

**TOWNSHIP OF PARSIPPANY-TROY HILLS  
REGULAR TOWNSHIP COUNCIL MEETING OF JANUARY 15, 2013**

**Council President Brian Stanton opened the Regular Meeting at 7:30 p.m. followed by a salute to the Flag. 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 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.**

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

**PRESENT:** Council President Brian Stanton  
Council Vice-President Vincent Ferrara  
Council Member Paul Carifi, Jr.  
Council Member Michael J. dePierro  
Council Member James Vigilante

**ALSO PRESENT:** Mayor James R. Barberio; John Inglesino, Township Attorney; Paula Cozzareli, Assistant Business Administrator; and Yancy Wazirmas, Township Clerk.

**UPCOMING MEETINGS:**

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

2/12/13 @ 7:30 p.m. Regular Meeting  
Public Invited – Public Participation

**MAYOR’S PRESENTATION(S):**

Mayor James R. Barberio made the following presentations:

- Proclamation to Dylan MacDonald – PAL Football Star
- Certificates to the Parsippany Soccer Club, Boys Under 17 Division for National Title Win in Florida

**BID(S)**

**To be Taken:**

1/31/2013 @ 10:00AM FEMA House Elevation Project, Phase I

1/31/2013 @ 11:00AM 2012 FEMA Acquisition/Demolition Project – Phase I

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

None

**ORDINANCES - SECOND READING & PUBLIC HEARING**

**ORDINANCE 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**

**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:

**819 EDWARDS ROAD, Block 767, Lot 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.

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*The above Ordinance was published in its entirety in the Daily Record, the official newspaper of the Township of Parsippany-Troy Hills on December 21, 2012.*

Motion to accept that Ordinance 2012:49 be heard in its second and final reading by title only, by Mr. dePierro, seconded by Mr. Ferrara.

**ROLL CALL:**

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

**PUBLIC HEARING 2012:49**

Motion to open the public hearing for Ordinance 2012:49 by Mr. dePierro, seconded by Mr. Carifi.

**ROLL CALL:**

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

**\*Council President Stanton noted a three-minute time limit per speaker.**

- **No Comments**

Motion to close the public hearing for Ordinance 2012:49 by Mr. Carifi, seconded by Mr. Ferrara.

**ROLL CALL:**

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

**WHEREAS**, the above ordinance was read in title on second reading and a hearing held thereon;

**NOW, THEREFORE, BE IT RESOLVED** that said ordinance be passed on final reading and that a Notice of Final Passage of said ordinance be published in the newspaper according to law.

Motion to approve the Resolution above by Mr. dePierro, seconded by Mr. Ferrara.

**ROLL CALL:**

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

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**PUBLIC HEARING**

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

**ROLL CALL:**

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

**\*Council President Stanton noted a five-minute time limit per speaker.**

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Joe Raich, 8 Wolf Place: Mr. Raich asked if any progress has been made on the recommendation of the Environmental Advisory Committee in regards to the retaining wall which overflowed in the Lake Hiawatha district.

Mayor Barberio responded that the Township Engineer, Justin Lizza, has been in contact with the DEP and is awaiting their recommendation for this issue. In addition, the engineering Firm of O'Brien has been brought in to handle the issue.

Keith Bodden, Mt. Tabor: Mr. Bodden requested that the Council adopt a resolution at the Regular Meeting scheduled for February 12, 2013 to honor the 150<sup>th</sup> Anniversary of the Emancipation proclamation.

The Council agreed to the request.

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

**ROLL CALL:**

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

**CONSENT AGENDA**

**BE IT RESOLVED**, all items listed with an asterisk (\*) are considered to be routine and noncontroversial 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 on the Agenda.

Motion to approve the Consent Agenda by Mr. Stanton seconded by Mr. dePierro.

**ROLL CALL:**

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

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**Minutes for Approval:**

\* Regular Meeting of 10/16/12

**Bid Award(s):**

None

**Resolutions:**

**R2013-011\*** 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

**R2013-012\*** 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

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- R2013-013\*** 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
- R2013-014\*** 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 Seven Percent of the Municipal Assessment
- R2013-015\*** 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
- R2013-016\*** Resolution of the Township Council of the Township of the Township of Parsippany-Troy Hills Confirming the Appointments of Township Public Defenders and Awarding Contracts for Professional Services to Matthew W. Young, Esq. of the Firm Nuzi & Mason, LLC and John Cesaro, Esq. for the Year 2013
- R2013-017\*** 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
- R2013-018\*** 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.
- R2013-019\*** Resolution of the Township Council of the Township of Parsippany-Troy Hills Confirming the Appointment and Authorizing the Award of Contract for Professional Services with Steve Trimboli, Esq. of the Firm Trimboli & Prusinowski, LLC as Special Legal Counsel
- R2013-020\*** Resolution of the Township Council of the Township of Parsippany-Troy Hills, County of Morris, Supporting the Good Samaritan Emergency Response Act (S851/A578)
- R2013-021\*** Resolution Authorizing the Execution and Delivery of that Certain Amendment and Consent No. 1 by this Participating Series 2011a Local Unit in Connection with Tranche II of the Morris County Improvement Authority's Renewable Energy Program (Library Solar Agreement)
- R2013-022\*** Resolution of the Township Council of the Township of Parsippany-Troy Hills Authorizing a Rights of Way Use Agreement with Cross River Fiber, LLC, Cross River Fiber, Inc. d/b/a Cross River Fiber NJ, Inc.
- R2013-023\*** Resolution of the Township Council of the Township of Parsippany-Troy Hills Authorizing the Cancellation and Refund of Property Taxes for 100% Totally and Permanently Disabled Veteran – Block 467 Lot 7 (180 Knoll Road)

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- R2013-024\*** Resolution of the Township Council of the Township of Parsippany-Troy Hills Supporting a “No Passing Zone” Along NJ Route 53 Throughout the Entire Length of the Township
- R2013-025\*** Resolution Appointing Terrence Whalen to the Position of Tax Collector for the Township of Parsippany-Troy Hills
- R2013-026\*** Resolution of the Township Council of the Township of Parsippany-Troy Hills Awarding a Contract to Samuel Klein and Company for Professional Services as Township Auditor

**APPLICATION(S)**

- R2013-027\*** 2013 License Renewals – Part III
- R2013-028\*** Application New Limousine Company – American Elite Limousine & Taxi, 1259 Route 46, Suite 260, Parsippany, NJ 07054 (1 Vehicle)

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**R2013-011: 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**

**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 \$17,500.00; and

**WHEREAS**, the CFO, Business Administrator and the Mayor have recommended that a one year contract commencing on January 1, 2013 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 \$17,500.00; 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

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**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
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

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**R2013-012: RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS AWARDING CONTRACTS FOR HEALTH INSURANCE BROKER OF RECORD SERVICES TO FAIRVIEW INSURANCE AGENCY ASSOCIATES, INC. FOR AN ESTIMATED ANNUAL COMMISSION OF \$300,000.00**

**WHEREAS**, the Township of Parsippany-Troy Hills has a need to acquire health insurance broker of record services as non-fair and open contracts 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 twelve month contract commencing on January 1, 2013 be awarded to Fairview Insurance Agency Associates, Inc., 25 Fairview Avenue, Verona, NJ 07044, to provide insurance broker of record services with an estimated annual commission of \$300,000; and

**WHEREAS**, Fairview Insurance Agency Associates, Inc. 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 these Contracts, and that these Contracts will prohibit them from making any reportable contributions through the term of these contracts that would bar the award of these agreements pursuant to N.J.S.A. 19:44A-20.5 et seq.; and

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**WHEREAS**, Fairview Insurance Agency Associates, 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, 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 Fairview Insurance Agency Associates, Inc. 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).

**NOW THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Parsippany-Troy Hills, County of Morris and State of New Jersey as follows:

- (1) The Township of Parsippany-Troy Hills hereby authorizes the Mayor, Business Administrator and Township Clerk to execute the contract with Fairview Insurance Agency Associates, Inc., 25 Fairview Avenue, Verona, NJ 07044 for insurance broker of records services for the period of January 1, 2013 through December 31, 2013; and
- (2) That the Business Entity Disclosure Certifications, which incorporates the provisions of Article I, entitled *Prohibitions on Contract Awards*, of Chapter 12, *Contracts*, of the Township Code; Political Contribution Disclosure Forms; Stockholder Disclosure Certifications; Determination of Value; and Certification of Extraordinary Unspecifiable Services be placed on file in the Office of the Township Clerk with the Contracts and authorizing resolution; and
- (3) These contracts 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.

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**R2013-013: 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**

**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, 2013 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 \$36,000; and

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**WHEREAS**, D&H Alternative Risk Solutions, Inc. 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 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:

2013 Temporary Budget: Current Fund - Insurance  
2013 Temporary Budget: Water, Sewer and Golf & Recreation Utility- Other Expenses

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

- (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.
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**R2013-014: RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS APPOINTING A RISK MANAGEMENT/LIABILITY INSURANCE BROKER OF RECORD SERVICES TO FAIRVIEW INSURANCE AGENCY ASSOCIATES, INC. FOR A FEE OF SEVEN PERCENT OF THE MUNICIPAL ASSESSMENT**

**WHEREAS**, the Township of Parsippany-Troy Hills (hereinafter "Township") has joined the Garden State Joint Insurance Fund (hereinafter "Fund"), a joint insurance fund as defined in N.J.S.A. 40A:10-36 et seq.; and

**WHEREAS**, the bylaws of said Fund require that each member appoint a RISK MANAGEMENT CONSULTANT to perform various professional services as detailed in the bylaws; and

**WHEREAS**, the Board of Fund Commissioners established a fee equal to seven percent (7%) of the Municipal assessment which expenditure represents reasonable compensation for the services required and was included in the cost considered by the Township; 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, 2013 be awarded to Fairview Insurance Agency Associates, Inc., with offices located at 25 Fairview Avenue, Verona, New Jersey 07932, for Risk Management / Liability Broker of Record Services Consultant to the Township pursuant to the non-fair and open contract provisions of P.L. 2004, c. 19 (N.J.S.A. 19-44A-20.5 et seq.) and as a bid exception pursuant to N.J.S.A. 40A:11-5(1)(m); and

**WHEREAS**, Fairview Insurance Agency Associates, Inc. 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 Fairview Insurance Agency Associates, 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**, Fairview Insurance Agency Associates, 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 Fairview Insurance Agency Associates, Inc. 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**, 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:

2013 Temporary Budget:	Current Fund - Insurance
2013 Temporary Budget:	Water, Sewer and Golf & Recreation Utility- Other Expenses

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**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 hereby appoints Fairview Insurance Agency Associates, Inc., with offices located at 25 Fairview Avenue, Verona, New Jersey 07932 as the Township's Risk Management / Liability Insurance Broker of Record Consultant for the period from January 1, 2013 through December 31, 2013; and
- (2) The Township Council of the Township of Parsippany-Troy Hills hereby authorizes the Mayor and Township Clerk to execute the Risk Management/Liability Insurance Broker of Record Consultant's Agreement for the year 2013, in the form on file in the office of the Township Clerk
- (3) 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
- (4) 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
- (5) That a notice of this action be printed once in the official newspaper of the Township of Parsippany-Troy Hills.

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**R2013-015: 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**

**WHEREAS**, John P. Inglesino was duly appointed and confirmed as Township Attorney by Resolution dated January 5, 2010 (the "Confirming Resolution"), and pursuant to law, shall serve during the term of office of the Mayor and until a successor is appointed and qualified; and

**WHEREAS**, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., provides that the duration of Professional Services Agreements shall be one (1) year and, accordingly, a Professional Services Agreement for 2013 covering the Township Attorney's scope of services and compensation, is required; and

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

**WHEREAS**, the Township Attorney has completed and submitted a Business Entity Disclosure Certification, which Certification provides that the Township Attorney or any member of the firm has 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 Township Attorney 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

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**WHEREAS**, The Township Attorney 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 Township Attorney and the members of the firm 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 these services.

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

1. The Township Council hereby authorizes the 2013 Professional Services Agreement with John P. Inglesino of the firm of Inglesino, Pearlman, Wyciskala & Taylor, LLC, 600 Parsippany Road, Parsippany, NJ 07054; 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 Certificate of Availability of Funds be placed on file in the Office of the Township Clerk with the Contract and authorizing resolution; and
3. That this contract be awarded through a non-fair and open process and without a competitive bid pursuant to N.J.S.A. 19:44A-20.5 and as a professional service, pursuant to N.J.S.A. 40A:11-1 et seq.; and
4. A notice of this award be printed in the official newspaper of the Township of Parsippany-Troy Hills in accordance with N.J.S.A. 40A:11-1 et seq.

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**R2013-016: RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS CONFIRMING THE APPOINTMENTS OF TOWNSHIP PUBLIC DEFENDERS AND AWARDED CONTRACTS FOR PROFESSIONAL SERVICES TO MATTHEW W. YOUNG, ESQ. OF THE FIRM NUZZI & MASON, LLC AND JOHN CESARO, ESQ. FOR THE YEAR 2013**

**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 Defenders; and

**WHEREAS**, the Mayor has appointed Matthew W. Young, Esq. of the firm Nuzzi & Mason, LLC, with offices located at 50 Nelson Street, Dover, NJ 07801 and John Cesaro, Esq., with offices located at 50 Auburn Road, Parsippany, NJ 07054; and

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

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**WHEREAS**, Matthew W. Young, Esq. and John Cesaro, Esq. will submit a Business Entity Disclosure Certification providing they have 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, 2013 through December 31, 2013.

**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 contracts to, and authorizes the Mayor and Township Clerk to execute such contracts with Matthew W. Young, Esq. of the firm Nuzzi & Mason, LLC, with offices located at 50 Nelson Street, Dover, NJ 07801 and John Cesaro, Esq. with offices located at 50 Auburn Road, Parsippany, NJ 07054 to serve as Municipal Public Defenders 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.

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**R2013-017: 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**

**WHEREAS**, the Township of Parsippany-Troy Hills has a need to retain Special Legal Counsel pursuant to §4-6 of the Township Administrative Code to serve as Special Legal Counsel in a matter in which the Township Attorney has a conflict; and

**WHEREAS**, the Mayor hereby appoints Michael B. Lavery, Esq. of the firm of Courter Kobert & Cohen, PC whose office is located at 1001 Route 517, Hackettstown, New Jersey 07840 as special counsel in the matter of Tilcon NY, Inc. v. Morris County Cooperative Pricing Council (a New Jersey Superior Court matter docketed as MRS-L-569-09) in which the Township Attorney has a conflict; and

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

**WHEREAS**, Michael B. Lavery, Esq. will complete and submit a Business Entity Disclosure Certification, which Certification provides that he has 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 Township Attorney 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

**REGULAR TOWNSHIP COUNCIL MEETING JANUARY 15, 2013**

**WHEREAS**, Michael B. Lavery, Esq. will complete and submit 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 Michael B. Lavery, Esq. 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**, the term of this contract shall be from January 1, 2013 through December 31, 2013.

**WHEREAS**, the Chief Financial Officer of the Township of Parsippany-Troy Hills has certified in writing that funds are available for these services.

**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 Council hereby confirms the Mayor's appointment of and authorizes the 2013 Professional Services Agreement with Michael B. Lavery, Esq. of the firm Courter, Kobert & Cohen, PC whose office is located at 1001 Route 517, Hackettstown, New Jersey 07840, as Special Legal Counsel in connection with the above-referenced matter in which the Township Attorney has a conflict;
2. The Township Council hereby awards a professional services contract to, and authorizes the Mayor and Township Clerk to execute such contract with Michael B. Lavery, Esq. of the firm Courter, Kobert & Cohen, PC whose office is located at 1001 Route 517, Hackettstown, New Jersey 07840, as Special Legal Counsel in connection with the above-referenced matter in which the Township Attorney has a conflict;
3. That the Business Entity Disclosure Certifications, 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 Certificate of Availability of Funds be placed on file in the Office of the Township Clerk with the Contract and authorizing resolution;
4. That this contract be awarded through a non-fair and open process and without a competitive bid pursuant to N.J.S.A. 19:44A-20.5 and as a professional service, pursuant to N.J.S.A. 40A:11-1 et seq.;

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**R2013-018: RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS CONFIRMING THE APPOINTMENT OF TOWNSHIP MUNICIPAL PROSECUTOR AND AWARDING A CONTRACT FOR PROFESSIONAL SERVICES TO DOUGLAS R. CABANA, ESQ.**

**WHEREAS**, the Township of Parsippany-Troy Hills has a need to retain professional legal services pursuant to §4-7 of the Township Administrative Code to serve as Municipal Prosecutor; and

**WHEREAS**, the Mayor has appointed Douglas Cabana, Esq., whose offices are located at 104 Elcock Avenue, Boonton, NJ 07005 as Municipal Prosecutor; and

**REGULAR TOWNSHIP COUNCIL MEETING JANUARY 15, 2013**

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

**WHEREAS**, the Douglas R. Cabana, Esq. has completed and submitted a Business Entity Disclosure Certification, which Certification provides that he and any member of his firm has 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 this Contract, and that this Contract will prohibit him and any member of this 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**, Douglas R. Cabana, Esq. 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 Douglas R. Cabana, Esq. and the members of this firm 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 term of this contract shall be from January 1, 2013 through December 31, 2013.

**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):

2013 Temporary Budget: Current Fund - Prosecutor

**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 Douglas R. Cabana, Esq., whose offices are located at 104 Elcock Avenue, Boonton, NJ 07005, as Municipal Prosecutor ; 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 Forms; Stockholder Disclosure Certifications; Determination of Value; and Certificate of Availability of Funds be placed on file in the Office of the Township Clerk with the Contract and authorizing resolution; and
3. That this contract be awarded through a non-fair and open process and without a competitive bid pursuant to N.J.S.A. 19:44A-20.5 and as professional services, pursuant to N.J.S.A. 40A:11-1 et seq.; and

**R2013-019: RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS CONFIRMING THE APPOINTMENT AND AUTHORIZING THE AWARD OF A CONTRACT FOR PROFESSIONAL SERVICES WITH STEPHEN E. TRIMBOLI, ESQ. OF THE FIRM TRIMBOLI & PRUSINOWSKI, LLC AS SPECIAL LEGAL COUNSEL**

**WHEREAS**, the Township of Parsippany-Troy Hills has a need to retain Special Legal Counsel pursuant to §4-6 of the Township Administrative Code to serve as Special Legal Counsel in any matters in which the Township Attorney may require assistance; and

**WHEREAS**, the Township Attorney, with the approval of the Mayor, has appointed Stephen E. Trimboli, Esq. of the firm Trimboli & Prusinowski, LLC, whose office is located at 210 Park Avenue, Suite 302, Florham Park, NJ 07932; and

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

**WHEREAS**, Stephen E. Trimboli, Esq. has submitted a Business Entity Disclosure Certification, which Certification provides that he and any member of his firm has not made any reportable contributions to candidate committees, joint 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 this Contract, and that the Contract will prohibit Stephen E. Trimboli, Esq. and the members of the firm from making any reportable contributions through the term of this contract that would bar the award of this Agreement pursuant to N.J.S.A. 19:44A-20.5 et seq.; and

**WHEREAS**, Stephen E. Trimboli, Esq. has completed and submitted a Political Contribution Disclosure Form and Stockholder Disclosure Certification, as required pursuant to N.J.S.A. 19:44A-20.6, not 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 Stephen E. Trimboli, Esq. or any member of the firm 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**, the term of this contract shall be from January 1, 2013 through December 31, 2013.

**WHEREAS**, the Chief Financial Officer of the Township of Parsippany-Troy Hills has certified in writing that funds are available for these services.

**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 contracts to, and authorizes the Mayor and Township Clerk to execute such contract with Stephen E. Trimboli, Esq. of the firm Trimboli & Prusinowski, LLC, whose office is located at 210 Park Avenue, Suite 302, Florham Park, NJ 07932 as Special Legal Counsel in connection with any matters in which the Township Attorney may designate the firm to represent the Township of Parsippany – Troy Hills.

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 Certificate of Availability of Funds be placed on file in the Office of the Township Clerk with the Contract and authorizing resolution;
3. That this contract be awarded through a non-fair and open process and without a competitive bid pursuant to N.J.S.A. 19:44A-20.5 and as professional services, pursuant to N.J.S.A. 40A:11-1 et seq.;
4. A notice of this award will be printed in the official newspaper of the Township of Parsippany-Troy Hills in accordance with N.J.S.A. 40A:11-1 et seq.

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**R2013-020: RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, COUNTY OF MORRIS, SUPPORTING THE GOOD SAMARITAN EMERGENCY RESPONSE ACT (S851/A578)**

**WHEREAS**, Overdose is a major public health problem and the leading cause of accidental death in New Jersey; and

**WHEREAS**, More than 6,000 New Jersey residents have died from a drug overdose since 2004, with more than 700 New Jersey residents having died in 2009 alone; and

**WHEREAS**, The majority of overdose victims do not actually die until several hours after they have taken a drug and most of these deaths occur in the presence of others, meaning that there is both time and opportunity to summon medical assistance; and

**WHEREAS**, fear of arrest and prosecution often prevents people who are in a position to help from calling emergency services; and

**WHEREAS**, many of these deaths are entirely preventable; and

**WHEREAS**, saving lives should always take priority over punishing behavior; and

**WHEREAS**, a "Good Samaritan" law will encourage people to act by removing the fear of arrest and prosecution and get help during life threatening situations; and

**WHEREAS**, ten states, Connecticut, New Mexico, New York, Washington State, Illinois, Colorado, California, Massachusetts, Rhode Island and Florida, have already enacted Good Samaritan laws for drug overdoses and similar measures are currently pending in several other states; and

**WHEREAS**, the Good Samaritan Emergency Response Act (S851/A578) is supported by a long list of public health organizations, treatment providers and advocacy groups, including Hunterdon Prevention Resources and Safe Communities Coalition, BACCHUS of Raritan Valley Community College, Drug Policy Alliance, National Council on Alcoholism and Drug Dependence—NJ, the New Jersey State Nurses Association, the National Association of Social Workers, the New Jersey Hospital Association, Integrity House, the Lutheran Office of Governmental Ministry, Hyacinth AIDS Foundation, Well of Hope Drop-in Center, New Horizon Treatment Service, the Atlantic City Syringe Access Program, the South Jersey AIDS Alliance, Camden Area Health Education Center, the North Jersey Community Research Initiative, the New Jersey Women and AIDS Network, the New Jersey Deputy Fire Chiefs Association, Paterson Counseling Center, the ACLU of New Jersey, COPE Center, Buddies of New Jersey, Inc., the Hepatitis C Association, Parent to Parent, and the Center for Family Services; and

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**WHEREAS**, the Good Samaritan Emergency Response Act (S851/A578), will provide limited legal protection for those who witness a drug overdose and summon medical assistance; and

**WHEREAS**, early attention and positive reinforcement given to anyone acting as a Good Samaritan may be one more chance to prevent a death due to drug overdose; and

**WHEREAS**, Assemblywoman BettyLou Decroce and Assemblyman Jay Webber voted in support of A-578.

**NOW, THEREFORE BE IT RESOLVED**, that the Township of Parsippany-Troy Hills calls upon the New Jersey State Senate and Assembly to override the Governor's veto and pass the Good Samaritan Emergency Response Act (S851/A578), with bipartisan support, in a manner that encourages our residents to call for emergency medical assistance on behalf of the afflicted individual, their family members, friends and communities and to enforce the priority of saving life over punishing behavior; and

**BE IT FURTHER RESOLVED**, that a copy of this resolution be transmitted to the Governor of the State of New Jersey, Senator Joe Pennacchio, Assemblywoman BettyLou DeCroce, Assemblyman Jay Webber, and the New Jersey State League of Municipalities

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**R2013-021: RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF THAT CERTAIN AMENDMENT AND CONSENT NO. 1 BY THIS PARTICIPATING SERIES 2011A LOCAL UNIT IN CONNECTION WITH TRANCHE II OF THE MORRIS COUNTY IMPROVEMENT AUTHORITY'S RENEWABLE ENERGY PROGRAM (LIBRARY SOLAR AGREEMENT)**

**WHEREAS**, on December 8, 2011 and May 15, 2012, pursuant to bond resolution 11-31, as amended and supplemented (the "*Bond Resolution*"), and certain other Program Documents (as defined in the Bond Resolution), the Morris County Improvement Authority (the "*Authority*") financed solar projects for various local government units (the "*Series 2011 Local Units*") within the County of Morris (the "*Program*"), including the participating Series 2011 Local Unit adopting this resolution (the "*Participant*") (any capitalized terms herein, not otherwise defined herein, for all purposes of this Resolution, shall have the meanings ascribed to such terms in the Bond Resolution); and

**WHEREAS**, the Participant took advantage of the Program through its execution and delivery of the Participant's License and Access Agreement and through its acknowledgment of the Power Purchase Agreement; and

**WHEREAS**, the Authority, the County of Morris (the "*County*"), U.S. Bank National Association (the "*Trustee*"), Sunlight General Capital Management, LLC and Sunlight General Morris Solar, LLC (collectively, the "*Company*"), and the Participant desire to amend the Program Documents to effect certain changes as set forth in that certain "Amendment and Consent No. 1" to be executed (the "*Consent No. 1*"), in substantially the form on file in the office of the Township Clerk, by and among the Authority, the County, the Trustee, the Company, as acknowledge by certain Series 2011 Local Units as set forth on Exhibit A to the Consent No. 1, which Consent No. 1 has been submitted to the rating agencies which rate the Authority's bonds (the "*Rating Agencies*"); and

**WHEREAS**, such changes include, as set forth in the Consent No. 1, (i) to provide for the extension of the final maturity date of the Series 2011B Note from January 15, 2013 to January 15, 2014 and certain related matters, (ii) to provide for additional Project Fund requisition and payment direction procedures, (iii) to authorize an anticipated investment in the Investment Company by Firststar Development, LLC, a Delaware limited liability company (including any successor and assigns,

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“*Firststar*”) and the investment by the Investment Company in the Holding Company, (iv) to revise the list of, and respective Required Completion Dates for, the participating Series 2011 Local Units, (v) to clarify certain definitions and the application of the Draw Paper Ratio to Soft Costs, (vi) to provide for Additional Subcontractors, (vii) to provide for the consent by only affected Series 2011 Local Units in future amendments and (viii) to provide for certain other matters allowing for the Project Company to make the Basic Lease Payment due January 15, 2013 on time and in full; and

**WHEREAS**, the Authority has previously authorized the execution and delivery of Consent No. 1 pursuant to that certain “RESOLUTION OF THE MORRIS COUNTY IMPROVEMENT AUTHORITY AUTHORIZING THE EXECUTION AND DELIVERY OF AMENDMENT AND CONSENT NO. 1 AND CERTAIN OTHER ACTIONS, ALL IN CONNECTION WITH TRANCHE II OF THE AUTHORITY’S RENEWABLE ENERGY PROGRAM” adopted by the governing body of the Authority on November 21, 2012 (the “*Authority Resolution*”).

**NOW THEREFORE BE IT RESOLVED** by the governing body of the Participant as follows:

**Section 1.** The Mayor, Business Administrator, Municipal Clerk and the CFO of the Participant (including their designees, each an “*Authorized Officer*”) are each hereby severally authorized and directed to negotiate, execute and deliver the Consent No. 1, in substantially the form on file in the office of the Township Clerk, with such changes as any such Authorized Officer, in his or her sole discretion shall determine to be necessary, desirable or convenient to promote the best interests of the Participant, including any non-material changes requested by the Rating Agencies and the final revised Exhibit A-1 to the Program Documents, and any such Authorized Officer’s execution and delivery of the Consent No. 1 shall be full and complete evidence of the authorization by the Participant of any such additions or changes to the Program Documents. The Authorized Officer is hereby further authorized to take all such further actions in connection therewith in accordance with all applicable law, including without limitation the execution of such other certificates, instruments or documents, as any such Authorized Officer, in consultation with counsel, shall deem necessary, convenient or desirable by any such Authorized Officer to implement the Consent No. 1.

**Section 2.** The Municipal Clerk of the Participant and any designee are hereby authorized and directed, where required, to affix the corporate seal of the Participant and to attest to the signature of the Authorized Officer on the Consent No. 1 and such other certificates, instruments or documents contemplated herein. Thereafter the Authorized Officer is hereby authorized and directed to deliver any such fully authorized, executed, delivered, and if applicable, attested and sealed certificates, instruments and documents to any interested party.

**Section 3.** All actions taken to date in connection with the Consent No. 1 by the Participant and its advisors are hereby ratified, confirmed and approved.

**Section 4.** A certified copy of this resolution and five (5) executed originals of the Consent No. 1 shall be forwarded to Stephen B. Pearlman, Esq. of Inglesino, Pearlman, Wyciskala & Taylor, LLC, to the attention of Annie Collart, Law Clerk, at Inglesino, Pearlman, Wyciskala & Taylor, LLC, 600 Parsippany Road, Suite 204, Parsippany, New Jersey 07054-3715.

**Section 5.** This resolution shall take effect immediately in accordance with all applicable law.

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**R2013-022: RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS AUTHORIZING A RIGHTS OF WAY USE AGREEMENT WITH CROSS RIVER FIBER, LLC, CROSS RIVER FIBER, INC. d/b/a CROSS RIVER FIBER NJ, INC.**

**WHEREAS**, Cross River Fiber, LLC, Cross River Fiber, Inc. d/b/a Cross River Fiber NJ, Inc. (“Cross River Fiber”) was approved by the New Jersey Board of Public Utilities to provide local exchange and interexchange telecommunications services throughout the State of New Jersey by Order of Approval in Docket No. TE11050320 on July 14, 2011 and Docket No. TE12040297 on June 18, 2012 and intends to provide telecommunication services in accordance with that Order and the rules and regulations of the Federal Communications Commission and the New Jersey Board of Public Utilities; and

**WHEREAS**, Pursuant to such authority granted by the New Jersey Board of Public Utilities, Cross River Fiber may locate, place, attach, install, operate and maintain facilities within Public Rights-of-Way for purposes of providing telecommunications services; and

**WHEREAS**, Cross River Fiber proposes to place its telecommunication facilities aerially on existing utility poles or in underground conduit in the Public Rights-of-Way within the Township of Parsippany-Troy Hills (the “Township”) for the purpose of owning, constructing, installing, operating, repairing and maintaining a telecommunications system; and

**WHEREAS**, it is in the best interests of the Township and its citizenry for the Township to grant consent to Cross River Fiber to occupy said Public Rights-of-Way within the Township for this purpose.

**NOW, THEREFORE BE IT RESOLVED**, by the Township Council of the Township of Parsippany-Troy Hills, County of Morris and State of New Jersey as follows:

- (1) That the aforesaid recitals are hereby adopted and incorporated herein as if repeated in full; and
- (2) That the Mayor and Township Clerk are hereby authorized to execute and witness a Rights of Way Use Agreement with Cross River Fiber, LLC, Cross River Fiber, Inc. d/b/a Cross River Fiber NJ, Inc.

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**R2013-023: RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS AUTHORIZING THE CANCELLATION AND REFUND OF PROPERTY TAXES FOR 100% TOTALLY AND PERMANENTLY DISABLED VETERAN – BLOCK 467 LOT 7 (180 KNOLL ROAD)**

**WHEREAS**, N.J.S.A. 54:4-3.30 exempts 100% permanently and totally disabled veterans or surviving spouses of veterans from the payment of real estate taxes; and

**WHEREAS**, Frederick Trautvetter, the owner of the residential property assessed as Block 467, Lot 7, having an address of 180 Knoll Road and purchased on April 29, 1994 and

**REGULAR TOWNSHIP COUNCIL MEETING JANUARY 15, 2013**

**WHEREAS**, Frederick Trautvetter has been certified by the Department of Veterans Affairs as a 100% permanently and totally wartime service connected disabled veteran effective July 30, 2012 and

**NOW, THEREFORE, BE IT RESOLVED** by the Township of Parsippany-Troy Hills that the 2012 real estate taxes on the above parcel be and are hereby canceled for the period July 30, 2012 through December 31, 2012; and

**BE IT FURTHER RESOLVED**, that said 2012 taxes *paid* for the period from July 30, 2012 to December 31, 2012 be refunded to the owner of the property.

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**R2013-024: RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS SUPPORTING A “NO PASSING ZONE” ALONG NJ ROUTE 53 THROUGHOUT THE ENTIRE LENGTH OF THE TOWNSHIP**

**WHEREAS**, the New Jersey Department of Transportation (NJDOT) recently completed a traffic investigation on NJ Route 53 in the Township of Parsippany-Troy Hills; and

**WHEREAS**, the NJDOT recommends a revision to the centerline pavement markings on NJ Route 53 to create a “No Passing Zone” in the vicinity of the Township of Parsippany-Troy Hills for safety reasons; and

**WHEREAS**, this project will create safer driving conditions in this area of NJ Route 53; and

**WHEREAS**, the Municipal Engineer is in agreement with this recommendation.

**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 supports the use of a “No Passing Zone” along NJ Route 53 throughout the entire length of the Township.

**BE IT FURTHER RESOLVED**, that a certified copy of this Resolution shall be forwarded to the Supervisor of Traffic Investigations, New Jersey Department of Transportation, P.O. Box 600 Trenton, NJ 08625-0600.

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**R2013-025 RESOLUTION APPOINTING TERENCE WHALEN TO THE POSITION OF TAX COLLECTOR FOR THE TOWNSHIP OF PARSIPPANY-TROY HILLS**

**WHEREAS**, N.J.S.A. 40A:9-141 requires every municipality to have a tax collector appointed; and

**WHEREAS**, N.J.S.A. 40A:9-145.7 requires said appointed tax collector hold a tax collector certificate issued pursuant to sections three and four of this act; and

**WHEREAS**, Terence Whalen holds the required state certification to accept this appointment;

**NOW, THEREFORE BE IT RESOLVED**, by the Township Council of the Township of Parsippany-Troy Hills that Terence Whalen be and hereby is appointed as Tax Collector for the State statutory minimum four year term expiring on December 31, 2016; and

**BE IT FURTHER RESOLVED** that Terence Whalen shall be paid the salary for the Tax Collector as set forth in the existing salary ordinance.

**R2013-026: RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS AWARDING A CONTRACT TO SAMUEL KLEIN AND COMPANY FOR PROFESSIONAL SERVICES AS TOWNSHIP AUDITOR**

**WHEREAS**, the Township of Parsippany-Troy Hills has a need to acquire professional auditing services as a non-fair and open contract pursuant to the 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 Township wishes to provide professional auditing services at an estimated cost of \$100,000; and

**WHEREAS**, Samuel Klein and Company will submit a Business Entity Disclosure Certification, which Certification provides that they have not made any reportable contributions to candidate committees, joint 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 Samuel Klein and Company 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**, Samuel Klein and Company will complete and submit a Political Contribution Disclosure Form and Stockholder Disclosure Certification, as required pursuant to N.J.S.A. 19:44A-20.6, not 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 Samuel Klein and Company 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**, 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:

2013 Temporary Budget: Water, Sewer and Golf Other Expenses

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Parsippany-Troy Hills, County of Morris, State of New Jersey as follows:

1. That the Township of Parsippany-Troy Hills hereby awards, and the Mayor and the Township Clerk are hereby authorized to execute a contract between the Township of Parsippany-Troy Hills and Joseph J. Faccone of the firm Samuel Klein and Company, 550 Broad Street, Newark, New Jersey 07102-4517, to provide professional auditing services for the year 2013 in accordance with the contract on file in the office of the Township Clerk, no sooner than ten (10) days following the submission of a Political Contribution Disclosure Form and Stockholder Disclosure Certification.
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

**REGULAR TOWNSHIP COUNCIL MEETING JANUARY 15, 2013**

Value; and Certificate of Availability of Funds be placed on file in the Office of the Township Clerk with the Contract and authorizing resolution; and

3. That this contract be awarded through a non-fair and open process and without a competitive bid pursuant to N.J.S.A. 19:44A-20.5 and as "Professional Services" in accordance with N.J.S.A. 40a:11-1, et seq.

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**R2013-027: 2013 RENEWAL OF LICENSES, III – AMUSEMENT GAMES, ENTERTAINMENT, TAXI/LIMO, TOURIST ACCOMMODATIONS, TRUCK TERMINAL**

**BE IT RESOLVED** by the Township Council of the Township of Parsippany-Troy Hills that the following Licenses be renewed for the year 2013:

<b><u>TAXI/LIMOUSINE OWNERS</u></b>	<b><u>NUMBER OF VEHICLES</u></b>
Songun, Inc.	9
Mega Limousine & Taxi	1
City Limo, Inc.	6
Morris Limousine Service	4
GoGreen Car Service	3

<b><u>TOURIST ACCOMODATIONS</u></b>	<b><u>NUMBER OF ROOMS</u></b>
Embassy Suites Hotel	274
Tomac Motel	35
Fairfield Inn & Suites	108

<b><u>AMUSEMENT/GAMES</u></b>	<b><u>NUMBER OF GAMES</u></b>
The Inn Crowd	2

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**R2013-028: RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS AUTHORIZING NEW LIMOUSINE OWNER’S LICENSE**

**BE IT RESOLVED** by the Township Council of the Township of Parsippany-Troy Hills that the following new Limousine Owner’s Licenses be issued for the year 2012.

**American Elite Limousine & Taxi, LLC  
1259 Route 46, Suite 260  
Parsippany, NJ 07054**

**(1 Vehicle)**

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A motion was made by Mr. Nelson, seconded by Mr. Carifi, to appoint **Michael Banko** as a member of the **Municipal Government Transparency Committee** for a one year term, ending 12/31/13.

**ROLL CALL:**

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

A motion was made by Mr. Nelson, seconded by Mr. Ferrara, to appoint **Adriana Afonso** as a member of the **Municipal Government Transparency Committee** for a one year term, ending 12/31/13.

**ROLL CALL:**

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

**ORDINANCES - INTRODUCTION**

**ORDINANCE 2013:01**

**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**

**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 **January 15, 2013** and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on **February 12, 2013** 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.

Motion to approve the above Resolution by Mr. Ferrara, seconded by Mr. Nelson.

**ROLL CALL:**

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

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**ORDINANCE 2013:02**

**AN ORDINANCE OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROVING RESTRICTIONS ON MAXIMUM OCCUPANCY OF RESIDENTIAL UNITS**

**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 **January 15, 2013** and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on **February 12, 2013** 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.

Motion to approve the above Resolution by Mr. Carifi, seconded by Mr. Ferrara.

**ROLL CALL:**

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

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**ORDINANCE 2013:03**

**AN ORDINANCE AMENDING ORDINANCE #2012:23 ENTITLED AN ORDINANCE ESTABLISHING WHITE COLLAR SALARY RANGES FOR THE TOWNSHIP OF PARSIPPANY-TROY HILLS**

**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 **January 15, 2013** and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on **February 12, 2013** 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.

Motion to approve the above Resolution by Mr. Nelson, seconded by Mr. dePierro.

**ROLL CALL:**

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

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**ORDINANCE 2013:04**

**AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, COUNTY OF MORRIS, STATE OF NEW JERSEY, AUTHORIZING A LICENSE AGREEMENT BETWEEN THE TOWNSHIP OF PARSIPPANY-TROY HILLS AND PARSIPPANY SOCCER CLUB, INC.**

**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 **January 15, 2013** and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on **February 12, 2013** 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.

Motion to approve the above Resolution by Mr. dePierro, seconded by Mr. Ferrara.

**ROLL CALL:**

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

**ADD – ON RESOLUTION(S):**

**R2013-029: RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS CONFIRMING THE APPOINTMENT AND AUTHORIZING THE AWARD OF A CONTRACT FOR PROFESSIONAL SERVICES WITH TODD M. GALANTE, ESQ. AS SPECIAL LEGAL COUNSEL**

Motion to approve the above Resolution by Mr. Ferrara, seconded by Mr. dePierro.

**WHEREAS**, the Township of Parsippany-Troy Hills has a need to retain Special Legal Counsel pursuant to §4-6 of the Township Administrative Code to serve as Special Legal Counsel in any matters in which the Township Attorney may require assistance; and

**WHEREAS**, the Township Attorney, with the approval of the Mayor, has appointed Todd M. Galante, Esq. of the firm LeClairRyan, a Virginia professional corporation, whose office is located at One Riverfront Plaza, 1037 Raymond Boulevard, Sixteenth Floor, Newark, NJ 07102; and

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

**WHEREAS**, Todd M. Galante, Esq. has submitted a Business Entity Disclosure Certification, which Certification provides that he and any member of his firm has not made any reportable contributions to candidate committees, joint 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 this Contract, and that the Contract will prohibit Todd M. Galante, Esq. and the

**REGULAR TOWNSHIP COUNCIL MEETING JANUARY 15, 2013**

members of the firm from making any reportable contributions through the term of this contract that would bar the award of this Agreement pursuant to N.J.S.A. 19:44A-20.5 et seq.; and

**WHEREAS**, Todd M. Galante, Esq. has completed and submitted a Political Contribution Disclosure Form and Stockholder Disclosure Certification, as required pursuant to N.J.S.A. 19:44A-20.6, not 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 Todd M. Galante, Esq. or any member of the firm 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**, the term of this contract shall be from January 1, 2013 through December 31, 2013.

**WHEREAS**, the Chief Financial Officer of the Township of Parsippany-Troy Hills has certified in writing that funds are available for these services.

**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 contracts to, and authorizes the Mayor and Township Clerk to execute such contract with Todd M. Galante, Esq. of the firm LeClairRyan, a Virginia professional corporation, whose office is located at One Riverfront Plaza, 1037 Raymond Boulevard, Sixteenth Floor, Newark, NJ 07102 as Special Legal Counsel in connection with any matters in which the Township Attorney may designate the firm to represent the Township of Parsippany – Troy Hills.
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 Certificate of Availability of Funds be placed on file in the Office of the Township Clerk with the Contract and authorizing resolution; and
3. That this contract be awarded through a non-fair and open process and without a competitive bid pursuant to N.J.S.A. 19:44A-20.5 and as professional services, pursuant to N.J.S.A. 40A:11-1 et seq.; and
4. A notice of this award will be printed in the official newspaper of the Township of Parsippany-Troy Hills in accordance with N.J.S.A. 40A:11-1 et seq.

**ROLL CALL:**

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

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**R2013-030: A RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS DIRECTING THE TOWNSHIP PLANNING BOARD TO DETERMINE WHETHER CERTAIN PROPERTY WITHIN THE TOWNSHIP SHOULD BE DECLARED AN AREA IN NEED OF REHABILITATION IN ACCORDANCE WITH THE PROVISIONS OF THE NEW JERSEY LOCAL REDEVELOPMENT AND HOUSING LAW**

Motion to approve the above Resolution by Mr. Carifi, seconded by Mr. Ferrara.

**WHEREAS**, the New Jersey Local Redevelopment and Housing Law (“Redevelopment Law”), N.J.S.A. 40A:21A-1, et seq. authorizes the governing body of any municipality, by resolution, to declare properties within the municipality to be “in need of rehabilitation” pursuant to the criteria contained in N.J.S.A. 40A:12A-14; and

**WHEREAS**, the Mayor and Council of the Township of Parsippany-Troy Hills have identified that property located at **100 and 200 Interpark Boulevard, and 1855 US Highway 46, Block 725, Lots 1, 3, 6.3, and 6.4** as shown on the official Tax Map of the Township of Parsippany-Troy Hills (the “Property”) as an area that should be referred to the Township Planning Board for an investigation into whether it should be declared an “area in need of rehabilitation” in accordance with N.J.S.A. 40A:12A-14; and

**WHEREAS**, pursuant to N.J.S.A. 40A:12A-14, the Mayor and Council of the Township of Parsippany-Troy Hills have prepared a draft resolution declaring the Property to be an “area in need of rehabilitation”; and

**WHEREAS**, pursuant to N.J.S.A. 40A:12A-14, prior to the adoption a resolution declaring an area to be in need of rehabilitation, the governing body is required to submit the resolution to the municipal planning board. The planning board is required to review and submit its recommendations regarding the proposed resolution, including any recommended modifications thereto, within forty-five (45) days of its receipt of the proposed resolution.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Parsippany-Troy Hills, that:

1. The proposed resolution declaring the Property as an “area in need of rehabilitation” pursuant to N.J.S.A. 40A:12A-14 shall be referred to the Planning Board of the Township of Parsippany-Troy Hills; and
2. The Planning Board of the Township of Parsippany-Troy Hills is hereby directed to review the proposed resolution declaring the Property as an “area in need of rehabilitation” and to submit its recommendations to the Mayor and Council pursuant to N.J.S.A. 40A:12A-14.

**PROPOSED DRAFT RESOLUTION**

**A RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS DECLARING PROPERTY IDENTIFIED AS BLOCK 725, LOTS 1, 3, 6.3, AND 6.4 ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS AS AN AREA IN NEED OF REHABILITATION IN ACCORDANCE WITH THE PROVISIONS OF THE NEW JERSEY LOCAL REDEVELOPMENT AND HOUSING LAW**

**REGULAR TOWNSHIP COUNCIL MEETING JANUARY 15, 2013**

**WHEREAS**, the New Jersey Local Redevelopment and Housing Law (“Redevelopment Law”), N.J.S.A. 40A21A-1, et seq. authorizes the governing body of any municipality, by resolution, to declare properties within the municipality to be “in need of rehabilitation” pursuant to the criteria contained in N.J.S.A. 40A:12A-14; and

**WHEREAS**, based on its review of the criteria contained in the Redevelopment Law, the Township Council of the Township of Parsippany-Troy Hills believes that property located at 100 and 200 Interpark Boulevard, and 1855 US Highway 46, Block 725, Lots 1, 3, 6.3, and 6.4 as shown on the official Tax Map of the Township of Parsippany-Troy Hills (the “Property”) should be declared to be an “area in need of rehabilitation” in accordance with N.J.S.A. 40A:12A-14; and

**WHEREAS**, by resolution dated October 19, 2010, the Township Council referred a proposed resolution declaring the Property as an “area in need of rehabilitation” to the Planning Board of the Township of Parsippany-Troy Hills in accordance with the provisions of N.J.S.A. 40A:12A-14, directing the Planning Board to review the proposed resolution and to submit its recommendations to the Township Council; and

**WHEREAS**, the Planning Board reviewed the proposed resolution at its meeting held on December 6, 2010; and

**WHEREAS**, the Planning Board’s review of the matter included the review of a report titled “Area In Need of Rehabilitation Analysis”, prepared by Burgis Associates, the Planning Board’s Planning Consultant, dated \_\_\_\_\_. In its report, Burgis Associates determined that the Property could be declared to be an “area in need of rehabilitation” pursuant to the provisions of N.J.S.A. 40A:12A-14; and

**WHEREAS**, based on its review of the proposed resolution and the analysis report prepared by its Planning Consultant, the Planning Board determined that the Property can be deemed an “area in need of rehabilitation,” as confirmed in a memorandum from the Planning Board to the Township Clerk dated \_\_\_\_\_; and

**WHEREAS**, the Township Council has determined that the structures located on the subject Property have been vacant for an extended period of time and there is a continuing pattern of vacancy, abandonment or underutilization of properties in the area, and that a program of rehabilitation, as defined in section 3 of P.L. 1992, c. 79 (C.40A:12A-3) may be expected to prevent further deterioration and promote the overall development of the community.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Parsippany-Troy Hills, that:

1. The subject Property, located at 100 and 200 Interpark Boulevard, and 1855 US Highway 46, Block 725, Lots 1, 3, 6.3, and 6.4 on the official Tax Map of the Township of Parsippany-Troy Hills, be and hereby is declared to be an “area in need of rehabilitation” in accordance with the provisions of N.J.S.A. 40A:12A-14.

**ROLL CALL:**

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

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**Motion to amend the agenda by adding Resolution #R2013-013, by Mr. Nelson seconded by Mr. Carifi.**

**ROLL CALL:**

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

**R2013-031: RESOLUTION AUTHORIZING 2012 BUDGET APPROPRIATION TRANSFERS-III**

Motion to approve the above Resolution by Mr. Nelson, seconded by Mr. Ferrara.

**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 in the amount of \$ 77,000.00 be made between the 2012 budget appropriations reserves as follows:

<u>CURRENT FUND</u>	<u>FROM</u>	<u>TO</u>
Solid Waste Disposal Costs	\$ 50,000.00	
Gasoline	\$ 27,000.00	
Liability Insurance		\$ 26,000.00
Garbage and Trash Removal:		
Other Expenses		\$ 50,000.00
Fire Prevention Bureau:		
Other Expenses		\$ 1,000.00

**ROLL CALL:**

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

**ADJOURNMENT**

**Motion To Adjourn Meeting by Mr. dePierro Seconded by Mr. Ferrara.**

**ROLL CALL:**

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

**MEETING ADJOURNED: 8:06pm**

Respectfully submitted,

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Yancy Wazirmas, Township Clerk

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Brian Stanton, Council President

Minutes approved: