

COUNCIL MINUTES

TOWNSHIP OF PARSIPPANY-TROY HILLS REGULAR TOWNSHIP COUNCIL MEETING OF AUGUST 18, 2020

I. INTRODUCTION

Meeting was called to order at 7:00 pm by Municipal Clerk Khaled who 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. 9/1/20 @ 7:00 p.m. Agenda Meeting
2. 9/15/20 @ 7:00 p.m. Regular Meeting

E. APPROVAL OF MINUTES

1. Agenda Meeting – 7/7/20

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 – thanked Jayne Beline for her years of service to the Library and thanked Keith Kazmark for his service to the Township. Additionally, the Mayor thanked the

Council President and Keith Kazmark with their help regarding the selection of the new Business Administrator. Mayor Soriano stated that his selection of Frederick Carr is his pick for the new Business Administrator and read Frederick Carr's credentials into the record.

B. TOWNSHIP COUNCIL

Council Member Peterson read a resolution into the record honoring Jayne Beline for her 30 years of dedicated service to the Public Library. The Council thanked Jayne for her service. Mr. dePierro stated that this is our last virtual meeting in August and asked the Municipal Clerk to poll the Administration and Council Members regarding whether they should attend in person meetings going forward or continue virtual meetings. The Municipal Clerk stated that there is already a plan in place in the event the Council decided to attend in person meetings. The Council and Administration were polled and it was decided that virtual meetings will continue through the month of September.

C. TOWNSHIP ATTORNEY – no report

D. BUSINESS ADMINISTRATOR – 816 confirmed COVID case but 813 cases have been closed out, we are still at 82 deaths. Thanked Jayne Beline for all her years of service to the Township. Thanked the Council and the Mayor for the opportunity to serve the residents of Parsippany Troy-Hills.

E. TOWNSHIP CLERK – Congratulated Jayne on her retirement.

F. TOWNSHIP OFFICES COMMITTEES/REPORTS – Mr. dePierro thanked Keith for his service to the Township. The Council thanked Keith Kazmark for his service to the Township.

III. BIDS

A. Taken

1. 7/22/20 – Well Drilling and Installation Services-Replacement Production Well 21-R
2. 7/23/20 – Reconstruction of Various Streets in Mt. Tabor, Phase V
3. 7/24/20 – Lease on Public Property

B. To Be Taken

1. 8/12/20 – One New 2021 16' Freightliner M2 112 Extended Cab with Crane for

Parsippany Rescue and Recovery Squad

2. 8/19/20 – Clarifier Improvements
 3. 9/3/20 – Klondike Booster Station Upgrades
- C. Quotation(s)/Proposal(s)/Qualification(s)

IV. PUBLIC HEARING

Mr. Madin 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 Peterson followed by a roll call with all the Council Members answering Yes.

Rich Malito, thanked the Parks and Forestry Department for the excellent job they did cleaning up the debris after the storm.

Nick Homyak, stated that he is convinced that more than one sanitation inspector is not enough for Parsippany. Mr. Homyak stated that we receive over 1 million dollars in rebates because of the tipping station we have for the county which may be influencing the lax of enforcement regarding sanitation.

Seeing no one else come forward to speak, Mr. Madin 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 Peterson followed by a Roll Call with all the Council Members answering Yes.

V. ORDINANCES

A. INTRODUCTION

None

B. SECOND READING & PUBLIC HEARING

1. ORDINANCE 2020:26

REVISING THE TABLE OF ORGANIZATION OF THE POLICE DEPARTMENT WITH RESPECT TO THE NUMBER OF AUTHORIZED LIEUTENANT AND SERGEANT POSITIONS

WHEREAS, Section 4-28 of the Township Code establishes the Table of Organization for the Township Police Department; and

WHEREAS, the Chief of Police has recommended certain changes to the Table of Organization, specifically, to provide for 7 Lieutenant positions and 18 Sergeant positions; and

WHEREAS, upon the recommendation of the Chief of Police, the Township Council has determined that this change to the Table of Organization will achieve greater economy, organizational efficiency and supervisory effectiveness in Police Department operations and, therefore, is in the best interests of the Township and its residents; and

WHEREAS, for these reasons, the Township Council desires to amend the Table of Organization with respect to the number of authorized Lieutenant and Sergeant positions as set forth herein.

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 4 entitled Administration of Government, Article IX entitled Police Department, §4-28 entitled Table of Organization, Subsection A of the Code of the Township of Parsippany Troy Hills is hereby amended as follows:

- A. The Department shall consist of not more than 113 full-time active-duty members. The table of organization shall be as follows:
- (1) Not more than one Chief of Police;
 - (2) Not more than one Deputy Chief;
 - (3) Not more than three Captains;
 - (4) Not more than seven ~~six~~ Lieutenants;
 - (5) Not more than 18 ~~20~~ Sergeants; and
 - (6) Not more than 81 Patrol Officers.

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 July 28, 2020. The Ordinance was introduced at the July 21, 2020 Regular Meeting.

Motion to accept that Ordinance 2020:26 be heard in its second and final reading by title only, by Mr. Carifi, seconded by Ms. Gragnani.

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

a. PUBLIC HEARING 2020:26

Motion to open the public hearing for the above ordinance by Mr. Carifi, seconded by Ms. McCarthy.

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

b. Motion to close the public hearing for the above ordinance by Mr. Carifi, seconded by Ms. Gragnani.

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

WHEREAS, the above ordinances were read in title on second reading and a hearing held thereon;

NOW, THEREFORE, BE IT RESOLVED that said ordinances be passed on final reading and that a Notice of Final Passage of said ordinances be published in the newspaper according to law.

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

VI. NON-CONSENT AGENDA

A. RESOLUTIONS

1. **R2020-162 Honoring the 100th Anniversary of the 19th Amendment to the United States Constitution**

WHEREAS, the bold, courageous and powerful women who fought for the ratification of the 19th amendment to the United States Constitution on August 18, 1920, deserve special

celebration by the Township Council of the Township of Parsippany Troy-Hills, especially on the 100th anniversary of the its ratification in 2020; and

WHEREAS, New Jersey was the 29th state to ratify the 19th Amendment on February 9, 1920; and

WHEREAS, New Jersey holds a special place in women's suffrage history as thousands of New Jersey women advocated for the right to vote on the streets, in the newspapers, in the state capital and throughout the great state; and

WHEREAS, the 19th Amendment did not guarantee suffrage for all women, including Native Americans who did not gain the right to vote until 1924. For Asian Pacific Islander Americans, it was 1952. African-American and Latin Americans suffered voter suppression until passage of the Voting Rights Act of 1965 and 1975; and

WHEREAS, the fact that today women are active in local, state and national government and are running for office in unprecedented numbers reminds us that we all follow in the footsteps of these resolute American suffragists: and

WHEREAS, the 19th amendment to the United States Constitution has played an important role in advancing the right of all women

NOW, THEREFORE, BE IT RESOLVED that the members of the Town Council of the Township of Parsippany-Troy Hills hereby recommend that residents and civic institutions celebrate the 100th anniversary of the passage and ratification of the 19th Amendment, providing for women's suffrage, to the Constitution of the United States;

Honor the role of the ratification of the 19th Amendment in further promoting the core values of our democracy as promised by the Constitution of the United States;

Reaffirm the opportunity for students and adults in the town to learn about and commemorate the efforts of the women's suffrage movement and the role of women in our democracy; and

Reaffirm our desire to continue to strengthen democratic participation and to inspire future generations to cherish and preserve the historic precedent established under the 19th Amendment.

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

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

2. R2020-163 Cancellation and Refund of Property Taxes for Block 574, Lot 19-100% 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, Bernard J. McLaughlin is the owner of the residential property assessed as Block 574, Lot 19, having an address of 104 Longview Avenue and purchased on February 18, 1987 and

WHEREAS, Bernard J. McLaughlin has been certified by the Department of Veterans Affairs as a 100% permanently and totally wartime service-connected disabled veteran effective July 9, 2019 and

WHEREAS, Bernard J. McLaughlin submitted a 100% disabled veteran exemption application with the Tax Assessor's office July 28, 2020 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 2020 real estate taxes on the above parcel are hereby exempt/canceled for the period January 1, 2020 through December 31, 2020; and

BE IT FURTHER RESOLVED that said 2020 taxes *paid* for the period from January 1, 2020 to December 31, 2020 be refunded to the owner of the property.

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

3. R2020-164 Appointing Frederick C. Carr as Business Administrator of the Township of Parsippany-Troy Hills

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 it does hereby advise and consent to Mayor Michael A. Soriano's appointment of Frederick C. Carr as Business Administrator of the Township of Parsippany-Troy Hills to be compensated a salary of \$165,000.00 and for a term as provided by law, beginning August 19, 2020 and until the appointment and qualification of a successor.

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

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

A. RESOLUTIONS

1. R2020-150*Cancellation and Refund of Property Taxes for Block 572, Lot 5 – 100% Permanently Disabled Veteran Widow

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, Pauline S. & John H. Corforte purchased the residential property assessed as Block 572, Lot 5, having an address of 773 Knoll Road on July 1, 1981. Pauline S. Corforte became the sole owner upon the passing of her husband, John H. Corforte on May 20, 2012 and

WHEREAS, John H. Corforte has been certified by the Department of Veterans Affairs as a 100% permanently and totally wartime service-connected disabled veteran effective November 22, 2011 and

WHEREAS, Pauline S. Corforte submitted a 100% disabled widow of a veteran exemption application with the Tax Assessor's office July 6, 2020 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 2020 real estate taxes on the above parcel are hereby exempt/canceled for the period January 1, 2020 through December 31, 2020; and

BE IT FURTHER RESOLVED that said 2020 taxes *paid* for the period from January 1, 2020 to December 31, 2020 be refunded to the owner of the property.

2. R2020-151*Special Item of Revenue – Drive Sober or Get Pulled Over 2019

Regular Meeting 8/18/20

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for equal amount,

WHEREAS, the Treasurer certifies that the Township of Parsippany–Troy Hills has realized or is in receipt of written notification of the state or federal monies cited in this resolution, which meets all statutory requirements and will be included in the 2020 municipal budget,

Ann M. Cucci, Chief Financial Officer

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue and appropriation in the budget of the year 2020 as referenced below:

Revenue Title: Drive Sober or Get Pulled Over 2019 Amount: \$5,500.00

Appropriation Title: Drive Sober or Get Pulled Over 2019 Amount: \$5,500.00

Local Match - Source: _____ Amount: _____

BE IT FURTHER RESOLVED, that pursuant to N.J.S.A 40A:4-87 this resolution has been duly adopted by the Mayor and governing body of the Township of Parsippany-Troy Hills and that one (1) certified copy of this resolution be forwarded to the Division of Local Government Services.

Adopted this **18th** day of **August 2020**
and certified as a true copy of an original.

Khaled Madin, Clerk

Approval is hereby given to the cited resolution adopted by the governing body pursuant to N.J.S.A40A: 4-87

3. R2020-152*Contract for Veterans Park Culvert Replacement

WHEREAS, the Township of Parsippany-Troy Hills received bid proposals for Veterans Park Culvert Replacement on July 15, 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, LandTek Construction LLC DBA United Terrain Group, 386 Highway 79, Morganville, NJ 07751 for a Total Base Bid Price of \$287,668.75, 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 Veterans Park Culvert Replacement 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. R2020-153*Rejecting Bid for Well Drilling and Installation Services Replacement Production Well 21-R

WHEREAS, the Township of Parsippany-Troy Hills received a bid proposal for Well Drilling and Installation Services Replacement Production Well 21-R on July 22, 2020, and

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

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Parsippany-Troy Hills that the bid for Well Drilling and Installation Services Replacement Production Well 21-R be rejected.

5. R2020-154*Contract for Reconstruction of Various Streets in Mt. Tabor, Phase V

WHEREAS, the Township of Parsippany-Troy Hills received bid proposals for Reconstruction of Various Streets in Mt. Tabor, Phase V on July 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, Reivax Contracting Corp., 68 Finderne Avenue, Bridgewater, NJ 08807, for a Total Bid Price of \$813,644.00, 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 # 2020:10 adopted May 5, 2020, entitled,

“Various Improvements.”

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Parsippany-Troy Hills that the bid for Reconstruction of Various Streets in Mt. Tabor, Phase V 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. R2020-155*Approving Settlement in Action Bearing Docket No. ESX-L-5691-18, Captioned North Jersey Brain & Spine Center v. Township of Parsippany-Troy Hills, Meritain Health Inc. and Reliant Health Partners

WHEREAS, the New Jersey Brain & Spine Center (“NJBSC”) has brought an action in connection with certain billings for medical services provided against the Township of Parsippany-Troy Hills (the “Township”), Meritain Health, Inc. (“Meritain”), and Reliant Health Partners LLC (“Reliant”) (collectively, the “Defendants”), in the Superior Court of New Jersey, Essex County, bearing Docket No. ESX-L-5691-18, captioned North Jersey Brain & Spine Center v. Township of Parsippany-Troy Hills, Meritain Health Inc. and Reliant Health Partners, (the “Action”); and

WHEREAS, Special Litigation Counsel for the Township has engaged in settlement negotiations with the attorneys for NJBSC and other Defendants; and

WHEREAS, said negotiations have resulted in a comprehensive settlement of the Action; and

WHEREAS, the Township Council has reviewed the settlement reflected in the proposed form of Settlement Agreement and Mutual Release and wishes to approve same; and

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

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Parsippany-Troy Hills, in the County of Morris, and State of New Jersey, that the settlement of the Action is hereby approved in accordance with the terms set forth in the proposed form of Settlement Agreement and Mutual Release and the Mayor and Township Clerk are hereby authorized to execute said Settlement Agreement and Mutual Release.

BE IT FURTHER RESOLVED, that Special Litigation Counsel for the Township is hereby authorized and directed to further negotiate the terms and conditions of the proposed form of Settlement Agreement and Mutual Release. The Township Council hereby authorizes and approves any non-substantive modifications to the proposed form of Settlement Agreement and Mutual Release as may be recommended and approved by Special Litigation Counsel for the Township and the Township Attorney prior to execution.

BE IT FURTHER RESOLVED, that Special Litigation Counsel for the Township is hereby authorized and directed to prepare and execute such documents as may be necessary to effect the settlement described herein.

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. R2020-156*Authorizing the Donation of Surplus Property

WHEREAS, the Township of Parsippany-Troy Hills is the owner of a 1986, 16-foot aluminum boat, VIN number 3CMB33951E686, which is no longer needed for public use; and

WHEREAS, the Township is desirous of donating the boat to the Town of Boonton as surplus property in an “as is” condition without express or implied warranties.

NOW THEREFORE, BE IT RESOLVED by the Township Council of the Township of Parsippany-Troy Hills, County of Morris, hereby authorizing the donation of a 1986, 16-foot aluminum boat, VIN number 3CMB33951E686 in accordance with N.J.S.A. 40A:11-36(2) .

8. R2020-157*Authorizing an Online Auction for Surplus Property

WHEREAS, the Township of Parsippany-Troy Hills is the owner of certain surplus property which is no longer needed for public use; and

WHEREAS, the Township is desirous of selling said surplus property in an “as is” condition without express or implied warranties; and

WHEREAS, the Township Council would like to make an additional donation to the Parsippany Rockaway Neck First Aid Squad with the revenue received in the sale of the 2003 Ford E-350 ambulance, Vin Number 1FDXE45FX3HB62515; and

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

(1) The sale of the surplus property shall be conducted through Municibid pursuant to State Contract T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with Municibid are available online at municibid.com and also available from the Township of Parsippany-Troy Hills.

(2) The sale will be conducted online and the address of the auction site is municibid.com.

(3) The sale is being conducted pursuant to Local Finance Notices 2008-9/2008-21R.

(4) List of property to be sold is on file in the Office of the Township Clerk

(5) The surplus property as identified shall be sold in an “as-is” condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.

(6) Revenue from the 2003 Ford E-350 ambulance, Vin Number 1FDXE45FX3HB62515 shall be donated to the Parsippany Rockaway Neck First Aid Squad.

(7) The Township reserves the right to accept or reject any bid submitted.

(8) A notice of this auction will be printed in the official newspaper of the Township of Parsippany-Troy Hills in accordance with N.J.S.A. 40A:11-36.

Vehicles

Department	Year	Make	Model	VIN
Engineering	2006	Ford	Ranger	1FTYR14U56PA60402
Health & Services	Human 2003	Chevy	Malibu	1G1ND52J53H553438

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Animal Control	2000	Dodge	Dakota P. U	1B7FL26X6YS694632
Police	2006	BMW	530 xi	WBANF73526CG67065
Police	2008	Honda	Civic	2HGFA16538H341790
Police	2000	Ford	Excursion	1FMNU43S9YED60327
Police	2005	Chevy	Malibu	1G1ZS57F07F237625
Police	2000	Chevy	Impala	2G1WF55K7Y9332723
Police	2001	Chevy	Impala	2G1WF55K919311362
Police	2005	Ford	Crown Victoria	2FAHP71W75X164791
Police	2005	Ford	Crown Victoria Interceptor	Police 2FAHP71W15X175415
Police	2003	Ford	Expedition	1FMPU16L23LB43346
Police	2009	Dodge	Charger	2B3KA43V59H619207
Police	2010	Dodge	Charger	2B3AA4CV9AH116537
Police	2011	Ford	Crown Victoria Interceptor	Police 2FABP7BV3BX101176
Police	2011	Ford	Crown Victoria Interceptor	Police 2FABP7BV4BX169888
Rockaway Neck First Aid Squad	2003	Ford	E-450 Ambulance	1FDXE45FX3HB62515
Parks	2002	Chevy	Blazer	1GNDT13W72K115725

Equipment

Department	Year	Make	Model	VIN
Parks	1980	Ford	2600 Tractor	C578600
Parks	2005	McCormick	CX75 Tractor	JJE2054088
Parks	1987	Century	24x40'	1XCS40283H2000509
Parks	2018	Woodsman	2018 Model Chipper	
Sewer	1979 (estimated)	Kohler	125RZJ71 Generator	268160

9. R2020-158*Authorizing Execution of Caretaker Agreement for Craftsman Farms and Watnong Gardens

WHEREAS, the Township is the owner of certain property known as Craftsman Farms, comprising approximately # acres of land and several structures, located at 2352 Route 10 West, Morris Plains, New Jersey; and

WHEREAS, the Township is also the owner of certain property known as Watnong Gardens, comprising approximately 2 acres, located just off Route 10 at 2387 Watnong Terrace, Morris Plains, New Jersey; and

WHEREAS, there exists a need for the Township to ensure that both the Craftsman Farm and Watnong Gardens properties are properly maintained and preserved so that said properties can remain assets to the community; and

WHEREAS, accordingly, the Township Council desires to enter into a caretaker agreement providing for the maintenance and repair of each property.

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 of a caretaker agreement providing for the maintenance and repair of Craftsman Farms and Watnong Gardens. The Mayor and Township Clerk are hereby authorized to execute an agreement for each property in a form acceptable to the Business Administrator and Township Attorney.

BE IT FURTHER RESOLVED, that the Township Attorney is hereby authorized and directed to further negotiate the terms and conditions of said agreements.

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

10. R2020-159*Waiver of Interest for Amount Past Due

WHEREAS, the Township of Parsippany-Troy Hills, County of Morris, State of New Jersey (“Township”) entered into a financial agreement dated December 29, 2015 (“Financial Agreement”) with BT Property Urban Renewal Co., LLC (“BT”), an urban renewal entity qualified to do business under the provisions of the Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 et seq., affiliated with and in care of United Parcel Service Worldwide Technology (“UPS”), pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. and the Long-Term Tax Exemption Law, and such other statutes as may be the sources of relevant authority; and

WHEREAS, pursuant to the Financial Agreement, BT agreed to pay an Annual Service Charge in lieu of real property taxes on the improvements located on Block 136, Lot 43.3 on the tax map of the Township (the “Property”) beginning in 2017;

WHEREAS, pursuant to the Financial Agreement, BT has agreed to pay other fees, including but not limited to an Application Fee and an annual Administrative Fee; and

WHEREAS, UPS has been remitting the payments of the fees under the Financial Agreement to the Township; and

WHEREAS, due to confusion caused by an incorrect schedule of payments forwarded to UPS by the Township Assessor, incorrect payments were made for the Annual Service Charge, the Administrative Charge and the Application Fee, including under-payments and over-payments, resulting in a net arrearage for the years 2017-2019 in the amount of \$10,898.80; and

WHEREAS, after discussions among the Township, Township Counsel and UPS representatives, the Township and UPS have clarified the correct charges and fees due pursuant to the Financial Agreement, and UPS has agreed to pay the arrearage to the Township; and

WHEREAS, pursuant to the Financial Agreement, in the event that BT fails to timely pay installments of the Annual Service Charge, the amount past due shall bear the rate of interest permitted under applicable New Jersey law and then being assessed by the Township against other delinquent taxpayers in the case of unpaid taxes or tax liens on the land until paid; and

WHEREAS, the Township has a basis to claim interest on the amount past due in the amount of \$6,805.15; and

WHEREAS, given that the errors in payments were at least in part due to the incorrect schedule of payments forwarded to UPS by the Township Assessor, it would be inappropriate for the Township to levy interest payments on the past due amounts.

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 interest due for amounts past due for the Annual Service Charge under the Financial Agreement is waived.

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.

11. R2020-160*Contract for Professional Engineering Services to CP Engineers NJ, LLC

WHEREAS, the Township of Parsippany-Troy Hills has a need to acquire professional general engineering 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, CP Engineers NJ, 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, CP Engineers NJ, 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, CP Engineers NJ, 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 six-month term with CP Engineers NJ, LLC with local offices at 35 Sparta Ave, Sparta, NJ, 07871 for professional engineering services upon the terms and conditions as stipulated in the contract on file in the Office of the Business Administrator; 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.

B. APPLICATIONS

1. R2020-161*Person-to-Person Transfer of Plenary Retail Consumption License for Landry's, LLC from HOP Parsippany, LLC d/b/a Houlihan's

WHEREAS, an application has been filed for a Person-to-Person Transfer of Plenary Retail Consumption License Number 1429-33-005-009 for Hop Parsippany, LLC to Houlihan's Parsippany, LLC d/b/a Houlihan's; 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 August 18, 2020, the Person-to-Person Transfer of the aforesaid Plenary Retail Consumption License #1429-33-005-009.

VIII. APPROVAL OF PAYROLL AND BILLS LIST

A. CFO Ann Cucci recommends authorization for payment:

1. Authorize payment of the August 21, 2020 regular and miscellaneous payroll estimated at \$1,600,000
2. Payment of bills from voucher list of 7/22/20 through 8/21/20 is \$8,772,106.66

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

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

IX. 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,

Khaled Madin, Township Clerk

Michael J. dePierro, Council President

Regular Meeting 8/18/20

Minutes Approved: September 15, 2020