

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

May 19, 2009

Council President Cesaro opened the Regular Meeting at 7:30 p.m. followed by a salute to the Flag. He advised that adequate notice of this meeting has been provided in accordance with the requirements of the Open Public Meetings Law by filing the notice in the Office of the Township Clerk and by posting the meeting notice on the bulletin board at the Municipal Building on December 2, 2008 where it has remained posted since that date. A legal notice appeared in both the Daily Record and the Star Ledger on December 9, 2008. A 2009 meeting schedule was forwarded by fax to other local newspapers and local radio stations on December 2, 2008.

PRESENT: Council Members Barberio, dePierro, Grossi and Cesaro

ABSENT: Council Member Fox

OTHERS PRESENT: Mr. Strechay, Director of Municipal Utilities (Representing the Business Administrator), J. Verrone, Esq., Township Attorney, J. Silver, Township Clerk

The Council reviewed the agenda and agreed to add the following:

- (1) Resolution making application to the Local Finance Board pursuant to N.J.S.A. 40A:2-26(e), N.J.S.A. 40A:2-7(d) and for the approval of the bonds for purposes of N.J.S.A. 58:11B-9(a);
 - (2) Resolution amending the Capital Budget; and
 - (3) Introduction of a bond ordinance appropriating \$33,200,000 therefore and authorizing the issuance of \$33,200,000 bonds or notes to finance the cost thereof.
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NOTES:

6/09/09 @ 7:30 p.m. Agenda Meeting
Public Invited – Public Participation

6/16/09 @ 7:30 p.m. Regular Meeting
Public Invited – Public Participation

BID(S) TO BE TAKEN:

None

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

- 5/28/09 @ 10:00 a.m. Proposals for Operation of Catering and Banquet Facilities and Provision of Related Services at Knoll Country Club
- 5/28/09 @ 11:00 a.m. 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
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ORDINANCE(S):

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

ORDINANCE (2009:19)

AN ORDINANCE OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS IN THE COUNTY OF MORRIS, NEW JERSEY, TO ACQUIRE BY PURCHASE THE RIGHT-OF-WAY OVER A PORTION OF THE PROPERTY KNOWN AS BLOCK 79, LOT 4, ST. JOHN'S AVENUE

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

BE IT RESOLVED that “**AN ORDINANCE OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS IN THE COUNTY OF MORRIS, NEW JERSEY, TO ACQUIRE BY PURCHASE THE RIGHT-OF-WAY OVER A PORTION OF THE PROPERTY KNOWN AS BLOCK 79, LOT 4, ST. JOHN'S AVENUE,**” be read in title only on second reading and a hearing held thereon.

ROLL CALL: YES – Council Members Barberio, dePierro, Grossi and Cesaro
ABSENT – Council Member Fox

Council President Cesaro opened the meeting to the public on this ordinance only, noting a five-minute time limit per speaker.

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

The following resolution was offered by Mr. Barberio, seconded by Council President Cesaro:

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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 Barberio, dePierro, Grossi and Cesaro
ABSENT – Council Member Fox

ORDINANCE (2009:20)

AN ORDINANCE OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS IN THE COUNTY OF MORRIS, NEW JERSEY, TO ACQUIRE BY PURCHASE THE RIGHT-OF-WAY OVER A PORTION OF THE PROPERTY KNOWN AS BLOCK 79, LOT 3, ST. JOHN'S AVENUE

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

BE IT RESOLVED that “**AN ORDINANCE OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS IN THE COUNTY OF MORRIS, NEW JERSEY, TO ACQUIRE BY PURCHASE THE RIGHT-OF-WAY OVER A PORTION OF THE PROPERTY KNOWN AS BLOCK 79, LOT 3, ST. JOHN'S AVENUE,**” be read in title only on second reading and a hearing held thereon.

ROLL CALL: YES – Council Members Barberio, dePierro, Grossi and Cesaro
ABSENT – Council Member Fox

Council President Cesaro opened the meeting to the public on this ordinance only, noting a five-minute time limit per speaker.

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

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

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 Barberio, dePierro, Grossi and Cesaro
ABSENT – Council Member Fox

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ORDINANCE (2009:21)

**AN ORDINANCE ESTABLISHING
WHITE COLLAR SALARY RANGES
FOR THE TOWNSHIP OF
PARSIPPANY-TROY HILLS (2009)**

The following resolution was offered by Ms. Grossi, seconded by Mr. Barberio:

BE IT RESOLVED that “**AN ORDINANCE ESTABLISHING WHITE COLLAR SALARY RANGES FOR THE TOWNSHIP OF PARSIPPANY-TROY HILLS (2009)**,” be read in title only on second reading and a hearing held thereon.

ROLL CALL: YES – Council Members Barberio, dePierro, Grossi and Cesaro
ABSENT – Council Member Fox

Council President Cesaro opened the meeting to the public on this ordinance only, noting a five-minute time limit per speaker.

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

The following resolution was offered by Ms. Grossi, seconded by Council President 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 Barberio, dePierro, Grossi and Cesaro
ABSENT – Council Member Fox

PUBLIC HEARING:

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

Pat Petaccia, 182 Hawkins Avenue,

- Asked the cost of the auditor hired to review the School Budget. Council President Cesaro advised that he doesn't have a final number yet.
- Questioned the \$7,000 Ms. Malcolm (Chief Financial Officer) receives as the “Board of Education Treasurer.” She asked whether this amount is reflected in Ms. Malcolm's pension benefits. Mr. Strechay advised that this is a common arrangement. He explained that the amount paid by the School Board is not part of her municipal salary. He indicated that he is not familiar with the pension implications.

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- Questioned the hold up on the filming of the Council Meetings, noting that the camera has been in place for over one year. She feels that the quality of the DVDs is satisfactory. Mr. dePierro expressed his view that the DVDs are very poor quality. Other municipalities, per Mr. dePierro, have much better quality filming; he would be embarrassed by the video we would produce. He indicated that he has suggested that the Township purchase a better lens.

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

CONSENT AGENDA:

Council President Cesaro 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.

Council President Cesaro moved the approval of the Consent Agenda, seconded by Mr. Barberio:

ROLL CALL: YES – Council Members Barberio, dePierro, Grossi and Cesaro
ABSENT – Council Member Fox

MINUTES FOR APPROVAL:

- * Agenda Meeting of 4/14/09
 - * Closed Session of 4/14/09 (Approval Only, Disclosure Upon Authorization of Township Attorney)
-

BID AWARD(S):

* **Reconstruction of Pawnee Avenue**

WHEREAS, the Township of Parsippany-Troy Hills received bid proposals for Reconstruction of Pawnee Avenue on April 30, 2009, 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 \$288,603.00, and

WHEREAS, the Chief Financial Officer of the Township of Parsippany-Troy Hills has certified to the availability of funds in the following:
2008 Community Development Block Grant and

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

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

RESOLUTION(S):

* **Certifying Individuals, Ambulances and Ambulance Equipment of Volunteer First Aid, Rescue and Recovery and Ambulance Squads as Being Qualified for Emergency Medical Service Programs**

WHEREAS, N.J.S.A. 27:5F-27 requires the governing body of a municipality to certify individuals, ambulances and ambulance equipment of volunteer first aid, rescue and recovery, and ambulance squads as being qualified for emergency medical service programs; and

WHEREAS, volunteer first aid, rescue and recovery, and ambulance squads in the Township of Parsippany-Troy Hills, as listed below, have notified the Township Council that certain individuals have qualified for membership and that the ambulance equipment meets standards pursuant to statutory requirements.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Parsippany-Troy Hills that pursuant to and in accordance with **N.J.S.A. 27:5F-27**, it hereby certifies the individuals, ambulances and ambulance equipment set forth on the lists provided to the Township as being qualified for emergency medical service programs.

PARSIPPANY RESCUE & RECOVERY UNIT, INC.

PARSIPPANY VOLUNTEER AMBULANCE SQUAD, INC.

PARSIPPANY’S ROCKAWAY NECK FIRST AID SQUAD, INC.

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*** Confirming Mayoral Student Appointment to the Municipal Alliance Committee – Robert Hardwick**

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 Michael M. Luther's appointment of the following high school student as a member of the Municipal Alliance Committee for a term ending December 31, 2009:

Robert Hardwick
Parsippany Hills High School

*** Supporting Participation in the Sustainable Jersey Municipal Government Certification Program**

WHEREAS, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

WHEREAS, the Township of Parsippany-Troy Hills strives to save tax dollars, assure clean land, air and water, improve working and living environments as steps to building a sustainable community that will thrive well into the new century; and

WHEREAS, the Township of Parsippany-Troy Hills hereby acknowledges that the residents of the Township of Parsippany-Troy Hills desire a stable, sustainable future for themselves and future generations; and

WHEREAS, the Township of Parsippany-Troy Hills wishes to support a model of government that benefits our residents now and far into the future by exploring and adopting sustainable, economically-sound, local government practices; and

WHEREAS, by endorsing a sustainable path, the Township of Parsippany-Troy Hills is pledging to educate itself and community members further about sustainable activities and to develop initiatives supporting sustainable local government practices; and

WHEREAS, the Mayor and Township Council of the Township of Parsippany-Troy Hills have the responsibility to provide leadership, which will seek community-based sustainable solutions to strengthen our community.

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 Township will focus attention on matters of sustainability within the Township of Parsippany-Troy Hills.

BE IT FURTHER RESOLVED that the Township Council supports the pursuit of initiatives and actions that will lead to Sustainable Jersey Municipal Certification.

BE IT FURTHER RESOLVED that Jasmine Lim, Business Administrator, is hereby authorized to serve as the Township of Parsippany-Troy Hills' agent for the Sustainable Jersey

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Municipal Certification process and authorizes her to complete the Municipal Registration on behalf of the Township of Parsippany-Troy Hills.

*** Authorizing the Acceptance of Keller and Kirkpatrick's Qualification Statement and Qualifying the Firm to Provide Engineering Services to the Township**

WHEREAS, the Township of Parsippany–Troy Hills (hereinafter “Township”) issued a Request for Qualifications (RFQ) pursuant to N.J.S.A. 19:44A-20.5 for various engineering services in December of 2008, requiring submissions by 11:00AM on December 11, 2008; and

WHEREAS, the engineering firm of Keller & Kirkpatrick submitted a response to the RFQ at 11:10AM, which response was not accepted by the Township due to its lateness; and

WHEREAS, Keller & Kirkpatrick protested the Township’s failure to accept their response, explaining that it was delayed as a result of a meeting in the Township Engineer’s office on Township business; and

WHEREAS, the RFQ for professional services is not subject to the public bidding requirements of the Local Public Contracts Law, N.J.S.A. § 40A:11-1 et seq.; and

WHEREAS, a municipality may waive the minimal delay in submission of a response to an RFQ, where the delay was caused by extenuating circumstances beyond the control of the responding entity; and

WHEREAS, the Administration has reviewed the matter and has determined that extenuating circumstances exist,

WHEREAS, Keller and Kirkpatrick’s submission has been reviewed and found to be acceptable.

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

1. The recitals set forth above are hereby incorporated into the body of this resolution as if set forth at length herein.
2. Keller & Kirkpatrick’s qualification statement is hereby accepted nunc pro tunc.
3. Keller & Kirkpatrick is hereby included on the Township’s list of engineers qualified to provide engineering services to the Township of Parsippany-Troy Hills.
4. The Mayor is hereby authorized to enter into contracts with the aforesaid professional.

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*** Authorizing the Installation of Bus Stops Along Route 46**

WHEREAS, New Jersey Transit has proposed bus stops located on both sides of US Route 46; and

WHEREAS, the Township of Parsippany-Troy Hills has requested these bus stops be made official; and

WHEREAS, the New Jersey Department of Transportation requires a Resolution of Concurrence in order to promulgate the required Traffic Regulation Order designating the bus stops from the Township; and

WHEREAS, the Township Engineer has reviewed the request and recommends the installation of the bus stops on US Route 46.

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

1. That the Mayor and Township Council concur with the New Jersey Department of Transportation's recommendation to establish bus stops along US Route 46 as follows:
 - a. Route US 46 (eastbound), on the southerly side at:
Un-Named Road, MP 49.02 – (far side)
Beginning at a point 126 feet from the easterly curblineline of Un-Named Road and extending 100 feet easterly therefrom. (At Holiday Inn)
 - b. Route US 46 (westbound), northerly side at:
Un-Named Road, MP 49.02 – (far side)
Beginning at a point 65 feet from the westerly curblineline of Un-Named Road and extending 100 feet westerly therefrom. (At Gas Station)
 - c. Route US 46 (westbound), mid-block at:
Beginning at a point 1,385 feet from the easterly curblineline of Crown Point Road and extending 135 feet easterly therefrom. (At IHOP)
2. That the Township will enforce the needed traffic regulations governing the aforementioned bus stop locations and provide the necessary police security to ensure the safety of the traveling public.
3. That this resolution shall take effect upon approval of the Commissioner of Transportation as provided by law.

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*** Release of Performance Bond in the Amount of \$663,512.04 – 8 Sylvan Way, Block 202, Lot 1.11**

WHEREAS, 8 Sylvan Way, L.L.C. posted a performance guarantee, Westchester Fire Insurance Company Bond No. K07565318 in the amount of \$663,512.04, with the Township of Parsippany-Troy Hills, County of Morris, and State of New Jersey, guaranteeing the completion of certain improvements in connection with Final Site Plan Application #06:506, Block 202, Lot 1.11, commonly known as 8 Sylvan Way; and

WHEREAS, Justin Lizza, Municipal Engineer, recommended in an interoffice memorandum to Jasmine Lim, Business Administrator, dated March 3, 2009, that said performance guarantee be released at this time as the work required has been satisfactorily completed;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Parsippany-Troy Hills, County of Morris and State of New Jersey that Westchester Fire Insurance Company Bond No. K07565318 in the amount of \$663,512.04 posted by 8 Sylvan Way, L.L.C be and the same is hereby released.

This resolution shall take effect immediately.

*** Approving the Submittal of a Grant Application to NJDOT – Transportation Enhancement for Sidewalk Improvements**

WHEREAS, the Township of Parsippany-Troy Hills is requesting a grant from the New Jersey Department of Transportation for the Parsippany Library Pedestrian Access Improvements; and

WHEREAS, the estimated cost of this project is \$130,435.20; and

WHEREAS, the grant request is in the amount of \$130,435.20; and

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

1. The Township Council supports and authorizes the submittal of the aforementioned electronic grant application identified as TE-ARRA-Parsippany-Troy Hills Township-00128 to the New Jersey Department of Transportation on behalf of the Township of Parsippany-Troy Hills; and
2. The Mayor and Township Clerk are hereby authorized to execute the grant agreement on behalf of the Township of Parsippany-Troy Hills.
3. The appropriate officials are authorized to take whatever other steps necessary to complete the grant application and meet other grant requirements.
4. This resolution shall take effect immediately.

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*** Approving the Submittal of a Grant Application for Road and Drainage Improvements on Park Road**

WHEREAS, the Township of Parsippany-Troy Hills is requesting a grant from the New Jersey Department of Transportation for the Park Road Improvement Project; and

WHEREAS, the estimated cost of this project is \$353,088.75; and

WHEREAS, the grant request is in the amount of \$300,000.00.

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

1. The Township Council supports and authorizes the submittal of the aforementioned electronic grant application, identified as MA-2010 Parsippany-Troy Hills Township 00244, to the New Jersey Department of Transportation on behalf of the Township of Parsippany-Troy Hills.
2. The Mayor and Township Clerk are hereby authorized to execute the grant agreement on behalf of the Township of Parsippany-Troy Hills.
3. The appropriate officials are authorized to take whatever other steps necessary to complete the grant application and meet other grant requirements.
4. This resolution shall take effect immediately.

*** Refunding Board of Adjustment Application Fee to S. Abdelhalim, 559 Littleton Road, Block 212, Lot 4**

WHEREAS, on April 14, 2009, Saber Abdelhalim submitted to the Board of Adjustment of the Township of Parsippany-Troy Hills a "C" Variance Application (No. 09:25) with the applicable filing fee to construct a deck on property located at Block 212, Lot 4, also known as 559 Littleton Road; and

WHEREAS, the Board of Adjustment, via an interoffice memorandum dated May 5, 2009, requested that the \$60.00 filing fee be refunded as the applicant has withdrawn the application and no action has been taken by the Board;

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 \$60.00 filing fee submitted by Saber Abdelhalim in connection with a "C" Variance Application (No. 09:25) be refunded as requested by the Board of Adjustment.

*** Opposing Governor Corzine's Proposal to Cut EMT Training Fund**

WHEREAS, the Township of Parsippany-Troy Hills depends on two volunteer ambulance squads and one volunteer rescue squad to serve a community with a population greater than 50,000, not including daytime visitors; and

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WHEREAS, the Township relies on our volunteers to provide emergency assistance and medical care of injured, wounded, sick and infirm persons in case of emergency by rendering pre-hospital basic life support (BLS) and transportation of those persons to hospitals or other like places for medical treatment and care; and

WHEREAS, the Emergency Medical Technician (EMT) Training Fund was created by New Jersey P.L. 1992, Chapter 143 (N.J.S.A. 26:2K-54 et seq.) as a dedicated, non-lapsing, revolving fund, established to reimburse any private agency, organization or entity which is certified by the Commissioner of Health and Senior Services to provide training and testing for volunteer ambulance, first aid and rescue squad personnel who are seeking EMT certification and/or recertification, and for which that entity is not otherwise reimbursed; and

WHEREAS, the Fund has allowed thousands of Volunteer EMTs to earn and maintain their EMT certification without incurring out-of-pocket personal expense and without the need for funding from their volunteer squad or municipality; and

WHEREAS, the EMT Training Fund is not supported through the use of any tax money, but rather is supported by a \$0.50 surcharge, which has never been increased, on each fine, penalty and forfeiture imposed and collected by the State of New Jersey for motor vehicle or traffic violations; and

WHEREAS, on April 23, 2009 the Department of Health and Senior Services Office of OEMS informed the New Jersey State First Aid Council of Governor Corzine's intention to redirect \$4,000,000 from the dedicated EMT Training Fund to the general treasury of the State of New Jersey leaving only a proposed \$400,000 balance in the Fund; and

WHEREAS, a \$400,000 balance in the EMT Training Fund, which is currently running at approximately a \$1,000,000 deficit per year, is inadequate to meet the annual training needs of the Volunteer EMTs of this State and will result in severe cut-backs of state-paid EMT training for New Jersey's EMS Volunteer Community; and

WHEREAS, this plan to re-appropriate monies from the EMT Training Fund would potentially shift the cost of Volunteer EMT Training to volunteer ambulance, first aid and rescue and recovery squads when the squads continue to see a decrease in donations, contributions and a short fall in fund raising; and

WHEREAS, it is fundamentally unfair to ask those who already volunteer their time to their communities to pay for their own training; and

WHEREAS, this will significantly impact the recruitment of new members as well as retention of existing members since many will not be able to pay for their training; and

WHEREAS, the burden of funding could potentially be shifted to already overstressed local municipalities, resulting in an increase in local municipal expenses and direct cost to the citizens during this time of economic hardship.

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

1. The Township opposes the intended re-appropriation of monies from the dedicated EMT Training Fund, therefore shifting the cost of Volunteer EMT Training to volunteer ambulance, first aid, rescue squads and local municipalities.
2. The Governor and the Legislature of the State of New Jersey are requested not to remove any money from the EMT Training Fund and to return any money to the Fund that has already been removed for purposes other than those specified in New Jersey P.L. 1992, Chapter 143.
3. That a copy of this resolution be sent to the Honorable Jon Corzine, Governor of the State of New Jersey; the Members of the 26th Legislative District; Parsippany Rescue and Recovery Unit; Rockaway Neck First Aid Squad; Parsippany Volunteer Ambulance Squad and all Morris County Municipalities urging them to adopt similar resolutions in opposition to this proposal.

APPLICATION(S):

License(s):

- * **Liquor License Person to Person Transfer from Shivganesh Inc. to Karmanadhi Inc. t/a Basket of Cheers II**

WHEREAS, an application has been filed for a **person to person transfer of Plenary Retail Consumption with Broad Package Privilege License No. 1429-32-002-004**, heretofore issued to Shivganesh Inc., for premises located at 149 North Beverwyck Road, Parsippany-Troy Hills Township, New Jersey; and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the licensed business;

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NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Parsippany-Troy Hills does hereby approve, **effective June 1, 2009**, the person to person transfer of the aforesaid Plenary Retail Consumption with Broad Package Privilege License to Karmanadhi, Inc. t/a Basket of Cheers II for premises located at 149 North Beverwyck Road, Parsippany-Troy Hills Township, New Jersey and does hereby direct the Township Clerk to endorse the license certificate to the new ownership as follows: **“This license, subject to all its terms and conditions, is hereby transferred to Karmanadhi, Inc. t/a Basket of Cheers II effective June 1, 2009.”**

* **Limousine Owner’s License – VIP All State Service, Inc., 181 New Road (Vehicles)**

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 2009:

VIP All State Service, Inc.
181 New Road
Parsippany, NJ 07054
(1 vehicle)

MINUTES FOR APPROVAL:

Council President Cesaro moved the approval of the minutes of the Regular Township Council Meeting of 4/28/09 (Absent-dePierro), seconded by Mr. Barberio.

ROLL CALL: YES – Council Members Barberio, Grossi and Cesaro
ABSTAIN: Councilman dePierro
ABSENT: Councilman Fox

Council President Cesaro made a motion to add the following resolutions to the agenda, seconded by Mr. Barberio:

(1) Amending the 2009 Capital Budget and

Making Application to the Local Finance Board for Approval of Bond Ordinances for Multiple Purposes

ROLL CALL: YES – Council Members Barberio, dePierro, Grossi and Cesaro
ABSENT – Council Member Fox

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The following resolution was offered by Council President Cesaro, seconded by Mr. Barberio:

Amending the 2009 Capital Budget

(Attachment No. 1)

ROLL CALL: YES – Council Members Barberio, dePierro, Grossi and Cesaro

ABSENT – Council Member Fox

The following resolution was offered by Council President Cesaro, seconded by Mr. Barberio:

Making Application to the Local Finance Board for Approval of Bond Ordinances for Multiple Purposes

WHEREAS, The Township of Parsippany-Troy Hills, in the County of Morris, New Jersey (the “Township”), desires to make application to the Local Finance Board for its review and consent to a non-conforming maturity schedule pursuant to N.J.S.A. 40A:2-26(e), the waiver of a down payment pursuant to N.J.S.A 40A:2-7(d) and approval pursuant to N.J.S.A 58:11B-9(a) of the issuance of bonds by the Township to the New Jersey Environmental Infrastructure Trust in connection with the Township's participation in the New Jersey Environmental Infrastructure Trust Program.

WHEREAS, the Council of the Township believes:

- (a) it is in the public interest to accomplish such purpose;
- (b) said purpose or improvements are for the health, welfare, convenience or betterment of the inhabitants of the Township;
- (c) the amounts to be expended for said purpose or improvements are not unreasonable or exorbitant; and
- (d) the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the Township and will not create an undue financial burden to be placed upon the Township.

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

Section 1. The Application to the Local Finance Board is hereby approved, and the Township's Clerk, Administrator, Chief Financial Officer, Bond Counsel and Auditor along with other representatives of the Township, are hereby authorized to prepare such Application, to file such Application with the Local Finance Board and to represent the Township in matters pertaining thereto (including any related matters which may arise in the course of the Local Finance Board's review of the Application).

Section 2. The Township Clerk is hereby directed to prepare and file a copy of this resolution with the Local Finance Board as part of such application.

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Section 3. The Local Finance Board is hereby respectfully requested to consider such Application and to record its findings, recommendations and/or approvals as provided by the applicable New Jersey Statute.

ROLL CALL: YES – Council Members Barberio, dePierro, Grossi and Cesaro
ABSENT – Council Member Fox

Council President Cesaro made a motion to add to the agenda the introduction of Ordinance No. 2009:28, Bond Ordinance Providing for Wastewater Treatment Plant Improvements, seconded by Mr. Barberio:

ROLL CALL: YES – Council Members Barberio, dePierro, Grossi and Cesaro
ABSENT – Council Member Fox

ORDINANCE 2009:28

AN ORDINANCE OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, IN THE COUNTY OF MORRIS, NEW JERSEY PROVIDING FOR IMPROVEMENTS TO THE TOWNSHIP'S WASTEWATER TREATMENT PLANT AND APPROPRIATING \$33,200,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$33,200,000 BONDS OR NOTES OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS TO FINANCE THE COST THEREOF
(Attachment No. 1)

The following resolution was offered by Mr. Barberio, 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 **May 19, 2009** and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on **June 16, 2009** 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 Barberio, dePierro, Grossi and Cesaro
ABSENT – Council Member Fox

Mr. dePierro explained, relative to the introduction of Bond Ordinance No. 2009:28, that the Township has a 35 year old sewer treatment plant which is very energy inefficient. Our effort is to upgrade the plant and realize a substantial savings. William Mayer, Esq., Bond Counsel from

REGULAR TOWNSHIP COUNCIL MEETING MAY 19, 2009

the Firm of DeCotiis, FitzPatrick, Cole & Wisler, explained that he had requested that this ordinance be placed on the agenda this evening, noting that the project was submitted to the New Jersey Environmental Infrastructure Trust for financing; it has been made clear that “first come, first serve” for funding. With this ordinance introduction and the adoption of the Local Finance Board Resolution, the Township, per Mr. Mayer, will be able to submit its application to the Local Finance Board for the Board’s June 10 meeting and the Council will be able to conduct a public hearing on this ordinance at its June 16 meeting. There will be follow-up resolutions required for the Trust Program.

Mr. dePierro questioned whether there will be rebates available from the power company as a result of the installation of a brand new, energy efficient sewer treatment plant. Mr. Mayer advised that this will be looked into.

ORDINANCE(S):
Introductions

ORDINANCE 2009:22

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 4, ADMINISTRATION OF GOVERNMENT, SECTION 4-47.1 THIRD-PARTY PAYMENT PLAN FOR EMERGENCY MEDICAL SERVICES PROVIDED BY THE NON-VOLUNTEER PAR-TROY EMS SQUAD OF THE CODE OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS

(Attachment No. 2)

The following resolution was offered by Mr. Barberio, 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 **May 19, 2009** and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on **June 16, 2009** 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 Barberio, dePierro, Grossi and Cesaro
ABSENT – Council Member Fox

REGULAR TOWNSHIP COUNCIL MEETING MAY 19, 2009

ORDINANCE 2009:23

AN ORDINANCE AMENDING
CHAPTER 405, VEHICLES AND
TRAFFIC, SECTION 14, PARKING
PROHIBITED AT ALL TIMES ON
CERTAIN STREETS, OF THE CODE
OF THE TOWNSHIP OF
PARSIPPANY-TROY HILLS, MORRIS
COUNTY, NEW JERSEY

(Attachment No. 2)

The following resolution was offered by Mr. dePierro, seconded by Council President 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 May 19, 2009 and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on June 16, 2009 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 Barberio, dePierro, Grossi and Cesaro
ABSENT – Council Member Fox

ORDINANCE 2009:24

AN ORDINANCE OF THE TOWNSHIP
OF PARPIPPANY-TROY HILLS, IN
THE COUNTY OF MORRIS, NEW
JERSEY, PROVIDING VARIOUS
CAPITAL IMPROVEMENTS FOR THE
TOWNSHIP OF PARPIPPANY-TROY
HILLS AND APPROPRIATING
\$5,817,000, THEREFOR, AND
PROVIDING FOR THE ISSUANCE OF
\$5,222,150 IN GENERAL
IMPROVEMENT BONDS OR NOTES
OF THE TOWNSHIP OF
PARPIPPANY-TROY HILLS TO
FINANCE THE SAME

(Attachment No. 4)

The following resolution was offered by Mr. Barberio, 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 May 19, 2009 and that said Ordinance be further considered for second reading and final

REGULAR TOWNSHIP COUNCIL MEETING MAY 19, 2009

passage at a Meeting to be held on **June 16, 2009** 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.

The Township Clerk, relative to the bond ordinances being introduced this evening, stated that the Supplement Debt Statement was prepared by the Chief Financial Officer and filed in the Office of the Township Clerk on this date.

ROLL CALL: YES – Council Members Barberio, dePierro, Grossi and Cesaro
ABSENT – Council Member Fox

ORDINANCE 2009:25

AN ORDINANCE OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, IN THE COUNTY OF MORRIS, NEW JERSEY, PROVIDING FOR VARIOUS WATER UTILITY IMPROVEMENTS FOR THE TOWNSHIP OF PARSIPPANY-TROY HILLS AND APPROPRIATING \$990,000, THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$940,500 IN BONDS OR NOTES OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS TO FINANCE THE SAME
(Attachment No. 5)

The following resolution was offered by Council President Cesaro, seconded by Mr. Barberio:

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 **May 19, 2009** and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on **June 16, 2009** 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 Barberio, dePierro, Grossi and Cesaro
ABSENT – Council Member Fox

REGULAR TOWNSHIP COUNCIL MEETING MAY 19, 2009

ORDINANCE 2009:26

AN ORDINANCE OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, IN THE COUNTY OF MORRIS, NEW JERSEY, PROVIDING FOR VARIOUS SEWER UTILITY IMPROVEMENTS FOR THE TOWNSHIP OF PARSIPPANY-TROY HILLS AND APPROPRIATING \$1,900,000, THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$1,805,000 IN BONDS OR NOTES OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS TO FINANCE THE SAME
(Attachment No. 6)

The following resolution was offered by Mr. Barberio, seconded by Council President 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 May 19, 2009 and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on June 16, 2009 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 Barberio, dePierro, Grossi and Cesaro
ABSENT – Council Member Fox

ORDINANCE 2009:27

AN ORDINANCE OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, IN THE COUNTY OF MORRIS, NEW JERSEY, PROVIDING FOR GOLF COURSE AND RECREATION UTILITY IMPROVEMENTS IN AND FOR THE TOWNSHIP OF PARSIPPANY-TROY HILLS AND APPROPRIATING \$151,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$143,450 IN BONDS OR NOTES OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS TO FINANCE THE SAME
(Attachment No. 7)

REGULAR TOWNSHIP COUNCIL MEETING MAY 19, 2009

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

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 **May 19, 2009** and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on **June 16, 2009** 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 Barberio, dePierro, Grossi and Cesaro
ABSENT – Council Member Fox

Mr. Barberio took this opportunity to advise that, with regards to the sewer fee increase in 2006, a resident commented that he was told by the Administration that the increase was the Township Council's idea. Mr. Barberio indicated that this was not the case, that the fee increase was proposed by Mr. Dimino (former Sewer Superintendent). He requested that false information not be disseminated.

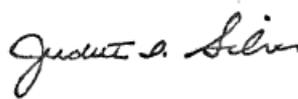
REGULAR TOWNSHIP COUNCIL MEETING MAY 19, 2009

Council President Cesaro made a motion to adjourn the meeting, seconded by Mr. Barberio:

ROLL CALL: YES – Council Members Barberio, dePierro, Grossi and Cesaro
ABSENT – Council Member Fox

The meeting adjourned at 8:06 p.m.

Respectfully submitted,



Judith I. Silver, Township Clerk



John Cesaro, Council President

Minutes approved: June 16, 2009

**TOWNSHIP OF PARSIPPANY-TROY HILLS
MORRIS COUNTY, NEW JERSEY
ORDINANCE NO. 2009:28**

AN ORDINANCE OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, IN THE COUNTY OF MORRIS, NEW JERSEY PROVIDING FOR IMPROVEMENTS TO THE TOWNSHIP'S WASTEWATER TREATMENT PLANT AND APPROPRIATING \$33,200,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$33,200,000 BONDS OR NOTES OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS TO FINANCE THE COST THEREOF

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, IN THE COUNTY OF MORRIS, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), **AS FOLLOWS:**

Section 1. The improvement or purpose described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Township of Parsippany-Troy Hills, in the County of Morris, New Jersey (the "Township"), as a general improvement. For the improvement or purpose described in Section 3 hereof, there is hereby appropriated the sum of \$33,200,000. No down payment is required in connection with the authorization of bonds and notes pursuant to N.J.S.A. 40A:2-11(c) as this bond ordinance authorizes obligations in accordance with N.J.S.A. 40A:2-7(d), as more fully explained in Section 6(e) of this bond ordinance.

Section 2. In order to finance the cost of the improvement or purpose, negotiable bonds are hereby authorized to be issued in the principal amount of \$33,200,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3.

(a) The improvement hereby authorized and the purpose for which the bonds are to be issued is for improvements and upgrades to the Township's wastewater treatment plant, including, without limitation, installation of energy efficient equipment and rehabilitation of the existing treatment systems, and including all work and materials necessary therefor or incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

REGULAR TOWNSHIP COUNCIL MEETING MAY 19, 2009

Attachment No. 2
Page 2 of 3

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget or temporary capital budget (as applicable) of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or amended temporary capital budget (as applicable) and capital program as approved by the Director of the Division of Local Government Services is on file with the Township Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose the Township may lawfully undertake as an improvement of a municipal public utility, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the improvement or purpose, within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is twenty (20) years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Township Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$33,200,000 and the

REGULAR TOWNSHIP COUNCIL MEETING MAY 19, 2009

Attachment No. 2
Page 3 of 3

issuance of the obligations authorized herein will be within all debt limitations prescribed by that law.

(d) An aggregate amount not exceeding \$3,285,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

(e) This bond ordinance authorizes obligations of the Township solely for a purpose described in N.J.S.A. 40A:2-7(d). This purpose is in the public interest and is for the health, welfare, convenience or betterment of the inhabitants of the Township. The amounts to be expended for this purpose pursuant to this bond ordinance are not unreasonable or exorbitant, and the issuance of the obligations authorized by this bond ordinance will not materially impair the credit of the Township or substantially reduce its ability to pay punctually the principal of and the interest on its debts and to supply other essential public improvements and services. The Local Finance Board in the Division of Local Government Services of the Department of Community Affairs of the State of New Jersey has heretofore made a determination to this effect and has caused its consent to be endorsed upon a certified copy of this bond ordinance as passed upon first reading.

(f) The Township reasonably expects to commence acquisition and/or construction of the improvement described in Section 3 hereof, and to advance all or a portion of the costs in respect thereof, prior to the issuance of bonds or notes hereunder. To the extent such costs are advanced, the Township further reasonably expects to reimburse such expenditures from the proceeds of the bonds or notes authorized by this bond ordinance, in an aggregate not to exceed the amount of bonds or notes authorized in Section 2 hereof.

Section 7. Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized hereunder shall be reduced to the extent that such funds are so used.

Section 8. The full faith and credit of the Township is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 9. To the extent that any previous ordinance or resolution is inconsistent herewith or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section 10. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

**TOWNSHIP OF PARSIPPANY TROY HILLS
MORRIS COUNTY, NEW JERSEY
ORDINANCE NO. 2009:22**

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 4, ADMINISTRATION OF GOVERNMENT, SECTION 4-47.1 THIRD-PARTY PAYMENT PLAN FOR EMERGENCY MEDICAL SERVICES PROVIDED BY THE NON-VOLUNTEER PAR-TROY EMS SQUAD OF THE CODE OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS

BE IT ORDAINED by the Township Council of the Township of Parsippany-Troy Hills, in Morris County, State of New Jersey, that the Code of the Township of Parsippany-Troy Hills be amended as follows:

SECTION 1. Subsections A and F of Section 4-47.1, Third-Party Payment Plan for Emergency Medical Services Provided by the Non-Volunteer Par-Troy EMS Squad, are hereby amended and supplemented as follows:

- A. In Subsection A, the fee for emergency medical services shall be increased from \$500 to \$600.
- B. Subsection F shall be deleted in its entirety and replaced with the following: The Director shall annually review the fee for services as set forth in Subsection A herein.

SECTION 2. If any section, paragraph, subsection, clause or provision of this Ordinance shall be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any part thereof.

SECTION 3. All ordinances or parts of ordinances of the Township of Parsippany heretofore adopted that are inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 4. This ordinance shall take effect immediately upon its final passage, approval and publication as provided by law.

**TOWNSHIP OF PARSIPPANY – TROY HILLS
COUNTY OF MORRIS
STATE OF NEW JERSEY**

ORDINANCE NO. 2009:23

AN ORDINANCE AMENDING CHAPTER 405, VEHICLES AND TRAFFIC, SECTION 14, PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS, OF THE CODE OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, MORRIS COUNTY, NEW JERSEY

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

SECTION 1. That Chapter 405, Vehicles and Traffic Section 14, Parking Prohibited as All Times on Certain Streets, be and is hereby amended and supplemented as follows:

- a. The description for Edgefield Drive shall be deleted in its entirety and replaced by the following:

| Name of Street | Sides | Location |
|-----------------------|----------------|---|
| Edgefield Drive | Northerly Side | Beginning 195 feet from the south curb line of Averell Drive and extending to a point 200 feet westerly therefrom |

SECTION 2. If any section, paragraph, subsection, clause or provision of this Ordinance shall be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any part thereof.

SECTION 3. All ordinances or parts of ordinances of the Township of Parsippany heretofore adopted that are inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 4. This ordinance shall take effect immediately upon final passage and publication as provided by law.

**TOWNSHIP OF PARSIPPANY-TROY HILLS
MORRIS COUNTY, NEW JERSEY
ORDINANCE NO. 2009:24**

AN ORDINANCE OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, IN THE COUNTY OF MORRIS, NEW JERSEY, PROVIDING VARIOUS CAPITAL IMPROVEMENTS FOR THE TOWNSHIP OF PARSIPPANY-TROY HILLS AND APPROPRIATING \$5,817,000, THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$5,222,150 IN GENERAL IMPROVEMENT BONDS OR NOTES OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS TO FINANCE THE SAME

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, IN THE COUNTY OF MORRIS, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), **AS FOLLOWS:**

Section 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Township of Parsippany-Troy Hills, in the County of Morris, New Jersey (the "Township"), as general improvements. For the several improvements or purposes described in Section 3 hereof, there are hereby appropriated the respective sums of money therein stated as the appropriations made for each improvement of purpose, such sums amounting in the aggregate to \$5,817,000, including grants in the aggregate amount of \$320,000, consisting of a \$125,000 Community Development Block Grant expected to be received by the Township and a \$195,000 Transportation Trust Fund Grant expected to be received from the State of New Jersey Department of Transportation, and the aggregate sum of \$274,850 as the several down payments from the Capital Improvement Fund for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of the provision for down payment in the capital improvement fund in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments or otherwise provided for hereunder, negotiable bonds are hereby authorized to be issued in the principal amount of \$5,222,150 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

REGULAR TOWNSHIP COUNCIL MEETING MAY 19, 2009

- (a) Purpose: Acquisition of vehicles, other than passenger cars and station wagons, including, but not limited to, a bucket truck and a truck for sanitation and recycling, and including all work and materials necessary therefor or incidental thereto.

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|--|------------|
| <u>Appropriation and Estimated Cost:</u> | \$ 367,000 |
| <u>Maximum Amount of Bonds or Notes:</u> | \$ 348,650 |
| <u>Period or Average Period of Usefulness:</u> | 5 years |
| <u>Amount of Down Payment:</u> | \$ 18,350 |

- (b) Purpose: Acquisition of various equipment including, but not limited to, a tub grinder and a hot asphalt hauler, and including all work and materials necessary therefor or incidental thereto.

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|--|------------|
| <u>Appropriation and Estimated Cost:</u> | \$ 490,000 |
| <u>Maximum Amount of Bonds or Notes:</u> | \$ 465,500 |
| <u>Period or Average Period of Usefulness:</u> | 15 years |
| <u>Amount of Down Payment:</u> | \$ 24,500 |

- (c) Purpose: Construction and/or reconstruction of sidewalks and curbs at various locations and including all work and materials necessary therefor or incidental thereto.

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| <u>Appropriation and Estimated Cost:</u> | \$ 200,000 |
| <u>Maximum Amount of Bonds or Notes:</u> | \$ 190,000 |
| <u>Period or Average Period of Usefulness:</u> | 10 years |
| <u>Amount of Down Payment:</u> | \$ 10,000 |

- (d) Purpose: Traffic signal design and upgrades and the purchase of street signs for various locations in the Township, and including all other work and materials necessary therefor and incidental thereto.

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| <u>Appropriation and Estimated Cost:</u> | \$ 60,000 |
| <u>Maximum Amount of Bonds or Notes:</u> | \$ 57,000 |
| <u>Period or Average Period of Usefulness:</u> | 10 years |
| <u>Amount of Down Payment:</u> | \$ 3,000 |

REGULAR TOWNSHIP COUNCIL MEETING MAY 19, 2009

- (e) Purpose: Various road reconstruction and drainage construction projects, including, but not limited to, Lake Parsippany Roads, various Mt. Tabor roads, the Madison Avenue Project, the Lower Hiawatha project, the Sedgefield Road area reconstruction project and repairs to the Brookstone bridge, and various other drainage construction and road resurfacing, and the placement of pavement markers at various locations, and including all other work and materials necessary therefor and incidental thereto.

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| <u>Appropriation and Estimated Cost:</u> | \$ 3,700,000 |
| <u>Maximum Amount of Bonds or Notes:</u> | \$ 3,515,000 |
| <u>Period or Average Period of Usefulness:</u> | 15 years |
| <u>Amount of Down Payment:</u> | \$ 185,000 |

- (f) Purpose: The Knoll Road resurfacing project, and including all other work and materials necessary therefor and incidental thereto.

| | |
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| <u>Appropriation and Estimated Cost:</u> | \$ 475,000 |
| <u>Maximum Amount of Bonds or Notes:</u> | \$ 147,250 |
| <u>Period or Average Period of Usefulness:</u> | 20 years |
| <u>Grant Money expected to be received:</u> | \$ 320,000 |
| <u>Amount of Down Payment:</u> | \$ 7,750 |

- (g) Purpose: Replacement of Manor Lake Dam, and including all other work and materials necessary therefor and incidental thereto.

| | |
|--|------------|
| <u>Appropriation and Estimated Cost:</u> | \$ 300,000 |
| <u>Maximum Amount of Bonds or Notes:</u> | \$ 285,000 |
| <u>Period or Average Period of Usefulness:</u> | 30 years |
| <u>Amount of Down Payment:</u> | \$ 15,000 |

- (h) Purpose: Rockaway River Dredging and Troy Brook Dredging in the Hills of Troy area, and including all other work and materials necessary therefor and incidental thereto.

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| <u>Appropriation and Estimated Cost:</u> | \$ 225,000 |
| <u>Maximum Amount of Bonds or Notes:</u> | \$ 213,750 |
| <u>Period or Average Period of Usefulness:</u> | 15 years |
| <u>Amount of Down Payment:</u> | \$ 11,250 |

REGULAR TOWNSHIP COUNCIL MEETING MAY 19, 2009

Attachment No. 4
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(i) The maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(j) The estimated cost of the several improvements or purposes is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget or temporary capital budget (as applicable) of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or amended temporary capital budget (as applicable) and capital program as approved by the Director of the Division of Local Government Services is on file with the Township Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The several improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are improvements or purposes the Township may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of the several improvements or purposes to be financed with bonds or notes, within the limitations of the Local Bond Law, computed on the basis of the respective amounts of obligations authorized for each improvement or purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 15.05548 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the

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Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$5,222,150, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$715,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the several improvements or purposes being financed with bonds or notes.

(e) The Township reasonably expects to commence acquisition of the projects described in Section 3 hereof, and to advance all or a portion of the costs in respect thereof, prior to the issuance of bonds or notes hereunder. To the extent such costs are advanced, the Township further reasonably expects to reimburse such expenditures from the proceeds of the bonds or notes authorized by this bond ordinance, in an aggregate not to exceed the amount of bonds or notes authorized in Section 2 hereof.

Section 7. Any grant moneys received for the purposes described in Section 3 hereof (other than those identified in Section 8 hereof) shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued shall be reduced to the extent that such funds are so used.

Section 8. As a portion of the total appropriation of \$5,817,000 made in Section 1 hereof, there is herein appropriated for the improvement or purpose described in Section 3(f) a Community Development Block Grant in the amount of \$125,000 to be received by the Township and a Transportation Trust Fund Grant in the amount of \$195,000 to be received from the State of New Jersey Department of Transportation.

Section 9. The full faith and credit of the Township is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 10. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to

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comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 11. To the extent that any previous ordinance or resolution is inconsistent herewith or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section 12. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

**TOWNSHIP OF PARSIPPANY-TROY HILLS
MORRIS COUNTY, NEW JERSEY
ORDINANCE NO. 2009:25**

**AN ORDINANCE OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, IN THE
COUNTY OF MORRIS, NEW JERSEY, PROVIDING FOR VARIOUS WATER
UTILITY IMPROVEMENTS FOR THE TOWNSHIP OF PARSIPPANY-TROY HILLS
AND APPROPRIATING \$990,000, THEREFOR, AND PROVIDING FOR THE
ISSUANCE OF \$940,500 IN BONDS OR NOTES OF THE TOWNSHIP OF
PARSIPPANY-TROY HILLS TO FINANCE THE SAME**

**BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF
PARSIPPANY-TROY HILLS, IN THE COUNTY OF MORRIS, NEW JERSEY** (not less
than two-thirds of all members thereof affirmatively concurring) **AS FOLLOWS:**

Section 1. The improvement or purpose described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Township of Parsippany-Troy Hills, in the County of Morris, New Jersey (the "Township") as a general improvement. For the improvement or purpose described in Section 3 hereof, there is hereby appropriated the sum of \$990,000, including the sum of \$49,500 as the down payment from the water utility capital improvement fund for the improvement or purpose as required by the Local Bond Law. The down payment has been made available by virtue of the provision in the water utility capital improvement fund in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment or otherwise provided for hereunder, negotiable bonds are hereby authorized to be issued in the principal amount of \$940,500 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for which the bonds or notes are to be issued are various improvements to the Township's water utility system, including, but not limited to, upgrades to the meter reading system, painting of various water tanks and the acquisition and installation of an electronic constant chlorine monitoring system, and including all structures, work, equipment and materials necessary therefor or incidental thereto.

(b) The maximum amount of bonds or notes to be issued for the improvement or purpose are as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

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Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time, at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget or temporary capital budget (as applicable) of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or amended temporary capital budget (as applicable) and capital program as approved by the Director of the Division of Local Government Services is on file with the Township Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose the Township may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the improvement or purpose, within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 15 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$940,500, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$100,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the several improvements or purposes being financed with bonds or notes.

(e) The Township reasonably expects to commence acquisition of the project described in Section 3 hereof, and to advance all or a portion of the costs in respect thereof, prior

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to the issuance of bonds or notes hereunder. To the extent such costs are advanced, the Township further reasonably expects to reimburse such expenditures from the proceeds of the bonds or notes authorized by this bond ordinance, in an aggregate not to exceed the amount of bonds or notes authorized in Section 2 hereof.

Section 7. Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 8. The full faith and credit of the Township is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 9. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. To the extent that any previous ordinance or resolution is inconsistent herewith or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

**TOWNSHIP OF PARSIPPANY-TROY HILLS
MORRIS COUNTY, NEW JERSEY
ORDINANCE NO. 2009:26**

AN ORDINANCE OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, IN THE COUNTY OF MORRIS, NEW JERSEY, PROVIDING FOR VARIOUS SEWER UTILITY IMPROVEMENTS FOR THE TOWNSHIP OF PARSIPPANY-TROY HILLS AND APPROPRIATING \$1,900,000, THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$1,805,000 IN BONDS OR NOTES OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS TO FINANCE THE SAME

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, IN THE COUNTY OF MORRIS, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Township of Parsippany-Troy Hills, in the County of Morris, New Jersey (the "Township") as general improvements. For the improvement or purpose described in Section 3 hereof, there is hereby appropriated the sum of \$1,900,000, including the sum of \$95,000 as the down payment from the sewer utility capital improvement fund for the improvement or purpose as required by the Local Bond Law. The down payment has been made available by virtue of the provision in the sewer utility capital improvement fund in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment or otherwise provided for hereunder, negotiable bonds are hereby authorized to be issued in the principal amount of \$1,805,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for which the bonds are to be issued are various Sewer Utility improvements and equipment acquisitions, including, but not limited to, the redirection and relocation of various sewer lines, meter reading system upgrades, a wet well upgrade, a grit chamber upgrade, upgrades to the sanitary sewer system located on Sylvan Road and refurbishing of a backhoe, and including all work and materials necessary therefor or incidental thereto.

(b) The maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as

may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time, at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget or temporary capital budget (as applicable) of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or amended temporary capital budget (as applicable) and capital program as approved by the Director of the Division of Local Government Services is on file with the Township Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose the Township may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the improvement or purpose to be financed with bonds or notes, within the limitations of the Local Bond Law, is 15 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$1,805,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$450,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the improvement or purpose being financed with bonds or notes.

(e) The Township reasonably expects to commence acquisition and/or construction of the improvement or purpose described in Section 3 hereof, and to advance all or a portion of the costs in respect thereof, prior to the issuance of bonds or notes hereunder. To the extent such costs are advanced, the Township further reasonably expects to reimburse such expenditures from the proceeds of the bonds or notes authorized by this bond ordinance, in an aggregate not to exceed the amount of bonds or notes authorized in Section 2 hereof.

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Section 7. Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 8. The full faith and credit of the Township is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 9. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. To the extent that any previous ordinance or resolution is inconsistent herewith or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

**TOWNSHIP OF PARSIPPANY-TROY HILLS
MORRIS COUNTY, NEW JERSEY
ORDINANCE NO. 2009:27**

AN ORDINANCE OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, IN THE COUNTY OF MORRIS, NEW JERSEY, PROVIDING FOR GOLF COURSE AND RECREATION UTILITY IMPROVEMENTS IN AND FOR THE TOWNSHIP OF PARSIPPANY-TROY HILLS AND APPROPRIATING \$151,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$143,450 IN BONDS OR NOTES OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS TO FINANCE THE SAME

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, IN THE COUNTY OF MORRIS, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), **AS FOLLOWS:**

Section 1. The improvement or purpose described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Township of Parsippany-Troy Hills, in the County of Morris, New Jersey (the "Township") as a general improvement. For the improvement or purpose described in Section 3 hereof, there is hereby appropriated the sum of \$151,000, including the sum of \$7,550 as the down payment from the golf and recreation utility capital improvement fund for the improvement or purpose as required by the Local Bond Law. The down payment has been made available by virtue of the provision in the golf course and recreation utility capital improvement fund in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment or otherwise provided for hereunder, negotiable bonds or notes are hereby authorized to be issued in the principal amount of \$143,450 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds or notes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for which the bonds or notes are to be issued is to provide various improvements to and equipment for the Township's Golf Course and Recreation Utility, including, but not limited to, replacement of 3 HVAC units, improvements and additions to the Wash Water building and acquisition of various capital equipment, including a sprayer and a utility vehicle with hydraulic attachments, and including all other work and materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

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Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time, at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget or temporary capital budget (as applicable) of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or amended temporary capital budget (as applicable) and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. No part of the costs thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the improvement or purpose, within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 15 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$143,450, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An amount not exceeding \$10,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the improvement or purpose.

(e) The Township reasonably expects to commence acquisition of the project described in Section 3 hereof, and to advance all or a portion of the costs in respect thereof, prior to the issuance of bonds or notes hereunder. To the extent such costs are advanced,

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the Township further reasonably expects to reimburse such expenditures from the proceeds of the bonds or notes authorized by this bond ordinance, in an aggregate not to exceed the amount of bonds or notes authorized in Section 2 hereof.

Section 7. Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized hereunder shall be reduced to the extent that such funds are so used.

Section 8. The full faith and credit of the Township is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 9. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. To the extent that any previous ordinance or resolution is inconsistent herewith or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.