

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

September 15, 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, Fox, Grossi and Cesaro

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

PRESENTATION – Ice Rink Proposal

Peter Lanigan indicated that he is present this evening on behalf of the committee formed approximately a year ago to find a solution to the growing need for an ice rink in the Township. He advised that the members of the Council have been provided with copies of the minutes of the April 8, 2009 and June 4, 2009 Recreation Advisory Board Meetings, noting that, after an exchange of ideas, it was concluded that the best solution would be the installation of a refrigeration system to make and maintain real ice at one of the existing roller rinks, not the installation of synthetic ice as first proposed to the Governing Body. He explained that this new ice rink would be in operation from mid November to early March. He enumerated the details of this recommendation as follows:

- **Cost of the Rink:** Under \$300,000.
- **Ice Maintenance:** Two machine options, Zamboni or Olympia, to be rented or purchased at a cost of \$50,000 plus.
- **Energy Costs:** Approximately \$12,000 per month. When broken down at \$100 per hour for resident program use, the rink would need to be rented for approximately 30 hours per week to break even.
- **Other Energy Issues:** Mr. Walsh (Superintendent of the Division of Parks and Forestry) is looking into the installation of solar panels to make the rink more cost efficient.
- **Ice Rental Cost:** The rental cost estimated for synthetic ice (\$75) versus the \$100 per hour for the natural ice is negligible.

Mr. Lanigan explained that, ultimately, these are quality of life issues that will impact a multitude of residents who are currently involved in skating programs and more importantly, and more significantly, future residents who will partake in using the ice rink because of convenience, cost and expanded programs.

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Ms. Grossi questioned how the project would be funded. Mr. Barberio responded that funding would be through the recreation portion of the Open Space Trust Fund; not from taxpayer's dollars. Mr. Barberio also indicated that the refrigerated ice, as opposed to the synthetic ice, seems to be more cost effective. A brief discussion was held as to where the Zamboni would be housed and who would operate the machine. Ms. Grossi commented that she thinks this is a great idea and that it will be a money maker, noting that there is no other facility in the vicinity other than the Morris County Ice Skating Rink. Mr. Lanigan noted that there is a shortage of good ice time; certainly, our hockey teams would benefit from the Parsippany rink in addition to figure skating and general skating. Council President Cesaro stated that, so far, he likes the concept, noting that it is a money maker and will not increase taxes since the funding will come out of the recreation portion of the Open Space Trust Fund. The budget process and time frame involved were noted. Mr. Lanigan asked if the Skating in Parsippany Committee could be involved in the implementation of the project. Council President Cesaro suggested that Mr. Lanigan direct a letter to the Administration offering the Committee's assistance.

NOTES:

10/13/09 @ 7:30 p.m. Agenda Meeting
 Public Invited – Public Participation

10/20/09 @ 7:30 p.m. Regular Meeting
 Public Invited – Public Participation

BID(S) TO BE TAKEN:

10/30/09 @ 11:00 a.m. Redesign and Upgrade of 16 MGD Wastewater Treatment Plant

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

None

ORDINANCE(S):

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

ORDINANCE 2009:34

**AN ORDINANCE AMENDING
CHAPTER 169 FIRE PREVENTION,
SECTION 169-2 ESTABLISHMENT
AND DUTIES OF THE BUREAU OF
FIRE PREVENTION, OF THE
REVISED GENERAL ORDINANCES
OF THE TOWNSHIP OF
PARSIPPANY-TROY HILLS**

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

BE IT RESOLVED that an ordinance entitled “**AN ORDINANCE AMENDING CHAPTER 169 FIRE PREVENTION, SECTION 169-2 ESTABLISHMENT AND DUTIES OF THE BUREAU OF FIRE PREVENTION, OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS,**” be read in title only on second reading and a hearing held thereon.

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

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:

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, Fox, Grossi and Cesaro

ORDINANCE 2009:35

AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, COUNTY OF MORRIS, STATE OF NEW JERSEY, AUTHORIZING A LEASE AGREEMENT BETWEEN THE TOWNSHIP OF PARSIPPANY-TROY HILLS AND PAR-TROY LITTLE LEAGUE WEST FOR USE OF THE PARK ROAD FIELD

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

BE IT RESOLVED that an ordinance entitled “**AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, COUNTY OF MORRIS, STATE OF NEW JERSEY, AUTHORIZING A LEASE AGREEMENT BETWEEN THE TOWNSHIP OF PARSIPPANY-TROY HILLS AND PAR-TROY LITTLE LEAGUE WEST FOR USE OF THE PARK ROAD FIELD,**” be read in title only on second reading and a hearing held thereon

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

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

Roy Messmer, 10 Drumlin Drive, asked whether the ball fields are open to the public when Par-Troy West is not using them. Mr. Barberio indicated that they are Township fields. Ms. Grossi thought that the fences surrounding the fields may be locked. Mr. Messmer felt that the fields should be available to the public when not utilized by the Little League. Mr. Barberio advised that he would check and advise Mr. Messmer.

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

The following resolution was offered by Mr. dePierro, 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, Fox, Grossi and Cesaro

PUBLIC HEARING:

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

Roy Messmer, 10 Drumlin Drive, indicated that he has seven matters to bring to the Council's attention:

1. The erroneous article in the Star Ledger about the Council's adoption of a Red Light (Camera) Ordinance;
2. Relative to "Transparency in Government," the need for our elected officials to make their political contribution reports available for public review at Council Meetings;
3. That his "Bus Line Memo" be discussed at the October 13, 2009 Agenda Meeting because buses that should be used by seniors are being used by individuals to avoid using New Jersey Transit; our transit system is being abused;
4. That his memo about "Immigration Powers" also be discussed at the Council's next agenda meeting;
5. Jennifer Collins (Director, Dept. of Building, Zoning and Construction Inspections) should be asked to attend a Council Meeting to discuss the fact that there are now seven boarding houses in Glacier and Sedgfield. This is a major problem; it's getting out of hand;

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6. A question as to where the 52% sewer rate increase, amounting to additional revenue (through 2009) in the amount of \$10,288,000 per Mr. Messmer's "conservative" estimate, has been spent; and
7. The Route 46 Temple, between Bennigan's and the Church on Route 46, is returning to the Board of Adjustment with a minor subdivision application, after receiving approval for religious property, to construct a bank. If approved, two two-hundred year old historical buildings will be taken down to allow for the bank's construction.

Pat Petaccia, 182 Hawkins Avenue, questioned how the Township knows when a house is a rental property. Ms. Grossi explained that the owner is supposed to register the rental property with the Township. If someone doesn't register, there is no way for the Township to know unless neighbors advise municipal officials that the property is being rented. Ms. Petaccia expressed her feeling that Parsippany has a lot more rentals than we know about. In response to an inquiry by Ms. Petaccia regarding the ice rink proposal, members of the Council explained that a new rink will not be constructed; the existing rink will be used with and without ice.

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

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

Ms. Grossi asked that the following resolutions be removed from the Consent Agenda and tabled for further review at the October 13, 2009 Agenda Meeting: (1) Resolution Establishing an Ad Hoc Advisory Committee for Sustainable Jersey Municipal Certification and (2) Resolution Approving the Revised Employee Handbook and Affirming the Policies and Practices Contained Therein.

She explained that she had asked Ms. Lim, at a previous meeting, for a copy of the new Employee Handbook and was told that the Council Members would all receive copies. She stated that she is not approving any policies or any practices that she hasn't had an opportunity to review and concur with. Regarding the establishment of an Ad Hoc Advisory Committee for Sustainable Jersey Municipal Certification, Ms. Grossi questioned why we need another committee to do the same thing that the Environmental Advisory Committee is supposed to be doing. She also asked who will be appointing the members of the Ad Hoc Committee and to whom will the members report.

A formal motion was made by Ms. Grossi, seconded by Mr. Barberio, to table consideration of these resolutions until the next meeting.

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

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CONSENT AGENDA:

All items 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.

Mr. Fox moved the approval of the Consent Agenda, seconded by Mr.Barberio.

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

BID AWARD(S):

* **One New Diamond Z Horizontal Wood Grinder on Tires**

WHEREAS, the Township of Parsippany-Troy Hills received bid proposals for One New Diamond Z Horizontal Wood Grinder on Tires on September 2, 2009, and

WHEREAS, the Business Administrator, Director of Purchasing, Director of Public Works and Superintendent of Parks & Forestry have reviewed the bid received and recommend award to the lowest responsible bidder, Construction & Industrial Equipment Corporation, 200 Route 17, Lodi, NJ 07644 for a Final Bid Price of \$441,449.00 as well as the Total Bid Price for Add Alternate Item A in the amount of \$3,060.00, the Total Bid Price for Add Alternate Item B in the amount of \$5,626.00, the Total Bid Price for Add Alternate Item C in the amount of \$4,547.00, the Total Bid Price for Add Alternate Item D in the amount of \$9,924.00, the Total Bid Price for Add Alternate Item E in the amount of \$4,460.00 and the Total Bid Price for Add Alternate Item F in the amount of \$5,050.00, and

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

Current Capital Ordinance # 2009:24 adopted June 16, 2009 entitled,
“Various Improvements.”

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Parsippany-Troy Hills that the bid for One New Diamond Z Horizontal Wood Grinder on Tires 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.

WHEREAS, the Township of Parsippany-Troy Hills received bid proposals for Reconstruction of Curbs and Sidewalks at Various Locations-2009 on July 16, 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,

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Arnold's Roads, Inc., 8 Dante Road, Monroe Township, NJ 08831 for a Total Bid Price of \$150,298.00, and

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

Current Capital Ordinance # 2009:24
adopted June 16, 2009 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 Curbs and Sidewalks at Various Locations-2009 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):

* **Opposing the Adoption of P.L. 2009, C.118 and Its Application Statewide (Pilot Program Transferring Municipal Tax Assessment Function to County)**

WHEREAS, P.L. 2009, c. 118 was enacted by the New Jersey Legislature, and signed into law by the Governor on August 18, 2009, creating a pilot program in Gloucester County, whereby the county will take over the tax assessment and valuation duties heretofore performed by municipal tax assessors; and

WHEREAS, the Township Council of the Township of Parsippany-Troy Hills ("Parsippany") understands that the Legislature is considering the expansion of this pilot program statewide, consolidating the duties of every municipality's tax assessor into those of newly appointed county tax assessors; and

WHEREAS, the Township believes that local control of the municipal tax assessment and revaluation function is essential to the municipality's ability to control costs and effectively budget for the future; and

WHEREAS, the Township believes that the local knowledge and expertise of a municipal tax assessor familiar with the properties within a municipality and local conditions affecting the community cannot be effectively and efficiently reproduced at the county level; and

WHEREAS, the Township believes that any potential cost savings to be realized by consolidation are outweighed by the local expertise and attention that local assessors currently provide to our State's communities.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Parsippany-Troy Hills, County of Morris and State of New Jersey objects to and opposes the enactment of P.L. 2009, c. 118, and opposes any plan to expand the pilot program to include Morris County.

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BE IT FURTHER RESOLVED that the Municipal Clerk forward copies of this resolution to the Morris County Board of Chosen Freeholders, each municipality in Morris County, New Jersey State Senator Joseph Pennacchio, New Jersey State Assemblyman Alex DeCroce, New Jersey State Assemblyman Jay Webber, and the Association of Municipal Assessors of New Jersey.

*** Authorizing the Award of a Contract with Sprint Spectrum L.P. for Lease of Space on Water Tower**

WHEREAS, the Township of Parsippany-Troy Hills (“Township”) desires to maximize the use of its property by generating recurring revenues for the lease of space on water towers to cell phone companies; and

WHEREAS, after public advertisement, the Township received one bid on August 19, 2009 for the Leasing of Antennae Space on the water tower on Pomeroy Road as follows:

Sprint Spectrum L.P.
6300 Sprint Parkway
Overland Park, Kansas 66251; and

WHEREAS, the bid has been reviewed by the Purchasing Director; and

WHEREAS, the bid submitted by Sprint Spectrum L.P. complies in all material respects with the bid specifications issued by the Township; and

WHEREAS, the award of a lease to Sprint Spectrum L.P. for the use of space not needed for municipal purposes on the water tower on Pomeroy Road will provide recurring revenues for the Township;

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

(1) That the aforesaid recitals are hereby adopted and incorporated herein as if repeated in full; and

(2) That the bid submitted by Sprint Spectrum L.P. is hereby accepted and a lease shall be awarded to Sprint Spectrum L.P. in accordance with the bid specifications and the Mayor is hereby authorized to execute such lease on behalf of the Township.

*** Approving the Interlocal Agreement with Denville Township for Animal Shelter Services for Dogs**

WHEREAS, the Township of Parsippany-Troy Hills is currently renovating the dog runs at its Animal Shelter and is in need of temporary assistance from the Township of Denville for services and the use of their animal shelter; and

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WHEREAS, the Township of Denville is agreeable to accept the Township of Parsippany-Troy Hills as a customer for the use of such facilities subject to certain terms and conditions described in an agreement, which is on file in the office of the Township Clerk.

WHEREAS, the Township of Parsippany-Troy Hills and the Township of Denville desire to enter into an Agreement for mutual aid services; and

WHEREAS, the Township is authorized pursuant to the Interlocal Services Act, N.J.S.A. 40:8A-1 *et seq.* as authorized by N.J.A.C. 5:23-4-6, to enter into a contract with any other local unit for the provision of any service which that local unit is empowered to render within its own jurisdiction.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Parsippany-Troy Hills hereby authorizes execution of an Interlocal Services Agreement with the Township of Denville for temporary services and the use of their animal shelter in the form on file in the Office of the Township Clerk, upon the terms and conditions provided therein.

*** Endorsing the “Green Acres, Water Supply and Floodplain Protection, and Farmland and Historic Preservation Act of 2009”**

WHEREAS, continued investment in open space, farmland and historic preservation is vitally important to the State, as it enhances New Jersey’s economy and health, safeguards its remaining natural, agricultural, recreational and cultural resources and preserves its character; and

WHEREAS, New Jersey continues to face incredible pressure from development, losing 50 acres of open space daily in recent years to new development projects; and

WHEREAS, protecting open spaces and improving community parks throughout the State, including urban areas, supports New Jersey state and local economies by stabilizing local property taxes and revitalizing communities; and

WHEREAS, the Garden State Preservation Trust, the financing authority for the Green Acres, Blue Acres, Farmland Preservation, and Historic Preservation programs, is virtually depleted; and

WHEREAS, on November 3, 2009, the voters of New Jersey will be asked to approve the “Green Acres, Water Supply and Floodplain Protection, and Farmland and Historic Preservation Act of 2009,” which authorizes the State to issue \$400 million in bonds to fund New Jersey’s preservation programs for three years; and

WHEREAS, passage of the Bond Act, which will equate to \$10 per household per year, is desperately needed to fund the continued protection of New Jersey’s natural areas and cultural sites while a long-term funding solution for the Garden State Preservation Trust is determined and secured;

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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 Mayor and Township Council hereby support the passage of the Green Acres, Water Supply and Floodplain Protection, and Farmland and Historic Preservation Act of 2009 and encourage the voters to vote “yes” for the Bond Act on November 3, 2009.
2. Certified copies of this resolution shall be provided to Governor Jon Corzine, the Members of the 26th Legislative District, The Land Conservancy of New Jersey and Keep It Green c/o NJ Audubon Society.

*** Granting an Additional One Year Extension for the Soil Moving Application to Ivy Realty Services, L.L.C., as Agent for Lanidex Associates, L.P., Block 226, Lot 3.02**

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

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

WHEREAS, Township Council granted an extension of the Major Soil Moving Permit to March 15, 2009; and

WHEREAS, the Planning Board, by Resolution memorialized July 27, 2009 granted Ivy Realty Services, L.L.C., as agent for 20 Lanidex Associates, L.P. Amended Preliminary Major Site Plan approval; and

WHEREAS, Ivy Realty Services, L.L.C., as agent for 20 Lanidex Associates, L.P. has requested an additional one year extension to March 15, 2010 from the Planning Board; and

WHEREAS, the Planning Board recommends the granting of the one year extension; and

WHEREAS, Ivy Realty Services, L.L.C., as agent for 20 Lanidex Associates, L.P. has indicated that the reason for the request is that it has revised the site plan and market conditions have not been favorable to complete the soil moving operations and site plan; and

WHEREAS, the conditions of the original approval shall remain in effect;

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Parsippany-Troy Hills hereby grants an extension of the major soil moving permit to March 15, 2010.

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This Resolution shall take effect immediately.

*** Amending an August 18, 2009 Resolution Granting a Major Soil Moving Permit to Pfizer, Inc., Block 737, Lot 5, 100 Jefferson Road**

WHEREAS, the Township Council of the Township of Parsippany-Troy Hills, at its meeting of August 18, 2009, granted a major soil moving permit to **PFIZER, INC.** for the removal of approximately 2,844 cubic yards of contaminated soil in an environmental clean-up at the Pfizer site at Block 737, Lot 5, 100 Jefferson Road, subject to the terms and conditions specified in the resolution; and

WHEREAS, via an August 31, 2009 memorandum from Anne Marie Rizzuto, Esq., Planning Board Attorney, the Township Council was advised that the Planning Board, at its meeting of August 24, 2009, made the following additional recommendations as the result of the applicant's request to amend the soil moving permit granted by the Township Council:

1. Allow the applicant to conduct work at the site from 8:00 a.m. until 4:00 p.m. on Saturdays and Sundays, exclusive of holidays, through December 31, 2009;
2. Allow truck movement to and from the site from 9:00 a.m. until 4:00 p.m. on Saturdays and Sundays, exclusive of holidays, through December 31, 2009;
3. Require that all truck traffic follow this route: From location on Jefferson Road, right onto Jefferson Road, right onto East Halsey Road, right onto Parsippany Road, enter either north or south ramp for Route 287.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Parsippany-Troy Hills that it does hereby amend its August 18, 2009 Resolution which granted a major soil moving permit to **PFIZER, INC.** for the removal of approximately 2,844 cubic yards of contaminated soil in an environmental clean-up at the Pfizer site at Block 737, Lot 5, 100 Jefferson Road to reflect the abovementioned recommendations made by the Planning Board at its August 24, 2009 meeting.

APPLICATION(S):

License(s):

*** Limousine Owner's License (New)**

Gary T. Hickey, Inc., t/a First Class Limousine Service, 97A Van Wyk Road, Lake Hiawatha (1 Vehicle)

Pablo Quinteros t/a A Way Shuttle, 2001 Route 46 East, Suite 310, Parsippany (1 Vehicle)

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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:

Gary T. Hickey, Inc.
t/a First Class Limousine Service
97A Van Wyk Road
Lake Hiawatha, NJ 07034
(1 vehicle)

Pablo Quinteros
t/a A Way Shuttle
2001 Route 46, Suite 310
Parsippany, NJ 07054
(1 vehicle)

MINUTES FOR APPROVAL

Mr. dePierro moved the approval of the minutes of the following meetings, seconded by Mr. Barberio:

Agenda Meeting of August 11, 2009 (Absent Fox)
Regular Meeting of August 18, 2009 (Absent Grossi)
Closed Session of August 18, 2009 (Absent Grossi)
Special Meeting of August 31, 2009 (Absent Fox)

ROLL CALL:

Barberio - YES
dePierro - YES
Fox - YES (Meetings of August 18, 2009)
ABSTAIN (Meetings of August 11, 2009 and August 31, 2009)
Grossi - YES (Meetings of August 11, 2009 and August 31, 2009)
ABSTAIN (Meetings of August 18, 2009)
Cesaro - YES

ORDINANCE(S):

Introductions

ORDINANCE NO. 2009:36

**AN ORDINANCE AMENDING AND
SUPPLEMENTING THE CODE OF
THE TOWNSHIP OF PARSIPPANY-
TROY HILLS TO ADD A NEW
CHAPTER 65 ENTITLED
TRANSPARENCY IN MUNICIPAL
GOVERNMENT ACT**
(Attachment No. 1)

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The following resolution was offered by Council President Cesaro, seconded by Ms. Grossi:

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 **September 15, 2009** and that said Ordinance be further considered for second reading and final passage at a Meeting to be held **on October 20, 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.

Mr. dePierro expressed his agreement with the concept, but questioned, relative to its implementation, how the advisory committee is going to interface with the Administration and not violate our Faulkner type of government. Additionally, he doesn't know, at this point, how much funding will be required. He also doesn't know how documents such as purchase orders with hundreds of pages of back-up will be handled, who will be responsible for scanning and posting the documents, how many hours will be needed to complete the task and whether additional staff will be necessary. These questions have not been answered; to just blindly support this ordinance by saying that the details will be worked out later doesn't make sense to him. Mr. dePierro expressed his view that we could be talking "big dollars" and we could be talking about violating our form of government.

Council President Cesaro explained that we would fund this committee, if we want to fund it, in the same manner we fund other committees. Additionally, the Council President noted that the ordinance has been tweaked to not seem as onerous as the previous draft. He pointed out that the committee will not be "interfacing," but "consulting with" the Administration; not advising, not telling, but consulting with the CFO and the Information Technology Officer. He stressed that people have a have a right to know how every penny of their money is spent.

Ms. Verrone explained that the concept of the Council, in this form of government, requiring the Administration's employees, including the CFO, to take particular action is not consistent with the Faulkner Act. She indicated that she has spoken with the Council President about this and advised him that she would do as much as she could do to soften the impact, but again, the concept of directing that the Administration or the Administration's employees carry out particular functions, a mandate, is not consistent with the Faulkner Act. Mr. Barberio commented that the committee to be established is advisory. Ms. Verrone stated that the ordinance still requires the establishment of the website. Mr. dePierro expressed his opinion that the committee is not necessary to accomplish the goals of this ordinance. We would just need to understand how much documentation we want to post on-line. This could be worked out before hand with the Administration; a committee won't be necessary and we won't have an "interface" that could be in conflict with our type of government. Ms. Verrone reiterated that the concept of requiring a website, requiring that a member of the Administration, the CFO, post particular documents is not consistent with the Faulkner Act. She noted that the CFO has identified particular documents that would reflect the information that was broadly categorized in the earlier version of the ordinance so as to minimize the impact. Mr. Fox commented that he believes the enactment of this ordinance is a move towards "good government." There will be

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bumps, there will be problems, but, if the ordinance does nothing else, it will bring these issues to the forefront and, perhaps, influence the Administration and the Council to work together so that the public gets the information to which it is entitled. Ms. Grossi agreed with Mr. Fox's comments, pointing out that taxpayers have an inherent right to know how their money is being spent without having the hassle of submitting an OPRA (Open Public Records Act) request and, more importantly, as a result of this ordinance, we will have an informed public in Parsippany. Mr. Barberio commented that, while promises were made, we haven't seen transparency in either the Federal or State Government; he suggested that Parsippany be the frontrunner and move ahead.

ROLL CALL: YES – Council Members Barberio, Fox, Grossi and Cesaro
NO – Councilman dePierro

ORDINANCE NO. 2009:37

**AN ORDINANCE SUPPLEMENTING
CHAPTER 4, ARTICLE XI, ENTITLED
“DEPARTMENT OF PLANNING,
ZONING AND CONSTRUCTION
INSPECTIONS” OF THE CODE OF
THE TOWNSHIP OF PARSIPPANY–
TROY HILLS TO CREATE AN
ECONOMIC DEVELOPMENT
ADVISORY COMMITTEE**

(Attachment No. 2)

The following resolution was offered by Ms. Grossi, 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 **September 15, 2009** and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on **October 20, 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.

Mr. dePierro commented that this ordinance was created in a vacuum; totally oblivious to the fact that we have a Chamber of Commerce which has been operating in Parsippany for 21 years. The Parsippany Area Chamber of Commerce performs all of the functions enumerated in this ordinance and then some. The authors of this ordinance, per Mr. dePierro, didn't bother to reach out, even once, to find out exactly what the Chamber does. The Chamber, in its 21 years, received no financial support from the Township. It has operated on its own through dues, fees, and fundraisers. It has done an outstanding job with the resources available to it. While Mr. dePierro supports the intent of this ordinance, he pointed out that there first should have been some effort to work with the Chamber, find out what it does, see where the Township could

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reinforce its efforts, and then, if there was something lacking, form a committee to fill the void. The authors of this ordinance, per Mr. dePierro, have no idea if there even is a void.

Ms. Grossi responded to Mr. dePierro's comments. She explained that this ordinance has been in the works since January of this year; not once, until this document was crafted, was there any controversy coming from the Chamber of Commerce. Mr. dePierro advised Ms. Grossi that she is wrong. Ms. Grossi noted that, in terms of financial support, the Chamber never approached this Council requesting funds. She explained that the Chamber is not a government agency; it's a private agency which cannot be funded by the Township. She read a statement into the record addressing the recent controversy concerning the establishment of the Parsippany Economic Development Committee ("EDAC"). First of all, she stated that she does not understand why the President of the Chamber of Commerce has chosen to air the Chamber's "perceived problem" in a public forum. She questioned why he chose not to pick up the phone and call members of the Council. The intent of this ordinance, per Ms. Grossi, was never to step on the Chamber's toes. She continued her statement by confirming that the Chamber is a private group, an association, and it is not the Chamber's purpose to represent government or the people of Parsippany. The purpose of the Chamber, as stated on its website, is to create interaction between Parsippany area based businesses, merchants, residents and volunteers. Its mission is not to represent the Township in economic development and it has no statutory authority to represent the Township in this or any governmental endeavor. She explained that the Council Members, as well as the future EDAC members, have a fiduciary responsibility to the people of Parsippany. For the Chamber's President to think he speaks for the residents demonstrates a clear lack of understanding the law. She further noted that it is also a conflict of interest for the Chamber President to say that he represents the Township because he cannot represent the people of Parsippany and the business members of the Chamber at the same time. Only the elected officials are legally charged with the responsibility to look after the best interests of the Township and its residents. Although the Chamber President is a Board Member of the Morris County Economic Development Corporation, she doesn't want anyone to be misguided because that organization is also not a government entity. Ms. Grossi stated that it is great that we have the Parsippany Area Chamber of Commerce; it is great that we have the Morris County Chamber of Commerce with its Economic Development Component (the Morris Economic Development Corporation), but these organizations are not focused on the economic development of Parsippany. They focus on the businesses that are their members. Only the EDAC will focus on the economic development of Parsippany for the benefit of the people of Parsippany, who are the only people to whom she, as a Council Member, answers. She pointed out how grave the situation is by noting that, even though the Council has consistently cut the Township Budget, taxes still have increased because of rateable loss. Ms. Grossi noted that Parsippany lost 5% of its rateables because of vacant commercial space and tax appeals; this tax burden has been shifted onto the backs of the Parsippany homeowners. If there was ever a time to create a Parsippany EDAC, it is now. Through the EDAC and other organizations, she is looking to lift that burden from the backs of our residents. Also, from an historical perspective, she advised that in the late 60's and early 70's, the Township had an industrial committee with a \$25,000 budget for the purpose of bringing industry into Parsippany and reducing taxes. The EDAC will be a government arm to represent the interests of our residents. It will be staffed with interested, hard-working, and committed volunteers who are willing to take on this task. There are no negatives associated with the creation of the EDAC; only positives. It will bring jobs to Parsippany that could be filled by our residents; it will bring employers and employees to Parsippany who will utilize the services of the businesses who are members of the Chamber of Commerce as well as to businesses which are not members; it will provide an opportunity for the

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Chamber of Commerce to expand its membership; it will bring in tax revenues that will lower the municipal tax bill; and it will attract corporate employees looking to relocate to Parsippany and help our sagging real estate market. Ms. Grossi repeated that there is no downside to this ordinance. Anyone who opposes it has a different agenda at hand with no interest in protecting the people of Parsippany. She urged all the members of the Council to support the ordinance.

Mr. Barberio agreed with Ms. Grossi's comments and reiterated that the intention of this ordinance is to bring business into Parsippany, noting that Parsippany lost \$49 million last year in rateables. The creation of this advisory committee is in the best interests of the Township. By no means was this created to "strike the nerve of the Chamber of Commerce." This ordinance is moving the Township in the right direction. He reiterated Ms. Grossi's comment that anyone challenging it does not have the best interests of Parsippany in mind.

Mr. Fox indicated that we wished this matter could have been handled differently as far as the Chamber and Mr. Peluso (Chamber President) are concerned because they are both true assets to the Township. The intent of this ordinance is far too important to let go because of personalities or turf conflicts.

Once again, Mr. dePierro indicated that his problem is not with the intent of this ordinance, but with the fact that there was no effort to reach out to the Chamber of Commerce. The authors of the ordinance, who were forming the committee, had an obligation, per Mr. dePierro, to contact the Chamber to ascertain its functions, etc. and to solicit its input. There was no dialogue at all with the Chamber of Commerce, which he feels is a "slap in the face" to the Chamber.

Mr. Barberio emphasized that, while he understands what Mr. dePierro is saying, there was no intent to "slap the Chamber in the face" by either himself or Councilwoman Grossi. This is something that Parsippany needs moving forward.

Council President Cesaro asked that whatever happened prior to this evening, whatever that may be, can we please dispel with it and move forward. He invited Mr. Peluso, present in the audience, to meet with the Committee, once the ordinance is adopted and the Committee is established. He applauded both Ms. Grossi and Mr. Barberio for the work they did in drafting this ordinance.

Mr. dePierro commented that if he is going to support this legislation, noting that it is going to be adopted anyway, he wants some commitment from the Council that it will indeed work with the Chamber of Commerce. Ms. Grossi reiterated that the Council is not trying to eliminate the Chamber. If she had thought that this ordinance was going to cause an issue with the Chamber, she would have personally contacted Mr. Peluso. Mr. Fox confirmed that there was no intention by anyone on this Council, individually or jointly, to offend anyone on the Chamber of Commerce. If anyone was offended, he for one, apologized. Both the Council and Chamber are trying to do what is in the best interest of the Township.

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

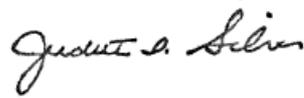
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Ms. Grossi made a motion to adjourn the Meeting, seconded by Mr. Fox

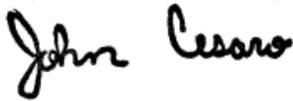
ROLL CALL: YES – Council Members Barberio, dePierro, Fox, Grossi and Cesaro

The meeting adjourned at 8:45 p.m.

Respectfully submitted,



Judith I. Silver, Township Clerk



John Cesaro, Council President

Minutes approved: October 20, 2009

**TOWNSHIP OF PARSIPPANY – TROY HILLS
ORDINANCE NO. 2009:36**

AN ORDINANCE AMENDING AND SUPPLEMENTING THE CODE OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS TO ADD A NEW CHAPTER 65 ENTITLED TRANSPARENCY IN MUNICIPAL GOVERNMENT ACT

WHEREAS, the growing tax burden is affecting the residents of the Township of Parsippany-Troy Hills; and

WHEREAS, the taxpayers have the right to know how their tax money is allocated and utilized; and

WHEREAS, the taxpayers of Parsippany-Troy Hills should be allowed “user-friendly” access to the Township’s financial data via the Township website or a specifically designated website for the aforementioned purpose; and

WHEREAS, a committee is to be established to ensure taxpayer access to and proper functioning of the website.

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Township of Parsippany-Troy Hills as follows:

SECTION 1. That the Code of the Township of Parsippany-Troy Hills is hereby amended and supplemented by the addition of a new Chapter 65, entitled “Transparency in Municipal Government Act,” as follows:

Chapter 65, TRANSPARENCY IN MUNICIPAL GOVERNMENT ACT

§ 65-1. Municipal Government Transparency Committee; establishment.

There shall be established a Municipal Government Transparency Committee to consult and coordinate with the Township Council, Township Chief Financial Officer and the Chief Information Technology Officer regarding the scope, content, and format of the public finance website, or any current website, developed to comply with the provisions of this ordinance.

A. Establishment. The Municipal Government Transparency Committee shall consist of nine voting members, five (5) of whom shall be appointed by the Township Council and four (4) of whom shall be appointed by the Mayor. Further, there will be (2) non-voting members from the Administration, and one (1) non-voting member from the Council to serve as a liaison, all as enumerated below. Committee members shall not be compensated. Voting Committee members shall be Township residents who believe in the taxpayers’ right to access how their money is being utilized and who

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possess an interest in ensuring a “user-friendly” vehicle through which Township residents can access the Township’s financial records.

B. Members and Terms. The terms of the Committee members shall be as follows:

- (1) Three voting members shall be appointed for terms ending December 31 of the first year of appointment, one to be appointed by the Mayor and two to be appointed by the Township Council.
- (2) Three members shall be appointed for two-year terms, said terms ending December 31 of the second year of the term, two to be appointed by the Mayor and one to be appointed by the Township Council.
- (3) Three members shall be appointed for three-year terms, said terms ending December 31 of the third year of the term, one to be appointed by the Mayor and two to be appointed by the Township Council.
- (4) Thereafter, the term of each member shall be for a period of three years.
- (5) A member of the Township Council shall be designated annually to serve as a non-voting liaison between the Council and the Municipal Government Transparency Committee.
- (6) The Township Chief Financial Officer or the Officer’s designee shall serve as a non-voting member.
- (7) The Township Chief Information Technology Officer or the Officer’s designee shall serve as a non-voting member.

C. Purpose. The Committee shall serve in an advisory capacity to the Township Council, and in consultation with the Township Chief Financial Officer and Chief Information Technology Officer, make recommendations on matters related to:

- (1) The use of the Township’s existing website or the development and expansion of a new website for the purpose of providing ready access by the public to the the Township’s financial records identified in §65-2, below.
- (2) Incorporating additional financial data and information contemplated by this Act, after implementation of a new website or use of the Township’s existing website, from any other source of data or information available to the Township Chief Financial Officer or Township Chief Information Technology Officer.

D. Duties. In consultation with the Township Chief Financial Officer and Chief Information Technology Officer, the Committee shall:

- (1) Seek input from the general public, professional associations, State, County and Local agencies, academic groups and institutions, and individuals with knowledge of and interest in areas of public information access, gateway services, add-on services, and electronic information for the general improvement of the public finance website; and
- (2) Issue an annual report to the Council and the Administration regarding the progress in developing and implementing the public finance website; public input and feedback concerning the utility of the website and recommendations for its improvement; and proposed enhancements to the website in terms of content, format, policies, and procedures, reports, and other matters.

§ 65-2. Website

A. Creation. At the option of the Administration, either a new website shall be created, or the Township's existing website shall be used (collectively, the "Website"), for the posting of the Township's financial records, as set forth below, to provide ready access, at no charge, to the public.

B. Financial Records. The Website shall provide the public with access, at no charge, to the following financial records:

(1) Records reflecting annual Township expenditures, as determined by the Township Chief Financial Officer, in consultation with the Municipal Government Transparency Committee, and as available within the Township's central accounting system and payroll system, which shall include but not be limited to:

(a) Disbursements by the Township from funds established within the Township treasury, which are set forth in the Check Register, Account History File and Vendor History File.

(b) Bond debt services including, but not limited to, amounts of bond debt or interest paid, which are set forth in the Summary of Debt Service Payments.

(c) Salaries and wages including, but not limited to, compensation paid to employees of the Township, which are set forth in a year-end list of compensation paid to all Township employees as taken from W-2s.

(d) Contractual service purchases including, but not limited to, amounts paid to vendors, which are set forth in the Vendor History File.

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(e) Capital outlay and improvements including, but not limited to, amounts paid to vendors, which are set forth in the annual Budget under “Capital Improvements.”

(f) Aid to First Aid organizations and contributions to Child Day Care Center, which are set forth in the Check Register, and reimbursement to PAL, which are set forth in the annual Budget under “Current Fund Appropriations within Caps.”

(g) Additional forms of assistance and benefits deemed relevant by the Township Chief Financial Officer.

(h) Vouchers for supplies and inventories, and the Check Register, which sets forth the check number, date, amount, vendor, account number, purchase order number and description for all such expenditures.

(i) Change-orders for ongoing or completed work, which are required to be approved by the Township Council, and which are set forth in the Council Meeting minutes.

(j) Contracts with anyone doing business with the Township including, but not limited to, professional services, health care services, consultants, or any other entity or person doing business with the Township.

(k) All other expenditures deemed relevant by the Township Chief Financial Officer after consulting with the Chief Information Technology Officer and the Municipal Government Transparency Committee.

(2) Records reflecting annual Township revenues, as determined by the Chief Financial Officer, in consultation with the Municipal Government Transparency Committee, and as available within the Township’s central accounting system, which shall include but not be limited to:

(a) Receipts and deposits by the Township into funds established within the Township treasury, which are set forth in the Annual Financial Statement in accordance with N.J.S.A. 40A:5-12.

(b) Taxes including, but not limited to, compulsory contributions imposed by the Township for the purpose of financing services, which are set forth in the Annual Financial Statement in accordance with N.J.S.A. 40A:5-12.

(c) Township revenues, including but not limited to amounts collected for merchandise sold, services performed, licenses, and permits issued, or as

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otherwise required by law, which are set forth in the Township's Annual Audit.

(d) Revenue for the use of property including, but not limited to, amounts received for compensation for the use of township owned property (e.g., lease of assets), which are set forth in the Township's Annual Audit under "Miscellaneous Revenues Not Anticipated."

(e) Gifts, donations, State and federal grants including, but not limited to, amounts received from public and private entities to aid in support of a specific function or other governmental activity, which are set forth in the Township's Annual Audit.

(f) Other revenue including, but not limited to, receipts not classified elsewhere, which are set forth in the Township's Annual Audit under "Analysis of Non-Budget Revenue."

(g) All other revenues deemed relevant by the Township Chief Financial Officer after consulting with the Chief Information Technology Officer and the Municipal Government Transparency Committee.

3. Records reflecting annual bonded indebtedness, as determined by the Township Chief Financial Officer, in consultation with the Municipal Government Transparency Committee, and as available within the Township's central accounting system, which shall include but not be limited to:

(a) Amount of the total original obligation stated in terms of principal and interest, which is set forth in the Township's Annual Audit at "Notes to Financial Statements."

(b) Term of the obligation, which is set forth in the Township's Annual Audit at "Notes to Financial Statements."

(c) Source of funding for repayment of the current obligation, which is set forth in the current year's Budget under "Current Fund Appropriations – Municipal Debt Service."

(d) Amounts of principal and interest previously paid to reduce the obligation, which are set forth in the Amortization Schedules.

(e) Remaining balance of the obligation, which is set forth in the Annual Audit.

(f) Data and information related to refinancing of the obligation, which is set forth in the Official Statement for the Refunding Bonds.

(g) Cited statutory authority to issue such bonds, which is found at N.J.S.A. 40A:2-1 et seq.

(h) All other bond related data deemed relevant by the Township Chief Financial Officer after consulting with the Chief Information Technology Officer and the Municipal Government Transparency Committee.

4. Any other data or information specified by the Township Chief Financial Officer after consulting with the Chief Information Technology Officer and the Municipal Government Transparency Committee.

§ 65-3. Notwithstanding any other law to the contrary, the Township Chief Financial Officer shall not be required to provide data and information on the Website that is not available in the Township's central accounting system and payroll system and shall have no obligation to create a record that does not exist.

§ 65-4. All of the information to be placed on the Website under §65-2B will be posted no later than 30 days following the close of each preceding fiscal year, except that, at the discretion of the Township's Chief Financial Officer, financial information for the current year may be posted sooner than the 30 days following the close of the preceding fiscal year, as it becomes available. Notwithstanding anything herein to the contrary, however, the Annual Budget, Annual Financial Statements and Annual Audit will be posted no later than 10 days after filing with the Local Finance Board and/or the Division of Local Government Services, as applicable.

§ 65-5. Nothing in this Act shall require the disclosure of information deemed private, personal, or confidential or otherwise exempted from disclosure by applicable law.

SECTION 2. If any section, paragraph, subsection, clause or provision of this Ordinance shall be declared invalid by a court of competent jurisdiction, that 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-Troy Hills heretofore adopted that are inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to the extent of the inconsistency.

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

TOWNSHIP OF PARSIPPANY – TROY HILLS
ORDINANCE NO.: 2009:37
AN ORDINANCE SUPPLEMENTING CHAPTER 4, ARTICLE XI, ENTITLED
“DEPARTMENT OF PLANNING, ZONING AND CONSTRUCTION INSPECTIONS”
OF THE CODE OF THE TOWNSHIP OF PARSIPPANY–TROY HILLS TO CREATE
AN ECONOMIC DEVELOPMENT ADVISORY COMMITTEE

WHEREAS, the Township of Parsippany-Troy Hills has a strong interest in developing and implementing a strategic business attraction and retention program for the municipality in order to match enterprises looking for a new home with a suitable and appropriate location within the Township’s borders; and

WHEREAS, it is incumbent upon the Township to effectively promote the occupancy of existing vacant commercial sites and to work with revitalizing currently occupied developed properties to aid in enhancing current tax rates.

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Township of Parsippany-Troy Hills that it does hereby supplement Chapter 4, Article XI, entitled “Department of Planning, Zoning and Construction Inspections” of the Township of Parsippany-Troy Hills as follows:

SECTION 1. Chapter 4-43.3. Economic Development Advisory Committee

- A. Establishment.** There is hereby established an Economic Development Committee which will be known as the “Economic Development Advisory Committee of the Township of Parsippany-Troy Hills.” The Committee is hereby established in, but not of, the Department of Planning, Zoning and Construction Inspections and shall be advisory to the Township Council. The Committee shall consist of eleven (11) members.
- B. Members; terms; qualifications; meetings; Council liaison.**
- (1) The Economic Development Advisory Committee shall consist of eleven (11) members, five of whom shall be appointed by the Mayor, and six of whom shall be appointed by the Council. Members shall be Township residents who have knowledge of or have demonstrated an interest in the economic well-being of the township. Each member shall be chosen with a special view to qualifications and fitness for service on the Committee. Members shall serve without compensation. The terms of the members first appointed shall be as follows:
- (a) Five members shall be appointed for three-year terms, two to be appointed by the Mayor and three to be appointed by the Township Council.
 - (b) Five members shall be appointed for two-year terms, two to be appointed by the Mayor and three to be appointed by the Township Council.
 - (c) One member, to be appointed by the Mayor, shall be appointed for a one-year term.

(2) Thereafter, the term of each member shall be for a period of three years.

(3) A member of the Township Council shall be designated annually to serve as a nonvoting liaison between the Council and the Economic Development Advisory Committee.

C. Purpose.

The Parsippany-Troy Hills Economic Development Advisory Committee is intended to serve in an advisory capacity and shall, upon request of the Township Council, provide information, advice and recommendations relating to the promotion of Economic Development in the Township of Parsippany-Troy Hills.

D. Duties and Responsibilities.

- (1) Compile and provide timely and useful vacant listings for developments. Foster a business friendly environment.
- (2) Work to ensure a balance of interest with the environment and promote an understanding of economic development and help the community to realize a desired economic future.
- (3) Develop advisory plans and propose programs to encourage the expansion and strengthening of existing business and commercial enterprises in the Township of Parsippany-Troy Hills consistent with the best interests of the Township as a whole.
- (4) Develop advisory plans and programs which will attract new business and commercial enterprises to the Township of Parsippany-Troy Hills, which are in the best interests of the Township as a whole.
- (5) Investigate, analyze and submit regular reports to the Township Council on any obstacles to the expansion of the industrial and commercial tax base of the Township of Parsippany-Troy Hills
- (6) Make recommendations to the Township Council regarding any ways or means by which the Township can assist in meeting the needs of any development deemed appropriate.
- (7) The Economic Development Committee may participate in appropriate County and regional economic development activities.
- (8) The Committee shall develop ways and means of promoting and attracting Parsippany-Troy Hills Township's economic development assets for industry, resort/tourism, transportation, governmental and other potential economic interests.
- (9) The Committee shall not exercise any power of condemnation and shall not be authorized to pledge the credit of the Township of Parsippany-Troy Hills or to create any debt against the Township or in any manner act as the agent of the Township, except as specifically authorized by resolution of the Township Council.
- (10) The Committee shall make an annual report to the Township Council setting forth its operations and goals for the preceding twelve (12) months.

E. Meetings.

The Economic Development Committee shall meet on a schedule devised by its members, but not less than four (4) times each year. A quorum shall consist of six (6) members.

F. Officers.

The Committee shall organize annually by the election of one (1) of its members as Chairman, one (1) of its members as Vice Chairman and one (1) of its members as Secretary. No member shall hold more than one (1) position within the committee.

G. Oath of Office.

Each member and officer of the Committee shall, before assuming office, take and subscribe an oath that he/she will faithfully and impartially discharge the duties of his/her office.

H. Bylaws.

To effectuate its purposes, the Committee shall have the power to adopt suitable bylaws for the management of its affairs.

SECTION 3. If any section, paragraph, subsection, clause or provision of this Ordinance shall be declared invalid by a court of competent jurisdiction, that decision shall not affect the validity of this Ordinance as a whole or any part thereof.

SECTION 4. All ordinances or parts of ordinances of the Township of Parsippany-Troy Hills heretofore adopted that are inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to the extent of the inconsistency.

SECTION 5. This ordinance shall take effect immediately upon final passage, approval and publication as required by law.