

## COUNCIL MINUTES

### TOWNSHIP OF PARSIPPANY-TROY HILLS REGULAR TOWNSHIP COUNCIL MEETING OF MAY 14, 2019

#### 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, Councilmember dePierro, Councilmember Gragnani, Councilmember 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. 6/11/19 @ 7:00 p.m.                      Agenda Meeting
2. 6/25/19 @ 7:00 p.m.                      Regular Meeting

#### E. APPROVAL OF MINUTES

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

A. MAYOR – Stated that the Memorial Day Parade and Ceremony is on May 27<sup>th</sup>. Parsippány Neuter, Trap and Vaccinate will be held this Sunday at 2:30 pm in Town Hall. Also discussed an App that can help residents with recycling; the App is called Recycle Coach. Stated that June 10<sup>th</sup> is the next Master Plan workshop at Parsippány High School. Also, as part of the Mayor's report, Police Chief Andy Miller reported on the events that transpired that week pertaining to the schools.

B. TOWNSHIP COUNCIL – no report

C. TOWNSHIP ATTORNEY- stated that they reduced the language of the filming ordinance as per Mr. dePierro's request.

- D. BUSINESS ADMINISTRATOR- stated that the Township closed the online auction with Gov Deals and with 213 items up for auction we reaped a benefit of approximately \$63,000.00 which will be revenues to the Township.
- E. TOWNSHIP CLERK - stated the Primary Election is June 4 and if anyone would like to inquire about their polling location, they can contact the Clerk's Office.
- F. TOWNSHIP OFFICES COMMITTEES/REPORTS – Ms. McCarthy made a motion to appoint Michelle Mund to the Historic Advisory Committee and it was seconded by Ms. Peterson with all the Council Members answering in the affirmative during roll call.

### III. BIDS

- A. Taken
- B. To Be Taken
  - 1. 5/21/19 – One New Diamond Z Horizontal Grinder or Approved Equivalent for the Parks & Forestry Department
- 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 Peterson, seconded by Council Member Gragnani followed by a roll call with all the Council Members answering Yes.**

**Bob Venezia, asked that the Council draft an ordinance that would prohibit Parsippany from entering into a PILOT agreement with any project that includes residential housing. Mr. Venezia stated that it was encouraging to hear that the Council would reject any PILOT agreement in the future and understands that as the Council stated it would have to be determined on a case by case basis. The Mayor commented on Mr. Venezia's comments. Mr. Lott stated that such an ordinance would be inconsistent with the law and does not know of an authorization allowing such an ordinance. State law allows them to make such a request and then the Council would make a determination on a case by case basis.**

**Eric Densmoore, discussed the issue pertaining to the Memorial Day parade. On the day of the parade they block off all the entrances and exits in Knoll Gardens and as a result no one is able to get in and out of the complex. Mr. Densmoore stated that it is not acceptable and something has to be done to allow access for those residents. The Mayor stated that he will look into the issue and get it resolved.**

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

**V. ORDINANCES**

A. INTRODUCTION

1. ORDINANCE 2019:28

**AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, MORRIS COUNTY, NEW JERSEY CREATING CHAPTER 160, FILMING, OF THE CODE 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 May 14, 2019 and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on June 25, 2019 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 2019:29

**WHITE COLLAR SALARY ORDINANCE 2019**

**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 May 14, 2019 and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on June 25, 2019 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 2019:30**

**AN ORDINANCE ESTABLISHING SALARY RANGES FOR THE TOWNSHIP OF PARSIPPANY-TROY HILLS BLUE COLLAR R & F EMPLOYEES (2019-2022)**

**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 **May 14, 2019** and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on **June 25, 2019** 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 2019:31**

**AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, MORRIS COUNTY, NEW JERSEY ACCEPTING THE GRANT OF UTILITY EASEMENT OVER A PORTION OF BLOCK 25.4, LOT 1 ON THE OFFICIAL TAX MAP OF 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 **May 14, 2019** and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on **June 25, 2019** 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 Mr. Carifi.

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

5. **ORDINANCE 2019:32**

**AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, MORRIS COUNTY, NEW JERSEY AUTHORIZING THE ACQUISITION OF A PORTION OF THE PROPERTY IDENTIFIED AS BLOCK 421, LOT 56 ON THE TAX MAP OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS PURSUANT TO THE LOCAL LAND AND BUILDINGS LAW**

**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 **May 14, 2019** and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on **June 25, 2019** 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. McCarthy.

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

6. **ORDINANCE 2019:13**

**BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS TO THE WATER UTILITY IN AND BY THE TOWNSHIP OF PARSIPPANY-TROY HILLS, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING \$4,598,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$4,598,000 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 **May 14, 2019** and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on **June 25, 2019** 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.

**B. SECOND READING & PUBLIC HEARING**

**1. ORDINANCE 2019:11**

**BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF PARSIPPANY-TROY HILLS, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING \$10,642,122 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$10,109,266 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF**

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, IN THE COUNTY OF MORRIS, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Township of Parsippany-Troy Hills, in the County of Morris, New Jersey (the "Township") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$10,642,122, and further including the aggregate sum of \$532,856 as the several down payments for the improvements or purposes required by the Local Bond Law. The several down payments consist of \$50,000 from the Open Space Fund for the purpose in Section 3(e) and \$482,856 from the Capital Improvement Fund for the remaining purposes.

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Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, negotiable bonds are hereby authorized to be issued in the principal amount of \$10,109,266 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

<u>Purpose</u>	<u>Appropriation &amp; Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds &amp; Notes</u>	<u>Period of Usefulness</u>
a) The acquisition of vehicles and equipment, including, but not limited to, police interceptors, sport utility vehicles, a trailer, a sunvac sweeper, various trucks, a mini track excavator, a wood chipper and a cargo trailer and further including all related costs and expenditures incidental thereto.	\$2,548,122	\$2,420,716	5 years
b) The acquisition of equipment, including, but not limited to, information technology equipment and a fast track and further including all related costs and expenditures incidental thereto.	\$204,000	\$193,800	5 years
c) Various road improvements, including, but not limited to, Veterans Park culvert replacement design, Old Bloomfield Avenue Phase 1, daycare parking lot, traffic			

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signal upgrades, drainage and road resurfacing projects and the placement of pavement markers, all as set forth on a list on file in the Office of the Clerk, and further including all work and materials necessary therefor and incidental thereto.	\$2,213,000	\$2,102,350	10 years
d) River and stream improvements, dam inspections and repairs for flood control, including all structures, work, equipment and materials necessary therefor and incidental thereto.	\$20,000	\$19,000	15 years
e) Park improvements, including, but not limited to, a Cricket/Multipurpose Field at Smith Field, Smith Field Camera System Phase 1 and Smith Field D turf replacement, including all work and materials necessary therefor and incidental thereto and further including all related costs and expenditures incidental thereto.	\$5,617,000	\$5,336,150	15 years
f) Building improvements, including, but not limited to, upgrades to the Engineering Building and further including all work and materials necessary therefor and incidental thereto.	\$40,000	\$37,250	10 years
Total:	<u>\$10,642,122</u>	<u>\$10,109,266</u>	

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements or purposes that the Township may lawfully

undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 11.35 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$10,109,266, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$500,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements.

Section 7. The Township hereby declares the intent of the Township to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes or improvements described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations.

Section 8. Any grant moneys received for the purposes or improvements described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof,

provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

The Notice for the Ordinance above was published in the Daily Record, the official newspaper of the Township of Parsippany-Troy Hills on April 25, 2019. This Ordinance was introduced at the April 16, 2019 Regular Meeting.

Motion to accept that Ordinance 2019:11 be heard in its second and final reading by title only, by Ms. Peterson, seconded by Ms. Gragnani.

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

a. PUBLIC HEARING 2019:11

Motion to open the public hearing for Ordinance 2019:11 by Ms. Peterson, seconded by Ms. Gragnani.

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

Motion to close the public hearing for Ordinance 2019:11 by Ms. Peterson, seconded by Ms. Gragnani.

**ROLL CALL:** Yes- Mr. dePierro, Ms. Gragnani, 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 Ms. Peterson, seconded by Ms. Gragnani.

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

2. **ORDINANCE 2019:12**

**BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS TO THE GOLF AND RECREATIONAL UTILITY IN AND BY THE TOWNSHIP OF PARSIPPANY-TROY HILLS, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING \$205,391 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$205,391 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE THE COST THEREOF**

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, IN THE COUNTY OF MORRIS, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Township of Parsippany-Troy Hills, in the County of Morris, New Jersey (the "Township"). For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$205,391. No down payment is required as the purpose authorized herein is deemed self-liquidating and the bonds and bond anticipation notes authorized herein are deductible from the gross debt of the Township, as more fully explained in Section 6(e) of this bond ordinance.

Section 2. In order to finance the cost of the several improvements or purposes, negotiable bonds are hereby authorized to be issued in the principal amount of \$205,391 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

<u>Purpose</u>	<u>Appropriation &amp; Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds &amp; Notes</u>	<u>Period of Usefulness</u>

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a) The acquisition of equipment, including, but not limited to, a toro sidewinder, a mower, a toro workman and a server and further including all related costs and expenditures incidental thereto.	\$144,491	\$144,491	5 years
b) The acquisition of vehicles, including, but not limited to, a pickup truck with plow and further including all related costs and expenditures incidental thereto.	\$35,000	\$35,000	5 years
c) Various improvements, including, but not limited to, painting of Knoll West Building and further including all structures, work, equipment and materials necessary therefor and incidental thereto.	<u>\$25,900</u>	<u>\$25,900</u>	10 years
Total:	<u>\$205,391</u>	<u>\$205,391</u>	

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief

financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are improvements or purposes that the Township may lawfully undertake as self-liquidating purposes of a municipal public utility. No part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 5.63 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$205,391, but that the net debt of the Township determined as provided in the Local Bond Law is not increased by this bond ordinance. The obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$10,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements.

(e) This bond ordinance authorizes obligations of the Township solely for purposes described in N.J.S.A. 40A:2-7(h). The obligations authorized herein are to be issued for purposes that are deemed to be self-liquidating pursuant to N.J.S.A. 40A:2-47(a) and are deductible from the gross debt of the Township pursuant to N.J.S.A. 40A:2-44(c).

Section 7. The Township hereby declares the intent of the Township to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations.

Section 8. Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

The Notice for the Ordinance above was published in the Daily Record, the official newspaper of the Township of Parsippany-Troy Hills on April 25, 2019. This Ordinance was introduced at the April 16, 2019 Regular Meeting.

Motion to accept that Ordinance 2019:12 be heard in its second and final reading by title only, by Ms. Gragnani, seconded by Ms. Peterson.

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

a. **PUBLIC HEARING 2019:12**

Motion to open the public hearing for Ordinance 2019:12 by Ms. Gragnani, seconded by Ms. Peterson.

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

Motion to close the public hearing for Ordinance 2019:12 by Ms. Gragnani, seconded by Ms. Peterson.

**ROLL CALL:** Yes- Mr. dePierro, Ms. Gragnani, 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 Ms. Gragnani, seconded by Ms. Peterson.

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

3. **ORDINANCE 2019:14**

**BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS TO THE SEWER UTILITY IN AND BY THE TOWNSHIP OF**

**PARSIPPANY-TROY HILLS, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING \$5,250,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$5,250,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE THE COST THEREOF**

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, IN THE COUNTY OF MORRIS, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Township of Parsippany-Troy Hills, in the County of Morris, New Jersey (the "Township"). For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$5,250,000. No down payment is required as the purposes authorized herein are deemed self-liquidating and the bonds and bond anticipation notes authorized herein are deductible from the gross debt of the Township, as more fully explained in Section 6(e) of this bond ordinance.

Section 2. In order to finance the cost of the several improvements or purposes, negotiable bonds are hereby authorized to be issued in the principal amount of \$5,250,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

<u>Purpose</u>	<u>Appropriation &amp; Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds &amp; Notes</u>	<u>Period of Usefulness</u>
a) Various improvements, including, but not limited to, improvements to the Plant Security System (Phase II) and further including all structures, work, equipment and materials necessary therefor and incidental thereto.	\$900,000	\$900,000	10 years

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b) Various improvements, including, but not limited to, North and Northeast interceptor cleaning and inspection and improvements to the secondary clarifier, including all structures, work, equipment and materials necessary therefor and incidental thereto.	\$850,000	\$850,000	15 years	
c) Various improvements, including, but not limited to, improvements to the Knoll Sewer System, Town-wide force main rehabilitation and primary sedimentation tank rehabilitation and further including all structures, work, equipment and materials necessary therefor and incidental thereto.	<u>\$3,500,000</u>	<u>\$3,500,000</u>	40 years	
Total:	<u>\$5,250,000</u>	<u>\$5,250,000</u>		

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next

succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are improvements or purposes that the Township may lawfully undertake as self-liquidating purposes of a municipal public utility. No part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 30.80 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$5,250,000, but that the net debt of the Township determined as provided in the Local Bond Law is not increased by this bond ordinance. The obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$525,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements.

(e) This bond ordinance authorizes obligations of the Township solely for purposes described in N.J.S.A. 40A:2-7(h). The obligations authorized herein are to be issued for purposes that are deemed to be self-liquidating pursuant to N.J.S.A. 40A:2-47(a) and are deductible from the gross debt of the Township pursuant to N.J.S.A. 40A:2-44(c).

Section 7. The Township hereby declares the intent of the Township to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations.

Section 8. Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

The Notice for the Ordinance above was published in the Daily Record, the official newspaper of the Township of Parsippany-Troy Hills on April 25, 2019. This Ordinance was introduced at the April 16, 2019 Regular Meeting.

Motion to accept that Ordinance 2019:14 be heard in its second and final reading by title only, by Mr. dePierro, seconded by Ms. Gagnani.

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

a. **PUBLIC HEARING 2019:14**

Motion to open the public hearing for Ordinance 2019:14 by Mr. dePierro, seconded by Ms. McCarthy.

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

Motion to close the public hearing for Ordinance 2019:14 by Mr. dePierro, seconded by Ms. Gagnani.

**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.

4. **ZONING ORDINANCES**

a. **ORDINANCE 2019:15**

**AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, MORRIS COUNTY, NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 430, ZONING, OF THE TOWNSHIP CODE REPEALING ARTICLE**

**XXXII, ALTERNATIVE PLANNED RESIDENTIAL  
DEVELOPMENT 2 DISTRICT**

**WHEREAS**, the 2014 Reexamination Report of the Master Plan and Land Use Plan of the Township of Parsippany-Troy Hills (the “Report”) notes that the APRD-2 Alternative Planned Residential 2 District is no longer designated on the official zoning map and is obsolete; and

**WHEREAS**, the Report recommends that reference to the APRD-2 District be deleted from the Township Code; and

**WHEREAS**, the Township Council finds that this change is consistent with the Zoning Ordinance and Master Plan of the Township.

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

**SECTION 1.** Chapter 430, Zoning, Article XXXII, Alternative Planned Residential Development 2 District, of the Code of the Township of Parsippany–Troy Hills, is hereby repealed in its entirety.

**SECTION 2.** If any section, paragraph, subsection, clause or provision of this Ordinance shall be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any part thereof.

**SECTION 3.** All ordinances or parts of ordinances of the Township of Parsippany-Troy Hills heretofore adopted that are inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

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

b. **ORDINANCE 2019:16**

**AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE  
TOWNSHIP OF PARSIPPANY-TROY HILLS, MORRIS COUNTY,  
NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 430,  
ZONING, OF THE TOWNSHIP CODE RELATED TO BUILDING  
HEIGHT**

**WHEREAS**, the 2014 Reexamination report of the Master Plan and Land Use plan of the Township of Parsippany-Troy Hills (the “Report”) recommends that §430-19, Building Height, should be amended to ensure a standard measurement of building height; and

**WHEREAS**, the Township Council finds that this change is consistent with the Zoning Ordinance and Master Plan of the Township.

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

**SECTION 1.** Chapter 430, Zoning, Article IV, General District Regulations, §430-19, Building Height, of the code of the Township of Parsippany–Troy Hills, is hereby amended as follows:

- A. All measurements of building height, as regulated by this chapter, shall be determined in accordance with the definition of building height as provided in §430-8.

**SECTION 2.** If any section, paragraph, subsection, clause or provision of this Ordinance shall be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any part thereof.

**SECTION 3.** All ordinances or parts of ordinances of the Township of Parsippany-Troy Hills heretofore adopted that are inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

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

c. **ORDINANCE 2019:17**

**AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, MORRIS COUNTY, NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 430, ZONING, OF THE TOWNSHIP CODE RELATED TO CORNER LOT SETBACK REQUIREMENTS FOR ACCESSORY STRUCTURES**

**WHEREAS**, the 2014 Reexamination Report of the Master Plan and Land Use Plan of the Township of Parsippany-Troy Hills (the “Report”) notes that the setback requirements for accessory structures as applied to corner lots create unnecessarily restrictive requirements for certain accessory structures including, such as above-ground oil tanks and air conditioning compressors; and

**WHEREAS**, the Report further notes that these types of structures are often interconnected with the principal building located on the property and should be permitted subject to a limited footprint area and the condition that the location of the accessory structure does not create any other bulk variance condition on the subject property; and

**WHEREAS**, the Township Council finds that this change to the corner lot setback requirements for certain accessory structures is consistent with the Zoning Ordinance and Master Plan of the Township.

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

**SECTION 1.** Chapter 430, Zoning, Article IV, General District Regulations, §430-13, Accessory Buildings, of the Code of the Township of Parsippany–Troy Hills, is hereby amended and supplemented as follows:

Add new.

C. Corner Yard Setback Exception

- (1) Accessory structures that are interconnected with the principal building located on the property, including but not limited to, above ground oil tanks, air conditioning compressors, etc., shall be permitted within a front yard of a corner lot subject to the applicable accessory structure side yard setback for the respective zoning district. This exception does not include sheds, garages, or any accessory use or structure that are not directly interconnected with the principal building.
- (2) Such structures shall be limited to a 20 square foot area.
- (3) The location of said accessory structures shall not create any other bulk variance condition on the property.

**SECTION 2.** If any section, paragraph, subsection, clause or provision of this Ordinance shall be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any part thereof.

**SECTION 3.** All ordinances or parts of ordinances of the Township of Parsippany-Troy Hills heretofore adopted that are inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

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

d. **ORDINANCE 2019:18**

**AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, MORRIS COUNTY, NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 430, ZONING, OF THE CODE OF PARSIPPANY-TROY HILLS RELATED TO CRITICAL SLOPE AREA REGULATIONS**

**WHEREAS**, the 2014 Reexamination Report of the Master Plan and Land Use Plan of the Township of Parsippany-Troy Hills (the “Report”) notes that bulk variance relief is required for a deviation from the critical slope area regulations found at Chapter 225, Land Use, Subdivisions and Site Plans; and

**WHEREAS**, the Report recommends that the critical slope area regulations be relocated to Chapter 430, Zoning, in order to clarify and reinforce that bulk variance relief is needed for deviation from these requirements; and

**WHEREAS**, the Report further recommends that the critical slope area regulations be amended to clarify that the percentages of slope disturbance are applied to each individual proposed lot in a subdivision; and

**WHEREAS**, the Township Council finds that the relocation of the critical slope area regulations to Chapter 430, Zoning, and amendment to clarify that the percentages of slope disturbance are applied to each individual proposed lot in a subdivision are consistent with the Zoning Ordinance and Master Plan of the Township.

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

**SECTION 1.** Chapter 225, Land Use Subdivisions And Site Plans Ordinance, Article XII, Land Constraints, §225-80, Regulations of Land Constraint Areas, of the Code of the Township of Parsippany–Troy Hills, is hereby repealed in its entirety.

**SECTION 2.** Chapter 430, Zoning, is hereby amended and supplemented with a new Article XLVI, Critical Slope Areas, as follows:

§430-345 Regulations for critical slope areas.

All applications for subdivision or site plan approval shall be evaluated for their impact on critical slope areas as set forth herein. No buildings, improvements or structures, including roads, driveways and parking areas, shall be constructed nor shall any displacement of soil occur within critical slopes areas except in accordance with the following requirements:

- A. Categories of slopes; map delineations. The following categories of slopes shall be identified on a plan drawn at a scale required as per the Township's site plan or subdivision submission requirements and showing existing and topographic elevations at two-foot contour intervals:
  - (1) Category 1 slopes: 15% to 19.99%.
  - (2) Category 2 slopes: 20% to 24.99%.
  - (3) Category 3 slopes: 25% or greater.
- B. The map shall also delineate those areas proposed for clearing, regrading and development; the location of all existing and proposed wells and septic systems; the location of all trees in excess of six inches in caliper and contiguous wooded areas; and soil types contained on the lot with specific reference to highly erodible soils as defined by the United States Department of Agriculture Soil Conservation Service.
- C. In platting a parcel for subdivision and siting proposed development, the applicant shall avoid disturbance of critical slope areas to the greatest extent practical. Maximum disturbance percentages are applied to each individual lot in a subdivision or site plan. Limited disturbance and development of critical slope areas is permitted in accordance with the following schedule:

Permitted Levels of Disturbance and Development in Critical Slope Areas

Slope Category (percent)	Maximum Area of Disturbance and Development
15% to 19.99%	35%
20% to 24.99%	25%
25% or greater	15%

- D. Disturbance of critical slope areas in an amount greater than indicated in §430-345C shall require a variance.
- E. The Planning Board or Zoning Board of Adjustment may waive the disturbance and development of small isolated non-contiguous pockets of critical slopes that are under 1,000 square feet in area per individual lot. Such disturbance may be permitted if the Board determines that the disturbance of the critical slope area is consistent with sound planning and promotes the goals and objectives of the Township's Master Plan; would not substantially impair the purposes of the Township's Zoning and Land Use Ordinances; and would otherwise result in practical difficulties for the applicant. Where the Board determines that such pocket or pockets are proximate to other critical slope areas and collectively are of such size to constitute a significant and substantially contiguous area, the Board may determine that the area is subject to the requirements of this section.
- F. These requirements shall not apply to any development for which preliminary major subdivision approval, preliminary major site plan approval, final subdivision approval or final site plan approval was granted by a resolution of approval adopted by the Planning Board prior to the adoption of this provision, and which approval has not expired. In such cases, the requirements and conditions contained in the resolution of approval shall apply.

**SECTION 3.** Chapter 225, Land Use Subdivisions And Site Plans Ordinance, Article XII, Land Constraints, §225-79, Identification of Land Constraint Areas, of the Code of the Township of Parsippany–Troy Hills, is hereby amended and supplemented as follows:

- E. Critical slope areas, as regulated by Chapter 430, Zoning, Article XLVI, Critical Slope Areas. Any slope having a grade of 15% or greater.

**SECTION 4.** If any section, paragraph, subsection, clause or provision of this Ordinance shall be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any part thereof.

**SECTION 5.** All ordinances or parts of ordinances of the Township of Parsippany-Troy Hills heretofore adopted that are inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

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

e. **ORDINANCE 2019:19**

**AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, MORRIS COUNTY, NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 430, ZONING, OF THE TOWNSHIP CODE RELATED TO MAXIMUM DRIVEWAY WIDTH**

**WHEREAS**, the 2014 Reexamination Report of the Master Plan and Land Use Plan of the Township of Parsippany-Troy Hills (the “Report”) notes that the Township Code permits a

maximum driveway width of 36 feet, which requires more pavement than is generally required according to best planning practices and thus results in greater runoff; and

**WHEREAS**, the Report recommends reducing the maximum driveway width permitted under the Township Code from 36 feet to 24 feet; and

**WHEREAS**, the Township Council finds that this change is consistent with the Zoning Ordinance and Master Plan of the Township and will result in less pavement and therefore contribute in a positive fashion toward reducing stormwater runoff.

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

**SECTION 1.** Chapter 430, Zoning, Article XXXVII, Off-Street Parking and Loading, §430-275, Plan and Design Standards, of the Code of the Township of Parsippany–Troy Hills, is hereby amended to read in its entirety as follows:

- H. Size of driveways. A driveway exclusive of curb return radii shall be not less than 12 feet nor more than 24 feet in width within the street right of way providing access.

**SECTION 2.** If any section, paragraph, subsection, clause or provision of this Ordinance shall be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any part thereof.

**SECTION 3.** All ordinances or parts of ordinances of the Township of Parsippany-Troy Hills heretofore adopted that are inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

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

f. **ORDINANCE 2019:20**

**AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, MORRIS COUNTY, NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 430, ZONING, OF THE CODE OF PARSIPPANY-TROY HILLS RELATED TO SIGNAGE**

**WHEREAS**, the Township Council of the Township of Parsippany-Troy Hills wishes to amend the Township’s lighting and signage standards to improve the appearance and functionality of storefronts located within the Township and address certain inconsistencies in the Township Code.

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

**SECTION 1.** Chapter 430, Zoning, §430-279, Definitions, of the Code of the Township of Parsippany–Troy Hills, is hereby amended and supplemented as follows:

[Deleted language is struck-through, new language is underlined.]

**SIGN**

A name, identification, description, display or illustration which is affixed to or printed, painted or represented directly or indirectly upon a building, structure, window or parcel of land and which directs attention to a person, institution, organization, activity, place, object or product of business, provided that the display of public notices or the flag, emblem or insignia of a nation or political unit shall not be considered signs under the provisions of this chapter.

## **WINDOW DISPLAY SIGN**

Shall include all signs defined herein which are situated within six (6) feet ~~12 inches~~ of the window surface, and such signs shall be regulated as provided herein.

**SECTION 2.** Chapter 430, Zoning, §430-280, Signs exempt from permit and fee requirements, Subsection B, of the Code of the Township of Parsippany-Troy Hills, is hereby amended as follows:

[Deleted language is struck-through, new language is underlined.]

- B. Temporary signs inside windows of commercial establishments not covering more than 20% of any given window and which shall be removed within 30 days of the date of erection, which date shall be indicated thereon in a prominent manner. Where multiple windows are present along a building façade, no more than 20% of any individual window may be obstructed by such temporary sign or signs. These signs shall not unreasonably obstruct light and visibility. No additional temporary sign may be permitted for a period of 30 days following the removal of the prior temporary sign.

**SECTION 3.** Chapter 430, Zoning, §430-282, Prohibited sign features, Subsections B and E, of the Code of the Township of Parsippany–Troy Hills, are hereby amended as follows:

[Deleted language is struck-through, new language is underlined.]

- B. No neon or similarly illuminated advertisement sign or decorative element shall be permitted, except that one (1) illuminated sign indicating that the business is open shall be permitted. Such sign shall not exceed three (3) square feet and shall not have flashing or blinking lights or similar forms of animation. In addition, one (1) illuminated sign advertising and providing information on lotteries shall be permitted in businesses that sell lottery tickets, as provided for in §430-282 (E).
- E. No sign may obstruct any window, door, fire escape, stairway or opening intended to provide light of ingress or egress to or from any building or structure, with the exception that 20% of any individual window may be occupied by a temporary sign or signs, provided that the sign does not unreasonably obstruct light and visibility. In addition, one (1) permanent window sign indicating that the business is open is permitted per business establishment, and one (1) permanent window sign providing hours of operation is permitted per business establishment. Each such permitted permanent window sign is limited to three (3) square feet in area. Also, one (1) permanent window sign advertising and providing information about lotteries

operated in accordance with the New Jersey State Lottery Law (N.J.S.A. 5:9-1 et seq.) shall be permitted for businesses that sell lottery tickets. Such permanent window sign shall not unreasonably obstruct light and visibility, and shall not exceed four (4) square feet.

**SECTION 4.** Chapter 430, Zoning, §430-283, Prohibitions, Subsection I, of the Code of the Township of Parsippany–Troy Hills, is hereby amended as follows:

[Deleted language is struck-through, new language is underlined.]

- I. ~~Permanent window signs or temporary window s~~Signs exceeding 20% of the ~~any individual window space, except as provided for in §430-280 (B) and §430-280 (E).~~

**SECTION 5.** Chapter 430, Zoning, §430-284, General regulations, Subsection K, of the Code of the Township of Parsippany–Troy Hills, is hereby amended as follow:

[Deleted language is struck-through, new language is underlined.]

- K. Banners and pennants no larger than 32 square feet shall be temporarily permitted in nonresidential districts for a maximum of four weeks per calendar year and require a permit approved by the Zoning Office prior to being erected. Banners are not permitted to be attached to the existing freestanding sign. Temporary banners and pennants shall be allowed during construction or similar activities that obstruct permanent signage, where such temporary signage is necessary to prevent long-term business disruption. These temporary banners and pennants shall not be subject to the time limit of four weeks per calendar year, but shall comply with all other applicable conditions of the zoning permit and shall be removed upon completion of the construction or removal of the signage obstruction, whichever is sooner.

**SECTION 6.** If any section, paragraph, subsection, clause or provision of this Ordinance shall be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any part thereof.

**SECTION 7.** All ordinances or parts of ordinances of the Township of Parsippany-Troy Hills heretofore adopted that are inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

**SECTION 8.** This ordinance shall take effect immediately upon its final passage, approval and publication as provided by law.

- g. **ORDINANCE 2019:21**

**AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, MORRIS COUNTY, NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 430, ZONING, OF THE TOWNSHIP CODE RELATED TO PERMITTED CONDITIONAL USES IN THE R-2M DISTRICT**

**WHEREAS,** the 2014 Reexamination Report of the Master Plan and Land Use Plan of the Township of Parsippany-Troy Hills (the “Report”) notes that the R-2M Residential District

permits a mixed use option that was not developed and is still permitted as a conditional use per Article XXXVI, Mixed Land Use Option Development; and

**WHEREAS**, the Report recommends that the Township Code be amended to eliminate the mixed land use option as permitted conditional use in the R-2M District; and

**WHEREAS**, the Township Council finds that the elimination of the mixed land use option as permitted conditional use in the R-2M District is consistent with the Zoning Ordinance and Master Plan of the Township.

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

**SECTION 1.** Chapter 430, Zoning, Article IX, R-2 Residential and R-2M Residential Mixed Use Option District, §430-59, Conditional Uses, Subsection D of the Code of the Township of Parsippany–Troy Hills, is hereby repealed in its entirety.

**SECTION 2.** Chapter 430, Zoning, Article XXXVI, Mixed Land Use Option Development, §430-263, Applicable Districts, of the Code of the Township of Parsippany–Troy Hills, is hereby amended to read in its entirety as follows:

The mixed land use option shall be permitted only in the R-1M District.

**SECTION 3.** Chapter 430, Zoning, Article XXXVI, Mixed Land Use Option Development, §430-268, Standards for Residential Development, Subsection A, of the Code of the Township of Parsippany–Troy Hills, is hereby amended to read in its entirety as follows:

A. Single-family detached housing development. Single-family detached development, where permitted by §430-265 shall comply with the minimum development requirements for the R-3 Zone except as specified above and further provided that, notwithstanding preceding standards, wherever single-family lots are proposed adjacent to existing developed single-family residential lots or lands zoned for single-family development, the minimum lot size in the R-1M Zone shall be no less than 40,000 square feet.

**SECTION 4.** Chapter 430, Zoning, Article XXXVI, Mixed Land Use Option Development, §430-269, Standards for Commercial and Industrial Development, Subsection A, of the Code of the Township of Parsippany–Troy Hills, is hereby amended to read in its entirety as follows:

(3) No building and its accessory off-street parking area for commercial uses located in an R-1M District shall be located within 150 feet of any existing or proposed residential lot.

(5) *This subsection is deleted in its entirety.*

**SECTION 5.** Chapter 430, Zoning, Article XXXVI, Mixed Land Use Option Development, §430-269, Standards for Commercial and Industrial Development, Subsection B, of the code of the Township of Parsippany–Troy Hills, is hereby amended to read in its entirety as follows:

(1) In an R-1M District, all industrial and office areas shall be located adjacent to existing industrial zone boundaries or federal or state highway right-of-way.

(2) In the R-1M District, the minimum site development standards as set forth for the SED-5 District shall apply.

**SECTION 6.** If any section, paragraph, subsection, clause or provision of this Ordinance shall be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any part thereof.

**SECTION 7.** All ordinances or parts of ordinances of the Township of Parsippany-Troy Hills heretofore adopted that are inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

**SECTION 8.** This ordinance shall take effect immediately upon its final passage, approval and publication as provided by law.

h. **ORDINANCE 2019:22**

**AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, MORRIS COUNTY, NEW JERSEY AMENDING THE GENERAL ZONING MAP TO REZONE PROPERTIES LOCATED AT BLOCK 391, LOTS 1, 2, 3, 4 AND 5 FROM THE R-3 RESIDENTIAL DISTRICT TO THE B-3 LOCAL BUSINESS DISTRICT AND AMENDING AND SUPPLEMENTING CHAPTER 430, ZONING, OF THE TOWNSHIP CODE**

**WHEREAS**, the 2014 Reexamination Report of the Master Plan and Land Use Plan of the Township of Parsippany-Troy Hills (the “Report”) recommends rezoning of certain lots located along Parsippany Road currently situated in the R-3 Residential District; and

**WHEREAS**, the Report notes that the bulk characteristics and existing land uses on Lots 1, 2, 3, 4, and 5 of Block 391 are more consistent with the neighboring B-3 Local Business District and that the rezoning of these lots from R-3 Residential District to the B-3 Local Business District represents an opportunity to complete the continuity of the zone plan in this area adjacent to Parsippany Road; and

**WHEREAS**, the Report further discourages access to any lots located in the B-3 zone from any residentially zoned street; and

**WHEREAS**, the Township Council finds that the rezoning is consistent with the Zoning Ordinance and Master Plan of the Township, and would provide for appropriate development on these lots; and

**WHEREAS**, the Township Council further finds that a prohibition on vehicular access to any lot in the B-3 Local Business District from a residentially zone street will minimize potential traffic impacts on the neighboring residential properties.

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

**SECTION 1.** The General Zoning Map, as referenced in Chapter 430, Zoning, Article II, Establishment of Districts; Map, §430-5, Zoning Map, of the Code of the Township of Parsippany-Troy Hills, is hereby amended to rezone the following properties from R-3 Residential District to B-3 Neighborhood Business District:

Block 391     Lots 1, 2, 3, 4, 5

**SECTION 2.** Chapter 430, Zoning, Article XVI, B-3 Local Business District, §430-114, Other Requirements, of the Code of the Township of Parsippany–Troy Hills, is hereby amended and supplemented as follows:

D. There shall be no vehicular access from a residentially zoned streets to and from a lot in the B-3 District.

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

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

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

i. **ORDINANCE 2019:23**

**AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, MORRIS COUNTY, NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 430, ZONING, OF THE CODE OF PARSIPPANY-TROY HILLS RELATED TO PERMITTED CONDITIONAL USES IN THE R-3, R-4 AND R-5 DISTRICTS**

**WHEREAS**, the 2014 Reexamination Report of the Master Plan and Land Use Plan of the Township of Parsippany-Troy Hills (the “Report”) notes that the use of land as a public and nonprofit limited dividend house, permitted as a conditional use in the R-3 District, is an obsolete use; and

**WHEREAS**, the Report recommends that the public and nonprofit or limited dividend housing use should be eliminated as a permitted conditional use in the R-3 District; and

**WHEREAS**, the public and nonprofit or limited dividend housing use is also a permitted conditional use in the R-4 District and R-5 District and should similarly be eliminated in those districts; and

**WHEREAS**, the Township Council finds that this change is consistent with the Zoning Ordinance and Master Plan of the Township.

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

**SECTION 1.** Chapter 430, Zoning, Article X, R-3, R-3 (RCA), and R-3A (RCA) Residential Districts, §430-67, Conditional Uses, Subsection A, Public and Nonprofit or Limited Dividend Housing for Elderly Persons, of the Code of the Township of Parsippany–Troy Hills, is hereby repealed in its entirety.

**SECTION 2.** Chapter 430, Zoning, Article XI, R-4 Residential District, §430-74, Conditional Uses, Subsection A, Public and Nonprofit or Limited Dividend Housing for Elderly Persons, of the Code of the Township of Parsippany–Troy Hills, is hereby repealed in its entirety.

**SECTION 3.** Chapter 430, Zoning, Article XII, R-5 Residential District, §430-81, Conditional Uses, Subsection A, Public and Nonprofit or Limited Dividend Housing for Elderly Persons, of the Code of the Township of Parsippany–Troy Hills, is hereby repealed in its entirety.

**SECTION 4.** If any section, paragraph, subsection, clause or provision of this Ordinance shall be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any part thereof.

**SECTION 5.** All ordinances or parts of ordinances of the Township of Parsippany-Troy Hills heretofore adopted that are inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

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

The Notices for the Ordinances above were published in the Daily Record, the official newspaper of the Township of Parsippany-Troy Hills on April 25, 2019. These Ordinances were introduced at the April 16, 2019 Regular Meeting.

Motion to accept that Ordinances 2019:15 through 2019:23 be heard in its second and final reading by title only, by Mr. dePierro, seconded by Ms. Gragnani.

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

a. PUBLIC HEARING 2019:15 through 2019:23

Motion to open the public hearing for Ordinances 2019:15 through 2019:23 by Ms. Peterson, seconded by Ms. Gragnani.

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

Motion to close the public hearing for Ordinances 2019:15 through 2019:23 by Mr. dePierro, seconded by Ms. Peterson.

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

**WHEREAS,** the above ordinances were 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. McCarthy.

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

5. **ORDINANCE 2019:24**

**AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, MORRIS COUNTY, NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 290, PARKS, RECREATION AREAS AND PUBLIC LANDS, OF THE CODE OF PARSIPPANY-TROY HILLS**

**WHEREAS**, the Township Council finds that it is in the best interests of the Township and its residents to revise the permitting and fee provisions of the parks, recreation areas and public lands code in order to improve the functionality of the recreation program of the Township and to reflect the costs of various programs; and

**WHEREAS**, the Township finds that certain inconsistencies and obsolete provisions in the parks, recreation areas and public lands code of the Township should be remedied.

**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:

**SECTION 1.** Chapter 290, Parks, Recreation Areas and Public Lands, §290-8, Subsection F, Fees for Permits, of the Code of the Township of Parsippany–Troy Hills, is hereby deleted and replaced in its entirety as follows:

**F. Fees for Permits.**

<b>Type of Program/Permit</b>	<b>Fee Range</b>
(1) Recreational activities	
Various youth programs (per person)	\$10 to \$600
Various adult programs (per person)	\$10 to \$600
Various Township-sponsored youth travel teams and leagues (per person)	\$5 to \$750
Various Township-sponsored adult travel teams and leagues (per person)	\$5 to \$750
Various tennis programs and memberships (per person)	\$5 to \$150
Trips, special events and programs	Cost rounded to highest dollar amount
(2) Facility use	
Natural grass fields (per hour)	

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With lights

Residents	\$40
Nonresidents	\$80
League/business use-Township	\$60
League/business use-out of Township	\$120

No lights

Residents	\$20
Nonresidents	\$40
League/business use-Township	\$30
League/business use-out of Township	\$60

Artificial turf fields (per hour)

With lights

Residents	\$50
Nonresidents	\$100
League/business use-Township	\$80
League/business use-out of Township	\$160

No lights

Residents	\$25
Nonresidents	\$50
League/business use-Township	\$40
League/business use-out of Township	\$80

NOTE:

- (a) Groups and teams will be assessed the nonresident facility use permit fee unless at least 80% of the group or team consists of residents of the Township, as evidenced by the submittal of a team roster along with proof of address. Acceptable means

Regular Meeting 5-14-19

of proof of address shall be determined by the Superintendent of Recreation or his or her designee.

(b) The following organizations: Parsippany Board of Education, Par-Troy Little League East, Par-Troy Little League West, Parsippany Soccer Club, Little Vikings Football, Parsippany Police Athletic League, and Parsippany Lacrosse Club are exempt from the facility use permit fee for youth-related use, provided that:

[1] At least 80% of the youth registered to participate in the affiliated youth sports organization are Township residents;

[2] The affiliated organization collects and remits annually to the Township's Recreation Department a complete roster of registrants and facility use fee of \$100 for each nonresident registered participant;

[3] With the approval of the Township Administration each affiliated organization will be permitted to hold one special event per calendar year.

Picnic area rental; fees include garbage pickup service (per group)

Resident (number of people in group)

15 to 50	\$60
51 to 100	\$120
Over 100	\$180

Nonresident (number of people in group)

15 to 50	\$120
51 to 100	\$240
Over 100	\$360

Business- Township (number of people in group)

15 to 50	\$100
51 to 100	\$200
Over 100	\$300

Business- out of Township (number of people in group)

15 to 50	\$200
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51 to 100	\$400
Over 100	\$600
Picnic area alcohol permit (per event)	
Resident	\$75
Nonresident	\$100
Business-Township	\$100
Business-out of Township	\$200
Roller hockey rink (per hour)	
Residents	
No lights	\$20
With lights	\$40
Nonresidents	
No lights	\$40
With lights	\$80
Veterans Memorial Park bandstand (per hour) with electricity and lights (4-hour minimum required)	\$150
Basketball court (per court, per hour)	
Resident	\$5
Nonresident	\$10
Business-Township	\$8
Business-out of Township	\$15
Tennis court (per court, per hour)	
Resident	\$5
Nonresident	\$25
Nonresident Business-- yearly pass	\$150

Resident-yearly pass

\$100

NOTE: A copy of the hours of operation and general rules and regulations are on file in the office of the Superintendent of the Division of Recreation.

**SECTION 2.** Chapter 290, Parks, Recreation Areas and Public Lands, §290-8, Refund of Fees, Subsection G(1)(a) of the Code of the Township of Parsippany–Troy Hills, is hereby amended as follows (additions are underlined and in bold typeface, and deletions are crossed out):

G. Refund of fees.

(1) No refunds of recreation fees paid for pursuant to Subsection F shall be given except in the following instances:

(a) A request was made ~~two weeks prior to the start of the program.~~ **in the specified time period indicated on the registration material.**

**SECTION 3.** Chapter 290, Parks, Recreation Areas and Public Lands, §290-16, Fees for special services, of the Code of the Township of Parsippany–Troy Hills, is hereby amended as follows (additions are underlined and in bold typeface, and deletions are crossed out):

The hourly fee for special services provided by Parks and Forestry employees, outside of regular working hours, shall be ~~\$58~~ **\$65** per hour, per employee. A minimum of two employees and a minimum of four hours shall be charged. **Additional time will be calculated in 4-hour blocks, with a minimum of two employees.**

**SECTION 4.** Chapter: 290, Parks, Recreation Areas and Public Lands, §290-19, Rental Fees for Township-Sponsored Events and Festivals, Subsections C and H, of the Code of the Township of Parsippany-Troy Hills is hereby deleted and replaced in its entirety as follows:

C. Fees for special events will vary from \$0 to \$750 depending on the event. Event fees will be published on the application materials for each event.

H. There will be no refunds of any fees for Township-sponsored events and festivals described herein unless the Township cancels the event.

**SECTION 5.** If any section, paragraph, subsection, clause or provision of this Ordinance shall be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any part thereof.

**SECTION 6.** All ordinances or parts of ordinances of the Township of Parsippany-Troy Hills heretofore adopted that are inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

**SECTION 7.** This ordinance shall take effect immediately upon its final passage, approval and publication as provided by law.

The Notice for the Ordinance above was published in the Daily Record, the official newspaper of the Township of Parsippany-Troy Hills on April 25, 2019. This Ordinance was introduced at the April 16, 2019 Regular Meeting.

Motion to accept that Ordinance 2019:24 be heard in its second and final reading by title only, by Ms. McCarthy, seconded by Mr. dePierro.

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

a. **PUBLIC HEARING 2019:24**

Motion to open the public hearing for Ordinance 2019:24 by Ms. McCarthy, seconded by Ms. Peterson.

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

Motion to close the public hearing for Ordinance 2019:24 by Ms. McCarthy, seconded by Ms. Peterson.

**ROLL CALL:** Yes- Mr. dePierro, Ms. Gragnani, 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 Ms. McCarthy, seconded by Mr. dePierro.

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

6. **ORDINANCE 2019:25**

**AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, MORRIS COUNTY, NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 169, FIRE PREVENTION, OF THE CODE OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS**

**WHEREAS**, the Township finds that it in the best interests of the Township to revise the Fire Prevention Code to reflect the most current safety and other standards as set forth in the New Jersey Uniform Fire Code; and

**WHEREAS**, the Township finds that certain inconsistencies in the Fire Prevention Code of the Township should be remedied and certain provisions updated.

**BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, IN THE COUNTY OF MORRIS, NEW JERSEY AS FOLLOWS:**

**SECTION 1.** Chapter 169, Fire Prevention, §169-1, Adoption of standards by reference, of the code of the Township of Parsippany-Troy Hills, is hereby amended as follows (additions are underlined and in bold typeface):

“§ 169-1. Adoption of standards by reference; **Definitions**

**A.** Pursuant to the provisions of N.J.S.A. 40:49-5.1 et seq., the New Jersey Uniform Fire Code, N.J.A.C. 5:70-1.1 et seq., is hereby accepted, adopted and established by reference in the Township of Parsippany-Troy Hills. A copy of the New Jersey Uniform Fire Code is on file in the office of the Township Clerk and is available to all persons desiring to use and examine same.

**B. Definitions. As used in this chapter, the following terms shall have the meanings indicated:**

**FIRE INSPECTOR**

**A person working under the direction of the Fire Official who is certified by the Commissioner of the Department of Community Affairs and appointed or designated to enforce the code by the appointing authority of a local enforcing agency**

**FIRE OFFICIAL**

**A person certified by the Commissioner of the Department of Community Affairs and appointed or designated to direct the enforcement of the code. This term shall also include "Fire Marshal" where the Fire Official has been appointed pursuant to N.J.A.C. 5:71-3.2.**

**SECTION 2.** Chapter 169, Fire Prevention, §169-2 of the code of the Township of Parsippany-Troy Hills, is hereby deleted and replaced in its entirety as follows:

§ 169-2. Establishment of Fire Prevention Liaison.

The Joint Board of Fire Commissioners and Joint Board of Fire Chiefs may appoint a representative to serve as a liaison to the Township Fire Districts and the Parsippany Division of Fire Prevention.

**SECTION 3.** Chapter 169, Fire Prevention, §169-2.1 of the code of the Township of Parsippany-Troy Hills is hereby deleted in its entirety.

**SECTION 4.** Chapter 169, Fire Prevention, §169-3, Subsection A of the code of the Township of Parsippany-Troy Hills is hereby amended as follows (additions are underlined and in bold typeface, and deletions are crossed out):

A. Local enforcing agency. The Division of Fire Prevention is hereby designated as the local enforcing agency that is authorized to conduct inspections and enforce regulations prescribed by the Uniform Fire Safety Act, N.J.S.A. 52:27D-192 et seq., and the New Jersey Uniform Fire Code.

- (1) The purpose of the inspections is to safeguard the health and safety of the general public through the enforcement of minimum fire safety standards throughout the Township.
- (2) The Division of Fire Prevention shall enforce the Uniform Fire Code in all buildings, structures and premises within the Township, other than owner-occupied one- and two-family dwellings, **except as required within the Uniform Fire Code or any Township Ordinance.**
- (3) The Fire Official and Fire Inspectors shall perform their respective jobs and duties according to N.J.A.C. 5:71-3.3 of the Uniform Fire Code of the State of New Jersey.
- ~~(4) The holding of any rank of officer by the Fire Official and Fire Inspectors under the direction of the Bureau of Fire Prevention shall not interfere with the Fire Official's and Fire Inspectors' titles under the Division of Fire Prevention operating under the direction of the Fire Official.~~
- ~~(5) Definitions. As used in this chapter, the following terms shall have the meanings indicated:~~

~~FIRE INSPECTOR~~

~~—A person working under the direction of the Fire Official who is certified by the Commissioner of the Department of Community Affairs and appointed or designated to enforce the code by the appointing authority of a local enforcing agency~~

~~FIRE OFFICIAL~~

~~A person certified by the Commissioner of the Department of Community Affairs and appointed or designated to direct the enforcement of the code. This term shall also include "Fire Marshal" where the Fire Official has been appointed pursuant to N.J.A.C. 5:71-3.2.~~

**SECTION 5.** Chapter 169, Fire Prevention, §169-3 Subsection B, Appointments, of the code of the Township of Parsippany-Troy Hills is hereby amended as follows (additions are underlined and in bold typeface):

B. Appointments.

- (1) The Division of Fire Prevention shall be under the supervision of a fire Official who shall be appointed by the Mayor. The municipality shall also appoint Fire Inspectors and other employees as may be necessary for the Division of Fire Prevention to properly carry out its responsibilities under the Uniform Fire Code. The Fire Official and all Fire Inspectors engaged in the inspection of life-hazard uses shall be certified as specified in N.J.A.C. 5:71-4.
- (2) The municipality shall appoint legal counsel to assist and represent the Division of Fire Prevention in all matters related to the code. Such legal counsel shall advise the Division and undertake such actions at law as the Fire Official shall deem necessary.

**(3) Variances. The Fire Official may grant a variance from the technical requirements of this ordinance; provided, however, that no variance shall be granted unless it is determined that strict compliance would result in practical difficulty and that the variance, if granted, would not unreasonably jeopardize the safety of the occupants or intended occupants, fire fighters or the public generally. Financial hardship alone shall not be grounds for a variance. In any facility subject to regulation by any state agency, no variance shall be granted except after consultation with that state agency.**

**SECTION 5.** Chapter 169, Fire Prevention, §169-4, Evacuation Plans, Subsection B (2), of the code of the Township of Parsippany-Troy Hills is hereby amended as follows (additions are underlined and in bold type-face, and deletions are crossed out)

- (2) The plan shall comply with the requirements of the Division of Fire Prevention, including but not limited to the following:
  - a. A depiction of the location of aisles, exit accesses, exits and exit discharges.
  - b. A depiction, ~~in contrasting colors,~~ of the most direct path to the means of egress (~~preferably red~~) and an alternate path (~~preferably blue~~) **on a white background.**

**SECTION 6.** Chapter 169, Fire Prevention, §169-5, Fire Alarms, Subsection C(4), False Alarms, of the code of the Township of Parsippany-Troy Hills is hereby amended as follows (additions are underlined and in bold type-face, and deletions are crossed out):

C. (4) The following penalties shall apply to false alarms:

Number of False Alarms	Residential False Alarms	All Other False Alarms
<b>First</b>	<b>Written Warning</b>	<b>Written Warning</b>
Second	\$50	<del>\$123</del> <b><u>\$200</u></b>
Third	\$75	<del>\$175</del> <b><u>\$250</u></b>
Fourth	\$100	<del>\$225</del> <b><u>\$300</u></b>
Fifth	\$125	<del>\$300</del> <b><u>\$350</u></b>
Sixth	\$150	<del>\$350</del> <b><u>\$400</u></b>
Seventh	\$175	<del>\$400</del> <b><u>\$500</u></b>
Eighth	\$200	<del>\$450</del> <b><u>\$600</u></b>
Ninth	\$225	<del>\$500</del> <b><u>\$700</u></b>
Tenth and any subsequent false alarms within the calendar year-	\$275	<del>\$600</del> <b><u>\$800</u></b>

**SECTION 7.** Chapter 169, Fire Prevention, §169-7, Submission of schedule of events by hotels and schools, of the code of the Township of Parsippany-Troy Hills is hereby amended as follows (additions are underlined and in bold type-face, and deletions are crossed out):

**§ 169-7. Submission of schedule of events by ~~hotels and schools~~ all properties with the exception of one and two-family dwellings.**

All ~~hotels and schools~~ **properties with the exception of one and two-family dwellings** shall submit to the Fire Official a schedule of events. ~~Hotels~~ **All properties subject herein except schools** shall submit their schedules on a weekly basis. Schools shall submit their schedules on a monthly basis. For purposes of this provision, events are the use of conference or banquet

facilities, cafeterias, auditoriums, gymnasiums, whether interior or exterior, with gatherings of 50 or more persons. Appropriate permits shall be applied for.

**SECTION 8.** Chapter 169, Fire Prevention, §169-8, Fire Watch at entertainment events, of the code of the Township of Parsippany-Troy Hills is hereby deleted and replaced in its entirety as follows

**§ 169-8. Fire Watch**

A fire watch shall be initiated:

- A. Whenever a District Fire Chief and/or the Township Fire Official determine that onsite fire personnel shall be required for a fire watch as a result of a fire protection system failure or deficiency, or fire and safety at any occupancy except one and two-family dwellings.
- B. Whenever a District Fire Chief and/or the Township Fire Official determine that on-site fire personnel shall be required for a fire watch at an entertainment event or pyrotechnics display to ensure the safety of the public or emergency responders.
- C. If the District Fire Chief and/or The Township Fire Official determine fire watch is necessary, they will also determine the number of personnel required and the times that the personnel shall be on duty.
- D. Entertainment events shall be defined as activities utilizing theater-style seating or freestanding tables and chairs, or both, including but not limited to concerts, comedy shows, sporting events, and the like, with or without a raised stage for the purpose of entertainment.
  - 1. The owner or occupant responsible shall be required to obtain a permit for the use or event. Said permit shall be obtained from the local enforcing agency.
- E. Fire watch team members shall include any Parsippany Fire Prevention Specialist or any Parsippany Fire District Certified Firefighter. Any other personnel to be on a fire watch team shall be approved at the discretion of the Township Fire Official.
- F. Each member of the fire watch team shall be identified. The team members shall report to the Fire Official or his designee and be dedicated to the fire watch only. Each team member shall be under the direction of the Fire Official or his designee
- G. Any requests for fire watch shall be made to the Fire Official in writing unless deemed emergent by a District Fire Chief and/or the Township Fire Official.
- H. The Fire Official, at his discretion, may assign Division of Fire Prevention personnel, and/or Fire Department members to perform fire watch services as described in the preceding subsections. While on said duties, the fire watch attendant so assigned shall be under the supervision and control of the Fire Official or his designee and shall be subject to the provisions of this Chapter.

- I. Fire watch personnel shall complete a round of the entire premises, both common spaces and offices, to ensuring the safety of the structure and/or occupants.
  1. If conditions are found that warrant a response from the Fire Department, the Fire Watch personnel shall call 9-1-1 to report the incident.
  2. Rounds of the building will take place no longer than once EVERY HOUR
  3. Logs must be maintained for each round that shall include the following
    - a. Name of personnel completing round
    - b. Time of round start
    - c. Time of round end
    - d. Any conditions found
  4. Fire Watch logs completed by personnel other than Parsippany Fire Prevention or any of the Parsippany Fire Departments shall be submitted to the Fire Official within 24 hours of the Fire Watch ending.
  5. Fire Watch logs completed by personnel of Parsippany Fire Prevention or any of the Parsippany Fire Departments shall be available upon request to the Building/Business Owner where the Fire Watch was completed.

J. The fee for fire watch personnel shall be the sum of \$50 per hour for each fire watch attendant assigned to the fire watch. If apparatus is required to be on site by the Fire Official / Fire Chief, the amount shall be set forth by the local fire district where the fire watch will or has occurred. Fees shall be paid by the owner, occupant, or event organizer to the Township, Fire District or both based on personnel provided. If the Fire Official is not notified of the cancellation or postponement of an entertainment event at least four hours prior to the scheduled start time, the private party shall be required to pay the Township for a minimum of four hours at the above-specified rate for each fire watch attendant scheduled to work said event. This four-hour minimum guarantee for failure to notify in the case of cancellation or postponement shall be waived for all nonprofit agencies. The Fire Official is authorized to establish the appropriate procedure for payment and collection of this charge.

**SECTION 9.** Chapter 169, Fire Prevention, §169-10, Smoke control systems, Subsection D, of the code of the Township of Parsippany-Troy Hills is hereby deleted and replaced in its entirety as follows:

D. Fee for testing smoke control systems shall be \$200 made payable to the Township. This fee shall be paid prior to the performance of the test. Testing conducted during normal business hours must be approved by the Fire Official and shall be performed without a fee.

**SECTION 10.** Chapter 169, Fire Prevention, §169-12, Floor refinishing, of the code of the Township of Parsippany-Troy Hills is hereby amended as follows (additions are underlined and in bold type-face):

**§ 169-12. Floor refinishing.**

A Type 1 permit, as defined in N.J.A.C. 5:70-2.7, shall be required where flammable or combustible liquids are applied for floor refinishing **with the exception of one and two-family dwellings**. Proper ventilation shall be supplied and all sources of ignition removed.

**SECTION 11.** Chapter 169, Fire Prevention, §169-13, Tar kettles, Subsection A of the code of the Township of Parsippany-Troy Hills is hereby amended as follows (additions are underlined and in bold type-face and deletions are crossed out):

- A. A Type 1 permit, as defined in N.J.A.C. 5:70-2.7, shall be required for the use of tar kettles ~~as defined in the Uniform Fire Code~~ **with the exception of one and two-family dwellings.**

**SECTION 12.** Chapter 169, Fire Prevention, §169-14, Barbecue grills, of the code of the Township of Parsippany-Troy Hills is hereby amended as follows (additions are underlined and in bold type-face and deletions are crossed out):

**§ 169-14. Barbecue grills.**

The following shall apply to all buildings of Use Groups **R-1 and** R-2 as defined in the Uniform Fire Code and to multiple single-family dwellings in Use Group R-3 as defined in the ~~BOCA~~ **National Building Code/1996 Uniform Construction Code:**

- A. Barbecue grills shall not be used or stored on any porch, balcony, or any other portion of a building, within any room or space of a building, within five feet vertically or horizontally of any opening in any way.
- B. Portable gas barbecue grills shall not be stored inside any building or structure.

**SECTION 13.** Chapter 169, Fire Prevention, §169-16, Fire Hydrants, of the code of the Township of Parsippany-Troy Hills is hereby amended as follows (additions are underlined and in bold type-face and deletions are crossed out):

**§ 169-16. Fire Hydrants and Water Supplies**

- A. **No person shall obscure from view, damage, deface, obstruct or restrict the access to any fire hydrant or any Fire Department connection, including fire hydrants or Fire Department connections located on public or private property.** ~~All fire hydrants located on private property shall be left unobstructed and shall be identified with a sign as described below so that the hydrants can be located in the snow.~~
- B. All private fire hydrants shall be identified with a four-foot metal flag attached to the two-and-one-half-inch connection of the hydrant **so the hydrant can be seen in the snow.** The metal flag shall be four inches square and painted reflective blue.
- C. **All private fire hydrants shall be painted all red which shall indicate they are privately owned. All publicly owned fire hydrants shall be painted yellow with red caps which shall indicate they are publicly owned.**

€ **D.** The owner, tenant or occupant of any lands upon which a fire hydrant is located or the owner, tenant or occupant of any lands abutting the sidewalk upon which a fire hydrant is located shall be responsible for keeping the fire hydrant clear of any obstructions.

**E. In the event a privately-owned fire hydrant must be replaced, the replacement fire hydrant must be approved to meet the Parsippany Water Department specifications as outlined in Chapter 420.**

~~Ð F.~~ Any fire hydrant located on a construction site shall be operational before any structural work is begun on the site.

~~E G.~~ If an approved site plan requires a fire hydrant, no structural work on the site may begin until the hydrant is installed and operational.

**F H.** Fire Department connections. All new and existing Fire Department Connections **and/or parking garage standpipe connections (except within stairwells)** shall be designated with a light containing a red lens which shall remain continuously illuminated and shall be approved by the Fire Official or his designee prior to installation. Owners of buildings with existing Fire Department connections shall be notified by the Division of Fire Prevention and given 60 days to comply with the terms of this subsection.

**SECTION 14.** Chapter 169, Fire Prevention, §169-18, Fees, of the code of the Township of Parsippany-Troy Hills is hereby deleted and replaced in its entirety as follows

**§ 169-18. Fees.**

Fees shall be as follows:

A. The owners and tenants of all businesses, occupancies, buildings, structures or premises required to be inspected shall apply annually to the local enforcing agency for a certificate of registration upon forms provided by the Township Fire Official. It shall be a violation of this article for an owner to fail to return such forms to the local enforcing agency and/or the Township Fire Official within 30 days of receipt. If ownership is transferred, whether by sale, assignment, gift, interstate succession, devise, reorganization, receivership, foreclosure, execution of process or any other method, the new owner shall file with the local enforcing agency an application for a certificate of registration within 30 days.

1. Premises under 3,000 square feet: \$80
2. Premises over 3,000 square feet and under 6,000 square feet: \$185
3. Premises over 6,000 square feet and under 12,000 square feet: \$310
4. Premises over 12,000 square feet: \$500
5. Multilevel premises under three stories: \$310
6. Multilevel premises with three to six stories: \$620
7. Hotels and motels without interior stairways and with less than 50 rooms: \$310
8. Hotels and motels without interior stairways and more than 50 rooms: \$435
9. Multifamily dwellings (Use Group R-2 as defined in the Uniform Construction Code): \$90
10. Privately maintained residential complexes: \$50
11. Life-hazard inspections: as per the Uniform Fire Code, N.J.A.C.5:70-2.9(a).
12. Residential smoke detector/carbon monoxide detector/fire extinguisher inspections:
  - a. Requests for a CSDCMAC received more than 10 business days prior to the change of occupant: \$60

- b. Requests for a CSDCMAC received four to 10 business days prior to the change of occupant: \$90
- c. Requests for a CSDCMAC received fewer than four business days prior to the change of occupant: \$150
- d. Reinspection fee for CSDCMAC: \$60
- e. No fee for CSDCMAC shall be issued to any member of Parsippany Fire, EMS, Police, Rescue, OEM or any military personnel active, reserve or retired, provided the appropriate documentation is readily made available to the Fire Official at time of the application being submitted.
  - i. This shall not include any rental properties or assessed penalties.

**B. Permits.**

1. Permits as per the New Jersey Uniform Fire Code. The fee for permits required to be issued under the New Jersey Uniform Fire Code shall be as provided in the Code set forth in N.J.A.C. 5:70-2.9.
2. Type 1A: The fee for Type 1A permits for scheduled events as defined in §169-7 shall be as follows:
  - a. \$50 application fee for the first day of the event, and \$50 per day for each subsequent day of the event if application is made at least five business days prior to the event;
  - b. \$100 application fee for the first day of the event, and \$50 per day for each subsequent day of the event if application is made less than five business days prior to the event;
  - c. \$250 application fee for the first day of the event, and \$50 per day for each subsequent day of the event if application is made less than two business days prior to the event;
  - d. \$300 application fee for the first day of the event, and \$50 per day for each subsequent day of the event if application is made the day of the event.
3. All permits (including Type 1A) shall fall under the inspection requirements as outlined in N.J.A.C. 5:70-2.7(c).

**C. Fire extinguisher training.**

- a. Group of one to ten persons: \$100
- b. Group of eleven to twenty-five persons: \$200
- c. Group of twenty-six or more persons: Additional \$50 for every ten persons above 25 in a group

**SECTION 15.** Chapter 169, Fire Prevention, §169-19.1, Self-storage facilities, Subsections B and C are hereby deleted and replaced in their entirety as follows:

B. All self-storage facilities shall require their customers to notify the self-storage facility of flammable, explosive, and/or hazardous items stored in each rental unit, including the means of conveyance that contains fuel of any kind. The self-storage facility shall ensure that if they are notified of any of the above items, those items are being properly stored in accordance with the

New Jersey Uniform Fire Code. The self-storage facility shall maintain a list of all such notifications. This list shall include the following information:

1. A description of the nature of each item;
2. The approximate quantity of each item;
3. A specific reference to all the flammable goods, chemicals, toxic material or anything hazardous; and
4. SDS sheets for anything specifically identified.

C. In the event of a fire emergency, the manager of the self-storage facility shall immediately provide the Division of Fire Prevention or the highest-ranking Fire Department Officer at the scene of a fire emergency with the list of items, as described herein, for any and all requested units on the premises. These lists shall be maintained by the manager of the self-storage facility on site at the facility and shall be available for inspection as required herein.

**SECTION 16.** Chapter 169, Fire Prevention, §169-19.2, Identifying emblems for lightweight construction, of the code of the Township of Parsippany-Troy Hills is hereby deleted and replaced in its entirety as follows

**§ 169-19.2. Identifying emblems for truss and lightweight construction.**

The following shall apply to any property consisting of engineered lumber or truss construction as outlined in N.J.A.C. 5:70-2.20.

For the purposes of this ordinance, engineered lumber shall be defined as:

**ENGINEERED LUMBER** — Prefabricated I-joists, truss joists, truss rafters, and other similar lightweight construction materials used to construct, renovate, or alter any section of a structure.

- A. Identifying emblems shall be permanently affixed to the front of structures with truss construction or engineered lumber.
  1. The emblem shall be of a bright and reflective color or made of reflective material. The shape of the emblem shall be an isosceles triangle and the size shall be 12 inches horizontally by six inches vertically. The following letters, of a size and color to make them conspicuous, shall be printed on the emblem;
    - a. “F” to signify a floor with truss construction or engineered lumber;
    - b. “R” to signify a roof with truss construction or engineered lumber;
    - c. “F/R” to signify both a floor and roof with truss construction or engineered lumber;
  2. The emblem shall be permanently affixed to the left of the main entrance door at a height between four and six feet above the ground and shall be installed and maintained by the owner of the building.
- B. Detached one- and two-family residential structures with truss construction or engineered lumber that are not part of a planned real estate development shall be exempt from the requirements of A, above.

- C. Individual structures and dwelling units with truss construction or engineered lumber that are part of a planned real estate development shall not be required to have an identifying emblem if there is an emblem affixed at each entrance to the development.
- D. Failure to comply. It shall be a violation of this section if the property owner fails to install the required emblem within 30 days following receipt of written notification from the program administrator.
- E. Violations and penalties. Any person convicted of violating a provision of this section shall be subject to a fine of not more than \$100.

**SECTION 17.** This Ordinance may be renumbered for codification purposes.

**SECTION 18.** If any section, paragraph, subsection, clause or provision of this Ordinance shall be held invalid by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any part thereof.

**SECTION 19.** All ordinances or parts of ordinances of the Township of Parsippany-Troy Hills heretofore adopted that are inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

**SECTION 20.** This Ordinance shall take effect immediately upon its final passage, approval and publication as provided by law.

The Notice for the Ordinance above was published in the Daily Record, the official newspaper of the Township of Parsippany-Troy Hills on April 25, 2019. This Ordinance was introduced at the April 16, 2019 Regular Meeting.

Motion to accept that Ordinance 2019:25 be heard in its second and final reading by title only, by Ms. Peterson, seconded by Ms. Gagnani.  
**ROLL CALL:** Yes- Mr. dePierro, Ms. Gagnani, Ms. McCarthy, Ms. Peterson, Mr. Carifi.

- a. PUBLIC HEARING 2019:25  
Motion to open the public hearing for Ordinance 2019:25 by Ms. Peterson, seconded by Ms. Gagnani.  
**ROLL CALL:** Yes- Mr. dePierro, Ms. Gagnani, Ms. McCarthy, Ms. Peterson, Mr. Carifi.

Motion to close the public hearing for Ordinance 2019:25 by Ms. Peterson, seconded by Ms. McCarthy.  
**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 Ms. Peterson, seconded by Ms. Gragnani.

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

7. **ORDINANCE 2019:26**

**AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, MORRIS COUNTY, NEW JERSEY AMENDING CHAPTER 4, ADMINISTRATION OF GOVERNMENT, OF THE CODE OF PARSIPPANY-TROY HILLS**

**WHEREAS**, the Township finds that it is in the best interests of the Township to revise the appointment provisions for the Knoll Country Club Golf Advisory Committee in order to improve the functionality of the Knoll Country Club Golf Advisory Committee of the Township.

**BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, IN THE COUNTY OF MORRIS, NEW JERSEY AS FOLLOWS:**

**SECTION 1.** Chapter 4, ADMINISTRATION OF GOVERNMENT , §4-38, Subsection B(10), Golf Advisory Committee, of the code of the Township of Parsippany–Troy Hills, is hereby amended as follows (additions are underlined and in bold typeface, and deletions are crossed out):

B(10). Golf Advisory Committee. There shall be a Knoll Country Club Golf Advisory Committee whose function shall be to provide independent advice to the Knoll Country Club Utility as to how to maximize the benefit of the Knoll Country Club to the citizens of the Township. The Golf Advisory Committee shall consist of 13 members who shall each serve for a term of three years without remuneration. One such member shall be a member of the Township Council and shall be appointed by the Council; ~~of the other~~ **remaining** 12 members, who shall hold no other Township office, **6 shall be appointed by the Council and 6** shall be appointed by the Mayor ~~with the advice and consent of the Council.~~

**SECTION 2.** If any section, paragraph, subsection, clause or provision of this Ordinance shall be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any part thereof.

**SECTION 3.** All ordinances or parts of ordinances of the Township of Parsippany-Troy Hills heretofore adopted that are inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

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

The Notice for the Ordinance above was published in the Daily Record, the official newspaper of the Township of Parsippany-Troy Hills on April 25, 2019. This Ordinance was introduced at the April 16, 2019 Regular Meeting.

Motion to accept that Ordinance 2019:26 be heard in its second and final reading by title only, by Ms. Gragnani, seconded by Mr. dePierro.

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

No- Ms. McCarthy, Ms. Peterson

a. **PUBLIC HEARING 2019:26**

Motion to open the public hearing for Ordinance 2019:26 by Ms. Gragnani, seconded by Mr. dePierro.

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

Motion to close the public hearing for Ordinance 2019:26 by Ms. Gragnani, seconded by Mr. dePierro.

**ROLL CALL:** Yes- Mr. dePierro, Ms. Gragnani, 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 Ms. Gragnani, seconded by Mr. dePierro.

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

No- Ms. McCarthy, Ms. Peterson,

**VI. NON-CONSENT AGENDA**

A. RESOLUTIONS

None

**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

1. **R2019-109\* Resolution of the Township Council of the Township of Parsippany-Troy Hills Authorizing Confirming the Appointment and Awarding a Contract for Professional Architectural Services to James Barrett Associates 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**, James Barrett Associates 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**, James Barrett Associates 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**, James Barrett Associates 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 James Barrett Associates LLC, 194 Forest Way, Essex Fells, NJ 07021 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.

**2. R2019-110\*Resolution of the Township of Parsippany-Troy Hills Authorizing and Awarding Contracts for Supplying Various Materials for the Municipal Utilities and Public Works**

**WHEREAS**, the Township of Parsippany-Troy Hills received bid proposals for Supplying Various Materials for the Municipal Utilities and Public Works on April 4, 2019, and

**WHEREAS**, the Director of Purchasing, Purchasing Assistant, Water Superintendent, Sewer Superintendent and Township Engineer have reviewed the bids received and recommend award to the lowest responsible bidders for the unit prices proposed as follows:

Capitol Supply Construction Products, Inc., 149 Old Turnpike Road, Wayne, NJ 07470 for Item #'s 2A, 2B, 2C, 2D, 3A, 3B, 3C, 3D, 3K, 3L, 4C, 5A, 5B, 5C, 5D, 6A, 6B, 6C, 6D, 11A, 11B, 11C, 11D, 11E, 11F, 11G, 11H, 11I, 12F, 14CB, 14CD & 14CE.

Core and Main LP, 61 Gross Avenue, Edison, NJ 08837 for Item #'s 3H, 3I, 3J, 13CA, 13CB, 13CD, 13CE, 14CA, 14CC, 14CF, 14CG, 14CH, 19A, 19B, 19C, 20A, 20B & 20C.

Raritan Group Inc., 301 Meadow Road, Edison, NJ 08817 for Item #'s 7B, 8AA, 10AC, 10AD, 10AE, 12A, 12B, 12C, 12D, 12E, 14AA, 14AB, 14AC, 14AD, 14AE, 14AF, 14AG, 14AH, 14AI, 14AJ, 14BA, 14BC & 14BE.

Water Works Supply Company, Inc., 660 State Highway 23, PO Box 306, Pompton Plains, NJ 07444 for Item #'s 1AA, 1AB, 1AC, 1AD, 1BA, 1BB, 1BC, 1BD, 1BE, 1BF, 1BG, 1BH, 1BI, 1BJ, 2E, 3E, 3F, 3G, 4A, 4B, 4D, 4E, 4F, 7A, 8AB, 8AC, 9A, 9B, 10AA, 10AB,

10BA, 10BB, 10BC, 10BD, 11J, 13AA(4”), 13AB(4”), 13AC(4”), 13AD(4”), 13AA(6”), 13AB(6”), 13AC(6”), 13AD(6”), 13AA(8”), 13AB(8”), 13AC(8”), 13AD(8”), 13AA(10”), 13AB(10”), 13AC(10”), 13AD(10”), 13AA(12”), 13AB(12”), 13AC(12”), 13AD(12”), 13BA(4”), 13BB(4”), 13BC(4”), 13BD(4”), 13BA(6”), 13BB(6”), 13BC(6”), 13BD(6”), 13BA(8”), 13BB(8”), 13BC(8”), 13BD(8”), 13BA(10”), 13BB(10”), 13BC(10”), 13BD(10”), 13BA(12”), 13BB(12”), 13BC(12”), 13BD(12”), 13CC, 14BB & 14BD.

Univar USA, Inc., 200 Dean Sievers Place, Morrisville, PA 19067 for Item # 15A.

ZC Utility Services LLC, d/b/a Carner Brothers, 10 Steel Court, Roseland, NJ 07068 for Item #'s 16A, 16B, 16C, 16D & 16E.

BioSafe Systems, LLC, 22 Meadow Street, East Hartford, CT 06108 for Item #'s 17A & 17B.

USALCO Baltimore Plant, LLC, 2601 Cannery Avenue, Baltimore, MD 21226 for Item # 18.

East Trading West Investments LLC, 200 South Jefferson Street, Orange, NJ 07050 for Item # 21.

Warshauer Electric Supply Co., 800 Shrewsbury Avenue, Tinton Falls, NJ 07724 for Item #'s 24A, 24B, 24C, 24D, 24E, 24F, 24G, 24H, 24I, 24J, 24K, 24L, 24M, 24N, 24O, 24P, 24Q, 24R, 23S, 24T, 24U, 24V & 24W.

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

“2019 Budget/Water, Sewer & Public Works O.E.”.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Parsippany-Troy Hills that the bids for Supplying Various Materials for the Municipal Utilities and Public Works 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 hereby authorized to execute the contracts.

**3. R2019-111\*Resolution of the Township Council of the Township of Parsippany-Troy Hills Authorizing Award of a Contract to Pabco Industries, LLC for Paper Leaf Bags**

**WHEREAS**, the Township of Parsippany-Troy Hills received a bid proposal for Paper Leaf Bags on April 18, 2019, and

**WHEREAS**, the Director of Purchasing, Purchasing Assistant and Director of Public Works have reviewed the bid received and recommend that a contract be awarded to the lowest responsible bidder, Pabco Industries, LLC, 166 Frelinghuysen Avenue, Newark, NJ 07114 for the unit price per 1000 bags (without printing) of \$418.60, and

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

“2019 Budget/Sanitation & Recycling Other Expenses.”

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Parsippany-Troy Hills that the bid for Paper Leaf Bags 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.

**4. R2019-112\*Resolution of the Township Council of the Township of Parsippany-Troy Hills Authorizing the Execution of an Agreement for Fireworks Display Services to Intranational Fireworks Mfg. Co. for a Total Price of \$25,000.00**

**WHEREAS**, the Township wishes to have a fireworks show for its residents for the Fourth of July; and

**WHEREAS**, although it is not required for Extraordinary Unspecifiable Services, the Township advertised for Proposals from parties interested in providing Fireworks Display Services; and

**WHEREAS**, the Director of Purchasing, Purchasing Assistant and Recreation Department have reviewed the proposal received and recommend that a contract be awarded to International Fireworks Mfg. Co., 242 Sycamore Rd., Douglassville, PA 19518 for the fireworks display description proposed for a total price of \$25,000.00; and

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

“2019 Budget/Recreation O/E.”

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

- (1) The Township of Parsippany-Troy Hills hereby awards and authorizes the Mayor and Township Clerk to execute the agreement with International Fireworks Mfg. Co., 242 Sycamore Rd., Douglassville, PA 19518 for Fireworks Display Services; and
- (2) This contract shall be awarded pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20.5 et seq. and without competitive bid as “Extraordinary Unspecifiable Services” in accordance with N.J.S.A. 40A:11-5(1)(a).

**5. R2019-113\*Resolution of the Township of Parsippany-Troy Hills Authorizing the Township to Submit an Application for 2019 Community Development Block Grant Funding**

**WHEREAS**, the Township of Parsippany-Troy Hills is eligible to receive Federal funds available through the Department of Housing and Urban Development; and

**WHEREAS**, a Consolidated Plan for FY 2015-2019 was developed along with FY 2015, FY 2016, FY 2017 and FY 2018 Annual Action Plans in compliance with 24 CFR Parts 91, 92, 570, 574, 576 and 968; and

**WHEREAS**, the U.S. Department of Housing and Urban Development requires certain certifications to be submitted along with and as part of the Consolidated Plan Submission; and

**WHEREAS**, pursuant to government regulations the Township of Parsippany-Troy Hills has prepared the required submission to apply for Community Development Block Grant funds for fiscal year 2019, and

**WHEREAS**, the Township has developed an Annual Plan for FY 2019 for the use of the Community Development Block Grant funds which was available for public review for a 30 day period; and

**WHEREAS**, the Township of Parsippany-Troy Hills has been a member of the Morris County Consortium participating in HOME Investment Partnership Program activities since 1994.

**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, being the governing body thereof, as follows:

1. The Mayor of the Township of Parsippany-Troy Hills is hereby authorized to submit the application for Community Development Funding, including all understandings and assurances contained therein, to utilize to the fullest extent of funding allowed and determined by the Department of Housing and Urban Development, under the Housing and Community Development Act of 1974, as amended, and to act as the authorized representative of the Township of Parsippany-Troy Hills and to provide such additional information as may be required.
2. The Mayor and other appropriate and responsible officials are hereby authorized and directed to execute on behalf of the Township such certification or certifications as may be required under the Rules and Regulations of the U.S. Department of Housing and Urban Development.
  6. **R2019-114\*Resolution of the Township Council of the Township of Parsippany-Troy Hills Certifying Volunteer First Aid, Rescue and Recovery and Ambulance Squads as Being Qualified for Emergency Medical Service Programs**

**WHEREAS**, N.J.S.A. 27:5F-27 requires the governing body of a municipality to certify individuals, ambulances and ambulance equipment of volunteer first aid, rescue and recovery, and ambulance squads as being qualified for emergency medical service programs; and

**WHEREAS**, volunteer first aid, rescue and recovery, and ambulance squads in the Township of Parsippany-Troy Hills, as listed below, have notified the Township Council that certain individuals have qualified for membership and that the ambulance equipment meets standards pursuant to statutory requirements.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Parsippany-Troy Hills that pursuant to and in accordance with N.J.S.A. 27:5F-27, it hereby certifies the individuals, ambulances and ambulance equipment set forth on the lists provided to the Township as being qualified for emergency medical service programs.

**PARSIPPANY RESCUE & RECOVERY UNIT INC.  
ROCKAWAY NECK FIRST AID SQUAD**

- 7. R2019-115\*Resolution by the Township Council of the Township of Parsippany-Troy Hills Authorizing an Agreement with the New Jersey Blue Collar Association, Local 1 Relative to Wages, Benefits and Working Conditions**

**WHEREAS**, the Township of Parsippany-Troy Hills and the New Jersey Blue Collar Association, Local 1 have conducted negotiations concerning wages, benefits and working conditions for a four-year period commencing January 1, 2019 and ending on December 31, 2022; and

**WHEREAS**, a written agreement incorporating the agreed upon terms of the negotiation has been approved by representatives of the Township and the New Jersey Blue Collar Association, Local 1; and

**WHEREAS**, members of the New Jersey Blue Collar Association, Local 1 have ratified the terms included in the agreement.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Parsippany-Troy Hills that it does hereby approve the terms of the above-referenced agreement by and between the Township of Parsippany-Troy Hills and the New Jersey Blue Collar Association, Local 1 and authorizes the Mayor and Township Clerk to enter into a Collective Bargaining Agreement for the January 1, 2019 through December 31, 2022 period.

- 8. R2019-116\*Resolution of the Township Council of the Township of Parsippany-Troy Hills Authorizing an Agreement with the New Jersey Department of Transportation for the Protection, Relocation or Adjustment of Township Water Utility Facilities Along Route 53, Pondview to Hall Avenue**

**WHEREAS**, the State of New Jersey, Department of Transportation (“NJDOT”) is undertaking a project to design and construct improvements entitled Route 53 Pondview Road to Hall Avenue, Contract ID No. 19-16061 (the “Project”), a portion of which shall occur within the Township of Parsippany-Troy Hills (the “Township”); and

**WHEREAS**, the Project may require the protection, relocation or adjustment of facilities of the Township's existing water system, which is operated by the Township of Parsippany-Troy Hills Water Utility (the "Utility"); and

**WHEREAS**, NJDOT and the Township have entered into negotiations regarding the Project and work required of the Utility to protect, relocate and/or adjust its facilities, which negotiations have resulted in an agreement; and

**WHEREAS**, the parties propose to reduce their agreement to writing in a form acceptable to the Township Attorney; and

**WHEREAS**, the agreement shall require that NJDOT, at its sole cost and expense, shall contract for and cause to be constructed all items indicated in NJDOT's contract plans and specifications for the Project and relating to existing and proposed facilities owned and operated by the Township through the Utility; and

**WHEREAS**, NJDOT shall authorize and reimburse the Utility for its actual costs for design, review, approval and inspection for the protection, relocation or adjustment of its existing facilities necessary to accomplish the Project; and

**WHEREAS**, the Utility's preliminary engineering design costs for correspondence, meetings and exchanges of engineering information shall be eligible for reimbursement and NJDOT shall accept billing of said costs following the execution of the aforementioned agreement.

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

1. The aforesaid recitals are hereby adopted and incorporated herein as if repeated in full; and
2. The Mayor and Township Clerk be and hereby are authorized to execute and attest, respectively, an agreement with the State of New Jersey Department of Transportation for the protection, relocation or adjustment of existing Township Water Utility facilities necessary to accomplish the project entitled Route 53 Pondview Road to Hall Avenue, Contract ID No. 19-16061, which agreement shall expressly incorporate the terms and conditions set forth herein, and shall be in a form acceptable to the Township Attorney; and
3. The Mayor and Township Administration be and hereby are authorized to take all reasonable and necessary actions to effectuate the same.

**9. R2019-117\*Resolution of the Township Council of the Township of Parsippany-Troy Hills Granting a Major Soil Moving Permit to ISKCON Temple: Block 726, Lot 12.01**

**WHEREAS**, Radha Krishna (ISKCON) Temple has applied to the Township of Parsippany-Troy Hills to move approximately 8,629 cubic yards of material as part of the proposed work at, **Block 726, Lot 12.01, 170-180 Troy Road**; and

**WHEREAS**, the Zoning Board of Adjustment considered this application at its meeting of February 6, 2019 and recommends approval to the Township Council; and

**WHEREAS**, the application has been reviewed by Justin Lizza, Municipal Engineer, and his recommendations have been memorialized in a memorandum to the Township Clerk dated March 26, 2019;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Parsippany-Troy Hills that it does hereby grant a major soil moving permit to Radha Krishna (ISKCON) Temple for the moving of approximately 8,629 cubic yards of material as part of the proposed work at, **Block 726, Lots 12.01, 170-180 Troy Road**, subject to the following terms and conditions:

1. The applicant shall comply with all the recommendations and requirements included in the memorandum from Justin Lizza, Municipal Engineer, dated March 26, 2019.
2. The applicant shall comply with the recommendations and requirements stipulated by the Zoning Board of Adjustment at its meeting of February 6, 2019.
3. All inspection fees and performance guarantees shall be paid prior to the issuance of the permit.

B. APPLICATIONS

**1. R2019-118\*Resolution of the Township Council of the Township of Parsippany-Troy Hills Authorizing a Place-to-Place Transfer of Plenary Retail Consumption License for Hanover Hospitality Corp.**

**WHEREAS**, an application has been filed for a Place-to-Place Transfer of Plenary Retail Consumption License Number 1429-33-018-010, heretofore issued to Hanover Hospitality Corp. for premises located at 210 Hudson Street, Suite 400, Jersey City, New Jersey 07311; 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

**NOW, THEREFORE, BE IT RESOLVED** that the Township of Parsippany-Troy Hills Council does hereby approve, effective May 14, 2019, the place-to-place transfer of the aforesaid Plenary Retail Consumption License from its former location at 210 Hudson Street, Suite 400, Jersey City, New Jersey 07311 to 10 Dryden Way, Parsippany, New Jersey 07054 and does hereby direct the Municipal Clerk to endorse the license certificate to the new ownership as

follows: “This license, subject to all its terms and conditions, is hereby transferred to premises located at 10 Dryden Way, Parsippany, New Jersey 07054, effective May 14, 2019.

**2. R2019-119\*Resolution of the Township Council of the Township of Parsippany-Troy Hills Approving the Applications for Licenses to Operate a Shelter and Pet Store**

**BE IT RESOLVED** by the Township Council of the Township of Parsippany-Troy Hills that the following applications for a license to operate a shelter and a pet store be approved for the licensing term of July 1, 2019 through June 30, 2020.

SHELTER: Parsippany Animal Shelter  
1069 Parsippany Blvd.  
Parsippany, NJ 07054

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

A. CFO Ann Cucci recommends authorization for payment:

1. Authorize payment of the April 19, 2019 regular and miscellaneous payroll estimated at \$1,600,000
2. Payment of bills from voucher list 03/18/19 – 03/28/19 totaling \$2,709,017.96  
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: **1. Contract Negotiations Morris County Municipal Utilities Authority-Water Supply Agreement 2. Potential Litigation: Aptive 3. Attorney Client Privileged-Affordable Housing Settlement Update 4. Attorney Client Privileged – Carifi Litigation**

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

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

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

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

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

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

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**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,

Respectfully submitted,

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Khaled Madin, Township Clerk

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Paul Carifi, Jr. Council President

Minutes Approved: June 25, 2019