Appraiser; and

WHEREAS, 1639 REAL ESTATE, LLC has agreed to waive all interest due on any refund providing that same is paid by the municipality within sixty (60) days from the date of entry of the New Jersey Tax Court Judgment; and

WHEREAS, the Township Attorney, the Tax Assessor, and the Township's Expert Appraiser have recommended said settlement to the Township Council; and

WHEREAS, the Township Council is of the opinion that said settlement is in the best interests of the Township of Parsippany-Troy Hills;

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. Settlement of the 2009 and 2010 tax appeals are hereby authorized as follows:

REGULAR TOWNSHIP COUNCIL MEETING, FEBRUARY 15, 2011

	<u>Original Assessment</u>	<u>Settlement Amount</u>
Year: 2009		
LAND	\$ 9,624,000	\$ 9,624,000
IMPROVEMENTS	<u>\$ 6,494,600</u>	<u>\$ 4,494,600</u>
TOTAL	\$ 16,118,600	\$ 14,118,600
Year: 2010		
LAND	\$ 9,624,000	\$ 9,624,000
IMPROVEMENTS	<u>\$ 6,494,600</u>	<u>\$ 3,494,600</u>
TOTAL	\$ 16,118,600	\$ 13,118,600

NOW, THEREFORE, BE IT RESOLVED that all municipal officials are hereby authorized to take whatever action may be necessary to implement the terms of the resolution.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Parsippany-Troy Hills, County of Morris, State of New Jersey, that the settlement in this matter as set forth herein above, be and the same is approved, and the Township Attorney is hereby authorized and directed to affect said settlement.

* **Authorizing Settlement of Tax Appeal – Block 202, Lot 1.5, KF Schoolhouse, LLC, 7 Century Drive**

WHEREAS, appeals of the real property tax assessments for 2009 and 2010 tax years involving Block 202, Lot 1.5, have been filed by the owner of same, KF Schoolhouse, LLC; and

WHEREAS, said property is located in Parsippany, New Jersey, and owned by KF Schoolhouse, LLC; and

WHEREAS, KF Schoolhouse, LLC, has agreed to waive interest on any refund provided the refund is paid within sixty (60) days of the entry of judgment; and

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

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 owner has agreed to withdraw the following tax appeal on Block 202, Lot 1.5 located at 7 Century Drive filed under Docket No. 009032-2009.
2. Settlement of the 2010 tax appeal on Block 202, Lot 1.5, located at 7 Century Drive, filed under Docket No. 005772-2010, is hereby authorized as follows:

REGULAR TOWNSHIP COUNCIL MEETING, FEBRUARY 15, 2011

	<u>Tax Year 2010</u>	<u>Original Assessment</u>	<u>Settlement Amount</u>
Land		\$3,606,000	\$3,606,000
Improvements		\$2,694,000	\$2,194,000
TOTAL		\$6,300,000	\$5,800,000

3. The appropriate municipal officials are hereby authorized to take whatever action may be necessary to implement the terms of this Resolution.

This Resolution shall take effect immediately.

*** Authorizing Settlement of Tax Appeal – Block 202, Lot 1.7, SK 3 Century Associates, LLC, 3 Century Drive**

WHEREAS, appeals of the real property tax assessments for 2009 and 2010 tax years involving Block 202, Lot 1.7, have been filed by the owner of same, SK 3 Century Associates, LLC; and

WHEREAS, said property is located in Parsippany, New Jersey, and owned by SK 3 Century Associates, LLC; and

WHEREAS, SK 3 Century Associates, LLC, has agreed to waive interest on any refund provided the refund is paid within sixty (60) days of the entry of judgment; and

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

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 owner has agreed to withdraw the following tax appeal on Block 202, Lot 1.7, located at 3 Century Drive filed under Docket No. 009027-2009.

2. Settlement of the 2010 tax appeal on Block 202, Lot 1.7, located at 3 Century Drive, filed under Docket No. 005777-2010, is hereby authorized as follows:

	<u>Tax Year 2010</u>	<u>Original Assessment</u>	<u>Settlement Amount</u>
Land		\$3,606,000	\$3,606,000
Improvements		\$2,694,000	\$2,194,000
TOTAL		\$6,300,000	\$5,800,000

REGULAR TOWNSHIP COUNCIL MEETING, FEBRUARY 15, 2011

3. The appropriate municipal officials are hereby authorized to take whatever action may be necessary to implement the terms of this Resolution.

This Resolution shall take effect immediately.

*** Authorizing Settlement of Tax Appeal – Block 202, Lot 9, 9 Entin Road Investors, LLC, 9 Entin Road**

WHEREAS 9 ENTIN ROAD INVESTORS, LLC occupies certain property described as 9 Entin Road and known as Block 202, Lot 9; and

WHEREAS 9 ENTIN ROAD INVESTORS, LLC filed appeals to the Tax Court of New Jersey for said premises for the year 2010; and

WHEREAS the parties have engaged in settlement negotiations; and

WHEREAS as a result of those settlement negotiations, a settlement has been reached upon the recommendation and concurrence of the Township Attorney, Township Assessor, and the Township’s Expert Appraiser; and

WHEREAS 9 ENTIN ROAD INVESTORS, LLC has agreed to waive all interest due on any refund providing that same is paid by the municipality within sixty (60) days from the date of entry of the New Jersey Tax Court Judgment; and

WHEREAS the Township Attorney, the Tax Assessor, and the Township’s Expert Appraiser have recommended said settlement to the Township Council; and

WHEREAS the Township Council is of the opinion that said settlement is in the best interests of the Township of Parsippany-Troy Hills;

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. Settlement of the 2010 tax appeal is hereby authorized as follows:

	<u>Original Assessment</u>	<u>Settlement Amount</u>
Year: 2010		
LAND	\$ 10,338,600	\$ 10,338,600
IMPROVEMENTS	<u>\$ 7,300,000</u>	<u>\$ 6,300,000</u>
TOTAL	\$ 17,638,600	\$ 16,638,600

REGULAR TOWNSHIP COUNCIL MEETING, FEBRUARY 15, 2011

NOW, THEREFORE, BE IT RESOLVED that all municipal officials are hereby authorized to take whatever action may be necessary to implement the terms of the resolution.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Parsippany-Troy Hills, County of Morris, State of New Jersey, that the settlement in this matter as set forth herein above, be and the same is approved, and the Township Attorney is hereby authorized and directed to affect said settlement.

*** Authorizing Settlement of Tax Appeal – Block 226, Lot 3.2, 20 Lanidex ASC, LP, 20 Lanidex Plaza**

WHEREAS, 20 LANIDEX ASC, LP occupies certain property described as 20 Lanidex Plaza W and known as Block 226, Lot 3.2; and

WHEREAS, 20 LANIDEX ASC, LP filed appeals to the Tax Court of New Jersey for said premises for the years 2009 and 2010; and

WHEREAS, the parties have engaged in settlement negotiations; and

WHEREAS, as a result of those settlement negotiations, a settlement has been reached upon the recommendation and concurrence of the Township Attorney, Township Assessor, and the Township’s Expert Appraiser; and

WHEREAS, 20 LANIDEX ASC, LP has agreed to waive all interest due on any refund providing that same is paid by the municipality within sixty (60) days from the date of entry of the New Jersey Tax Court Judgment; and

WHEREAS, the Township Attorney, the Tax Assessor, and the Township’s Expert Appraiser have recommended said settlement to the Township Council; and

WHEREAS, the Township Council is of the opinion that said settlement is in the best interests of the Township of Parsippany-Troy Hills;

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. Settlement of the 2009 and 2010 tax appeals are hereby authorized as follows:

	<u>Original Assessment</u>	<u>Settlement Amount</u>
Year: 2009		
LAND	\$ 2,337,600	WITHDRAWN
IMPROVEMENTS	\$ <u>0</u>	
TOTAL	\$ 2,337,600	

REGULAR TOWNSHIP COUNCIL MEETING, FEBRUARY 15, 2011

Year: 2010

LAND	\$ 2,337,600	\$ 1,337,600
IMPROVEMENTS	\$ 0	\$ 0
TOTAL	\$ 2,337,600	\$ 1,337,600

NOW, THEREFORE, BE IT RESOLVED that all municipal officials are hereby authorized to take whatever action may be necessary to implement the terms of the resolution.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Parsippany-Troy Hills, County of Morris, State of New Jersey, that the settlement in this matter as set forth herein above, be and the same is approved, and the Township Attorney is hereby authorized and directed to affect said settlement.

*** Authorizing Settlement of Tax Appeal – Block 411, Lot 19, FAWBS, LLC, 3469 Route 46**

WHEREAS, FAWBS, LLC occupies certain property described as 3469 Route 46 and known as Block 411, Lot 19; and

WHEREAS, FAWBS, LLC filed appeals to the Tax Court of New Jersey for said premises for the years 2008, 2009 and 2010; and

WHEREAS, the parties have engaged in settlement negotiations; and

WHEREAS, as a result of those settlement negotiations, a settlement has been reached upon the recommendation and concurrence of the Township Attorney, Township Assessor, and the Township's Expert Appraiser; and

WHEREAS, FAWBS, LLC has agreed to waive all interest due on any refund providing that same is paid by the municipality within sixty (60) days from the date of entry of the New Jersey Tax Court Judgment; and

WHEREAS, the Township Attorney, the Tax Assessor, and the Township's Expert Appraiser have recommended said settlement to the Township Council; and

WHEREAS, the Township Council is of the opinion that said settlement is in the best interests of the Township of Parsippany-Troy Hills;

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. Settlement of the 2008, 2009 and 2010 tax appeals are hereby authorized as follows:

REGULAR TOWNSHIP COUNCIL MEETING, FEBRUARY 15, 2011

	<u>Original Assessment</u>	<u>Settlement Amount</u>
Year: 2008		
LAND	\$ 1,216,500	WITHDRAWN
IMPROVEMENTS	<u>\$ 1,585,600</u>	
TOTAL	\$ 2,802,100	
Year: 2009		
LAND	\$ 1,216,500	WITHDRAWN
IMPROVEMENTS	<u>\$ 1,585,600</u>	
TOTAL	\$ 2,802,100	
Year: 2010		
LAND	\$ 1,216,500	\$ 1,216,500
IMPROVEMENTS	<u>\$ 1,585,600</u>	<u>\$ 1,085,600</u>
TOTAL	\$ 2,802,100	\$ 2,302,100

NOW, THEREFORE, BE IT RESOLVED that all municipal officials are hereby authorized to take whatever action may be necessary to implement the terms of the resolution.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Parsippany-Troy Hills, County of Morris, State of New Jersey, that the settlement in this matter as set forth herein above, be and the same is approved, and the Township Attorney is hereby authorized and directed to affect said settlement.

* **Authorizing Settlement of Tax Appeal – Block 411, Lot 20, Loman Properties, LP, 3419 Route 46**

WHEREAS, LOMAN PROPERTIES, LP occupies certain property described as 3419 Route 46 and known as Block 411, Lot 20; and

WHEREAS, LOMAN PROPERTIES, LP filed appeals to the Tax Court of New Jersey for said premises for the years 2008, 2009 and 2010; and

WHEREAS, the parties have engaged in settlement negotiations; and

WHEREAS, as a result of those settlement negotiations, a settlement has been reached upon the recommendation and concurrence of the Township Attorney, Township Assessor, and the Township's Expert Appraiser; and

WHEREAS, LOMAN PROPERTIES, LP has agreed to waive all interest due on any refund providing that same is paid by the municipality within sixty (60) days from the date of entry of the New Jersey Tax Court Judgment; and

REGULAR TOWNSHIP COUNCIL MEETING, FEBRUARY 15, 2011

WHEREAS, the Township Attorney, the Tax Assessor, and the Township’s Expert Appraiser have recommended said settlement to the Township Council; and

WHEREAS, the Township Council is of the opinion that said settlement is in the best interests of the Township of Parsippany-Troy Hills;

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. Settlement of the 2008, 2009 and 2010 tax appeals are hereby authorized as follows:

	<u>Original Assessment</u>	<u>Settlement Amount</u>
Year: 2008		
LAND	\$ 1,525,800	WITHDRAWN
IMPROVEMENTS	\$ 575,900	
TOTAL	\$ 2,101,700	
Year: 2009		
LAND	\$ 1,525,800	\$ 1,225,800
IMPROVEMENTS	\$ 575,900	\$ 575,900
TOTAL	\$ 2,101,700	\$ 1,801,700
Year: 2010		
LAND	\$ 1,525,800	\$ 1,025,500
IMPROVEMENTS	\$ 575,900	\$ 575,900
TOTAL	\$ 2,101,700	\$ 1,601,700

NOW, THEREFORE, BE IT RESOLVED that all municipal officials are hereby authorized to take whatever action may be necessary to implement the terms of the resolution.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Parsippany-Troy Hills, County of Morris, State of New Jersey, that the settlement in this matter as set forth herein above, be and the same is approved, and the Township Attorney is hereby authorized and directed to affect said settlement.

*** Authorizing Settlement of Tax Appeal – Block 421, Lot 29.2, MIREF Waterview, LLC, 10 Waterview Boulevard**

WHEREAS, MIREF WATERVIEW, LLC occupies certain property described as 10 Waterview Boulevard and known as Block 421, Lot 29.2; and

WHEREAS, MIREF WATERVIEW, LLC filed appeals to the Tax Court of New Jersey for said premises for the years 2009 and 2010; and

REGULAR TOWNSHIP COUNCIL MEETING, FEBRUARY 15, 2011

WHEREAS, the parties have engaged in settlement negotiations; and

WHEREAS, as a result of those settlement negotiations, a settlement has been reached upon the recommendation and concurrence of the Township Attorney, Township Assessor, and the Township's Expert Appraiser; and

WHEREAS, MIREF WATERVIEW, LLC has agreed to waive all interest due on any refund providing that same is paid by the municipality within sixty (60) days from the date of entry of the New Jersey Tax Court Judgment; and

WHEREAS, the Township Attorney, the Tax Assessor, and the Township's Expert Appraiser have recommended said settlement to the Township Council; and

WHEREAS, the Township Council is of the opinion that said settlement is in the best interests of the Township of Parsippany-Troy Hills;

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. Settlement of the 2009 and 2010 tax appeals are hereby authorized as follows:

	<u>Original Assessment</u>	<u>Settlement Amount</u>
Year: 2009		
LAND	\$ 13,925,300	WITHDRAWN
IMPROVEMENTS	<u>\$ 11,527,600</u>	
TOTAL	\$ 25,452,900	
Year: 2010		
LAND	\$ 13,925,300	\$ 13,925,300
IMPROVEMENTS	<u>\$ 11,527,600</u>	<u>\$ 8,527,600</u>
TOTAL	\$ 25,452,900	\$ 22,452,900

NOW, THEREFORE, BE IT RESOLVED that all municipal officials are hereby authorized to take whatever action may be necessary to implement the terms of the resolution.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Parsippany-Troy Hills, County of Morris, State of New Jersey, that the settlement in this matter as set forth herein above, be and the same is approved, and the Township Attorney is hereby authorized and directed to affect said settlement.

REGULAR TOWNSHIP COUNCIL MEETING, FEBRUARY 15, 2011

*** Seeking State Intervention to Increase Safety and Public Awareness on State Highway Route 23**

WHEREAS, the Township of Parsippany-Troy Hills received Township of West Milford Resolution 2011-059 which affirmed the following facts:

- State Highway Route 23 was established in 1927, running 52.63 miles from Verona, New Jersey to the New York State border at Wantage, New Jersey; and
- The Township of West Milford has no authority to interfere with the structure, maintenance and/or design of this road which functions are within the purview of various divisions within State government; and
- State Highway Route 23 weaves through the Township of West Milford at a number of points along its course requiring that the Township provide emergency response services to provide for the safety of all those who travel this State highway; and
- In the 1960's the route was planned to be upgraded which plans were cancelled in the 1970's; and
- In the 1980s certain portions of State Highway Route 23 south of the Township of West Milford were improved expanding certain portions to a six-lane highway; and
- The sections of Route 23 that traverse the Township of West Milford constitute the original route designed prior to 1927 and constructed in accordance with the needs of that time and the construction standards of the day; and
- There is a specific section of State Highway Route 23 encompassing the US postal addresses from 1899 Route 23 to 2200 Route 23 that is of particular concern to West Milford Township Officials and that particular length of highway comprises a number of "S" turns which may have contributed to higher than average incidences of motor vehicle collisions of varying severity including fatal accidents.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Parsippany-Troy Hills, in the interests of the citizens of the State, vigorously supports West Milford's request that the State of New Jersey, through the appropriate State departments, immediately conduct a study to determine both long-term and short-term safety improvements along State Highway Route 23 and, in particular, along that portion of said highway from US postal address 1899 Route 23 to 2200 Route 23 that encompasses a series of "S" turns; and

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to Governor Chris Christie, Senator Joseph Pennachio, Assemblymen Alex DeCroce & Jay Webber, NJDOT Commissioner James S. Simpson.

REGULAR TOWNSHIP COUNCIL MEETING, FEBRUARY 15, 2011

APPLICATION(S):

License(s):

* **Limousine Owner's License (New) – M. Singh Limousine LLC, 180 Littleton Road, Apt. #8 (1 Vehicle)**

BE IT RESOLVED by the Township Council of the Township of Parsippany-Troy Hills that the following new Limousine Owner's Licenses be issued for the year 2011 pending verification of registration with the New Jersey Motor Vehicle Commission:

**M. Singh Limousine LLC
180 Littleton Road, Apt. #8
Parsippany, NJ 07054**

ORDINANCE(S):

Introductions

ORDINANCE NO. 2011:01

An Ordinance Amending and Supplementing Chapter 290, Parks, Recreation areas and Public Lands, Article II, Use Regulations; Permit Requirements of the Code of the Township of Parsippany-Troy Hills
(Attachment No. 1)

The following resolution was offered by Mr. Ferrara, seconded by Mr. Stanton:

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 15, 2011** and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on **March 15, 2011** 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, Ferrara, Stanton and Fox

REGULAR TOWNSHIP COUNCIL MEETING, FEBRUARY 15, 2011

ORDINANCE NO. 2011:02

An Ordinance of the Township Council of the Township of Parsippany-Troy Hills, in the County of Morris, New Jersey, Authorizing the Council President to Appoint a Liaison to the Emergency Services Committee
(Attachment No. 2)

The following resolution was offered by Mr. Cesaro, 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 **February 15, 2011** and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on **March 15, 2011** 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, Ferrara, Stanton and Fox

ORDINANCE NO. 2011:03

An Ordinance of the Township Council of the Township of Parsippany-Troy Hills, in the County of Morris, New Jersey, Authorizing the Council President to Appoint a Liaison to the Board of Education
(Attachment No. 3)

The following resolution was offered by Mr. Stanton, 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 **February 15, 2011** and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on **March 15, 2011** 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, Ferrara, Stanton and Fox

REGULAR TOWNSHIP COUNCIL MEETING, FEBRUARY 15, 2011

MINUTES FOR APPROVAL – NON CONSENT

Mr. Stanton moved the approval of the minutes of the following meeting, seconded by Mr. dePierro:

Regular Meeting of 1/11/2011 (Absent – Cesaro)

ROLL CALL: YES – Council Members dePierro, Ferrara, Stanton and Fox
ABSTAIN – Council Member Cesaro

Mr. Fox indicated that last week a member of the public questioned the possibility of the Township enforcing nonsmoking laws. Mr. Inglesino advised that he has a preliminary answer. He explained that, in July of last year, the Legislature passed a statute that defined “indoor public place” to include an apartment building lobby or other public area in an otherwise private building. This language, per Mr. Inglesino, could be interpreted to mean that if you are in a private building, such as the Mountain Club, and there is a lobby area or corridors that are sort of a public area, this statute may ban smoking in those areas. There is also an enforcement provision that essentially empowers the Township Health Officer to issue fines in addition to a requirement that notices be posted. The language, per Mr. Inglesino, is not crystal clear. He spoke with the Health Officer who is in the process of contacting the State Department of Health for clarification of the language. Mr. Inglesino suggested waiting for a response to the Health Officer’s inquiry before providing a legal opinion because there is no case law. Hopefully, he will have something more definitive in this regard for the next meeting. He reiterated, however, that it does appear that there is language in the State Statute that supports part of the concerns expressed at the last meeting.

A motion was made by Mr. Cesaro, seconded by Mr. Stanton to close the meeting.

ROLL CALL: YES – Council Members Cesaro, dePierro, Ferrara, Stanton and Fox

The meeting adjourned at 7:57 p.m.

Respectfully submitted,

Judith I. Silver, Township Clerk

John M. Fox Council President

Minutes approved:

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

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 290, PARKS,
RECREATION AREAS AND PUBLIC LANDS, ARTICLE II, USE REGULATIONS;
PERMIT REQUIREMENTS OF THE CODE OF THE TOWNSHIP OF PARSIPPANY-
TROY HILLS**

ORDINANCE NO. 2011:01

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

SECTION 1. Chapter 290, Parks, Recreation Areas and Public Lands of Article II, Use Regulations; Permit Requirements, of the code of the Township of Parsippany-Troy Hills is hereby amended and supplemented as follows:

A. Section 8, F. Fees for Permits is hereby deleted in its entirety and replaced with the following:

§ 290-8. Permits.

F. Fees for permits.

Type of Permit	Fee
(1) Recreational activities.	
Art/Crafts Classes - Youth	\$35/person
Baseball Youth Travel Team – Resident	\$65/person
Baseball Youth Travel Team – Non-Resident	\$130/person
Basketball Clinics – Youth	\$25/person
Basketball Youth Travel Team – Per Season - Resident	\$100/player
Basketball Youth Travel Team – Per Season – Non-Resident	\$200/player
Roller Hockey – Adult League – Resident	\$75/person
Roller Hockey – Adult League – Non-Resident	\$150/person
Roller Hockey – Youth League – Resident	\$50/person
Roller Hockey – Youth League – Non-Resident	\$75/person

Type of Permit	Fee
Softball League – Adult Men’s	\$500/team
Softball League – Adult Women’s	\$350/team
Softball Youth Travel Team – Resident	\$65/person
Softball Youth Travel Team – Non-Resident	\$130/person
Softball Umpire Forfeit Fee Deposit	\$120/team
Spring/Fall/Winter Tot Time Classes – (8 sessions)	\$50/person
Summer Camp – Half Day	\$150/person
Summer Camp – Full Day	\$450/person
Summer Camp Playground Trips – Transportation Fee – Per Event	\$6/person
Summer Camp Trips	Cost rounded to highest dollar amount
Summer Camp Tot Time	\$150/person
Swimming Lessons	\$50/person
Tennis – Yearly Pass Fee – Resident	\$15/person
Tennis – Yearly Pass Fee – Non-Resident	\$30/person
Tennis – Yearly Pass Fee – Corporate (10 passes)	\$150
Track/Cross Country Youth	\$10/person
Volleyball League – Adult Men’s/Women’s/Co-Ed	\$75/team
(2) Facility use.	
Natural Grass Fields	
Residents - no lights	\$15/hour
Residents - with lights	\$30/hour
Nonresidents - no lights	\$30/hour
Nonresidents - with lights	\$60/hour

Type of Permit	Fee
League/Business Use Fee – no lights	\$22.50/hour
League/Business Use Fee – with lights	\$45/hour
Artificial Turf Fields	
Residents - no lights	\$20/hour
Residents - with lights	\$40/hour
Nonresidents - no lights	\$40/hour
Nonresidents - with lights	\$80/hour
League/Business Use Fee – no lights	\$30/hour
League/Business Use Fee – with lights	\$60/hour

NOTE:

(a) Teams will be assessed the nonresident facility use permit fee unless at least 80% of the team members are residents of the Township, as evidenced by the submittal of a team roster.

(b) Sports organizations for youth affiliated with the Parsippany Board of Education, Little League East, Little League West, Parsippany Soccer Club, Little Vikings Football, Parsippany Hockey Club and P.A.L. are exempt from the facility use permit fee, provided that:

(i) At least 90% of the youth registered to participate in the affiliated youth sports organization are Township residents;

(ii) The affiliated youth sports organization collects and remits annually to the Township a facility use fee of \$100 for each non-resident registered participant; and

(iii) At least 50% of the members of each team in the affiliated youth sports organization are resident of the Township, as evidenced by the submittal of a team roster.

REGULAR TOWNSHIP COUNCIL MEETING, FEBRUARY 15, 2011

Attachment No. 1
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If less than 90% of the youth registered to participate in an affiliated youth sports organization are residents, as required by Subsection (b)(i) above, each team must meet the requirement of Subsection (a) above to qualify for the resident facility use permit fee; otherwise, the non-resident facility use permit fee shall apply.

Activity Center Indoor – Resident/Parsippany based organization	\$15/hour
Activity Center Indoor – Non-Resident/Non-Parsippany based organization	\$30/hour

Groups will be assessed the non-resident facility use permit fee unless at least 80% of the group members are Township residents.

Type of Permit	Fee
Picnic Area Rental (Fees include garbage pick-up service)	
Group of 15 to 50 people – Resident	\$100/group
Group of 15 to 50 people – Non-Resident	\$150/group
Group of 51 to 100 people – Resident	\$150/group
Group of 51 to 100 people – Non-Resident	\$225/group
Groups of over 100 people - Resident	\$200/group
Groups of over 100 people – Non-Residents	\$300/group
Picnic Area Beer Permit – Resident	\$75/event
Picnic Area Beer Permit – Non-Resident	\$100/event
Roller Hockey Rink	
Residents – no lights	\$15/hour
Residents – with lights	\$30/hour
Non – Residents – no lights	\$30/hour
Non – Residents – with lights	\$60/hour
Veterans Memorial Park Bandstand (minimum rental 4 hours) with electric and lights	\$125/event
Basketball Court – Per Court	\$5/hour
Skate Park Per Year- Resident	\$20
Skate Park Per year – Non-Resident	\$40
Tennis Court – Per Court	\$5/hour

NOTE: A copy of the hours of operation and general rules and regulations are on file in the office of the Superintendent of the Division of Recreation.

B. A new section 17 shall be added and shall read as follows:

§290-17 Recreation Equipment Fee. There shall be a fee of \$175 charged for Recreation equipment that is unreturned in the time frame specified by the equipment contract.

SECTION 2. 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 3. 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 4. This ordinance shall be retroactive to February 1, 2011.

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

ORDINANCE NO 2011:02

**AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP
OF PARSIPPANY-TROY HILLS, IN THE COUNTY OF MORRIS, NEW
JERSEY, AUTHORIZING THE COUNCIL PRESIDENT TO APPOINT A
LIAISON TO THE EMERGENCY SERVICES COMMITTEE**

WHEREAS, the Township of Parsippany-Troy Hills, County of Morris, New Jersey (the “Township”) desires to promote public safety; and

WHEREAS, the Township recognizes the efforts of the Township Emergency Services Committee (the “Committee”) to promote public safety; and

WHEREAS, the Township Council desires to establish and maintain open and consistent communication between Township Government and the Committee;

**NOW THEREFORE, BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF
THE TOWNSHIP OF PARSIPPANY-TROY HILLS, IN THE COUNTY OF MORRIS,
NEW JERSEY AS FOLLOWS:**

Section 1. § 4-76 Nominations and Appointments shall be supplemented as follows:

A. A new subsection C shall be added and shall read as follows:

C. The President of the Township Council is authorized to appoint a Liaison to the Township Emergency Services Committee. Said Liaison shall serve at the pleasure of the Council President for a term expiring not more than one (1) year from the date of appointment. Said Liaison shall have no authority other than to observe the proceedings of the Emergency Services Committee and to make reports to the Township Council from time to time on any and all activity of the Emergency Services Committee.

Section 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed as to such inconsistencies.

Section 4. This Ordinance shall take effect upon final passage, approval, and publication

Section 3. If any article, section, subsection, paragraph, phrase, or sentence contained herein is for any reason held to be unconstitutional or invalid by a court of competent jurisdiction, said article, section, subsection, paragraph, phrase or sentence shall be deemed separable from this Ordinance and shall not affect the validity of the remainder of the Ordinance. as provided by law.

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

ORDINANCE NO 2011:03

**AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP
OF PARSIPPANY-TROY HILLS, IN THE COUNTY OF MORRIS, NEW
JERSEY, AUTHORIZING THE COUNCIL PRESIDENT TO APPOINT A
LIAISON TO THE BOARD OF EDUCATION**

WHEREAS, the Township of Parsippany-Troy Hills, County of Morris, New Jersey (the “Township”) desires to provide quality primary and secondary education; and

WHEREAS, the Township recognizes the efforts of the Parsippany-Troy Hills Board of Education (the “Board”) in providing said quality education; and

WHEREAS, the Township Council desires to establish and maintain open and consistent communication between Township Government and the Board;

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

Section 1. § 4-76 Nominations and Appointments shall be supplemented as follows:

A. A new subsection D shall be added and shall read as follows:

D. The President of the Township Council is authorized to appoint a liaison to the Parsippany-Troy Hills Board of Education. Said Liaison shall serve at the pleasure of the Council President for a term expiring not more than one (1) year from the date of appointment. Said Liaison shall have no authority other than to observe the proceedings of the Parsippany-Troy Hills Board of Education and to make reports to the Township Council from time to time on any and all activity of the Parsippany-Troy Hills Board of Education.

Section 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed as to such inconsistencies.

Section 3. If any article, section, subsection, paragraph, phrase, or sentence contained herein is for any reason held to be unconstitutional or invalid by a court of competent jurisdiction, said article, section, subsection, paragraph, phrase or sentence shall be deemed separable from this Ordinance and shall not affect the validity of the remainder of the Ordinance.

Section 4. This Ordinance shall take effect upon final passage, approval, and publication as provided by law.