

**TOWNSHIP OF PARSIPPANY-TROY HILLS  
REGULAR TOWNSHIP COUNCIL MEETING OF MAY 14, 2013**

**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.**

**In addition, adequate notice of the location change 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 notice on the bulletin board at the Municipal Building on March 12, 2013 where it remains continuously posted. A legal notice appeared in the Daily Record on March 13, 2013 with the location changes for the specified meeting dates.**

**Note (new day and time):** Council Meetings are videotaped and aired on Cablevision, Public Access Channel 21, at 12:00 p.m. on Sundays 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 Jonathan Nelson

**ALSO**

**PRESENT:** Mayor James R. Barberio (Mayor Barberio left during the Recess); John Inglesino, Esq., Township Attorney; Jasmine Lim, Business Administrator; and Yancy Wazirmas, Township Clerk.

**FLAG SALUTE**

**Mr. Inglesino, Mayor Barberio and Council President Stanton made statements in response to the conclusion of an investigation by the Somerset County Prosecutor's Office into allegations of wrongdoing by them.**

**\*\*Council President Stanton called a recess after the statements were made.**

**Motion by Mr. Ferrara seconded by Mr. dePierro to reconvene the meeting.**

**ROLL CALL:**

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

**REGULAR TOWNSHIP COUNCIL MEETING MAY 14, 2013**

**UPCOMING MEETINGS:**

- 6/11/13 @ 7:30 p.m.            Agenda Meeting (Town Hall)  
Public Invited – Public Participation
- 6/18/13 @ 7:30 p.m.            Regular Meeting (Town Hall)  
Public Invited – Public Participation

**PRESENTATIONS**

- Ms. Bonnie Rosenthal from the American Cancer Society spoke about Relay for Life of Parsippany to be held on June 8<sup>th</sup>.
- Presentation was made by the Morris County Board of Chosen Freeholders' Budget Subcommittee Member Freeholder Hank Lyon for an overview of the 2013 County Budget.

**BID(S)**

**To be Taken:**

5/29/2013 @ 11:30am            Electric Generation Supply Services

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

None

**MAYOR'S PRESENTATION(S):**

None

**ORDINANCES - SECOND READING & PUBLIC HEARING**

**ORDINANCE 2013:09**

**AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, MORRIS COUNTY, NEW JERSEY AMENDING CHAPTERS 329 ENTITLED "SEWERS" AND 420 ENTITLED "WATER" OF THE CODE OF TOWNSHIP OF PARSIPPANY-TROY HILLS FOR THE PURPOSE OF ESTABLISHING FEES AND AVERAGE DAILY WATER AND SEWAGE FLOWS FOR THE YEAR 2013**

**WHEREAS**, as a result of a review of the fees and average daily water and sewage flows, it has been determined that various changes be made.

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

**SECTION 1.** Section 329-14 entitled “Sewer connection fees,” Section A. “Single-family residential.” of the Code of the Township of Parsippany-Troy Hills is hereby amended and supplemented by the addition of the year 2013 and shall read as follows:

**§329-14. Sewer Connection Fees.**

A. Single family residential. The following sewer connection fees for a three-or-more-bedroom single-family residential use are hereby established for the following years:

| <b>Year</b> | <b>Amount</b> |
|-------------|---------------|
| 2013        | \$4,099.24    |

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**SECTION 2.** Section 329-15 entitled “Schedule A: Criteria for Future Sewage Flow.” of the Code of the Township of Parsippany-Troy Hills is hereby amended and supplemented by decreasing the Gallons Per Day for 1, 2 and 3 Bedroom House/Townhouse/Apartment/Condo occupancies and shall read as follows:

**§329-15. Schedule A: Criteria for Future Sewage Flow.**

| <b>Type of Establishment</b>        | <b>Measurement Unit</b> | <b>Gallons Per Day</b> |
|-------------------------------------|-------------------------|------------------------|
| House/Townhouse/<br>Apartment/Condo |                         |                        |
| 1 Bedroom                           | Dwelling                | 68.50                  |
| 2 Bedroom                           | Dwelling                | 102.75                 |
| 3 Bedroom                           | Dwelling                | 137                    |

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**SECTION 3.** Chapter 420 entitled “Water,” Section 420-13 entitled “Water connection fees” of the Code of the Township of Parsippany-Troy Hills is hereby amended and supplemented by the addition of the year 2013 and shall read as follow:

**§420-13. Water connection fees.**

A. Single Family residential. The following water connection fees for single-family residential use are hereby established for the following years:

| <b>Year</b> | <b>Amount</b> |
|-------------|---------------|
| 2013        | \$1,684.50    |

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**REGULAR TOWNSHIP COUNCIL MEETING MAY 14, 2013**

**SECTION 4.** Chapter 420 entitled “Water,” Section 420-15 entitled “Schedule A: Criteria for Future Water Demands.” of the Code of the Township of Parsippany-Troy Hills is hereby amended and supplemented by decreasing the Gallons Per Day for 1, 2 and 3 Bedroom House/Townhouse/Apartment/Condo occupancies and shall read as follows

**§420-15. Schedule A: Criteria for Future Water Demands**

| <b>Type of Establishment</b>        | <b>Measurement Unit</b> | <b>Gallons Per Day</b> |
|-------------------------------------|-------------------------|------------------------|
| House/Townhouse/<br>Apartment/Condo |                         |                        |
| 1 Bedroom                           | Dwelling                | 91.50                  |
| 2 Bedroom                           | Dwelling                | 137.25                 |
| 3 Bedroom                           | Dwelling                | 183                    |

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**SECTION 5.** If any section, paragraph, subsection, clause or provision of this ordinance shall be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this ordinance as a whole or any part thereof.

**SECTION 6.** All ordinances or parts of ordinances of the Township of Parsippany-Troy Hills heretofore adopted that are inconsistent with any of the terms and provisions of this ordinance are hereby repealed to the extent of such inconsistency.

**SECTION 7.** This ordinance shall take effect immediately upon its final passage, approval and publication as provided by law.

*The above Ordinance was published in its entirety in the Daily Record, the official newspaper of the Township of Parsippany-Troy Hills on April 19, 2013.*

Motion to accept that Ordinance 2013:09 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 2013:09**

Motion to open the public hearing for Ordinance 2013:09 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.**

- Roy Messmer, 10 Drumlin Dr: asked if someone can explain what the ordinance is about. Is it an increase or decrease in rates?

Ms. Lim responded that the water connection fee was decreased, the sewer connection fee was also decreased. This is something we supposed to evaluate every year and determine if the rates are fair.

Mr. Inglesino further clarified that the origin of the ordinance came from a consultant who recommended that this ordinance be enacted to ensure that the township's rates complied with the law.

Mr. Messmer asked what is the surplus as of April 30<sup>th</sup>. Ms. Lim responded that she does not have that number with her and asked him to call her tomorrow.

Motion to close the public hearing for Ordinance 2013:09 by Mr. Ferrara, seconded by Mr. dePierro.

**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. Ferrara.

**ROLL CALL:**

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

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

- Roy Messmer, 10 Drumlin Dr: addressed the following questions to Mayor Barberio who was not present: is Mr. Jiggar Shaw a Liaison for the Indian-American Community to the Mayor's office or is he a campaign worker for Barberio/Ferrara/Shah Team; Job-gate: why was there a meeting on Sunday at 8pm; the \$80,000 in merit raises: why was a part-timer given a merit raise and why were employees slated to retire given \$5,000 merit raises; will a lawsuit be pursued against Montafusco; Mr. Inglesino responded that a lawsuit has not been filed. Mr. Nelson responded that the Mayor had acknowledged how merit raises were included in the budget. Ms. Lim gave a further explanation. Mr. Carifi asked they simplify it by

making a separate column in the budget for merit raises to make it easier to determine increases for individual employees.

- Richard Green, 12 Puddingstone Rd: road was torn up 10 years ago by a developer who did a terrible job with the repairs. He is asking that the road be repaired and expressed his frustration with the lack of communication. He also complained that the building site has become a landfill with trucks driving up and down on Sundays and at all hours. Mr. Inglesino responded that the road is the subject of an omnibus agreement that the Council approved as part of the Mossberg settlement. It may be fixed immediately after the zoning ordinance is enacted, possibly by the end of fall. Mr. Nelson if Mr. Greene would wait and speak to him after the meeting about the dumping issue.
- Lou Valori, 36 Gathering Hill Court: addressed the responses to the conclusion of an investigation by the Somerset County Prosecutor's Office into allegations of wrongdoing and stated that the information he provided to the Prosecutor's Office is the truth. He played an audio recording from a portion of the meeting which is also on nj.com (contains explicit language). He stated that he will take his case to the Federal Authority to get a fair investigation. Mr. Carifi asked why the meeting took place on a Sunday night and why Mr. Inglesino was present. Mr. Inglesino responded that the meeting was on a Sunday due to scheduling conflicts. He was present on the request of the Mayor to explain the process and the intent of the meeting was exploratory.
- Pat Petaccia, 182 Hawkins Ave: asked if the renovation of Bawling Summit Road was included in the budget. Ms. Lim responded that it was. Ms. Petaccia expressed that she is not happy that the water and sewer surplus is used to balance the budget. She believes the residents are paying too much for water and sewer and that the surplus should be returned to the residents. She also stated that the Attorney should have been reprimanded for his behavior towards her at the meeting of April 9<sup>th</sup>. Mr. Nelson responded that he agreed with her on the surplus issue.
- Dolly Patel, 28 Cherokee Ave: Ms. Patel is a Lake Hiawatha flood resident. She asked why she is being billed for water and sewer when she can't live in her home. She also expressed that she is upset with the frames for the elevation of the properties.
- Arnold German, 10 Puddingstone Rd: he is also here to complain about the condition of Puddingstone Road and how it has affected his quality of life. He is also upset with the lack of communication with the Town and that he does not have his calls returned.
- Bob Crawford, 35 Hidden Glen Dr: asked should an elected official abide by the spirit of the law as well as the letter of the law.

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

**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:**

- \* Agenda Meeting of 04/09/2013
- \* Regular Meeting of 04/16/2013
- \* Closed Session Meeting of 04/16/2013

**Bid Award(s):**

- R2013-103\*** Resolution of the Township Council of the Township of Parsippany-Troy Hills Awarding Contract to Gila LLC d/b/a Municipal Services Bureau for a Two Year Contract for Private Collection of Municipal Court Debt for an Administrative Fee Percentage of 22%
- R2013-104\*** Resolution of the Township Council of the Township of Parsippany-Troy Hills Awarding Contract to Andy-Matt Inc., Diguisseppi Contracting, Inc., Hertz Equipment Rental Corporation, Jesco Inc., and On Line Contracting Inc. for Rental of Heavy Equipment
- R2013-105\*** Resolution of the Township Council of the Township of Parsippany-Troy Hills Awarding Contract to Haskell Paving Inc., for Route 46 Water Main Replacement, Hill Road to Cherry Hill Road for a Total Bid Price of \$501,274.11
- R2013-106\*** Resolution of the Township Council of the Township of Parsippany-Troy Hills Awarding Contract to DM Fernandes for the Road Reconstruction Project for Mount Tabor for Sommerfield Avenue, Hedding Place, West Morris Avenue, Banghart Place, Embury Place, Asbury Place and Westley Place for a Total Bid Price of \$715,288.76
- R2013-107\*** Resolution of the Township Council of the Township of Parsippany-Troy Hills Awarding and Authorizing the Execution of an Agreement for Fireworks Display Services with International Fireworks Mfg. Co. for a Total Price of \$20,000
- R2013-108\*** Resolution of the Township Council of the Township of Parsippany-Troy Hills Awarding Contract to Black Rock Enterprises, LLC for St. Johns Avenue Reconstruction Project Section II for a Total Bid Price of \$297,942.60

**REGULAR TOWNSHIP COUNCIL MEETING MAY 14, 2013**

**R2013-109\*** Resolution of the Township Council of the Township of Parsippany-Troy Hills Awarding Contract to Top Line Construction Corp for the FY2012 Municipal Aid Project for Waterview Boulevard Improvements for a Total Bid Price of \$416,918.31

**Resolutions:**

**R2013-110\*** Resolution of the Township Council of the Township of Parsippany-Troy Hills Authorizing the Business Administrator to Execute a Contract for the Provision of Electric Generation Service to the Wastewater Treatment Plant and Other Municipal Electric Accounts and Facilities

**R2013-111\*** A Resolution of the Township Council of the Township of Parsippany-Troy Hills Authorizing the Grant and Execution of a Utility Easement to Jersey Central Power & Light Company and Verizon of New Jersey, Inc.

**R2013-112\*** Resolution of the Township Council of the Township of Parsippany-Troy Hills Authorizing a Grant Agreement with the State of New Jersey by and for the Department of Environmental Protection for Grant Identifier: PF13-018

**R2013-113\*** Resolution Of The Township Council Of The Township Of Parsippany – Troy Hills Authorizing The Expenditure Of Municipal Open Space, Recreation And Farmland And Historic Preservation Trust Fund Monies For Craftsman Farms

**R2013-114\*** Resolution Of The Township Council Of The Township Of Parsippany-Troy Hills Authorizing The Release Of Maintenance Surety Bond For Wawa, Inc. Located At 350 New Road: Block 767, Lots 29.02

**R2013-115\*** Resolution of the Township Council of the Township of Parsippany-Troy Hills Granting a Major Soil Moving Permit to Ferring Properties, Inc., Block 136, Lot 43.01 - 100 Interpace Parkway

**R2013-116\*** Resolution of the Township of Parsippany-Troy Hills Township Council Authorizing the Cancellation of the Municipal Court's General Account Outstanding Checks Totaling \$23.06

**R2013-117\*** Resolution of the Township Council of the Township of Parsippany-Troy Hills Authorizing the Cancellation of Municipal Court Bail Account Outstanding Checks Totaling \$730.00

**R2013-118\*** Resolution of the Township Council of the Township of Parsippany-Troy Hills Authorizing Notice and Public Sale of Township Personal Property

**R2013-119\*** Resolution of the Township Council of the Township of Parsippany-Troy Hills Authorizing the Award of a Consulting Agreement for Hearing Officer Services

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**R2013-103: RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS AWARDING CONTRACT TO GILA LLC D/B/A MUNICIPAL SERVICES BUREAU FOR A TWO YEAR CONTRACT FOR PRIVATE COLLECTION OF MUNICIPAL COURT DEBT FOR AN ADMINISTRATIVE FEE PERCENTAGE OF 22%**

**REGULAR TOWNSHIP COUNCIL MEETING MAY 14, 2013**

**WHEREAS**, the Township of Parsippany-Troy Hills received a Request for Proposals for Private Collection of Municipal Court Debt on April 4, 2013, and

**WHEREAS**, the Business Administrator, Director of Purchasing, Chief Financial Officer and Municipal Court Administrator have reviewed the Proposals received and recommend that a contract be awarded to Gila LLC d/b/a Municipal Services Bureau, 8325 Tuscany Way, Building 4, Austin, Texas 78754, for a two year contract with an Administrative Fee Percentage of 22%.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Parsippany-Troy Hills that the Request for Proposal for Private Collection of Municipal Court Debt be awarded as stated above in accordance with the terms and conditions contained in the advertising specifications and that the Mayor and Township Clerk are authorized to execute the contract.

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**R2013-104: RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS AWARDED CONTRACT TO ANDY-MATT INC., DIGUISEPPI CONTRACTING, INC., HERTZ EQUIPMENT RENTAL CORPORATION, JESCO INC., AND ON LINE CONTRACTING INC. FOR RENTAL OF HEAVY EQUIPMENT**

**WHEREAS**, the Township of Parsippany-Troy Hills received bid proposals for Rental of Heavy Equipment on April 12, 2013, and

**WHEREAS**, the Business Administrator, Director of Purchasing and Township Engineer have reviewed the bids and recommend that the bids be awarded to the lowest responsible bidders as follows:

Andy-Matt Inc., 11 Scrub Oaks Rd., Mine Hill, NJ 07803 for Item #'s 2 (day rate), 5, 6 (day rate), 7 (day rate), 77, 79, 82 (day and week rate), 84, 85 (day and month rates), 88 (day rate), 94 (day rate), 101 & 102;

DiGuseppi Contracting, Inc., 17 Reservoir Rd., Lake Hopatcong, NJ 07849 for Item #'s 48 & 62;

Hertz Equipment Rental Corporation, 225 Brae Blvd., Park Ridge, NJ 07656 for Item #'s 73, 80, 81, 82 (month rate), 83, 85 (week rate), 94 (week and month rate) & 105;

Jesco, Inc., 118 St. Nicholas Avenue, South Plainfield, NJ 07080 for Item #'s 8, 9, 10, 11, 12, 13, 14, 18, 19, 20, 25, 26, 27, 28, 43, 44, 45, 46, 51, 52, 53, 54, 72, 87, 88 (week and month rate), 89, 93, 95, 96 & 97;

On Line Contracting Inc., 272 Myrtle Avenue, Boonton, NJ 07005 for Item #'s 1, 2 (week and month rate), 3, 4, 6 (week and month rate), 7 (week and month rate), 15, 16, 17, 21, 22, 23, 39, 40, 41, 42, 47, 49, 55, 61, 63, 68 & 69,

**WHEREAS**, the Chief Financial Officer of the Township of Parsippany-Troy Hills has certified to the availability of funds in the following:  
"2013 Temporary Budget/Various O/E."

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Parsippany-Troy Hills that the bids for Rental of Heavy Equipment be awarded as stated above in accordance with the terms and conditions contained in the advertising specifications and that the Mayor and Township Clerk are authorized to execute the contracts.

**R2013-105: RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS AWARDING CONTRACT TO HASKELL PAVING INC., FOR ROUTE 46 WATER MAIN REPLACEMENT, HILL ROAD TO CHERRY HILL ROAD FOR A TOTAL BID PRICE OF \$501,274.11**

**WHEREAS**, the Township of Parsippany-Troy Hills received bid proposals for Route 46 Water Main Replacement, Hill Road to Cherry Hill Road-Re-Bid on April 24, 2013, and

**WHEREAS**, the Business Administrator, Director of Purchasing, Water Superintendent and Consulting Township Engineer have reviewed the bids received and recommend that the bid be awarded to the lowest responsible bidder, Haskell Paving Inc., 30 Greenwood Lake Turnpike, Ringwood, NJ 07456 for a Total Base Bid Price of \$536,705.31 as well as the Alternate Bid Item (Deduction) of \$35,431.20 for a Final Total Bid Price of \$501,274.11, and

**WHEREAS**, the Chief Financial Officer of the Township of Parsippany-Troy Hills has certified to the availability of funds in the following:

Water Capital Ordinance #'s 2009:25 adopted June 16, 2009 and  
2012:25 adopted June 19, 2012, both entitled,  
"Various Improvements."

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Parsippany-Troy Hills that the bid for Route 46 Water Main Replacement, Hill Road to Cherry Hill Road-Re-Bid be awarded as stated above in accordance with the terms and conditions contained in the advertising specifications and that the Mayor and Township Clerk are authorized to execute the contract.

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**R2013-106: RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS AWARDING CONTRACT TO DM FERNANDES FOR THE ROAD RECONSTRUCTION PROJECT FOR MOUNT TABOR FOR SOMMERFIELD AVENUE, HEDDING PLACE, WEST MORRIS AVENUE, BANGHART PLACE, EMBURY PLACE, ASBURY PLACE AND WESTLEY PLACE FOR TOTAL BID PRICE OF \$715,288.76**

**WHEREAS**, the Township of Parsippany-Troy Hills received bid proposals for Road Reconstruction Project for Mount Tabor-Sommerfield Avenue, Hedding Place, West Morris Avenue, Banghart Place, Embury Place, Asbury Place and Westley Place on April 25, 2013, and

**WHEREAS**, the Business Administrator, Director of Purchasing and Township Engineer have reviewed the bids and recommend that the bid be awarded to the lowest responsible bidder, DM Fernandes, 551 N. Broad Street, 2<sup>nd</sup> Floor, Elizabeth, NJ 07208 for a Total Bid Price of \$715,288.76, and

**WHEREAS**, the Chief Financial Officer of the Township of Parsippany-Troy Hills has certified to the availability of funds in the following:

Current Capital Ordinance #'s 2011:07 adopted June 21, 2011  
and 2012:24 adopted June 19, 2012, both entitled,  
"Various Improvements."

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Parsippany-Troy Hills that the bid for Road Reconstruction Project for Mount Tabor-Sommerfield Avenue, Hedding Place, West Morris Avenue, Banghart Place, Embury Place, Asbury Place and Westley Place be awarded as stated above in accordance with the terms and conditions contained in the advertising specifications and that the Mayor and Township Clerk are authorized to execute the contract.

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**R2013-107: RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS AWARDING AND AUTHORIZING THE EXECUTION OF AN AGREEMENT FOR FIREWORKS DISPLAY SERVICES WITH INTERNATIONAL FIREWORKS MFG. CO. FOR A TOTAL PRICE OF \$20,000**

**WHEREAS**, the Township wishes to have a fireworks show for its residents for the Fourth of July; and

**WHEREAS**, although it is not required for Extraordinary Unspecifiable Services, the Township advertised for Proposals from parties interested in providing Fireworks Display Services; and

**WHEREAS**, the Business Administrator, Director of Purchasing and Recreation Department have reviewed the proposal received and recommend that the contract be awarded to International Fireworks Mfg. Co., 242 Sycamore Rd., Douglassville, PA 19518 for the fireworks display description proposed for a total price of \$20,000.00; and

**WHEREAS**, the Chief Financial Officer of the Township of Parsippany-Troy Hills has certified to the availability of funds in the following:

“2013 Temporary Budget/Recreation O/E.”

**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 awards and authorizes the Mayor and Township Clerk to execute the agreement with International Fireworks Mfg. Co., 242 Sycamore Rd., Douglassville, PA 19518 for Fireworks Display Services; and
- (2) This contract shall be awarded pursuant to a 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).

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**R2013-108: RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS AWARDING CONTRACT TO BLACK ROCK ENTERPRISES, LLC FOR ST. JOHNS AVENUE RECONSTRUCTION PROJECT SECTION II FOR A TOTAL BID PRICE OF \$297,942.60**

**WHEREAS**, the Township of Parsippany-Troy Hills received bid proposals for St. Johns Avenue Reconstruction Project Section II on May 2, 2013, and

**WHEREAS**, the Business Administrator, Director of Purchasing and Township Engineer have reviewed the bids received and recommend that the bid be awarded to the lowest responsible bidder, Black Rock Enterprises, LLC, 1316 Englishtown Road, Old Bridge, NJ 08857 for a Total Bid Price of \$297,942.60, and

**WHEREAS**, the Chief Financial Officer of the Township of Parsippany-Troy Hills has certified to the availability of funds in the following:

Current Capital Ordinance # 2012:24 adopted June 19, 2012, entitled,  
“Various Improvements.”

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Parsippany-Troy Hills that the bid for St. Johns Avenue Reconstruction Project Section II be awarded as stated above in accordance with the terms and conditions contained in the advertising specifications and that the Mayor and Township Clerk are authorized to execute the contract.

**R2013-109: RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS AWARDING CONTRACT TO TOP LINE CONSTRUCTION CORP FOR THE FY2012 MUNICIPAL AID PROJECT FOR WATERVIEW BOULEVARD IMPROVEMENTS FOR A TOTAL BID PRICE OF \$416,918.31**

**WHEREAS**, the Township of Parsippany-Troy Hills received bid proposals for FY2012 Municipal Aid Project Waterview Boulevard Improvements on May 7, 2013, and

**WHEREAS**, the Business Administrator, Director of Purchasing and Township Engineer have reviewed the bids received and recommend that the bid be awarded to the lowest responsible bidder, Top Line Construction Corp., 22 Fifth Street, Somerville, NJ 08876 for a Total Bid Price of \$416,918.31, and

**WHEREAS**, the Chief Financial Officer of the Township of Parsippany-Troy Hills has certified to the availability of funds in the following:

Current Capital Ordinance # 2012:24 adopted June 19, 2012, entitled,  
“Various Improvements.”

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Parsippany-Troy Hills that the bid for FY2012 Municipal Aid Project Waterview Boulevard Improvements be awarded as stated above in accordance with the terms and conditions contained in the advertising specifications and that the Mayor and Township Clerk are authorized to execute the contract.

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**R2013-110: RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS AUTHORIZING THE BUSINESS ADMINISTRATOR TO EXECUTE A CONTRACT FOR THE PROVISION OF ELECTRIC GENERATION SERVICE TO THE WASTEWATER TREATMENT PLANT AND OTHER MUNICIPAL ELECTRIC ACCOUNTS AND FACILITIES**

**WHEREAS**, the cost of electric generation is a major component of the sewer plant operating cost; and

**WHEREAS**, the Township desires to control the electric generation cost for the wastewater treatment plant and other municipal electric accounts and facilities; and

**WHEREAS**, the Township desires to use an electronic bid approach to solicit competitive bids for the procurement of a block and index pricing product for the wastewater treatment plant and an all-in fixed price product for the other municipal electric accounts and facilities receiving delivery service under the JCP&L general service and lighting tariffs for an initial term of either eleven or twenty-three months, with provisions for the potential extension of the initial term for up to an additional 6 months; and

**WHEREAS**, the use of an electronic bid for the procurement of electricity is effective in producing a competitive bidding environment such that the maximum cost savings will be obtained for the Township; and

**WHEREAS**, the Township, in cooperation with its energy consultant, Gabel Associates, will establish in advance of the bid opening a ‘trigger price’ for both the all-in fixed price product and for the block and index price product, based upon market conditions and utility tariff prices for comparable products to assure benefits relative to alternative sources of supply, such that the trigger price for general service fixed price accounts will be set at an all-in fixed price \$.096/kwh, the trigger price for lighting

fixed price accounts will be set at an all-in fixed price of \$.066/kwh, and for the wastewater treatment plant account the trigger price for the capacity price, transmission price and fixed adder price components will be set at an aggregate of \$.040/kwh; and

**WHEREAS**, energy market volatility requires that a decision on the bid award be made by no later than 3:00 pm on the day of the bid opening.

**NOW, THEREFORE, BE IT RESOLVED**, that the Township Council of the Township of Parsippany-Troy Hills, in the County of Morris in the State of New Jersey authorizes the Mayor or Business Administrator to award the bid and execute the winning bidder's contract for providing electric generation service to the Township to the lowest responsible bidder, subject to the lowest aggregate bid price for the block and index pricing product and for the fixed price product being no greater than the established trigger price for each bid group, and no greater than the established trigger price for any extensions of the initial term.

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**R2013-111: A RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS AUTHORIZING THE GRANT AND EXECUTION OF A UTILITY EASEMENT TO JERSEY CENTRAL POWER & LIGHT COMPANY AND VERIZON OF NEW JERSEY, INC.**

**WHEREAS**, the Township of Parsippany-Troy Hills ("Township") submitted a request to Jersey Central Power & Light Company a First Energy Company ("JCP&L") to undertake certain electrical and communication upgrades to the utility services provided by JCP&L to the Township at the Township's municipal building located at 1001 Parsippany Blvd., Parsippany-Troy Hills, County of Morris, State of New Jersey, known and designated as Block 420, Lot 1 (the "Property"); and

**WHEREAS**, the Township and JCP&L have entered into a certain Fixed Cost Agreement dated February 14, 2013 for the specified services (the "Work"), which include relocation of existing underground electrical service, extending overhead service, connections and other improvements on, over, under and across a portion of the Property; and

**WHEREAS**, in order to proceed with the Work pursuant to the Fixed Cost Agreement, JCP&L has requested that the Township grant a new utility easement to the benefit of both JCP&L and Verizon of New Jersey, Inc. ("Verizon") due to the fact that the Work involves the relocation and upgrade of utilities provided by both JCP&L and Verizon from their current location to a new location on, under and over the Property that is not covered by any prior easement(s); and

**WHEREAS**, the Township desires to grant the requested utility easement to JCP&L and Verizon on, under and over its Property to allow the Work to proceed pursuant to the Fixed Cost Agreement.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Parsippany-Troy Hills, State of New Jersey, that the Township Council hereby agrees to grant a non-exclusive utility easement to JCP&L and Verizon on, over, under and across a portion of its Property identified as Block 420, Lot 1 on the tax map of the Township of Parsippany-Troy Hills, County of Morris, State of New Jersey, as set forth in the Fixed Cost Agreement by and between the Township and JCP&L dated February 14, 2013, and executed by the Township on April 16, 2013.

**BE IT FURTHER RESOLVED** that the Mayor is hereby authorized to execute the utility easement upon confirmation from the Township Attorney that it is acceptable as to form.

**R2013-112: RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS AUTHORIZING A GRANT AGREEMENT WITH THE STATE OF NEW JERSEY BY AND FOR THE DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR GRANT IDENTIFIER: PF13-018**

The governing body of Parsippany Troy Hills Township desires to further the public interest by obtaining a grant from the State of New Jersey in the amount of approximately \$54,000.00 to fund the following project: No Net Loss Grant.

Therefore, the governing body resolves that or the successor to James Walsh the office of Superintendent is authorized (a) to make application for such a grant, (b) if awarded, to execute a grant agreement with the State for a grant in an amount not less than \$54,000.00 and not more than \$54,000.00, and (c) to execute  any amendments thereto  any amendments thereto which do not increase the Grantee's obligations.

\*The Parsippany Troy Hills Township Council authorizes and hereby agrees to match 0% of the Total Project Amount, in compliance with the match requirements of the agreement. The availability of the match for such purposes, whether cash, services, or property, is hereby certified. 0% of the match will be made up of in-kind services (if allowed by grant program requirements and the agreement).\*

The Grantee agrees to comply with all applicable federal, State, and municipal laws, rules, and regulations in its performance pursuant to the agreement.

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**R2013-113: RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY – TROY HILLS AUTHORIZING THE EXPENDITURE OF MUNICIPAL OPEN SPACE, RECREATION AND FARMLAND AND HISTORIC PRESERVATION TRUST FUND MONIES FOR CRAFTSMAN FARMS**

**WHEREAS**, Ordinance No. 2012-10 authorizes the expenditure of Municipal Open Space, Recreation and Farmland and Historic Preservation Trust Funds for the development of lands acquired for recreation and conservation purposes and for historic preservation of historic properties, and

**WHEREAS**, the Craftsman Farms Foundation has requested \$520,000 in funding for improvements at Craftsman Farms, including,

1. Log House
  - a. Repair mortar and wood in pantry area
  - b. Paint Trim
  - c. Roof survey and needs assessment
  - d. Repair chinking and apply log preservative
  - e. Install interior storm windows in kitchen
2. North and South Cottages – Construction documents for windows
3. Install exterior lighting
4. Rehabilitate White Cottage for use as offices and library resource center
5. Convert former administration building to exhibition and program space, and

**WHEREAS**, the Administration has noted that there are previously allocated, but unspent, Open Space Trust Funds for capital improvements to parks and for historic preservation which may be available to be re-programmed towards the above improvements at Craftsman Farms.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Parsippany-Troy Hills, County of Morris, State of New Jersey that it hereby authorizes the expenditure of Municipal Open Space, Recreation and Farmland and Historic Preservation Trust Funds for the Craftsman Farms Foundation 2013 request of \$520,000 from The following sources:

1. re-programmed funds previously allocated but no longer required for capital improvements to parks and for historic preservation; and
2. \$200,000 from the historic preservation portion of the Trust Funds; and
3. the balance (up to \$320,000) from the park improvements portion of the Trust Funds, and

**BE IT FURTHER RESOLVED** that the Township Council hereby approves the Craftsman Farms Foundation request to reprogram \$6,800 of unspent funds for maintenance to the HVAC system in the Log House from the 2009 allocation of funds for improvements at Craftsman Farms

**BE IT FURTHER RESOLVED** that the Mayor and Township Clerk are hereby authorized to execute a 2013 Grant Agreement with the Craftsman Farms Foundation to include the aforementioned.

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**R2013-114: RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS AUTHORIZING THE RELEASE OF MAINTENANCE SURETY BOND FOR WAWA, INC. LOCATED AT 350 NEW ROAD: BLOCK 767, LOTS 29.02**

**WHEREAS**, Wawa, Inc. posted a Maintenance Surety Bond, Travelers Casualty and Surety Company of America Bond No. 105596411 in the amount of \$67,753.43, with the Township of Parsippany-Troy Hills, County of Morris, State of New Jersey in connection with Maintenance of Site Improvements for Wawa located at 350 New Road, Block 767, Lots 29.02, Application #06:108/109A; and

**WHEREAS**, Justin Lizza, Municipal Engineer, recommended in an interoffice memorandum to Yancy Wazirmas, Township Clerk, dated April 25, 2013 that said Maintenance Bond be released as the site maintenance has been satisfactorily completed.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Parsippany-Troy Hills, County of Morris and State of New Jersey that Travelers Casualty and Surety Company of America Bond No. 105596411 posted by Wawa, Inc. be and the same is hereby released.

**BE IT FURTHER RESOLVED** that this resolution shall take effect immediately.

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**R2013-115: RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS GRANTING A MAJOR SOIL MOVING PERMIT TO FERRING PROPERTIES, INC., BLOCK 136, LOT 43.01 - 100 INTERPACE PARKWAY**

**WHEREAS**, FERRING PROPERTIES, INC filed an Application dated February 25, 2013 for a major soil moving permit with the Planning Board to input 862 cubic yards of soil as part of the proposed construction at Block 136, Lot 43.01, 100 Interpace Parkway; and

**WHEREAS**, no soil moving activity has been conducted by the Applicant; and

**WHEREAS**, the Planning Board, via resolution dated April 8, 2013, recommended to the Township Council that the permit be granted for one year to coincide with the term of the Site Plan approval; and

**REGULAR TOWNSHIP COUNCIL MEETING MAY 14, 2013**

**WHEREAS**, the Application has been reviewed by Justin Lizza, Municipal Engineer, and his recommendations have been memorialized in a memorandum dated May 3, 2013;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Parsippany-Troy Hills that it does hereby grant a major soil moving permit to **FERRING PROPERTIES, INC** to input 862 cubic yards of soil as part of the proposed construction at Block 136, Lot 43.01, 100 Interpace Parkway, subject to the following terms and conditions:

1. The applicant shall comply with the recommendations and requirements memorialized in the resolution adopted by the Planning Board at its meeting of April 8, 2013, which included the provision that “truck operations shall only occur Monday through Saturday between 9:30 a.m. and 4:00 p.m., and all truck traffic shall use Cherry Hill Road and Route 80”
2. All inspection fees and performance guarantees shall be paid prior to the issuance of the permit.
3. This Resolution shall take effect immediately.

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**R2013-116: RESOLUTION OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS TOWNSHIP COUNCIL AUTHORIZING THE CANCELLATION OF THE MUNICIPAL COURT’S GENERAL ACCOUNT OUTSTANDING CHECKS TOTALING \$23.06**

**WHEREAS**, the Municipal Court General Account has several old outstanding checks totaling \$23.06; and

**WHEREAS**, the Township’s Court Administrator reviewed these checks for either re-issuance or cancellation;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Parsippany-Troy Hills that the following checks be cancelled to Fund Balance in the Current Fund;

|      |      |          |                      |
|------|------|----------|----------------------|
| 4444 | 1.00 | 10/07/11 | Dena M. Simonelli    |
| 4445 | 1.00 | 10/07/11 | David Lee Jr.        |
| 4453 | 1.00 | 11/10/11 | Rashawn L. Kinchen   |
| 4481 | 3.00 | 02/13/12 | Peter P. Oneill      |
| 4482 | 4.00 | 02/13/12 | Virginia A. Kinney   |
| 4491 | 1.00 | 03/05/12 | Colleen A. Coyle     |
| 4493 | 1.00 | 03/16/12 | Mario O. Verillo     |
| 4497 | 4.00 | 04/03/12 | Shyam P. Parandhaman |
| 4499 | 3.00 | 04/03/12 | Amisha B. Patel      |
| 4500 | 1.00 | 04/03/12 | Wainswort M. Wiggins |
| 4501 | 1.00 | 04/06/12 | Vishnu V. Narayanan  |
| 4512 | 1.00 | 05/07/12 | Xuewen Yao           |
| 4513 | 1.00 | 05/07/12 | Dustin C. Brodsky    |
| 4555 | 0.06 | 08/13/12 | Jill E. Mesmer       |

Total \$ 23.06

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**R2013-117: RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS AUTHORIZING THE CANCELLATION OF MUNICIPAL COURT BAIL ACCOUNT OUTSTANDING CHECKS TOTALING \$730.00**

**WHEREAS**, the Municipal Court Bail Account has several outstanding checks totaling \$730.00; and

**WHEREAS**, the Township’s Court Administrator has reviewed these checks to determine if they should be re-issued or cancelled;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of ParsIPPany-Troy Hills that the following checks be cancelled to Fund Balance in the Current Fund;

|       |            |           |                        |
|-------|------------|-----------|------------------------|
| 18351 | 5/17/2011  | 491.00    | Shavonne N. Harrington |
| 18943 | 2/21/2012  | 3.00      | Jill Nista             |
| 19053 | 4/4/2012   | 64.00     | Sean E. Collins        |
| 19093 | 4/19/2012  | 10.00     | Randall Hutchison      |
| 19323 | 8/01/2012  | 30.00     | Kashif A. Khan         |
| 19377 | 08/23/2012 | 31.00     | Aganda Laquannon       |
| 19429 | 09/14/201  | 101.00    | Celilia Sanders        |
| Total |            | \$ 730.00 |                        |

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**R2013-118: RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS AUTHORIZING NOTICE AND PUBLIC SALE OF TOWNSHIP PERSONAL PROPERTY**

**WHEREAS**, the Township of Parsippany-Troy Hills, hereinafter “Township” is the owner of certain items of personal property, and

**WHEREAS**, the Township desires to make available for public sale such property pursuant to N.J.S.A. 40A:11-36,

**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 declares that the personal property set forth in Schedule “A” is no longer needed for public use and should be sold in accordance with the appropriate statutes of the State of New Jersey.
- 2) The Township hereby authorizes and directs the Township Comptroller to offer for sale to the highest bidder, at public auction, the personal property attached hereto and made a part hereof as Schedule “A”.
- 3) The public sale shall take place at the Parsippany-Troy Hills Municipal Building, 1001 Parsippany Boulevard, Parsippany, New Jersey on Wednesday, May 29, 2013 at 11 a.m.
- 4) In the event no bids are received, the Township may sell the personal property at a private sale, without further publication or notice thereof at a price no less than the estimated value.
- 5) The Township reserves the right to accept or reject any and all bids at the public sale.

- 6) In the event that all bids have been rejected, the municipality may rebid and if all bids are rejected for the second time the Township may sell such personal property without further publication or notice by means of a private sale, provided that the negotiated price at the private sale shall not be less than the highest price or any bid rejected at the preceding public sale. Said private sale will be further subject to any terms or conditions of sale previously established.
- 7) Vehicles and equipment may be viewed from 9:00 a.m. to 3:00 p.m., Thursday, May 16, 2013 through Friday, May 24, 2013.
- 8) Payment in full must be made at time of auction. Personal checks will be accepted. Governmental agencies are not required to make payment at time of auction.
- 9) All vehicles or equipment must be removed from Township property by Thursday, June 20, 2013.
- 10) Bidder is responsible for all costs associated with removal of vehicles and equipment.

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**R2013-119: RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS AUTHORIZING THE AWARD OF A CONSULTING AGREEMENT FOR HEARING OFFICER SERVICES**

**WHEREAS**, the Township of Parsippany-Troy Hills has a need to retain the services of a Hearing Officer for certain disciplinary proceedings and employment matters within the Parsippany-Troy Hills Police Department; and

**WHEREAS**, the Mayor hereby appoints Joseph Devine of the firm Devine/Kalleberg, LLC whose office is located at 179-9 Route 46 West, #218, Rockaway, Morris County, New Jersey 07866-4046 as Hearing Officer for certain disciplinary proceedings and employment matters within the Parsippany-Troy Hills Police Department; and

**WHEREAS**, Joseph Devine shall complete and submit a Business Entity Disclosure Certification at least ten (10) days prior to the execution of the contract for professional services, and which Certification provides that no contributions have been made that would bar the award of this contract pursuant to P.L. 2004, c.19 and, further, that that no reportable contributions to municipal political or candidate committees of the elected officials of the Township will be made through the term of the contract; and

**WHEREAS**, the funds are available for this purpose; and

**WHEREAS**, the term of this contract shall be from April 15, 2013 through April 14, 2014; 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**, 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 Consulting Agreement with Joseph Devine of the firm Devine/Kalleberg, LLC whose office is located at 179-9 Route 46 West, #218, Rockaway, Morris County, New Jersey 07866-4046, as Hearing Officer in connection with the above-referenced matters.
2. The Township of Parsippany-Troy Hills hereby awards a Consulting Agreement to, and authorizes the Mayor and Township Clerk to execute such Agreement with Joseph Devine of the firm Devine/Kalleberg, LLC whose office is located at 179-9 Route 46 West, #218, Rockaway, Morris County, New Jersey 07866-4046, as Hearing Officer in connection with the above-

referenced matters no sooner than ten (10) days following the submission of a Business Entity Disclosure Certification.

3. The value of the Consulting Agreement shall not exceed \$36,000.

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**ORDINANCES - INTRODUCTION**

**ORDINANCE 2013:11**

**AN ORDINANCE OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, IN THE COUNTY OF MORRIS, NEW JERSEY, PROVIDING FOR VARIOUS WATER UTILITY IMPROVEMENTS FOR THE TOWNSHIP OF PARSIPPANY-TROY HILLS AND APPROPRIATING \$1,600,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$950,000 IN GENERAL IMPROVEMENT BONDS OR NOTES OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS TO FINANCE THE SAME**

**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 **May 14, 2013** and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on **June 18, 2013** at 7:30 p.m., prevailing time, or as soon thereafter as the matter may be reached, at Township Hall 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. dePierro.

**ROLL CALL:**

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

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**ORDINANCE 2013:12**

**AN ORDINANCE OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, IN THE COUNTY OF MORRIS, NEW JERSEY, PROVIDING FOR GOLF COURSE AND RECREATION UTILITY IMPROVEMENTS FOR THE TOWNSHIP OF PARSIPPANY-TROY HILLS AND APPROPRIATING \$250,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$237,500 IN GENERAL IMPROVEMENT BONDS OR NOTES OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS TO FINANCE THE SAME**

**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 **May 14, 2013** and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on **June 18, 2013** at 7:30 p.m., prevailing time, or as soon thereafter as the matter may be reached, at Township Hall 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, and Stanton

**NO** – Council Member Nelson

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**ORDINANCE 2013:13**

**AN ORDINANCE OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, IN THE COUNTY OF MORRIS, NEW JERSEY, PROVIDING FOR VARIOUS SEWER UTILITY IMPROVEMENTS FOR THE TOWNSHIP OF PARSIPPANY-TROY HILLS AND APPROPRIATING \$4,400,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$3,325,000 IN GENERAL IMPROVEMENT BONDS OR NOTES OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS TO FINANCE THE SAME**

**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 May 14, 2013 and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on June 18, 2013 at 7:30 p.m., prevailing time, or as soon thereafter as the matter may be reached, at Township Hall 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. Ferrara.

**ROLL CALL:**

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

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**ORDINANCE 2013:14**

**AN ORDINANCE OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, IN THE COUNTY OF MORRIS, NEW JERSEY, PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS FOR THE TOWNSHIP OF PARSIPPANY-TROY HILLS AND APPROPRIATING \$11,733,700 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$9,624,500 IN GENERAL IMPROVEMENT BONDS OR NOTES OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS TO FINANCE THE SAME**

**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 May 14, 2013 and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on June 18, 2013 at 7:30 p.m., prevailing time, or as soon thereafter as the matter may be reached, at Township Hall 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

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**ORDINANCE 2013:15**

**AN ORDINANCE AMENDING CHAPTER 405, VEHICLES AND TRAFFIC, SECTION 14, PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS, OF THE CODE OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, MORRIS COUNTY, NEW JERSEY**

**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 **May 14, 2013** and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on **June 18, 2013** at 7:30 p.m., prevailing time, or as soon thereafter as the matter may be reached, at Township Hall 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. dePierro.

**ROLL CALL:**

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

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**ORDINANCE 2013:16**

**AN ORDINANCE OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, IN THE COUNTY OF MORRIS, NEW JERSEY, ESTABLISHING WHITE COLLAR SALARY RANGES FOR 2013**

**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 **May 14, 2013** and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on **June 18, 2013** at 7:30 p.m., prevailing time, or as soon thereafter as the matter may be reached, at Township Hall 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. dePierro.

**ROLL CALL:**

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

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**ORDINANCE 2013:17**

**AN ORDINANCE OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, IN THE COUNTY OF MORRIS, NEW JERSEY, ESTABLISHING HOURLY WAGE RANGES FOR BLUE COLLAR EMPLOYEES OF THE TOWNSHIP OF PARSIPPANY – (2011-2014)**

**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 **May 14, 2013** and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on **June 18, 2013** at 7:30 p.m., prevailing time, or as soon thereafter as the matter may be reached, at Township Hall 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. Ferrara.

**ROLL CALL:**

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

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**RESOLUTIONS – NON-CONSENT AGENDA**

**Applications:**

**R2013-120 RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS APPROVING PLACE-TO-PLACE TRANSFER (EXPANSION OF PREMISE) OF PLENARY RETAIL CONSUMPTION LICENSE – HOLIDAY INN (RE-APPROVE)**

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

**WHEREAS**, an application has been filed for a Place-to-Place Transfer (Expansion of Premise) of Plenary Retail Consumption License Number 1429-36-051-003, sited at the Holiday Inn, 707 Route 46 East, ParsIPPany, New Jersey; and

**REGULAR TOWNSHIP COUNCIL MEETING MAY 14, 2013**

**WHEREAS**, applicant proposes to expand the premises under license wherein the sale, service, and storage of alcoholic beverages are authorized to include the pool area, in accordance with the sketch of the licensed premises submitted with the application; and

**WHEREAS**, Resolution No. R2013-096 previously approved the place-to-place transfer but the publication of notice was inadvertently not completed by the applicant; and

**WHEREAS**, the submitted application form is now complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term;

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of Parsippany-Troy Hills Council does hereby approve, effective May 14, 2013, the expansion of the aforesaid Plenary Retail Consumption licensed premises located at 707 Route 46 East, Parsippany, New Jersey, to place under license the area delineated in the application form and the sketch of the licensed premises attached thereto.

**ROLL CALL:**

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

**ABSTAIN** – Council Member Ferrara

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**R2013-121 RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS AUTHORIZING A PERSON-TO-PERSON TRANSFER OF PLENARY RETAIL CONSUMPTION LICENSE FOR LLEWELLYN TAVERN LLC.**

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

**WHEREAS**, an application has been filed for a Person-to-Person Transfer of Plenary Retail Consumption License Number 1429-33-015-004 from Chevys Restaurants LLC to Llewellyn Tavern LLC.

**WHEREAS**, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

**WHEREAS**, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

**WHEREAS**, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the license business

**NOW, THEREFORE, BE IT RESOLVED** that the Township of Parsippany-Troy Hills Council does hereby approve, effective May 14, 2013, the Person-to-Person Transfer of the aforesaid Plenary Retail Consumption #1429-33-015-004 to Llewellyn Tavern LLC #1429-33-015-005.

**ROLL CALL:**

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

**ABSTAIN** – Council Member Ferrara

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**Resolutions:**

**R2013-122: RESOLUTION OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS TOWNSHIP COUNCIL AUTHORIZING THE AWARD OF NEGOTIATED CONTRACTS FOR THE FEMA HOUSE ELEVATION PROJECT-PHASE I TO UNIQUE FLOORS LLC AND RGH ENTERPRISES, INC.**

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

**WHEREAS**, the Township of Parsippany-Troy Hills advertised for bids for FEMA House Elevation Project-Phase I on January 31, 2013, March 5, 2013 and April 3, 2013, and

**WHEREAS**, one bid was received on January 31, 2013 however it was rejected due to excessive cost, and

**WHEREAS**, five bids were received on March 5, 2013 however all five were rejected due to excessive cost, and

**WHEREAS**, six bids were received on April 3, 2013 however all six were rejected due to excessive cost, and

**WHEREAS**, section N.J.S.A. 40A:11-5.3 of the Local Public Contracts Law allows a contract to be negotiated after bids were received and rejected on two separate occasions, and

**WHEREAS**, the Director of Purchasing and Township Engineer have negotiated this contract with all available bidders and recommend award of contracts as per the following: Unique Floors LLC, 34 Morris Avenue, West Milford, NJ 07480 for a Total Bid Price of \$96,500.00 for 3 Minnehaha Boulevard and RGH Enterprises, Inc., 7 Jefferson Avenue, Maplewood, NJ 07040 for a Total Bid Price of \$98,975.00 for 34 Lake Shore Drive, a Total Bid Price of \$99,990.00 for 37 Cherokee Avenue, a Total Bid Price of \$99,999.00 for 64 River Drive and a Total Bid Price of \$99,960.00 for 65 River Drive, and

**WHEREAS**, the Chief Financial Officer of the Township of Parsippany-Troy Hills has certified to the availability of funds in the following:

“2012 FEMA Hazard Mitigation Grant”.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Parsippany-Troy Hills that the contracts for FEMA House Elevation Project-Phase I be awarded as stated above in accordance with the terms and conditions contained in the advertising specifications and that the Mayor and Township Clerk are authorized to execute the contracts.

**ROLL CALL:**

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

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**R2013-123: RESOLUTION OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS TOWNSHIP COUNCIL AUTHORIZING THE AWARD OF NEGOTIATED CONTRACTS FOR THE FEMA HOUSE ELEVATION PROJECT-PHASE III TO UNIQUE FLOORS LLC**

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

**REGULAR TOWNSHIP COUNCIL MEETING MAY 14, 2013**

**WHEREAS**, the Township of Parsippany-Troy Hills advertised for bids for FEMA House Elevation Project-Phase III on both March 6, 2013 and April 3, 2013, and

**WHEREAS**, two bids were received on March 6, 2013 however both were rejected due to excessive cost, and

**WHEREAS**, two bids were received on April 3, 2013 however both were rejected due to excessive cost, and

**WHEREAS**, section N.J.S.A. 40A:11-5.3 of the Local Public Contracts Law allows a contract to be negotiated after bids were received and rejected on two separate occasions, and

**WHEREAS**, the Director of Purchasing and Township Engineer have negotiated this contract with all available bidders and recommend award of contracts to Unique Floors LLC, 34 Morris Avenue, West Milford, NJ 07480 for a Total Bid Price of \$99,000.00 for 28 Cherokee Avenue, a Total Bid Price of \$99,900.00 for 58 Lake Shore Drive and a Total Bid Price of \$99,900.00 for 73 Norman Avenue, and

**WHEREAS**, the Chief Financial Officer of the Township of Parsippany-Troy Hills has certified to the availability of funds in the following:

“2012 FEMA Hazard Mitigation Grant”.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Parsippany-Troy Hills that the contracts for FEMA House Elevation Project-Phase III be awarded as stated above in accordance with the terms and conditions contained in the advertising specifications and that the Mayor and Township Clerk are authorized to execute the contracts.

**ROLL CALL:**

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

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**ADJOURNMENT**

**Motion To Adjourn Meeting by Mr. Ferrara Seconded By Mr. Nelson.**

**ROLL CALL:**

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

**MEETING ADJOURNED: 9:36pm**

Respectfully submitted,

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Yancy Wazirmas, Township Clerk

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Brian Stanton, Council President

Minutes approved: 9/17/2013