

COUNCIL MINUTES

TOWNSHIP OF PARSIPPANY-TROY HILLS TOWNSHIP COUNCIL AGENDA MEETING OF DECEMBER 7, 2021

I. INTRODUCTION

A. POSTING OF NOTICE:

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.

Note: Council Meetings are videotaped and aired on Cablevision, Public Access Channel 21, at 11:00 a.m. on Sundays and are also available for viewing at www.parsippany.net.

B. FLAG SALUTE

C. ROLL CALL

D. UPCOMING MEETINGS:

- | | |
|-------------------------|---------------------------------------|
| 1. 12/21/21 @ 7:00 p.m. | Regular Meeting |
| 2. 1/5/22 @ 6:30 p.m. | Reorganization Meeting/Agenda Meeting |

E. APPROVAL OF MINUTES

1. Agenda Meeting – 8/3/21
2. Regular Meeting – 8/17/21
3. Agenda Meeting – 9/7/21
4. Regular Meeting – 9/21/21
5. Agenda Meeting – 10/5/21

II. PRESENTATION(S)/REPORTS

A. MAYOR

B. TOWNSHIP COUNCIL

C. TOWNSHIP ATTORNEY

D. BUSINESS ADMINISTRATOR

1. Presentation by Lisa Narcise from Accrisure regarding Township Insurances

E. TOWNSHIP CLERK

F. TOWNSHIP OFFICES / COMMITTEES REPORT

- G. ENGINEERING REPORT – to be read into the record at the December 21, 2021
Regular Council Meeting

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).**

2021 Road Resurfacing / Curb and Sidewalk Program

The annual road resurfacing / curb and sidewalk project is in construction. The contractor will work until the weather is no longer favorable. We will suspend work over the winter and will resume in the spring. **(No Council Action Required).**

Puddingstone Heights Road Improvement Project, Phase I

The Puddingstone Heights Improvement project was awarded and a preconstruction meeting was held. The contractor anticipates starting the project in December and working into the winter as long as the weather is favorable and he can get materials. A start date will be provided once materials have been delivered to the site. **(A Resolution will need to be adopted by the Township Council).**

Rockaway River Floodwall / Levee Inspection

An inspection was conducted of the Rockaway River floodwall and levee system. The report indicated the system is in good shape and recommended several maintenance and repair items that should be addressed. We are presently working with our consultant on preparing design details and a cost estimate for the repair work. **(No Council Action Required).**

Mt. Tabor Street Improvements, Phase VII

The Mt. Tabor Street Improvements, Phase VII project is in design. We anticipate bidding this project in February 2022. **(No Council Action Required).**

Roadway Design Projects

The following projects are in design or proposals have been requested.

Drumlin Drive Stream Cleaning
Jefferson Road Drainage Improvements
No. Beverwyck Road Streetscape Improvements
Lake Intervale Area Street Improvements
Troy Brook Stream Cleaning
Sylvan Way Sidewalk Improvements
River & Stream Desnagging Plans and Permits
Entin Road Traffic Study
(No Council Action Required).

H. CORRESPONDENCE

III. BIDS

A. Taken

1. 12/2/21 – Well Redevelopment Services – Wells 13 and 21

B. To Be Taken

2. 12/15/21 - Pump Station No. 4 Gravity Conversion State Loan Project
3. 12/17/21 – Craftsman Farms Log House Kitchen Restoration and Annex Rehabilitation

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

IV. PUBLIC HEARING

OPEN: I'd like to entertain a motion to open the public hearing. Motion to open the public hearing by Council Member Carifi Seconded by Council Member Peterson
ROLL CALL: with all Council members answering Yes

CLOSE: I'd like to entertain a motion to close the public hearing. Motion to close the public hearing by Council Member Carifi Seconded by Council Member Peterson
ROLL CALL with all Council members answering Yes

V. ORDINANCES

A. INTRODUCTION

1. **ORDINANCE 2021:32**

ORDINANCE AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION IN THE AMOUNT OF \$1,038,975 FOR THE PAYMENT OF CONTRACTUALLY REQUIRED SEVERANCE LIABILITIES RESULTING FROM THE RETIREMENT OR TERMINATION OF EMPLOYEES IN AND BY THE TOWNSHIP OF PARSIPPANY-TROY HILLS, IN THE COUNTY OF MORRIS, NEW JERSEY

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

Section 1. The payment by the Township of Parsippany-Troy Hills, in the County of Morris, New Jersey for the payment of contractually required severance liabilities resulting from the retirement or termination of employees is hereby authorized, and a special emergency appropriation in the amount of \$1,038,975 is hereby authorized pursuant to the Local Budget Law (N.J.S.A. 40A:4-53(h)).

Section 2. A copy of this ordinance as finally adopted shall be filed with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey.

Section 3. This ordinance shall take effect in accordance with applicable law.

BE IT RESOLVED that the above Ordinance be introduced, read by title, and passed on first reading at a Meeting of the Township Council of the Township of Parsippany-Troy Hills held on **December 7, 2021** and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on **December 21, 2021** 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 Council Member McCarthy, seconded by Council Member Peterson.

ROLL CALL with all Council Members answering Yes

B. SECOND READING & PUBLIC HEARING

1. ORDINANCE 2021:27

AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, MORRIS COUNTY, NEW JERSEY CLARIFYING TOWNSHIP POLICY RELATED TO RETIREE HEALTH BENEFITS-ON*

2. ORDINANCE 2021:28

AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, MORRIS COUNTY, NEW JERSEY AMENDING AND SUPPLEMENTING THE FEES FOR VARIOUS LICENSING PROVISIONS OF THE CODE OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS-ON*

3. ORDINANCE 2021:29

AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, MORRIS COUNTY, NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 124, CONSTRUCTION CODES, UNIFORM, AND CHAPTER A445, FEES COMPILATION, OF THE CODE OF PARSIPPANY-TROY HILLS-ON*

4. ORDINANCE 2021:30

AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, MORRIS COUNTY, NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 290 PARKS, RECREATION AREAS AND PUBLIC LANDS, AND CHAPTER A445, FEES COMPILATION, OF THE CODE OF PARSIPPANY-TROY HILLS-ON*

5. ORDINANCE 2021:31

AN ORDINANCE AMENDING CHAPTER 405, VEHICLES AND TRAFFIC, SECTION 15, PARKING PROHIBITED DURING CERTAIN HOURS ON CERTAIN STREETS, OF THE CODE OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, MORRIS COUNTY, NEW JERSEY-ON*

VI. NON-CONSENT AGENDA

A. RESOLUTIONS

- R2021-192 Awarding a Three-Year Contract for Third Party Administrator Services and Prescription Claims Costs for the Township’s Limited Self-Insured Prescription Benefit Program to Crumdale Partners, LLC/Express Scripts, Inc.**

WHEREAS, the Township of Parsippany-Troy Hills (the “Township”) has a need to acquire services for its self-insured prescription benefits program, including administration and claim processing through a non-fair and open process pursuant to the provisions of P.L. 2004, c.19 (N.J.S.A. 19:44A-20.5 et seq.); and

WHEREAS, the procurement of insurance services, including prescription benefit insurance, is an exception to public bidding requirements pursuant to N.J.S.A. 40A:11-5(1)-(m), the procurement of which shall comply with N.J.S.A. 40A:11-5(1)(a)(ii); and

WHEREAS, the Business Administrator has determined and certified in writing that the value of these services will exceed \$17,500; and

WHEREAS, the Township’s Health Insurance Broker of Record issued a Request for Proposals to parties interested in providing health insurance services to the Township; and

WHEREAS, the Township received proposals for Third Party Administrator Fees on a self-insured basis, as follows:

Vendor	Type of Coverage	Estimated Annual Fees
BenecardRxAlliance	Trust	\$4,517,838
Benecard Stand Alone	Fully Insured	\$4,694,007
Remedy/CVS	Self Insured	\$3,949,430
Meritain/CVS	Self Insured	\$3,949,430
Crumdale/Express Scripts	Self Insured	\$3,560,712
Ingenio Rx	Self Insured	\$3,589,001

WHEREAS, the Broker of Record, Mayor, Business Administrator, and Township Insurance Commission have reviewed the proposals received, and recommend that a three (3) year contract be awarded to Crumdale Partners, LLC, 555 East Lancaster Ave, Suite 640, Radnor, PA 19087 to provide Third Party Administrative (TPA) services and Express Scripts, Inc., One Express Way, Saint Louis, MO 63121 to provide prescription insurance coverage and claims processing at an estimated yearly

maximum claims costs of \$3,723,550 (inclusive of estimated rebates), and estimated administration fees of \$259,240; and

WHEREAS, pursuant to N.J.S.A. 40A:11-15, contracts for the provision of insurance, including the purchase of prescription insurance coverages, insurance consulting or administrative services, claims administration services, and risk management may be for a term of three (3) years; and

WHEREAS, the term of this contract shall be from January 1, 2022 through December 31, 2024; and

WHEREAS, Crumdale Partners, LLC and Express Scripts, Inc. will complete and submit 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, Crumdale Partners, LLC and Express Scripts, Inc will complete and submit 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 of the Township of Parsippany-Troy Hills has certified in writing that funds will be available for this purpose in the Reserve for Self-Insurance account.

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 aforestated recitals be and hereby are incorporated herein in full; and
2. That the Township of Parsippany-Troy Hills hereby awards, and the Mayor, Business Administrator and the Township Clerk are hereby authorized to execute, contracts between the Township of Parsippany-Troy Hills and Crumdale Partners, LLC, 555 East Lancaster Ave, Suite 640, Radnor, PA 19087 to provide Third Party Administrative (TPA) services and Express Scripts, Inc., One Express Way, Saint Louis, MO 63121 to provide prescription insurance claims processing at an estimated yearly maximum claims costs of \$3,723,550, and administration fees of \$259,240; for the Township's self-insured employee prescription benefit plan for a three (3) year term, commencing January 1, 2022, in a form acceptable to the Township Attorney; and

3. The contract award is in accordance with the schedules submitted by Crumdale/Express Scripts (Transformation Rx, a Crumdale Partners Company) which is on file in the office of the Business Administrator.
4. That the Business Disclosure Entity Certification, Chapter 271 Campaign Contribution Disclosure Form, Public Contracting Reform Ordinance (Ordinance No. 2010:02) Disclosure, Stockholder Disclosure Certification, the Determination of Value, the Certificate of Availability of Funds, and Standard Certification Declaration for an Extraordinary Unspecifiable Service be placed on file with this Resolution; and
5. That these contracts shall 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 an exception pursuant to N.J.S.A. 40A:11-5(1)-(m), the procurement of which shall comply with N.J.S.A. 40A:11-5(1)(a)(ii); and
6. That the Mayor and Township Administration be and hereby are authorized to take all reasonable and necessary actions to effectuate the same; and
7. That a notice of this action shall be printed once in the legal newspaper of the Township of Parsippany-Troy Hills.

Motion to approve the Resolution above by Council Member Gagnani, seconded by Council Member McCarthy.

ROLL CALL: with all Council members answering Yes

2. **R2021-193 Awarding a Contract for Medical Stop Loss Insurance Services and Medical Claims Costs for the Township's Limited Self-Insured Health Benefit Insurance Program**

WHEREAS, the Township of Parsippany-Troy Hills has a need to acquire health insurance services, requiring administration, claim processing, and excess loss insurance placement to be rendered to the Township of Parsippany-Troy Hills 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 procurement of insurance services, including the purchase of insurance, is an exception to public bidding requirements pursuant to N.J.S.A. 40A:11-5(1)(m), the procurement of which shall comply with N.J.S.A. 40A:11-5(1)(a)(ii); and

WHEREAS, the Business Administrator has determined and certified in writing that the value of these services will exceed \$17,500; and

WHEREAS, the Township's Health Insurance Broker of Record issued a Request for Proposals on October 5, 2021 to Sun Life, ATS MGU, Exchange Benefits, Granular, Partners MGU, Rockport MGU, Skyward, Star Line MGU, TMS Re, Unity Re, American Fidelity, Berkley, Berkshire Hathaway, East Coast Underwriters, HM, IISI, QBE, Swiss Re, Unum, Vista Underwriting, Alt Risk, KisMet Risk and ULLICO; and

WHEREAS, the Township received proposals for Stop Loss insurance coverage and maximum claims exposure on a self-insured basis, as follows:

	<u>Estimated Annual Fees</u>
Sun Life	\$3,745,772
Partners MGU	(Buckingham) Quoted Higher Claims
ULLICO	Quoted Higher Claims
KisMet Risk	Declined to Quote

WHEREAS, there were no responses from the remainder of the vendors solicited; and

WHEREAS, the Broker of Record, Mayor, Business Administrator, and Township Insurance Commission have reviewed the proposals received, and recommend that a one (1) year contract be awarded to Sun Life Financial, One Sun Life Executive Park, 112 Worcester Street, Wellesley Hills, MA 02481, as the reinsurance carrier for catastrophic losses at the estimated annual cost of \$3,777,817 for the Township and Library's Limited Self Insured Health Benefit Program and for the medical claims costs at an estimated annual cost of \$14,401,102 and

WHEREAS, pursuant to N.J.S.A. 40A:11-15, contracts for the provision of insurance, including the purchase of insurance coverages, and risk management may be for a term of one (1) year; and

WHEREAS, the term of this contract shall be from January 1, 2022 through December 31, 2022; and

WHEREAS, Sun Life Financial will complete and submit 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, Sun Life Financial will complete and submit 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 of the Township of Parsippany-Troy Hills has certified in writing that funds will be available for this purpose in the Reserve for Self-Insurance account.

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 aforestated recitals be and hereby are incorporated herein in full; and
2. That the Township of Parsippany-Troy Hills hereby awards, and the Mayor, Business Administrator and the Township Clerk are hereby authorized to execute, a contract between the Township of Parsippany-Troy Hills and Sun Life Financial, One Sun Life Executive Park, 112 Worcester Street, Wellesley Hills, MA 02481, as the reinsurance carrier for catastrophic losses for the Township and Library's Limited Self Insured Health Benefit Program medical self-insurance claims costs for a one (1) year term commencing January 1, 2022, in a form acceptable to the Township Attorney; and
3. The contract award is in accordance with the schedule submitted by Sun Life Financial on October 25, 2021, which are on file in the office of the Business Administrator.
4. That the Business Disclosure Entity Certification, Chapter 271 Campaign Contribution Disclosure Form, Public Contracting Reform Ordinance (Ordinance No. 2010:02) Disclosure, Stockholder Disclosure Certification, the Determination of Value, the Certificate of Availability of Funds, and Standard Certification Declaration for an Extraordinary Unspecifiable Service be placed on file with this Resolution; and
5. That this contract shall 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 an exception pursuant to N.J.S.A. 40A:11-5(1)-(m), the procurement of which shall comply with N.J.S.A. 40A:11-5(1)(a)(ii); and
6. That the Mayor and Township Administration be and hereby are authorized to take all reasonable and necessary actions to effectuate the same; and
7. That a notice of this action shall be printed once in the legal newspaper of the Township of Parsippany-Troy Hills.

Motion to approve the Resolution above by Council Member Carifi,
seconded by Council Member Peterson.

ROLL CALL: with all Council members answering Yes

3. **R2021-194 Awarding Contract for Employee Dental Insurance Services on a Self-Insured Basis to Delta Dental for the 2022 Year**

WHEREAS, the Township of Parsippany-Troy Hills has a need to acquire dental insurance 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 procurement of insurance services, including dental insurance, is an exception pursuant to the to N.J.S.A. 40A:11-5(1)(m), the procurement of which shall comply with N.J.S.A. 40A:11-5(1)(a)(ii); and

WHEREAS, the Business Administrator has determined and certified in writing that the value of these services will exceed \$17,500; and

WHEREAS, the Township’s Health Insurance Broker issued a Request for Proposals in October of 2021 to parties interested in providing dental insurance services to the Township and received the following; and

	One Year	Two Year
Delta Dental (ASO only)	\$4.40 PEPM Admin Fee Est. \$427,422 annual claims cost	n/a
Aetna Shared Savings	n/a	\$2.66 PEPM Admin Fee \$424,023 annual claims cost
Aetna Fully Insured	n/a	\$444.181 annual claims cost
MetLife	Declined to Quote on ASO	
Principal	Declined to Quote on ASO	
Guardian	No Response	
Horizon	No Response	
UHC	No Response	

WHEREAS, the Broker of Record, Mayor, Business Administrator, and Township Insurance Commission have reviewed the proposals received and recommend that a one-year contract be awarded to Delta Dental of New Jersey, Inc., 1639 Route 10, Parsippany, NJ 07054 at an estimated yearly claims cost of \$427,422 and administrative fees of \$30,254; and

WHEREAS, the term of this contract shall be from January 1, 2022 through December 31, 2022; and

WHEREAS, it was further recommended that in an effort to reduce dental insurance payments, the Township offer to employees the Delta Dental PPO and Carryover Max programs; and

WHEREAS, Delta Dental of New Jersey, Inc. will complete and submit a Business Entity Disclosure Certification, which Certification provides that Delta Dental 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 Delta Dental 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, Delta Dental of New Jersey, Inc. will complete and submit a Political Contribution Disclosure Form and Stockholder Disclosure Certification, as required pursuant to N.J.S.A. 19:44A-20.26, not 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 of the Township of Parsippany-Troy Hills has certified in writing that funds will be available for this purpose in the Reserve for Self-Insurance account.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Township of Parsippany-Troy Hills hereby awards, and the Mayor and/or Business Administrator and the Township Clerk are hereby authorized to execute a contract between the Township of Parsippany-Troy Hills and Delta Dental of New Jersey, Inc., 1639 Route 10, Parsippany, NJ 07054, to provide dental care coverage at an estimated annual cost of \$457,676 for a one (1) year period (January 1, 2022 through December 31, 2022, and in accordance with the contract on file in the office of the Business Administrator.
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; Determination of Value; Certificate of Availability of Funds; and Certification of Extraordinary Unspecifiable Service be placed on file in the Office of the Business Administrator 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 an exception pursuant to N.J.S.A. 40A:11-5(1)(m), the procurement of which shall comply with N.J.S.A. 40A:11-5(1)(a)(ii); and
4. That a notice of this action shall be printed once in the legal newspaper of the Township of Parsippany-Troy Hills.

Motion to approve the Resolution above by Council Member Peterson, seconded by Council Member Carifi.

ROLL CALL: with all Council members answering Yes

4. **R2021-195 Awarding a Two-Year Contract with VSP for Vision Care Benefits**

WHEREAS, the Township of Parsippany-Troy Hills has a need to acquire health insurance services, including vision care coverage, as a non-fair and open contract pursuant to the N.J.S.A. 19:44A-20.5 et seq.; and

WHEREAS, the procurement of insurance services is an exception pursuant to N.J.S.A. 40A:11-5(1) (m), the procurement of which shall comply with N.J.S.A. 40A:11-5(1) (a) (ii); and

WHEREAS, the Business Administrator has determined and certified in writing that the value of these services will exceed \$17,500; and

WHEREAS, the Township's Health Insurance Broker issued a Request for Proposals in October of 2021 to parties interested in providing vision insurance services along with dental insurance services to the Township; and received the following:

	One Year	Two Year
Visions Services Plan (VSP)	n/a	PE/PM Single \$9.02 PE/PM Emp + Fam \$24.38 \$139,304 annual cost
MetLife	No response on Vision	
Principal	No response on Vision	
Guardian	No Response	
Aetna	No response on Vision	
Horizon	No Response	
UHC	No Response	
NVA	No Response	

WHEREAS, the Township’s Health Insurance Broker, Business Administrator, Mayor and Township Insurance Commission recommended, that due to the “equal or better” criteria, a two-year contract commencing on January 1, 2022 and end on December 31, 2023 be awarded to Vision Service Plan Insurance Company (VSP), 3333 Quality Drive, Rancho Cordova, California 95670, to provide vision care coverage on a fully funded basis at an estimated yearly cost of \$139,304; and

WHEREAS, Vision Service Plan Insurance Company (VSP) will complete and submit a Business Entity Disclosure Certification, which Certification provides that VSP 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 VSP 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, Vision Service Plan Insurance Company (VSP) will complete and submit 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 Business Entity Disclosure Certification will further provide that the Vision Service Plan Insurance Company (VSP) 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 2010:02 (Municipal Code Part 1, Chapter 12); and

WHEREAS, the Chief Financial Officer has certified in writing that funds will be available for this purpose in the Reserve for Self-Insurance account.

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 Township of Parsippany-Troy Hills hereby awards, and the Mayor and/or Business Administrator and the Township Clerk are hereby authorized to execute a two-year contract between the Township of Parsippany-Troy Hills and Vision Service Plan Insurance Company (VSP), 3333 Quality Drive, Rancho Cordova, California 95670, to provide vision care coverage on a fully funded basis at annual estimated cost of \$139,304, in accordance with the contract on file in the office of the Business Administrator.
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; Determination of Value; Certificate of Availability of Funds; and Certification of Extraordinary Unspecifiable Service be placed on file in the Office of the Business Administrator 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 an exception pursuant to N.J.S.A. 40A:11-5(1)(m), the procurement of which shall comply with N.J.S.A. 40A:11-5(1)(a)(ii); and
4. That a notice of this action shall be printed once in the legal newspaper of the Township of Parsippany-Troy Hills.

Motion to approve the Resolution above by Council Member
McCarthy, seconded by Council Member Carifi.

ROLL CALL: with all Council members answering Yes

5. **R2021-196 Authorize Transfers Between Budget Appropriation**

WHEREAS, *certain transfers of funds for various 2021 budget appropriations are necessary to cover anticipated expenditures; and*

WHEREAS, *N.J.S.A. 40A:4-58 provides for transfers from appropriations with an excess over and above the amount deemed necessary to fulfill their purposes to those appropriations deemed to be insufficient;*

WHEREAS, *appropriations subject to funds transfers hereby are not within those restricted by N.J.S.A. 40A:4-58 for transfer purposes;*

NOW, THEREFORE, BE IT RESOLVED, *by the City Council of the Township of Parsippany-Troy Hills (by not less than two-thirds of all the members thereof affirmatively concurring) that the Chief*

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Financial Officer shall and is hereby authorized to make the transfers between appropriations accounts of the 2021 municipal budget as shown below.

DESCRIPTION	FROM	TO	REMARKS
CURRENT FUND			
<i>TOWNSHIP COUNCIL S&W</i>		<i>3,970.00</i>	<i>Correct Allocation</i>
<i>TOWNSHIP COUNCIL OE</i>	<i>1,500.00</i>		<i>Correct Allocation</i>
<i>TOWNSHIP CLERK S&W</i>		<i>7,100.00</i>	<i>Election Expenses</i>
<i>TOWNSHIP CLERK OE</i>	<i>5,000.00</i>		<i>Election Expenses</i>
<i>TAX ASSESSOR S&W</i>		<i>2,200.00</i>	<i>Correct Allocation</i>
<i>TAX ASSESSOR OE</i>	<i>2,200.00</i>		<i>Correct Allocation</i>
<i>ANNUAL AUDIT</i>	<i>67,000.00</i>		<i>Correct Allocation</i>
<i>LEGAL OE</i>		<i>150,000.00</i>	<i>Billing Charges and Fees</i>
<i>BOARD OF ADJUSTMENT S&W</i>	<i>6,000.00</i>		<i>Correct Allocation</i>
<i>PLANNING BOARD S&W (H)</i>		<i>6,000.00</i>	<i>Correct Allocation</i>
<i>POLICE S&W</i>		<i>287,530.00</i>	<i>Correct Allocation</i>
<i>FIRE PREVENTION S&W</i>		<i>3,100.00</i>	<i>Correct Allocation</i>
<i>FIRE PREVENTION OE</i>	<i>2,000.00</i>		<i>Correct Allocation</i>
<i>STREETS & ROADS MAINT S&W</i>		<i>10,000.00</i>	<i>Snow removal Overtime</i>
<i>STREETS & ROADS MAINT OE</i>	<i>10,000.00</i>		<i>Snow removal Overtime</i>

<i>SANITATION & RECYCLING OE</i>	<i>400,000.00</i>		<i>Correct Allocation</i>
<i>BOARD OF HEALTH S&W</i>		<i>23,800.00</i>	<i>Correct Allocation</i>
<i>AMBULANCES SERVICES S&W</i>		<i>28,402.00</i>	<i>Overtime payment</i>
<i>AMBULANCE SERVICES OE</i>	<i>28,402.00</i>		<i>Overtime payment</i>
<i>ELECTRICITY OE</i>	<i>10,000.00</i>		<i>Correct Allocation</i>
<i>TELEPHONE OE</i>		<i>10,000.00</i>	<i>Correct Allocation</i>
TOTAL	\$ 532,102.00	\$ 532,102.00	

GOLF UTILITY			
<i>KNOLL UTILITY SALARY & WAGES</i>	<i>19,900.00</i>		<i>Correct Allocation</i>
<i>DEFERRED CHARGES-STATUTORY EXPENDITURES</i>		<i>19,900.00</i>	<i>Correct Allocation</i>
TOTAL	\$ 19,900.00	\$ 19,900.00	
GRAND TOTAL	\$ 552,002.00	\$ 552,002.00	

Motion to approve the Resolution above by Council Member Gragnani, seconded by Council Member McCarthy.
ROLL CALL: with all Council members answering Yes

VII. CONSENT AGENDA

A. RESOLUTIONS

1. **Rejecting the Bid for Smith-Baldwin House Shutters-ON***
2. **Authorizing the Township of Parsippany-Troy Hills Schedule of Township Council Meetings for 2022-ON***
3. **Approving Annual Compensation for Board Members of Fire District No. 6 in Accordance with N.J.S.A. 40A:14-88-ON***
4. **Authorizing Award of Contract for Well Redevelopment Services for Two Production Wells: Wells 13 & 21-ON***
5. **Authorizing the Issuance of \$1,038,975 Special Emergency Notes for the Payment of Contractually Required Severance Liabilities Resulting from the Retirement or Termination of Employees-ON***

B. APPLICATIONS

1. **Person-to-Person Transfer of Plenary Retail Consumption License SVC Gatehall Drive TRS, LLC from Residence Inn by Marriott-ON***
2. **Person-to-Person Transfer of Plenary Retail Consumption License Bhagirath P. Maheta from Reimer, Inc.-ON***
3. **Approving a New Limousine License for RTA Limousine, LLC-ON***

C. APPROVAL OF PAYROLL AND BILLS LIST

CFO Juan Uribe recommends authorization for payment:

1. Authorize payment of the 12/10/21 regular payroll estimated at \$1,600,000.00
2. Payment of bills from voucher list of 12/1/21 through 12/3/21 estimate totaling \$2,703,741.90

Motion to approve the authorization for payment above by Council Member Carifi, seconded by Council Member Peterson.

ROLL CALL: with all Council members answering Yes

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:

- (1) **Attorney Client Privilege – Litigation – Knoll West, Country Club LLC (Rafael Flores) v. Township of Parsippany Troy Hills, Mayor Michael A. Soriano in his Official and Individual Capacities and John and Jane Does, fictitious persons (to be identified later)**
- (2) **Attorney Client Privilege – Litigation Township of Parsippany Troy Hills - State v. Nader – UCC Penalty Enforcement Action**

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 Council Member Peterson Seconded By Council Member Carifi

ROLL CALL: with all Council members answering Yes

Motion to Reconvene into Open Session by Council Member dePierro Seconded By Council Member Peterson

ROLL CALL: with all Council members answering Yes

IX. NON-CONSENT AGENDA

A. RESOLUTION(S)

1. **R2021-197 Authorizing Township Attorney to File Answer on Behalf of All Defendants in Knoll West, Country Club Litigation**

WHEREAS, the Township of Parsippany-Troy Hills (the “Township”) is a party to litigation bearing docket number Knoll West, Country Club, LLC v. Michael Soriano in both his individual capacity and his capacity as Mayor, Township of Parsippany-Troy Hills and John Doe 1-10, Docket No. MRS-L-002366-21 (the “Action”); and

WHEREAS, Knoll West, Country Club, LLC (hereinafter “Plaintiff”) commenced litigation against the Township, Mayor Michael Soriano in his individual capacity and his capacity as Mayor of the Township and John Doe 1-10, whose identities are unknown at this time (hereinafter collectively “Defendants”) in the Superior Court of New Jersey, Morris County, Law Division; and

WHEREAS, in order to preserve the Defendants’ rights in the Action, it is necessary for the Township Attorney to prepare and file an Answer to the Action and to otherwise provide a full defense to the Action on behalf of all Defendants; and

WHEREAS, it is in the best interest of the Township for the Township Attorney to file an Answer to the Action and to do and take any and all other action or actions that may be required to defend the Defendants against the Action; and

WHEREAS, the Township denies all allegations in the Action and believes that all Township employees, appointed or elected officials acted within the scope of their official duties and therefore are entitled to defense and indemnification; and

WHEREAS, accordingly, it is in the best interests of the Township for the Township to provide for the defense and/or indemnification of Mayor Soriano in his individual capacity; and

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 above recitals are hereby incorporated by reference and that the Township Attorney is hereby authorized to file an Answer to this litigation on behalf of all defendants.

BE IT FURTHER RESOLVED, the Township Council hereby authorizes the Township Attorney to do and take any and all other action or actions that may be required to defend all Defendants against the Action.

BE IT FURTHER RESOLVED, the Township Council hereby authorizes the Township Attorney and all other Township officials and employees to provide for the defense and/or indemnification of Mayor Soriano in his individual capacity.

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 Council Member
McCarthy, seconded by Council Member Carifi.
ROLL CALL: with all Council members answering Yes

X. ADJOURNMENT

Motion to Adjourn the Meeting by Council Member Carifi Seconded by Council Member Peterson

ROLL CALL: with all Council members answering Yes

Respectfully submitted,

Khaled Madin, Township Clerk

Michael J. dePierro, Council President

Minutes Approved: March 15, 2022