TOWNSHIP OF DENVILLE MUNICIPAL COUNCIL
REGULAR MEETING
April 17, 2018, 7:30 P.M.

- Salute to Our Flag
- Invocation
- Statement of Compliance with Open Public Meetings Act
- Roll Call:

Council Members
____ Murphy ______ Buie ______ Witte
____ Bergen ______ Lyden ______ Borowiec
____ Gabel, Council President

In Attendance
____ Mayor Andes ______ Administrator Ward
____ Township Attorney Jansen ______ Other: __________________

PRESENTATIONS / CEREMONIAL MATTERS
(Presentations are coordinated in advance with the Council President and are limited to thirty (30) minutes or less)

PROCLAMATION
AMERICAN CANCER SOCIETY
RELAY FOR LIFE OF CENTRAL MORRIS COUNTY
Karen DeChristopher
Event Co-Chair

- Council Liaison/Committee Reports
- Mayor’s Report
- Administrator’s Report
- Correspondence

Public Portion (Please limit comments to a maximum of three (3) minutes)

Matters of Old/New Business

ORDINANCES FOR ADOPTION

09-18: An Ordinance of the Township of Denville, County of Morris, State of New Jersey, to Amend Fees for Certain Use Variances

ORDINANCES FOR INTRODUCTION

11-18: An Ordinance of the Township of Denville, County of Morris, State of New Jersey, to Establish a Procedure for Naming Streets
MOTION TO ADJOURN

April 3, 2018

MINUTES FOR ADOPTION

ITEMS FOR DISCUSSION AND/OR ACTION

2017 Municipal Audit
Corrective Action Plan

RESOLUTIONS

CONSENT AGENDA:

R-18-31: Resolution Authorizing the Award of a Five-Year License to Conduct Agricultural Activity on Knuth Farm to Jeffrey O’Hara

R-18-93: Resolution Authorizing Raffle Licenses in the Township of Denville

NON-CONSENT AGENDA:

R-18-94: Governing Body Certification of Review of Annual Audit

R-18-95: Resolution Authorizing the Award of Contract for the Furnishing of Denville Fire Department Dive Team Equipment

R-18-96: Resolution Authorizing an Appropriation from the Township of Denville Affordable Housing Trust Fund for the Rehabilitation of a Certain Property for an Amount not to Exceed $9,000

R-18-97: Resolution Supporting the Proposed Improvements by the New Jersey Department of Transportation Along the Route 46 Corridor Between East Main Street (CR 644)/Woodstone Road and the Route 80 Overpass

MINUTES FOR ADOPTION

- April 3, 2018

MOTION TO ADJOURN
ORDINANCE NO. 09-18

BE IT RESOLVED that an Ordinance entitled:

An Ordinance of the Township of Denville, County of Morris, State of New Jersey, to Amend Fees for Certain Use Variances

Be passed on Final Reading and that a Notice of Final Passage be published in the 04/25/2018 edition of The Citizen newspaper.

COUNCIL PRESIDENT: MOTION TO ADOPT ROLL CALL ON ADOPTION

Dated: 04/17/2018
ORDINANCE NO. 09-18

AN ORDINANCE OF THE TOWNSHIP OF DENVILLE, COUNTY OF MORRIS, STATE OF NEW JERSEY, TO AMEND FEES FOR CERTAIN USE VARIANCES

BE IT ORDAINED, by the Municipal Council of the Township of Denville, County of Morris, State of New Jersey, as follows:

SECTION 1. Chapter 19, Land Use, Article 1, General Provisions, Section 19-1.402, Board of Adjustment fees, paragraph d, is hereby amended and supplemented to read as follows:


1. $3,000, except as set forth in 19-1.402d.2.

2. The fee for an application for a variance under N.J.S.A. 40:55D-70d(2), expansion of a nonconforming use, which involves solely ancillary improvements such as, but not limited to, landscaping, lighting, parking, electric vehicle charging stations, signage (not including billboards), façade enhancements, or changes intended to meet ADA requirements, and which will not result in a significant intensification of the nonconforming use, shall be $750.

SECTION 2. Chapter 19, Land Use, Article 1, General Provisions, Section 19-1.402. Board of Adjustment fees, paragraph f.1. is hereby amended and supplemented to read as follows:

The review fee deposit for a use variance application shall be $2,000 for a use variance described in Section 19-1.402d.1, $1,000 for a use variance described in Section 19-1.402d.2, and $500 for a hardship variance. For all other applications, the review deposit fee shall be determined as follows: When the Zoning Board of Adjustment determines that expert consultants and/or other professional services are necessary in connection with an application, the Secretary of the Board shall send one copy of the complete application to such expert consultant and/or professional whose services are deemed necessary by the Board. Within 14 days of receipt of the same, the professionals shall submit an estimate.
of funds sufficient in amount to undertake technical reviews and findings of fact relative to
the application. The initial review fee deposit shall be equal to the estimate submitted by
the professionals. Where the property involved is a single-family home and the application
is for an addition and/or alteration, the initial review fee deposit shall be $250.

SECTION 3. Ordinances, resolutions, regulations or parts of ordinances, resolutions and
regulations inconsistent herewith are hereby repealed to the extent of such inconsistencies.

SECTION 4. If any section, subsection, sentence, clause or phrase of this Ordinance is
for any reason held to be unconstitutional or invalid by a court of competent jurisdiction, such a
decision shall not affect the remaining portions of this Ordinance.

SECTION 5. This Ordinance shall take effect immediately upon final passage and
publication in accordance with law.

BY ORDER OF THE MUNICIPAL COUNCIL
OF THE TOWNSHIP OF DENVILLE

ATTEST:                     APPROVED:

KATHRYN BOWDITCH-LEON, RMC  MAYOR THOMAS W. ANDES
MUNICIPAL CLERK            TOWNSHIP OF DENVILLE

I hereby certify the foregoing to be a true copy of an ordinance adopted by the Municipal Council
of the Township of Denville at its meeting held on _____________, 2018

Kathryn Bowditch-Leon, RMC
Municipal Clerk
ORDINANCE NO. 11-18

BE IT RESOLVED that an Ordinance entitled:

An Ordinance of the Township of Denville, County of Morris, State of New Jersey, to Establish a Procedure for Naming Streets

Be Introduced and Read by Title on First Reading:

COUNCIL PRESIDENT:  MOTION TO INTRODUCE
DISCUSSION ON ORDINANCE
ROLL CALL ON INTRODUCTION

BE IT RESOLVED that an Ordinance entitled

An Ordinance of the Township of Denville, County of Morris, State of New Jersey, to Establish a Procedure for Naming Streets

Be Passed on First Reading

BE IT FURTHER RESOLVED that said ordinance shall be considered for final passage at the meeting of the Municipal Council of the Township of Denville on 05-15-2018 at 7:30 p.m. in the evening, prevailing time, at the municipal building in said Township of Denville at which time and place all persons interested shall be given an opportunity to be heard concerning said ordinance.

BE IT FURTHER RESOLVED that the Municipal Clerk be authorized and directed to advertise this ordinance in The Citizen newspaper according to law.

COUNCIL PRESIDENT:  MOTION TO PASS ON FIRST READING
ROLL CALL

Dated: 04-17-2018
ORDINANCE NO. 11-18

AN ORDINANCE OF THE TOWNSHIP OF DENVILLE, COUNTY OF MORRIS, STATE OF NEW JERSEY, TO ESTABLISH A PROCEDURE FOR NAMING STREETS

WHEREAS, N.J.S.A. 40:67-1(k) provides that, "The governing body of every municipality may make, amend, repeal and enforce ordinances to [p]rovide for the naming and changing the names of streets and highways, and the erection thereon of signs, showing the names thereof, and guideposts for travelers; . . . ."

BE IT ORDAINED, by the Municipal Council of the Township of Denville, County of Morris, State of New Jersey, as follows:

SECTION 1. Street names shall be assigned by the Mayor with the advice and consent of Council. The Mayor and Council may change street names at any time, subject to the provisions of law. Proposed names shall not duplicate or closely approximate any existing street names. The continuation of an existing street shall have the same name.

SECTION 2. Ordinances, resolutions, regulations or parts of ordinances, resolutions and regulations inconsistent herewith are hereby repealed to the extent of such inconsistencies.

SECTION 3. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid by a court of competent jurisdiction, such a decision shall not affect the remaining portions of this Ordinance.

SECTION 4. This Ordinance shall take effect immediately upon final passage and publication in accordance with law.

BY ORDER OF THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF DENVILLE

ATTEST: ________________________________  APPROVED: ________________________________

Kathryn Bowditch-Leon, RMC          Mayor Thomas W. Andes
Municipal Clerk                      Township of Denville

I hereby certify the foregoing to be a true copy of an ordinance adopted by the Municipal Council of the Township of Denville at its meeting held on ________________, 2018

Kathryn Bowditch-Leon, RMC
Municipal Clerk
ORDINANCE NO. 12-18

BE IT RESOLVED that an Ordinance entitled:

An Ordinance of the Township of Denville, County of Morris, State of New Jersey to Amend Fees for Police Records

Be Introduced and Read by Title on First Reading:

COUNCIL PRESIDENT:  MOTION TO INTRODUCE
DISCUSSION ON ORDINANCE
ROLL CALL ON INTRODUCTION

BE IT RESOLVED that an Ordinance entitled

An Ordinance of the Township of Denville, County of Morris, State of New Jersey to Amend Fees for Police Records

Be Passed on First Reading

BE IT FURTHER RESOLVED that said ordinance shall be considered for final passage at the meeting of the Municipal Council of the Township of Denville on 05-15-2018 at 7:30 p.m. in the evening, prevailing time, at the municipal building in said Township of Denville at which time and place all persons interested shall be given an opportunity to be heard concerning said ordinance.

BE IT FURTHER RESOLVED that the Municipal Clerk be authorized and directed to advertise this ordinance in The Citizen newspaper according to law.

COUNCIL PRESIDENT:  MOTION TO PASS ON FIRST READING
ROLL CALL

Dated: 04-17-2018
ORDINANCE NO. 12-18

AN ORDINANCE OF THE TOWNSHIP OF DENVILLE, COUNTY OF MORRIS, STATE OF NEW JERSEY, TO AMEND FEES FOR POLICE RECORDS

BE IT ORDAINED, by the Municipal Council of the Township of Denville, County of Morris, State of New Jersey, as follows:

SECTION 1. Chapter 2A, Fees, Rates and Charges, § 2A-4.3, Fees for copies of public records, paragraph a, Duplication of printed records, subparagraph 4, Police records, is hereby amended to read as follows:

(a) Copy of motor vehicle accident report, obtained in person: As set forth in Paragraph a1 above.

(b) Copy of motor vehicle accident report, obtained other than in person and when not part of a discovery request: $5 per report, in accordance with N.J.S.A. 39:4-131, plus actual postage.

(c) Copy of motor vehicle accident report, when part of a discovery request, and any other discovery request: As set forth in Paragraph a1 above, plus actual postage, if applicable.

(d) Incident verification letter: $5.

(e) Duplicate photographs: $5; actual cost of duplicating.

SECTION 2. Ordinances, resolutions, regulations or parts of ordinances, resolutions and regulations inconsistent herewith are hereby repealed to the extent of such inconsistencies.

SECTION 3. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid by a court of competent jurisdiction, such a decision shall not affect the remaining portions of this Ordinance.

SECTION 4. This Ordinance shall take effect immediately upon final passage and publication in accordance with law.

BY ORDER OF THE MUNICIPAL COUNCIL
OF THE TOWNSHIP OF DENVILLE

ATTEST:

Kathryn Bowditch-Leon, RMC
Municipal Clerk

APPROVED:

Mayor Thomas W. Andes
Township of Denville

I hereby certify the foregoing to be a true copy of an ordinance adopted by the Municipal Council of the Township of Denville at its meeting held on ____________, 2018.

Kathryn Bowditch-Leon, RMC
Municipal Clerk
Finding #1

**Description**: An adequate segregation of duties be maintained with respect to the recording and treasury functions.

**Analysis**: Current staffing levels prohibit the segregation of said duties.

**Corrective Action**: Should circumstances change in the future to enable an increase in staffing levels, all recording and treasury functions will be adjusted to provide for the adequate segregation of duties.

**Implementation Date**: At such point the Township can hire additional staff.

Finding #2

**Description**: That all signatures be obtained prior to payment of bills.

**Analysis**: Checks were issued to the Fire Department for their annual clothing allowance without individual signatures from the volunteers as requested/required.

**Corrective Action**: A policy has been set by the Finance Director that no payments will be processed or released prior to all required signatures in place.

**Implementation Date**: As of February 26, 2018 the policy was established with the Finance Department - Accounts Payable.
WHEREAS, on January 25, 2018, the Township of Denville received bids for a Five (5) Year License to Conduct Agricultural Activity on Knuth Farm; and

WHEREAS, Jeffrey O'Hara is the sole bidder for $100 per acre per year; and

WHEREAS, the Municipal Council wishes to award a Five (5) Year License to Conduct Agricultural Activity on Knuth Farm to Jeffrey O'Hara in accordance with his bid proposal.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Denville, in the County of Morris and State of New Jersey, as follows:

1. A Five (5) Year License to Conduct Agricultural Activity on Knuth Farm is hereby awarded to Jeffrey O'Hara, t/a Union Hill Farms, 160 Casterline Road, Denville, NJ 07834 for the price of $100 per acre per year.

2. The Mayor and Township Clerk are hereby authorized and directed to execute a license agreement with Jeffrey O'Hara.

3. This Resolution shall take effect immediately.

I, Kathryn Bowditch-Leon, Municipal Clerk for the Township of Denville do hereby certify the above to be a true and exact copy of the resolution adopted by the Municipal Council of the Township of Denville at the Council meeting held on

Certification Date: ___________________________  Kathryn Bowditch-Leon, RMC
Municipal Clerk
LICENSE AGREEMENT

THIS AGREEMENT, made this day of , 2018, by and between:

TOWNSHIP OF DENVILLE, a municipal corporation of the State of New Jersey, with Offices at 1 St. Mary's Place, Denville, New Jersey 07834-2199, hereinafter referred to as the "Township", and Jeffrey O'Hara, hereinafter referred to as the Licensee"

WHEREAS, the Municipal Council of the Township of Denville advertised for bids for a five year license to farm approximately 20 acres of Block 20003, Lot 1, commonly known as Knuth Farm, in the Township of Denville, as mentioned in the proposal and specifications annexed hereto and made a part hereof, and

WHEREAS, at a meeting of the said Council on February 6, 2018, the bid of the Licensee was accepted.

NOW, THEREFORE, THE PARTIES HERETO, in consideration of the covenants and agreements

Herein contained do agree as follows:

1. The term "License Agreement" means this agreement and the documents consisting of The Non-Collusion Affidavit, Ownership Disclosure Statement, Notice to Bidders, and Proposal received from the Licensee Jeffrey O'Hara, Specifications, Bidder Questionnaire, Bidders Affidavit, and the Resolution of Award, respectively. The said Documents are hereby made a part of the Agreement as fully and with the same effect as if the same had been set forth at length herein. By execution of the Agreement, Licensee acknowledges that he has examined and is familiar with said documents.

2. During the term of the License, Licensee agrees to pay the Township $100.00 per acre for a total of $2,000.00 for twenty acres on September 1 of each year.

3. The Licensee agrees to furnish the Township with a Commercial Liability Insurance Certificate showing coverage for bodily injury in the amount of at least $1,500,000 per occurrence, and Property Damage coverage of at least $1,500,000.00, as well as Automobile Liability Insurance coverage in the above referenced amounts. Said Certificates shall include the Township as an additional named insured on all policies, reflect the amount of land farmed and the use of the Premises for farming including farm stand use. The Certificate must state that all employees are covered under workers compensation insurance.

4. The Licensee agrees to indemnify and save harmless the Township, its officers, employees and agents, and each and every one of them, against and from all claims, suits, costs, expenses, fees (including legal fees), and from all damages of every kind and description by reason of the injury or death of any person or persons or by reason
of property damage to any property which arises from or in any manner grows out of
the negligent acts, errors, or omissions of the Licensee or its subcontractors or the
officers, agents or employees of either, while engaged in the performance of the
Agreement.

5. Licenses shall comply with all federal, state and local laws and regulations and shall
hold the Township harmless for any violation thereof.

6. (a) The Contractor shall fully comply with the New Jersey Prevailing Wage Act,
Chapter 150, P.L. 1963 effective January 1, 1964, as amended by Chapter 64 of P.L.
1974. The Contractor shall, as ascertained from the Commissioner of Labor and
Industry, pay the prevailing wage rate in the locality in which the contract is to be
performed for each craft or trade needed to perform the contract.

All provisions of Chapter 150, P.L. 1963 as amended by Chapter 64, P.L. 1974
and the clauses required by Chapter 150, P.L. 1974 shall be deemed to be included
herein. It will be the responsibility of the Contractor to comply with these wage rates
as set forth by this law.

(b) The Contractor shall fully comply with the New Jersey Non-Discrimination in
Employment Statutes, N.J.S.A. 10:2-1 through 10:2-4 and the Rules and Regulations
adopted pursuant thereto effective October 5, 1966. Requests for information or
material may be addressed to: Division of Civil Rights, 52 West State Street, Trenton,
New Jersey 08608.

7. This Agreement shall not be assigned or transferred by the Licensee to any other
person or entity.

8. The Township may terminate the Agreement at any time by giving ninety (90) days
written notice of intent to terminate. Upon such termination, the Licensee shall yield
immediate possession to the Township; the Township shall become owner of all
growing crops remaining on the premises on the date of termination and shall be
obliged to pay the Licensee the reasonable value thereof.

9. Any and all notices required to be given under this Agreement shall be in writing and
sent to the respective parties at the addresses set forth above, by certified mail, return
receipt requested, and regular mail.

10. The failure of either party to insist upon strict performance of any covenants or
condition of this Agreement to be performed by the other party, or to exercise any right
conferring upon it, shall not be construed as a waiver of any violation nor breach, or
relinquishment for the further performance of such covenants or conditions, or the
exercise of any rights of the other party. To constitute a waiver the same must be in
writing and signed by all parties.
11. Should for any reason any term, condition or provision of this Agreement be determined by a court having competent jurisdiction to be void, voidable or the like, then in such even this Agreement shall be construed and considered as though such terms and conditions or provisions, to the extent that same are in conflict with the statutes, rules of law or decisions, had not been written into this Agreement in the first instance and the remaining terms, conditions and provisions shall stand as though they had constituted the whole of the original Agreement without the voided terms, conditions or provisions, or any part thereof.

12. During the Term of this Agreement, the parties hereto agree to comply with the Affirmative Action requirement's set forth in N.J.A. C. 17:27, and hereby incorporate by reference the mandatory affirmative action language set for in Schedule A, which is attached hereto and made a part hereof.

13. This agreement shall be binding upon all parties hereto and their respective heirs, executors, administrators, and assigns.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be signed by their proper corporate officers and their proper corporate seals to be affixed hereto the day and year as indicated in the acknowledgments attached hereto and made a part hereof.

ATTEST:

Kathryn Bowditch-Leon, Municipal Clerk

TOWNSHIP OF DENVILLE

By: Thomas W. Andes, Mayor

ATTEST:

, Secretary

By: , President
STATE OF

COUNTY OF

I certify that on the day of __________, 2018,
personally came before me and this person acknowledged under oath to
my satisfaction that: (a) this person signed, sealed and delivered the attached document as
President of ________________, the corporation named in the attached
document; and (b) this document was signed and made by the corporation as its voluntary act and deed by virtue of
authority from its Board of Directors.

Notary

STATE OF NEW JERSEY:

COUNTY OF MORRIS:

I CERTIFY that on __________, 2018, __________________________ personally came
before me and this person acknowledged under oath, to my satisfaction, that: (a) this person is the Clerk of the TOWNSHIP OF DENVILLE, the municipal corporation named in the attached
document; (b) this person is the attesting witness to the signing of this document by the proper municipal officer who is THOMAS W. ANDES, the Mayor of the municipal corporation; (c) this
document was signed and delivered by the municipal corporation as its voluntary act duly
authorized by a proper resolution of the Township Committee; (d) this person knows the proper
seal of the municipal corporation which was affixed to this document; and (e) this person signed
this proof to attest to the truth of these facts.

Sworn and Subscribed to
before me this day
of __________, 2018.

Kathryn Bowditch-Leon, Municipal Clerk

(Notary sign, seal, stamp)
RESOLUTION AUTHORIZING RAFFLE LICENSES IN THE TOWNSHIP OF DENVILLE

BE IT RESOLVED by the Municipal Council of the Township of Denville that the applications for the following raffles be approved and the Municipal Clerk be authorized to issue said licenses on behalf of the Municipality.

<table>
<thead>
<tr>
<th>NAME OF ORGANIZATION</th>
<th>TYPE OF RAFFLE</th>
<th>DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>PTO Morris County School of Technology</td>
<td>On-Premise 50/50</td>
<td>05/18/2018</td>
</tr>
<tr>
<td>PTO Morris County School of Technology</td>
<td>Bingo</td>
<td>05/18/2018</td>
</tr>
<tr>
<td>PTA A, Richard Spinola School</td>
<td>On-Premise 50/50</td>
<td>05/17/2018</td>
</tr>
<tr>
<td></td>
<td></td>
<td>05/18/2018</td>
</tr>
<tr>
<td></td>
<td></td>
<td>05/19/2018</td>
</tr>
</tbody>
</table>


BY ORDER OF THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF DENVILLE

I, Kathryn Bowditch-Leon, Municipal Clerk for the Township of Denville do hereby certify the above to be a true and exact copy of the resolution adopted by the Municipal Council of the Township of Denville at the Council meeting held on

Certification Date: ___________________________  Kathryn Bowditch-Leon, RMC  Municipal Clerk
GOVERNING BODY CERTIFICATION OF REVIEW OF THE ANNUAL AUDIT

WHEREAS, N.J.S.A. 40A: 5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2017 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A: 5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations"; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations", as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27 BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars ($1,000.00) or imprisoned for not more than one year, or both, and in addition shall forfeit his office.

NOW, THEREFORE, BE IT RESOLVED that the Municipal Council of the Township of Denville hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

BY ORDER OF THE MUNICIPAL COUNCIL
OF THE TOWNSHIP OF DENVILLE

I, Kathryn Bowditch-Leon, Municipal Clerk for the Township of Denville do hereby certify the above to be a true and exact copy of the resolution adopted by the Municipal Council of the Township of Denville at their regular Council meeting held on

Certification Date: ___________________________ Kathryn Bowditch-Leon, RMC
Municipal Clerk
RESOLUTION AUTHORIZING THE AWARD OF CONTRACT FOR THE FURNISHING OF DENVILLE FIRE DEPARTMENT DIVE TEAM EQUIPMENT

WHEREAS, on March 28, 2018, the Township of Denville received one (1) bid for Denville Fire Department Dive Team Equipment; and

WHEREAS, American Diving Supply, LLC, of Egg Harbor Township, New Jersey, submitted the lowest responsible and responsive bid for a total amount of $57,695.90; and

WHEREAS, the Municipal Council wishes to award the contract for the furnishing of Denville Fire Department Dive Team Equipment to American Diving Supply, LLC. in accordance with its bid proposal; and

WHEREAS, the Chief Financial Officer of the Township of Denville has certified in certification #18-25, which is annexed hereto and made a part thereof, that this contract will be charged to the following budget appropriation and that adequate funds are available under the following line item account:

04-216-55-570-921 $57,695.90

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Denville, in the County of Morris and State of New Jersey, as follows:

1. A contract for the furnishing of Denville Fire Department Dive Team Equipment is hereby awarded to American Diving Supply, LLC, 1400 Doughty Road, Egg Harbor Twp, New Jersey 08234 in accordance with its bid in the amount of $57,695.90.

2. The Mayor and Municipal Clerk are hereby authorized and directed to execute a contract with American Diving Supply, LLC for the furnishing of Denville Fire Department Dive Team Equipment.

3. This Resolution shall take effect immediately.

BY ORDER OF THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF DENVILLE

I, Kathryn Bowditch-Leon, Municipal Clerk of the Township of Denville do hereby certify the above to be a true and exact copy of the resolution adopted by the Municipal Council at their meeting held on

Certification Dated: ___________________________ Kathryn Bowditch-Leon, RMC
Municipal Clerk
TOWNSHIP OF DENVILLE

Request For And Certification As To The Availability
Of Adequate Funds For A Contract Which Is Pending Approval
By The Governing Body

Date of Request 04/12/18

American Diving Supply, LLC
1400 Doughty Road
Egg Harbor Township, New Jersey 08234
Name and Address of Contractor

Denville Fire Department Dive Team Equipment
Name of Description of Pending contract

This contract will be charged to the following budget appropriations as per the detailed budget:

<table>
<thead>
<tr>
<th>DEPT., ACCT. #, ORD. #</th>
<th>General Capital</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>04-216-55-570-921</td>
<td>$57,695.90</td>
<td>$57,695.90</td>
</tr>
</tbody>
</table>

TOTAL $57,695.90

Signed: ____________________
Department or Division Head

PLEASE ATTACH A COPY OF PROPOSED CONTRACT

I hereby certify that adequate funds are available in the General Capital Fund under the following line item account(s):

04-216-55-570-921 $57,695.90

All Certification Payments should be placed on white vouchers with the Certification Number shown on the voucher.

COMMENTS:
Fund availability are predicated on available budget

CERT18-25

Michael J Guarino
Chief Financial Officer

04/12/18
CONTRACT FOR THE FURNISHING OF:

Denville Fire Department Dive Team Equipment

THIS CONTRACT made this _____ day of __________, 2018, by and between:

TOWNSHIP OF DENVILLE, a municipal corporation of the State of New Jersey, with offices at 1 St. Mary’s Place, Denville, NJ 07834

(Hereinafter, "Owner")

and

AMERICAN DIVING SUPPLY, LLC
1400 Doughty Road
Egg Harbor Twp., NJ 08234

(Hereinafter, "Contractor")

WITNESSETH:

In consideration of the agreements herein contained, to be performed by the parties hereto, and of the payments hereinafter agreed to be made, it is mutually agreed as follows:

1. The Contractor will furnish the Dive Team Equipment, as specified in the contract documents, which are incorporated herein by reference.

2. The Contractor will furnish all, labor and all things necessary for the provision of furnishing the Dive Team Equipment in an expeditious, substantial and workmanlike manner, to the satisfaction of the Owner, and in compliance with the specifications.

3. The Contractor will begin the work as soon as practicable after receipt of an executed contract and a Township of Denville purchase order as the Notice to Proceed from the Owner and will complete the same within the time periods as set forth in the contract documents, unless the period for completion is extended pursuant to the contract documents. Said completion period shall commence on the date stipulated in the Notice to Proceed.

4. The Contractor agrees to perform all of the work described in the contract documents and agrees to comply with all the terms and conditions therein for the price or prices...
submitted by him in his proposal and as accepted by the governing body of the Owner. Said prices shall be full compensation for the furnishing of the Dive Team Equipment and for all losses and damages arising out of the nature of the work or from any unforeseen difficulty encountered in the prosecution of the work and for all risks of any kind connected with the work and for all expenses incurred by or in consequence of the work.

5. The term "contract documents" means and will consist of all of the bid documents including, but not limited to, the Affirmative Action Affidavit and Notice, Notice to Bidders, Instruction to Bidders, Proposal, Bid Bond, Form of Contract, General Conditions, Performance Bond, Notice of Award, Notice to Proceed, Drawings, Plans, Detailed Specifications, General Requirements and Addenda.

The contract documents enumerated above are hereby made a part of this contract as though they were physically attached hereeto and by execution of this contract the Contractor acknowledges that he has examined and is familiar with the contents of the said contract documents.

6. The Owner will make payment to the Contractor in the manner and at such time as is set forth in the contract documents and in such amount as is required by the contract documents.

7. This Contract shall be binding upon all parties hereto and their respective heirs, executors, administrators, successors and assigns.

8. The Contractor herein represents that neither the Contractor nor any person owning five percent or more of the stock or equity interest in the Contractor's business has been convicted of an offense under N.J.S.A. 2C:21-34, 2C:27-2, 2C:27-3, 2C:27-5, 2C:27-9, 2C:27-10, 2C:27-11, 2C:29-4, 2C:30-2 or 2C:30-3 subsequent to September 13, 1977. This representation is made pursuant to N.J.S.A. 2C:51-2.f.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be signed by their proper corporate officers and their proper corporate seals to be affixed hereeto the day and year as indicated in the acknowledgments attached hereto and made a part hereof.
TOWNSHIP OF DENVILLE

By: ____________________________
Thomas W. Andes, Mayor

By: ____________________________ , President

By: ____________________________ , Secretary

Kathryn Bowditch-Leon, Municipal Clerk

ATTEST:

ATTEST:
I certify that on the day of , 2018, person personally came before me and this person acknowledged under oath to my satisfaction that: (a) this person is the Clerk of the TOWNSHIP OF DENVILLE, the municipal corporation named in the attached document; (b) this person is the attesting witness to the signing of this document by the proper municipal officer who is THOMAS W. ANDES, the Mayor of the municipal corporation; (c) this document was signed and delivered by the municipal corporation as its voluntary act duly authorized by a proper resolution of the Township Committee; (d) this person knows the proper seal of the municipal corporation which was affixed to this document; and (e) this person signed this proof to attest to the truth of these facts.

Sworn and Subscribed to before me this day of , 2018.

Kathryn Bowditch-Leon, Municipal Clerk

(Notary sign, seal, stamp)
RESOLUTION AUTHORIZING AN APPROPRIATION FROM THE TOWNSHIP OF DENVILLE AFFORDABLE HOUSING TRUST FUND FOR THE REHABILITATION OF A CERTAIN PROPERTY FOR AN AMOUNT NOT TO EXCEED $9,000

WHEREAS, the Township has collected fees from Developers pursuant to the approval of the Council on Affordable Housing ("COAH") and a Development Fee Ordinance approved by COAH; and

WHEREAS, the collected funds may only be expended in accordance with the approved spending plan; and

WHEREAS, the spending plan provides for the use of such funds for purposes of housing rehabilitation within the Township; and

WHEREAS, the Township has received a request from a household for the use of such funds for housing rehabilitation; and

WHEREAS, the County of Morris, Office of Community Development has reviewed the application and has advised the Township that the applicant has been qualified and approved for the use of housing rehabilitation funds; and

WHEREAS, three bids have been received with the lowest bid estimating the repair cost of $8,342.68; and

WHEREAS, the Municipal Housing Liaison Officer has recommended that the request for funds be granted; and

WHEREAS, the Chief Financial Officer of the Township of Denville has certified in certification #18-24, which is annexed hereto and made a part thereof, that this contract will be charged to the following budget appropriation and that adequate funds are available under the following line item account: 19-280-56-314-200 $9,000

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Denville, in the County of Morris, and State of New Jersey, that a sum not to exceed $9,000 is hereby authorized to be appropriated from the Affordable Housing Trust Fund for the rehabilitation of one property as set forth in the recommendation of the Housing Officer dated April 9, 2018.

BY ORDER OF THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF DENVILLE

I, Kathryn Bowditch-Leon, Municipal Clerk for the Township of Denville do hereby certify the above to be a true and exact copy of the resolution adopted by the Municipal Council of the Township of Denville at their regular Council meeting held on

Certification Date

Kathryn Bowditch-Leon, RMC
Municipal Clerk
TOWNSHIP OF DENVILLE

Request For And Certification As To The Availability
Of Adequate Funds For A Contract Which Is Pending Approval
By The Governing Body

Date of Request: 04/10/18

Morris Habitat for Humanity
274 South Salem Street, Suite 100
Randolph, NJ 07869
Name and Address of Contractor

COAH Rehab 250 Franklin Rd. $9,000.00
Name of Description of Pending contract Amount of Contract

This contract will be charged to the following budget appropriations as per the detailed budget:

<table>
<thead>
<tr>
<th>DEPT., ACCT. #, ORD. #</th>
<th>COAH</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>19-280-56-314-200</td>
<td>$9,000.00</td>
<td>$9,000.00</td>
</tr>
<tr>
<td></td>
<td></td>
<td>$0.00</td>
</tr>
</tbody>
</table>

TOTAL $9,000.00

Signed: ___________________________
Department or Division Head

PLEASE ATTACH A COPY OF PROPOSED CONTRACT

I hereby certify that adequate funds are available in Fund under the following line item account(s):

19-280-56-314-200 $9,000.00

All Certification Payments should be placed on white vouchers with the Certification Number shown on the voucher.

COMMENTS:
Fund availability are predicated on available budget

Michael J Guarino
Chief Financial Officer

CERT18-24
RESOLUTION SUPPORTING THE PROPOSED IMPROVEMENTS BY THE NEW JERSEY DEPARTMENT OF TRANSPORTATION ALONG THE ROUTE 46 CORRIDOR BETWEEN EAST MAIN STREET (CR644)/WOODSTONE ROAD AND THE ROUTE 80 OVERPASS

WHEREAS, the New Jersey Department of Transportation (NJDOT) conducted a study that identified a portion of Route 46 in the Township of Denville and the Borough of Rockaway as a corridor which has severe congestion, crash rates above the statewide average for similar roadways, older traffic signal equipment, capacity issues at select intersections and access management issues; and

WHEREAS, NJDOT has proposed improvements that will improve operations, enhance safety and reduce congestion within the project limits along Route 46 between East Main Street (CR 644)/Woodstone Road and the Route 80 overpass; and

WHEREAS, these proposed improvements include, but are not limited to, the widening of Route 46 to accommodate a two-way left turn lane, the improvement of the Route 46 westbound lane merge under the Route 80 overpass, the realignment of the Broad Street intersection to be more perpendicular for better sight distance and the installation of updated signals and sidewalks at the intersection of Woodstone Road and East Main Street for ADA compliance; and

WHEREAS, the proposed improvements will be constructed in stages by the NJDOT and it is expected that two-way traffic will be maintained during construction.

NOW, THEREFORE, BE IT RESOLVED that the Municipal Council of the Township of Denville, County of Morris and State of New Jersey, supports the proposed improvements of the U.S. Route 46 corridor between East Main Street (CR 644)/Woodstone Road and the Route 80 overpass as outlined by NJDOT preliminary preferred alternative plan.

BE IT FURTHER RESOLVED that a certified copy of this resolution will be forwarded to the New Jersey Department of Transportation.

BY ORDER OF THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF DENVILLE

[Signature]

I, Kathryn Bowditch-Leon, Municipal Clerk for the Township of Denville do hereby certify the above to be a true and exact copy of the resolution adopted by the Municipal Council of the Township of Denville at their regular Council meeting held on
NEW JERSEY DEPARTMENT OF TRANSPORTATION
U.S. Route 46, East Main Street (CR 644)/Woodstone Road to Route 80
Township of Denville & Borough of Rockaway, Morris County
Public Information Center
Monday, March 26, 2018, 6:00 PM to 8:00 PM

The New Jersey Department of Transportation (NJDOT), committed to developing transportation improvements that best balance transportation needs, the environment, community concerns, and cost, will hold a Public Information Center to inform local residents and business owners about the U.S. Route 46, East Main Street (CR 644) / Woodstone Road to Route 80 Project in Denville Township and the Borough of Rockaway, Morris County. You are encouraged to actively participate by providing comments at the meeting, by mail, or by e-mail.

THE MEETING
The Public Information Center will be held on Monday, March 26, 2018 from 6:00 PM to 8:00 PM at the Denville Town Hall, 1 St. Mary's Place, Denville, NJ. You will have an opportunity to review exhibits of the project, ask questions and discuss any concerns with NJDOT representatives. If you are unable to attend, but are interested in learning about this project, please contact us at the e-mail or phone number listed below. Property owners with rental units are advised that tenants are invited and are encouraged to participate in the process.

PROJECT BACKGROUND
U.S. Route 46 in the Township of Denville and Borough of Rockaway is a Land Service Highway providing one lane of travel in each direction between Route 80 and Broad Street. A four lane section (two lanes in each direction) extends from Broad Street to the western project limits. There is one signalized intersection at the western limit of the project (East Main Street (CR 644) / Woodstone Road).

A Transportation Problem Statement was initiated as a result of previous studies that identified U.S. Route 46 in the Township of Denville and the Borough of Rockaway to be a corridor with severe congestion, crash rates above the statewide average rates for similar roadways, older traffic signal equipment that lack features that will respond to fluctuating traffic demands, capacity issues at select intersections and segments, and access management issues. This segment of U.S. Route 46 has been identified as being in need of improvements to address these issues.

PROJECT PURPOSE
The overall purpose of the U.S. Route 46, East Main Street (CR 644) / Woodstone Road to Route 80 Project is to improve operations, enhance safety and reduce congestion within the project limits.

PRELIMINARY PREFERRED ALTERNATIVE
The PPA proposes to widen U.S. Route 46 in the eastbound direction from Woodstone Road to Route 80. From Woodstone Road to Broad Street, US Route 46 will be widened to provide 15-foot wide outside lane widths and an exclusive left turn lane at Broad Street. From Broad Street to Route 80, U.S. Route 46 will be widened to provide a continuous two-way left-turn lane from Broad Street to just east of Cisco Road. Existing lane configurations - one (1) 12-foot wide travel lane with an 8-foot wide outside shoulder in each direction - will be maintained. Broad St. will be realigned to be more perpendicular with U.S. Route 46. At the signalized Intersection of East Main Street (CR 644) / Woodstone Road / U.S. Route 46, East Main Street will be widened to provide a channelized right turn onto U.S. Route 46 westbound. The existing signal will be replaced and curb ramps will be constructed for ADA compliance. Additional sidewalks and ADA compliant curb ramps will be constructed throughout the project limits.

The project is being designed to be constructed in stages to widen U.S. Route 46 and reconstruct the East Main Street (CR 644) / Woodstone Road intersection. It is expected that two-way traffic will be maintained during construction.

For more information, please contact:

Governor Phil Murphy
www.njdot.nj.gov

Anthony Sylko, Regional Manager
Office of Community & Constituent Relations
New Jersey Department of Transportation
P.O. Box 600, Trenton, NJ 08625-0600
Phone: 609.530.2110; Fax: 609.530.2010
Anthony.Sylko@dot.nj.gov

Commissioner Diane Gutierrez-Scaccett (Acting)