

COUNCIL MINUTES

TOWNSHIP OF PARSIPPANY-TROY HILLS TOWNSHIP COUNCIL AGENDA MEETING OF JULY 6, 2021

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, 2020 where it has remained posted since that date. A legal notice appeared in the Daily Record and the Newark Star Ledger on December 22, 2020 and was forwarded by fax to other local newspapers on December 18, 2020.

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 Frederick Carr, Township Attorney James Lott, Township Clerk Khaled Madin

D. UPCOMING MEETINGS:

- | | |
|------------------------|-----------------|
| 1. 7/20/21 @ 7:00 p.m. | Regular Meeting |
| 2. 8/3/21 @ 7:00 p.m. | Agenda Meeting |

E. APPROVAL OF MINUTES

II. PRESENTATION(S)/REPORTS

A. MAYOR – Thanked Onyx Equites for sponsoring the Township with a \$75,000 donation for the fireworks. Thanked Chief Miller for his 30 years of service to the Township of Parsippany as a police officer. The Mayor stated that he has been working with his team and has been in communication with the State to work on alternative solutions with the budget. The Mayor stated that last year the CFO submitted the application for anticipated revenues for the 2021 budget based on the 3-year average and made a request to a 5 million special emergency note. Once the application is submitted it is deemed approved and was included in the Council's agenda packet and rather than approving it, this Council President is suggesting to raise taxes instead. Mr. dePierro stated that he never recommended a tax increase. Mr. dePierro stated that we gave you 2.3 million instead of 5 million.

- B. TOWNSHIP COUNCIL- Mr. dePierro requested a report from the Administration on the status of all the wells. What is the job of the special master pertaining to the wells? Mr. Lott stated that there was a scarce resources order and the purpose of the special master is to monitor the water related to affordable housing. Mr. dePierro asked if the Special Master is appointed by the court. Mr. Lott stated that he is appointed by the court.
- C. TOWNSHIP ATTORNEY – no report
- D. BUSINESS ADMINISTRATOR – Mr. Carr stated he has the update pages for the budget but is just waiting to hear from the DCA before it is finalized.
- E. TOWNSHIP CLERK – no report
- E. TOWNSHIP OFFICES / COMMITTEES REPORT – The Green Team made a presentation on charging stations.
- G. ENGINEERING REPORT – Mr. Carifi read the following report into the record:

Greenbank Road Safety and Improvements Project

The project is complete except for the guiderail replacement. Coordination with the underground utility company is ongoing and the new guiderail will be installed once underground utilities are moved. **(No Council Action Required).**

Veterans Park Culvert Replacement Project

The Veterans Park Culvert Replacement project complete and the park is open. **(No Council Action Required).**

Mt. Tabor Street Improvements, Phase V

Work continues on the Mt. Tabor Street Improvements, Phase V project. Milling and paving of the streets will be complete by the beginning of July. **(No Council Action Required).**

Mt. Tabor Street Improvements, Phase VI

The Mt. Tabor Street Improvements, Phase VI project is under construction and work will continue into the beginning of August. **(No Council Action Required).**

2021 Road Resurfacing / Curb and Sidewalk Program

The annual road resurfacing / curb and sidewalk project was awarded and the construction schedule is being prepared. Construction activities are planned to begin in late July and will continue through the beginning of October. **(No Council Action Required).**

Various Culvert Repair Project

The Repair of Seven Bridges project is in construction. Work is progressing well and will continue through the beginning of September. **(No Council Action Required).**

Edwards Road Improvement Project

The Edwards Improvement project is in construction. Work is anticipated to continue through August. **(No Council Action Required).**

Puddingstone Heights Road Improvement Project, Phase I

The first phase of the Puddingstone Heights Improvement project was bid. This project is for the reconstruction of the roads in this development including drainage improvements, construction of curbs and the installation of a sanitary sewer system. The award of the project is on hold pending adoption of the budget. **(No Council Action Required).**

Endorsement of the NJDOT Municipal Aid Grant

We are in the process of preparing and submitting a grant application through the NJDOT Municipal Aid grant program. The application is for the second phase of the North Beverwyck Road Streetscape Improvements from Minnehaha Boulevard to Oswego Avenue. The project includes curbing, drainage improvements, sidewalk widening, streetscape improvements, resurfacing of the roadway and enhanced traffic striping and markings. **(A Resolution endorsing the application will need to be adopted by the Township Council).**

H. CORRESPONDENCE

III. BIDS

A. Taken

1. 6/9/21 - Puddingstone Heights Road Reconstruction Program Phase I
2. 6/10/21 – Various Parks Court Resurfacing/Renovation Projects for Parsippany Parks Department – Rebid
3. 6/22/21 – Operation of Catering/Banquet, Restaurant and Tee House Facilities and

Provision of Related Services at Knoll Country Club – Rebid – Ms. McCarthy inquired on the status of the Grill Room with the Knoll. Mr. dePierro stated that the previous stated to Mr. Brancato to get it done as soon as possible so Mr. Brancato proceeded without permits which he cannot do so the work had to stop.

4. 6/23/21 – Route 10 Water Tank Painting and Rehabilitation

B. To Be Taken

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

Doris Orr, President of the Golden Age Club of St. Peters, requested the Council to allow members to attend meetings at the Community Center which are not residents of this town. Mayor Soriano explained that we have about 160 visitors to the Community Center that are out of town residents and we have had Parsippany taxpayers complain about this situation. Additionally, Mayor Soriano stated that all towns that have community centers do not allow out of town residents, so we need to look into how we will deal with this situation.

Mary Purzycki, discussed the cannabis ordinance stating her concerns regarding the approval of the Township allowing cannabis facilities around the Entin Road area as that area is located very close to a residential zone. Ms. Purzycki asked that the Council look at the ordinance again and reconsider the areas designated for cannabis.

Bob Venezia, commented on the ordinance pertaining to the 2.3 million special appropriation. Mr. Venezia also inquired about a potential water shortage in the township. Mayor Soriano responded stating there will be a public report on that.

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

B. SECOND READING & PUBLIC HEARING

1. ORDINANCE 2021:13

**AMENDING AND SUPPLEMENTING CHAPTER A445, FEES
COMPILATION, OF THE CODE – ON***

2. ORDINANCE 2021:14

**ESTABLISHING CHAPTER 77 RELATED TO CANNABIS
REGULATION AND AMENDING CHAPTER 430, ZONING, TO
CONDITIONALLY PERMIT CERTAIN CANNABIS ESTABLISHMENTS
IN DESIGNATED ZONE DISTRICTS -ON***

VI. NON-CONSENT AGENDA

A. RESOLUTIONS

**1. R2021-116 Approving the State of New Jersey Department of Environmental
Protection Green Acres Grant**

WHEREAS, the New Jersey Department of Environmental Protection, Green Acres Program (“State”), provides loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition, development, and stewardship of lands for outdoor recreation and conservation purposes; and

WHEREAS, the Township of Parsippany-Troy Hills desires to further the public interest by obtaining funding in the amount of \$400,000, in the form of a \$400,000 matching grant to fund the following project(s): The Acquisition of the Kosut Tract (Block 469/Lot 7);

NOW, THEREFORE, the Township Council of the Township of Parsippany-Troy Hills resolves that Michael Soriano or the successor to the office of Mayor is hereby authorized to:

- (a) make application for such a loan and/or such a grant,
- (b) provide additional application information and furnish such documents as may be required, and
- (c) act as the authorized correspondent of the above named applicant; and

WHEREAS, the State shall determine if the application is complete and in conformance with the scope and intent of the Green Acres Program, and notify the applicant of the amount of the funding award; and

WHEREAS, the applicant is willing to use the State’s funds in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the State for the above named project;

NOW, THEREFORE, BE IT FURTHER RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS

1. That the Mayor of the above named body or board is hereby authorized to execute an agreement and any amendment thereto with the State known as the Acquisition of the Kosut Tract (Block 469/Lot 7);
2. That the applicant has its matching share of the project, if a match is required, in the amount of \$1,200,000;
3. That, in the event the State's funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project;
4. That the applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and
5. That this resolution shall take effect immediately.

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

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

2. R2021-117 Authorizing an Ambulance Coverage Agreement with Little Vikings Football, Inc.

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

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

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

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

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

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

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

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

VII. CONSENT AGENDA

A. RESOLUTIONS

1. **Authorizing the Mayor to Sign all Necessary NJ Department of Environmental Protection Applications for Permits, Authorizations, Letters of Interpretation and Approvals, to Sign Appropriate Deed Notices Required by the NJDEP in Connection with such NJDEP Permits, Authorizations, Letters of Interpretation and Approvals, Authorizing the Recording and Filing of the Appropriate Deed Notices with the Morris County Clerk, and Authorizing the Submission of Proof of Filing of Deed Notices to the NJDEP for Township Public Works Projects -PULLED***
2. **Authorizing a Morris County Trail Construction Grant Application for the Mountain Way Trail Improvement Project-ON***
3. **Authorizing the Township to Submit a Substantial Amendment to the Annual Action Plan 2019 for Cares Act Community Development Block Grant Funding-ON***
4. **Award of Contract to U.S. Tank Painting, Inc. for Route 10 Water Tank Painting and Rehabilitation Project-ON***
5. **Approving an Emergency Agreement with J. Fletcher Creamer & Sons, Inc. for Emergency Repairs to the Pump Station #4, 24” PCCP Forcemain-ON***

6. **Awarding Contract to Donnelly Energy Solutions as the BPU Direct Install Contractor for Energy Efficient Measures for Several Township Buildings-ON***
7. **Certifying Volunteer First Aid, Rescue and Recovery and Ambulance Squads as Being Qualified for Emergency Medical Service Programs-ON***

B. APPLICATIONS

1. **2021-2022 Liquor License Renewal – Part II-ON***

C. APPROVAL OF PAYROLL AND BILLS LIST

CFO Juan Uribe recommends authorization for payment:

1. Authorize payment of the 7/9/21 regular payroll estimated at \$1,700,000.00
2. Payment of bills from voucher list of 7/1/21 through 7/3/21 estimate totaling \$2,497,837.02

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

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

VIII. EXECUTIVE SESSION

A. RESOLUTION

WHEREAS, the Open Public Meetings Act, P.L. 1975, Chapter 231 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, the Township Council is of the opinion that such circumstances presently exist; and

WHEREAS, the Township Council wishes to discuss: **Litigation Settlement – Cook v. Taylor, et al. (Docket no. MRS-L-854-20) and Attorney Client Privilege: Carifi Litigation and Arbitration; Contract Negotiations – Renewal of the School Resource Officer (SRO) and Class III Special Officer (SLEO 3) Agreement with Parsippany-Troy Hills Township School District; Attorney Client Privilege – Contract Negotiations – A.P. Construction & Lantern Environmental**

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 Mr. Carifi, Seconded By Ms. Gragnani.

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

Motion to Reconvene into Open Session by Ms. Peterson, Seconded By Ms. Gragnani.

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

IX. NON-CONSENT RESOLUTION

B. RESOLUTION

1. R2021-118 Authorizing the Township Attorney to Settle Litigation and Execute All Necessary Documents

WHEREAS, litigation is pending in the action captioned Timothy G. Cook v. Patrolman Ryan Taylor, Lt. Thomas E. Pomroy and the Parsippany-Troy Hills Police Department, Docket No. MRS-L-000854-20 (“Cook Litigation”); and

WHEREAS, the matter in difference in the Cook Litigation having been amicably adjusted by and between the parties, it has been stipulated and agreed that the same be dismissed with prejudice and without costs, as to Defendants Patrolman Ryan Taylor and Lieutenant Thomas E. Pomroy, leaving as the exclusive Defendant the Parsippany-Troy Hills Police Department (“Parsippany Police Department”); and

WHEREAS, it is in the best interests of Township of Parsippany-Troy Hills (“Township”) to authorize the Township Attorney to negotiate a settlement of the Cook Litigation on behalf of the Township and the Parsippany Police Department without monetary contribution or admission as to liability from the Township or the Parsippany Police Department and to execute all necessary documents.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Parsippany-Troy Hills, County of Morris, State of New Jersey, that the Township Attorney is authorized to negotiate a Settlement of the Cook Litigation on behalf of the Township and the Parsippany Police Department without monetary contribution or admission as to liability from the Township or the Parsippany Police Department and to execute all necessary documents.

BE IF 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 Ms. McCarthy, seconded by Ms. Gragnani.

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

X. ADJOURNMENT

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

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: August 17, 2021