

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

January 3, 2012

Public Invited – Public Participation

MEETING CALLED TO ORDER by Council President _____ at _____ p.m.

FLAG SALUTE

Roll Call: **Mr. Carifi, Jr.** -
 Mr. Cesaro -
 Mr. dePierro -
 Mr. Ferrara-
 Mr. Stanton -

OTHERS PRESENT: Mayor Barberio____; J. Lim, Business Administrator ____;
J. Inglesino, Esq., Township Attorney ____; P. Mader____

The purpose of this meeting is to set the Agenda for the Regular Township Council Meeting of January 10, 2012.

FORMAL ACTION MAY OR MAY NOT BE TAKEN.

STATEMENT OF COMPLIANCE

Adequate notice of this meeting has been provided in accordance with the requirements of the Open Public Meetings Law by filing the notice in the Office of the Township Clerk and by posting the meeting notice on the bulletin board at the Municipal Building on December 15, 2011 where it has remained posted since that date. A legal notice appeared in both the Daily Record and the Star Ledger and was forwarded by fax to other local newspapers and local radio stations on December 19, 2011.

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

PRESENTATION(S):

AlphaDog Solutions presented by Michael Melham regarding Township website

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

None

Status of Adopted Ordinances:

<u>Ordinance Title and Number</u>	<u>Adopted Date</u>	<u>Mayoral Action</u>	<u>Effective Date</u>
An Ordinance of the Township of Parsippany-Troy Hills in the County of Morris, New Jersey, Authorizing the Acquisition by Purchase of Property Identified as Block 734, Lot 4, on the Tax Map of the Township of Parsippany-Troy Hills and Commonly Known as 460 South Beverwyck Road (Baldwin House) (2011:25)	12/13/11	12/15/11	1/9/12
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 77 East Halsey Road, LLC, 77 East Halsey Road, Block 740, Lot 2 (2011:26)	12/13/11	12/15/11	1/9/12
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 Arya International, 1571 Route 46, Block 726, Lot 1 (2011:27)	12/13/11	12/15/11	1/9/12

DIS

CUSSION/REMINDERS:

Scheduled Meetings

1/10/12 @ 7:30 p.m. Regular Meeting
Public Invited – Public Participation

2/7/12 @ 7:30 p.m. Agenda Meeting
Public Invited – Public Participation

Minutes for Approval:

12/6/11 Agenda Meeting

12/13/11 Regular Meeting

MAYOR

None

ADMINISTRATION

Bid(s)

Taken: None

To Be Taken:

1/5/12 Rainbow Lake Dam Spillway and Embankment Protection Improvement

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

Received:

12/21/11 Provision of Various Professional Services (General) Real Estate Appraisal Services, General Engineering, Structural and Architectural Engineering for Water, Environmental Engineering for Sewer and Historic Preservation Architecture Services

Requested: None

Ordinance(s):

An Ordinance of the Township Council of the Township of Parsippany-Troy Hills, County of Morris, State of New Jersey, to Amend and Supplement Chapter 290 Entitled Parks, Recreation Areas and Public Lands, Article I of the Code of the Township of Parsippany-Troy Hills **(2012:01)**

An Ordinance Establishing Hourly Wages Ranges for Blue Collar Supervisor Employees of the Township of Parsippany-Troy Hills 2011-2014 **(2012:02)**

An Ordinance Amending and Supplementing Chapter 290, Parks, Recreation Areas and Public Lands (Permit Fees) **(2012:03)**

Resolution(s):

Release of Performance Guarantee for Final Site Plan for ADP, Located at 15 Waterview Boulevard

Appointing Fund Commissioner & Alternate Fund Commissioner for the Garden State Municipal Joint Insurance Fund

Authorizing an Agreement with AlphaDog Solutions for Maintenance of the Township's Website

Authorizing a Professional Services Agreement with John P. Inglesino, Esq. as Township Attorney for Year 2012

Awarding Professional Service Contracts for Various Engineering, General Real Estate Appraisal and Historic Preservation Architecture Services on an As-Needed Basis to: Alaimo Group, Birdsall Services Group, CDM, Cairone & Kaupp, Inc., Certified Valuations, Inc., Chavond-Barry Engineering Corp., Clarke Caton Hintz, Connolly & Hickey Historical Architects, Crew Engineers, Inc., D & B Engineers and Architects, P.C., D.J. Egarian & Associates, Inc., Dewberry-Goodkind, Inc., Engineering & Environmental Services, Inc., Gannett Fleming, Inc., H2M Architects & Engineers, HMR Architects, Hatch Mott Macdonald, Izenberg Appraisal Associates, Keller & Kirtpatrick, Inc., Malcolm Pirnie, the Water Division of Arcadis-U.S., Inc., Netta Architects, Omland Engineering Associates, Inc., The RBA Group, Slaby Engineering Associates, Inc., Stormwater Compliance Solutions, LLC, Suburban Consulting Engineers, Inc., T&M Associates, Van Cleef Engineering Associates

Authorizing Contracts with Todd M. Galante, LECLAIRRYAN and Fredric M. Knapp, Esq., Knapp, Trimboli & Prusinowski, LLC to Serve as Special Legal Counsel in Any Matters in Which the Township Attorney May Require Assistance

Confirming the Appointment and Awarding a Contract for Professional Services to Peter J. King as Chief Municipal Prosecutor and Appointing Alternate Municipal Prosecutor (Matthew R. Petracca, Esq.)

Awarding Contract to Samuel Klein and Company, 550 Broad Street, Newark, for Professional Services as Township Auditor

Confirming the Appointment and Awarding a Contract for Professional Engineering Services to O'Brien and Gere Engineers, Inc., 1090 King Georges Post Road, Edison, NJ for the 2012 Year

Authorizing Participation in the Volunteer Tuition Credit Program

TOWNSHIP OFFICE REPORTS

Engineering Report of: January 2012

Status of Road Resurfacing-Puddingstone Area

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

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

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

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

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

Edgefield Drive No Parking Zone (Upper)

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

Canterbury Estates Vacation of Lots 26 and 77 in Block 98

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

New Road Flood Mitigation

A property owner on New Road has requested that the Township raise New Road high enough to stop future flooding and closure of the roadway. Our preliminary cost estimate is \$200,000 to \$250,000. We are in the process of preparing a flood mitigation application through FEMA to secure funding for this project. **(No Change)**

Train Horns at Intersections – Quiet Zones

The result of the diagnostic team meeting from June 2009 showed that the only acceptable method of implementing a quiet zone at the Powder Mill Road grade crossing would be if the rail crossing was upgraded to include 4 quadrant gates as well as other ancillary warning devices. The cost for the quad gates is over \$700,000 not including improvements to the dam, power-out warning devices and a 20 year maintenance obligation. The report on the wayside horn findings has been submitted. **(No Change)**

ADP, Inc. Performance Bond Release – Block 421.04 Lot 3

The developer has completed all required site construction activity of the performance guarantee. Inspections have been made at the site during the course of construction and this office has no objection to the release of the performance guarantee in the form of a letter of credit. **A Resolution will need to be adopted by the Township Council.**

CHIEF FINANCIAL OFFICER

None

ATTORNEY

Mr. Inglesino said he had no report.

TOWNSHIP OFFICES / COMMITTEES

Mr. dePierro said they did have a letter from Christopher Miller from the First Aid Squad opposing S818 and A2095 which are very anti volunteer, putting more requirements making it more difficult to become certified. HE would like the Council to adopt a resolution opposing these bills and forward it to our legislators.

Mr. Cesaro said he also saw that but he asked if the opposed the same thing a few years ago. Ms. Lim did not remember any such resolution. Mr. dePierro said there was something similar but not this. Mr. Cesaro agreed to the resolution. The administration will draft the resolution. It will be on for the next meeting

COMMUNICATIONS

None

APPLICATION(S)

Renewal Licenses 2012 for 2012 are all in order.

PUBLIC HEARING

Mr. Stanton opened the public hearing. He cautioned that getting into discussions with the Mayor or Council will count against the allotted five minutes per speaker.

Pat Petaccia, 182 Hawkins has some questions. She asked Ms. Lim about the work to be done on Ball and Summit Ave. The work on Hawkins was done several years ago. She asked for a status report. She started working on the issue in 2004, work was done on Hawkins in 2008.

She asked about the apparent new car for the Mayor and what was wrong with the old one.

She asked for the status of Lake Hiawatha, and have we done anything with the state to get these residents some money to help them.

She is glad the Knoll CC fee increase is being re-introduced.

She asked if the attorney was renewed at the same rate. It is the same.

She asked what is happening with the Township Clerk.

Ms. Peatccia also voiced an opinion. She said in past years at the organization meeting the Council President from the previous year took the center seat and when a new president was voted on the members changed their seats. She noticed Mr. Stanton started the meeting in the center seat and she thinks that is an insult to Mr. dePierro. She said she also does not agree with the new president and vice president based on their short time in office.

Mr. Stanton commented that Mr. dePierro suggested they change seats before the meeting started.

Mr. dePierro said the clerk is out on sick leave.

Mayor Barberio commented that they are constantly working on the Lake Hiawatha problems, having meetings daily with residents to review their options. If they wish their property to be acquired or to raise their homes the Township will apply on their behalf to FEMA for funds. We are learning the process just as the residents are.

Tom Wyka, 1 Bennett Court.

Mr. Wyka asked when AlphaDog came to the town was it a cold call or a referral. He asked if the Mayor had spoken to any competitors or the former website manager Mr. Roman or Mr. Miller about the technology. He asked if the Mayor is familiar with the Content Management System which allows customers to do updates to the system.

Morristown went with another vendor for this reason. He is aware that the Town pays for Mr. Plescia to update field status. He asked if the town gets any reports about how much work and time is spent by AlphaDog on the website monthly. Mr. Wyka said he does like seeing the videos on the website but many do not realize the videos are not

actually on the website but on another server. AlphaDog per Mr. Wyka pays \$200.00 per year for the service which is shared by another client but we pay \$1,800 per year. He said he knows of another contractor who could provide the service and asked if the Mayor would be interested in quotes.

Ms. Lim said when they went with the former webmaster they had looked at AlphaDog but they were more expensive. They interviewed AlphaDog again when Mayor Barberio came and they decided that with the Mayor's office losing one half of a clerk they had the money so went with AlphaDog. She is familiar with the company Mr. Wyka mentioned and she is not interested in their product. The Mayor said he will look into some of the issues mentioned and report back.

Kathy Buckley, 17 Chesapeake. In Lake Hiawatha said she is still out of her home. She apologizes for "hounding" the Mayor's Office. She said she has initiated contacts with the Township Engineer and gets no response. Many residents have said they do not know what is going on.

The Mayor said that Mr. Lizza has been working around the clock. He said he is not comfortable going into any specifics of private matters. HE will follow-up with Mr. Lizza. HE said we are trying to expedite the options with FEMA and the DEP. They are reaching out to all of the residents who have not responded to the town. Mr. Lizza gives the correct answers whether the resident likes it or not. He asked her to stay in contact with the Mayor's Office. Ms. Buckley said they have been quoted all types of fees and that some of the fees can not be waived and they do not know where they will get the money.

Roy Messmer, 10 Drumlin Drive said he does not believe in Mr. Lizza. He said there has been problems on Drumlin Drive regarding sidewalks and the response from Engineering has been not there. A contractor dumped debris in the center of Robin Hood Drive.

He noted that in the Montville Patch there was an article that was printed in the Parsippany Life about the sewer fees in Montville. He will ask some questions at the next meeting.

Regarding Milan Shah, he said he was on the Planning Board very briefly and now he is on the Zoning Board. Mr. Stanton said they are brothers, Milan was on the Planning Board and Amil is now on the Zoning Board.

The Mayor responded on the sidewalks that he was there and it was horrible. HE will have more next meeting.

Mr. Stanton noted that Morris County Freeholders Ms. Grossi and Mr. Mastrangelo had come into the meeting.

Mr. Cesaro made a motion to close into closed session at 8:48 p.m., seconded by Mr. Ferrara.

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 matters under Executive Session for Personnel

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.

Ayes; Mr. Carifi, Mr. Cesaro, Mr. dePierro, Mr. Ferrara, Mr. Stanton.

MOTION TO OPEN THE MEETING INTO PUBLIC SESSION Made by Mr. Cesaro at 9:02 p.m. Motion seconded by Mr. Ferrara. Ayes: Mr. Carifi, Mr. Cesaro, Mr. dePierro, Mr. Ferrara, Mr. Stanton.

MOTION TO ADJOURN MEETING made by Mr. Cesaro at 9:03 p.m. Motion seconded by Mr. Ferrara. Ayes: Mr. Carifi, Mr. Cesaro, Mr. dePierro, Mr. Ferrara, Mr. Stanton.

Respectfully Submitted,

Peggy Mader for Elesha Johnson, Township Clerk

Brian Stanton, President

Minutes Approved: