

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

May 17, 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 and are also available for viewing on www.parsippany.net.

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

ALSO PRESENT: Mayor Barberio, J. Lim, Business Administrator; J. Wyciskala, Esq. (Representing the Office of the Township Attorney); J. Silver, Township Clerk

The Council reviewed the agenda for the meeting and agreed to introduce 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.”

Ms. Lim announced that Judy Silver, the Township Clerk, will be retiring on or about May 31, 2011 and there is currently no Deputy Clerk in place. After a discussion with the Township Attorney, it was decided that the best plan for now is to appoint a Deputy Clerk. Ms. Lim advised that a retired clerk has indicated a willingness to serve as Deputy Clerk on a part-time basis. Ms. Silver will train this individual as to how Parsippany handles the responsibilities of the municipal clerk’s office and, once she retires, this individual could be appointed by the Council as the “Interim Clerk” until a permanent appointment is made. If the Council elects to hire a clerk who is not yet certified, that individual will serve as “Acting Clerk.” If a certified clerk is appointed, that individual would be appointed by the Council as the Municipal Clerk. Ms. Lim asked if the Council wants to establish a subcommittee for the purpose of interviewing perspective candidates for the position of Municipal Clerk. Council President Fox announced that he and Vice President dePierro would serve as a subcommittee of the Council for this purpose. Ms. Lim noted that she has received three applications as of this date.

REGULAR TOWNSHIP COUNCIL MEETING, MAY 17, 2011

UPCOMING MEETINGS:

6/14/11 @ 7:30 p.m. Agenda Meeting
Public Invited – Public Participation

6/21/11 @ 7:30 p.m. Regular Meeting
Public Invited – Public Participation

BID(S) TO BE TAKEN:

None

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

None

ORDINANCE(S):

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

Ordinance No. 2011:04

An Ordinance of the Township Council of the Township of Parsippany-Troy Hills, County of Morris, State of New Jersey, Authorizing a License Agreement Between the Township of Parsippany-Troy Hills and Parsippany Soccer Club, Inc.

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

BE IT RESOLVED that an ordinance entitled “**An Ordinance of the Township Council of the Township of Parsippany-Troy Hills, County of Morris, State of New Jersey, Authorizing a License Agreement Between the Township of Parsippany-Troy Hills and Parsippany Soccer Club, Inc.,**” be read in title only on second reading and a hearing held thereon.

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

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

David Lowe, 16 Maplewood Drive, President of the Parsippany Soccer Club, thanked the Council for extending the Reynolds Avenue lease.

Seeing no one else come forward to speak, Council President Fox closed the public hearing relative to Ordinance No. 2011:04.

REGULAR TOWNSHIP COUNCIL MEETING, MAY 17, 2011

The following resolution was offered by Mr. Cesaro and seconded by Mr. dePierro:

WHEREAS, the above ordinance was read in title on second reading and a hearing held thereon;

NOW, THEREFORE, BE IT RESOLVED that said ordinance be passed on final reading and that a Notice of Final Passage of said ordinance be published in the newspaper according to law.

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

PRESENTATION:

Prior to the general public hearing, Mayor Barberio presented a proclamation to the Veterans of Foreign Wars and urged citizens to support their annual sale of Buddy Poppies, the proceeds of which are used exclusively for the benefit of disabled and needy veterans and widows and orphans.

PUBLIC HEARING

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

Pet Petaccia, 182 Hawkins Avenue, asked if the Mayor could confirm whether or not the Board of Education receives a special water/sewer rate as was told to the public at a Board of Education Meeting. Mayor Barberio noted that the Board requested a special rate, but he never met with the Board or agreed to any special rate.

Robert Simpson, 30 Hilsinger Road, noted that the Township is making a little progress on the wayside horns. Cost estimates were received. He asked what the next step would be. Mayor Barberio replied that copies of Mr. Lizza's report will be distributed to the Council for review. A decision will then be made as to how the Township will proceed.

Roy Messmer, 10 Drumlin Drive, indicated to the Township Clerk that she will be missed. He felt that the public, unless they have had direct contact with the Clerk, doesn't know what a "top-notched" Township Clerk she is. Ms. Silver thanked Mr. Messmer for his kind words.

Tom Wyka, 1 Bennett Court, noted that he attended last night's Planning Board meeting regarding 272 Parsippany Road. He indicated that this is an office building which he believes is completely or nearly vacant. Interestingly enough, per Mr. Wyka, Freeholder Grossi, a former member of the Township Council, represented the Developer. The whole situation of the building being vacant reminded him of an issue brought up about 1½ years ago. He reviewed the

REGULAR TOWNSHIP COUNCIL MEETING, MAY 17, 2011

Council meeting minutes from September 15, 2009, which revealed a heated debate about a new ordinance creating an Economic Development Advisory Committee. Ms. Grossi, at that time, pointed out how grave the situation was by noting that, even though the Council consistently cut the Township Budget, taxes still increased because of rateable loss. Ms. Grossi stated, per Mr. Wyka, “that if there was ever a time to create a Parsippany Economic Development Advisory Committee, it is now.” That was in 2009. Ms. Wyka advised that Ms. Grossi further noted that anyone who opposes the ordinance has a different agenda, with no interest in protecting the people of Parsippany. Councilman Barberio agreed with Ms. Grossi’s comments and reiterated that the intention of this ordinance is to bring business to Parsippany, noting that the Township has lost \$49 million last year on rateables. Mr. Wyka stated that it is now May 17, 2011; he questioned the status of this Committee.

Mayor Barberio indicated that right now “he is economic development in the town.” He advised that he has been meeting with developers and a lot of promising things are going to happen. He explained that he was not in favor of the proposed amendment to the ordinance. He indicated that he will be asking the Township Attorney to revise the current ordinance. Once the amendment is in place, he will then make any outstanding committee appointments. He hopes to have the proposed amendment to the Council by the next agenda meeting.

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

CONSENT AGENDA:

Mr. dePierro noted that all items listed with an asterisk (*) are considered to be routine and noncontroversial by the Township Council and will be approved by one motion. There will be no separate discussion of these items unless a council member so requests, in which case the item will be removed from the Consent Agenda and considered in its normal sequence on the Agenda. He then moved the approval of the Consent Agenda, seconded by Council Present Fox.

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

MINUTES FOR APPROVAL

* Regular Meeting of 4/12/2011

REGULAR TOWNSHIP COUNCIL MEETING, MAY 17, 2011

BID AWARD(S):

*** New Replacement Bleachers for Various Parks**

WHEREAS, the Township of Parsippany-Troy Hills received bid proposals for New Replacement Bleachers for Various Parks on April 28, 2011, and

WHEREAS, the Business Administrator, Director of Purchasing and Superintendent of Parks and Forestry have reviewed the bids received and recommend that the bid be awarded to the lowest responsible bidder, Ben Shaffer & Associates, Inc., P.O. Box 844, Lake Hopatcong, NJ 07849 for a Total Bid Price of \$79,760.51, and

WHEREAS, the Chief Financial Officer of the Township of Parsippany-Troy Hills has certified to the availability of funds in the following:
“2010 Open Space Trust Fund.”

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Parsippany-Troy Hills that the bid for New Replacement Bleachers for Various Parks 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.

*** Park Road Resurfacing Project – Phase I**

WHEREAS, the Township of Parsippany-Troy Hills received bid proposals for Park Road Resurfacing Project-Phase I on May 3, 2011, 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, Top Line Construction Corp., 22 Fifth Street, Somerville, NJ 08876 for a Total Bid Price of \$290,858.60, 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 # 2010:13
adopted July 20, 2010 entitled,
“Various Improvements.”

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Parsippany-Troy Hills that the bid for Park Road Resurfacing Project-Phase I 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.

REGULAR TOWNSHIP COUNCIL MEETING, MAY 17, 2011

*** Simpson Avenue Reconstruction for Mount Tabor – Phase II**

WHEREAS, the Township of Parsippany-Troy Hills received bid proposals for Simpson Avenue Reconstruction for Mount Tabor-Phase II on May 3, 2011, 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, J.A. Alexander, Inc., 130 John F. Kennedy Drive North, Bloomfield, NJ 07003 for a Total Bid Price of \$363,165.10, 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 #'s 2002:23 adopted June 18, 2002,
2005:07 adopted May 10, 2005 & 2010:13 adopted July 20, 2010,
all entitled,
“Various Improvements.”

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Parsippany-Troy Hills that the bid for Simpson Avenue Reconstruction for Mount Tabor-Phase II 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):

*** Certifying Individuals, Ambulances and Ambulance Equipment of Volunteer First Aid, Rescue and Recovery and Ambulance Squads as Being Qualified for Emergency Medical Service Programs**

WHEREAS, N.J.S.A. 27:5F-27 requires the governing body of a municipality to certify individuals, ambulances and ambulance equipment of volunteer first aid, rescue and recovery, and ambulance squads as being qualified for emergency medical service programs; and

WHEREAS, volunteer first aid, rescue and recovery, and ambulance squads in the Township of Parsippany-Troy Hills, as listed below, have notified the Township Council that certain individuals have qualified for membership and that the ambulance equipment meets standards pursuant to statutory requirements.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Parsippany-Troy Hills that pursuant to and in accordance with N.J.S.A. 27:5F-27, it hereby certifies the individuals, ambulances and ambulance equipment set forth on the lists provided to the Township as being qualified for emergency medical service programs.

PARSIPPANY RESCUE & RECOVERY UNIT, INC.

PARSIPPANY VOLUNTEER AMBULANCE SQUAD, INC.

PARSIPPANY'S ROCKAWAY NECK FIRST AID SQUAD, INC.

*** Confirming Appointments and Awarding Contracts for Professional Services – Chief Municipal Prosecutor (Peter J. King, Esq.) and Municipal Prosecutor (Douglas Cabana, Esq.) And Appointing Alternate Municipal Prosecutor (Matthew R. Petracca, Esq.)**

WHEREAS, the Township of Parsippany-Troy Hills has a need to retain professional legal services pursuant to §4-7 of the Township Administrative Code to serve as Municipal Prosecutor; and

WHEREAS, Peter J. King, Esq., whose offices are located at 51 Gibraltar Drive, Suite 1D, Morris Plains, NJ 07950-1254, was appointed and confirmed as Municipal Prosecutor by Resolution dated March 15, 2011; and

WHEREAS, the Mayor has also appointed Douglas Cabana, Esq., whose offices are located at 104 Elcock Avenue, Boonton, NJ 07005, as Municipal Prosecutor; and

WHEREAS, pursuant to N.J.S.A. 2B:25-4(f), a court having two or more municipal prosecutors shall appoint a Chief Municipal Prosecutor; and

WHEREAS, the Mayor subsequently appointed Peter J. King, Esq. to serve as Chief Municipal Prosecutor, which requires his current agreement to be amended; and

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

WHEREAS, Peter J. King, Esq. has previously submitted and Douglas Cabana, Esq. will submit a Business Entity Disclosure Certification, such Certifications providing that they have not made and will not make any reportable contributions to candidate committees, joint 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 these Contracts, and that the Contracts will prohibit them from making any reportable contributions through the term of the contracts that would bar the award of these Agreements pursuant to N.J.S.A. 19:44A-20.5 et seq.; and

WHEREAS, Peter J. King, Esq. has previously completed and submitted and Douglas Cabana, Esq. will submit a Political Contribution Disclosure Form and Stockholder Disclosure Certification, as required pursuant to N.J.S.A. 19:44A-20.6, 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

REGULAR TOWNSHIP COUNCIL MEETING, MAY 17, 2011

WHEREAS, Peter J. King, Esq. has previously completed and submitted and Douglas Cabana, Esq. will submit the Business Entity Disclosure Certification that further provides that Douglas Cabana, Esq. has not made any and will not make any contributions or solicit any contribution of money or pledge of a contribution in violation of Township Ordinance 10:02 (Municipal Code Part 1, Chapter 12); and

WHEREAS, the terms of these contracts shall be from January 1, 2011 through December 31, 2011; and

WHEREAS, the Chief Financial Officer of the Township of Parsippany-Troy Hills has certified in writing that funds are available for these services in the following account(s):

2011 Temporary Budget: Current Fund - Prosecutor

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. That the Township Council hereby confirms the appointment of Peter J. King, Esq., as Chief Municipal Prosecutor and authorizes the Mayor and Township Clerk to so amend the professional services contract previously awarded to Peter J. King, Esq, whose offices are located at 51 Gibraltar Drive, Suite 1D, Morris Plains, NJ 07950-1254; and
2. That the Township Council hereby awards a professional services contract to, and authorizes the Mayor and Township Clerk to execute a professional services contract with, Douglas Cabana, Esq., whose offices are located at 104 Elcock Avenue, Boonton, NJ 07005, as Municipal Prosecutor; and
3. That the Business Entity Certificates and Disclosures, together with the Determination of Value, shall be placed on file with this Resolution; and
4. That these contracts 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 recognize profession; and
5. That Matthew R. Petracca, Esq., whose offices are located at 51 Gibraltar Drive, Suite 1D, Morris Plains, NJ 07950-1254, be designated as an Alternate Municipal Prosecutor.

REGULAR TOWNSHIP COUNCIL MEETING, MAY 17, 2011

*** Endorsing Submission of the 2010 Recycling Tonnage Grant Application**

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L.1987, c.102, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for such tonnage grants will memorialize the commitment of this municipality to recycling and to indicate the assent of the Township Council to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of Parsippany-Troy Hills hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates R. Greg Schneider to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

*** Authorizing the Execution of an Agreement for Fireworks Display Services**

WHEREAS, the Township wishes to have a fireworks show for its residents for the Fourth of July; and

WHEREAS, although it is not required for Extraordinary Unspecifiable Services, the Township advertised for Proposals from parties interested in providing Fireworks Display Services; and

REGULAR TOWNSHIP COUNCIL MEETING, MAY 17, 2011

WHEREAS, the Business Administrator, Director of Purchasing and Recreation Department have reviewed the proposal received and recommend that the contract be awarded to International Fireworks Mfg. Co., P.O. Box 6, 242 Sycamore Rd., Douglassville, PA 19518 for the fireworks display description proposed for a total price of \$20,000.00; and

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

“2011 Budget/Recreation O/E.”

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Parsippany-Troy Hills, 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 the agreement with International Fireworks Mfg. Co., P.O. Box 6, 242 Sycamore Rd., Douglassville, PA 19518 for Fireworks Display Services; and
- (2) This contract shall be awarded pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20.5 et seq. and without competitive bid as “Extraordinary Unspecifiable Services” in accordance with N.J.S.A. 40A:11-5(1)(a).

* **Confirming the Appointment of Robyn Ann Valle, Esq. as Public Defender and Awarding a Contract for Professional Services**

WHEREAS, the Township of Parsippany-Troy Hills has a need to retain professional legal services pursuant to §4-48 of the Township Administrative Code to serve as Public Defender; and

WHEREAS, the Mayor has appointed Robyn Ann Valle, Esq., whose offices are located at 12 Second Street, Denville, NJ 07834; and

WHEREAS, the Business Administrator has determined and certified in writing that the value of these services will not exceed \$17,500; and

WHEREAS, Robyn Ann Valle, Esq. will submit a Business Entity Disclosure Certification providing that she has not made any and will not make any contribution or solicit any contribution of money or pledge of a contribution in violation of Township Ordinance 10:02 (Municipal Code Part 1, Chapter 12); and

WHEREAS, the term of this contract shall be from January 1, 2011 through December 31, 2011.

REGULAR TOWNSHIP COUNCIL MEETING, MAY 17, 2011

WHEREAS, the Chief Financial Officer of the Township of Parsippany-Troy Hills has certified in writing that funds are available for these services in the following account(s):

2011 Temporary Budget: Current Fund – Public Defender

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 a professional services contract to, and authorizes the Mayor and Township Clerk to execute such contract with Robyn Ann Valle, Esq., whose offices are located at 12 Second Street, Denville, NJ 07834 to serve as Public Defender for the Township.
2. The Determination of Value and Business Entity Disclosure Certification shall be placed on file with this Resolution; and
3. That this contract shall be awarded 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 recognize profession.

* **Granting an Extension of the Major Soil Moving Permit Granted to SJP Properties (Morris Corporate Center V, LLC and Morris Corporate Center VI, LLC), Block 136, Lots 3.03, 44 and 76**

WHEREAS, Morris Corporate Center V, LLC and Morris Corporate Center VI, LLC, successors to SJP Properties, (together “the Developer”), are the owners of property identified as Lots 43.04, 44 and 76 of Block 136 on the Tax Maps of the Township of Parsippany-Troy Hills; and

WHEREAS, the Township and the Developer executed a Developer’s Agreement dated August 17, 2000, which was amended by an Amendment to the Developer’s Agreement dated August 7, 2006 and then again by a Second Amendment dated June 26, 2009; and

WHEREAS, the Planning Board, at its meeting of January 10, 2011, granted the Developer a five (5) year extension of its Final Major Site Plan Application # 05:528 to December 31, 2015 and recommended, via an interoffice memorandum dated January 14, 2011, that the Developer’s Agreement dated August 17, 2000, which was subsequently amended by Agreements dated August 7, 2006 and June 26, 2009, also be extended for five (5) years to December 31, 2015; and

WHEREAS, Justin Lizza, Municipal Engineer, reviewed the Planning Board’s recommendation and advised in an interoffice memorandum dated February 1, 2011 that he had no objection to the granting of said extension to the Developer’s Agreement.

REGULAR TOWNSHIP COUNCIL MEETING, MAY 17, 2011

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 Developer's Agreement and the Amendments thereto entered into by the Township and the Developer be extended to December 31, 2015.

* **Authorizing an Extension to a Developer's Agreement with Morris Corporate Center V, LLC and Morris Corporate Center VI, LLC**

WHEREAS, Morris Corporate Center V, LLC and Morris Corporate Center VI, LLC, successors to SJP Properties, (together "the Developer"), are the owners of property identified as Lots 43.04, 44 and 76 of Block 136 on the Tax Maps of the Township of Parsippany-Troy Hills; and

WHEREAS, the Township and the Developer executed a Developer's Agreement dated August 17, 2000, which was amended by an Amendment to the Developer's Agreement dated August 7, 2006 and then again by a Second Amendment dated June 26, 2009; and

WHEREAS, the Planning Board, at its meeting of January 10, 2011, granted the Developer a five (5) year extension of its Final Major Site Plan Application # 05:528 to December 31, 2015 and recommended, via an interoffice memorandum dated January 14, 2011, that the Developer's Agreement dated August 17, 2000, which was subsequently amended by Agreements dated August 7, 2006 and June 26, 2009, also be extended for five (5) years to December 31, 2015; and

WHEREAS, Justin Lizza, Municipal Engineer, reviewed the Planning Board's recommendation and advised in an interoffice memorandum dated February 1, 2011 that he had no objection to the granting of said extension to the Developer's Agreement.

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 Developer's Agreement and the Amendments thereto entered into by the Township and the Developer be extended to December 31, 2015

* **Authorizing Cancellations of Grant Fund Receivables and Reserve Balances**

WHEREAS: there exists various grant fund receivables and reserves on the balance sheet of the Current Fund; and

WHEREAS: the funds creating these receivables and reserves have been investigated and determined to be overstated and uncollectable;

REGULAR TOWNSHIP COUNCIL MEETING, MAY 17, 2011

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Parsippany-Troy Hills that the following list of receivables and reserves be and the same are hereby canceled:

<u>Grant</u>	<u>Receivable Balance</u>	<u>Reserve Balance</u>
Pedestrian Safety Education and Enforcement Grant FY 2010	\$ 100.00	\$ 100.00
County of Morris – Municipal Alliance Grant	\$ 10,434.74	\$ 12,176.43

* **Authorizing an Agreement and Release with DLS Contracting, Inc.**

WHEREAS, on February 26, 2008, the Township of Parsippany-Troy Hills (the “Township”) awarded DLS Contracting, Inc. (“DLS Contracting”) the Knoll Country Club West Course Asphalt Golf Cart Path Reconstruction Contract (the “Contract”); and

WHEREAS, pursuant to the Contract, DLS Contracting has undertaken various improvements on the Knoll Country Club West Course; and

WHEREAS, said improvements undertaken by DLS Contracting have reached substantial completion; and

WHEREAS, the Township has accepted said improvements to the Knoll Country Club West Course; and

WHEREAS, DLS Contracting has sought final payment for said improvements made; and

WHEREAS, the Township desires to fully and finally release DLS Contracting from the Contract; and

WHEREAS, the Township and DLS Contracting have reached an agreement on an amicable resolution of any and all outstanding claims, invoices, and amounts, and all of them, that have been or could have been asserted against one another, in exchange for final payment of Twelve Thousand Dollars (\$12,000.00);

NOW, THEREFORE, BE IT RESOLVED, as follows, that:

1. The Township Council hereby authorizes the Agreement and Release by and between the Township and DLS Contracting, Inc.; and

REGULAR TOWNSHIP COUNCIL MEETING, MAY 17, 2011

2. The Township Council hereby authorizes the Mayor, Business Administrator, and/or Township Clerk to execute and deliver the Agreement and Release; and to deliver and return that sum agreed upon by the Township and DLS Contracting as due and owing under the Agreement and Release to DLS Contracting in the manner set forth in the Agreement and Release.

APPLICATION(S):

License(s):

* **Limousine Owners' Licenses (New) – Limo 4 U, LLC**

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 2010.

**Limo 4 U, LLC
38 Adelphia Road
Parsippany, NJ 07054
(1 vehicle)**

and

**Trustworthy Limo & Taxi, LLC
7 Sedgefield Drive
Morris Plains, NJ 07950
(2 vehicles)**

MINUTES FOR APPROVAL – NON-CONSENT

Agenda Meeting of 4/5/2011 (Absent – Fox and dePierro)

Mr. Cesaro moved the approval of the minutes of the following meeting, seconded by Mr. Ferrara:

ROLL CALL:

Mr. Cesaro	-	Yes
Mr. dePierro	-	Abstain
Mr. Ferrara	-	Yes
Mr. Stanton	-	Yes
Mr. Fox	-	Abstain

REGULAR TOWNSHIP COUNCIL MEETING, MAY 17, 2011

ORDINANCE(S):
Introductions

Ordinance No. 2011:07

An Ordinance of the Township of Parsippany-Troy Hills, in the County of Morris, New Jersey, Providing for Various Capital Improvements for the Township of Parsippany-Troy Hills and Appropriating \$5,632,800 Therefor, and Providing for the Issuance of \$5,101,160 in General Improvement Bonds or Notes of the Township of Parsippany-Troy Hills to Finance the Same
(Attachment No. 1)

The following resolution was offered by Mr. Ferrara, 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 **May 17, 2011** and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on **June 21, 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. 2011:08

An Ordinance of the Township of Parsippany-Troy Hills, in the County of Morris, New Jersey, Providing for Various Water Utility Improvements for the Township of Parsippany-Troy Hills and Appropriating \$595,000 Therefor, and Providing for the Issuance of 565,250 in General Improvement Bonds or Notes of the Township of Parsippany-Troy Hills to Finance the Same
(Attachment No. 2)

REGULAR TOWNSHIP COUNCIL MEETING, MAY 17, 2011

The following resolution was offered by Mr. Stanton, 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 **May 17, 2011** and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on **June 21, 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. 2011:09

An Ordinance of the Township of Parsippany-Troy Hills, in the County of Morris, New Jersey, Providing for Various Sewer Utility Improvements for the Township of Parsippany-Troy Hills and Appropriating \$2,000,000 Therefor, and Providing for the Issuance of \$1,900,000 in General Improvement Bonds or Notes of the Township of Parsippany-Troy Hills to Finance the Same
(Attachment No. 3)

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

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 **May 17, 2011** and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on **June 21, 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, MAY 17, 2011

Ordinance No. 2011:10

An Ordinance of the Township of Parsippany-Troy Hills, in the County of Morris, New Jersey, Providing for Golf Course and Recreation Utility Improvements for the Township of Parsippany-Troy Hills and Appropriating \$202,677 Therefor, and Providing for the Issuance of \$192,543 in General Improvement Bonds or Notes of the Township of Parsippany-Troy Hills to Finance the Same
(Attachment No. 4)

The following resolution was offered by Mr. Fox, 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 **May 17, 2011** and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on **June 21, 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. 2011:11

An Ordinance Amending and Supplementing Chapter 57, Personnel Policies, Article III, Section 57-3, Waiver of Health Benefit Coverage, of the Code of the Township of Parsippany-Troy Hills
(Attachment No. 5)

The following resolution was offered by Mr. Stanton, seconded by Council President 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 **May 17, 2011** and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on **June 21, 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.

REGULAR TOWNSHIP COUNCIL MEETING, MAY 17, 2011

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. 2011:12

An Ordinance Amending and Supplementing Section 4-23, Division of Recreation, of Article VIII Department of Parks, Forestry and Recreation, of Chapter 4, Administration of Government, of the Code of the Township of Parsippany-Troy Hills
(Attachment No. 6)

The following resolution was offered by Mr. Cesaro, 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 **May 17, 2011** and that said Ordinance be further considered for second reading and final passage at a Meeting to be held **on June 21, 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. 2011:13

An Ordinance Amending Section 285-4, Schedule A, No Parking Fire Zones, of Article I, of Chapter 285, Parking, of the Code of the Township of Parsippany-Troy Hills to Establish Fire Zones and Regulate Parking at Andican Brothers Plaza, 53, 976 Tabor Road, Block 27, Lot 11.01
(Attachment No. 7)

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

REGULAR TOWNSHIP COUNCIL MEETING, MAY 17, 2011

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 **May 17, 2011** and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on **June 21, 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 – ADD ON

Mr. dePierro made a motion to add to the agenda the introduction of an ordinance amending recreational permit fees, seconded by Mr. Stanton.

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

Ordinance No. 2011:14

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. 8)

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

BE IT RESOLVED that an ordinance entitled “**Amending and Supplementing Chapter 290, Parks, Recreation Areas and Public Lands, Article II, Use Regulations; Permit Requirements of the Code,**” be read in title only on second reading and a hearing held thereon.

WHEREAS, the above ordinance was read in title on second reading and a hearing held thereon;

NOW, THEREFORE, BE IT RESOLVED that said ordinance be passed on final reading and that a Notice of Final Passage of said ordinance be published in the newspaper according to law.

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

REGULAR TOWNSHIP COUNCIL MEETING, MAY 17, 2011

The Council convened in closed session to discuss contract negotiations with Synagro, Inc. (Incinerator Project). Closed Resolution attached (Attachment No. 9).

Upon reconvening in open session at 9:00 p.m., a motion was made by Mr. Cesaro, seconded by Mr. Ferrara, to adjourn.

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

The meeting adjourned at 9:01 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**

ORDINANCE NO. 2011:07

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, IN THE COUNTY OF MORRIS, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The several improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Township of Parsippany-Troy Hills, in the County of Morris, New Jersey (the "Township"), as general improvements. For the several improvements or purposes described in Section 3 hereof, there are hereby appropriated the respective sums of money therein stated as the appropriations made for each improvement or purpose, such sums amounting in the aggregate to \$5,632,800 including a Transportation Trust Fund Grant in the amount of \$250,000 expected to be received from the State of New Jersey Department of Transportation and the aggregate sum of \$281,640 as the several down payments from the Capital Improvement Fund for the purposes required by local bond law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments or otherwise provided for hereunder, negotiable bonds are hereby authorized to be issued in the principal amount of \$5,101,160 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds or notes are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

- (a) Purpose:Acquisition of vehicles, other than passenger cars and station wagons, including but not limited to two dump trucks, a Yardbird, an ambulance and a rescue truck, and including all other work and materials necessary therefor and incidental thereto.

REGULAR TOWNSHIP COUNCIL MEETING, MAY 17, 2011

Attachment No. 1
Page 2 of 6

<u>Appropriation and Estimated Cost:</u>	\$ 771,800
<u>Maximum Amount of Bonds or Notes:</u>	\$ 733,210
<u>Period or Average Period of Usefulness:</u>	5 years
<u>Amount of Down Payment:</u>	\$ 38,590

(b) Purpose: Acquisition of various equipment including a chipper, a traffic alerting message board and a set of portable wheel lifts, and including all other work and materials necessary therefor and incidental thereto.

<u>Appropriation and Estimated Cost:</u>	\$ 190,000
<u>Maximum Amount of Bonds or Notes:</u>	\$ 180,500
<u>Period or Average Period of Usefulness:</u>	15 years
<u>Amount of Down Payment:</u>	\$ 9,500

(c) Purpose: Construction and/or reconstruction of sidewalks and curbs at various locations, and including all work and materials necessary therefor or incidental thereto.

<u>Appropriation and Estimated Cost:</u>	\$ 200,000
<u>Maximum Amount of Bonds or Notes:</u>	\$ 190,000
<u>Period or Average Period of Usefulness:</u>	10 years
<u>Amount of Down Payment:</u>	\$ 10,000

(d) Purpose: Various road improvements including but not limited to MT. Tabor Road; Upper Hiawatha Reconstruction Project including the Madison Avenue Project; the Lower Hiawatha Project to include Manito, Pawnee and Carlson Avenues; Park Road resurfacing Phase II and various other drainage and road resurfacing projects and placement of pavement markers at various locations, and including all work and materials necessary therefor or incidental thereto.

<u>Appropriation and Estimated Cost:</u>	\$ 4,065,000
<u>Maximum Amount of Bonds or Notes:</u>	\$ 3,611,750
<u>Period or Average Period of Usefulness:</u>	15 years
<u>Grant Money expected to be received:</u>	\$ 250,000
<u>Amount of Down Payment:</u>	\$ 203,250

(e) Purpose: Rainbow Lakes Dam Projects, and including all work and materials necessary therefor or incidental thereto.

<u>Appropriation and Estimated Cost:</u>	\$350,000
<u>Maximum Amount of Bonds or Notes:</u>	\$332,500
<u>Period or Average Period of Usefulness:</u>	30 years
<u>Amount of Down Payment:</u>	\$ 17,500

(f) Purpose: Purchase of a storage building, including all work and materials necessary therefor or incidental thereto.

<u>Appropriation and Estimated Cost:</u>	\$26,000
<u>Maximum Amount of Bonds or Notes:</u>	\$24,700
<u>Period or Average Period of Usefulness:</u>	20 years
<u>Amount of Down Payment:</u>	\$ 1,300

(g) Purpose: Upgrade to the engineering building, and including all work and materials necessary therefor or incidental thereto.

<u>Appropriation and Estimated Cost:</u>	\$30,000
<u>Maximum Amount of Bonds or Notes:</u>	\$28,500
<u>Period or Average Period of Usefulness:</u>	15 years
<u>Amount of Down Payment:</u>	\$ 1,500

(h) The estimated maximum amount of bonds or notes to be issued for the several improvements or purposes is as stated in Section 2 hereof.

(i) The estimated cost of the several improvements or purposes is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all

matters in connection with notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget (or temporary capital budget as applicable) of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget (or amended temporary capital budget as applicable) and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The several improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are improvements or purposes the Township may lawfully undertake as general improvements, and no part of the costs thereof have been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of the several improvements or purposes, within the limitations of the Local Bond Law, computed on the basis of the respective amounts or obligations authorized for each improvement or purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 14.56 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$5,101,160 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$300,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the several improvements or purposes.

- (e) The Township reasonably expects to commence the acquisition and/or construction of the several improvements or purposes described in Section 3 hereof, and to advance all or a portion of the costs in respect thereof, prior to the issuance of bonds or notes hereunder. To the extent such costs are advanced, the Township further reasonably expects to reimburse such expenditures from the proceeds of the bonds or notes authorized by this bond ordinance, in an aggregate amount not to exceed the amount of bonds or notes authorized in Section 2 hereof.

Section 7. Any grant moneys received for the purposes described in Section 3 hereof (other than those identified in Section 8 hereof) shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized hereunder shall be reduced to the extent that such funds are so used.

Section 8. As a portion of the total appropriation of \$5,101,160 made in Section 1 hereof, there is herein appropriated for the improvements in Section 3(d) a Transportation Trust Fund Grant in the amount of \$250,000 to be received from the State of New Jersey Department of Transportation.

Section 9. The full faith and credit of the Township is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 10. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 11. To the extent that any previous ordinance or resolution is inconsistent herewith or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section 12. If any part(s) of this ordinance shall be deemed invalid, such part(s) shall be severed and the invalidity thereby shall not affect the remaining parts of this ordinance.

Section 13. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

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

ORDINANCE NO. 2011:08

AN ORDINANCE OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, IN THE COUNTY OF MORRIS, NEW JERSEY, PROVIDING FOR VARIOUS WATER UTILITY IMPROVEMENTS FOR THE TOWNSHIP OF PARSIPPANY-TROY HILLS AND APPROPRIATING \$595,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$565,250 IN GENERAL IMPROVEMENT BONDS OR NOTES OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS TO FINANCE THE SAME

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, IN THE COUNTY OF MORRIS, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), **AS FOLLOWS:**

Section 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Township of Parsippany-Troy Hills, in the County of Morris, New Jersey (the "Township"), as a general improvement. For the improvement or purpose described in Section 3 hereof, there is hereby appropriated the sum of \$595,000 including the sum of \$29,750 as the down payment from the water utility capital improvement fund for the purposes required by local bond law. The down payment has been made available by virtue of provision in the water utility capital improvement fund in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment or otherwise provided for hereunder, negotiable bonds are hereby authorized to be issued in the principal amount of \$565,250 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The improvement hereby authorized and the purpose for which the bonds or notes are to be issued are various improvements to the Township's water utility system, including but not limited to, tank upgrades, vehicle purchase and detention time improvements to well #8 and including all structures, work, equipment and materials necessary therefore or incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the several improvements or purposes is as stated in Section 2 hereof.

- (c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget (or temporary capital budget as applicable) of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget (or amended temporary capital budget as applicable) and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a)The improvement or purpose described in Section 3 of this bond ordinance is not current expense. It is an improvement or purpose the Township may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b)The average period of usefulness of the improvement or purpose, within the limitations of the Local Bond Law, according to the reasonable life thereof within the limitations of the Local Bond Law, is 5.97 years.

(c)The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of

the bonds and notes provided in this bond ordinance by \$565,250 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$50,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the several improvements or purposes.

(e) The Township reasonably expects to commence the acquisition and/or construction of the improvement or purpose described in Section 3 hereof, and to advance all or a portion of the costs in respect thereof, prior to the issuance of bonds or notes hereunder. To the extent such costs are advanced, the Township further reasonably expects to reimburse such expenditures from the proceeds of the bonds or notes authorized by this bond ordinance, in an aggregate amount not to exceed the amount of bonds or notes authorized in Section 2 hereof.

Section 7. Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized hereunder shall be reduced to the extent that such funds are so used.

Section 8. The full faith and credit of the Township is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 9. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. To the extent that any previous ordinance or resolution is inconsistent herewith or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section 11. If any part(s) of this ordinance shall be deemed invalid, such part(s) shall be severed and the invalidity thereby shall not affect the remaining parts of this ordinance.

Section 12. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

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

ORDINANCE NO. 2011:09

AN ORDINANCE OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, IN THE COUNTY OF MORRIS, NEW JERSEY, PROVIDING FOR VARIOUS SEWER UTILITY IMPROVEMENTS FOR THE TOWNSHIP OF PARSIPPANY-TROY HILLS AND APPROPRIATING \$2,000,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$1,900,000 IN GENERAL IMPROVEMENT BONDS OR NOTES OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS TO FINANCE THE SAME

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, IN THE COUNTY OF MORRIS, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), **AS FOLLOWS:**

Section 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Township of ParsIPPany-Troy Hills, in the County of Morris, New Jersey (the "Township"), as a general improvement. For the improvement or purpose described in Section 3 hereof, there is hereby appropriated the sum of \$2,000,000 including the sum of \$100,000 as the down payment from the sewer utility capital improvement fund for the purposes required by local bond law. The down payment has been made available by virtue of provision in the sewer utility capital improvement fund in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment or otherwise provided for hereunder, negotiable bonds are hereby authorized to be issued in the principal amount of \$1,900,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The improvement hereby authorized and the purpose for which the bonds or notes are to be issued are various improvements to the Township's sewer utility system, relating to the 4 MGD Plant Upgrade including all structures, work, equipment and materials necessary therefore or incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the several improvements or purposes is as stated in Section 2 hereof.

- (c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget (or temporary capital budget as applicable) of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget (or amended temporary capital budget as applicable) and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not current expense. It is an improvement or purpose the Township may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of the improvement or purpose, within the limitations of the Local Bond Law, according to the reasonable life thereof within the limitations of the Local Bond Law, is 15 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the

authorization of the bonds and notes provided in this bond ordinance by \$1,900,000 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$100,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the several improvements or purposes.

(e) The Township reasonably expects to commence the acquisition and/or construction of the improvement or purpose described in Section 3 hereof, and to advance all or a portion of the costs in respect thereof, prior to the issuance of bonds or notes hereunder. To the extent such costs are advanced, the Township further reasonably expects to reimburse such expenditures from the proceeds of the bonds or notes authorized by this bond ordinance, in an aggregate amount not to exceed the amount of bonds or notes authorized in Section 2 hereof.

Section 7. Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized hereunder shall be reduced to the extent that such funds are so used.

Section 8. The full faith and credit of the Township is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 9. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. To the extent that any previous ordinance or resolution is inconsistent herewith or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section 11. If any part(s) of this ordinance shall be deemed invalid, such part(s) shall be severed and the invalidity thereby shall not affect the remaining parts of this ordinance.

Section 12. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

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

ORDINANCE NO. 2011:10

AN ORDINANCE OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, IN THE COUNTY OF MORRIS, NEW JERSEY, PROVIDING FOR GOLF COURSE AND RECREATION UTILITY IMPROVEMENTS FOR THE TOWNSHIP OF PARSIPPANY-TROY HILLS AND APPROPRIATING \$202,677 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$192,543 IN GENERAL IMPROVEMENT BONDS OR NOTES OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS TO FINANCE THE SAME

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, IN THE COUNTY OF MORRIS, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), **AS FOLLOWS:**

Section 1. The improvement or purpose described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Township of Parsippany-Troy Hills, in the County of Morris, New Jersey (the "Township"), as a general improvement. For the improvement or purpose described in Section 3 hereof, there is hereby appropriated the sum of \$202,677 including the sum of \$10,134 as the down payment from the golf and recreation utility capital improvement fund for the purposes required by local bond law. The down payment has been made available by virtue of provision in the golf course and recreation utility capital improvement fund in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment or otherwise provided for hereunder, negotiable bonds are hereby authorized to be issued in the principal amount of \$192,543 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The improvement hereby authorized and the purpose for which the bonds or notes are to be issued are various improvements to and equipment for the Township's Golf Course and Recreation Utility, including but not limited to, renovation and upgrades to the Knoll West Ballroom and acquisition of mowers and including all structures, work, equipment and materials necessary therefore or incidental thereto.

- (b) The estimated maximum amount of bonds or notes to be issued for the several improvements or purposes is as stated in Section 2 hereof.

- (c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget (or temporary capital budget as applicable) of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget (or amended temporary capital budget as applicable) and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

- a) The improvement or purpose described in Section 3 of this bond ordinance is not current expense. It is an improvement or purpose the Township may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

- (b) The average period of usefulness of the improvement or purpose, within the limitations of the Local Bond Law, according to the reasonable life thereof within the limitations of the Local Bond Law, is 15 years.

- (c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$192,543 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

- (d) An aggregate amount not exceeding \$15,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated

- (e) herein for the several improvements or purposes. The Township reasonably expects to commence the acquisition and/or

- (f) construction of the improvement or purpose described in Section 3 hereof, and to advance all or a portion of the costs in respect thereof, prior to the issuance of bonds or notes hereunder. To the extent such costs are advanced, the Township further reasonably expects to reimburse such expenditures from the proceeds of the bonds or notes authorized by this bond ordinance, in an aggregate amount not to exceed the amount of bonds or notes authorized in Section 2 hereof.

Section 7. Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized hereunder shall be reduced to the extent that such funds are so used.

Section 8. The full faith and credit of the Township is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 9. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. To the extent that any previous ordinance or resolution is inconsistent herewith or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section 11. If any part(s) of this ordinance shall be deemed invalid, such part(s) shall be severed and the invalidity thereby shall not affect the remaining parts of this ordinance.

Section 12. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

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

ORDINANCE NO. 2011:11

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 57, PERSONNEL
POLICIES, ARTICLE III, SECTION 57-3, WAIVER OF HEALTH BENEFIT
COVERAGE, OF THE CODE OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS**

WHEREAS, pursuant to N.J.S.A. 40A:10-17.1, the Township adopted an ordinance permitting Township employees who are eligible for other health care coverage to waive certain health care benefits under the Township's group health care plans; and

WHEREAS, effective May 21, 2010, P.L. 2010, c. 2 changed various provisions of N.J.S.A. 40A:10-17.1, including reducing the maximum amount of payment for the waiver of employer provided health benefits coverage to 25% or \$5,000, whichever is less, of the amount saved by the employer because of the waiver of coverage; and

WHEREAS, the foregoing reduction in waiver amount applies to new waiver requests filed or approved after May 21, 2010.

NOW THEREFORE 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. that Article III, Waiver of Health Benefit Coverage, be repealed in its entirety and replaced as follows:

**Article III
Waiver of Health Benefit Coverage**

§ 57-3. Waiver of Health Benefit Coverage

- A. Any Township employee, receiving health care benefits under the Township's current health care benefits plan who is also eligible for other health care coverage may waive coverage under the Township's health care benefits plan by executing a written waiver of coverage on forms prescribed by the Department of Administration and filed with the Township.
- B. If coverage was waived prior to May 21, 2010, the Township shall continue to pay to the employee the amount annually saved by the Township for the relevant medical and/or dental health care benefit coverage waived, not to exceed thirty-five percent (35%)

of the annual premium of the COBRA rates, less administrative fee, if the Township is self-insured, or thirty-five percent (35%) of the premium if the Township contracts for fully-insured plans.

- C. If coverage is waived on or after May 21, 2010, the Township will pay to the employee the amount annual saved by the Township for the relevant medical and/or dental health care benefit coverage waived, not to exceed twenty-five percent (25%) of the annual premium of the COBRA rates, less administrative fee, if the Township is self-insured, or twenty-five percent (25%) of the premium if the Township contracts for fully-insured plans, or \$5,000, whichever is less.
- D. Any Township employee who waives health care benefits coverage shall be permitted to resume coverage under the same terms and conditions as apply to initial coverage if the employee ceases to be covered through the employee's spouse for any reason, including, but not limited to, the retirement or death of the spouse or divorce.
- E. Any Township employee who resumes coverage shall repay, on a pro-rated basis, any monies received from the Township which represent an advance payment for a period of time during which coverage is resumed.
- F. Any Township employee who wishes to resume health care benefit coverage shall file a declaration revoking the waiver in writing on forms prescribed by the Department of Administration.
- G. After revocation of a waiver, all payments to any Township employee pursuant to this Section shall cease concurrently with the effective date of such employee's re-enrollment in any Township health care benefits plan.

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-Troy Hills 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 take effect immediately upon its final passage, approval and publication as provided by law.

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

ORDINANCE NO 2011:12

AN ORDINANCE AMENDING AND SUPPLEMENTING SECTION 4-23, DIVISION OF RECREATION, OF ARTICLE VIII, DEPARTMENT OF PARKS, FORESTRY AND RECREATION, OF CHAPTER 4, ADMINISTRATION OF GOVERNMENT, OF THE CODE OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS

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. Section 4-23 B(3), which refers to the *Division of Recreation*, of Article VIII, *Department of Parks, Forestry and Recreation*, of Chapter 4, *Administration of Government*, of the Code of the Township of Parsippany-Troy Hills is hereby amended and supplemented by increasing the number of regular members serving on the Recreation Advisory Committee from seven to eight, five of whom shall be appointed by the Mayor.

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-Troy Hills 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 take effect immediately upon its final passage, approval and publication as provided by law.

**TOWNSHIP OF PARSIPPANY-TROY HILLS
MORRIS COUNTY, NEW 2011:13**

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

Andican Brothers, Plaza 53, 976 Tabor Road (Block 27, Lot 11.01)

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

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

Andican Brothers, Plaza 53, 976 Tabor Road (Block 27, Lot 11.01)

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

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

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

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

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

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

**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. 2011:14**

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
Softball League – Adult Men’s	\$500/team
Softball League – Adult Women’s	\$350/team
Softball Youth Travel Team - Resident	\$65/person

REGULAR TOWNSHIP COUNCIL MEETING, MAY 17, 2011

Type of Permit	Fee
Softball Youth Travel Team – Non-Resident	\$130/person
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
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

REGULAR TOWNSHIP COUNCIL MEETING, MAY 17, 2011

Type of Permit	Fee
Nonresidents - with lights	\$80/hour
League/Business Use Fee – no lights	\$30/hour
League/Business Use Fee – with lights	\$60/hour

NOTE:

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

(b) The following organizations;
Parsippany Board of Education,
Par-Troy Little League East,
Par-Troy Little League West,
Parsippany Soccer Club,
Little Vikings Football,
Parsippany Police Athletic League

are exempt from the facility use permit fee, provided that:

- (1) At least 80% of the youth registered to participate in the affiliated youth sports organization are Township residents;
- (2) The affiliated organization collects and remits annually to the Township's Recreation Department a complete roster of registrants and facility use fee of \$100 for each non-resident registered participant;
- (3) With the approval of the Township Administration each affiliated organization will be permitted to hold one special event per calendar year.

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

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

Picnic Area Rental (Fees include garbage pick-up service)

Group of 15 to 50 people – Resident	\$50/group
Group of 15 to 50 people – Non-Resident	\$100/group

REGULAR TOWNSHIP COUNCIL MEETING, MAY 17, 2011

Type of Permit	Fee
Group of 51 to 100 people – Resident	\$100/group
Group of 51 to 100 people – Non-Resident	\$200/group
Groups of over 100 people - Resident	\$150/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/hour
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.

REGULAR TOWNSHIP COUNCIL MEETING, MAY 17, 2011

Attachment No. 9
Page 1 of 1

RE: Contract Negotiations – Incinerator Project (Synagro, Inc.)

DATE: May 17, 2011

TIME: 8:10 p.m.

MOTION BY: Mr. Cesaro

SECONDED BY: Mr. dePierro

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:

Contract Negotiations

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.

Roll Call:

Mr. Cesaro	-	Yes
Mr. dePierro	-	Yes
Mr. Ferrara	-	Yes
Mr. Stanton	-	Yes
Mr. Fox	-	Yes

MOTION TO ADJOURN CLOSED SESSION BY: Mr. Cesaro

SECONDED BY: Council President Fox

Roll Call:

Mr. Cesaro	-	Yes
Mr. dePierro	-	Yes
Mr. Ferrara	-	Yes
Mr. Stanton	-	Yes
Mr. Fox	-	Yes

CLOSED SESSION ADJOURNED: 8:59 p.m.