

**COUNCIL MINUTES**  
**TOWNSHIP OF PARSIPPANY-TROY HILLS**  
**REGULAR TOWNSHIP COUNCIL MEETING OF MAY 17, 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](http://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 Selvaggi and Township Clerk Khaled Madin.

B. UPCOMING MEETINGS:

- |                        |                 |
|------------------------|-----------------|
| 1. 6/14/22 @ 7:00 p.m. | Agenda Meeting  |
| 2. 6/21/22 @ 7:00 p.m. | Regular Meeting |

C. APPROVAL OF MINUTES

1. Reorganization Meeting – 1/5/22
2. Agenda Meeting – 1/5/22
3. Regular Meeting – 1/18/22
4. Agenda Meeting – 2/1/22
5. Regular Meeting – 2/15/22
6. Agenda Meeting – 3/1/22
7. Regular Meeting – 3/15/22
8. Agenda Meeting – 4/5/22
9. Regular Meeting -4/19/22

Motion to approve the minutes above by Mr. Neglia, seconded by Mrs. Gragnani.

**ROLL CALL:** with all Council Members answering YES

## II. PRESENTATION(S)/REPORTS

### A. MAYOR

1. Proclamation for National Gun Violence Awareness Day

Thursday the Mayor will have the budget books for the Finance Committee. Meeting next week with the Business Administrator, CFO and the Auditor. The Council will have the budget books next week.

### B. TOWNSHIP COUNCIL – No Report

### C. TOWNSHIP ATTORNEY – No Report

### D. BUSINESS ADMINISTRATOR – No Report

### E. TOWNSHIP CLERK – No Report

### F. TOWNSHIP OFFICES COMMITTEES/REPORTS – No Report

### G. 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 in May. **(No Council Action Required).**

#### **Puddingstone Heights Road Improvement Project, Phase I**

Construction on the Puddingstone Heights Improvement project is continuing. We anticipate the project being completed by the beginning of June. **(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. All vegetation within 5 feet of the wall and toe of

slope is being cleared in accordance with our inspection requirements. **(No Council Action Required).**

**Traffic Signal Maintenance for Littleton Rd. & Rita Dr./Beachwood Rd. and the Jefferson Rd. & Smith Rd. Intersections**

This project is for improvements and maintenance to the traffic signals located at the Littleton Road & Rita Drive/Beachwood Road intersection and the Jefferson Road & Smith Road intersection. The improvements include the replacement of various signal detection and controller equipment that have failed. Work is anticipated to begin in mid-May. **(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 late spring. **(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 late spring. **(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).**

H. CORRESPONDENCE

**III. BIDS**

A. Taken

1. 4/7/22 - Supplying Pumps, Motors, Generators, HVAC Units, Boilers, Water Heaters, Water Storage Tanks and Parts/Repairs for Various Departments
2. 4/13/22 – Lease of Public Property

B. To Be Taken

1. 5/12/22 – Supply of Mannich Polymer for the Wastewater Treatment Plant
2. 5/19/22 – Well Redevelopment Services – Wells 3, 10, 4 & 4A; and Pumping System Replacements for Wells 3,10, 4 & 4A
3. 5/20/22 – Vail Water Tank Painting and Rehabilitation
4. 5/25/22 – One New Roland RTW-540 Trafficworks 54” Traffic Sign Print/Cut with  
CWT 1428 Work Table and Flatbed Applicator for Parks & Forestry Department
5. 5/25/22 - Fabrication and Installation of New Wood Shutters at the Smith-Baldwin House
6. 5/26/22 – 2022 Road Resurfacing / Curb & Sidewalk Program

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 Mr. Carifi Seconded by Mr. Musella ROLL CALL:** with all Council Members answering YES

**Maria Messana, 25 Meadow Bluff Road,** wished to advocate for proposed zoning amendments that would allow for home occupations. It is very challenging in Parsippany to have a home business. She would like to have a home baking business. The Cottage Rule would be helpful to have. Her proposal would be to allow home businesses such as hers that would not impact the neighbors. Having a commercial kitchen is very expensive. She would like to expand the ordinance to include the Cottage Rule. She said NJ regulators found that “cottage food” is safe, that it creates jobs and other benefits.

Mr. Musella thanked Mrs. Messana for sharing her story and commended her commitment to her business. He stated that whatever they can do on the council end he will be delighted to help.

Mr. dePierro suggested forwarding this to the Planning Board to see if items can be included in the Master Plan which can then change the ordinance.

Mayor Barberio suggested talking to the Zoning Officer and the Health Officer. There are a lot of things involved.

Ms. Messana replied the state website has the criteria listed to have safe businesses.

**CLOSE: Motion to close the public hearing. Motion to close the public hearing by Mr. Carifi Seconded by Mr. Musella ROLL CALL: with all Council Members answering YES**

## V. ORDINANCES

### A. INTRODUCTION

#### 1. ORDINANCE 2022:15

**AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, MORRIS COUNTY, NEW JERSEY AMENDING CHAPTER 119, CANNABIS, OF THE CODE OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS**

**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 **May 17, 2022** and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on **June 21, 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.

Mr. dePierro asked where in the ordinance did it state eliminating a district. Mr. Selvaggi said it is really adding an exception for a distance provision in a certain section. Section 119, subsection 5B has the change.

Mr. dePierro stated in 2020 the Township prohibited the growing, processing or selling of marijuana in Parsippany. Only the wholesale and distributor licenses were approved by Council. In this case a company wants to purchase a warehouse to either manufacture or distribute marijuana.

Motion to approve the above Resolution by Mrs. Gragnani, seconded by Mr. Neglia. **ROLL CALL** with all Council Members answering YES

B. SECOND READING & PUBLIC HEARING

1. ORDINANCE 2022:11

**AN ORDINANCE AMENDING CHAPTER 405, VEHICLES AND TRAFFIC, SECTION 11, STOPPING OR STANDING PROHIBITED 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 11, Stopping or Standing prohibited on certain streets, shall be amended and supplemented as follows:

a. The following shall be added:

<b>Name of Street</b>	<b>Sides</b>	<b>Hours</b>	<b>Location</b>
New Road	East	All	From the Route 280 exit ramp to a point 260 feet northerly therefrom

**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 2022:11 was published in the *Daily Record*, the official newspaper of the Township of Parsippany-Troy Hills on April 25, 2022 and introduced at the April 19, 2022 Regular Meeting.

Motion to accept Ordinance 2022:11, be heard in their second and final reading by title only, by Mr. Musella, seconded by Mrs. Gragnani. **ROLL CALL** with all Council Members answering YES

a. PUBLIC HEARING

Motion to open the public hearing for Ordinance 2022:11 by Mr. Musella, seconded by Mr. Neglia.

**ROLL CALL:**

Seeing no one come forward the motion to close the public hearing was made.

Motion to close the public hearing for Ordinance 2022:11 by Mr. Musella, seconded by Mr. Neglia.

**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 2022:11 by Mr. Musella, seconded by Mrs. Gragnani.

**ROLL CALL:** with all Council Members answering YES

2. **ORDINANCE 2022:12**

**BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL ACQUISITIONS AND IMPROVEMENTS FOR THE SEWER UTILITY OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY; APPROPRIATING \$1,980,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,980,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE THE COSTS THEREOF**

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

**SECTION 1.** The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Sewer Utility (the "Sewer Utility") of the Township of Parsippany-Troy Hills, in the County of Morris, State of New Jersey (the "Township") as general improvements. For the said improvements or purposes stated in Section 3, there is hereby appropriated the aggregate principal amount

of \$1,980,000. Pursuant to the provisions of N.J.S.A. 40A:2-7(h) and 40A:2-11(c) of the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the “Local Bond Law”), no down payment is required as the Sewer Utility is self-liquidating and the bonds and notes authorized herein are deductible from gross debt of the Township.

**SECTION 2.** For the financing of said improvements or purposes described in Section 3 hereof and to meet the \$1,980,000 appropriation made herein, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$1,980,000 pursuant to, and within the limitations prescribed by, the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Township in a principal amount not exceeding \$1,980,000 are hereby authorized to be issued pursuant to, and within the limitations prescribed by, the Local Bond Law.

**SECTION 3. (a)** The improvements hereby authorized and purposes for the financing of which said bonds or notes are to be issued, include, but are not limited to, the following:

<u>Description</u>	<u>Total Appropriation</u>	<u>Debt Authorization</u>	<u>Useful Life</u>
(i) Pipe realignment and manhole replacement on Raymond Boulevard; and	\$550,000	\$550,000	30 years
(ii) Various structural repairs to the Sewer Plant; and	\$125,000	\$125,000	20 years
(iii) Design and reconstruct the Lake Haiwatha Pump Station; and	\$200,000	\$200,000	5 years
(iv) Purchase of transfer switches, control panels and ancillary materials to replace automatic transfer switches at various pump stations; and	\$145,000	\$145,000	20 years

<u>Description</u>	<u>Total Appropriation</u>	<u>Debt Authorization</u>	<u>Useful Life</u>
(v) Purchase of collection crew mechanical truck; and	\$40,000	\$40,000	5 years
(vi) Construction of the peracetic acid storage tanks and metering pump systems and related equipment to disinfect plant effluent and satisfy New Jersey Department of Environmental Protection (“NJDEP”) requirements; and	\$20,000	\$20,000	10 years
(vii) Design and upgrade equipment and construct a system to remove surface scum that forms in Aeration Tanks to comply with NJDEP standards; and	\$200,000	\$200,000	5 years
(vii) Design and construct the sewer extension, including, but not limited to pipe installation, at Craftsman Farms; and	\$50,000	\$50,000	30 years
(ix) Purchase and installation of ventilation equipment for the Raw Sewage Pump Station; and	\$200,000	\$200,000	30 years
(x) Design and construction of the Grit Chamber, including, but not limited to, the construction of a sloped floor and replacement of equipment, as necessary; and	\$250,000	\$250,000	20 years
(xi) Replacement of the sewer on Baldwin Road.	\$200,000	\$200,000	30 years
<b>TOTALS</b>	<b><u>\$1,980,000</u></b>	<b><u>\$1,980,000</u></b>	

(b) All such improvements or purposes set forth in Section 3(a) shall include, but are not limited to, all engineering and design work, surveying, construction

planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, environmental inspections and remediation, and all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto.

(c) The estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$1,980,000.

(d) The estimated cost of said improvements or purposes is \$1,980,000.

**SECTION 4.** In the event the United States of America, the State of New Jersey, and/or the County of Morris make a contribution or grant in aid to the Township for the improvements and purposes authorized hereby and the same shall be received by the Township prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, and/or the County of Morris. In the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey, and/or the County of Morris shall be received by the Township after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Township as a result of using funds from this bond ordinance as “matching local funds” to receive such contribution or grant in aid.

**SECTION 5.** All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Township (the “Chief Financial Officer”), provided that no note shall mature later than one (1) year from its date, unless such bond anticipation notes are permitted to mature at such later date in

accordance with applicable law. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time in accordance with the provisions of N.J.S.A. 40A:2-8.1 or other applicable law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

**SECTION 6.** The Township hereby certifies that it has adopted a capital budget or a temporary capital budget for the Sewer Utility of the Township, as applicable. The capital budget or temporary capital budget, as applicable, of the Sewer Utility of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget of the Sewer Utility of the Township, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

**SECTION 7.** The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses, are improvements or purposes which the Township may lawfully undertake as general improvements for the self-liquidating Sewer Utility, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said improvements or purposes, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof in accordance with the limitations set forth Local Bond Law, is 22 years.

(c) The supplemental debt statement required by the Local Bond Law has been duly prepared and filed in the Office of the Clerk of the Township and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$1,980,000, but that the net debt of the Township, as determined by the Local Bond Law, is not increased by this bond ordinance. The obligations authorized by this bond ordinance will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$500,000 for items of expense listed in and permitted under N.J.S.A. § 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements hereinbefore described.

(e) This bond ordinance authorizes obligations of the Township solely for purposes described in N.J.S.A. 40A:2-7(h). The obligations authorized herein

are to be issued for purposes that are deemed to be self-liquidating pursuant to N.J.S.A. 40A:2-47(a) and are deductible from gross debt pursuant to N.J.S.A. 40A:2-44(c).

**SECTION 8.** 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 authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township and, unless paid from other sources, such as fees, rates and other revenues of the Sewer Utility, the Township shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Township for the payment of the principal of the obligations and the interest thereon without limitation as to rate or amount.

**SECTION 9.** The Township reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the Township's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations §1.150-2. All reimbursement allocations will occur not later than eighteen (18) months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized by this bond ordinance is paid, or (ii) the date the improvements or purposes described in Section 3 hereof are "placed in service" (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than three (3) years after the expenditure is paid.

**SECTION 10.** The Chief Financial Officer is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be

distributed in connection with the sale of obligations of the Township, which are authorized herein, and to execute such disclosure document on behalf of the Township. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township, which are authorized herein, and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

**SECTION 11.** The Township covenants to maintain the exclusion from gross income under Section 103(a) of the Internal Revenue Code of 1986, as amended, of the interest on all bonds and notes issued on a tax-exempt basis under this ordinance.

The Notice for Ordinance 2022:12 was published in the *Daily Record*, the official newspaper of the Township of Parsippany-Troy Hills on April 25, 2022 and introduced at the April 19, 2022 Regular Meeting.

Motion to accept Ordinance 2022:12, be heard in their second and final reading by title only, by Mr. Neglia, seconded by Mr. Carifi. **ROLL CALL** with all Council Members answering YES

a. PUBLIC HEARING

Motion to open the public hearing for Ordinance 2022:12 by Mr. Neglia, seconded by Mr. Carifi.

**ROLL CALL:** with all Council Members answering YES

Seeing no one come forward the motion to close the public hearing was made.

Motion to close the public hearing for Ordinance 2022:12  
by Mr. Neglia, seconded by Mr. 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 2022:12 by Mr. Neglia, seconded by Mr. Musella.

**ROLL CALL:** with all Council Members answering YES

3. **ORDINANCE 2022:13**

**BOND ORDINANCE PROVIDING FOR VARIOUS 2022 CAPITAL IMPROVEMENTS, BY AND IN THE TOWNSHIP OF PARSIPPANY-TROY HILLS, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY; APPROPRIATING \$3,052,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,906,665 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COSTS THEREOF**

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

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements or purposes to be undertaken by the Township of Parsippany-Troy Hills, in the County of Morris, State of New Jersey (the "Township"). For the said improvements or purposes stated in Section 3, there is hereby appropriated the sum of \$3,052,000, said sum being inclusive of a down payment in the aggregate amount of \$145,335 now available for said improvements or purposes required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq., as amended and supplemented (the "Local Bond

Law”), by virtue of a provision or provisions in a previously adopted budget or budgets of the Township for down payment or for capital improvement purposes.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$3,052,000 appropriation not provided for by said down payment referred to in Section 1 hereof, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$2,906,665 pursuant to, and within the limitations prescribed by, the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Township in a principal amount not exceeding \$2,906,665 are hereby authorized to be issued pursuant to, and within the limitations prescribed by, the Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and purposes for the financing of which said bonds or notes are to be issued include, but are not limited to, the following:

<u>Description</u>	<u>Total Appropriation</u>	<u>Debt Authorization</u>	<u>Down Payment</u>	<u>Useful Life</u>
(i) Resurfacing and paving of various roadways within the Township and all repairs and improvements related thereto, all as part of the Township’s Road Resurfacing and Pavement Markers Program; and	\$ 2,200,000	\$ 2,095,238	\$ 104,762	10 years
(ii) Repairs and improvements to various sidewalks within the Township, including, but not limited to, the handicap ramps throughout the Township, all as part of the Township’s Sidewalk Repair Program; and	\$ 220,000	\$ 209,523	\$ 10,477	10 years
(iii) Reconstruction of Veterans Memorial Field, including, but not limited to, the replacement of the field turf, and all repairs, improvements, renovations and upgrades related thereto as a result of storm-related damage caused by Hurricane Ida.	\$ 632,000	\$ 601,904	\$ 30,096	20 years
<b>TOTALS:</b>	<u>0</u>	<u>0</u>	<u>0</u>	

(b) All such improvements or purposes set forth in Section 3(a) shall include, but are not limited to, all engineering and design work, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, environmental inspections and remediation, and all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto.

(c) The estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$2,906,665.

(d) The estimated cost of said improvements or purposes is \$3,052,000, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor being the amount of \$145,335, which is the down payment available for such improvements or purposes.

SECTION 4. In the event the United States of America, the State of New Jersey, and/or the County of Morris make a contribution or grant in aid to the Township for the improvements and purposes authorized hereby and the same shall be received by the Township prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, and/or the County of Morris. In the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey and/or the County of Morris shall be received by the Township after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Township as a result of using funds from this bond ordinance as "matching local funds" to receive such contribution or grant in aid.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Township (the "Chief Financial Officer"), provided that no note shall mature later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time in accordance with the provisions of N.J.S.A. 40A:2-8.1. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget of the Township, as applicable. The capital budget or temporary capital budget, as applicable, of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget of the Township, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses, improvements or purposes which the Township may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said improvements or purposes, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof in accordance with the limitations set forth in the Local Bond Law, is 12.07 years.

(c) The supplemental debt statement required by the Local Bond Law has been duly prepared and filed in the Office of the Clerk of the Township and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$2,906,665. The obligations authorized by this bond ordinance will be within all debt limitations prescribed by the Local Bond Law

(d) An aggregate amount not exceeding \$500,000 for items of expense listed in and permitted under N.J.S.A. § 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements hereinbefore described.

SECTION 8. 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 authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and, unless paid from other sources, the Township shall be obligated to levy ad valorem taxes upon all the taxable property within the Township for the payment of the principal of the obligations and the interest thereon without limitation as to rate or amount.

SECTION 9. The Township reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the Township's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulation §1.150-2. All reimbursement allocations will occur not later than eighteen (18) months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized by this bond ordinance is paid, or (ii) the date the improvements or purposes described in Section 3 hereof are "placed in service" (within the meaning of Treasury Regulation §1.150-2) or abandoned, but in no event more than three (3) years after the expenditure is paid.

SECTION 10. The Chief Financial Officer is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township, which are authorized herein, and to execute such disclosure document on behalf of the Township. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township, which are authorized herein, and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 11. The Township covenants to maintain the exclusion from gross income under Section 103(a) of the Internal Revenue Code of 1986, as amended, of the interest on all bonds and notes issued on a tax-exempt basis under this ordinance.

The Notice for Ordinance 2022:13 was published in the *Daily Record*, the official newspaper of the Township of Parsippany-Troy Hills on April 25, 2022 and introduced at the April 19, 2022 Regular Meeting.

Motion to accept Ordinance 2022:13, be heard in their second and final reading by title only, by Mrs. Gragnani, seconded by Mr. Neglia. **ROLL CALL** with all Council Members answering YES

a. PUBLIC HEARING

Motion to open the public hearing for Ordinance 2022:13 by Mrs. Gragnani, seconded by Mr. Musella.

**ROLL CALL:** with all Council Members answering YES

Seeing no one come forward the motion to close the public hearing was made.

Motion to close the public hearing for Ordinance 2022:13 by Mrs. Gragnani, seconded by Mr. 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 2022:13 by Mrs. Gragnani, seconded by Mr. Carifi.

**ROLL CALL:** with all Council Members answering YES

4. **BOND ORDINANCE 2022:14**

**BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL ACQUISITIONS AND IMPROVEMENTS FOR THE WATER UTILITY OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY; APPROPRIATING \$5,150,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$5,150,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE THE COSTS THEREOF**

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

**SECTION 1.** The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Water Utility (the “Water Utility”) of the Township of Parsippany-Troy Hills, in the County of Morris, State of New Jersey (the “Township”) as general improvements. For the said improvements or purposes stated in Section 3, there is hereby appropriated the aggregate principal amount of \$5,150,000. Pursuant to the provisions of N.J.S.A. 40A:2-7(h) and 40A:2-11(c) of the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the “Local Bond Law”), no down payment is required as the Water Utility is self-liquidating and the bonds and notes authorized herein are deductible from gross debt of the Township.

**SECTION 2.** For the financing of said improvements or purposes described in Section 3 hereof and to meet the \$5,150,000 appropriation made herein, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$5,150,000 pursuant to, and within the limitations prescribed by, the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Township in a principal amount not exceeding \$5,150,000 are hereby authorized to be issued pursuant to, and within the limitations prescribed by, the Local Bond Law.

**SECTION 3. (a)** The improvements hereby authorized and purposes for the financing of which said bonds or notes are to be issued, include, but are not limited to, the following:

<u>Description</u>	<u>Total Appropriation</u>	<u>Debt Authorization</u>	<u>Useful Life</u>
(i) The replacement of wells including, but not limited to, a 28x40 foot masonry wellhouse/treatment building and a 32x40 foot treatment building and related equipment, including, but not limited to, as applicable, well pumps and site piping, chemical storage tanks, metering pumps, diffuser systems, sewer lift station, pump controllers, electrical equipment, SCADA systems, power utility upgrades, emergency generators, ultra violet reactors, holding tanks, exhaust equipment, natural gas service, and chlorine contact piping; and	\$3,400,000	\$3,400,000	20 years
(ii) The construction buildings, plants and related equipment to facilitate the treatment of emerging contaminants, including, but not limited to, dioxane, manganese, perfluorinated chemicals, and synthetic organic compounds to comply with the secondary treatment standards promulgated by the New Jersey Department of Environmental Protection; and	\$750,000	\$750,000	20 years
(iii) The preparation of a feasibility study and drilling of test wells related to the replacement of Well Field 8.	\$1,000,000	\$1,000,000	5 years
<b>TOTALS</b>	<b><u>\$5,150,000</u></b>	<b><u>\$5,150,000</u></b>	

(b) All such improvements or purposes set forth in Section 3(a) shall include, but are not limited to, all engineering and design work, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, environmental inspections and remediation, and all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto.

(c) The estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$5,150,000.

(d) The estimated cost of said improvements or purposes is \$5,150,000.

**SECTION 4.** In the event the United States of America, the State of New Jersey, and/or the County of Morris make a contribution or grant in aid to the Township for the improvements and purposes authorized hereby and the same shall be received by the Township prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, and/or the County of Morris. In the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey, and/or the County of Morris shall be received by the Township after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Township as a result of using funds from this bond ordinance as “matching local funds” to receive such contribution or grant in aid.

**SECTION 5.** All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Township (the “Chief Financial Officer”), provided that no note shall mature later than one (1) year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be

conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time in accordance with the provisions of N.J.S.A. 40A:2-8.1 or other applicable law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

**SECTION 6.** The Township hereby certifies that it has adopted a capital budget or a temporary capital budget for the Water Utility of the Township, as applicable. The capital budget or temporary capital budget, as applicable, of the Water Utility of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget of the Water Utility of the Township, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

**SECTION 7.** The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses, are improvements or purposes which the Township may lawfully undertake as general improvements for the self-liquidating Water

Utility, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said improvements or purposes, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof in accordance with the limitations set forth Local Bond Law, is 17.08 years.

(c) The supplemental debt statement required by the Local Bond Law has been duly prepared and filed in the Office of the Clerk of the Township and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$5,150,000, but that the net debt of the Township, as determined by the Local Bond Law, is not increased by this bond ordinance. The obligations authorized by this bond ordinance will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$800,000 for items of expense listed in and permitted under N.J.S.A. § 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements hereinbefore described.

(e) This bond ordinance authorizes obligations of the Township solely for purposes described in N.J.S.A. 40A:2-7(h). The obligations authorized herein are to be issued for purposes that are deemed to be self-liquidating pursuant to N.J.S.A. 40A:2-47(a) and are deductible from gross debt pursuant to N.J.S.A. 40A:2-44(c).

**SECTION 8.** 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 authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township and, unless paid from other sources, such as fees, rates and other revenues of the Water Utility, the Township shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Township for the payment of the principal of the obligations and the interest thereon without limitation as to rate or amount.

**SECTION 9.** The Township reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the Township's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations §1.150-2. All reimbursement allocations will occur not later than eighteen (18) months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized by this bond ordinance is paid, or (ii) the date the improvements or purposes described in Section 3 hereof are "placed in service" (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than three (3) years after the expenditure is paid.

**SECTION 10.** The Chief Financial Officer is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township, which are authorized herein, and to execute such disclosure document on behalf of the Township. The Chief

Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township, which are authorized herein, and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

**SECTION 11.** The Township covenants to maintain the exclusion from gross income under Section 103(a) of the Internal Revenue Code of 1986, as amended, of the interest on all bonds and notes issued on a tax-exempt basis under this ordinance.

The Notice for Ordinance 2022:14 was published in the *Daily Record*, the official newspaper of the Township of Parsippany-Troy Hills on April 25, 2022 and introduced at the April 19, 2022 Regular Meeting.

Motion to accept Ordinance 2022:14, be heard in their second and final reading by title only, by Mr. Carifi, seconded by Mr. Musella. **ROLL CALL** with all Council Members answering YES

a. PUBLIC HEARING

Motion to open the public hearing for Ordinance 2022:14 by Mr. Carifi, seconded by Mrs. Gragnani.

**ROLL CALL:** with all Council Members answering YES

Seeing no one come forward the motion to close the public hearing was made.

Motion to close the public hearing for Ordinance 2022:14 by Mr. Carifi, seconded by Mrs. 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 2022:14 by Mr. Carifi, seconded by Mr. Neglia.

**ROLL CALL:** with all Council Members answering YES

## **VI. NON-CONSENT AGENDA**

### **A. RESOLUTIONS**

#### **1. R2022-080 Appointing an ADA Coordinator Pursuant to the Americans with Disabilities Act**

**WHEREAS**, the Americans with Disabilities Act of 1990, 42 U.S.C. § 12101, *et seq.* (the “ADA”) requires public entities having 50 or more employees to designate at least one responsible employee to coordinate ADA compliance (the “ADA Coordinator”); and

**WHEREAS**, the ADA further requires such public entities to have a grievance procedure to investigate complaints of potential ADA violations; and

**WHEREAS**, the Township of Parsippany-Troy Hills (the “Township”) is a public entity having 50 or more employees as defined in the ADA; and

**WHEREAS**, the Township is committed to providing access to all members of the public, including those with disabilities.

**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 Buildings and Maintenance Supervisor be and hereby is appointed as the Township ADA Coordinator, who shall be responsible to coordinate the Township’s compliance with all applicable provisions of the ADA; and
3. The Township ADA Coordinator shall receive and investigate all grievances and complaints of alleged ADA violations, and shall forward his factual findings and recommendations to the Mayor; and

4. Should any grievance or complaint alleging ADA violations concern access to any Township Council meetings, a copy of the grievance or complaint, as well as the factual findings and recommendations of the Township ADA Coordinator, shall also be forwarded to the Township Council; and
5. Township Administration and the Township Attorney be and hereby are authorized to take all necessary and appropriate action to effectuate the same.

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

**ROLL CALL:** with all Council Members answering YES

2. **R2022-081 Authorizing the Township to Accept the New Jersey Department of Transportation’s Offer to Purchase the Township’s Easement in Connection with Southwest Corner of Route 46/ Waterview Boulevard Intersection**

**WHEREAS**, the Township of Parsippany-Troy Hills owns an easement in connection with 3339 Route 46, Main Street/Woodstone Road (CR644) to Route 287 ITS (the “Easement”), Parsippany, NJ 07054; Block 411, Lot 24.01, Sec 9, Parcel E41; and

**WHEREAS**, the New Jersey Department of Transportation (“NJDOT”) is acquiring the Easement in accordance with the Eminent Domain Act; and,

**WHEREAS**, the NJDOT has offered the Township \$500 in connection with its purchase of the Easement; and

**WHEREAS**, the Township of Parsippany-Troy Hills believes that such an offer is fair and equitable, and agrees to enter an agreement with the NJDOT in connection the NJDOT’s purchase of the Easement for \$500; and

**NOW THEREFORE, BE IT RESOLVED**, on this 17<sup>th</sup> day of May, 2022 by the Township of Parsippany-Troy Hills, County of Morris, State of New Jersey as follows:

- 1) The Township Council of the Township of Parsippany-Troy Hills hereby accepts the recommendations to enter into an agreement with the NJDOT to purchase the Township’s Easement in connection with Route 46 Main Street/Woodstone Road (CR644) to Route 287 ITS, Section 9, Parcel E41 for \$500; and
- 2) The Township Council of the Township of Parsippany-Troy Hills authorizes and directs the Mayor, Township Clerk, Township Attorney and Township Administrator to execute any and all necessary documents in order to implement the intent of this resolution; and

This Resolution shall take effect immediately.

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

**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 Mr. Neglia seconded by Mr. Musella. **ROLL CALL** with all Council Members answering YES

### **A. RESOLUTIONS**

**1. R2022-076\*Authorizing Award of Contracts for Supplying Pumps, Motors, Generators, HVAC Units, Boilers, Water Heaters, Water Storage Tanks and Parts/Repairs (as needed) for Various Departments**

**WHEREAS**, the Township of Parsippany-Troy Hills received bid proposals for Supplying Pumps, Motors, Generators, HVAC Units, Boilers, Water Heaters, Water Storage Tanks and Parts/Repairs (as needed) for Various Departments on April 7, 2022, and

**WHEREAS**, the Director of Purchasing, Purchasing Assistant and Building Maintenance Supervisor have reviewed the bids received and recommend that contracts be awarded to the lowest responsible bidders as follows, All J's Mechanical LLC, 6 Springbrook Trail, Sparta, NJ 07871; Foley, Incorporated, 855 Centennial Avenue, Piscataway, NJ 08854; JMB Mechanical, LLC, 1100 Parsippany Blvd., #242, Parsippany, NJ 07054; Kraft Power Corporation, 199 Wildwood Avenue, Woburn, MA 01801; Longo Electrical – Mechanical Inc., 1 Harry Shupe Blvd., Wharton, NJ 07885; Millennium Mechanical, LLC, 30 Sherwood Lane, Suite 5, Fairfield, NJ 07004; Tri-Tech Energy, Inc., 3 Mars Court, Boonton, NJ 07005 and Wallington Plumbing Supply, 21 Passaic Avenue, Fairfield, NJ 07004, for the pricing and hourly rates proposed, and

**WHEREAS**, the Chief Financial Officer of the Township of Parsippany-Troy Hills will certify to the availability of funds at the time of purchase under the following:

“2022 Temporary Budget/Various Current Accounts,  
Water O/E, Sewer O/E and Knoll O/E”.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Parsippany-Troy Hills that the bids for Supplying Pumps, Motors, Generators, HVAC Units, Boilers, Water Heaters, Water Storage Tanks and Parts/Repairs (As Needed) for Various Departments 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 contracts.

**2. R2022-077\* Award of Agreements to New York SMSA Limited Partnership d/b/a Verizon Wireless and New Cingular Wireless PCS, LLC (“AT&T”) for Lease of Space on Township Water Towers**

**WHEREAS**, the Township of Parsippany-Troy Hills (“Township”) desires to maximize the use of its property by generating recurring revenues for the lease of space on water towers to cell phone companies; and

**WHEREAS**, after public advertisement, the Township received bids on April 13, 2022 for the Leasing of Antennae Space on the water towers on Eileen Court, Pomeroy Road and Lackawanna Avenue, as follows:

New York SMSA Limited Partnership d/b/a Verizon Wireless

One Verizon Way

Basking Ridge, NJ 07920 (Eileen Court)

New Cingular Wireless PCS, LLC (“AT&T”)

One AT&T Way

Bedminster, NJ 07921 (Pomeroy Road), and

New Cingular Wireless PCS, LLC (“AT&T”)

One AT&T Way

Bedminster, NJ 07921 (Lackawanna Avenue); and

**WHEREAS**, the bids have been reviewed by the Water Superintendent, Purchasing Director and Purchasing Assistant; and

**WHEREAS**, the bid submitted by New York SMSA Limited Partnership d/b/a Verizon Wireless included minor exceptions to the bid specifications issued by the Township; and

**WHEREAS**, the bid submitted by New Cingular Wireless PCS, LLC (“AT&T”) for both the Pomeroy Road water tower and the Lackawanna Avenue water tower contained several exceptions to the provisions of the proposed Lease Agreements included as part of the bid specifications which are to be negotiated with New Cingular Wireless PCS, LLC (“AT&T”) for both leases in a form to be approved by the Township Attorney; and

**WHEREAS**, the award of leases to New York SMSA Limited Partnership d/b/a Verizon Wireless and New Cingular Wireless PCS, LLC (“AT&T”) for the use of space not needed for municipal purposes on the water towers on Eileen Court, Pomeroy Road and Lackawanna Avenue will provide recurring revenues for the Township;

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

- (1) That the aforesaid recitals are hereby adopted and incorporated herein as if repeated in full; and
- (2) That the bid submitted by New York SMSA Limited Partnership d/b/a Verizon Wireless for the Eileen Court water tower be hereby accepted and a lease agreement shall be awarded to New York SMSA Limited Partnership d/b/a Verizon Wireless in accordance with the bid specifications, and the Mayor is hereby authorized to execute such lease on behalf of the Township, contingent upon final approval of any proposed design changes and/or equipment modification by the Township Water Superintendent; and
- (3) That the bid submitted by New Cingular Wireless PCS, LLC (“AT&T”) for the Pomeroy Road water tower be hereby accepted, that the lease shall be awarded to New Cingular Wireless PCS, LLC (“AT&T”), and that the Mayor shall be authorized to execute such lease contingent upon final approval of the Township Attorney of the lease format and the negotiated exceptions to the bid specifications and also upon final approval of any proposed design changes and/or equipment modification by the Township Water Superintendent.
- (4) That the bid submitted by New Cingular Wireless PCS, LLC (“AT&T”) for the Lackawanna Avenue water tower be hereby accepted, that the lease shall be awarded to New Cingular Wireless PCS, LLC (“AT&T”), and that the Mayor shall be authorized to execute such lease contingent upon final approval of the Township Attorney of the lease format and the negotiated exceptions to the bid specifications and also upon final approval of any proposed design and/or equipment modification by the Township Water Superintendent

**3. R2022-078\*Awarding a Contract to Eastern Janitorial Company for Janitorial Services for Police Headquarters**

**WHEREAS,** the Township of Parsippany-Troy Hills has a need to acquire, pursuant to a non-fair and open process in accordance with the provisions of P.L. 2004, c.19 (N.J.S.A. 19:44A-20.5 et seq.), janitorial services for police headquarters; and

**WHEREAS,** the Director of Purchasing has determined that the value of these services will exceed \$17,500 but will not exceed the public bidding threshold of \$44,000 utilizing a purchasing agent qualified pursuant to Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., and specifically, N.J.S.A. 40A:11-9; and,

**WHEREAS,** the initial term of this contract shall be from July 1, 2022 to June 30, 2023, unless sooner terminated in accordance with the provisions thereof; and

**WHEREAS,** Eastern Janitorial Company has indicated that it will provide the services required as specified for the Township of Parsippany-Troy Hills at the rates and terms specified in its proposal and the contract; and

**WHEREAS,** this contract was awarded without competitive bidding as the value of the contract was under the public bidding threshold, pursuant to and in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

**WHEREAS,** the Local Public Contracts Law requires that the resolution awarding a contract without competitive bidding and the contract itself must be available for public inspection; and

**WHEREAS,** the cost of the services to be provided by Eastern Janitorial Services is estimated to be \$35,178.00 on an annual basis, which amount is above the threshold of \$17,500 under the New Jersey Local Unit Pay-To-Play Law, N.J.S.A. 19:44A-20.5 et seq.; and

**WHEREAS,** Eastern Janitorial Company is required to complete and submit prior to the award of a contract a Political Contribution Disclosure Form in accordance with N.J.S.A. 19:44A-20.26, a Stockholder Disclosure Certification, and a Business Entity Disclosure Certification, certifying that it has not made any reportable contributions to a political or candidate committee in the Township in the prior year, and that the contract will prohibit it from making any reportable contributions through the term of the contract; and

**WHEREAS,** the Political Contribution Disclosure Form, Stockholder Disclosure Certification, and Business Entity Disclosure Certificate and the certification have been submitted by Eastern Janitorial Company and shall be placed and maintained on file at the office of the Township Clerk; and

**WHEREAS,** the Chief Financial Officer of the Township of Parsippany-Troy Hills has certified in writing that funds are available for this purpose;

**WHEREAS,** the award of this contract is necessary for the efficient operation of the Township of Parsippany-Troy Hills;

**NOW THEREFORE, BE IT RESOLVED** as follows:

- (1) That the Township Council of the Township of Parsippany-Troy Hills authorizes the Mayor to enter into a contract with Eastern Janitorial Company, 1915 Route 46, Parsippany, NJ 07054 for janitorial services for police headquarters; and
- (2) That, pursuant to N.J.S.A. 40A:11-1 et seq., this contract shall be awarded without public bidding pursuant to an exception from public bidding as the value of the contract is not reasonably anticipated to exceed on an annual basis the public bidding threshold, pursuant to and in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.;

**BE IT FURTHER RESOLVED** that the Chief Financial Officer certifies that funds are available for this contract.

**BE IT FURTHER RESOLVED** that the original proposal and contract are available for public inspection in the Purchasing Director's office.

**BE IT FURTHER RESOLVED** that the Township Clerk shall advertise the award of the contract in a newspaper as required by law.

**4. R2022-079\*Certifying Volunteer First Aid, Rescue and Recovery and Ambulance Squads as Being Qualified for Emergency Medical Service Programs**

**WHEREAS, N.J.S.A. 27:5F-27** requires the governing body of a municipality to certify individuals, ambulances and ambulance equipment of volunteer first aid, rescue and recovery, and ambulance squads as being qualified for emergency medical service programs; and

**WHEREAS,** volunteer first aid, rescue and recovery, and ambulance squads in the Township of Parsippany-Troy Hills, as listed below, have notified the Township Council that certain individuals have qualified for membership and that the ambulance equipment meets standards pursuant to statutory requirements.

**NOW, THEREFORE, BE IT RESOLVED,** by the Township Council of the Township of Parsippany-Troy Hills that pursuant to and in accordance with **N.J.S.A. 27:5F-27**, it hereby certifies the individuals, ambulances and ambulance equipment set forth on the lists provided to the Township as being qualified for emergency medical service programs.

**PARSIPPANY RESCUE & RECOVERY UNIT INC.**

**PARSIPPANY VOLUNTEER AMBULANCE SQUAD**

**B. APPLICATIONS**

**VIII. APPROVAL OF PAYROLL AND BILLS LIST**

A. CFO Juan Uribe recommends authorization for payment:

1. Authorize payment of the May 27, 2022 regular and miscellaneous payroll estimated at \$1,650,000.00.
2. Payment of bills from voucher list of 5/15/22 through 5/17/22 is \$2,505,753.07

Motion to approve the authorization for payment above by  
Mrs. Gragnani, seconded by Mr. Musella

**ROLL CALL:** with all Council Members answering YES

**IX. ADJOURNMENT**

Motion to Adjourn the Meeting by Mr. Carifi Seconded by Mrs. Gragnani

**ROLL CALL:** with all Council Members answering YES

Respectfully submitted,

*Regular Meeting 5/17/22*

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Khaled Madin, Township Clerk

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Michael J. dePierro, Council President

Minutes Approved: June 21, 2022