

**TOWNSHIP OF PARSIPPANY-TROY HILLS  
REGULAR TOWNSHIP COUNCIL MEETING OF MAY 20, 2014**

**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 12:00 p.m. on Sundays and are also available for viewing at [www.parsippany.net](http://www.parsippany.net).

**FLAG SALUTE**

**PRESENT:** Council President Paul Carifi, Jr.  
Council Vice-President Robert Peluso  
Council Member Michael J. dePierro  
Council Member Brian Stanton  
Council Member Louis Valori

**ALSO PRESENT:** Mayor James R. Barberio, Joseph Kovalcik, Jr., Acting Business Administrator/CFO, Paula Cozzarelli, Assistant Business Administrator, John Inglesino, Esq., Township Attorney, and Yancy Wazirmas, Township Clerk

**UPCOMING MEETINGS:**

6/10/14 @ 7:30 p.m.            Agenda Meeting  
6/17/14 @ 7:30 p.m.            Regular Meeting

**PRESENTATIONS**

- Mayor Barberio presented a proclamation to Cross Wasilewski, a third grader who organized a fundraiser for “Pin for Cancer.”

**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 and Pending/Threatened Litigation and Personnel Matters.

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**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. Stanton**

**ROLL CALL:**

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

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**Motion To Reconvene Into Open Session by Mr. Stanton Seconded By Mr. dePierro**

**ROLL CALL:**

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

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**BID(S)**

**To be Taken:**

5/21/2014 @ 10:00am	Sealed Proposals for the Supply of Mannich Polymer for the Wastewater Treatment Plant
5/21/2014 @ 11:00am	Sealed Proposals for the Craftsman Farms Sanitary Sewers
5/29/2014 @ 11:00am	Sealed Proposals for Supplying Service and Parts for the Sewer Utility Komline-Sanderson Beltpress, Gravabelt and Pumps

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

None

**ORDINANCES - SECOND READING & PUBLIC HEARING**

**ORDINANCE NO. 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**

**WHEREAS**, the Township of Parsippany-Troy Hills recognizes that smoking and second hand smoke have been repeatedly identified as health hazards; and

**WHEREAS**, the Township of Parsippany-Troy Hills finds that it is in the public interest to enact an ordinance that will help to protect children from second hand smoke and to discourage children from the temptations of experimenting with tobacco products; and

**WHEREAS**, the Township of Parsippany-Troy Hills believes that it is in the public interest and more specifically the health and welfare interests of children and adolescents to prohibit the smoking of cigarettes, cigars, and pipes, including electronic devices, within certain public places where children are likely to congregate, gather, play and/or engage in athletic competitions; and

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**WHEREAS**, it is the intention of the Township of Parsippany-Troy Hills to work in collaboration with parents and youth in our community in reinforcing the message of the ills of smoking, and in providing additional means by which parents may discourage and youth may reject tobacco use.

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

**SECTION 1.** Section 290-7 of the Township Code, Definitions, is hereby amended and supplemented to include the following definition:

**SMOKING**

The burning of, inhaling from, exhaling the smoke from, or the possession of a lighted cigar, cigarette, pipe, or any other matter or substance which contains tobacco or any other matter that can be smoked, or the inhaling or exhaling of smoke or vapor from an electronic smoking device.

**SECTION 2.** Section 290-18 of the Township Code, Smoking, is hereby created as follows:

- A. In all Township parks, smoking is prohibited in and around children's play areas as designated by no smoking signs.
- B. During any sporting event(s), smoking is prohibited at the athletic fields, sports courts, and play areas where the sporting event(s) are taking place, and is only permitted in associated parking areas.
- C. In all Township parks, the Township will post "No Smoking" signs around all children's play areas, which shall read "No Smoking Beyond This Point Pursuant to Township Code § 290-18".
- D. This Ordinance shall be enforced by the Police Department of the Township of Parsippany-Troy Hills and any person may initiate enforcement by registering a complaint with the Police Department.
- E. Any person violating any provisions of this Ordinance shall, upon conviction thereof, be subject to the penalties set forth in § 1-17 of the Township Code

**SECTION 3.** All actions of the Township taken prior to the date of adoption hereof contemplated by this Ordinance are hereby ratified and approved.

**SECTION 4.** 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 5.** 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 6.** This ordinance shall take effect immediately upon its final passage, approval and publication as provided by law.

*The Notice for the Ordinance above was published in the Daily Record, the official newspaper of the Township of Parsippany-Troy Hills on April 28, 2014.*

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Motion to accept that Ordinance 2014:06 be heard in its second and final reading by title only, by Mr. dePierro, seconded by Mr. Stanton.

**ROLL CALL:**

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

**PUBLIC HEARING 2014:06**

Motion to open the public hearing for Ordinance 2014:06 by Mr. Stanton, seconded by Mr. dePierro.

**ROLL CALL:**

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

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

- Jennifer Lepre and the Girl Scouts: thanked the Council for adopting the Ordinance and hoped this is the first step to 100% smoke-free parks in Parsippany.
- Pat Petaccia, 182 Hawkins Ave: thanked the Girl Scouts for their efforts and asked about the penalties included in the ordinance. Mr. Stanton responded that the maximum fine will always be posted but a judge can order a lower penalty.

Motion to close the public hearing for Ordinance 2014:06 by Mr. Stanton, seconded by Mr. Valori.

**ROLL CALL:**

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

**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. Stanton.

**ROLL CALL:**

**YES** – dePierro, Peluso, Stanton, Valori and Peluso

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**ORDINANCE NO. 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**

WHEREAS, the intention of this Ordinance is to aid in preserving and enhancing the aesthetic, traffic safety and environmental values of the Township of Parsippany Troy Hills in a manner that does not unnecessarily restrict channels of communication. It is the Township's intent to regulate based upon

characteristics of sign structure and location, which is content neutral. The Township finds that controls of commercial signage are needed to prevent its undesirable proliferation and to reduce its negative aesthetic affects to the Township.

WHEREAS, The Township finds it is in the interest of public welfare, aesthetics and safety that signs be limited in size, number and location. Controls of off-premise signage safeguard and preserve the health safety and welfare by regulating such signage in specific locations of the Township.

**BE IT ORDAINED** by the governing body of the Township of Parsippany – Troy Hills that it does hereby supplement and amend the Zoning Ordinance of the Township of Parsippany – Troy Hills as follows:

**SECTION 1.** Article XXI Chapter 430-186 **O-1 and O-2 Office Professional Districts Permitted Uses** is hereby amended and supplemented to add the following.

- E. In the O-2 Zoning District only, off-premise signs as defined per Chapter 430-279, subject to the following requirements:
  - 1. Minimum Lot Area: The minimum lot area shall be the same as that required for a permitted use in the zone where the off-premise sign is to be located.
  - 2. Lot Frontage: Lots where off-premise signs are to be located must have lot frontage along a freeway, or frontage on a public roadway right-of-way that is adjacent to and contiguous with a freeway, as freeways are classified in the Circulation Element of the Township Master Plan.
  - 3. Principal Permitted Use: Off-premise signs are deemed a principal permitted use of a lot, and are permitted as a second principal permitted use on a lot, provided said lot has frontage along a freeway, or frontage on a public roadway right-of-way that is adjacent to and contiguous with a freeway, as freeways are classified in the Circulation Element of the Township Master Plan
  - 4. Number of Off-Premise Signs: No more than one off-premise sign shall be located on a lot.
  - 5. Minimum and Maximum Yard Setbacks: The minimum setback of the off-premise sign from any property line, right-of-way line, or any structure or building shall be 20 feet. The maximum setback of the off-premise sign from the right-of-way line of a freeway shall be 60 feet.
  - 6. Minimum Setback from Residential Lot Line. Off-premise signs shall not be closer than 100 feet from a residential lot line or residentially zoned lot.
  - 7. Maximum Sign Face Area. The maximum sign face area of an off-premise sign shall be 672 square feet.
  - 8. Maximum Height. The maximum permitted height of an off-premise sign shall not exceed 45 feet.
  - 9. Sign Configuration. The configuration of the sign shall not contain any “pop outs” or digitally animated messages or any of the prohibitions noted in Chapter 430-283.
  - 10. Off-Premise Sign Structure and Buffering Requirements. The base and support structure of the off-premise sign shall be of a color that is compatible with the immediate area to make the structure as unobtrusive as possible. The sign shall be landscaped with evergreen and deciduous plant material in order screen the base of the sign and screen the proposed off-premise signs from adjacent properties.
  - 11. Lighting. Lighting for the off-premise sign shall be designed to minimize impacts to the surrounding area no greater than the minimum lighting levels as published by the Illuminating Engineering Society of North America, (IESNA). Said lighting shall be shielded to the maximum extent practical in order to shield glare from the proposed sign and shall be top mounted to reduce light pollution. Off-premise signs shall not be internally illuminated.
  - 12. Site Plan Review. In addition to the required site plan checklist items, the applicant shall provide visual representations to the Board, demonstrating the visual impacts of the proposed

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off-premise sign. These may be in the form of sealed diagrams or computer-generated simulations of the off-premise sign as proposed. These materials shall illustrate sight lines, views, and buffering of the proposed off-premise sign from all adjoining properties. The site plan shall limit the visual impacts on any adjoining properties and the highway corridor. Removal of existing vegetation shall be minimized to the greatest extent practical and shall be delineated on the site plan for approval.

**SECTION 2.** Article XXII Chapter 430-151 **POD Planned Office District** is hereby amended and supplemented to add the following new subsection:

- E. Off-Premise Signs, as defined per Chapter 430-279, subject to the regulations of Chapter 430-186E, except that no more than one face of an off-premise sign may be allowed as a Light Emitting Diode (LED) sign.

**SECTION 3.** Article XXIV Chapter 430-170 **LIW-5 Limited Industrial Wholesale District** is hereby amended and supplemented to add the following new subsection:

- M. Off-Premise Signs, as defined per Chapter 430-279, subject to the regulations of Chapter 430-186E.

**SECTION 4.** Article XXIV Chapter 430-173 **LIW-5 Limited Industrial Wholesale District** is hereby amended to remove the following subsection in its entirety:

- A. Off-Premise Signs, as defined per Chapter 430-279, subject to the regulations of Chapter 430-144B.

**SECTION 5.** Article XXI Chapter 430-144 **SED Specialized Economic Development Districts** is hereby amended to remove the following subsection in its entirety:

- B. Off-premises signs in the SED 5 Zone only,

**SECTION 6.** If any section, paragraph, subsection, clause or provision of this Ordinance shall be declared invalid by a court of competent jurisdiction, that decision shall not affect the validity of this Ordinance as a whole or any part thereof.

**SECTION 7.** 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 the inconsistency.

**SECTION 8.** This ordinance shall take effect immediately upon final passage, approval and publication as required by law.

*The Notice for the Ordinance above was published in the Daily Record, the official newspaper of the Township of Parsippany-Troy Hills on April 28, 2014.*

Motion to accept that Ordinance 2014:07 be heard in its second and final reading by title only, by Mr. Peluso, seconded by Mr. dePierro.

**ROLL CALL:**

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

**PUBLIC HEARING 2014:07**

Motion to open the public hearing for Ordinance 2014:07 by Mr. Stanton, seconded by Mr. Peluso.

**ROLL CALL:**

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

- **No Comments.**

Motion to close the public hearing for Ordinance 2014:07 by Mr. Stanton, seconded by Mr. Peluso.

**ROLL CALL:**

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

**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. Peluso, seconded by Mr. Valori.

**ROLL CALL:**

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

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**ORDINANCE NO. 2014:08**  
**AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE TOWNSHIP OF PARSIPPANY – TROY HILLS TO ADDRESS THE O-2 OFFICE PROFESSIONAL DISTRICT**

**WHEREAS**, the intention of this Ordinance is to amend the O-2 Office Professional District, which does not occupy any parcel in the Township.

**BE IT ORDAINED** by the governing body of the Township of Parsippany – Troy Hills that it does hereby supplement and amend the Zoning Ordinance of the Township of Parsippany – Troy Hills as follows:

**SECTION 1.** Article VI **Schedule of Yard, Area and Building Requirements** is hereby amended and supplemented as follows:

O-2 Zone	Requirements
Area (square feet)	15,000
Lot Width (feet)	100
Front Yard, Principal Building (feet)	25
Minimum One Side Yard, Principal Building (feet)	10
Both Side Yards, Principal Building (feet)	20

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Side Yard, Accessory Building (feet)	10
Rear Yard, Accessory Building (feet)	10
Minimum Gross Floor Area, 1-Story Buildings (sq ft)	2,000
Minimum Gross Floor Area, more than 1-sty buildings (sq ft)	2,000

**SECTION 2.** Article II Chapter 430-5 **Zoning Map**, Township of Parsippany – Troy Hills, New Jersey is hereby amended and supplemented as follows:

Change zoning designation of the following parcels from O-1 Zoning District to O-2 Zoning District:

Block 728 Lot 4  
Block 728 Lot 4.01  
Block 728 Lot 5  
Block 728 Lot 6  
Block 728 Lot 7

Change zoning designation of the following parcels from O-1 Zoning District to O-3 Zoning District:

Block 728 Lot 8

Change zoning designation of the following parcels from O-3 Zoning District to O-2 Zoning District:

Block 729 Lot 3  
Block 729 Lot 4  
Block 729 Lot 5

**SECTION 3.** If any section, paragraph, subsection, clause or provision of this Ordinance shall be declared invalid by a court of competent jurisdiction, that decision shall not affect the validity of this Ordinance as a whole or any part thereof.

**SECTION 4.** 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 the inconsistency.

**SECTION 5.** This ordinance shall take effect immediately upon final passage, approval and publication as required by law.

*The Notice for the Ordinance above was published in the Daily Record, the official newspaper of the Township of Parsippany-Troy Hills on April 28, 2014.*

Motion to accept that Ordinance 2014:08 be heard in its second and final reading by title only, by Mr. Stanton, seconded by Mr. dePierro.

**ROLL CALL:**

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

**PUBLIC HEARING 2014:08**

Motion to open the public hearing for Ordinance 2014:08 by Mr. Stanton, seconded by Mr. Peluso.

**ROLL CALL:**

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

- **No Comments**

Motion to close the public hearing for Ordinance 2014:08 by Mr. Stanton, seconded by Mr. Valori.

**ROLL CALL:**

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

**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. Stanton, seconded by Mr. Valori.

**ROLL CALL:**

**YES** - Councilmembers dePierro, Peluso, Stanton, Valori and Carifi

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**ORDINANCE NO. 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**

*The Notice for the Ordinance above was published in the Daily Record, the official newspaper of the Township of Parsippany-Troy Hills on April 28, 2014.*

Motion to accept that Ordinance 2014:09 be heard in its second and final reading by title only, by Mr. Valori. No second was provided therefore **MOTION FAILED**.

**PUBLIC HEARING**

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

**ROLL CALL:**

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

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

- Julia Peterson, 25 Old Parsippany Rd: spoke in support of Ordinance 2014:09 to re-zone the Wildlife Preserves. She stated her belief that the Wildlife Preserves purports to be a non-profit, but makes money off the land by selling off lots they subdivided. She spoke about the history of non-developed land in the Township.
- Nancy Brighton, 24 Maplewood Rd: spoke in support of Ordinance 2014:09 and about the history of the Troy Meadows area and the significance of the environmental impact that preservation would have on the Wildlife Preserves.
- Bob Algieri, 39 Parkside Dr: stated that he lives on a corner of Troy Meadow. He questioned what the Recreation in the title of Ordinance 2014:09 entails because he is against the Township building any type of sports fields or riding tracks in the area. He also expressed concerns that ordinances and rules are not being enforced in the area behind his house.
- William Fiore, attorney representing Wildlife Preserves: stated that there exists a misunderstanding of what the Wildlife Preserves is about. The proposed ordinance that re-zones the Wildlife Preserve as an RCW zone would restrict any use of the property and would extend the zone to the areas on the property that are developable and not environmentally sensitive. He stated his belief that the Council has not taken the time to study the property and see what the property is. By taking away R-1 and R-3 designations then the land is devalued. He also explained that not-for-profit status doesn't mean that what they have is free. He asked the Council why they are considering re-zoning this property.
- Jonathan Nelson, 202 Patriots Rd: stated his belief that open space money should be used to preserve the land of the Wildlife Preserves. He also asked about the Business Administrator's salary not being in line with the salary ordinance and the use of a Township car. Mayor Barberio responded that a salary ordinance amendment is on the agenda for introduction and explained that the car was offered to the incoming Business Administrator since being involved during emergencies is part of her job duties.
- Mary Purzycki, 273 Marcella Rd: asked the Council to pass Ordinance 2014:09 which is in conformance with the Master Plan. She presented maps of the Troy Meadows area and spoke about the history of the area.
- Len Ferriola, land manager of the Wildlife Preserves: requested that the Mayor reach out to them for a compromise solution. He spoke about how he and the rangers have protected the land for 65 years and that they are not developers.
- Ken Dolsky, 21 Winfield Dr: reported to the Council that the Sierra Club held a press conference today to describe the nature of the threat that Pilgrim Pipeline would have on the area. The pipeline would be from Albany, NY to Linden, NJ and then back to Albany. The crude oil is from fields in North Dakota. Pilgrim Pipeline is not a utility but a private company. He stated that oil pipelines are not regulated by the BPU and can be regulated by municipalities. There is no benefit to the residents but a lot of risks from the potential of numerous accidents occurring.

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- Tom Wyka, 1 Bennett Ct: asked why the ordinance to re-zone the Wildlife Preserve was not voted on tonight and hoped that the Township work with the Wildlife Preserve to purchase the land as open space.
- Brian Cooper, 29 Alan Dr: spoke in support of Ordinance 2014:09 if it will preserve the quiet neighborhood he lives in next to the Wildlife Preserves.
- Michelle Shappell, 25 Alan Dr: as a neighbor of the Wildlife Preserve, she spoke in support of Ordinance 2014:09 to re-zone and keep the neighborhood. She also asked why the Council did not vote on the ordinance.
- Blane Rothauser, 54 Park St, Florham Park: introduced himself as a conservation biologist who does work for the Wildlife Preserves. He asked why the Council wants to re-zone the land when everything is working fine. He stated that they have always protected the environment and asks the Council to let the experts continue to their good work at the Preserves.
- Vincent Aperawic, 4 Brookside Ct: stated that he is hearing inconsistencies with the information they were given at the Planning Board Meeting. At the meeting they were told about the tax benefits for the land. He stated that he has doubts about the intent of the Wildlife Preserves.
- Nick Homyak, Lake Hiawatha: brought a copy of Federal regulations for land conservation. He stated his belief that the land should be preserved or bought with open space money, that there should not have recreation facilities in the area and that the wildlife be a trust.
- Roy Messmer, 10 Drumlin Dr: thanked the Petersons for opening their historic home and for the format of the day; stated his belief that the Business Administrator should not be given a car; spoke about the poll in the Parsippany Focus for the occupancy tax which showed residents in favor of it; spoke about the signs on the Wildlife Preserves that describe what they are about; and stated his belief that the judge ordered too low of an amount for payback in the Montefusco case.
- Ed Chrisine, land steward for the Wildlife Preserves: spoke about all the work that the rangers do on the property including the removal of illegal traps.
- Pat Petaccia, 182 Hawkins Ave: asked/commented about the following: amount of open space and sewer surplus money; the Business Administrator's salary being higher than the previous BA's salary; the ordinance which was passed by the Council not granting Township cars to employees; the Wildlife Preserve application submitted to the Planning Board on 6/17/13 for the subdivision of the land into residential lots; and asked that open space money not be used for maintenance.

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

**ROLL CALL:**

**YES** - Councilmembers dePierro, Peluso, Stanton, Valori and Carifi

**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** - Councilmembers dePierro, Peluso, Stanton, Valori and Carifi

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**Bid Award(s):**

**R2014-064\*** 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

**R2014-065\*** 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

**R2014-066\*** 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

**R2014-067\*** 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

**R2014-068\*** 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, Sedgfield Drive and Grafton Drive for the Total Bid Price of \$1,484,916.90

**Resolutions:**

**R2014-069\*** 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

**R2014-070\*** 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)

**R2014-071\*** 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)

**R2014-072\*** 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)

**R2014-073\*** 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”

**R2014-074\*** 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

**Application(s)**

**R2014-075\*** 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

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**R2014-064: RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS AWARDED 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**

**WHEREAS**, the Township of Parsippany-Troy Hills received a bid proposal for Supply of Bioxide for the Wastewater Treatment Plant on April 10, 2014, and

**WHEREAS**, the Assistant Business Administrator, Director of Purchasing and Assistant Sewer Superintendent have reviewed the bid received and recommend that the bid be awarded to the lowest responsible bidder, Evoqua Water Technologies LLC, 2650 Tallevast Road, Sarasota, FL 34243 for a price per gallon of \$2.38, and

**WHEREAS**, the Chief Financial Officer of the Township of Parsippany-Troy Hills has certified to the availability of funds in the following:  
“2014 Temporary Sewer Budget/Other Expenses.”

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Parsippany-Troy Hills that the bid for Supply of Bioxide for the Wastewater Treatment Plant 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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**R2014-065: 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**

**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 Assistant 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 \$22,000.00; and

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

“2014 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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**R2014-066: 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**

**WHEREAS**, the Township of Parsippany-Troy Hills received bid proposals for Road Reconstruction of Carlson Place, Manito Avenue, Pawnee Avenue and Ute Avenue on April 30, 2014, and

**WHEREAS**, the Assistant 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, J. A. Alexander Inc., 130 John F. Kennedy Drive North, Bloomfield, NJ 07003 for the Total Base Bid Price of \$1,164,755.53 and the Total Alternate “A” Bid Price of \$132,000.00 , and

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

Current Capital Ordinance #'s 2010:13 adopted July 20, 2010,  
2011:07 adopted June 21, 2011 and 2012:24 adopted June 19, 2012, all 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 of Carlson Place, Manito Avenue, Pawnee Avenue and Ute Avenue 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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**R2014-067: 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**

**WHEREAS**, the Township of Parsippany-Troy Hills received bid proposals for Road Reconstruction Project for Lake Parsippany-Pitman Road, Madison Road, Longport Road, Allentown Road and Bridgeton Road on May 1, 2014, and

**WHEREAS**, the Assistant 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, J. A. Alexander Inc., 130 John F. Kennedy Drive North, Bloomfield, NJ 07003 for the Total Bid Price of \$934,101.36 , 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 2010:13 adopted July 20, 2010  
and 2011:07 adopted June 21, 2011, 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 Lake Parsippany-Pitman Road, Madison Road, Longport Road, Allentown Road and Bridgeton Road 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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**R2014-068: 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**

**WHEREAS**, the Township of Parsippany-Troy Hills received bid proposals for Roadway Improvements to Dartford Road, Ferncliff Road, Exeter Street, Sedgefield Drive & Grafton Drive on May 8, 2014, and

**WHEREAS**, the Assistant 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 \$1,484,916.90, 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,  
2012:24 adopted June 19, 2012 and 2013:14 adopted June 18, 2013,  
all entitled,  
“Various Improvements.”

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Parsippany-Troy Hills that the bid for Roadway Improvements to Dartford Road, Ferncliff Road, Exeter Street, Sedgefield Drive & Grafton Drive 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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**R2014-069: 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**

**WHEREAS**, Steven R. Herrmann and Jonathan R. Keller, members of the Mt. Tabor Volunteer Fire Department, District No. 1, and John P. Kelly, Robert Serrecchia, Scott Serrecchia and Jorge A. Zapata, members of Parsippany-Troy Hills Fire Association, District No. 6 have met certain requirements pursuant to N.J.S.A. 40A:14-56 which include having performed during a period seven years, 60% of fire duty, in each year respectively.

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of Parsippany Troy-Hills, County of Morris, State of New Jersey, grant Certificates of Exemption pursuant to the aforementioned statute to Steven R. Herrmann, Jonathan R. Keller, John P. Kelly, Robert Serrecchia, Scott Serrecchia and Jorge A. Zapata.

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**R2014-070: 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)**

**WHEREAS**, HOLLY GARDENS, INC. and PINEVIEW HOMES, INC. own property located at South Powdermill Road and 51-101 Gibraltar Drive and is designated as Block 15.1 Lot 2 and Block 15.3, Lot 1 on the official tax map of the Township of Parsippany-Troy Hills (“Subject Property”); and

**WHEREAS**, HOLLY GARDENS, INC. and PINEVIEW HOMES, INC. filed appeals to the Tax Court of New Jersey challenging the Subject Property’s 2009, 2010, 2011, 2012 and 2013 assessments; and

**WHEREAS**, the parties have engaged in discovery and settlement negotiations; and

**WHEREAS**, as a result of that discovery and settlement negotiations, a settlement has been reached upon the recommendation and concurrence of the Township Attorney, Township Assessor, and the Township’s Expert Appraiser; and

**WHEREAS**, HOLLY GARDENS, INC. and PINEVIEW HOMES, INC. has agreed to waive all interest due on any refund providing that same is paid by the municipality within sixty (60) days from the date of entry of the Tax Court Judgment; and

**WHEREAS**, the Township Attorney, the Tax Assessor, and the Township’s Expert Appraiser have all recommended said settlement to the Township Council; and

**WHEREAS**, the Township Council is of the opinion that said settlement is in the best interests of the Township of Parsippany-Troy Hills;

**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. Settlement of the 2009 through 2012 tax appeals is hereby authorized as follows:

	<u>Original Assessment</u>	<u>Settlement Amount</u>
<b>Years: 2009, 2010, 2011 &amp; 2012</b>		
<b>Block 15.3, Lot 1</b>		
<b>51-101 Gibraltar Drive</b>		
<b>LAND</b>	<b>\$ 8,665,200</b>	<b>\$ 8,665,200</b>
<b>IMPROVEMENTS</b>	<b>\$ 4,193,200</b>	<b>\$ 4,193,200</b>
<b>TOTAL</b>	<b>\$12,858,400</b>	<b>\$ 12,858,400</b>

2. Settlement of the 2013 tax appeal is hereby authorized as follows:

	<u>Original Assessment</u>	<u>Settlement Amount</u>
<b>Year: 2013</b>		
<b>Block 15.3, Lot 1</b>		
<b>51-101 Gibraltar Drive</b>		
<b>LAND</b>	<b>\$ 8,665,200</b>	<b>\$ 7,165,200</b>
<b>IMPROVEMENTS</b>	<b>\$ 4,193,200</b>	<b>\$ 4,193,200</b>
<b>TOTAL</b>	<b>\$ 12,858,400</b>	<b>\$ 11,358,400</b>

3. Settlement of the 2009 through 2013 tax appeals is hereby authorized as follows:

	<u>Original Assessment</u>	<u>Settlement Amount</u>
<b>Years: 2009, 2010, 2011, 2012 &amp; 2013</b>		
<b>Block 15.1, Lot 1.2</b>		
<b>South Powdermill Road</b>		
<b>LAND</b>	<b>\$ 22,400</b>	<b>\$ 22,400</b>
<b>IMPROVEMENTS</b>	<b>\$ 0</b>	<b>\$ 0</b>
<b>TOTAL</b>	<b>\$ 22,400</b>	<b>\$ 22,400</b>

**NOW, THEREFORE, BE IT RESOLVED** that all municipal officials are hereby authorized to take whatever action may be necessary to implement the terms of the resolution.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Parsippany-Troy Hills, County of Morris, State of New Jersey, that the settlement in this matter as set forth herein above, be and the same is approved, and Township Attorney is hereby authorized and directed to affect said settlement.

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**R2014-071: 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)**

**WHEREAS**, 20 WATERVIEW BLVD. LLC owns property located at 20 Waterview Blvd. and is designated as Block 421, Lot 29.1 on the official tax map of the Township of Parsippany-Troy Hills ("Subject Property"); and

**WHEREAS**, 20 WATERVIEW BLVD. LLC filed appeals to the Tax Court of New Jersey challenging the Subject Property's 2009, 2010, 2011, 2012 and 2013 assessments; and

**WHEREAS**, the parties have engaged in discovery and settlement negotiations; and

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**WHEREAS**, as a result of that discovery and settlement negotiations, a settlement has been reached upon the recommendation and concurrence of the Township Attorney, Special Counsel and Township Assessor; and

**WHEREAS**, 20 WATERVIEW BLVD. LLC has agreed to waive all interest due on any refund providing that same is paid by the municipality within sixty (60) days from the date of entry of the Tax Court Judgment; and

**WHEREAS**, 20 WATERVIEW BLVD. LLC has agreed to waive the provisions of the N.J.S.A. 54:51A-8 (“Freeze Act”); and

**WHEREAS**, the Township Attorney, Special Counsel and the Tax Assessor have all recommended said settlement to the Township Council; and

**WHEREAS**, the Township Council is of the opinion that said settlement is in the best interests of the Township of Parsippany-Troy Hills;

**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. Settlement of the 2009, 2010 and 2011 tax appeals is hereby authorized as follows:

	<u>Original Assessment</u>	<u>Settlement Amount</u>
<b>Years: 2009, 2010 &amp; 2011</b>		
<b>LAND</b>	<b>\$ 10,622,500</b>	<b>\$ 10,622,500</b>
<b>IMPROVEMENTS</b>	<b>\$ 14,286,200</b>	<b>\$ 14,286,200</b>
<b>TOTAL</b>	<b>\$ 24,908,700</b>	<b>\$ 24,908,700</b>

2. Settlement of the 2012 tax appeal is hereby authorized as follows:

	<u>Original Assessment</u>	<u>Settlement Amount</u>
<b>Years: 2012</b>		
<b>LAND</b>	<b>\$ 10,622,500</b>	<b>\$ 10,622,500</b>
<b>IMPROVEMENTS</b>	<b>\$ 14,286,200</b>	<b>\$ 13,286,200</b>
<b>TOTAL</b>	<b>\$ 24,908,700</b>	<b>\$ 23,908,700</b>

3. Settlement of the 2013 tax appeal is hereby authorized as follows:

	<u>Original Assessment</u>	<u>Settlement Amount</u>
<b>Years: 2013</b>		
<b>LAND</b>	<b>\$ 10,622,500</b>	<b>\$ 10,622,500</b>
<b>IMPROVEMENTS</b>	<b>\$ 14,286,200</b>	<b>\$ 12,286,200</b>
<b>TOTAL</b>	<b>\$ 24,908,700</b>	<b>\$ 22,908,700</b>

**NOW, THEREFORE, BE IT RESOLVED** that all municipal officials are hereby authorized to take whatever action may be necessary to implement the terms of the resolution.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Parsippany-Troy Hills, County of Morris, State of New Jersey, that the settlement in this matter as set forth herein above, be and the same is approved, and Special Counsel is hereby authorized and directed to affect said settlement

**R2014-072: 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)**

**WHEREAS**, 35 WATERVIEW SPE LLC owns property located at 35 Waterview Blvd. and is designated as Block 421.4, Lot 2 on the official tax map of the Township of Parsippany-Troy Hills (“Subject Property”); and

**WHEREAS**, 35 WATERVIEW SPE LLC filed appeals to the Tax Court of New Jersey challenging the Subject Property’s 2010, 2011, 2012 and 2013 assessments; and

**WHEREAS**, the parties have engaged in discovery and settlement negotiations; and

**WHEREAS**, as a result of that discovery and settlement negotiations, a settlement has been reached upon the recommendation and concurrence of the Township Attorney, Special Counsel and Township Assessor; and

**WHEREAS**, 35 WATERVIEW SPE LLC has agreed to waive all interest due on any refund providing that same is paid by the municipality within sixty (60) days from the date of entry of the Tax Court Judgment; and

**WHEREAS**, 35 WATERVIEW SPE LLC has agreed to waive the provisions of the N.J.S.A. 54:51A-8 (“Freeze Act”); and

**WHEREAS**, the Township Attorney, the Tax Assessor, and the Township’s Expert Appraiser have all recommended said settlement to the Township Council; and

**WHEREAS**, the Township Council is of the opinion that said settlement is in the best interests of the Township of Parsippany-Troy Hills;

**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. Settlement of the 2010, 2011 and 2012 tax appeals is hereby authorized as follows:

	<u>Original Assessment</u>	<u>Settlement Amount</u>
<b>Years: 2010, 2011 &amp; 2012</b>		
<b>LAND</b>	<b>\$ 9,696,800</b>	<b>\$ 9,696,800</b>
<b>IMPROVEMENTS</b>	<b>\$ 9,974,400</b>	<b>\$ 9,974,400</b>
<b>TOTAL</b>	<b>\$ 19,671,200</b>	<b>\$ 19,671,200</b>

2. Settlement of the 2013 tax appeal is hereby authorized as follows:

	<u>Original Assessment</u>	<u>Settlement Amount</u>
<b>Years: 2013</b>		
<b>LAND</b>	<b>\$ 9,696,800</b>	<b>\$ 9,696,800</b>
<b>IMPROVEMENTS</b>	<b>\$ 9,974,400</b>	<b>\$ 8,974,400</b>
<b>TOTAL</b>	<b>\$ 19,671,200</b>	<b>\$ 18,671,200</b>

**NOW, THEREFORE, BE IT RESOLVED** that all municipal officials are hereby authorized to take whatever action may be necessary to implement the terms of the resolution.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Parsippany-Troy Hills, County of Morris, State of New Jersey, that the settlement in this matter as set forth herein above, be and the same is approved, and Township Attorney is hereby authorized and directed to affect said settlement.

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**R2014-073: 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”**

**WHEREAS**, there is located on the property owned by the Township and commonly referred to as The Knoll, certain rental property; and

**WHEREAS**, the Township, in the past, has rented this property to Township employees, particularly those who are connected with the operation of The Knoll; and

**WHEREAS**, the Administration has recommended the execution of a lease between the Township and John Grady, an employee at The Knoll, of a house located at The Knoll, for a term of two years commencing on May 1, 2014 and ending on April 30, 2016, a copy of the full lease being on file with the Township Clerk.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Parsippany-Troy Hills, that it does hereby authorize the Assistant Business Administrator to execute the lease between the Township and John Grady, Single, for a period of two years for rental of the “Red Brick House” located at The Knoll.

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**R2014-074: 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**

**WHEREAS**, the Mandatory Source Separation and Recycling Act, P.L.1987, c.102, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

**WHEREAS**, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

**WHEREAS**, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

**WHEREAS**, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

**WHEREAS**, a resolution authorizing this municipality to apply for such tonnage grants will memorialize the commitment of this municipality to recycling and to indicate the assent of the Township Council to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

**WHEREAS**, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

**NOW THEREFORE BE IT RESOLVED** by the Township Council of the Township of Parsippany-Troy Hills hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates R. Greg Schneider to ensure that the application is properly filed; and

**BE IT FURTHER RESOLVED** that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

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**R2014-075: 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**

**BE IT RESOLVED** by the Township Council of the Township of Parsippany-Troy Hills that the following Limousine Owner's License be renewed for the year 2014.

**B. Singh and G. Singh a Partnership  
t/a All Star Limousine  
181 New Road, Suite 201  
Parsippany, NJ 07054**

**(1 Vehicle)**

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**APPROVAL OF MINUTES (Non-Consent Agenda)**

Motion to approve the Minutes listed below by Mr. Stanton seconded by Mr. dePierro.

- Closed Session Meeting of 10/1/2013
- Closed Session Meeting of 10/8/2013
- Closed Session Meeting of 11/12/2013
- Closed Session Meeting of 11/26/2013
- Agenda Meeting of 11/12/2013
- Regular Meeting of 10/8/2013
- Regular Meeting of 11/26/2013

**ROLL CALL:**

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

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**ORDINANCES - INTRODUCTION**

**ORDINANCE 2014:13**

**ORDINANCE OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS AUTHORIZING THE EXECUTION AND RENEWAL OF A LEASE WITH THE CARETAKER OF WATNONG GARDENS**

**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 20, 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. dePierro, seconded by Mr. Stanton.

**ROLL CALL:**

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

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**ORDINANCE 2014:14**

**AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, MORRIS COUNTY, NEW JERSEY AMENDING SECTION 354-11, YARD WASTE, OF THE CODE OF TOWNSHIP OF PARSIPPANY-TROY HILLS**

**BE IT RESOLVED** that the above Ordinance be introduced, read by title, and passed on first reading at a Meeting of the Township Council of the Township of Parsippany-Troy Hills held on **May 20, 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. Peluso, seconded by Mr. dePierro.

**ROLL CALL:**

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

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**ORDINANCE 2014:15**  
**AN ORDINANCE AMENDING ORDINANCE #2013:16 ENTITLED AN ORDINANCE  
ESTABLISHING WHITE COLLAR SALARY RANGES FOR THE TOWNSHIP OF  
PARSIPPANY-TROY HILLS**

**BE IT RESOLVED** that the above Ordinance be introduced, read by title, and passed on first reading at a Meeting of the Township Council of the Township of Parsippany-Troy Hills held on **May 20, 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, Peluso, Stanton, Valori and Carifi

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**ORDINANCE 2014:16**  
**AN ORDINANCE OF THE TOWNSHIP OF PARSEPPANY-TROY HILLS, COUNTY OF  
MORRIS AND STATE OF NEW JERSEY AMENDING THE ZONING ORDINANCE  
OF THE TOWNSHIP OF PARSEPPANY-TROY HILLS IN ORDER TO RE-ZONE  
CERTAIN PROPERTIES TO THE RCW RECREATION, CONSERVATION, AND  
WILDLIFE ZONE DISTRICT**

**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 20, 2014** and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on **June 2, 2014** at 6:00 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. Valori, seconded by Mr. Stanton.

**ROLL CALL:**

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

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**Motion by Mr. Carifi seconded by Mr. dePierro to schedule a Special Meeting for June 2, 2014 at 6:00pm in Council Chambers for the purpose of a Public Hearing, Second Reading and possible passage of Ordinance 2014:06.**

**ROLL CALL:**

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

**RESOLUTIONS (NON-CONSENT AGENDA)**

**R2014-076: RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS AMENDING THE 2014 TEMPORARY BUDGET-III**

WHEREAS, an emergent condition has arisen with respect to the need for CY 2014 appropriations under the temporary budget and no adequate provision has been made in the CY 2014 temporary appropriations for the aforesaid purposes and that N.J.S.A.:40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned;

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of ParsIPPany-Troy Hills that, in accordance with the provision of N.J.S.A. 40A:4-20, the temporary budget is amended with the following additions:

CURRENT FUND			
General Government			
	General Administration		
		Salaries and Wages	320,000.00
		Other Expenses	40,000.00
	Township Council		
		Salaries and Wages	27,000.00
		Other Expenses	2,000.00
	Municipal Clerk		
		Salaries and Wages	87,000.00
		Other Expenses	45,000.00
	Treasury		
		Salaries and Wages	101,000.00
		Other Expenses	22,000.00
	Tax Collection		
		Salaries and Wages	57,000.00
		Other Expenses	15,000.00
	Tax Assessing		
		Salaries and Wages	125,000.00
		Other Expenses	25,000.00
	Department of Law		
		Other Expenses	550,000.00
	Department of Engineering		
		Salaries and Wages	225,000.00
		Other Expenses	35,000.00

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Land Use Administration			
	Department of Planning		
		Salaries and Wages	25,000.00
		Other Expenses	25,000.00
	Board of Adjustment		
		Salaries and Wages	35,000.00
		Other Expenses	15,000.00
Code Enforcement and Administration			
	Housing and Zoning Code Enforcement		
		Salaries and Wages	200,000.00
		Other Expenses	23,000.00
	Department of Building & Inspections		
		Salaries and Wages	500,000.00
		Other Expenses	300,000.00
Insurance			
	Liability Insurance		493,000.00
	Worker Compensation		670,000.00
	Employee Health and Group Life		6,500,000.00
	Unemployment Insurance		35,000.00
Public Safety			
	Police Department		
		Salaries and Wages	7,000,000.00
		Other Expenses	450,000.00
	Municipal Court		
		Salaries and Wages	255,000.00
		Other Expenses	15,000.00
		Prosecutor	40,000.00
	Fire Prevention Bureau		
		Salaries and Wages	155,000.00
		Other Expenses	35,000.00
	Office of Emergency Management		
		Salaries and Wages	15,000.00
		Other Expenses	22,000.00
	First Aid Organizations		145,000.00
Public Works			
	Department of Public Works		

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		Salaries and Wages	1,300,000.00	
		Other Expenses	750,000.00	
	Garbage and Trash Removal			
		Salaries and Wages	1,000,000.00	
		Other Expenses	260,000.00	
	Buildings and Grounds			
		Salaries and Wages	225,000.00	
		Other Expenses	200,000.00	
	Vehicle Maintenance			
		Other Expenses	251,000.00	
	Sharkey's Landfill			
		Other Expenses	30,000.00	
Health and Human Services				
	Maintenance of free Public Library		2,400,000.00	
	Public Health Services			
		Salaries and Wages	500,000.00	
		Other Expenses	140,000.00	
	Senior Citizen Center			
		Salaries and Wages	95,000.00	
		Other Expenses	50,000.00	
	Dog Regulation			
		Other Expenses	100,000.00	
	Contribution to Day Care Center		30,000.00	
Parks & Recreation				
	Maintenance of Parks			
		Salaries and Wages	850,000.00	
		Other Expenses	275,000.00	
	Recreation Services			
		Salaries and Wages	350,000.00	
		Other Expenses	125,000.00	
Utility Expenses				
	Electricity		250,000.00	
	Street Lighting		300,000.00	
	Telephone		170,000.00	

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	Gas (Natural or Propane)		130,000.00	
	Gasoline		500,000.00	
	Solid Waste Disposal Costs		950,000.00	
	Capital Improvement Fund:			
		Capital Improvement Fund	100,000.00	
	Debt Service			
		Green Acres	68,000.00	
		Payment of Bond Principal	2,530,000.00	
		Payment of Bond Interest	1,300,000.00	
Grants				
	ROID Grant	Other Expenses	20,000.00	
	Recycling Tonnage Grant	Other Expenses	67,441.00	
	No Net Loss Grant	Other Expenses	54,000.00	
	Municipal Alliance	Other Expenses - Local Match	8,500.00	
	Municipal Alliance	Other Expenses - County Portion	14,450.50	
Statutory Expenditures				
		Contributions to:		
		PFRS	2,687,441.22	
		PERS	1,209,581.03	
		DCRP	5,000.00	
		Social Security System	600,000.00	
	<b>Total:</b>			<b>38,524,413.75</b>
<u>WATER UTILITY</u>				
	Operating			
		Salaries and Wages	1,000,000.00	
		Other Expenses	1,500,000.00	
	Statutory Expenditures			
		PERS	213,193.00	
		Social Security System	100,000.00	
	Debt Service			
		Payment of Bond Interest	110,000.00	
		Payment of Bond Principal	235,000.00	
		Environmental Infrastructure	6,000.00	
	<b>Total:</b>			<b>3,164,193.00</b>
<u>SEWER UTILITY</u>				
	Operating			

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		Salaries and Wages	1,700,000.00	
		Other Expenses	3,100,000.00	
	Statutory Expenses			
		PERS	355,323.00	
		Social Security System	150,000.00	
	Debt Service			
		Payment of Bond Interest	130,000.00	
		Payment of Bond Principal	160,000.00	
		Environmental Infrastructure	405,000.00	
	<b>Total:</b>			<b>6,000,323.00</b>
<b>KNOLL COUNTRY CLUB UTILITY</b>				
	Operating			
		Salaries and Wages	800,000.00	
		Other Expenses	1,000,000.00	
	Statutory Expenses			
		PERS	142,129.00	
		Social Security System	75,000.00	
	Debt Service			
		Payment of Bond Principal	150,000.00	
		Payment of Bond Interest	46,000.00	
	<b>Total:</b>			<b>2,213,129.00</b>

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

**ROLL CALL:**

**YES** - Councilmembers dePierro, Peluso, Stanton, Valori and Carifi

**R2014-077: RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS AUTHORIZING THE 2014 MUNICIPAL BUDGET BE READ BY TITLE ONLY**

**WHEREAS**, N.J.S.A 40A:4-8 provides that the budget be read by title only at the time of public hearing if a resolution is passed by not less than a majority of the full governing body, providing that at least one week prior to the date of hearing a complete copy of the approved budget as advertised has been posted in the Municipal Building, the local public library, and copies have been made available by the Clerk to persons requesting them; and

**WHEREAS**, these conditions have been met;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Parsippany – Troy Hills, in the County of Morris, State of New Jersey, that the budget shall be read by title only.

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

**ROLL CALL:**

**YES** - Councilmembers dePierro, Peluso, Stanton, Valori and Carifi

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**R2014-078: RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS AUTHORIZING THE SELF-EXAMINATION OF THE 2014 MUNICIPAL BUDGET**

**WHEREAS**, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

**WHEREAS**, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

**WHEREAS**, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the *Township of Parsippany – Troy Hills* has been declared eligible to participate in the program by the Division of Local government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2014 budget year.

**NOW THEREFORE BE IT RESOLVED** by the governing body of the *Township of Parsippany – Troy Hills* that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
  - a. Payment of interest and debt redemption charges
  - b. Deferred charges and statutory expenditures
  - c. Cash deficit of preceding year
  - d. Reserve for uncollected taxes
  - e. Other reserves and non-disbursement items
  - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
  - a. All estimates of revenue are reasonable, accurate and correctly stated,
  - b. Items of appropriation are properly set forth
  - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.

**REGULAR TOWNSHIP COUNCIL MEETING MAY 20, 2014**

5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.

6. That all other applicable statutory requirements have been fulfilled.

**BE IT FURTHER RESOLVED** that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

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

**ROLL CALL:**

**YES** - Councilmembers dePierro, Peluso, Stanton, Valori and Carifi

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**R2014-079: 2014 MUNICIPAL BUDGET INTRODUCTION**

**BE IT RESOLVED**, by the Mayor and Township Council of the Township of Parsippany – Troy Hills, in the County of Morris, State of New Jersey as follows:

1. Pursuant to N.J.S.A. 40A:4-4, the 2014 budget and tax resolution, a copy of which is on file in the Office of the Parsippany – Troy Hills Chief Financial Officer, is introduced and approved.

2. The Parsippany – Troy Hills Chief Financial Officer, the Business Administrator, Legal Counsel and the Municipal Clerk of the Township are authorized to take any necessary actions for the consideration of the adoption of the 2014 budget and tax resolution by the Mayor and Township Council at the meeting of June 17, 2014 at 7:35 p.m.

3. Notice is hereby given that a hearing on the budget and tax resolution will be held at Parsippany on June 17, 2014 at 7:35 p.m. at which time and place objections to said budget and tax resolution for the year 2014 may be presented by taxpayers or other interested persons.

Total of General Appropriations	\$ 63,425,698.50
Less: Anticipated Revenue	\$ 19,833,598.50
Less: Municipal Library Tax	<u>\$ 2,827,742.00</u>
Amount to be raised by taxation	<u>\$ 40,764,358.00</u>

4. A copy of the 2014 budget and tax resolution is on file in the Municipal Clerk and each of the respective libraries.

5. The Municipal Clerk is authorized to forward a certified copy of the 2014 budget and tax resolution to the Morris County Board of Taxation for utilization in the County's abstract of ratables.

6. The within resolution shall take effect immediately

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

**ROLL CALL:**

**YES** - Councilmembers dePierro, Peluso, Stanton, Valori and Carifi

**R2014-080: RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS APPROVING THE INTERLOCAL SERVICES AGREEMENT WITH THE COUNTY OF MORRIS TO FORM A CONSORTIUM TO CONDUCT HOME INVESTMENT PARTNERSHIP ACTIVITIES**

**WHEREAS**, certain Federal funds are potentially available to Morris County under Title II of the National Affordable Housing Act of 1990; and

**WHEREAS**, the U.S. Department of Housing and Urban Development requires an agreement to allow the Township of Parsippany-Troy Hills to join the County of Morris in a Consortium in order to participate in the HOME Investment Partnership Program; and

**WHEREAS**, an Agreement has been proposed under which the Township of Parsippany-Troy Hills and the County of Morris will form a Consortium for the purpose of the HOME Investment Partnership Program, funded by the National Affordable Housing Act; and

**WHEREAS**, the Uniform Shared Services and Consolidation Act (N.J.S.A. 40A:65-1 et seq.) provides a mechanism through which the urban county and a municipality may enter into agreements for the provision of joint services; and

**WHEREAS**, it is in the best interest of the Township of Parsippany-Troy Hills to enter into such an agreement;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Parsippany-Troy Hills, that the agreement between the County of Morris in the State of New Jersey and the Township of Parsippany-Troy Hills in the State of New Jersey to form a Consortium to conduct HOME Investment Partnership activities be approved, and that the Mayor and Township Clerk are authorized to execute the agreement, a copy of which is on file in the Office of the Director of Purchasing; and

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

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

**ROLL CALL:**

**YES** - Councilmembers dePierro, Peluso, Stanton, Valori and Carifi

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**Mayor Barberio thanked the Council for Introducing the Budget.**

**ADJOURNMENT**

**Motion To Adjourn Meeting by Mr. Stanton Seconded By Mr. dePierro**

**ROLL CALL:**

**YES** - Councilmembers dePierro, Peluso, Stanton, Valori and Carifi

**MEETING ADJOURNED: 9:56 pm**