

COUNCIL MINUTES
TOWNSHIP OF PARSIPPANY-TROY HILLS
REGULAR TOWNSHIP COUNCIL MEETING OF MAY 19, 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.

D. UPCOMING MEETINGS:

- | | |
|------------------------|-----------------|
| 1. 6/9/20 @ 7:00 p.m. | Agenda Meeting |
| 2. 6/23/20 @ 7:00 p.m. | Regular Meeting |

E. APPROVAL OF MINUTES

1. Agenda Meeting – 3/3/20
2. Agenda Meeting – 4/7/20

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 – We are continuing as a township to do mobile food delivers. We started at the PAL but we outgrew it so we have moved to the Liquid Church as they have a very large parking lot. This past Friday we provided meals for 340 families. We will not have our traditional Memorial Day celebrations as a result of COVID 19 but we will find a way to honor the men and women that have sacrificed their lives for our country. We will be doing a virtual video session at Veterans Park for Memorial Day. The Mayor thanked the team at Town Hall for all their hard work in putting the 2020 budget together; we had to make difficult decisions and even reviewed options that could have resulted in lay-offs and furloughs. After many meetings and discussions we arrived at a good budget that will not result in furloughs or lay-offs.
- B. TOWNSHIP COUNCIL-no report
- C. TOWNSHIP ATTORNEY – no report
- D. BUSINESS ADMINISTRATOR - As of today we had 709 reported cases from our Health Department and 75 deaths, 32 of whom passed away at home and 43 that passed away at long term care facilities in the Township. The State is beginning to slowly re-open with nonessential construction being allowed to take place throughout the State of New Jersey. Our Building Department will be reopening on Tuesday for construction. For the rest of Township Employees, we are looking to transition back to full staff on June 8th. We are still awaiting a decision on summer camps from the State. Regarding the municipal budget I want to thank everyone for helping to put the budget together.
- E. TOWNSHIP CLERK – discussed the upcoming meeting dates for the budget. Stated that the budget will be introduced today and adopted on June 16th.
- F. TOWNSHIP OFFICES COMMITTEES/REPORTS – no report

III. BIDS

- A. Taken
- B. To Be Taken
 - 1. 5/20/20 – Well Drilling & Installation Services – Replacement Production Well 1A-R
 - 2. 5/21/20 – Construction, Development and Testing of Replacement Test Well 20R
 - 3. 5/22/20 – Supply of Mannich Polymer for the Wastewater Treatment Plant

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

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 Gragnani followed by a roll call with all the Council Members answering Yes.

Ken Dolsky, 21 Winfield Drive:

Thank you for implementing this conferencing system so that we can have real time interactions.

I have been following the Parsippany numbers for confirmed cases of Covid 19 on the Morris County web site as I am certain you are. As of yesterday we have 704 and the average rate of new cases per day for the past two weeks was about 5.5, While this rate is much better than what we saw in April and early May, it seems to be persistent.

At the 4/21 meeting my question about occupational information on these cases was glossed over by Mr. Kazmark under the broad category of HIPPA. (I have no feedback on anything from the 5/3 meeting). I understand the HIPPA laws prevent release of certain information about individuals and would like to know if this includes occupational or behavioral information about groups of people (not individuals). Clearly HIPPA allows release of information on groups such as age, gender and race. Residents should be told what they can about these cases in terms of types of residences (group living), occupations that may be risky such as healthcare workers, police, fire and other first responders and workers in high volume locations such as food stores and pharmacies. Other useful information would be behavioral, such as if some of these people are commuting to NY.

Mr. Kazmark, does HIPPA law prevent disclosing any or all information on types of residences, occupations and behavior? If not, can any of this information be obtained from the Parsippany Health Department and provided to residents?

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. BUDGET

A. INTRODUCTION

1. ORDINANCE 2020:18

CALENDAR YEAR 2020 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)

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 19, 2020** and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on **June 9, 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. McCarthy.

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

B. RESOLUTIONS

1. R2020-117 Self-Examination of Budget Resolution

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Township of Parsippany-Troy Hills has been declared eligible to participate in the program by the Division of Local government Services, and the Chief Financial officer

has determined that the local government meets the necessary conditions to participate in the program for the 2020 budget year.

NOW THEREFORE BE IT RESOLVED by the governing body of the Township of Parsippany-Troy Hills that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes.

2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).

3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.

4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate and correctly stated,
 - b. Items of appropriation are properly set forth
 - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.

5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.

6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

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

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

2. R2020-118 2020 Municipal Budget Introduction

BE IT RESOLVED, by the Mayor and Township Council of the Township of Parsippany – Troy Hills, in the County of Morris, State of New Jersey as follows:

1. Pursuant to N.J.S.A. 40A:4-4, the 2020 budget and tax resolution, a copy of which is on file in the Office of the Parsippany – Troy Hills Chief Financial Officer, is introduced and approved.
2. The Parsippany – Troy Hills Chief Financial Officer, the Business Administrator, Legal Counsel and the Municipal Clerk of the Township are authorized to take any necessary actions for the consideration of the adoption of the 2020 budget and tax resolution by the Mayor and Township Council at the meeting of June 9, 2020 at 7:00 p.m.
3. Notice is hereby given that a hearing on the budget and tax resolution will be held at Parsippany on June 9, 2020 at 7:00 p.m. at which time and place objections to said budget and tax resolution for the year 2020 may be presented by taxpayers or other interested persons.

Total of General Appropriations	\$ 76,333,905.78
Less: Anticipated Revenue	\$ 24,882,355.16
Less: Municipal Library Tax	<u>\$ 2,902,703.00</u>
Amount to be raised by taxation	<u>\$ 48,548,847.62</u>

4. A copy of the 2020 budget and tax resolution is on file in the Office of the Municipal Clerk.
5. The Municipal Clerk is authorized to forward a certified copy of the 2020 budget and tax resolution to the Morris County Board of Taxation for utilization in the County's abstract of ratables.
6. The within resolution shall take effect immediately.

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

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

VI. ORDINANCES

A. INTRODUCTION

B. SECOND READING & PUBLIC HEARING

VII. NON-CONSENT AGENDA

A. RESOLUTIONS

1. **R2020-119 Urging Governor Murphy to Permit In-Person Graduation Ceremonies Subject to Adequate Social Distancing Measures**

WHEREAS, on March 16, 2020, Governor Phil Murphy signed Executive Order No. 104 (EO 104), implementing aggressive social distancing measures to mitigate further spread of COVID-19 in New Jersey. Among other directives, EO104 indefinitely closed all public, private and parochial preschools and elementary and secondary schools to students beginning on March 18, 2020; and

WHEREAS, Administrative Order No. 2020-4 from Colonel Patrick J. Callahan, State Director of Emergency Management clarified that Executive Order No. 107 (EO 107), signed on March 21, 2020, prohibits gatherings of individuals for parties, celebrations, and other social events, which includes all in-person graduation ceremonies; and

WHEREAS, the Township Council understands how incredibly disappointing it is to students, teachers and families will miss out on milestone like in-person graduation ceremonies; and

WHEREAS, the Township Council urges Governor Murphy to permit local school districts to collaborate with local public health agencies to permit in-person graduation ceremonies subject to adequate social distancing measures; and

WHEREAS, in lieu of in-person graduation ceremony, the Township Council encourages the Parsippany-Troy Hill Board of Education to the consider virtual graduation ceremonies or other means to celebrate graduating seniors.

NOW THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Parsippany-Troy Hills, in the County of Morris, and State of New Jersey, that the Township Council hereby urges Governor Murphy to permit local school districts to collaborate with local public health agencies to permit in-person graduation ceremonies subject to adequate social distancing measures.

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

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

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

VIII. 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. Carifi, seconded by Ms. Peterson.

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

A. RESOLUTIONS

1. **R2020-103*Authorizing an Agreement with County of Morris for the Continuation of a Consortium to Conduct the Home Investment Partnership Program**

WHEREAS, certain Federal funds have been available to Morris County under Title II of the National Affordable Housing Act of 1990; and

WHEREAS, the U.S. Department of Housing and Urban Development requires an agreement to allow the Township of Parsippany-Troy Hills to join the County of Morris in a Consortium in order to participate in the HOME Investment Partnership Program; and

WHEREAS, the three – year renewal period for the Agreement forming the Consortium for the purpose of the HOME Investment Partnership Program is subject to renewal; and

WHEREAS, the new term for the renewal is Fiscal Years 2021, 2022 and 2023 and the County proposes a self-renewing agreement for subsequent three-year terms until such time as the Township or the County choose to dissolve the Consortium; and

WHEREAS, the Uniform Shared Services and Consolidation Act (N.J.S.A. 40A:65-1 et seq.) provides a mechanism through which the urban county and a municipality may enter into agreements for the provision of joint services; and

WHEREAS, it is in the best interest of the Township of Parsippany-Troy Hills to enter into such an agreement;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Parsippany-Troy Hills, that the agreement between the County of Morris in the State of New Jersey and the Township of Parsippany-Troy Hills in the State of New Jersey to form a Consortium to conduct HOME Investment Partnership activities be approved, and that the Mayor and Township Clerk are authorized to execute the agreement, a copy of which is on file in the Office of the Director of Purchasing; and

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon its enactment.

2. R2020-104*Contract for Well Redevelopment Services and Pumping System Replacements for Wells

WHEREAS, the Township of Parsippany-Troy Hills received bid proposals for Well Redevelopment Services – Wells 1A; 9; 8-1; 8-2 and 8-3, and Pumping System Replacements for Wells 9; 8-1; 8-2 and 8-3 on April 22, 2020, and

WHEREAS, the Director of Purchasing, Purchasing Assistant, Water Superintendent and Consulting Engineer have reviewed the bids received and recommend that a contract be awarded to the lowest responsible bidder, William Stothoff Company, 110 River Road, Flemington, NJ 08822 for the Total Bid Price for Well 1A (Sum of Items 1 – 8) of \$55,960.00, the Standby Time – Hourly Rate for Well 1A of \$400.00, the Total Bid Price for Well 9 (Sum of Items 1 – 8) of \$106,820.00, the Standby Time – Hourly Rate for Well 9 of \$400.00, the Total Bid Price for Well 8-1 (Sum of Items 1 – 7) of \$69,140.00, the Standby Time – Hourly Rate for Well 8-1 of \$400.00, the Total Bid Price for Well 8-2 (Sum of Items 1 – 9) of \$77,530.00, the Standby Time – Hourly Rate for Well 8-2 of \$400.00, the Total Bid Price for Well 8-3 (Sum of Items 1 – 9) of \$77,970.00 and the Standby Time – Hourly Rate for Well 8-3 of \$400.00, and

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

Water Capital Ordinance #: 2019:70 adopted January 16, 2020, entitled,

“Various Improvements”.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Parsippany-Troy Hills that the bid for Well Redevelopment Services – Wells 1A; 9; 8-1; 8-2 and 8-3, and Pumping System Replacements for Wells 9; 8-1; 8-2 and 8-3 be awarded as stated above in accordance with the terms and conditions contained in the advertising specifications and that the Mayor and Township Clerk are authorized to execute the contract.

3. R2020-105*Contract for 2020 Road Resurfacing/Curb & Sidewalk Program

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WHEREAS, the Township of Parsippany-Troy Hills received bid proposals for 2020 Road Resurfacing/Curb & Sidewalk Program on April 23, 2020, and

WHEREAS, the Director of Purchasing, Purchasing Assistant and Township Engineer have reviewed the bids received and recommend that a contract be awarded to the lowest responsible bidder, American Asphalt & Milling Services LLC, 96 Midland Avenue, Kearny, NJ 07032 for the Total Base Bid Price of \$1,443,072.20, as well as the Total Alternate “A” Price of \$16,954.00 and the Total Alternate “B” Price of \$64,000.00, and

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

Current Capital Ordinance #'s 2013:14 adopted June 18, 2013, 2017:11 adopted July 11, 2017 and 2018:05 adopted April 17, 2018, all entitled,

“Various Improvements.”

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Parsippany-Troy Hills that the bid for 2020 Road Resurfacing/Curb & Sidewalk Program 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. R2020-106*Authorizing Change Order #5 for the Craftsman Farms Administration Building Rehabilitation

WHEREAS, a change order is necessary for the contract for the Craftsman Farms Administration Building Rehabilitation with Reliable NYC LLC, 1286 Waterloo Road, Stanhope, NJ 07874, resulting in a net increase in costs in the amount of \$75,248.39, and

WHEREAS, the Consulting Historic Architect has recommended the changes as outlined in Change Order # 5 for additional unforeseen work including work described in the following Change Order Requests:

COR 19	HVAC (CU Change)	\$ 1,344.98
COR 20	Three Second Floor Doors	\$ 8,635.20
COR 21	2nd Floor Framing and 1st Floor Closets	\$ 2,767.39
COR 22	Additional Electrical	\$ 16,928.00
COR 23	Low Voltage Fire Stopping	\$ 3,684.38

COR 24	Not used	
COR 25	Intumescent Paint on Columns	\$ 2,292.00
COR 26	Not Used	
COR 27	Extending Retaining Wall	\$ 9,050.00
COR 28	Not Used	
COR 29	Ground Floor Dishwasher	\$ 3,337.50
COR 30	Lighting Access Panels	\$ 2,172.19
COR 31	New Fire-rated Door	\$ 2,676.88
COR 32	Door Hardware Changes	\$ 5,434.75
COR 33	HVAC Unit Changes	\$ 4,993.02
COR 34	Intumescent Paint Inspection	\$ 840.00
COR 35	Vertical Grab Bar Installation	\$ 2,076.19
COR 36	JCP & L Charge	\$ 615.00
COR 37	Unused Interior Trim Paint	\$ 576.00
COR 38	Additional Blocking for Low Voltage	\$ 1,571.00
COR 39	Additional Closet Work	\$ 7,963.20

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Parsippany-Troy Hills that it hereby approves Change Order # 5, resulting in an increase of \$75,248.39 in the contract price.

BE IT FURTHER RESOLVED by the Township Council of the Township of Parsippany-Troy Hills that the Mayor is authorized to execute Change Order # 5, in the form on file with the Township Clerk.

5. R2020-107*Contract for Smith Field Park D Field

WHEREAS, the Township of Parsippany-Troy Hills received bid proposals for Smith Field Park D Field Improvements on April 24, 2020, and

WHEREAS, the Director of Purchasing, Purchasing Assistant, Superintendent of Parks and Forestry and Consulting Landscape Architect have reviewed the bids received and recommend that a contract be awarded to the lowest responsible bidder, Applied Landscape Technologies, 145 River Road, Montville, NJ 07045 for the Total Base Bid Price of \$1,083,597.00 as well as the Total Add Alternate No. 1 Bid Price of \$41,670.00 and the Total Add Alternate No. 2 Bid Price of \$40,000.00, and

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

Current Capital Ordinance # 2019:11 adopted May 14, 2019, entitled,
“Various Improvements.”

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Parsippany-Troy Hills that the bid for Smith Field Park D Field Improvements 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.

6. R2020-108*Authorizing Letter Agreement Amending Catering Agreement for the Knoll Country Club with Knoll West Country Club, LLC

WHEREAS, the Township of Parsippany-Troy Hills and Knoll West Country Club, LLC are parties to an Agreement for the Operation of Catering and Banquet Facilities at the Knoll Country Club (the “Agreement”); and

WHEREAS, Knoll West Country Club, LLC has requested to defer its monthly rent payments due under the Agreement for the months of April, May and June, 2020; and

WHEREAS, Knoll West Country Club, LLC has agreed to pay to the Township an additional \$11,250 per month commencing with its July, 2020 rent payment through the remainder of the Agreement; and

WHEREAS, the Township desires to authorize the Township Administrator to execute a letter agreement with Knoll West Country Club, LLC consistent with the terms of this Resolution. This letter agreement shall amend the Agreement.

NOW THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Parsippany-Troy Hills, in the County of Morris, and State of New Jersey, that the Township Council hereby authorizes the Business Administrator to execute a letter agreement with Knoll West Country Club, LLC consistent with the terms and conditions of this Resolution.

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

7. R2020-109*Extending the Term of Retail Food-Establishment Licenses to August 31, 2020

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WHEREAS, pursuant to Section 180-2 of the Township Code of the Township of Parsippany-Troy Hills, retail food-establishment licenses expire on June 30 of each year; and

WHEREAS, as a result of the public health emergency in the State of New Jersey and Township related to COVID-19, the Township Health Department is focused on COVID-19 emergency response; and

WHEREAS, the Township Council recognizes the need for the Health Department to prioritize COVID-19 response and therefore has determined to extend the term of retail food establishment licenses issued to retail food establishments set to expire on June 30, 2020 to August 31, 2020.

NOW THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Parsippany-Troy Hills, in the County of Morris, and State of New Jersey, that the Township Council hereby **extends the term of retail food establishment licenses issued to retail food establishments set to expire on June 30, 2020 to August 31, 2020.**

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

8. R2020-110*Authorizing Execution of Temporary Use Agreement with T-Mobile Northeast, LLC for a Portion of Block 15.8, Lots 35.01 and 35 Pursuant to N.J.A.C. 7:36-25.14

WHEREAS, the Township of Parsippany-Troy Hills owns that certain real property designated as Block 15.8, Lot 35.01 on the official tax map of the Township; and

WHEREAS, Block 15.8, Lot 35.01 is improved with an elevated Township water tank known as the Continental Road Tank, also known as the Powdermill Water Tank; and

WHEREAS, T-Mobile Northeast, LLC (“T-Mobile”) has an antenna installation on the Continental Road Tank pursuant to a lease agreement with the Township; and

WHEREAS, the Township intends to repaint the Continental Road Tank commencing in the August, 2020; and

WHEREAS, T-Mobile is required to remove and temporarily relocate its antenna installation for the duration of the Township’s repainting project; and

WHEREAS, T-Mobile and the Township seek to temporarily relocate T-Mobile's antenna installation on a portion of Block 15.8, Lot 35.01 and the adjacent Township-owned Lot 35; and

WHEREAS, the adjacent Lot 35 is parkland included on the Township's Recreation and Open Space Inventory (ROSI); and

WHEREAS, N.J.A.C. 7:36-25.14 authorizes the Township to enter into a lease or agreement to allow the use of parkland for a beneficial public purpose other than a recreation and conservation purpose, subject to the provisions set forth therein; and

WHEREAS, the repainting and maintenance of the Continental Road Tank serves a beneficial public purpose; and

WHEREAS, the Township wishes to approve a temporary use agreement permitting T-Mobile to temporarily relocate its antenna installation on Block 15.8, Lot 35.01 and the adjacent Lot 35, subject to the provisions of N.J.A.C. 7:36-25.14; and

WHEREAS, pursuant to N.J.A.C. 7:36-25.14, the agreement shall be subject to the review and approval of the Department of Environmental Protection.

NOW THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Parsippany-Troy Hills, in the County of Morris, and State of New Jersey, that the Township Council hereby approves a temporary use agreement with T-Mobile Northeast, LLC permitting T-Mobile to temporarily locate its antenna installation on Block 15.8, Lot 35.01 and the adjacent Lot 35, subject to the provisions of N.J.A.C. 7:36-25.14. The Mayor and Township Clerk are hereby authorized to execute the agreement, the form of which shall be acceptable to the Business Administrator and Township Attorney.

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

9. R2020-111*Authorizing the Tax Collector to Issue Estimated 3rd Quarter Tax Bills

WHEREAS, the Township of Parsippany-Troy Hills 2020 Municipal Budget has not been adopted and the County of Morris is unable to certify the 2020 Tax rates; and

WHEREAS, the Tax Collector will be unable to mail the 2020 tax bills on a timely basis; and

WHEREAS, N.J.S.A. 54:4-66.3 allows the Tax Collector in consultation with the Chief Financial Officer to compute and certify an estimated tax levy, summarizing the tax levies for the previous year, the tax rates and estimated tax levies for the 2020 calendar year;

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

1. The Tax Collector is hereby authorized and directed to prepare and issue estimated tax bills for the Third (3rd) installment of 2020 taxes. The Tax Collector shall proceed and take such actions as permitted and required by N.J.S.A. 54:4-66.2 and 54:4-66.3.
2. The estimated calendar year tax levy for 2020 is hereby calculated at \$225,520,100. This amount is less than 105% of the 2019 calendar year tax levy.

In accordance with New Jersey Statutes, the third installment of 2020 taxes shall not be subject to interest until the later of August 10th or the Twenty-fifth calendar day after the date the estimated tax bills were certified mailed. The estimated tax bills shall contain a notice specifying the date on which interest may begin to accrue.

10. R2020-112*Issuance of Tax Anticipation Notes of 2020

BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, IN THE COUNTY OF MORRIS, NEW JERSEY (majority of councilmembers present assuming a quorum), AS FOLLOWS:

Section 1. In anticipation of the collection of taxes, or other revenues, during the current fiscal year, there are hereby authorized to be issued tax anticipation notes of the Township of Parsippany-Troy Hills, in the County of Morris, New Jersey (the "Township"), each to be known as a "Tax Anticipation Note of 2020", in an aggregate amount not exceeding \$35,000,000. The proceeds of such tax anticipation notes shall be applied only to purposes provided for in the budget or for which taxes are levied for the current year.

Section 2. The following certificate has been prepared by the Township and is filed in the office of the Township Clerk:

CERTIFICATE WITH RESPECT TO TAX ANTICIPATION NOTES

I, Ann Cucci, Chief Financial Officer of the Township of Parsippany-Troy Hills, in the County of Morris, New Jersey (the "Township"), HEREBY CERTIFY as follows:

1. The gross borrowing power in respect to tax anticipation notes for the fiscal year of 2020, being 30% of the tax levy for all purposes of the fiscal year of 2019, plus 30% of the amount of miscellaneous revenues realized in cash during the fiscal year of 2019, is \$65,728,087.

2. The amount of tax anticipation notes outstanding in anticipation of the collection of taxes of the fiscal year of 2020, except such tax anticipation notes as will be renewed by or paid from the proceeds of the tax anticipation notes to be issued, is \$0.

3. The net borrowing power, being the excess of the first over the second of the two above amounts, is \$65,728,087.

4. This certificate is made with respect to \$35,000,000 Tax Anticipation Notes of 2020 about to be authorized by the "finance officer" of the Township.

IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of May, 2020.

Ann Cucci, Chief Financial Officer

Section 3. The following matters in connection with the tax anticipation notes are hereby determined:

(a) All tax anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; *provided*, that no tax anticipation note shall mature later than 120 days following the end of the fiscal year.

(b) All tax anticipation notes issued hereunder shall bear interest at such rate or rates as may be determined by the chief financial officer.

(c) All tax anticipation notes shall be in the form prescribed by the Local Budget Law and otherwise as determined by the chief financial officer and such officer's signature upon the tax anticipation notes shall be conclusive as to such determination.

(d) Tax anticipation notes issued hereunder may be renewed from time to time; *provided, however,* that no renewal tax anticipation note shall be issued later than the last day of the fiscal year.

(e) All tax anticipation notes shall be executed by the Mayor and the Chief Financial Officer and attested by the Township Clerk.

Section 4. The chief financial officer is hereby authorized and directed to determine all matters in connection with the tax anticipation notes not determined by this or a subsequent resolution and such officer's signature upon the tax anticipation notes shall be conclusive as to such determination.

Section 5. The chief financial officer is hereby authorized to sell the tax anticipation notes from time to time at public or private sale in such amounts as such officer may determine at not less than par and to deliver them from time to time to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof and payment therefor.

Section 6. Any tax anticipation notes issued pursuant to this resolution shall be general obligations of the Township, and the full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and interest on such tax anticipation notes.

Section 7. The chief financial officer is hereby authorized and directed to report in writing to the Township Council at the meeting next succeeding the date when any sale or delivery of the tax anticipation notes pursuant to this resolution is made, such report to include

the amount, the description, the interest rate and the maturity of the tax anticipation notes sold, the price obtained and the name of the purchaser.

Section 8. The chief financial officer, in connection with other professionals of the Township acting under his direction, is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document for the Township, as it may be so updated from time to time, to be distributed in connection with the sale of tax anticipation notes of the Township. The chief financial officer is hereby authorized to execute such disclosure document on behalf of the Township.

Section 9. (a) Solely for purposes of complying with Rule 15c2-12 of the Securities and Exchange Commission (the "Rule"), and provided that an issue of tax anticipation notes authorized by this resolution is not exempt from the Rule, for so long as an issue of tax anticipation notes of the Township remains outstanding (other than an issue of tax anticipation notes that has been wholly defeased), the Township shall provide, in a timely manner not in excess of ten business days after the occurrence of the event, to the Municipal Securities Rulemaking Board (the "MSRB"), notice of any of the following events with respect to the tax anticipation notes:

- (1) Principal and interest payment delinquencies;
- (2) Non-payment related defaults, if material;
- (3) Unscheduled draws on debt service reserves reflecting financial difficulties;
- (4) Unscheduled draws on credit enhancements reflecting financial difficulties;
- (5) Substitution of credit or liquidity providers, or their failure to perform;
- (6) Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the tax anticipation notes, or other material events affecting the tax status of the tax anticipation notes;
- (7) Modifications to the rights of holders of the tax anticipation notes, if material;
- (8) Bond calls, if material, and tender offers;

- (9) Defeasances;
- (10) Release, substitution or sale of property securing repayment of the tax anticipation notes, if material;
- (11) Rating changes;
- (12) Bankruptcy, insolvency, receivership or similar event of the Township;
- (13) The consummation of a merger, consolidation or acquisition involving the Township or the sale of all or substantially all of the assets of the Township, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;
- (14) Appointment of a successor or additional trustee or the change of name of a trustee, if material;
- (15) Incurrence of a "financial obligation" of the Township, if material, or agreement to covenants, events of default, remedies, priority rights or other similar terms of a financial obligation, any of which affect holders of the tax anticipation notes, if material, with "financial obligation" meaning a (i) debt obligation; (ii) derivative instrument entered into in connection with, or pledged as security or a source of payment for, an existing or planned debt obligation; or (iii) guarantee of (i) or (ii); *provided, however*, that the term "financial obligation" shall not include municipal securities as to which a final official statement has been provided to the MSRB consistent with the Rule; and
- (16) Default, event of acceleration, termination event, modification of terms or other similar events under a financial obligation of the Township, if any such event reflects financial difficulties.

The term "Financial Obligation" as used in subparagraphs (b)(15) and (b)(16) above means a (i) debt obligation, (ii) derivative instrument entered into in connection with, or pledged as security or a source of payment for, an existing or planned debt obligation or (iii) guarantee of (i) or (ii); *provided, however*, that the term "Financial Obligation" shall not include municipal securities as to which a final official statement has been provided to the MSRB consistent with the Rule.

For the purposes of the event identified in subparagraph (12) above, the event is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent or similar officer for the Township in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has

assumed jurisdiction over substantially all of the assets or business of the Township, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the Township.

(b) The covenants and undertakings contained in this Section 9 are made for the benefit of the holders or beneficial owners of the tax anticipation notes issued under this resolution.

(c) The chief financial officer shall determine, in consultation with Bond Counsel, the application of the Rule or the exemption from the Rule for each issue of tax anticipation notes prior to their offering. Such officer is hereby authorized to enter into written contracts or undertakings to implement this resolution and is further authorized to amend such contracts or undertakings as needed to comply with the Rule or upon the advice of Bond Counsel.

(d) In the event that the Township fails to comply with this resolution or the written contract or undertaking, the Township shall not be liable for monetary damages, remedy of the holders or beneficial owners of the tax anticipation notes being hereby specifically limited to specific performance of the covenants contained in this resolution or the written contract or undertaking.

Section 10. The Township hereby covenants that, if applicable, it will comply with any conditions subsequent imposed by the Internal Revenue Code of 1986, as amended (the "Code"), in order to preserve the exemption from taxation of interest on the tax anticipation notes, including the requirement to rebate all net investment earnings on the gross proceeds above the yield on the tax anticipation notes, and that it will refrain from taking any action that

would adversely affect the tax exemption of the tax anticipation notes under the Code. The Chief Financial Officer is permitted to act on behalf of the governing body to designate the tax anticipation notes as bank qualified when applicable.

Section 11. This resolution shall take effect immediately.

The foregoing resolution was adopted by the following vote:

11. R2020-113*Urging the State of New Jersey and Federal Government to Provide Additional Cares Act Funding to Morris County

WHEREAS, the Coronavirus Aid, Relief, and Economic Security (CARES) Act, signed into law by the President on March 27th, included the \$150 billion Coronavirus Relief Fund to support states fighting the COVID-19 pandemic; and

WHEREAS, the State of New Jersey is expected to receive \$3.44 billion from this Fund, and counties with more than 500,000 people are eligible for a direct payment; and

WHEREAS, Morris County, with a population that is just below the 500,000 threshold, is not expected to receive a direct payment from the federal government as it fights on the front lines of the COVID-19 pandemic; and

WHEREAS, this funding is critical to Morris County's ability to continue its efforts to respond to the COVID-19 pandemic and keep its constituents, which include the residents of the Township, safe; and

WHEREAS, Representative Sherrill (NJ-11) have joined with Senator Bucco (LD-25) and Senator Codey (LD-27) to urge Governor Murphy to provide relief to Morris County from the State's allocation of CARES Act funding and continue to push for additional funding for the State of New Jersey at the federal level; and

WHEREAS, the Board of Chosen Freeholders of the County of Morris have joined in this fight and adopted a Resolution urging the State of New Jersey to provide funding to Morris County from the State's allocation of CARES Act funding in an amount consistent with the allocation made to counties that have populations over 500,000 by utilizing the formula applied through the CARES Act, and advocating for the federal government to adopt an aid funding threshold reflecting the true impact of COVID-19 for all future allocations.

NOW THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Parsippany-Troy Hills, in the County of Morris, and State of New Jersey, that the Mayor and Township Council hereby joins with the Board of Chosen Freeholders of the County of Morris to urge the State of New Jersey to provide funding to Morris County from the State's allocation of

CARES Act funding in an amount consistent with the allocation made to counties that have populations over 500,000 by utilizing the formula applied through the CARES Act; and

BE IT FURTHER RESOLVED, that the Mayor and Township Council also urge the federal government to adopt an aid funding threshold reflecting the true impact of the COVID-19 pandemic for all future allocations based on metric indicative of the negative effects the virus has had on a jurisdiction and the level of action taken to respond to the COVID-19 pandemic.

BE IT FURTHER RESOLVED, that this Resolution shall be shared with the Governor of the State of New Jersey and New Jersey legislative representatives to the County of Morris.

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

12. R2020-114*Authorizing 2020 Temporary Emergency Appropriations

WHEREAS, an emergent condition has arisen with respect to the CY2020 appropriations under the temporary budget and no adequate provision has been made in the CY2020 temporary appropriations for the aforesaid purposes and the N.J.S.A.40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned,

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

CURRENT FUND

Executive	Salary & Wages	\$ 11,200
	Other Expenses	\$ 11,300
Administration	Salary & Wages	\$ 34,300
	Other Expenses	\$ 3,400
Council	Salary & Wages	\$ 3,600
Clerk	Salary & Wages	\$ 39,800
	Other Expenses	\$ 24,200
Grant Writer	Other Expenses	\$ 10,500
Tax Assessor	Salary & Wages	\$ 15,700
	Other Expenses	\$ 2,900
Finance/Treasury	Other Expenses	\$ 9,200

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Annual Audit	Other Expenses	\$ 28,100
Tax Collector	Other Expenses	\$ 11,400
Legal	Other Expenses	\$ 222,500
Engineering	Salary & Wages	\$ 25,100
	Other Expenses	\$ 16,300
Board of Adjustment	Salary & Wages	\$ 11,300
Planning Board	Salary & Wages	\$ 25,600
UCC/Construction	Salary & Wages	\$ 170,800
	Other Expenses	\$ 78,600
Housing Enforcement	Other Expenses	\$ 12,000
Zoning	Salary & Wages	\$ 63,800
	Other Expenses	
		\$ 1,900
Other Insurances	Other Expenses	\$ 90,690
Workers Comp	Other Expenses	\$ 500,000
Health Insurance & Benefits	Other Expenses	\$1,000,000
Police	Salary & Wages	\$1,875,900
	Other Expenses	\$ 47,600
Prosecutor	Salary & Wages	\$ 9,600
	Other Expenses	\$ 4,500
Fire Prevention	Salary & Wages	\$ 26,400
	Other Expenses	\$ 11,000
Office of Emergency Management	Salary & Wages	\$ 7,300
	Other Expenses	\$ 100,000
Aid to First Aid Organizations	Other Expenses	\$ 67,500
Public Buildings	Other Expenses	\$ 17,900
Vehicle Maintenance	Other Expenses	\$ 186,300
Streets & Roads	Salary & Wages	\$ 313,900
	Other Expenses	\$ 21,100
Sanitation & Recycling	Salary & Wages	\$ 549,400
	Other Expenses	\$ 198,600

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Landfill	Salary & Wages	\$ 11,700
	Other Expenses	\$ 11,700
Board of Health	Salary & Wages	\$ 28,500
	Other Expenses	\$ 1,600
Shared Services – Health Officer	Other Expenses	\$ 5,600
Human Services	Salary & Wages	\$ 52,900
	Other Expenses	\$ 500
Ambulance (EMS)	Salary & Wages	\$ 92,800
	Other Expenses	\$ 33,100
Parks & Forestry	Salary & Wages	\$ 358,600
Recreation	Salary & Wages	\$ 196,400
	Other Expenses	\$ 12,700
Library	Other Expenses	\$ 523,900
Utilities	Other Expenses	\$ 151,200
Tipping Fees	Other Expenses	\$ 147,500
Deferred Comp	Other Expenses	\$ 4,400
Social Security	Other Expenses	\$ 272,500
Debt Service	Other Expenses	\$ 2,674,648
Court	Salary & Wages	\$ 33,200
TOTAL CURRENT FUND		<u>\$10,474,638</u>

WATER UTILITY

Salary & Wages	\$ 366,200
Other Expenses	\$ 1,441,000
Debt Service	\$ 231,800
Statutory	\$ 174,700
TOTAL WATER UTILITY	<u>\$ 2,213,700</u>

SEWER UTILITY

Salary & Wages	\$ 467,700
Other Expenses	\$ 3,295,600
Debt Service	\$ 899,400

Statutory	\$ 341,200
TOTAL SEWER UTILITY	<u>\$ 5,003,900</u>
<u>GOLF UTILITY</u>	
Salary & Wages	\$ 573,500
Other Expenses	\$ 109,900
Statutory	<u>\$ 153,100</u>
TOTAL GOLF UTILITY	<u>\$ 836,500</u>

13. R2020-115*Listing the Police Athletic League of Parsippany-Troy Hills as an Additional Named Insured on the Township’s Quasi Entities Schedule

WHEREAS, the Police Athletic League of Parsippany-Troy Hills (“PAL”) is a 501(c)(3) non-profit organization whose mission is to foster a positive relationship between the youth of the community and Township Police Officers; and

WHEREAS, PAL strives to provide a safe and productive environment where the youth of the community can enjoy educational, social and athletic activities; and

WHEREAS, in furtherance of these laudable goals, the PAL works collaboratively with the Township Recreation Department to provide a wide range of recreational sports programs for the Township; and

WHEREAS, the Township Council desires to list the PAL as an additional named insured on the Quasi Entities Schedule under the Township’s General & Excess Liability and Property Coverage policies; and

WHEREAS, the PAL shall pay its portion of the Township’s insurance premium assessments on said policies.

NOW THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Parsippany-Troy Hills, in the County of Morris, and State of New Jersey, that the Police Athletic League of Parsippany-Troy Hills (“PAL”) shall be listed as an additional named insured on the Quasi Entities Schedule under the Township’s General & Excess Liability and Property Coverage policies. PAL shall pay its portion of the Township’s insurance premium assessments on said policies.

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

14. R2020-116*Support of Assembly Bill A-3971 and Senate Bill S-2475 Authorizing the Issuance of “Coronavirus Relief Bonds “by Municipalities and Counties

WHEREAS, A-3971, which authorizes the issuance of “coronavirus relief bonds” by municipalities and counties and sponsored by Assemblyman Dan Benson, Assembly Speaker Craig Coughlin and Assemblyman Wayne DeAngelo, was approved by the New Jersey General Assembly on May 14, 2020; and

WHEREAS, the Senate companion, S-2475, in sponsored by Senators Troy Singleton and Vin Gopal was introduced on May 11 and awaits Senate committee action; and

WHEREAS, municipalities and counties are experiencing significant revenue short falls and expenses overrun because of the COVID-19 pandemic; and

WHEREAS, these fiscal consequences of the pandemic are likely to continue and further impact the Township of Parsippany-Troy Hills; and

WHEREAS, the Township of Parsippany-Troy Hills has significant fixed statutory expenses and provides essential services; and

WHEREAS, the cost of providing many essential services is likely to increase as a result of the COVID-19 pandemic for an extended period afterwards; and

WHEREAS, A-3971 and S-2475 would allow counties and municipalities to borrow moneys through the issuance of bonds and notes to cover the revenue shortfalls and additional costs that are directly attributable to the COVID-19 pandemic; and

WHEREAS, This Bill would establish a new financing mechanism to enable a local government to borrow moneys to address the costs attributable to increased expenses and revenue shortfalls due to COVID-19 and allow the City to pay back that money over a ten year period; and

WHEREAS, the Bill would also require a local government to thoroughly investigate and apply for financial assistance that may be available to it from the federal government, the State and other sources due to revenue shortfalls and expenditures because of the pandemic, prior to authorizing the issuance of the “coronavirus relief bonds”; and

WHEREAS, under A-3971 and S-2475 a municipality may use the proceeds from the sale and issuance of the coronavirus relief bonds to address a revenue shortfall experienced by the municipality and cover the cost of unanticipated expenses that are directly attributable to the COVID-19 pandemic and which occurred within 24 months after the end of the Public Health Emergency and State of Emergency; and

WHEREAS, A-3971 and S-2475 would be of great financial assistance to the Township of Parsippany-Troy Hills to help address all revenue shortfalls and expenditures directly attributable to this pandemic;

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

1. The Township of Parsippany-Troy Hills hereby supports A-3971 and S-2475 , which will offer relief to municipalities and counties to address their revenue shortfalls and expenditures directly attributable to the COVID-19 pandemic.

2. That a copy of this resolution be sent to the Office of the Governor, the President of the New Jersey State Senate, the Speaker of the General Assembly, the Sponsors of the Legislation, the Senate Community and Urban Affairs Committee, the Senate Budget and Appropriations Committee, our State Legislators, and the New Jersey League of Municipalities.

B. APPLICATIONS

IX. APPROVAL OF PAYROLL AND BILLS LIST

A. CFO Ann Cucci recommends authorization for payment:

1. Authorize payment of the May 29, 2020 regular and miscellaneous payroll estimated at \$1,650,000
2. Payment of bills from voucher list of 6/1/20 through 6/3/20 is \$727,147.54

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.

X. ADJOURNMENT

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

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

Respectfully submitted,

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Khaled Madin, Township Clerk

Michael J. dePierro, Council President

Minutes Approved: June 16, 2020