

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

May 13, 2014

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

FLAG SALUTE

Roll Call:	Mr. Carifi	-	Present
	Mr. dePierro	-	Present
	Mr. Peluso	-	Present
	Mr. Stanton	-	Present
	Mr. Valori	-	Present

OTHERS PRESENT: Mayor James R. Barberio; Joseph Kovalcik, Jr., Acting Business Administrator/CFO; Paula Cozzarelli, Assistant Business Administrator; Justin Marchetta, Esq., (covering for John Inglesino, Esq. for the first half of the meeting); Yancy Wazirmas, Township Clerk;

The purpose of this meeting is to set the Agenda for the Regular Township Council Meeting of May 20, 2014.

FORMAL ACTION MAY OR MAY NOT BE TAKEN.

STATEMENT OF COMPLIANCE

Adequate notice of this meeting has been provided in accordance with the requirements of the Open Public Meetings Law by filing the notice in the Office of the Township Clerk and by posting the meeting notice on the bulletin board at the Municipal Building on December 18, 2013 where it has remained posted since that date. A legal notice appeared in both the Daily Record on December 20, 2013 and the Star Ledger on December 23, 2013 and was forwarded by fax to other local newspapers and local radio stations on December 18, 2013.

Note: Council Meetings are videotaped and aired on Cablevision, Public Access Channel 21, at 11:00 a.m. on Sundays and are also available for viewing at www.parsippany.net.

MAYOR'S PRESENTATION

- Mayor Barberio presented a Proclamation to the American Cancer Society for the Relay for Life

PRESENTATION

- Budget Presentation by the Morris County Board of Chosen Freeholders Budget Subcommittee Member – **NEXT MEETING**

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

Resolution

R2014-062: RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS CONSENTING TO THE APPOINTMENT OF ELLEN M. SANDMAN AS THE BUSINESS ADMINISTRATOR OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS

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 does hereby advise and consent to Mayor James R. Barberio's appointment of Ellen M. Sandman as Business Administrator of the Township of Parsippany-Troy Hills for a term as provided by law, beginning May 13, 2014 and until the appointment and qualification of a successor.

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

ROLL CALL:

YES – Councilmembers dePierro, Peluso, Stanton, Valori and Carifi

R2014-063: RESOLUTION BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR COMMUNITY DEVELOPMENT FUNDING

WHEREAS, the Township of Parsippany-Troy Hills is eligible to receive Federal funds available through the Department of Housing and Urban Development; and

WHEREAS, the U.S. Department of Housing and Urban Development requires certain certifications to be submitted along with and as part of the Consolidated Plan Submission; and

WHEREAS, pursuant to government regulations the Township of Parsippany-Troy Hills has prepared the required submission to apply for Community Development Block Grant funds for fiscal year 2014.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Parsippany-Troy Hills, in the County of Morris, State of New Jersey, being the governing body thereof, as follows:

1. The Mayor of the Township of Parsippany-Troy Hills is hereby authorized to submit the application for Community Development Funding, including all understandings and assurances contained therein, to utilize to the fullest extent of funding allowed and determined by the Department of Housing and Urban Development, under the Housing and Community Development Act of 1974, as amended, and to act as the authorized representative of the Township of Parsippany-Troy Hills and to provide such additional information as may be required.
2. The Mayor and other appropriate and responsible officials are hereby authorized and directed to execute on behalf of the Township such certification or certifications as may be required under the Rules and Regulations of the U.S. Department of Housing and Urban Development.

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

ROLL CALL:

YES – Councilmembers dePierro, Peluso, Stanton, Valori and Carifi

Ordinance:

**ORDINANCE 2014:12
TOWNSHIP OF PARSIPPANY-TROY HILLS
CALENDAR YEAR 2014
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK- (N.J.S.A. 40A:4-45.14)**

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 13, 2014 and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on June 17, 2014 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. Stanton, seconded by Mr. Valori.

ROLL CALL:

YES – Councilmembers dePierro, Stanton, Valori and Carifi
NO – Councilmember Peluso

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

- 2014:06** An Ordinance of the Township Council of the Township of Parsippany-Troy Hills, Morris County, New Jersey Amending Section 290-7, Definitions, and Creating Section 290-18, Smoking, of the Code of Township of Parsippany-Troy Hills – **ON**
- 2014:07** An Ordinance to Supplement and Amend the Zoning Ordinance of the Township of Parsippany – Troy Hills to Provide for the Establishment of Off-Premise Signs as a Permitted Use – **ON**
- 2014:08** An Ordinance to Amend the Zoning Ordinance of the Township of Parsippany – Troy Hills to Address the O-2 Office Professional District – **ON**
- 2014:09** An Ordinance of the Township of Parsippany-Troy Hills, County of Morris and State of New Jersey Amending the Zoning Ordinance of the Township of Parsippany-Troy Hills in Order to Re-Zone Certain Properties to the RCW Recreation, Conservation, and Wildlife Zone District. – **ON**

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ADMINISTRATION

Bid(s)

Taken:

4/10/2014 @ 11:00 am Sealed Proposals for Supply of Bioxide for the Wastewater Treatment Plant **NOTED**

4/30/2014 @ 11:00 am Sealed Proposals for the Road Reconstruction of Carlson Place, Manito Avenue, Pawnee Avenue and Ute Avenue **NOTED**

5/1/2014 @ 11:00 am Sealed Proposals for the Road Reconstruction Project for Lake Parsippany – Pitman Road, Madison Road, Longport Road, Allentown Road and Bridgeton Road **NOTED**

5/8/2014 @ 11:00 am Sealed Proposals for the Roadway Improvements to Dartord Rd., Ferncliff Rd., Exeter St., Sedgfield Dr., and Grafton Dr. **NOTED**

To Be Taken:

5/21/2014 @ 10:00 am Sealed Proposals for Supply of Mannich Polymer for the Wastewater Treatment Plant **NOTED**

5/21/2014 @ 11:00 am Sealed Proposals for the Craftsman Farms Sanitary Sewers **NOTED**

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

Received:

4/14/2014 @ 11:00 am Fireworks Display Services **NOTED**

Requested: None

ORDINANCE(S):

- Ordinance of the Township of Parsippany-Troy Hills Authorizing the Execution and Renewal of a Lease with the Caretaker of Watnong Gardens **INTRODUCTION - ON**

Tabled from 4/22/14

Ord. 2014:10 An Ordinance of the Township Council of the Township of Parsippany-Troy Hills, County of Morris, State of New Jersey, to Amend and Supplement Chapter 4 Entitled Administration of Government, Article II of the Code of the Township of Parsippany-Troy Hills **NEXT AGENDA**

RESOLUTION(S):

- Resolution of the Township Council of the Township of Parsippany-Troy Hills Awarding a Contract to Evoqua Water Technologies LLC for the Supply of Bioxide for the Wastewater Treatment Plant for a Price Per Gallon of \$2.38 **ON***

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- Resolution of the Township Council of the Township of Parsippany-Troy Hills Authorizing the Execution of an Agreement for Fireworks Display Services to International Fireworks Mfg. Co. for a Total Price of \$22,000.00 **ON***
- Resolution of the Township Council of the Township of Parsippany-Troy Hills Awarding a Contract to J.A. Alexander Inc., for the Road Reconstruction of Carlson Place, Manito Avenue, Pawnee Avenue and Ute Avenue for the Total Base Bid Price of \$1,164,755.53 and the Total Alternate “A” Bid Price of \$132,000.00 **ON***
- Resolution of the Township Council of the Township of Parsippany-Troy Hills Awarding a Contract to J.A. Alexander Inc. for the Road Reconstruction Project for Lake Parsippany – Pitman Road, Madison Road, Longport Road, Allentown Road and Bridgeton Road for the Total Bid Price of \$934,101.36 **ON***
- Resolution of the Township Council of the Township of Parsippany-Troy Hills Awarding a Contract to Top Line Construction Corp. for the Roadway Improvements to Dartford Road, Ferncliff Road, Exeter Street, Sedgefield Drive and Grafton Drive for the Total Bid Price of \$1,484,916.90 **ON***
- A Resolution of the Township Council of the Township of Parsippany Troy-Hills, in the County of Morris, State of New Jersey, Granting Certificates of Exemption to Certain Members of District #1 and District #6 Fire Companies **ON***
- Resolution of the Township Council of the Township of Parsippany-Troy Hills Authorizing a Tax Appeal Settlement for Holly Gardens, Inc. and Pineview Homes, Inc. V. Township Of Parsippany-Troy Hills (Block 15.1, Lot 1.2 and Block 15.3, Lot 1) **ON***
- Resolution of the Township Council of the Township of Parsippany-Troy Hills Authorizing a Tax Appeal Settlement for 20 Waterview Blvd., LLC V. Township Of Parsippany-Troy Hills (Block 421, Lot 29.1) **ON***
- Resolution of the Township Council of the Township of Parsippany-Troy Hills Authorizing a Tax Appeal Settlement for 35 Waterview SPE, LLC V. Township Of Parsippany-Troy Hills (Block 421.4, Lot 2) **ON***
- Resolution of the Township Council of the Township of Parsippany-Troy Hills Authorizing the Execution of a Lease Between the Township of Parsippany-Troy Hills and John Grady for the “Red Brick House” **ON***
- Resolution of the Township Council of the Township of Parsippany-Troy Hills Endorsing the Submission of the Recycling Tonnage Grant Application to the New Jersey Department of Environmental Protection for the Tonnage Grant Year 2013 **ON***

TOWNSHIP OFFICE REPORTS

Engineering Report of May 2014

Status of Road Resurfacing-Puddingstone Area

The Developer installed a water main and sanitary sewer line on a portion of Puddingstone Road. The Township accepted ownership of the sanitary main at their November 12, 2013 Council meeting. The installation of sanitary laterals is complete and Developer notified to schedule a pre-construction meeting regarding the paving of Puddingstone Rd. **(No Council Action Required at this Time) NEXT AGENDA**

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

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

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

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

Canterbury Estates Vacation of Lots 26 and 77 in Block 98

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

CHIEF FINANCIAL OFFICER

Resolution:

- Temporary Budget Amendment **ON**
- 2014 Municipal Budget Introduction **ON**
- Resolution for the self-examination of the budget **ON**

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ATTORNEY

- No Report.

TOWNSHIP OFFICES / COMMITTEES

None

COMMUNICATIONS

Correspondence:

- Resolution of the Township of Franklin entitled: “Support of a Water Tax to Fund the loss of Land Equity for Property Owners in the Highlands Region.” **NOTED**

APPLICATION(S)

- Resolution of the Township Council of the Township of Parsippany-Troy Hills Authorizing the Renewal of a Limousine Owner’s License for the Year 2014 **ON***

***Consent Agenda Items**

PUBLIC HEARING

Motion to open the public hearing by Mr. Peluso Seconded by Mr. Stanton.

ROLL CALL:

YES – Councilmembers dePierro, Peluso, Stanton, Valori and Carifi

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

- David Kaplan, 263 Intervale Rd: requested that the Mayor respond to his inquiries regarding the Waterview project in some manner.
- Nick Homyak, 26 Oneida Ave, Lake Hiawatha: commented about the Waterview project, the RD Realty lawsuit and how open space money is being spent.
- Mary Purzycki, 273 Marcella Rd: commented/asked about the following: the preservation of Troy Meadows, the yard waste ordinance, and ordinance 2014:7 for the sign ordinance which is part of the settlement with CBS Outdoor.
- Len Ferriola, Land Manager for the Wildlife Preserves: spoke against the re-zoning of the Wildlife Preserve because it devalues the property.
- Jonathan Nelson, 202 Patriots Rd: asked how much the Wildlife Preserves pays in property taxes. Mayor Barberio responded they pay zero dollars.

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- Ray Vigano, 16 Whitewood Dr: asked the governing body to make changes to the Zoning Board and Planning Board members so that Parsippany is no longer known as a developer's town.
- Curtis Hardenburg, 85 Red Gate Rd: commented that RD Realty lawsuit is because the Township's professionals gave positive reports on the project.
- Diana McElroy, 37 Intervale Rd: objected to the description of the letter sent to the residents as "propaganda."
- Bob Sudal, 75 Forest Dr: asked the Township to purchase the entire Waterview tract and keep it as open space.
- Pat Petaccia, 182 Hawkins Ave: asked/commented about the following: appreciation that the Mayor and Council are working together; open space money; sewer surplus; the penalties for the no-smoking zone around the parks; the number of applicants for the business administrator position; the escrow update on the Engineering Report; and the Academic Decathlon that the high school residents participated in.
- Roy Messmer, 10 Drumlin Dr: asked/commented about the following: requested that the administration recognize "Papa" Joe for retiring; boarding homes; illegal parking at the church; commercial buildings not being plowed; occupancy tax letter to go out with the tax bills; asked that different cultures and faiths be recognized at the Memorial Day Ceremony; legal invoices were given to him from the Board of Education un-redacted.

Motion to close the public hearing by Mr. Stanton Seconded by Mr. Peluso.

ROLL CALL:

YES – Councilmembers dePierro, Peluso, Stanton, Valori and Carifi

ADJOURNMENT

Motion To Adjourn Meeting By Mr. Stanton Seconded By Mr. Valori.

ROLL CALL:

YES – Councilmembers dePierro, Peluso, Stanton, Valori and Carifi

MEETING ADJOURNED: 8:44pm

Respectfully submitted,

Yancy Wazirmas, Township Clerk

Paul Carifi, Jr., Council President

Minutes approved: