

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

**March 16, 2010**

**Council President Grossi opened the Regular Meeting at 7:34 p.m. followed by a salute to the Flag. She 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 8, 2009 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 17, 2009.**

**PRESENT:** Council Members Cesaro, dePierro, Fox, Stanton and Grossi

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

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The Council reviewed the evening's agenda.

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**NOTES:**

4/6/10 @ 7:30 p.m.      Agenda Meeting  
Public Invited – Public Participation

4/13/10 @ 7:30 p.m.    Regular Meeting  
Public Invited – Public Participation

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**BID(S) TO BE TAKEN:**

3/17/10 @ 11:00 a.m.   Fertilizers, Pesticides, Plant Materials and Related Products

3/18/10 @ 11:00 a.m.   Various Sidewalks Improvement Project

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**REQUEST(S) FOR QUOTATION(S)/PROPOSAL(S) QUALIFICATION(S):**

3/25/10 @ 11:00 a.m.   Risk Management Consultant/Liability Insurance Broker of  
Record Services

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**ORDINANCE(S):**

**Second Reading(s) and Public Hearing(s):**

**ORDINANCE NO. 2010:02**

**Public Contracting Reform  
Ordinance**

The following resolution was offered by Mr. Cesaro, seconded by Mr. Fox:

**BE IT RESOLVED** that an ordinance entitled “**PUBLIC CONTRACTING REFORM ORDINANCE,**” be read in title only on second reading and a hearing held thereon.

**ROLL CALL: YES** – Council Members Cesaro, dePierro, Fox, Stanton and Grossi

**Council President Grossi opened the meeting to the public to speak on this ordinance and this ordinance only, noting the time limit per speaker.**

**Tom Wyka, 1 Bennett Court,** indicated that he talked to Mr. Inglesino last week about his concern regarding the inclusion of unions in the amended version. Mr. Wyka explained that, when Chris Christie first brought this up last year, he asked the Citizens Campaign whether unions could be included and was told that the ordinance is “not the right vehicle for it.” He pointed out that one of the penalties for violating the ordinance would ban the entity, in this case a union, from doing business with the town for four years. He questioned how this would be enforced against the unions. Additionally, Mr. Wyka noted that Parsippany’s current ordinance is inclusive of the “fair and open” process and asked whether this is included in the amended version. The current ordinance also restricts contributions to Morris County political parties as well and this amendment, per Mr. Wyka, seems to “gut” the whole purpose if a vendor is able to send a check to a county political chair and the money just filters back down to the local level. Further, per Mr. Wyka, an important clause that seems to have been omitted from the proposed amendment relates to “in force contracts,” explaining that, currently, anyone who has submitted a proposal or is entering into negotiations or agrees to any contract or is actually performing on the contract is restricted from giving any dollars at all to local candidates.

With regard to the tenor of the conversation, Mr. Wyka commented that there has been a lot of talk about partisanship and about his intentions as well. He stated that he explained his intentions when he brought the ordinance to the Council’s attention over a year ago. He commented that he has spent the last three years of his life trying to educate the public about the corruption that is happening inside the Beltway down in Washington. This local effort, per Mr. Wyka, was really nothing more than an extension of that effort and an attempt to proactively try to prevent that type of thing happening here in his own home town. Regardless of what anyone thinks of his aspirations, he asked that the public look at this policy on its face and what it is intended to do. That is why, after trying unsuccessfully to lobby the Council, he took the legislation directly to the public with the help of a lot of people of different political stripes. He asked the Council not to “thumb their noses” at those efforts, noting 1,300 people signed the petition without hesitation. He further commented that he does not think the public cares about partisanship; they care about good government.

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Mr. Fox asked Mr. Wyka if he is inferring that corruption is going on in this municipality at the present time. Mr. Wyka assured Mr. Fox that, from day one, he has indicated that the Citizens Campaign approach is a “no blame approach.” He advised that he made it clear from the beginning that he was not accusing anyone on this Council of engaging in this activity.

Mr. Fox noted that he has been in government for over 30 years and has circulated petitions for a number of different causes. When people sign a petition, they do not always understand what they are signing. He indicated his belief that, if the other side of the coin was explained, they may not have signed.

Mayor Barberio asked Mr. Wyka why he would present this ordinance if he is saying that there is no corruption in Parsippany. Mr. Wyka assured the Mayor that the effort is completely proactive. Mayor Barberio explained that the way to be proactive is to elect honest officials with integrity and the values to govern. If anything, Mayor Barberio felt that the Township should be petitioning the Governor to make pay to play legislation universal. The Mayor pointed out that pay to play laws, as the Supreme Court has indicated, are basically a form of censorship. He further noted that the State already has a law on the books. Mr. Wyka stated that Parsippany’s current ordinance is stronger than the State Statute. Mr. Fox pointed out, however, that the ordinance is confusing.

**Dr. Paul G. King, 33 Hoffman Avenue**, indicated that he read what was changed and he thinks it is outrageous. If the Council wants another petition filed, it can be done again and again and again. He expressed his view that the Council is thwarting the will of the people. He indicated that the Council had an option to place the ordinance on the ballot, but decided that it couldn’t let the people decide whether this ordinance should be accepted. Sooner or later, the people will get a chance to choose. He challenged the Council to place the ordinance on the ballot and let the public choose whether they like it or not and then live by their decision. Lastly, he felt it is absolutely outrageous to amend the ordinance to make it applicable only to professional service contracts. As to the issue as to whether anyone on the Council is corrupt, he cannot say one way or the other, but the opportunity is there for people to be corrupted, not necessarily directly, but indirectly, by the influence money buys. In closing, Dr. King encouraged the Council to either place the ordinance on the ballot where it belongs or expect another petition if the ordinance, as amended, is adopted.

Mr. Fox told Dr. King to go on the Election Law Enforcement (web) site if he wants to know what any of the elected officials are doing. He advised that he, personally, has not had a fundraiser in two years and he does not like Dr. King’s inferences. Dr. King responded that he was not talking about any particular person and, if Mr. Fox takes offense, he would wonder why.

**Jerry Manning, Rainbow Lakes**, thanked Mr. dePierro for objecting, from the beginning, to the pay to play ordinance and not just, offhandedly, adopting the ordinance. Holes were discovered in the new pay to play ordinance which this amendment plugs up. If Mr. Wyka did the research he claims to have done, he would have known that there was pay to play in Parsippany since 2007. Mr. Manning thanked the Council and the Township Attorney for what they have done so far to amend the ordinance and plug the holes so that everybody knows what the rules are from day one.

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**Pat Petaccia, 182 Hawkins Avenue**, asked the Council to table a vote on this ordinance to allow the public additional opportunity to compare the amended ordinance to the current ordinance. She further commented that what she is witnessing this evening is a definite Democratic/Republican atmosphere, which she doesn't like. She expressed her view that lately both parties have been unsupportive of the public. We have pay to play state laws on file, but apparently they have not worked, noting people throughout the State have been arrested for violations. The public is asking for something that works and covers everything. She felt more time is needed for the members of the public to review the changes.

**Jeff Huppert, 3 Tories Lane**, noted that it was just a few months ago when he was proud that the Council overwhelmingly approved our local rejection of pay to play and chose to be proactive in attacking the influence of money on our municipal elections. He stated that he was encouraged that our town was joining many others in promoting true democracy; limiting the influence of donations by private interests. He expressed his hope that the Council will reject the changes to our current ordinance; do what is right and continue to set an example to other towns, to the County and to the State. Mr. Huppert felt that the proposed ordinance does not plug holes in the existing ordinance, but puts a "countersink to the holes"; it makes them bigger by widening the opportunities for influence of money on our elections. He urged the Council to stick with the present ordinance.

Mr. Inglesino asked Mr. Huppert if he could provide specific examples where the ordinance "opens more holes," noting that he took great care in trying to close the loopholes he found in the existing ordinance. Mr. Huppert responded that, at this time, he is a little too nervous to do so; he will try to get his thoughts together.

**Annelise Catanzaro, 67 Midvale Avenue**, asked the difference between a professional services contract versus a nonprofessional services contract. Mr. Inglesino responded. He then explained that one of the reasons the existing ordinance is legally defective and would subject the municipality and its taxpayers to large amounts of money in litigation is the direct conflict between the municipal pay to play ordinance and the long-established State Statute that says that a municipality must grant a contract to the lowest, responsible bidder. The concept of lowest, responsible bidder and public bidding is one that has reigned in municipal law and it is clear, per Mr. Inglesino, that the contractor would have a right to the contract regardless of the pay to play ordinance. This is a recipe for a large and very expensive lawsuit. This is the kind of situation that the Township is trying to avoid and prevent by making revisions to the existing ordinance. Ms. Catanzaro commented that it seems to her if the largest percentage of money is spent on nonprofessional services and these contracts are completely exempt from the pay to play regulations, it defeats the purpose of what we are trying to do. Mr. Inglesino explained that the public bid process is a very rigorous one. Ms. Catanzaro also questioned how unions, such as the P.B.A., are affected by the revisions.

**Seeing no one else come forward to speak, Council President Grossi closed the public hearing on Ordinance No. 2010:02.**

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Mr. Inglesino commented that it is important to understand what pay to play is, rather than what it connotes, which are different things to different people. The concept or the act of a local elected official giving or awarding a contract to an entity that has made a contribution to that person's campaign or given anything of value to that person in exchange for a contract is a crime. You don't need a pay to play ordinance to identify this activity as a crime; it is bribery and individuals who engage in this conduct should go to jail. The existing ordinance does not seek to prevent pay to play from happening, it talks about a perception. He pointed out that the last "whereas" clause of the existing ordinance reads "whereas, in the interest of good government, the Mayor and Governing Body desire to establish a policy that will avoid the perception of improper influence in local elections ..." The ordinance is about perceptions and the language in the ordinance becomes very important because it needs to protect and ensure that municipal employees, who are neither political nor have political agendas, can carry out the functions of municipal government in a way that won't have a finger pointed unfairly and unjustifiably at them. What happened here is not a rejection of taking some measure to enact a so-called pay to play ordinance, but the acknowledgement of a responsibility to ensure whatever ordinance is enacted is one that works; one that is enabled to be administered and enforced.

Mr. Inglesino pointed out that there is a U.S. Supreme Court Case which puts into serious question whether or not these ordinances in general, whether at the local or state level, are enforceable if challenged in a Federal Court or before the U.S. Supreme Court. There are strong arguments to say that they would not because they are by definition a restriction on political speech. The U.S. Supreme Court has long held that contribution of money, whether it be one's personal fortune to pursue political office or one's ability to contribute to the political campaign of someone he or she supports is political speech under the U.S. Constitution. Any law or regulation that inhibits one's ability to express his or her political speech in the form of a campaign contribution is going to be viewed skeptically by the courts. It is not in vogue to challenge these types of ordinances because there is, in many ways, a justifiably cynical public opinion about any public official accepting a campaign contribution.

Mr. Inglesino pointed out that when you fairly read the proposed ordinance you will find that in many ways the ordinance becomes more restrictive than what is currently in place because it covers a larger group of people and it avoids conflicting provisions with the local public bidding law. He noted that what people seem to be concerned about is the idea of professionals who work for and are paid by a municipality contributing money to candidates running for office in that municipality. Labor unions engage in the same practice, only more so, because their pay is exclusively from a municipality whereas independent contractors and vendors are not, in most cases, reliant upon a single client. Some unions believe it is okay to reinvest or contribute dollars back into political campaigns of the people who decide their contracts, but somehow this practice is inappropriate in the case of vendors. The Governor has signed an Executive Order extending the definition of "business entity" to include labor unions. The proposed ordinance follows the lead of Governor Christie in extending that definition to labor unions at the local level as well. As to whether or not this is constitutional, he cannot say definitively, any more than he could with respect to the entire ordinance. The remedy is the same. If you are doing business with the Township and you are under a contract, under this ordinance, you are in breach of contract if you exceed the limits and do not remedy your breach within the prescribed time periods. The municipality has a wide range of options available to it in terms of remedies. It could seek to invalidate the contract; those unions would continue to work without a contract, if they wanted to do so. They may be without a contract, but this is not an unusual situation. The bargaining position would also be changed when it comes to renewing a contract or doing a new

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contract because of the breach of the existing contract. Business would not come to a grinding halt within the municipality. This is an unfair exaggeration of what may happen.

With regard to the “fair and open” process, this ordinance is intended to apply to professional service providers who are awarded contracts either through the “fair and open” process or through an “open and close” process. The ordinance doesn’t distinguish between the two.

With regard to political parties, Mr. Inglesino explained that in every county there are two county committees, a Republican County Committee and a Democratic County Committee. The existing pay to play ordinance says that anybody who contributes more than \$500 to a Morris County Committee, whether it be Republican or Democratic, is prohibited from doing business with Parsippany-Troy Hills. He noted problems in other parts of the State where vendors would engage in a practice called “wheeling,” where prospective vendors would contribute money to an organization that would then turn around and send the money someplace else. The problem with that, as applied in this instance, is arguably a partisan comment because Morris County is a Republican County. What you are saying is that it is not okay for vendors to contribute to the Morris County Republican Committee, but it is okay for vendors to contribute to the neighboring Essex County Democratic Committee, where money can then be sent back to Parsippany. Different standards are being applied to different Committees and a Democratic Party candidate is being given an advantage because money could be raised through the neighboring Democratic Organization and Essex County is a Democratic County. Those vendors who contribute to the Essex County Democratic Committee could contribute whatever they want to Democratic candidates in Parsippany and, if those Democratic candidates in Parsippany are successful in their election, they can hire all of those vendors who gave them money through the Democratic County Committee in Essex and not be in violation of the existing pay to play ordinance. This creates an unlevel playing field. There are two options: (1) to apply the restriction to all counties or (2) to apply the restriction to none. This would be the only way to have a fair ordinance with respect to regulating contributions to county committees. Mr. Inglesino reviewed the problems with expanding the restriction to all counties, noting that one is if the pool of vendors statewide is a small pool of vendors. If one of these vendors was to make a contribution in excess of \$500 to the Democratic County Committee in Camden County, for instance, he could find himself precluded from representing Parsippany-Troy Hills even though one campaign contribution clearly has nothing to do with the service being provided to Parsippany. This would unduly limit elected officials’ ability to hire the best vendors. Additionally, the municipal official, such as the purchasing agent, may not know that a vendor made a contribution in Camden County in excess of \$500. While, under the ordinance, it is the vendor’s responsibility to police himself, the reality is that the ordinance says that the municipality shall not enter into that kind of a contract; the burden falls on the shoulders of the municipal employees to make this determination. These employees are not comfortable with this responsibility because they have no idea and yet their concern, under the existing ordinance, is that this is their responsibility. That is why the policy decision was made to just take out the county organizations. To just single out the Republican County is probably going to result in an unfair playing field.

Mr. Inglesino explained that he tried to address professional service contracts questioned by Dr. King in terms of distinguishing between professional service contracts, on the one hand, and those that are publically bid, on the other. He noted, however, in the existing ordinance there were categories of professional service contracts that were not covered; the amended ordinance has been expanded to cover professional service providers for the Board of Adjustment. The existing ordinance only covers those contracts for which the ultimate responsibility for the award

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rests with the Mayor and Council. The Mayor and Council do not have ultimate responsibility for awarding contracts to the Board of Adjustment. Those contracts are awarded by the members of the Board of Adjustment, who are appointed by the Council. The ordinance was broadened to include those categories.

Mr. Inglesino commented that he thinks he addressed the questions asked this evening. He noted that he reviewed the ordinance from a couple of perspectives: (1) to put an ordinance in place that was comprehensible, that he as well as the career municipal officials and the Township's policy makers understood because without this understanding the ordinance becomes unmanageable and (2) to identify the rules in a way that makes sense, noting that there was an inconsistency in the existing ordinance as to whether or not a vendor is allowed to contribute up to \$300 to candidates. The policy decision has been made to permit this, which is consistent with existing State law. Additionally, who is covered in the ordinance has been clarified so that the rules are straightforward. Mr. Inglesino stated that he doesn't think it is fair to say to the members of the Council that, if they do not support the ordinance that was on the ballot for referendum, they do not support pay to play reform. He felt that this was not a fair accusation to make and opined that, as a lawyer, he feels this is a disservice to the Township, noting that there are real recipes with the existing ordinance for litigation. Mr. Inglesino expressed his view that this ordinance, in many ways, is more comprehensive, much clearer in terms of what is intended and much more workable than the existing ordinance and, hopefully, will have the effect of providing an enhanced level of public confidence in the political process, which is a perception issue, and will not work in a way that will result in expensive litigation or in "finger pointing" purely for political purposes.

Mr. dePierro noted that he voted against the original ordinance, not because he is opposed to any type of stricter laws, but because he thinks the law should be Statewide and uniform so that every public official is following the same law. The ordinance that Mr. Wyka proposed is not the standard; many municipalities modified the ordinance or had different ordinances from the onset. The fact that there is no one standard pay to play law can be very confusing to a businessman who would have to analyze an individual town's ordinance prior to buying a ticket to any fundraiser in the State. This is absolute chaos. He advised that he will vote in favor of the proposed ordinance because it is understandable, but he noted that he is still opposed to the concept, reiterating that pay to play should be statewide and all public officials should follow the same rules.

Mr. Fox asked Council President Grossi if the Council could petition the Governor to introduce legislation that would make this pay to play business Statewide, applicable to all parties and to all municipalities. Mr. dePierro commented that he thinks the Governor is currently working on doing this. Mr. Inglesino was asked to draft a resolution for the Council's consideration. Mayor Barberio noted that he has already discussed this with the Township Attorney and that Mr. Inglesino will provide a resolution to the Council for review at the next meeting.

Council President Grossi pointed out that most of the people who engage in pay to play are not being given a check to attend a fundraiser, but are being given cash for a specific reason as we have seen in Jersey City.

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The following resolution was offered by Mr. Cesaro, seconded by Mr. Fox:

**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 Cesaro, dePierro, Fox, Stanton and Grossi

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**ORDINANCE NO. 2010:03**

**An Ordinance of The Township  
of Parsippany-Troy Hills,  
County of Morris and State of  
New Jersey to Amend the Code  
of The Township of  
Parsippany-Troy Hills, Section  
4-34, Fees Governing Services  
Rendered by Off-Duty  
Officers, of Chapter 4,  
Administration of  
Government**

The following resolution was offered by Mr. dePierro, seconded by Mr. Fox:

**BE IT RESOLVED** that an ordinance entitled “**AN ORDINANCE OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, COUNTY OF MORRIS AND STATE OF NEW JERSEY TO AMEND THE CODE OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, SECTION 4-34, FEES GOVERNING SERVICES RENDERED BY OFF-DUTY OFFICERS, OF CHAPTER 4, ADMINISTRATION OF GOVERNMENT,**” be read in title only on second reading and a hearing held thereon..

**ROLL CALL: YES** – Council Members Cesaro, dePierro, Fox, Stanton and Grossi

**Council President Grossi opened the meeting to the public to speak on this ordinance only.**

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

The following resolution was offered by Mr. dePierro, seconded by Mr. Stanton:

**WHEREAS**, the above ordinance was read in title on second reading and a hearing held thereon;

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**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 Cesaro, dePierro, Fox, Stanton and Grossi

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**ORDINANCE NO. 2010:04**

**An Ordinance of the Township of Parsippany-Troy Hills, Morris County, New Jersey, to Amend and Supplement The Township Code, Chapter 420 Entitled “Water,” Section 420-5 Entitled “Water Rates and Charges” for the Purpose of Adjusting the Water Rates and Charges**

The following resolution was offered by Mr. Fox, seconded by Mr. dePierro:

**BE IT RESOLVED** that an ordinance entitled “**AN ORDINANCE OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, MORRIS COUNTY, NEW JERSEY, TO AMEND AND SUPPLEMENT THE TOWNSHIP CODE, CHAPTER 420 ENTITLED “WATER,” SECTION 420-5 ENTITLED “WATER RATES AND CHARGES” FOR THE PURPOSE OF ADJUSTING THE WATER RATES AND CHARGES,**” be read in title only on second reading and a hearing held thereon.

**ROLL CALL: YES** – Council Members Cesaro, dePierro, Fox, Stanton and Grossi

**Council President Grossi opened the meeting to the public to speak on this ordinance only.**

**Joe Raich, 8 Wolf Place,** asked for clarification as to why we should get a 39% increase in our water rates. Mayor Barberio advised that the increase is 38%, not 39%. He explained that the Township cannot have a budget on the utility side that is not balanced; we have to raise rates to balance the budget. Council President Grossi provided further explanation and advised that, if the ordinance is not adopted, the Water Utility will still need to operate. Money will have to be taken out of the general operating budget to make up the difference, which would ultimately jeopardize our good bond rating and cause us to pay higher rates if we need to bond for capital improvements. Additionally, and of most importance to her, is that when money is taken out of the General Fund, we are supplementing organizations such as the schools and houses of worship that do not pay taxes; homeowners who pay property taxes would be supplementing these entities’ share of the water use.

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Mr. Raich asked how the Water Utility has demonstrated that it has made cost cuts in order to avoid raising fees. Ms. Lim explained that, based on our rates, Parsippany is probably the second or third most efficient water utility in Morris County. With this rate increase, Parsippany will still have the third lowest rate in the County. Our rate will be one-third of what the rate is in at least four other Morris County municipalities. While 38% sounds like a lot of money, Ms. Lim explained that for the minimum usage of 10,000 gallons per quarter, the increase would be \$6.40 per quarter or \$25.60 per year. For the average residential user of 15,000 gallons, it will cost about \$10 per quarter or \$40.00 per year.

**Seeing no one else come forward to speak, Council President Grossi closed the public hearing on Ordinance No. 2010:04.**

The following resolution was offered by Mr. Fox, seconded by Mr. dePierro:

**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 Cesaro, dePierro, Fox, Stanton and Grossi

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**ORDINANCE NO. 2010:05**

**An Ordinance Amending  
Section 285-4, Schedule A, No  
Parking Fire Zones, of Article  
I, of Chapter 285, Parking, of  
The Code of the Township of  
Parsippany-Troy Hills to  
Establish Fire Zones and  
Regulate Parking**

The following resolution was offered by Mr. Stanton, seconded by Mr. Cesaro:

**BE IT RESOLVED** that an ordinance entitled “**AN ORDINANCE AMENDING SECTION 285-4, SCHEDULE A, NO PARKING FIRE ZONES, OF ARTICLE I, OF CHAPTER 285, PARKING, OF THE CODE OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS TO ESTABLISH FIRE ZONES AND REGULATE PARKING AT** (1) Glenmount Commons Pool Area, Spring Hill Drive (Block 14, Lot 41); (2) Hampton Inn and Suites, 3737 Route 46 East (Block 136, Lot 46.1); (3) Mack Cali Realty Corporation, 600 Parsippany Road (Block 738, Lot 1),” be read in title only on second reading and a hearing held thereon.

**ROLL CALL: YES** – Council Members Cesaro, dePierro, Fox, Stanton and Grossi

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**Council President Grossi opened the meeting to the public to speak on this ordinance only.**

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

The following resolution was offered by Mr. Stanton, seconded by Mr. Cesaro:

**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 Cesaro, dePierro, Fox, Stanton and Grossi

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**PUBLIC HEARING:**

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

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

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**CONSENT AGENDA:**

Council President Ms. Grossi noted that 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. She moved the approval of the Consent Agenda, seconded by Mr. dePierro.

**ROLL CALL: YES** – Council Members Cesaro, dePierro, Fox, Stanton and Grossi

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**MINUTES FOR APPROVAL:**

- \* Agenda Meeting of 2/9/10
  - \* Closed Session of 2/9/10
  - \* Regular Meeting of 2/16/10
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**BID AWARD(S):**

**\* Rental of Heavy Equipment**

**WHEREAS**, the Township of Parsippany-Troy Hills received bid proposals for Rental of Heavy Equipment on February 17, 2010, and

**WHEREAS**, the Business Administrator, Director of Purchasing and Township Engineer have reviewed the bids and recommend that the bids be awarded to the lowest responsible bidders as follows:

Andy Matt Inc., 19 Scrub Oaks Rd., Mine Hill, NJ 07803 for Item #'s 1, 2, 3 (day rate), 4 (week and month rates), 5, 6, 7, 10 (week and month rates), 11 (month rate), 15, 16, 17, 18 (month rate), 19 (month rate), 39 (day rate), 40, 41 (day and week rate), 42, 47, 48, 64, 68, 69, 70, 77 & 82 (month rate);

DiGuseppi Bros., Inc., 336 Route 46, Mountain Lakes, NJ 07046 for Item #'s 3 (week and month rates), 4 (day rate), 49, 61, 62 (day and week rates), 63 & 100;

DiGuseppi Contracting, Inc., 17 Reservoir Rd., Lake Hopatcong, NJ 07849 for Item #'s 39 (week and month rates), 41 (month rate) & 62 (month rate);

Foley, Incorporated, 855 Centennial Avenue, Piscataway, NJ 08855 for Item #'s 9, 12 (week and month rates), 14 (month rate), 20, 45, 46 (month rate), 54 (month rate), 79, 80, 81, 83, 84, 85 (day and week rate) & 86 (week rate);

Jesco, Inc., 118 St. Nicholas Avenue, South Plainfield, NJ 07080 for Item #'s 8, 10 (day rate), 11 (day and week rates), 12 (day rate), 13, 14 (day and week rates), 18 (day and week rates), 19 (day and week rates), 25, 26, 27, 28, 43 (day and week rates), 44, 51, 53, 54 (day and week rate), 72 (day and week rate), 87, 89, 93 (day and week rate), 95, 96, 97 & 101;

Nacirema Environmental Services Co. Inc., 211-217 West 5<sup>th</sup> Street, Bayonne, NJ 07002 for Item # 65;

Perno Inc., DBA A Rent All Center, 67 Route 46 East, Pine Brook, NJ 07058 for Item #'s 19 (month rate), 24 (week and month rates), 43 (month rate), 46 (day and week rates), 52, 56, 57, 67, 71, 72 (month rate), 82 (day and week rates), 85 (month rate), 86 (day and month rates), 88, 93 (month rate) and 94;

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

“2010 Temporary Budget/Various O/E.”

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Parsippany-Troy Hills that the bids for Rental of Heavy Equipment 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 contracts.

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\* **Supplying Service & Parts for the Sewer Utility Komline – Sanderson Beltpress, Gravabelt and Pumps**

**WHEREAS**, the Township of Parsippany-Troy Hills received a bid proposal for Supplying Service & Parts for the Sewer Utility Komline-Sanderson Beltpress, Gravabelt and Pumps on February 17, 2010, and

**WHEREAS**, the Business Administrator, Director of Purchasing and Assistant Sewer Superintendent have reviewed the bid received and recommend that the bid be awarded to the lowest responsible bidder, Komline-Sanderson Engineering Corp., 12 Holland Avenue, Peapack, NJ 07977, for the unit prices proposed for a Total Cost of \$27,052.00, and

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

**“2010 Temporary Budget/Sewer O/E.”**

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Parsippany-Troy Hills that the bid for Supplying Service & Parts for the Sewer Utility Komline-Sanderson Beltpress, Gravabelt and Pumps 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.

\* **Reconstruction of Centerton Drive and Allentown Road**

**WHEREAS**, the Township of Parsippany-Troy Hills received bid proposals for Reconstruction of Centerton Drive and Allentown Road on February 18, 2010, and

**WHEREAS**, the Business Administrator, Director of Purchasing and Township Engineer have reviewed the bids and recommend that the bid be awarded to the lowest responsible bidder, Stanziale Construction LLC, P.O. Box 2597, Bloomfield, NJ 07003 for a Total Bid Price of \$465,584.55, and

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

Current Capital Ordinance #'s 2007:18 adopted July 24, 2007  
and 2004:23 adopted July 20, 2004, both entitled,  
“Various Improvements.”

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Parsippany-Troy Hills that the bid for Reconstruction of Centerton Drive and Allentown Road be awarded as stated above in accordance with the terms and conditions contained in the advertising specifications and that the Mayor and Township Clerk are authorized to execute the contract.

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\* **Intersection Improvements for North Beverwyck Road and Vail Road**

**WHEREAS**, the Township of Parsippany-Troy Hills received bid proposals for Intersection Improvements for North Beverwyck Road and Vail Road on February 18, 2010, and

**WHEREAS**, the Business Administrator, Director of Purchasing and Township Engineer have reviewed the bids and recommend that the bid be awarded to the lowest responsible bidder, Tiffany Electric Inc., 3 Edison Place, Fairfield, NJ 07004 for a Total Bid Price of \$250,112.85, and

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

Current Capital Ordinance #'s 2008:13 adopted May 23, 2008, 2007:18 adopted July 24, 2007, 2006:08 adopted May 23, 2006 and 2005:07 adopted May 10, 2005, all entitled,  
"Various Improvements."

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Parsippany-Troy Hills that the bid for Intersection Improvements for North Beverwyck Road and Vail Road be awarded as stated above in accordance with the terms and conditions contained in the advertising specifications and that the Mayor and Township Clerk are authorized to execute the contract.

\* **Steel Building Upgrades at the Parsippany Wastewater Treatment Plant**

**WHEREAS**, the Township of Parsippany-Troy Hills received bid proposals for Construction of Steel Building Upgrades at the Parsippany Wastewater Treatment Plant on February 23, 2010, 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, T. M. Brennan Contractors, Inc., 3505 Route 94, Hamburg, NJ 07419 for a Total Bid Price of \$160,000.00, 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."

**REGULAR TOWNSHIP COUNCIL MEETING MARCH 16, 2010**

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Parsippany-Troy Hills that the bid for Construction of Steel Building Upgrades at the Parsippany Wastewater Treatment Plant be awarded as stated above in accordance with the terms and conditions contained in the advertising specifications and that the Mayor and Township Clerk are authorized to execute the contract.

\* **Mount Tabor – Simpson Avenue Improvements**

**WHEREAS**, the Township of Parsippany-Troy Hills received bid proposals for Mount Tabor-Simpson Avenue Improvements on March 3, 2010, and

**WHEREAS**, the Business Administrator, Director of Purchasing and Township Engineer have reviewed the bids and recommend that the bid be awarded to the lowest responsible bidder, Stanziale Construction LLC, P.O. Box 2597, Bloomfield, NJ 07003 for a Total Bid Price of \$86,170.18, and

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

Current Capital Ordinance #'s 2004:23 adopted July 20, 2004, 2005:07 adopted May 10, 2005 and 2006:08 adopted May 23, 2006, all entitled, "Various Improvements."

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Parsippany-Troy Hills that the bid for Mount Tabor-Simpson Avenue Improvements be awarded as stated above in accordance with the terms and conditions contained in the advertising specifications and that the Mayor and Township Clerk are authorized to execute the contract.

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**RESOLUTION(S):**

\* **Confirming Mayor Barberio's Appointments of Paul Di Vitantonio and Zoe Reuben as Student Members of the Municipal Alliance Committee**

**BE IT RESOLVED** by the Township Council of the Township of Parsippany-Troy Hills, in the County of Morris, and State of New Jersey, that it does hereby advise and consent to Mayor James R. Barberio's appointments of the following high school students as members of the **Municipal Alliance Committee** for terms coinciding with the 2009-2010 school year:

**Zoe Reuben**  
Parsippany Hills High School

**Paul Di Vitantonio**  
Parsippany Hills High School

**REGULAR TOWNSHIP COUNCIL MEETING MARCH 16, 2010**

**\* Confirming the Appointments of Douglas J. Del Tufo, Esq. and Robyn Ann Valle, Esq., as Public Defenders and Awarding Contracts for Professional Services**

**WHEREAS**, the Township of Parsippany-Troy Hills has a need to retain professional legal services pursuant to §4-48 of the Township Administrative Code to serve as Public Defender; and

**WHEREAS**, the Mayor has appointed Robyn Ann Valle, Esq., whose offices are located at 12 Second Street, Denville, NJ 07834 and Douglas Del Tufo, whose offices are located at 700 Route 46 East, Kenil New Jersey, 07847; and

**WHEREAS**, the Business Administrator has determined and certified in writing that the value of these services will not exceed \$17,500; and

**WHEREAS**, Robyn Ann Valle, Esq. and Douglas Del Tufo, Esq. have submitted a Business Entity Disclosure Certification providing that they have not made any and will not make any contribution or solicit any contribution of money or pledge of a contribution in violation of Township Ordinance 09:33 (Municipal Code Part 1, Chapter 12); and

**WHEREAS**, the term of these contracts shall be from January 1, 2010 through December 31, 2010.

**WHEREAS**, the Chief Financial Officer of the Township of Parsippany-Troy Hills has certified in writing that funds are available for these services in the following account(s):

2010 Temporary Budget: Current Fund – Public Defender

**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 Township of Parsippany-Troy Hills hereby awards professional services contracts to, and authorizes the Mayor and Township Clerk to execute such contracts with Robyn Ann Valle, Esq., whose offices are located at 12 Second Street, Denville, NJ 07834 and Douglas Del Tufo, whose offices are located at 700 Route 46 East, Kenil New Jersey, 07847 to serve as Public Defenders for the Township.
2. The Determination of Value shall be placed on file with this Resolution; and
3. That, these contracts shall be awarded without competitive bid as a “Professional Service” in accordance with N.J.S.A. 40A:11-1, et seq. because said services are performed by persons authorized by law to practice a recognize profession; and
4. A notice of these awards will be printed in the official newspaper of the Township of Parsippany-Troy Hills in accordance with N.J.S.A. 40A:11-1 et seq.

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\* **Adjusting Water Billing for the Puddingstone Recreation Organization**

**WHEREAS**, the Puddingstone Recreation Organization (PRO) is a community organization that maintains the tennis courts in the Puddingstone area of the Township, including watering the clay surface; and

**WHEREAS**, the usage is limited to seasonal usage and total gallonage used is low; and

**WHEREAS**, the billing rate established when the courts were installed has apparently remained at the 5/8 inch rate; and

**WHEREAS**, the Water Utility recently identified a difference in the billing method to PRO for the tennis courts, which resulted in a high water bill; and

**WHEREAS**, the courts are now charged for a two inch meter and the most appropriate meter size for PRO, based on usage, is a 5/8 inch residential service.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Parsippany-Troy Hills in the County of Morris in the state of New Jersey, that the water utilization fee billed to PRO, beginning the second quarter of 2009 and continuing thereafter, shall be the rate for a 5/8 inch residential meter, as previously used.

\* **Authorizing the Sale of a Vehicle to Rockaway Neck First Aid Squad, Inc.**

**WHEREAS**, the Township of Parsippany-Troy Hills currently owns a 1992 Braun Ambulance, VIN number 1FDKF37M3NNA62371 that is no longer needed for Township purposes; and

**WHEREAS**, the Rockaway Neck First Aid Squad, Inc. has requested to purchase this vehicle; and

**WHEREAS**, the Township would like to sell this vehicle for the nominal price of \$1 to the Rockaway Neck First Aid Squad, Inc., in accordance with N.J.S.A. 40A:12-21.1.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Parsippany-Troy Hills as follows:

1. That the 1992 Braun Ambulance, VIN number 1FDKF37M3NNA62371, be sold to the Rockaway Neck First Aid Squad, Inc. for the nominal price of \$1 with the following conditions:
  - a. That the vehicle be used only for the purposes of the Squad and shall not be used for commercial business or trade; and
  - b. That if the vehicle is not used in accordance with that limitation, ownership of the vehicle shall revert to the Township.
2. That this Resolution shall take effect immediately.

**REGULAR TOWNSHIP COUNCIL MEETING MARCH 16, 2010**

\* **Authorizing the Execution of a Lease with John Grady for the “Red Brick House” at the Knoll**

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

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

**WHEREAS**, the Administration has recommended the execution of a lease between the Township and John Grady, an employee at The Knoll, of a house located at The Knoll, for a term of two years commencing on May 1, 2010 and ending on April 30, 2012, a copy of the full lease being on file with the Township Clerk.

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

\* **Authorizing the Submission of a Year 2010 Historic Preservation Trust Grant Application for the Rehabilitation of the Bowsby-DeGelleke House and 20% Match**

**WHEREAS**, the Township Council intends to submit a year 2010 application to the Morris County Department of Planning and Development for funding assistance through the Morris County Historic Preservation Trust Fund; and

**WHEREAS**, the application pertains to the rehabilitation and repair of the Parsippany Historical Museum, otherwise known as the Bowsby-DeGelleke House; and

**WHEREAS**, the Bowsby-DeGelleke House is located at 320 Baldwin Road in the Township and is registered on both the National and State Registers of Historical Places; and

**WHEREAS**, the repairs to the Bowsby-DeGelleke House will complete the rehabilitation of the first and second floor of the interior and upgrade the existing mechanical, electrical and plumbing of the Museum. The work will allow the Museum to be re-opened for public tours and education;

**WHEREAS**, the total cost of the rehabilitation project is \$399,353, of which the Township is applying to the Morris County Historic Preservation Trust for \$319,482 and has set aside funds in its 2010 budget for \$79,871 (20%) to complete the project.

**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:

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1. The Township Council hereby authorizes the submission of a year 2010 Historic Preservation Trust Fund Grant Application in the amount of \$319,482 for the rehabilitation of the Bowlsby-DeGelleke House in the Township of Parsippany-Troy Hills.
2. The Township Council hereby authorizes \$79,871 in the Township Funds as the 20% match to the above-referenced application.

**\* Supporting the Filing of an Application for the Morris County Historic Preservation Trust Fund – Architectural Portion of the Craftsman Farms’ Fire Suppression Project**

**WHEREAS**, the Craftsman Farms Foundation has engaged a fire suppression specialist to study the fire suppression needs in the Log House and Annex; and

**WHEREAS**, said fire suppression needs have been ascertained and the NJ Historic Preservation Office requires that a historic architecture firm be retained to develop construction documents for the fire suppression system and ensure that the fire suppression system will meet the Secretary of Interior’s standards for historic preservation; and

**WHEREAS**, the Morris County Historic Preservation Trust Fund offers grant opportunities, which fund the preparation of such architectural construction documents; and

**WHEREAS**, the Craftsman Farms Foundation has prepared a grant application to the Morris County Historic Preservation Trust Fund for the preparation of full architectural construction documents for a fire suppression system.

**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. That the Township Council supports the application to the Morris County Historic Preservation Trust Fund for funding of full architectural construction documents for fire prevention and suppression; and
2. That the Mayor and Township Clerk are hereby authorized to sign the Owner Assurances form of the grant application.

**\* Granting an Additional Extension of the Soil Moving Permit to Ivy Realty Services, L.L.C., as Agent for 20 Lanidex Associates, L.P., Block 226, Lot 3.02**

**WHEREAS**, 20 Lanidex Associates, L.P.’s predecessor-in-interest, MSGW Real Estate Fund, L.L.C., through its managing agent, Gale & Wentworth Property Group, Inc., obtained a major soil moving permit on April 13, 1999 in conjunction with a major site plan for Block 226, Lot 3.02; and

**WHEREAS**, several extensions were granted by the Planning Board of the Township of Parsippany-Troy Hills for the major site plan and soil moving permit; and

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**WHEREAS**, Township Council granted extensions of the Major Soil Moving Permit to March 15, 2009 and, then again, to March 15, 2010; and

**WHEREAS**, in response to a request dated February 3, 2010 from Robert Garofalo, Esq., the applicant's attorney, the Planning Board, at its meeting of February 8, 2010 recommended an additional nine months extension of the soil moving permit until December 15, 2010, as indicated in an interoffice memorandum to Justin Lizza, Municipal Engineer, dated February 9, 2010; and

**WHEREAS**, Justin Lizza, in an interoffice memorandum dated March 5, 2010 advised that he has no objection to the extension of the major soil moving permit until December 15, 2010 provided that all conditions of the original approval remain valid;

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of Parsippany-Troy Hills hereby grants an extension of the major soil moving permit to December 15, 2010 subject to the terms and conditions of the original approval.

This Resolution shall take effect immediately.

\* **Transfer of Appropriation Reserves**

**WHEREAS, N.J.S.40A: 4-59** provides that all unexpended balances carried forward after the close of the year are available, until lapsed at the close of the succeeding year, to meet specific claims, commitments or contracts incurred during the preceding fiscal year, and allow transfers to be made from unexpended balances which are expected to be insufficient during the first three months of the succeeding year;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Parsippany-Troy Hills that transfers be made between the 2009 budget appropriations reserves as follows:

<b><u>CURRENT FUND</u></b>	<b><u>FROM</u></b>	<b><u>TO</u></b>
<b><u>UTILITY EXPENSES:</u></b>		
Gasoline	\$2,500.00	
Audit		\$ 2,500.00
<b><u>WATER UTILITY</u></b>		
Operating Expenses	\$99,000.00	
Salaries and Wages		\$ 99,000.00

**REGULAR TOWNSHIP COUNCIL MEETING MARCH 16, 2010**

**\* Amending 2010 Temporary Budget**

**WHEREAS**, an emergent condition has arisen with respect to the need for CY 2010 appropriations under the temporary budget and no adequate provision has been made in the CY 2010 temporary appropriations for the aforesaid purposes and that N.J.S.A.:40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned,

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

**CURRENT FUND**

General Administration	Salaries and Wages	140,000.00
	Other Expenses	10,000.00
Township Council	Salaries and Wages	5,000.00
	Other Expenses	5,000.00
Municipal Clerk	Salaries and Wages	50,000.00
	Other Expenses	20,000.00
Treasury	Salaries and Wages	5,000.00
Tax Collection	Salaries and Wages	50,000.00
	Other Expenses	20,000.00
Tax Assessing	Salaries and Wages	45,000.00
Department of Law	Other Expenses	180,000.00
Engineering	Salaries and Wages	130,000.00
	Other Expenses	10,000.00
Department of Planning	Salaries and Wages	5,000.00
	Other Expenses	20,000.00
Board of Adjustment	Salaries and Wages	15,000.00
	Other Expenses	10,000.00
Housing & Zoning Code Enforcement	Salaries and Wages	140,000.00
Building & Inspections	Salaries and Wages	250,000.00
	Other Expenses	125,000.00

**REGULAR TOWNSHIP COUNCIL MEETING MARCH 16, 2010**

Workers Compensation		150,000.00
Employee Health & Group Insurance		1,595,000.00
Police Department	Salaries and Wages	3,000,000.00
	Other Expenses	308,045.00
Municipal Court	Salaries and Wages	100,000.00
	Other Expenses	6,000.00
Prosecutor	Other Expenses	15,000.00
Fire Prevention Bureau	Salaries and Wages	100,000.00
	Other Expenses	25,000.00
Office of Emergency Management	Salaries and Wages	10,000.00
	Other Expenses	10,000.00
First Aid Organizations		75,000.00
Department of Public Works	Salaries & Wages	400,000.00
	Other Expenses	150,000.00
Garbage & Trash Removal	Salaries & Wages	500,000.00
	Other Expenses	200,000.00
Buildings & Grounds	Salaries & Wages	65,000.00
	Other Expenses	60,000.00
Vehicle Maintenance	Other Expenses	160,000.00
Maintenance of Free Public Library		1,000,000.00
Public Health Services	Salaries & Wages	170,000.00
	Other Expenses	25,000.00
Senior Citizen Center	Salaries & Wages	26,000.00
	Other Expenses	60,000.00
Dog Regulation	Other Expenses	40,000.00
Contribution to Day Care Center	Other Expenses	40,000.00
Maintenance of Parks	Salaries & Wages	400,000.00
	Other Expenses	29,778.00
Recreation Services	Salaries & Wages	150,000.00
	Other Expenses	30,000.00
Electricity		100,000.00

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Street Lighting	225,000.00
Telephone	75,000.00
Gas ( Natural or Propane)	60,000.00
Gasoline	150,000.00
Solid Waste Disposal Costs	700,000.00

Debt Service		
	Payment of Bond Principal	2,500,000.00
	Payment of Bond Interest	650,000.00
	Loan Repayments for Principal & Interest	134,595.00

Statutory Expenditures		
	Police and Fireman's Retirement System of NJ	2,418,638.00
	Public Employees Retirement System	851,944.00

**TOTAL CURRENT FUND** **18,000,000.00**

**WATER UTILITY**

Operating	Salaries & Wages	490,000.00
	Other Expenses	725,910.00
Statutory Expenditures		
	Public Employee's Retirement System	149,090.00
Debt Service		
	Payment of Bond Principal	115,000.00
		20,000.00
	Payment of Bond Interest	

**TOTAL WATER UTILITY** **1,500,000.00**

**SEWER UTILITY**

Operating	Salaries & Wages	800,000.00
	Other Expenses	2,122,815.00
Statutory Expenditures		
	Public Employees' Retirement System	227,185.00
	Social Security System	100,000.00
Debt Service		
	Payment of Bond Principal	200,000.00
	Payment of Bond Interest	50,000.00

**TOTAL SEWER UTILITY** **3,500,000.00**

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**KNOLL COUNTRY CLUB UTILITY**

Operating	Salaries & Wages	472,000.00
	Other Expenses	407,308.00
Statutory Expenditures		
	Public Employees' Retirement System	120,692.00
Debt Service		
	Payment of Bond Principal	100,000.00
<b>TOTAL KNOLL COUNTRY CLUB UTILITY</b>		<b>1,100,000.00</b>

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\* **Authorizing the Settlements of Tax Appeal with CLF Sylvan Way, LLC – Tiffany and Company, 15 Sylvan Way, Block 202, Lot 6.02**

**WHEREAS, CLF SYLVAN WAY, LLC - TIFFANY AND COMPANY** occupies certain property described as 15 Sylvan Way and known as Block 202, Lot 6.02; and

**WHEREAS, CLF SYLVAN WAY, LLC - TIFFANY AND COMPANY** filed appeals to the Tax Court of New Jersey for said premises for the years 2007 through 2009; and

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

**WHEREAS,** as a result of those 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, CLF SYLVAN WAY, LLC - TIFFANY AND COMPANY** 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 New Jersey 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 2007 through 2009 tax appeals are hereby authorized as follows:

**REGULAR TOWNSHIP COUNCIL MEETING MARCH 16, 2010**

	<u>Original Assessment</u>	<u>Settlement Amount</u>
<b>Year: 2007</b>		
LAND	\$ 15,235,700	\$ 15,235,700
IMPROVEMENTS	<u>\$ 21,567,100</u>	<u>\$ 20,567,100</u>
TOTAL	\$ 36,802,800	\$ 35,802,800
<b>Year: 2008</b>		
LAND	\$ 15,235,700	\$ 15,235,700
IMPROVEMENTS	<u>\$ 21,567,100</u>	<u>\$ 18,567,100</u>
TOTAL	\$ 36,802,800	\$ 33,802,800
<b>Year: 2009</b>		
LAND	\$ 15,235,700	\$ 15,235,700
IMPROVEMENTS	<u>\$ 21,567,100</u>	<u>\$ 16,067,100</u>
TOTAL	\$ 36,802,800	\$ 31,302,800

**NOW, THEREFORE, BE IT RESOLVED** 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.

\* **Authorizing the Settlement of Tax Appeal with Istar CTL Sylvan Way Parsippany, LLC – Avis, 6 Sylvan Way, Block 202, Lot 1.9**

**WHEREAS, ISTAR CTL SYLVAN WAY PARSIPPANY, LLC - AVIS** occupies certain property described as 6 Sylvan Way and known as Block 202, Lot 1.9; and

**WHEREAS, ISTAR CTL SYLVAN WAY PARSIPPANY, LLC - AVIS** filed appeals to the Tax Court of New Jersey for said premises for the years 2008 and 2009; and

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

**WHEREAS,** as a result of those 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, ISTAR CTL SYLVAN WAY PARSIPPANY, LLC - AVIS** 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 New Jersey 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

**REGULAR TOWNSHIP COUNCIL MEETING MARCH 16, 2010**

**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 and 2009 tax appeals are hereby authorized as follows:

	<u>Original Assessment</u>	<u>Settlement Amount</u>
<b>Year: 2008</b>		
<b>LAND</b>	<b>\$ 11,184,000</b>	<b>\$ 11,184,000</b>
<b>IMPROVEMENTS</b>	<b>\$ 19,698,000</b>	<b>\$ 17,198,000</b>
<b>TOTAL</b>	<b>\$ 30,882,000</b>	<b>\$ 28,382,000</b>
<b>Year: 2009</b>		
<b>LAND</b>	<b>\$ 11,184,000</b>	<b>\$ 11,184,000</b>
<b>IMPROVEMENTS</b>	<b>\$ 19,698,000</b>	<b>\$ 14,698,000</b>
<b>TOTAL</b>	<b>\$ 30,882,000</b>	<b>\$ 25,882,000</b>

**NOW, THEREFORE, BE IT RESOLVED** 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.

\* **Authorizing Settlement of Tax Appeal with Jofra Realty c/o Weny Brothers, 181 East Halsey Road, Block 741, Lot 3.2**

**WHEREAS, JOFRA REALTY c/o WENY BROTHERS** occupies certain property described as 181 East Halsey Road and known as Block 741, Lot 3.2; and

**WHEREAS, JOFRA REALTY c/o WENY BROTHERS** filed appeals to the Tax Court of New Jersey for said premises for the years 2008 and 2009; and

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

**WHEREAS**, as a result of those 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, JOFRA REALTY c/o WENY BROTHERS** 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 New Jersey Tax Court Judgment; and

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**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 and 2009 tax appeals are hereby authorized as follows:

	<b><u>Original Assessment</u></b>	<b><u>Settlement Amount</u></b>
<b>Year: 2008</b>		
LAND	\$ 1,339,500	\$ 1,339,500
IMPROVEMENTS	<u>\$ 2,779,500</u>	<u>\$ 2,379,500</u>
TOTAL	\$ 4,119,000	\$ 3,719,000
<b>Year: 2009</b>		
LAND	\$ 1,339,500	WITHDRAWN
IMPROVEMENTS	<u>\$ 2,779,500</u>	
TOTAL	\$ 4,119,000	

**NOW, THEREFORE, BE IT RESOLVED** 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.

\* **Authorizing Settlement of Tax Appeal with Jofra Realty c/o Weny Brothers, 701 Jefferson Road, Block 741, Lot 3**

**WHEREAS, JOFRA REALTY c/o WENY BROTHERS** occupies certain property described as 701 Jefferson Road and known as Block 741, Lot 3; and

**WHEREAS, JOFRA REALTY c/o WENY BROTHERS** filed appeals to the Tax Court of New Jersey for said premises for the years 2008 and 2009; and

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

**WHEREAS**, as a result of those 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

**REGULAR TOWNSHIP COUNCIL MEETING MARCH 16, 2010**

**WHEREAS, JOFRA REALTY c/o WENY BROTHERS** 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 New Jersey 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 and 2009 tax appeals are hereby authorized as follows:

	<u>Original Assessment</u>	<u>Settlement Amount</u>
<b>Year: 2008</b>		
LAND	\$ 1,246,500	\$ 1,246,500
IMPROVEMENTS	<u>\$ 6,297,800</u>	<u>\$ 5,547,800</u>
TOTAL	\$ 7,544,300	\$ 6,794,300
<b>Year: 2009</b>		
LAND	\$ 1,246,500	WITHDRAWN
IMPROVEMENTS	<u>\$ 6,297,800</u>	
TOTAL	\$ 7,544,300	

**NOW, THEREFORE, BE IT RESOLVED** 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.

**\* Canceling 2010 Real Estate Taxes on Block 756, Lot 9, 2 Cherbourg Road, and Refunding 2010 Taxes Paid by Owner of the Property – 100% Permanently and Totally Disabled Veteran**

**WHEREAS,** N.J.S.A. 54:4-3.30 exempts 100% permanently and totally disabled veterans or surviving spouses of veterans from the payment of real estate taxes; and

**WHEREAS,** Anthony Miano, owner of Block 756, Lot 9, 2 Cherbourg Road, has been certified by the Department of Veterans Affairs as a 100% permanently and totally wartime service connected disabled veteran effective October 31, 2007; and

**REGULAR TOWNSHIP COUNCIL MEETING MARCH 16, 2010**

**NOW, THEREFORE, BE IT RESOLVED** by the Township of Parsippany-Troy Hills that the 2010 real estate taxes on the above parcel be and are hereby canceled for the period January 1, 2010 through December 31, 2010; and

**BE IT FURTHER RESOLVED**, that said 2010 taxes *paid* be refunded to the owner of the property.

\* **Authorizing Settlement Agreement and Mutual Release with Rafael and Maria Flores, and Authorizing Settlement Agreement and Mutual Release with KCC-Knoll, LLC**

**WHEREAS**, the Township of Parsippany-Troy Hills is the owner of the Knoll Country Club, including its catering and banquet facility; and

**WHEREAS**, a dispute arose with regard to the Township's lease of the catering and banquet facility to Rafael and Maria Flores from August 1994 to July 2004 and which dispute specifically concerned repairs, renovations, and structural improvements allegedly made by Flores to the facility ; and

**WHEREAS**, on April 27, 2005, Flores filed a lawsuit against the Township (docketed as Morris County Superior Court matter MRS-L-1208-05); and

**WHEREAS**, as a condition of the lease the Flores placed a security deposit in the amount of thirty-two thousand dollars (\$32,000.00) with the Township; and

**WHEREAS**, the Township filed a Counterclaim against the Flores concerning Township owned fixtures in the facility; and

**WHEREAS**, the Township leased the banquet and catering facility at Knoll Country Club to KCC-Knoll, LLC beginning in August 2004; and

**WHEREAS**, a dispute arose after KCC-Knoll, LLC assumed operations at the banquet and catering facility at Knoll Country Club and which dispute specifically concerned inventory items at the facility and inoperable inventory items; and

**WHEREAS**, on January 6, 2006, KCC-Knoll, LLC filed a lawsuit against the Township (docketed as Morris Country Superior Court matter MRS-L-61-06); and

**WHEREAS**, in the KCC-Knoll, LLC lawsuit, the Township filed a Third Party Complaint against the Flores; and

**WHEREAS**, such lawsuits were consolidated in 2006; and

**WHEREAS**, all parties have reached agreement and amicable solution in which the Flores' security deposit shall be divided by and between the Flores and KCC-Knoll, LLC with twenty thousand dollars (\$20,000.00) going to the Flores and twelve thousand dollars (\$12,000.00) going to KCC-Knoll, LLC.

**REGULAR TOWNSHIP COUNCIL MEETING MARCH 16, 2010**

**NOW, THEREFORE, BE IT RESOLVED**, as follows, that:

1. The Township Council hereby authorizes the Settlement Agreement and Mutual Release by and between the Township and Rafael and Maria Flores; and
2. The Township Council hereby authorizes the Mayor, Business Administrator, and/or Township Clerk to execute and deliver the Settlement Agreement and Mutual Release; and to deliver and return that portion of the security deposit due and owing under the Settlement Agreement and Mutual Release to the Flores in the manner set forth in the Agreement; and
3. The Township Council hereby authorizes the Settlement Agreement and Mutual Release by and between the Township and KCC-Knoll, LLC; and
4. The Township Council hereby authorizes the Mayor, Business Administrator, and/or Township Clerk to execute and deliver the Settlement Agreement and Mutual Release; and to deliver and return that portion of the security deposit due and owing under the Settlement Agreement and Mutual Release to KCC-Knoll, LLC in the manner set forth in the Agreement.

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**APPLICATION(S):**

License(s):

\* **RH Limousine Services, Inc.**

**BE IT RESOLVED** by the Township Council of the Township of Parsippany-Troy Hills that the following new Limousine Owner's License be issued for the year 2010 pending verification of registration with the New Jersey Motor Vehicle Commission:

**RH Limousine Services, Inc.**  
350 Baldwin Road, Apt. B-18  
(1 vehicle)

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**REGULAR TOWNSHIP COUNCIL MEETING MARCH 16, 2010**

**ORDINANCE(S):**

**Introductions**

**ORDINANCE NO. 2010:06**

**An Ordinance of the Township Council of the Township of Parsippany-Troy Hills, County of Morris, State of New Jersey, Authorizing a Lease Agreement Between the Township of Parsippany-Troy Hills and Puddingstone Recreation Organization for Recreational use**  
(Attachment No. 1)

The following resolution was offered by Mr. Cesaro, seconded by Mr. dePierro:

**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 **March 16, 2010** and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on **April 13, 2010** 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 Cesaro, dePierro, Fox, Stanton and Grossi

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**ORDINANCE NO. 2010:07**

**An Ordinance Vacating the Tulip Lane Right of Way**  
(Attachment No. 2)

The following resolution was offered by Mr. dePierro, seconded by Mr. Stanton:

**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 **March 16, 2010** and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on **April 13, 2010** 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 Cesaro, dePierro, Fox, Stanton and Grossi

**REGULAR TOWNSHIP COUNCIL MEETING MARCH 16, 2010**

**ORDINANCE NO. 2010:08**

**An Ordinance Amending  
Section 65-1, Municipal Government  
Transparency Committee, of the Code  
(Attachment No. 3)**

The following resolution was offered by Mr. Fox, seconded by Mr. Cesaro:

**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 **March 16, 2010** and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on **April 13, 2010** 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 Cesaro, dePierro, Fox, Stanton and Grossi

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Mr. Fox requested that the Council convene in closed session to discuss litigation in connection with the PSE&G Susquehanna Roseland 500-kv Transmission Line. A motion was made by Mr. Fox to convene in closed session for this purpose, seconded by Mr. Cesaro.

**Roll Call:**

<b>Mr. Cesaro</b>	-	<b>Yes</b>
<b>Mr. dePierro</b>	-	<b>Yes</b>
<b>Mr. Fox</b>	-	<b>Yes</b>
<b>Mr. Stanton</b>	-	<b>Yes</b>
<b>Ms. Grossi</b>	-	<b>Yes</b>

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Upon reconvening in open session, Mr. Cesaro made a motion to adjourn, seconded by Mr. Fox.

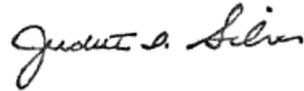
**ROLL CALL: YES** – Council Members Cesaro, dePierro, Fox, Stanton and Grossi

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**REGULAR TOWNSHIP COUNCIL MEETING MARCH 16, 2010**

The meeting adjourned at 8:48 p.m.

Respectfully submitted,



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Judith I. Silver, Township Clerk



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Ann F. Grossi, Council President

Minutes approved: April 13, 2010

**TOWNSHIP OF PARSIPPANY-TROY HILLS  
MORRIS COUNTY, NEW JERSEY  
ORDINANCE NO. 2010:06**

**AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF  
PARSIPPANY-TROY HILLS, COUNTY OF MORRIS, STATE OF NEW JERSEY,  
AUTHORIZING A LEASE AGREEMENT BETWEEN THE TOWNSHIP OF  
PARSIPPANY-TROY HILLS AND PUDDINGSTONE RECREATION ORGANIZATION  
FOR RECREATIONAL USE**

**WHEREAS**, Puddingstone Recreation Organization, a non-profit corporation of the State of New Jersey, provides recreational facilities and opportunities to the residents of the Puddingstone Heights area of the Township of Parsippany-Troy Hills; and

**WHEREAS**, Puddingstone Recreation Organization has requested a lease in connection with premises known as a portion of Block 3, Lot 16 as shown on the Official Tax Maps of the Township; and

**WHEREAS**, the number of person who will benefit from the public purpose is approximately 30/per annum; and

**WHEREAS**, the term of the lease will be five (5) years with an option to renew for an additional five (5) year period; and

**WHEREAS**, the officer or employee responsible for enforcement of the conditions of the Lease shall be the Business Administrator of the Township; and

**WHEREAS**, in accordance with N.J.S.A. 40A:12-14.1(c), Puddingstone Recreation Organization shall annually (by no later than March 1) submit a report to the Business Administrator setting forth the use to which the leasehold was put during each year, the activities of Puddingstone Recreation Organization undertaken in furtherance of the public purpose for which the leasehold was granted, the approximate value or cost, if any, of such activities in furtherance of such purpose; and an affirmation of the continued tax exempt status of Puddingstone Recreation Organization pursuant to both State and federal law.

**WHEREAS**, the Township Council believes that such a lease is necessary and appropriate.

**REGULAR TOWNSHIP COUNCIL MEETING MARCH 16, 2010**

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

**Section 1.** The Township Council does hereby authorize a lease agreement between the Township of Parsippany-Troy Hills and Puddingstone Recreation Organization, a copy of the lease is on file with the Township Clerk, and leases to Puddingstone Recreation Organization a

**REGULAR TOWNSHIP COUNCIL MEETING MARCH 16, 2010**

Attachment No. 1  
Page 2 of 2

portion of Block 3, Lot 16 as shown on the Official Tax Maps of the Township, for a renewable five (5) year term commencing April 1, 2010, at a nominal rental of \$1.00 per year, the use of said tract to be for the sole purpose of providing recreational activities.

**Section 2.** The Mayor and the Township Clerk are hereby authorized to execute the aforementioned lease.

**Section 3.** This ordinance shall take effect in accordance with law.

**TOWNSHIP OF PARSIPPANY-TROY HILLS  
MORRIS COUNTY, NEW JERSEY**

**ORDINANCE NO. 2010:07**

**AN ORDINANCE VACATING THE TULIP LANE RIGHT OF WAY**

**WHEREAS**, Tulip Lane is a paper street with a right of way width of forty (40) feet; and

**WHEREAS**, the Township Planning Board has approved a preliminary major subdivision for Katherine Hall and East Developers, LLC, Block 6, Lot 12 and Block 8, Lot 1, Application #08:004 with the condition that the applicant gain approval for the vacation and relinquishment of public rights of Tulip Lane as shown on the plan entitled “Tulip Lane Vacation Plan” prepared by Van Cleef Engineering Associates dated September 18, 2009; and

**WHEREAS**, the Township Council has determined that the right of way as described in “Schedule A” annexed hereto is no longer needed for public purposes;

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

**Section One:** The purpose of this Ordinance is to vacate the right of way known as Tulip Lane in the Township of Parsippany-Troy Hills fronting Block 6, Lots 12 & 12.01 and Block 8 Lot 1 as well as Block 10901 Lots 15.01 & 16.02 in the Township of Denville, Morris County, New Jersey.

**Section Two:** The right of way, particularly described in “Schedule A” annexed hereto, is hereby declared not needed for public use.

**Section Three:** The Township of Parsippany-Troy Hills hereby vacates, releases, discharges and extinguishes all rights to the portion of the right of way described in Schedule A.

**Section Four:** The Township Clerk shall within 60 days after this ordinance becomes effective file a certified copy hereof, together with a copy of the proof of publication hereof, in the Office of the Clerk of Morris County.

**Section Five:** This ordinance shall take effect upon final passage, approval and publication according to law.

**LEGAL DESCRIPTION**

**SCHEDULE "A"**

September 18, 2009  
Project No. 07-04-PTH

**METES AND BOUNDS DESCRIPTION**  
**Vacation of an unnamed 40-foot Wide Right of Way**  
**Known Locally as a Portion of Tulip Lane**  
**Township of Parsippany- Troy Hills, Morris County, New Jersey**

All that certain lot, parcel or tract of ground situated in the Township of Parsippany– Troy Hills, Morris County, New Jersey being known previously as an unnamed Forty foot (40') wide Right of Way and shown on current Tax Map Sheet #12 as a "Proposed Road", said unimproved parcel being bounded on the south by Violet Street (50' wide) (formerly Beverly Street), on the north by the Municipal Line dividing the Township of Parsippany- Troy Hills and the Township of Denville, on the east by Block 8 Lot 1 and on the west by Block 6 Lot 12 and Lot 12.01. Said parcel being more particularly described as follows:

BEGINNING at a point on the northerly line of Violet Street (50' wide) (formerly Beverly Street) where the same is intersected by the westerly line of an unnamed 40' wide Right of Way, said point being a corner to lands now or formerly Katherine Hall, Block 6 Lot 12, said point also being the beginning point of Block 6 Lot 12 as recited in Deed Book 2609 Page 17, and running from said beginning point; thence

1. Along the westerly line of said unnamed 40' wide Right of Way and along lands of said Hall, Block 6 Lot 12 and continuing along other lands now or formerly Katherine Hall, Block 6 Lot 12.01, North 31 degrees 15 minutes 54 seconds West a distance of 439.44 feet to a point on the Municipal Line diving Parsippany- Troy Hills Township and Denville Township, said point being a common corner to Block 6 Lot 12.01, other lands now or formerly Katherine Hall, Block 10901 Lot 15 and lands now or formerly RJR Developers, LLC, Block 10901 Lot 16.02 in Denville Township; thence
2. Along the aforesaid Municipal Line and Lands of RJR Developers, LLC, Block 10901 Lot 16.02, North 45 degrees 29 minutes 46 seconds East a distance of 41.10 feet to a concrete monument found, said point being a corner to lands now or formerly New Jersey Bell Telephone Company in care of Verizon, Block 8 Lot 1; thence
3. Along the easterly line of said unnamed 40' wide Right of Way and along lands of New Jersey Bell Telephone Company, said line being parallel with and distant 40 feet easterly of Course #1 above, South 31 degrees 15 minutes 54 seconds East a distance of 448.82 feet to a point on the northerly line of aforesaid Violet Street, said point being situated 0.1 feet South and 1.1 feet West of a concrete monument found; thence

4. Along the northerly line of Violet Street, South 58 degrees 42 minutes 06 seconds West a distance of 40.00 feet to the POINT AND PLACE OF BEGINNING

Containing a calculated area of 17,765 square feet or 0.4078 acres.

Subject to covenants, restrictions and/or easements either written or implied.

The above description being prepared in accordance with a plan entitled "Tulip Lane Vacation Plan for Block 6, Lots 12 and 12.01, Block 8, Lot 1, Township of Parsippany- Troy Hills, Morris County, New Jersey", prepared by Van Cleef Engineering Associates, Parsippany, New Jersey dated September 18, 2009.

**TOWNSHIP OF PARSIPPANY TROY HILLS  
MORRIS COUNTY, NEW JERSEY**

**AN ORDINANCE AMENDING SECTION 65-1, OF THE CODE, THE MUNICIPAL  
GOVERNMENT TRANSPARENCY COMMITTEE**

**ORDINANCE NO. 2010:08**

Be It Enacted by the Township Council of the Township of Parsippany-Troy Hills,  
County of Morris:

**Preamble**

WHEREAS, the Township Council established the Municipal Government  
Transparency Committee to act as an advisory committee for the Chief Financial Officer,  
the Chief Information and Technology Officer, the Mayor, and the Administration; and

WHEREAS, in this advisory capacity, cooperation between the Municipal  
Government Transparency Committee and the administration is essential for the effective  
operation of the Committee in carrying out its charge; and

WHEREAS, such cooperation may be best facilitated by allowing the Mayor and  
Council to appoint their respective members to the Committee.

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

**SECTION 1**

**Member and Terms.**

Section 65-1 of the municipal code shall be amended as follows:

- E. Notwithstanding any provisions of this section of the municipal ordinance to the contrary, any appointees to the Municipal Government Transparency Committee shall serve at the pleasure of their respective appointing authority. Thus, the Mayor and Council, respectively, shall be entitled to replace any members which it previously appointed to the Municipal Government Transparency Committee at any time before the expiration of the terms set forth in subsection B above and shall be permitted to remove and replace existing members without cause at any time.

**SECTION 2**

**Severability**

- (a) If any provision of this Ordinance, or the application of any such provision to any person or circumstances, shall be held invalid, the remainder of this Ordinance to the extent it can be given effect, or the application of such provision to persons or circumstances other than those to which it is held invalid shall not be affected thereby.

**SECTION 3 Repealer**

All ordinances or parts of ordinances which are inconsistent with any provisions of this ordinance are hereby repealed as to the extent of such inconsistencies.

**SECTION 4 Effective**

**Date**

This ordinance shall take effect upon final passage, approval and publication according to law.