

COUNCIL MINUTES

TOWNSHIP OF PARSIPPANY-TROY HILLS REGULAR TOWNSHIP COUNCIL MEETING OF JANUARY 21, 2020

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 18, 2019 where it has remained posted since that date. A legal notice appeared in the Daily Record and the Newark Star Ledger on December 23, 2019 and was forwarded by fax to other local newspapers on December 18, 2019.

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

Ms. Gragnani stated a correction for the record under upcoming meetings that the regular meeting is on 1/21/20 at 7:00PM and not 1/22/20.

The council reviewed the agenda:

D. UPCOMING MEETINGS:

- | | |
|------------------------|-----------------|
| 1. 2/4/20 @ 7:00 p.m. | Agenda Meeting |
| 2. 2/18/20 @ 7:00 p.m. | Regular Meeting |

E. APPROVAL OF MINUTES

1. Regular Meeting – 12/17/19
2. Reorganization Meeting – 1/7/20
3. Agenda Meeting – 1/7/20

Motion to approve the minutes above by Mr. Carifi, seconded by Ms. Gragnani.

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

II. PRESENTATION(S)/REPORTS

- A. MAYOR – no report
- B. TOWNSHIP COUNCIL – no report
- C. TOWNSHIP ATTORNEY – no report
- D. BUSINESS ADMINISTRATOR – no report
 - 1. Presentation by Direct Development
- E. TOWNSHIP CLERK – no report

F. TOWNSHIP OFFICES COMMITTEES/REPORTS – Ms. Gragnani stated that some of the business in town are already implementing the plastic bag ordinance. Ms. Gragnani inquired if any letters were sent out to residents or business regarding the plastic ban. Ms. Gragnani recommended that a proactive approach be taken such as a town meeting etc in order to explain to the residents regarding implementation. Also Ms. Gragnani stated that the Council does not have any copies of the Master Plan and if they could have copies.

III. BIDS

- A. Taken
- B. To Be Taken
 - 1. 1/22/20 – Knoll West Country Club Irrigation System Replacement – Rebid
 - 2. 1/30/20 – New “One Boat” (1660 CB) or Approved Equivalent for Two Rescue Boats, Trailer, and Accessories for the Parsippany Rescue and Recovery Squad
- C. Quotation(s)/Proposal(s)/Qualification(s)
 - 1. Consulting Services on behalf of the Township of Parsippany-Troy Hills Police Department for Obtaining Accreditation by the New Jersey State Association of Chiefs of Police

IV. PUBLIC HEARING

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

Mary Pat, wanted to propose a new zoning definition called Accessory Dwelling Use which allows a secondary living unit to be placed on property.

Mary Purzycki, thank the Township for taking the signs away by Waterview. Ms. Purzycki stated that there a lot of property maintenance ordinances that are being violated and not being enforced. Regarding the accessory dwelling unit recommendation, Ms. Purzycki stated that the township is already having trouble enforcing ordinances in effect. To do this would mean more ordinances.

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

V. ORDINANCES

A. INTRODUCTION

1. ORDINANCE 2020:01

AN ORDINANCE AMENDING ORDINANCE #2019:29 ENTITLED AN ORDINANCE ESTABLISHING WHITE COLLAR SALARY RANGES FOR 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 **January 21, 2020** and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on **February 4, 2020** 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. Gragnani.

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

2. **ORDINANCE 2020:02**

AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, COUNTY OF MORRIS, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 290, PARKS RECREATION AREAS AND PUBLIC LANDS, ARTICLE I, MOTOR VEHICLES; FEES, SECTION 290-4, KNOLL COUNTRY CLUB UTILITY FEES AND CHAPTER A445, FEES COMPILATION, SECTION A445-37, KNOLL COUNTRY CLUB UTILITY, OF THE CODE OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS IN THE COUNTY OF MORRIS, NEW JERSEY

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 **January 21, 2020** and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on **February 4, 2020** at 7:00 p.m., prevailing time, or as soon thereafter as the matter may be reached, at the Municipal Building in said Township, at which time all persons interested shall be given an opportunity to be heard concerning said Ordinance.

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

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

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

3. **ORDINANCE 2020:03**

BOND ORDINANCE RE-APPROPRIATING \$250,000 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSE IN ORDER TO PROVIDE FOR OTHER EXPENSES TO THE KNOLL WEST CLUBHOUSE BUILDING AT THE GOLF AND RECREATIONAL UTILITY IN AND BY THE TOWNSHIP OF PARSIPPANY-TROY HILLS, IN THE COUNTY OF MORRIS, NEW JERSEY

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 **January 21, 2020** and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on **February 18, 2020** 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. Carifi, seconded by Ms. Gragnani.

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

4. **ORDINANCE 2020:04**

BOND ORDINANCE PROVIDING FOR THE REPLACEMENT OF THE IRRIGATION SYSTEM AT THE KNOLL WEST GOLF COURSE AT THE GOLF AND RECREATIONAL UTILITY IN AND BY THE TOWNSHIP OF PARSIPPANY-TROY HILLS, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING \$400,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$400,000 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING 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 **January 21, 2020** and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on **February 18, 2020** 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. Carifi, Ms. Gragnani, Ms. McCarthy, Ms. Peterson, Mr. dePierro

B. SECOND READING & PUBLIC HEARING

None

VI. NON-CONSENT AGENDA

A. RESOLUTIONS

1. **R2020-045 Resolution of the Township of Parsippany-Troy Hills, in the County of Morris, New Jersey Authorizing an Emergency Temporary Appropriation Pursuant to N.J.S.A. 40A-20 in the Amount of \$1,350,000 to Fund the Settlement of a Litigated Matter**

WHEREAS, an emergency has arisen requiring the emergency temporary appropriation of funds of the Township of Parsippany-Troy Hills, in the County of Morris, New Jersey (the “Township”), in the amount of \$1,350,000 to provide for the settlement of an ongoing litigated matter involving the Township; and

WHEREAS, the Township had previously adopted resolution R2019-247 on December 17, 2019 (the “December Resolution”) for an emergency appropriation in the amount of \$981,598 (the “December Appropriation”) in order to partially fund the settlement of this same litigated matter; and

WHEREAS, due to ongoing settlement negotiations the Township did not fund the December Appropriation, and has determined to rescind the December Resolution hereby, and the December Resolution shall have no further force and effect;

NOW THEREFORE BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, IN THE COUNTY OF MORRIS, NEW JERSEY (by not less than two-thirds of the full membership of the governing body affirmatively concurring) as follows:

Section 1. The Township hereby authorizes and approves an emergency temporary appropriation pursuant to N.J.S.A. 40A:4-20 in the amount of \$1,350,000 to fund the settlement of a litigated matter on behalf of the Township.

Section 2. The emergency temporary appropriation provided for herein is necessary in order to meet a pressing need for public expenditures to protect or promote the public health, safety, morals or welfare of the inhabitants of the Township.

Section 3. As required by N.J.S.A. 40A:4-20, the chief financial officer of the Township shall send a certified copy of this resolution to the Director of the Division of Local Government Services.

Section 4. The emergency temporary appropriation herein shall be provided for by provision in the 2020 Township budget, or if not provided for in the budget by adoption of a bond ordinance prior to the adoption of the 2020 Township budget,.

Section 5. The December Resolution, as defined herein, is hereby rescinded and shall be of no further force and effect.

Section 6. This resolution shall take effect immediately.

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

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

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 Ms. Gragnani, seconded by Mr. Carifi.

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

A. RESOLUTIONS

1. R2020-041*Resolution of the Township Council of the Township of Parsippany-Troy Hills Authorizing the Cancellation and Refund of Property Taxes for Block 524, Lot 9 – 100% Permanently Disabled Veteran

WHEREAS, N.J.S.A. 54:4-3.30 exempts 100% permanently and totally disabled veterans or surviving spouses of veterans from the payment of real estate taxes; and

WHEREAS, Andrew F. and Maria E Wissner, husband and wife, are the owners of the residential property assessed as Block 479, Lot 11, having an address of 15 Union Road and purchased on January 1, 1984 and

WHEREAS, Andrew F. Wissner has been certified by the Department of Veterans Affairs as a 100% permanently and totally wartime service connected disabled veteran effective November 20, 2019 and

WHEREAS, Andrew F. Wissner submitted a 100% disabled veteran exemption application with the Tax Assessor's office December 18, 2019 and the for the past 30 years the municipality has exempted residential properties for the year or partial year that the veteran applied for the exemption,

NOW, THEREFORE, BE IT RESOLVED by the Township of Parsippany-Troy Hills that the 2019 real estate taxes on the above parcel are hereby exempt/canceled for the period November 20, 2019 through December 31, 2019; and

BE IT FURTHER RESOLVED that said 2019 taxes *paid* for the period from November 20, 2019 to December 31, 2019 be refunded to the owner of the property.

2. R2020-042*Resolution of the Township Council of the Township of Parsippany-Troy Hills Authorizing the Release of a Performance Guarantee-Wawa Inc., Block 767, Lot 29.02

WHEREAS, Wawa Inc. posted a performance guarantee in the form of a Performance Bond, No. 106756544, issued by Travelers Casualty and Surety Company in the amount of \$49,933 with the Township of Parsippany-Troy Hills, County of Morris, State of New Jersey in connection with the project located at Aida Court; and

WHEREAS, Justin Lizza, Municipal Engineer, recommended in an interoffice memorandum, dated December 18, 2019 that said performance bond be released as the site work has been satisfactorily completed.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Parsippany-Troy Hills, County of Morris and State of New Jersey that Performance Bond, No. 106756544 posted by **Wawa Inc.**, be and the same are hereby released.

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

B. APPLICATIONS

1. R2020-043*2020 Renewal of Licenses – Amusement Games, Entertainment, Taxi/Limo, Tourist Accommodations-Part III

BE IT RESOLVED by the Township Council of the Township of Parsippany-Troy Hills that the following Licenses be renewed for the year 2020:

TOURIST ACCOMMODATIONS

NUMBER OF ROOMS

2. R2020-044*Resolution of the Township Council of the Township of Parsippany-Troy Hills Authorizing Person-to-Person Transfer of Plenary Retail Distribution License for Hanover Hospitality Corp. from Vega Cook, Inc.

WHEREAS, an application has been filed for a Person-to-Person Transfer of Plenary Retail Distribution License Number 1429-33-025-005 for Vega Cook, Inc. to Hanover Hospitality Corp. and

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

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

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

NOW, THEREFORE, BE IT RESOLVED that the Township of Parsippany-Troy Hills Council does hereby approve, effective January 21, 2020, the Person-to-Person Transfer of the aforesaid Plenary Retail Distribution License #1429-33-025-005.

VIII. APPROVAL OF PAYROLL AND BILLS LIST

- A. CFO Ann Cucci recommends authorization for payment:
 - 1. Authorize payment of the January 24, 2020 regular and miscellaneous payroll estimated at \$1,600,000
 - 2. Payment of bills from voucher list of 2/1/20 through 2/3/20 is \$1,407,450.78

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

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

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: **Union Contract Negotiations; Attorney/Client Privilege: Carifi Litigation; Memorandum of Understanding with Homeless Solutions, Inc.; Potential Litigation: Corvelli Property; Litigation: NJ Brain and Spine Center**

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

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

Motion to Adjourn into Closed Session by Ms. Peterson, Seconded By Ms. Gragnani.

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

Motion to Reconvene into Open Session by Mr. Carifi, Seconded By Mrs. Gragnani

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

X. ADJOURNMENT

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

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

Respectfully submitted,

Khaled Madin, Township Clerk

Michael J. dePierro, Council President

Minutes Approved: February 4, 2020