

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

**FEBRUARY 14, 2012**

**Council President Stanton opened the Conference Portion of the Regular Meeting at 7:30 p.m. with a flag salute. 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 on December 19, 2011. Copies of this notice were forwarded by fax to other local newspapers and to 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](http://www.parsippany.net).**

**PRESENT:** Council Members Carifi, Cesaro, dePierro, Ferrara and Council President Stanton

**ADMINISTRATION PRESENT:** Mayor Barberio, J. Lim, Business Administrator; John Inglesino, Township Attorney; Mary Cilurso, Acting Deputy Clerk.

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## **UPCOMING MEETINGS:**

3/13/12 @ 7:30 p.m. Agenda Meeting  
Public Invited – Public Participation

3/20/12 @ 7:30 p.m. Regular Meeting  
Public Invited – Public Participation

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## **DISCUSSIONS:**

### **Environmental Advisory Committee – Review of findings on Lake Hiawatha Flooding**

Mayor Barberio stated he had commissioned the Environmental Advisory Committee back in October to do a study regarding the findings of the Lake Hiawatha flooding. They are here tonight to report back to the residents of Parsippany-Troy Hills and the residents of Lake Hiawatha. Justin Lizza, the Township Engineer is also here tonight. Laura McCloskey of the Environmental Advisory Committee gave a review of findings on the Lake Hiawatha Flooding that is on the following page(s). Laura McCloskey is a resident of Lake Hiawatha and is on the

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Environmental Committee formed in 1995. She is an Environmental Science Teacher and teaches at the Parsippany High School. There are eight (8) members on the Committee and available on the website. They have an Environmental Geographer, Civil Engineer and Mechanical Engineers on the Committee.

This report will be presented in four (4) stages: The first stage will be concerned with the national and local meteorological conditions of the weekend of August 27-28 of 2011. This section will be referred to as **Conditions**. The second stage will be concerned with activities, both man-made and natural, that seemed to contribute to the synergist effect that eventually lead to the flooding of lower Lake Hiawatha. This section will be referred to as **Contributions**. the Third stage will be an exploration of the aerial photos and maps available of the Lake Hiawatha area that will allow us to look above and below the reservoir and include the topography, river systems and impervious surfaces in our study. This section will be called **Visual Evidence**. The fourth stage will be suggestions put forth by the EAC to prevent a reoccurrence of this situation. This section is called **EAC Suggested Actions. (The Presentation is attached.)**

Ms. Susan Lynn Persson showed the maps to the public and Council regarding the flow of water including the tributaries. The environmental committee will be asking the Council and Mayor to engage more directly with the executives of United Water and create a plan for some future scenarios that may occur so that we are ready and mainly so there is no miscommunication. United Water expressed their concern for what happened and wants to work with everyone.

Mr. Carifi questioned Mrs. McCloskey on the lowering of the dam. United Water lowered the dam on Friday and Saturday, did not lower it on Sunday when the Hurricane hit. Had they lowered it to 85% the amount of damage may have been dramatically less. It appears to him that United Water did the bear bone minimum rather than lowering it Monday, Tuesday, Wednesday, Thursday, Friday.

Mr. dePierro said the Jersey City Reservoir does not have flood gates. They have drain pipes not flood gates. The Governor will only order 48 hours before the Hurricane hits because hurricanes can change direction and water in the reservoir is money. They will not lower it voluntarily. It is his opinion that every lake, reservoir and dam should be equipped with a flood gate. He believes we need dialogue with our Legislators to implement legislation that mandates that all dams, reservoirs and lakes be equipped with floodgates so they can react with more drainage of water before a hurricane hits and hold back the water till after. He thinks this is a more productive direction to go in.

Mayor Barberio asked Laura McCloskey if United Water, by law, has to release a certain amount of water daily for wildlife.

Ms. McCloskey said yes but thinks they need to redesign the dam with flood gates.

Justin Lizza, Township Engineer said they have gates, which if you are going into a drought condition, holds more water back but they are not operational on a regular basis.

Mr. Cesaro stated to the public that all these people are volunteers who did not get paid. He thanked them all for their hard work.

**Parsippany Partners – Edwards Road Redevelopment Projects Given by Ed Sneikus**

John Inglesino, Township Attorney said tonight was the second step that is being proposed with the redevelopment process in regard to this property. The first step was the Council passing a Resolution directing the Planning Board to conduct a study to determine if this area is in need of redevelopment. The Planning Board based upon the Resolution engaged its Planner, Ted Sneikus at Burgis Associates to conduct a study to determine whether or not this area qualifies under the statute whether it needs redevelopment. The Planning Board held a Public Hearing, with notice as required by law and based upon the Planning Boards recommendation of Ed Sneikus determined that this area qualifies under the statute as an area in need of development. What is before the Council tonight, is a Resolution, which would give effect to the Planning Boards recommendation and to declare the area in need of redevelopment. It is not intended to consider what would be developed on the property that would come later. What the plan would be would also be later.

After tonight the Planning Board or Council would be involved in working with the Planner to develop the redevelopment plan.

Mr. Sneikus, Township Planner stated at the last meeting we offered a quick synopsis of the process that Mr. Inglesino just covered for your information. As was indicated as a quick overview, the Governing Body back in April recommended to the Planning Board to conduct a study and over that time period in December adopted a Resolution recommending that area be deemed an area in need of redevelopment. He summarized this issue in a series of maps. These were reports given to the Planning Board so they can consider criteria. He showed a map showing an existing Land Use study. It was, colorized, to identify Land Uses in certain categories. The three (3) properties recommended for consideration was illustrated with a red line surrounding the various lots. The LIW2 R3 zone permits light industrial, various types of uses. It also permits single family to be developed within that zone. The findings were that Block 766 Lot 11 and Block 767, Lot 15. Lot 11 is the larger lot – approximately 14 acres, Lot 15 is on the easterly side of Edwards Road – approximately 11 acres. In total 25 acres of land and in that recommendation Block 766, Lot 11 has remained vacant for many decades and is currently vacant. Despite a number of times to sell it did not . There were several tax liens on the property due to a death in the family. There was a dispute regarding the payment of taxes and that delayed further development of the properties. There is scattered wetlands throughout the property that will require mitigation in order to accomplish future improvements on the property. There is a number of wetlands as well as flood plains. A 50ft. buffer or transition is required from the wetland limit lines. On Lot 15, the Army Corp of Engineers has been interested in studying this area for a flood mitigation project. They are looking to increase the ability to hold back the flood waters.

Mr. Inglesino told Mr. Lizza that in his professional opinion the area satisfies the statutory criteria to be declared in need of redevelopment. He also asked which statutory criteria is met by this property.

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Mr. Lizza replied the criteria met is N.J.S.A.40A:12a5.e basically because on Lot 11 its development was impeded by the ownership development over several years. The Council can look at it as one of the criteria needing an improvement.

Mr. Inglesino said (e) the underutilization based upon title or other issues. There is a number of criteria's in the statute. If any of the property meets the criteria, then it can be declared in need of redevelopment. It sounds as if the Planners Report given to the Planning Board, who then gave it to the Council is in need of redevelopment.

Mr. Lizza said there is item (c) which identifies the practical difficulties with the environmental constraints on the properties. In summary, the Planning Board did find that criteria has been met and found that the site be deemed an area for redevelopment.

The next step would allow the Township to implement other components of the statutory criteria which is to establish an overlay zone for the subject property so they can look at a Special Use because of the specific findings of that area.

Mr. Inglesino stated one of the benefits going the redevelopment route, as opposed to the Zoning Route, is you have much more control of what is going to be built there. You can get into a lot more specificity in terms of what is going to be built there where the Zoning Ordinance is very general. A redevelopment plan, which is the next step, can be very, very specific. It is done in cooperation with the redeveloper and the municipality exercising maximum control. That is one way to go the redevelopment route. There was a discussion about flood mitigation with this property, which under the redevelopment statute you have greater ability to require flood mitigation aspects to the redevelopment plan because once an area is designated as in need of redevelopment you have established a public purpose for the redevelopment project. That public purpose includes not only the development of the project, whatever that project is, but can also require more in the way of public improvements particularly in regard to flood mitigation in this area. Then you could require the developer to do under existing zone. That is another reason why you would go the redevelopment route.

Mr. dePierro said that is why he explained to the Council last time, the reason he liked this area for redevelopment was for the flood mitigation aspect of it. With this project we would have some place for the water to go to the Lot behind the WAWA which would be used for flood mitigation.

Ms. Lim informed the Council that the Resolution is on the Council Agenda for tonight.

Mr. Cesaro asked Mr. Sneikus that he was worried about the concentration of 110 units on 11 acres.

Mr. Sneikus said it was just a concept at this time. Nothing is set in stone. Of the fourteen (14) acres it is approximately an eight (8) acre parcel.

Mr. Cesaro said it abuts Route 280 and nothing else is behind it. It is adjacent to the existing daycare center. He wants the people to watch how much housing will be dedicated and there

is a lot of implications.

Mr. Inglesino raised a good point. Typically, people are concerned about setting precedence with this much density. One of the benefits to the redevelopment process is, you have the ability to look at the unique characteristics of this property and zone it and treat it uniquely, so you are not setting a precedence that others could use. You gave them this density now we want this density. When you put it into the redevelopment context, you are protecting yourselves from that argument used by many developers with other projects. You would want to see this property developed and realize the public purposes, re not only flood mitigation, but also economic utility of the property. Redevelopment is the way to go.

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**BIDS TO BE TAKEN:**

2/16/12 @ 11:00 am	Sealed Proposals for Operation of Catering and Banquet Facilities And Provision of Related Services at Knoll Country Club – REBID
3/08/12 @ 11:00 am	Phase 3 Interior Restoration of the Bowlsby – DeGelleke House

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

None

**ORDINANCE(S):**

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

**ORDINANCE NO. 2012:01**

**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**

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

The foregoing Ordinance was published in its entirety in the Daily Record, the official newspaper of the Township of ParsIPPany-Troy Hills on January 13, 2012.

**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, 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,”** be read in title only on second reading and a hearing held thereon.

**ROLL CALL: YES** - Council Members Carifi, Cesaro, dePierro, Ferrara, and Stanton

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

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

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**ORDINANCE NO. 2012:03**

**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**

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

The foregoing Ordinance was published in its entirety in the Daily Record, the official newspaper of the Township of Parsippany-Troy Hills on January 13, 2012.

**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, 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,**” be read in title only on second reading and a hearing held thereon.

**ROLL CALL: YES** - Council Members Carifi, Cesaro, dePierro, Ferrara, and Stanton

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

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

**PUBLIC HEARING:**

**Council President Stanton Opened this portion of the Meeting to the Public.**

**Sylvia Schuman, 18 Ferndale Drive** informed the Council she had bought a second (2<sup>nd</sup>) sump pump before she was flooded. The pumps were taking the flow until the street started flooding. She now has 6ft of water in her basement. She said the development should never have been built and we do not need any more apartments.

**Rick McNutley, 5 St. John's Avenue** would like an audit of these properties for non-public use. He wanted an understanding how particular assets acquired with Open Space money are being used. Specifically, 580 Smith Road (Sheep Farm) and Baldwin House 460 South Beverwyck Road. Ruby Malcolm, in an email today, explained that Open Space funds were used in the purchase in 2006. In reviewing the original Ordinance 89-29 and Amended Ordinance 2007:12 in addition to the municipal code as described in Chapter 51A- the sale of property. He wonders how Parsippany leases this property to the Parsippany Soccer Club (Ordinance 2011:24) He read Chapter 51A – sale of property. No property acquired with the funds of the Open Space Trust Fund can be leased or sold until the sale or lease has been approved by the voters at a Referendum. He asked the Council to show him the referendum that was voted and approved by the voters of Parsippany prior to Ordinance 2011:24 taking affect.

The Baldwin House - (Ordinance 2011:25) On December 13 John Cesaro specifically asked and was answered by Jasmine Lim that the money was coming from the Open Space Acquisition portion of the fund. Mr. dePierro said the garage would be used by the EMT Ambulance Squads, meeting rooms and Chamber of Commerce. He read state statute 40:12-8.9 as follows: Lands acquired by municipality using revenue raised pursuant to this act shall be held in trust and used exclusively for purposes under this act. After conducting one Public Hearing thereon and upon finding that the purpose of this act might otherwise better served or that any land acquired by a municipality pursuant there to is required for another public use which findings shall be set forth in an Ordinance adopted by the Governing Body in a municipality. The Governing Body may convey through sale exchange, transfer or other disposition entitled to for a lesser interest in that land provided the Governing Body shall re- place any land conveyed under this section by land of least fair market value or reasonably equivalent usefulness, size, quality and location to that land conveyed and any money derived from that conveyance be deposited into the Open Space Trust Fund. He would like the Town to have an Audit of every Town property to see which were approved with Open Space money and make sure those properties are being used by the entire public and not any one specific organization. If there is any lessee or non-public use for property, what are the new properties given back to in the exchange? Who did the independent audit to see that those properties were at least of fair market value to the original properties?

Mr. Inglesino, Township Attorney stated the established leases in fact are with the soccer club. We have not drawn analysis. One of the ways to address that is to issue a license. A license is revocable by the municipality. We need to look at the issues concerning Open Space that has recently come to his attention. The Administration should make a recommendation to the Council for an independent audit.

**Pat Petaccia, 182 Hawkins Avenue** asked the Council to read the Ordinance and not vote on this Ordinance which is being Introduced tonight. She read information that she got off the internet. There are too many loopholes in this ordinance to make it work. She believes it should go to referendum. Too many things are being changed to get this project moving. She asked what Blue Acres was.

Mr. Inglesino explained there has been a lot of information given to the public. Last week, Mayor Barberio asked his opinion if Open Space Trust Fund monies maybe used for debt service payments on the Bonds. In connection with that exercise, which is detailed, involved and complex because of the multitude of actions, that have been taken over the last 20 years, we took a very comprehensive look at Parsippany. He wanted to dispel one notion that was out there was Open Space was Open Space and it is not Recreation. He referred to the public question on the Ballot in 1988. It comes with the statute and adds to the confusion. When you read the question on the 1988 Ballot that was passed it reads: “ The Open Space Trust Fund shall be funded through the collection of open property taxes, etc. Said funds will be dedicated solely for the purchase of property within the Township of Parsippany-Troy Hills for active and passive recreation. That was the question that was voted on in 1988. It was not open space without recreation. The question was should be used for active and passive recreation. There is no other purpose for the money that was sited in the public question. One of the myths that should be dispelled legally, is that there is a big distinction between open space and recreation. It is not a correct distinction and supported in the public referendum and in the law. With respect to the title of the Open Space Trust Fund that is being proposed that title, by law, is required by law to change. It is not an option legally, that the Town Council has. It has not been done and should be done because it is required by law.

Mayor Barberio said Smith Field is an example. We have to right these fields up. When I read these Ordinances I asked the Township Attorney to review it. He will ask for dialogue with the residents. He has from the League of the Municipalities, a magazine that says “How Towns Need to Learn to Share Services with other Governing Bodies” because of hard economic times. (When we do something not to raise taxes and we do something not to). We are not hiding anything. The attached will be on the internet so the residents can see

**Mike Espejo, 80 Brooklawn Drive** stated the fact of the matter is there already was a vote by the Open Space Committee and it was no. All the projects the Mayor mentioned were all done with Open Space funds. He asked if the Open Space Committee approved it or not. If you look at the laws for the Open Space Committee they say “the Open Space Committee shall submit to the Town Council a prioritized list of the properties to be required and/or properties for which development rights should be acquired”. As he just mentioned they voted no. So in actuality you should not have heard about it last week because they did not approve it. However, the Mayor came and did his proposal regardless. First, the Mayor shares the Open Space Committee, he kind of forced a quick vote and it came back a no. Actually, it was a tie which turns into a no. The Mayor’s Attorney John Inglesino says the vote does not count and continues to proceed anyway. He believed the Mayor would have had the Open Space Committee’s approval. So, the Mayor said at the last meeting, he was going to ask for another vote at the next meeting. Now they want to change the wording to fit the needs of what they want to do. Mr. Espejo has a problem with Mr. Inglesino who is advising, the Open Space Committee what they can do and he

is telling the Council what you can do. He asked the Council to please use their own brains and decide themselves. In his opinion, how can one single person be advising every single branch of what happens in this government. It makes absolutely no sense to him.

Mr. Inglesino stated he knew very well who his client is. His client is the Township of Parsippany-Troy Hills. Any legal advice that he gives is going to be legal advice with that in mind. He explained to him what the Open Space Committee is and how it works. There is no state statute that provides an Open Space Committee with any independent authority or power. The creation of the Open Space Committee comes from the Governing Body in an Ordinance. The municipal Council can delegate certain functions to the Open Space Committee and advisory only in nature. What the Town Council cannot do is delegate its powers that are derived from state law to the Open Space Committee. The answer is the Open Space Committee does not have independent power over the Town Council. It is his legal view and very confident that his legal view is correct, is that it is the Governing Body that makes the decision as to how the Open Space Trust Fund monies is used, not the Open Space Committee.

So an affirmative vote of the Open Space Committee is not necessary, it is not a prerequisite, it is not required in order to dictate to the Town Council how, whether, when or why it wants to spend Open Space Trust Fund monies. He should understand that. The Open Space Committee is an advisory committee to the Governing Body team within the family of municipal government, which is his client. He is the municipal attorney for the Township of Parsippany-Troy Hills – that is his client; that is his only client.

Mayor Barberio spoke to Mr. Espejio, based on the fact that he left him a message. He did not believe that any committee in town should stop the progress to go through the public. It was a three (3) – three (3) tie. It failed because it was tied but that does not mean there should not be a public process go through. No committee should have that power to stop the process. That is why he presented it so the public for and against have the opportunity to speak. If it would have just died in the Open Space Committee that would not have happened. We have a recreation advisory committee and had discussions. He had discussions with Mr. Peterweitz and discussions with everyone in town. He should talk to people. The process is fair. Something has to be done to the fields. They are in bad shape and something has to be done. This is the way to not raise taxes, this is the way where everyone can maintain and use those fields. If it does not happen at the local level that is fine but it is going to have to happen somewhere. Have people come up with a solution not to raise taxes – come up with a solution. Not one solution and the bottom line is this is the way to do it. If it does not happen then the Board of Ed would have to handle it and then taxes would go up.

Mr. Ferraro stated the Council knew about the project in October when it made the press. What they were trying to say last week was this was the first time we were getting the full presentation. We saw the charts, had the Police Chief at our disposal if we had any questions. Parks and Recreation was here, Parks and Forestry were here and had full access to all that information. He wanted to clear up a misconception.

**Michael Pietwiz, 480 Park Road** will reserve his comments for the next Board of Ed meeting regarding his ability and integrity. There is a Field of Dreams Committee. It is not a ghost Committee, it is a group of people that now have over twelve hundred (1,200) signed petitions. It is a group of people who have a passion to try and improve Town assets for everyone to use. Absolutely, they have talked to people over the past several months and wanted to find a creative way we can altogether fix these fields. In talking with a lot of people we all agree there needs to be some serious attention to happen to these fields. It is a positive sign. In these tough economic times Government, Board of Education and other people need to come together to find creative ways to find necessary ways to fund necessary projects. He personally does not care where the funding comes from. He does not want to increase anyone's taxes. It sounds if further research is done and if Open Space Trust Fund monies are available in part or whole - beautiful. We can achieve what we are all in agreement with. He agrees with the quality of life around. He would sit down with residents and iron out those concerns for the quality of life. He thanked the Council and that we all can work together for the common good.

Mayor Barberio stated he is forming a Committee with those residents in favor and not in favor. He asked Mr. Pietwiz to be on the Committee.

**Mr. Bob Venezia, 102 Brooklawn Drive** said at the last meeting, Gene Montaculo, member of the Open Space Committee, expressed concern that the large Field of Dreams Bond payments might crowd out many of the worthy projects that were funded. The likelihood of that happening is very real. There is a fundamental flaw in the plans to fund the field of dreams project with Open Space money. This flaw will either seriously limit capital improvement projects or require an increase in taxes. At the start of the last meeting, the Mayor read into the record numerous capital improvement and renovation projects that had been funded by Open Space money since the 2006 referendum. Since the five (5) year period of 2007 through 2011 these projects totaled \$3 million dollars (\$3,000,000). You come up with an average expenditure of \$600,000.00 (six Hundred thousand) dollars but that also represents the maximum amount that Parsippany can spend in any given year for Open Space improvements or renovations in any one given year. Basically, if we are spending (\$6,000,000) there is nada(nothing) left. Therefore, there is zero (0) dollars left to fund the proposed (\$350,000) bond payments due annually for the next fifteen (15) years. In addition there are no dollars available to pay for the annual maintenance cost for the fields or for the resurfacing that will be required ten (10) years from now. If the field of dream project can be done it looks like a scaled down version must be done within the Board of Education Budget. They could build the most important pieces of the project – the artificial turf fields for about \$1.5 million dollars short of raising taxes which is a non-starter. There is no fiscal responsible way that the Open Space Trust Fund can be used to fund the Field of Dreams.

**Roy Messmer, 10 Druman Drive** said he did not see how the Council can afford this. He wanted the public to know the surplus is in water/sewer – ten million (\$10,000,000,000). He addressed Mr. Inglesino and asked him why when he put in an O.P.R.A. request for Attorney bills (October, November, December) did he waste taxpayers money and have the clerk's office redact all information. All requests were for general representation for Township. He said you say you work for us, then explain why. He never had a problem with Henry Leuther, DeCotiis.

Mr. Inglesino stated his client is the Township of Parsippany-Troy Hills not him. He represents the municipal government and that is his client. When we communicate with a client most of what we communicate is attorney-client privilege information. We have a balancing act as lawyers. On the one hand, we have to account for our time so that people in the municipal building review our bills so they have an understanding of what we do to get paid. In the course of writing down what we do, we will put on information that is not for public view or consumption. If I discuss litigation matters or give legal advice to the Mayor, Council, Clerk, Administrator that is information in content is privileged information not for you to see or anyone to see because it is information that could be used against the municipality. So that is why those time entries are redacted because they can be used to decipher and discern privileged communication that can occur. Unfortunately this takes time for his office to go through. We have to go through it all.

**Beth Bug, 10 Wingate Road**, talked about quality of life issues. Out of Towners – visiting – increase in crime/vandalism – ask the Police Department. Increased traffic on Brooklawn Drive in the morning and evening rush hours then any turf field will bring. Adding turf to the high school is not going to change the fact that Brooklawn Drive is a cut through street from Route 202 to Route 53. Parking – very diligent in putting up signs. She believes the high school fields should only be available to the high school teams and town teams and with a strict curfew, scheduling, lighting are some of the ideas that she wanted to communicate.

Mayor Barberio stated they would make sure certain roads can be worked on. The Board of Education will have to make a decision eventually on what they want to do.

**Paul Giovanilli, 5 Marine Road**, stated his wife, Judith Hernandez serves on the Open Space Committee and these opinions are his opinions not his wives. The proponents of this project or attempting to frame the discussion over the merits good or bad of this project. This is a false issue in this case. Further, they are attempting by every means possible to turn the field into a park because the term “park” in the statute could possibly be funded under an Open Space Fund. From an athletic field to a conservation easement. Perhaps from a conservation easement and action by the Board of Education to turn the fields over to the Town and then the Town blesses it as a park. Maybe this can be done but that is not the point here again. The only real issue and the issue that the Open Space Committee could and did address and for this, the members do not deserve to be cast or opposed to Mom, apple pie and other things that are alleged. It is simply unfair. The real issue and the issue that was decided is how do the merits of the project stand up against the merits of other Open Space projects. Not are such merits good, bad or otherwise. This is not about being a good project or worthwhile project. This is not about whether the athletic field can legislatively mutate into a park. It is not about satisfying or representing the interest of any group however, its majority. These are false distractions and the fair minded people of Parsippany should not be misled. It is not if it can be used it is incorrect to suggest this is the issue. Clearly, Open Space Funds have been used for these purposes in the past. It always was and is still the issue of how worthy are the merits of this project and how do they stand up against the worthiness of the other Open Space projects. That is the only valid issue for discussion that should take place. He said the Open Space Committee members did their duty and made their decision. While it may be advisory the Mayor and Town Council are well

advised to take heed what their decision was. It is time in Parsippany to stop changing the rules when the decision does not meet with their goals.

Mayor Barberio believed that this was a public process and has said it before. He did not think any Committee should decide or stop a process. Not just Environmental not just Open Space and thinks it should go before the governing body. He stated that at the meeting as well. What he said at the meetings was in order to do this we would need a 51% easement ownership to do what is needed with Open Space money. He made that clear as well and clear to the Committee members. The questions proposed to him was why not use this money for the Lake Hiawatha victims at that time. What he explained at the time was that it did not merit that. So, he said no. There were other portions of the Open Space Fund that would merit that and we would do those things but the recreation portion wouldn't. He made that very clear in those meetings. He gave them the information. He will ask them for a vote in the future and if they say no, they say no. It was discussed at the meetings. The Rockaway River corridor is separate from the Field of Dreams. We have used Open Space money before for recreational facilities in town before and hopefully continue to do it. That is why when he read the Ordinance himself, he had his concerns and had the Township Attorney review it and give his opinion that will be on-line.

**No one else wishing to be heard, President Stanton Closed this portion of the Meeting to the Public.**

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**CONSENT AGENDA:**

All items listed with an asterisk (\*) are considered to be routine and uncontroversial 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.

Council President Stanton made a Motion to Adopt the following Resolutions:

Seconded by: Mr. dePierro

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**MINUTES FOR APPROVAL:**

- \* Agenda Meeting of 12/6/11
- \* Regular Meeting of 12/13/12

**BID AWARD(S)**

**\* Awarding Bid to Pierce Manufacturing, Inc., 2600 American Drive, Appleton, WI, for a 2012 Eighteen Foot Walk-In Rescue/Dive Apparatus for Rescue and Recovery for a Total Bid Price Of \$398,360.00**

**WHEREAS**, the Township of Parsippany-Troy Hills received bid proposals for One New 2012 Eighteen Foot Walk-In Rescue/Dive Apparatus for Rescue and Recovery on January 26, 2012, and

**WHEREAS**, the Business Administrator, Director of Purchasing and Rescue and Recovery Squad have reviewed the bids received and recommend that the bid be awarded to the lowest responsible bidder, Pierce Manufacturing, Inc., 2600 American Drive, Appleton, WI 54914 for a Total Bid Price for Item C (Cab, Chassis and Body) of \$398,360.00, 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 # 2011:07 adopted June 21, 2011 entitled,  
“Various Improvements.”

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Parsippany-Troy Hills that the bid for One New 2012 Eighteen Foot Walk-In Rescue/Dive Apparatus for Rescue and Recovery 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.

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**\* Awarding Bid to Deacon Equipment Co., Inc., 22 Wedgetown Road, Bloomsburg, PA, for One New Trailer Mounted Drum Style Brush Chipper for a Total Bid Price of \$58,612.50**

**WHEREAS**, the Township of Parsippany-Troy Hills received bid proposals for One New Trailer Mounted Drum Style Brush Chipper on February 1, 2012, 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, Deacon Equipment Co. Inc., 22 Wedgetown Road, Bloomsburg, PA 17815 for a Total Bid Price of \$58,612.50, 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 # 2011:07 adopted June 21, 2011 entitled,  
“Various Improvements.”

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Parsippany-Troy Hills that the bid for One New Trailer Mounted Drum Style Brush Chipper 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.

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**RESOLUTION(S)**

- \* Resolution Recommending Designation of Block 766, Lot 11 and Block 767, Lot (Located on Edwards Road) as Area in Need of Redevelopment
- \* Awarding Bid to Pierce Manufacturing, Inc., 2600 American Drive, Appleton, WI, for a 2012 Eighteen Foot Walk-In Rescue/Dive Apparatus for Rescue and Recovery for a Total Bid Price of \$398,360.00
- \* Awarding Bid to Deacon Equipment Co., Inc., 22 Wedgetown Road, Bloomsburg, PA for One New Trailer Mounted Drum Style Brush Chipper for a Total Bid price of \$58,612.50
- \* Supporting an Application for CDBG Funds for the Interfaith Council For Homeless Families
- \* Confirming the Appointment of Township Public Defender and Awarding a Contract for Professional Services to Gabrielle Gallagher, Esq. of the Firm Carrino Gallagher, LLC for a Period of One Year, Services Not Exceeding \$17,500
- \* Awarding Contract for Onsite Wellness Coaching Services for One Year to Wellness Coaches, USA, LLC, 725 Skippack Pike, Ste. 300, Blue Bell, PA, for a Total Price Per Month of \$6,069
- \* Awarding a Contract for Insurance Services for a One Year Contract to D&H Alternative Risk Solution, Inc., Located at 83 Spring Street, Suite 104, Newton, NJ, with an Estimated Yearly Cost of \$33,000, to Provide Administration of Claims Processing For Workers' Compensation
- \* Authorizing an Agreement with NW Financial Group, LLC for Financial Services for 2012, for a One Year Contract, with an Estimated yearly Cost of \$17,500, to Provide Financial Advisory Services
- \* Authorizing an Agreement with Saint Clare's Community Care, a Member of Saint Clare's Health Services for the Provision of Certain Health Clinic Services, the Value of Services Not to Exceed \$17,500
- \* Authorizing the Preparation and Submission of an Application in Connection with a Refunding Bond Ordinance of the Township for the Refunding of the Township's

General Obligation Bonds Originally Issued in 2005

- \* Resolution Regarding Purchases of Goods and Services Utilizing NJ Cooperative Purchasing Program, Morris County Cooperative Pricing Council and Somerset County Cooperative Pricing Council
- \* A Resolution for a Grant of Easement Between the Township and the County of Morris To Replace a Certain Culvert Under the Smith Field Avenue Right of Way
- \* Resolution by the Township Council of the Township of Parsippany-Troy Hills for Transfers to be Made Between the 2011 Budget Appropriation Reserves

**APPLICATIONS:**

- \* Renewal Licenses 2012
- \* New License Limousine – Hodge Enterprises LTD, Inc., 75 Preston Road, Parsippany, NJ 07054, 1 Vehicle
- \* Liquor License Renewal – Ruby Tuesdays

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**ORDINANCE(S)**

**Introductions:**

**ORDINANCE NO. 2012:04**

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

**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 1140 & 1160 Parsippany Road, Block 410, Lot 22.01**

**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 **February 14, 2012** and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on **March 20, 2012** 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 Carifi, Cesaro, dePierro, Ferrara, and Stanton

**ORDINANCE NO. 2012:05**

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

**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 50 Parsippany Road, Block 392, Lot 4**

**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 **February 14, 2012** and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on **March 20, 2012** 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 Carifi, Cesaro, dePierro, Ferrara, and Stanton

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**ORDINANCE NO. 2012:06**

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

**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 100 Kimball Drive, Block 735, Lot 1.06**

**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 **February 14, 2012** and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on **March 20, 2012** 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 Carifi, Cesaro, dePierro, Ferrara, and Stanton

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**ORDINANCE NO. 2012:07**

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

**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 1 Jefferson Road, Block 735.02, Lot 4**

**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 **February 14, 2012** and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on **March 20, 2012** 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 Carifi, Cesaro, dePierro, Ferrara, and Stanton

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**ORDINANCE NO. 2012:08**

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

**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 1560 Route 46, Block 719, Lot 1.2**

**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 **February 14, 2012** and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on **March 20, 2012** 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 Carifi, Cesaro, dePierro, Ferrara, and Stanton

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**ORDINANCE NO. 2012:09**

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

**Refunding Bond Ordinance of the Township of Parsippany-Troy Hills, in the County of Morris, New Jersey, Providing for the Refunding of the Township's General Obligation Bonds Originally Issued in 2005 Consisting of General Improvement Bonds, Sewer Utility Bonds and Water Utility Bonds, and Authorizing the Issuance of Not to Exceed \$18,630,000 General Obligation Refunding Bonds consisting of Not to Exceed \$17,550,000 General Improvement Refunding Bonds, Not to Exceed \$790,000 Water Utility Refunding Bonds and Not to Exceed \$290,000 Sewer Utility Refunding Bonds for Financing the Cost Thereof**

**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 **February 14, 2012** and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on **March 20, 2012** 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 Carifi, Cesaro, dePierro, Ferrara, and Stanton

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**ORDINANCE NO. 2012:10**

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

**An Ordinance Amending Chapter 51, Open Space Committee, to Further Revise the Purposes for Which the Open Space Trust Fund Can be Used and Authorizing the Township to Dissolve the "Open Space Trust Fund" and Create the "Municipal Open Space, Recreation and Farmland and Historic Preservation Trust Fund"**

**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 **February 14, 2012** and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on **March 20, 2012** 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.

**REGULAR TOWNSHIP COUNCIL MEETING OF FEBRUARY 14, 2012**

**ROLL CALL: YES** - Council Members Carifi, dePierro, and Stanton  
**ABSTAIN:** Council Members Cesaro and Ferrara

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**ADJOURNMENT:**

Council President Stanton made a Motion to Adjourn the Meeting, seconded by Mr. Cesaro:

**ROLL CALL: YES** – Mr. Carifi, Mr. Cesaro, Mr. dePierro, Mr. Ferrara, Mr. Stanton:

Meeting adjourned at 10:45 PM

Respectfully Submitted,

\_\_\_\_\_  
Mary Cilurso, Acting Deputy Clerk

\_\_\_\_\_  
Council President Brian Stanton

Minutes Approved:

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**ADD-ON RESOLUTIONS:**

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

**Authorizing a Participation Agent between the Township of Parsippany-Troy Hills and  
“Today in America” (Production Co.)**

**ROLL CALL: YES** - Council Members Carifi, dePierro, Ferrara and Stanton  
**ABSTAIN:** Council Member Cesaro

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**CLOSED SESSION:**

Contract Negotiations and Potential Litigation

**RESOLUTIONS:**

**A RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS AUTHORIZING THE GRANT AND EXECUTION OF A UTILITY EASEMENT TO THE COUNTY OF MORRIS**

**WHEREAS**, the County of Morris (hereinafter the “County”) will be undertaking a public improvement project which involves the replacement of a culvert running within a right of way below Smith Road, which right of way is owned by the County; and

**WHEREAS**, there are certain existing underground and/or overhead gas and electric utility lines which are currently running through the County Right of Way, which must be relocated as a result of the County’s public improvement project; and

**WHEREAS**, the County desires to relocate those utilities outside of the County Right of Way, onto a portion of property owned by the Township of Parsippany-Troy Hills (hereinafter the “Township”), which property is known as Block 741, Lot 4.02 on the tax map of the Township of Parsippany-Troy Hills (the “Property”); and

**WHEREAS**, the proposed utility easement area consists of approximately 1,007 square feet (.02 acres) of the Township’s Property; and

**WHEREAS**, the County’s improvement plans and utility easement plan have been reviewed by the Township Engineer and have been deemed acceptable.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Parsippany-Troy Hills, State of New Jersey, that the Township Council hereby agrees to grant a utility easement to the County over a portion of Block 741, Lot 4.02 on the tax map of the Township of Parsippany-Troy Hills, County of Morris, State of New Jersey; and

**BE IT FURTHER RESOLVED** that the Mayor is hereby authorized to execute the utility easement.

**A RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS DETERMINING THAT THE**

**PROPERTIES IDENTIFIED AS BLOCK 766, LOTS 11 AND BLOCK 767, Lot 15 BE DESIGNATED AS AN “AREA IN NEED OF REDEVELOPMENT” IN ACCORDANCE WITH THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ.**

**WHEREAS**, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the “Redevelopment Law”) authorizes municipalities to determine whether certain parcels of land located therein constitute areas in need of redevelopment; and

**WHEREAS**, on April 12, 2011, the Township Council (“Council”) of the Township of Parsippany-Troy Hills (“Township”) adopted a resolution authorizing and directing the Planning Board of the Township of Parsippany-Troy Hills (“Board”) to conduct a preliminary investigation to determine whether the certain properties, identified as Block 766, Lots 11 & 12 and Block 767, Lot 15, or any portions thereof meet the criteria set forth in the Redevelopment Law and should be designated as an area in need of redevelopment; and

**WHEREAS**, the Board conducted a preliminary investigation of the Property to determine whether it should be designated an area in need of redevelopment in accordance with the criteria and procedures set forth in N.J.S.A. 40A:12A-5 and 40A:12A-6; and

**WHEREAS**, as part of its preliminary investigation, the Board caused Edward Snieckus, PP, LA, ASLA, the Board’s Planner, to prepare a Planning Report-Redevelopment Area Investigation for the Board for its consideration in determining whether the Property should be designated an area in need of redevelopment; and

**WHEREAS**, in addition to the foregoing, Mr. Snieckus prepared a map showing the boundaries of the proposed redevelopment area and locations of the various parcels of property included therein, along with a statement setting forth the basis for its investigation in accordance with N.J.S.A. 40A:12A-6(b)(1); and

**WHEREAS**, public hearings were conducted by the Board on August 1, 2011 and October 3, 2011, with notice having been properly given pursuant to N.J.S.A. 40A:12A-6(b)(3);

**WHEREAS**, at the public hearings, the Board reviewed the Planning Report-Redevelopment Area Investigation, the map and associated documents, and heard considerable testimony from a number of experts including but not limited to Mr. Snieckus, Gordon Meth, PE of RBA Associates, David Roberts, PP of Maser Consulting, Scott Koenig, CLA of Lapatka Associates, Michael L. Francis, Ph.D. of Environmental Property Assessments, LLC, and others; and

**WHEREAS**, at the public hearings, members of the general public were given an opportunity to be heard and to address questions to the Board concerning the potential designation of the Property as an area in need of redevelopment; and

**WHEREAS**, the Board entertained, considered and made part of the public record any objections to a possible determination that the Property was an area in need of redevelopment; and

**WHEREAS**, after completing its investigation and public hearings on this matter, the Board concluded that there was sufficient evidence to support findings that satisfy the criteria set forth in the Redevelopment Law for designating Block 766, Lot 11 and Block 767, Lot 15 as a redevelopment area and that said designation is necessary for the effective redevelopment of the area comprising such Property; and

**WHEREAS**, the Board further determined that Block 766, Lot 12 does not meet the redevelopment criteria established at N.J.S.A. 40A:12A-5; and

**WHEREAS**, in accordance with the Redevelopment Law and as memorialized by way of Resolution dated December 19, 2011, the Board recommended to the Governing Body that Block 766, Lot 11 and Block 767, Lot 15 be designated as an area in need of redevelopment; and

**WHEREAS**, the Governing Body considered the Board's recommendation at its regularly scheduled public meeting on February 14, 2012, whereupon it took the action herein noted.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of Parsippany-Troy Hills, County of Morris, State of New Jersey, accepts the recommendation from the Planning Board of the Township of Parsippany-Troy Hills and find that Block 766, Lot 11 and Block 767, Lot 15 on the official tax map of the Township of Parsippany-Troy Hill be and are hereby deemed to be areas in need of redevelopment as per the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. ; and

**BE IT FURTHER RESOLVED**, that the Township Council further accepts the recommendation from the Planning Board of the Township of Parsippany-Troy Hills and finds that Block 766, Lot 12 is not an area in need of redevelopment as per the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.; and

**BE IT FURTHER RESOLVED** that the Planning Board is directed to commence preparation of a redevelopment plan for Block 766, Lot 11 and Block 767, Lot 15 in accordance with the requirements of the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., and

**BE IT FURTHER RESOLVED**, that the Clerk of the Township of Parsippany-Troy Hills shall transmit a copy of the within Resolution to the Commissioner of the Department of Community Affairs for review.

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF  
PARSIPPANY-TROY HILLS AWARDED A CONTRACT FOR  
INSURANCE SERVICES**

**WHEREAS**, the Township of Parsippany-Troy Hills has a need to acquire insurance services as a non-fair and open contract pursuant to the provisions of P.L. 2004, c.19 (N.J.S.A. 19:44A-20.5 et seq.); and

**WHEREAS**, the Business Administrator has determined and certified in writing that the value of these services will exceed \$17,500; and

**WHEREAS**, the Business Administrator and the Mayor have recommended that a one year contract commencing on January 1, 2012 be awarded to with D&H Alternative Risk Solutions, Inc. with offices located at 83 Spring Street, Suite 104, Newton, New Jersey 07860, to provide administration of claims processing for workers' compensation with an estimated yearly cost of \$33,000; and

**WHEREAS**, D&H Alternative Risk Solutions, Inc. has completed and submitted a Business Entity Disclosure Certification, which Certification provides that the they have not made any reportable contributions to 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 the Contract, and that the Contract will prohibit D&H Alternative Risk Solutions, Inc. and any member of the firm from making any reportable contributions through the term of the contract that would bar the award of this Agreement pursuant to N.J.S.A. 19:44A-20.5 et seq.; and

**WHEREAS**, D&H Alternative Risk Solutions, Inc. has completed and submitted a Political Contribution Disclosure Form and Stockholder Disclosure Certification, as required pursuant to N.J.S.A. 19:44A-20.26, no 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

**WHEREAS**, the Business Entity Disclosure Certification further provides that D&H Alternative Risk Solutions, Inc. have 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 Chief Financial Officer of the Township of Parsippany-Troy Hills has certified in writing that funds are available for this purpose in the following accounts:

2012 Temporary Budget: Current Fund - Insurance

2012 Temporary Budget: Water, Sewer and Golf & Recreation Utility- Other Expenses

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

**REGULAR TOWNSHIP COUNCIL MEETING OF FEBRUARY 14, 2012**

- (1) That the Township Council of the Township of Parsippany-Troy Hills authorizes the Mayor to enter into an agreement with D&H Alternative Risk Solutions, Inc. with offices located at 83 Spring Street, Suite 104, Newton, New Jersey 07860, to provide administration of claims processing for workers' compensation; and
- (2) That the Business Entity Disclosure Certification, which incorporates the provisions of Article I, entitled *Prohibitions on Contract Awards*, of Chapter 12, *Contracts*, of the Township Code; Political Contribution Disclosure Form; Stockholder Disclosure Certification; Determination of Value; and Certification of Extraordinary Unspecifiable Services be placed on file in the Office of the Township Clerk with the Contract and authorizing resolution; and
- (3) This contract shall be awarded through a non-fair and open process pursuant to N.J.S.A. 19:44A-20.5 and as a bid exception pursuant to N.J.S.A. 40A:11-5(1)(m); and
- (4) That a notice of this action be printed once in the official newspaper of the Township of Parsippany-Troy Hills.

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF  
PARSIPPANY-TROY HILLS IN SUPPORT OF A 2012 APPLICATION FOR CDBG  
FUNDS FOR THE INTERFAITH COUNCIL FOR HOMELESS FAMILIES**

**WHEREAS**, the Interfaith Council for Homeless Families has submitted an application to Morris County for CDBG funds to expand the family room at a County facility they share with the Eric Johnson House and Hope House; and

**WHEREAS**, the location of the facility is located in the Township of Parsippany-Troy Hills (Greystone Park) and therefore requires Township consent.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Parsippany-Troy Hills, County of Morris, State of New Jersey that it hereby supports the application made by the Interfaith Council for Homeless Families to Morris County for CDBG funds in the amount of \$23,950.

**RESOLUTION AUTHORIZING THE PREPARATION AND SUBMISSION OF AN APPLICATION TO THE LOCAL FINANCE BOARD PURSUANT TO LOCAL BOND LAW IN CONNECTION WITH A REFUNDING BOND ORDINANCE OF THE TOWNSHIP OF PARSIPPANY TROY HILLS, IN THE COUNTY OF MORRIS, NEW JERSEY, PROVIDING FOR THE REFUNDING OF THE TOWNSHIP'S GENERAL OBLIGATION BONDS ORIGINALLY ISSUED IN 2005 CONSISTING OF GENERAL IMPROVEMENT BONDS, SEWER UTILITY BONDS AND WATER UTILITY BONDS, AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$18,630,000 GENERAL OBLIGATION REFUNDING BONDS CONSISTING OF NOT TO EXCEED \$17,550,000 GENERAL IMPROVEMENT REFUNDING BONDS, NOT TO EXCEED \$790,000 WATER UTILITY REFUNDING BONDS AND NOT TO EXCEED \$290,000 SEWER UTILITY REFUNDING BONDS FOR FINANCING THE COST THEREOF**

**WHEREAS**, On June 15, 2005, the Township of Parsippany Troy Hills, in the County of Morris, New Jersey (the "Township") has heretofore issued General Obligation Bonds, in the principal amount of \$25,000,000 dated June 1, 2005, for (i) various general improvements pursuant to bond ordinances 95:20, 97:8, 99:24, 01:16, 2:09, 02:01, 04:07, 02:11, 02:23, 03:09, 03:14 and 04:23 (the "2005 General Improvement Bonds"), (ii) various water capital improvements pursuant to bond ordinances 03:15 and 04:24 (the "2005 Water Utility Bonds"), and (iii) various sewer capital improvements pursuant to bond ordinances 03:16 and 04:25 (the "2005 Sewer Utility Bonds" and together with the 2005 General Improvement Bonds and the 2005 Water Utility Bonds, the "2005 General Obligation Bonds" or the "Prior Bonds"). The Township is hereby authorized to refund all or a portion of the outstanding 2005 General Obligation Bonds maturing on and after July 15, 2014, and to provide for the payment of the costs or expenses of issuing refunding bonds;

**WHEREAS**, the 2005 General Improvement Bonds are callable on and after July 15, 2014;

**WHEREAS**, on February 14, 2012 the Township introduced a refunding bond ordinance authorizing the refunding of all or a portion of the callable Prior Bonds (the “Refunding Bonds”);

**WHEREAS**, the Township believes: (i) it is in the public interest to accomplish such purpose; (ii) said purpose is for the health, wealth, convenience or betterment of the inhabitants of the Township; (iii) the amounts to be expended for said purpose are not unreasonable or exorbitant; and (iv) the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the Township and will not create an undue financial burden to be placed upon the Township.

**BE IT RESOLVED BY THE TOWNSHIP OF PARSIPPANY TROY HILLS, IN THE COUNTY OF MORRIS, NEW JERSEY (NOT LESS THAN TWO-THIRDS OF THE FULL MEMBERSHIP THEREOF AFFIRMATIVELY CONCURRING), AS FOLLOWS:**

**Section 1.** The Township Administrator and the Chief Financial Officer of the Township (including their designees, each an “Authorized Officer”) are each hereby severally authorized to prepare and submit an application (the “Local Finance Board Application”) to the Local Finance Board (the "Local Finance Board") in the Department of Local Government Services of the State Department of Community Affairs for the purpose of issuing the Refunding Bonds. The Authorized Officer shall act in consultation with the Authority's counsel, Inglesino, Pearlman, Wyciskala & Taylor, LLC, hereby confirmed to act as bond counsel to the Township for this financing and NW Financial Group, LLC, hereby confirmed to act as financial advisor to the Township for this financing (collectively, the “Consultants”), in the preparation and submission of the Local Finance Board Application. All actions taken to date by such parties in connection with the Local Finance Board Application are hereby ratified and approved. All of such parties are hereby authorized and directed to represent the Township in matters pertaining thereto, including without limitation, the hearing to be held by the Local Finance Board relating to the Refunding Bonds required by N.J.S.A. 40A:2-51.

**Section 2.** The Acting Deputy Township Clerk is hereby directed to prepare and cause counsel to the Township to file a copy of this resolution with the Local Finance Board as part of the Local Finance Board Application.

**Section 3.** The Local Finance Board is hereby respectfully requested to consider the Local Finance Board Application and to record its approval as provided by N.J.S.A. 40A:2-51 of the Local Bond Law.

**Section 4.** All actions of the Authorized Officers and the Consultants taken prior to the date of adoption hereof in connection with the Refunding Bonds or any of the foregoing transactions contemplated by this resolution are hereby ratified and approved.

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**REGULAR TOWNSHIP COUNCIL MEETING OF FEBRUARY 14, 2012**

<b><u>VENDOR</u></b>	<b><u>STATE CONTRACTS CONTRACT</u></b>	<b><u>NUMBER</u></b>
Air Brake & Equipment	Equipment, Parts & Repairs	73487
Allied Oil	Gasoline	65046
American Hose & Hydraulic Co.	Equipment, Parts & Repairs	69730
Atlantic Salt	Rock Salt	72770
Atlantic Tactical	Police Equipment & Supplies	73991
BCI Burke Co.	Park & Playground Equipment	59065
Ben Schaeffer Inc.	Park & Playground Equipment	59054
Beyer Brothers Corp.	Parts for Heavy Duty Trucks	73475
CDWG	Computer Equipment	70263
Certified Products	Road Maintenance Parts & Repairs	69708
Chas S. Winner Inc.	Vehicles	78843
Consolidated Fence	Fence	74881
Cornell Equipment Co.	Snow Plow Equipment	75273
Custom Bandag	Tires	71688
Dell Marketing	Computer Equipment	70256
Delta Products	Automotive Parts	73769
Dover Brake & Clutch	Automotive Parts	73730
Eagle Lift Truck	Lift Maintenance & Repairs	72375
Eagle Point Gun	Police Equipment & Supplies	75931
Fisher Scientific	Scientific Equipment	75827
Foley Inc.	Equipment, Parts & Repairs	69705

**REGULAR TOWNSHIP COUNCIL MEETING OF FEBRUARY 14, 2012**

Garden State Highway Products	Traffic Signs	76455
Goodyear Tire	Tires	71688
Hertrich Fleet Services	Vehicles	78845
Hoover Truck Centers	Parts for Heavy Duty Trucks	73702
International Salt Co.	Rock Salt	78281

**STATE CONTRACTS**

<b><u>VENDOR</u></b>	<b><u>CONTRACT</u></b>	<b><u>NUMBER</u></b>
J. W. Pierson Co.	Diesel Fuel	41872
Jenson & Mitchell	Motor Vehicle Repairs	73495
Jet Vac	Equipment, Parts & Repairs	69719
John Deere Landscapes	Fertilizers	76612
Johnston Communications	Telephone Equipment & Repairs	42287
Lawman Supply Co.	Police Equipment	73992
Lenovo, Inc.	Computer Equipment	70263
Mall Chevrolet	Vehicles	78844
Marturano Recreation	Park & Playground Equipment	59052
McCarthy Tire Service	Tires	71688
Motorola Inc.	Radio Equipment	53804
National Terminal Inc.	Fuel Oil	67100
Nextel Communications	Wireless Devices	64429
Papermart	Xerox Paper	58409
Plant Food Company	Fertilizers	76610
Politi Auto Parts	Automotive Parts	73731

**REGULAR TOWNSHIP COUNCIL MEETING OF FEBRUARY 14, 2012**

QC Labs Inc.	Laboratory Services	68106
Red the Uniform Tailor	Uniforms	76214
Reed & Perrine	Fertilizers	76613
Ricciardi Brothers	Paint & Related Supplies	73149
Ricoh	Copiers	51465
Route 23 Automall	Auto Parts	73703
Royal Communications	Radio Equipment	54382
Salomone Brothers	Chemicals	77913
Sanitation Equipment	Equipment, Parts & Repairs	69718
Seely Equipment	Equipment, Parts & Repairs	69713

**STATE CONTRACTS**

<b><u>VENDOR</u></b>	<b><u>CONTRACT</u></b>	<b><u>NUMBER</u></b>
Service Tire Truck Center	Tires	71687
Smith Tractor & Equipment	Lawn & Grounds Equipment	76920
Staples	Office Supplies	77249
Steelfab	Equipment, Parts & Repairs	69725
Storr Tractor	Equipment, Parts & Repairs	76921
Ted Slack Environmental	Environmental Services	75551
Tilcon New York	Road & Highway Materials	80199
Trane	Air Conditioning Parts & Equipment	71629
Transaxle Corp.	Equipment, Parts & Repairs	69731
Trico Equipment	Equipment, Parts & Repairs	69726
Univar	Chemicals	75373

**REGULAR TOWNSHIP COUNCIL MEETING OF FEBRUARY 14, 2012**

Verizon Wireless	Wireless Devices	64428
W.E. Timmerman	Equipment, Parts & Repairs	69716
W. W. Grainger Inc.	Industrial Equipment	79875
Warnock	Motor Vehicles	78762
Warshauer Electrical	Emergency Generator Repairs	76607
Wesco Distribution	Electrical Supplies	74576
Wilfred Mac Donald	Park and Playground Equipment	59074
Xerox Corporation	Photocopy Equipment	64042

**MORRIS COUNTY CONTRACTS**

<b><u>VENDOR</u></b>	<b><u>CONTRACT</u></b>	<b><u>NUMBER</u></b>
International Salt Co.	Rock Salt	3
Reed Systems	Anti-Icing Solution	3
Tilcon New York, Inc.	Paving Materials	5
Tilcon New York, Inc.	Road Resurfacing	6

**MORRIS COUNTY CONTRACTS**

<b><u>VENDOR</u></b>	<b><u>CONTRACT</u></b>	<b><u>NUMBER</u></b>
Brent Materials	Drainage Pipe	7
S. Cerbo & Sons, Inc.	Lumber & Hardware Supplies	10
Fire Fighters Equipment	Fire Equipment	13
Campbell Foundry Co.	Catch Basins & Manholes	14
Cliffside Body Corporation	Trucks	15
Flemington Chevrolet	Vehicles	15
Hertrich Fleet Services	Vehicles	15

**REGULAR TOWNSHIP COUNCIL MEETING OF FEBRUARY 14, 2012**

Tony Sanchez LTD	Trucks	15
Warnock	Vehicles	15
Main Pool & Chemical Inc.	Water Treatment Chemicals	17
Polydyne Inc.	Water Treatment Chemicals	17
Garden State Highway Products	Sign Materials	28
Denville Line Painting	Traffic Striping	36
Jen Electric, Inc.	Traffic Signal Repairs	37
Royal Communications	Communication Equipment	41
Grass Roots Turf Products	Landscaping Materials	42
John Deere Landscapes	Landscaping Materials	42
Levitts	Landscaping Materials	42
Rio Supply	Water Meters	47

**SOMERSET COUNTY CONTRACTS**

<b><u>VENDOR</u></b>	<b><u>CONTRACT</u></b>	<b><u>NUMBER</u></b>
Fertl-Soil Turf Supply	Fertilizers	CC-22-11
Plainsman Auto	Automotive Parts	CC-48- 10
Seeton Turf Warehouse	Fertilizers	CC-22-11

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS AUTHORIZING AN AGREEMENT WITH NW FINANCIAL GROUP, LLC FOR FINANCIAL SERVICES FOR 2012**

**WHEREAS**, there exists a need for financial advisory services to be rendered to the Township of Parsippany-Troy Hills; and

**WHEREAS**, the Business Administrator has determined and certified in writing that the value of these services may exceed \$17,500; and

**WHEREAS**, the CFO, Business Administrator and the Mayor have recommended that a one year contract commencing on January 1, 2012 be awarded to NW Financial Group, LLC, 10 Exchange Place, 17<sup>th</sup> Floor, Jersey City, NJ 07302, to provide financial advisory services at an estimated yearly cost of \$17,500; and

**WHEREAS**, NW Financial Group, LLC has completed and submitted a Business Entity Disclosure Certification, which Certification provides that they have not made any reportable contributions to 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 the Contract, and that the Contract will prohibit the NW Financial Group, LLC and any member of the firm from making any reportable contributions through the term of the contract that would bar the award of this Agreement pursuant to N.J.S.A. 19:44A-20.5 et seq.; and

**WHEREAS**, NW Financial Group, LLC has completed and submitted a Political Contribution Disclosure Form and Stockholder Disclosure Certification, as required pursuant to N.J.S.A. 19:44A-20.26, no 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

**WHEREAS**, the Business Entity Disclosure Certification further provides that the NW Financial Group, LLC 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**, funds have been certified as available for this purpose.

**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 authorizes the Mayor and Township Clerk to execute the contract for financial advisory services with NW Financial Group, LLC, 10 Exchange Place, 17<sup>th</sup> Floor Jersey City, NJ 07302, in form on file with the office of the Township Clerk.
2. That the Business Entity Disclosure Certification, which incorporates the provisions of Article I, entitled *Prohibitions on Contract Awards*, of Chapter 12, *Contracts*, of the Township Code; Political Contribution Disclosure Form; Stockholder Disclosure Certification; Determination of Value; and Certification of Extraordinary Unspecifiable Services be placed on file in the Office of the Township Clerk with the Contract and authorizing resolution; and

***REGULAR TOWNSHIP COUNCIL MEETING OF FEBRUARY 14, 2012***

3. This contract shall be awarded pursuant to a non-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).
4. This Resolution shall take effect immediately

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF  
PARSIPPANY-TROY HILLS AWARDED A CONTRACT FOR  
ONSITE WELLNESS COACHING SERVICES**

**WHEREAS**, the Township of Parsippany-Troy Hills has a need to acquire onsite wellness coaching services as a non-fair and open contract pursuant to the provisions of P.L. 2004, c.19 (N.J.S.A. 19:44A-20.5 et seq.); and

**WHEREAS**, the Business Administrator has determined and certified in writing that the value of these services will exceed \$17,500; and

**WHEREAS**, the Business Administrator, Mayor and Health Insurance Brokers have recommended that a one year contract commencing on February 1, 2012 be awarded to Wellness Coaches USA, LLC, 725 Skippack Pike, Ste. 300, Blue Bell, PA 19422 for a Proposed Total Price per month of \$6,069, and

**WHEREAS**, Wellness Coaches USA, LLC has completed and submitted a Business Entity Disclosure Certification, which Certification provides that they have not made any reportable contributions to 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 the Contract, and that the Contract will prohibit Wellness Coaches USA, LLC and any member of the firm from making any reportable contributions through the term of the contract that would bar the award of this Agreement pursuant to N.J.S.A. 19:44A-20.5 et seq.; and

**WHEREAS**, Wellness Coaches USA, LLC has completed and submitted a Political Contribution Disclosure Form and Stockholder Disclosure Certification, as required pursuant to N.J.S.A. 19:44A-20.26, no 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

**WHEREAS**, the Business Entity Disclosure Certification further provides that Wellness Coaches USA, LLC have 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 Chief Financial Officer of the Township of Parsippany-Troy Hills has certified in writing that funds are available for this purpose in the following accounts:

2012 Temporary Budget: Current Fund - Insurance

2012 Temporary Budget: Water, Sewer and Golf & Recreation Utility- Other Expenses

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

- (5) That the Township Council of the Township of Parsippany-Troy Hills authorizes the Mayor to enter into an agreement with Wellness Coaches USA, LLC, 725 Skippack Pike, Ste. 300, Blue Bell, PA 19422, to provide onsite wellness coaching services; and
- (6) That the Business Entity Disclosure Certification, which incorporates the provisions of Article I, entitled *Prohibitions on Contract Awards*, of Chapter 12, *Contracts*, of the Township Code; Political Contribution Disclosure Form; Stockholder Disclosure Certification; Determination of Value; and Certification of Extraordinary Unspecifiable Services be placed on file in the Office of the Township Clerk with the Contract and authorizing resolution; and
- (7) This contract shall be awarded through a non-fair and open process pursuant to N.J.S.A. 19:44A-20.5 and as a bid exception pursuant to N.J.S.A. 40A:11-5(1)(m); and
- (8) That a notice of this action be printed once in the official newspaper of the Township of Parsippany-Troy Hills.

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS CONFIRMING THE APPOINTMENT OF TOWNSHIP 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 Gabrielle Gallagher, Esq. of the firm Carrino Gallagher, LLC, with offices located at 548 Franklin Avenue, Nutley, NJ 07110; and

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

**WHEREAS**, Gabrielle Gallagher, Esq. will submit a Business Entity Disclosure Certification providing 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, 2012 through December 31, 2012.

**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):

Dedication by Rider: Municipal 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 Gabrielle Gallagher, Esq. of the firm Carrino Gallagher, LLC, with offices located at 548 Franklin Avenue, Nutley, NJ to serve as Public Defender for the Township.
2. The Business Entity Disclosure Certification and Determination of Value 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.

**RESOLUTION OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS AWARDING BID TO PIERCE MANUFACTURING, INC. FOR A 2012 RESCUE/DIVE APPARATUS FOR RESCUE AND RECOVERY**

**WHEREAS**, the Township of Parsippany-Troy Hills received bid proposals for One New 2012 Eighteen Foot Walk-In Rescue/Dive Apparatus for Rescue and Recovery on January 26, 2012, and

**WHEREAS**, the Business Administrator, Director of Purchasing and Rescue and Recovery Squad have reviewed the bids received and recommend that the bid be awarded to the lowest responsible bidder, Pierce Manufacturing, Inc., 2600 American Drive, Appleton, WI 54914 for a Total Bid Price for Item C (Cab, Chassis and Body) of \$398,360.00, 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 # 2011:07 adopted June 21, 2011 entitled,  
“Various Improvements.”

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Parsippany-Troy Hills that the bid for One New 2012 Eighteen Foot Walk-In Rescue/Dive Apparatus for Rescue and Recovery 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**

**BE IT RESOLVED** by the Township Council of the Township of Parsippany-Troy Hills that the following Licenses be renewed for the year 2012:

**TAXI/LIMOUSINE OWNERS**

**NUMBER OF VEHICLES**

Amr and Sons Inc. t/a New Diamond Limo

6

**TOURIST ACCOMODATIONS**

**NUMBER OF ROOMS**

Staybridge Suites

150

Red Roof Inn

108

**RESOLUTION**

**BE IT RESOLVED** by the Township Council of the Township of Parsippany-Troy Hills that

**WHEREAS**, the Township Council of the Township of Parsippany-Troy Hills, County of Morris and State of New Jersey, pursuant to the authority vested in it by an Act of Legislature, has heretofore, by Ordinance provided for the sale of alcoholic beverages in the Township of Parisppany-Troy Hills; and

**WHEREAS**, the following named person having filed an application for Renewal of Plenary Retail Consumption License for the period from July 1, 2011 to June 30, 2012, Midnight; and

**WHEREAS**, a Special Ruling dated December 6, 2011 signed by Jerry Fischer, Director of the Division of Alcoholic Beverage Control was received permitting the Governing Body to consider the renewal of the inactive license for the 2011-2012 and 2012-2013 license terms; and

**WHEREAS**, said Applicant has deposited with the Clerk the required fee of \$2400.00

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Parsippany-Troy Hills, County of Morris and State of New Jersey, Plenary Retail Consumption License, below, be and the same is hereby renewed for the 2011-2012 and 2012-2013 terms.

Record and Return to:

Inglesino, Pearlman, Wyciskala & Taylor, LLC  
600 Parsippany Road  
Parsippany, NJ 07054  
Attn: John Wyciskala, Esq.

**RESOLUTION**

**BE IT RESOLVED** by the Township Council of the Township of Parsippany-Troy Hills that

**WHEREAS**, the Township Council of the Township of Parsippany-Troy Hills, County of Morris and State of New Jersey, pursuant to the authority vested in it by an Act of Legislature, has heretofore, by Ordinance provided for the sale of alcoholic beverages in the Township of Parisppany-Troy Hills; and

**WHEREAS**, the following named person having filed an application for Renewal of Plenary Retail Consumption License for the period from July 1, 2011 to June 30, 2012, Midnight; and

**WHEREAS**, a Special Ruling dated December 6, 2011 signed by Jerry Fischer, Director of the Division of Alcoholic Beverage Control was received permitting the Governing Body to consider the renewal of the inactive license for the 2011-2012 and 2012-2013 license terms; and

**WHEREAS**, said Applicant has deposited with the Clerk the required fee of \$2400.00

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Parsippany-Troy Hills, County of Morris and State of New Jersey, Plenary Retail Consumption License, below, be and the same is hereby renewed for the 2011-2012 and 2012-2013 terms.

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS AUTHORIZING AN AGREEMENT WITH SAINT CLARE'S COMMUNITY CARE, A MEMBER OF SAINT CLARE'S HEALTH SERVICES FOR THE PROVISION OF CERTAIN HEALTH CLINIC SERVICES**

**BE IT RESOLVED** by the Township Council, acting as the Board of Health of the Township of Parsippany-Troy Hills, Morris County, New Jersey, as follows:

**WHEREAS**, the Board of Health wishes to provide certain public health services to residents of the Township, and Saint Clare's Community Care, a member of Saint Clare's Health Services has offered to provide such services, particularly described and upon terms and conditions set forth in a certain Agreement on file with the Township Clerk, which terms and conditions are incorporated herein; and

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

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Parsippany-Troy Hills that it does hereby approve the above referenced Agreement by and between the Township of Parsippany-Troy Hills and Saint Clare's Hospital, Inc. and authorizes the Mayor and the Township Clerk to execute that agreement.

**RESOLUTION OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS AWARDING BID TO DEACON EQUIPMENT CO., INC. FOR NEW BRUSH CHIPPER**

**WHEREAS**, the Township of Parsippany-Troy Hills received bid proposals for One New Trailer Mounted Drum Style Brush Chipper on February 1, 2012, 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, Deacon Equipment Co. Inc., 22 Wedgetown Road, Bloomsburg, PA 17815 for a Total Bid Price of \$58,612.50, 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 # 2011:07 adopted June 21, 2011 entitled,  
“Various Improvements.”

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Parsippany-Troy Hills that the bid for One New Trailer Mounted Drum Style Brush Chipper 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**

**WHEREAS**, N.J.S.40A: 4-59 provides that all unexpended balances carried forward after the close of the year are available, until lapsed at the close of the succeeding year, to meet specific claims, commitments or contracts incurred during the preceding fiscal year, and allow transfers to be made from unexpended balances which are expected to be insufficient during the first three months of the succeeding year;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Parsippany-Troy Hills that transfers be made between the 2011 budget appropriations reserves as follows:

<u>CURRENT FUND</u>	<u>FROM</u>	<u>TO</u>
Department of Public Works Streets & Road Maintenance:		
Salaries & Wages	\$ 35,000.00	
Garbage & Trash Removal:		
Salaries & Wages	35,000.00	
Utility Expenses:		
Street Lighting	42,000.00	
Statutory Expenses:		
Social Security	50,000.00	
 Department of Law:		
Other Expenses		\$ 40,000.00
 Solid Waste Disposal Costs		122,000.00

**ORDINANCE INTRODUCTIONS:**

**ORDINANCE NO. 2012:04**

**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:**

**1140 & 1160 PARSIPPANY ROAD, Block 410, Lot 22.01**

**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:

**1140 & 1160 PARSIPPANY ROAD, Block 410, Lot 22.01**

**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 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.

**ORDINANCE NO. 2012:05**

**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:**

**50 PARSIPPANY ROAD, Block 392, Lot 4**

**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:

**50 PARSIPPANY ROAD, Block 392, Lot 4**

**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 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.

**ORDINANCE NO. 2012:06**

**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:**

**100 KIMBALL DRIVE, Block 735, Lot 1.06**

**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:

**100 KIMBALL DRIVE, Block 735, Lot 1.06**

**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 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.

**ORDINANCE NO. 2012:07**

**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:**

**1 JEFFERSON ROAD, Block 735.02, Lot 4**

**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:

**1 JEFFERSON ROAD, Block 735.02, Lot 4**

**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 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.

**ORDINANCE NO. 2012:08**

**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:**

**1560 ROUTE 46, Block 719, Lot 1.2**

**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:

**1560 ROUTE 46, Block 719, Lot 1.2**

**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 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.

**ORDINANCE 2012:09**

**REFUNDING BOND ORDINANCE OF THE TOWNSHIP OF PARSIPPANY TROY HILLS, IN THE COUNTY OF MORRIS, NEW JERSEY, PROVIDING FOR THE REFUNDING OF THE TOWNSHIP'S GENERAL OBLIGATION BONDS ORIGINALLY ISSUED IN 2005 CONSISTING OF GENERAL IMPROVEMENT BONDS, SEWER UTILITY BONDS AND WATER UTILITY BONDS, AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$18,630,000 GENERAL OBLIGATION REFUNDING BONDS CONSISTING OF NOT TO EXCEED \$17,550,000 GENERAL IMPROVEMENT REFUNDING BONDS, NOT TO EXCEED \$790,000 WATER UTILITY REFUNDING BONDS AND NOT TO EXCEED \$290,000 SEWER UTILITY REFUNDING BONDS FOR FINANCING THE COST THEREOF**

**BE IT ORDAINED BY THE TOWNSHIP OF PARSIPPANY TROY HILLS, IN THE COUNTY OF MORRIS, NEW JERSEY (NOT LESS THAN TWO-THIRDS OF THE FULL MEMBERSHIP THEREOF AFFIRMATIVELY CONCURRING), AS FOLLOWS:**

Section 1. On June 15, 2005, the Township of Parsippany Troy Hills, in the County of Morris, New Jersey (the "Township") has heretofore issued General Obligation Bonds, in the principal amount of \$25,000,000 dated June 1, 2005, for (i) various general improvements pursuant to bond ordinances 95:20, 97:8, 99:24, 01:16, 2:09, 02:01, 04:07, 02:11, 02:23, 03:09, 03:14 and 04:23 (the "2005 General Improvement Bonds"), (ii) various water capital improvements pursuant to bond ordinances 03:15 and 04:24 (the "2005 Water Utility Bonds"), and (iii) various sewer capital improvements pursuant to bond ordinances 03:16 and 04:25 (the "2005 Sewer Utility Bonds" and together with the 2005 General Improvement Bonds and the 2005 Water Utility Bonds, the "2005 General Obligation Bonds"). The Township is hereby authorized to refund all or a portion of the outstanding 2005 General Obligation Bonds maturing on and after July 15, 2014, and to provide for the payment of the costs or expenses of issuing refunding bonds.

Section 2. In order to finance the cost of the purpose described in Section 1 hereof, negotiable general improvement refunding bonds (the "General Improvement Refunding Bonds"), water utility refunding bonds (the "Water Utility Refunding Bonds") and sewer utility refunding bonds (the "Sewer Utility Refunding Bonds" and together with the General Improvement Refunding Bonds and the Water Utility Refunding Bonds, the "Refunding Bonds") are hereby authorized to be issued in the principal amount not to exceed \$18,630,000 pursuant to N.J.S.A. 40A:51.

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Section 3. An aggregate amount not exceeding \$185,000 for costs of issuing the Refunding Bonds has been included in the aggregate principal amount of Refunding Bonds authorized herein.

Section 4. The purpose of the refunding is to effect an interest cost savings for the Township.

Section 5. A certified copy of this refunding bond ordinance as introduced on first reading has been filed with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey prior to final adoption, together with a complete statement in the form prescribed by the Director and signed by the Business Administrator of the Board as to the obligations to be refunded by the issuance of the Refunding Bonds authorized herein.

Section 6. This refunding bond ordinance shall take effect after the consent of the Local Finance Board has been endorsed upon a certified copy of this refunding bond ordinance as finally adopted.

**ORDINANCE NO. 2012:10**

**AN ORDINANCE AMENDING CHAPTER 51, OPEN SPACE COMMITTEE, TO FURTHER REVISE THE PURPOSES FOR WHICH THE OPEN SPACE TRUST FUND CAN BE USED AND AUTHORIZING THE TOWNSHIP TO DISSOLVE THE “OPEN SPACE TRUST FUND” AND CREATE THE “MUNICIPAL OPEN SPACE, RECREATION AND FARMLAND AND HISTORIC PRESERVATION TRUST FUND”**

**WHEREAS**, on November 8, 1988 the Township of Parsippany-Troy Hills, New Jersey (the “Township”) issued a referendum (the “1988 Ballot Question”) to the voters requesting approval to adopt an ordinance creating an “Open Space Trust Fund” pursuant to N.J.S.A. 40:12-10 *et seq.*; and

**WHEREAS**, the voters approved the 1988 Ballot Question and the Township adopted Ordinance No. 89:9 on February 28, 1989 (the “Original Open Space Trust Fund Ordinance”) creating an Open Space Trust Fund for the purpose of purchasing property within the Township of Parsippany-Troy Hills for active and passive recreation (the “Open Space Trust Fund”); and

**WHEREAS**, on November 7, 2006 the Township issued a second referendum (the “2006 Referendum”) to the voters requesting approval to adopt an ordinance amending the purposes for which the funds in the Open Space Trust Fund can be used to include “improvements and renovations to publicly owned open spaces and parks within the Township, as well as addressing historic preservation issues”; and

**WHEREAS**, the voters approved the 2006 Referendum and the Township adopted Ordinance No. 2007:12 on May 22, 2007 (the “Amended Open Space Trust Fund Ordinance” and together with the Original Open Space Trust Fund Ordinance, the “Open Space Trust Fund Ordinance”) amending the purposes for which funds in the Open Space Trust Fund can be used; and

**WHEREAS**, N.J.S.A.40:12-10 through 40:12-13 was repealed in 1997; and

**WHEREAS**, N.J.S.A. 40:12-15.7 was adopted on February 28, 1997 setting forth the requirements for a municipality to create a “Municipal Open Space, Recreation, and Farmland and Historic Preservation Trust Fund” and the purposes for which such funds deposited therein can be used; and

**WHEREAS**, on January 5, 2012, the State Legislature amended N.J.S.A. 40:12-15.7 to add Blue Acres projects as a permissible purpose for Open Space funds to assist owners of property which has been substantially damaged as a result of a natural disaster; and

**WHEREAS**, N.J.S.A. 40:12-15.8 states, that any municipality whose voters, prior to the effective date of this act, approved pursuant to R.S. 40:12-10 *et seq.* a proposition authorizing the establishment, maintenance, and improvement of a system of public recreation shall be deemed to have approved a proposition for any or all of the purposes specified in N.J.S.A. 40:12-15(7)(1) at the amount or rate specified in the original proposition, which purposes shall be determined by adoption of an ordinance by the governing body of the municipality after conducting at least one public hearing thereon;

**WHEREAS**, N.J.S.A. 40:12-15.8 further states that any fund created for the purpose of of R.S. 40:12-10 *et seq.* shall be dissolved and any monies remaining therein shall be deposited into a “Municipal Open Space, Recreation, and Farmland and Historic Preservation Trust Fund” created pursuant to N.J.S.A. 40:12-15.7 (c) of the act to be utilized for the purposes determined by the governing body of the municipalities as authorized by the act.

**BE IT ORDAINED, BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY AS FOLLOWS:**

**SECTION 1.** The Open Space Trust Fund created pursuant to the Open Space Trust Fund Ordinance is hereby dissolved. All moneys remaining therein shall be deposited into the Municipal Open Space, Recreation, and Farmland and Historic Preservation Trust Fund created pursuant to Section 2 hereof.

**SECTION 2.** Township Code § 51-6 shall be renamed “Municipal Open Space, Recreation, and Farmland and Historic Preservation Trust Fund” and is hereby amended as follows:

- A. There is hereby established an account that shall be known and designated as the “Municipal Open Space, Recreation, and Farmland and Historic Preservation Trust Fund” which shall be maintained in accordance with N.J.S.A. 40A:4-1, N.J.S.A. 40A:5-1 and all applicable law. Funds from the Municipal Open Space, Recreation, and Farmland and Historic Preservation Trust Fund may, as directed by the Township Council, be utilized for:
  - (1) Acquisition of lands for recreation and conservation purposes;
  - (2) Development of lands acquired for recreation and conservation purposes;

- (3) Maintenance of lands acquired for recreational and conservation purposes;
- (4) Acquisition of farmland for farmland preservation purposes;
- (5) Historic preservation of historic properties, structures, facilities, site areas or objects, and the acquisition of such properties, structures, facilities, sites, areas or objects for historic preservation purposes;
- (6) Payment of debt service on indebtedness issued or incurred by a municipality for any of the purposes set forth in subsection (a), (b), (d), (e) or (g) of this section; or
- (7) Blue Acres projects.

**SECTION 3.** Township Code § 51-7 is hereby repealed and replaced as follows:

- A. The Municipal Open Space, Recreation, and Farmland and Historic Preservation Trust Fund shall be funded through the dedication of an amount of two cents (\$.02) per \$100 of assessed valuation of each annual tax levy commencing with the year 1989. The Municipal Open Space, Recreation, and Farmland and Historic Preservation Trust Fund shall also be permitted to accept donation and testamentary bequests. The funds accumulated within the Municipal Open Space, Recreation, and Farmland and Historic Preservation Trust Fund shall be allocated on an annual basis as follows:
  - (1) No more than eight-tenths of one cent (.8 cent) may be used for capital improvements or maintenance to recreation and conservation purposes including but not limited to open space and parks,
  - (2) No more than two-tenths (.2 cent) may be used for preservation of historic properties; and
  - (3) Not less than one cent (1 cent) shall be used for the acquisition of land and improvements for recreation and conservation purposes including but not limited to open space, farmland and Blue Acres projects.
- B. The funds may be utilized for the acquisition of land or development rights, as a down payment for the issuance of bonds or the payment of debt service on indebtedness issued or incurred by a municipality for any of the purposes set forth in § 51-6(A), subsection (1), (2), (3), (4), (5), or (7), at the discretion of the Township Council. For purposes hereof and in accordance with N.J.S.A. 40:12-15.1, "Acquisition" shall mean the securing of a fee simple or lesser interest in land including but not limited to an easement restricting development, by gift, purchase, installment purchase agreement, devise, or condemnation.

**SECTION 4.** All references to Open Space Trust Fund and Open Space Dedicated Trust Fund in the Open Space Trust Fund Ordinance shall be changed to “Municipal Open Space, Recreation, and Farmland and Historic Preservation Trust Fund”.

**SECTION 5.** All actions of the Township taken prior to the date of adoption hereof contemplated by this ordinance are hereby ratified and approved.

**SECTION 6.** 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 7.** All ordinances or parts of ordinances of the Township 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 9.** This Ordinance shall take effect immediately upon adoption by the Township Council and approval by the Mayor in accordance with applicable law and not upon final publication.

**ORDINANCE NO. 2012:11**

**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:**

**22 SYLVAN WAY, Block 202, Lot 1.14**

**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:

**22 SYLVAN WAY, Block 202, Lot 1.14**

**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 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.

**ORDINANCE NO. 2012:12**

**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:**

**78 FANNY ROAD, Block 448, Lot 23**

**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:

**78 FANNY ROAD, Block 448, Lot 23**

**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 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.

**ORDINANCE NO. 2012:12**

**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:**

**78 FANNY ROAD, Block 448, Lot 23**

**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:

**78 FANNY ROAD, Block 448, Lot 23**

**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 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.