

**TOWNSHIP OF PARSIPPANY-TROY HILLS
REGULAR TOWNSHIP COUNCIL MEETING OF OCTOBER 16, 2012**

Council President Brian Stanton opened the Regular Meeting at 7:30 p.m. followed by a salute to the Flag. He advised that 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 15, 2011 where it has remained posted since that date. A legal notice appeared in both the Daily Record and the Star Ledger on December 19, 2011.

Note (new day and time): Council Meetings are videotaped and aired on Cablevision, Public Access Channel 21, at 1:00 p.m. on Saturdays and are also available for viewing at www.parsippany.net.

PRESENT: Council President Brian Stanton
Council Vice-President Vincent Ferrara
Council Member Paul Carifi, Jr.
Council Member Michael J. dePierro
Council Member James Vigilante

ALSO PRESENT: Mayor James R. Barberio; John Inglesino and Justin Marchetta Township Attorney; Jasmine Lim, Business Administrator; Paula Cozzareli, Assistant Business Administrator; and Yancy Wazirmas, Township Clerk.

UPCOMING MEETINGS:

11/20/12 @ 7:30 p.m. Agenda Meeting
Public Invited – Public Participation

11/27/12 @ 7:30 p.m. Regular Meeting
Public Invited – Public Participation

MAYOR'S PRESENTATION(S):

Mayor James R. Barberio presented Proclamations to:

- Clarence Ricker for 50 years of service to District 3 Fire Company
- Red Ribbon Week to call awareness to drug and alcohol prevention (Ms. Lauren Parisi of the Municipal Alliance Committee accepted the proclamation)
- Friends of the Library
- Regina Goel of the Morris County Human Relations Commission on human trafficking

PRESENTATION(S):

Presentation by Mr. Michael E. Obremski, Area Manager for JCP&L providing an update for storm process improvements.

Mr. Obremski presented updates of some of the changes JCP&L has made since last fall:

- Representatives will be attending Council meetings periodically for updates
- New website www.FirstEnergyCorp.com which is a 24/7 interactive power center where customers can report outages through their laptops, tablets or smart-phones. The Police Department can also use the website to report street light outages.
- Email and text alerts will be coming by the end of the year or next year.
- 36 new students from their “Light School” were hired into the workforce.
- In response to request, JCP&L now utilized social media. They can be followed on Twitter and liked on Facebook.
- New internal database.
- Hiring of a 4th area manager for the North.
- 200 new trucks purchased for NJ which will have touch books and GPS by April.
- New Safety Program to work in conjunction with local OEMs.
- Enhanced Municipal Call Center for local officials.

Mr. Carifi asked if anything is slated to update lines to prevent outages from storms.

Mr. Obremski responded that \$200 million dollars is being spent in an initiative to reinforce the infrastructure. Also, all lines are being inspected and trees are being trimmed.

Mr. Vigilante asked who pays for street light along highways, noting a concern for lights being turned off as a cost saving measure. Mr. Obremski responded that JCP&L is not responsible for lights along highways.

Presentation by Mr. Ed Sneikus for proposed Zoning Amendments.

Mr. Sneikus presented a synopsis of the 6 zoning amendments prepared by the Master Plan and recommended by the Zoning Board.

- 1st Amendment: APRD and mixed use amendments. Current criteria for mixed uses is too large to be a practical solution in today’s level of development in certain areas. Recommendation is to make adjustments to some of those zones.
- 2nd Amendment: Permitting some educational type of uses and vocational training type of uses in non-residential districts.
- 3rd Amendment: Permits other drive-thru types of uses and makes clarifications that certain drive-thru uses could be appropriate in certain highway commercial zones.
- 4th Amendment: Procedural amendments to add clarification to development regulations to change that notifications be sent to the Zoning Officer upon Committee approvals to minor site plan and subdivision approvals instead of the Code Official. Also clarifies bay window regulations.
- 5th Amendment: Amends certain lot width modifications that exist in the code that permit flag lot conditions which are non-conforming front yard widths along street edges; Clarifies certain building construction criteria when a building is a new construction

compared to a pre-existing construction; adjusts certain zones relative to the permission for agricultural uses; updates child care centers regulations to be more in line with State standards.

- 6th Amendment: Properties located in R1M and R1MR that the Township owns as open space to be re-classified as RCW zone criteria.

Mr. Inglesino recommended that Mr. Sneikus come back to address questions at the public hearing.

BID(S)

To be Taken:

10/18/12 @ 11:00 am Sealed Proposals for one New Kubota Tractor with Loader and Backhoe for Parks and Forestry

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

None

ORDINANCES - SECOND READING & PUBLIC HEARING

ORDINANCE 2012:35

The following Ordinance was published in its entirety in the Daily Record, the official newspaper of the Township of Parsippany-Troy Hills on October 1, 2012.

Motion to accept that Ordinance 2012:35 be heard in its second and final reading by title only, by Mr. dePierro, seconded by Mr. Carifi.

ROLL CALL:

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

ORDINANCE 2012:35

AN ORDINANCE OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS IN THE COUNTY OF MORRIS, NEW JERSEY, AUTHORIZING THE ACQUISITION BY PURCHASE OF PROPERTIES LOCATED WITHIN THE TOWNSHIP THROUGH THE FEMA HAZARD MITIGATION GRANT PROGRAM

WHEREAS, pursuant to N.J.S.A. 40A:12-5, the Township of Parsippany-Troy Hills (“Township”) has the power to acquire any real property for a public purpose through negotiated agreement; and

WHEREAS, the Township has executed a grant agreement with the State of New Jersey, Office of Emergency Management for disaster relief funds under the Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program (Grant No. HMGP-4021-NJ-0014) to acquire certain properties deemed substantially damaged as the result of Tropical Storm Irene; and

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WHEREAS, the Township has received preliminary approval for grant funding through the Morris County Flood Mitigation Program to supplement the funding provided through FEMA Grant No. HMGP-4021-NJ-0014; and

WHEREAS, properties to be acquired under FEMA Grant No. HMGP-4021-NJ-0014 and the Morris County Flood Mitigation Program include:

<u>Block</u>	<u>Lot</u>	<u>Address</u>
526	7	67 Hiawatha Boulevard
551	17	4 Cherokee Avenue
550	8	3 Cherokee Avenue
540	3	30 Cherokee Avenue
539	4	35 Cherokee Avenue
554	23	32 Lake Shore Drive
558	13	35 Lake Shore Drive
554	19	40 Lake Shore Drive
553	7	53 Lake Shore Drive
552	1	67 Lake Shore Drive
552	28	71 Lake Shore Drive
539	7	92 Lake Shore Drive
538	10	104 Lake Shore Drive
528	11	1 Minnehaha Boulevard
528	8	59 River Drive
528	6	63 River Drive
529	2	68 River Drive
501	54	126 River Drive
552	4	57 Rockaway Boulevard
553	11	3 Wilbur Avenue
552	21	18 Huron Avenue

NOW, THEREFORE BE IT ORDAINED, by the Township Council of the Township of Parsippany-Troy Hills, County of Morris and State of New Jersey that:

1. The above recitals are hereby incorporated into the body of this Ordinance as if set forth at length herein.
2. The acquisition by negotiated purchase of a fee simple interest in the Property as defined herein above is hereby authorized.
3. The Township Attorney and the Business Administrator are hereby authorized to take all actions necessary to acquire the Property through negotiated purchase.
4. The Mayor and Township Clerk are hereby authorized to execute and witness, respectively, any documents necessary to effectuate the purchase of the Property subject to the above terms.

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BE IT FURTHER ORDAINED, that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective; and

BE IT FURTHER ORDAINED, that any ordinance or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict only; and

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon passage and publication in accordance with applicable law.

PUBLIC HEARING 2012:35

Motion to open the public hearing for Ordinance 2012:35 by Mr. dePierro, seconded by Mr. Ferrara.

ROLL CALL:

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

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

- **No Comments**

Motion to close the public hearing for Ordinance 2012:35 by Mr. Stanton, seconded by Mr. Ferrara.

ROLL CALL:

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

Motion to approve the Resolution below by Mr. dePierro, seconded by Mr. Vigilante:

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.

ROLL CALL:

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

PUBLIC HEARING

Motion to open the public hearing by Mr. Ferrara, seconded by Mr. Carifi.

ROLL CALL:

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

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

- Lisa Etkin, 80A VanWyck Rd., Lake Hiawatha: Ms. Etkin brought a complaint to the Council regarding issues she has been having with heat in her apartment. She also claimed issues she is having with the Housing Department. Her issues were addressed by Paula Cozzarelli, Mayor Barberio and Mr. Inglesino.
- Roy Messmer, 10 Drumlin Dr: Mr. Messmer brought a visual display comparing the contracts of the current and former Police Chiefs. Mayor Barberio and Ms. Lim responded.
- Jonathan Nelson, 202 Patriots Rd: Mr. Nelson thanked Councilman Vigilante for his service, since this is his last meeting. He asked about the following: ordinance regarding heat temperatures for apartments, additional penalty for water bills, sewer meters not working properly and therefore not charging surrounding towns correct rates, annual audit for meters to be calibrated properly.
Mayor Barberio read a prepared statement in response to sewer flow meters. Mr. dePierro and Mr. Ferrara also responded to the sewer meter issue.

Motion to close the public hearing by Mr. Vigilante, seconded by Mr. Ferrara.

ROLL CALL:

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

CONSENT AGENDA

BE IT RESOLVED, all items listed with an asterisk (*) are considered to be routine and noncontroversial by the Township Council and will be approved by one motion. There will be no separate discussion of these items unless a council member so requests, in which case the item will be removed from the Consent Agenda and considered in its normal sequence on the Agenda.

Motion to approve the Consent Agenda by Mr. Stanton seconded by Mr. Vigilante.

ROLL CALL:

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

MINUTES FOR APPROVAL

* Agenda Meeting of August 14, 2012

* Agenda Meeting of September 11, 2012

* Regular Meeting of September 18, 2012

BID AWARD(S)

RESOLUTION AUTHORIZING AWARD OF CONTRACT FOR THE REPLACEMENT OF THE ACCESSIBLE RAMP AT THE SEWAGE TREATMENT PLANT TO EDGE PROPERTY MAINTENANCE, INC. FOR \$30,000 (1)

WHEREAS, the Township of Parsippany-Troy Hills received bid proposals for Replacement of the Accessible Ramp at the Sewage Treatment Plant on September 27, 2012, and

WHEREAS, the Business Administrator, Director of Purchasing and Consulting Engineer have reviewed the bids and recommend that the bid be awarded to the lowest responsible bidder, Edge Property Maintenance, Inc., 600 Sioux Avenue, Lake Hiawatha, NJ 07034 for a Total Base Bid Price of \$30,000.00, and

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

Sewer Capital Ordinance # 2007:20 adopted July 24, 2007 entitled,
“Various Improvements.”

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Parsippany-Troy Hills that the bid for Replacement of the Accessible Ramp at the Sewage 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.

RESOLUTION AUTHORIZING AWARD OF CONTRACT FOR ROOF REPLACEMENT AT THE SEWAGE TREATMENT PLANT TO VMG GROUP FOR \$303,250.00 (2)

WHEREAS, the Township of Parsippany-Troy Hills received bid proposals for Roof Replacement at the Sewage Treatment Plant on October 3, 2012, and

WHEREAS, the Business Administrator, Director of Purchasing and Consulting Engineer have reviewed the bids and recommend that the bid be awarded to the lowest responsible bidder, VMG Group, 288 Cox Street, Roselle, NJ 07203 for a Total Base Bid Price of \$303,250.00, and

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

Sewer Capital Ordinance # 2008:15 adopted May 13, 2008 entitled,
“Various Improvements.”

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Parsippany-Troy Hills that the bid for Roof Replacement at the Sewage 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.

RESOLUTIONS

A RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS APPOINTING AN ALTERNATE FUND COMMISSIONER FOR THE GARDEN STATE MUNICIPAL JOINT INSURANCE FUND (3)

WHEREAS, the Township of Parsippany-Troy Hills is a member of the Garden State Municipal Joint Insurance Fund; and

WHEREAS, it is required for the Township to have representation on the Board of Commissioners; and

WHEREAS, in a resolution dated January 10, 2012, the Township Council appointed Robert J. Strechay as the Alternate Fund Commissioner and Mr. Strechay has retired.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Parsippany-Troy Hills, County of Morris, State of New Jersey that effective October 1, 2012 Paula J. Cozzarelli is hereby appointed as Alternate Fund Commissioner representing the Township of Parsippany-Troy Hills on the Garden State Municipal Joint Insurance Fund Board of Commissioners;

BE TI FURTHER RESOLVED that all other provisions of the January 10, 2012 resolution shall remain the same.

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS CONSENTING TO THE INSTALLATION OF DIRECTIONAL/INFORMATIONAL SIGNAGE WITHIN A PORTION OF THE INTERPACE PARKWAY RIGHT-OF-WAY (4)

WHEREAS, Ferring Properties, Inc. ("**Ferring**") obtained preliminary and final major site plan approval from the Township of Parsippany-Troy Hills Planning Board (the "**Planning Board**") for the installation of a new sterile production manufacturing facility in connection with its existing facilities located at 100 Interpace Parkway (Lot 43.01, Block 136) (the "**Property**"), located within the Township; and

WHEREAS, as a part of its site plan approval, Ferring seeks to install certain informational/directional signage within a portion of the right-of-way of Interpace Parkway at the intersection of Upper Pond Road to direct delivery vehicles to Ferring's loading dock on the Property located off of Upper Pond Road; and

WHEREAS, the Township Zoning Department advised Ferring that the installation of signage within the Interpace Parkway right-of-way requires the consent of the Township Council; and

WHEREAS, in a letter to the Township, dated August 22, 2012, Robert C. Garofalo of Garofalo & O'Neill, P.A., requested on behalf of Ferring that the Township Council consent to Ferring's installation of the signage within the Interpace Parkway right-of-way; and

WHEREAS, the location and details of the proposed signage to be located within the Interpace Parkway right-of-way are shown on the site plans, dated July 27, 2012, prepared by Birdsall Services Group as approved by the Planning Board, and the drawing entitled "Offsite Signage Exhibit," dated July 27, 2012, prepared by Birdsall Services Group (collectively, the "**Signage Drawings**"); and

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WHEREAS, the Township Engineer reviewed the location of the proposed signage as shown on the Signage Drawings and determined that the location of the such signage is acceptable and does not appear to create a sight distance obstruction; and

WHEREAS, the Township Engineer further recommended that the repair and maintenance of the proposed signage be the responsibility of the owner of the subject Property.

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) That the aforesaid recitals are hereby adopted and incorporated herein as if repeated in full; and
- (2) That the Township Council of Parsippany-Troy Hills hereby consents to the installation by Ferring Properties, Inc. of certain signage within the Interpace Parkway right-of-way as shown on the site plans, dated July 27, 2012, prepared by Birdsall Services Group as approved by the Planning Board, and the drawing entitled "Offsite Signage Exhibit," dated July 27, 2012, prepared by Birdsall Services Group; and
- (3) That the consent of the Township Council set forth herein shall forever remain subject to and conditioned upon Ferring Properties, Inc. and/or any other current or subsequent owner of the Property maintaining and repairing said signage located within the Interpace Parkway right-of-way to the reasonable satisfaction of the Township Engineer and so as to not create any public safety concerns.

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS AUTHORIZING THE SUBMITTAL OF A MUNICIPAL AID GRANT APPLICATION TO THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE INTERPACE PARKWAY IMPROVEMENT PROJECT(5)

WHEREAS, the Township of Parsippany-Troy Hills is requesting a Municipal Aid grant from the New Jersey Department of Transportation for the Interpace Parkway Improvement Project; and

WHEREAS, the estimated cost of the project is \$354,963.00; and

WHEREAS, the grant request is in the amount of \$354,963.00; and

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

1. The Township Council supports, and authorizes the submittal of, the aforementioned electronic grant application identified as MA-2013-Parsippany-Troy Hills Township-00547 to the New Jersey Department of Transportation on behalf of the Township of Parsippany-Troy Hills; and
2. The Mayor and Township Clerk are hereby authorized to execute the grant agreement on behalf of the Township of Parsippany-Troy Hills and that their signature constitutes acceptance of the terms and conditions of the grant agreement; and
3. The appropriate officials are authorized to take whatever other steps necessary to complete the grant application and meet other grant requirements.

4. This resolution shall take effect immediately.

RESOLUTION AUTHORIZING CANCELLATION OF A GRANT FUND RECEIVABLE AND RESERVE BALANCE (6)

WHEREAS: there exists a grant fund receivable and reserve on the balance sheet of the Current Fund; and

WHEREAS: the grant period for the expenditure of these funds has expired; and

WHEREAS: there are no additional expenditures to be charged to this grant;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Parsippany-Troy Hills that the following receivable and reserve be hereby canceled:

<u>Grant</u>	<u>Receivable Balance</u>	<u>Reserve Balance</u>
Safe Routes to School Grant	\$13,560.45	\$ 13,560.45

RESOLUTION AUTHORIZING TAX APPEAL SETTLEMENT FOR BLOCK 767 LOT 3.4: ACQUIPORT/AMSDELL THREE, LLC V. TOWNSHIP OF PARSIPPANY-TROY HILLS (7)

WHEREAS, ACQUIPORT / AMSDELL THREE, LLC owns and/or occupies property located at 277 Route 46 and is designated as Block 767, Lot 3.4 on the official tax map of the Township of Parsippany-Troy Hills (“Subject Property”); and

WHEREAS, ACQUIPORT / AMSDELL THREE, LLC filed appeals to the Tax Court of New Jersey challenging the 2008 through 2012 assessments for the Subject Property; 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, ACQUIPORT / AMSDELL THREE, 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, the Township Attorney, the Tax Assessor, and the Township’s Expert Appraiser have 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 2008 through 2012 tax appeals are hereby authorized as follows:

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	<u>Original Assessment</u>	<u>Settlement Amount</u>
Years: 2008 and 2009		
LAND	\$ 3,253,500	\$ 3,253,500
IMPROVEMENTS	\$ 2,584,700	\$ 2,584,700
TOTAL	\$ 5,838,200	\$ 5,838,200
Year: 2010		
LAND	\$ 3,253,500	\$ 3,253,500
IMPROVEMENTS	\$ 2,584,700	\$ 1,584,700
TOTAL	\$ 5,838,200	\$ 4,838,200
Years: 2011 and 2012		
LAND	\$ 3,253,500	\$ 3,253,500
IMPROVEMENTS	\$ 1,584,700	\$ 1,584,700
TOTAL	\$ 4,838,200	\$ 4,838,200

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 the Township Attorney is hereby authorized and directed to affect said settlement.

RESOLUTION AUTHORIZING TAX APPEAL SETTLEMENT FOR BLOCK 412 LOT 5.1: SL ACQUISITION, LLC C/O SL MGT GRP AND/OR 160 LITTLETON ROAD, LLC V. TOWNSHIP OF PARSIPPANY-TROY HILLS (8)

WHEREAS, SL ACQUISITION, LLC c/o SL MGT GRP and/or 160 LITTLETON ROAD, LLC owns and/or occupies property located at 160 Littleton Road and is designated as Block 412, Lot 5.1 on the official tax map of the Township of Parsippany-Troy Hills (“Subject Property”); and

WHEREAS, SL ACQUISITION, LLC c/o SL MGT GRP and/or 160 LITTLETON ROAD, LLC filed appeals to the Tax Court of New Jersey challenging the Subject Property’s 2011 and 2012 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, SL ACQUISITION, LLC c/o SL MGT GRP and/or 160 LITTLETON ROAD, 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, the Township Attorney, the Tax Assessor, and the Township’s Expert Appraiser have recommended said settlement to the Township Council; and

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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 2011 and 2012 tax appeals are hereby authorized as follows:

	<u>Original Assessment</u>	<u>Settlement Amount</u>
Year: 2011		
LAND	\$ 1,087,500	\$ 1,087,500
IMPROVEMENTS	<u>\$ 1,829,300</u>	<u>\$ 1,829,300</u>
TOTAL	\$ 2,916,800	\$ 2,916,800
Year: 2012		
LAND	\$ 1,087,500	\$ 1,087,500
IMPROVEMENTS	<u>\$ 1,829,300</u>	<u>\$ 1,329,300</u>
TOTAL	\$ 2,916,800	\$ 2,416,800

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 the Township Attorney is hereby authorized and directed to affect said settlement.

RESOLUTION AUTHORIZING SETTLEMENT OF THE 2009 AND 2010 APPEALS OF THE TAX ASSESSMENT OF BLOCK 693, LOT 6: PARSIPPANY 94 ASSOC., LLC, IN THE TOWNSHIP OF PARSIPPANY-TROY HILLS (9)

WHEREAS, appeals of the real property tax assessments for the 2009 and 2010 tax years involving Block 693, Lot 6, have been filed by the owner of same, Parsippany 94 Assoc., LLC; and

WHEREAS, said property is located in Parsippany, New Jersey, and is owned by Parsippany 94 Assoc., LLC; and

WHEREAS, Parsippany 94 Assoc., LLC has agreed to waive interest on any refund provided the refund is paid within sixty (60) days of the entry of judgment; and

WHEREAS, settlement of said matter as more fully set forth below is in the best interest of the Township.

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 and 2010 tax appeals on Block 693, Lot 6, located at 322 Route 46, filed under Docket No. 009120-2009 and 009179-2010, are hereby authorized as follows:

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Tax Year 2009 and 2010	Original Assessment	Settlement Amount
Land	\$2,677,500	\$2,177,500
Improvements	\$1,603,100	\$1,422,500
TOTAL	\$4,280,600	\$3,600,000

2. The appropriate municipal officials are hereby authorized to take whatever action may be necessary to implement the terms of this Resolution.
3. This Resolution shall take effect immediately.

RESOLUTION AUTHORIZING SETTLEMENT OF THE 2009 THROUGH 2012 APPEALS OF THE TAX ASSESSMENT OF BLOCK 725, LOT 6.02, CRG 1735, LLC, IN THE TOWNSHIP OF PARSIPPANY-TROY HILLS (10)

WHEREAS, appeals of the real property tax assessments for the 2009 through 2012 tax years involving Block 725, Lot 6.02, have been filed by the owner of same, CRG 1735, LLC; and

WHEREAS, said property is located in Parsippany, New Jersey, and is owned by CRG 1735, LLC; and

WHEREAS, CRG 1735, LLC has agreed to waive interest on any refund provided the refund is paid within sixty (60) days of the entry of judgment; and

WHEREAS, settlement of said matter as more fully set forth below is in the best interest of the Township.

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

1. The owner has agreed to withdraw the 2010 through 2012 tax appeals on Block 725, Lot 6.02 located at 1735 Route 46.
2. Settlement of the 2009 tax appeal on Block 725, Lot 6.02, located at 1735 Route 46, filed under Docket No. 010284-2009 is hereby authorized as follows:

Tax Year 2009	Original Assessment	Settlement Amount
Land	\$1,440,000	\$1,000,000
Improvements	\$ 950,000	\$ 390,000
TOTAL	\$2,390,000	\$1,390,000

3. The appropriate municipal officials are hereby authorized to take whatever action may be necessary to implement the terms of this Resolution.
 4. This Resolution shall take effect immediately.
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RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS GRANTING A MAJOR SOIL MOVING PERMIT TO PARSIPPANY BUSINESS PROPERTIES, LLC BLOCK 448, LOT 25, 90 FANNY ROAD(11)

WHEREAS, Parsippany Business Properties, LLC, has applied to the Township of Parsippany-Troy Hills to move approximately 1,350 cubic yards of material as part of work associated with their site plan at **Block 448, Lot 25, 90 Fanny Road**; and

WHEREAS, the application has been reviewed by Justin Lizza, Municipal Engineer, and his recommendations have been memorialized in a memorandum to the Planning Board dated September 28, 2012; and

WHEREAS, the Planning Board considered this application at its meeting of October 15, 2012 and recommends approval to the Township Council, as indicated in an October 16, 2012 memorandum from the Planning Board, in accordance with the Township Engineer's memorandum dated September 28, 2012, and further subject to the hours of operation being 9:00 a.m. to 4:00 p.m., Monday through Friday, via a route from Fanny Road to Powerville Road to Old Denville Road.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Parsippany-Troy Hills that it does hereby grant a major soil moving permit to **Parsippany Business Properties, LLC** to the move approximately 1,350 cubic yards of material as part of the work associated with their site plan at **Block 448, Lot 25, 90 Fanny Road**, subject to the following terms and conditions:

1. The applicant shall comply with all the recommendations and requirements included in the memorandum from Justin Lizza, Municipal Engineer, dated September 28, 2012.
2. The applicant shall comply with the recommendations and requirements stipulated by the Planning Board at its meeting of October 15, 2012.
3. All inspection fees and performance guarantees shall be paid prior to the issuance of the permit.

APPLICATION(S)

None

ORDINANCES - INTRODUCTION

Motion to approve the following Resolution by Mr. Ferrara, seconded by Mr. Vigilante:

ORDINANCE 2012:36

AN ORDINANCE TO AMEND, SUPPLEMENT AND REVISE CHAPTER 430, ZONING OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS: AMENDMENTS RELATED TO DISTRICT MAPS IN VARIOUS ARTICLES

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 **October**

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16, 2012 and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on **November 27, 2012** 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.

ROLL CALL:

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

Motion to approve the following Resolution by Mr. Carifi, seconded by Mr. dePierro:

ORDINANCE 2012:37

AN ORDINANCE TO AMEND, SUPPLEMENT AND REVISE CHAPTER 430, ZONING OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS: AMENDMENTS RELATED TO DEFINITIONS IN VARIOUS ARTICLES.

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 **October 16, 2012** and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on **November 27, 2012** 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.

ROLL CALL:

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

Motion to approve the following Resolution by Mr. Vigilante, seconded by Mr. Carifi:

ORDINANCE 2012:38

AN ORDINANCE TO AMEND, SUPPLEMENT AND REVISE CHAPTER 430, ARTICLE XIV OF THE ZONING OF THE TOWNSHIP OF PARSIPPANY-TROY HILL, ENTITLED B-2 HIGHWAY DEVELOPMENT 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 **October 16, 2012** and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on **November 27, 2012** 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.

ROLL CALL:

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

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

ORDINANCE 2012:39

AN ORDINANCE TO AMEND, SUPPLEMENT AND REVISE CHAPTER 225, LAND USE, SUBDIVISIONS AND SITE PLANS OF 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 **October 16, 2012** and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on **November 27, 2012** 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.

ROLL CALL:

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

Motion to approve the following Resolution by Mr. Ferrara, seconded by Mr. Vigilante:

ORDINANCE 2012:40

AN ORDINANCE TO AMEND, SUPPLEMENT AND REVISE CHAPTER 430, ARTICLE XIV OF THE ZONING OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS: AMENDMENTS

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 **October 16, 2012** and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on **November 27, 2012** 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.

ROLL CALL:

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

Motion to approve the following Resolution by Mr. Carifi, seconded by Mr. Vigilante:

ORDINANCE 2012:41

AN ORDINANCE TO AMEND, SUPPLEMENT AND REVISE CHAPTER 430, ARTICLE I, SECTION §430-5 OF THE ZONING OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, ENTITLED ZONING MAP

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 **October 16, 2012** and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on **November 27, 2012** 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.

ROLL CALL:

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

Motion to approve the following Resolution by Mr. Vigilante, seconded by Mr. Carifi:

ORDINANCE 2012:42

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 315, RENTAL PROPERTY, ARTICLE II, BIENNIAL INSPECTIONS OF THE CODE OF 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 **October 16, 2012** and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on **November 27, 2012** 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.

ROLL CALL:

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

Motion to approve the following Resolution by Mr. dePierro, seconded by Mr. Carifi:

ORDINANCE 2012:43

ORDINANCE AUTHORIZING THE BUSINESS ADMINISTRATOR OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS TO EXECUTE AND RENEW, AS NECESSARY, A LEASE WITH THE CARETAKER OF WATONG 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 **October 16, 2012** and that said Ordinance be further considered for second reading and final passage at a Meeting

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to be held on **November 27, 2012** 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.

ROLL CALL:

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

Motion to approve the following Resolution by Mr. Ferrara, seconded by Mr. Vigilante:

ORDINANCE 2012:44

AN ORDINANCE AMENDING ORDINANCE #2012:23 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 **October 16, 2012** and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on **November 27, 2012** 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.

ROLL CALL:

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

Motion to approve the following Resolution by Mr. Carifi, seconded by Mr. Vigilante:

ORDINANCE 2012:45

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 290 ENTITLED PARKS, RECREATION AREAS AND PUBLIC LANDS, ARTICLE I OF THE CODE OF 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 **October 16, 2012** and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on **November 27, 2012** 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.

ROLL CALL:

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

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

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: Ongoing Litigation

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

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

ROLL CALL:

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

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

ROLL CALL:

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

Mr. Stanton and the remaining Council Members thanked Mr. Vigilante for his time on the Council. Mr. Vigilante thanked the Council and Administration and offered some words.

Motion To Adjourn Meeting by Mr. Vigilante Seconded By Mr. dePierro

ROLL CALL:

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

MEETING ADJOURNED: 9:26pm

Respectfully Submitted,

Yancy Wazirmas, RMC
Township Clerk