

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

July 12, 2011

The following are the Minutes from an Agenda Meeting of Parsippany-Troy Hills Township Council which was held on July 11, 2011, in the Township Municipal Building, 1001 Parsippany Boulevard, Parsippany, N.J. Council President Fox called the Meeting to Order at 7:30 pm and led the participants in a Salute to the Flag.

The Clerk called the Roll Call which indicated the following members present:

Roll Call: **Mr. Cesaro**
 Mr. dePierro
 Mr. Ferrara
 Mr. Stanton
 Mr. Fox

OTHERS PRESENT: Mayor Barberio, Mayor; J. Lim, Business Administrator; J. Inglesino, Esq., Township Attorney; and C. Kehoe, Acting Township Clerk

Mr. Fox stated that the purpose of this meeting is to set the Agenda for the Regular Township Council Meeting of July 19, 2011.

FORMAL ACTION MAY OR MAY NOT BE TAKEN:

Mr. Fox read the following notice; 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, 2010 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, 2010.

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

Council President Fox announced that tonight is the last meeting that Carol Kehoe, Interim Clerk, will be attending, as her last day with the Township is Friday. Mr. Fox thanked Ms. Kehoe on behalf of the Council for her assistance to the Township.

Presentation: Cablevision Franchise Renewal

Ms. Lim stated that the Cablevision Franchise with the Township was up for renewal and part of the required process for the renewal was to advertise and conduct a public hearing which is scheduled for this evening. She said that even though there were no representatives from Cablevision in attendance, that the public should be given the opportunity to comment on their renewal and that the public hearing be continued to a future date. Council President Fox opened the Meeting to the public for comments on the Cablevision Franchise Renewal; as no one wished to be heard, Mr. Fox closed the Meeting for public comments.

ORDINANCES

The Clerk stated that the following Ordinance, which has been duly noticed and posted, is scheduled for second reading and final adoption at the July 19, 2011 Regular Council Meeting.

Second Reading(s) and Public Hearing(s) – 7/19/11

Amending and Supplementing Chapter 4, Administration of Government, Article V, Section 4-14, Division of Purchasing Agent, By Increasing the Bid Threshold (2011:15)

Status of Adopted Ordinances:

<u>Ordinance Title and Number</u>	<u>Adopted Date</u>	<u>Mayoral Action</u>	<u>Effective Date</u>
Bond Ordinance – Various Capital Improvements (2011:07)	6/21/11	Approved	7/17/11
Bond Ordinance – Various Water Utility Improvements (2011:08)	6/21/11	Approved	7/17/11
Bond Ordinance – Various Sewer Utility Improvements (2011:09)	6/21/11	Approved	7/17/11
Bond Ordinance – Various Golf Course and Recreation Utility Improvements (2011:10)	6/21/11	Approved	7/17/11
Amending and Supplementing Chapter 57, Personnel Policies, Article III, Section 57-3, Waiver of Health Benefit Coverage, of the Code (2011:11)	6/21/11	Approved	7/17/11
Amending and Supplementing Section 4-23, Division of Recreation, By Increasing the Number of Regular Members Serving on the	6/21/11	Approved	7/17/11

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Recreation Advisory Committee (2011-12)			
Establishing Fire Zones and Regulating Parking at Andican Brothers, Plaza 53, 976 Tabor Road (2011:13)	6/21/11	Approved	7/17/11
Amending and Supplementing Chapter 290, Parks, Recreation Areas and Public Lands, Article II, Use Regulations (Permit Fees) 2011:14)	6/21/11	Approved	7/17/11

DISCUSSION/REMINDERS

Scheduled Meetings

7/19/11 @ 7:30 p.m.

**Regular Meeting
Public Invited – Public Participation**

8/9/11 @ 7:30 p.m.

**Agenda Meeting
Public Invited – Public Participation**

Minutes for Approval:

Councilman Fox asked if the following Minutes were scheduled for Council approval. The Clerk informed the Council that all of the Minutes are in order and that Council has been provided copies of same and they will be on the June 21, 2011 Regular Council Meeting Agenda for Council action.

Agenda Meeting of 6/14/11

Regular Meeting of 6/21/11

MAYOR:

Mayor Barberio did not have a report for this meeting

ADMINISTRATION

BID(S)

Taken:

Ms. Lim reported that bids were received for the following projects and that the Resolutions to award the contracts would be on the Regular Council Agenda.

7/6/11 Reconstruction of Curbs and Sidewalks at Various Locations – 2011

7/7/11 Reconstruction of Retaining Wall, East Hedding Place, Mount Tabor

QUOTES TO BE TAKEN:

None

Received:

**4/14/11 Qualification Statements for Risk Management Consultant/Liability Insurance
Broker of Record Services**

Mayor Barberio stated that a Resolution will be on the Regular Council Agenda to award a contract to Fairview Insurance for these services.

Requested: None

RESOLUTION(S):

Fence Replacement: Mayor Barberio and Mr. Inglesino explained that a Resolution to authorize the replacement of an existing fence which extends 3.29 feet into a Township right of way will be on the Regular Agenda for Council approval. Mayor Barberio stated that the fence is on his property and that he has obtained permission from the Township Board of Adjustment to replace the fence subject to the Township Council approval.

**Confirming the Appointment and Awarding Contracts for Professional Engineering Services
– Slaby Engineering Associates, Inc. and Hatch Mott MacDonald, LLC**

**Authorizing the Award of a Contract for Professional Services to Retain Special Legal
Counsel – Michael B. Lavery, Esq. of the Firm of Courter Kobert & Cohen, PC**

Authorizing the Replacement of a Fence Located in a Township Right of Way

Mr. Fox stated that formal action will be taken this evening on the following resolutions:

Motion to Authorize Fireworks Display for Mt. Tabor Children’s Day: Mr. Cesaro

Seconded By: Mr. Ferrara

Roll Call:	Mr. Cesaro	-	yes
	Mr. dePierro	-	yes
	Mr. Ferrara	-	yes
	Mr. Stanton	-	yes
	Mr. Fox	-	yes

Fireworks Display – Mt. Tabor Children’s Day

WHEREAS, George Philhower for Tabernacle Productions, Inc. has submitted an application to conduct a fireworks display on August 6, 2011; and

WHEREAS, the application has been approved by the Chief of Police, the Fire Official and the Chief of Fire District No. 1;

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Parsippany-Troy Hills, County of Morris and State of New Jersey approves said application, a copy of which is on file in the Office of the Township Clerk, pending issuance of a Fire Safety Permit and any other required approvals.

Motion to Authorize Final Sale of Township Assets: Mr. Cesaro

Seconded By: Mr. Ferrara

Roll Call:	Mr. Cesaro	-	yes
	Mr. dePierro	-	yes
	Mr. Ferrara	-	yes
	Mr. Stanton	-	yes
	Mr. Fox	-	yes

WHEREAS, the Township of Parsippany-Troy Hills desires to sell unwanted vehicles and equipment; and

WHEREAS, a legal notice dated June 16, 2011 listing the items to be sold was published in the Daily Record;

WHEREAS, a Public Sale was held at 11 a.m. on June 28, 2011;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Parsippany-Troy Hills that said property be sold to the highest bidder as listed on the attached Schedule "A".

Schedule "A"

<i>Description</i>	<i>Serial No.</i>	<i>High Bidder</i>	<i>Amount</i>
1998 Chevy Lumina	2G1WL52M8W1124425	Academy Auto Recyclers	\$350.00
1997 Chevy Lumina	2G1WL52M7V9308027	R & S	\$325.00
2007 Dodge Charger	2B3KA43H87H817688	Liberty Motors	\$800.00
2003 Ford Crown Victoria	2FAHP71W13X204666	Academy Auto Recyclers	\$425.00
2003 Ford Crown Victoria	2FAHP71WX3X204665	Jersey One Auto Sales	\$425.00
1993 Pontiac Gran Am	1G2WJ14X4PF204879	Jersey One Auto Sales	\$550.00
1995 F-350 4x4 dump truck, 7.3L diesel	2FDKF38F4SCA34001	Liberty Motors	\$1,725.00
1997 F-250 4x4 pick up, 5.8L gas	1FTHF26HXVEC44193	Jersey One Auto Sales	\$1,800.00
1987 S-10 Chevy Pick-up, 2.5L, 4cyl	1GCBS14E3H2213880	R & S	\$400.00
1999 Dodge Intrepid, 2.7L, 6cyl, 4dr	2B3HD46R5XH789483	Academy Auto Recyclers	\$375.00
20 Hp olathe 166L Trailer Sweeper		Jersey One Auto Sales	\$175.00
Ingersoll Rand Trailer Compressor	111654U79910	Liberty Motors	\$1,000.00
1990 Coats Tire Machine 40-40SA Air Operated		Rich Herbst	\$100.00
(2) Singer Intsa Load 16 projectors			No bid
			\$8,450.00

ORDINANCE(S)

Approving Restrictions on Maximum Occupancy of Residential Units (4/11)

Establishing Fire Zones and Regulating Parking at 260 Walsh Drive, Block 136, Lot 36 (7/11)

ENGINEERING

Mr. Cesaro read the following Engineering report:

Update/Recommendation(s):

Status of Road Resurfacing – Puddingstone Area (8/07)

Revisions to Escrow Requirement in Connection with Residential Sidewalk/Driveway Repairs (10/07)

Troy Brook through the Hills of Troy (11/08)

711 Park Road – Fairview Estates (11/08)

Edgefield Drive No Parking Zone (Upper) (6/09)

Canterbury Estates Vacation of Lots 26 and 77 in Block 98 (5/09)

New Road Flood Mitigation (5/10)

Train Horns at Intersections (12/10)

Collapsing Retaining Walls – 1 & 3 Eldridge Road, Block 89, Lots 13.2 and 13.1 (1/11)

Change Order for Sandalwood Drive Drainage (Resolution Attached)

2011 Road Resurfacing Program and Reconstruction List

RESOLUTION(S):

Authorizing Change Order #1 for the Sandalwood Drive Drainage Phase I Improvements Project

CHIEF FINANCIAL OFFICER

Council President Fox asked Ms. Lim to address the need to appoint a Deputy Clerk. Ms. Lim explained that the Township's Administrative Code delegates the appointment of a Deputy Clerk to the Township Clerk. She said that there is not a Deputy Clerk at this time and that one must be appointed with Ms. Kehoe leaving. Ms. Kehoe has written a memo to the Council recommending that she, Ms. Lim, be appointed Deputy Clerk. Mr. Cesaro moved to appoint Ms. Lim as Deputy Clerk; second by Mr. Ferrara.

Roll Call:	Mr. Cesaro	-	yes
	Mr. dePierro	-	yes
	Mr. Ferrara	-	yes
	Mr. Stanton	-	yes
	Mr. Fox	-	yes

ATTORNEY

No report.

TOWNSHIP OFFICES/COMM.

Mr. dePierro asked Council if they were in receipt of a letter from Senator Michael Doherty of the 23rd Legislative District who is proposing legislation that would provide a more equitable funding formula for public education in New Jersey. Following discussion, Council supported passing a Resolution in support of this legislation at their Regular Council Meeting.

PUBLIC HEARING:

Robert Simpson, 30 Hilsinger Rd.: Addressed Council asking if there would be discussions this evening on the wayside horns issue. Mayor Barberio stated that as he has explained at prior meetings, that this topic will not be discussed until next year's budget process as there no funds in this year's budget to consider any new projects. Mr. Simpson asked if the town would try and find outside funding; Mayor Barberio replied that the Township Administrator will research if, in fact, there would be funding available for this project.

Council President Fox closed the Meeting for Public Discussion.

Council President Fox announced that the Council would be adjourning into Closed Session and will return to continue the Meeting. Mr. Fox moved the following Resolution to adjourn into Closed Session at 7:50 pm; Second by Councilman Ferrara.

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: personnel matters

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**

Mr. Cesaro moved to open the Meeting at 8:03 pm; second by Mr. Ferrara.

Roll Call: **Mr. Cesaro** - **yes**
 Mr. dePierro - **yes**
 Mr. Ferrara - **yes**
 Mr. Stanton - **yes**
 Mr. Fox - **yes**

Mr. dePierro moved the following Resolution; second by Mr. Stanton:

**RESOLUTION OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS
APPOINTING A PERMANENT MUNICIPAL CLERK**

WHEREAS, pursuant to N.J.S.A. 40A:9-133, the Township of Parsippany-Troy Hills (the “Township”) is required to employ a Municipal Clerk; and

WHEREAS, a vacancy has occurred in the Township’s office of Municipal Clerk; and

WHEREAS, since the vacancy arose, the Township has utilized the services of an acting Municipal Clerk; and

WHEREAS, the Township desires to appoint a qualified permanent Municipal Clerk; and

WHEREAS, a search committee was formed, consisting of Township Council members and members of the Township administration, to review resumes and conduct interviews; and

WHEREAS, Elesha Johnson possesses the requisite New Jersey Registered Municipal Clerk Certificate and otherwise possesses the credentials and experiences necessary and appropriate to perform the function of Municipal Clerk in the highest professional manner; and

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WHEREAS, Elesha Johnson impressed all members of the search committee with her knowledge and experience;

NOW THEREFORE, BE IT RESOLVED, as follows that:

1. Elesha Johnson shall be, and hereby is, appointed as Municipal Clerk of the Township of Parsippany-Troy Hills for a term of three (3) years pursuant to N.J.S.A. 40A:9-133; and
2. Elesha Johnson shall be compensated pursuant to the Township's current salary guide; and
3. Appointment of the Municipal Clerk shall be effective as of August 1, 2011; and
4. Elesha Johnson shall immediately thereon assume all duties and responsibilities necessary and proper to effectuate the office of Municipal Clerk.

Roll Call:	Mr. Cesaro	-	yes
	Mr. dePierro	-	yes
	Mr. Ferrara	-	yes
	Mr. Stanton	-	yes
	Mr. Fox	-	yes

Council President introduced Ms. Johnson as the Township's new Clerk and invited her to say a few words to the public. Ms. Johnson thanked the Council for their confidence and the personal touch that was put into her interview. She stated that she hopes that she will meet and exceed their expectations in her new position.

MOTION TO ADJOURN MEETING: Mr. Cesaro

SECONDED BY: Mr. Ferrara

Roll Call:	Mr. Cesaro	-	yes
	Mr. dePierro	-	yes
	Mr. Ferrara	-	yes
	Mr. Stanton	-	yes
	Mr. Fox	-	yes

MEETING ADJOURNED: 8:05 P.M.