

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

January 3, 2013

Public Invited – Public Participation

MEETING CALLED TO ORDER by Council President at 7:50 p.m.

FLAG SALUTE

Roll Call: **Mr. Carifi** - **Present**
 Mr. dePierro - **Present**
 Mr. Ferrara - **Present**
 Mr. Nelson - **Present**
 Mr. Stanton - **Present**

OTHERS PRESENT: Mayor James R. Barberio; Jasmine Lim, Business Administrator; Paula Cozzarelli, Assistant Business Administrator; John Inglesino, Esq., Township Attorney; and Yancy Wazirmas, Township Clerk.

The purpose of this meeting is to set the Agenda for the Regular Township Council Meeting of January 15, 2013.

FORMAL ACTION MAY OR MAY NOT BE TAKEN.

STATEMENT OF COMPLIANCE

Adequate notice of this meeting has been provided in accordance with the requirements of the Open Public Meetings Law by filing the notice in the Office of the Township Clerk and by posting the meeting notice on the bulletin board at the Municipal Building on December 10, 2012 where it has remained posted since that date. A legal notice appeared in both the Daily Record on December 14, 2012 and the Star Ledger on December 13, 2012 and was forwarded by fax to other local newspapers and local radio stations on December 10, 2012.

Note: Council Meetings are videotaped and aired on Cablevision, Public Access Channel 21, at 1:00 p.m. on Saturdays and are also available for viewing at www.parsippany.net.

PRESENTATION(S):

- Interpark Rehabilitation Project: Joseph O’Neill, Esq. representing Commercial Land Development, Inc. and Mr. James Jones, one of the owners of the property. The purpose of the presentation is to request that the Council refer the project to the Planning Board and ask them to either designate the area in need of rehabilitation or to examine whether a

zone change is warranted to change from commercial to residential. A history of the site was presented to the Council and Mr. O'Neill stated that the leasing brokers for the standing building on the site remains vacant and will not lease in the future. The property encompasses 7 acres and 287 one bedroom and studio residential units targeting young professionals are being presented for the project. The developer has not made a final decision as to whether the units will be sold as condos or will be rental properties. After a discussion with the Council, the decision was made to make a recommendation to send the request to the Planning Board to declare the property as an area in need of rehabilitation.

Motion by Mr. Nelson seconded by Mr. dePierro to send the recommended site to the Planning Board as a potential in need of rehabilitation site.

ROLL CALL:

YES – Council Members Carifi, dePierro, Ferrara, Nelson and Stanton

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

2012:49 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: 819 Edwards Road, Block 767, Lot 14 - **ON**

Status of Adopted Ordinances:

<u>Ordinance Title and Number</u>	<u>Adopted Date</u>	<u>Mayoral Action</u>	<u>Effective Date</u>
An Ordinance Amending Ordinance 2012:35 Entitled “Authorizing The Acquisition By Purchase Of Properties Located In The Township Through The FEMA Hazard Mitigation Grant Program” By Adding A Property (2012:46)	12/18/12	12/20/12	1/9/13
An Ordinance Of The Township Of Parsippany-Troy Hills, In The County Of Morris, State Of New Jersey, Amending Chapter 329, Sewers, To Require Landlords To Credit Tenant Accounts With Refunds Of Sewer Rental Fees (2012:47)	Removed 12/18/12	----	----

An Ordinance Of The Township Council Of The Township Of Parsippany-Troy Hills, Morris County, New Jersey To Amend And Supplement The Township Code, Chapter 329 “Sewer,” Section 329-17 Entitled “Sewer Rental Fees,” For The Purpose Of Reducing Fees (2012:48)	12/18/12	12/20/12	1/9/13
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DISCUSSION/REMINDERS:

Scheduled Meetings

1/15/13 @ 7:30 p.m. Regular Meeting
Public Invited – Public Participation

2/5/13 @ 7:30 p.m. Agenda Meeting
Public Invited – Public Participation

Minutes for Approval:

10/16/12 Regular Meeting **ON***

MAYOR

Mayor Barberio informed the Council that Terence Whalen must be re-appointed as Tax Collector with the Council’s confirmation for purposes of tenure.

Motion by Mr. Nelson seconded by Mr. dePierro to confirm the appointment of Terence Whalen as Tax Collector of the Township of Parsippany-Troy Hills.

ROLL CALL:

YES – Council Members Carifi, dePierro, Ferrara, Nelson and Stanton

ADMINISTRATION

Bid(s)

Taken:
12/20/12 @ 11:00 am Sealed Proposals for One (1) New 2013 International Model 4300 SBA Garbage Truck with a 14-Yard Split Side Load Packer Body for Parks and Forestry **NOTED**

To Be Taken: None

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

Received: None

Requested: None

Ordinance(s):

- An Ordinance of the Township of Parsippany-Troy Hills, in the County of Morris, State of New Jersey, Setting Township Council General Rules of Procedure **INTRODUCTION - ON**
- An Ordinance of the Township of Parsippany-Troy Hills, in the County of Morris, New Jersey, Approving Restrictions of Maximum Occupancy of Residential Units **INTRODUCTION - ON**
- An Ordinance Amending Ordinance #2012:23 Entitled An Ordinance Establishing White Collar Salary Ranges For The Township Of Parsippany-Troy Hills **INTRODUCTION - ON**

Resolution(s):

- Resolution of the Township Council of the Township of Parsippany-Troy Hills Authorizing an Agreement with NW Financial Group, LLC for Financial Services for 2013 at an Estimated Yearly Cost of \$17,500.00 **ON***
- Resolution of the Township Council of the Township of Parsippany-Troy Hills Awarding a Contract for Health Insurance Broker of Record Services to Fairview Insurance Agency Associates, Inc. for an Estimated Annual Commission of \$300,000.00 **ON***
- Resolution of the Township Council of the Township of Parsippany-Troy Hills Awarding a Contract for Insurance Services to D&H Alternative Risk Solutions for Administration of Claims Processing for Workers' Compensation with an Estimated Yearly Cost of \$36,000.00 **ON***
- Resolution of the Township Council of the Township of Parsippany-Troy Hills Appointing Risk Management Consultant/Liability Insurance Broker of Record Services to Fairview Insurance Agency Associates, Inc. for a Fee of 7% of the Municipal Assessment **ON***
- Resolution of the Township Council of the Township of Parsippany-Troy Hills Authorizing a Professional Services Agreement with John P. Inglesino of the Firm Inglesino, Pearlman, Wyciskala & Taylor, LLC as Township Attorney for the Year 2013 **ON***
- Resolution of the Township Council of the Township of Parsippany-Troy Hills Confirming the Appointment of Township Public Defenders and Awarding Contracts for Professional Services to Matthew W. Young, Esq. of the Firm Nuzzi & Mason, LLC and John Cesaro, Esq. for the Year 2013 **ON***

- Resolution of the Township Council of the Township of Parsippany-Troy Hills Authorizing the Award of a Contract for Professional Services- Michael B. Lavery, Esq. of the Firm of Courter Kobert & Cohen, PC as Conflict Counsel **ON***
- Resolution of the Township Council of the Township of Parsippany-Troy Hills Confirming the Appointment of a Township Municipal Prosecutor and Awarding a Contract for Professional Services to Douglas R. Cabana, Esq. **ON***
- Resolution of the Township Council of the Township of Parsippany-Troy Hills Confirming Appointments and Authorizing the Award of Contracts for Professional Services with Steve Trimboli, ESQ. Of The Firm Trimboli & Prusinowski, LLC As Special Legal Counsel **ON***
- Resolution Supporting the Good Samaritan Emergency Response Act (S-851/A-578) **ON***
- Resolution to Amend Library Solar Agreement **ON***
- Authorizing a Rights of Way Use Agreement with Cross River Fiber, LLC, Cross River Fiber, Inc. d/b/a Cross River Fiber NJ, Inc. **ON***
- Resolution Authorizing The Cancellation And Refund Of Property Taxes For Block 467 Lot 7 – 100% Totally And Permanently Disabled Veteran **ON***
- Resolution Authorizing The Cancellation And Refund Of Property Taxes For Block 247 Lot 1 – 100% Totally And Permanently Disabled Veteran **ON***

TOWNSHIP OFFICE REPORTS

Resolution(s):

- Right-of-Way Use Agreement – Cross River Fiber LLC **ON***
- No Passing Zones – Route 53 **ON***

Engineering Report of January 2013

Status of Road Resurfacing-Puddingstone Area

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

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

The Lau's have expressed their unhappiness with the Township over the escrow fee and their belief that it is unnecessary and onerous on residents. Former Township Engineer Michael

Pucilowski wanted to review the ordinance and draft changes to reduce the amount of escrow required for work performed between the property line and the edge of pavement in the Township right-of-way however this was not accomplished before his retirement.

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

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

Canterbury Estates Vacation of Lots 26 and 77 in Block 98

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

Glacier Hills Sidewalk

Questions have arisen about the annual sidewalk replacement project which included locations in the Glacier Hills section of town last year. Property owners are responsible for the maintenance and replacement of sidewalk along the frontage of their property however, the Township is responsible for repair/replacement if the damaged is caused by a Township tree. The annual project is for the replacement of curb & sidewalk damaged by trees in the Township right of way. This office is evaluating the quality of work completed at the end of last year and any corrective action needed will be addressed once the project begins again this spring. **(No Change) NEXT AGENDA**

Right-of-Way Use Agreement – Cross River Fiber LLC

Cross River Fiber, LLC is seeking to install fiber optic cable within the right-of-ways of the Township of Parsippany for the purpose of operating and/or maintaining a telecommunications system. A right-of-way use agreement is necessary to allow Cross River Fiber, LLC to use the public right-of-ways for this purpose. We have reviewed the agreement and have no objection to executing same. **A resolution must be adopted by the Township Council. RESOLUTION - ON*** (Mr. dePierro requested that a list of locations be provided to the Council.)

No Passing Zones – Route 53

The NJDOT investigated and recommends revising the centerline pavement markings on Route 53 to a No Passing zone for the entire length of the roadway in Parsippany-Troy Hills. This

office has no objection to the recommendation. **A resolution of support must be adopted by the Township Council. RESOLUTION - ON***

Recommendation to appoint Joseph Facone of Samuel Klein and Company as the Township Auditor by Mr. dePierro seconded by Mr. Carifi.

ROLL CALL:

YES – Council Members Carifi, dePierro, Ferrara, Nelson and Stanton

CHIEF FINANCIAL OFFICER

Resolution:

No Agenda Items.

ATTORNEY

Resolution(s):

No Agenda Items.

TOWNSHIP OFFICES / COMMITTEES

No Agenda Items.

COMMUNICATIONS

Correspondence:

No Agenda Items.

APPLICATION(S)

2013 License Renewals – Part III **ON***

Application New Limousine Company – American Elite Limousine & Taxi, LLC, 1259 Route 46, Suite 260, Parsippany, NJ 07054 **ON***

***Consent Agenda Items**

PUBLIC HEARING

Motion to open the public hearing by Mr. Carifi seconded by Mr. Ferrara.

ROLL CALL:

YES – Council Members Carifi, dePierro, Ferrara, Nelson and Stanton

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

- James Wargo, 45 Robinhood Rd: Mr. Wargo brought a complaint about the Deutch Bank Solar Project. He asserts that the contractor for the project has cut down more trees than were approved by the Planning Board and have built the car ports 4 feet higher than presented and approved. He has been working with the Parks and Forestry department and they have been very responsive to his concerns. He is presenting his concerns to the Governing Body because he doesn't know what else can be done. Mayor Barberio will meet in a joint meeting with Mr. Wargo, Justin Lizza, Jim Walsh, Jennifer Collins, Ed Sneikus and Councilman Carifi to resolve the issue.

Motion to close the public hearing by Mr. Ferrara seconded by Mr. Carifi.

ROLL CALL:

YES – Council Members Carifi, dePierro, Ferrara, Nelson and Stanton

Motion To Adjourn Meeting By Mr. Carifi Seconded By Mr. Depierro.

ROLL CALL:

YES – Council Members Carifi, dePierro, Ferrara, Nelson and Stanton

MEETING ADJOURNED: 8:47pm.

Respectfully submitted,

Yancy Wazirmas, Township Clerk

Brian Stanton, Council President

Minutes approved: