

COUNCIL MINUTES

TOWNSHIP OF PARSIPPANY-TROY HILLS REGULAR TOWNSHIP COUNCIL MEETING OF DECEMBER 21, 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 and local radio stations on December 18, 2020.

Note: Council Meetings are videotaped and aired on Public Access Channel 21, at 7:00 p.m. Sundays and Wednesdays and are also available for viewing at www.parsippany.net.

B. FLAG SALUTE

C. ROLL CALL

D. UPCOMING MEETINGS:

- | | |
|------------------------|---------------------------------------|
| 1. 1/5/22 @ 6:30 p.m. | Reorganization Meeting/Agenda Meeting |
| 2. 1/18/22 @ 7:00 p.m. | Regular 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
6. Agenda Meeting – 4/6/21
7. Regular Meeting – 4/20/21
8. Agenda Meeting – 5/4/21
9. Regular Meeting – 5/18/21

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

ROLL CALL: with all Council Members answering Yes

II. PRESENTATION(S)/REPORTS

A. MAYOR

Mayor gave an update on Covid cases and vaccination status in Parsippany. Omicron variant is predominant variant and stated we should still practice Covid protocols. Town Hall is closed two days for observance of Christmas holiday. Town Planner is in the mail to residents and electronic copy is on the website. Green Team has recycling program for old holiday lights. JCP&L is doing a line clearance and tree trimming in Parsippany in February. Be prepared for winter weather with Alert Parsippany. Last meeting as Mayor and was an honor to be mayor for past 4 years. Proud of all he accomplished.

B. TOWNSHIP COUNCIL

Presentation to Council Members McCarthy and Peterson for their service the past four years as council members. Council Members McCarthy and Peterson spoke that they were honored to have served with all the Council Members and expressed their appreciation to everyone that provided them support and guidance.

C. TOWNSHIP ATTORNEY

Mr. Lott expressed his appreciation to all the staff and employees that he worked with for the past four years and that it was an honor to have served the town.

D. BUSINESS ADMINISTRATOR

Mandatory masks have been established today due to positive Covid rates in Town Hall.

E. TOWNSHIP CLERK

Thanked Council Members McCarthy and Peterson and that it was a pleasure to have worked with them.

F. TOWNSHIP OFFICES COMMITTEES/REPORTS

G. CORRESPONDENCE

1. Debt Service Report
2. Year-End Summary Revenues and Appropriations Report

III. BIDS

A. Taken

1. 12/2/21 – Well Redevelopment Services – Wells 13 and 21
2. 12/17/21 – Craftsman Farms Log House Kitchen Restoration and Annex Rehabilitation

B. To Be Taken

1. 1/26/22 – Pump Station No. 4 Gravity Conversion Project

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 Gragnani Seconded by Council Member Peterson ROLL CALL: with all Council Members answering Yes

Julia Peterson wished to pay tribute to MaryAnn Hozig who attended all council meetings and has passed away. The issue with the LED sign is scheduled to be heard in February at the Board of Adjustment meeting and she is hopeful that the Board will find in their favor and not allow the sign to be placed so near to their homes. Thought that it was great to have 3 women on the Council and wished to thank Council Members McCarthy and Peterson for their service.

Brian Alvarez, works for Ajaco Towing. Things changed on August 16, 2021 in an incident with Barry Ellenwood who created a racial incident at his work that has caught a lot of attention. Mr. Ellenwood called him names and fabricated stories in an intent to create a problem. Mr. Ellenwood called the police and while the officers were present they did nothing to deescalate the problem. Mayor Soriano then posted on social media that Ajaco Towing condoned racism. This is a total lie and he does not condone any sort of racism. He has suffered harassment because of the statement by Mayor Soriano. He has since been called numerous names and epithets because of this. Mayor Soriano's action has caused him extreme harm and has made it difficult for him to get jobs. He stated that Mayor Soriano has contributed to this racism and would like an apology from him.

Paul Argen, from Ajaco Towing. Asked the Council President for an accommodation for his disability. An accommodation that he cannot have any interruptions. Mr. Argen handed over a notice of tort claim to Clerk Madin. The tort claim is from multiple employees from Ajaco. Gave a quick update on the incident with Ajaco Towing and the racial incident. No one from Ajaco Towing was guilty for any hate crimes in the police report. Mayor Soriano used social media in disregard to what the police report stated that there was not a racial incident. The company has suffered since this incident. The Mayor labeled the 27-year-old business as racist and he hopes the Mayor will offer a retraction to his statements.

Kathy Malkinski, from 15 Winding Way. She and other residents appeared in front of Judge Scala in regard to the feral cat issue in their neighborhood. He did not make a determination of

probable cause and his recommendation was that he had no control over Animal Control. They were told by the Mayors Office that they would have to go through the municipal court for this problem as per ordinance. They are now confused in that regard. The Judge can't tell Animal Control what to do but he agrees this is a health issue and is unsanitary. The care givers of these cats can no longer take care of them. Animal Control said all they can do is fine the care givers. This will not help the situation. Over 40 people signed a petition to bring these cats to the shelter. The Judge has thrown this back to the Mayor and the Council. They went through all the steps so now the Council needs to step up and help them.

Council President dePierro stated they will reactive the TNR Committee. The prior Animal Control officer euthanized many animals and after he retired they formed this group to not kill these animals but to neuter them which was a partial solution. Following the Reorganization Meeting in January he will reactivate the committee to see what they can do to adopt the cats out or relocate them elsewhere, they do not want to euthanize them.

Ms. Malkinski asked that the 20 cats that are currently residing in the neighbor's yard be moved to Animal Control and housed there and taken from their neighborhood. There should be a trap at every home.

Council Member McCarthy asked if these cats were inoculated for rabies.

Marilyn Marion, from 12 Winding Way. Appreciates Council Member McCarthy for her assistance with the cat problem. She said it was embarrassing going in front of the Judge. The ordinance needs to be changed and they followed the ordinance to a T. They had to go in front of a mediator and judge who asked why the Council wasn't doing anything. Judge Scala said he would impose a fine of \$2500 a day if the care takers don't obey what he asks them to do. The current care takers are not able to take care of these cats and the Judge said they need to stop feeding them because they are wild and need to scavenge for food not be fed by a care taker. She feels Animal Control is not doing their job to keep up with this problem and these things need to be checked out.

Vincent Clefi, from Ajaco Towing. Property owner of Ajaco Towing said he was vindicated of all charges. He is here to speak about the catastrophic incident in Kentucky and they are trying to get together a 53-foot trailer to send supplies to help the people in need in Kentucky. He is asking Parsippany to help fill this large trailer. It is hard to do a fund raiser when you are being told you are a racist company. Thanked the Parsippany PD for writing an accurate report of the incident that said they are not racist. He would like Parsippany to make an announcement for donations. He will personally deliver the trailer to the people of Kentucky.

Bob Venezia, 102 Brooklawn Drive. He wants to second the suggestion that Council Member Peterson had made being an independent audit for State health plan vs. Parsippany's self-insured plan. A cost analysis should be done. Discussed the water needs of Parsippany related to the COAH obligations. Parsippany has a water shortfall problem. Asked the Council to provide a quarterly report on the water situation going forward.

Nick Homyak, Oneida Avenue. Presented pictures of a cat colony being fed with Styrofoam bowls and is a mess. The cat habitat has become a cat village. Many problems with these feral

cats and a solution needs to be found because the health of the neighborhood is in jeopardy. Hopes the Council in the future will stay in the Highlands. Need to improve our knowledge of nature and the environment with Troy Meadows.

Tom Jones, thanked Council Members McCarthy and Peterson and wished them luck in the future.

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

None

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

WHEREAS, the Mayor and Township Council wish to clarify and restate the Township's policy related to retiree health benefits as it applies to Township employees who are not covered under a collective bargaining agreement; and

WHEREAS, the Township's retiree benefit policy currently provides for the continuation of coverage under the Township's Health Benefit Plan (the "Plan"), as well as the continuation of dental, vision and prescription coverage, for employees who, upon retirement, are immediately eligible for pension benefits and who have completed at least twenty-five (25) years of service with the Township, until the employee reaches the age of 65 and/or becomes eligible for coverage under the Federal Medicare Program; and

WHEREAS, the current version of the Township's retiree health benefits policy is silent with regard to the election of retiree benefits coverage on behalf of an eligible employee's spouse and dependents; and

WHEREAS, the Mayor and Township Council wish for the Township's retiree benefit policy to reflect that the Plan permits an eligible employee to elect to continue coverage for his or her Spouse and eligible Dependents as those terms are defined under the Plan; and

WHEREAS, the Mayor and Township Council further wish for the Township's retiree benefit policy to reflect that upon reaching the age of 65 and/or becoming eligible for coverage under the Federal Medicare Program, the employee, and his/her Spouse and eligible Dependents, shall be removed from the Township's Health Benefits Plan; and

WHEREAS, consistent with the current Township's retiree benefit policy and applicable law, the employee shall pay his or her share of the annual health insurance premium, including for dental, vision and prescription coverage, as applicable, in accordance with P.L. 2011 c.78, as amended; and

WHEREAS, the Township Employee Handbook will be revised, as necessary, to reflect this policy at its next revision date.

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

1. The above recitals are hereby incorporated herein by reference as if fully set forth herein.
2. The Township Council hereby approves of the Township's retiree benefits policy as set forth in this Ordinance.
3. The Township shall have the sole discretion to interpret the retiree health benefits policy consistent with this Ordinance and the Plan.
4. In the event of a conflict between the retiree health benefits policy and/or this Ordinance on the one hand and the Plan on the other hand, the terms of the Plan shall control.
5. The Township Employee Handbook will be revised, as necessary, to reflect this policy at its next revision date.

If any section, paragraph, subsection, clause, or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective.

Any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

This Ordinance shall take effect upon passage and publication in accordance with applicable law.

The Notice for Ordinance 2021:27 was published in the *Daily Record*, the official newspaper of the Township of Parsippany-Troy Hills on December 2, 2021 and introduced at the November 23, 2021 Regular Meeting.

Motion to accept Ordinance 2021:27, be heard in their second and final reading by title only, by Council Member Gragnani, seconded by Council Member Carifi.

ROLL CALL: with all Council Members answering Yes

a. PUBLIC HEARING

Motion to open the public hearing for Ordinance 2021:27 by Council Member Gragnani, seconded by Council Member McCarthy.

ROLL CALL: with all Council Members answering Yes

Motion to close the public hearing for Ordinance 2021:27 by Council Member Gragnani, seconded by Council Member McCarthy.

ROLL CALL: with all Council Members answering Yes

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

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

Motion to approve the Resolution above for Ordinance 2021:27 by Council Member Gragnani, seconded by Council Member McCarthy.

ROLL CALL: with all Council Members answering Yes

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

WHEREAS, the Township Council finds that it is in the best interests of the Township to amend the fees for various licensing provisions under the Code of the Township of Parsippany-Troy Hills.

NOW THEREFORE, 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. Chapter 91, Animals, Article I, Animal Control; Licensing of Dogs, Section 2, Licensing of Dogs, Subsection D, Fees, and Chapter A445, Fees Compilation, Section

16, Dogs, Subsection C, of the Township Code of the Township of Parsippany-Troy Hills are hereby amended as follows:

§91-2 Licensing of Dogs

D. Fees

- (1) The person applying for a license and registration tag or for renewal of such license and registration tag shall pay to the Township a fee of \$15 for a spayed or neutered dog and a fee of \$18 for a nonspayed or nonneutered dog (which amounts include fees required by the New Jersey Department of Health and Senior Services). An additional late fee of \$105 shall be charged for a renewal license obtained on or after the first day of March and \$5 a month thereafter not to exceed \$50. The fee for a transfer registration tag (optional) for a dog with a current license registration tag from another municipality within the State of New Jersey shall be \$2. The fee for a replacement registration tag shall be \$2.

§A445-16 Dogs.

- C. Late fee: \$105 shall be charged for a renewal license obtained on or after the first day of March and \$5 a month thereafter not to exceed \$50. [§91-2D(1)]

SECTION 2. Chapter 381, Tourist Accommodations, Section 5, Fee, and Chapter A445, Fees Compilation, Section 16, Dogs, Subsection C, and Chapter A445, Fees Compilation, Section 72, Tourist accommodations, of the Township Code of the Township of Parsippany-Troy Hills are hereby amended as follows:

§381-5 Fee

The annual fee for a license shall be \$2523 per lodging unit. If a license is issued after July 1, the fee shall be \$13 per lodging unit.

§A445-72 Tourist accommodations

- A. License fee: \$2523 per lodging unit annually. (§381-5)

SECTION 3. Chapter 275, Outdoor Eating Establishments, Section 4, Application, Subsection F, Fee, and Chapter A445, Fees Compilation, Section 58, Retail food-handling establishments, of the Township Code of the Township of Parsippany-Troy Hills are hereby amended as follows:

§275-4 Application

- F. Fee. Each applicant for an outdoor eating establishment license shall pay to the Township an application fee of ~~\$200+00~~. The fee shall be nonrefundable.

§A445-58 Tourist accommodations

- K. Outdoor dining license fee: ~~\$200+00~~ per year.

SECTION 4. Chapter 185, Games of Chance, of the Township Code of the Township of Parsippany-Troy Hills are hereby amended as follows:

[Add new]

§185-3 Licensing fees with respect to raffles

There is hereby authorized a licensing fee to defray all proper expenses incurred in the administration of the Bingo Licensing Law, the Raffles Licensing Law and the implementing regulation. The fee for the municipal license shall be equal in amount to the fee required to be paid to the state pursuant to state law. No license issued shall be valid for more than one year.

SECTION 5. To the extent a specific amendment to Chapter A445, Fees compilation, is not provided herein, the fee provisions of Chapter A445 shall be amended consistent with this Ordinance.

SECTION 6. 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 7. 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 8. This ordinance shall take effect immediately upon its final passage, approval and publication as provided by law.

The Notice for Ordinance 2021:28 was published in the *Daily Record*, the official newspaper of the Township of Parsippany-Troy Hills on December 2, 2021 and introduced at the November 23, 2021 Regular Meeting.

Motion to accept Ordinance 2021:28, be heard in their second and final reading by title only, by Council Member Carifi, seconded by Council Member Gagnani.

ROLL CALL: with all Council Members answering Yes

a. PUBLIC HEARING

Motion to open the public hearing for Ordinance 2021:28 by Council Member Carifi, seconded by Council Member Peterson.

ROLL CALL: with all Council Members answering Yes

Motion to close the public hearing for Ordinance 2021:28 by Council Member Carifi, seconded by Council Member Peterson.

ROLL CALL: with all Council Members answering Yes

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

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

Motion to approve the Resolution above for Ordinance 2021:28 by Council Member Carifi, seconded by Council Member Peterson.

ROLL CALL: with all Council Members answering Yes

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

WHEREAS, the Township finds that it is in the best interests of the Township to revise the fee provisions of the building and construction fees code to reflect the costs involved with these permits and to reflect the requirements set forth in the New Jersey State Uniform Construction Code (UCC) N.J.A.C. 5:23-1 et seq.

NOW THEREFORE, 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. Chapter 124-2, Definitions, is hereby added new as follows:

124-2 Definitions.

For purposes of this Article, terms used herein shall have the same meaning as set forth in the New Jersey State Uniform Construction Code (UCC) regulations, N.J.A.C. 5:23- 1 et seq. In the

event of any conflict or inconsistency, the provisions of the UCC shall control. The following terms shall have the meanings indicated:

ADDITION

An increase in the footprint area of a building or an increase in the average height of the highest roof surface or the number of stories of a building, as defined in NJ State Uniform Construction Code (UCC) section N.J.A.C. 5:23-6.3.

ALL OTHER GROUPS

Any Use Group that is not an R-5, one- or two-family structure.

CHANGE OF USE

The change from one Use Group to another, as defined in UCC section N.J.A.C. 5:23-6.3 Rehabilitation Subcode and regulated by UCC section N.J.A.C. 5:23-6.31.

COST OF CONSTRUCTION

The cost of labor and materials at its normal or usual cost as billed to the consumer, in accordance with N.J.A.C. 5:23-2.15(a)4.

CELL ANTENNA DEFINITIONS

Array means a group of three antennas and may include an associated RRH Unit.

Antenna support means the installation of an array on a building or structure that is not a tower.

DEMOLITION

The complete or substantial dismantling of a building or structure, as outlined in UCC section N.J.A.C. 5:23-2.17.

DEMOLITION, INTERIOR

The dismantling and removal of walls, floors and/or ceilings on the interior of a building or structure. This would apply when a separate construction permit is requested for just interior demolition. This would not allow for any construction activities to be performed.

DETACHED

In the case of a Group R-5, one- or two-family structure that is not attached to another structure such as in the case of a Townhouse or an accessory structure associated with any other Use Group, or a residential unit above, below or adjacent to any other Use Group.

FOOTPRINT OF A BUILDING

The area of a building within the horizontal projection of the roof or floor above, as defined in the Building Subcode, Chapter 2.

TEMPORARY STRUCTURE

Any structure such as but not limited to tents, tensioned membrane structures, canopies, awnings, site trailers for public access, construction material storage

trailers and similar structures and meeting the criteria as listed in UCC section N.J.A.C. 5:23-2.14(b)4.11.

Temporary is defined as being in place for 180 consecutive days or less.

UNIFORM CONSTRUCTION CODE (UCC)

The New Jersey State Uniform Construction Code regulations, N.J.A.C. 5:23- 1 et seq.

VOLUME

The cubic feet of a building or structure or portion that is required to have a fee that is calculated by cubic feet, such as but not limited to: a new building or an addition to an existing building. The volume shall be calculated in accordance with UCC section N.J.A.C. 5:23-2.28.

SECTION 2. Chapter 124-5, Fees, is hereby repealed in its entirety and replaced as follows:

A. Building subcode fees.

- (1) New construction, including additions to existing structures and the elevation of a structure (per cubic foot of volume):
 - (a) Detached Group R-5:
 - [1] \$.037 per cubic foot
 - [2] Minimum fee: \$250.
 - (b) All other Groups:
 - [1] \$.045 per cubic foot
 - [2] Minimum fee: \$500.
 - (c) For the purpose of calculating the volume to determine the fee for large, open-volume, single story spaces in buildings, such as barns, silos, greenhouses, warehouses, distribution centers and other agricultural and storage-use occupancies, the height shall be limited to 20 feet notwithstanding the fact that the actual height of the space may be greater than 20 feet.
 - [1] \$.028 per cubic foot as calculated in accordance with (c), above.
 - [2] Minimum fee: \$500.
 - (d) For purposes of calculating the fee associated with a combined addition and alteration, the fee shall be computed as the sum of the fee for the addition and alteration computed separately in accordance with the

volume and unit cost of construction as listed below, in accordance with UCC. N.J.A.C. 5:23-4.18(c)1.iv.

- (2) Foundations and related site work for pre-manufactured construction; move a structure to another location (unit cost per \$1,000 of estimated cost of construction):
 - (a) Detached Group R-5:
 - [1] Fee: \$25/\$1,000.
 - [2] Minimum fee: \$250.
 - (b) All other Groups:
 - [1] Fee: \$36/\$1,000.
 - [2] Minimum fee: \$600.
 - (c) The fee for site built construction in NJ associated with pre-manufactured construction, such as but not limited to site constructed stairs, platforms, decks, patio covers, porches, retaining walls, sheds, pools, attached and detached garages and accessory structures constructed and not factory constructed and shipped to NJ, shall be in accordance with the appropriate section of this fee schedule.
- (3) Repairs, renovations, alterations, reconstruction and similar construction, unit cost per \$1,000 of the cost of construction or flat fee as noted below:
 - (a) Group R-5:
 - [1] Fee: \$21/\$1,000.
 - [2] Minimum fee \$150.
 - (b) All other Groups:
 - [1] Up to \$250,000: \$39/\$1,000.
 - [2] 250,001 to \$500,000; plus \$36/\$1,000
 - [3] Greater than \$500,000: plus \$33/\$1,000
 - [4] Minimum fee: \$350
 - (c) Access control devices, including Card Readers, Magnetic Locks, Stairway Locking Systems and Delayed Egress Devices:
 - [1] Included with a tenant fit-out as shown on the original fit-out plans: no additional fee.

- [2] In addition to a tenant fit-out: \$100 for the first device and \$20 for each additional device.
- [3] Delayed Egress Locks: \$150 per location.
- (d) The new installation or replacement of a Roof Top HVAC Unit on an existing building (Flat Fee per unit):
 - [1] Without any new duct work and/or new steel dunnage or reinforcing work: \$250.
 - [2] The installation or replacement of a Roof Top HVAC Unit with new duct work and/or new steel dunnage or reinforcing work, cost of construction \$35/\$1,000. Minimum fee: \$350.
- (4) Decks, balconies, platforms & stairs, new and replacement, without a roof:
 - (a) Group R-5 (flat fee):
 - [1] Up to 64 sq. ft. (walking surface) \$65.
 - [2] Greater than 64 sq. ft. up to 1,000 sq. ft. \$125.
 - [3] Greater than 1,000 sq. ft.: \$ 250.
 - (b) All other Groups (cost of construction): \$35/\$1,000.
 - [1] Minimum fee \$ 350.
- (5) Decks, platforms, balconies, stairs, porches and covered entryways with a roof, or installation of a new roof over any of these (fee based on per cubic foot of volume as in new construction):
 - (a) Group R-5:
 - [1] \$.037 per cubic foot
 - [2] Minimum fee \$250.
 - (b) All other Groups:
 - [1] \$.045 per cubic foot.
 - [2] Minimum fee \$ 500.
- (6) Pools, including required barriers and factory-built pool decks accessory to an above ground pool installed at the same time as the pool (flat fee).
 - (a) Group R-5:

[1] In-ground pools: \$200.

[2] Above ground pools: \$100.

(b) All other Groups: \$500.

(c) Installation or replacement of pool barrier only, all groups (flat fee): \$75.

The fees established pursuant to this Subsection do not include pool houses, cabanas, restrooms, kitchens or any other related structure with volume. Refer to new construction fee schedule in Subsection (1) above. The volume would be in addition to the pool fee under this Subsection (6).

The fees established pursuant to this Subsection do not include site-built decks. Refer to the deck fee schedule in Subsection (4) or (5) above. The deck fee would be in addition to the pool fee under this Subsection (6).

(7) Sheds (garden-type utility & similar structures), Gazebos & Pergolas: (flat fee):

(a) Sheds and pergolas greater than 200 sq. ft. and less than 600 sq. ft. and less than 10 feet mean roof height, and accessory to Group R-2, R-3, R-4, or R-5 and containing no utilities: \$75.

(b) Sheds and pergolas of any size or greater than 10 feet mean roof height and/or accessory to any structure other than Group R-2, R-3, R-4 or R-5: \$150.

(c) Greater than 600 sq. ft. requiring a footing, the fee shall be calculated based on per cubic foot of volume as in new construction.

(8) Reroofing and residing:

(a) Detached Group R-5

[1] Reroofing: No permit required.

[2] Roof sheathing replacement, any amount (flat fee): \$75.

[3] Residing: No permit required.

[4] The installation, repair or replacement of polypropylene siding of any amount (flat fee): \$150.

[5] Wall sheathing replacement, any amount (flat fee): \$125.

(b) Attached Group R-5, Townhouse:

[1] Reroofing (flat fee, per unit): \$100.

- [2] Roof sheathing replacement including fire-retardant treated sheathing, any amount (flat fee, per unit): \$100.
 - [3] Residing, per unit (flat fee): \$100.
 - [4] The installation, repair or replacement of polypropylene siding of any amount (flat fee, per unit): \$150.
 - [5] Wall sheathing replacement, any amount (flat fee): \$125.
- (c) All other Groups:
- [1] The repair or replacement of existing siding exceeding 25% of the siding they are changing, not the whole building (flat fee): \$250.
 - [2] The repair or replacement of any amount of polypropylene siding (flat fee): \$350.
 - [3] The repair or replacement of existing roofing (flat fee): \$300.
- (9) Demolition fee is per each separate structure (flat fee):
- (a) Group R-5:
 - [1] Primary structure: \$150.
 - [2] Accessory structures: \$50.
 - [3] In-ground pools: \$75.
 - (b) All other Groups:
 - [1] Primary structure: \$500.
 - [2] Accessory structures : \$150.
 - [3] Interior demolition, in preparation for tenant work: \$250.
- (10) Underground storage tank installation (flat fee, per tank):
- (a) All Groups, with the exception of Group R-5. Includes concrete tank mat as applicable:
 - [1] Up to 1,000 gallons; per tank: \$250.
 - [2] Greater than 1,000 gallons; per tank: \$350.
- (11) Radon Mitigation (flat fee):
- (a) Group R-5: \$35.

- (b) All other Groups: \$75.
- (12) Retaining walls:
- (a) The fee for a retaining walls with a surface area greater than 550 square feet that is associated with a Class 3 residential structure shall be (flat fee, per wall) \$250.
 - (b) The fee for a retaining wall with a surface area of 550 square feet or less that is associated with a Class 3 residential structure shall be (flat fee, per wall) \$175.
 - (c) The fee for a newly constructed retaining wall of any size at other than a Class 3 residential structure shall be based on the alteration unit cost per \$1,000 of the cost of construction. Minimum fee: \$500.
 - (d) As used in this Subsection, "Per Wall" means each wall that is not continuous to another wall.
 - (e) For purposes of this Subsection, the surface area of a retaining wall shall be measured from the bottom of the footing to the top of the wall multiplied by the length of the wall.
 - (f) For purposes of this Subsection, retaining wall height shall be measured from the bottom of the footing to the top of the wall. It also means the combined height of all walls on the same slope.
- (13) Temporary Structures (flat fee, per structure):
- (a) Tents, tensioned membrane structures, and canopies that exceed any one or more of the following parameters requires a UCC permit: \$200.
 - [1] Greater than 140 feet in any dimension and/or greater than 16,800 sq. ft. whether it is one unit or comprised of multiple units;
 - [2] Remains in place for fewer than 180 days;
 - [3] Is used or occupied only between April 1 and November 30;
 - [4] Does not have a permanent anchoring system or foundation; or
 - [5] Does not contain platforms or bleachers greater than 11 feet in height.
 - (b) If the tent, tensioned membrane structure or canopy does not require a UCC permit, it may require a Permit from Fire Prevention in accordance with N.J.A.C. 5:70-2.7.

- (c) Temporary accessible construction site trailer that is used for public access: \$150 per trailer on the same site.
- (14) Signs, site light pole footings, permanent canopies, permanent facades and permanent awnings all Groups:
 - (a) Wall signs: (flat fee, per sign): \$85.
 - (b) Freestanding, monument signs greater than 25 sq. ft. and up to 100 sq. ft. (one side) (per sign): \$150.
 - (c) Freestanding, monument signs, greater than 100 sq. ft. (one side) (per sign): \$225.
 - (d) Pylon sign having its bottom edge 15 ft. or more above ground level, measured at the base of the longest pole or an elevated sign mounted on the roof of another structure (per sign): \$300.
 - (e) Site light pole footing(s); 1 to 10 footings: \$150.
 - (f) Each additional 10 footings or fraction thereof, add \$75.
 - (g) A freestanding canopy including gas station pump island canopy:
 - [1] Fee calculated based on per cubic foot of volume as in new construction.
 - [2] Minimum fee: \$400.
 - (h) A canopy or awning mounted on a building or structure, surface area measured horizontally:
 - [1] For the first canopy or awning up to and including 100 sq. ft.: \$125.
 - [2] For each additional canopy or awning up to and including 100 sq. ft.: \$25.
 - [3] A canopy or awning greater than 100 sq. ft. of surface area: \$250 each.
 - (i) A façade renovation fee is calculated as a renovation based on unit cost per \$1,000 of the cost of construction, as listed above.
- (15) Masonry Fireplaces, Masonry Chimneys, Masonry Heaters, Factory-Built Fireplaces and Factory-Built Chimneys:
 - (a) Group R-5

- [1] Site built masonry fireplace and masonry chimney, not included in the volume of new construction or added to an existing structure: \$250.
- [2] Site built, repair and/or replacement of a masonry chimney:
 - a. Full height Chimney \$200.
 - b. Partial demo and rebuild masonry chimney from the roof-line up: \$85.
- [3] Factory-built fireplace and factory-built chimney, including associated framing as applicable: \$175.
- (b) All other Groups (cost of construction): \$30/\$1,000.
 - [1] Minimum fee: \$350.
- (16) New cell towers, monopoles and antenna supports (including the first cell array/antenna), associated equipment sheds, cable support/ice shield structures and fencing greater than 6 feet in height, (flat fee, each), all groups, all locations: \$750.
- (17) New and replacement cell antennas installed on an existing antenna tower, monopole or antenna support, including associated RRH units (flat fee, per array): \$500.
- (18) Each additional cell equipment cabinet and concrete slab/footings and/or additional fencing greater than 6 ft. in height, at any location (flat fee, each):
 - (a) Equipment cabinet and slab/footings: \$100
 - (b) Fencing greater than 6 ft. in height: \$50.
- (19) Flagpoles greater than 20 feet in height, other than Group R-5: \$100.
- (20) Photovoltaic and thermal solar panels. Includes the labor and materials for the mounting hardware, the installation of the panels, any structural reinforcement if required and any footings as may be applicable:
 - (a) Group R-5
 - [1] Roof or wall mounted \$100.
 - [2] Ground mounted \$150.
 - (b) All other Groups:
 - [1] Roof or Wall mounted:

- a. Based on unit cost per \$1,000 of the cost of construction for renovations.
 - b. Minimum fee: \$500.
- [2] Ground mounted with footings and structure:
 - a. Based on unit cost per \$1,000 of the cost of construction for alterations.
 - b. Minimum fee: \$650.
 - c. Each additional footing over first 30 footings: \$25 each in addition to above.
- (21) Fences greater than six feet in height excluding pool barriers installed with a pool installation and fencing for protection of telecommunication equipment as listed above:
 - (a) Group R-5 (flat fee, per installation): \$35.
 - (b) All other Groups: (flat fee, per installation): \$50.
- (22) Asbestos abatement:
 - (a) For educational facilities and public buildings as defined in N.J.A.C. 5:23-8.2: \$118.
- (23) Lead abatement (flat fee):
 - (a) Group R-5: \$175.
 - (b) All other Groups: \$400.
- (24) Minimum fee for any item requiring a construction permit that is not provided in the Building Subcode portion of the fee schedule, listed above:
 - (a) Group R-5: \$125.
 - (b) All other Groups: \$350.

B. Plumbing Subcode fees.

- (1) For all fixtures or devices, except those listed in Subsection B(2) hereafter, including but not limited to backflow preventers up to one inch, backwater valves, bathtubs, bidets, clothes washers, dishwashers, drinking fountains, floor drains, garbage disposals, floor sinks, hose bibs, soda dispensing equipment, ice cream or yogurt makers, ice making equipment, kitchen sinks, laundry tubs, lavatories, shower stalls, slop sinks, vent stacks, roof/overflow drains, urinals, utensil washers, vacuum breakers, water closets and whirlpools (each): \$30.

- (2) For special devices, including backflow preventers 1 1/4 inches and up, condensate pumps, dental chairs and related dental equipment, eye washers, fixture ejector or pump, garbage can washers, grease traps, neutralizing devices, water softeners, reverse osmosis, humidifiers, oil recovery tanks, oil and sand interceptors, sewer ejectors, sump pumps, removing septic tanks or pits, emergency showers, spas, hot tubs, tankless heater, drip or safe pans, hose reels and indirect waste receptors, pool piping, generators (each): \$70.
 - (a) All oil or gas supply piping systems: \$65.
 - (b) Each oil or gas appliance, including but not limited to broilers, clothes dryers, coffee and tea urns, deep fryers, grills, ovens, radiant heater, steam or kettles, log lighters and/ fireplaces:
 - [1] Each fixture or device: \$30.
 - [2] Solar hot water system: \$150.
 - [3] Hot water heater, furnace/rooftop units, boiler or pool heater: \$75.
 - (c) Mechanical fee: \$75
 - [1] Hot water or steam baseboard or convactor system: \$50.
 - [2] Heat Pumps, unit heaters, hot water unit heaters: \$30.
 - [3] Radiant heat system: \$50 per room.
 - [4] Water heaters: \$75 each.
 - (d) Air-conditioning, refrigeration and condensate systems, per unit: \$50.
 - (e) On-site inspection of modular/pre-manufactured buildings:
 - [1] Visual and water test of domestic water system: \$65.
 - [2] Visual and smoke test of sanitary plumbing: \$65.
 - [3] Visual and test of hot water or steam heating systems: \$65.
 - [4] All new plumbing fixtures not factory installed: per schedule
 - (f) Required inspections and certificate of compliance for backflow preventers:
 - [1] Quarterly inspections: \$75.
 - [2] Annual inspections: \$150 for the first backflow and \$50 for any additional backflow located within the building .

- (3) Replacement, removal or new installation of a building sewer.
 - (a) Group R-5: \$75.
 - (b) All other Groups, manhole to manhole or connections: \$75.
- (4) Replacement, removal or new installation of a building water service or combination fire/domestic water service:
 - (a) Group R-5: \$75.
 - (b) All other Groups, or valve to valve: \$100.
 - (c) All fire hydrants: \$100.
 - (d) Hydrostatic test, each: \$100.
- (5) Building storm sewers:
 - (a) All Groups, each connection: \$75.
 - (b) Storm conductors and leader drains, each \$50.
- (6) Minimum fee for any fixture, device or demolition inspection not provided in this schedule: \$65.

C. Fire Protection Subcode fees.

- (1) Fuel-burning appliance, gas or oil-fired boilers, water heaters, dryers, furnaces, ovens, space heaters, pool heater, generators, fireplace, etc.:
 - (a) Group R-5:
 - [1] Replace/convert first unit: \$30.
 - [2] New installation: \$65.
 - [3] Each additional unit: \$15.
 - (b) All other Groups:
 - [1] Replace/convert first unit: \$75.
 - [2] New installation: \$125.
 - [3] Each additional unit: \$65.
 - (c) Fire and smoke dampers (units with associated smoke control systems):
 - [1] Up to five (5) dampers: \$85.

- [2] More than five (5), each additional damper: \$5.
- (d) Wood, Gas & Solid Fuel stoves and fireplaces:
 - [1] Group R-5 (flat fee): \$75.
 - [2] All other Groups: \$200.
- (2) Chimneys, vents and chimney liners:
 - (a) Group R-5, each: \$75.
 - (b) All other Groups each: \$100.
- (3) Fuel storage equipment, including install or removal, each tank:
 - (a) Fuel storage tank installation, including tanks installed in a basement (flat fee, per tank):
 - [1] Group R-5:
 - a. Up to 1,000 gallons: \$85.
 - b. Greater than 1,000 gallons: \$160.
 - [2] All other Groups:
 - a. Up to 1,000 gallons: \$225.
 - b. Greater than 1,000 gallons: \$400.
 - (b) Fuel storage tank removal, aboveground and underground storage tank or abandon in place per tank:
 - [1] All Groups up to 2,000 gallons: \$125.
 - [2] All Groups greater than 2,000 gallons: \$300.
- (4) Sprinkler system, each new installation, alteration and/or relocation:
 - (a) One (1) to 20 heads: \$150.
 - (b) From 21 to 75 heads: \$300.
 - (c) Seventy-six (76) to 200 heads: \$450.
 - (d) Two hundred one (201) to 400 heads: \$600.
 - (e) Four hundred one (401) to 1,000 heads: \$1,500.
 - (f) More than 1,000 heads: \$75. per 100 additional.

- (g) New / replacement sprinkler control valves: \$50.00.
- (h) New / replacement sprinkler dry pipe alarm valves: \$150.
- (i) New / replacement sprinkler pre-action valves and similar devices: \$300.
- (5) Standpipe system, each new installation and/or relocation per riser:
 - (a) 1 to 4 stories: \$300.
 - (b) Five (5) stories and above: \$350.
 - (c) Hose stations, closets and cabinets not located on a riser: \$100 each.
- (6) Fire pumps, each: \$600.
- (7) Fire service dedicated water supply underground lines and dedicated backflow protection devices:
 - (a) Dedicated water service: \$200.
 - (b) Dedicated backflow device: Refer to plumbing subcode backflow protection fee.
- (8) Fire alarm system:
 - (a) Horns/strobes, bells, smoke/carbon monoxide (detectors & alarms), heat detectors, pull stations, duct smoke detectors, door hold open devices, tamper switches, control modules (Group R-5: fee includes alarm control panel serving an individual dwelling unit) etc.:
 - [1] One (1) to ten (10) devices: \$150.
 - [2] 11 to 25 devices: \$250.
 - [3] 26 to 100 devices: \$400.
 - [4] 101 to 200 devices: \$700.
 - [5] Over 200: \$5. per each additional device.
 - [6] Fire alarm control panel, each: \$200.
 - [7] All panels and communicator panels associated with Fire Alarm System: \$150.
 - (b) Fire command center: \$1,250.
- (9) Special locking arrangements with fire alarm interface:

- (a) Electromagnetic locks: \$75 each.
 - (b) Delayed egress locks: \$75 each.
 - (c) Stairway locking systems: \$75 each.
- (10) Exhaust systems, each new installation, alteration of, and/or relocation:
- (a) Smoke control systems, each: \$1,000.
 - (b) Commercial kitchen hood systems:
 - [1] Type I hood: \$300.
 - [2] Type II hood: \$150.
 - (c) Spray booths, hazardous exhaust systems, dust, stock and refuse conveying systems: \$400.
 - (d) Residential kitchen hoods greater than 400 CFM, each \$100.
- (11) Special suppression systems:
- (a) Pre-engineered systems, Commercial kitchen hood suppression systems, carbon dioxide (CO₂), foam, dry chemical, wet chemical or other chemical agents clean agent systems (except commercial kitchen hood systems): \$250.
- (12) Liquid CO₂ Carbonated Beverage System in excess of 100 lbs., ventilation system / CO₂ detection system:
- (a) CO₂ Tank 7 Fill Station installations: \$250.
 - (b) CO₂ Alarms / CO₂ Exhaust ventilation for CO₂ Tank installation: \$150.
- (13) Refrigeration System requiring a Fire Protection Permit: \$200.
- (14) Incinerators and crematoriums: \$400 each.
- (15) Fire Extinguishers:
- (a) One (1) to 30 extinguishers: \$50.
 - (b) Every additional 20 extinguishers: \$10.
- (16) Exit Signs
- (a) One (1) to 5 fixtures: \$100.
 - (b) Six (6) to ten (10) fixtures: \$150.

- (c) 11 to 50 fixtures: \$200.
- (d) Every fixture over 50: \$25 each.
- (17) Interior cutting back of fire protection systems:
 - (a) Fire Alarm: \$150.
 - (b) Sprinkler System: \$200.
 - (c) Any other fire protection system: \$150.
- (18) Photovoltaic and thermal solar panels:
 - (a) Detached Group R-5: \$100.
 - (b) All other Groups: \$250.
- (19) Fee for any permit item not provided in the Fire Protection Subcode portion of the fee schedule:
 - (a) Group R-5: \$75.
 - (b) All other Groups: \$150.
- (20) Minimum fee for any permit application: \$125.

D. Electrical Subcode Fees.

- (1) For all fixtures, receptacles, switches, fractional motors, air conditioners, water heaters, detectors, communication points, etc.:
 - (a) One (1) to ten (10) outlets: \$65.
 - (b) Each additional 15 outlets: \$30.
- (2) Removal of existing electrical systems: \$75.
- (3) Service, including branch circuits, construction site pole service, construction site trailer service, sub-feeders, meter equipment and signs:
 - (a) Services up to 200 amps: \$125.
 - (b) Over Two hundred (200) amps to 400 amps: \$175.
 - (c) Over 401 to 1,000 amps: \$275.
 - (d) Over 1,000 amps: \$350.

- (e) Replace service, based on service ampacity and not more than three meters: each additional meter: \$20.
- (4) Swimming pools, spas, hot tubs, fountains and similar devices:
 - (a) Aboveground pools, fountain, spa, etc.: \$195.
 - (b) In-ground pools: \$250.
- (5) Periodic On-going Electrical Inspection & Bonding Certificate Verification, public swimming pools, spas and hot tubs: \$150.
- (6) Inspect power equipment for elevator: \$95.
- (7) Heating and cooling equipment, similar appliances, thermostats, etc.:
 - (a) Outlet for unit of 30 kw or less: \$55.
 - (b) Each additional 30-kw unit or less: \$30.
 - (c) Outlet for unit 31 kw or greater: \$75.
 - (d) Each additional 31-kw unit or greater: \$45.
 - (e) Heating units:
 - [1] First unit: \$45.
 - [2] Each additional unit: \$25.
 - (f) Each thermostat: \$25.
- (8) Motors, generators, transfer switch, transformers, compressors and switching devices, each:
 - (a) Up to 30 hp or kw: \$55.
 - (b) Over 30 to 75 hp or kw: \$75.
 - (c) Over 75 to 99 hp or kw: \$125.
 - (d) Over 100 hp or kw: \$450.
- (9) Prime transformers, vaults, enclosures or substations, each:
 - (a) Up to 200 kw: \$175.
 - (b) Over 200 to 500 kw: \$350.
 - (c) Over 500 kw: \$450.

Regular Meeting 12/21/21

- (10) Fire protective signaling systems, including exit lighting, exit signs, emergency lighting, horns, strobes and pull stations:
 - (a) First five (5) devices: \$95.
 - (b) Each additional set of ten (10): \$20.
 - (c) Fire Alarm FACP, NAC Panels, Annunciator, Communication Panels or associated ancillary equipment: \$65.
 - (11) Light poles, each: \$50.
 - (12) Signs, each: \$95.
 - (13) Vehicle charger:
 - (a) Residential: \$95.
 - (b) Commercial:
 - [1] Up to 75 KW: \$75.
 - [2] 76 KW to 200 KW: \$175.
 - [3] 201 KW to 400 KW: \$250.
 - (14) Photovoltaic (solar) Systems:
 - (a) One (1) to 50 kW: \$175.
 - (b) Greater than 50 kw to 100 kW: \$250.
 - (c) Greater than 100 kW: \$450.
 - (15) Electric Water Heater: \$65.
 - (16) Electrical Disconnect: \$65.
 - (17) Automatic Transfer Switch: \$75.
 - (18) Generator Interlock with Inlet: \$55.
 - (19) Fee for any permit item not provided in this schedule: \$75.
 - (20) Minimum fee for any permit application: \$125.
- E. Elevator Subcode fees.

- (1) The fees for elevator inspections, including new installations, alterations, repairs and ongoing inspections are as indicated below. A certificate of compliance is required to be issued after each successful ongoing inspection.
- (2) The fee for a permit to install an elevator device shall be in accordance with N.J.A.C. 5:23-12.
- (3) The fee for inspection and witnessing of any test for an elevator, escalator, moving walk, dumbwaiter or other elevator device shall be as set forth in N.J.A.C. 5:23-12.
- (4) The fee for elevator or elevator device plan review shall be as set forth in N.J.A.C. 5:23-20.

F. Administrative fees.

- (1) Plan Review Fees:
 - (a) The fee for plan review shall be 25% of the amount to be charged for the construction permit.
 - (b) There shall be an additional fee of \$75 per hour, per applicable Subcode, for review of any revision, amendment or change to plans, shop drawings, supporting documentation or replacement of required job site plans that have already been release.

One hour minimum, per applicable Subcode shall be billed. Half hour increments thereafter.
 - (c) Change of Use review of a building, structure or a portion thereof without any proposed construction work associated with it (this would be in addition to the fee for the new Certificate of Occupancy): \$525.
 - (d) The above fee breakdown:
 - [1] Building Subcode: \$225.
 - [2] Fire Protection Subcode: \$150.
 - [3] Electrical Subcode: \$75.
 - [4] Plumbing Subcode: \$75.
 - (d) Plan review fees are not refundable and may be required to be paid upon application.
- (2) Fees for certificates, in addition to permit fees:
 - (a) Certificate of occupancy:

- [1] Group R-5: \$100.
- [2] All other Groups: \$200.
- [3] Change of use, if no construction work proposed: \$150.
- [4] Certificate Occupancy for asbestos abatement: \$24.
- (b) Temporary certificate of occupancy:
 - [1] Temporary certificate of occupancy, first TCO: \$30.
 - [2] Temporary certificate of occupancy renewal: \$30.
- (c) Certificate of approval: no charge.
- (d) Certificate of compliance: no charge.
- (e) Temporary certificate of compliance: no charge.
- (f) Certificate of lead abatement: no charge.
- (3) Certificate of continued occupancy:
 - (a) Group R-5 (including all subcode inspections): \$125.
 - (b) All other Groups, per subcode (excluding R-1): \$500.
 - (c) Group R-1: up to 100 units including accessory areas: \$500 per subcode
 - [1] More than 100 units: per subcode, per unit: \$4.
- (4) Reinstatement of a construction permit, voided, suspended or revoked subject to the specific approval of the Construction Official:
 - (a) Group R-5, per subcode: \$100.
 - (b) All other Groups, per subcode: \$350.
 - (c) After a new subcode adoption and the expiration of the grace period, the standard plan review fees will apply.
- (5) Change of contractor, per subcode: \$50.
- (6) Application for a variation from each section of the Uniform Construction Code requirements or applicable subcode requirements shall be paid upon receipt of application:
 - (a) Group R-5: \$100 per variation request.

- (b) All other Groups: \$350 per variation request.
- (7) New Jersey State permit surcharge fees shall be computed in accordance with N.J.A.C. 5:23-4.19 and shall be paid at the time of granting the permit.
- (8) The Construction Official may waive the permit fees listed in this fee schedule in whole or in part when administratively practical to facilitate closing of a permit. Reasons to waive fees include but not limited to:
 - (a) Suspended or Revoked permits with additional fees pending.
 - (b) Outstanding permit fees where the property has changed ownership with additional fees pending; provided that the new property owner had no notice of the outstanding permit fees prior to acquiring title to the property.
 - (c) Overpayment of fees. Waiver of unpaid fees in lieu of a refund.
- (9) Cranes, in compliance with N.J.A.C. 5:23-2.34(c) more than 160 feet in height, including jibs and any other extensions to the boom, located on a construction site or for cranes of more than 50 feet in height with a maximum rated capacity of greater than 20 tons located in a public right of way: \$500.

SECTION 3. Chapter 124-4 is hereby repealed in its entirety and replaced as follows:

124-4 Waiver of Construction Permit Fee

A. Waiver of Construction Permit Fee for Disabled Persons.

- (1) No person shall be charged a construction permit surcharge fee or enforcing agency fee for any construction, reconstruction, alteration or improvement designed and undertaken solely to promote accessibility by persons with disabilities to an existing public or private structure or any of the facilities contained therein.
- (2) A person with a disability, or a parent or a sibling of a person with a disability, shall not be required to pay any municipal fee or charge in order to secure a construction permit for any construction, reconstruction, alteration or improvement designed or undertaken to promote accessibility to the person's own living unit.
- (3) For the purpose of applying this provision, a "disabled person" means a person who has the total and permanent inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment, including blindness, and shall include, but not be limited to, any resident of this state who is disabled pursuant to the Federal Social Security Act (42 U.S.C. § 416) or the Federal Railroad Retirement Act of 1974 (45 U.S.C. § 231 et seq.), or is rated as having a 60% disability or higher pursuant to any federal law

administered by the United States Veterans' Act. For purposes of this definition, "blindness" means central visual acuity of 20/200 or less in the better eye with the use of a correcting lens. An eye which is accompanied by a limitation in the fields of vision such that the widest diameter of the visual field subtends an angle no greater than 20° shall be considered as having a central visual acuity of 20/200 or less.

B. Waiver of Construction Permit Fee for Certain Construction.

- (1) The Township Council may by duly adopted resolution waive the permit fees required by this Chapter for work consequential to a natural disaster. Notwithstanding any fee waiver, an applicant shall be required to file an application and a full plan review along with inspections of the regulated work will be performed.

SECTION 4. Chapter A445-7, Building and construction fees, is hereby deleted and replaced in its entirety as indicated in Section 2 above.

SECTION 5. 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 6. 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 7. This ordinance shall take effect immediately upon its final passage, approval and publication as provided by law.

The Notice for Ordinance 2021:29 was published in the *Daily Record*, the official newspaper of the Township of Parsippany-Troy Hills on December 2, 2021 and introduced at the November 23, 2021 Regular Meeting.

Motion to accept Ordinance 2021:29, be heard in their second and final reading by title only, by Council Member Peterson, seconded by Council Member Gragnani.

ROLL CALL: with all Council Members answering Yes

a. PUBLIC HEARING

Motion to open the public hearing for Ordinance 2021:29 by Council Member Carifi, seconded by Council Member Peterson.

ROLL CALL: with all Council Members answering Yes

Motion to close the public hearing for Ordinance 2021:29
by Council Member Peterson, seconded by Council Member Carifi.

ROLL CALL: with all Council Members answering Yes

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

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

Motion to approve the Resolution above for Ordinance 2021:29 by Council Member Peterson, seconded by Council Member Carifi.

ROLL CALL: with all Council Members answering Yes

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

WHEREAS, the Township Council finds that it is in the best interests of the Township to update and revise the fee provisions under Chapter 290 for Township recreation areas and public property.

NOW THEREFORE, 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. Chapter 290, Parks, Recreation Areas and Public Lands, Section 5, Parsippany-Troy Hills Community Center Fees, be and hereby is deleted in its entirety and replaced as follows:

§290-5 Parsippany-Troy Hills Community Center fees.

- A. The Parsippany-Troy Hills Community Center shall be open to Township residents and resident groups, with appropriate proof of residency required. The Director of the Department of Human Services shall maintain a list of certain nonresidents individuals registered with the Department as of January 1, 2022 who shall be eligible for membership upon payment of an annual membership fee of \$75 for a nonresident individual and \$150 for a nonresident couple.
- B. The following hourly fees shall be charges and are hereby authorized for use of facilities at the Parsippany-Troy Hills Community Center:

Organization Type	Room	Fee per Hour
Nonresident individuals, businesses and organizations	Room A or Room B	\$100
	Room A & B (FULL)	\$200
	Theatre	\$275
	Atrium	\$95
	Conference Room	\$60
	Library	\$80
	Game Room	\$80
	Studio C	\$100
	Kitchen Annex	\$90
	Ping Pong Room(s)	Up to \$100
	Outdoor Patio	Up to \$200

Organization Type	Room	Fee per Hour
Resident for-profit businesses and organizations	Room A or Room B	\$75
	Room A & B (FULL)	\$150
	Theatre	\$200
	Atrium	\$70
	Conference Room	\$45
	Library	\$60
	Game Room	\$60
	Studio C	\$75
	Kitchen Annex	\$65
	Ping Pong Room(s)	Up to \$100
	Outdoor Patio	Up to \$200

Organization Type	Room	Fee per Hour
Resident individuals and 501(c)(3) nonprofit organizations	Room A or B room	\$50
	Room A & B room (FULL)	\$100
	Theatre	\$125
	Atrium	\$45
	Conference Room	\$30
	Library	\$40
	Game Room	\$40
	Studio C	\$75
	Kitchen Annex	\$40
	Ping Pong Room(s)	Up to \$100
	Outdoor Patio	Up to \$200

NOTE:

- (a) Use of chairs and tables included. Organization shall comply with all local laws, rules and regulations and shall provide the Township with all requested information, including but not limited to, the following: (1) proof of insurance coverage naming the Township as additional insureds and (2) indemnification to the Township. Execution of Township’s standard form of agreement may also be required.
- (b) Rates for the ping pong room(s) and outdoor patio are dependent on use and will be posted on the Township website and available in the office of the Director of the Department of Recreational Services.

SECTION 2. Chapter 290, Parks, Recreation Areas and Public Lands, Section 6, Fees For Use of Public Gardens, be and hereby is deleted in its entirety and replaced as follows:

§290-6 Fees for use of public gardens.

Use	Fee
Full garden (10 feet by 20 feet)	\$40
Senior Citizens	\$20
Half garden (10 feet by 10 feet)	\$20
Senior Citizens	\$10

SECTION 3. Chapter 290, Parks, Recreation Areas and Public Lands, Section 8, Permits, be and hereby is amended as follows:

[Deleted language is struck-through; new language is underlined]

§290-8 Permits.

A. Permits for certain uses required.

(1) Permits are required for the following uses:

[Add new]

(i) All picnic pavilions

B. – C. No change.

[Existing Subsection D deleted in its entirety and replaced as follows]

D. Cancellation and Changes to Reservations. Permit holders must provide two weeks’ notice for cancellation or changes to reservations. Any such cancellation or change to reservations shall be subject to a \$10 fee.

E. No change.

[Existing Subsection F deleted in its entirety and replaced as follows]

F. Fees for permits.

Type of Program/Permit		Fee Range
(1)	Recreational activities	
	Various youth programs (per person)	\$10 to \$1,500
	Various adult programs (per person)	\$10 to \$1,500
	Various Township-sponsored adult teams and leagues (per person)	\$5 to \$1,500
	Various Tennis programs and membership (per person)	\$5 to \$1,500
	Trips, special events and programs	Cost rounded to highest dollar amount

Type of Program/Permit		Fee
(2)	Facility Use	
	Natural grass fields (per hour)	
	With lights	
	Residents	\$40
	Nonresidents	\$80
	League/business use – Township	\$60
	League/business use – out of Township	\$120
	No lights	
	Residents	\$20
	Nonresidents	\$40
	League/business use – Township	\$30
	League/business use – out of Township	\$60

	Artificial turf fields (per hour)	
	With lights	
	Residents	\$50
	Nonresidents	\$100
	League/business use – Township	\$80
	League/business use – out of Township	\$160
	No lights	
	Residents	\$25
	Nonresidents	\$50
	League/business use – Township	\$40
	League/business use – out of Township	\$80

NOTE:

- (a) Groups and teams will be assessed the nonresident facility use permit fee unless at least 80% of the group or team consists of residents of the Township, as evidenced by the submittal of a team roster along with proof of address. Acceptable means of proof of address shall be determined by the Director of the Department of Recreational Services or his or her designee.
- (b) The following organizations: Parsippany Board of Education, Par-Troy Little League East, Par-Troy Little League West, Parsippany Soccer Club, Little Vikings Football, Parsippany Police Athletic League, and Parsippany Lacrosse Club are exempt from the facility use permit fee for youth-related use, provided that:
 - [1] At least 80% of the youth registered to participate in the affiliated youth sports organization are Township residents;
 - [2] The affiliated organization collects and remits annually to the Department of Recreational Services a complete roster of registrants and facility use fee of \$100 for each nonresident registered participant;
 - [3] With the approval of the Township Administration each affiliated organization will be permitted to hold one special event per calendar year.
 - [4] The fee for special services pursuant to §290-16 shall not be waived.

Type of Program/Permit	Fee
Picnic area rental; fees include garbage pickup services (per group)	
Resident (number of people in group)	
15 to 50	\$75
51 to 100	\$150
Over 100	\$225
Nonresident (number of people in group)	
15 to 50	\$150
51 to 100	\$300
Over 100	\$450
Business – Township (number of people in group)	
15 to 50	\$125
51 to 100	\$250

Over 100	\$375
Business – out of Township (number of people in group)	
15 to 50	\$250
51 to 100	\$500
Over 100	\$750
Picnic area alcohol permit (per event)	
Resident	\$75
Nonresident	\$150
Business - Township	\$125
Business – out of Township	\$250
Roller hockey rink (per hour)	
Residents	
No lights	\$20
With lights	\$40
Nonresidents	
No lights	\$40
With lights	\$80
Veterans Memorial Park bandstand (per hour with electricity and lights (4 hours minimum required))	\$150
Basketball court (per court, per hour)	
Resident	\$5
Nonresident	\$10
Business – Township	\$8
Business – out of Township	\$15
Tennis Court (per court, per hour)	
Resident	\$5
Nonresident	\$25
Nonresident Business – yearly pass	\$220
Resident – yearly pass	\$110
Pickle Ball Court (per court, per hour)	
Resident	\$5
Nonresident	\$25
Resident – yearly pass	\$110

NOTE: A copy of the hours of operation and general rules and regulations are on file in the office of the Director of the Department of Recreational Services.

G. Refund of fees.

- (1) No refunds of recreation fees paid pursuant to Subsection F shall be given except in the following instances:
 - (a) ~~A request was made in the specified time period indicated on the registration material.~~ A request was made with at least two weeks' notice, subject to the cancellation and changes to reservations fees under Subsection D. Permit fees shall be non-refundable with less than two weeks' notice of cancellation.

- (b) No change.
 - (c) If the fields are closed by the ~~Parks, Forestry and Recreation Department~~ Division of Parks and Forestry or Department of Recreational Services due to hazardous playing conditions.
 - (d) In the event weather conditions are severe enough to prevent safe use of picnic areas, as deemed by the ~~Parks, Forestry and Recreation Department~~ Division of Parks and Forestry or Department of Recreational Services.
- (2) Where permitted, a refund of permit fees shall be distributed, subject to a \$10 processing fee as follows:
- (a) Delete
 - (b) Delete

[Add new]

H. Fees for Rental of Portable Stage

Resident Rental	\$300 per day
Nonresident Rental	\$600 per day

NOTE: All stage rentals require two (2) Division of Parks and Forestry or Recreation Department employees for minimum of two (2) hours to deliver and setup the stage and two (2) hours to break down and return the stage. The hourly rate for said employees shall be the hourly fee for special services established at §290-16. Any additional and miscellaneous fees will be determined upon review of the stage rental request.

SECTION 4. The following sections of Chapter 290, Parks, Recreation Areas and Public Lands, be and hereby are amended as follows:

[Deleted language is struck-through; new language is underlined]

§290-10 Regulated Uses

A. through F. No Change.

G. Alcoholic beverages. No person shall possess, consume or distribute any alcoholic beverages other than at group functions sponsored by organizations for which an alcoholic beverage permit has been obtained under this article. Alcoholic beverages permitted in Township parks and recreational areas are restricted to ~~beer and wine in~~ nonglass containers such as kegs, cans and coated paper containers. Alcoholic beverages shall only be permitted in picnic areas and are specifically prohibited on other park property, including, but not limited to, playing fields, playgrounds and tennis courts. The Department can, in the interest of public health and safety, promulgate additional regulations governing this particular use.

H. No Change.

§290-15 Hours of Operation

- A. No Change.
- B. Notwithstanding anything herein to the contrary, the Township may close a park, or portion thereof, to the public when the Recreation Summer Playground Programs are in session, or when deemed necessary in the sole discretion of the Business Administrator, for other Township programs. In such cases signs will be posted indicated that the park, or portion thereof, is closed.

§290-16 Fees for special services.

The hourly fees for special services provided by Division of Parks and Forestry or Department of Recreational Services employees, outside of regular working hours, shall be \$~~77~~65 per hour, per employee. A minimum of two employees and a minimum of four hours, shall be charged. Additional time will be calculated in four-hour blocks, with a minimum of two employees.

§290-19 Rental Fees for Township-sponsored events and festivals.

- A. – B. No Change.
- C. Fees for special events will vary ~~from \$0 to \$750~~ depending on the event. Event fees will be published on the application materials for each event.

SECTION 5. All references to the Department of Parks, Forestry and Recreation in Chapter 290 shall be changed to refer to the Division of Parks and Forestry and/or the Department of Recreational Services as appropriate.

SECTION 6. The correspondence sections of Chapter A445, Fees compilation, are hereby deleted and replaced in its entirety as indicated herein.

SECTION 7. 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 8. 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 9. This ordinance shall take effect immediately upon its final passage, approval and publication as provided by law.

The Notice for Ordinance 2021:30 was published in the *Daily Record*, the official newspaper of the Township of Parsippany-Troy Hills on December 2, 2021 and introduced at the November 23, 2021 Regular Meeting.

Motion to accept Ordinance 2021:30, be heard in their second and final reading by title only, by Council Member McCarthy, seconded by Council Member Gragnani.

ROLL CALL: with all Council Members answering Yes

a. PUBLIC HEARING

Motion to open the public hearing for Ordinance 2021:30 by Council Member McCarthy, seconded by Council Member Carifi.

ROLL CALL: with all Council Members answering Yes

Motion to close the public hearing for Ordinance 2021:30 by Council Member McCarthy, seconded by Council Member Gragnani.

ROLL CALL: with all Council Members answering Yes

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

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

Motion to approve the Resolution above for Ordinance 2021:30 by Council Member McCarthy, seconded by Council Member Carifi.

ROLL CALL: with all Council Members answering Yes

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

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

SECTION 1. That Chapter 405, Vehicles and Traffic Section 15, Parking prohibited during certain hours on certain streets, shall be amended and supplemented as follows:

a. The following shall be added:

Name of Street	Sides	Hours	Location
Virginia Drive	Both	8:00 a.m. to 4:00 p.m. (Monday through Friday, September through June)	From Union Road to the terminus

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 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 final passage and publication as provided by law.

The Notice for Ordinance 2021:31 was published in the *Daily Record*, the official newspaper of the Township of Parsippany-Troy Hills on December 2, 2021 and introduced at the November 23, 2021 Regular Meeting.

Motion to accept Ordinance 2021:31, be heard in their second and final reading by title only, by Council Member Gragnani, seconded by Council Member McCarthy.

ROLL CALL: with all Council Members answering Yes

a. PUBLIC HEARING

Motion to open the public hearing for Ordinance 2021:31 by Council Member Gragnani, seconded by Council Member Carifi.

ROLL CALL: with all Council Members answering Yes

Motion to close the public hearing for Ordinance 2021:31 by Council Member Gragnani, seconded by Council Member McCarthy.

ROLL CALL: with all Council Members answering Yes

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

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

Motion to approve the Resolution above for Ordinance 2021:31 by Council Member Gragnani, seconded by Council Member McCarthy.

ROLL CALL: with all Council Members answering Yes

6. **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.

The Notice for Ordinance 2021:32 was published in the *Daily Record*, the official newspaper of the Township of Parsippany-Troy Hills on December 10, 2021 and introduced at the December 7, 2021 Agenda Meeting.

Motion to accept Ordinance 2021:32, be heard in their second and final reading by title only, by Council Member Carifi, seconded by Council Member Peterson.

ROLL CALL: with all Council Members answering Yes

a. PUBLIC HEARING

Motion to open the public hearing for Ordinance 2021:32 by Council Member Carifi, seconded by Council Member Peterson.

ROLL CALL: with all Council Members answering Yes

Motion to close the public hearing for Ordinance 2021:32 by Council Member Carifi, seconded by Council Member Peterson.

ROLL CALL: with all Council Members answering Yes

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

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

Motion to approve the Resolution above for Ordinance 2021:32 by Council Member Carifi, seconded by Council Member McCarthy.

ROLL CALL: with all Council Members answering Yes

VI. NON-CONSENT AGENDA

A. RESOLUTIONS

1. R2021-206 Approving Settlement in Frank and Kathleen Garrido Litigation

WHEREAS, the Township of Parsippany-Troy Hills (the “Township”) is a party to litigation bearing docket number Frank and Kathleen Garrido v. Township of Parsippany-Troy Hills, Docket No. v. Parsippany Township et al., MRS-L-001521-2019 (the “Action”); and

WHEREAS, Frank Garrido and Kathleen Garrido (“Plaintiffs”), allege that Mr. Garrido was riding his bicycle in the vicinity of 316 Lake Shore Drive in Parsippany on or about July 16, 2017 when he states his bicycle struck a pothole in the subject roadway caused by the presence of a depressed water shut off valve cap and an area of missing blacktop pavement surrounding the water shut off valve cap in question; and

WHEREAS, as a result of the bicycle accident, Plaintiff alleges he sustained permanent injuries, including permanent scarring to his facial area above his left eye as well as back issues; and

WHEREAS, Plaintiffs commenced litigation against the Township (hereinafter “Defendant”) in the Superior Court of New Jersey, Morris County, Law Division. Defendants and Plaintiffs are sometimes collectively referred to as the “Parties”; and

WHEREAS, at the direction of the Mayor and Township Council and Garden State Joint Insurance Fund (“JIF”), Counsel for the Township has engaged in settlement negotiations with the attorney for Plaintiffs; and

WHEREAS, said negotiations have resulted in a proposed comprehensive settlement of the Action, in exchange for a settlement amount of a total gross amount of \$40,000.00, which shall be made up entirely of contributions from insurers, and as will be more particularly set forth in a form of Settlement Agreement and General Release (hereinafter “Agreement”) which will be between the Plaintiffs in their capacity as individuals and on behalf of their heirs, executors, administrators, agents, successors and assigns and the Township and its affiliates, successors, present or former employees, shareholders, members, owners, officers, directors, trustees, attorneys, insurers, agents, representatives, heirs, administrators, and assigns; and

WHEREAS, in order to avoid the time, cost and uncertainty of litigation, the Parties wish to compromise and settle all matters relating to and arising from the Action; and

WHEREAS, the terms of the Agreement are the product of mutual negotiation and compromise between the Parties; and

WHEREAS, Plaintiffs understand and agree that the proposed Agreement shall settle, waive, bar, and resolve any and all claims that Plaintiffs or anyone on their behalf may have or could possibly have against Defendant in connection with the Action; and

WHEREAS, the proposed Agreement shall supersede all prior agreements, understandings, or promises between Plaintiffs and Defendant, whether written or oral; and

WHEREAS, the aforementioned settlement is contingent upon the Plaintiffs' dismissal of the Action, with prejudice and without cost to either Party; and

WHEREAS, the aforementioned settlement is contingent on approval by JIF; and

WHEREAS, the Agreement is contingent on approval by the Township Council of the Township; and

WHEREAS, the Mayor and Township Council have reviewed the general terms of the settlement stated herein and wish to approve same; and

WHEREAS, the Mayor and Township Council have determined that said settlement is in the best interest of the Township and avoids the burden, expense, delay and uncertainties of further litigation.

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 the settlement is hereby approved in accordance with the general terms set forth herein. The Mayor and Township Clerk are hereby authorized to execute the Settlement Agreement and General Release.

BE IT FURTHER RESOLVED, the Township Council hereby authorizes and approves any modifications to legal language of the proposed form of Settlement Agreement and General Release as may be recommended and approved by Counsel for the Township and the Township Attorney prior to execution.

BE IT FURTHER RESOLVED, that Counsel for the Township is hereby authorized and directed to affect said settlement.

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 Peterson.
ROLL CALL: with all Council Members answering Yes

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 Council Member McCarthy seconded by Council Member Peterson. **ROLL CALL:** with all Council Members answering Yes

A. RESOLUTIONS

1. **R2021-198* Rejecting the Bid for Smith-Baldwin House Shutters**

WHEREAS, the Township of Parsippany-Troy Hills received a bid proposal for Smith-Baldwin House Shutters on November 17, 2021, and

WHEREAS, the Director of Purchasing, Purchasing Assistant and Consulting Historic Architect 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 received for Smith-Baldwin House Shutters be rejected.

2. **R2021-199*Authorizing the Township of Parsippany-Troy Hills Schedule of Township Council Meetings for 2022**

BE IT RESOLVED by the Township Council of the Township of Parsippany-Troy Hills that the following schedule of the Annual Organization Meeting, Agenda Meetings, and Regular Township Council Meetings be and the same is hereby approved for the year 2022:

- Annual Organization Meeting will be held on Wednesday, January 5, 2022 at 6:30 p.m.
- Agenda Meetings will commence at 7:00 p.m., except that the Agenda Meeting scheduled for January 5, 2022 will commence immediately following the Annual Organization Meeting.
- Regular Township Council Meetings will commence at 7:00 p.m.
- All meetings will be held on TUESDAY EVENINGS, unless otherwise noted.
- All meetings will be held in the Municipal Building, 1001 Parsippany Boulevard, Parsippany.
- FORMAL ACTION may or may not be taken at all scheduled meetings.

AGENDA MEETINGS

January	5
February	1
March	1
April	5

REGULAR TOWNSHIP COUNCIL MEETINGS

January	18
February	15
March	15
April	19

May	3	May	17
June	14	June	21
July	5	July	19
August	2	August	16
September	6	September	20
October	4	October	18
November	1	November	22
December	6	December	20

Any individual who is a qualified disabled person under the American with Disabilities Act may request auxiliary aids such as a sign interpreter or a tape recorder to be used for a meeting. Auxiliary aids must be requested at least 72 hours prior to the meeting date. Please call 973-263-4351 to make a request for an auxiliary aid.

3. **R2021-200*Approving Annual Compensation for Board Members of Fire District No. 6 in Accordance with N.J.S.A. 40A:14-88**

WHEREAS, on November 10, 2021, the Board of Fire Commissioners of Fire District No. 6 in the Township of Parsippany-Troy Hills adopted a resolution proposing the annual compensation of various members of the Board of Fire Commissioners for the year 2022, as follows:

Dave Martinez, President	\$3,500
Ron DiMaggio, Vice President	\$2,000
Dom Prisco Secretary	\$3,000
Mark Krevis, Clerk	\$2,500
Andy Tyrone, Sr., Commissioner	\$2,000

WHEREAS, pursuant to N.J.S.A. 40A:14-88, the terms of this Resolution are subject to the review of the Township Council of the Township of Parsippany-Troy Hills; and

WHEREAS, the Township Council has reviewed the Resolution adopted by the Board of Fire Commissioners in accordance with N.J.S.A. 40A:14-88.

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 indicates its concurrence with the aforesaid Resolution of the Board of Fire Commissioners of Fire District No. 6.

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.

4. **R2021-201*Authorizing Award of Contract for Well Redevelopment Services for Two Production Wells: Wells 13 & 21**

WHEREAS, the Township of Parsippany-Troy Hills received bid proposals for Well Redevelopment Services for Two (2) Production Wells: Wells 13 & 21 on December 2, 2021, and

WHEREAS, the Director of Purchasing, Purchasing Assistant, Water Superintendent and Consulting Engineer have reviewed the bids received and recommend that a contract be awarded to the

lowest responsible bidder, William Stothoff Company, 110 River Road, Flemington, NJ 08822 for the Total Bid Price for Well 13 (Sum of Items 1 – 8) of \$64,950.00, the Standby Time – Hourly Rate for Well 13 of \$425.00, the Total Bid Price for Well 21 (Sum of Items 1 – 8) of \$72,710.00, and the Standby Time – Hourly Rate for Well 21 of \$425.00, and

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

Water Capital Ordinance #: 2018:18 adopted September 11, 2018, entitled,
“Various Improvements”.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Parsippany-Troy Hills that the bid for Well Redevelopment Services for Two (2) Production Wells: Wells 13 & 21 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.

5. **R2021-202*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**

BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, IN THE COUNTY OF MORRIS, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. An ordinance of the Township of Parsippany-Troy Hills, in the County of Morris, New Jersey (the "Township"), 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 has been finally adopted and a copy thereof has been filed with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey (the "Director").

Section 2. (a) In order to finance the special emergency appropriation described in Section 1 of this resolution, the Township is hereby authorized to borrow the sum of \$1,038,975 and to issue its special emergency notes (the “Notes”) in accordance with the Local Budget Law of the State of New Jersey (N.J.S.A. 40A:4-55) (the “Local Budget Law”).

(b) The Notes authorized by this resolution may be issued in amounts and denominations not exceeding in the aggregate the amount of Notes authorized herein, as determined by the chief financial officer of the Township pursuant to this resolution.

(c) The Township may finance the special emergency appropriation from surplus funds available or may borrow money in the manner prescribed herein. Where an appropriation is financed from surplus funds available, at least one-fifth of the amount thereof shall be included in each annual budget until the appropriation has been fully provided for.

Section 3. The following matters in connection with the Notes are hereby determined:

(a) All Notes issued hereunder and any renewals thereof shall mature at such time as may be determined by the chief financial officer within the limitations of the Local Budget Law, provided however, that at least one-fifth of all such Notes and the renewals thereof shall mature and be paid in each year so that all Notes and renewals shall have matured and have been paid not later than the last day of the fifth year following the date of adoption of this resolution;

(b) All Notes issued hereunder shall bear interest at such rate or rates as may be determined by the chief financial officer; and

(c) The Notes shall be in the form determined by the chief financial officer and the chief financial officer's signature upon the Notes shall be conclusive as to such determination.

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

Section 5. The chief financial officer is hereby authorized to sell the Notes from time to time at public or private sale in such amounts as such officer may determine at not less than

par and to deliver the same from time to time to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof and payment therefor.

Section 6. Any instrument issued pursuant to this resolution shall be a general obligation of the Township. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations and, unless otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget and a tax sufficient to provide for the payment thereof shall be levied and collected.

Section 7. The chief financial officer is authorized and directed to report in writing to this governing body at the meeting next succeeding the date when any sale or delivery of the Notes pursuant to this resolution is made, such report to include the amount, description, interest rate and maturity of the Notes sold, the price obtained and the name of the purchaser.

Section 8. To the extent that the Notes are issued as federally tax-exempt, the Township hereby makes the following covenants and declarations with respect to Notes to be issued by the chief financial officer of the Township if issued on a federally tax-exempt basis. The Township hereby covenants that it will comply with any conditions subsequent imposed by the Internal Revenue Code of 1986, as amended (the "Code"), in order to preserve the exemption from taxation of interest on the Notes, including, if necessary, the requirement to rebate all net investment earnings on the gross proceeds above the yield on the Notes. The chief financial officer is hereby authorized to act on behalf of the Township to deem the obligations authorized herein as bank qualified for the purposes of Section 265 of the Code, when appropriate. The Township hereby declares the intent of the Township to issue Notes in the amount authorized in Section 1 of this resolution and to use the proceeds to pay or reimburse expenditures for the costs of the purpose described herein. This Section 8 is a declaration of intent within the meaning and

for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

Section 9. Solely for purposes of complying with Rule 15c2-12 of the Securities and Exchange Commission, as amended and interpreted from time to time (the "Rule"), and provided that the Notes are not exempt from the Rule and provided that the Notes are not exempt from the following requirements in accordance with paragraph (d) of the Rule, for so long as the Notes remain outstanding (unless the Notes and any renewals thereof have been wholly defeased), the Township shall provide for the benefit of the holders of the Notes and the beneficial owners thereof:

(a) On or prior to September 30 of each fiscal year, beginning September 30, 2022 for the fiscal year ending December 31, 2021, electronically file to the Municipal Securities Rulemaking Board's Electronic Municipal Market Access ("EMMA") system or such other repository designated by the Securities and Exchange Commission to be an authorized repository for filing secondary market disclosure information, if any, annual financial information with respect to the Township consisting of the audited financial statements (or unaudited financial statements if audited financial statements are not then available, which audited financial statements will be delivered when and if available) of the Township and certain financial information and operating data consisting of (1) Township indebtedness and overlapping indebtedness including a schedule of outstanding debt issued by the Township; (2) property valuation information; and (3) tax rate, levy and collection data. The audited financial statements will be prepared in accordance with generally accepted accounting principles as modified by governmental accounting standards as may be required by New Jersey law.

(b) If any of the following events occur regarding the Notes, a timely notice not in excess of ten business days after the occurrence of the event sent to EMMA:

- (1) Principal and interest payment delinquencies;
- (2) Non-payment related defaults, if material;
- (3) Unscheduled draws on debt service reserves reflecting financial difficulties;
- (4) Unscheduled draws on credit enhancements reflecting financial difficulties;
- (5) Substitution of credit or liquidity providers or their failure to perform;
- (6) Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Notes, or other material events affecting the tax status of the Notes;
- (7) Modifications to the rights of holders of the Notes, if material;
- (8) Bond calls, if material, and tender offers;
- (9) Defeasances;
- (10) Release, substitution or sale of property securing repayment of the Notes, if material;
- (11) Rating changes;
- (12) Bankruptcy, insolvency, receivership or similar event of the Township;
- (13) The consummation of a merger, consolidation or acquisition involving the Township or the sale of all or substantially all of the assets of the Township, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;
- (14) Appointment of a successor or additional trustee or the change of name of a trustee, if material;
- (15) Incurrence of a Financial Obligation of the Township, if material, or agreement to covenants, events of default, remedies, priority rights or other similar terms of a Financial Obligation, any of which affect holders of the Notes, if material; and
- (16) Default, event of acceleration, termination event, modification of terms or other similar events under a Financial Obligation of the Township, if any such event reflects financial difficulties.

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

(c) Notice of failure of the Township to provide required annual financial information on or before the date specified in this resolution shall be sent in a timely manner to EMMA.

(d) If all or any part of the Rule ceases to be in effect for any reason, then the information required to be provided under this resolution, insofar as the provision of the Rule no longer in effect required the provision of such information, shall no longer be required to be provided.

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

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

Section 10. A copy of this resolution as adopted shall be filed with the Director.

Section 11. This resolution shall take effect immediately.

B. APPLICATIONS

1. **R2021-203*Person-to-Person Transfer of Plenary Retail Consumption License SVC Gatehall Drive TRS, LLC from Residence Inn by Marriott**

WHEREAS, an application has been filed for a Person-to-Person Transfer of Plenary Retail Consumption License (Hotel/Motel Exception) Number 1429-36-054-002 for Residence Inn by Marriott to SVC Gatehall Drive TRS, LLC 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 December 21, 2021, the Person-to-Person Transfer of the aforesaid Plenary Retail Consumption License #1429-36-054-002.

2. R2021-204*Person-to-Person Transfer of Plenary Retail Consumption License Bhagirath P. Maheta from Reimer, Inc.

WHEREAS, an application has been filed for a Person-to-Person Transfer of Plenary Retail Consumption License Number 1429-33-028-001 for Reimer, Inc. to Bhagirath P. Maheta 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 December 21, 2021, the Person-to-Person Transfer of the aforesaid Plenary Retail Consumption License #1429-33-028-001.

3. R2021-205*Approving a New Limousine License for RTA Limousine, LLC

BE IT RESOLVED by the Township Council of the Township of Parsippany-Troy Hills that the following new Limousine Owner's Licenses be issued for the year 2022.

**RTA Limousine, LLC
239 New Road
Parsippany, NJ 07054**

(1 Vehicle)

VIII. APPROVAL OF PAYROLL AND BILLS LIST

A. CFO Juan Uribe recommends authorization for payment:

1. Authorize payment of the December 23, 2021 regular and miscellaneous payroll estimated at \$1,650,000.00.
2. Payment of bills from voucher list of 12/15/21 through 12/21/21 is \$3,242,858.94

Motion to approve the authorization for payment above by Council Member Gragnani, seconded by Council Member Carifi.
ROLL CALL: with all Council Members answering Yes

IX. ADJOURNMENT

Motion to Adjourn the Meeting by Council Member McCarthy 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