

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

**July 7, 2009**

**Public Invited – Public Participation**

**MEETING CALLED TO ORDER by Council President Cesaro at 7:31 p.m.**

**FLAG SALUTE**

**Roll Call:**

<b>Mr. Barberio</b>	<b>-</b>	<b>Present</b>
<b>Mr. dePierro</b>	<b>-</b>	<b>Present (at 7:38 p.m.)</b>
<b>Mr. Fox</b>	<b>-</b>	<b>Present</b>
<b>Ms. Grossi</b>	<b>-</b>	<b>Present</b>
<b>Mr. Cesaro</b>	<b>-</b>	<b>Present</b>

**OTHERS PRESENT:** J. Lim, Business Administrator; J. Verrone, Township Attorney; J. Silver, Township Clerk

The purpose of this meeting is to set the Agenda for the Regular Township Council Meeting of July 14, 2009

**FORMAL ACTION MAY OR MAY NOT BE TAKEN.**

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 2, 2008 where it has remained posted since that date. A legal notice appeared in both the Daily Record and the Star Ledger on December 9, 2008. The 2009 meeting schedule was forwarded by fax to other local newspapers and local radio stations on December 2, 2008.

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**ORDINANCE(S)**

**Second Reading(s) and Public Hearing(s) – 7/14/09    ON**

**Amending 2009 White Collar Salary Ordinance - Assistant Water Superintendent (09:29)**

**Status of Adopted Ordinances:**

<b><u>Ordinance Title and Number</u></b>	<b><u>Adopted Date</u></b>	<b><u>Mayoral Action</u></b>	<b><u>Effective Date</u></b>
<b>Third Party Payment Plan for Emergency Medical Services - Fees (09:22)</b>	<b>6/16/09</b>	<b>Approved</b>	<b>7/14/09</b>
<b>Parking Prohibited – Edgefield Drive (09:23)</b>	<b>6/16/09</b>	<b>Approved</b>	<b>7/14/09</b>
<b>Bond Ordinance- Various Improvements (09:24)</b>	<b>6/16/09</b>	<b>Approved</b>	<b>7/14/09</b>
<b>Bond Ordinance – Water Utility Improvements (09:25)</b>	<b>6/16/09</b>	<b>Approved</b>	<b>7/14/09</b>
<b>Bond Ordinance – Sewer Utility Improvements (09:26)</b>	<b>6/16/09</b>	<b>Approved</b>	<b>7/14/09</b>
<b>Bond Ordinance – Golf/Recreational Utility Improvements (09:27)</b>	<b>6/16/09</b>	<b>Approved</b>	<b>7/14/09</b>
<b>Bond Ordinance – Wastewater Treatment Plant Improvements (09:28)</b>	<b>6/16/09</b>	<b>Approved</b>	<b>7/14/09</b>

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**Presentation Regarding Sustainable Communities (7/09)** Mr. Nick Stecky indicated that he is an energy and sustainability consultant as well as a member of the Denville Town Council. He further noted that he was one of the founders of the New Jersey Green Building Council Chapter. Mr. Stecky advised that Denville Township formed a sustainable advisory committee to the mayor and is in the process of going for the Sustainable Jersey, which he thinks Parsippany is already in the process of doing. In his presentation entitled “Introduction to Sustainability, Energy Star and Green Buildings,” he defined sustainability; reviewed the environmental impact of buildings; and pointed out that the three E’s of a sustainable community are (1) energy, (2) environment, and (3) economics. He emphasized that the whole idea behind “sustainability” is that it is not just good for the environment, it’s good for your pocketbook, if you do it right, with a view towards economics. Mr. Stecky explained that Energy Star, a voluntary partnership between business and government, the Department of Energy and the Environmental Protection Agency, provides an established framework to promote the environmental and financial benefits of improved energy performance. Last year, per Mr. Stecky, Energy Star helped save more than \$14 billion in energy costs and helped reduce greenhouse emissions equivalent to taking 25 million cars off the road. Additionally, Mr. Stecky explained that the Green Building Council was formed to promote energy efficiency, environmentalism and sustainability in buildings. He noted the benefits of green buildings, pointing out that the operating costs of green buildings are 20 to 50% less than conventional buildings. He explained that the money saved on first cost

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(construction) is lost on operating cost over the life of the structure. Mr. Stecky talked about the LEED (Leadership in Energy and Environmental Design) Program and concluded his presentation by urging that we make Morris County the greenest county in New Jersey by working together.

Ms. Grossi invited Mr. Stecky to make his presentation to the Environmental Advisory Committee at one of its meetings. He indicated that he would be pleased to do so.

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**DISCUSSION/REMINDERS**

**Scheduled Meetings**

**7/14/09 @ 7:30 p.m.**

**Regular Meeting  
Public Invited – Public Participation**

**8/11/09 @ 7:30 p.m.**

**Agenda Meeting  
Public Invited – Public Participation**

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**Minutes for Approval:**

**Agenda Meeting of 6/9/09 (Absent – Fox) ON**

**Regular Meeting of 6/16/09 (Absent – Fox) ON**

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**Discussion:**

**Sewer Fee Tax Deduction (7/08) NEXT AGENDA**

**Transparency in Government Act – Municipal (10/08) NEXT AGENDA**

**Economic Development Advisory Committee (12/08) NEXT AGENDA**

**Auto Crash Tax (1/09) NEXT AGENDA**

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**Appointment of Member to Open Space Committee for a Term of 3 Years Expiring 4/13/12 (7/09)** A motion was made by Mr. Barberio, seconded by Mr. Fox, to reappoint Chandu Bhoraniya as a member of the Open Space Committee.

**Roll Call:**

<b>Mr. Barberio</b>	-	<b>Yes</b>
<b>Mr. dePierro</b>	-	<b>Absent at Roll Call</b>
<b>Mr. Fox</b>	-	<b>Yes</b>
<b>Ms. Grossi</b>	-	<b>Yes</b>
<b>Mr. Cesaro</b>	-	<b>Yes</b>

**Motion Passed.**

**MAYOR**

**No Agenda Items.**

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**ADMINISTRATION**

**BID(S)**

**Taken:**

**6/4/09**

**Supervisory Control and Data Acquisition (SCADA) System Upgrade and Entin Road Radio Link** Ms. Lim advised that the Administration is recommending the award of this bid to the second lowest bidder as the low bidder was missing the Business Registration Certificate (BRC), which is a fatal defect. Ms. Verrone confirmed that, under the Local Public Contracts Law, there is a specific statute which indicates that failure to submit the BRC with the bid is a fatal defect that cannot be cured and the governing body has no discretion but to reject the bid. **AWARD\***

**6/11/09**

**Lease of Public Property (Lease Rights – Antennae on Water Storage Facilities) AWARD\***

**One New Adult Passenger Mini Bus with 2 Wheelchair Positions and 24 Ambulatory or 28 Ambulatory Passengers AWARD\***

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**To Be Taken:**

**7/8/09 @ 11:00 a.m.**

**Reconstruction of Elmwood Drive and Allentown Road**

**7/16/09 @ 11:00 a.m.**

**Reconstruction of Curbs and Sidewalks at Various Locations – 2009**

**7/23/09 @ 11:00 a.m.**

**Union Hill Road Reconstruction Project**

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**QUOTATION(S)/PROPOSAL(S)/QUALIFICATION(S)**

**Received:**

**5/28/09**

**Proposals for the Redesign, Permitting, Construction, Operation and Maintenance Services for Sludge Incinerators and Design, Permitting, Construction, Operation and Maintenance Services for a New Sludge Cake Receiving Facility at the Wastewater Treatment Facility NEXT AGENDA**

**Requested:**

**None**

**Ordinance(s):**

**Amending and Supplementing Chapter 385, Towing, of the Code (7/09)**

**INTRODUCTION - ON**

**Authorizing the Business Administrator to Execute and Renew, as Necessary, a Lease with the Building Maintenance Superintendent of Craftsman Farms (7/09) INTRODUCTION - ON**

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**Resolution(s):**

**Authorizing an Amendment to the Agreement with Saint Clare's Community Care, A Member of Saint Clare's Health Services, for the Provision of Certain Health Clinic Services (7/09) ON\***

**Authorizing the Application for the Climate Showcase Communities Grant Program (7/09) ON\***

**Authorizing a Service Agreement with Rutgers, The State University of New Jersey, for the Preparation of an Energy Efficiency and Conservation Strategy/Comprehensive Energy Plan (7/09) ON\***

**Making Application to the Local Finance Board Pursuant to N.J.S.A. 40A:2-26 (e) and For the Approval of the Bonds for Purposes of N.J.S.A. 58:11B-9(a) (Environmental Infrastructure Trust Projects – S. Beverwyck #1 Pump Station, 16" Water Main Farney Pump Station and I-287 Water Tank Repainting) (7/09) ON\***

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**ENGINEERING**

**Update/Recommendation(s):**

*Italicized* comments below are excerpts from a July 2, 2009 memo from Mr. Lizza, Municipal Engineer, to Ms. Lim:

**Train Horns at Intersections – “Quiet Zones” (3/06)** *The diagnostic team meeting was held on June 17, 2009. Minutes of the meeting are being prepared and will be distributed next week. A report will be prepared summarizing the results of the meeting and addressing the concerns raised in Mr. Simpson's June 26, 2009 letter.* **NEXT AGENDA**

**Status of Road Resurfacing – Puddingstone Area (8/07)** *The Developer has installed a water main and sanitary sewer line on a portion of Puddingstone Road. We have been working with the developer and will make temporary improvements until the sanitary sewer line is turned over to the Township. I am requesting that this item be removed from the Agenda. I will continue to follow up and will place it back on the Council Agenda when further action is taken.* The consensus of the Council was to keep this matter on the agenda to track progress.

**NEXT AGENDA**

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**Recommendations Relative to Mr. and Mrs. Lau's Concerns – Escrow Requirement in Connection with Sidewalk Repair (10/07)** No change in status. *I am requesting that this item be removed from the Agenda. I will continue to follow up and will place it back on the Council Agenda when further action is taken.* The consensus of the Council was to keep this matter on the agenda to track progress. **NEXT AGENDA**

**Camp Meeting Association Angle Parking Simpson Avenue (8/08)** No change in status. **NEXT AGENDA**

**Troy Brook through the Hills of Troy (11/08)** No change in status. *I am requesting that this item be removed from the Agenda. I will continue to follow up and will place it back on the Council Agenda when further action is taken.* The consensus of the Council was to keep this matter on the agenda to track progress. **NEXT AGENDA**

**Feintuch Property Corner of Littleton Road/Parsippany Boulevard (11/08)** No change in status. *I am requesting that this item be removed from the Agenda. I will continue to follow up and will place it back on the Council Agenda when further action is taken.* The consensus of the Council was to keep this matter on the agenda to track progress. **NEXT AGENDA**

**711 Park Road – Fairview Estates (11/08)** *The developer has been working with this office on ways to modify the existing ditch to be compliant with the approved plans. Much of the work has been completed and there have been no recent complaints. We will continue to monitor this issue. I am requesting that this item be removed from the Agenda. I will continue to follow up and will place it back on the Council Agenda when further action is taken.* The consensus of the Council was to keep this matter on the agenda to track progress. **NEXT AGENDA**

**Brookstone Drive Bridge Repairs (6/09)** *The RBA group has finished the plans for the repairs to the Brookstone Bridge. They are being reviewed by this office and we anticipate bidding the project by the beginning of August. I am requesting that this item be removed from the Agenda.* The consensus of the Council was to keep this matter on the agenda to track progress. **NEXT AGENDA**

**Sandalwood Drainage Project (6/09)** *The first phase of the Sandalwood Drive drainage improvement project is in design which will divert some runoff from Sandalwood Drive and discharge it directly into the Berry's Brook. This will help the flooding on Sandalwood and address the concerns of the residents who have been flooded in the past. I also met and reviewed the project with Mr. Staudinger and have been keeping him updated on its progress. We anticipate bidding the project next month.* Council President Cesaro noted receipt of an email from Mr. Staudinger regarding pending DEP approval. He asked Ms. Lim to check on the status via the 26<sup>th</sup> Legislative Offices. **NEXT AGENDA**

**Edgefield Drive No Parking Zone (Upper) (6/09)** No change in status. **NEXT AGENDA**

**Canterbury Estates Vacation of Lots 26 and 77 in Block 98 (5/09)** *The Applicant of Canterbury Estates has requested the vacation of Lot 26 in Block 98. This lot was apparently created as an access route to Lot 77 which was reserved for a future water tower. I take no*

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*objection to the vacation of the entire Lot 26 from Foote Lane to Lot 77. Please refer to my May 5, 2009 memo on this subject. We are waiting on the metes and bounds descriptions from the applicant's attorney and once acceptable will forward them to the Township Attorney to draft an Ordinance which will need to be adopted by the Township Council. **NEXT AGENDA***

**Parsippany Campus Realty Associates, L.L.C. – Request for Extension of Developer's Agreement Relative to Block 202, Lots 1.13 and 1.14 (Formerly Block 202, Lot 7.01), 14 and 22 Sylvan Way (6/09)** *The Applicant has requested a five year extension of the Developer's Agreement. Once received, Engineering will review the draft Agreement and make recommendations. We expect to have an approved Agreement prior to the July 7 Council meeting. If this is the case, we will request a Council resolution authorizing the Agreement.* Ms. Lim advised that the amended agreement has been approved by the Township Attorney and by Mr. Pucilowski, former Township Engineer. Ms. Lim confirmed that the Planning Board approved the extension; the resolution memorializes the Planning Board's approval.

**RESOLUTION - ON\***

**CHIEF FINANCIAL OFFICER**

**Resolution(s):**

**Amending Adopted Budget – NJDEP Clean Communities Entitlement – FY 2009 (7/09)**  
**ON\***

**Amending Adopted Budget – NJ Division of Highway Traffic Safety – Pedestrian Safety Program (7/09)** **ON\***

**Amending Adopted Budget – NJ Division of Motor Vehicles Alcohol Education Rehab Enforcement Fund (7/09)** **ON\***

**Amending Adopted Budget – National Highway Traffic Safety (NHTSA) Section 402, State and Community Highway Safety, Obey the Signs or Pay the Fines (7/09)** **ON\***

**Requesting Approval of the Director of the Division of Local Government Services to Establish a Dedicated Trust by Rider for Municipal Alliance Drug and Alcohol Program Income (7/09)** **ON\***

**Canceling Tax Sale Premium (Certificate Number 5385) to Miscellaneous Revenue Not Anticipated (7/09)** **ON\***

**ATTORNEY**

**Ordinance:**

**Amending Chapter 83, Alcoholic Beverages, by Deleting Sections 83-5 and 83-7, and Subparagraph A (2) of Section 83-8, as Directed by the Administrative Office of the Courts (6/09) INTRODUCTION - ON**

**TOWNSHIP OFFICES / COMMITTEES**

**No Agenda Items.**

**COMMUNICATIONS**

**Correspondence:**

**Lee Hubinger – Requesting Refund of Dog Adoption Fee (6/25/09) Council Members agreed to refund the fee. Ms. Lim had no objection. RESOLUTION - ON\***

**Resolution(s):**

**Chester Township – Opposing Efforts by Governor Corzine to Redirect Money From EMT Training Fund Into the State’s General Treasury NOTED**

**Montville Township - Opposing Efforts by Governor Corzine to Redirect Money From EMT Training Fund Into the State’s General Treasury NOTED**

**APPLICATION(S):**

**License(s):**

**Liquor License Renewals for the 7/1/09 – 6/30/10 Licensing Year**

A motion was made by Ms. Grossi, seconded by Mr. dePierro, to adopt the following resolution:

**WHEREAS**, applications for renewal for licensing term, July 1, 2009 through June 30, 2010, have been filed by the following Retail Liquor Licensees, and

**WHEREAS**, the application forms are complete in all respects and the applicants are qualified to be licensed according to all statutory, regulatory and local governmental ABC laws and regulations,

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Parsippany-Troy Hills that the following Retail Liquor Licenses be renewed for the licensing term, July 1, 2009 through June 30, 2010:

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- 1429-33-018-007 Oankar Corp., trading as Chand Palace Banquet and Catering for premises located at 269 Littleton Road, Parsippany, NJ
- 1429-33-022-005 Rare Hospitality International, Inc., trading as LongHorn Steakhouse for premises located at 690 Route 46, Parsippany, NJ
- 1429-36-057-001 InterContinental Hotels Group Resources, Inc., trading as Staybridge Suites, Parsippany, for premises located at 61 Interpace Parkway, Parsippany, NJ
- 1429-44-014-004 Dilip and Daxa Corporation, trading as Lord Nelson's Liquors/Shoppers Discount Liquors, for premises located at 65 & 69 No. Beverwyck Road, Lake Hiawatha, NJ

**Roll Call:** Mr. Barberio - Yes  
Mr. dePierro - Yes  
Mr. Fox - Yes  
Ms. Grossi - Yes  
Mr. Cesaro - Yes

**Resolution Adopted.**

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**PUBLIC HEARING**

**Council President Cesaro opened the meeting to the public to speak on any topic, noting a five-minute time limit per speaker.**

**Seeing no one come forward to speak, Council President Cesaro closed the public portion of the meeting.**

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**MOTION TO ADJOURN: Mr. Barberio**

**SECONDED BY: Mr. Fox**

**Roll Call:** Mr. Barberio - Yes  
Mr. dePierro - Yes  
Mr. Fox - Yes  
Ms. Grossi - Yes  
Mr. Cesaro - Yes

**MEETING ADJOURNED: 8:05 p.m.**

**Minutes Approved: August 18, 2009**