

COUNCIL MINUTES

TOWNSHIP OF PARSIPPANY-TROY HILLS REGULAR TOWNSHIP COUNCIL MEETING OF FEBRUARY 15, 2022

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 22, 2021 where it has remained posted since that date. A legal notice appeared in the *Daily Record* on December 28, 2021 and the *Newark Star Ledger* on December 27, 2021.

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.

A flag salute occurred followed by roll call with the following answering roll call; Council President dePierro, Council Member Gragnani, Council Member Carifi, Council Member Musella and Council Member Neglia. Other members of the administration present at the meeting; Mayor James Barberio, Business Administrator Frederick Carr, Township Attorney Michael Lavery, and Township Clerk Khaled Madin

B. UPCOMING MEETINGS:

1. 3/1/22 @ 7:00 p.m. Agenda Meeting
2. 3/15/22 @ 7:00 p.m. Regular Meeting

C. APPROVAL OF MINUTES

II. PRESENTATION(S)/REPORTS

A. MAYOR – gave a Covid update. Covid is starting to decrease, hopefully they will lift mandates soon. Met with committee to discuss TNR. Got a court order from the Judge to remove the cats but there is a Stay in place to find a solution first. They have to wait to the Stay on Thursday to take action. They cannot allow a situation like this to overflow on to other properties. Although the ordinance states there is a caretaker something has to be done if the caretaker can no longer maintain the cats.

B. TOWNSHIP COUNCIL

C. TOWNSHIP ATTORNEY

D. BUSINESS ADMINISTRATOR

1. Water Department Presentation – Lead/Copper Rule

John Wieworka Superintendent from the Water Department spoke about the revised Federal lead and copper law. The State of NJ added additional compliances to the law. Although no lead issues have been in Parsippany the law has added other materials to the list that need to be addressed in Parsippany. He spoke about the new guidelines about where Parsippany must be on the state level. All municipalities must abide by this new law. They need some funds to get started this year with this project. Notices will be sent to all affected homeowners. A letter by the DEP along with a letter from the township.

E. TOWNSHIP CLERK

F. TOWNSHIP OFFICES COMMITTEES/REPORTS – Council Member Gragnani said they will be having their first Economic Development Committee and will be open to attend at the Parsippany Chamber of Commerce. There will be ribbon cuttings for new businesses occurring.

Council Member Musella stated that he met with the Environmental Advisory Committee for the first time. Glad to meet the other people involved. Scheduled a meeting with the Municipal Transparency Committee which hasn't met in quite some time. He made contact with Nancy Brighton of the Historical Preservation Committee to reestablish meetings again.

Mayor Barberio asked to be informed as to when there are meetings as he is a member of all the committees and would like to be able to attend.

G. CORRESPONDENCE

H. ENGINEERING REPORT

Greenbank Road Safety and Improvements Project

The project is complete except for the guiderail replacement. Underground utilities could not be moved but we have received approval from the NJDEP to adjust the stream bed to allow more space for the new guiderail installation. Work will begin in the next few months once materials become available. **(No Council Action Required).**

2021 Road Resurfacing / Curb and Sidewalk Program

The annual road resurfacing / curb and sidewalk project has stopped for the winter. Construction activities will commence when the weather is favorable this coming spring. **(No Council Action Required).**

Puddingstone Heights Road Improvement Project, Phase I

Construction on the Puddingstone Heights Improvement project started and the contractor will continue to work through the winter as long as the weather is favorable and he can get materials. **(No Council Action Required).**

Rockaway River Floodwall / Levee Inspection

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

Mt. Tabor Street Improvements, Phase VII

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

Lake Intervale Area Street Improvements

The first phase of the Lake Intervale Area Street Improvement project is in design. We anticipate bidding this project in March 2022. **(No Council Action Required).**

Roadway Design Projects

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

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

III. BIDS

A. Taken

1. 2/2/21 – Pump Station No. 4 Gravity Conversion Project
2. 2/3/22 – Traffic Signal Maintenance for Littleton Road & Rita Drive/Beachwood Road and Jefferson Road & Smith Road
3. 2/10/22 – Rental of Heavy Equipment

B. To Be Taken

1. 3/10/22 – Route 46 Water Main Rehabilitation – Phase 1

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

IV. PUBLIC HEARING

OPEN: I'd like to entertain a motion to open the public hearing. Motion to open the public hearing by Council Member Carifi Seconded by Council Member Gragnani
ROLL CALL: All Council Members answering YES

Nick Homyak, Lake Hiawatha, stated that jobs with contractors should not be dumping their trash and it needs to be addressed. What can the Economic Development Committee do to make the store owners take care of their property in front of their stores?

Council Member Graganani said that is something that she will bring up at the next Economic Development Committee meeting.

Mr. Homyak stated he thinks the ordinance needs to be upgraded to include fines for those that do not comply keeping their property clean.

Mayor Barberio stated the committee is only advisory and they cannot do the enforcement. They do not have enforcement powers.

Council President dePierro stated the committee can make suggestions for enforcement.

Mr. Homyak wanted to know if the Council would be interested in learning about the benefits to the Highlands to the town. We should educated the public in regards to the Highlands.

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 Neglia
ROLL CALL: All Council Members answering YES

V. ORDINANCES

A. INTRODUCTION

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1. **ORDINANCE 2022:04**

AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, COUNTY OF MORRIS, STATE OF NEW JERSEY ACCEPTING PUBLIC IMPROVEMENTS ON WATERVIEW BOULEVARD AT THE INTERSECTION OF THE WATERVIEW MARKETPLACE DRIVEWAY

BE IT RESOLVED that the above Ordinance be introduced, read by title, and passed on first reading at a Meeting of the Township Council of the Township of Parsippany-Troy Hills held on **February 15, 2022** and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on **March 15, 2022** at 7:00 p.m., prevailing time, or as soon thereafter as the matter may be reached, at the Municipal Building in said Township, at which time all persons interested shall be given an opportunity to be heard concerning said Ordinance.

BE IT FURTHER RESOLVED that the Clerk be authorized and directed to advertise said Ordinance with the Notice of Introduction thereof being published in the official newspaper according to law.

Motion to approve the above Resolution by Council Member Neglia, seconded by Council Member Musella. **ROLL CALL:** with all Council Members answering YES

2. **ORDINANCE 2022:05**

AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, COUNTY OF MORRIS, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 4-43.3, ENTITLED ECONOMIC DEVELOPMENT ADVISORY COMMITTEE, AMENDING THE REQUIREMENTS FOR MEMBERSHIP

BE IT RESOLVED that the above Ordinance be introduced, read by title, and passed on first reading at a Meeting of the Township Council of the Township of Parsippany-Troy Hills held on **February 15, 2022** and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on **March 15, 2022** at 7:00 p.m., prevailing time, or as soon thereafter as the matter may be reached, at the Municipal Building in said Township, at which time all persons interested shall be given an opportunity to be heard concerning said Ordinance.

BE IT FURTHER RESOLVED that the Clerk be authorized and directed to advertise said Ordinance with the Notice of Introduction thereof being published in the official newspaper according to law.

Motion to approve the above Resolution by Council Member Gragnani, seconded by Council Member Neglia. **ROLL CALL:** With all Council Members answering YES

3. **ORDINANCE 2022:06**

AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, COUNTY OF MORRIS, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 290-4 AND CHAPTER A445-37, FEES COMPILATION, RELATED TO KNOLL COUNTRY CLUB UTILITY FEES

BE IT RESOLVED that the above Ordinance be introduced, read by title, and passed on first reading at a Meeting of the Township Council of the Township of Parsippany-Troy Hills held on **February 15, 2022** and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on **March 15, 2022** at 7:00 p.m., prevailing time, or as soon thereafter as the matter may be reached, at the Municipal Building in said Township, at which time all persons interested shall be given an opportunity to be heard concerning said Ordinance.

BE IT FURTHER RESOLVED that the Clerk be authorized and directed to advertise said Ordinance with the Notice of Introduction thereof being published in the official newspaper according to law.

Motion to approve the above Resolution by Council Member Carifi, seconded by Council Member Gragnani **ROLL CALL:** With all Council Members answering YES

B. SECOND READING & PUBLIC HEARING

1. ORDINANCE 2022:01

AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, COUNTY OF MORRIS, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 450-20 REGULATING VEHICLES OVER DESIGNATED WEIGHT ON CERTAIN STREETS

WHEREAS, based upon the recommendation of the Township Engineer, the Township Council wishes to exclude vehicles over four tons from a certain section of East Hedding Place in the Township.

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 450, Vehicles and Traffic, Section 20, Vehicles over designated weight excluded from certain streets, be and hereby is amended as follows:

§ 405-20 Vehicles over designated weight excluded from certain streets.

Vehicles over the registered gross weight are hereby excluded from the streets or parts of streets described except for the pickup and/or delivery of materials on such streets and the following class type of vehicles; school buses, emergency vehicles, and municipal/public utility vehicles.

Name of Street	Weight Limit (tons)	Location
[Add new].		
East Hedding Place	4	Between Wesley Place and its easternmost 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-Troy Hills heretofore adopted that are inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 4. This Ordinance shall take effect immediately upon its final passage, approval and publication as provided by law.

The Notice for Ordinance 2022:01 was published in the *Daily Record*, the official newspaper of the Township of Parsippany-Troy Hills on January 25, 2022 and introduced at the January 18, 2022 Regular Meeting.

Motion to accept Ordinance 2022:01, be heard in their second and final reading by title only, by, Council Member Musella seconded by Council Member Carifi. **ROLL CALL:** With all Council Members answering YES

a. PUBLIC HEARING

Motion to open the public hearing for Ordinance 2022:01 by Council Member Musella , seconded by Council Member Carifi
ROLL CALL: With all Council Members answering YES

Motion to close the public hearing for Ordinance 2022:01 by Council Member Musella, 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 2022:01 by Council Member Musella, seconded by Council Member Neglia.

ROLL CALL: With all Council Members answering YES

2. ORDINANCE 2022:02

AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, COUNTY OF MORRIS, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 290-4 AND CHAPTER A445-37, FEES COMPILATION, RELATED TO KNOLL COUNTRY CLUB UTILITY FEES

WHEREAS, the Township Council of the Township of Parsippany-Troy Hills wishes to update the fee provisions for the Knoll Country Club Utility effective January 1, 2022.

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 4, Knoll Country Club Utility Fees, be and hereby is deleted in its entirety and replaced as follows:

§ 290-4 Knoll West Country Club Utility Fees

The following fee schedule for admission to or use of Township facilities, programs or activities under the jurisdiction of the Knoll Country Club Utility is hereby established:

A. Knoll West.

- (1) Knoll West initial membership fee - Class A (C1, C2, C3, C4). Class A membership playing privileges any time the course is available as outings permit. Class A members will be permitted to schedule tee times 12 days in advance. Corporations must specify the employee names at the time of registration.

	Resident	Nonresident
Individual	\$910	\$1,820
Family shall consist of the member's spouse/partner and children and grandchildren 18 years and under	\$1,635	\$3,270
Corporate per person (minimum 2 members) - Class A privileges apply to all corporate members	\$1,030	\$2,060

- (2) Knoll West initial membership fee - Class B. Class B membership playing privileges as outings permit and weekend afternoons as available. Class B members will be permitted to schedule tee times 8 days in advance.

	Township Resident (D2, D3, D4)	Nonresident
Individual	\$665	\$1,330

- (3) Knoll West green fee schedule (C10).

Until Twilight Rates		
	Knoll West Weekday	Knoll West Weekend/Holiday
Member Rates		
18 holes	\$53 plus tax	\$56 plus tax
Nonmember Rates		
18 holes	\$85 plus tax	\$89 plus tax
Junior Rates		
Type	Fee	
Junior, under 17	\$30, must be with an adult 18 years or older. Proof of age required.	
Junior, 17 years to 24 years old	\$35, proof of age required	

Junior rates are walking only. If a junior golfer rides in a cart, the standard cart fees plus tax apply.

JUNIORS UNDER 17 MAY NOT DRIVE CARTS UNDER ANY CIRCUMSTANCES AT ANY TIME.

Twilight Rates		
The following rates are for twilight golf only after 1:30 p.m. from opening through March 31, after 3:30 p.m. April 1 through October 31, after 1:00 p.m. November and December		
	Knoll West Weekday	Knoll West Weekend/Holiday
Member Rates		
Twilight	\$48 plus tax	\$49 plus tax
Twilight walking	\$34 plus tax	\$35 plus tax
9 hole only two hours after twilight, cart including only	\$39.50 plus tax	\$39.50 plus tax
Nonmember Rates		

Twilight	\$75 plus tax	\$75 plus tax
Twilight walking	\$57 plus tax	\$57 plus tax
9 hole only two hours after twilight, cart included only	\$45 plus tax	\$45 plus tax

Senior (over 62): a \$2 discount applies, weekday rates only.

(4) Knoll West other fees schedule (C10).

- (a) Bag storage: \$125 per year.
- (b) Lockers: \$125 per year.
- (c) Member package: \$200 for both bag storage and locker per year.
- (d) Handicap service: \$35 per year.
- (e) Carts (1/2 cart is included in the green fee for the West Course):

18-hole	\$34 plus tax
18-hole -1/2 cart	\$17 plus tax
9-hole - 2 people	\$26 plus tax
9-hole - 1/2 cart	\$13.50 plus tax

(f) Outing fees for new outings: All golf outings at the West Course are subject to availability.

[1] Entities other than Township charities: outings are offered on Mondays and Tuesdays only. The fee is \$85 per person (The outing price includes greens fees, carts and \$15 credit to be spent at pro shop). Tax will be additional for taxable items. Food and beverage are extra.

[2] Township charities: Parsippany-Troy Hills charities and nonprofit 501(c)(3) organizations. Outings are offered on Mondays and Tuesdays only. The fee is \$65 per person (The outing price includes greens fees, carts and \$15 credit to be spent at pro shop). Tax will be additional for taxable items. Food and beverage are extra.

[3] The only outings to be considered for Thursdays or Fridays will be renewal outings who currently have deposits. These outing rates for renewal outings to be set by the General Manager and Director of Golf and must be higher than the rates for new outings.

Regular Meeting 2/15/2022

- (g) The rate of \$50 per person shall be paid for nonmembers participating in the Ladies' 9-hole or 18-hole Leagues. Ladies' 9-hole or 18-hole Leagues shall be scheduled at the discretion of the Director of Golf so as not to interfere with regular member play. Standard rates for greens fees, carts and other fees will be charged. This fee applies to league play only. League members have no other rights or golf privileges afforded to members.
- (h) Nonrefundable deposit: For those scheduling outings, a nonrefundable deposit of \$500 to reserve the date must be paid.
- (i) Exception to nonrefundable deposit: In the event a previously reserved outing is canceled by a nonprofit organization in enough time for another outing to be scheduled for the previously reserved date, thereby resulting in no loss of revenue to the Township, the deposit may be refunded to such nonprofit 501(c)(3) organization.
- (i) Any agreements signed prior to adoption of this section will be honored as contracted.

B. Knoll East.

- (1) Initial membership fee:

Township resident (C3)	\$50
Nonresident	\$150

- (2) Knoll East green fee schedule (C6)(C7).

Member Rates			
Weekday	Knoll East	Weekend/Holiday	Knoll East
18 holes until twilight	\$21	18 holes until twilight	\$28
9 holes until twilight	\$19	9 holes until twilight	\$26

The following rates are for twilight golf only after 1:30 p.m. from opening through March 31, after 3:30 p.m. April 1 through October 31, after 1:00 p.m. November and December:

Twilight Weekday	\$19	Twilight Weekend	\$22
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Nonmember Rates			
Weekday	Knoll East	Weekend/Holiday	Knoll East
18 holes until twilight	\$41	18 holes until twilight	\$51

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Nonmember Rates			
Weekday	Knoll East	Weekend/Holiday	Knoll East
9 holes until twilight	\$36	9 holes until twilight	\$46

The following rates are for twilight golf only after 1:30 p.m. from opening through March 31, after 3:30 p.m. April 1 through October 31, after 1:00 p.m. November and December:

Twilight weekday	\$35	Twilight weekend	\$45
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Senior (over 62) and youth rates (under 18): a \$2 discount applies, weekday rates only.

Industrial League Rates (Weekdays Only)	
Member	Nonmember
\$19	\$27

(3) Carts (not included in the green fee for the East Course):

18-hole – 2 people	\$34 plus tax
18-hole - 1/2 cart	\$17 plus tax
9-hole - 2 people	\$25 plus tax
9-hole - 1/2 cart	\$13.50 plus tax
Hand cart	\$6 plus tax

(4) Outing fees/deposits - weekends and weekdays when scheduling permits:

- (a) \$57 per person (includes greens fees and carts). Cart charges will be plus tax.
- (b) \$42 per person (includes greens fees and carts) for charities and nonprofit 501(c)(3).

C. Notes:

- (1) For purposes of this fee schedule, an individual will be considered a Township resident if their principal place of residence is located in Parsippany-Troy Hills and/or they own real property and the individual seeking the status of a Township resident for this fee schedule is personally liable for real property taxes on same. A corporation shall be considered to be a Township resident if the corporation owns or leases property in Parsippany-Troy Hills for the purpose of conducting a business. All applicants who seek resident status for purposes of the Knoll West

- fee schedule shall produce, at the request of the Township, such proof of residence as the Township may require.
- (2) All Knoll West members pay member rates at the Knoll East.
 - (3) Must provide proof of residence.
 - (4) A senior is 62 years of age. Senior discount of \$2 is on weekdays only on Knoll West.
 - (5) Exemptions. The following individuals or groups are exempt from the payment of Knoll Country Club utility fees:
 - (a) The members of the two high school golf teams and their two coaches (one per school) for practice on course and the opposing team and coach for matches, provided that practices and matches are played on weekdays.
 - (b) The General Manager, Golf Superintendent, Golf Greens Superintendent and Golf Pro are exempt from driving range fees.
 - (c) The General Manager, Golf Superintendent, and Golf Pro(s) are exempt from golf greens fees.
 - (6) All Township employees and active volunteer members of the six fire districts, two volunteer ambulance squads, the rescue and recovery squad and the Office of Emergency Management shall pay the member rate for greens fees and golf cart rental at both the East and West Courses.
 - (7) The General Manager has the discretion to reduce or increase daily greens fee rates and outing fees with approval of the Business Administrator. Backup documentation required for auditors.
 - (8) Daily/weekend twilight times shall be as follows:
 - (a) Opening day through March 31 after 1:30 p.m.
 - (b) April 1 through October 31 after 3:30 p.m.
 - (c) November 1 to closing after 1:00 p.m.
 - (9) All Knoll West members will be issued a range card once per year upon membership payment:
 - (a) A Membership = \$125
 - (b) B Membership = \$75
 - (c) Range ball card refills will be discounted by 20%.
 - (10) Golf range is available for use to members and nonmembers. Golf range fees:
 - (a) Extra large bucket of balls: \$15.
 - (b) Large bucket of balls: \$10.
 - (c) Small bucket of balls: \$6.

SECTION 2. The correspondence sections of Chapter A445, Fees compilation, are hereby deleted and replaced in its entirety as indicated herein.

SECTION 3. 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 4. 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 5. This Ordinance shall take effect immediately upon its final passage, approval and publication as provided by law.

The Notice for Ordinance 2022:02 was published in the *Daily Record*, the official newspaper of the Township of Parsippany-Troy Hills on February 7, 2022 and introduced at the January 18, 2022 Regular Meeting.

Motion to accept Ordinance 2022:02, be heard in their second and final reading by title only, by Council Member Neglia, seconded by Council Member Gragnani. **ROLL CALL:** With all Council Members answering YES

a. PUBLIC HEARING

Motion to open the public hearing for Ordinance 2022:02 by Council Member Neglia, seconded by Council Member Gragnani .
ROLL CALL: With all Council Members answering YES

Nick Homyak, Lake Hiawatha, suggested the fees for the Knoll be incorporated to be used to enhance the environment by being river friendly and forest friendly of the Knoll's acres. He stated the forest surrounding the Knoll is not being taken care of. A lot of alcohol related bottles are thrown all over. The clean up should become the responsibility of the Knoll groundskeepers since it is a part of the Green Acres with the Knoll Golf Course.

Motion to close the public hearing for Ordinance 2022:02
By Council Member Neglia, 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 2022:02 by Council Member Neglia, seconded by Council Member Gragnani.

ROLL CALL: With all Council Members answering YES

3. **ORDINANCE 2022:03**

AN ORDINANCE OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, MORRIS COUNTY, NEW JERSEY AMENDING AND MODIFYING CHAPTER 4, ADMINISTRATION OF GOVERNMENT, SECTION 4-81, THIRD PARTY PAYMENT PLAN FOR EMERGENCY MEDICAL SERVICES PROVIDED BY PAR-TROY EMS, CHAPTER A445, FEES COMPILATION, SECTION A445-19.1, EMERGENCY MEDICAL SERVICES, OF THE CODE OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS IN THE COUNTY OF MORRIS, NEW JERSEY

WHEREAS, the Township Council of the Township of Parsippany-Troy Hills (the “Township”) finds and declares that it is in the best interests of the Township and its residents to revise certain fee for service provisions pertaining to the Department of Emergency Medical Services.

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

SECTION 1. Chapter 4, Administration of Government, Section 4-81, Third-party payment plan for emergency medical services provided by Par-Troy EMS, of the Code of the Township of Parsippany-Troy Hills is hereby amended as follows:

A. Fees for emergency medical services. The fee for emergency medical services shall be \$900, plus \$18 per mile per trip. If the ambulance responds but does not transport the patient to a hospital emergency department or other medical facility, the fee shall be \$250.

(1) Fees for equipment and medications. When any of the following equipment or medications is used or administered in conjunction with the care of any patient, an additional fee shall be billed according to the tier of said equipment or medication, as follows:

(a) Tier I equipment, \$125 per use:

- [1] Continuous positive airway pressure (CPAP) device.
- [2] Automated external defibrillator.

(b) Tier II equipment, \$65 per use:

- [1] Oxygen delivery supplies, including bag valve mask (BVM), non-rebreather mask, nasal cannula.
- [2] Spinal immobilization devices, including long backboard, cervical immobilization collar and/or device, kendrick extrication device (KED).

- (c) Tier I medication, \$195 per dose:
 - [1] Epinephrine auto injector (Epi-Pen).
 - [2] Naloxone (Narcan).
 - [3] Albuterol Sulfate (inhaler or nebulizer).

- (d) Tier II medication, \$45 per dose:
 - [1] Oxygen.
 - [2] Glucose.
 - [3] Aspirin.

- B. Insurance-only billing for transport. The fees for emergency medical services set forth in § 4-81(A) of this article notwithstanding, when a resident of the Township is transported to a hospital emergency department or other medical facility, the Township shall engage in insurance-only billing, whereby the Township will accept as payment only what is paid by the resident's health insurance plan, applicable automobile insurance policy, or Medicare/Medicaid, and shall not bill for any deductibles, co-pays or other balance due.

- C. Insurance-only billing for nontransport. The fees for emergency medical services set forth in § 4-81(A) of this article notwithstanding, when a Par-Troy EMS ambulance responds to an emergency call, but does not transport the patient, the Township shall engage in insurance-only billing, whereby the Township will accept as payment only what is paid by the patient's health insurance plan, applicable automobile insurance policy, or Medicare/Medicaid, and shall not bill for any deductibles, co-pays or other balance due.

- D. The Township shall seek a contractor to administer the billing and collection of the third-party ambulance transportation fees authorized hereunder.

- E. The Director shall annually review the fees for emergency medical services set forth in this article.

- F. A certified copy of this article shall be filed and maintained with all applicable federal and/or state agencies.

SECTION 2. Chapter A445, Fees Compilation, Section A445-19.1, Emergency medical services, of the Code of the Township of Parsippany-Troy Hills is hereby amended as follows:

- A. Fees for emergency medical services. The fee for emergency medical services shall be \$900, plus \$18 per mile per trip. If the ambulance responds but does not transport the patient to a hospital emergency department or other medical facility, the fee shall be \$250.

(1) Fees for equipment and medications. When any of the following equipment or medications is used or administered in conjunction with the care of any patient, an additional fee shall be billed according to the tier of said equipment or medication, as follows:

(a) Tier I equipment, \$125 per use:

- [1] Continuous positive airway pressure (CPAP) device.
- [2] Automated external defibrillator.

(b) Tier II equipment, \$65 per use:

- [1] Oxygen delivery supplies, including bag valve mask (BVM), non-rebreather mask, nasal cannula.
- [2] Spinal immobilization devices, including long backboard, cervical immobilization collar and/or device, Kendrick extrication device (KED).

(c) Tier I medication, \$195 per dose:

- [1] Epinephrine auto injector (Epi-Pen).
- [2] Naloxone (Narcan).
- [3] Albuterol Sulfate (inhaler or nebulizer).

(d) Tier II medication, \$45 per dose:

- [1] Oxygen.
- [2] Glucose.
- [3] Aspirin.

SECTION 3. All actions of the Township taken prior to the date of adoption hereof contemplated by this Ordinance are hereby ratified and approved.

SECTION 4. 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 5. 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 6. This ordinance shall take effect immediately upon its final passage, approval and publication as provided by law.

The Notice for Ordinance 2022:03 was published in the *Daily Record*, the official newspaper of the Township of Parsippany-Troy Hills on January 25, 2022 and introduced at the January 18, 2022 Regular Meeting.

Motion to accept Ordinance 2022:03, be heard in their second and final reading by title only, by Council Member Gragnani, seconded by Council Member Musella. **ROLL CALL:** With all Council Members answering YES

a. PUBLIC HEARING

Motion to open the public hearing for Ordinance 2022:03 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 2022:03 by Council Member Gragnani, 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 2022:01 by Council Members Gragnani, seconded by Council Member Carifi.

ROLL CALL: With all Council Members answering YES

VI. NON-CONSENT AGENDA

A. RESOLUTIONS

None

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 Carifi seconded by Council Member Neglia. **ROLL CALL:** With all Council Member answering YES

A. RESOLUTIONS

1. R2022-030*Tax Appeal Settlement: Waterview Investors, LLC

WHEREAS, Morris CC IV East Acquisitions, LLC, acquired title in February 2018 to property located at 389-399 Interpace Parkway, designated as Block 136, Lot 36.05 on the official tax map of the Township of Parsippany-Troy Hills (“Subject Property”), has filed an appeal pending before the Tax Court of New Jersey to challenge the tax assessment on the Subject Property for tax years 2018; and

WHEREAS, Latitude East Owner, LLC, acquired title to the Subject Property in March 2018 and has appeals pending before the Tax Court of New Jersey to challenge the tax assessment on the Subject Property for tax years 2019, 2020 and 2021.

WHEREAS, the parties have engaged in discovery and settlement negotiations; and

WHEREAS, as a result of that discovery and settlement negotiations, a settlement has been reached upon the recommendation and concurrence of the Township Attorney, Township Appraiser and Township Assessor; and

WHEREAS, the taxpayer has agreed to waive all interest due on any refund providing that same is paid by the municipality within sixty (60) days from the date of entry of the Tax Court Judgment; and

WHEREAS, the Township Attorney, Special Tax Counsel, Township Appraiser and the Tax Assessor have all recommended said settlement to the Township Council; and

WHEREAS, the Township Council is of the opinion that said settlement is in the best interests of the Township of Parsippany-Troy Hills;

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, as follows:

1. Settlement of the appeal for the Tax Years under appeal is authorized as follows:

Tax Year: 2018

	Original Assessment	Settlement Amount
Land	\$ 17,146,400.00	\$ 17,146,400.00
Improvements	<u>\$ 26,380,500.00</u>	<u>\$ 26,380,500.00</u>
TOTAL	\$ 43,526,900.00	\$ 43,526,900.00

Tax Year: 2019

	Original Assessment	Settlement Amount
Land	\$ 17,146,400.00	\$ 17,146,400.00
Improvements	<u>\$ 26,380,500.00</u>	<u>\$ 24,880,500.00</u>
TOTAL	\$ 43,526,900.00	\$ 42,026,900.00

Tax Year: 2020

	Original Assessment	Settlement Amount
Land	\$ 17,146,400.00	\$ 17,146,400.00

Improvements	<u>\$ 26,380,500.00</u>	<u>\$ 24,380,500.00</u>
TOTAL	\$ 43,526,900.00	\$ 41,526,900.00

Tax Year: 2021

	Original Assessment	Settlement Amount
Land	\$ 17,146,400.00	\$ 17,146,400.00
Improvements	<u>\$ 24,880,500.00</u>	<u>\$ 24,880,500.00</u>
TOTAL	\$ 42,026,900.00	\$ 42,026,900.00

NOW, THEREFORE, BE IT RESOLVED, that all municipal officials are hereby authorized to take whatever action may be necessary to implement the terms of the resolution.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Parsippany-Troy Hills, County of Morris, State of New Jersey, that the settlement in this matter as set forth herein above, be and the same is approved, and Counsel if hereby authorized and directed to affect said settlement.

2. **R2022-031*Tax Appeal Settlement: Morris CC IV East Acquisition, LLC and Latitude East Owner, LLC**

WHEREAS, **Waterview Investors, LLC**, the owner of the property located at 10 Waterview Boulevard, designated as Block 421, Lot 29.2 on the official tax map of the Township of Parsippany-Troy Hills (“Subject Property”), has filed appeals pending before the Tax Court of New Jersey to challenge the tax assessment on the Subject Property for tax years 2019-2021; and

WHEREAS, the parties have engaged in discovery and settlement negotiations; and

WHEREAS, as a result of that discovery and settlement negotiations, a settlement has been reached upon the recommendation and concurrence of the Township Attorney, Township Appraiser and Township Assessor; and

WHEREAS, the taxpayer has agreed to waive all interest due on any refund providing that same is paid by the municipality within sixty (60) days from the date of entry of the Tax Court Judgment; and

WHEREAS, the Township Attorney, Special Tax Counsel, Township Appraiser and the Tax Assessor have all recommended said settlement to the Township Council; and

WHEREAS, the Township Council is of the opinion that said settlement is in the best interests of the Township of Parsippany-Troy Hills;

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, as follows:

2. Settlement of the appeal for the Tax Years under appeal is authorized as follows:

Tax Year: 2019

	Original Assessment	Settlement Amount
Land	\$ 11,925,300.00	\$ 11,925,300.00
Improvements	<u>\$ 8,294,100.00</u>	<u>\$ 8,294,100.00</u>
TOTAL	\$ 20,219,400.00	\$ 20,219,400.00
<u>Tax Year: 2020</u>	Original Assessment	Settlement Amount
Land	\$ 11,925,300.00	\$ 11,925,300.00
Improvements	<u>\$ 8,294,100.00</u>	<u>\$ 7,294,100.00</u>
TOTAL	\$ 20,219,400.00	\$ 19,219,400.00
<u>Tax Year: 2021</u>	Original Assessment	Settlement Amount
Land	\$ 11,925,300.00	\$ 11,925,300.00
Improvements	<u>\$ 8,294,100.00</u>	<u>\$ 6,294,100.00</u>
TOTAL	\$ 20,219,400.00	\$ 18,219,400.00

NOW, THEREFORE, BE IT RESOLVED, that all municipal officials are hereby authorized to take whatever action may be necessary to implement the terms of the resolution.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Parsippany-Troy Hills, County of Morris, State of New Jersey, that the settlement in this matter as set forth herein above, be and the same is approved, and Counsel if hereby authorized and directed to affect said settlement.

3. R2022-032*Contract for Well No. 9 Chlorine Contact Time Improvements

WHEREAS, the Township of Parsippany-Troy Hills received bid proposals for Well No. 9 Chlorine Contact Time Improvements on January 20, 2022, and

WHEREAS, the Director of Purchasing, Purchasing Assistant, Water Superintendent, Assistant Water Superintendent and Consulting Engineer have reviewed the bids received and recommend that a contract be awarded to the lowest responsible bidder, John Garcia Construction Co., Inc., 183 Friar Lane, Clifton, NJ 07013 for the Total Bid Price of \$198,903.61, 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 No. 9 Chlorine Contact Time Improvements be awarded as stated above in accordance with the terms and conditions contained in the advertising specifications and that the Mayor and Township Clerk are authorized to execute the contract.

4. **R2022-033*Approving a Shared Services Agreement with the Borough of Mountain Lakes**

WHEREAS, the Township of Parsippany-Troy Hills (“Parsippany”), though its paid emergency medical services provider, Par-Troy EMS, staffs basic life support (“BLS”) ambulances on ready status to respond to 9-1-1 and emergency calls in Parsippany and the surrounding communities; and

WHEREAS, the Borough of Mountain Lakes (the “Borough”) has identified a need to ensure the availability of emergency BLS ambulance service to its residents 24 hours per day, 7 days per week; and

WHEREAS, the Parsippany and Mountain Lakes have determined that it would be to their mutual benefit to share certain specific services where each party has the equipment, vehicles, supplies, or manpower to be able to provide those services to the other party without impairing its ability to provide those services for its own needs; and

WHEREAS, the Parsippany and Mountain Lakes recognize that the sharing of emergency BLS ambulance services with the other Party under circumstances where the Party providing the services can perform the work with little or no disruption to their existing duties could save both municipalities money by reducing expenses for equipment and staff, while ensuring continuous and reliable emergency BLS ambulance service; and

WHEREAS, it is in the interest of both Parsippany and Mountain Lakes to utilize the closest available and most appropriate resources for the protection of life and property within their jurisdictions; and

WHEREAS, the Parsippany and Mountain Lakes recognize that while the exchange of services will not be perfectly equal, each Party will benefit from the overall improvement in efficiency and savings achieved; and

WHEREAS, Parsippany shall bill for transport services, medication and medical equipment pursuant to Parsippany’s Third-Party Payment Plan for Emergency Medical Services Provided by Par-Troy EMS Squad (Parsippany Township Code § 4-81); and

WHEREAS, Mountain Lakes residents shall be considered Parsippany residents for purposes of billing and, pursuant to Township Code § 4-81(B) and (C), Parsippany shall accept as payment only what is paid by the resident's health insurance plan or Medicare/Medicaid and shall not bill for any deductibles, co-pays or other balance due; and

WHEREAS, the sharing of these services will benefit the taxpayers of both Mountain Lakes and Parsippany by increasing the efficiency of service and decreasing the costs; and

WHEREAS, pursuant to the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, (L.2007, c.63, s.2.), Municipal Corporations in the State of New Jersey are considered “Local Units,” which are encouraged and authorized to enter into agreements which promote the sharing and/or consolidation of services; and

WHEREAS, pursuant to N.J.S.A. 40A:65-4(a)(3)(b), any agreement entered into pursuant to this section shall be filed, for informational purposes, with the Division of Local Government Services in the Department of Community Affairs, pursuant to rules and regulations promulgated by the director; and

WHEREAS, pursuant to N.J.S.A. 40A:65-5, local units entering into shared services agreements must adopt a resolution authorizing and clearly identifying the agreement and ensure that a copy of the agreement shall be open to public inspection at the offices of the local unit immediately after passage of a resolution to become a party to the agreement; and

WHEREAS, pursuant to N.J.S.A. 40A:65-5(c), the agreement shall take effect upon the adoption of appropriate resolutions by all the parties thereto, and execution of agreements authorized thereunder as set forth in the agreement; and

WHEREAS, Parsippany and Mountain Lakes wish to enter into a shared services agreement to provide for emergency BLS ambulance services and such other services incidental to emergency BLS ambulance service as may be needed from time to time; and

WHEREAS, the Mountain Lakes Borough Council has approved the execution of a Shared Services Agreement with Parsippany in the form attached hereto

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

1. The aforesaid recitals be and hereby are incorporated as if repeated at length herein; and
2. The Township Council hereby approves and authorizes the Mayor and Township Clerk to execute and attest, respectively, a Shared Services Agreement with the borough of Mountain Lakes for BLS ambulance service; and
3. The Township Administrator and Township Attorney be and hereby are authorized to take all necessary and appropriate action to effectuate the same.
5. **R2022-034*Awarding a Contract to D & H Alternative Risk Solutions for Insurance Services to Provide Administration of Claims Processing for Workers' Compensation**

WHEREAS, the Township of Parsippany-Troy Hills has a need to acquire insurance services as a non-fair and open contract pursuant to the provisions of P.L. 2004, c.19 (N.J.S.A. 19:44A-20.5 et seq.); and

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

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

WHEREAS, the Mayor, Business Administrator, and Township Insurance Commission have recommended that a one (1) year contract effective January 1, 2022 be awarded to D&H Alternative Risk Solutions, Inc. with offices located at 83 Spring Street, Suite 104, Newton, New Jersey 07860, to provide administration of claims processing for workers' compensation; and

WHEREAS, D&H Alternative Risk Solutions, Inc. will complete and submit a Business Entity Disclosure Certification, which Certification provides that they have not made any reportable contributions to candidate committees, joint candidates committees or political party committees representing the elected officials of the Township in the one year period preceding the award of the Contract, and that the Contract will prohibit D&H Alternative Risk Solutions, Inc. and any member of the firm from making any reportable contributions through the term of the contract that would bar the award of this Agreement pursuant to N.J.S.A. 19:44A-20.5 et seq.; and

WHEREAS, D&H Alternative Risk Solutions, Inc. will complete and submit a Political Contribution Disclosure Form and Stockholder Disclosure Certification, as required pursuant to N.J.S.A. 19:44A-20.26, no later than 10 days prior to entering into the contract, disclosing all reportable political contributions (more than \$300 per election cycle) made over the 12 months prior to submission to the committees of the government entities listed on the Form provided by the Township; and

WHEREAS, the Business Entity Disclosure Certification further provides that D&H Alternative Risk Solutions, Inc. has not made any and will not make any contributions or solicit any contribution of money or pledge of a contribution in violation of Township Ordinance 10:02 (Municipal Code Part 1, Chapter 12); and

WHEREAS, the Chief Financial Officer of the Township of Parsippany-Troy Hills will certify to the availability of funds at the time services are rendered. Funds are available for this purpose in the Reserve for Self-Insurance account.

NOW THEREFORE, BE IT RESOLVED as follows:

1. That the Township Council of the Township of Parsippany-Troy Hills hereby awards, and the Mayor and the Township Clerk are hereby authorized to execute a contract between the Township of Parsippany-Troy Hills and D&H Alternative Risk Solutions, Inc., 83 Spring Street, Suite 104, Newton, New Jersey 07860, to provide administration of claims processing for workers' compensation for the year 2022; and
2. That the Business Entity Disclosure Certification, which incorporates the provisions of Article I, entitled *Prohibitions on Contract Awards*, of Chapter 12, *Contracts*, of the Township Code; Political Contribution Disclosure Form; Stockholder Disclosure Certification; Determination of Value; and Certification of Extraordinary Unspecifiable Services be placed on file in the Office of the Business Administrator with the Contract and authorizing resolution; and

3. That this contract shall be awarded through a non-fair and open process and without a competitive bid pursuant to N.J.S.A. 19:44A-20.5 and as an exception pursuant to N.J.S.A. 40A:11-5(1)-(m), the procurement of which shall comply with N.J.S.A. 40A:11-5(1)(a)(ii); and
4. That a notice of this action be printed once in the official newspaper of the Township of Parsippany-Troy Hills.
6. **R2022-035*Appointment and Award of Contract for Professional Services with McManimon, Scotland & Baumann, LLC as Special Legal Counsel**

WHEREAS, the Township of Parsippany-Troy Hills has a need to retain Special Legal Counsel pursuant to §4-6 of the Township Administrative Code to serve as Special Legal Counsel in any matters in which the Township Attorney may require assistance; and

WHEREAS, the Township Attorney, with the approval of the Mayor, has appointed Leslie London, Esq. of the firm of McManimon, Scotland & Baumann, LLC, 75 Livingston Avenue, Roseland, NJ 07068, as Special Legal Counsel in connection with the Township's Affordable Housing program and any matters in which the Township Attorney may require assistance; and

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

WHEREAS McManimon, Scotland & Baumann, LLC will complete and submit a Business Entity Disclosure Certification, which Certification provides that he and any member of the firm has not made any reportable contributions to candidate committees, joint candidate committees, joint candidates committees or political party committees representing the elected officials of the Township in the one year period preceding the award of this Contract, and that the Contract will prohibit the firm and the members of the firm from making any reportable contributions through the term of this contract that would bar the award of this Agreement pursuant to N.J.S.A. 19:44A-20.5 et seq.; and

WHEREAS, McManimon, Scotland & Baumann, LLC will complete and submit a Political Contribution Disclosure Form and Stockholder Disclosure Certification, as required pursuant to N.J.S.A. 19:44A-20.6, not later than 10 days prior to entering into the contract, disclosing all reportable political contributions (more than \$300 per election cycle) made over the 12 months prior to submission to the committees of the government entities listed on the Form provided by the Township; and

WHEREAS, the Business Entity Disclosure Certification further provides that the firm or any member of the firm have not made any and will not make any contributions or solicit any contribution of money or pledge of a contribution in violation of Township Ordinance 10:02 (Municipal Code Part 1, Chapter 12); and

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

WHEREAS, the Chief Financial Officer of the Township of Parsippany-Troy Hills will certify to in writing that funds are available at the time services are rendered.

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, as follows:

1. The Township of Parsippany-Troy Hills hereby awards a professional services contract to, and authorizes the Mayor and Township Clerk to execute such contract with **McManimon, Scotland & Baumann, LLC**, 75 Livingston Avenue, Roseland, NJ 07068, as Special Legal Counsel in connection with the Township's Affordable Housing program and any matter in which the Township Attorney may require assistance; and;
2. That the Business Entity Disclosure Certification, which incorporates the provisions of Article I, entitled *Prohibitions on Contract Awards*, of Chapter 12, *Contracts*, of the Township Code; Political Contribution Disclosure Forms; Stockholder Disclosure Certifications; Determination of Value; and Certificate of Availability of Funds be placed on file in the Office of the Business Administrator with the contract and authorizing resolution; and
3. That this contract be awarded through a non-fair and open process and without a competitive bid pursuant to N.J.S.A. 19:44A-20.5 and as professional services, pursuant to N.J.S.A. 40A:11-1 et seq.; and
4. A notice of this award will be printed in the official newspaper of the Township of Parsippany-Troy Hills in accordance with N.J.S.A. 40A:11-1 et seq.
7. **R2022-036*Contracts for Professional Engineering, Environmental, Architectural, Appraisal, Archeological, Housing and Planning Services**

WHEREAS, the Township of Parsippany-Troy Hills has a need to acquire professionals to perform engineering, environmental, architectural, appraisal and planning services as non-fair and open contracts pursuant to the provisions of P.L. 2004, c.19 (N.J.S.A. 19:44A-20.5 et seq.); and

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

WHEREAS, the terms of these contracts shall begin on January 1, 2022 and end on December 31, 2022; and

WHEREAS, the professionals have indicated that they will provide the services required as specified below for the Township of Parsippany-Troy Hills at the rates and terms specified in the contracts on file in the office of the Business Administrator; and

WHEREAS, the firms will complete and submit a Business Entity Disclosure Certification, which Certification provides that the firms have not made any reportable contributions to candidate committees, joint candidates committees or political party committees representing the elected officials of the Township in the one year period preceding the award of the Contracts, and that the Contracts will prohibit the firms from making any reportable contributions through the term of the contracts that would bar the award of these Agreements pursuant to N.J.S.A. 19:44A-20.5 et seq.; and

WHEREAS, the firms will complete and submit Political Contribution Disclosure Forms and Stockholder Disclosure Certifications, as required pursuant to N.J.S.A. 19:44A-20.26, no later than 10 days prior to entering into the contract, disclosing all reportable political contributions (more than \$300 per election cycle) made over the 12 months prior to submission to the committees of the government entities listed on the Form provided by the Township; and

WHEREAS, the Business Entity Disclosure Certifications further provides that the firms have not made any and will not make any contributions or solicit any contribution of money or pledge of a contribution in violation of Township Ordinance 10:02 (Municipal Code Part 1, Chapter 12); and

WHEREAS, the Chief Financial Officer of the Township of Parsippany-Troy Hills will certify to the availability of funds at the time of services.

NOW THEREFORE, BE IT RESOLVED as follows:

- 1) That the Township Council of the Township of Parsippany-Troy Hills hereby awards professional services contracts to, and authorizes the Mayor and Township Clerk to execute such contracts for 2022 year with the following firms based on the applicable rate schedules on file in the Office of the Business Administrator:

General Engineering and Environmental Services:

- a) **Arcadis US, Inc.**, 17-17 Route 208 N. Fairlawn, NJ 07410;
- b) **Boswell Engineering, Inc.**, 330 Phillips Avenue, South Hackensack, NJ 07606
- c) **Bowman Consulting Group**, 54 Horsehill Road, Cedar Knolls, NJ 07927
- d) **Bright View Engineering, LLC** 5 Pitcairn Drive, Roseland, NJ 07068;
- e) **Civil & Environmental Consultants, Inc**, 370 E. Maple Ave., Langhorne, PA 19047;
- f) **CDM Smith, Inc.**, 110 Fieldcrest Avenue, #8, Edison, NJ 08837;
- g) **CME Associates**, 3141 Bordentown Avenue, Parlin, NJ 08859
- h) **Crew Engineers, Inc.**, 1250 Route 23 North, Butler, NJ 07405
- i) **Dewberry Engineers, Inc.**, 600 Parsippany Road, Parsippany, NJ 07054

- j) **Greenman-Pedersen, Inc.**, 301 Gibraltar Drive, Morris Plains, NJ 07950
- k) **H2M Associates, Inc.** 119 Cherry Hill Road, Ste 110, Parsippany, NJ 07054
- l) **Keystone Engineering Group**, 3836 Quakerbridge Road., Hamilton, NJ 08619
- m) **Mott MacDonald, LLC**, 111 Wood Avenue South, Iselin, NJ 08830
- n) **Neglia Engineering Associates**, 34 Park Avenue, Lyndhurst, NJ 07071
- o) **Pennoni Associates, Inc.** 24 Commerce Street, Suite 300 Newark, NJ 07102
- p) **Petry Engineering, LLC** 155 Passaic Avenue, Fairfield, NJ 07004
- q) **Stormwater Compliance Solutions**, 180 Main Street, Chester, NJ 07930
- r) **Suburban Consulting Engineers, Inc.**, 96 US Highway 206, Flanders, NJ 07836
- s) **UHL & Associates, INC.** 278 North Union Street, Lambertville, NJ 08530
- t) **Van Cleef Engineering Associates, LLC**, 32 Brower Lane, Hillsborough, NJ 08844

Architectural Services

- a. **Architectural Design Associates**, 1191 Valley Road, Clifton, NJ 07013
- b. **HMR Architects, P.A.**, 821 Alexander Road, Princeton, NJ 08540

Appraisal and Archeological Services

- a. **BBG Valuation, Inc.**, 8300 Douglas Avenue, Dallas, TX 75225 for appraisal services;
- b. **McNerney & Associates, Inc.**, 266 Harristown Road, Glen Rock, NJ 07452 for appraisal services;
- c. **Hunter Research, Inc.**, 120 West State Street, Trenton, NJ 08608 for archeological services;

Planning Services & Housing Services

- a. **ARH Associates**, 215 Bellevue Avenue, Hammonton, NJ 08037
- b. **Burgis Associates, Inc.**, 25 Westwood Avenue, Westwood, NJ 07675
- c. **CGP&H, LLC.**, 1249 South River Road, Cranbury, NJ 08512

- 2) That the Business Entity Disclosure Certifications, which incorporates the provisions of Article I, entitled *Prohibitions on Contract Awards*, of Chapter 12, *Contracts*, of the Township Code; Political Contribution Disclosure Forms; Stockholder Disclosure Certifications Determination of Value; and Certificate of Availability of Funds be placed on file in the Office of the Business

Administration and Township Clerk with the Contracts and authorizing resolutions; and

- 3) That these contracts be awarded through a non-fair and open process and without a competitive bid pursuant to N.J.S.A. 19:44A-20.5 and as professional services, pursuant to N.J.S.A. 40A:11-1 et seq.; and
 - 4) A notice of this award be printed in the official newspaper of the Township of Parsippany-Troy Hills in accordance with N.J.S.A. 40A:11-1 et seq.
8. **R2022-037*Authorizing a Grant Application “FY 2023 Strategic Plan Submission” for the Governor’s Council on Alcoholism and Drug Abuse**

WHEREAS, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, The Township Council of the Township of Parsippany – Troy Hills, County of Morris, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the Township of Parsippany – Troy Hills Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Township of Parsippany – Troy Hills Council has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Morris;

NOW, THEREFORE, BE IT RESOLVED by the Township of Parsippany – Troy Hills, County of Morris, State of New Jersey hereby recognizes the following:

1. The Township Council does hereby authorize submission of a strategic plan for the Township of Parsippany-Troy Hills Municipal Alliance grant for fiscal year 2022 in the amount of:

Alliance DEDR Allocation	\$ 18,587.00
Cash Match	\$ 4,646.75
In-Kind Match	\$ 13,940.25
TOTAL ALLIANCE BUDGET	\$ 37,174.00

2. The Township Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

9. **R2022-038*Authorizing the Expenditure of Municipal Funds for the Abatement of the Nuisance, Defect, or Condition Located at 11 Worcester Court, Block 400, Lot 3.18, which shall be a Lien Against the Premises**

WHEREAS, the Township of Parsippany-Troy Hills (the “Township”) requires that all premises shall be kept landscaped, and lawns, hedges and bushes shall be kept trimmed and kept from becoming overgrown and unsightly, pursuant to Township Code § 213-22; and

WHEREAS, uncontrolled vegetation and/or lawns, hedges, and bushes were determined to exist at property identified as Block 400, Lot 3.18 on the Township’s official Tax Map and located at 11 Worcester Court (the “Premises”); and

WHEREAS, Township Code § 213-16(B) provides that, whenever a Housing Inspector determines that there has been a violation, or that there are reasonable grounds to believe there has been a violation of any provision of the Code, the Housing Inspector shall give notice of such alleged violation to the individual responsible. The Notice of Violation shall (1) be in writing, (2) be served in the same manner as provided elsewhere in the Code, (3) specify the violation which exists and the remedial action required, (4) specify a reasonable time in which the violation shall be abated, corrected, or eliminated, and (5) state the penalty for such violations; and

WHEREAS, the owner of the Premises, Adam Aba (“Owner”), was served with a Notice of Violation and Order to Correct Identification on July 21, 2021, pursuant to Township Code §213-16(B), which Notice of Violation required the Owner to correct the alleged violation by August 5, 2021; and

WHEREAS, Township Code §213-44(A)(2) provides that, whenever an owner or lessor fails to abate or correct any condition in the time required by the Notice of Violation, the Senior Housing official shall serve the owner or lessor with a Notice of Hearing, in the same manner as provided elsewhere in the Code, to consider possible municipal intervention, upon at least five (5) days’ notice; and

WHEREAS, the Owner was served with a Notice of Hearing on January 4, 2022, and the date of hearing was scheduled for January 11, 2022, pursuant to Township Code §213-44(A)(2); and

WHEREAS, the Owner failed to appear for the scheduled hearing on January 11, 2022; and

WHEREAS, the Parsippany Housing Department has obtained an estimate in the sum of \$3,763.92 from Fox Hollow Landscaping and Design for the abatement of the nuisance, defect, or condition located at the Premises; and

WHEREAS, in accordance with Township Code §213-44, the Township Council has the authority to expend municipal funds to abate nuisances, conditions, and defects and have the costs incurred assessed to the property tax bills as a lien.

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

1. The aforesaid recitals are incorporated as if repeated at length herein; and
2. The Mayor is authorized to execute, and the Township Clerk is authorize to attest a contract with Fox Hollow Landscaping and Design in the amount of \$3,763.92, and in a form acceptable to the Township Attorney, for the abatement of the nuisance at the Premises; and
3. The sum of \$3,763.92 shall be a lien on the Premises and collectible as provided in Chapter 213 of the Township Code and relevant statutes; and
4. Township Administration and the Township Attorney be and hereby are authorized to take all necessary and reasonable actions to effectuate the same.

10. R2022-039*Approving an Emergency Agreement with Windriver Environmental, LLC to Clean Wet Well to Retrieve Grating that Fell in During Tropical Storm “Ida”

WHEREAS, the Township Council is obligated to provide funds and ratify emergency agreements which are entered into by the Township in accordance with N.J.S.A. 40A:11-6; and

WHEREAS, such an agreement was entered into between the Township and Windriver Environmental, LLC to render emergency assistance in the cleaning of Sewer Plant wet well, to retrieve floor grating that fell in before causing damage to pumps and limiting flow

WHEREAS, the Chief Financial Officer has certified to the availability of funds; and

WHEREAS, the Sewer Utility Superintendent has certified as to the existence of the emergency.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Parsippany-Troy Hills, County of Morris, and State of New Jersey, that a certain emergency agreement with Windriver Environmental, LLC, P.O. Box 22074, New York, NY 10087 be entered into to clean wet well and locate missing floor grates. for the amount of \$60,350.00 is hereby ratified and approved.

This resolution shall take effect immediately.

11. R2022-040*Granting a Major Soil Moving Permit to GJ Real Properties, LLC: Block 766, Lot 14

WHEREAS, GJ Real Properties, LLC has applied to the Township of Parsippany-Troy Hills to move approximately 9,570 cubic yards of soil as part of the proposed work at, **Block 766, Lot 14, 950 Edwards Road**; and

WHEREAS, the Planning Board considered this application at its meeting of June 30, 2021, and recommends approval to the Township Council; and

WHEREAS, the application has been reviewed by Justin Lizza, Municipal Engineer, and his recommendations have been memorialized in a memorandum to the Township Clerk dated February 11, 2022;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Parsippany-Troy Hills that it does hereby grant a major soil moving permit to GJ Real Properties, LLC for the moving of approximately 9,570 cubic yards of soil as part of the proposed work at, **Block 766, Lot 14, 950 Edwards Road**, subject to the following terms and conditions:

1. The applicant shall comply with all the recommendations and requirements included in the memorandum from Justin Lizza, Municipal Engineer, dated February 21, 2022.
2. The applicant shall comply with the recommendations and requirements stipulated by the Planning Board at its meeting of June 30, 2021.
3. All inspection fees and performance guarantees shall be paid prior to the issuance of the permit.

12. R2022-041*Confirming the Appointment and Authorizing the Award of a Contract for Professional Services with Alan J. Zakin as Special Legal Counsel

WHEREAS, the Township of Parsippany-Troy Hills has a need to retain Special Legal Counsel pursuant to §4-6 of the Township Administrative Code to serve as Special Legal Counsel in any matters in which the Township Attorney may require assistance; and

WHEREAS, the Township Attorney, with the approval of the Mayor, has appointed Alan J. Zakin of the firm of Azzolini & Benedetti, LLC, 134 Columbia Turnpike, Florham Park, NJ 07932 as Special Legal Counsel in any matters in which the Township Attorney may require assistance;

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

WHEREAS this firm has completed and submitted a Business Entity Disclosure Certification, which Certification provides that he and any member of his firm has not made any reportable contributions to candidate committees, joint candidate committees, joint candidates committees or political party committees representing the elected officials of the Township in the one year period preceding the award of this Contract, and that the Contract will prohibit the firm and the members of the firm from making any reportable contributions through the term of this contract that would bar the award of this Agreement pursuant to N.J.S.A. 19:44A-20.5 et seq.; and

WHEREAS, the firm has completed and submitted a Political Contribution Disclosure Form and Stockholder Disclosure Certification, as required pursuant to N.J.S.A. 19:44A-20.6, not later than 10 days prior to entering into the contract, disclosing all reportable political contributions (more than \$300 per election cycle) made over the 12 months prior to submission to the committees of the government entities listed on the Form provided by the Township; and

WHEREAS, the Business Entity Disclosure Certification further provides that the firm or any member of the firm has not made any and will not make any contributions or solicit any contribution of money or pledge of a contribution in violation of Township Ordinance 10:02 (Municipal Code Part 1, Chapter 12); and

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

WHEREAS, the Chief Financial Officer of the Township of Parsippany-Troy Hills will certify to in writing that funds are available at the time services are rendered.

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, as follows:

5. The Township of Parsippany-Troy Hills hereby awards a professional services contract to, and authorizes the Mayor and Township Clerk to execute such contracts with Alan J. Zakin of the firm of Azzolini & Benedetti, LLC, 134 Columbia Turnpike, Florham Park, NJ 07932; and
6. That the Business Entity Disclosure Certification, which incorporates the provisions of Article I, entitled *Prohibitions on Contract Awards*, of Chapter 12, *Contracts*, of the Township Code; Political Contribution Disclosure Form; Stockholder Disclosure Certification; Determination of Value; and Certificate of Availability of Funds be placed on file in the Office of the Business Administrator with the Contract and authorizing resolution; and
7. That these contracts be awarded through a non-fair and open process and without a competitive bid pursuant to N.J.S.A. 19:44A-20.5 and as professional services, pursuant to N.J.S.A. 40A:11-1 et seq.; and
8. A notice of this award will be printed in the official newspaper of the Township of Parsippany-Troy Hills in accordance with N.J.S.A. 40A:11-1 et seq.

B. APPLICATIONS

VIII. APPROVAL OF PAYROLL AND BILLS LIST

A. CFO Juan Uribe recommends authorization for payment:

1. Authorize payment of the February 18, 2022 regular and miscellaneous payroll estimated at \$1,650,000.00.
2. Payment of bills from voucher list of 2/15/22 through 2/17/22 is \$1,518,204.44

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

ROLL CALL: With all the Council Members answering YES

IX. ADJOURNMENT

Motion to Adjourn the Meeting by Council Member Carifi Seconded By Council Member Gragnani

ROLL CALL: With all Council Members answering YES

Respectfully submitted,

Khaled Madin, Township Clerk

Michael J. dePierro, Council President

Minutes Approved: May 17, 2022