

COUNCIL MINUTES

TOWNSHIP OF PARSIPPANY-TROY HILLS REGULAR TOWNSHIP COUNCIL MEETING OF JUNE 21, 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.

B. FLAG SALUTE

C. 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.

D. UPCOMING MEETINGS:

- | | |
|------------------------|-----------------|
| 1. 7/5/22 @ 7:00 p.m. | Agenda Meeting |
| 2. 7/19/22 @ 7:00 p.m. | Regular Meeting |

E. APPROVAL OF MINUTES

1. Agenda Meeting – 5/3/22
2. Regular Meeting – 5/17/22

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 – No Report

B. TOWNSHIP COUNCIL

Mr. dePierro brought up his suggestion about a street naming for former employee Lee Keimel. Would like the egress by Rockaway Neck First Aid Squad to be considered.

C. TOWNSHIP ATTORNEY - No Report

D. BUSINESS ADMINISTRATOR – No Report

E. TOWNSHIP CLERK – No Report

F. TOWNSHIP OFFICES COMMITTEES/REPORTS

Mrs. Gagnani reported on the Economic Development Committee and reported on the various businesses in town.

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 will commence in a few weeks. **(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 August. **(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 will begin once equipment is available. **(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 next month. **(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 next month. **(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. 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
7. 6/2/22 – Rental of Golf Carts

B. To Be Taken

1. 6/23/22 – Ambulance Billing and Collection Services for EMS

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 Mrs. Gragnani

ROLL CALL: with all Council Members answering YES

CLOSE: I'd like to entertain a motion to close the public hearing. Motion to close the

public hearing by Mr. Carifi Seconded by Mr. Neglia

ROLL CALL: with all Council Members answering YES

V. ORDINANCES

A. INTRODUCTION

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1. ORDINANCE 2022:17

AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, COUNTY OF MORRIS, STATE OF NEW JERSEY AMENDING CHAPTER 225, LAND USE, SUBDIVISIONS AND SITE PLANS, 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 **June 21, 2022** and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on **July 19, 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 Mrs. Gragnani, seconded by Mr. Neglia.
ROLL CALL: with all Council Members answering YES

2. **ORDINANCE 2022:18**

AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILL, MORRIS COUNTY, NEW JERSEY AUTHORIZING THE CONVEYANCE OF BLOCK 765, LOTS 66 AND 81.1 TO WILDLIFE PRESERVES, INC.

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 **June 21, 2022** and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on **July 19, 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 Mr. Musella, seconded by Mr. Carifi.
ROLL CALL: with all Council Members answering YES

Mr. dePierro spoke about the following ordinance and gave some history on the ordinance's project. It is for luxury senior living. He stated that the Council was caught cold because this was about Woodmont Properties.

3. **ORDINANCE 2022:19**

AMENDING THE ZONING ORDINANCE OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS (TOWNSHIP CODE CHAPTER 430) TO PERMIT LIMITED CONTINUUM OF CARE (LCoC) COMMUNITIES AS A CONDITIONAL USE IN THE ROL ZONING DISTRICT, AND

AMENDING §430-8 (TERMS DEFINED) IN CONNECTION WITH SUCH USE

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 **June 21, 2022** and that said Ordinance be further considered for second reading and final passage at a Meeting to be held on **July 19, 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 Mr. dePierro seconded by Mrs. Gragnani.
ROLL CALL: with all Council Members answering YES

B. SECOND READING & PUBLIC HEARING

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

WHEREAS, in 2020, New Jersey voters approved Public Question No. 1, which amended the New Jersey Constitution to allow for the legalization of a controlled form of marijuana called “cannabis” for adults at least twenty-one (21) years of age; and

WHEREAS, on February 22, 2021, Governor Murphy signed into law P.L. 2021, c. 16, known as the “New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act” (the “Act”), which legalizes the recreational use of cannabis by adults twenty-one (21) years of age or older, and establishes a comprehensive regulatory and licensing scheme for commercial recreational (adult use) cannabis operations, use and possession; and

WHEREAS, the Act establishes six (6) classes of licenses for Cannabis Establishments, including, relevant here, a Class 3 Cannabis Wholesaler license for facilities involved in obtaining and selling cannabis items for later resale by other licensees and a Class 4 Cannabis Distributor license for businesses involved in transporting cannabis plants in bulk from one licensed cultivator to another licensed cultivator, or cannabis items in bulk from any type of licensed cannabis business to another; and

WHEREAS, Section 31(a) of the Act authorizes municipalities by ordinance to adopt regulations governing the number of Cannabis Establishment, Cannabis Distributors or Cannabis Delivery Services, as well as the location, manner and hours of operation of such establishments, distributors or delivery services, and establishing civil penalties for the violation of any such regulations; and

WHEREAS, the Mayor and Township Council have determined that it is appropriate to permit a limited number of Class 3 Cannabis Wholesaler licenses and Class 4 Cannabis Distributor licenses to operate in designated zone districts in the Township, subject to sensible regulations to regulate such licensees in a responsible manner to protect the health, safety and welfare of the residents of the Township and to enforce rules and regulations consistent with State law; and

WHEREAS, on July 20, 2021, the Township Council adopted Ordinance 2021:14 codifying the Class 3 Cannabis Wholesaler licenses and Class 4 Cannabis Distributor licenses; and

WHEREAS, the Township council finds and declares that it is in the best interest of the Township and its residents to amend the Class 3 Cannabis Wholesaler licenses and Class 4 Cannabis Distributor licenses to modify standards and requirements such that applications for the aforementioned licenses may proceed.

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

SECTION 1. Chapter 119, Cannabis, Section 119-2, Definitions, of the Township Code is hereby amended and supplemented to include the following additional definitions:

“Cannabis Cultivator” means any State-regulated person or entity that grows, cultivates or produces cannabis in this State, and sells, and may transport, such cannabis to other Cannabis Cultivators, or usable cannabis to Cannabis Manufacturers, Cannabis Wholesalers or Cannabis Retailers, but not to customers. This person or entity shall hold a Class 1 Cannabis Cultivator license.

“Cannabis Manufacturer” means any State-regulated person or entity that processes cannabis items in this State by purchasing or otherwise obtaining usable cannabis, manufacturing, preparing, and packaging cannabis items, and selling, and optionally transporting, these items to other Cannabis Manufacturers, Cannabis Wholesalers, or Cannabis Retailers, but not to consumers. This person or entity shall hold a Class 2 Cannabis Manufacturer license.

“Cannabis Retailer” means any State-regulated person or entity that purchases or otherwise obtains usable cannabis from Cannabis Cultivators and cannabis items from Cannabis Manufacturers or Cannabis Wholesalers, and sells these to consumers from a retail store, and may use a Cannabis Delivery Service or a certified cannabis handlers for the off-premises delivery of cannabis items and related supplies to consumers. A Cannabis Retailer shall also accept consumer purchases to be fulfilled from its retail store that are presented by a Cannabis Delivery service which will be delivered by the Cannabis Delivery Service to that consumer. This person or entity shall hold a Class 5 Cannabis Retailer license.

“Cannabis Delivery Service” means any State-regulated person or entity that provides courier services for consumer purchases of cannabis items and related supplies fulfilled by a Cannabis Retailer in order to make deliveries of the cannabis items and related supplies to that consumer, and which services include the ability of a consumer to purchase the cannabis items directly through the Cannabis Delivery Service, which after presenting the purchase order to the Cannabis Retailer for fulfillment, is delivered to that consumer. This person or entity shall hold a Class 6 Cannabis Delivery License.

SECTION 2. Chapter 119, Cannabis, Section 119-4, Local licensing application, of the Township Code is hereby amended as follows:

Persons wishing to obtain a local license for a Cannabis Establishment shall file a license application with the Township Clerk, on a standardized form established by the Business Clerk and available in the Clerk’s office and on the Township’s website.

An application shall be deemed incomplete, and shall not be processed by the Township Clerk, until all documents and application fees are submitted. To be deemed complete, all applications shall be accompanied by the following:

- (1) The applicant shall submit proof of licensure by the Permitting Authority.
- (2) The applicant shall submit proof that the applicant has or will have lawful possession of the premises proposed for the Cannabis Establishment, which proof may consist of the following: a deed, a lease, a real estate contract contingent upon successful licensing, or a letter of intent from the owner of the premises indicating an intent to lease the premises to the applicant contingent upon approval of required licenses.
- (3) The location proposed for licensing by the applicant shall comply with all applicable Township zoning laws and the location restrictions set forth herein.
- (4) The applicant shall submit a nonrefundable application fee in the amount of \$1,000, or a nonrefundable annual renewal fee in the amount of \$500, as appropriate. The amount of the nonrefundable application or renewal fee may be modified from time to time by a subsequent duly adopted resolution of the Township Council.
- (5) The applicant and the contents of the application shall otherwise comply with any and all qualification standards set forth in the State and local laws, regulations, or requirements.

SECTION 3. Chapter 119, Cannabis, Section 119-5, Term of license and license renewals; transfers, of the Township Code is hereby renamed, amended and supplemented as follows:

§119-5 Term of License and License Renewals; Annual License Fee

- A. Any license issued pursuant to this Chapter shall be valid for a period of one year, beginning on January 1 in each year. At the time of licensure, or with each license renewal, the licensee shall remit to the Township an annual license fee in the amount of \$5,000.
- B. The Township Clerk may, at his/her discretion, adjust the annual renewal date of the local license to correlate with an applicant's State licensing and renewal schedule.
- C. Upon renewal of a license, the licensee shall be governed by any amendments, additional restrictions, or changes in requirements adopted since the previous license was issued or renewed.
- D. Transfer of ownership of a license, change of location of any license, or modification to expand a licensed premise shall be treated as a new application, subject to Township land use review and approval.
- E. If the licensee has received notice of violation of any law or regulation relating to their State license, including disciplinary action against any past or current cannabis license, the applicant for renewal shall include a copy of the notice of violation or disciplinary action with their application.

SECTION 4. Chapter 119, Cannabis, Section 119-6, Permitted licensees; limitation on the number of licenses, of the Township Code is hereby amended as follows:

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- A. A maximum of two (2) Class 3 Cannabis Wholesalers licenses shall be permitted to operate in the Township.
- B. A maximum of two (2) Class 4 Cannabis Distributors licenses shall be permitted to operate in the Township.
- C. Pursuant to Section 31(b) of the Act, all other classes of licensed cannabis businesses not expressly permitted herein, including Class 1 Cannabis Cultivator licenses, Class 2 Manufacturer licenses, Class 5 Cannabis Retailer licenses, and Class 6 Cannabis Delivery licenses, are hereby prohibited from operating anywhere in the Township, except for the delivery of cannabis items and related supplies by a delivery service.

SECTION 5. Chapter 119, Cannabis, Section 119-7, Location restrictions, of the Township Code is hereby amended as follows:

- A. No building or structure associated with a Cannabis Establishment shall be located within 1,000 feet of any school property (including any property owned or leased by a public school board), or within 500 feet of the real property comprising a public housing facility, public park, or public building, except for the Township Wastewater Treatment Plant located at Block 769, Lot 1 and the Sharkey Landfill Site located at Block 771, Lot 1 and Block 770, Lot 7.
- B. No Cannabis Establishment shall be located within 500 feet of a residential zone district boundary or commercial residential mixed-use zone district boundary, except for a Cannabis Distributor located in the SED-5-A Zone District.

SECTION 6. Any article, section, paragraph, subsection, clause, or other provision of the Code of the Township of Parsippany-Troy Hills inconsistent with the provisions of this ordinance is hereby repealed to the extent of such inconsistency.

SECTION 7. If any section, paragraph, subsection, clause, or provision of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudged, and the remainder of this ordinance shall be deemed valid and effective.

SECTION 8. This ordinance shall take effect upon its passage and publication, and filing with the Morris County Planning Board, and as otherwise provided for by law.

The Notice for Ordinance 2022:15 was published in the *Daily Record*, the official newspaper of the Township of Parsippany-Troy Hills on May 23, 2022 and introduced at the May 17, 2022 Regular Meeting.

Motion to accept Ordinance 2022:15, 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 2022:15 by Mr. Neglia, seconded by Mr. Carifi.

ROLL CALL: with all Council Members answering YES

Motion to close the public hearing for Ordinance 2022:15 by Mr. Neglia, 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 2022:15 by Mr. Neglia, seconded by Mrs. Gragnani.

ROLL CALL: with all Council Members answering YES

VI. NON-CONSENT AGENDA

A. RESOLUTIONS

1. **R2022-106 Determining the Form and Other Details of its “Note Relating to the Water Bank Construction Financing Program of the New Jersey Infrastructure Bank”, to be Issued in the Principal Amount of Up to \$11,733,500, and Providing for the Issuance and Sale of Such Note to the New Jersey Infrastructure Bank, and Authorizing the Execution and Delivery of Such Note by the Township of Parsippany-Troy Hills in Favor of the New Jersey Infrastructure Bank, All Pursuant to the Water Bank Construction Financing Program of the New Jersey Infrastructure Bank**

WHEREAS, the Township of Parsippany-Troy Hills (the “Local Unit”), in the County of Morris, State of New Jersey, has determined that there exists a need within the Local Unit to acquire, construct, renovate or install a project consisting of the Pump Station 4 Redirection Tunnel Program (the “Project”), and it is the desire of the Local Unit to obtain financing for such Project through participation in the environmental infrastructure financing program (the “New Jersey Water Bank”) of the New Jersey Infrastructure Bank (the “I-Bank”);

WHEREAS, the Local Unit has determined to temporarily finance the acquisition, construction, renovation or installation of the Project prior to the long term bond closing with respect to the New Jersey Water Bank, and to undertake such temporary financing with the proceeds of a short-term loan to be made by the I-Bank (the “Construction Loan”) to the Local Unit, pursuant to the Water Bank Construction Financing Program of the I-Bank (the “Construction Financing Program”);

WHEREAS, in order to (i) evidence and secure the repayment obligation of the Local Unit to the I-Bank with respect to the Construction Loan and (ii) satisfy the requirements of the Construction Financing Program, it is the desire of the Local Unit to issue and sell to the I-Bank the “Note Relating to the Water Bank Construction Financing Program of the New Jersey Infrastructure Bank” in an aggregate principal amount of up to \$11,733,500 (the “Note”);

WHEREAS, it is the desire of the Local Unit to authorize, execute, attest and deliver the Note to the I-Bank pursuant to the terms of the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the Revised Statutes of the State of New Jersey (the “Local Bond Law”), and other applicable law; and

WHEREAS, Section 28 of the Local Bond Law allows for the sale of the Note to the I-Bank, without any public offering, and N.J.S.A. 58:11B-9 allows for the sale of the Note to the I-Bank without any public offering, all under the terms and conditions set forth therein.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Local Unit as follows:

Section 1. In accordance with Section 28 of the Local Bond Law and N.J.S.A. 58:11B-9, the Local Unit hereby authorizes the issuance, sale and award of the Note in accordance with the provisions hereof. The obligation represented by the Note has been appropriated and authorized by (i) bond ordinance number 2012-26 duly adopted by the Local Unit on June 19, 2012, entitled “AN ORDINANCE OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, IN THE COUNTY OF MORRIS, NEW JERSEY, PROVIDING FOR VARIOUS SEWER UTILITY IMPROVEMENTS FOR THE TOWNSHIP OF PARSIPPANY-TROY HILLS AND APPROPRIATING \$6,635,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$6,303,250 IN GENERAL IMPROVEMENT BONDS OR NOTES OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS TO FINANCE THE SAME”, (ii) bond ordinance number 2013-24 duly adopted by the Local Unit on September 17, 2013, entitled “AN ORDINANCE OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, IN THE COUNTY OF MORRIS, NEW JERSEY, PROVIDING FOR VARIOUS SEWER UTILITY IMPROVEMENTS FOR THE TOWNSHIP OF PARSIPPANY-TROY HILLS AND APPROPRIATING \$4,400,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$3,325,000 IN GENERAL IMPROVEMENT BONDS OR NOTES OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS TO FINANCE THE SAME”, and (iii) bond ordinance number 2020-21 duly adopted by the Local Unit on July 21, 2020, entitled “BOND ORDINANCE PROVIDING FOR THE PUMP STATION 4 REDIRECTION TUNNEL PROGRAM IN AND BY THE TOWNSHIP OF PARSIPPANY-TROY HILLS, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING \$8,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$8,000,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE THE COST THEREOF”, at which meetings a quorum was present and acted throughout, all pursuant to the terms of the Local Bond Law and other applicable law.

Section 2. The Chief Financial Officer of the Local Unit (the “Chief Financial Officer”) is hereby authorized to determine, in accordance with the Local Bond Law and pursuant to the terms and conditions hereof, (i) the final principal amount of the Note (subject to

the maximum limitation set forth in Section 4(a) hereof), and (ii) the dated date of the Note.

Section 3. Any determination made by the Chief Financial Officer pursuant to the terms hereof shall be conclusively evidenced by the execution and attestation of the Note by the parties authorized pursuant to Section 4(h) hereof.

Section 4. The Local Unit hereby determines that certain terms of the Note shall be as follows:

- (a) the principal amount of the Note to be issued shall be an amount up to \$11,733,500;
- (b) the maturity of the Note shall be as determined by the I-Bank;
- (c) the interest rate of the Note shall be as determined by the I-Bank;
- (d) the purchase price for the Note shall be par;
- (e) the Note shall be subject to prepayment prior to its stated maturity in accordance with the terms and conditions of the Note;
- (f) the Note shall be issued in a single denomination and shall be numbered “NJWB-CFP-2022-01”;
- (g) the Note shall be issued in fully registered form and shall be payable to the registered owner thereof as to both principal and interest in lawful money of the United States of America; and
- (h) the Note shall be executed by the manual or facsimile signatures of the Mayor and the Chief Financial Officer under official seal or facsimile thereof affixed, imprinted, or reproduced thereon and attested by the manual signature of the Local Unit Clerk.

Section 5. The Note shall be substantially in the form attached hereto as Exhibit A.

Section 6. The law firm of Wilentz, Goldman & Spitzer, P.A. is hereby authorized to arrange for the printing of the Note, which law firm may authorize McCarter & English, LLP, bond counsel to the I-Bank for the Construction Financing Program, to arrange for same.

Section 7. The Authorized Officers of the Local Unit are hereby further severally authorized to (i) execute and deliver, and the Local Unit Clerk is hereby further authorized to attest to such execution and to affix the corporate seal of the Local Unit to, any document, instrument or closing certificate deemed necessary, desirable or convenient by the Authorized Officers of the Local Unit or the Local Unit Clerk, as applicable, in their respective sole discretion, after consultation with counsel and any advisors to the Local Unit and after further consultation with the I-Bank and its representatives, agents, counsel and advisors, to be executed in connection with the issuance and sale of the Note and the participation of the Local Unit in the Construction Financing Program, which determination shall be conclusively evidenced by the execution of each such certificate or other document by the party authorized hereunder to execute such certificate or other document, and (ii) perform such other actions as the Authorized Officers of the Local Unit deem necessary, desirable or convenient in relation to the execution and delivery of the Note and the participation of the Local Unit in the Construction Financing Program.

Section 8. This resolution shall take effect immediately.

Section 9. Upon the adoption hereof, the Local Unit Clerk shall forward certified copies of this resolution to Wilentz, Goldman & Spitzer, P.A., bond counsel to the Local Unit, David E. Zimmer, Executive Director of the I-Bank, and Richard T. Nolan, Esq., McCarter & English, LLP, bond counsel to the I-Bank.

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

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. Carifi seconded by Mr. Neglia.

ROLL CALL: with all Council Members answering YES

A. RESOLUTIONS

1. **R2022-088*Granting Approval to Submit a Grant Application and Execute a Grant Contract with the New Jersey Department of Transportation for the 2022 Parsippany Highway Safety Project**

NOW, THEREFORE, BE IT RESOLVED that Council of Parsippany-Troy Hills formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor, Council, and Clerk are hereby authorized to submit an electronic grant application identified as *HSF-2022-Parsippany-Troy Hills Tow-00030* to the New Jersey Department of Transportation on behalf of the Township of Parsippany-Troy Hills.

BE IT FURTHER RESOLVED that Mayor, Council, and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Parsippany-Troy Hills and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

2. **R2022-089*Certifying Volunteer First Aid, Rescue and Recovery and Ambulance Squads as Being Qualified for Emergency Medical Service Programs – Part II**

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.

ROCKAWAY NECK FIRST AID SQUAD

3. **R2022-090*Authorizing Change Order Number Three for Construction of Peracetic Acid Storage Tank and Metering Station at the Wastewater Treatment Plant**

WHEREAS, Change Orders to the contract with Blue World Construction, 26 Columbia Turnpike, Suite 104, Florham Park, NJ 07932, for CONSTRUCTION OF PERACETIC ACID STORAGE TANK AND METERING STATION at the WASTEWATER TREATMENT PLANT, are necessary and prudent; and,

WHEREAS, by approval of Resolution R2022-065 Change Order #1 and Change Order #2 increased the Total Contract Price to \$293,623.00; and,

WHEREAS, Van Cleef Engineering Associates, the Township's Design Engineer for this Project, has recommended approval of Change Order # 3 for supplying and installing vented ball valves, pressure reducing valves and EPDM 2107 gaskets to address safety concerns and incompatibility with the originally supplied materials; and,

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Parsippany-Troy Hills, that it hereby approves Change Order #3, increasing the cost of the Project by amounts of \$22,820.00 and granting a 75 day extension of time thereby resulting in a new total contract price of \$316,443.00.00 and thereby making July 29, 2022 the new Project Completion date.

BE IT FURTHER RESOLVED by that the Mayor is authorized to execute Change Orders # 3, in the forms on file with the Township Clerk.

4. **R2022-091*Award of a Contract for Vail Water Tank Painting and Rehabilitation Project**

WHEREAS, the Township of Parsippany-Troy Hills received bid proposals for Vail Water Tank Painting and Rehabilitation Project on May 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, Manda Corporation, 1385 Witherspoon Street, Rahway, NJ 07065 for the Total Base Bid Price of \$806,500.00 and Add Alternate No. 1 Bid Price of \$25,000.00, and

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

Water Capital Ordinance # 2019:13 adopted June 25, 2019, entitled,
“Various Improvements”.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Parsippany-Troy Hills that the bid for Vail Water Tank Painting and Rehabilitation Project be awarded as stated above in accordance with the terms and conditions contained in the advertising specifications and that the Mayor and Township Clerk are authorized to execute the contract.

5. **R2022-092*Award of a Contract for Supply of Mannich Polymer for the Wastewater Treatment Plant**

WHEREAS, the Township of Parsippany-Troy Hills received a bid proposal for Supply of Mannich Polymer for the Wastewater Treatment Plant on May 12, 2022, and

WHEREAS, the Director of Purchasing, Purchasing Assistant and Sewer Superintendent have reviewed the bid received and recommend that a contract be awarded to the lowest responsible bidder, Polydyne Inc., One Chemical Plant Road, Riceboro, GA 31323 for the unit price per gallon for year one of \$1.514, and

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

“2022 Temporary Sewer Budget/Other Expenses.”

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Parsippany-Troy Hills that the bid for Supply of Mannich Polymer for the Wastewater Treatment Plant 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.

6. **R2022-093*Award of a Contract for One New Roland RTW-540 Trafficworks 54” Traffic Sign Print/Cut 1428 Work Table and Flatbed Applicator or Approved Equivalent for Parks & Forestry**

WHEREAS, the Township of Parsippany-Troy Hills received a bid proposal for One (1) New Roland RTW-540 TrafficWorks 54” Traffic Sign Print/Cut with CWT 1428 Work Table and Flatbed Applicator or Approved Equivalent for Parks & Forestry on May 25, 2022, and

WHEREAS, the Director of Purchasing, Purchasing Assistant and Superintendent of Parks and Forestry have reviewed the bid received and recommend that a contract be awarded to the lowest responsible bidder, Tyrrell Tech, Inc., 9045 Maier Road, Suite A, Laurel, MD 20723 for the Item # 1

Total Bid Price of \$41,862.00, and Add Alternate A1 Price of \$5,095.00, as well as the Unit Pricing proposed for Item #'s 2 – 13, and

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

Current Capital Ordinance # 2020:24 adopted July 21, 2020, entitled,
“Various Improvements”.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Parsippany-Troy Hills that the bid for One (1) New Roland RTW-540 TrafficWorks 54” Traffic Sign Print/Cut with CWT 1428 Work Table and Flatbed Applicator or Approved Equivalent for Parks & Forestry 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.

7. R2022-094*Award of a Contract for Smith-Baldwin House Shutters-Rebid

WHEREAS, the Township of Parsippany-Troy Hills received bid proposals for Smith-Baldwin House Shutters -Rebid on May 25, 2022, and

WHEREAS, the Director of Purchasing, Purchasing Assistant and Consulting Historic Architect have reviewed the bids received and recommend that a contract be awarded to the lowest responsible bidder, Dell-Tech Inc., 930 New York Avenue, Trenton, NJ 08638 for the Total Price (Base Bid & Add Alternate No. 3) of \$83,300.00, and

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

“2020 Smith-Baldwin House Open Space Trust Fund and
“2021 Morris County Historic Preservation Grant”.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Parsippany-Troy Hills that the bid for Smith-Baldwin House Shutters-Rebid 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.

8. R2022-095*Award of a Contract for 2022 Road Resurfacing/Curb & Sidewalk Program

WHEREAS, the Township of Parsippany-Troy Hills received bid proposals for 2022 Road Resurfacing/Curb & Sidewalk Program on May 26, 2022, and

WHEREAS, the Director of Purchasing, Purchasing Assistant and Township Engineer have reviewed the bids received and recommend that a contract be awarded to the lowest responsible bidder, American Asphalt & Trucking LLC, 818 Summer Avenue, Newark, NJ 07104 for the Total Base Bid Price of \$1,594,187.20, as well as the Total Alternate “A” Price of \$68,500.00 and the Total Alternate “B” Price of \$168,336.50, and

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

Current Capital Ordinance # 2022:13 adopted June 13, 2022, entitled,
“Various Improvements.”

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Parsippany-Troy Hills that the bid for 2022 Road Resurfacing/Curb & Sidewalk Program 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.

9. R2022-096*Award of a Contract for Rental of Golf Carts

WHEREAS, the Township of Parsippany-Troy Hills received bid proposals for Rental of Golf Carts on June 2, 2022, and

WHEREAS, the Director of Purchasing, Purchasing Assistant and Golf Superintendent have reviewed the bids received and recommend that a contract be awarded to the lowest responsible bidder, E-Z-GO, Division of Textron, Inc., 1451 Marvin Griffin Road, Augusta, GA 30906 for Alternate Bid Item #1A for 160 new gas golf carts for a contract period of five (5) years (2023 – 2027) for a unit price per cart per season of \$1,149.16, and

WHEREAS, the Chief Financial Officer of the Township of Parsippany-Troy Hills will certify to the availability of funds contingent upon appropriation of funds in the 2023 municipal budget under the following:

“2023 Temporary Knoll Budget/O/E.”

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Parsippany-Troy Hills that the bid for Rental of Golf Carts 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.

10. R2022-097*Rejecting All Proposals for Well Redevelopment Services of Wells 3, 10, 4 & 4A; and Pumping System Replacements for Wells 3, 10,4 & 4A

WHEREAS, the Township of Parsippany-Troy Hills (the “Township”) issued a Request for Proposals pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., for well redevelopment services of wells 3, 10, 4 and 4A, and pump system replacements for wells 3, 10, 4 and 4A; and

WHEREAS, the Township received and publicly opened proposals in connection with said Request for Proposals on May 19, 2022; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-13.2, provides the local contracting unit authority to reject bids; and

WHEREAS, the Request for Proposals reserved for the Township the right to reject all proposals and re-advertise and award the contract in the regular manner if, in its judgment, such action will best serve the interest of the Township and its residents; and

WHEREAS, upon the recommendation of the Purchasing Official, the Township Council has determined to reject all proposals and readvertise a contract for well redevelopment services of wells 3, 10, 4 and 4A, and pump system replacements for wells 3, 10, 4 and 4A.

NOW THEREFORE, BE IT RESOLVED by the Township Council of the Township of Parsippany-Troy Hills, in the County of Morris, State of New Jersey that all proposals received and publicly opened in connection with well redevelopment services of wells 3, 10, 4 and 4A, and pump

system replacements for wells 3, 10, 4 and 4A are hereby rejected in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-13.2(e).

BE IT FURTHER RESOLVED, that all Township officials and employees are hereby authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution.

11. R2022-098*Cancellation and Refund of Property Taxes for Block 421, Lot 91 – 100% Permanently Disabled Veteran

WHEREAS, N.J.S.A. 54:4-3.30 exempts 100% permanently and totally disabled veterans or surviving spouses of veterans from the payment of real estate taxes; and

WHEREAS, John Humphrey is the owner of the residential property assessed as Block 421, Lot 91, having an address of 72 Forrest Drive and purchased on January 8, 2009 and

WHEREAS, John Humphrey has been certified by the Department of Veterans Affairs as a 100% permanently and totally wartime service connected disabled veteran effective March 17, 2021 and

WHEREAS, John Humphrey submitted a 100% disabled veteran exemption application with the Tax Assessor's office June 3, 2022 and the for the past 30 years the municipality has exempted residential properties for the year or partial year that the veteran applied for the exemption,

NOW, THEREFORE, BE IT RESOLVED by the Township of Parsippany-Troy Hills that the 2022 real estate taxes on the above parcel are hereby exempt/canceled for the period January 1, 2022 through December 31, 2022; and

BE IT FURTHER RESOLVED that said 2022 taxes *paid* for the period from January 1, 2022 to December 31, 2022 be refunded to the owner of the property.

12. R2022-099*Amending R2022-053, Authorizing the Expenditure of Municipal Funds for the Abatement of the Nuisances, Defects or Conditions Located at 108 Longview Avenue, Block 574, Lot 17, Which Shall be a Lien Against the Premises

WHEREAS, on March 15, 2022, the Township Council adopted Resolution 2022-053, authorizing the expenditure of municipal funds in the sum of \$3,395.68, which shall be a lien on the property identified as Block 574, Lot 17 on the Township of Parsippany-Troy Hills' (the "Township") official Tax Map and located at 108 Longview Avenue (the "Premises"), for the abatement of the nuisances, defects, or conditions located at the Premises; and

WHEREAS, the sum of \$3,395.68 was expended by the Township for the abatement of debris, overgrown vegetation, and two (2) tree stumps located at the Premises; and

WHEREAS, the sum of \$3,395.68 was not sufficient for the abatement of all nuisances, defects, or conditions determined to exist at the Premises; and

WHEREAS, weeds were determined to exist at the Premises in violation of Township Code § 213-19(B), which requires that all premises shall be free of rubbish, such as weeds; and

WHEREAS, overgrown landscaping was determined to exist at the Premises in violation of Township Code § 213-22, which requires that all premises shall be kept landscaped, and lawns, hedges, and bushes shall be kept trimmed and kept from becoming overgrown and unsightly; and

WHEREAS, the Parsippany Housing Department obtained an estimate in the sum of \$800.00 from Fox Hollow Landscaping and Design for the abatement of the overgrown landscaping and weeds determined to still exist 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 authorized to attest, a contract with Fox Hollow Landscaping and Design in the amount of \$800.00, and in a form acceptable to the Township Attorney, for the abatement of the nuisance at the Premises; and
3. The sum of \$800.00 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.

13. R2022-100*Award of a Contract for Various Parks Court Resurfacing/Renovation Projects for the Parsippany Parks Department

WHEREAS, the Township of Parsippany-Troy Hills advertised for bids to be received for Various Parks Court Resurfacing/Renovation Projects for the Parsippany Parks Department on two occasions, initially on May 20, 2021 and again on June 10, 2021, and

WHEREAS, no bids were received on May 20, 2021, and

WHEREAS, no bids were received on June 10, 2021, and

WHEREAS, N.J.S.A. 40A:11-5.3 of the Local Public Contracts Law allows a contract to be negotiated after no bids were received on two occasions, and

WHEREAS, the Director of Purchasing, Purchasing Assistant and Superintendent of Parks and Forestry reached out to several firms for pricing, and

WHEREAS, the Director of Purchasing, Purchasing Assistant and Superintendent of Parks and Forestry have negotiated this contract and recommend a contract be awarded to Halecon, Inc., 136 Billian Street, Bridgewater, NJ 08807 for a Total Price of \$233,600.00, and

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

Current Capital Ordinance #'s 2014:27 adopted August 19, 2014, 2017:11 adopted July 11, 2017 and 2019:11 adopted May 14, 2019, all entitled,
"Various Improvements".

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Parsippany-Troy Hills that a contract for Various Parks Court Resurfacing/Renovation Projects for the Parsippany Parks Department be awarded as stated above in accordance with the terms and conditions contained in the original advertised specifications and that the Mayor and Township Clerk are authorized to execute the contracts.

14. R2022-101*Authorizing a Lease with T-Mobile Northeast, LLC for Space on the Continental Road Water Tower

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 a bid on November 16, 2016 for the Leasing of Antennae Space on the Township-owned water tower located on Continental Road from T-Mobile Northeast, LLC, a New Jersey Limited Liability Company having an address at 4 Sylvan Way, Parsippany, New Jersey 07054 ("T-Mobile"); and

WHEREAS, the bid submitted by T-Mobile for the Continental Road water tower contained several exceptions to the provisions of the proposed Lease Agreement included as part of the bid specifications; and

WHEREAS, pursuant to Resolution R2016-205, the bid submitted by T-Mobile was accepted by the Township; and

WHEREAS, pursuant to Resolution R2016-205, the Mayor's authority to execute the lease was contingent upon final approval of the Township Attorney of the equipment detail and of the lease format and the negotiated exceptions to the bid specifications; and

WHEREAS, final approval of the equipment detail, the lease format and the negotiated exceptions to bid specifications has been provided by the Township Attorney; and

WHEREAS, no design changes or equipment modifications were proposed.

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

1. The aforesaid recitals are hereby adopted and incorporated herein as if repeated in full; and
2. The Mayor and Township Clerk be and hereby are authorized to execute and attest, respectively, a lease for space on the Continental Road water tower with T-Mobile Northeast, LLC, 4 Sylvan Way, Parsippany, New Jersey 07054; and
3. Township Administration and the Township Attorney be and hereby are authorized to take all reasonable and necessary actions to effectuate the same.

15. **R2022-102*Authorizing a Lease with T-Mobile Northeast, LLC for Space on the Pomeroy Road Water Tower**

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 July 24, 2019 for Leasing of Antennae Space on the Township-owned water tower located on Pomeroy Road from T-Mobile Northeast, LLC, a New Jersey Limited Liability Company having an address at 4 Sylvan Way, Parsippany, New Jersey 07054 (“T-Mobile”); and

WHEREAS, the bid submitted by T-Mobile for the Pomeroy Road water tower contained several exceptions to the provisions of the proposed Lease Agreement included as part of the bid specifications; and

WHEREAS, pursuant to Resolution R2019-166, the bid submitted by T-Mobile was accepted by the Township; and

WHEREAS, pursuant to Resolution R2019-166, the Mayor’s authority to execute the lease was contingent upon final approval of the Township Attorney of the equipment detail and 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; and

WHEREAS, final approval of the equipment detail and of the lease format and the negotiated exceptions to the bid specifications has been provided by the Township Attorney; and

WHEREAS, no design changes or equipment modifications were proposed.

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

4. The aforesaid recitals are hereby adopted and incorporated herein as if repeated in full; and
5. The Mayor and Township Clerk be and hereby are authorized to execute and attest, respectively, a lease for space on the Pomeroy Road water tower with T-Mobile Northeast, LLC, 4 Sylvan Way, Parsippany, New Jersey 07054; and
6. Township Administration and the Township Attorney be and hereby are authorized to take all reasonable and necessary actions to effectuate the same.

16. R2022-103*Authorizing a Lease with Dish Wireless, LLC for Space on the Eileen Court Water Tower

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 cellular telephone carriers; and

WHEREAS, after public advertisement, the Township received bids on May 13, 2021 for the Leasing of Antennae Space on the Township-owned water tower located on Eileen Court, including a bid submitted by Dish Wireless, LLC, a Colorado Limited Liability Company having an address at 9601 S. Meridian Boulevard, Englewood, Colorado 80112 (“Dish”); and

WHEREAS, the bid submitted by Dish for the Eileen Court water tower contained several exceptions to the provisions of the proposed Lease Agreement included as part of the bid specifications; and

WHEREAS, pursuant to Resolution R2021-101, the bid submitted by Dish was accepted by the Township; and

WHEREAS, pursuant to Resolution R2021-101, the Mayor’s authority to execute the lease was contingent upon final approval of the Township Attorney of the lease format and the negotiated exceptions to the bid specifications and also only upon final approval of the proposed design and/or equipment installation/location by the Township Water Superintendent; and

WHEREAS, final approval of the lease format and the negotiated exceptions to bid specifications has been provided by the Township Attorney; and

WHEREAS, final approval of the proposed design and/or equipment installation/location has been provided by the Township Water Superintendent;

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

7. That the aforesaid recitals are hereby adopted and incorporated herein as if repeated in full; and

8. The Mayor and Township Clerk be and hereby are authorized to execute and attest, respectively, a lease for space on the Eileen Court water tower with Dish Wireless, LLC, 9601 South Meridian Boulevard, Englewood, Colorado 80112 in a form acceptable to the Township Attorney; and

B. APPLICATIONS

1. **R2022-104*2022-2023 Liquor License Renewals**

WHEREAS, applications for renewal for licensing term, July 1, 2022 through June 30, 2023, have been filed by the following Retail Liquor Licensees, and

WHEREAS, the application forms are complete in all respects and the applicants are qualified to be licensed according to all statutory, regulatory and local governmental ABC laws and regulations,

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Parsippany-Troy Hills that the following Retail Liquor Licenses be renewed for the licensing term, July 1, 2022 through June 30, 2023:

- | | |
|-----------------|--|
| 1429-31-035-001 | American Legion Parsippanong Post 249, trading as American Legion Parsippanong Post 249, for premises located at 91 No. Beverwyck Road, Lake Hiawatha, NJ |
| 1429-31-037-001 | Parsippany-Troy Hills BPO Elks Lodge #2078, trading as Parsippany Troy Hills Elks, for premises located at 230 Parsippany Road, Parsippany, NJ |
| 1429-31-040-001 | Lake Hiawatha Volunteer Fire Association, Inc., trading as Lake Hiawatha Volunteer Fire Association, for premises located at 39 North Beverwyck Road & Lake Shore Drive, Lake Hiawatha, NJ |
| 1429-31-041-001 | Parsippany-Troy Hills Fire Association, District No. 6, trading as Club 6, for premises located at 60 Littleton Road, Parsippany, NJ |
| 1429-31-042-001 | Rainbow Lakes Community Club, Inc., for premises located at 20 Rainbow Trail, Parsippany, NJ |
| 1429-31-058-001 | Mount Tabor Country Club, trading as Mount Tabor Country Club, for premises located at Country Club Road, Mount Tabor, NJ |
| 1429-32-002-005 | Karmandhi Inc, trading as Basket of Cheers II, for premises located at 149 North Beverwyck Road, Parsippany, NJ |
| 1429-33-001-011 | 1515 License LLC (pocket license) |
| 1429-33-003-013 | RCSH Operations, LLC, trading as Ruth's Chris Steak House, for premises located at 1 Hilton Court, Parsippany, NJ |
| 1429-33-004-003 | Azzurri Parsippany, LLC, trading as Azzurri Parsippany, LLC, for premises located at 1082 Route 46, Parsippany, NJ |

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- 1429-33-005-010 Houlihan's Parsippany, LLC, trading as Houlihan's, for premises located at 1735 Route 46 East, Parsippany, NJ
- 1429-33-007-014 Troy Hills Hospitality, LLC, trading as The Crazy Mule, for premises located at 450 North Beverwyck Road, Parsippany, NJ
- 1429-33-009-006 Hoovers Tavern LLC, trading as Hoovers Tavern, for premises located at 960 Tabor Rd, Parsippany, NJ
- 1429-33-011-007 Poojaashish, Inc. trading as Sakura Hibachi Steak House, for premises located at 949 Route 46 East, Parsippany, NJ
- 1429-33-013-006 Apple Food Service of Parsippany, Inc., trading as Applebee's Neighborhood Grill & Bar, for premises located at 1057 Route 46, Parsippany, NJ
- 1429-33-015-007 1900 Route 10 Liquor Partners, LLC, trading as Tommy's Tavern & Tap, for premises located at 1900 State Route 10, Morris Plains, NJ
- 1429-33-016-007 OutBack Steakhouse of Florida, LLC, trading as Outback Steakhouse, for premises located at 1300 Route 46, Parsippany, NJ
- 1429-33-017-010 3835 Rte. 46 Realty LLC (pocket license)
- 1429-33-018-012 Capital Grille Holdings, Inc., trading as The Capital Grille #8066, for premises located at 10 Dryden Way, Parsippany, NJ
- 1429-33-020-006 Tabor 10, LLC, trading as Tabor Road Tavern/Grato Restaurant, for premises located at 510 Tabor Road & 2230 Rt. 10, Morris Plains, NJ
- 1429-33-022-005 Rare Hospitality International Inc., trading as Long Horn Steakhouse 162, for premises located at 690 Route 46, Parsippany, NJ
- 1429-33-023-006 1515 License, LLC (pocket license)
- 1429-33-024-004 Keo Ku Jang, Inc., trading Keo Ku Jang Restaurant/Q Time, for premises located at 245 Route 46, Parsippany, NJ
- 1429-33-028-002 Bhagirath P. Maheta (pocket license)
- 1429-33-029-005 Reservoir Tavern, Inc., trading as Reservoir Tavern, Inc., for premises located at 92 Parsippany Boulevard, Boonton, NJ
- 1429-33-031-009 Parsippany BWW LLC, trading as Buffalo Wild Wings Grill & Bar, for premises located at 1540 Route 46 West, Parsippany, NJ
- 1429-33-044-002 Empire Diner Liquors, Inc., trading as Empire Diner, for premises located at 1315 Route 46, Parsippany, NJ
- 1429-36-049-004 HST Lessee CMBS LLC, trading as Tipperary Pub, for premises located at 199 Smith Road, Parsippany, NJ 07054

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- 1429-36-050-003 Promus Hotel Services, Inc., trading as Embassy Suites Hotel/Bistecca Restaurant and Bar, for premises located at 909 Parsippany Blvd., Parsippany, NJ
- 1429-36-051-004 I-85 Hospitality Group, LLC, trading as Fat Cactus, for premises located at 707 Route 46 East, Parsippany, NJ
- 1429-36-053-001 Courtyard Management Corporation, trading as Courtyard by Marriott, for premises located at 3769 Route 46 East, Parsippany, NJ
- 1429-36-054-003 SVC Gatehall Drive TRS LLC, trading as Sonesta ES Suites Parsippany Morris Plains, for premises located at 3 Gatehall Drive, Parsippany, NJ
- 1429-36-055-004 ARA/USH Chicago Tenant, LLC, trading as Hyatt House, for premises located at 299 Smith Road, Parsippany, NJ
- 1429-36-056-002 Remington Parsippany Employers LLC, trading as Parsippany Hilton and Hampton Inn Parsippany, for premises located at 1 Hilton Ct., Parsippany, NJ
- 1429-36-057-002 Cambridge TRS, Inc., trading as Sonesta ES Suites, for premises located at 61 Interpace Parkway, Parsippany, NJ
- 1429-44-006-007 SRJJ Inc., trading as Troy Convenience Liquors, for premises located at 1129 Route 46, Parsippany, NJ
- 1429-44-010-011 Sunrise ShopRite of Parsippany, LLC., trading as Shop Rite Liquors of Parsippany/Shop Rite Wines & Spirits of Parsippany, for premises located at 808 Route 46, Parsippany, NJ
- 1429-44-012-007 Wine Amphorae Wines and Liquors, LLC trading as Joe Canal's Discount Liquor Outlet, for premises located at 799 Route 46 East, Parsippany, NJ
- 1429-44-014-005 Jai Sainath Corp., trading as Shoppers Discount Liquors/Lord Nelson's Liquors, for premises located at 65 & 69 No. Beverwyck Road, Lake Hiawatha, NJ
- 1429-44-033-007 Krish Parth LLC., trading as Green Hill Liquors, for premises located at 168 Parsippany Road Unit #7, Parsippany, NJ
- 1429-44-047-005 Summer C. Wine & Liquor, Inc., trading as Powder Mill Plaza Liquors, for premises located at 28 Gibraltar Drive, Parsippany, NJ

2. R2022-105*Fireworks Display for Mt. Tabor Children's Day Celebration

WHEREAS, George Philhower for Tabernacle Productions, Inc. has submitted an application to conduct a firework display on August 6, 2022; and

WHEREAS, the application has been approved by the Chief of Police, the Fire Official and the Chief of Fire District No. 1;

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Parsippany-Troy Hills, County of Morris and State of New Jersey approves said application, a copy of which is on file in the Office of the Township Clerk, pending issuance of a Fire Safety Permit and any other required approvals.

VIII. APPROVAL OF PAYROLL AND BILLS LIST

A. CFO Juan Uribe recommends authorization for payment:

1. Authorize payment of the June 24, 2022 regular and miscellaneous payroll estimated at \$1,600,000.00.
2. Payment of bills from voucher list of 6/15/22 through 6/17/22 is \$3,464,527.43

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

ROLL CALL: with all Council Members answering YES

IX. ADJOURNMENT

Motion to Adjourn the Meeting by Mr. Carifi Seconded By Mr. Neglia

ROLL CALL: with all Council Members answering YES

Respectfully submitted,

Khaled Madin, Township Clerk

Michael J. dePierro, Council President

Minutes Approved: July 19, 2022