

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

November 12, 2013

Public Invited – Public Participation

MEETING CALLED TO ORDER by Council President Stanton at 7:30 p.m.

FLAG SALUTE

MOMENT OF SILENCE WAS OBSERVED FOR VETERANS DAY.

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

OTHERS PRESENT: Jasmine Lim, Business Administrator; Paula Cozzarelli, Assistant Business Administrator; Justin Marchetta, Esq. (covering for John Inglesino, Esq.), Township Attorney; Yancy Wazirmas, Township Clerk; and Joseph Kovalcik, Jr., Chief Financial Officer.

The purpose of this meeting is to set the Agenda for the Regular Township Council Meeting of November 26, 2013.

FORMAL ACTION MAY OR MAY NOT BE TAKEN.

STATEMENT OF COMPLIANCE

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

Note: Council Meetings are videotaped and aired on Cablevision, Public Access Channel 21, at 12:00 p.m. on Sundays and are also available for viewing at www.parsippany.net.

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

Status of Adopted Ordinances:

<u>Ordinance Title and Number</u>	<u>Adopted Date</u>	<u>Mayoral Action</u>	<u>Effective Date</u>
None			

TOWNSHIP COUNCIL AGENDA MEETING NOVEMBER 12, 2013

DISCUSSION/REMINDERS:

Scheduled Meetings

11/26/13 @ 7:30 p.m.	Regular Meeting Public Invited – Public Participation
12/10/13 @ 7:30 p.m.	Agenda Meeting Public Invited – Public Participation

Minutes for Approval:

None

MAYOR

- No Report.

ADMINISTRATION

Bid(s)

Taken:

10/3/2013 @ 11:00am	Supplying Service and Parts for the Sewer Utility Komline-Sanderson Beltpress, Gravabelt and Pumps <u>NOTED</u>
10/31/2013 @ 11:00am	Upgrade/Resurfacing of the 85' x 185' Asphalt In Skate Rink on Parsippany Boulevard for Parks and Forestry – Re-Bid <u>NOTED</u>

To Be Taken:

11/21/2013 @ 10:00am	Sealed Proposals for One (1) New/Unused 4WD Crew Cab Pick Up Truck with Two (2) Light Towers for the Rescue and Recovery Squad <u>NOTED</u>
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Quotation(s)/Proposal(s)/Qualification(s)

Received:

None

Requested:

10/24/2013 @ 11:00am	Lease ± 32,500 square feet of Building and Grounds located at the Township's Wastewater Treatment Plant for the Processing of Fats, Oils and Grease ("FOG") (CANCELLED)
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TOWNSHIP COUNCIL AGENDA MEETING NOVEMBER 12, 2013

ORDINANCE(S):

- An Ordinance of the Township of Parsippany-Troy Hills, County of Morris, State of New Jersey, Accepting Dedication of a Portion of Block 448, Lot 23 as Shown on the Official Tax Map of the Township of Parsippany-Troy Hills for Future Roadway Purposes from 78 Fanny Road, LLC **INTRODUCTION - ON**
- An Ordinance of the Township of Parsippany-Troy Hills, County of Morris, State of New Jersey Authorizing a License Agreement with Rainbow Lakes Community Club, Inc. for the License of Property Known as a Portion of Block 106, Lots 5 and 13.01 as Shown on the Official Tax Map of the Township of Parsippany-Troy Hills **INTRODUCTION - ON**
- An Ordinance of the Township of Parsippany-Troy Hills, County of Morris, State of New Jersey Authorizing an Amendment to the Lease Agreement with the Troy Hills Memorial Post No. 10184, Veterans of Foreign Wars of the United States Concerning Premises Located at 220 Troy Road (Block 728, Lot 5) in the Township of Parsippany-Troy Hills so as to Extend the Term of the Lease for an Additional Five (5) Years **INTRODUCTION - ON**
- An Ordinance of the Township of Parsippany-Troy Hills, in the County of Morris, New Jersey, Providing for the Acquisition by Purchase of Properties in the Township of Parsippany-Troy Hills Through the FEMA Hazard Mitigation Grant Program and County Open Space Flood Mitigation Program and Appropriating \$9,626,941 Therefor **INTRODUCTION - ON**
*Mr. Kovalcik explained that this ordinance is to move the FEMA funds into the Capital Fund. Usually when there are grants of this size, they are set up in the Capital Fund because the payback structure with FEMA takes time to get the money back in. This a fully funded ordinance and no debt is incurred.
- An Ordinance Amending and Supplementing Chapter 290, Parks, Recreation Areas and Public Lands, Article II, Use Regulations; Permit Requirements of the Code of the Township of Parsippany-Troy Hills **INTRODUCTION - ON**

RESOLUTION(S):

- Resolution of the Township Council of the Township of Parsippany-Troy Hills Confirming the Appointment and Awarding a Contract for Professional Planning Services to Burgis Associates, Inc. **NON-CONSENT AGENDA**
- Resolution Authorizing the Township of Parsippany-Troy Hills Schedule of Township Council Meetings for 2014 **NON-CONSENT AGENDA**
- Resolution of the Township Council of the Township of Parsippany-Troy Hills Approving the Adoption of a Policy Requiring Elected Officials to Obtain Certain Training on an Annual Basis as Recommended by the Best Practices Program Administered by the New Jersey Department of Community Affairs, Division of Local Government Services **ON***
- Resolution Rejecting Bids for Proposals for Supplying Service and Parts for the Sewer Utility Komline-Sanderson Beltpress, Gravabelt and Pumps. **ON***

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- Resolution Awarding Contract to Halecon, Inc. for the Upgrade/Resurfacing of the 85' x 185' Asphalt In Line Skate Rink on Parsippany Boulevard for Parks and Forestry Re-Bid for Total Bid Price for Option #1 of \$80,000.00. **ON***
- Resolution of the Township Council of the Township of Parsippany-Troy Hills Establishing an Ad-Hoc Advisory Committee for Sustainable New Jersey Re-Certification **ON***
- Resolution of the Township Council of the Township of Parsippany-Troy Hills Establishing a Companion Animal Management Pledge **ON***

Discussion:

- NJLM Orientation for Newly Elected, Re-elected, or Experienced Municipal Officials **RESOLUTION ON***

TOWNSHIP OFFICE REPORTS

Resolution(s):

- None

Engineering Report of November 2013

Status of Road Resurfacing-Puddingstone Area

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

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

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

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

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

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Canterbury Estates Vacation of Lots 26 and 77 in Block 98

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

Right-of-Way Dedication: 78 Fanny Road, Block 448 Lot 23

78 Fanny Road, LLC has applied to the Planning Board for the site plan approval. A condition of the approval is the dedication to the Township of a 25 foot wide right-of-way along Fanny Road along the applicant's frontage. This office has reviewed the right-of-way description and finds it acceptable. **We have no objection to the Council accepting this dedication by ordinance.**

CHIEF FINANCIAL OFFICER

Resolution:

- Resolution Authorizing Appropriation Transfer Request **ON***
- Resolution to Amend the Capital Budget **ON***

ATTORNEY

- Resolution of the Township Council of the Township of Parsippany-Troy Hills Authorizing a Settlement Agreement with CBS Outdoor, LLC **NON-CONSENT AGENDA**

TOWNSHIP OFFICES / COMMITTEES

- No Report

COMMUNICATIONS

- No Report

APPLICATION(S)

- Renewals for General Licenses for 2014 **ON***

***Consent Agenda Items**

TOWNSHIP COUNCIL AGENDA MEETING NOVEMBER 12, 2013

PUBLIC HEARING

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

ROLL CALL:

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

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

- Nick Homyak, 26 Oneida Ave: spoke about sewage fees, water bills, minimum usage, Lake Hiawatha businesses using municipal garbage cans to dump their garbage in and the benefits of conforming to the NJ Highlands guidelines.

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

ROLL CALL:

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

CLOSED SESSION

RESOLUTION

WHEREAS, the Open Public Meetings Act, P.L. 1975, Chapter 231 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, the Township Council is of the opinion that such circumstances presently exist; and

WHEREAS, the Township Council wishes to discuss: Attorney/Client Privilege, Personnel and Litigation.

AND, WHEREAS, minutes will be kept, and once the matter involving the confidentiality of the above no longer requires confidentiality, the minutes can be made public.

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Parsippany-Troy Hills that the public be excluded from this meeting.

Motion To Adjourn Into Closed Session by Mr. Carifi Seconded By Mr. Ferrara.

ROLL CALL:

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

Motion To Reconvene Into Open Session by Mr. Nelson Seconded By Mr. Carifi.

ROLL CALL:

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

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Motion by Mr. Stanton seconded by Mr. Ferrara to add four tax appeal resolutions to the Consent Agenda of the November Regular Meeting.

ROLL CALL:

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

Formal Action to Be Taken by Council This Evening on the Following:

Resolutions

R2013-213: RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS RECOGNIZING MICHAEL D’ALESSANDRO’S RETIREMENT AND COMMITMENT TO THE TOWNSHIP

BE IT RESOLVED by the Township Council of the Township of Parsippany- Troy Hills, in the County of Morris, and State of New Jersey, that it hereby recognizes and honors Michael D’Alessandro for his years of service to the community and to the Township.

WHEREAS, on June 3, 1985, Michael D’Alessandro was hired by the Township as a laborer for the Department of Public Works; and

WHEREAS, Michael D’Alessandro further advanced his career by obtaining a bus license whereby becoming a full time bus driver for the Road and Health Departments; and

WHEREAS, he advanced further as an inspector for the Fire Prevention Bureau whereby being promoted to Fire Official in 2001; and

WHEREAS, since 1979, Michael has been a dedicated fireman for the Lake Hiawatha Fire Department, District 4 and is in his 34th year of volunteering.

NOW THEREFORE BE IT RESOLVED, that the Township Council acknowledges the commitment and dedication that Michael D’Alessandro has demonstrated to the community and to the Township and wishes him a long and healthy retirement.

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

ROLL CALL:

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

R2013-214: RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS ACCEPTING THE DEDICATION OF A GRAVITY MAIN FROM MANHOLES 1 THROUGH 8, LOCATED UNDER PUDDINGSTONE ROAD

WHEREAS, Puddingstone Ridge/Shawnee Homes, Inc. (the “Developer”) is the owner of certain property identified as Block 6, Lots 9, 10, & 11; Block 7, Lots 35, 36, 37, 40 - 44; and Block 8, Lot 3 on the Tax Map of the Township of Parsippany-Troy Hills (the “Township”); and

TOWNSHIP COUNCIL AGENDA MEETING NOVEMBER 12, 2013

WHEREAS, the Developer was granted preliminary and final subdivision approval from the Planning Board of the Township of Parsippany-Troy Hills via Application # 98:010; and

WHEREAS, a gravity main was required to be constructed under Puddingstone Road as an off-tract improvement, and

WHEREAS, mandrel and pressure testing has been completed from manholes 1 – 8 as shown on the attached plan; and

WHEREAS, the Acting Sewer Superintendent recommends that the Township of Parsippany-Troy Hills accept the gravity main so that residents residing on the west and east side of Puddingstone Road may connect to the Township's sewer system; and

WHEREAS, the acceptance of the gravity main has extended beyond the expected timeline for infrastructure upgrades and that in the intervening years, property owners may have expended significant sums of money to replace or upgrade septic systems such that mandating connections to the gravity main would impose a financial hardship for some property owners; and

WHEREAS, the Township Attorney has reviewed the applicable Developer's Agreement and approves the Township's acceptance of the gravity main.

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

1. That the aforesaid recitals be and hereby are adopted and incorporated herein as if repeated in full; and
2. That the Township hereby accepts the dedication of a gravity main from manholes 1 through 8 located under Puddingstone Road; and
3. That the Township hereby waives the requirements of Township Code §329-13(F)(1) Public Sewers and Connections, for properties along this section of Puddingstone Road which are currently serviced by private septic systems, so long as those systems remain serviceable and in good working order.

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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Motion by Mr. Carifi seconded by Mr. Nelson to add Resolution #R2013-215 to the Agenda.

ROLL CALL:

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

R2013-215: RESOLUTION OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS AUTHORIZING A SETTLEMENT AGREEMENT AND RELEASE WITH EDWARD J. CORCORAN

WHEREAS, on July 21, 1994, Edward J. Corcoran (“Mr. Corcoran”) began his employment with the Township of Parsippany-Troy Hills (the “Township”), and on June 1, 2013, Mr. Corcoran retired as the Township’s Construction Official; and

WHEREAS, from January 23, 2013 to February 26, 2013, Mr. Corcoran received Worker’s Compensation Temporary Disability (“Worker’s Compensation”) payments; and

WHEREAS, at all times beginning on January 23, 2013, through the date of his retirement on June 1, 2013, Mr. Corcoran was unable to return to work; and

WHEREAS, from February 27, 2013 to May 31, 2013, sick day payments were docked from Mr. Corcoran’s employee sick day accrual bank; and

WHEREAS, Mr. Corcoran disputes the docking of sick days from his employee sick day accrual bank; and

WHEREAS, while not admitting any liability or fault, the Township and Mr. Corcoran have engaged in settlement discussions that have resulted in a settlement resolving the crediting of Mr. Corcoran’s employee sick day accrual bank and any amounts due and owing to Mr. Corcoran in the amount of \$54,063.49.

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

1. That the aforesaid recitals be and hereby are adopted and incorporated herein as if repeated in full; and
2. The Township Council hereby authorizes the Settlement Agreement by and between the Township and Mr. Corcoran; and
3. The Township Council hereby authorizes the Mayor to execute and the Township Clerk to witness the Settlement Agreement in a form acceptable to the Township Attorney.

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

ROLL CALL:

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

TOWNSHIP COUNCIL AGENDA MEETING NOVEMBER 12, 2013

ADJOURNMENT

Motion To Adjourn the Meeting By Mr. Carifi Seconded By Mr. Ferrara.

ROLL CALL:

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

MEETING ADJOURNED: 8:07pm

Respectfully submitted,

Yancy Wazirmas, Township Clerk

Brian Stanton, Council President

Minutes approved: