

**TOWNSHIP OF PARSIPPANY-TROY HILLS  
REGULAR TOWNSHIP COUNCIL MEETING OF JANUARY 22, 2019**

**MINUTES**

**I. INTRODUCTION**

Meeting was called to order at 7:00 pm by Council President Paul Carifi Jr. and Council member McCarthy read the following statement into the record:

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 20, 2018 where it has remained posted since that date. A legal notice appeared in the *Daily Record* and the *Newark Star Ledger* on December 27, 2018 and was forwarded by fax to other local newspapers on December 20, 2018.

A flag salute occurred followed by roll call with the following answering roll call; Council President Carifi, Council member dePierro, Council member Gragnani, Council member McCarthy and Councilmember Peterson. Other members of the administration present at the meeting; Business Administrator Keith Kazmark, Township Attorney James Lott, Township Clerk Khaled Madin.

The council reviewed the agenda:

**D. UPCOMING MEETINGS:**

- |                        |                 |
|------------------------|-----------------|
| 1. 2/5/19 @ 7:00 p.m.  | Agenda Meeting  |
| 2. 2/19/19 @ 7:00 p.m. | Regular Meeting |

**E. APPROVAL OF MINUTES**

1. Regular Meeting – December 18, 2018

Motion to approve the above Minutes by Mr. Carifi, seconded by Mr. dePierro.  
**ROLL CALL: YES-** Mr. dePierro, Ms. Gragnani, Ms. McCarthy, Ms. Peterson, Mr. Carifi.

**II. PRESENTATION(S)/REPORTS**

A. MAYOR – no report

B. TOWNSHIP COUNCIL

1. Township Committees
  - a. Traffic Advisory Committee

1. Vincent Schindel
2. Eric Densmore

Council member dePierro nominated the above individuals and Ms. Gragnani seconded the nomination. Motion to appoint the above individuals was made by Mr. dePierro, seconded by Ms. Gragnani.

**ROLL CALL YES-** Mr. dePierro, Ms. Gragnani, Ms. McCarthy, Ms. Peterson, Mr. Carifi.

C. TOWNSHIP ATTORNEY – no report

D. BUSINESS ADMINISTRATOR- Mr. Kazmark stated that over the last number of weeks we had a series of meetings in closed session regarding affordable housing. One of the considered projects is Lanidex and they have requested through the Township attorneys’ officer to make a small 10-minute presentation to the Council. Council Member Peterson recused herself. Mr. Kazmark stated there are multiple items for executive session.

1. Lanidex Presentation – presented to the council.

E. TOWNSHIP CLERK- no report

F. TOWNSHIP OFFICES COMMITTEES/REPORTS – no report

### **III. BIDS**

A. Taken

B. To Be Taken

1. 1/24/19 - SCADA System Improvements
2. 1/30/19 – Reconstruction of Edgewood Court
3. 2/1/19 - Knoll West Country Club Irrigation System Replacement
4. 2/1/19 – Rehabilitation Services for Wells 12, 17 and 19

C. Quotation(s)/Proposal(s)/Qualification(s)

### **IV. PUBLIC HEARING**

Council President Carifi entertained a motion to open the meeting to the public to speak on any topic, noting a five-minute time limit per speaker. A motion was made by Council Member Gragnani, seconded by Council Member McCarthy followed by a roll call with all the Council Members answering Yes.

Bob Venezia, stated that the Courts have established Parsippany’s affordable housing obligation at about 1300 units to be completed by 2025. To achieve this goal given a 15 % set aside rate, a total of 8700 affordable and market rate units will probably have to be constructed, increasing the total number of housing units in Parsippany by 33%. Another area that will be affected by this growth will be Open Space and so the total amount of Open Space must also increase. Mr. Venezia continued to discuss the affordable housing issue and how it impacts Open Space.

Seeing no one else come forward to speak, Council President Carifi entertained a motion to close the public hearing. A motion to close the public hearing was made by Council Member Gragnani, and seconded Council Member Peterson followed by a Roll Call with all the Council Members answering Yes.

## V. ORDINANCES

### A. INTRODUCTION

None

### B. SECOND READING & PUBLIC HEARING

None

## VI. NON-CONSENT AGENDA

### A. RESOLUTIONS

#### 1. R2019-043 Cash Management Plan Amendment

**WHEREAS**, N.J.S.A. 40A:5-1 et seq. requires Governing Body adoption for a cash management program; and

**WHEREAS**, the original cash management plan was passed by the Township Council of the Township of Parsippany-Troy Hills on January 3, 2019, R2019-003; and,

**WHEREAS**, the Chief Financial Officer desires to amend the 2019 Cash Management Plan, “Designation of Official Depositories” by adding the following institution to the list of approved banks:

**SB One Bank (Summit Bank)**

**WHEREAS**, the Government Unit Protection Act lists Summit Bank as an approved bank authorized depositories for deposit of funds; and

**NOW, THEREFORE, BE IT RESOLVED** that the Township Council of the Township of Parsippany-Troy Hills adopts the amended cash management plan, a copy of which is on file in the Office of the Township Clerk.

COUNCIL MEMBER	Aye	Nay	Abstain	Absent	Motion	Second
Mr. Carifi	X					
Mr. dePierro	X				X	
Mrs. Gagnani	X					
Mrs. McCarthy	X					
Mrs. Peterson	X					X

**2. R2019-044 Resolution of the Township Council of the Township of Parsippany-Troy Hills Authorizing a Grant Application for the Governor’s Council on Alcoholism and Drug Abuse for Fiscal Grant Cycle July 2019-June 2020**

**WHEREAS**, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

**WHEREAS**, The Township Council of the Township of Parsippany – Troy Hills, County of Morris, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

**WHEREAS**, the Township of Parsippany – Troy Hills Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

**WHEREAS**, the Township of Parsippany – Troy Hills Council has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Morris;

**NOW, THEREFORE, BE IT RESOLVED** by the Township of Parsippany – Troy Hills, County of Morris, State of New Jersey hereby recognizes the following:

1. The Township Council does hereby authorize submission of a strategic plan for the Township of Parsippany-Troy Hills Municipal Alliance grant for fiscal year 2020 in the amount of:

DEDR        \$ 28,143.00

Cash Match       \$ 7,035.75  
 In-Kind           \$ 21,107.25

- The Township Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

COUNCIL MEMBER	Aye	Nay	Abstain	Absent	Motion	Second
Mr. Carifi	X					
Mr. dePierro	X					
Mrs. Gagnani	X					
Mrs. McCarthy	X				X	
Mrs. Peterson	X					X

**3. R2019-045 Appropriation Transfer**

**WHEREAS**, New Jersey Statute Title 40A:4-58 provides for appropriation transfers as of December 31, 2018; and

**BE IT RESOLVED** by the Township Council of the Township of Parsippany-Troy Hills that the following transfers between appropriations be and the same are hereby authorized to be made in conformity with the State Statutes in such cases made and provided; and,

**BE IT FURTHER RESOLVED** that the Chief Financial Officer be and is hereby authorized to make the necessary entries on the books and 2018 budget in connection with said transfers:

<u>WATER UTILITY</u>	<u>FROM</u>	<u>TO</u>	<u>FOR</u>
Debt:			
Payment of Bond Interest of Bond Int			\$ 1,443.74 <i>Reclass Accrual</i>
Debt:			
Payment of Note Interest BAN's			\$10,381.94 <i>Accrual for New</i>
Statutory:			
SSI Accrual		\$ 9,710.10	<i>Transfer for</i>



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.

**Motion to approve the Consent Agenda by Ms. Gragnani, seconded by Ms. Peterson.  
**ROLL CALL: Yes- Mr. dePierro, Ms. Gragnani, Ms. McCarthy, Ms. Peterson, Mr. Carifi.****

A. RESOLUTIONS

**1. R2019-030\*Resolution of the Township Council of the Township of Parsippany-Troy Hills Authorizing Final Quantities Change Order #2 for Skyview Pump Station and Force Main**

**WHEREAS**, Change Order # 1 to the contract for SKYVIEW PUMP STATION AND FORCE MAIN with Hutton Construction LLC, 41 Village Park Road, Cedar Grove, NJ 07009, was approved with Adoption of Resolution 2018-129 resulting in an increase in total cost of the Project costs by an amount of \$24,751.47, and a new total contract price of \$518,052.47; and,

**WHEREAS**, the Project has been completed and the Pump Station and Force Main are in operation; and,

**WHEREAS**, ARH Associates, the Township's Consulting Engineer for this Project has prepared and recommends for adoption Change Order # 2, the Final Quantities Change Order, a copy of which is attached, which signifies the completion of the project and the reconciliation of all Pay Items resulting in an increase in total cost of the Project cost by an amount of \$14,145.29 and a new total contract price of \$532,196.16.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Parsippany-Troy Hills that it hereby approves Change Order # 2, the Final Quantities Change Order resulting in an increase in total cost of the Project cost by an amount of \$14,145.29 and a new total contract price of \$532,196.16.

**BE IT FURTHER RESOLVED** by that the Mayor is authorized to execute Change Order # 2, the Final Quantities Change Order, in the form on file with the Township Clerk.

**2. R2019-031\* Resolution of the Township Council of the Township of Parsippany-Troy Hills Authorizing Award of a Contract to E-Z-Go, Division of Textron, Inc., for Rental of Golf Carts**

**WHEREAS**, the Township of Parsippany-Troy Hills received a bid proposal for Rental of Golf Carts on December 20, 2018, and

**WHEREAS**, the Director of Purchasing, Purchasing Assistant and Golf Superintendent have reviewed the bid received and recommend that a contract be awarded to the lowest responsible bidder, E-Z-GO, Division of Textron, Inc., 1451 Marvin Griffin Road, Augusta, GA 30906 for Alternate Bid Item

#1A for 130 new gas powered golf carts with roofs for a contract period of four (4) years for a unit price per cart per season of \$750.88, and

**WHEREAS**, the Chief Financial Officer of the Township of Parsippany-Troy Hills will certify to the availability of funds at the time of purchase under the following:

“2019 Temporary Knoll Budget/O/E.”

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Parsippany-Troy Hills that the bid for Rental of Golf Carts 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.

**3. R2019-032\*Resolution of the Township Council of the Township of Parsippany-Troy Hills Authorizing Award of Contracts to Thinklite and BMSE Electrical Inc., for Replacement of Lamps at the Knoll Tennis Club at the Parsippany Community Center**

**WHEREAS**, the Township of Parsippany-Troy Hills advertised for bids to be received for Replacement of Lamps at the Knoll Tennis Club at the Parsippany Community Center on two occasions, initially on August 23, 2018 and again on September 20, 2018, and

**WHEREAS**, the specifications for this project involve providing 384 fluorescent lamps and ballasts and the labor to install them, and

**WHEREAS**, no bids were received on August 23, 2018, and

**WHEREAS**, one bid was received on September 20, 2018 but was rejected due to excessive cost, and

**WHEREAS**, section N.J.S.A. 40A:11-5.3 of the Local Public Contracts Law allows contracts to be negotiated after no bids were received on one occasion and bids were rejected on a second occasion, and

**WHEREAS**, the Director of Purchasing, Building Maintenance Supervisor and Consulting Engineer reached out to several firms including the only bidder from the September 20, 2018 bid as well as an authorized electrician on the Bergen County Cooperative Purchasing C0-Op of which the Township is a member, and

**WHEREAS**, the Director of Purchasing, Building Maintenance Supervisor and Consulting Engineer have negotiated this contract and recommend contracts be awarded to ThinkLite, 117 West Central Street, Suite 201, Natick, MA 01760 for supply of the replacement lamps for a Total Price of \$27,949,28 and BMSE Electrical Inc., 255 Andrea Drive, Rockaway, NJ 07866 for a Total Labor Price for installation of \$6,300.00.

**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 #2017:11 adopted July 11, 2017, entitled,

“Various Improvements”.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Parsippany-Troy Hills that contracts for Replacement of Lamps at the Knoll Tennis Club at the Parsippany Community Center be awarded as stated above in accordance with the terms and conditions contained in the original advertised specifications and that the Mayor and Township Clerk are authorized to execute the contracts.

**4. R2019-033\*Tax Appeal Settlement – Sylvan/Campus Realty v. Township of Parsippany-Troy Hills Block 202, Lot 3.4**

**WHEREAS**, Sylvan/Campus Realty owns property located at 8 Campus Drive and 7 Sylvan Way and is designated as Block 202, Lot 3.4 on the official tax map of the Township of Parsippany-Troy Hills (“Subject Property”); and

**WHEREAS**, Sylvan/Campus Realty filed appeals to the Tax Court of New Jersey challenging the Subject Property’s 2015, 2016, 2017 & 2018 assessments; and

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

**WHEREAS**, as a result of that discovery and settlement negotiations, a settlement has been reached upon the recommendation and concurrence of the Township Attorney, Township Appraiser and Township Assessor; and

**WHEREAS**, Sylvan/Campus Realty, LLC has agreed to waive all interest due on any refund providing that same is paid by the municipality within sixty (60) days from the date of entry of the Tax Court Judgment; and

**WHEREAS**, the Township Attorney, Special Tax Counsel, Township Appraiser and the Tax Assessor have all recommended said settlement to the Township Council; and

**WHEREAS**, the Township Council is of the opinion that said settlement is in the best interests of the Township of Parsippany-Troy Hills;

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

1. Settlement of the 2015 tax appeal is hereby authorized as follows:

	<u>Original Assessment</u>	<u>Settlement Amount</u>
<b>Year: 2015</b>		
<b>LAND</b>	<b>\$14,988,000</b>	<b>\$14,988,000</b>
<b>IMPROVEMENTS</b>	<b>\$34,113,800</b>	<b>\$30,113,800</b>
<b>TOTAL</b>	<b>\$49,101,800</b>	<b>\$45,101,800</b>

2. Settlement of the 2016 tax appeal is hereby authorized as follows:

	<u>Original Assessment</u>	<u>Settlement Amount</u>
<b>Year: 2016</b>		

LAND	\$14,988,000	\$14,988,000
IMPROVEMENTS	<u>\$34,113,800</u>	<u>\$31,113,800</u>
TOTAL	\$49,101,800	\$46,101,800

3. Settlement of the 2017 and 2018 tax appeals are hereby authorized as follows:

	<u>Original Assessment</u>	<u>Settlement Amount</u>
Years: 2017 & 2018		
LAND	\$14,988,000	\$14,988,000
IMPROVEMENTS	<u>\$34,113,800</u>	<u>\$34,113,800</u>
TOTAL	\$49,101,800	\$49,101,800

**NOW, THEREFORE, BE IT RESOLVED** that all municipal officials are hereby authorized to take whatever action may be necessary to implement the terms of the resolution.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Parsippany-Troy Hills, County of Morris, State of New Jersey, that the settlement in this matter as set forth herein above, be and the same is approved, and Counsel is hereby authorized and directed to affect said settlement

**5. R2019-034\*Tax Appeal Settlement – 20 Waterview SPE, LLC v. Township of Parsippany-Troy Hills, Block 421, Lot 29.1**

**WHEREAS, 20 Waterview SPE, LLC owns property located at 20 Waterview Boulevard and is designated as Block 421, Lot 29.1 on the official tax map of the Township of Parsippany-Troy Hills (“Subject Property”); and**

**WHEREAS, 20 Waterview SPE, LLC filed appeals to the Tax Court of New Jersey challenging the Subject Property’s 2017 and 2018 assessments; and**

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

**WHEREAS, as a result of that discovery and settlement negotiations, a settlement has been reached upon the recommendation and concurrence of the Township Attorney, Township Appraiser and Township Assessor; and**

**WHEREAS, 20 Waterview SPE, LLC has agreed to waive all interest due on any refund providing that same is paid by the municipality within sixty (60) days from the date of entry of the Tax Court Judgment; and**

**WHEREAS, the Township Attorney, Special Tax Counsel, Township Appraiser and the Tax Assessor have all recommended said settlement to the Township Council; and**

**WHEREAS**, the Township Council is of the opinion that said settlement is in the best interests of the Township of Parsippany-Troy Hills;

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

4. Settlement of the 2017 tax appeal is hereby authorized as follows:

	<u>Original Assessment</u>	<u>Settlement Amount</u>
Year: 2017		
LAND	\$10,622,500	\$10,622,500
IMPROVEMENTS	\$11,286,200	\$9,786,200
TOTAL	\$21,908,700	\$20,408,700

5. Settlement of the 2018 tax appeal is hereby authorized as follows:

	<u>Original Assessment</u>	<u>Settlement Amount</u>
Year: 2018		
LAND	\$10,622,500	\$10,622,500
IMPROVEMENTS	\$11,286,200	\$9,786,200
TOTAL	\$21,908,700	\$20,408,700

**NOW, THEREFORE, BE IT RESOLVED** that all municipal officials are hereby authorized to take whatever action may be necessary to implement the terms of the resolution.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Parsippany-Troy Hills, County of Morris, State of New Jersey, that the settlement in this matter as set forth herein above, be and the same is approved, and Counsel is hereby authorized and directed to affect said settlement.

**6. R2019-035\*Tax Appeal Settlement – 1 Gatehall Drive, LLC v. Township of Parsippany-Troy Hills, Block 175, Lot 52.1**

**WHEREAS**, the property located at 1 Gatehall Drive, designated as Block 175, Lot 52.1 on the official tax map of the Township of Parsippany-Troy Hills (“Subject Property”), is the subject of appeals pending before the Tax Court of New Jersey challenging the Subject Property’s 2014 and 2018 assessments; and

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

**WHEREAS**, as a result of that discovery and settlement negotiations, a settlement has been reached upon the recommendation and concurrence of the Township Attorney, Township Appraiser and Township Assessor; and

**WHEREAS**, the taxpayer has agreed to waive all interest due on any refund providing that same is paid by the municipality within sixty (60) days from the date of entry of the Tax Court Judgment; and

**WHEREAS**, the Township Attorney, Special Tax Counsel, Township Appraiser and the Tax Assessor have all recommended said settlement to the Township Council; and

**WHEREAS**, the Township Council is of the opinion that said settlement is in the best interests of the Township of Parsippany-Troy Hills;

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

1. Settlement of the appeals for Tax Years 2014 and 2015 is authorized as follows:

	<u>Original Assessment</u>	<u>Settlement Amount</u>
Land	\$4,820,600	\$4,820,600
Improvement	<u>\$3,781,900</u>	<u>\$3,781,900</u>
Total	\$8,602,500	\$8,602,500

2. Settlement of the appeals for Tax Years 2016 and 2017 is authorized as follows:

	<u>Original Assessment</u>	<u>Settlement Amount</u>
Land	\$4,820,600	\$4,820,600
Improvement	<u>\$3,781,900</u>	<u>\$3,179,400</u>
Total	\$8,602,500	\$8,000,000

3. Settlement of the appeal for Tax Years 2018 is authorized as follows:

	<u>Original Assessment</u>	<u>Settlement Amount</u>
Land	\$4,820,600	\$4,820,600
Improvement	<u>\$3,781,900</u>	<u>\$2,679,400</u>
Total	\$8,602,500	\$7,500,000

**NOW, THEREFORE, BE IT RESOLVED**, that all municipal officials are hereby authorized to take whatever action may be necessary to implement the terms of the resolution.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Parsippany-Troy Hills, County of Morris, State of New Jersey, that the settlement in this matter as set forth herein above, be and the same is approved, and Counsel is hereby authorized and directed

**7. R2019-036\*Tax Appeal Settlement – 50 Cherry Hill Road, LLC v. Township of Parsippany-Troy Hills, Block 139, Lot 2**

**WHEREAS**, 50 Cherry Hill Road, LLC owns property located at 50 Cherry Hill Road and is designated as Block 139, Lot 2 on the official tax map of the Township of Parsippany-Troy Hills (“Subject Property”); and

**WHEREAS**, 50 Cherry Hill Road, LLC filed appeals to the Tax Court of New Jersey challenging the Subject Property’s 2015, 2016, 2017 and 2018 assessments; and

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

**WHEREAS**, as a result of that discovery and settlement negotiations, a settlement has been reached upon the recommendation and concurrence of the Township Attorney, Township Appraiser and Township Assessor; and

**WHEREAS**, 50 Cherry Hill Road, LLC has agreed to waive all interest due on any refund providing that same is paid by the municipality within sixty (60) days from the date of entry of the Tax Court Judgment; and

**WHEREAS**, the Township Attorney, Special Tax Counsel, Township Appraiser and the Tax Assessor have all recommended said settlement to the Township Council; and

**WHEREAS**, the Township Council is of the opinion that said settlement is in the best interests of the Township of Parsippany-Troy Hills;

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

6. Settlement of the 2015 tax appeal is hereby authorized as follows:

	<u>Original Assessment</u>	<u>Settlement Amount</u>
<b>Year: 2015</b>		
<b>Block 139, Lot 2</b>		
<b>LAND</b>	<b>\$738,000</b>	<b>\$738,000</b>
<b>IMPROVEMENTS</b>	<b>\$2,929,400</b>	<b>\$2,929,400</b>
<b>TOTAL</b>	<b>\$3,667,400</b>	<b>\$3,667,400</b>

7. Settlement of the 2016 tax appeal is hereby authorized as follows:

	<u>Original Assessment</u>	<u>Settlement Amount</u>
<b>Year: 2016</b>		
<b>Block 139, Lot 2</b>		
<b>LAND</b>	<b>\$738,000</b>	<b>\$738,000</b>
<b>IMPROVEMENTS</b>	<b>\$2,929,400</b>	<b>\$2,929,400</b>
<b>TOTAL</b>	<b>\$3,667,400</b>	<b>\$3,667,400</b>

8. Settlement of the 2017 tax appeal is hereby authorized as follows:

	<u>Original Assessment</u>	<u>Settlement Amount</u>
<b>Year: 2017</b>		

<b>Block 139, Lot 2</b>		
LAND	\$738,000	\$738,000
IMPROVEMENTS	<u>\$2,929,400</u>	<u>\$2,929,400</u>
TOTAL	\$3,667,400	\$3,667,400

9. Settlement of the 2018 tax appeal is hereby authorized as follows:

	<u>Original Assessment</u>	<u>Settlement Amount</u>
<b>Year: 2018</b>		
<b>Block 139, Lot 2</b>		
LAND	\$738,000	\$738,000
IMPROVEMENTS	<u>\$2,929,400</u>	<u>\$2,629,400</u>
TOTAL	\$3,667,400	\$3,367,400

**NOW, THEREFORE, BE IT RESOLVED** that all municipal officials are hereby authorized to take whatever action may be necessary to implement the terms of the resolution.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Parsippany-Troy Hills, County of Morris, State of New Jersey, that the settlement in this matter as set forth herein above, be and the same is approved, and Counsel is hereby authorized and directed to affect said settlement.

**8. R2019-037\*Resolution of the Township Council of the Township of Parsippany-Troy Hills Authorizing the Release of a Performance Guarantee – CRG 119, LLC**

**WHEREAS, CRG 119, LLC** posted a performance guarantee in the form of a Performance Surety Bond, No. 71995683, issued by Western Surety Company in the amount of \$97,500 with the Township of Parsippany-Troy Hills, County of Morris, State of New Jersey in connection with the project located at 119 Littleton Road; and

**WHEREAS, Justin Lizza, Municipal Engineer,** recommended in an interoffice memorandum, dated December 10, 2018 that said performance bond be released as the site work has been satisfactorily completed.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Parsippany-Troy Hills, County of Morris and State of New Jersey that Performance Surety Bond, No. 71995683 posted by **CRG 119, LLC** be and the same are hereby released.

**BE IT FURTHER RESOLVED,** this resolution shall take effect immediately.

**9. R2019-038\*Resolution of the Township Council of the Township of Parsippany-Troy Hills Awarding Contracts for Professional Engineering, Architectural, Archeological and Appraisal Services**

**WHEREAS**, the Township of Parsippany-Troy Hills has a need to acquire professionals to perform engineering, architectural, archeological, 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 may exceed \$17,500; and,

**WHEREAS**, the terms of these contracts shall begin on January 1, 2019 and end on December 31, 2019; and

**WHEREAS**, Alaimo Group, Arcadis U.S., Inc., Architectural Design Associates, Inc., Boswell Engineering, Inc., Bowman Consulting Group, LTD, Cairone & Kaupp, Inc., CDM Smith, Inc., Cherry Weber, and Associates, CME Associates, CP Engineers, LLC, Crew Engineers, Inc., Daetel LCC, Dewberry Engineers Inc., Engineering & Environmental Services, Inc, Ferriero Engineering, Inc., H2M Associations, Inc., HMR Architects, Hunter Research, Inc., Izenberg Appraisal Associates, Jacobs Engineering Group, Inc., Keller & Kirkpatrick, Inc., KEMS LLC, Keystone Engineering Group, Maser Consulting, P.A., McNerney & Associates, Inc., Mott MacDonald, LLC, Neglia Engineering Associates, Netta Architects, NV5, Inc., O'Brien & Gere Engineers, Inc. PS&S Engineering, , Slaby Engineering Associates, Inc., Stormwater Compliance Solutions, LLC, Suburban Consulting Engineers, Inc., T&M Associates, Van Cleef Engineering Associates, and WSP USA, 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 contract; and

**WHEREAS**, the firms will complete and submit a Business Entity Disclosure Certification, which Certification provides that the firm has not made any reportable contributions to candidate committees, joint candidates committees or political party committees representing the elected officials of the Township in the one year period preceding the award of the Contract, and that the Contract will prohibit the firm from making any reportable contributions through the term of the contract that would bar the award of this Agreement pursuant to N.J.S.A. 19:44A-20.5 et seq.; and

**WHEREAS**, the firms will complete and submit a Political Contribution Disclosure Form and Stockholder Disclosure Certification, as required pursuant to N.J.S.A. 19:44A-20.26, no later than 10 days prior to entering into the contract, disclosing all reportable political contributions (more than \$300 per election cycle) made over the 12 months prior to submission to the committees of the government entities listed on the Form provided by the Township; and

**WHEREAS**, the Business Entity Disclosure Certification further provides that the firm has 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**, the Chief Financial Officer of the Township of Parsippany-Troy Hills has certified to the availability of funds for these services.

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

- 1) That the Township Council of the Township of Parsippany-Troy Hills hereby awards professional services contracts to, and authorizes the Mayor and Township Clerk to execute such contracts for 2019 year with the following firms based on the applicable rate schedules on file in the Office of the Business Administrator:

**Alaimo Group**, 200 High Street, Mt. Holly, NJ 08060 for general engineering services;

**Arcadis U.S., Inc.**, 17-17 Route 208N, Fair Lawn, NJ 07410; for general engineering services;

**Architectural Design Associates, Inc.**, 1191 Valley Road, Clifton, NJ 07013 for general architectural services;

**Boswell Engineering, Inc.**, 330 Phillips Avenue, So. Hackensack, NJ 07606 for general engineering services;

**Bowman Consulting Group, LTD** 54 Horsehill Road, Cedar Knolls, NJ 07927 for general engineering services;

**Cairone & Kaupp, Inc.**, 1118 East Columbia Avenue, Philadelphia, PA 19125 for general engineering services;

**CDM Smith, Inc.**, 110 Fieldcrest Avenue, 6<sup>th</sup> Floor, Edison, NJ 08837 for general engineering services;

**Cherry Weber, and Associates**, 20 Gibson Place, Suite 100, Freehold, NJ 07728 for general engineering services;

**CME Associates**, 3141 Boardentown Avenue, Parlin, NJ 08859 for general engineering services;

**CP Engineers, LLC**, 35 Sparta Avenue, Sparta, NJ 07871-1837 for general engineering services;

**Crew Engineers, Inc.**, 1250 Route 23 North, Butler, NJ 07405 for general engineering services;

**Daetel LCC**, 35 Preston Road, Parsippany, NJ 07801 for general engineering services;

**Dewberry Engineers Inc.**, 200 Broadacres Drive, 4<sup>th</sup> Floor, Bloomfield, NJ 07003 for general engineering services;

**Engineering & Environmental Services, Inc.**, 101 Gibraltar Drive, Suite 2C, Morris Plains, NJ 07950 for General engineering services;

**Ferriero Engineering, Inc.**, 180 Main Street, Chester, NJ 07930 for general engineering services;

**H2M Associations, Inc.**, 119 Cherry Hill Road, Suite 110, Parsippany, NJ 07054 for general engineering services;

**HMR Architects, 821** Alexander Road, Suite 115, Princeton, NJ 08540 for general architectural services;

**Hunter Research, Inc.,** 120 W. State Street, Trenton, NJ 0860 for archaeological services;

**Izenberg Appraisal Associates,** 205 Main Street – P.O. Box 255, Chatham, NJ 07928; for real estate appraisal services;

**Jacobs Engineering Group, Inc.,** 299 Madison Avenue, Morristown, NJ 07962 for general engineering services;

**Keller & Kirkpatrick, Inc.,** 301 Gibraltar Drive, Morris Plains, NJ 07950 for general engineering services;

**KEMS LLC,** 368 Hollow Road, Skillman, NJ 08558 for chemical engineering services;

**Keystone Engineering Group,** 590 Lancaster Avenue, Frazer, PA for general engineering services;

**Maser Consulting, P.A.,** 331 Newman Springs Road, Suite 203, Red Bank, NJ 07701 for professional engineering services;

**McNerney & Associates, Inc.,** 266 Harristown Road, Glen Rock, NJ 07452 for real estate appraisal services;

**Mott MacDonald, LLC,** 111 Wood Avenue, South, 5<sup>th</sup> Floor, Iselin, NJ 08830 for general engineering services;

**Neglia Engineering Associates,** 34 Park Avenue, Lyndhurst, NJ 07071 for general engineering services;

**Netta Architects,** 1084 Route 22 West, Mountainside, NJ 07092 for general architectural services;

**NV5, Inc.,** 7 Campus Drive, Suite 300, Parsippany, NJ 07054 for general engineering services;

**O'Brien & Gere Engineers, Inc.** 1304 Buckley Road, Syracuse, NJ 13221 for general engineering services;

**PS&S Engineering,** 67A Mountain Boulevard Extension, Warren, NJ 07059 for general engineering services;

**Slaby Engineering Associates, Inc.,** 6 Elder Place, Denville, NJ 07834 for general engineering services;

**Stormwater Compliance Solutions, LLC,** 180 Main Street, Chester NJ 07930 for general engineering services;

**Suburban Consulting Engineers, Inc.**, 96 US Highway 206, Suite 101, Flanders, NJ 07836 for general engineering services;

**T&M Associates**, 11 Tindall Road, Middletown, NJ 07748 for general engineering services;

**Van Cleef Engineering Associates**, 32 Brower Lane, Hillsborough, NJ 08844-1270 for general engineering services;

**WSP USA, Inc.**, One Penn Plaza, New York, NY 10119-0002 for general engineering services;

- 2) That the Business Entity Disclosure Certifications, which incorporates the provisions of Article I, entitled *Prohibitions on Contract Awards*, of Chapter 12, *Contracts*, of the Township Code; Political Contribution Disclosure Forms; Stockholder Disclosure Certifications Determination of Value; and Certificate of Availability of Funds be placed on file in the Office of the Business Administration and Township Clerk with the Contracts and authorizing resolutions; and
- 3) That these contracts 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 as professional services, pursuant to N.J.S.A. 40A:11-1 et seq.; and
- 4) A notice of this award 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.

**10. R2019-039\*Resolution of the Township Council of the Township of Parsippany-Troy Hills Awarding a Contract for Professional Accounting Services to Ferraioli, Wielkotz, Cerullo & Cuva, P.A.**

**WHEREAS**, the Township of Parsippany-Troy Hills has a need to acquire professional accounting 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 may exceed \$17,500; and,

**WHEREAS**, the terms of these contracts shall begin on January 1, 2019 and end on December 31, 2019; and

**WHEREAS**, Ferraioli, Wielkotz, Cerullo & Cuva, P.A., with offices located at 401 Wanaque Avenue, Pompton Lakes, New Jersey 07442 has 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 contract; and

**WHEREAS**, this firm has completed and submitted a Business Entity Disclosure Certification, which Certification provides that the firm have not made any reportable

contributions to candidate committees, joint candidates committees or political party committees representing the elected officials of the Township in the one year period preceding the award of the Contracts, and that the Contracts will prohibit the firms from making any reportable contributions through the term of the contracts that would bar the award of these Agreements pursuant to N.J.S.A. 19:44A-20.5 et seq.; and

**WHEREAS**, this firm has completed and submitted a Political Contribution Disclosure Form and Stockholder Disclosure Certification, as required pursuant to N.J.S.A. 19:44A-20.26, no later than 10 days prior to entering into the contract, disclosing all reportable political contributions (more than \$300 per election cycle) made over the 12 months prior to submission to the committees of the government entities listed on the Form provided by the Township; and

**WHEREAS**, the Business Entity Disclosure Certification further provides that the firms 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**, the Chief Financial Officer of the Township of Parsippany-Troy Hills has certified to the availability of funds for these services.

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

- 1) That the Township Council of the Township of Parsippany-Troy Hills hereby authorizes a professional services contract to, and authorizes the Mayor and Township Clerk to execute such contract with Ferraioli, Wielkota, Cerullo and Cuva, P.A. with offices located at 401 Wanaque Avenue, Pompton Lakes, New Jersey 07442 for professional accounting services for the 2019 year; and
- 2) That the Business Entity Disclosure Certification, which incorporates the provisions of Article I, entitled *Prohibitions on Contract Awards*, of Chapter 12, *Contracts*, of the Township Code; Political Contribution Disclosure Form; Stockholder Disclosure Certification; Determination of Value; and Certificate of Availability of Funds be placed on file in the Office of the Township Clerk with the Contract and authorizing resolution; and
- 3) That these contracts 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 as professional services, pursuant to N.J.S.A. 40A:11-1 et seq.; and
- 4) A notice of this award 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.

**11. R2019-040\*Resolution of the Township Council of the Township of Parsippany-Troy Hills Awarding a Contract for Onsite Wellness Coaching Services**

**WHEREAS**, the Township of Parsippany-Troy Hills has a need to acquire onsite wellness coaching 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 Business Administrator, Mayor and Health Insurance Brokers have recommended that a one year contract commencing on February 1, 2019 be awarded to Wellness Coaches USA, LLC, 725 Skippack Pike, Ste. 300, Blue Bell, PA 19422 for a Proposed Total Price per month of \$6,537, a zero percent increase over last year; and

**WHEREAS**, Wellness Coaches USA, LLC has completed and submitted a Business Entity Disclosure Certification, which Certification provides that the they have not made any reportable contributions to candidate committees, joint candidates committees or political party committees representing the elected officials of the Township in the one year period preceding the award of the Contract, and that the Contract will prohibit the Wellness Coaches USA, LLC and any member of the firm from making any reportable contributions through the term of the contract that would bar the award of this Agreement pursuant to N.J.S.A. 19:44A-20.5 et seq.; and

**WHEREAS**, Wellness Coaches USA, LLC has completed and submitted a Political Contribution Disclosure Form and Stockholder Disclosure Certification, as required pursuant to N.J.S.A. 19:44A-20.26, no later than 10 days prior to entering into the contract, disclosing all reportable political contributions (more than \$300 per election cycle) made over the 12 months prior to submission to the committees of the government entities listed on the Form provided by the Township; and

**WHEREAS**, the Business Entity Disclosure Certification further provides that the Wellness Coaches USA, LLC 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).

**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 Wellness Coaches USA, LLC, 725 Skippack Pike, Ste. 300, Blue Bell, PA 19422, to provide onsite wellness coaching services for 2019; and
- (2) That the Business Entity Disclosure Certification, which incorporates the provisions of Article I, entitled *Prohibitions on Contract Awards*, of Chapter 12, *Contracts*, of the Township Code; Political Contribution Disclosure Form; Stockholder Disclosure Certification; Determination of Value; and Certification of Extraordinary Unspecifiable Services be placed on file in the Office of the Township Clerk with the Contract and authorizing resolution; and
- (3) This contract shall be awarded through a non-fair and open process pursuant to N.J.S.A. 19:44A-20.5 and as a bid exception 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.

**12. R2019-046\*Resolution of the Township Council of the Township of Parsippany-Troy Hills Approving Settlement in Dillion Realty, LLC v. Township of Parsippany-Troy Hills and Michael A. Soriano, Docket No. MRS-L-2099-18**

**WHEREAS**, the Township of Parsippany-Troy Hills is a party to a pending lawsuit, Dillion Realty, LLC v. Township of Parsippany-Troy Hills and Michael A. Soriano, Docket No. MRS-L-2099-18 (the “Lawsuit”); and

**WHEREAS**, the Township Attorney has engaged in settlement negotiations with Plaintiff’s attorney; and

**WHEREAS**, said negotiations have resulted in a comprehensive settlement of the Lawsuit as set forth in the proposed Settlement Agreement; and

**WHEREAS**, the Council has reviewed the settlement reflected in the proposed Settlement Agreement and wishes to approve same; and

**WHEREAS**, the Council has determined that said settlement is in the best interest of the Township and furthermore avoids the time, expense and risks associated with the continuance of the Lawsuit.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Parsippany-Troy Hills, in the County of Morris, and State of New Jersey, that the settlement of the Lawsuit is hereby approved in accordance with the terms set forth in the proposed Settlement Agreement and the Mayor and Township Clerk are authorized to execute the Settlement Agreement as negotiated in a final form by the Township Attorney.

**BE IT FURTHER RESOLVED**, that the Township Attorney is hereby authorized and directed to further negotiate and finalize the Settlement Agreement and to take all actions necessary to affect said settlement.

**BE IT FURTHER RESOLVED**, that all Township officials and employees are hereby authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution.

**B. APPLICATIONS**

**1. R2019-041\*2019 Renewal of Licenses-Amusement Games, Entertainment, Taxi/Limo, Tourist Accommodations – Part III**

**BE IT RESOLVED** by the Township Council of the Township of Parsippany-Troy Hills that the following Licenses be renewed for the year 2019:

**TAXI/LIMOUSINE OWNERS**

**NUMBER OF VEHICLES**

Aristocrat Limousine

10

**TOURIST ACCOMMODATIONS**

**NUMBER OF ROOMS**

Hyatt House Parsippany

140

2. **R2019-042\*Resolution of the Township Council of the Township of Parsippany-Troy Hills Authorizing a Person-to-Person Transfer of Plenary Retail Distribution License for Krish Parth, LLC from Vito D’Alessandro, Inc.**

**WHEREAS**, an application has been filed for a Person-to-Person Transfer of Plenary Retail Distribution License Number 1429-44-033-006 for Vito D’Alessandro, Inc. to Krish Parth, LLC; and

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

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

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

**NOW, THEREFORE, BE IT RESOLVED** that the Township of Parsippany-Troy Hills Council does hereby approve, effective January 22, 2019, the Person-to-Person Transfer of the aforesaid Plenary Retail Distribution License #1429-44-033-006.

**VIII. APPROVAL OF PAYROLL AND BILLS LIST**

A. CFO Ann Cucci recommends authorization for payment:

1. Authorize payment of the January 26, 2019 regular and miscellaneous payroll estimated at \$1,800,000.00
2. Payment of bills from voucher list 1/1/2019 – 1-16-19 totaling \$3,363,218.59

Motion to approve the authorization for payment above by Mr. dePierro, seconded by Ms. Gragnani.

**ROLL CALL: Yes-** Mr. dePierro, Ms. Gragnani, Ms. McCarthy, Ms. Peterson, Mr. Carifi.

**IX. EXECUTIVE SESSION**

A. 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: Affordable Housing; Litigation: James Carifi v. Township of Parsippany-Troy Hills; Negotiations: Blue Collar Assoc. Local 1; Personnel Matters.**

**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.

Motion To Adjourn Into Closed Session by Ms. Peterson, Seconded By Ms. Gragnani

**ROLL CALL: Yes-** Mr. dePierro, Ms. Gragnani, Ms. McCarthy, Ms. Peterson, Mr. Carifi.

Motion To Reconvene Into Open Session by Ms. Peterson, Seconded By Mr. dePierro.

**ROLL CALL: Yes-** Mr. dePierro, Ms. Gragnani, Ms. McCarthy, Ms. Peterson, Mr. Carifi.

**ADJOURNMENT**

Motion to Adjourn the Meeting by Ms. Peterson, Seconded By Ms. McCarthy.

**ROLL CALL: Yes-** Mr. dePierro, Ms. Gragnani, Ms. McCarthy, Ms. Peterson, Mr. Carifi.

Respectfully submitted,

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Khaled Madin, Township Clerk

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Paul Carifi, Jr. Council President

Minutes Approved: