

## COUNCIL MINUTES

### TOWNSHIP OF PARSIPPANY-TROY HILLS TOWNSHIP COUNCIL AGENDA MEETING OF JULY 5, 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 Cablevision, Public Access Channel 21, at 11:00 a.m. on Sundays and are also available for viewing at [www.parsippany.net](http://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. 7/19/22 @ 7:00 p.m. | Regular Meeting |
| 2. 8/2/22 @ 7:00 p.m.  | Agenda Meeting  |

##### E. APPROVAL OF MINUTES

1. Agenda Meeting – 6/14/22
2. Regular Meeting – 6/21/22

#### II. PRESENTATION(S)/REPORTS

- A. MAYOR - Finance Committee meeting will be held this Thursday to get a certified budget to the Council by next week.
- B. TOWNSHIP COUNCIL – Mr. dePierro said he was receiving questions regarding outside dining by restaurants. Clerk Madin said there is no longer any outside dining there is just outside seating according to our ordinance. Mayor Barberio said when the governor lifted the outside dining allowance after Covid, everything went back to the

local ordinances for which we allow outdoor seating up to 3 tables and 12 chairs. Clerk Madin said the reason for the outdoor dining was because during Covid you could not dine inside and that is no longer the case. By allowing outdoor dining the restaurants would be taking up spaces in the parking lot hence doubling the restaurants capacity which is the issue. It is also a safety issue when putting dining in parking spots. Mr. dePierro would like the Planning Board to look at outdoor dining and see if the ordinance can be adjusted. Mr. dePierro will bring that to the Planning Board.

Mr. dePierro also met with the Library Board and Melissa Kuzman. They spoke about the Lake Hiawatha Library. The grant and the 3 million to be given by the township are no longer sufficient. They were talking about options for the library and how to repair or build a new one. He suggested dollar amounts for the options and then make a presentation to the Council. They will be coming on August 2<sup>nd</sup> to make their presentation to the Council.

Mr. dePierro brought up the ordinance regarding home occupation. Mr. dePierro will be giving it to the Planning Board regarding zone changes. This is in regard to the lady that wants to bake from her home. Mayor Barberio said they need to check with the Health Department as well.

Mr. dePierro brought up the budget questions from Mr. Musella if they were going to be brought up. Mayor Barberio said not tonight.

Mr. Carifi wanted to thank Frank Cahill for the ad for recruitment to EMS and the ambulance and fire services.

- C. TOWNSHIP ATTORNEY – No Report
- D. BUSINESS ADMINISTRATOR – No Report
- E. TOWNSHIP CLERK – No Report
- F. TOWNSHIP OFFICES COMMITTEES/REPORT – No Report
- G. CORRESPONDENCE – No Report

### **III. BIDS**

- A. Taken
  - 1. 6/23/22 – Ambulance Billing and Collection Services for EMS
- B. To Be Taken
- 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

**Bob Venezia, 102 Brooklawn Drive,** spoke about the ordinance that would make converted sheds and garages into apartments. He said this program is bad for everyone and the town. The Council must stop this. This will violate Township occupancy laws. A business can purchase a property and lease the home and the converted area thereby having two incomes coming in on one property. No one will want to live next to this type of property. The program is deeply flawed.

Mr dePierro answered that this is part of what the court ordered the township to meet the low and moderate housing. Mr. Carr stated there is requirement of 10 units for the town and that these units will have to meet strict standards. The judges order requires this of the township. Mr. dePierro said it is almost impossible to evict the people that rent these units. Mr. Venezia asked that the Council delay this as long as they can. Mr. dePierro said all they need to show is a good faith effort. Mr. Lavery said it is a court order and part of the Fair Housing Act and we have to comply with the court order or the court can order more units to be made.

Mrs Gragnani wanted to know that once a tenant is established in the rental unit and the renter moves out of the low-income moderate phase she wanted to know if anyone checks the income during subsequent years. Mr. Carr said that once you qualify for affordable housing you are allowed to stay in the unit for as long as you wish regardless of growing income. There is no monitoring of income after the initial application.

**Nick Homyak, Lake Hiawatha,** brought a copy of the ordinance that bans gas leaf blowers. He asked about resolution R2022-075 which he did not see on the agenda. Mr. Madin said there was already a public hearing on it at the previous meeting. Mr. Homyak was questioning if the property in the resolution was exempt from the Highlands conformance. Mr. Lavery answered said they still must comply it is just how they treat the groundwater.

Mayor Barberio asked if Mr. Homyak was asking them to ban leaf blowers. Mr. Homyak said he wanted them to go to battery powered blowers since the gas blowers pollute the air and are bad for the environment.

**CLOSE: I'd like to entertain a motion to close the public hearing. Motion to close the public hearing by Mr. Carifi Seconded by Mrs. Gragnani ROLL CALL:** with all Council Members answering YES

**V. ORDINANCES**

A. INTRODUCTION

1. **AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, MORRIS COUNTY, NEW JERSEY AMENDING CHAPTER 4, ARTICLE VII, ADMINISTRATION OF GOVERNMENT, DEPARTMENT OF PUBLIC WORKS AND CHAPTER A445-47, FEES COMPILATION, OMNIBUS DRIVERS OF THE DEPARTMENT OF PUBLIC WORKS, OF THE CODE OF PARSIPPANY-TROY HILLS -ON\***

B. SECOND READING & PUBLIC HEARING

1. ORDINANCE 2022:16

**AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, MORRIS COUNTY, NEW JERSEY AMENDING CHAPTER 225, LAND USE, SUBDIVISION AND SITE PLAN, ARTICLE XVI, STORMWATER MANAGEMENT CONTROLS, OF THE TOWNSHIP CODE -ON\***

2. 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 -ON\***

3. 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. -ON\***

4. 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 -ON\***

## VI. NON-CONSENT AGENDA

### A. RESOLUTIONS

1. **R2022-107 Authorizing Approval to Submit a Grant Application and Execute a Grant Contract with the New Jersey Department of Transportation for the Edwards Road Improvement Project, Phase II**

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

**BE IT FURTHER RESOLVED** that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2023 – Edwards Road Improvement Project, Phase II – 00263 to the New Jersey Department of Transportation on behalf of Parsippany-Troy Hills.

**BE IT FURTHER RESOLVED** that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf 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.

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

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

## VII. CONSENT AGENDA

### A. RESOLUTIONS

1. **Authorizing the Cancellation and Refund of Property Taxes for Block 92, Lot 7 – 100% Permanently Disabled Veteran-ON\***
2. **Granting a Major Soil Moving Permit to 169 Johnson Road, LLC: Block 200, Lot 8-ON\***
3. **Granting a Major Soil Moving Permit to RRT 2 Campus Drive, LLC: Block 202, Lot 3.20-ON\***
4. **Authorizing the Construction of a Retaining Wall in the Right of Way Fox Hill Road, Block 101, Lot 22 (80 Fox Hill Road) -ON\***
5. **Awarding a Contract for Ambulance Billing and Collection Services for EMS-ON\***

### B. APPLICATIONS

1. **Approving a New Limousine License for R&S Executive LLC-ON\***

C. APPROVAL OF PAYROLL AND BILLS LIST

CFO Juan Uribe recommends authorization for payment:

1. Authorize payment of the 7/8/22 regular payroll estimated at \$1,850,000.00
2. Payment of bills from voucher list of 7/1/22 through 7/3/22 estimate totaling \$2,412,949.10

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

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

**VIII. ADJOURNMENT**

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

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

Respectfully submitted,

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Khaled Madin, Township Clerk

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Michael J. dePierro, Council President

Minutes Approved: August 16, 2022