

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

**September 13, 2011**

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The following are the Minutes from an Agenda Meeting of Parsippany-Troy Hills Township Council which was held on September 13, 2011, in the Township Municipal Building, 1001 Parsippany Boulevard, Parsippany, N.J. Council Vice-President dePierro called the Meeting to Order at 7:34 pm and led the participants in a Salute to the Flag.

The Clerk called the Roll Call which indicated the following members present: Councilmen Stanton, Ferrara, and Council Vice-President dePierro.

Council Vice-President dePierro introduced the following as in attendance also: Mayor J. Barberio, Jasmine Lim, Business Administrator, John Inglesino, Esq., Township Attorney and Elesha M. Johnson, Township Clerk.

Mr. dePierro read the following statement: *the purpose of this meeting is to set the Agenda for the Regular Township Council Meeting of August 16, 2011. Formal action may or may not be taken.*

*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](http://www.parsippany.net).

Clerk noted for the record that Councilman Cesaro arrived at 7:38 pm.

Vice-President dePierro noted that the Township Council currently has a vacancy due to the resignation of John Fox and asked the Clerk to read into the record correspondence received from the Parsippany Republican Municipal Committee Chairwoman, Nicole Green.

Mr. Stanton then motioned to nominate Vice-President dePierro to serve as President of Council for the remainder of the calendar year 2011 which was seconded by Mr. Ferrara. Hearing no further nominations, The Township Clerk called the roll.

|            |          |   |     |
|------------|----------|---|-----|
| Roll Call: | Cesaro   | - | Yes |
|            | dePierro | - | ABS |
|            | Ferrara  | - | Yes |
|            | Stanton  | - | Yes |

TOWNSHIP COUNCIL AGENDA MEETING OF SEPTEMBER 13, 2011

The Township Clerk announced an affirmative vote of Council electing Mr. dePierro as President of Council for the remainder of the calendar year 2011.

Mr. Cesaro then nominated Paul Carifi, Jr. to serve in the unexpired term of John Fox. Township Clerk noted for record that the next order of business was to elect the Vice-President of Council. Mr. Cesaro withdrew his motion. At that time, Mr. Ferrara nominated Mr. Stanton to serve as Vice-President of Council which was seconded by Mr. Cesaro. Hearing no further nomination

|            |          |   |     |
|------------|----------|---|-----|
| Roll Call: | Cesaro   | - | Yes |
|            | dePierro | - | Yes |
|            | Ferrara  | - | Yes |

The Township Clerk announced an affirmative vote of Council electing Mr. Stanton as Vice-President of Council. Council congratulated Mr. dePierro and Mr. Stanton.

Council President dePierro advised that the Republican County Committee has fulfilled its obligation by providing the Council with three candidates from which to fill the vacancy on the Township Council created by resignation of John Fox.

The Township Clerk read, for the record, the email received from Nicole Green, Chairwoman of the Parsippany Republican Municipal Committee, advising that the Republican Municipal Committee met on September 12, 2011 and submitted the following three names to be considered for the vacant Council seat:

**Paul Carifi, Jr.**  
**Adam Gragnani**  
**Vincent Schindel**

Mr. Cesaro nominated Paul Carifi, Jr.. The nomination was seconded by Mr. Ferrara. Hearing no further nominations, Council President dePierro called for a vote on the nomination of Mr. Carifi.

|            |          |   |     |
|------------|----------|---|-----|
| Roll Call: | Cesaro   | - | Yes |
|            | Ferrara  | - | Yes |
|            | Stanton  | - | Yes |
|            | dePierro | - | Yes |

Township Attorney John Inglesino, Esq., a New Jersey Attorney, administered the Oath of Office and Allegiance to Paul Carifi, Jr. as a member of the Township Council. Congratulations were offered by the other members of the Council and the public. Mr.

dePierro offered to take a 5 minute recess but was informed by Mr. Carifi that he wanted to say a few words to the Council and public.

Mr. Carifi addressed the public stating it was an honor to have been selected by the Council and to serve the residents of Parsippany. He also thanked all the people that supported him at the Primary Election and elected him to represent the Republican Party at the General Election. He stated that he planned to work very hard for each and every resident of Parsippany by creating a Community Outreach Program for citizens to voice their concerns to members of Council. Mr. Carifi also stated that he will strongly urge the Council and the Mayor to conduct an investigation into the flooding of Lake Hiawatha.

## **PUBLIC HEARING / PRESENTATION**

Parsippany-Troy Hill Bio-Energy Center, LLC (A Synagro Company) – Presentation & Public Hearing

Township Attorney John Inglesino introduced John Wyciskala, Esq., the attorney from his law firm that is handling the Synagro Contract for the Township.

Mr. Wyciskala provided the Council and the public with an update of the Parsippany-Troy Hills Bio Energy Center. He noted that a court stenographer was present in accordance with the law, and **complete transcripts of this hearing will be available in the Township Clerk's Office**. He also noted that this public hearing record will remain open for 7 days following this hearing. All objections must be submitted in writing to the Township Clerk.

Mr. Wyciskala noted that a resolution will be prepared for the Township Council's vote on September 20, 2011 for the agreement between Township and Synagro.

Council thanked Mr. Wyciskala for his detailed status report. Mr. Inglesino resumed his chair on the dais.

President Fox opened the Public Hearing to any residents wishing to speak or ask questions regarding the Bio-energy Center.

**Bob Crawford, 35 Hidden Glen, Dr.:** Addressed the Council wanting to know if this was the only public portion to be given at this meeting. Mr. dePierro informed him it was not and this public portion was specifically for the Synagro issue.

**Ellen Rubin, 40 Elliot Rd.:** Addressed Council wanting to know if any of the present Council members had received political contributions from the Synagro Company.

*Mr. Inglesino clarified that the Pay-to-Play laws prohibit any political contributions from an entity over the amount of \$300.00. This would include any person associated with the entity, business or company.*

*Each council member and the Mayor individually stated they had not.*

Council President dePierro **closed** the Meeting for Public Discussion

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

The Clerk stated that the following Ordinances, which have all been duly noticed and posted, are scheduled for second read and final adoption at the September 20, 2011 Regular Council Meeting.

**Second Reading(s) and Public Hearing(s) – 9/13/11**

An Ordinance of the Township of Parsippany-Troy Hills, Morris County, New Jersey, to Amend and Supplement the Township Code, Chapter 329 Entitled “Sewer,” Section 329-14 Entitled “Sewer Connection Fees,” and Chapter 420 Entitled “Water,” Section 420-13 Entitled “Water Connection Fees” for the Purpose of Establishing Fees for the Year 2011 **(2011:17)**

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: Courtyard by Marriott, 3769 Route 46, Block 136, Lot 70 **(2011:18)**

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: 5 Eastmans Road, LLC, Block 739, Lot 4 **(2011:19)**

**Status of Adopted Ordinances:**

| <u>Ordinance Title and Number</u>  | <u>Adopted Date</u> | <u>Mayoral Action</u> | <u>Effective Date</u> |
|--|---------------------|-----------------------|-----------------------|
| Amending Section 285-4, Schedule A, No Parking Fire Zones, of Article I, (4) Of Chapter 285, Parking, of the Code of the Township of Parsippany-Troy Hills to Establish Fire Zones and Regulate Parking at 260 Walsh Drive, Block 136, Lot 36 <b>(2011:16)</b> | 8/16/11             | Approved              | 9/18/11               |

**DISCUSSION/REMINDERS**

Council President dePierro read the following for public information:

**Scheduled Meetings**

9/20/11 @ 7:30 p.m.                      Regular Meeting  
Public Invited – Public Participation

10/11/11 @ 7:30 p.m.                      Agenda Meeting  
Public Invited – Public Participation

**Minutes for Approval:**

Agenda Meeting of 8/9/11                      (Stanton, Cesaro Absent)

Regular Meeting of 8/16/11                      (Ferrara Absent)

**MAYOR**

Mayor stated for the record that he would like to thank all the emergency workers that maintained the high standard for the people and property affected by hurricane Irene. He also thanked all the volunteers that helped during the recovery of this disaster.

He also stated that he will have his own investigation into the flooding of Lake Hiawatha and would not make the residents of Parsippany feel like political pawns. They have suffered enough.

President dePierro also stated that he has spoken to several officials and professionals about the wall at Lake Hiawatha. Due to several factors, it is their position that the water was flowing over the wall and not built for the amount of water it faced.

**ADMINISTRATION**

**Bid(s)**

Taken:

9/1/11 @ 12:00 Noon - Third Party Billing for Ambulance Services for EMS – **ITEM TABLED PER REQUEST OF ADMINISTRATION**

TOWNSHIP COUNCIL AGENDA MEETING OF SEPTEMBER 13, 2011

9/7/11 @ 11:00 A.M. – One (1) New and Unused Wide Area Rotary Mower, One (1) New and Unused Fairway Mower and Two (2) New and Unused Greens Mower for the Knoll Country Club

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

Received: None

Requested: None

*Jasmine Lim advised Council that Administration need the Council to consider 2 of the resolutions listed for the Regular Meeting Agenda and 1 add-on at tonight's meeting. Council and Administration concluded that the Council would vote on those items at the end of the meeting.*

**Resolution(s):**

Authorizing Execution of an Agreement with the Morris County Cooperative Pricing Council to Renew Membership Therein for the Period of October 1, 2011 Through September 30, 2016

Granting a Major Soil Moving Permit to Avis Budget Group, Block 201, Lot 1.9, 6 Sylvan Way

Authorizing the Expenditure of Open Space Trust Fund Monies for the Bowsby-DeGelleke House

Awarding Bid to Storr Tractor Company for One Wide Area Rotary Mower and Wilfred MacDonald, Inc. for One Fairway Mower and Two Greens Mowers

Release of Performance Guarantee for Final Site Plan for Wawa, Located at 350 New Road

**Ordinance(s):**

An Ordinance of the Township Council of the Township of Parsippany-Troy Hills, County of Morris, State of New Jersey, Authorizing a Lease Agreement Between the Township of Parsippany-Troy Hills and Craftsman Farms Foundation **(2011:20)**

An Ordinance of the Township of Parsippany-Troy Hills, Morris County, New Jersey, to Amend and Supplement the Township Code, Chapter 420 Entitled "Water," Section 420-5 Entitled "Water Rates and Charges" for the Purpose of Adjusting Water Rates **(2011:21)**

TOWNSHIP COUNCIL AGENDA MEETING OF SEPTEMBER 13, 2011

An Ordinance Amending Chapter 405, Vehicles and Traffic, Section 23, Stop Intersections, of the Code of the Township of Parsippany-Troy Hills, Morris County, New Jersey **(2011:22)**

An Ordinance Granting Municipal Consent for the Operation of a Cable Television System Within the Township of Parsippany-Troy Hills, New Jersey to CSC TKR, LLC d/b/a Cablevision of Morris **(2011:23)** – *Draft ordinance submitted to Cable Television System for review; item requested to be TABLED until the next meeting.*

*Ms. Lim informed the Council that she has submitted the draft to Cable Television with the requests of the Township. She is confident that we (Township) would not receive all the requests listed in the draft but believes we will receive most of our requests. Once the terms are agreed upon by both parties, the ordinance can be introduced and adopted.*

*Mr. Cesaro asked if the resolution with Concrete Construction was the low bidder; Ms. Lim answered yes and that it will be discussed within the Engineering report. He then asked what the Cablevision resolution was in reference to. Ms. Lim informed him that it was for the proposed renewal of the Franchise. She also noted that we did have a public hearing on the renewal franchise at the Agenda meeting in August but Councilman Cesaro was absent for that meeting.*

An Ordinance Granting Municipal Consent for the Operation of a Cable Television System Within the Township of Parsippany-Troy Hill, Morris county, New Jersey to CSC TKR, LLC d/b/a Cablevision of Morris (2011:23) – **REMOVED (TABLED BY ADMINISTRATION)**

An Ordinance of the Township Council of the Township of Parsippany-Troy Hills, County of Morris, State of New Jersey, Authorizing a Lease Agreement Between the Township of Parsippany-Troy Hills and the Parsippany Soccer Club **(2011:24)**

**ENGINEERING**

Councilman Cesaro read the Engineer's report into the record:

**Engineering Report of: July 2011**

Status of Road Resurfacing-Puddingstone Area (8/07) **No Change**

Revisions to Escrow Requirement in Connection with Residential Sidewalk/Driveway Repairs (10/07) **No Change**

Edgefield Drive No Parking Zone (6/09) **No Change**

Canterbury Estates Vacation of Lots 26 and 77 in Block 98 (5/09) **No Change**

New Road Flood Mitigation (5/10) **No Change**

Train Horns at Intersections (12/10) **No Change**

Ball Terrace Culvert Replacement (8/10) – *We received three quotes for the project and recommend award to Concrete Construction in the amount of \$286,680.00. A memo and resolution have been prepared and are attached.*

Ordinance Amendment – New Stop Sign – Ogden Place at New Meadow Trail Intersection (9/11) – *A stop sign is proposed on Ogden Place at the intersection with New Meadow Trail. A review was conducted by this office and Gordon Meth of the RBA Group and it was determined that a stop sign is justified at this intersection. An amendment to the Chapter 405, Section 23 is required. **An Ordinance has been prepared and would need to be adopted by the Council.***

Wawa Performance Bond Release – Block 767 Lot 29.02 (9/11) – *The developer has completed all required site construction activity of the performance guarantee and has provided a 2 year maintenance bond in accordance with our requirements. Inspections have been made at the site during the course of construction and this office has no objection to the release of the performance bond and acceptance of the improvements and the 2-year maintenance bond. **A Resolution will need to be adopted by the Township Council.***

Major Soil Moving Permit – Avis Budget Group, Block 202, Lot 1.9 (9/11) – *The Planning Board received a request for an extension of the major soil moving permit and recommends that the Township Council approve this extension to October 20, 2011. However, there is no documentation that the Township Council ever received or approved the original soil moving permit. Therefore, this office recommends that the Township Council approve the permit along with the extension to coincide with the terms of the site plan approval. All of the conditions previously listed are still valid. **A resolution has been prepared and must be adopted by the Township Council.***

Endorsement of NJDOT Grant – Waterview Boulevard (9/11) – *We are in the process of preparing and submitting grant applications through the NJDOT Municipal Aid program. The application is for the resurfacing of Waterview Boulevard, installation of a sidewalk and minor drainage improvements. The application is due on September 23, 2011. **A Resolution endorsing the application will need to be adopted by the Township Council.***

**CHIEF FINANCIAL OFFICER**

**Resolution:**

TOWNSHIP COUNCIL AGENDA MEETING OF SEPTEMBER 13, 2011

Cancel Old Outstanding Bail Checks

Cancel Old Outstanding Court Checks

Authorizing the Insertion of a Special Item of Revenue into the FY 2011 Budget - Municipal Alcohol & Rehab Education Grant

Resolution to Cancel Uncollectible Golf Accounts Receivable

Resolution to Exempt A 100% Disabled Veteran from Payment of Real Estate Taxes

Authorizing the Insertion of an Item of Revenue into the FY 2011 Budget – State of NJ Highlands Water Protection and Planning Council Plan Conformance Grant

**ATTORNEY**

None Submitted

Council President dePierro noted for the record that he has asked the Township Attorney to look into the possibility of the Township assisting the people affected by Hurricane Irene with their 3<sup>rd</sup> Quarter taxes, i.e. waiving the late fees or granting an extension.

Mr. Inglesino informed the council and the public that legally that could not be done for only a segment of the Township. He reviewed the guidelines of the tax laws and stated if he did it for one area, he would have to allow the other tax payers the same exemptions.

**TOWNSHIP OFFICES / COMMITTEES**

None Submitted

**COMMUNICATIONS**

**Correspondence:** - Letter of Resignation – Councilman John M. Fox

**Resolution(s) / Ordinance(s):**

Township of Hanover – Ordinances #25-2011 and 26-2011; Amending and Supplementing Land Use and Development Legislation

Township of East Hanover – Ordinance #6-2011; Amending Land Use and Zoning

**APPLICATION(S)**

**License(s):**

*Council President dePierro asked the Clerk if all items were in order for the below licenses and the Clerk Stated for the record that all items have been submitted by law and requirements met. Also, the Person to Person Transfer for the Parsippany Hilton is part of the corporate transfer and that the Tourist Accommodations License had been transferred in July.*

Limousine Owner's License (New) – My Grand Limousine, LLC, 2001 Route 46, Suite 310, Parsippany, NJ 07054 (1Vehicle)

Limousine Owner's License (New) – Go Green Car Service, Inc., 181 New Road, Suite 306/18, Parsippany, NJ 07054 (1 Vehicle)

Liquor License (Person to Person Transfer) – From Crestline Hotels & Resorts, Inc., t/a Hampton Inn Parsippany; Parsippany Hilton to Remington Parsippany Employers, LLC, t/a Parsippany Hilton

**Administration requested Council to consider the following resolutions:**

Mr. Ferrara moved the following Resolution;

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF  
PARSIPPANY-TROY HILLS GRANTING RENEWAL OF MUNICIPAL CONSENT TO  
CSC TKR D/B/A CABLEVISION OF MORRIS TO CONSTRUCT AND OPERATE A  
CABLE TELEVISION SYSTEM IN THE TOWNSHIP**

**WHEREAS**, the Township of Parsippany-Troy Hills, after proper public notice and pursuant to the terms of N.J.S.A. 48:5A-23, held a public hearing on August 9, 2011 concerning the renewal of a municipal consent to construct and operate a cable television system within the Township; and

**WHEREAS**, said hearing was fully open to the public; and

**WHEREAS**, the Council received no comments from the public regarding the qualifications of CSC TKR d/b/a Cablevision of Morris to receive the consent of the Township to construct and operate a cable television system within the Township; and

**WHEREAS**, the Council hereby finds that CSC TKR d/b/a Cablevision of Morris possesses the necessary legal, technical, character, financial and other qualifications in conformance with the requirements of the Cable Television Act and that its operating and construction arrangements are adequate and feasible.

**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, that:

1. CSC TKR d/b/a Cablevision of Morris, be granted renewal of municipal consent to construct and operate a non-exclusive cable television system within the Township of Parsippany-Troy Hills to commence upon issuance of a certificate of approval from the office of Cable Television, Board of Public Utility Commissioners,
2. Municipal consent is subject to the successful completion of negotiations with Cablevision of the terms of renewal and
3. This Resolution shall take effect immediately.

Motioned was seconded by Mr. Cesaro.

|            |             |   |     |
|------------|-------------|---|-----|
| Roll Call: | Carifi, Jr. | - | Yes |
|            | Cesaro      | - | Yes |
|            | Ferrara     | - | Yes |
|            | Stanton     | - | Yes |
|            | dePierro    | - | Yes |

Mr. Carifi moved the following Resolution;

### **RESOLUTION APPROVING EMERGENCY AGREEMENT**

**WHEREAS**, the Township Council is obligated to provide funds and ratify emergency agreements which are entered into by the Township in accordance with N.J.S.A. 40A:11-6; and

**WHEREAS**, such an agreement was entered into between the Township and Concrete Construction Corp. to replace the culvert and repair the broken water main under Ball Terrace; and

**WHEREAS**, the Chief Financial Officer has certified to the availability of funds; and

**WHEREAS**, the Township Engineer has certified as to the existence of the emergency.

**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 a certain emergency agreement with Concrete Construction Corporation, 24 Pink Street, Hackensack, NJ 07601 to replace the culvert and repair the broken water main under Ball Terrace for the sum of \$286,680.00, is hereby ratified and approved.

This resolution shall take effect immediately.

Motioned was seconded by Mr. Ferrarra.

|            |             |   |     |
|------------|-------------|---|-----|
| Roll Call: | Carifi, Jr. | - | Yes |
|            | Cesaro      | - | Yes |
|            | Ferrara     | - | Yes |
|            | Stanton     | - | Yes |
|            | dePierro    | - | Yes |

Mr. Stanton moved the following Resolution;

**RESOLUTION OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS  
APPOINTING ELESHA M. JOHNSON AS REGISTRAR OF VITAL STATISTICS**

**WHEREAS**, pursuant to N.J.S.A. § 26:8-1, et seq., the Township of Parsippany-Troy Hills (the "Township") is required to appoint a Registrar of Vital Statistics; and

**WHEREAS**, pursuant to Township Code § 4-12, the Township Clerk shall act as the Registrar of Vital Statistics; and

**WHEREAS**, there existed a vacancy in the position of Township Clerk, and the Deputy Registrar of Vital Statistics was appointed as the Acting Registrar of Vital Statistics; and

**WHEREAS**, the Township has recently hired Elesha M. Johnson to fill the position of Township Clerk; and

**WHEREAS**, Elesha M. Johnson possesses the requisite qualifications and certifications to perform the duties of Registrar of Vital Statistics.

**NOW THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Parsippany-Troy Hills that Elesha M. Johnson be, and hereby is, appointed as the Township Registrar of Vital Statistics; and

**BE IT FURTHER RESOLVED**, that Elesha M. Johnson shall perform the duties of Registrar of Vital Statistics concurrently with her duties as Township Clerk; and

**BE IT FURTHER RESOLVED**, that Elesha M. Johnson shall receive no compensation in addition to her compensation as Township Clerk for performing the duties of Registrar of Vital Statistics; and

**BE IT FURTHER RESOLVED**, that pursuant to N.J.S.A. § 26:8-12, a certified copy of this Resolution be forwarded to and filed with the New Jersey Department of Health and Senior Services, Bureau of Vital Statistics and Registration, for approval of the aforesaid appointment, which shall become effective thirty (30) days after the date of filing.

Motioned was seconded by Mr. Ferrara.

|            |             |   |     |
|------------|-------------|---|-----|
| Roll Call: | Carifi, Jr. | - | Yes |
|            | Cesaro      | - | Yes |
|            | Ferrara     | - | Yes |
|            | Stanton     | - | Yes |
|            | dePierro    | - | Yes |

## **PUBLIC HEARING**

Council President dePierro opened the Meeting for Public Comments.

**Loretta Gragnani, 11 Rhoda:** Addressed Council with a question for Mr. Inglesino in reference to the residents whose homes have been deemed condemned. Would there be any type of consideration or reassessment done.

*Mr. Inglesino stated that that matter has not come before this Council and is a matter for the Township Tax Assessor. But the Council is aware of the hardships these families face and will address that matter when it comes before them.*

Ms Gragnani also wanted to thank the Mayor for providing tetanus shots to the residents that were affected by the flooding.

**Bob Crawford, 35 Hidden Glen Dr.:** Addressed the Council to make them aware of the Assignments Judge's decision to void the results of the June Primary election due to his findings of improper election contributions and at least 35 improper votes cast in Parsippany. He also stated that it was clear that third parties involved with the election should be investigated. Mr. Crawford wanted to know who is responsible for initiating that investigation.

*Mr. Inglesino stated that he is aware of the Judge's decision to declare the election a tie and that the election and its laws are overseen by the County and the Attorney General's Office. No functions of the election are handled at the municipal level and an investigation would come out of the Attorney General's Office.*

Mr. Crawford stated that he appreciated the information provided by Mr. Inglesino but would hope that the Parsippany elected officials would take the time to comment and disassociate themselves from the allegations

*Mr. Inglesino at that point informed Mr. Crawford that the elected officials are free to comment if they wish and he is sure that if they all were asked about their participation and support of fraud, all their answers would be the same; NO. Mr. Inglesino then stated that any investigation into fraudulent actions should not be handled at the political process but strictly at the Attorney General's Office level.*

Mr. Crawford then asked if an investigation were to be initiated, it would come out of the Attorney General's Office and does not take an action step from a citizen of Parsippany to ensure the investigation is done.

*Mr. Inglesino stated yes and clarified that any investigation would be a prosecutable matter and not a political matter.*

*Council President dePierro stated that "Team Parsippany" has not had a chance to vindicate itself and that no one has asked him but for the record he can say that he has never violated any election laws nor has he instructed or asked anyone to violate any election laws. And, if anything has been done illegally, he welcomed an investigation. He stated his running mates can address the allegations individually for the record.*

*Mr. Stanton seconded the comments made by Council President dePierro and made it known that he has ran a absentee campaign and everything he does is documented and in accordance with the laws.*

*Mr. Cesaro stated he is not running for office this year.*

*Mr. Ferrara stated he does not do absentees.*

**Annelise Catanzaro, 67 Midvale Ave.:** Addressed the Council to ask the Township Engineer about the retaining wall in Mt. Tabor on West Hedding that has collapsed that was not included on his report. Is the status of that item going to be added to his report in the near future?

*Mayor Barberio stated that he has signed the contract for this area in East Hedding to be repaired and it will not appear on the Engineering Report. Work should start next week.*

Ms. Catanzaro congratulated Mr. Carifi, Jr. on his appointment by Council and agreed with him that an investigation was needed into what happened with Lake Hiawatha. She also asked the Council if the release of the water was a manual release or a release at all and whose decision to release was it? Also, was there a failure of the pump and does the town plan to involve the Environmental Commission on health risks and clean up. Ms.

Catanzaro stated that she did not get a "911" call when the flooding was occurring and if there was another system she could sign up for to ensure she was notified in the event of another flood. She did state that the website was continuously updated and luckily she had power. Her final question was, what steps would the Township be taking to possibly be more prepared for a disaster.

*Mayor Barberio stated that he was NOT going to bring the Environmental Commission down to the affected area due to the area being hazardous. The Health Officer will notify anyone whether or not it is safe to reenter their residences. In regards to the release of water from the dam, he received a report from United Water and it states they DID NOT release water from the dam and the flood was a result of overflow. The Township has no control over United Water. He also stated that 911 calls were sent out and Ms. Catanzaro may not have received a call because she does not live in the flood area. He is launching an investigation into what happened but he will not allow what happened to the residents become a political matter. We were prepared and did the best we could do. All of the emergency workers worked 36 hours straight.*

*Council President dePierro thanked the workers. He also wanted to know why residents cannot register their cell phones for reverse 911 calls. Just in case the power goes out and residents cannot receive them on their home phones.*

*Mayor Barberio stated again that he will be forming a committee with the surrounding affected towns to find out what happened.*

**Joe Raich, 8 Wolf Pl.:** Addressed the Council wanting clarity on the pipes associated with the dam.

*Council President dePierro noted that the mentioned pipes are not associated with the dam, but the Jersey City Reservoir. He went on to explain in detail the procedure outlined by Gov. Christie on the lowering of the reservoir at times of heavy rains.*

Mr. Raich stated to the Council that the Jersey City Reservoir does not own the Rockaway River and the Rockaway River seems to be the problem with lower Lake Hiawatha and the surrounding communities. What steps have been recommended to fix the problems whether it be piping, releasing water, or whatever. He continued to say he was at a loss to understand what happened.

*Mayor Barberio stated that he was at the reservoir and there was water coming over and he was at the Knoll Country Club and it was closed down. The fact of the matter is that the dam over spilled. The over flow went from 162 million gallons a day to 5,810 million gallons a day in less than 24 hours. Whatever goes in will come out.*

*Council President dePierro stated that the wall was not designed to control floods.*

TOWNSHIP COUNCIL AGENDA MEETING OF SEPTEMBER 13, 2011

**Frank Fiori, 20 Hearn Ct.:** Addressed the Council to congratulate the Mayor, his Administration and the Council on doing such a fine job. He also stated that there are questions as to what happened but no one can say the Police, volunteers and emergency workers in the town did nothing but an absolutely outstanding job and they always have. He also noted that during his time living here, the Jersey Reservoir has always been problematic.

*Council President dePierro stated for the record that we had 5 minutes left on the tape.*

Council President dePierro **closed** the Meeting for Public Discussion.

Motion to adjourn the Meeting moved by Councilman Cesaro; Seconded by Councilman Ferrara:

All of Council voted to adjourn the Meeting at 9:27 pm.