TOWNSHIP OF DENVILLE MUNICIPAL COUNCIL
REGULAR MEETING
May 3, 2016, 7:30 P.M.

- Salute to the Flag
- Invocation
- Notice of Compliance with Open Public Meetings Act
- Roll Call:

Council Members

_____ Gabel          _____ Witte          _____ Kuser
_____ Lyden          _____ Fitzpatrick    _____ Murphy
_____ Golinski, Council President

In Attendance

_____ Mayor Andes
_____ Township Attorney Jansen
_____ Administrator Ward
_____ Other: ____________________

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

NONE

- 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

04-16: Bond Ordinance Providing for Various Capital Improvements in and by the Township of Denville, in the County of Morris, New Jersey, Appropriating $1,982,400 Therefor and Authorizing the Issuance of $1,488,000 Bonds or Notes of the Township to Finance Part of the Cost Thereof

05-16: Ordinance Providing for Various Improvements or Purposes in the Sum of $172,000 from the General Capital Improvement Fund of the Township of Denville
06-16: Ordinance Providing for Various Improvements or Purposes in the Sum of $130,000 from the Open Space Trust Fund of the Township of Denville

ORDINANCES FOR INTRODUCTION

07-16: An Ordinance to Amend Chapter 5, Animal Control, of the General Ordinances of the Township of Denville, Regarding Owning, Keeping or Harboring Poultry

ITEMS FOR DISCUSSION AND/OR ACTION

2015 Municipal Audit
Corrective Action Plan

RESOLUTIONS

CONSENT AGENDA:

R-16-119: Resolution Authorizing Raffle Licenses in the Township of Denville

R-16-120: Resolution Authorizing Issuance of Social Affair Permits by the State of New Jersey Division of Alcoholic Beverage Control

NON-CONSENT AGENDA:

R-16-121: Governing Body Certification of Review of the Annual Audit

R-16-122: Resolution Authorizing the Refund of Money Due to the Redemption of Tax Sale Certificates Totaling $18,041.07 Plus Premium

R-16-123: Resolution Authorizing Agreement for Professional Engineering Services

MINUTES FOR ADOPTION

• April 19, 2016

MOTION TO ADJOURN
BE IT RESOLVED that an Ordinance entitled:

Bond Ordinance Providing for Various Capital Improvements in and by the Township of Denville, in the County of Morris, New Jersey, Appropriating $1,982,400 Therefor and Authorizing the Issuance of $1,488,000 Bonds or Notes of the Township to Finance Part of the Cost Thereof

Be passed on Final Reading and that a Notice of Final Passage be published in the 05/11/2016 edition of The Citizen newspaper.

COUNCIL PRESIDENT: MOTION TO ADOPT
ROLL CALL ON ADOPTION

Dated: 05/03/2016
ORDINANCE NO. 04-16

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF DENVILLE, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING $1,982,400 THEREFOR AND AUTHORIZING THE ISSUANCE OF $1,488,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF DENVILLE, IN THE COUNTY OF MORRIS, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Township of Denville, in the County of Morris, New Jersey (the "Township") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to $1,982,400, including a $120,000 grant expected to be received from the State of New Jersey Department of Transportation (the "State Grant") for improvements to Franklin Avenue, as more specifically described in Section 3(b) hereof, and further including the aggregate sum of $374,400 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue
of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments or the State Grant, negotiable bonds are hereby authorized to be issued in the principal amount of $1,488,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

<table>
<thead>
<tr>
<th>Purpose</th>
<th>Appropriation &amp; Estimated Cost</th>
<th>Estimated Maximum Amount of Bonds &amp; Notes</th>
<th>Period of Usefulness</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) Improvements to municipal-owned facilities and the purchase of equipment in and by the Township, including Scott Packs, extrication equipment, radar units and Dispatch desk renovation and the installation of all equipment, including all work and materials necessary therefore and incidental thereto, all as shown on and in accordance with the</td>
<td></td>
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</tr>
</tbody>
</table>
specifications therefore on file in the office of the Township Clerk and hereby approved.

(b) Improvements to various streets and locations in and by the Township by the construction, reconstruction, surfacing or resurfacing thereof to provide roadway pavements at least equal in useful life or durability to a roadway pavement of Class B construction (as such term is used or referred to in Section 40A:2-22 of said Local Bond Law), including, but not limited to, Ford Road, Landing Trail, Parks Road, Florence Ave, West Glen Road, Birch Run Ave, Freeman Ave, Indian Springs Trail, Chestnut Hill Drive, Tomahawk Trail, Comanche Trail Summit Drive, Downtown Street Scape Phase III, A portion of Franklin Ave and a portion of Franklin Rd ($120,000 State Grant), together with all structures, catch basin repairs, appurtenances, milling, curb and sidewalk reconstruction, drainage improvements, guide rails and fence, utility poles, equipment, crack sealing, including all work and materials necessary therefore and incidental thereto, all as shown on and in accordance with the

<table>
<thead>
<tr>
<th>$930,050</th>
<th>$581,000</th>
<th>10 years</th>
</tr>
</thead>
</table>

(Includes the State Grant)
anticipation note shall mature later than one year from its date. The bond anticipation times as may be determined by the chief financial officer; provided that no bond Section 4. All bond anticipation notes issued hereunder shall mature at such Grant, as applicable.

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose and the State Grant, as applicable.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date. The bond anticipation
notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:
(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements or purposes that the Township may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 8.05 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by $1,488,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding $300,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements.

Section 7. The Township hereby declares the intent of the Township to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes or improvements described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations.
Section 8. Any grant moneys received for the purposes or improvements described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or, if other than as referred to in Section 1 hereof, to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable real
property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

TOWNSHIP OF DENVILLE
COUNTY OF MORRIS
STATE OF NEW JERSEY

ATTEST:

Kathryn Bowditch-Leon, RMC, Clerk

By: Thomas W. Andes, Mayor

CERTIFICATION

I Kathryn Bowditch-Leon, Municipal Clerk of the Township of Denville, do hereby certify the foregoing to be a true copy of a Bond Ordinance adopted by the Township at a Regular Meeting held on

Kathryn Bowditch-Leon, RMC, Clerk
BE IT RESOLVED that an Ordinance entitled:

Ordinance Providing for Various Improvements or Purposes in the Sum of $172,000 from the General Capital Improvement Fund of the Township of Denville

Be Read by Title on Second Reading and a Hearing Held Thereon:

COUNCIL PRESIDENT: MOTION TO READ BY TITLE
ROLL CALL
OPEN PUBLIC HEARING
CLOSE PUBLIC HEARING

BE IT RESOLVED that an Ordinance entitled:

Ordinance Providing for Various Improvements or Purposes in the Sum of $172,000 from the General Capital Improvement Fund of the Township of Denville

Be passed on Final Reading and that a Notice of Final Passage be published in the 05/11/2016 edition of The Citizen newspaper.

COUNCIL PRESIDENT: MOTION TO ADOPT
ROLL CALL ON ADOPTION

Dated: 05/03/2016
ORDINANCE NO. 05-16

ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS OR PURPOSES IN THE SUM OF $172,000 FROM THE GENERAL CAPITAL IMPROVEMENT FUND OF THE TOWNSHIP OF DENVILLE

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

SECTION 1. The sum of $172,000 is hereby appropriated from the General Capital Improvement Fund of the Township of Denville for the purposes set forth in Section 2 of this Ordinance.

SECTION 2. The improvements authorized to be paid by this Ordinance include Firefighter Gear $15,000; Pagers $2,500; Union Hill Fire House Generator $14,000; MSA Gas Meter $9,000; Firearms Enhancement $15,000; Sign Materials $19,000; Recodification $11,000; Replacement Truck Body $10,000; Barricades & Cones $18,000; Computer Backup System $20,000; Cellular Alarm $5,000; Police Department Upgrades $6,000; Library HVAC $12,000; Town Hall Generator $10,000; and Senior Center Bathrooms $5,500 for items located in and for the Township and all work necessary in connection therewith.

SECTION 3. No debt is to be authorized by the enactment and passage of this Ordinance.

SECTION 4. The capital budget of the Township of Denville is hereby amended to conform with the provisions of this Ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Municipal Clerk and is available there for public inspection.

SECTION 5. All Ordinances of the Township of Denville which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 6. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

SECTION 7. This Ordinance shall take effect immediately upon final passage, approval and publication as required by law.

BY ORDER OF THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF DENVILLE

ATTEST:

Kathryn Bowditch-Leon, RMC
Municipal Clerk

APPROVED:

Thomas W. Andes, Mayor
Township Of Denville

Adoption Date:
ORDINANCE NO. 06-16

BE IT RESOLVED that an Ordinance entitled:

Ordinance Providing for Various Improvements or Purposes in the Sum of $130,000 from the Open Space Trust Fund of the Township of Denville

Be Read by Title on Second Reading and a Hearing Held Thereon:

COUNCIL PRESIDENT: MOTION TO READ BY TITLE
ROLL CALL
OPEN PUBLIC HEARING
CLOSE PUBLIC HEARING

BE IT RESOLVED that an Ordinance entitled:

Ordinance Providing for Various Improvements or Purposes in the Sum of $130,000 from the Open Space Trust Fund of the Township of Denville

Be passed on Final Reading and that a Notice of Final Passage be published in the 05/11/2016 edition of The Citizen newspaper.

COUNCIL PRESIDENT: MOTION TO ADOPT
ROLL CALL ON ADOPTION

Dated: 05/03/2016
ORDINANCE NO. 06-16

ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS OR PURPOSES IN THE SUM OF $130,000 FROM THE OPEN SPACE TRUST FUND OF THE TOWNSHIP OF DENVILLE

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

SECTION 1. The sum of $130,000 is hereby appropriated from the Open Space Trust Fund of the Township of Denville for the purposes set forth in Section 2 of this Ordinance.

SECTION 2. The improvements authorized to be paid by this Ordinance include Various Fields and Parks $25,000; Michael Street Park $40,000; Muriel Hepner Park $50,000; and Cooks Pond Erosion Control $15,000 for items located in and for the Township and all work necessary in connection therewith.

SECTION 3. No debt is to be authorized by the enactment and passage of this Ordinance.

SECTION 4. The capital budget of the Township of Denville is hereby amended to conform with the provisions of this Ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Municipal Clerk and is available there for public inspection.

SECTION 5. All Ordinances of the Township of Denville which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 6. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

SECTION 7. This Ordinance shall take effect immediately upon final passage, approval and publication as required by law.

BY ORDER OF THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF DENVILLE

ATTEST:           APPROVED:

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

Adoption Date:
ORDINANCE NO. 07-16

BE IT RESOLVED that an Ordinance entitled:

An Ordinance to Amend Chapter 5, Animal Control, of the General Ordinances of the Township of Denville, Regarding Owning, Keeping or Harboring Poultry

Be Introduced and Read by Title on First Reading:

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

Be Passed on First Reading

BE IT FURTHER RESOLVED that said ordinance shall be considered for final passage at a meeting of the Municipal Council of the Township of Denville on 06-14-2016 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: 05-03-2016
ORDINANCE NO. 07-16

AN ORDINANCE TO AMEND CHAPTER 5, ANIMAL CONTROL, OF THE GENERAL ORDINANCES OF THE TOWNSHIP OF DENVILLE, REGARDING OWNING, KEEPING OR HARBORING POULTRY

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

SECTION 1. Chapter 5, Animal Control, Section 5-1. Definitions, is hereby amended by adding a definition for poultry to read as follows:

"Poultry - domesticated fowl including chickens, ducks, geese, pheasants and turkeys."

SECTION 2. Chapter 5, Animal Control, Section 5-8. Miscellaneous Provisions, is hereby amended by adding a new Section 5-8.3, Poultry Prohibited, to read as follows:

"5-8.3. Poultry Prohibited. No person shall own, keep, or harbor poultry within the Township on any property which is less than five (5) acres in size."

SECTION 3. All Ordinances of the Township of Denville, which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

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

SECTION 5. The provisions of this ordinance may be renumbered for purposes of codification.

SECTION 6. This Ordinance shall take effect immediately upon final passage, approval and publication as required by law.
ATTEST:

Kathryn Bowditch-Leon, Clerk

Dated:

TOWNSHIP OF DENVILLE
COUNTY OF MORRIS
STATE OF NEW JERSEY

By: ___________________________
Thomas W. Andes, Mayor
TOWNSHIP OF DENVILLE
COUNTY OF MORRIS

CORRECTIVE ACTION PLAN
FOR THE AUDIT DATED MARCH 4, 2016

Finding #1

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

Analysis: Current staffing levels prohibit the availability for 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: The Municipal Court records be completed and reconciled for the last four months of 2015 and that records be kept up to date on a monthly basis. Also, disbursements be made by the 15th of the following month

Analysis: The Municipal Court switched banks mid-year and had trouble ascertaining correct beginning ledger balances.

Corrective Action: The Municipal Court Administrator with the assistance of CMFO shall reconcile bank statements monthly on a timely basis. Distributions shall also be disbursed prior to the 15th of each month.

Implementation Date: As of April 8, 2016 the accounts have been reconciled and March 2016 collections have been disbursed.
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>DATES</th>
</tr>
</thead>
<tbody>
<tr>
<td>DAWN Center for Independent Living</td>
<td>Calendar Raffle</td>
<td>Aug 1, 8, 15, 22, 29, 2016</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Sept 5, 12, 19, 29, 2016</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Oct 3, 10, 17, 24, 31, 2016</td>
</tr>
<tr>
<td>St. Francis Health Resort, Inc.</td>
<td>Off Premise 50/50</td>
<td>October 2, 2016</td>
</tr>
</tbody>
</table>

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 May 3, 2016.
WHEREAS, The Rotary Club of Denville and the Joey Bella Memorial Fund have submitted applications for Social Affair Permits; and

WHEREAS, the Municipal Council, the License Issuing Authority of the Township of Denville, has no objection to the granting of Social Affair Permits by the State of New Jersey Division of Alcoholic Beverage Control; and

WHEREAS, the issuance of said Social Affair Permits is not contrary to any Township ordinance, resolution, regulation or policy.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Denville that authorization is hereby granted for the issuance of Social Affair Permits for the following organizations and events:

<table>
<thead>
<tr>
<th>ORGANIZATION</th>
<th>EVENT</th>
<th>LOCATION</th>
<th>DATE</th>
<th>HOURS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rotary Club of Denville</td>
<td>Street Festival</td>
<td>Downtown Denville: Broadway, Center St. and</td>
<td>6/5/2016</td>
<td>12:00 P.M. to</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Bloomfield Avenue</td>
<td></td>
<td>6:00 P.M.</td>
</tr>
<tr>
<td>Joey Bella Memorial Fund</td>
<td>Annual Fundraiser</td>
<td>Gardner Field, Savage Rd., Denville</td>
<td>7/3/2016</td>
<td>6:00 P.M. to</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td>11:00 P.M.</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 their regular Council meeting held on May 3, 2016.
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 2015 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 May 3, 2016.

Kathryn Bowditch-Leon, RMC
Municipal Clerk
RESOLUTION AUTHORIZING THE REFUND OF MONEY DUE TO THE REDEMPTION OF TAX SALE CERTIFICATES

BE IT RESOLVED by the Municipal Council of the Township of Denville, in the County of Morris and State of New Jersey, that the Tax Collector is hereby authorized and directed to prepare vouchers to refund the amounts shown below to the named lien holders; and

BE IT FURTHER RESOLVED that the Chief Financial Officer is hereby authorized and directed to forward the checks to the Tax Collector to be delivered to the following lien holders after proper notation has been made on the Tax Records.

<table>
<thead>
<tr>
<th>Cert #</th>
<th>Block</th>
<th>Lot</th>
<th>Address</th>
<th>Purchaser of Lien</th>
<th>Refund Amt.</th>
<th>Premium Amt.</th>
</tr>
</thead>
<tbody>
<tr>
<td>2014-011</td>
<td>31202</td>
<td>16</td>
<td>31 Station Rd.</td>
<td>Ridgeback Ventures LLC</td>
<td>$14,407.26</td>
<td>-0-</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>PO Box 503 Mt. Freedom, NJ 07970</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2014-022</td>
<td>41092</td>
<td>27</td>
<td>22 Riekens Trail</td>
<td>US Bank Cust/PC5 Sterling National</td>
<td>$3,633.81</td>
<td>$800.00</td>
</tr>
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<td></td>
<td></td>
<td></td>
<td>50 South 16th St., Ste 2050</td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td>Philadelphia, PA 19102</td>
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</tbody>
</table>

TOTAL $18,041.07

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 May 3, 2016.

Certification Date: ________________________________ Kathryn Bowditch-Leon, RMC Municipal Clerk
RESOLUTION AUTHORIZING AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES

WHEREAS, the Township received a New Jersey State Police New Jersey Office of Emergency Management grant for the installation of a 175Kw generator at the Municipal Building ("Generator"); and

WHEREAS, the Township Engineer has recommended the hiring of an electrical engineer for the purposes of providing an Arc Flash Hazard Analysis certifying existing power and providing the installer with proper load calculation; and

WHEREAS, the Township desires to appoint the firm JG Electrical Testing ("Firm") to conduct the specialized electrical testing services including certifying existing power and providing the installer with proper load calculation in accordance with their proposal dated April 19, 2016; and

WHEREAS, the Chief Financial Officer has certified that funds are available for this purpose; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the Resolution authorizing the award of contracts for "professional services" without competitive bids and the contract itself must be available for public inspection.

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

1. The Municipal Council hereby authorizes execution by the Mayor and Municipal Clerk of an agreement with JG Electrical Testing, 3092 Shafto Rd, #13, Tinton Falls, New Jersey 07753 for the specialized electrical engineering services in connection with the installation of the 175Kw generator at the Municipal Building in an amount not to exceed $6,000.00.

2. This contract is awarded without competitive bidding as a "professional service" in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because said services are exempt from the provisions of the bidding statutes in that they are services rendered or performed by a person authorized by law to practice a recognized profession and are services which require knowledge of an advanced type in a field of learning acquired by a prolonged course of specialized instruction as distinguished from general academic instruction or apprenticeship and training.


5. A Notice of this action shall be printed once in the Citizen according to law.

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 May 3, 2016.

Certification Dated: Kathryn Bowditch-Leon, RMC Municipal Clerk
CERTIFICATION # 16-18

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 04/29/16

JG Electrical Testing
3092 Shafto Rd, #13
Tinton Falls, NJ 07753
Name and Address of Contractor

Electrical Engineering Services Generator Installation $6,000.00
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>Current</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>02-289-55-755</td>
<td>$6,000.00</td>
<td>$6,000.00</td>
</tr>
</tbody>
</table>

TOTAL $6,000.00

Signed: __________________________
Department or Division Head

PLEASE ATTACH A COPY OF PROPOSED CONTRACT

I hereby certify that adequate funds are available in the Grant Fund under the following line item account(s):
02-289-55-755 $6,000.00

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 04/29/16
Chief Financial Officer
AGREEMENT

THIS AGREEMENT, made this day of __________, 2016, by and between:

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

(Hereinafter, “Township”)  

and:

JG ELECTRICAL TESTING CORPORATION,
with offices at 3092 Shafto Road, Suite 13
Tinton Falls, NJ 07753

(Hereinafter, "Engineer")

WITNESSETH:

WHEREAS, the Township of Denville desires to enter into an agreement with Engineer for professional engineering services associated with the Municipal Building Emergency Generator and Transfer Switch Project (the "Project"); and

WHEREAS, N.J.S.A. 40A:11-1, et seq. requires that all contracts be in writing.

NOW, THEREFORE, IN CONSIDERATION OF the mutual covenants and agreements herein contained, the parties hereto, for themselves, their successors and assigns, hereby agree as follows:

1. The Engineer agrees to provide professional engineering services associated with the Project as outlined in the Engineer’s proposal dated April 19, 2016, attached hereto as Exhibit “A”, to the extent that it is consistent with this Agreement.
2. The Engineer shall be compensated in accordance with the fees established in the attached Proposal. Payment shall be made to the Engineer upon submission of vouchers to be provided by the Township. There shall be no retainer. The Engineer shall not be entitled to interest on payments that are past due or any collection costs incurred as a result of this Agreement. In no event shall the total compensation to be paid by the Township exceed $6,000.00 unless the Municipal Council, by Resolution, specifically authorizes such additional compensation.

3. The Engineer shall also be entitled to reimbursement for all disbursements made on behalf of the Township.

4. The Engineer shall furnish the Township with a Certificate of Insurance, which shall clearly show that policies with the following minimum limits of liability will be in effect for the duration of this agreement:

- **Professional Liability:** $1,000,000 per occurrence
- **General Liability:** $1,000,000 per occurrence, combined single limit for bodily injury and property damage.
- **Automobile:** $1,000,000 per occurrence, combined single limit for bodily injury and property damage.
- **Worker's Compensation:** Statutory coverage
- **Umbrella:** $1,000,000

The Certificate of Insurance must clearly indicate that the Township has been named as an additional insured on all of the Engineer's general liability policies and shall contain a 30-day prior notice of cancellation to the Township.

5. The Engineer agrees to indemnify and save harmless the Township, its officers, employees and agents, and each and every one of them, from and against any and 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 Engineer or its subcontractors or the officers, agents or employees of either while engaged in the performance of this Agreement.

The Engineer specifically agrees that this obligation to indemnify and hold the Township harmless shall include the responsibility to reimburse the Township for any and all costs, expenses, fees (including legal fees in defense of any claim), and all damages of every kind and description which may arise out of or relate to the Engineer's negligent acts, errors or omissions relative to the performance of this Agreement.

6. During the term of this agreement, the parties hereto agree to comply with the Affirmative Action requirements set forth in N.J.A.C. 17:27, and hereby incorporate by reference the mandatory Affirmative Action language set forth in Exhibit "B" which is attached hereto and made a part hereof.

7. Upon breach of this Agreement, the other party shall have the right to terminate the Agreement by written notice sent by certified mail to the address set out in this Agreement. In the event of such termination, the Township shall be entitled to all finished and unfinished data, maps, reports, and plans covered by or related to this Agreement upon payment by the Township to the Engineer for services performed up to the termination date. Failure of either party to terminate upon occurrence of any breach shall not constitute a waiver of any provision of this Agreement.

8. The term of this agreement shall be for one year unless sooner terminated by either party upon 90 days' prior written notice.

9. This Agreement is not assignable by either party.

10. A copy of the Engineer's New Jersey Business Registration Certificate is attached hereto as Exhibit "C".

11. Engineer is advised of the responsibility to file an annual statement on political contributions with the New Jersey Election Law Enforcement Commission in excess
of $50,000 pursuant to a contract with a public entity in a calendar year. It is Engineer’s responsibility to determine if filing is necessary.

12. Political Contribution Disclosure. This contract has been awarded to Engineer based on the merits and abilities of Engineer to provide the goods or services as described herein. This contract was not awarded through a “fair and open process” pursuant to N.J.S.A. 19:44A-20.4 et seq. As such, the undersigned does hereby attest that Engineer its subsidiaries, assigns or principals controlling in excess of 10% of the company has neither made a contribution, that is reportable pursuant to the Election Law Enforcement Commission pursuant to N.J.S.A. 19:44A-8 or 19:44A-16, in the one (1) year period preceding the award of the contract that would, pursuant to P.L. 2004, c.19, affect its eligibility to perform this contract, nor will it make a reportable contribution during the term of the contract to any political party committee in the Township of Denville if a member of that political party is serving in an elective public office of that municipality when the contract is awarded, or to any candidate committee of any person serving in an elective public office of that municipality when the contract is awarded.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and year first above written.

ATTEST:  

TOWNSHIP OF DENVILLE

By: ____________________________
Thomas W. Andes, Mayor

JG ELECTRICAL TESTING CORPORATION

By: ____________________________
Howard Trinkowsky, Vice President
J.G. Electrical Testing Corporation
Your Power System Experts
3092 Shafto Road, Suite 13, Tinton Falls, NJ 07753
Tel. (732) 217-1908  Fax (732) 791-1441
www.jgelectricaltesting.com

Date: April 19, 2016

PROPOSAL

This proposal has been prepared for:

TOWNSHIP OF DENVILLE
EMERGENCY GENERATOR AND
TRANSFER SWITCH PROJECT

JG Electrical Testing is pleased to offer you a proposal for an arc flash hazard analysis for the subject facility, located at 1 St. Mary’s Place, Denville, NJ. Equipment identified on Drawing E-3.2, dated September 1, 2003 will be included in this analysis. The studies provided in this proposal will be performed in accordance with applicable IEEE standards and good engineering principles.

The first portion of this study will determine the short-circuit current available at each component of the electrical system identified on the diagram indicated above. Data used in this study will be collected using as built drawings, submittal documentation and/or field survey, by others. Available short circuit information will be determined based on the existing generator sequence data and utility short circuit information. Cable type and lengths will be estimated based on drawings and contractor takeoffs. Only motors 50HP, and greater, shall be included in this study.

Protective device characteristics, settings, or sizes will be needed to complete the Arc Flash Hazard Analysis. Review of protective devices will be limited to the protective device furthest downstream driving the arc flash analysis of the equipment indicated in the drawing indicated above. Equipment suggestions may be provided should the analysis indicate they are required; however, specific equipment selection, modification or review is not included in this proposal. The main circuit breaker long time setting will be reviewed and reduced to match building load; its setting must coordinate with the largest downstream load and allow for temporary overloads, such as transformer and motor inrush currents. Cabling to the main circuit breaker will also be reviewed to ensure the cable fusing current characteristic with coordinate with the transformer high side protection.

Upon completion of the short circuit model, an arc flash analysis will be provided for equipment include in the short circuit study. The arc flash calculations shall be based on short circuit current levels determined in this study, and protective device settings for equipment modeled in this study. Equipment in the arc flash analysis includes service equipment, disconnect switches, enclosed circuit breakers and enclosures having
starters supplied from a transformer 125 kVA and larger and indicated in the aforementioned one line diagram.

The short-circuit study shall be performed in accordance with the recommended practices and procedures set forth in ANSI/IEEE 399 and the procedures outlined in IEEE 141 and ANSI/IEEE 242, with the use of a computer based program. The flash protection boundary will be calculated in accordance with NFPA 70E and IEEE 1584. All calculations, including those in the dc system, will be performed using SKM PTW software.

Results of the short circuit and arc flash study shall be summarized in a final report containing the following items:

- Basis, description, purpose, scope of the study and a corresponding one-line diagram.
- Tabulations of the data used to model the system components.
- Descriptions of the scenarios evaluated and identification of the scenario used to evaluate equipment short-circuit ratings.
- Tabulation of the calculated flash protection boundary and arc-flash incident energy. This table shall include arcing fault magnitude, device clearing time, duration of arc, working distance and PPE category.
- Labels identifying the required personal protective equipment with arc rating to provide adequate protection for personnel working on or near-energized conductors or components.
- Conclusions and recommendations.

Labels created for this study will be provided for the equipment after the final report is approved by the Owner. A sample of the labels proposed is shown below:

```
<table>
<thead>
<tr>
<th>Arc Flash and Shock Hazard</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Appropriate PPE Required</strong></td>
</tr>
<tr>
<td>56 in</td>
</tr>
<tr>
<td>7.7 cal/cm²</td>
</tr>
<tr>
<td>Level 2</td>
</tr>
<tr>
<td>480 VAC</td>
</tr>
<tr>
<td>00</td>
</tr>
<tr>
<td>42 in</td>
</tr>
<tr>
<td>12 in</td>
</tr>
<tr>
<td>Location: f0NB01</td>
</tr>
</tbody>
</table>
```

In addition to the Power System Study, the oneline and riser diagram (E-3.2) will be revised to identify the as found arrangement, identified during the field survey phase of the project.
PRICING PROPOSAL AND DURATION:

The fee schedule below applies for to develop the following:

<table>
<thead>
<tr>
<th>TASK</th>
<th>PRICE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arc Flash Study</td>
<td>$3,000.00</td>
</tr>
<tr>
<td>Revise Oneline Diagram</td>
<td>$1,500.00</td>
</tr>
<tr>
<td>Self-Adhesive 4&quot; x 6&quot; Label (price per label) (10)</td>
<td>$70.00</td>
</tr>
<tr>
<td>Project &quot;As Built&quot; Drawings and Proper Overload Protection Settings</td>
<td>$1,430.00</td>
</tr>
</tbody>
</table>

An invoice shall be issued upon completion of the study and is payable within 30 days of invoice. Work associated with this project can be initiated within two weeks receipt of order. Upon receipt of all submittal data and other required data, the Short Circuit, Coordination and Arc Flash study can be completed. The report will be issued in an electronic format; a single hard copy of the report will be issued, if requested.

This Proposal agreed to on this date April 28, 2016

By (Signature) _______________________________________________________________________________________________

(Date)

Howard Trinkowsky  Vice President

(Printed Name and Title)
During the performance of this contract, the contractor agrees as follows:

The contractor or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Except with respect to affectional or sexual orientation and gender identity or expression, the contractor will ensure that equal employment opportunity is afforded to such applicants in recruitment and employment, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Such equal employment opportunity shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting forth provisions of this nondiscrimination clause.

The contractor or subcontractor, where applicable will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex.

The contractor or subcontractor will send to each labor union, with which it has a collective bargaining agreement, a notice, to be provided by the agency contracting officer, advising the labor union of the contractor's commitments under this chapter and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

The contractor or subcontractor, where applicable, agrees to comply with any regulations promulgated by the Treasurer pursuant to N.J.S.A. 10:5-31 et seq., as amended and supplemented from time to time and the Americans with Disabilities Act.

The contractor or subcontractor agrees to make good faith efforts to meet targeted county employment goals established in accordance with N.J.A.C. 17:27-5.2.
The contractor or subcontractor agrees to inform in writing its appropriate recruitment agencies including, but not limited to, employment agencies, placement bureaus, colleges, universities, and labor unions, that it does not discriminate on the basis of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, and that it will discontinue the use of any recruitment agency which engages in direct or indirect discriminatory practices.

The contractor or subcontractor agrees to revise any of its testing procedures, if necessary, to assure that all personnel testing conforms with the principles of job-related testing, as established by the statutes and court decisions of the State of New Jersey and as established by applicable Federal law and applicable Federal court decisions.

In conformance with the targeted employment goals, the contractor or subcontractor agrees to review all procedures relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, consistent with the statutes and court decisions of the State of New Jersey, and applicable Federal law and applicable Federal court decisions.

The contractor shall submit to the public agency, after notification of award but prior to execution of a goods and services contract, one of the following three documents:

Letter of Federal Affirmative Action Plan Approval

Certificate of Employee Information Report

Employee Information Report Form AA302 (electronically provided by the Division and distributed to the public agency through the Division’s website at www.state.nj.us/treasury/contract_compliance)

The contractor and its subcontractors shall furnish such reports or other documents to the Division of Public Contracts Equal Employment Opportunity Compliance as may be requested by the office from time to time in order to carry out the purposes of these regulations, and public agencies shall furnish such information as may be requested by the Division of Public Contracts Equal Employment Opportunity Compliance for conducting a compliance investigation pursuant to Subchapter 10 of the Administrative Code at N.J.A.C. 17:27.
Taxpayer Identification #: 272-817-079/000

Dear Business Representative:

Congratulations! You are now registered with the New Jersey Division of Revenue.

Use the Taxpayer Identification Number listed above on all correspondence with the Divisions of Revenue and Taxation, as well as with the Department of Labor (if the business is subject to unemployment withholdings). Your tax returns and payments will be filed under this number, and you will be able to access information about your account by referencing it.

Additionally, please note that State law requires all contractors and subcontractors with Public agencies to provide proof of their registration with the Division of Revenue. The law also amended Section 92 of the Casino Control Act, which deals with the casino service industry.

We have attached a Proof of Registration Certificate for your use. To comply with the law, if you are currently under contract or entering into a contract with a State agency, you must provide a copy of the certificate to the contracting agency.

If you have any questions or require more information, feel free to call our Registration Hotline at (809)292-9292.

I wish you continued success in your business endeavors.

Sincerely,

James J. Fruscione
Director
New Jersey Division of Revenue

STATE OF NEW JERSEY
BUSINESS REGISTRATION CERTIFICATE

TAXPAYER NAME: J.G. ELECTRICAL TESTING CORPORATION

TRADE NAME:

ADDRESS: 3092 SHAFTO ROAD, SUITE 13
TINTON FALLS, NJ 07753
EFFECTIVE DATE: 07/08/10

SEQUENCE NUMBER: 1574752
ISSUANCE DATE: 07/14/14