

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

**October 19, 2010**

Council President Grossi opened the Regular Meeting at 7:31 p.m. followed by a salute to the Flag. She stated that the meeting this evening is being videotaped and will be shown on cable television. She further advised that adequate notice of this meeting has been provided in accordance with the requirements of the Open Public Meetings Law by filing the notice in the Office of the Township Clerk and by posting the meeting notice on the bulletin board at the Municipal Building on December 8, 2009 where it has remained posted since that date. A legal notice appeared in both the Daily Record and the Star Ledger and was forwarded by fax to other local newspapers and local radio stations on December 17, 2009.

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

**ALSO PRESENT:** Mayor Barberio, J. Inglesino, Esq., Township Attorney; J. Silver, Township Clerk

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The Council reviewed the meeting's agenda.

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**NOTES:**

11/09/10 @ 7:30 p.m.	Agenda Meeting Public Invited – Public Participation
11/23/10 @ 7:30 p.m.	Regular Meeting Public Invited – Public Participation

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

10/28/10 @ 10:00 a.m.	Lease of Public Property (Antennae on Township Water Storage Facilities)
10/28/10 @ 11:00 a.m.	Yard Waste Transportation and Disposal/Recycling

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REGULAR TOWNSHIP COUNCIL MEETING, OCTOBER 19, 2010

**ORDINANCE(S):**

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

**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**

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

**BE IT RESOLVED** that an ordinance entitled “**AN ORDINANCE AMENDING SECTION 65-1, THE MUNICIPAL GOVERNMENT TRANSPARENCY COMMITTEE, 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 (noting that he still has concerns how this ordinance will be implemented), Fox, Stanton and Grossi

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

**Tom Wyka, 1 Bennett Court**, asked Mr. Cesaro to state, one more time for the record, the reason for shortening the terms of the members of this committee. Mr. Cesaro stated that, as he has indicated before, the reason for shortening the terms is because it is hard to find people to serve. He indicated that individuals who have expressed interest in serving, only want to serve for one year. The ordinance also addresses his concern that all committee members, both current and future, be treated equally. Mr. Cesaro advised that he already has four people interested in serving one year terms. Mr. Wyka commented that, if an individual does not want to serve the current term, he or she could just resign. Mr. Cesaro responded that the ordinance, as introduced, was the way it was tailored. Mr. Cesaro repeated that his logic is that a one-year term is more attractive to individuals who wish to serve.

Mr. Wyka then questioned when, following this logic, will the Council propose shortening the terms of office for all committees across the board. Mr. Cesaro indicated that this would be up to the Council. He explained that he focused on the Transparency Committee, pointing out that all of the other committees are currently staffed. He suggested to Mr. Wyka that, if he wants to continue to serve after his one-year term, he can reapply.

Mr. Wyka asked Mr. Cesaro if he could categorically say that this ordinance amendment has nothing to do with the fact that two Democrats were appointed by the former mayor to this committee. Mr. Cesaro answered “no, absolutely.” Mr. Wyka commented that he has spoken with Mayor Barberio in the past about Citizens’ Campaign and the need to encourage enthusiastic people to volunteer to serve their community. He thought that the Mayor would be a voice of reason and honor with regard to this ordinance and he hoped that individuals who were enthusiastic about serving on this committee would be welcome. In previous administrations,

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per Mr. Wyka, Republicans and Democrats served very well along side each other, but sadly those days are over.

Mr. Wyka noted that he previously mentioned filing a lawsuit. He indicated that it is sad that we have to force our elected leaders to follow through on their campaign promises. People, such as himself and Annelise Catanzaro, whose terms will end at the end of this year, are experienced individuals who make their livings posting information on the internet. It is a sad situation when people are turned away who want to enthusiastically serve this community. He also commented that he was sorry that some people see this as a “partisan game.”

**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 Council President Grossi:

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

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

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

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**ORDINANCE NO. 2010:25**

**An Ordinance Amending  
Ordinance #2010:22 Entitled An  
Ordinance Establishing Hourly  
Wage Ranges for Blue Collar  
Employees of the Township of  
Parsippany-Troy Hills**

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

**BE IT RESOLVED** that an ordinance entitled “**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 read in title only on second reading and a hearing held thereon.

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

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

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

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

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

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

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

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**ORDINANCE NO. 2010:26**

**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**

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

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

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

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

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

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

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

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

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

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**ORDINANCE NO. 2010:27**

**An Ordinance Amending and Supplementing Chapter 357, Storm Sewer System, of the Code of the Township of Parsippany-Troy Hills**

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

**BE IT RESOLVED** that an ordinance entitled “**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 357, STORM SEWER SYSTEM, 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, Fox, Stanton and Grossi

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

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

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

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

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

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

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**ORDINANCE NO. 2010:28**

**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**

The following resolution was offered by Mr. Cesaro, 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, DELETING SECTIONS 225-15 AND 225-26, BOTH ENTITLED RECORDING OF HEARINGS, 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, Fox, Stanton and Grossi

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

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

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

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

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

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

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**ORDINANCE NO. 2010:29**

**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 (Beachwood Road/Longport Road)**

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

**BE IT RESOLVED** that an ordinance entitled “**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 (BEACHWOOD ROAD/LONGPORT ROAD)**” be read in title only on second reading and a hearing held thereon.

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

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

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

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

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

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

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

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**ORDINANCE NO. 2010:30**

**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**

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

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

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

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

**Pat Petaccia, 182 Hawkins Avenue**, asked for confirmation that the bus stop location on Hawkins Avenue is not actually on the Hawkins Avenue side of the street, but across the street. The Township Clerk advised that the Township Engineer did clarify that the bus stop is not on the Hawkins Avenue side of the street.

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

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

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

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

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

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**ORDINANCE NO. 2010:31**

**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)**

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

**BE IT RESOLVED** that an ordinance entitled “**ORDINANCE AMENDING THE MUNICIPAL VEHICLES AND TRAFFIC ORDINANCE (HUNTING RIDGE TOWN HOMES)**” be read in title only on second reading and a hearing held thereon.

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

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

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

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

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

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

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

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**PUBLIC HEARING**

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

**Robert Simpson, 30 Hilsinger Road**, submitted to the Council a copy of an article from the WestfieldPatch noting the establishment of a quiet zone in the community of Westfield. Additionally, he submitted FRA (Federal Railway Administration) Quiet Zone Designation Information. The Clerk is to provide copies to the Mayor and Council. Mr. Simpson indicated that the crossing in Parsippany is below the significant risk threshold, so we are clear to proceed with the quiet zone. He questioned when the wayside horn test will be conducted and whether we have the cost information. Discussion ensued between Mayor Barberio and Mr. Simpson relative to the Nationwide Significant Risk Threshold. The Mayor advised Mr. Simpson that he does not have a testing date yet for the wayside horn. He expressed his concern, however, that the wayside horn may affect people living in the area where the wayside horn would be installed. Mr. Simpson advised that those people are already affected by the noise, but by installing the wayside horn, less people would be affected. Mayor Barberio stated he will speak with the Township Engineer about scheduling a testing date.

**Joe Raich, 8 Wolf Place**, asked if the Council represents Republicans, Democrats or all the people of Parsippany. Council President Grossi stated that the members of this Council represent everyone in Parsippany and she was sorry Mr. Raich, a Democrat, has to use this forum for his own political agenda. She pointed out that this was a ridiculous question to ask. Mr. Raich expressed his views regarding transparency in government and the appointments of citizens to committees.

**Jerry Manning, Rainbow Lakes**, commented that, for the past ten years he has been listening to rhetoric about train whistle noise. From what he understands, there might be a dozen people affected by the train whistle. He felt that to ask the Township to spend money in the worst economic times in the past thirty years is ludicrous. He suggested that the people who are affected by the train noise pay for any means used to reduce the noise. He pointed out that he doesn't think the train tracks were laid after the homes were purchased.

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For the record, Mr. Fox reminded everyone that the Council is here to hear complaints from citizens and to attempt to resolve complaints, sometimes at taxpayers' expense. He commented that the Council does not have a problem listening to Mr. Simpson or to Mr. Wyka or to anyone else who has a situation they wish to discuss.

**Tom Wyka, 1 Bennett Court**, mentioned that, tomorrow night, in the spirit of bipartisanship, Freeholder Murphy is co-sponsoring a "Call to Service" with Citizens' Campaign at 6:30 p.m. at the Police and Fire Training Academy. He invited the members of the Council and the public to attend.

Mayor Barberio advised that he has already contacted the Citizens' Campaign and that Parsippany will be doing something very similar to what will take place tomorrow night. He advised that he is trying to schedule a "Meet and Greet" for November 29<sup>th</sup> with the Prosecutor's Office. He is also planning a "Citizen's Call to Service," which will take place sometime after the "Meet and Greet."

**Annelise Catanzaro, 67 Midvale Avenue**, indicated that she has one concern about the logistical aspect of what the Transparency Committee is intending to do, which from what she understands, will be to serve as the catalyst for Parsippany's website to further transparency in government. In Ms. Catanzaro's estimation, this project, because of its scope, will take at least one year, and most likely more than one year, to complete. She explained that, if everyone on the committee has a term of only one year, you may have to start from scratch if the same individuals are not reappointed, making it more difficult to accomplish the goal. She noted that, at this point, it has almost been a year since the ordinance was adopted and the committee has not even "been called to order." The shortening of members' terms to one year is just another potential problem.

In response to Ms. Catanzaro's inquiry, Mr. Cesaro confirmed that there are citizens ready to serve on the Transparency Committee once the term of office is set at one year. He indicated that he would like to schedule a meeting of the Committee for the end of November.

Mr. Fox pointed out that there is just as much of a potential that an individual is reappointed as not being reappointed.

**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. Cesaro.

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

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**BID AWARD(S):**

**\* Supplying Pumps, Motors, Generators, HVAC Units & Parts/Repairs (as needed) for Various Departments**

**WHEREAS**, the Township of Parsippany-Troy Hills received bid proposals for Supplying Pumps, Motors, Generators, HVAC Units and Parts/Repairs (As Needed) for Various Departments on September 30, 2010, and

**WHEREAS**, the Business Administrator, Director of Purchasing, Building Maintenance Supervisor and Assistant Sewer Superintendent have reviewed the bids received and recommend that the bids be awarded to the lowest responsible bidders, Bendlin Incorporated, 855 Valley Road, Clifton, NJ 07013; G.P. Jager & Associates, Inc., 10 Bradley Lane, Montvale, NJ 07645; Longo Electrical-Mechanical Inc., 1 Harry Shupe Boulevard, Wharton, NJ 07885; PCS Pump and Process, 41 Plymouth Street, Fairfield, NJ 07004; R&J Control Inc., 58 Harding Avenue, Dover, NJ 07801 and Rapid Pump & Meter Service Co., Inc., 285 Straight Street, Paterson, NJ 07509, for the unit prices proposed, and

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

“2010 Budget/Variou Current Accounts and Sewer O/E.”

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Parsippany-Troy Hills that the bids for Supplying Pumps, Motors, Generators, HVAC Units and Parts/Repairs (As Needed) for Various Departments be awarded as stated above in accordance with the terms and conditions contained in the advertising specifications and that the Mayor and Township Clerk are authorized to execute the contracts.

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**RESOLUTION(S):**

**\* Authorizing the Expenditure of Open Space Trust Fund Monies in Connection with the McDermott Property, Block 729, Lots 3, 4, and 5**

**WHEREAS**, §51-7 of the Township Code authorizes the expenditure of Open Space Trust Fund monies for improvements for open space preservation; and

**WHEREAS**, the Township acquired real property known and designated as lots 3, 4 and 5 in Block 729 (McDermott Property) for the preservation of open space; and

**WHEREAS**, the demolition of two houses and a garage, including back filling the basements and site work to level the grounds, is required at an estimated cost of \$28,000; and

**WHEREAS**, environmental corrective action in connection with the piles of fill and the testing and removal of the garage floor is also required at an estimated cost of \$15,420;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Parsippany-Troy Hills that it hereby authorizes the expenditure of a total of \$43,420 from the 2010 Open Space Trust Fund for the aforementioned projects.

**\* Awarding Professional Services Agreements for Engineering Services to Keystone Engineering and Hydroqual, Inc.**

**WHEREAS**, the Township of Parsippany-Troy Hills has a need to acquire professional 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 the date of passage of this resolution through December 31, 2010; and

**WHEREAS**, Keystone Engineering Group and Hydroqual, Inc. 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

**WHEREAS**, Keystone Engineering Group and Hydroqual, Inc. have each 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

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**WHEREAS**, the Business Entity Disclosure Certification further provides that Keystone Engineering Group and Hydroqual, Inc. have not 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**, Keystone Engineering Group and Hydroqual, Inc. have each 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.

**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 contracts with the following for professional general engineering services:
  - a. Keystone Engineering Group, 590 Lancaster Avenue, Suite 200, Frazer, PA 19355
  - b. Hydroqual, Inc., 1200 MacArthur Boulevard, Mahwah, NJ 07430
- (2) The Business Entity Certificates and Disclosures, together with the Determination of Values, be placed on file with this Resolution; and
- (3) 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 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
- (4) 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.

**\* Approving Safe Routes to School Grant Agreement with NJDOT – Lake Hiawatha Knollwood Elementary School Project**

**WHEREAS**, by resolution dated March 25, 2008, the Township Council of the Township of Parsippany-Troy Hills supported a grant application made by the Parsippany-Troy Hills Board of Education with assistance from the Township to the New Jersey Department of Transportation (NJDOT) for funding of the Safe Routes to Schools Program; and

**WHEREAS**, the NJDOT has authorized a grant in the amount of \$26,900 for the Safe Routes to School (Non-Infrastructure) portion of the project entitled "Lake Hiawatha Knollwood Elementary School Project;"

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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 Clerk are hereby authorized to execute the Federal Aid Agreement for the project entitled "Lake Hiawatha Knollwood Elementary School" on behalf of the Township of Parsippany-Troy Hills and that their signature constitutes acceptance of the terms and conditions of the grant agreement; and
2. The appropriate officials are authorized to take whatever other steps necessary to complete and meet other grant requirements.
3. This resolution shall take effect immediately.

**\* Awarding Contracts for Insurance Broker of Records Services to Fairview Insurance Agency Associates, Inc. and AxisPointe, Inc.**

**WHEREAS**, the Township of Parsippany-Troy Hills has a need to acquire health insurance broker of record 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 term of these contracts shall begin on January 1, 2010 and end on December 31, 2010; and

**WHEREAS**, Fairview Insurance Agency Associates, Inc. and AxisPointe, Inc. shall each complete and submit a Business Entity Disclosure Certification at least ten (10) days prior to the execution of the contracts, 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 terms of the Agreements to the municipal political or candidate committees of the elected officials of the Township; and

**WHEREAS**, Fairview Insurance Agency Associates, Inc. and AxisPointe, Inc. will each provide the disclosure of political contributions required pursuant to P.L. 2005, c.271 prior to the execution of the contracts;

**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 agreements with Fairview Insurance Agency Associates, Inc., 25 Fairview Avenue, Verona, NJ 07044 and AxisPointe, Inc., 2001 Route 46, Suite 504A, Parsippany, NJ 07054 for insurance broker of records services no sooner than

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ten (10) days following the submission of a Business Entity Disclosure Certification;  
and

- (2) That the Business Disclosure Entity Certifications for the foregoing and the Determinations of Value be placed on file with this resolution;
- (3) That these contracts shall be awarded through a non-fair and open process pursuant to N.J.S.A. 19:44A-20.5 and as bid exceptions pursuant to N.J.S.A. 40A:11-5(1)(m);  
and
- (4) That a notice of this action be printed once in the official newspaper of the Township of Parsippany-Troy Hills.

**\* Awarding Contract for Insurance Services to D & H Alternative Risk Solutions, Inc. for Administration of Claims Processing for Workers' Compensation**

**WHEREAS**, the Township of Parsippany-Troy Hills has a need to acquire insurance 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 on January 1, 2010 and end on December 31, 2010; and

**WHEREAS**, D&H Alternative Risk Solutions, Inc. shall complete and submit a Business Entity Disclosure Certification at least ten (10) days prior to the execution of the contract, 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 agreement to the municipal political or candidate committees of the elected officials of the Township; and

**WHEREAS**, D&H Alternative Risk Solutions, Inc. will provide the disclosure of political contributions required pursuant to P.L. 2005, c.271 prior to the execution of the 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.

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

**REGULAR TOWNSHIP COUNCIL MEETING, OCTOBER 19, 2010**

- (1) That the Township Council of the Township of Parsippany-Troy Hills authorizes the Mayor to enter into a contract with D&H Alternative Risk Solutions, Inc. with offices located at 83 Spring Street, Suite 104, Newton, New Jersey 07860 for the administration of claims processing for workers' compensation no sooner than ten (10) days following the submission of a Business Entity Disclosure Certification; and
- (2) That the Business Disclosure Entity Certification for the foregoing and the Determination of Value be placed on file with this resolution; and
- (3) This contract shall be awarded through a non-fair and open process and without a competitive bid pursuant to N.J.S.A. 19:44A-20.5 and N.J.S.A. 40A:11-5(1)(m); and
- (4) That a notice of this action be printed once in the official newspaper of the Township of Parsippany-Troy Hills.

**\* Awarding a Contract to Donnelly Energy Solutions as the BPU Direct Install Contractor for Energy Efficient Measures for Various Township Facilities**

**WHEREAS**, the Township of Parsippany-Troy Hills is participating in the NJ Clean Energy Direct Install Program for several facilities in the Township; and

**WHEREAS**, the total cost of improvements totals \$294,131.81, of which the Township's contributory portion totals \$122,999.63, which will be offset entirely by the Energy Efficiency and Conservation Block Grant from the U.S. Department of Energy; and

**WHEREAS**, this contract was awarded by the NJBPU to Donnelly Energy Solutions through a "fair and open process" pursuant to N.J.S.A. 19:44A-20.4, et seq.; and

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

**WHEREAS**, it is the combined recommendation of the Purchasing Director and Business Administrator to award this contract to Donnelly Energy Solutions.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Parsippany-Troy Hills, County of Morris, State of New Jersey, that the contract be awarded to Donnelly Energy Solutions with offices located at 557 Route 23 South, Wayne, NJ 07470 for energy efficient measures for various Township facilities in the amount of \$122,999.63.

**REGULAR TOWNSHIP COUNCIL MEETING, OCTOBER 19, 2010**

**\* Accepting the Award of the Federal Fiscal Year 2010 Department of Homeland Security Emergency Management Performance Grant Program Funding**

**WHEREAS**, the Township of Parsippany-Troy Hills, Office of Emergency Management has been awarded State Homeland Security Grant Program Sub Grant CFDA #97.042, Award #2010 EMPG-P100-P110-1429 from the New Jersey State Police Office of Emergency Management. The Sub Grant, consisting of a total amount of \$10,000.00, including \$5,000.00 Federal Award and \$5,000.00 Local Matching Funds, is for the purpose of enhancing the Township's ability to prevent, protect against, respond to and recover from acts of terrorism, natural disasters and other catastrophic events and emergencies; and

**WHEREAS**, the sub grant award incorporates all conditions and representations contained or made in application and notice of award #2010 EMPG-P100-P110-1429; and

**WHEREAS**, the Township's Office of Emergency Management has submitted an Application for Sub Grant Award required by the New Jersey State Police Office of Emergency Management; and

**WHEREAS**, the Application for Sub Grant Award calls for a match in the amount of \$5,000.00, which the Township's Office of Emergency Management adequately satisfies through the 2010 Township of Parsippany-Troy Hills approved budget for Division salaries and wages and fringe benefits.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Parsippany-Troy Hills, County of Morris, State of New Jersey that the Township of Parsippany-Troy Hills hereby accepts the award of the FFY10 Homeland Security Emergency Management Performance Grant Program Sub Grant in the amount of \$5,000.00 in Federal Funds from the New Jersey State Police, Office of Emergency Management; and

**BE IT FURTHER RESOLVED** that the Chief Financial Officer and the Township of Parsippany-Troy Hills Emergency Management Coordinator are authorized to sign the appropriate sub grant award documents; and

**BE IT FURTHER RESOLVED** that copies of this Resolution shall be forwarded to the New Jersey State Police, Office of Emergency Management and the County Division of Emergency Management.

**\* Awarding a Contract to Revenue Guard for Operation and Administration of the Township's Third Party Payment Plan for Emergency Services**

**WHEREAS**, the Township of Parsippany-Troy Hills has a need to acquire a contractor to administer the billing and collection of ambulance fees 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 Township Ordinance 2005:24, which established a third party payment plan for emergency medical services; and

**REGULAR TOWNSHIP COUNCIL MEETING, OCTOBER 19, 2010**

**WHEREAS**, the Director of Human Services has recommended that the award be made to Revenue Guard, 540 Bordentown Avenue, South Amboy, New Jersey 08879, who submitted the lowest responsible proposal to provide administration and collection of insurance claims for emergency medical services; and

**WHEREAS**, the Business Administrator has determined and certified in writing that the value of these services will exceed \$17,500, but will not exceed the public bidding threshold of \$36,000 utilizing a qualified purchasing agent pursuant to Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., and specifically, N.J.S.A. 40A:11-9; and

**WHEREAS**, the term of this contract shall be from January 1, 2010 to December 31, 2010, unless sooner terminated in accordance with the provisions thereof; and

**WHEREAS**, Revenue Guard has indicated that it will provide the services required by the Township of Parsippany-Troy Hills at the rates and terms specified in the contract, on file in the Office of Township Clerk; and

**WHEREAS**, this contract was awarded without competitive bidding, as the value of the contract was under the public bidding threshold, pursuant to and in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

**WHEREAS**, the Local Public Contracts Law requires that the resolution awarding a contract without competitive bidding and the contract itself must be available for public inspection; and

**WHEREAS**, the cost of the services to be provided by Revenue Guard is estimated to be approximately \$32,000.00 on an annual basis, which amount is above the threshold of \$17,500 under the New Jersey Local Unit Pay-To-Play Law, N.J.S.A. 19:44A-20.5 et seq.; and

**WHEREAS**, Revenue Guard shall complete and submit prior to execution of the contract a Political Contribution Disclosure Form in accordance with N.J.S.A. 19:44A-20.26, a Stockholder Disclosure Certification, and a Business Entity Disclosure Certification, certifying that it has not made any reportable contributions to a political or candidate committee in the Township in the prior year, and that the contract will prohibit it from making any reportable contributions through the term of the contract; and

**WHEREAS**, the Political Contribution Disclosure Form, Stockholder Disclosure Certification, and Business Entity Disclosure Certificate and the certification shall be placed and maintained on file in the office of the Township Clerk; and

**WHEREAS**, the award of this contract is necessary for the efficient operation of the Township of Parsippany-Troy Hills.

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

**REGULAR TOWNSHIP COUNCIL MEETING, OCTOBER 19, 2010**

- (1) That the Township Council of the Township of Parsippany-Troy Hills authorizes the Mayor to enter into a contract with Revenue Guard, 540 Bordentown Avenue, South Amboy, New Jersey 08879 to manage the operation and administration of the third party payment plan for emergency medical services; and
- (2) That, pursuant to N.J.S.A. 40A:11-1 et seq., this contract shall be awarded without public bidding pursuant to an exception from public bidding as the value of the contract is not reasonably anticipated to exceed, on an annual basis, the public bidding threshold, pursuant to and in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.;

**\* Awarding a Contract to the Tab Group for Microfilming Services**

**WHEREAS**, the Township of Parsippany-Troy Hills has a need to acquire, pursuant to a non-fair and open process in accordance with the provisions of P.L. 2004, c.19 (N.J.S.A. 19:44A-20.5 et seq.), microfilming services for the preservation of its municipal records; and

**WHEREAS**, the Business Administrator has determined and certified in writing that the value of these services will exceed \$17,500 but will not exceed the public bidding threshold of \$36,000 utilizing a purchasing agent qualified pursuant to Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., and specifically, N.J.S.A. 40A:11-9; and

**WHEREAS**, the term of this contract shall be from November 1, 2010 to October 31, 2012, unless sooner terminated in accordance with the provisions thereof; and

**WHEREAS**, The Tab Group has indicated that it will provide the services required as specified for the Township of Parsippany-Troy Hills at the rates and terms specified in its proposal, dated October 5, 2010 and the contract; and

**WHEREAS**, this contract was awarded without competitive bidding as the value of the contract was under the public bidding threshold, pursuant to and in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

**WHEREAS**, the Local Public Contracts Law requires that the resolution awarding a contract without competitive bidding and the contract itself must be available for public inspection; and

**WHEREAS**, the cost of the services to be provided by The Tab Group is estimated to be approximately \$28,000.00 on an annual basis, which amount is above the threshold of \$17,500 under the New Jersey Local Unit Pay-To-Play Law, N.J.S.A. 19:44A-20.5 et seq.; and

**REGULAR TOWNSHIP COUNCIL MEETING, OCTOBER 19, 2010**

**WHEREAS**, The Tab Group is required to complete and submit prior to the award of a contract a Political Contribution Disclosure Form in accordance with N.J.S.A. 19:44A-20.26, a Stockholder Disclosure Certification, and a Business Entity Disclosure Certification, certifying that it has not made any reportable contributions to a political or candidate committee in the Township in the prior year, and that the contract will prohibit it from making any reportable contributions through the term of the contract; and

**WHEREAS**, the Political Contribution Disclosure Form, Stockholder Disclosure Certification, and Business Entity Disclosure Certificate and the certification have been submitted by The Tab Group and shall be placed and maintained on file at the office of the Township Clerk; and

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

**WHEREAS**, the award of this contract is necessary for the efficient operation of the Township of Parsippany-Troy Hills;

**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 a contract with The Tab Group for microfilming services; and
- (2) That, pursuant to N.J.S.A. 40A:11-1 et seq., this contract shall be awarded without public bidding pursuant to an exception from public bidding as the as the value of the contract is not reasonably anticipated to exceed, on an annual basis, the public bidding threshold, pursuant to and in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.;

**BE IT FURTHER RESOLVED** that the Chief Financial Officer certifies that funds are available for this contract; and

**BE IT FURTHER RESOLVED** that the original proposal and contract are available for public inspection in the Township Purchasing Director's office.

**REGULAR TOWNSHIP COUNCIL MEETING, OCTOBER 19, 2010**

**\* Settlement of Grievance Filed By Sgt. Gary Boergenhausen Pertaining to Medicare Part B Reimbursement**

**WHEREAS**, the Township of Parsippany-Troy Hills, (“Township”), the Employer, and PBA Local No. 131 and PBA Local 131A, (“Unions”), by way of a Memorandum of Agreement dated September 23, 2010, wishes to settle the matter currently pending before the Superior Court of New Jersey, Law Division, Morris County, Docket No. MRS-L-1954-10, regarding the Township’s application to vacate, and the Unions’ application to confirm a grievance arbitration award issued by Arbitrator Robert M. Glasson, bearing Docket No. AR-2005-320, dated April 27, 2010, involving the grievance filed by Sgt. Gary Boergenhausen pertaining to Medicare Part B reimbursement; and

**WHEREAS**, the parties wish to settle this action without the burdens and expense of continued litigation; and

**WHEREAS**, the Mayor and the Township Labor Attorney have recommended settlement of this matter pursuant to the terms contained in the Memorandum of Agreement dated September 23, 2010, on file in the office of the Township Clerk; and

**WHEREAS**, the Township Council finds that entering into the Memorandum of Agreement is in the best interests of the Township.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Parsippany-Troy Hills that it hereby approves the Memorandum of Agreement on file in the office of the Township Clerk and authorizes the Mayor to take all steps necessary to effectuate the settlement and to obtain dismissal of the lawsuit.

**\* Authorizing Agreement with Chief of Police**

**WHEREAS**, it is the desire of the Township of Parsippany-Troy Hills and the Chief of Police, Michael A. Peckerman to enter into a contract effective January 1, 2010 through December 31, 2012 to establish wages, benefits and working conditions; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Parsippany-Troy Hills that the contract with Michael A. Peckerman as Chief of Police for the Township of Parsippany-Troy Hills be approved effective January 1, 2010 through December 31, 2012, and that the Mayor and Township Clerk are authorized to execute same.

**REGULAR TOWNSHIP COUNCIL MEETING, OCTOBER 19, 2010**

**\* Granting an Additional Extension of the Major Soil Moving Permit Granted to MCCVII, LLC (Morris Corporate Center), Interpace Parkway, Block 136.01, Lot 1**

**WHEREAS, MCCVII, LLC c/o SJP Properties** was granted a Major Soil Moving Permit by Township Council Resolution adopted March 13, 2007 to regrade 28,967 cubic yards of material and to remove an additional 199 cubic yards of material from the site in connection with the construction of an office building on Interpace Parkway, known and designated as Block 136.01, Lot 1 on the Tax Maps of the Township of Parsippany-Troy Hills; and

**WHEREAS,** the Township Council granted by Resolution adopted November 24, 2009, an extension of the Major Soil Moving Permit, as recommended by the Planning Board, to December 10, 2010 to coincide with the term of the Site Plan Approval; and

**WHEREAS,** via a memorandum from the Planning Board dated September 28, 2010, the Township Council was advised that the Planning Board, at its regular meeting of September 27, 2010, approved the Final Site Plan and recommended a one (1) year extension of the major soil moving to December 10, 2011; and

**WHEREAS,** Justin Lizza, Municipal Engineer, via an interoffice memorandum dated October 5, 2010, also recommended that the extension be granted; and

**WHEREAS,** the conditions of the original approval shall remain in effect, including the following terms:

1. The applicant shall comply with all the recommendations and requirements included in the memorandum from Michael Pucilowski, former Municipal Engineer, dated July 12, 2005 and reaffirmed in the memoranda from Justin Lizza, Municipal Engineer, dated November 5, 2009 and October 5, 2010.
2. All inspection fees (based on the current fee structure) and performance guarantees shall be paid prior to the issuance of the permit.
3. Hours of operation shall be Monday through Friday, 9:00 a.m. to 4:00 p.m.

**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 issued to **MCCVII, LLC c/o SJP Properties to December 10, 2011.**

This resolution shall take effect immediately.

**REGULAR TOWNSHIP COUNCIL MEETING, OCTOBER 19, 2010**

**\* Appointing Members of the Township’s COAH Mediation Team**

**WHEREAS**, the Township of Parsippany-Troy Hills, County of Morris, State of New Jersey, has petitioned the Council on Affordable Housing (“COAH”) for substantive certification of its adopted Housing Element and Fair Share Plan; and

**WHEREAS**, N.J.A.C. 5:96-3.6 requires a 45-day period of public review of the petition and Housing Element and Fair Share Plan and all supporting documentation; and

**WHEREAS**, objections to Parsippany-Troy Hills’ Housing Element and Fair Share Plan were filed and are being reviewed by COAH for consistency with N.J.A.C. 5:96-4.1; and

**WHEREAS**, N.J.A.C. 5:96-8.1 requires COAH to meet with representatives of the municipality and the objectors and attempt to mediate a resolution of the objections; and

**WHEREAS**, the Township of Parsippany-Troy Hills is further required by N.J.A.C. 5:96-8.2(d)2 to adopt a resolution designating representatives to act on its behalf concerning such mediation.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Parsippany-Troy Hills, State of New Jersey, that the following persons shall constitute the representatives of the Township of Parsippany-Troy Hills and are authorized to act on its behalf and to attend, as deemed necessary and prudent, the mediation sessions.

1. James R. Barberio, Mayor
2. Edward Snieckus, Jr., Township Planner
3. Jasmine Lim, Business Administrator
4. John Inglesino, Esq. – Inglesino, Pearlman, Wyciskala & Taylor, LLC - Township Attorney

**BE IT FURTHER RESOLVED** that these individuals are authorized to negotiate on behalf of the Township of Parsippany-Troy Hills.

**\* Directing the Township Planning Board to Determine Whether Certain Property Within the Township Should Be Declared An Area in Need of Rehabilitation in Accordance With the Provisions of the New Jersey Local Redevelopment and Housing Law**

**WHEREAS**, the New Jersey Local Redevelopment and Housing Law (“Redevelopment Law”), N.J.S.A. 40A21A-1 et seq. authorizes the governing body of any municipality, by resolution, to declare properties within the municipality to be “in need of rehabilitation” pursuant to the criteria contained in N.J.S.A. 40A:12A-14; and

**REGULAR TOWNSHIP COUNCIL MEETING, OCTOBER 19, 2010**

**WHEREAS**, based on its review of the criteria contained in the Redevelopment Law, the Mayor and Township Council of the Township of Parsippany-Troy Hills believe that property located at 272 Parsippany Road, Block 393, Lot 1 as shown on the official Tax Map of the Township of Parsippany-Troy Hills (the “Property”) should be declared to be an “area in need of rehabilitation” in accordance with N.J.S.A. 40A:12A-14; and

**WHEREAS**, the Township Council of the Township of Parsippany-Troy Hills has prepared a draft resolution declaring the Property to be and “area in need of rehabilitation”; and

**WHEREAS**, pursuant to N.J.S.A. 40A:12A-14, prior to the adoption of a resolution declaring an area to be in need of rehabilitation, the governing body is required to submit the resolution to the municipal planning board. The planning board is required to review and submit its recommendations regarding the proposed resolution, including any recommended modifications thereto, within forty-five (45) days of its receipt of the proposed resolution.

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

1. The proposed resolution declaring the Property as an “area in need of rehabilitation” pursuant to N.J.S.A. 40A:12A-14 shall be referred to the Planning Board of the Township of Parsippany-Troy Hills;
2. The Planning Board of the Township of Parsippany-Troy Hills is hereby directed to review the proposed resolution declaring the Property as an “area in need of rehabilitation” and to submit its recommendations to the Governing Body pursuant to N.J.S.A. 40A:12A-14.

**\* Accepting the Buyout Offer of Municipal Excess Liability Joint Insurance Fund – Refuse Collection**

**WHEREAS**, the Township of Parsippany-Troy Hills (the “Township”) is a named defendant in Baldwin Manor v. Parsippany-Troy Hills, et al., Docket No.: MRS-L-1758-10 and Powder Mill Heights v. Parsippany-Troy Hills, et al., Docket No.: MRS-L-439-10, two cases in which the plaintiffs seek damages for refuse collection; and

**WHEREAS**, the Township participates in the Municipal Excess Liability Joint Insurance Fund (the “MEL”); and

**WHEREAS**, rather than engaging in protracted litigation, the MEL has offered a buyout in exchange for a General Release in each of the two above-referenced matters; and

**WHEREAS**, as part of the buyout offer, the MEL has offered \$15,000.00 for each General Release executed; and

**REGULAR TOWNSHIP COUNCIL MEETING, OCTOBER 19, 2010**

**WHEREAS**, the General Release would specifically release the MEL from any and all claims arising out of either Baldwin Manor v. Parsippany-Troy Hills, et al., Docket No.: MRS-L-1758-10 and Powder Mill Heights v. Parsippany-Troy Hills, et al., Docket No.: MRS-L-439-10; and

**WHEREAS**, both the Township and the MEL have reviewed the terms of the Municipal Excess Liability Joint Insurance Fund Policy and have determined the Policy coverage, limits of liability, and any relevant exclusions; and

**WHEREAS**, the Township has consulted with the Township Attorney with respect to said buyout offer and General Release, and the Township Attorney has recommended accepting said buyout offer;

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

1. The Township Council hereby authorizes a General Release to the MEL for any and all claims arising out of Baldwin Manor v. Parsippany-Troy Hills, et al., Docket No.: MRS-L-1758-10 and Powder Mill Heights v. Parsippany-Troy Hills, et al., Docket No.: MRS-L-439-10; and
  2. The MEL shall make full payment of \$15,000.00 for each of the two General Releases executed relating to Baldwin Manor v. Parsippany-Troy Hills and Powder Mill Heights v. Parsippany-Troy Hills; and
  3. The Township Council hereby authorizes the Mayor, Business Administrator, and/or Township Clerk to execute and deliver the General Releases.
  4. The Township Council hereby grants the Mayor the authority to enter into an agreement with the MEL, which authorizes the Township to execute and issue any future General Release to the MEL in consideration for payment of \$15,000.00 to the Township, to settle each claim for insurance coverage the Township may have against the MEL arising out of litigation in the Township for refuse collection. The Mayor, Business Administrator, and/or the Township Clerk shall execute each General Release without prior governing body approval.
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**REGULAR TOWNSHIP COUNCIL MEETING, OCTOBER 19, 2010**

**APPLICATION(S):**

License(s):

- \* **Authorizing Special Senior Citizen Bingo License to the Golden Age Club of St. Peters, Inc.**

**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:

**Golden Age Club of St. Peters Inc.  
Expiration Date: 09/10/12**

- \* **Limousine Owners' Licenses (New) – Kamran S. Khan, 119 South Powdermill Road (1 Vehicle) and John Paul Sarenas, 34 Nokomis Avenue (1 Vehicle)**

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

**Kamran S. Khan  
119 South Powdermill Road  
Morris Plains, NJ 07950  
(1 vehicle)**

**and**

**REGULAR TOWNSHIP COUNCIL MEETING, OCTOBER 19, 2010**

**John Paul Sarenas  
34 Nokomis Avenue  
Lake Hiawatha, NJ 07034  
(1 vehicle)**

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**MINUTES FOR APPROVAL – NON-CONSENT:**

Council President Grossi moved the approval of the minutes of the following meetings, seconded by Mr. Stanton:

Agenda Meeting of 9/14/10 (Absent – dePierro)

Regular Meeting of 9/21/10 (Absent Fox)

Closed Session of 9 /21/10 (Absent – Fox) (Approval Only, Disclosure Upon Authorization of Township Attorney)

**Roll Call:**

**Mr. Cesaro - Yes for all meetings**  
**Mr. dePierro - Yes for meetings held on 9/21/10; abstain for 9/14/10 meeting**  
**Mr. Fox - Yes for 9/14/10 meeting; abstain for meetings held on 9/21/10**  
**Mr. Stanton - Yes for all meetings**  
**Ms. Grossi - Yes for all meeting**

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**ORDINANCE(S):**

**Introductions**

**ORDINANCE NO. (2010:32)**

**An Ordinance Establishing White Collar  
Salary Ranges for the Township of  
Parsippany-Troy Hills**  
(Attachment No. 1)

The following resolution was offered by Mr. Cesaro, 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 **October 19, 2010** and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on **November 23, 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, OCTOBER 19, 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, Fox, Stanton and Grossi

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**ORDINANCE NO. (2010:33)**

**An Ordinance Amending and Supplementing Chapter 290, Parks, Recreation Areas and Public Lands, Article II, Use Regulations; Permit Requirements of the Code 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 **October 19, 2010** and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on **November 23, 2010** at 7:30 p.m., prevailing time, or as soon thereafter as the matter may be reached, at the Municipal Building in said Township, at which time all persons interested shall be given an opportunity to be heard concerning said Ordinance.

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

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

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**REGULAR TOWNSHIP COUNCIL MEETING, OCTOBER 19, 2010**

A motion was made by Mr. dePierro, seconded by Mr. Cesaro to close the meeting.

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

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The meeting adjourned at 8:12 p.m.

Respectfully submitted,

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Judith I. Silver, Township Clerk

*Ann F. Grossi*

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Ann F. Grossi Council President

Minutes approved: November 23, 2010

**REGULAR TOWNSHIP COUNCIL MEETING, OCTOBER 19, 2010**

Attachment No. 1

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TOWNSHIP OF PARSIPPANY-TROY HILLS

ORDINANCE #2010:32

AN ORDINANCE ESTABLISHING WHITE COLLAR SALARY RANGES FOR  
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,  
as follows:

SECTION 1 - Annual Salaries

<u>Position</u>	<u>Salary Ranges</u>	
	<u>Minimum</u>	<u>Maximum</u>
Mayor	106,489	106,489
President of the Council	13,980	13,980
Council Member	12,589	12,589
Account Clerk	17,000	42,000
Administrative Secretary	25,000	55,000
Animal Control Officer	26,000	60,000
Assessing Aide	17,000	40,000
Assistant Animal Control Officer	17,000	40,000
Assistant Assessor	25,000	60,000
Assistant Greens Superintendent	27,000	75,000
Assistant Municipal Clerk	25,000	55,000
Assistant Municipal Engineer	30,000	75,000
Assistant Purchasing Aide (P/T)	19,000	47,000
Assistant Sewer Plant & Assistant Sewer Superintendent	31,000	90,000
Assistant Tax Collector	27,000	71,000
Assistant Treasurer	26,000	55,000
Assistant Violations Clerk	17,000	40,000
Assistant Water Superintendent	31,000	85,000
Assistant Zoning Officer	23,000	50,000
Building Inspector	28,000	80,000
Building Service Worker	14,000	35,000
Building Subcode Official	31,000	86,000
Business Administrator	75,000	120,000
Cashier	14,000	35,000
Chief Emergency Medical Technician	19,000	47,000
Chief Financial Officer	50,000	120,000
Chief of Police	150,000	182,000
Clerk	14,000	36,000

**REGULAR TOWNSHIP COUNCIL MEETING, OCTOBER 19, 2010**

Clerk Typist	17,000	45,000
Code Enforcement Officer	19,000	45,000
Code Enforcement Officer - Trainee	14,000	35,000
Community Service Aide	17,000	40,000
Confidential Aide to Mayor	23,500	55,000

Attachment No. 1

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Construction Official	45,000	105,000
Counselor, Family Intervention	23,000	53,000
Court Administrator	26,000	67,000
Deputy Court Administrator	19,000	60,000
Director Parks and Recreation	35,000	90,000
Director of Human Services	35,000	90,000
Director of Municipal Utilities	31,000	90,000
Director of Planning, Zoning and Construction Inspections	31,000	90,000
Director of Public Works	35,000	91,000
Director of Purchasing	31,000	85,000
Electrical Inspector	28,000	70,000
Electrical Sub-Code Official	30,000	105,000
Elevator Inspector	18,000	70,000
Elevator Sub-Code Official	35,000	90,000
Employee Benefits Specialist	25,000	56,000
Engineering Aide	19,000	45,000
Field Representative Housing Inspector	19,000	45,000
Fire Official	27,000	70,000
Fire Prevention Specialist	25,000	65,000
Fire Sub-Code Official	31,000	82,000
General Supervisor, Parks	31,000	85,000
General Supervisor, Roads	31,000	85,000
General Supervisor, Sanitation	31,000	80,000
Golf Superintendent	35,000	97,000
Greens Superintendent	35,000	95,000
Health Officer	31,000	85,000
Housing Coordinator	27,000	65,000
Judge of the Municipal Court (P/T)	25,000	40,000
Maintenance Superintendent	30,000	85,000
Maintenance Supervisor	28,000	70,000
Mechanic	25,000	55,000
Messenger	13,000	30,000
Municipal Engineer	50,000	120,000
Omnibus Operator	23,000	51,000
Payroll Clerk	17,000	40,000
Personnel Director	31,000	80,000
Plumbing Inspector	28,000	70,000
Plumbing Sub-Code Official	31,000	80,000
Police Records Clerk	17,000	40,000
Prin. Laboratory Technician - Water Analysis	26,000	65,000
Principal Account Clerk	23,000	55,000
Principal Clerk Typist	19,000	45,000

**REGULAR TOWNSHIP COUNCIL MEETING, OCTOBER 19, 2010**

Principal Drafting Technician	27,000	70,000
Principal Engineer	31,000	82,000
Principal Engineering Aide	27,000	65,000
Principal Sanitary Inspector	25,000	55,000
Public Health Nurse	40,000	55,000

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Public Health Nurse Supervisor	40,000	65,000
Public Safety Telecommunicator I	19,000	45,000
Public Safety Telecommunicator II	23,000	50,000
Public Safety Telecommunicator Trainee	14,000	40,000
Purchasing Assistant	19,000	45,000
Recreation Program Leader	25,000	60,000
Recreation Supervisor	23,000	60,000
Recycling Program Aide	25,000	40,000
Road Inspector	25,000	60,000
Road Superintendent	31,000	85,000
Sanitary Inspector / Sanitarian	23,000	51,000
Secretarial Assistant	25,000	55,000
Secretary, Board/Commission	25,000	55,000
Senior Account Clerk	19,000	45,000
Senior Clerk Typist	19,000	45,000
Senior Housing Inspector	26,000	65,000
Senior Laboratory Technician	23,000	52,000
Senior Mail Clerk	19,000	50,000
Senior Payroll Clerk	19,000	50,000
Senior Police Records Clerk	19,000	45,000
Senior Public Safety Telecommunicator	25,000	60,000
Senior Systems Analyst	31,000	82,000
Sewage Plant and Sewer Superintendent	35,000	95,000
Superintendent of Parks	35,000	90,000
Superintendent of Recreation	35,000	90,000
Supervisor of Garage Services	28,000	70,000
Supr. of Laboratories - Clinical & Water Analysis	28,000	71,000
Supervisor of Operations	28,000	70,000
Systems Analyst	28,000	75,000
Tax Assessor	35,000	100,000
Tax Collector	35,000	95,000
Technical Assistant, Construction Dept.	25,000	60,000
Township Clerk	35,000	96,000
Violations Clerk	17,000	40,000
Water Superintendent	35,000	95,000
Zoning Officer	26,000	60,000

SECTION 2 - Other

Position Classification

Board of Education Election Supervision (per election)	450.00	450.00
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**REGULAR TOWNSHIP COUNCIL MEETING, OCTOBER 19, 2010**

Building Maintenance Worker (per hour P/T)	8.00	17.00
Cashier, Golf Utility (per hour)	7.15	15.00
Clerk (per hour P/T)	7.15	17.00
Clerk Typist (per hour P/T)	11.00	20.00
Coordinator, Emergency Management (annual)	7,000	20,000

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Coordinator, School Crossing Guards (annual)	2,500	3,500
Court Attendant (per hour)	10.00	19.00
Court Session, Judge (per DWI session)	150.00	250.00
Court Session, Court Administrator (per DWI session)	75.00	130.00
Deputy Emergency Management Coordinator (annual)	500.00	1,500.00
Electrical Inspector	20.00	35.00
Emergency Medical Technician (per hour)	8.00	18.00
Fire Prevention Specialist (P/T)	10.00	20.00
Golf Professional, Golf Utility (per hour)	10.00	20.00
Golf Ranger, Golf Utility (per hour)	7.15	15.00
Golf Starter, Golf Utility (per hour)	7.15	15.00
Hazmat Coordinator (annual)	1,000.00	2,000.00
Non Public School Nurse (P/T)	17.00	30.00
Park Attendant (per hour)	7.15	15.00
Plumbing Inspector (P/T)	24.00	36.00
Principal Laboratory Technician	15.00	40.00
Project Advisor (P/T)	60.00	60.00
Public Health Nurse (P/T)	21.00	30.00
Public Health Nurse Supervisor (P/T)	21.00	35.00
Public Telecommunicator (per hour P/T)	18.00	22.00
Recreation Attendant (per hour)	7.15	15.00
Recreation Official (per hour)	26.00	35.00
Recreation Program Leader (per hour)	7.15	19.00
School Traffic Guard 1 (per hour)	7.15	16.83
School Traffic Guard 2 (per hour)	7.15	17.54
School Traffic Guard 3 (per hour)	7.15	19.00
Senior Emergency Medical Technician (per hour)	13.00	20.00
Senior Golf Starter, Golf Utility (per hour)	7.15	16.00
Senior Recreation Program Leader (per hour)	12.50	25.00
Special Law Enforcement Officer, Class I (per hour)	15.00	25.00
Special Law Enforcement Officer, Class II (per hour)	15.00	25.00
Special Law Enforcement Officer, Sergeant (Supr) (per hour)	15.00	25.00
Summer/Seasonal Help (per hour)	7.15	19.00

**SECTION 3**

Longevity payment in addition to the regular salary is granted after each five (5) years of service in accordance with the following schedule for all employees hired before January 1, 1996:

After five (5) years of service \$300

**REGULAR TOWNSHIP COUNCIL MEETING, OCTOBER 19, 2010**

After ten (10) years of service	\$700
After fifteen (15) years of service	\$900
After twenty (20) years of service	\$1,300
After twenty-five (25) years of service	\$1,600

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**SECTION 4**

In the event any position in Sections 1 or 2 above becomes vacant, any replacement may be hired within the above designated ranges.

**SECTION 5**

This ordinance shall be retroactive to January 1, 2010 for all employees active on the date of introduction of this ordinance.

**SECTION 6**

This ordinance shall take effect as provided by law.

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 290, PARKS,  
RECREATION AREAS AND PUBLIC LANDS, ARTICLE II, USE REGULATIONS;  
PERMIT REQUIREMENTS OF THE CODE OF THE TOWNSHIP OF PARSIPPANY-  
TROY HILLS**

**ORDINANCE NO. 2010:33**

**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.** Chapter 290, Parks, Recreation Areas and Public Lands of Article II, Use Regulations; Permit Requirements, of the Code of the Township of Parsippany-Troy Hills is hereby amended and supplemented by the addition of a new section and shall read as follows:

- A. §290-16, Fees for Special Services. The hourly fee for special services provided by Parks and Forestry employees, outside of regular working hours, shall be \$37.

**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 be retroactive to October 1, 2010.