

COUNCIL AGENDA

TOWNSHIP OF PARSIPPANY-TROY HILLS REGULAR TOWNSHIP COUNCIL MEETING OF FEBRUARY 19, 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. 3/5/19 @ 7:00 p.m. Agenda Meeting
2. 3/19/19 @ 7:00 p.m. Regular Meeting

E. APPROVAL OF MINUTES

1. Agenda Meeting – January 8, 2019
2. Regular Meeting – January 22, 2019

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

1. 2019 Budget Presentation – Keith Kazmark, Business Administrator, presented the 2019 Budget, the presentation is available on the Township’s Website.

B. TOWNSHIP COUNCIL-no report

C. TOWNSHIP ATTORNEY-no report

D. BUSINESS ADMINISTRATOR-no report

E. TOWNSHIP CLERK-no report

F. TOWNSHIP OFFICES COMMITTEES/REPORTS-no report

III. BIDS

A. 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
5. 2/14/19 – Laboratory Improvement Project

B. To Be Taken

1. 2/21/19 – Reconstruction of Sandra Drive and Sandra Court

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 dePierro, seconded by Council Member Gragnani followed by a roll call with all the Council Members answering Yes.

Bob Bahrs, discussed the Henry Street situation and thanked Mr. Lott and the Township Clerk for getting back to him and informing him that whatever Habitat for Humanity will decide to do with that property will require a Council vote. Mr. Bahrs stated that one of the residents is willing to buy the property at the price that Newbridge Services paid for the property.

William Lavista, discussed the Henry Street situation. Mr. Lavista stated since he has lived there, he has seen major developments including Canterbury Estates where they have been blasting. Mr. Lavista stated that Henry Street is the last area that has wildlife and is untouched and stated that all of the development and traffic that has grown over the past years is unbelievable.

Mary Purzycki, discussed the grant given regarding the traffic study for the Route 46 corridor along Waterview Blvd. and wanted to know the results of that study. She also discussed another ordinance that was introduced regarding the retail district on the Waterview area and the specifics on how the construction along Route 46 was pretty well defined and wanted to know if all of these suggestions were abided by.

Nick Homyak, inquired if the businesses along Beverwyck Road are a part of the Chamber of Commerce. Mr. Homyak stated that all the trash along Beverwyck is from the businesses and they should be responsible for street cleaning at least once a day. Mr. Homyak inquired if we will be receiving updates on the regional master plan conformance and stated he would like updates.

Bob Venezia, inquired about the budget questioning how it is possible in this day and age when there is a 2% cap we are negotiating 7% increases for the police? Additionally, Mr. Venezia stated that there was an increase in the amount of ratables of 40 million dollars and would like to know if that will that ever happen again. Mr. Venezia stated that there is a project that if it was taxed as a ratable, we would be able to generate that kind of money. Mr. Venezia stated that he heard that it will take 4 years to recover from the 0% and that is not acceptable, therefore after this year the public should not hear anymore about how they have to recover from the previous administration as the budget is yours now.

Andrew Choffo, discussed the PILOT program. Mr. Choffo stated that the Council should be cautious about the development that has a residential component which is using Township resources like water and sewer. Any development that has a residential component under the scheme of a PILOT is a bad deal. Mr. Carifi asked if he could reserve his comments for the public hearing on Stanberry.

Lou Valori, questioned if the Township was aware if the schools will charge the Township for every event being held on school property and if so is the fee being charged for the school district by the Township of \$75,000.00 for garbage pick-up really necessary. Mr. dePierro stated that he agreed with Mr. Valori and requested an analysis of the net cost of services that they provide for each other.

Nancy Choffo, stated that the Township has been paying for the school garbage pick up for years so the Township taxes includes that pick up. Ms. Choffo stated that the school taxes are collected by the Township and go to the State and that they don't receive the money from the State. Ms. Choffo wanted to know if the Township has considered cutting the spending instead of increasing our taxes. Additionally, Ms. Choffo also wanted to know when there are Town Hall meetings at the schools are the schools charging the Township for them. Mr. Kazmark responded that it was lost on him regarding her reference regarding the tax dollars that are collected by the Township and then sent to the State. Mr. Kazmark stated that the Township cuts a check directly to the Board of Education so he was unclear about what money she was referring to that was being sent to the State.

Steven Roman, stated that he called City Hall 5 times last week and never got a live person. Additionally, Mr. Roman stated he is very happy to see major road projects in the area where he resides. Mr. Roman addressed the Mayor and Mr. Kazmark stating that the 4.75% increase in taxes is not good and that if the Mayor keeps charging such high increases then he earns the title of Tax and Spend Mayor. Mr. Roman stated get the ax out, start cutting and make the Township affordable. Mr. Kazmark responded by stating he has been doing this since he was 23 and not one budget has he prepared where he has not had the taxpayer in mind in the town that he works for. Mr. Kazmark stated that the financial picture he inherited was not created overnight.

Tim Barrios, stated he wanted to set the record straight regarding a few items. Mr. Barrios stated that as a member of the Finance Committee, having sat through the budgeting process, he can with certainty state that not every dollar of your taxes to the Board of Education goes to the Board of Education; there is no misunderstanding or gray area. Mr. Barrios stated that according to their Business Administrator it probably is in the area of 55 to 60 cents on the dollar and that he will clarify that next time he is here.

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 Peterson, and seconded Council Member Gagnani followed by a Roll Call with all the Council Members answering Yes.

V. ORDINANCES

A. INTRODUCTION

1. ORDINANCE 2019:02

BOND ORDINANCE PROVIDING FOR VARIOUS ROAD AND SIDEWALK IMPROVEMENTS IN AND BY THE TOWNSHIP OF PARSIPPANY-TROY HILLS, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING \$3,570,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$3,391,500 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

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 **February 19, 2019** and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on **March 19 2018** at 7:00 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.

Motion to approve the above Resolution by Mr. dePierro, seconded by Ms. Gragnani.

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

2. ORDINANCE 2019:03

BOND ORDINANCE PROVIDING FOR THE PRIMARY SCUM PUMP REHABILITATION AT THE SEWER UTILITY IN AND BY THE TOWNSHIP OF PARSIPPANY-TROY HILLS, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING \$300,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$300,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE THE COST THEREOF.

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 **February 19, 2019** and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on

March 19 2018 at 7:00 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.

Motion to approve the above Resolution by Ms. McCarthy, seconded by Ms. Peterson.

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

3. **ORDINANCE 2019:04**

AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, MORRIS COUNTY, NEW JERSEY CREATING NEW CHAPTER 125 OF THE CODE OF PARSIPPANY-TROY HILLS TO ESTABLISH A PERMIT REQUIREMENT TO OPERATE A CRANE IN THE TOWNSHIP OF PARSIPPANY TROY-HILLS

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 **February 19, 2019** and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on **March 19 2018** at 7:00 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.

Motion to approve the above Resolution by Ms. Peterson, seconded by Ms. McCarthy.

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

4. **ORDINANCE 2019:05**

AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY-HILLS, MORRIS COUNTY, NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 346, SNOW AND ICE

REMOVAL, OF THE CODE OF PARSIPPANY TROY-HILLS TO IMPOSE A FINE FOR VIOLATIONS

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 **February 19, 2019** and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on **March 19 2018** at 7:00 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.

Motion to approve the above Resolution by Ms. Gragnani, seconded by Ms. Peterson.

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

B. SECOND READING & PUBLIC HEARING

1. ORDINANCE 2019:01

ORDINANCE OF THE TOWNSHIP OF PARSIPPANY TROY-HILLS, IN THE COUNTY OF MORRIS, AUTHORIZING THE EXECUTION OF A FINANCIAL AGREEMENT WITH THE DISTRICT AT 1515 URBAN RENEWAL, LLC, AND GRANTING A TAX EXEMPTION WITH RESPECT TO THAT CERTAIN PROPERTY IDENTIFIED AS BLOCK 200, LOT 1.2

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.*, as amended and supplemented (the “**Redevelopment Law**”), authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of rehabilitation or redevelopment; and

WHEREAS, by resolution on September 22, 2015, the Township Council (the “**Council**”) of the Township of Parsippany Troy-Hills (the “**Township**”) designated certain property identified as Block 200, Lot 1.2 as “an area in need of redevelopment” (the “**Redevelopment Area**”) in accordance with the Redevelopment Law; and

WHEREAS, on August 22, 2017, pursuant to Ordinance No. 2017:18, the Council adopted the “Redevelopment Plan for Block 200, Lot 1.2”, dated July 24, 2017 (the “**Original Redevelopment Plan**”) with respect to the Redevelopment Area; and

WHEREAS, on September 25, 2018, the Township Council adopted Ordinance No. 2018-22, amending the Original Redevelopment Plan for the Parsippany Redevelopment Area (the Original Redevelopment Plan, as amended, the “**Redevelopment Plan**”), after conducting the requisite hearings therefor and referral of same to the Board for consistency review pursuant to N.J.S.A. 40A:12A-7(e); and

WHEREAS, pursuant to the Redevelopment Law, including Section 8 thereof (*N.J.S.A. 40A:12A-8*), a municipality is permitted to contract with a redeveloper to undertake redevelopment projects pursuant to a redevelopment plan within the area designated in that plan; and

WHEREAS, in accordance with a redevelopment agreement approved by the Council (the “**Redevelopment Agreement**”), The District at 1515 Urban Renewal LLC (the “**Entity**”), an affiliate of the designated redeveloper, will redevelop the Redevelopment Area by subdividing the Redevelopment Area (the “**Property**,” as more particularly described in Exhibit A attached hereto) and creating a condominium regime on the Property and undertaking demolition, environmental remediation, site improvements and construction on the Property;

WHEREAS, the Entity intends to redevelop a portion of the Property (the “**Phase I Property**”) by, among other things, (i) pursuing subdivision and site plan approval to subdivide the Phase I Property from the remainder of the Property; (ii) creating a condominium unit form of ownership in the Property, a portion of which (the “**Phase I Retail Land**”) will consist of one or more condominium units and be improved to provide approximately 63,684 square feet of retail (the “**Phase I Retail Component**”); and (iii) improving a portion of the Property (the “**Phase I Residential Land**”), which shall consist of a single condominium unit, by constructing approximately 273 residential units, including no less than 21 affordable residential rental units, with the remainder to be market rate residential rental units (the “**Phase I Residential Component**”, and together with the Phase I Retail Component and other related site improvements as required or permitted by the Redevelopment Plan, collectively, the “**Phase I Project**”); and

WHEREAS, the Entity intends to redevelop the remainder of the Property (the “**Phase II Property**”) by among other things, (i) pursuing subdivision and site plan approval to subdivide the Phase II Property from the remainder of the Property; (ii) creating a condominium unit form of ownership in the Property, a portion of which (the “**Phase II Retail Land**,” and together with the Phase I Retail Land, the “**Retail Land**”) will consist of one or more condominium units and be improved to provide approximately 36,000 square feet of retail (the “**Phase II Retail Component**,” and together with the Phase I Retail Component, the “**Retail Component**”); and (iii) improving a portion of the Property (the “**Phase II Residential Land**,” and together with the Phase I Residential Land, the “**Residential Land**”), which shall consist of a single condominium unit, by constructing approximately 168 residential units, including no less than 13 affordable residential rental units, with the remainder to be market rate residential rental units (the “**Phase II Residential Component**,” and together with the Phase I Residential Component, the “**Residential Component**”). The Phase II Residential Component, together with the Phase II Retail Component, together with all related site improvements as required or permitted by the

Redevelopment shall be referred to as the “**Phase II Project**,” and the Phase II Project, together with the Phase I Project, shall be the “**Project**”; and

WHEREAS, the Entity made application to the Township requesting a long term tax exemption and financial agreement pursuant to the Long Term Tax Exemption Law, *N.J.S.A. 40A:20-1 et seq.* (the “**Exemption Law**”) and the Redevelopment Area Bond Financing Law, *N.J.S.A. 40A:12A-64 et seq.*(the “**RAB Law**”), which application is on file with the Township Clerk (the “**Application**”); and

WHEREAS, the Mayor has recommended that the Application be approved; and

WHEREAS, after review of the Application, the Council now desires to approve the Application and to authorize the execution of the proposed form of financial agreement (the “**Financial Agreement**”) in substantially the form attached hereto as **Exhibit B**, and by this reference incorporated herein as may be modified in consultation with counsel as set forth herein; and

WHEREAS, the Township hereby finds that the relevant benefits of the Project from the redevelopment of the Property outweigh the loss, if any, of property tax revenue, which relevant benefits are further described in the Application and the Financial Agreement; and

WHEREAS, the Township hereby determines that the assistance provided to the Project pursuant to the Financial Agreement will be a significant inducement for the Entity to proceed with the Project and that based on information set forth in the Application, the Project would not be feasible without such assistance.

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

I. GENERAL

The aforementioned recitals are incorporated herein as though fully set forth at length.

II. APPLICATION FOR EXEMPTION APPROVED

The Application, which is on file with the Township Clerk and which has been recommended for approval to the Council by the Mayor, is hereby accepted and approved pursuant to N.J.S.A. 40A:20-8(f).

III. EXECUTION OF FINANCIAL AGREEMENT AUTHORIZED

(a) The Mayor is hereby authorized to execute the Financial Agreement, applicable to both the Phase I Project and the Phase II Project, substantially in the form as it has been presented to the Council and attached hereto as **Exhibit B**, subject to modification or revision deemed necessary and appropriate by the Township in consultation with counsel.

(b) The Phase II Project shall be undertaken by The District at 1515 Urban Renewal II, LLC, an affiliate of the Entity with ownership identical to that of the Entity. The transfer of

the Phase II Project, including the Phase II Property and all rights and obligations of the Entity under the Financial Agreement, from the Entity to The District at 1515 Urban Renewal II, LLC, is hereby accepted and approved, all in accordance with the terms of the Financial Agreement.

(c) The Township Clerk is hereby authorized and directed, upon the execution of the Financial Agreement in accordance with the terms of Section III(a) hereof, to attest to the signature of the Mayor upon such document and is hereby further authorized and directed to affix the corporate seal of the Township upon such document.

(d) In accordance with P.L. 2015, c. 247, within ten (10) calendar days following the later of the effective date of this Ordinance or the execution of the Financial Agreement by the Entity, the Township Clerk also shall transmit a certified copy of this Ordinance and the Financial Agreement to the chief financial officer of Morris County and to the Morris County Counsel for informational purposes, as well as to the Tax Assessor of the Township.

IV. SEVERABILITY

If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Ordinance.

V. AVAILABILITY OF THE ORDINANCE

A copy of this Ordinance shall be available for public inspection at the offices of the Township.

VI. EFFECTIVE DATE

This Ordinance shall take effect according to law.

The Notice for the Ordinance above was published in the Daily Record, the official newspaper of the Township of Parsippany-Troy Hills on February 11, 2019. This Ordinance was introduced at the February 5, 2019 Agenda Meeting.

Motion to accept that Ordinance 2019:01 be heard in its second and final reading by title only, by Mr. dePierro, seconded by Ms. Peterson.

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

a. PUBLIC HEARING 2019:01

Motion to open the public hearing for Ordinance 2019:01 by Mr. dePierro, seconded by Ms. Peterson.

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

Mary Purzycki, stated that this situation is similar to the Waterview situation and we should not do it as that is their angle. Mr. Kazmark stated that the reason we are here today is because the Legislature has failed us and kicked it into the Judicial system and that the Judicial system does not take into account the things discussed earlier.

Nick Homyak, discussed the Stanberry project and the Township's Affordable Housing obligation.

Bob Venezia, stated that the terms and conditions in the PILOT are tilted heavily towards the developer. Additionally, Mr. Venezia stated that the tax abatement the PILOT provides is overly generous to the developers. Mr. Venezia also discussed the number of students that this project will generate.

Pat Venezia, thanked Ms. McCarthy for voting no on the 1515 project. She stated that the approval of this project sets a precedent as subsequent developers will want a similar deal regarding a PILOT.

Isabella Alfano, stated that a PILOT is not the best way to go and will burden the taxpayers. Ms. Alfano stated that this project will have a direct impact on Township services.

Andrew Choffo, stated that it is nice to hear that the Township may share a portion of the income generated by this development. Mr. Choffo discussed the impact this development will have on the school system as it pertains to the number of kids the development will generate.

Lou Valori, stated that the decision they make is the decision they have to live with. Mr. Valori stated that the PILOT puts the Township in a bad position.

Prior to the vote a brief presentation was given by Leslie London Esq.,

Motion to close the public hearing for Ordinance 2019:01 by Mr. dePierro, seconded by Ms. Peterson.

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

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.

Motion to approve the Resolution above by Mr. dePierro, seconded by Ms. Peterson.

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

VI. NON-CONSENT AGENDA

A. RESOLUTIONS

1. R2019-066 Resolution of the Township Council of the Township of Parsippany-Troy Hills Authorizing Award of a Contract to A.C. Schultes, Inc. for Rehabilitation Services for Wells 12, 17 & 19

WHEREAS, the Township of Parsippany-Troy Hills received bid proposals for Rehabilitation Services for Wells 12, 17 & 19 on February 1, 2019, and

WHEREAS, the Director of Purchasing, Purchasing Assistant, Water Superintendent and Consulting Engineer have reviewed the bids received and recommend that a contract be awarded to the lowest responsible bidder, A.C. Schultes, Inc., 664 S. Evergreen Avenue, Woodbury Heights, NJ 08097 for the Total Bid Price for Items 1 – 3 of \$147,250.00 as well as Item 4: Standby Time – Hourly Rate of \$250.00 and Item 5: Total Price for Two Pumps and Two Motors (Wells 12 & 17) of \$60,000.00, and

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

Water Capital Ordinance #: 2018:18 adopted September 11, 2018, entitled, “Various Improvements”.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Parsippany-Troy Hills that the bid for Rehabilitation Services for Wells 12, 17 & 19 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.

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

2. R2019-067 Resolution of the Township of Parsippany-Troy Hills, in the County of Morris, Making Application to the Morris County Improvement

**Authority for the Issuance of Non-Recourse Bonds Under the
Redevelopment Area Bond Financing Law, in Connection with the
Redevelopment of the Certain Property Within the Township Identified as
Block 200, Lot 1.2**

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.*, as amended and supplemented (the “**Redevelopment Law**”), authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of rehabilitation or redevelopment; and

WHEREAS, by resolution on September 22, 2015, the Township Council (the “**Council**”) of the Township of Parsippany Troy-Hills (the “**Township**”) designated certain property identified as Block 200, Lot 1.2 as “an area in need of redevelopment” (the “**Redevelopment Area**”) in accordance with the Redevelopment Law; and

WHEREAS, on August 22, 2017, pursuant to Ordinance No. 2017:18, the Council adopted the “Redevelopment Plan for Block 200, Lot 1.2”, dated July 24, 2017 (the “**Original Redevelopment Plan**”) with respect to the Redevelopment Area; and

WHEREAS, on September 25, 2018, the Township Council adopted Ordinance No. 2018-22, amending the Original Redevelopment Plan for the Parsippany Redevelopment Area (the Original Redevelopment Plan, as amended, the “**Redevelopment Plan**”), after conducting the requisite hearings therefor and referral of same to the Board for consistency review pursuant to *N.J.S.A. 40A:12A-7(e)*; and

WHEREAS, pursuant to the Redevelopment Law, including Section 8 thereof (*N.J.S.A. 40A:12A-8*), a municipality is permitted to contract with a redeveloper to undertake redevelopment projects pursuant to a redevelopment plan within the area designated in that plan; and

WHEREAS, in accordance with a redevelopment agreement approved by the Council (the “**Redevelopment Agreement**”), The District at 1515 Urban Renewal LLC (the “**Entity**”), an affiliate of the designated redeveloper, will redevelop the Redevelopment Area by subdividing the Redevelopment Area (the “**Property**,” as more particularly described in Exhibit A attached hereto) and creating a condominium regime on the Property and undertaking demolition, environmental remediation, site improvements and construction on the Property;

WHEREAS, the Entity intends to redevelop a portion of the Property (the “**Phase I Property**”) by, among other things, (i) pursuing subdivision and site plan approval to subdivide the Phase I Property from the remainder of the Property; (ii) creating a condominium unit form of ownership in the Property, a portion of which (the “**Phase I Retail Land**”) will consist of one or more condominium units and be improved to provide approximately 63,684 square feet of retail (the “**Phase I Retail Component**”); and (iii) improving a portion of the Property (the “**Phase I Residential Land**”), which shall consist of one or more condominium units, by constructing approximately 273 residential units, including 252 market rate residential units and 21 affordable units (the “**Phase I Residential Component**”, and together with the Phase I Retail Component and other related site improvements as required or permitted by the Redevelopment Plan, collectively, the “**Phase I Project**”); and

WHEREAS, the Entity intends to redevelop the remainder of the Property (the “**Phase II Property**”) by among other things, (i) pursuing subdivision and site plan approval to subdivide the Phase II Property from the remainder of the Property; (ii) creating a condominium unit form of ownership in the Property, a portion of which (the “**Phase II Retail Land**,” and together with the Phase I Retail Land, the “**Retail Land**”) will consist of one or more condominium units and be improved to provide approximately 36,000 square feet of retail (the “**Phase II Retail Component**,” and together with the

Phase I Retail Component, the “**Retail Component**”); and (iii) improving a portion of the Property (the “**Phase II Residential Land**,” and together with the Phase I Residential Land, the “**Residential Land**”), which shall consist of one or more condominium units, by constructing approximately 168 residential units, including 155 market rate residential units and 13 affordable units (the “**Phase II Residential Component**,” and together with the Phase I Residential Component, the “**Residential Component**”). The Phase II Residential Component, together with the Phase II Retail Component, together with all related site improvements as required or permitted by the Redevelopment shall be referred to as the “**Phase II Project**,” and the Phase II Project, together with the Phase I Project, shall be the “**Project**”; and

WHEREAS, the Entity made application to the Township requesting a long term tax exemption and financial agreement pursuant to the Long Term Tax Exemption Law, *N.J.S.A. 40A:20-1 et seq.* (the “**Exemption Law**”) and the Redevelopment Area Bond Financing Law, *N.J.S.A. 40A:12A-64 et seq.* (the “**RAB Law**”), which application is attached hereto as Exhibit A (the “**Application**”); and

WHEREAS, the Mayor has recommended that the Application be approved; and

WHEREAS, on February 5, 2019, the Council introduced on first reading an ordinance authorizing a long term tax exemption under the Exemption Law, and authorizing a proposed form of financial agreement (the “**Financial Agreement**”); and

WHEREAS, the Application seeks the issuance of bonds pursuant to the RAB Law (the “**RAB Bonds**”), as is set forth in more detail in the Application; and

WHEREAS, pursuant to *N.J.S.A. 40A:12A-67(a)* of the RAB Law, a municipality may apply to an authority, including the Morris County Improvement Authority (“**MCIA**”), for the issuance of RAB Bonds in support of a redevelopment project such as the Project; and

WHEREAS, the Township has determined that it would be in the best interests of the Township for the MCIA to issue the RAB Bonds in support of the Project.

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

I. GENERAL

The aforementioned recitals are incorporated herein as though fully set forth at length.

II. APPLICATION FOR ISSUANCE OF RAB BONDS

(a) The Township hereby makes application to the MCIA for the issuance of the RAB Bonds in accordance with the Application, upon such final terms and conditions and shall be agreed upon by the Mayor or the Township Business Administrator (each, an “**Authorized Officer**”), in consultation with counsel.

(b) The Township hereby requests that the MCIA take all such actions as shall be necessary and proper in order to effectuate the issuance of the RAB Bonds, including, without limitation, the filing of an application with the Local Finance Board in connection therewith.

(c) To the extent MCIA is not the issuer of the RAB Bonds, for any reason, this resolution hereby authorizes the Township to make application (in the same manner and under the same conditions

as with MCIA) with any other authorized issuer of RAB Bonds, excluding the Township, including the New Jersey Economic Development Authority.

III. SEVERABILITY

If any part of this Resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Resolution.

V. AVAILABILITY OF THE RESOLUTION

A copy of this Resolution shall be available for public inspection at the offices of the Township.

VI. EFFECTIVE DATE

This Resolution shall take effect according to law.

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

3. R2019-068 Resolution of the Township Council of the Township of Parsippany-Troy Hills Waiving Interest on Delinquent Property Taxes for Certain Taxpayers Affected by a Full or Partial Shutdown of Government Operations Due to a Federal Budget Impasse

WHEREAS, the New Jersey State Legislature recently approved legislation (A4904), which is awaiting the Governor’s signature, to authorize municipalities to waive interest on delinquent property taxes for certain taxpayers affected by a full or partial shutdown of operations due to a federal budget impasse; and

WHEREAS, the Township understands the financial hardships suffered by those who are furloughed, or who are working but not being paid, or whose pay is delayed or diminished due to a federal budget impasse; and

WHEREAS, in accordance with A4904, the Township Council is required to adopt a resolution providing that interest shall not be charged on delinquent property taxes for certain taxpayers affected by a full or partial shutdown of operations due to a federal budget impasse under certain circumstances as set forth therein; and

WHEREAS, the Township Council has determined that it is in the best interest of the Township and its residents to adopt such a resolution .

WHEREAS, this Resolution is contingent on the Governor signing A4904.

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

In accordance with A4904, interest shall not be charged to a delinquent property taxpayer who is an employee of a federal government agency, who is furloughed or who is working but is not being paid due to a full or partial shutdown of operations of the federal agency by which the property taxpayer is employed due to a federal budget impasse, or who is a contractor whose pay is received from a federal agency, but is delayed or diminished as a result of such a Federal Shutdown, and the contractor is receiving unemployment benefits, provided:

- (a) the Federal Shutdown occurs prior to the date upon which a property tax installment payment is payable pursuant to R.S. 54:4-66 or section 2 of P.L. 1994, c.72 (C.54:4-66.1), as appropriate, and remains in effect on the date that the property tax installment payment is due and payable; and
- (b) payment of the property tax installment, plus any available property tax credit as defined in section 1 of P.L. 2018, c. 11 (C.54:4-66.6) is made on or before the date upon which the next property tax installment is payable; and
- (c) the delinquent property taxpayer provides to the Township proof that their pay is received from a federal government agency that is affected by a full or partial shutdown of operations due to a federal budget impasse. In the case of a federal employee, that proof shall be demonstrated by a pay stub showing employment by a federal government agency that is affected by a full or partial shutdown of operations due to a federal budget impasse. In the case of a contractor, that proof shall be in the form of verification meeting criteria established by the Director of the Division of Local Government Services in the Department of Community Affairs.

BE IT FURTHER RESOLVED, that the Township Clerk is hereby directed to send a certified copy of this Resolution to the Director of the Division of Local Government Services in the Department of Community Affairs.

BE IT FURTHER RESOLVED, that this Resolution is contingent on the Governor signing A4904.

BE IT FURTHER RESOLVED, that this Resolution shall apply to property tax payments due and payable on February 1, 2019, and property tax payments due and payable thereafter.

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.

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

Mrs. Peterson	X				X	
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VII. CONSENT AGENDA

BE IT RESOLVED, all items listed with an asterisk (*) are 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.

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

A. RESOLUTIONS

- R2019-049*Resolution of the Township Council of the Township of Parsippany-Troy Hills Authorizing Change Order #1 for Improvements to Screening and Grit Removal Systems at the Wastewater Treatment Plant**

WHEREAS, a change order to the contract for IMPROVEMENTS TO SCREENING AND GRIT REMOVAL SYSTEMS AT THE WASTEWATER TREATMENT PLANT with MBE Mark III, 213 Main Street, Madison, NJ 07940, is necessary and prudent, and after consideration of extra work and credits, results in an increase in total cost of the Project costs by an amount of \$88,416.84, resulting in a new total contract price of \$2,968,460.84; and,

WHEREAS, H2M Architects and Engineers, the Township’s Consulting Engineer for this Project, has recommended approval of Change Order #1 as outlined as detailed therein for providing walkway pads on the Headworks Building Roof, removal and disposal of abandoned blower piping from the Headworks Building, providing sanitary drain pipe supports in the Lower Level Screening Room, provide sill for roll-up door to the Screen Room, provide new electric feeders to the Grit Screw Conveyors and provide anodized aluminum louver covers in the Screen Room.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Parsippany-Troy Hills that it hereby approves Change Order # 1, resulting in an increase in total cost of the Project cost by an amount of \$88,416.84 resulting in a new total contract price of \$2,968,460.84.

BE IT FURTHER RESOLVED by that the Mayor is authorized to execute Change Order # 1, in the form on file with the Township Clerk.

2. R2019-050*Resolution of the Township Council of the Township of Parsippany-Troy Hills Authorizing Emergency Temporary Appropriations, Capital Improvement Fund

WHEREAS, an emergent condition has arisen with respect to inadequate funds provided in the temporary budget for the funding of the Capital Improvement Fund, and N.J.S.A. 40A:4-20 provides for the creation of an emergency temporary appropriation for the purposes above mentioned; and

WHEREAS, the total emergency temporary resolutions for Capital Purposes adopted in the year 2019 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution total \$133,500.00.

NOW, THEREFORE, BE IT RESOLVED (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the provisions of N.J.S.A. 40A:4-20:

1. Emergency temporary appropriations be and the same are hereby made for Capital Improvement Fund in the amount of \$133,500.00.
2. That said emergency temporary appropriation will be provided for the in 2019 budget.
3. That one certified copy of this resolution be filed with the Director of the Division of Local Government Services.

3. R2019-051*Resolution of the Township Council of the Township of Parsippany-Troy Hills Authorizing Budget Appropriation Reserve Transfers

WHEREAS, various 2018 bills have been presented for payment this year, which bills represent obligations of the prior fiscal year and were not covered by order number and/or recorded at the time of transfers between the 2018 Budget in the last two months of 2018; and

WHEREAS, N.J.S. 40A:4-59 provides that all unexpended balances carried forward after the close of the fiscal year are available, until lapsed at the close of the succeeding year, to meet specific claims, commitments or contracts incurred during those which are expected to be insufficient during the first three months of the succeeding year;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Parsippany-Troy Hills, in the County of Morris, State of New Jersey, 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 Appropriation Reserves in connection with said transfers:

CURRENT FUND

FROM

TO

Administration		
Salary & Wages		\$ 4,619.56
Township Council		
Salary & Wages		\$ 21.76
Clerk		
Salary & Wages		\$ 98.04
Tax Assessor		
Salary & Wages		\$ 831.97
Treasurer		
Salary & Wages		\$ 31,006.08
Tax Collector		
Salary & Wages		\$ 11,621.76
Engineering		
Salary & Wages		\$ 11,057.27
Board of Adjustments		
Salary & Wages		\$ 7,498.02
Planning Board		
Salary & Wages		\$ 2,822.18
UCC Inspection		
Salary & Wages		\$ 38,239.59
Housing Enforcement		
Salary & Wages		\$ 27,000.36
Police		
Salary & Wages		\$ 92.86
Fire Prevention		
Salary & Wages		\$ 13,255.92
Office of Emergency Management		
Salary & Wages		\$ 8.08
Public Buildings		

Salary & Wages	\$ 500.59	
Streets & Roads		
Salary & Wages	\$ 9,715.04	
Sanitation & Recycling		
Salary & Wages	\$ 28,320.09	
Board of Health		
Salary & Wages	\$ 36,283.33	
Human Services		
Salary & Wages	\$ 21,540.43	
Ambulance		
Salary & Wages	\$ 33,010.31	
Parks & Forestry		
Salary & Wages	\$ 51,926.44	
Recreation		
Salary & Wages	\$ 34,340.37	
Court		
Salary & Wages	\$ 26,916.91	
Planning Board		
Other Expenses		\$ 26,000.00
UCC/Construction		
Other Expenses		\$ 6,800.00
Human Services		
Other Expenses		\$ 700.00
Solid Waste Disposal Costs		
Other Expenses		\$ 39,000.00
Condo Reimbursements		
Other Expenses		\$210,000.00
Health Insurance		
Other Expenses		\$108,226.96

4. R2019-052*Resolution of the Township Council of the Township of Parsippany-Troy Hills Awarding a Contract to Reivax Contracting Corp. for Reconstruction of Edgewood Court for a Total Bid Price of \$530,345.00

WHEREAS, the Township of Parsippany-Troy Hills received bid proposals for Reconstruction of Edgewood Court on January 30, 2019, and

WHEREAS, the Director of Purchasing, Purchasing Assistant and Township Engineer have reviewed the bids received and recommend that a contract be awarded to the lowest responsible bidder, Reivax Contracting Corp., 356 Thomas Street, Newark, NJ 07114, for a Total Bid Price of \$530,345.00, and

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

Current Capital Ordinance # 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 the bid for Reconstruction of Edgewood Court 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.

5. R2019-053*Resolution of the Township Council of the Township of Parsippany-Troy Hills Authorizing 2019 Emergency Appropriations

WHEREAS, an emergent condition has arisen with respect to the CY2019 appropriations under the temporary budget and no adequate provision has been made in the CY2019 temporary appropriations for the aforesaid purposes and the N.J.S.A.40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned,

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Parsippany-Troy Hills that, in accordance with the provision of N.J.S.A. 40A:4-20, the temporary budget is amended with the following additions:

CURRENT FUND

Insurances	Other Expenses	\$ 550,000
Statutory:		
Public Employees Retirement	Other Expenses	\$2,767,169
Police & Fire Retirement	Other Expenses	\$3,478,472

6. R2019-054*Resolution of the Township Council of the Township of Parsippany-Troy Hills to Establish Preliminary Costs for the Architecture and Related Studies to Establish the Feasibility of Reconstructing Lake Hiawatha Library

WHEREAS, the Township Council of the Township of Parsippany-Troy Hills hereby acknowledges the requirement of preliminary costs to determine the scope and costs of a proposed undertaking. The purpose of these preliminary costs is for the architectural feasibility study for the Lake Hiawatha Library

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 amount appropriated for preliminary costs shall not exceed \$15,000 and the Chief Financial Officer is authorized to set up a “Reserve for Preliminary Expenses” out of the Capital Improvement Fund.

7. R2019-055*Resolution of the Township Council of the Township of Parsippany-Troy Hills Rejecting the Bids for Scada System Improvements

WHEREAS, the Township of Parsippany-Troy Hills received bid proposals for Scada System Improvements on January 24, 2019, and

WHEREAS, the Director of Purchasing, Purchasing Assistant, Water Superintendent and Consulting Engineer have reviewed the bids received and recommend that the bids be rejected due to excessive cost.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Parsippany-Troy Hills that the bids for Scada System Improvements be rejected.

8. R2019-056*Resolution of the Township Council of the Township of Parsippany-Troy Hills Authorizing Change Order #1 for Phase I Rehabilitation of the Smith -Baldwin House

WHEREAS, a change order is necessary for the contract for Phase I Rehabilitation of the Smith-Baldwin House with Northeast Roof Maintenance, Inc., 649 Catherine Street, Perth Amboy, NJ 08861, resulting in a net increase in costs in the amount of \$28,780.42, and

WHEREAS, the Consulting Historic Architect has recommended the changes as outlined in Change Order # 1 for additional work needed including removal of wiring run at the exterior of the house, additional exterior millwork at eaves, sill plate replacement and framing repair at front door, plaster cutting and patching to access weights and chains at five windows.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Parsippany-Troy Hills that it hereby approves Change Order # 1, resulting in an increase of \$28,780.42 in the contract price.

BE IT RESOLVED by that the Mayor is authorized to execute Change Order # 1, in the form on file with the Township Clerk.

9. R2019-057*Resolution of the Township Council of the Township of Parsippany-Troy Hills Authoring Execution of Shared Services Agreement with the Township of East Hanover for Health Officer Services

WHEREAS, there exists a need for Health Officer services in the Township of Parsippany-Troy Hills; and

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq. (the “Act”), permits a local unit of the State to enter into an agreement with any other local unit to provide or receive any service that each local unit participating in the agreement is empowered to render within its own jurisdiction; and

WHEREAS, the Township of Parsippany-Troy Hills and Township of East Hanover desire to entire into a shared services agreement for the provision by East Hanover of Health Officer services on behalf of Parsippany-Troy Hills in accordance with N.J.S.A. 26:3A2-1 et seq. and in compliance with N.J.A.C. 8:52-1.1 et seq., Public Health Practice Standards for Local Boards of Health in New Jersey, for a two (2) year period commencing retroactively on January 1, 2019; and

WHEREAS, this shared services arrangement offers a mutually beneficial opportunity to improve the efficacy of public health services for Parsippany-Troy Hills and furthers the public health, safety and welfare of its residents; and

WHEREAS, the Business Administrator and Township Attorney for Parsippany-Troy Hills have negotiated a form of shared services agreement with East Hanover which is attached hereto and made a part hereof this Resolution; and

WHEREAS, this shared services agreement is established in accordance with the Act and each municipality has authorized and approved the shared services agreement by duly adopted resolution pursuant to N.J.S.A. 40A:65-5.

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 Township Council hereby approves the form of shared services agreement by and between the Township of Parsippany-Troy Hills and Township of East Hanover for Health Officer services.

BE IT FURTHER RESOLVED, that the Business Administrator and Township Attorney are hereby authorized and directed to further negotiate the form of agreement with East Hanover.

BE IT FURTHER RESOLVED, that the Mayor and Township Clerk are hereby authorized and directed to execute a shared services agreement in a form acceptable to the Business Administrator and Township Attorney on behalf of the Township of Parsippany-Troy Hills.

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.

10. R2019-058*Resolution of the Township Council of the Township of Parsippany-Troy Hills Authorizing an Ambulance Coverage Agreement with Little Viking Football, Inc.

WHEREAS, the Little Viking Football, Inc. (“Little Viking”) sponsors youth sporting competitions which include full-tackle football games and desires to provide the safest competition environment for its players; and

WHEREAS, the Little Viking promotes proactive injury response and management, and have formed a partnership with Atlantic Health for the prevention and mitigation of injuries resulting from full-tackle football games; and

WHEREAS, the Township, though its paid emergency medical services provider, Par-Troy EMS, possesses the requisite vehicles, equipment, staff, and training in basic life support (“BLS”) to further the Little Viking’ injury response and management goals; and

WHEREAS, the Little Viking desire to have one (1) fully-staffed BLS ambulance on standby at all full-tackle football games played within the Township.

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. That the aforesaid recitals are hereby adopted and incorporated herein as if repeated in full; and
2. That the Mayor be and hereby is authorized to execute, and the Township Clerk be and hereby is authorized to witness, an Ambulance Coverage Agreement, in a form acceptable to the Township Attorney, between the Township of Parsippany-Troy Hills and Little Viking Football, Inc.; and
3. That the Mayor and Township Administration be and hereby are authorized to take any and all actions reasonably necessary to effectuate the same.

11. R2019-059*Resolution of the Township Council of the Township of Parsippany-Troy Hills Regarding Purchases of Goods and Services Utilizing NJ Cooperative Purchasing Program, Morris County Cooperative Pricing Council, Somerset County Cooperative Pricing Council, Bergen County Cooperative Purchasing and Pricing System, Educational Services

Commission Pricing System and North Jersey Wastewater Cooperative Pricing System

WHEREAS, the Township of Parsippany-Troy Hills purchases goods and services under cooperative purchasing contracts utilizing New Jersey Cooperative Purchasing Program, Morris County Cooperative Pricing Council contracts, Somerset County Cooperative Pricing Council contracts, Bergen County Cooperative Purchasing and Pricing System contracts, Educational Services Commission Pricing System contracts and North Jersey Wastewater Cooperative Pricing System, and

WHEREAS, the Local Public Contracts Law requires a resolution authorizing purchases that exceed an expenditure of \$17,500.00 per year for the aggregate cost of similar and like items.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Parsippany-Troy Hills, County of Morris, that it hereby awards contracts to the vendors listed on a schedule, a copy of which is on file in the office of the Township Clerk, and in accordance with the New Jersey Cooperative Purchasing Program, Morris County Cooperative Pricing Council contracts, Somerset County Cooperative Pricing Council contracts, Bergen County Cooperative Purchasing and Pricing System contracts, Educational Services Commission Pricing System contracts and North Jersey Wastewater Cooperative Pricing System contracts on file in the Purchasing Director's office.

12. R2019-060*Resolution of the Township Council of the Township of Parsippany-Troy Hills Authorizing an Interlocal Services Agreement Between the Township and the County of Morris Department of Human Services, Division of Aging, Disability and Veteran Services to Lease an Area of the Community Center to Operate a Nutrition Center

WHEREAS, the Township has available in its Community Center approximately 1,400 square feet commonly known as the Meeting and Coffee Hour Room, plus associated kitchen space and equipment, rest rooms, office space and storage closets; and

WHEREAS the Morris County Department of Human Services, Division on Aging, Disability and Veteran Services would like to lease this area of the Community Center to operate a nutrition center;

WHEREAS the term of this agreement is for one (1) year with an option to renew for one (1) year;

WHEREAS, the Township feels that this is a benefit to the residents of the community; and

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

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Parsippany-Troy Hills hereby authorizes execution of an Interlocal Services Agreement with the County of Morris for a period of one year with an option to renew for an additional one year period, in the form on file in the Office of the Township Clerk, upon the terms and conditions provided therein.

13. R2019-061*Resolution of the Township Council of the Township of Parsippany-Troy Hills Confirming the Appointment and Awarding a Contract for Professional Architectural Services to Stephen Kay Golf Course Architect, LLC

WHEREAS, the Township of Parsippany-Troy Hills has a need to acquire professional general architectural 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, Stephen Kay Golf Course Architect LLC 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, Stephen Kay Golf Course Architect LLC has completed and submitted 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 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, Stephen Kay Golf Course Architect 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 Chief Financial Officer will certify funds at the time of service.

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 for a one year term with Stephen Kay Golf Course Architect LLC, 665 Saint Andrews Drive, Egg Harbor City, NJ 08215 for professional architectural services upon the terms and conditions as stipulated in the contract on file in the Office of the Township Clerk; 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; and Determination of Value be placed on file in the Office of the Township Clerk with the Contract and authorizing resolution; and
3. That this contract 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 will 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.

14. R2019-062*Resolution of the Township Council of the Township of Parsippany-Troy Hills Awarding Contracts for Professional Engineering Services with Scherer Design Group, LLC

WHEREAS, the Township of Parsippany-Troy Hills has a need to acquire professionals to perform engineering 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, Scherer Design Group, LLC 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 contracts; and

WHEREAS, the firm has completed and submitted a Business Entity Disclosure Certification, which Certification provides that the firms 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, the 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 will certify to the availability of funds at the time of services.

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 for the 2019 year with the following firm, based on the applicable rate schedule on file in the Office of the Township Clerk, as follows:

Scherer Design Group, LLC with offices located at 53 Frontage Road, Suite 260, Hampton, NJ 08827 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 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.

15. R2019-063*Resolution of the Township Council of the Township of Parsippany-Troy Hills Awarding a Contract to D&H Alternative Risk Solutions for Insurance Services to Provide Administration of Claims Processing for Worker' 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 Business Administrator and the Mayor have recommended that a one year contract commencing on January 1, 2019 be awarded to with D&H Alternative Risk Solutions, Inc. with offices located at 83 Spring Street, Suite 104, Newton, New Jersey 07860, to provide administration of claims processing for workers' compensation with an estimated yearly cost of \$36,000; and

WHEREAS, D&H Alternative Risk Solutions, Inc. has completed and submitted a Business Entity Disclosure Certification, which Certification provides that 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 D&H Alternative Risk Solutions, Inc. 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, D&H Alternative Risk Solutions, Inc. 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 D&H Alternative Risk Solutions, 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, the Chief Financial Officer of the Township of Parsippany-Troy Hills will certify to the availability of funds at the time services are rendered. Funds are available for this purpose in the following accounts:

2019 Temporary Budget: Current Fund - Insurance

2019 Temporary Budget: Water, Sewer and Golf & Recreation Utility- Other Expenses

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 D&H Alternative Risk Solutions, Inc. with offices located at 83 Spring Street, Suite 104, Newton, New Jersey 07860, to provide administration of claims processing for workers' compensation; 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.

16. R2019-069*Resolution of the Township Council of the Township of Parsippany-Troy Hills Authorizing the Execution of a Settlement Agreement Pertaining to Employee P.S.

WHEREAS, the Township employed P.S. as a Police Officer with Parsippany- Troy Hills Police Department.

WHEREAS, the Parsippany-Troy Hills Police Department brought disciplinary action against P.S.

WHEREAS, the parties believe it in their respective best interests to resolve the matter without litigation.

WHEREAS, the Township Council wishes to execute, by way of compromise and accord, without adjudication of any issues of fact or law and without any admission of liability, a written settlement of all claims that either were raised or could have been raised by Mitchell, with the exception of any claim related to benefits pursuant to the New Jersey Workers Compensation Act, N.J.S.A. 34:15-39.1 *et seq.*

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, in consideration of the foregoing and to avoid the time and expense associated with litigation, and intending to be legally bound, that the Township Council hereby accepts a written settlement agreement signed by the respective parties settling this matter.

BE IT FURTHER RESOLVED, that that the Township Council will withdraw the discipline and accept P.S.'s resignation in good standing, effective March 1 P.S. will be paid for his accumulated FLSA compensatory time (earned in lieu of paid overtime under the FLSA by February 28, 2019).

BE IT FURTHER RESOLVED, that all Township officials are hereby authorized and directed to take all action necessary and appropriate to accept the settlement agreement and authorize the Business Administrator to execute same.

B. APPLICATIONS

1. R2019-064*Resolution of the Township Council of the Township of Parsippany-Troy Hills Authorizing a Person-to-Person Transfer of Plenary Retail Distribution License for HOP Parsippany, LLC from Parsippany Restaurant, LLC

WHEREAS, an application has been filed for a Person-to-Person Transfer of Plenary Retail Distribution License Number 1429-33-005-008 for HOP Parsippany, LLC to Parsippany Restaurant, 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 February 19, 2019, the Person-to-Person Transfer of the aforesaid Plenary Retail Distribution License #1429-33-005-008.

2. R2019-065*2019 Renewal of Licenses-Amusement Games, Entertainment, Taxi/Limo, Tourist Accommodations-Part IV

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

<u>TAXI/LIMOUSINE OWNERS</u>	<u>NUMBER OF VEHICLES</u>
Maryam One Transportation	1
American Elite Limousine	1
<u>TOURIST ACCOMMODATIONS</u>	<u>NUMBER OF ROOMS</u>
Parsippany Residence Inn by Marriott	156

VIII. APPROVAL OF PAYROLL AND BILLS LIST

A. CFO Ann Cucci recommends authorization for payment:

1. Authorize payment of the February 22, 2019 regular and miscellaneous payroll estimated at \$1,800,000.00
2. Payment of bills from voucher list 2/4/2019 – 2/17/2019 totaling \$2,627,952.02

Motion to approve the authorization for payment above by Ms. McCarthy, seconded by Ms. Peterson.

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; 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 Ms. Gragnani

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

X. ADJOURNMENT

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

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

Respectfully submitted,

Khaled Madin, Township Clerk

Paul Carifi, Jr. Council President

Minutes Approved: