

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

September 11, 2012

Public Invited – Public Participation

MEETING CALLED TO ORDER by Council President Stanton at 7:30 p.m.

FLAG SALUTE

MOMENT OF SILENCE FOR THE VICTIMS OF 9-11

Roll Call:	Mr. Carifi	-	Present
	Mr. dePierro	-	Absent
	Mr. Ferrara	-	Present
	Mr. Vigilante	-	Present
	Mr. Stanton	-	Present

OTHERS PRESENT: Mayor Barberio; Jasmine Lim, Business Administrator; Justin Marchetta (covering for John Inglesino, Esq.) Township Attorney; Yancy Wazirmas, Township Clerk

The purpose of this meeting is to set the Agenda for the Regular Township Council Meeting of September 18, 2012.

FORMAL ACTION MAY OR MAY NOT BE TAKEN.

STATEMENT OF COMPLIANCE

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 19, 2011.

Note: Council Meetings are videotaped and aired on Cablevision, Public Access Channel 21, at 2:00 p.m. on Sundays and are also available for viewing at www.parsippany.net.

APPOINTMENTS:

None

PRESENTATION(S):

None

ORDINANCES – SECOND READING(S) AND PUBLIC HEARINGS(S)

An Ordinance Amending Chapter 405, Vehicles and Traffic, Section 29, Bus Stops, of the Code of the Township of Parsippany-Troy Hills, Morris County, New Jersey **(2012:33) ON**

An Ordinance of the Township of Parsippany-Troy Hills, in the County of Morris, New Jersey, Approving Table of Organization of the Parsippany-Troy Hills Police Department **(2012:34) ON**

Status of Adopted Ordinances:

<u>Ordinance Title and Number</u>	<u>Adopted Date</u>	<u>Mayoral Action</u>	<u>Effective Date</u>
Amending Multi-Way Stop Intersections (2012:30)	8/21/12	8/27/12	9/18/12
Lease Agreement with Parsippany Soccer Club (2012:32)	8/21/12	8/27/12	9/18/12

Scheduled Meetings

9/18/12 @ 7:30 p.m. Regular Meeting
Public Invited – Public Participation

10/9/12 @ 7:30 p.m. Agenda Meeting
Public Invited – Public Participation

Minutes for Approval:

Agenda Meeting of 7/10/12 **ON***

Discussion:

Use of Council’s Special Studies Funds for Attendance at League of Municipalities for Council Members and Planning Board and Board of Adjustment Members.

- Ms. Lim explained that for the past 2 years, the Township did not send anyone to the League Conference unless they needed to attend for CEUs. That meant that Council Members, Mayor and herself paid their own way. Planning Board and Board of Adjustment members were not sent to the League Conference.

This year, attendance at the League was included in the Budget under the Administration Budget, but neglected to include the Conference in the Council Budget. She is asking if the Council would consider utilizing the Special Studies line item in their Budget to send

Council Members and nine Board of Adjustment or Planning Board Members. The cost is \$240.00 per person which includes 2 nights stay and \$50.00 registration fee.

If the Council agrees with this, she has 2 recommendations as conditions to go along with their approval:

1. Require that anyone who attends the League at the Township's expense to provide a report within a month of the sessions they attended.
 2. One of the Best Practices Checklist items is whether the Township requires elected officials to attend at least one course during the year. If the Council could indicate they would like to adopt that as a policy, then she can check off that item on the Checklist.
- Council Members discussed the merits of attending the conference and asked a few questions for clarification and indicated they were in favor of adopting this policy and also to allow the Council Members and Planning Board and Zoning Board of Adjustment members to attend the League Conference utilizing the Council's Special Studies Funds.

ROLL CALL:

YES – Council Members Carifi, Ferrara, Vigilante and Stanton

ABSENT - dePierro

MAYOR

Mayor Barberio read a letter from Mr. Turan Ayaz relating his story from 9-11. Mayor Barberio explained that Mr. Ayaz was instrumental in securing the piece of the World Trade Center for the Parsippany 9-11 Memorial located in front of the Municipal Building.

ADMINISTRATION

Bid(s)

Taken:

None

To Be Taken:

- | | |
|--------------------|--|
| 9/13/12 @ 11:00 am | Sealed Proposals for the Reconstruction of Curbs and Sidewalks at Various Locations – 2012 <u>NOTED</u> |
| 9/27/12 @ 10:00 am | Sealed Proposals Replacement of the Accessible Ramp at the Sewage Treatment Plant <u>NOTED</u> |
| 9/27/12 @ 11:00 am | Sealed Proposals for Roof Replacement at the Sewage Treatment Plant <u>NOTED</u> |

Quotation(s)/Proposal(s)/Qualification(s)

Received: None

Requested: None

Ordinance(s) Introductions:

An Ordinance of the Township of Parsippany-Troy Hills in the County of Morris, New Jersey, Authorizing the Acquisition by Purchase of Properties Located Within the Township Through the FEMA Hazard Mitigation Grant Program (2012:35) **INTRODUCTION - ON***

Resolution(s):

Authorizing Change Order #2 for Sylvan Way South Interceptor Sewer Replacement **ON***

Approving Length of Service Award Program Certification Lists for the Year 2011 **ON***

Authorizing an Amendment to the Agreement with Community Hope for Funding from the Affordable Housing Trust Fund of the Township of Parsippany-Troy Hills **ON***

Authorizing the Private Sale of a Vehicle to the Parsippany PAL **ON***

Add-On: Authorizing a Lease Agreement with the Morris County Municipal Utilities Authority for the Lease of Property Located at Edwards and Sharkey Roads in the Township of Parsippany-Troy Hills **ON***

DISCUSSION

Mr. Vigilante added a discussion regarding the Sheep Farm Property. He stated that the intent and purpose of purchasing the house was that it can be used by different Township Committees for meetings and asked what is the current status of the house and is it being maintained?

Mayor Barberio responded that the house is being maintained and an ADA compliant sidewalk was built for it. Currently, one of the soccer leagues is interested in leasing the property but the problem is that you can't lease out the property and can only license it because it was purchased with Open Space Trust Fund money.

Mr. Vigilante asked what is the difference between a lease and a license and Mr. Marchetta responded that a lease gives a legal interest in the property which the Township cannot convey without a referendum under the Open Space Trust Law. A license is more like a permit for use with the Township still holding legal interest in the property. The Township would be able to revoke the license at will and can set conditions on the license which it would not be able to do with a lease.

Mr. Vigilante expressed concerns about the number of cars that would be parking and the fees for the license. Mr. Ferrara suggested that the number of permissible parking spaces be included in the license and also suggested that larger meetings or functions be held elsewhere and asked who would be responsible for maintenance. Ms. Lim responded that the proposed license fee is \$300 to \$500 per month with the license holder responsible for maintenance and utilities. The Township would be responsible for major repairs i.e. water heater replacement.

TOWNSHIP OFFICE REPORTS

Engineering:

Resolution(s):

Extending the Major Soil Moving Permit Granted to K & K Developers/Fox Run **ON***

Engineering Report of: September 2012

Status of Road Resurfacing-Puddingstone Area

The Developer has installed a water main and sanitary sewer line on a portion of Puddingstone Road. We have been working with the developer and will make temporary improvements until the sanitary sewer line is turned over to the Township. A meeting has taken place with the developer but there has been no resolution at this time. **(No Change) NEXT AGENDA**

Revisions to Escrow Requirements in Connection with Residential Sidewalk/Driveway Repairs

The Lau's have expressed their unhappiness with the Township over the escrow fee and their belief that it is unnecessary and onerous on residents. Former Township Engineer Michael Pucilowski wanted to review the ordinance and draft changes to reduce the amount of escrow required for work performed between the property line and the edge of pavement in the Township right-of-way however this was not accomplished before his retirement.

We recently received a letter from Mr. & Mrs. Fraga also expressing their displeasure with the escrow requirement and with the burden on the property owner to request the return of escrow funds. Many people do not request their escrow back after one year. In an effort to help residents the Engineering and Finance offices have been compiling a list of right-of-way escrows that have not been returned.

I met with Michael Pucilowski and asked for his aid in reviewing the ordinances and making recommendations. Recommendations will be presented. **(No Change). NEXT AGENDA**

Edgefield Drive No Parking Zone (Upper)

A meeting will be scheduled with Mt. Tabor Fire Chief Smith to review the no parking area on an upper section of Edgefield Drive. A recommendation will be made following this meeting. **(No Change) NEXT AGENDA**

Canterbury Estates Vacation of Lots 26 and 77 in Block 98

The applicant of Canterbury Estates has requested the vacation of Lot 26 in Block 98. This lot was apparently created as an access route to Lot 77 which was reserved for a future water tower. I take no objection to the vacation of the entire Lot 26 from Foote Lane to Lot 77. Please refer to my May 5, 2009 memo on this subject. The metes and bounds descriptions have been reviewed and were sent back to the attorney for revisions. Once acceptable an Ordinance will need to be adopted by the Township Council to vacate this right-of-way. **(No Change) NEXT AGENDA**

Glacier Hills Sidewalk

Questions have arisen about the annual sidewalk replacement project which included locations in the Glacier Hills section of town last year. Property owners are responsible for the maintenance and replacement of sidewalk along the frontage of their property however, the Township is responsible for repair/replacement if the damaged is caused by a Township tree. The annual project is for the replacement of curb & sidewalk damaged by trees in the Township right of way. This office is evaluating the quality of work completed at the end of last year and any corrective action needed will be addressed once the project begins again this spring. **(No Change) NEXT AGENDA**

Major Soil Moving Permit Extension – K & K Developers, Block 98 Lots 22 & 23

The Planning Board granted a one year extension to the Major Soil Moving Permit until August 18,, 2013. **This office has no objection to the extension and recommends the Township Council extend the Permit and Agreement until August 18, 2013 by resolution.**
RESOLUTION - ON*

CHIEF FINANCIAL OFFICER

Resolution(s):

Approve an Item of Revenue in the Current Fund Budget in the Sum of \$4,400.00 for State of New Jersey Drive Sober or Get Pulled Over 2012 **ON***

ATTORNEY

No Agenda Items.

TOWNSHIP OFFICES / COMMITTEES

No Agenda Items.

COMMUNICATIONS

Correspondence:
No Agenda Items.

APPLICATION(S)

Limousine License Renewal – UNLIMO1.com Corp., 239 New Road, Building C, Suite 208, Parsippany, NJ 07054 **ON***

***Consent Agenda Items**

PUBLIC HEARING

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

- **Jonathan Nelson:** spoke about 9-11 and his personal experience. Spoke about Ordinance 2006-25 which strengthened the Township’s stacking ordinance and implemented a provision for relocation assistance. The annual budget has a \$2,000 line item for this fund. He also stated State statute provides that a child under 2 years of age may be exempted, but the Township’s ordinance is stricter than the state standard. At the time the ordinance was adopted, it was the Township’s prerogative to have a stricter standard. He continued that the Council can amend this at any time. Mr. Nelson asked that the Council amend the ordinance to exempt a child under a certain age and to require the housing department to give notification of relocation assistance when they give notice for vacating an apartment for overcrowding.
- **Roman Hoshowsky:** concerned about reading in the papers about settlements of lawsuits. He asked if administrative steps can be put place or to train employees so that lawsuits can be avoided in the first place. Mayor Barberio responded that the difference between the private and public sectors is civil service. Civil service reform is needed. Classes are required 2 years and one was just completed recently.

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

MOTION TO ADJOURN MEETING: Mr. Ferrara

SECONDED BY: Mr. Carifi

Roll Call:	Mr. Carifi	-	Yes
	Mr. dePierro	-	Absent
	Mr. Ferrara	-	Yes
	Mr. Vigilante	-	Yes
	Mr. Stanton	-	Yes

MEETING ADJOURNED: 8:02pm