

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

September 21, 2010

Council President Grossi opened the Regular Meeting at 7:32 p.m. followed by a salute to the Flag. She stated that the meeting this evening is being videotaped and will be shown on television. She advised that adequate notice of this meeting has been provided in accordance with the requirements of the Open Public Meetings Law by filing the notice in the Office of the Township Clerk and by posting the meeting notice on the bulletin board at the Municipal Building on December 8, 2009 where it has remained posted since that date. A legal notice appeared in both the Daily Record and the Star Ledger and was forwarded by fax to other local newspapers and local radio stations on December 17, 2009.

PRESENT: Council Members Cesaro, dePierro, Stanton and Grossi

ABSENT: Council Vice-President Fox

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

The Council reviewed the agenda and agreed to add a resolution awarding the contract for risk management consultant/liability insurance broker of record services.

PRESENTATION: Mayor Barberio proclaimed September 21, 2010 as Zachary Forman Day and recognized this young man for his bar mitzvah project - a fund raising event at Smith Field benefiting the American Cancer Society.

NOTES:

10/12/10 @ 7:30 p.m. Agenda Meeting
Public Invited – Public Participation

10/19/10 @ 7:30 p.m. Regular Meeting
Public Invited – Public Participation

BID(S) TO BE TAKEN:

9/30/10 @ 11:00 a.m. Supplying Pumps, Motors, Generators, HVAC Units &
Parts/Repairs (as needed) for Various Departments

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ORDINANCE(S):

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

ORDINANCE NO. 2010:23

An Ordinance of the Township Council of the Township of Parsippany-Troy Hills, County of Morris, State of New Jersey, to Amend Section 4-58, Public Records, of the Code of the Township of Parsippany-Troy Hills

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

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, TO AMEND SECTION 4-58, PUBLIC RECORDS, OF THE CODE 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 Cesaro, dePierro, Stanton and Grossi
ABSENT Council Vice-President Fox

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

Pat Petaccia, 182 Hawkins Avenue, questioned if this ordinance amendment bans the public from recording meetings. The Township Clerk advised that it did not.

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

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

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

NOW, THEREFORE, BE IT RESOLVED that said ordinance be passed on final reading and that a Notice of Final Passage of said ordinance be published in the newspaper according to law.

ROLL CALL: YES – Council Members Cesaro, dePierro, Stanton and Grossi
ABSENT – Council Vice-President Fox

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PUBLIC HEARING

Council President Grossi opened the meeting to the public to speak on any topic (a five-minute time limit being in effect).

Eileen Rolnick, 21 Ferndale Drive, read the following statement into the record:

Hi, my name is Eileen Rolnick and I have been a Parsippany resident over 41 years.

I am here tonight to address the grave danger to Parsippany residents that may result if the PSE&G proposal to install huge towers to support their half million volt power line takes place in proximity to the gas transmission line that runs through much of our residential neighborhood.

You all, undoubtedly, are familiar with the San Bruno, California horror of the past week in which a 16 to 24 inch gas line exploded and destroyed 53 homes and killed at least four people. A recent follow-up news story emphasized the fact that this was a 50 year old pipeline. The gas pipeline along my property fence was in place before I bought my house 41 years ago.

A brief drive through the following streets, Ferndale Drive, Winfield Drive, Alba Place, Arnold Drive, Vail Road, Old Chester Drive, Norman, Wilbur, and Lake Shore Drive, revealed at least 82 homes that are adjacent to both the gas line and overhead PSE&G line. In addition, the entire Lake Hiawatha Swim Club, with hundreds of people, would be in great danger if a gas leak exploded during the summer as the power line and gas line come together at the swim club.

When PSE&G representatives were questioned about the risk of attempting to dig a footing for their towers immediately adjacent to the gas line, their reply was "don't worry, we know what we are doing." The British Petroleum Oil Company had the same attitude leading up to their disastrous oil spill. Can you as the Parsippany Town Council subject a minimum of 82 homes and countless lives to such a risk with the huge digging and ground disturbance that would be needed to install the PSE&G power line?

Even without a gas explosion, the Electro Magnetic Field (EMF) generated by three quarters of a million volts will endanger the health of residents along the path. A study by the "Childhood Cancer Research Group" at the University of Oxford and "National Grid Owners" (Transco) evaluated cancer data on children aged up to 15 years old in England and Wales and found that children whose birth address was within 200 meters (600 feet) of an overhead power line had a 70% risk of leukemia. Children living as far away as 600 meters (a third of a mile) from the power line had a 20% increased risk of leukemia. All the children at Rockaway Meadow School are at risk of leukemia and the power lines need to be relocated. Additionally, the Parsippany Health Officer should be tasked with investigating how much of the township would be exposed to cancer causing

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radiation within a corridor one-third of a mile on each side of the proposed power line, as evidenced by the research quoted above.

Real Estate values along the power line have already started to plummet on the mere rumor of the higher voltage power line. This certainly will affect the township revenues.

The local paper has indicated that the Parsippany Town Council agreed to accept a payment from PSE&G that includes the condition of not opposing the power line upgrade. The Merriam Webster Dictionary - an encyclopedia Britannica Company - defines a BRIBE as "money or favor given or promised in order to influence the judgment or conduct of a person of trust." The Council voted to accept money from PSE&G, thinking the dollars would help the town's finances, but agreeing not to oppose the line in return for a minimal amount of money will cost Parsippany much more than the money offered. Your good judgment has been influenced by the offer of money from PSE&G. Why would the Parsippany Town Council jeopardize the health, safety, and finances of our wonderful town! It is not too late to decline the money and oppose the power line.

I ask the Parsippany Town Council to reverse their decision to accept compensation that included not opposing the power lines and instead decline the compensation, and emphatically pass a resolution opposing the power line upgrade because of the health, safety, and financial risk to the residents of the Town.

Mayor Barberio explained that 16 municipalities intervened. Meetings were held, but the problem that occurred was that the Board of Public Utilities ("BPU") voted unanimously in favor of the power lines. No matter what we would have done from that point on to fight this, we felt we would not prevail in court.

Mr. Inglesino confirmed that there was a proceeding that occurred before the BPU prior to Mayor Barberio taking office. In January 2009, PSE&G petitioned the BPU for a determination that the Susquehanna-Roseland Transmission System is reasonably necessary for the service, convenience or welfare of the public, which is the standard that PSE&G had to legally show the BPU. Parsippany joined with 15 other towns to vigorously oppose PSE&G's plans before the BPU. Parsippany's counsel at that time was the lead attorney representing Parsippany-Troy Hills and the 15 other municipalities. There was a voluminous record that was developed before the BPU. \$300,000 in legal and consulting fees were expended on behalf of the municipalities opposing PSE&G's project. All of the issues raised by Ms. Rolnick were considered as part of that record. On February 11, 2010, the BPU voted unanimously to approve the petition over the objections of Parsippany and the other municipalities. At that point in time, it was a foregone conclusion that this project was going to go forward. Parsippany and other towns had a right to appeal the decision of the BPU to the Appellate Division of the Court of the State of New Jersey. Counsel, at that time, opined that there was, at most, a thirty percent chance of victory. Mr. Inglesino commented that he also felt that there was no reasonable likelihood of successfully appealing the decision of the BPU - the record was voluminous, the vote was unanimous and the standard to overturn the BPU was really insurmountable. Parsippany, as well as the other towns,

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were then faced with a choice – have the project go forward and accept money as compensation or not accept the money and still have the power project go forward. In either case, PSE&G’s project was going to move forward. The Township Council made the determination to agree not to pursue an appeal, which would have cost a minimum of \$50,000 in legal fees to fight a losing battle, and to accept some monies from PSE&G, in the amount of about \$385,000 pursuant to a formula applied equally to all of the intervening towns. Parsippany would at least be compensated in some way for a project which was going forward, irrespective of what the Governing Body did or did not do, because it is not a decision that is within the power of the Mayor and Council. The case was resolved in this manner with no cost to the taxpayers because PSE&G paid for the legal fees in connection with the BPU hearing. Mr. Inglesino explained that his role was in negotiating the settlement after the fact; PSE&G compensated Parsippany for all of his time in negotiating the settlement. Mr. Inglesino indicated to Ms. Rolnick that it was certainly the desire of all of the towns contesting the project that it not go forward, but there was a decision made by the BPU, which is beyond the powers of this Mayor and Council or any other mayor or council.

Mr. dePierro stated that Ms. Rolnick’s comment that this Governing Body accepted a “bribe” is both insulting and erroneous. He pointed out that the Township Council passed a resolution opposing the project; the resolution was sent to the BPU. Parsippany was represented at the hearings, but the BPU agreed to allow PSE&G to proceed with the project. Mr. dePierro indicated that Parsippany did everything it could. Now, we can either accept the money or spend a lot more money in litigation, which we chose not to do. It was not a bribe.

Ms. Rolnick stated that, if she offended someone, she apologized.

Mr. Inglesino noted that the time to appeal has long since expired; the issue is moot.

Pat Petaccia, 182 Hawkins Avenue, indicated to Ms. Lim that she received the information regarding Mr. Vuolo. She questioned the status of the gates (which are supposed to prevent traffic from entering Summit Street). She asked if a summons will be issued now that the gates are “miraculously” up. Ms. Lim explained that the Township could go to court, but if the property owner is in compliance, we won’t win; it ends up being a waste of time. Ms. Petaccia stated that this is the third year in a row that the gates have been removed during the summer. There must be something that the Township can do to make sure Mr. Vuolo stays in compliance.

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

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CONSENT AGENDA:

Council President Grossi noted that all items listed with an asterisk (*) are considered to be routine and noncontroversial by the Township Council and will be approved by one motion. There will be no separate discussion of these items unless a council member so requests, in which case the item will be removed from the Consent Agenda and considered in its normal sequence on the Agenda. She moved the approval of the Consent Agenda, seconded by Mr. dePierro.

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

ABSENT – Council Member Fox

BID AWARD(S):

*** Lease of Public Property (Antennae on Township Water Storage Facilities)**

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 24, 2010 for the Leasing of Antennae Space on the water tower on Lackawanna Avenue (Block 136, Lot 65) as follows:

Nextel of New York, Inc., a Delaware corporation
6391 Sprint Parkway
Mailstop KSOPHT0101-Z2650
Overland Park, Kansas 66251-2650; and

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

WHEREAS, the bid submitted by Nextel of New York, Inc. complies in all material respects with the bid specifications issued by the Township; and

WHEREAS, the award of a lease to Nextel of New York, Inc. for the use of space not needed for municipal purposes on the water tower on Lackawanna Avenue (Block 136, Lot 65) 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

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(2) That the bid submitted by Nextel of New York, Inc. for a first year annual rent of \$44,761.00 is hereby accepted and a lease shall be awarded to Nextel of New York, Inc. in accordance with the bid specifications, and the Mayor and Township Clerk are hereby authorized to execute such lease on behalf of the Township.

*** One (1) New 2010 Type III Emergency Medical Vehicle for EMS**

WHEREAS, the Township of Parsippany-Troy Hills received a bid proposal for One New 2010 Type III Emergency Medical Vehicle for EMS on September 2, 2010, and

WHEREAS, the Business Administrator, Director of Purchasing and Director of Human Services have reviewed the bid and recommend that the bid be awarded to the lowest responsible bidder, 1st Priority Emergency Vehicles, 2444 Ridgeway Blvd., Manchester, NJ 08759 for a Total Bid Price of \$168,147.00, 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 # 2010:13
adopted July 20, 2010 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 2010 Type III Emergency Medical Vehicle for EMS 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 That the Members of the Township Council Have Personally Reviewed and are Familiar with, as a Minimum, the Sections of the 2009 Annual Audit Regarding “Comments and Recommendations”**

WHEREAS, N.J.S.A. 40A: 5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year ended December 31, 2009 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A: 5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

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WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled Comments and Recommendations; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, that the Township Council of the Township of Parsippany-Troy Hills, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

*** Approving Corrective Action Plan for 2009 Audit**

WHEREAS, the 2009 audit was delivered on September 7, 2010, and regulations promulgated by the Single Audit Act and the Division of Local Government Services require that a corrective action plan to the annual audit be prepared within 60 days; and

WHEREAS, these regulations further require approval of that plan within 60 days of audit receipt by the Township Council;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Parsippany-Troy Hills that the Corrective Action Plan for the 2009 audit prepared by the Chief Financial Officer dated September 21, 2010 be approved.

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*** Emergency Resolution for EJ Electric**

WHEREAS, the Township Council is obligated to provide funds and ratify emergency purchases which are entered into by the Township in accordance with N.J.S.A. 40A:11-6; and

WHEREAS, such purchases were entered into between the Township and E-J Electric Installation Co., 46-41 Vernon Boulevard, Long Island City, NY 11101 to restore electrical power to the wastewater treatment plant, and

WHEREAS, the Township Chief Financial Officer has certified as to the availability of funds; and

WHEREAS, the Director of Municipal Utilities has certified as to the existence of the emergency;

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 emergency purchase orders # 0800684 for \$112,035.65, 0804009 for \$850,000 and 0805808 for \$435,655.04 totaling \$1,393,690.69 issued to E-J Electric Installation Co., 46-41 Vernon Boulevard, Long Island City, NY 11101 to restore electrical power to the wastewater treatment plant are hereby ratified and approved.

This resolution shall take effect immediately.

*** Authorizing Professional Services Agreements for General Engineering and Real Estate Appraisal Services**

WHEREAS, the Township of Parsippany-Troy Hills has a need to acquire professionals to perform engineering and real estate appraisal services as non-fair and open contracts pursuant to the provisions of P.L. 2004, c.19 (N.J.S.A. 19:44A-20.5 et seq.); and

WHEREAS, the Business Administrator has determined and certified in writing that the value of these services will exceed \$17,500; and,

WHEREAS, the terms of these contracts shall begin on January 1, 2010 and end on December 31, 2010; and

WHEREAS, Birdsall Engineering, Inc., CDM, Cairone & Kaupp, Inc., Certified Valuations, Inc., Chavond-Barry Engineering Corp., Crew Engineers, Inc., Engineering & Environmental Services, Inc., Gannett Fleming, Inc., Hatch Mott MacDonald LLC, Izenberg Appraisal Associates, Keller & Kirkpatrick, Inc., Louis R. Slaby Engineering Associates, Inc., Maser Consulting P.A., Omland Engineering Associates, Inc., Paulus, Sokolowski and Sartor, LLC, The RBA Group, Inc., Suburban Consulting Engineers, Inc., and Van Cleef Engineering Associates, LLC have indicated that they will provide the services required as specified below for the Township of Parsippany-Troy Hills at the rates and terms specified in the contracts; and

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WHEREAS, all of the above-mentioned firms have submitted a Business Entity Disclosure Certification, which Certification provides that no reportable contributions have been made that would bar the award of these Agreements pursuant to P.L. 2004, c. 19, and that no reportable contributions will be made during the term of the Professional Services Agreements to the municipal political or candidate committees of the elected officials of the Township; and

WHEREAS, the Business Entity Disclosure Certification further provides that none of the above-mentioned firms have made any and will not make any contributions or solicit any contribution of money or pledge of a contribution in violation of Township Ordinance 10:02 (Municipal Code Part 1, Chapter 12); and

WHEREAS, all of the above-mentioned firms have provided the disclosure of political contributions required pursuant to P.L. 2005, c.271 prior to the award of the Professional Services Agreements; and

WHEREAS, the Chief Financial Officer of the Township of Parsippany-Troy Hills has certified in writing that funds are available for this purpose.

NOW THEREFORE, BE IT RESOLVED as follows:

- (1) That, pursuant to N.J.S.A. 40A:11-1, et seq., these contracts shall be awarded pursuant to a non-fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5 et seq. and without competitive bid as "Professional Services" in accordance with N.J.S.A. 40A:11-1, et seq. because said services are performed by persons authorized by law to practice a recognized profession; and
- (2) That the Township Council of the Township of Parsippany-Troy Hills authorizes the Mayor to enter into contracts for the 2010 year with the following firms, based on the applicable rate schedules on file in the Office of the Township Clerk, as follows

Birdsall Engineering, Inc. with offices located at 611 Industrial Way West, Eatontown, NJ 07724 for General Engineering Services;

CDM with offices located at Raritan Plaza 1, Raritan Center, Edison, NJ 08818 for General Engineering Services;

Cairone & Kaupp, Inc. with offices located at 118 East Columbia Avenue, Philadelphia, PA 19125 for General Engineering Services;

Certified Valuations, Inc. with offices located at 447 Route 10, Suite 8, Randolph, NJ 07869 for General Real Estate Appraisal Services;

Chavond-Barry Engineering Corp. with offices located at 400 County Route 518, P.O. Box 205, Blawenburg, NJ 08504 for General Engineering Services;

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Crew Engineers, Inc. with offices located at 1250 Route 23 North, Butler, NJ 07405 for General Engineering Services;

Engineering & Environmental Services, Inc. with offices located at 101 Gibraltar Drive, Suite 2C, Morris Plains, NJ 07950 for General Engineering Services;

Gannett Fleming, Inc. with offices located at One Cragwood Road, Suite 205, South Plainfield, NJ 07080 for General Engineering Services;

Hatch Mott MacDonald, LLC with offices located at 27 Bleeker Street, Millburn, NJ 07041 for General Engineering Services;

Keller & Kirkpatrick, Inc. with offices located at 301 Gibraltar Drive, Morris Plains, NJ 07950 for General Engineering Services;

Izenberg Appraisal Associates with offices located at 400 Lanidex Plaza, Parsippany, NJ 07054 for General Real Estate Appraisal Services;

Louis R. Slaby Engineering Associates, Inc. with offices located at 51 Gibraltar Drive, Morris Plains, NJ 07950 for General Engineering Services;

Maser Consulting P.A. with offices located at 200 Valley Road, Suite 400, Mt. Arlington, NJ 07856 for General Engineering Services;

Omland Engineering Associates, Inc. with offices located at 54 Horsehill Road, Cedar Knolls, NJ 07927 for General Engineering Services;

Paulus, Sokolowski and Sartor, LLC with offices located at 67A Mountain Boulevard Extension, Warren, NJ 07059 for General Engineering Services;

The RBA Group, Inc. with offices located at 7 Campus Drive, Suite 300, Parsippany, NJ 07054 for General Engineering Services;

Suburban Consulting Engineers, Inc. with offices located at 100 Valley Road, Suite 202, Mt. Arlington, NJ 07856 for General Engineering Services;

Van Cleef Engineering Associates, LLC with offices located at 299 Cherry Hill Road, Suite 102, Parsippany, NJ 07054 for General Engineering Services.

- (3) That the Business Entity Certificates and Disclosures, together with the Determination of Values, be placed on file with this Resolution; and
- (4) A notice of these awards shall be printed in the official newspaper of the Township of Parsippany-Troy Hills in accordance with N.J.S.A. 40A:11-1 et seq.

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*** Authorizing a Professional Services Contract with Samuel Klein and Company for Auditing Services for the Year 2010**

WHEREAS, the Township of Parsippany-Troy Hills has a need to acquire professional auditing services as a non-fair and open contract pursuant to the provisions of P.L. 2004, c.19 (N.J.S.A. 19:44A-20.5 et seq.); and

WHEREAS, the Business Administrator has determined and certified in writing that the value of these services will exceed \$17,500; and,

WHEREAS, the term of this contract shall begin upon the passage of this resolution until December 31, 2010; and

WHEREAS, Samuel Klein and Company has indicated that they will provide the services required as Township Auditor at the rates and terms specified in the contract; and

WHEREAS, Samuel Klein and Company has submitted a Business Entity Disclosure Certification, which Certification provides that no reportable contributions have been made that would bar the award of this Agreement pursuant to P.L. 2004, c. 19, and that no reportable contributions will be made during the term of the Professional Services Agreement to the municipal political or candidate committees of the elected officials of the Township; and

WHEREAS, the Business Entity Disclosure Certification further provides that Samuel Klein and Company has made any and will not make any contributions or solicit any contribution of money or pledge of a contribution in violation of Township Ordinance 10:02 (Municipal Code Part 1, Chapter 12); and

WHEREAS, Samuel Klein and Company has provided the disclosure of political contributions required pursuant to P.L. 2005, c.271 prior to the award of the Professional Services Agreement; and

WHEREAS, the Chief Financial Officer of the Township of Parsippany-Troy Hills has certified in writing that funds are available for this purpose; and

NOW THEREFORE, BE IT RESOLVED as follows:

- (5) That the Township Council of the Township of Parsippany-Troy Hills authorizes the Mayor to enter into an agreement with Joseph J. Faccione of the firm Samuel Klein and Company with offices at 550 Broad Street, Newark, New Jersey 07102-4517 as Township Auditor for the year 2010; and
- (6) That, pursuant to N.J.S.A. 40A:11-1, et seq., this agreement shall be awarded pursuant to a non-fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5 and without competitive bid as "Professional Services" in accordance with N.J.S.A. 40A:11-1, et seq. because said services are performed by persons authorized by law to practice a recognized profession; and

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- (7) That the Business Entity Certificate and Disclosure, together with the Determination of Value, be placed on file with this resolution; and
- (8) A notice of this award shall be printed in the official newspaper of the Township of Parsippany-Troy Hills in accordance with N.J.S.A. 40A:11-1 et seq.

*** Authorizing Field Maintenance Agreement with the Board of Education**

WHEREAS, the Parsippany-Troy Hills Board of Education (the “Board”) owns athletic fields; and

WHEREAS, the Township and the Board have previously agreed that the athletic fields owned by the Board may be used by residents of the Township for athletic and other events upon a mutually agreeable basis; and

WHEREAS, historically, the Township and the Board have shared the cost of maintaining athletic fields owned by the Board; and

WHEREAS, the Board has entered into an agreement with North Jersey LandCare Services, LLC of Fairfield, New Jersey for maintenance of the school athletic fields from July 1, 2010 through June 30, 2011 at a total base price of \$166,055 that is less than the cost of maintaining the fields with Township and/or Board personnel; and

WHEREAS, the Board and the Township is desirous of entering into an agreement reimbursing the Board of Education 40% of the cost, up to a maximum of \$70,000, for maintenance of the school athletic fields upon the terms and conditions set forth in the agreement; and

WHEREAS, the Township is authorized pursuant to the Interlocal Services Act, N.J.S.A. 40:8A-1 *et seq.*, 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 Board for the period July 1, 2010 through June 30, 2011, in the form on file in the Office of the Township Clerk, upon the terms and conditions provided therein.

*** Authorizing the Installation of Bus Stops at Various Locations – New Jersey Transit**

WHEREAS, New Jersey Transit has proposed bus stops located along Campus Drive, North Beverwyck Road and Central Avenue; and

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WHEREAS, the Township Engineer and Traffic Division of the Police Department reviewed the request and recommend the installation of bus stops at these locations;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Parsippany-Troy Hills, Morris County, New Jersey, pursuant to N.J.S.A. 39-4-8(e), as follows:

1. That the Mayor and Township Council concur with New Jersey Transit's recommendation to establish bus stops at the following locations:
 - a. North Beverwyck Road, northbound on the easterly side at:

Hawkins Avenue – (far side) Beginning at the prolongation of the southerly curb line of Hawkins Avenue and extending 105 feet southerly therefrom.
 - b. Campus Drive, westbound, on the northerly side at:

Hilton Court – (near side) Beginning at the prolongation of the easterly curb line of Hilton Court and extending 105 feet easterly therefrom (at 8 Campus Drive).

Between Littleton Road and Hilton Court – (mid-block) Beginning 390 feet east of the easterly curb line of Littleton Road and extending 135 feet easterly therefrom (at 2 Campus Drive).
 - c. Central Avenue, eastbound, on the southerly side at:

Collins Road – (near side) Beginning at the westerly curb line of Collins Road and extending 105 feet westerly therefrom.
 - d. Central Avenue, westbound on the northerly side thereof at:

Collins Road – (far side) Beginning at the westerly curb line of Collins Road and extending 100 feet westerly therefrom.
 2. That pursuant to N.J.S.A. 39-4-8(e) the above described locations are designated as bus stops.
 3. 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.
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APPLICATION(S):

License(s):

*** Authorizing Special Senior Citizen Bingo License to the Lake Hiawatha Community Center Social Bingo Club**

WHEREAS, the following senior citizen organization or club has been registered by the State of New Jersey Legalized Games of Chance Control Commission; and

WHEREAS, this organization or club is desirous of holding, operating or conducting bingo within the Township of Parsippany-Troy Hills solely for the purpose of the amusement and recreation of their members, provided that

- No player or other person furnishes something of value for the opportunity to participate;
- The prize(s) to be awarded are of nominal retail value;
- No person other than a bona fide active member of the licensed organizations plays, conducts or assists in the conduct of the game(s); and
- No person is paid for conducting or assisting in the conduct of the game(s).

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Parsippany-Troy Hills that a special senior citizen bingo license be issued to the following organization for a period of two years, as so indicated below, or until suspended, revoked or modified by the Legalized Games of Chance Control Commission or the Township of Parsippany-Troy Hills:

**Lake Hiawatha Community Center
Social Bingo Club
Expiration Date: 09/17/12**

*** Limousine Owner's License (New) – Patel Limousine, LLC, 239 New Road, Suite C-2 (1 Vehicle)**

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

**Patel Limousine, LLC
239 New Road, Suite C-2
Parsippany
(1 vehicle)**

REGULAR TOWNSHIP COUNCIL MEETING SEPTEMBER 21, 2010

MINUTES FOR APPROVAL – NON-CONSENT:

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

Agenda Meeting of 8/10/10 (Absent – Fox)

Regular Meeting of 8/17/10 (Absent – Fox)

Closed Session of 8/17/10 (Absent – Fox) (Approval Only, Disclosure Upon Authorization of Township Attorney)

ROLL CALL: YES – Council Members Cesaro, dePierro, Stanton and Grossi
ABSENT – Council Vice President Member Fox

ORDINANCE(S):
Introductions

ORDINANCE NO. 2010:24

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

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

BE IT RESOLVED that the above Ordinance be introduced, read by title, and passed on first reading at a Meeting of the Township Council of the Township of Parsippany-Troy Hills held on **September 21, 2010** and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on **October 19, 2010** at 7:30 p.m., prevailing time, or as soon thereafter as the matter may be reached, at the Municipal Building in said Township, at which time all persons interested shall be given an opportunity to be heard concerning said Ordinance.

BE IT FURTHER RESOLVED that the Clerk be authorized and directed to advertise said Ordinance with the Notice of Introduction thereof being published in the official newspaper according to law.

ROLL CALL: YES – Council Members Cesaro, dePierro, Stanton and Grossi
ABSENT – Council Vice President Fox

REGULAR TOWNSHIP COUNCIL MEETING SEPTEMBER 21, 2010

ORDINANCE NO. 2010:25

**An Ordinance Amending
Ordinance #2010:22 Entitled An
Ordinance Establishing Hourly
Wage Ranges for Blue Collar
Employees of the Township of
Parsippany-Troy Hills**
(Attachment No. 2)

The following resolution was offered by Mr. Stanton, seconded by Council President 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 21, 2010** and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on **October 19, 2010** at 7:30 p.m., prevailing time, or as soon thereafter as the matter may be reached, at the Municipal Building in said Township, at which time all persons interested shall be given an opportunity to be heard concerning said Ordinance.

BE IT FURTHER RESOLVED that the Clerk be authorized and directed to advertise said Ordinance with the Notice of Introduction thereof being published in the official newspaper according to law.

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

ABSENT – Council Vice President Fox

ORDINANCE NO. 2010:26

**An Ordinance of the Township of
Parsippany-Troy Hills in the County of
Morris, New Jersey, Authorizing the
Acquisition by Purchase of Property
Identified as Block 338, Lot 2 on the Tax
Map of the Township of Parsippany-Troy
Hills and Commonly Known as
Chesterfield Road for Open Space**
(Attachment No. 3)

The following resolution was offered by Council President Grossi, 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 **September 21, 2010** and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on **October 19, 2010** at 7:30 p.m., prevailing time, or as soon thereafter as the matter may be reached, at the Municipal Building in said Township, at which time all persons interested shall be given an opportunity to be heard concerning said Ordinance.

REGULAR TOWNSHIP COUNCIL MEETING SEPTEMBER 21, 2010

BE IT FURTHER RESOLVED that the Clerk be authorized and directed to advertise said Ordinance with the Notice of Introduction thereof being published in the official newspaper according to law.

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

ABSENT – Council Vice President Fox

ORDINANCE NO. 2010:27

An Ordinance Amending and Supplementing Chapter 357, Storm Sewer System, of the Code of the Township of Parsippany-Troy Hills
(Attachment No. 4)

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

BE IT RESOLVED that the above Ordinance be introduced, read by title, and passed on first reading at a Meeting of the Township Council of the Township of Parsippany-Troy Hills held on **September 21, 2010** and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on **October 19, 2010** at 7:30 p.m., prevailing time, or as soon thereafter as the matter may be reached, at the Municipal Building in said Township, at which time all persons interested shall be given an opportunity to be heard concerning said Ordinance.

BE IT FURTHER RESOLVED that the Clerk be authorized and directed to advertise said Ordinance with the Notice of Introduction thereof being published in the official newspaper according to law.

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

ABSENT – Council Vice President Fox

ORDINANCE NO. 2010:28

An Ordinance of the Township Council of the Township of Parsippany-Troy Hills, County of Morris, State of New Jersey, Deleting Sections 225-15 and 225-26, Both Entitled Recording of Hearings, of the Code of the Township of Parsippany-Troy Hills
(Attachment No. 5)

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

BE IT RESOLVED that the above Ordinance be introduced, read by title, and passed on first reading at a Meeting of the Township Council of the Township of Parsippany-Troy Hills held on **September 21, 2010** and that said Ordinance be further considered for second reading

REGULAR TOWNSHIP COUNCIL MEETING SEPTEMBER 21, 2010

and final passage at a Meeting to be held on **October 19, 2010** at 7:30 p.m., prevailing time, or as soon thereafter as the matter may be reached, at the Municipal Building in said Township, at which time all persons interested shall be given an opportunity to be heard concerning said Ordinance.

BE IT FURTHER RESOLVED that the Clerk be authorized and directed to advertise said Ordinance with the Notice of Introduction thereof being published in the official newspaper according to law.

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

ABSENT – Council Vice President Fox

ORDINANCE NO. 2010:29

An Ordinance Amending Chapter 405, Vehicles and Traffic, Section 22, Through Streets, and Section 24, Multi-Way Stop Intersections, of the Code of the Township of Parsippany-Troy Hills, Morris County, New Jersey
(Attachment No. 6)

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

BE IT RESOLVED that the above Ordinance be introduced, read by title, and passed on first reading at a Meeting of the Township Council of the Township of Parsippany-Troy Hills held on **September 21, 2010** and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on **October 19, 2010** at 7:30 p.m., prevailing time, or as soon thereafter as the matter may be reached, at the Municipal Building in said Township, at which time all persons interested shall be given an opportunity to be heard concerning said Ordinance.

BE IT FURTHER RESOLVED that the Clerk be authorized and directed to advertise said Ordinance with the Notice of Introduction thereof being published in the official newspaper according to law.

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

ABSENT – Council Vice President Fox

ORDINANCE NO. 2010:30

An Ordinance Amending and Supplementing Chapter 405, Vehicles and Traffic, Section 405-29, Bus Stops of the Code of the Township of Parsippany-Troy Hills
(Attachment No. 7)

REGULAR TOWNSHIP COUNCIL MEETING SEPTEMBER 21, 2010

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

BE IT RESOLVED that the above Ordinance be introduced, read by title, and passed on first reading at a Meeting of the Township Council of the Township of Parsippany-Troy Hills held on **September 21, 2010** and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on **October 19, 2010** at 7:30 p.m., prevailing time, or as soon thereafter as the matter may be reached, at the Municipal Building in said Township, at which time all persons interested shall be given an opportunity to be heard concerning said Ordinance.

BE IT FURTHER RESOLVED that the Clerk be authorized and directed to advertise said Ordinance with the Notice of Introduction thereof being published in the official newspaper according to law.

ROLL CALL: YES – Council Members Cesaro, dePierro, Stanton and Grossi
ABSENT – Council Vice President Fox

ORDINANCE NO. 2010:31

**An Ordinance Amending
the Municipal Vehicles and Traffic
Ordinance (Regulation for the Movement
and the Parking of Traffic on Private
Property - Hunting Ridge Town Homes)**
(Attachment No. 8)

The following resolution was offered by Mr. dePierro, seconded by Council President 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 21, 2010** and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on **October 19, 2010** at 7:30 p.m., prevailing time, or as soon thereafter as the matter may be reached, at the Municipal Building in said Township, at which time all persons interested shall be given an opportunity to be heard concerning said Ordinance.

BE IT FURTHER RESOLVED that the Clerk be authorized and directed to advertise said Ordinance with the Notice of Introduction thereof being published in the official newspaper according to law.

ROLL CALL: YES – Council Members Cesaro, dePierro, Stanton and Grossi
ABSENT – Council Vice President Fox

REGULAR TOWNSHIP COUNCIL MEETING SEPTEMBER 21, 2010

RESOLUTION(S) – ADD ON

Council President Grossi made a motion to add to the agenda a resolution Awarding the Contract for Risk Management Consultant/Liability Insurance Broker of Record Services, seconded by Mr. Stanton:

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

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

Awarding the Contract for Risk Management Consultant/Liability Insurance Broker of Record Services

WHEREAS, the Township of Parsippany-Troy Hills has a need to acquire risk management consultant/liability insurance broker of record services as a fair and open contract pursuant to the provisions of P.L. 2004, c.19 (N.J.S.A. 19:44A-20.5 et seq.); and

WHEREAS, the Township advertised for a Request for Qualifications from parties interested in providing Risk Management Consultant/Liability Broker of Record Services to the Township; and

WHEREAS, the Mayor, Business Administrator and Director of Purchasing for the Township have reviewed the qualifications received and recommend that the contract be awarded to Brown and Brown Metro, Inc., 26 Columbia Turnpike, Florham Park, NJ 07932, and

WHEREAS, the term of this contract shall be from January 1, 2010 until December 31, 2010.

NOW, THEREFORE, BE IT RESOLVED as follows:

- (1) That the Township Council of the Township of Parsippany-Troy Hills authorizes the Mayor to enter into an agreement with Brown and Brown Metro, Inc., 26 Columbia Turnpike, Florham Park, NJ 07932; and
- (2) This contract shall be awarded pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20.5 et seq. and as a “Professional Service” pursuant to N.J.S.A. 40A:11-5(1)(a).

ROLL CALL: YES – Council Members Cesaro, dePierro, Stanton and Grossi
ABSENT – Council Vice President Fox

REGULAR TOWNSHIP COUNCIL MEETING SEPTEMBER 21, 2010

A motion was made by Mr. Cesaro, seconded by Council President Grossi, to adopt the attached closed session resolution (Attachment No. 9) in order to convene in closed session to discuss litigation.

ROLL CALL: YES – Council Members Cesaro, dePierro, Stanton and Grossi
ABSENT – Council Vice President Fox

Upon reconvening in open session, a motion was made by Mr. dePierro, seconded by Mr. Cesaro to close the meeting.

ROLL CALL: YES – Council Members Cesaro, dePierro, Stanton and Grossi
ABSENT – Council Vice President Fox

The meeting adjourned at 8:53 p.m.

Respectfully submitted,

Judith I. Silver, Township Clerk

Ann F. Grossi

Ann F. Grossi Council President

Minutes approved: October 19, 2010

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

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

ORDINANCE NO. 2010:24

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

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

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

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

SECTION 1. That Section 65-1B, "Members and Terms" of Section 65-1, "Municipal Government Transparency Committee; Establishment," of Chapter 65, entitled "Transparency in Municipal Government Act," be repealed in its entirety and replaced as follows:

§65-1B. Members and Terms. The terms of the Committee members shall be as follows:

- (1) Four voting members shall be appointed by the Mayor and five voting members shall be appointed by the Township Council. The terms of each voting Committee member shall be for one year. This length of term shall apply retro-actively to all current members.
- (2) 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.
- (3) The Township Chief Financial Officer or the Officer's designee shall serve as a non-voting member.
- (4) The Township Chief Information Technology Officer or the Officer's designee shall serve as a non-voting member.

REGULAR TOWNSHIP COUNCIL MEETING SEPTEMBER 21, 2010

Attachment No. 1
Page 2 of 2

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
MORRIS COUNTY, NJ
ORDINANCE NO. 2010:25**

**AN ORDINANCE AMENDING ORDINANCE #2010:22 ENTITLED AN ORDINANCE
ESTABLISHING HOURLY WAGE RANGES FOR BLUE COLLAR EMPLOYEES OF
THE TOWNSHIP OF PARSIPPANY-TROY HILLS**

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

Section 1: That Section 2 of Ordinance number 2010:22 be amended to correct the following position classification:

| <u>Position Classification (from):</u> | <u>Position Classification (to):</u> | Labor Grade |
|--|--------------------------------------|-------------|
| Senior Plant Attendant | Sewage Plant Attendant | H-3 |

Section 2: That Section 2 of Ordinance Number 2010:22 be further amended by the addition of the following positions:

| <u>Position Classification</u> | Labor Grade |
|---|-------------|
| Senior Maintenance Repairer | H-4 |
| Senior Maintenance Repairer Refrigeration & AC | H-4 |

Section 3. This ordinance shall take effect as provided by law.

**TOWNSHIP OF PARSIPPANY-TROY HILLS
MORRIS COUNTY, NEW JERSEY
ORDINANCE NO. 2010:26**

AN ORDINANCE OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS IN THE COUNTY OF MORRIS, NEW JERSEY, AUTHORIZING THE ACQUISITION BY PURCHASE OF PROPERTY IDENTIFIED AS BLOCK 338, LOT 2 ON THE TAX MAP OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS AND COMMONLY KNOWN AS CHESTERFIELD ROAD FOR OPEN SPACE

WHEREAS, pursuant to N.J.S.A. 40A:12-5, the Township of Parsippany-Troy Hills (“Township”) has the power to acquire any real property for a public purpose through negotiated agreement; and

WHEREAS, the Township has determined that it would serve a public purpose to acquire certain property identified as Block 338, Lot 2 on the tax map of the Township of Parsippany-Troy Hills and commonly known as Chesterfield Road (the “Property”),

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

1. The above recitals are hereby incorporated into the body of this Ordinance as if set forth at length herein.
2. The acquisition by negotiated purchase of a fee simple interest in the Property as defined herein above is hereby authorized.
3. The Township is authorized to acquire the Property for a sum not to exceed \$241,000.
4. The Township Attorney and the Business Administrator are hereby authorized to take all actions necessary to acquire the Property through negotiated purchase.
5. The Mayor and Township Clerk are hereby authorized to execute and witness, respectively, any documents necessary to effectuate the purchase of the Property subject to the above terms.

BE IT FURTHER ORDAINED, that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective; and

REGULAR TOWNSHIP COUNCIL MEETING SEPTEMBER 21, 2010

Attachment No. 3
Page 2 of 2

BE IT FURTHER ORDAINED, that any ordinance or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict only; and

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon passage and publication in accordance with applicable law.

**TOWNSHIP OF PARSIPPANY TROY-HILLS
MORRIS COUNTY, NEW JERSEY
ORDINANCE NO. 2010:27**

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 357, STORM
SEWER SYSTEM, OF THE CODE OF THE TOWNSHIP OF PARSIPPANY-TROY
HILLS**

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

SECTION 1. Subsection B of Section 357 entitled “Word usage; definitions,” of the Code of the Township of Parsippany-Troy Hills is hereby amended and supplemented by the addition of the following:

REFUSE CONTAINER

Any waste container that a person controls whether owned, leased, or operated including dumpsters, trash cans, garbage pails and plastic trash bags.

WATERS OF THE STATE

The ocean and its estuaries, all springs, streams and bodies of surface or ground water, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.

SECTION 2. Section 357-3 entitled “Prohibited conduct,” of the Code of the Township of Parsippany-Troy Hills is hereby amended and supplemented by the addition of the following:

Any person who controls, whether owned, leased or operated, a refuse container or dumpster must ensure that such container or dumpster is covered at all times and shall prevent the spilling out or overflowing of refuse.

Any person who owns, leases or otherwise uses a refuse container or dumpster must ensure that such container or dumpster does not leak or otherwise discharge liquids, semi-liquids, or solids to the municipal separate storm sewer system(s) operated by the Township.

SECTION 3. Section 357-4 entitled “Exceptions,” of the Code of the Township of Parsippany-Troy Hills is hereby amended and supplemented as follows:

REGULAR TOWNSHIP COUNCIL MEETING SEPTEMBER 21, 2010

Attachment No. 4
Page 2 of 2

a) In the first sentence, reference to Section 257-3 shall be changed to read Section 357-3.

b) New letters J through N shall be added as exceptions and shall read as follows:

J. Permitted temporary demolition containers.

K. Litter receptacles, other than dumpsters or other bulk containers.

L. Individual homeowner trash and recycling containers.

M. Refuse containers at facilities authorized to discharge storm water under a valid NJDES permit.

N. Large bulky items, such as furniture, bound carpet and padding, and white goods placed curbside for pickup.

SECTION 4. 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 5. 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 such inconsistency.

SECTION 6. This ordinance shall take effect immediately upon its final passage, approval and publication as provided by law.

**TOWNSHIP OF PARSIPPANY-TROY HILLS
MORRIS COUNTY, NEW JERSEY
ORDINANCE NO. 2010:28**

AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, COUNTY OF MORRIS, STATE OF NEW JERSEY, DELETING SECTIONS 225-15 AND 225-26, BOTH ENTITLED RECORDING OF HEARINGS, 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 the County of Morris, State of New Jersey as follows:

SECTION 1. Sections 225-15 and 225-26, both entitled “Recording of hearings” of the Code of the Township of Parsippany-Troy Hills are hereby deleted in their entirety.

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-Troy Hills 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. 2010:29

AN ORDINANCE AMENDING CHAPTER 405, VEHICLES AND TRAFFIC, SECTION 22, THROUGH STREETS, AND SECTION 24, MULTI-WAY STOP INTERSECTIONS, 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 22 entitled Through Streets, shall be amended and supplemented as follows:

- a. The description for Beachwood Road shall be amended as follows:

| Name of Street | Limits |
|-----------------------|--|
| Beachwood Road | Between Littleton Road (Route US 202, under county jurisdiction) and Longport Road |

SECTION 2. That Chapter 405, Vehicles and Traffic Section 24 entitled Multi-Way Stop Intersections, shall be amended and supplemented as follows:

- a. The following shall be added:

| Intersection | Stop Signs On: |
|----------------------------------|-----------------------|
| Beachwood Road and Longport Road | All approaches |

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.

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 405, VEHICLES AND TRAFFIC, SECTION 405-29, BUS STOPS OF THE CODE OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS

ORDINANCE NO. 2010:30

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

SECTION 1. §405-29 Bus Stops shall be amended and supplemented as follows:

A. Number 7 is hereby amended and supplemented by the addition of “e” and shall read as follows:

e. Hawkins Avenue – (far side)
Beginning at the prolongation of the southerly curb line of Hawkins Avenue and extending 105 feet southerly therefrom.

B. A new Number 19 shall be added and shall read as follows:

19. Campus Drive, westbound, on the northerly side at:

a. Hilton Court-(near side) Beginning at the prolongation of the easterly curb line of Hilton Court and extending 105 feet easterly therefrom (at 8 Campus Drive).

b. Between Littleton Road and Hilton Court - (mid-block) Beginning 390 feet east of the easterly curb line of Littleton Road and extending 135 feet easterly therefrom (at 2 Campus Drive).

C. A new Number 20 shall be added and shall read as follows:

20. Central Avenue, eastbound, on the southerly side at:

a. Collins Road – (near side) Beginning at the westerly curb line of Collins Road and extending 105 feet westerly therefrom.

D. A new Number 21 shall be added and shall read as follows:

21. Central Avenue, westbound on the northerly side at:

REGULAR TOWNSHIP COUNCIL MEETING SEPTEMBER 21, 2010

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- a. Collins Road – (far side) Beginning at the westerly curb line of Collins Road and extending 100 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-Troy Hills 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.

Attachment No. 8

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

**ORDINANCE AMENDING
THE MUNICIPAL VEHICLES AND TRAFFIC ORDINANCE**

ORDINANCE NO. 2010:31

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

Preamble

WHEREAS, the Township Council established parking restrictions for multi-unit residential developments; and

WHEREAS, enforceable parking restrictions are essential for the health, safety and welfare of Township residents;

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

SECTION 1

Control for the Movement and the Parking of Traffic on Public and Private Property

Section 405-36(C)(2) of the Municipal Code shall be amended as follows:

a. Regulations:

1. General parking. All vehicles must park within the painted or assigned parking areas; any vehicle not parked in a designated parking area and shall be towed at the owner's expense.
2. Handicapped parking. All stalls shall be according to ADA standards as per site plan and will be signed with R7-8 and R7-8P (reserved parking sign and penalty plate, respectively), in the designated parking areas for persons who have been issued the handicap parking permit by the Commission of Motor Vehicles.
3. Through streets and stop intersections:

REGULAR TOWNSHIP COUNCIL MEETING SEPTEMBER 21, 2010

- a. Through streets. The following streets or parts of streets are hereby designated as through streets. Stop signs shall be installed on the near right side of each intersecting through street except where yield signs are provided for in the designation.

| Name of Street | Limits |
|-----------------------|--|
| Crown Point Road | From the municipal portion of Crown Point to Route US 46 |

- b. Stop intersections. The following described intersections are hereby designated as stop intersections. Stop signs shall be installed as provided therein.

| Intersection | Stop Sign(s) on: |
|------------------------------------|-------------------------|
| Cardigan Court and Gladstone Drive | Cardigan Court |

4. Speed limits:

- a. The speed limit for both directions of travel on the following roadways shall be:

| Name of Street | Speed Limit(mph) | Limits |
|-----------------------|-------------------------|---------------|
| Crown Point Road | 25 | Entire length |
| All roads | 15 | Entire length |

- b. Regulatory and warning signs shall be erected and maintained to effect the above-designated speed limits authorized by the Department of Transportation.
5. Tow-away zones. Any vehicles parked or standing as to obstruct or impede a normal flow of traffic, block entrances or exitways, loading zones, oil fills, any grassy area, pedestrian walkway or present in any way a safety or traffic hazard may be removed by towing the vehicle at the owner's expense.

6. No stopping or standing on certain streets at all times. No person shall stop or stand a vehicle at any time on the streets or parts of streets described, except when parked within the painted or assigned parking areas:

| Name of Street | Sides | Hours | Location |
|----------------------------|--------------|--------------|--|
| Crown Point Road | Both | All | Between North Beverwyck Road and Route US 46 |
| Gladstone Drive | Both | All | Entire length |
| Albert Court-Gordon Circle | Both | All | Entire length |
| Cardigan Court | Both | All | Entire length |

7. Penalties. Unless another penalty is provided by New Jersey statute, every person convicted of a violation of a provision of this subsection or any supplement thereto shall be subject to the penalty set forth in § 1-17.

SECTION 2

Severability

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

SECTION 3

Repealer

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

SECTION 4

Effective Date

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

REGULAR TOWNSHIP COUNCIL MEETING SEPTEMBER 21, 2010

Page 1 of 1

**RE: Litigation (Baldwin Manor and Powder Mill Heights Refuse Collection;
 Forge Pond)**
DATE: September 21, 2010
TIME: 8:15 p.m.

MOTION BY: Mr. Cesaro
SECONDED BY: Council President Grossi

RESOLUTION

WHEREAS, the Open Public Meetings Act, P.L. 1975, Chapter 231 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, the Township Council is of the opinion that such circumstances presently exist; and

WHEREAS, the Township Council wishes to discuss:

Litigation

AND, WHEREAS, minutes will be kept, and once the matter involving the confidentiality of the above no longer requires confidentiality, the minutes can be made public.

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Parsippany-Troy Hills that the public be excluded from this meeting.

| | | | |
|-------------------|-----------------|----------|---------------|
| Roll Call: | Cesaro | - | Yes |
| | dePierro | - | Yes |
| | Fox | - | Absent |
| | Stanton | - | Yes |
| | Grossi | - | Yes |

MOTION TO ADJOURN CLOSED SESSION BY: Mr. dePierro
SECONDED BY: Mr. Cesaro

| | | | |
|-------------------|-----------------|----------|---------------|
| Roll Call: | Cesaro | - | Yes |
| | dePierro | - | Yes |
| | Fox | - | Absent |
| | Stanton | - | Yes |
| | Grossi | - | Yes |

CLOSED SESSION ADJOURNED: 8:50 p.m.