

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

June 10, 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; John Inglesino, Esq., Township Attorney; Yancy Wazirmas, Township Clerk;

The purpose of this meeting is to set the Agenda for the Regular Township Council Meeting of June 17, 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.

PRESENTATION

- Budget Presentation by Freeholder Director Tom Mastrangelo from the Morris County Board of Chosen Freeholders Budget Subcommittee (handout)

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

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) – **ON**

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- 2014:13** Ordinance of the Township of Parsippany-Troy Hills Authorizing the Execution and Renewal of a Lease with the Caretaker of Watnong Gardens – **ON**
- 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 – **ON**
- 2014:15** An Ordinance Amending Ordinance #2013:16 Entitled an Ordinance Establishing White Collar Salary Ranges for the Township of Parsippany-Troy Hills – **ON**

Status of Adopted Ordinances:

<u>Ordinance Title and Number</u>	<u>Adopted Date</u>	<u>Mayoral Action</u>	<u>Effective Date</u>
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 (2014:06)	5/20/2014	5/22/2014	6/11/2014
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 (2014:07)	5/20/2014	5/22/2014	6/11/2014
An Ordinance to Amend the Zoning Ordinance of the Township of Parsippany – Troy Hills to Address the O-2 Office Professional District (2014:08)	5/20/2014	5/22/2014	6/11/2014
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 (2014:09)	Failed 5/20/2014		
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) (2014:11)	Failed 5/06/2014		

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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 (2014:16)	6/02/2014	6/02/2014	6/22/2014
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DISCUSSION/REMINDERS:

Scheduled Meetings

6/17/14 @ 7:30 p.m. Regular Meeting
7/08/14 @ 7:30 p.m. Agenda Meeting

Minutes for Approval:

None

ADMINISTRATION

Bid(s)

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**
5/29/2014 @ 11:00 am Sealed Proposals for Supplying Service and Parts for the Sewer Utility Komline-Sanderson Beltpress, Gravabelt and Pumps **NOTED**
6/5/2014 @ 11:00 am Sealed Proposals for Various Size Containers Including Heavy Duty Open Top Roll-Off, Rear Load Trash and Front Load Trash for the Department of Public Works (**No Bids Received.**) **NOTED**

To Be Taken:

6/26/2014 @ 11:00 am Sealed Proposals for the Operation of Indoor Tennis Facility and Provision of Tennis Director /Professional and Related Services at the Parsippany Community Center **NOTED**

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

Received:

Requested: None

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ORDINANCE(S):

- An Ordinance Establishing White Collar Salary Ranges for 2014 **INTRODUCTION - ON**
- An Ordinance of the Township Council of the Township of Parsippany-Troy Hills, Morris County, New Jersey, Amending Section 4-74, Committees, of the Code of the Township of Parsippany-Troy Hill (Finance Committee) **INTRODUCTION - ON**

Discussion

- None

RESOLUTION(S):

- Resolution of the Township Council of the Township of Parsippany-Troy Hills Awarding a Contract to Polydyne Inc. for the Supply of Mannich Polymer for the Wastewater Treatment Plant for a Unit Price Per Gallon of \$0.7490 **ON***
- Resolution of the Township Council of the Township of Parsippany-Troy Hills Awarding a Contract to M.S.P. Construction Corp. for Craftsman Farms Sanitary Sewers for the Total Bid Price of \$329,166.00 **ON***
- Resolution of the Township Council of the Township of Parsippany-Troy Hills Awarding a Contract to Komline-Sanderson Engineering Corporation for the Sewer Utility Komline-Sanderson Beltpress, Gravabelt and Pumps for a Total Cost of \$20,678.00 **ON***
- Resolution of the Township Council of the Township of Parsippany-Troy Hills Confirming the Appointment and Awarding a Contract for Professional Engineering Services to Slaby Engineering Associates, Inc. **ON***
- Resolution of the Township Council of the Township of Parsippany-Troy Hills Confirming the Appointment and Awarding a Contract for Professional Engineering Services to Keller & Kirkpatrick, Inc. **ON***
- Resolution of the Township Council of the Township of Parsippany-Troy Hills Confirming the Appointment and Awarding a Contract for Professional Engineering Services to Van Cleef Engineering Associates, LLC **ON***
- Resolution of the Township Council of the Township of Parsippany-Troy Hills Confirming the Appointment and Awarding a Contract for Professional Engineering Services to Adams, Rehmann & Heggan, Inc. **ON***
- Resolution of the Township Council of the Township of Parsippany-Troy Hills Confirming the Appointment and Awarding a Contract for Professional Engineering Services to Hatch Mott MacDonald **ON***
- Resolution of the Township Council of the Township of Parsippany-Troy Hills Confirming the Appointment and Awarding a Contract for Professional Engineering Services to Omland Engineering Services, Inc. **ON***

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- Resolution of the Township Council of the Township of Parsippany-Troy Hills Confirming the Appointment and Awarding a Contract for Professional Engineering Services to Engineering & Environmental Services, Inc. **ON***
- Resolution of the Township Council of the Township of Parsippany-Troy Hills Confirming the Appointment and Awarding a Contract for Professional Engineering Services to Alaimo Engineering Group **ON***
- Resolution of the Township Council of the Township of Parsippany-Troy Hills Authorizing an Agreement with KEMS, LLC For Chemical Engineering Services Related to Title V Air Pollution Regulations for the Parsippany Wastewater Treatment Facility **ON***
- Resolution of the Township Council of the Township of Parsippany-Troy Hills Authorizing an Agreement with AlphaDog Solutions, Inc. for Maintenance of the Township's Website **ON***
- Resolution of the Township Council of the Township of Parsippany-Troy Hills Authorizing the Cancellation and Refund of Property Taxes for Block 220 Lot 4 – 100% Totally And Permanently Disabled Veteran **ON***
- Resolution of the Township Council of the Township of Parsippany-Troy Hills Authorizing the Cancellation and Refund of Property Taxes for Block 376 Lot 8 – 100% Totally And Permanently Disabled Veteran **ON***
- Resolution of the Township Council of the Township of Parsippany-Troy Hills Certifying Volunteer First Aid, Rescue and Recovery and Ambulance Squads as Being Qualified for Emergency Medical Service Programs **ON***

NON-CONSENT AGENDA ITEM: Requires a public hearing at the June 17th Regular Meeting:

- Resolution of the Township Council of the Township of Parsippany-Troy Hills Authorizing an Application to the Morris County Preservation Trust for the Acquisition of a Portion of the Property Identified as Block 421, Lot 29 and Fronting on Intervale Road - **ON**

TOWNSHIP OFFICE REPORTS

Resolution(s):

- None

Engineering Report of June 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 has been completed and paving of the road should

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take place within the next month. **(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**

CHIEF FINANCIAL OFFICER

Resolution:

- 2014 Municipal Budget Public Hearing and Adoption - **ON**

ATTORNEY

- **OPRA Discussion:** Mr. Inglesino addressed an OPRA issue because there was a false headline in Parsippany Focus "Parsippany Breaks OPRA Law Request" posted on June 6th. The OPRA law was not broken. There was a request made for 2013 W-2 forms on Tuesday, June 3rd at 2:09pm. The request was made by Mr. Frank Cahill who was under the impression that he was entitled to immediate access of those W-2s. Under the OPRA law, although the Township has seven business days to respond to requests for public information, there is by statute certain instances in which certain information must be made readily available on an immediate basis. Those pieces of information are specifically set forth in the statute and they include budgets, bills, vouchers, contracts including collective negotiated agreements, individual employment contracts, public employee salary and overtime information. W-2s are specifically not included as information that is readily available because they contain readily identifiable personal information (social security numbers and employer identification numbers) and health insurance related information which must be excluded so the Township is not in violation with Federal HIPAA laws. The W-2s needed to be reviewed and redacted to be in compliance with applicable laws. The law was complied with because the redacted documents were given to Mr. Cahill within the seven business days.

TOWNSHIP OFFICES / COMMITTEES

- Mr. dePierro discussed two possible resolutions he felt the Council should support. The first resolution is for the Township to oppose the Pilgrim Pipeline which consists of two pipelines that would follow the PSE&G route that goes through the Troy Meadows. The other resolution is for the JCP&L power line that is proposed to go through and would have a significant impact on the residents along its route. JCP&L has proposed an alternate route that would cut through the wetlands and would have minimal impact on residential properties. Mr. Peluso expressed concerns for the disturbance to the wetlands and the environmental impact this would have on the area and suggested they join Montville to prevent the lines from coming in at all. He also expressed concerns about pitting neighbors against each other. After further discussion, the council agreed to place a resolution on next week's agenda opposing the Pilgrim Pipeline and that they will further review the JCP&L proposed routes.

COMMUNICATIONS

Correspondence:

- None

APPLICATION(S)

- Resolution of the Township Council of the Township of Parsippany-Troy Hills Approving the Applications for Licenses to Operate a Shelter and Pet Store: Township of Parsippany-Troy Hills Animal Shelter and Petco #1854 **ON***
- 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***
- Resolution of the Township Council of the Township of Parsippany-Troy Hills Approving and Authorizing Retail Liquor Licenses Renewals for the Licensing Term, July 1, 2014 Through June 30, 2015 **ON***

***Consent Agenda Items**

PUBLIC HEARING

Motion to open the public hearing by Mr. Peluso 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.**

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- Ken Dolsky, 21 Winfield Dr: thanked the Council for considering a resolution to oppose the Pilgrim Pipeline. He explained the different routes for the JCP&L power lines, the impact on homeowners and the timeframe needed for the Council to take some time of action. He also expressed his belief that odds are slim for preventing the utility company from putting in the power lines. Mr. Peluso responded that he is seeking an amicable solution that will not pit neighbors and towns against each other.
- Richard Young, 179 Intervale Rd: asked questions about the RD Realty lawsuit and the Township's pursuit of open space money. Mr. Inglesino responded.
- John Garrison, 78 Intervale Rd, Mountain Lakes: asked how much money is in the open space budget (\$5.4 million); why constituents are not made aware of meeting that happen behind closed doors and is the Township considering allocating open space money to the Mount Tabor Golf House.
- Katie Reese, 26 Morris Ave, Mt. Tabor: also asked about the purchase of the Mount Tabor golf house with open space money. Mr. Inglesino responded that currently, this is a matter of contractual negotiations and before speaking on the matter publicly, he needs the opportunity to confer with his client in Executive Session. After that, they may have something to say publicly about it.
- Pat Petaccia, 182 Hawkins Ave: asked/commented about the following: the use of open space money; the Business Administrator's car; the white collar salary ordinance; why is an indoor tennis facility needed; are there any lawsuits filed regarding the driving of Township employees; and no responses received yet from the letter she submitted on January 14th.
- Roy Messmer, 10 Drumlin Dr: asked/commented about the following: open space money; the mess at the Littleton School last year from the fireworks; status of RFQ's for the health insurance broker contract; status of the white collar salary ordinance; Phil Bober's contract not on file in the Township Clerk's office; a public session should have been opened after the Freeholder's presentation;
- Jerry Manning, 3 Oakdale Rd: expressed his opinion that Mountain Lakes residents should not be involved in Parsippany's issues.
- Frank Cahill, 40 Baldwin Rd: expressed his belief that a committee should be formed to look at the Township's website. He also stated that it was the GRC that gave him the statute which he cited regarding OPRA.

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

ROLL CALL:

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

Mayor Barberio recommended that he contact Mountain Lakes to see if they are interested in helping with open space trust fund money since a fair amount of Mountain Lakes residents are attending Council meetings and are objecting to the development.

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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, Pending Litigation and Contract Negotiations.

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

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

ROLL CALL:

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

Mr. Inglesino reported that Township was approached by the Association to initiate discussions on the possibility of the towns purchasing a conservation easement. Mount Tabor has decided to cease those discussions and there is no plan at the current time continue with those discussions.

ADJOURNMENT

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

ROLL CALL:

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

MEETING ADJOURNED: 9:59 pm

Respectfully submitted,

Yancy Wazirmas, Township Clerk

Paul Carifi, Jr., Council President

Minutes approved: