

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

January 4, 2011

Public Invited – Public Participation

MEETING CALLED TO ORDER by Council President Fox at 8:08 p.m.

Roll Call:	Mr. Cesaro	-	Present
	Mr. dePierro	-	Present
	Mr. Ferrara	-	Present
	Mr. Stanton	-	Present
	Mr. Fox	-	Present

OTHERS PRESENT: Mayor Barberio; J. Lim, Business Administrator; J. Inglesino, Esq., Township Attorney; J. Silver, Township Clerk

The purpose of this meeting is to set the Agenda for the Regular Township Council Meeting of January 11, 2011.

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 15, 2010 where it has remained posted since that date. A legal notice appeared in both the Daily Record and the Star Ledger and was forwarded by fax to other local newspapers and local radio stations on December 16, 2010.

Note: Council Meetings are videotaped and aired on Cablevision, Public Access Channel 21, at 10:00 a.m. on Sundays.

ORDINANCES

Second Reading(s) and Public Hearing(s) – None

Status of Adopted Ordinances:

<u>Ordinance Title and Number</u>	<u>Adopted Date</u>	<u>Mayoral Action</u>	<u>Effective Date</u>
Amending Code – Public Records (2010:35)	12/14/10	Approved	1/7/11
Amending Code – Housing and Property Maintenance and Housing Certificates (2010:36)	12/14/10	Approved	1/7/11
Revising Membership Fees – Knoll Country Club (2010:37)	12/14/10	Approved	1/7/11
Supplementing Code – Private Storm Drain Inlet Retrofitting (2010:38)	12/14/10	Approved	1/7/11

DISCUSSION/REMINDERS

Scheduled Meetings

1/11/11 @ 7:30 p.m.

**Regular Meeting
Public Invited – Public Participation**

2/8/11 @ 7:30 p.m.

**Agenda Meeting
Public Invited – Public Participation**

Minutes for Approval:

Agenda Meeting of 12/7/10 (Absent – Fox) ON

Regular Meeting of 12/14/10 ON

Appointments:

Economic Development Advisory Committee

Member – 2 Year (First) Term (12/31/11)

Member – 2 Year (First) Term (12/31/11)

Member – 2 Year (First) Term (12/31/11)

Member – 3 Year (First) Term (12/31/12)

Member – 3 Year (First) Term (12/31/12)

Member – 3 Year (First) Term (12/31/12)

**ON HOLD PENDING
ORDINANCE AMENDMENT**

Mr. Cesaro indicated that he is continuing to serve as the Council's informal liaison to the Emergency Services Council. Mr. Fox stated that the Township Council wants to create a permanent liaison position. Mr. Inglesino suggested that this be accomplished via ordinance. Mr. Stanton noted that he is currently acting as the Council's informal liaison to the Board of Education and that this position should be formalized as well. Mr. Inglesino will draft an ordinance formalizing Council liaison positions to both the Emergency Services Council and the Board of Education. **NEXT AGENDA**

MAYOR

School Resource Officers (1/11) Mayor Barberio explained that currently there are two resource officers, one at each high school. Due to the fact that the 2011 budget will be very tight, he suggested replacing the current police officers with retired Class II Special Police Officers, who will be able to perform the same duties performed by the current police officers at a less significant cost to taxpayers. Mr. dePierro felt that this is an excellent idea. Mr. Fox supported the Mayor's efforts, but noted he is concerned about potential liability with a civilian acting on behalf of the Police Department. The Mayor confirmed that the new individuals will be retired Class II Special Officers. **INTRODUCTION - ON**

ADMINISTRATION

BID(S)

Taken:

12/16/10 Sealed Proposals for Rental of Golf Carts BID AWARD*

To Be Taken: None

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 Ms. Lim noted that discussions are continuing with Synagro. **NEXT AGENDA**

12/14/10

Proposals for Onsite Wellness Coaching Services (Note: Contract was awarded at the January 4, 2011 Organization Meeting) Ms. Lim reviewed the services to be provided. She confirmed that the award of a contract for wellness coaching services was recommended by the insurance consultants.

Requested: None

Resolution(s):

Authorizing an Agreement with Saint Clare's Community Care, A Member of Saint Clare's Health Services, for the Provision of Certain Health Clinic Services (1/11) Ms. Lim noted that there is a 5% increase in the fees paid by clinic participants. **ON***

Authorizing an Interlocal Services Agreement Between the Township and the County of Morris – Lease at the Community Center for Morris County Nutrition Project (1/11) **ON***

Amending Agreement with Comprehensive Behavioral Healthcare, Inc. and Waiving Municipal Fees in Connection with the Rehabilitation of Properties Located on Ruth Davis Drive (1/11) Ms. Lim reviewed the agreement and the reason for the amendment. **ON***

Designating an Employee to Serve as Public Agency Compliance Officer (P.A.C.O.) for Matters Concerning P.L. 1975 C.127 (NJAC 17:27) as Regulated by the State Affirmative Action Office (1/11) **ON***

ENGINEERING

Update/Recommendation(s):

Italicized comments below are excerpts from a December 22, 2010 memo from Mr. Lizza, Municipal Engineer, to Ms. Lim:

Status of Road Resurfacing – Puddingstone Area (8/07) **NEXT AGENDA**

Revisions to Escrow Requirement in Connection with Residential Sidewalk/Driveway Repairs (10/07) **NEXT AGENDA**

Troy Brook through the Hills of Troy (11/08) NEXT AGENDA

711 Park Road – Fairview Estates (11/08) NEXT AGENDA

Edgefield Drive No Parking Zone (Upper) (6/09) NEXT AGENDA

Canterbury Estates Vacation of Lots 26 and 77 in Block 98 (5/09) NEXT AGENDA

New Road Flood Mitigation (5/10) NEXT AGENDA

Train Horns at Intersections (12/10) *A way side horn demonstration will be scheduled after January 4, 2011 to determine potential impacts of these horns on surrounding properties. Once the date is scheduled, a notice will be sent out.* NEXT AGENDA

Collapsing Retaining Walls – 1 & 3 Eldridge Road, Block 89, Lots 13.2 and 13.1 (1/11)

*The existing tiered railroad tie retaining walls at the referenced properties are severely deteriorated and falling down. The walls are providing support of the embankment for the driveways to these lots. Spikes used to anchor the ties are loose and protruding from the walls. The walls present a significant hazard to pedestrians and vehicles. Ordinance Section 159-2 states that, wherever it shall appear to the Council that it is necessary or advisable in the public interest to repair or replace a wall, the Council shall adopt a resolution directing that a notice be served upon the owner or occupant of abutting lands specifying the work required to be done and requiring the abutting owner or occupant to accomplish same within a period not less than 30 days from the date of service of the notice. **A Resolution directing notice to be served will need to be adopted by the Township Council. RESOLUTION - ON****

CHIEF FINANCIAL OFFICER

Resolution(s):

Authorizing the Township Assessor to Take Certain Actions to Prosecute and Defend Tax Appeals (1/11) ON*

ATTORNEY

Area In Need of Rehabilitation – 272 Parsippany Road, Block 393, Lot 1 (1/11) Mr. Inglesino indicated that there is a vacant, commercial building presently on the site. The Planning Board undertook a study at the direction of the Council to determine whether or not the property qualifies as an area in need of rehabilitation. The Planning Board has issued a positive recommendation. If a resolution is adopted, the area will be declared as an area in need of rehabilitation which will pave the way for a redevelopment plan to be put into place for the property. He explained the difference

between an area in need of rehabilitation and an area in need of redevelopment. An area in need of redevelopment means that the Council would retain power of eminent domain to condemn the property; this is not what is being done here. Declaring an area in need of rehabilitation gives the Council the ability to enact a redevelopment plan, which is a generally more advantageous means of redeveloping property than simply rezoning the property because the redevelopment plan can be very specific and the redevelopment of the property can be controlled in more detail.

RESOLUTION –ON*

TOWNSHIP OFFICES / COMMITTEES

No Agenda Items

COMMUNICATIONS

Correspondence:

Mary Margaret Yelin – Urging the Establishment of a Quiet Zone at the Powder Mill Grade Crossing in Mount Tabor (12/7/10 Correspondence to Mayor and Council) NOTED

Resolution(s):

Mendham Township – Opposing A-2095 and S-818 Which Revise Requirements for Medical Service Delivery

Kinnelon Borough – Opposing A-2095 and S-818 Which Revise Requirements for Medical Service Delivery

The Council President noted that Parsippany already adopted a resolution in opposition of the above noted bills.

APPLICATION(S):

License(s):

2011 Renewal of Licenses – Amusement Games, Entertainment, Taxi/Limo, Tourist Accommodations (11/10) ON*

*Consent Agenda Items

PUBLIC HEARING

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

Robert Simpson, 30 Hilsinger Road, noted in connection with the establishment of a Quiet Zone at the Powder Mill crossing that, at the November 9, 2010 Council Meeting, he advised the Council that more than 750 people are impacted by the train noise. At that time, Mayor Barberio, per Mr. Simpson, indicated that he would direct the Engineering Division to perform a study. Mayor Barberio indicated that, as explained by Mr. Lizza in his Engineering Status Report, a way side horn demonstration will be scheduled after January 4, 2011. Notices will be sent to surrounding properties and Mr. Simpson will be advised of the date. The Mayor further explained that the Engineering Division had delayed the study due to a road reconstruction project which needed to be completed before any major snowfall. That project took first priority.

Pat Petaccia, 182 Hawkins Avenue, with regard to the Temporary Budget, asked if salaries are still frozen. Mayor Barberio indicated that, at this time, there are no changes except for the Police Chief's negotiated contract and the 2½% increase for police officers. Ms. Petaccia further questioned what is included under Code Enforcement's "Other Expenses" in the amount of \$390,000. Ms. Lim explained that this is just the temporary budget, which includes, what we know we need to pay out in the first quarter of the year or what we estimate is needed for that period. "Other Expenses" include anything other than Salary and Wages.

Additionally, Ms. Petaccia asked Ms. Lim if Ball Avenue and Summit Street are on the schedule for road work to be done this year. Ms. Lim replied that a decision has not been made yet.

Regarding the Board of Adjustment, Ms. Petaccia pointed out that the Township is losing a lot of ratables. The Board, per Ms. Petaccia, is allowing houses to be sold to professionals for offices when we have vacant office buildings. She suggested that it would be helpful to get the vacant office space filled. She also indicated that she is concerned about the reappointment of Mr. Iracane, noting that he has demonstrated a lot of arrogance on the Board.

Roy Messmer, 10 Drumlin Drive, pointed out that the appointment of Municipal Judges and Prosecutors was not mentioned at the Organization Meeting. He thought that this was done every year at that meeting. Regarding snow removal, Mr. Messmer felt that the Township did an excellent job during the initial snowfall, but the follow-up was not good. He further noted that an erroneous email was sent to residents of Glacier Hills regarding garbage and recyclables collection and, as a result, glass was strewn all over the streets in some locations. Unfortunately, people don't use common sense; they should have kept their garbage/recyclables in their driveways or garages and waited. Additionally, garbage trucks came two days in a row, which should not have occurred. He expressed his view that someone should have been in the Mayor's Office to answer the Mayor's Action Line when the Township closed for four-day weekends. In connection with the Township's Budget, he indicated that he would like to see the position "Confidential Aide" changed to a title

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such as “Administrative Assistant.” He asked when the budget process will start. He complimented the Township on its budget process and wished the Board of Education would follow the Township’s lead. He also expressed his concern that taxpayers are paying for a Lieutenant Governor, who should not have been out of the State at the same time as the Governor. He asked to be provided with the Sewer Surplus as of December 31st. He also asked if the current Resource Officers at the high schools will go on patrol. Mayor Barberio replied that one just retired; the other will go “on the road.”

Regarding the recent snowstorm, Mayor Barberio complimented the Township workers on the excellent job they did. As to the Mayor’s Office, he told Mr. Messmer that he will be making some changes. He agreed that there should be a phone message as to who to contact when Township Offices are closed. He also advised that he has plans to change the Mayor’s Action Center to make it more effective. Additionally, he indicated that there will be information posted on the Township’s webpage as to who to contact during emergencies such as snowstorms.

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

MOTION TO ADJOURN: Mr. Cesaro

SECONDED BY: Mr. Stanton

Roll Call:	Mr. Cesaro	-	Yes
	Mr. dePierro	-	Yes
	Mr. Ferrara	-	Yes
	Mr. Stanton	-	Yes
	Mr. Fox	-	Yes

MEETING ADJOURNED: 8:42 p.m.

Minutes Approved February 15, 2011