TOWNSHIP OF DENVILLE MUNICIPAL COUNCIL
REGULAR MEETING
May 15, 2018, 7:30 P.M.

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

Council Members

___ Murphy
___ Bergen
___ Gabel, Council President

___ Buie
___ Lyden

___ Witte
___ Borowiec

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

ORDINANCES FOR PUBLIC HEARING - ADOPTION

10-18: An Ordinance of the Township of Denville, County of Morris, and State of New Jersey to Amend Chapter 19, Land Use, to Implement the Redmond Press Redevelopment Plan

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

12-18: An Ordinance of the Township of Denville, County of Morris, State of New Jersey, to Amend Fees for Police Records

PUBLIC PORTION (Please limit comments to a maximum of three (3) minutes)

Matters of Old/New Business
ORDINANCES FOR INTRODUCTION

15-18: An Ordinance of the Township of Denville, County of Morris, State of New Jersey to Amend Chapter 19, Land Use, to Implement Settlement Agreements with RAM Associates and Glenmont Commons in Connection with the Township’s Affordable Housing Obligation

16-18: An Ordinance of the Township of Denville, County of Morris, and State of New Jersey to Amend Chapter 13, Removal of Trees, in Connection with the Township’s Affordable Housing Obligation

ITEMS FOR DISCUSSION AND/OR ACTION

NONE

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-18-107: Resolution Authorizing Raffle Licenses in the Township of Denville

R-18-108: Resolution Authorizing the Execution of Change Order No. 1 (Final Change Order) with Zuccaro, Inc. for the Broadway Streetscape Improvement Project, Federal Highway Administration Transportation Alternatives Program Grant

R-18-109 Resolution Authorizing Acceptance of Grant for 2018 Click It or Ticket Statewide Seat Belt Mobilization Grant Pursuant to the N.J. Division of Highway Traffic Safety from 05-21-2018 through 06-03-2018

R-18-110: Resolution Requesting Approval of Items of Revenue and Appropriation Pursuant to N.J.S.A. 40A:4-87

R-18-111: Resolution Authorizing Acceptance of the 2018 Sustainable Jersey PSEG Grant

R-18-112: Resolution Requesting Approval of Items of Revenue and Appropriation Pursuant to N.J.S.A. 40A:4-87

R-18-113: Resolution Authorizing Refund of Recreation Department Fees
NON-CONSENT AGENDA:

R-18-114: Resolution Authorizing the Award of a Contract for the Purchase of a 2018 Police Interceptor Utility All-Wheel Drive Vehicle in Accordance with State Contract A88728

R-18-115: Resolution Authorizing the Award of a Contract for the Purchase of a Ford F350 Super Cab Gas 4x4 Pick-up Truck for the Department of Public Works in Accordance with Morris County Cooperative Pricing Council Contract No. 15-C

R-18-116: Resolution Authorizing the Award of a Contract for the Purchase of a Ford F350 Super Cab Gas 4x4 Pick-up Truck for the Police Department in Accordance with Morris County Cooperative Pricing Council Contract No. 15-C

R-18-117: Resolution Authorizing the Award of a Contract for the Purchase of a 2018 Chevrolet Tahoe All-Wheel Drive PC1 Pursuit Vehicle for the Police Department in Accordance with Cranford Police Cooperative Pricing System Contract No. 17-01, Item No. 10

R-18-118: Resolution Waiving Requirements for a Reserve Septic Disposal Area and Two Septic Tanks in Series at 125 Hillcrest Drive (Block 70501; Lot 498) and 126 Hillcrest Drive (Block 70502; Lot 335)

R-18-119: Resolution Recommending the Endorsement of a Wetlands / Floodplain / Mapping Revision

MINUTES FOR ADOPTION

- May 1, 2018

MOTION TO ADJOURN
ORDINANCE NO. 10-18

BE IT RESOLVED that an Ordinance entitled:

An Ordinance of the Township of Denville, County of Morris, and State of New Jersey to Amend Chapter 19, Land Use, to Implement the Redmond Press Redevelopment Plan

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:

An Ordinance of the Township of Denville, County of Morris, and State of New Jersey to Amend Chapter 19, Land Use, to Implement the Redmond Press Redevelopment Plan

Be passed on Final Reading and that a Notice of Final Passage be published in the 05/23/2018 edition of The Citizen newspaper.

COUNCIL PRESIDENT: MOTION TO ADOPT
ROLL CALL ON ADOPTION

Dated: 05/15/2018
ORDINANCE NO. 10-18

AN ORDINANCE OF THE TOWNSHIP OF DENVILLE, COUNTY OF MORRIS, AND STATE OF NEW JERSEY TO AMEND CHAPTER 19, LAND USE, TO IMPLEMENT THE REDMOND PRESS REDEVELOPMENT PLAN

WHEREAS, the Municipal Council has adopted a resolution designating Block 31207, Lots 11 through 18, as an area in need of redevelopment.

NOW, THEREFORE, 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 19, Land Use, Article 5, Zone Regulations, §19-5.5, Map and Schedule, Schedule Area, Yard and Bulk Requirements, is hereby amended to include the following: "Redmond Press Redevelopment Area."

SECTION 2. Chapter 19, Land Use, Article 5, Zone Regulations, is hereby amended and supplemented to establish a new section to read as follow:

"Redmond Press Redevelopment Area.

a. Intent and Purpose. The purpose of this ordinance is to implement the Redmond Press Redevelopment Plan.

For the purpose of this redevelopment plan, the following shall not be considered a "structure":

Stairs, sidewalks, retaining walls, handrails, lighting fixtures, fences, gates or any ADA required ramps or fixtures;

Recreational facilities such as: benches, picnic tables, gazebos, grills, bicycle racks, flagpoles, and playground equipment;

Seepage pits or monitoring wells;

Facilities for the collection of solid waste such as dumpsters and recycling bins.

b. Applicability. The provisions of this section shall apply only to Block 31207, Lots 16 and 17.

1. Permitted Uses. The redevelopment of this site shall contain one of the following permitted uses:

(a) Garden Apartments.
2. Permitted Accessory Uses. Any and all uses of land that are customarily, habitually, and by long practice, as established by reasonable association with, incidental and subordinate to the principal use of the property, including, but not limited to the following:

(a) Decks

(b) Patios/Terraces

(c) Porticos

(d) Open Space / Recreation area; including but not limited to
   (i) Gazebos
   (ii) Benches
   (iii) Picnic tables
   (iv) Grilling facilities
   (v) Playground equipment
   (vi) Bicycle Racks

(e) Emergency Generator

(f) Signs

(g) Solid Waste and Recycling Facilities

(h) Retaining Walls

(i) Lighting

(j) Community Facility including but not limited to
   (i) Fitness room
   (ii) Lobby
   (iii) Community room

(k) Parking in conformance with the standards found in the Residential Site Improvement Standards.
3. Density. A maximum of 30 dwelling units per acre is permitted on the subject properties.

4. Bedroom Distribution. In any garden or mid-rise apartment development governed by this redevelopment plan there shall be the following distribution of bedrooms:

   One (1) bedrooms: between 59-61 percent of the development.

   Two (2) bedrooms: between 39-41 percent of the development.

   In no case shall any building contain only one bedroom dwellings.

   Any mathematical calculations resulting in a fraction in excess of .49 shall be rounded up to the next whole number otherwise it shall be rounded down to the whole number.

5. Bulk Standards. In any garden or mid-rise apartment development governed by this redevelopment plan the following bulk standards shall apply:

   Principal Building Setbacks:
   - Front yard setback 50 feet
   - Side yard setback 25 feet
   - Rear yard setback 50 feet

   Accessory Building Setbacks
   - Front yard setback 50 feet
   - Side yard setback 25 feet
   - Rear yard setback 50 feet

   Parking spaces setback
   - Front yard setback 10 feet
   - Side yard setback 5 feet
   - Rear yard setback 5 feet
   - Distance to point of access 150 feet

   Maximum Building Height 50 feet
   Maximum Building Length 400 feet

   Buildings in excess of 200 feet in length must provide two additional points of access.

   Maximum Accessory Structure Height 18 Feet

   Maximum Coverage
   - Building Coverage 25%
   - Impervious Coverage 80%

6. Open Space Requirement. There shall be a minimum of 20 percent of the site left in a natural or landscaped state, or as a recreation area.

7. Trash. The development shall provide one location of sufficient size for the temporary storage of refuse and recycling for regular and
13. Decks and Patios. All decks and patios shall have a maximum area of 75 square feet and shall not extend more than six feet from the building wall. Where possible said deck or patio shall be inset and not extend past the furthest projected building wall. Although the use of decks and patios will be governed by a rental agreement, there shall be no storage permitted on any deck or patio. Furthermore, no cooking equipment or drying racks or lines shall be allowed on said decks or patios.

8. Mailboxes. All mailboxes shall be internal to the building and accessible through a common lobby.

9. Parking. All parking areas shall be designed with service aisles to meet the following standards:

(a) Parallel to thirty-degree angle parking: twelve-foot aisle width.

(b) Thirty-one-degree to forty-five-degree angle parking: fourteen-foot aisle width.

(c) Forty-six-degree to sixty-degree angle parking: eighteen-foot aisle width.

(d) Sixty-one-degree to ninety-degree angle parking and access drives: twenty-four-foot aisle width.

Only one-way traffic circulation shall be permitted in twelve-, fourteen-, and eighteen-foot aisle widths.

The parking requirements shall comport with the Residential Site Improvement Standards (RSIS).

10. Lighting. The lighting requirements shall comport with section 19-5.731 (Outdoor Lighting) of the Township of Denville’s zoning ordinance.

11. Utility Meters. All utility meters may be located in the interior of the building so long as said meters are located within a common area and not within an individual dwelling unit. If utility meters are located on the exterior of a structure, landscaping must be provided in the vicinity to aid in the screening of said meters.

12. Air conditioning units, emergency generators, or other sound producing equipment. Any emergency generators, air conditioning units, or other sound producing equipment must be adequately screened by either fencing or landscaping so as to reduce its impact to surrounding land uses.

13. Decks and Patios. All decks and patios shall have a maximum area of 75 square feet and shall not extend more than six feet from the building wall. Where possible said deck or patio shall be inset and not extend past the furthest projected building wall. Although the use of decks and patios will be governed by a rental agreement, there shall be no storage permitted on any deck or patio. Furthermore, no cooking equipment or drying racks or lines shall be allowed on said decks or patios.
14. Signage. With the exception of the allowable two wall signs, street signs, and traffic control signs, there shall be a single development identification sign permitted. Said identification sign shall be a ground mounted monument sign or freestanding sign.

A proposed monument or freestanding sign shall be located on the property, but outside of any required sight triangle area, shall contain no more than twenty-four (24) square feet per side and no more than two (2) sides. A proposed monument or free standing sign shall not exceed five feet in height from the base of the sign and may be externally lit.

Two wall signs shall be permitted to contain no more than twenty-four (24) square feet and may be back lit or externally lit.

15. Vehicular Access. Vehicular Access from Route 53 shall be governed by the New Jersey Department of Transportation. A secondary point of access can be permitted through adjacent properties so long as access easements are granted in perpetuity.

16. Affordable Housing. The redevelopment of this site must provide affordable housing consistent with the Township of Denville’s Housing Element and Fair Share Plan. All said units shall be constructed on site and integrated among all buildings and throughout the development so as to be indistinguishable from the exterior of the building.

For any multi-family development, the applicant shall be required to provide a minimum of 15 percent of the entire number of dwelling units for low and moderate income housing.

c. Applicability. The provisions of this section shall apply only to Block 31207, Lot 11.

1. Permitted Uses. The redevelopment of this property shall contain one of the following permitted uses:

(a) Those uses that are lawfully existing at the time of the adoption of this redevelopment plan shall be considered permitted uses.

(b) Retail / Office mixture wherein retail is on the first floor and office space is located on the second floor.

2. Permitted Accessory Uses. Any and all uses of land that are customarily, habitually, and by long practice, as established by reasonable association with, incidental and subordinate to the principal use of the property, including, but not limited to the following:

(a) Open Space / Recreation area
(b) Emergency Generator
3. Conditional Uses. If the owner of Lot 11 in Block 31207 also owns Lots 16 and 17 in the same Block the following uses are permitted after all three lots have been merged the following uses may be permitted in the existing structure or a newly constructed structure:

(a) Fitness center
(b) Meeting room
(c) Card room

The following recreational uses are also permitted on site:

(a) Gazebos
(b) Benches
(c) Picnic tables
(d) Grilling facilities
(e) Playground equipment
(f) Bicycle racks
(g) Other similar recreational uses

4. Bulk Standards. Reuse of the current structure shall be permitted and be considered conforming under this redevelopment plan. For redevelopment of the site where the existing structure is removed, the following setbacks shall apply:

Principal Building Setbacks:
- Front yard setback: 25 feet
- Side yard setback: 10 feet
- Rear yard setback: 15 feet

Parking spaces setback:
- Front yard setback: 10 feet
- Side yard setback: 5 feet
- Rear yard setback: 5 feet

Maximum Building Height: 30 feet
Maximum Accessory Structure Height: 18 Feet
5. Open Space Requirement. There shall be a minimum of 20 percent of the site left in a natural or landscaped state, or as a recreation area.

6. Trash. Any new development shall provide one location of sufficient size for the temporary storage of refuse and recycling for regular and routine collection. Said trash area shall be enclosed with a solid fence or landscaping on at least two sides. The trash enclosure shall be located no closer than five feet from any property line.

7. Parking. All parking areas shall be designed with service aisles to meet the following standards:

(a) Parallel to thirty-degree angle parking: twelve-foot aisle width.

(b) Thirty-one-degree to forty-five-degree angle parking: fourteen foot aisle width.

(c) Forty-six-degree to sixty-degree angle parking: eighteen-foot aisle width.

(d) Sixty-one-degree to ninety-degree angle parking and access drives: twenty-four-foot aisle width.

Only one-way traffic circulation shall be permitted in twelve-, fourteen-, and eighteen-foot aisle widths.

For the purpose of this redevelopment plan the definition of parking space shall be as follows:

PARKING SPACE: The parking area for the parking of one motor vehicle. Such a parking space shall provide for a rectangular area of not less than 162 square feet exclusive of access drives or aisles and shall be a minimum of 9 feet in width measured perpendicular to the axis of the length. Each space shall abut an access driveway or aisle.

8. Lighting. The lighting requirements shall comport with section 19-5.731 (Outdoor Lighting) of the Township of Denville's zoning ordinance.

9. Utility Meters. All utility meters may be located in the interior of the building so long as said meters are located within a common area and not within an individual dwelling unit. If utility meters are located on the exterior of a structure, landscaping must be provided in the vicinity to aid in the screening of said meters.
10. Air conditioning units, emergency generators, or other sound producing equipment. Any emergency generators, air conditioning units, or other sound producing equipment must be adequately screened by either fencing or landscaping so as to reduce its impact to surrounding land uses.

11. Signage. With the exception of street signs, traffic control signs, and building identification signs, there shall be a single development identification sign permitted. For reuse of the existing building a single wall sign shall be permitted. This wall sign shall contain no more than twelve (12) square feet and may be externally lit.

d. Applicability. The provisions of this section shall apply only to Block 31207, Lots 12, 13 and 15.

1. Permitted Uses. The redevelopment of these properties shall be done when all three properties are under common ownership or control and may contain one of the following permitted uses:

   (a) Retail sales and services;

   (b) Retail/Apartment Mix wherein retail is on the first floor and apartments are on the second floor.

2. Permitted Accessory Uses. Any and all uses of land that are customarily, habitually, and by long practice, as established by reasonable association with, incidental and subordinate to the principal use of the property, including, but not limited to the following:

   (a) Open Space / Recreation area

   (b) Emergency Generator

   (c) Signs

   (d) Solid Waste and Recycling Facilities

   (e) Retaining Walls

   (f) Lighting

3. Density. A maximum of 12 dwelling units per acre are permitted on the subject properties.

4. Bulk Standards. Reuse of the current structure shall be permitted:

   Principal Building Setbacks:
   - Front yard setback: 25 feet
   - Side yard setback: 10 feet
   - Rear yard setback: 15 feet

   Parking spaces setback:
   - Front yard setback: 10 feet
   - Side yard setback: 5 feet
   - Rear yard setback: 5 feet
5. **Open Space Requirement.** There shall be a minimum of 20 percent of the site left in a natural or landscaped state, or as a recreation area.

6. **Trash.** Any new development shall provide one location of sufficient size for the temporary storage of refuse and recycling for regular and routine collection. Said trash area shall be enclosed with a solid fence or landscaping on at least two sides. The trash enclosure shall be located no closer than five feet from any property line.

7. **Parking.** All parking areas shall be designed with service aisles to meet the following standards:

   (e) Parallel to thirty-degree angle parking: twelve-foot aisle width.

   (f) Thirty-one-degree to forty-five-degree angle parking: fourteen-foot aisle width.

   (g) Forty-six-degree to sixty-degree angle parking: eighteen-foot aisle width.

   (h) Sixty-one-degree to ninety-degree angle parking and access drives: twenty-four-foot aisle width.

Only one-way traffic circulation shall be permitted in twelve-, fourteen-, and eighteen-foot aisle widths.

The parking requirements shall comport with the Residential Site Improvement Standards (RSIS).

8. **Lighting.** The lighting requirements shall comport with section 19-5.731 (Outdoor Lighting) of the Township of Denville's zoning ordinance.

9. **Utility Meters.** All utility meters may be located in the interior of the building so long as said meters are located within a common area and not within an individual dwelling unit. If utility meters are located on the exterior of a structure, landscaping must be provided in the vicinity to aid in the screening of said meters.

10. **Air conditioning units, emergency generators, or other sound producing equipment.** Any emergency generators, air conditioning units, or other sound producing equipment must be adequately screened by either fencing or landscaping so as to reduce its impact to surrounding land uses.
11. Signage. With the exception of street signs, traffic control signs, and building identification signs, there shall be a single development identification sign permitted. Said identification sign shall be a ground mounted monument sign or a wall sign may be permitted.

A proposed monument sign shall be located on the property, but outside of any required sight triangle area, shall contain no more than twenty-four (24) square feet per side and no more than two (2) sides. A proposed monument shall not exceed three feet in height from the base of the sign and may be externally lit.

This wall sign shall contain no more than twenty-four (24) square feet and may be externally lit.

12. Affordable Housing Units. The redevelopment of this site must provide affordable housing consistent with the Township of Denville's Housing Plan and Fair Share Plan. All said units shall be constructed on site and integrated among all buildings and throughout the development so as to be indistinguishable from the exterior of the building.

For any multi-family development, the applicant shall be required to provide a minimum of 15 percent of the entire number of dwelling units for low and moderate income housing.

e. Applicability. The provisions of this section shall apply only to Block 31207, Lots 14 and 18.

1. These two lots have been included in this redevelopment plan as they are outlying property that do not meet the statutory requirements for redevelopment. The permitted uses for these properties are transportation uses and associated parking only."

SECTION 3. The Township Clerk is hereby directed to give notice at least ten days prior to hearing on the adoption of this Ordinance to the County Planning Board and to all other persons entitled thereto pursuant to N.J.S. 40:55D-15 and N.J.S. 40:55D-63 (if required). Upon the adoption of this Ordinance after public hearing thereon, the Township Clerk is further directed to publish notice of the passage thereof and to file a copy of the Ordinance as finally adopted with the Morris County Planning Board as required by N.J.S. 40:55D-16. The Clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Township Tax Assessor as required by N.J.S. 40:49-2.1.
SECTION 4. 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 5. 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 6. This Ordinance may be renumbered for purposes of codification.

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  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

Dated:____________________  ___________________________
             KATHRYN BOWDITCH-LEON, RMC
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 passed on Final Reading and that a Notice of Final Passage be published in the 05/23/2018 edition of The Citizen newspaper.

COUNCIL PRESIDENT: MOTION TO ADOPT
ROLL CALL ON ADOPTION

Dated: 05/15/2018
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 provide 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
Municipal Clerk

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
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 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:

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

Be passed on Final Reading and that a Notice of Final Passage be published in the 05/23/2018 edition of The Citizen newspaper.

COUNCIL PRESIDENT: MOTION TO ADOPT
ROLL CALL ON ADOPTION

Dated: 05/15/2018
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:

Mayor Thomas W. Andes
Township of Denville

APPROVED:

Kathryn Bowditch-Leon, RMC
Municipal Clerk

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
MOTION TO PASS ON FIRST READING

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

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 06-26-2018 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: 05-15-2018
ORDINANCE NO. 15-18

AN ORDINANCE OF THE TOWNSHIP OF DENVILLE, COUNTY OF MORRIS, AND STATE OF NEW JERSEY TO AMEND CHAPTER 19, LAND USE, TO IMPLEMENT SETTLEMENT AGREEMENTS WITH RAM ASSOCIATES AND GLENMONT COMMONS IN CONNECTION WITH THE TOWNSHIP'S AFFORDABLE HOUSING OBLIGATION

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 19, Land Use, Article 5, Zone Regulations, §19-5.5A, Zoning Map Amendments, is hereby amended and supplemented to include the following zone changes designated by block and lot:

<table>
<thead>
<tr>
<th>Block</th>
<th>Lot</th>
<th>Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>10002</td>
<td>3</td>
<td>T-5 Zone</td>
</tr>
<tr>
<td>40001</td>
<td>4</td>
<td>T-5 Zone</td>
</tr>
<tr>
<td>40203</td>
<td>1</td>
<td>T-5 Zone</td>
</tr>
<tr>
<td>10002</td>
<td>2</td>
<td>POS Zone</td>
</tr>
</tbody>
</table>

SECTION 2. Chapter 19, Land Use, Article 1, General Provisions, § 19.1.2, Definitions, is hereby amended and supplemented to incorporate the following changes:

1. Amend "Building Height" to read as follows:

"BUILDING HEIGHT"

The vertical distance from the mean finished grade (measured along the perimeter of the building, measured at a minimum of four (4) corners of the structure) of the ground adjoining the building to the highest point of the roof for flat or shed roofs, to the deck line for mansard roofs, and to the mean height between eaves and ridge for gable, hip, and gambrel roofs. In multifamily buildings, the building height shall be calculated for each vertical unit."

2. Delete the following definition in its entirety:

"HEIGHT OF BUILDING"

The vertical distance from the average ground elevation around the foundation to the level of the highest point of the roof surface."
3. Add the following definitions to be placed in alphabetical order with the existing definitions:

"INTERLOCKING DWELLINGS

A multiple story residential dwelling unit that shares vertical space within another residential dwelling unit."

"VERTICAL FLATS

At least two single story residential dwellings with direct and individualized access to the ground floor."

SECTION 3. Chapter 19, Land Use, Article 5, Zone Regulations, § 19-5.721, Yards, is hereby amended to establish new paragraph "c" to read as follows:

"c. Projections into yards. The following projections shall be permitted into required yards and shall not be considered in the determination of yard size or lot coverage:

Architectural features such as bay windows, cornices, eaves, window sills or other architectural features provided that said feature does not project more than twenty four (24) inches."

SECTION 4. Chapter 19, Land Use, Article 5, Zone Regulations, is hereby amended to establish a new § 19-5.2E, T-5 Multi-Family Zoning, to read as follows:

"19-5.25E. T-5 Multi-Family Zoning.

19-5.2501E. Principal permitted uses.

The following uses shall be principal permitted uses in the T-5 Zone:

a. Single family homes.
b. Townhouses.
c. Vertical Flats.
d. Interlocking dwellings.

19-5.2502E. Permitted accessory uses.

Any and all uses of land that are customarily, habitually, and by long practice, as established by reasonable association with, incidental and subordinate to the principal use of the property, including, but not limited to the following:

a. Decks.
b. Patios/Terraces.
c. Gate House/Guard Booth/Welcome Booth.
19-5.2503E. Bulk Standards.

a. For single-family residential development, the bulk standards found in the R-3 Zone shall apply.

b. For multifamily dwellings the following bulk standards shall apply:
   
   1. Minimum residential building setbacks from external property lines: 50 feet.
   
   2. Minimum accessory buildings from external property lines.
      a. From residential zoned land: 50 feet.
      b. From POS zoned land: 20 feet.

   3. Minimum front yard.
      a. 25 feet from any internal cartway.
      b. 8 feet from parking field.

      For the purpose of this section of the ordinance, the front of a multifamily building shall be defined as that portion of the structure that has access to the driveway and the rear shall be that portion of the structure that contains a patio/deck. Any other side of the building shall be a side.
      a. 25 feet between side and side.
b. 35 feet between rear and rear.

c. 40 feet between side and rear.

d. 60 feet between side and front.

e. 75 feet between front and rear.

f. 80 feet between front and front.

5. Minimum distance between residential building and retaining walls.

a. From the closest point of the structure (which includes decks): 14 ft.

b. From the closest wall of the dwelling unit: 3 vertical feet for each foot of wall height.

6. Allowable projections into yards or building envelope.

If no separate lots are created, architectural features such as bay windows, cornices, eaves, window sills, steps, overhangs, other building protrusions or architectural features, provided that said feature does not project more than 24 inches. Ramps designed in accordance with the Americans with Disabilities Act are not considered a building appurtenance and are not regulated by this section.

c. Coverage.

1. Maximum Building coverage: 25%.

2. Maximum Impervious coverage: 65%.

3. Minimum open space or landscaped areas: 25%.

a. In computing the open space requirement, common recreation areas accessory to the residential use and required buffer areas, environmentally sensitive lands and stormwater facilities shall be included.

b. Any open space as provided herein shall be owned and maintained by the homeowners association or condominium association in accordance with the provision of N.J.S.A. 40:55D-43.
d. Maximum Building Height.
   1. 3 ½ stories.
   2. 45 feet.

e. Maximum Units per building:
   1. Townhouses: 8 per building.
   2. Vertical flats / Interlocking Apartments: 12 per building.

f. Maximum Length of building: 190 feet.

g. Maximum Density: 5 Units per acre.

19-5.2504E. Design Standards.

a. Buildings shall have architectural features, finishes and patterns that provide visual interest.

b. The overall design of the project shall have a unified theme, displayed through the application of common building materials such as brick, cultured stone and wood.

c. Trash. Each dwelling unit must be designed so as to have a dedicated location for the interior storage of trash or designed in such a way that said trash shall be stored in a dedicated exterior storage facility. If there is no interior trash storage provided for, said external facility shall be constructed in such a way as to be a part of the building with no distinction between construction material, shall be designed for the trash of a single unit, and designed in such a way as to prevent wildlife from gaining access. In no instance shall trash be stored outside and in no case shall dumpsters be permitted.

d. Mailboxes. Mailboxes must be provided in either gang mailboxes or located in a club house, or other type of facility.

e. Lighting. The lighting requirements shall comport with § 19-5.731, Outdoor Lighting, of the Township of Denville's Zoning Ordinance.

f. Utility meters. All utility meters may be located in the interior of the building provided that said meters are located within a common area and not within an individual
dwelling unit. If utility meters are located on the exterior of a structure, landscaping must be provided in the vicinity to aid in the screening of said meters.

g. Air-conditioning units, emergency generators, or other sound producing equipment.
Any emergency generators, air-conditioning units, or other sound producing equipment must be adequately screened by either fencing or landscaping so as to reduce its impact to surrounding land uses.

h. Signage.
1. With the exception of street signs, traffic control signs, and building identification signs, there shall be a single development identification sign permitted. Said identification sign shall be a ground mounted monument sign, a freestanding sign or, if an accessory building is utilized for a guard booth/welcome booth, a wall sign may be permitted.

2. A proposed monument or freestanding sign shall be located on the property, but outside any required sight triangle area, and shall contain no more than 24 square feet per side and no more than two sides. A proposed monument or freestanding sign shall not exceed 3 feet in height from the base of the sign and may be externally lit.

3. A proposed wall sign may be permitted if a guard booth/welcome booth is proposed, or if a retaining wall is proposed, where said sign is incorporated into this accessory structure. This wall sign shall contain no more than 24 square feet and may be externally lit. No development identification may be permitted on any building that houses a dwelling unit, garage or club house.

i. Fences and walls. Fences, walls, and retaining walls shall be permitted provided that no fence or freestanding wall shall exceed 6 feet in height, unless located in the front yard between a principal building and any street or roadway, in which case no fence or freestanding wall shall exceed 4 feet in height. Retaining walls may exceed 6 feet in height, where the Approving Board finds that the additional wall height outweighs the
amount of disturbance a tiered or multiple-tiered wall would require. The Approving Board may, in appropriate situations, require such walls to provide landscaping to be planted in front of or atop such walls in order to reduce their visual impact. In no case shall a retaining wall exceed 8 feet in height. For the purpose of applying height limits, multiple, staggered or tiered walls, and/or wall/fence combinations shall be considered single units unless the horizontal distance between the top of any section or tier shall meet or exceed 5 feet.

j. **Access.**

1. If only one permanent point of access is proposed, an emergency access points must be provided through the use of grass pavers or other suitable methods or a boulevard access point must be utilized. If a second point of access is not available, no guard house or restricted access is permitted.

2. If gates or other methods of excluding the vehicular traffic are proposed, the application must provide adequate provisions for emergency vehicles as well as turnaround provisions for visitors who have been refused entry.

19-5.2505E. **Buffer Areas.**

a. The applicant shall provide and maintain a landscaped buffer area within the T-5 Townhouse Zone which shall be no less than 25 feet in width from all exterior lot lines of the tract. Where said buffer abuts land in the POS zone or another inclusionary development site, said buffer can be reduced to a minimum of 20 feet. When natural vegetation within the buffer is sparse or non-existent, the landowner shall be required to provide a year-round visual screen as determined by the Planning Board.

b. No use or structure, including parking or loading areas but excluding fences, retaining walls, detention, retention and drainage facilities and utility structures, shall be permitted within the required buffer area.

c. Regrading within the buffer area. Every effort shall be made to minimize the amount of regrading within the buffer area.
19-5.2506E. Steep Slope Disturbance.

a. The Maximum Permitted Disturbance of Slope Areas as defined in § 19-5.729.f.1 shall be modified to allow for the following:

<table>
<thead>
<tr>
<th>Slope</th>
<th>Maximum Permitted Disturbance of Slope Area (Entire Lot(s))</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 15%</td>
<td>100%</td>
</tr>
<tr>
<td>15% to 19.9%</td>
<td>50%</td>
</tr>
<tr>
<td>20% to 24.9%</td>
<td>25%</td>
</tr>
<tr>
<td>25% to 29.9%</td>
<td>10%</td>
</tr>
<tr>
<td>30% or more</td>
<td>0%</td>
</tr>
</tbody>
</table>

The column entitled “Permitted Development Activity” from the table in § 19-5.729.f.1 is not included in, and is not applicable to, this Section because this Section regulates all development activities equally per slope classification.

b. Should the applicant prove that it is not possible to achieve the maximum density (or 120 units whichever is achieved first) on the subject property without receiving a variance from this section of the ordinance, the approving board shall grant, as minimally invasive as possible, variances to achieve the maximum density. This relaxation of standards shall only be available for a maximum of 65 percent of the subject property or properties. Any further variance request for incursion into steeply sloping lands must follow the traditional variance procedures afforded by the Municipal Land Use Law.

19-5.2507E. Circulation, parking, utilities, planning and staging.

a. Street requirements. The requirements of N.J.A.C. 5:21 et seq. (Residential Site Improvement Standards) shall govern the design of streets unless a de minimus exception from such requirements is approved by the Board.

b. Off-street parking requirements.
1. Parking spaces shall be provided for each dwelling unit in accordance with N.J.A.C. 5:21 (Residential Site Improvement Standards).

2. Each townhouse dwelling unit shall include one garaged parking space which is assigned to said unit.

3. Each pair of affordable interlocking dwelling unit shall include one garaged parking space which is assigned to one of the two affordable housing units. A surface parking space shall be dedicated and assigned to the remaining affordable housing unit from the interlocking pair.

4. Parking for handicapped persons shall be provided as required by state and federal law.

5. All parking shall be adequately landscaped, lighted and conveniently located relative to the housing to be served. Under no circumstances shall parking be more than 300 feet from the housing to be served.

c. Utility improvements.

1. All developments shall be served by public water and public sanitary sewerage systems.

2. All utility improvements shall be located within a street right of way or within a utility easement, including storm drainage systems, sanitary sewerage collection and disposal systems and water supply and distribution systems, and shall be subject to review and approval by the Township in accordance with the standards and procedures established at N.J.A.C. 5-21 et seq. (Residential Site Improvement Standards) and subject to review and approval by the New Jersey Department of Environmental Protection as well as appropriate county and other state agencies, where applicable. Water supply and sanitary sewer collection and distribution facilities shall also be subject to review and approval by the Township Engineer and Fire Department and the Denville Water and Sewer Department.
3. Electric, gas and telephone service shall be provided by the developer in concert with the appropriate public utilities providing such service. Said service shall be provided as part of an underground system and shall be located within a street right of way or within a utility easement. If such underground facilities cannot reasonably be provided throughout the development due to topographic or geological conditions of the land or due to technical circumstances, and if the landowner shall adequately demonstrate the lack of feasibility of such undertaking, an exception to this requirement may be granted by the Planning Board.

d. Emergency facilities. All housing developed within the T-5 Townhouse Zone shall be suitably designed to facilitate emergency access by police, fire fighting and ambulance service vehicles.

e. Sidewalks. Sidewalks shall be provided within the development in accordance with the RSIS except that the Planning Board, in its reasonable discretion, may approve the substitution of pedestrian walkways not paralleling streets where appropriate.

19-5.2508E. Applicability.

To the extent that any provisions found in § 19-26 are found to be inconsistent with this Ordinance, the provisions of this Ordinance shall govern.

19-5.2509E. Affordable Housing Requirements.

a. Development must provide affordable housing consistent with the requirements of the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301 et seq. ("FHA"); applicable regulations of the New Jersey Council on Affordable Housing ("COAH"); applicable requirements of the courts of the State of New Jersey; and all applicable regulations on affordability controls and other regulations of the New Jersey Housing and Mortgage Finance Agency ("NJHMFA") including, without limitation, the Uniform Housing Affordability Controls, N.J.A.C. 5:80-26.1 et seq. ("UHAC").
b. All said affordable units shall be constructed on site and integrated among buildings throughout the development so that such buildings contain a mix of affordable and market rate units. Affordable units shall also be constructed to be indistinguishable from market rate units from the exterior of the building.

c. Twenty percent (20%) of all for sale residential units developed with the T-5 Townhouse Zone shall be reserved for occupancy by very low income, low income and moderate households.

d. Fifteen percent (15%) of all rental residential units developed with the T-5 Townhouse Zone shall be reserved for occupancy by very low income, low income and moderate households (hereinafter “Affordable Units”)

e. At least 50% of the affordable units will be available to very low income and low income households and the remainder of which will be available to moderate income households as defined in the FHA and UHAC and other applicable statutes and regulations. A minimum of 13% of the affordable units will be made available to very low income households, defined as households earning 30% or less of the regional median income by household size.

f. Bedroom distribution:

1. In any multifamily development there shall be the following distribution of bedrooms in affordable units:

   a. One bedroom: a maximum of 20% of the affordable units.

   b. Three bedrooms: a minimum of 20% of the affordable units.

   c. Two bedrooms: the balance of the affordable units.

   g. The phasing applicable to the affordable units shall follow regulations established at N.J.A.C. 5:93-5.6(d).

SECTION 5. The Township Clerk is hereby directed to give notice at least ten days prior to hearing on the adoption of this Ordinance to the County Planning Board and to all other persons entitled thereto pursuant to N.J.S.A. 40:55D-15 and N.J.S.A. 40:55D-63 (if required).
Upon the adoption of this Ordinance after public hearing thereon, the Township Clerk is further directed to publish notice of the passage thereof and to file a copy of the Ordinance as finally adopted with the Morris County Planning Board as required by N.J.S.A. 40:55D-16. The Clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Township Tax Assessor as required by N.J.S.A. 40:49-2.1.

SECTION 6. 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 7. 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 8. This Ordinance may be renumbered for purposes of codification.

SECTION 9. 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 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

Dated Kathryn Bowditch-Leon, RMC

Kathryn Bowditch-Leon, RMC
ORDINANCE NO. 16-18

BE IT RESOLVED that an Ordinance entitled:
An Ordinance of the Township of Denville, County of Morris, State of New Jersey to Amend Chapter 13, Removal of Trees, in Connection with the Township’s Affordable Housing Obligation

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 Chapter 13, Removal of Trees, in Connection with the Township’s Affordable Housing Obligation

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 06-26-2018 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: 05-15-2018
ORDINANCE NO. 16-18

AN ORDINANCE OF THE TOWNSHIP OF DENVILLE, COUNTY OF MORRIS, AND STATE OF NEW JERSEY TO AMEND CHAPTER 13, REMOVAL OF TREES, IN CONNECTION WITH THE TOWNSHIP'S AFFORDABLE HOUSING OBLIGATION

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 13, Removal of Trees, §13-3, Definitions, is hereby amended and supplemented to add the following definition, to be placed in alphabetical order with the existing definitions:

"AVERAGE WOODED ACRE"

The average wooded acre at a site, which shall be determined as follows:

a. A selective inventory, by size and species, of all trees having a DBH (Diameter at Breast Height) of four inches or greater shall be conducted using a minimum of one-tenth-acre plots (66 feet by 66 feet), which shall be staked or visibly marked to allow for inspection.

b. The location of the inventory plots shall be determined by the applicant, subject to approval, by using a grid overlay drawn to the same scale as the site plan submitted with the application.

c. A representative five percent of the wooded acres proposed to be cleared shall be inventoried."

SECTION 2. Chapter 13, Removal of Trees, § 13-5.2, Contents of application, paragraph "f" is hereby amended to read as follows:

"f. For lots under 10 Acres: Number of trees to be removed, and the species and approximate size of each such tree.

For lots equal to or greater than 10 acres: Either a tree inventory or an average wooded acre inventory shall be submitted."

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 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 5. 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.

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

Dated ___________________________ Kathryn Bowditch-Leon, RMC

ATTEST:
Kathryn Bowditch-Leon, RMC
Municipal Clerk

APPROVED:
Mayor Thomas W. Andes
Township of Denville

BY ORDER OF THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF DENVILLE
RESOLUTION AUTHORIZING THE AWARD OF A FIVE-YEAR LICENSE TO CONDUCT AGRICULTURAL ACTIVITY ON KNUTH FARM TO JEFFREY O'HARA

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, suites, 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 conferred 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 event 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 this 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>The 11th Hour Animal Rescue, Inc.</td>
<td>On Premise 50/50</td>
<td>6/11/2018</td>
</tr>
<tr>
<td>PTO Morris Cty School of Technology</td>
<td>On Premise 50/50</td>
<td>6/9/2018</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 , 2018.

Certification Date: ________________________________

Kathryn Bowditch-Leon, RMC
Municipal Clerk
WHEREAS, the Township of Denville awarded the contract for the Broadway Streetscape Improvement Project to Zuccaro, Inc. on February 2, 2016 by the adoption of Resolution R-16-58 for a total contract amount of $876,109.00; and

WHEREAS, after award of contract, the NJ Department of Transportation found a calculation error in the Schedule of Bid Items in Zuccaro, Inc.'s bid proposal received December 16, 2015, which necessitated the contract price being increased by $2,232.00 to $878,341.00; and

WHEREAS, the NJ Department of Transportation approved the award amount not to exceed $878,341.00 with a completion date of September 30, 2016; and

WHEREAS, Zuccaro, Inc. requested an extension of time to complete the work and Township Engineer, John Ruschke, P.E. of Mott MacDonald, granted a fifty-six (56) day extension to the contract through November 25, 2016; and

WHEREAS, the project was finally completed on January 19, 2017 and all final contract quantities were measured and calculated at that time; and

WHEREAS, Township Engineer, John Ruschke, has prepared Change Order No. 1 (Final Change Order) to decrease the revised total contract amount by $71,356.45 which includes adjustments due to the actual final contract quantities, liquidated damages due to Zuccaro's failure to complete the project within the contract time line, and a deficiency in Zuccaro's Disadvantaged Business Enterprises (DBE) goal; and

WHEREAS, upon the recommendation of the Township Engineer, the Township has accepted and approved the improvements as complete and final.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Denville as follows:

1. The adjustment of the contract amount by $2,232.00 from $879,109.00 to $878,341.00 due to the error in the proposal is hereby authorized, ratified and confirmed.

2. The fifty-six (56) day extension of time to complete the contract is hereby authorized, ratified and confirmed.

3. Change Order No. 1 (Final Change Order) which decreases the adjusted contract amount by $71,356.45 to $806,984.55 as a result of final contract quantities, liquidated damages, and a Disadvantaged Business Enterprises (DBE) goal deficiency is hereby approved.

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 , 2018
NEW JERSEY DEPARTMENT OF TRANSPORTATION
DIVISION OF LOCAL AID & ECONOMIC DEVELOPMENT
FEDERAL AID CHANGE ORDER

Project: Broadway Phase I & II Streetscape Improvement Project
Federal Project No.: STP-C005(625)
Contractor: Zuccaro, Inc.

You are hereby directed to implement the following changes in accordance with the provisions of the specifications for this contract.

Nature and reason of order:
Final contract quantities and imposing liquidated damages for project delay and penalty for DBE Goal deficiency. See attached spreadsheet for breakdown.

☑ Extension  ☐ Reduction  of time recommended this order

<table>
<thead>
<tr>
<th>CONTRACT AMOUNT</th>
<th>ROAD</th>
<th>BRIDGE</th>
<th>TOTAL</th>
</tr>
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<tbody>
<tr>
<td>Amount of original contract</td>
<td>$878,341.00</td>
<td>$0.00</td>
<td>$878,341.00</td>
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<tr>
<td>Adjusted amount based on order No. 1</td>
<td>$806,984.55</td>
<td>$0.00</td>
<td>$806,984.55</td>
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</table>

<table>
<thead>
<tr>
<th>ORDER NO. 1</th>
<th>☑ Road</th>
<th>☐ Bridge</th>
<th>☐ Other</th>
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<tr>
<td>New Work</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>Increases</td>
<td>$25,492.58</td>
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<td>$25,492.58</td>
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<tr>
<td>Decreases</td>
<td>$(56,849.03)</td>
<td>$0.00</td>
<td>$(56,849.03)</td>
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<tr>
<td>Total</td>
<td>$(71,356.45)</td>
<td>$0.00</td>
<td>$(71,356.45)</td>
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</tbody>
</table>

Recommended: 3/13/18
County / Municipal / Sponsor's Engineer
Name: Steven Title: Township Engineer

Approved: 3/13/18
Presiding Officer
Name: Steven Title: Township Administrator

Contractor's Authorized Signature
Name: Angelica Scaduto

☑ Unprotested
☐ Protested by letter dated ______ attached.

Manager, District _____, Local Aid
Name: ____________________

Date
**NEW JERSEY DEPARTMENT OF TRANSPORTATION**  
**DIVISION OF LOCAL AID & ECONOMIC DEVELOPMENT**  
**FEDERAL AID CHANGE ORDER**

<table>
<thead>
<tr>
<th>Project</th>
<th>Broadway Phase I &amp; II Streetscape Improvement Project</th>
</tr>
</thead>
<tbody>
<tr>
<td>Federal Project No.</td>
<td>STP-C005(625)</td>
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<tr>
<td>Contractor</td>
<td>Zuccaro, Inc.</td>
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</table>

**QUANTITY**  
[+ Increase "or" - Decrease "or" New Work]  

<table>
<thead>
<tr>
<th>ITEM NO.</th>
<th>DESCRIPTION</th>
<th>QUANTITY [+ Increase &quot;or&quot; - Decrease &quot;or&quot; New Work]</th>
<th>UNIT</th>
<th>UNIT PRICE</th>
<th>AMOUNT</th>
</tr>
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<tbody>
<tr>
<td></td>
<td><em>SEE ATTACHED SPREADSHEET</em></td>
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</tbody>
</table>

| Amount of Original Contract | $878,341.00 |
| Adjusted Amount Based on Change Order No. 1 & 2 | $806,984.55 |
| Total Change (+ or -) | $-71,356.45 |
| % Change in Contract [(+ Increase or (-) Decrease)] | -8.12 % |
# Broadway Streetscape Improvement

**PROJECT:** Broadway Streetscape Improvement  
**PHASE 1 & 2**  
**FEDERAL PROJECT # STP-005(625)**

**CONTRACTOR:** Zuccaro Inc  
**OWNER:** Township of Danville  
**CONTRACT DATE:** June 1, 2016

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<tr>
<th>ITEM</th>
<th>DESCRIPTION</th>
<th>UNITS</th>
<th>AS BID</th>
<th>AS BUILT</th>
<th>UNIT PRICE</th>
<th>FINAL COST</th>
<th>SUPPLEMENTAL</th>
<th>REDUCTION</th>
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<td>1</td>
<td>Traffic Curb</td>
<td>Units</td>
<td>110</td>
<td>93.00</td>
<td>$10.00</td>
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<td>2</td>
<td>Drain</td>
<td>Units</td>
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<td>$125.00</td>
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<td>Construction Signs</td>
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<td>4</td>
<td>Breakaway Barricade</td>
<td>Units</td>
<td>6</td>
<td>4.00</td>
<td>$10.00</td>
<td>$60.00</td>
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<tr>
<td>6</td>
<td>Hot Mix Asphalt 9.5M64 Surface Course</td>
<td>Ton</td>
<td>1</td>
<td>4.00</td>
<td>$15.00</td>
<td>$60.00</td>
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<tr>
<td>7</td>
<td>Hot Mix Asphalt 19M64 Base Course</td>
<td>Ton</td>
<td>157</td>
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<td>$20.00</td>
<td>$3,140.00</td>
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<td>8</td>
<td>Base Graded Aggregate Base Course, 6&quot; Thick</td>
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<td>644</td>
<td>403.77</td>
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<td>$7,744.00</td>
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<td>$3,840.00</td>
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<td>9</td>
<td>Inlet, Type B, Retaining Casing</td>
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<td>$750.00</td>
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<td>10</td>
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<td>S.Y.</td>
<td>14</td>
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<td>$5,518.08</td>
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<td>Miscellaneous Concrete (Concrete Ensamble)</td>
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<tr>
<td>13a</td>
<td>Reset Detectable Warning Barriers</td>
<td>Units</td>
<td>17</td>
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<tr>
<td>14a</td>
<td>Detectable Warning Surface (If and Where Directed)</td>
<td>Units</td>
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<td>$220.00</td>
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<td>14b</td>
<td>6&quot; x 18&quot; Concrete Vertical Curb</td>
<td>L.F.</td>
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<td>26.00</td>
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<td>15b</td>
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<td>17</td>
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<td>14</td>
<td>14.00</td>
<td>$4,000.00</td>
<td>$56,000.00</td>
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<td>26</td>
<td>Street Light, Type B</td>
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<td>25</td>
<td>35.00</td>
<td>$5,000.00</td>
<td>$130,000.00</td>
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<td>27</td>
<td>Landscape Light</td>
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<td>1.00</td>
<td>$5,500.00</td>
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<tr>
<td>28a</td>
<td>Reflective Signs, &quot;U&quot; Post Supports</td>
<td>S.F.</td>
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<td>54.10</td>
<td>$15.00</td>
<td>$817.50</td>
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<tr>
<td>29a</td>
<td>Breakaway Steel &quot;U&quot; Post Supports</td>
<td>S.F.</td>
<td>50</td>
<td>155.80</td>
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<td>30</td>
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<td>L.F.</td>
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<td>31</td>
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<td>32</td>
<td>Multiple Lighting Wire, No. 1 AWG</td>
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<td>33</td>
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<td>36</td>
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<tr>
<td>37</td>
<td>Multiple Lighting Wire, No. 8 AWG</td>
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<td>3320.00</td>
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<td>$6,640.00</td>
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<tr>
<td>38a</td>
<td>Surfacing and Resurfacing Existing Paver Sidewalk</td>
<td>S.Y.</td>
<td>20</td>
<td>65.00</td>
<td>$100.00</td>
<td>$6,500.00</td>
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<td>$1,450.00</td>
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<tr>
<td>39a</td>
<td>Snowman, Receiver, &amp; Replace Existing Concrete Curb (4&quot; Med)</td>
<td>S.F.</td>
<td>20</td>
<td>9.00</td>
<td>$100.00</td>
<td>$1,800.00</td>
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</table>

**Original Contract Amount: $178,341.00**  
**Total Supplemental Cost: $23,492.58**  
**Total Reduced Cost: ($79,854.17)**  
**Total Liquidated Damages Imposed ($3,575,668.82)**  
**DIH (Deficiency): ($2,512,390)**  
**Final Contract Amount: $86,964.55**
RESOLUTION AUTHORIZING ACCEPTANCE OF GRANT FOR 2018 CLICK IT OR TICKET STATEWIDE SEAT BELT MOBILIZATION GRANT PURSUANT TO THE N.J. DIVISION OF HIGHWAY TRAFFIC SAFETY FROM 05-21-2018 THROUGH 06-03-2018

WHEREAS, the State of New Jersey, Division of Highway Safety ("State") provides grants to nonprofit organizations for assistance in the acquisition of funds for implementation of an enforcement campaign for seat belt use compliance; and

WHEREAS, the Township of Denville desires to further the public interest by obtaining a grant of $5,500.00 from the State to fund the 2018 CLICK IT OR TICKET STATEWIDE SEAT BELT MOBILIZATION GRANT; and

WHEREAS, the Traffic Task Force of the Denville Police Department has made application for a $5,500.00 grant from the State of New Jersey, Division of Highway Safety for a SEAT BELT ENFORCEMENT PROJECT, MAY 21 THROUGH JUNE 3, 2018; and

WHEREAS, the State has determined the application is complete and in conformance with the scope and intent of the grant program and has awarded the grant for an amount not to exceed $5,500.00; and

WHEREAS, the applicant is willing to use the State’s funds in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the State for the above-named project.

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. The Township hereby accepts the 2018 CLICK IT OR TICKET STATEWIDE SEAT BELT MOBILIZATION GRANT for an amount not to exceed $5,500.00.
2. The Traffic Task Force of the Denville Police Department shall provide additional application information and furnish such documents as may be required.
3. The Traffic Task Force of the Denville Police Department shall act as the authorized correspondent of the Township relative to this project.
4. The applicant agrees to comply with all applicable laws, rules and regulations in its performance of the project.
5. This Resolution shall take effect immediately.

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 , 2018.

Certification Date

Kathryn Bowditch-Leon, RMC Municipal Clerk
RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION PURSUANT TO N.J.S.A. 40A:4-87

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for an equal amount.

NOW, THEREFORE, BE IT RESOLVED that the Municipal Council of the Township of Denville, in the County of Morris, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2018 in the sum of $5,500.00, which is now available from NJ Division of Highway Traffic Safety Click it or Ticket in the amount of $5,500.00.

BE IT FURTHER RESOLVED that the like sum of $5,500.00 is hereby appropriated under the caption Click it or Ticket.

BE IT FURTHER RESOLVED that one (1) copy of the Chapter 159 certification and approval form be forwarded to the Director of Local Government Services by electronic filing.

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 ACCEPTANCE OF THE 2018 SUSTAINABLE JERSEY PSEG GRANT

WHEREAS, the Sustainable Jersey Grants Program funded by PSEG Foundation awarded a Green Team grant to the Township of Denville ("Township"); and

WHEREAS, the Township desires to accept this grant in the amount of $2,000.00 from the Sustainable Jersey Grants Program to fund age appropriate environmental seminars; and

WHEREAS, Sustainable Jersey has determined the application is complete and in conformance with the scope and intent of the grant program and has notified the Township of the amount of the funding award; and

WHEREAS, the Township is willing to use the Sustainable Jersey grant funds in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with Sustainable Jersey for the above-named grant program.

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. The Township agrees to comply with all applicable laws, rules and regulations in its performance of the program.
2. This Resolution shall take effect immediately.

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
RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION PURSUANT TO N.J.S.A. 40A:4-87

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for an equal amount.

NOW, THEREFORE, BE IT RESOLVED that the Municipal Council of the Township of Denville, in the County of Morris, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2018 in the sum of $2,000.00, which is now available from NJ Sustainable Jersey PSEG Grant in the amount of $2,000.00.

BE IT FURTHER RESOLVED that the like sum of $2,000.00 is hereby appropriated under the caption Sustainable Jersey.

BE IT FURTHER RESOLVED that one (1) copy of the Chapter 159 certification and approval form be forwarded to the Director of Local Government Services by electronic filing.

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 REFUND
OF RECREATION DEPARTMENT FEES

WHEREAS, certain residents of the Township of Denville have paid program fees to the Recreation Department; and

WHEREAS, these residents did not avail themselves of the program for which said fees were paid.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Denville that refunds, in the amounts designated in this resolution, are authorized to be issued to the residents named in said resolution as follows:

<table>
<thead>
<tr>
<th>NAME</th>
<th>REFUND AMOUNT</th>
<th>PROGRAM</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alice Pinto</td>
<td>$285.00</td>
<td>Summer Plus 2018 – Grade 5 Week 7</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Summer Plus 2018 – Grade 2 Week 7</td>
</tr>
<tr>
<td>Kim Wolfe</td>
<td>$310.00</td>
<td>Teen Trip Camp 2018 – Week 3</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Summer Plus 2018 – Grade 2 Week 4 (Partial Payment)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Summer Plus 2018 – Grade 2 Week 5 (Partial Payment)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Summer Plus 2018 – Trip Week 5 (Partial Payment)</td>
</tr>
<tr>
<td>Ambika Babu</td>
<td>$92.00</td>
<td></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

Certification Date: ___________________________  Kathryn Bowditch-Leon, RMC
Municipal Clerk
WHEREAS, the Township of Denville wishes to purchase one (1) 2018 Police Interceptor Utility all-wheel drive vehicle detailed on a quote for the Fire Official; and

WHEREAS, said vehicle can be purchased from Winner Ford, 250 Berlin Road, Cherry Hill, New Jersey 08034, through State Contract No. A88728; and

WHEREAS, the maximum amount of the contract is $26,222.00 in accordance with the attached quotation; and

WHEREAS, public bids are not required when the purchase is made through a state contract in accordance with N.J.S.A. 40A:11-12 of the Local Public Contracts Law; and

WHEREAS, the Chief Financial Officer of the Township of Denville has certified in certification #18-26, which is annexed hereto and made a part hereof, that this contract will be charged to the following budget appropriation and that adequate funds are available under the following line item account:

04-216-55-575-905 $26,222.00

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 contract for the purchase of one (1) 2018 Police Interceptor Utility all-wheel drive vehicle for the Fire Official is hereby awarded to Winner Ford, in accordance with the terms and conditions contained in State Contract No. A88728, and the Mayor and Municipal Clerk are hereby authorized to execute same.

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 , 2018.

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 04/23/18

Winner Ford
250 Berlin Road
Cherry Hill, New Jersey 08034
Name and Address of Contractor

2018 Police Interceptor Utility all-wheel drive vehicle  $26,222.00
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>04-216-55-575-905</td>
<td>$26,222.00</td>
<td>$26,222.00</td>
</tr>
</tbody>
</table>

Total $26,222.00

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):

| 04-216-55-575-905 | $26,222.00 |

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

CERT18-26

Michael J Guarino
Chief Financial Officer

Date 04/23/18
2018 Police Interceptor Utility, All Wheel Drive 25527.00

Base Vehicle
- 3.7L V6 Engine
- 6 Speed Auto Transmission
- Heavy Duty Rubber Floor
- Cloth Front Bucket/Vinyl Rear Seat
- Power Windows/Locks/Mirrors
- Air Conditioning
- AM/FM Stereo
- Tilt Steering
- Rear Window Defroster

53M SYNC 295.00
55F Remote keyless Entry 340.00
549 Power Heated Mirrors 60.00

Total 26222.00

250 Berlin Road  Cherry Hill, NJ 08034
WHEREAS, the Township of Denville wishes to purchase a Ford F350 Super Cab gas 4x4 pick-up truck detailed on a quote for the Department of Public Works; and

WHEREAS, said vehicle can be purchased from DFFLM, LLC, 215 US Highway 202, Flemington, NJ 08822 through Morris County Cooperative Pricing Council Contract No. 15-C; and

WHEREAS, public bids are not required when the purchase is made through an authorized State of New Jersey approved cooperative contract in accordance with N.J.S.A. 40A:11-10 of the Local Public Contracts Law; and

WHEREAS, the maximum amount of the contract is $31,813.75 in accordance with the attached quotation; and

WHEREAS, the Chief Financial Officer of the Township of Denville has certified in certification #18-27, which is annexed hereto and made a part hereof, that this contract will be charged to the following budget appropriation and that adequate funds are available under the following line item account:

04-216-55-574-926 $31,813.75

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 contract for the purchase of one (1) 2018 Ford F350 Super Cab gas 4x4 pick-up truck for the Department of Public Works is hereby awarded to DFFLM, LLC., in accordance with the terms and conditions contained in Morris County Cooperative Pricing Council Contract No. 15-C, and the Mayor and Municipal Clerk are hereby authorized to execute same.

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 ___, 2018.
Certification # 18-27

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 04/23/18

DFFLM, LLC
215 US Highway 202
Flamington, NJ 08822
Name and Address of Contractor

Ford F350 Super Cab gas 4x4 pick-up truck DPW  $31,813.75
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.</th>
<th>ACCT.</th>
<th>ORD.</th>
<th>General Cap</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>04-216-55-574-926</td>
<td>$31,813.75</td>
<td>$31,813.75</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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):

| 04-216-55-574-926 | $31,813.75 |

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

CERT18-27
SUMMARY

CUSTOMER

DENVILLE

2018 FORD F350 SUPER CAB GAS 4X4 PICK UP
MCCPC - CONTRACT #15-C, ITEM #12

STANDARD EQUIPMENT

- **Powertrain**
  - 6.2L SOHC 16 valve V-8
  - 6 speed automatic transmission
  - Fuel Tank Capacity: 34 gal.

- **Suspension/Handling**
  - Front Mono-beam non-independent suspension
  - Rear rigid axle leaf suspension with HD shocks
  - Hydraulic power-assist steering
  - Front and rear 17" x 7.5" argent steel wheels
  - LT245/75R17 BSW AS front and rear tires

- **Body Exterior**
  - 2 doors
  - Black door mirrors
  - Black bumpers - rear step bumper
  - Trailer sway control
  - Roof Clearance Lights

- **Convenience**
  - Manual air conditioning
  - Manual tilt steering wheel
  - Manual telescopic steering wheel
  - Day-night rearview mirror
  - Front cupholders
  - Passenger visor vanity mirror
  - Uplifter Switches

- **Seats and Trim**
  - Seating capacity of 5
  - Front 40-20-40 vinyl split-bench seat

- **Entertainment Features**
  - 4-way driver seat adjustment
  - Manual driver lumbar support
  - 4-way passenger seat adjustment
  - Center front armrest with storage
  - AM/FM stereo radio with 2 speakers
  - Fixed antenna
  - Halogen aero-composite headlights
  - Variable intermittent front windshield wipers
  - Front reading lights
  - Tachometer and Oil pressure gauge
  - Outside temperature display
  - Low tire pressure warning
  - Trip odometer

- **Safety and Security**
  - 4-wheel ABS brakes
  - Brake assist
  - 4-wheel disc brakes
  - AdvanceTrac w/Roll Stability Control
  - Dual front impact airbags
  - Dual seat mounted side impact airbags
  - Manually adjustable front head restraints

ADDITIONAL CONTRACT OPTIONS - Commerially applied Rustproof & Undercoating, Vinyl Floor Liners and access to manufacturer's online Factory Tech Support (shop, service, wiring, electrical, engine diagnostic manuals and Technical Service Bulletins) where applicable.

Base Price $ 30,365.00
**Factory Options**

<table>
<thead>
<tr>
<th>Code</th>
<th>Option Description</th>
<th>Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>512</td>
<td>Spare Tire, Jack and Wheel</td>
<td>$295.00</td>
</tr>
<tr>
<td>18B</td>
<td>Factory Installed Running Boards</td>
<td>Included</td>
</tr>
<tr>
<td>473</td>
<td>Snow Plow Package</td>
<td>Included</td>
</tr>
<tr>
<td>76C</td>
<td>Exterior Back-up Chime</td>
<td>Included</td>
</tr>
<tr>
<td>90L</td>
<td>Power Equip Group on XL</td>
<td>Included</td>
</tr>
<tr>
<td>52B</td>
<td>Trailer Brake Controller</td>
<td>Included</td>
</tr>
<tr>
<td>61S/62S</td>
<td>Splash Guards - Front &amp; Rear</td>
<td>$300.00</td>
</tr>
<tr>
<td>592</td>
<td>Roof Clearance Lights</td>
<td>Included</td>
</tr>
<tr>
<td>66S</td>
<td>Upfilter Switches</td>
<td>Included</td>
</tr>
<tr>
<td>67D</td>
<td>Extra HD Alternator</td>
<td>Included</td>
</tr>
<tr>
<td>85S</td>
<td>Factory applied Tough Bed Spray In Bedliner</td>
<td>$75.00</td>
</tr>
<tr>
<td>66D</td>
<td>Pick Up Bed Delete</td>
<td>$500.00</td>
</tr>
<tr>
<td>X3E</td>
<td>Limited Slip Rear Axle, 3.73</td>
<td>$390.00</td>
</tr>
<tr>
<td>TBM</td>
<td>LT245/75Rx17E BSW All Terrain Tires</td>
<td>$165.00</td>
</tr>
<tr>
<td>1S</td>
<td>Cloth 40/Console/40 Seat</td>
<td>$515.00</td>
</tr>
<tr>
<td>21M</td>
<td>Manual Locking Hubs</td>
<td>Included</td>
</tr>
<tr>
<td>76S</td>
<td>Remote Start System</td>
<td>Included</td>
</tr>
<tr>
<td>91M</td>
<td>SYNC System</td>
<td>Included</td>
</tr>
<tr>
<td>164&quot; WB</td>
<td>8' Bed</td>
<td>$200.00</td>
</tr>
<tr>
<td></td>
<td>MCCPC Contract Discount - 5%</td>
<td>$78.25</td>
</tr>
</tbody>
</table>

Options Total $1,448.75

Total Price with Options $31,813.75

Exterior Paint Color will be Blue Jeans
Interior Trim will be Medium Earth Gray

Date 2/8/2018

Quote is good for 60 Days
Please sign here to accept

Order Cut-Off Date is 3/2/2018 for the 2018 Model Year. All orders must be received before this date.
RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR THE PURCHASE OF A
FORD F350 SUPER CAB GAS 4X4 PICK-UP TRUCK FOR THE POLICE DEPARTMENT IN
ACCORDANCE WITH MORRIS COUNTY COOPERATIVE PRICING COUNCIL CONTRACT
NO. 15-C

WHEREAS, the Township of Denville wishes to purchase a Ford F350 Super Cab gas
4x4 pick-up truck detailed on a quote for the Police Department; and

WHEREAS, said vehicle can be purchased from DFFLM, LLC, 215 US Highway 202,
Flemington, NJ 08822 through Morris County Cooperative Pricing Council Contract No. 15-C; and

WHEREAS, public bids are not required when the purchase is made through an
authorized State of New Jersey approved cooperative contract in accordance with N.J.S.A.
40A:11-10 of the Local Public Contracts Law; and

WHEREAS, the maximum amount of the contract is $30,759.25 in accordance with the
attached quotation; and

WHEREAS, the Chief Financial Officer of the Township of Denville has certified in
certification #18-28, which is annexed hereto and made a part hereof, that this contract will be
charged to the following budget appropriation and that adequate funds are available under the
following line item account:

04-216-55-574-923 $30,759.25

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 contract for the purchase of one
(1) 2018 Ford F350 Super Cab gas 4x4 pick-up truck for the Police Department is hereby awarded
to DFFLM, LLC., in accordance with the terms and conditions contained in Morris County
Cooperative Pricing Council Contract No. 15-C, and the Mayor and Municipal Clerk are hereby
authorized to execute same.

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 , 2018.

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 04/23/18

DFFLM, LLC
215 US Highway 202
Flemington, NJ 08822
Name and Address of Contractor

Ford F350 Super Cab gas 4x4 pick-up truck Police

Name of Description of Pending contract

$30,759.25

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>General Cap</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>04-216-55-574-923</td>
<td>$30,759.25</td>
<td>$30,759.25</td>
</tr>
</tbody>
</table>

TOTAL $30,759.25

Signed: ____________________________
Department or Division Head

PLEASE ATTACH A COPY OF PROPOSED CONTRACT

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

04-216-55-574-923 $30,759.25

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

CERT18-28

Michael J Guarino
Chief Financial Officer

04/23/18
Base Price $30,365.00

**ADDITIONAL CONTRACT OPTIONS** - Commercially applied Rustproof & Undercoating, Vinyl Floor Liners and access to manufacturer’s online Factory Tech Support (shop, service, wiring, electrical, engine diagnostic manuals and Technical Service Bulletins) where applicable.

2018 FORD F350 SUPER CAB GAS 4X4 PICK UP
MCCPC - CONTRACT #15-C, ITEM #12

**STANDARD EQUIPMENT**

**Powertrain**
- 6.2L SOHC 16 valve V-8
- 6 speed automatic transmission

**Fuel Tank Capacity:** 34 gal.

**Suspension/Handling**
- Front Mono-beam non-independent suspension
- Rear rigid axle leaf suspension with HD shocks
- Hydraulic power-assist steering
- Front and rear 17" x 7.5" argent steel wheels
- LT245/75SR17 BSW AS front and rear tires

**Body Exterior**
- 2 doors
- Black door mirrors
- Black bumpers - rear step bumper
- Trailer sway control
- Roof Clearance Lights

**Convenience**
- Manual air conditioning
- Manual tilt steering wheel
- Manual telescopic steering wheel
- Day-night rearview mirror
- Front cupholders
- Passenger visor vanity mirror

**Upfitter Switches**

**Seats and Trim**
- Seating capacity of 5
- Front 40-20-40 vinyl split-bench seat

**Entertainment Features**
- AM/FM stereo radio with 2 speakers
- Fixed antenna

**Lighting, Visibility and Instrumentation**
- Halogen aero-composite headlights
- Variable intermittent front windshield wipers
- Front reading lights
- Tachometer and Oil pressure gauge
- Outside temperature display
- Low tire pressure warning
- Trip odometer

**Safety and Security**
- 4-wheel ABS brakes
- Brake assist
- 4-wheel disc brakes
- AdvanceTrac w/Roll Stability Control
- Dual front impact airbags
- Dual seat mounted side impact airbags
- Manually adjustable front head restraints
FACTORY OPTIONS

<table>
<thead>
<tr>
<th>Option Code</th>
<th>Description</th>
<th>Included</th>
</tr>
</thead>
<tbody>
<tr>
<td>512</td>
<td>Spare Tire, Jack and Wheel</td>
<td>Included</td>
</tr>
<tr>
<td>18B</td>
<td>Factory Installed Running Boards</td>
<td>Included</td>
</tr>
<tr>
<td>473</td>
<td>Snow Plow Package</td>
<td>Included</td>
</tr>
<tr>
<td>76C</td>
<td>Exterior Back-up Chime</td>
<td>Included</td>
</tr>
<tr>
<td>90L</td>
<td>Power Equip Group on XL</td>
<td>Included</td>
</tr>
<tr>
<td>52B</td>
<td>Trailer Brake Controller</td>
<td>Included</td>
</tr>
<tr>
<td>61S/62S</td>
<td>Splash Guards - Front &amp; Rear</td>
<td>Included</td>
</tr>
<tr>
<td>592</td>
<td>Roof Clearance Lights</td>
<td>Included</td>
</tr>
<tr>
<td>66S</td>
<td>Upfitter Switches</td>
<td>Included</td>
</tr>
<tr>
<td>67D</td>
<td>Extra HD Alternator</td>
<td>Included</td>
</tr>
<tr>
<td>85S</td>
<td>Factory applied Tough Bed Spray In Bedliner</td>
<td>Included</td>
</tr>
<tr>
<td>99T</td>
<td>6.7L Diesel Engine</td>
<td>Included</td>
</tr>
<tr>
<td>98R</td>
<td>Operator Command Regeneration</td>
<td>Included</td>
</tr>
<tr>
<td>X3E</td>
<td>Limited Slip Rear Axle, 3.73</td>
<td>Included</td>
</tr>
<tr>
<td>TBM</td>
<td>LT245/75Rx17E BSW All Terrain Tires</td>
<td>Included</td>
</tr>
<tr>
<td>1S</td>
<td>Cloth 40/20/40 Split Bench Seat</td>
<td>Included</td>
</tr>
<tr>
<td>64F</td>
<td>18&quot; Steel Wheels</td>
<td>Included</td>
</tr>
<tr>
<td>21M</td>
<td>Manual Locking Hubs</td>
<td>Included</td>
</tr>
<tr>
<td>41P</td>
<td>Skid Plate Package</td>
<td>Included</td>
</tr>
<tr>
<td>61N</td>
<td>Wheel Well Liners - Front &amp; Rear</td>
<td>$325.00</td>
</tr>
<tr>
<td>76S</td>
<td>Remote Start System</td>
<td>Included</td>
</tr>
<tr>
<td>91M</td>
<td>SYNC System - requires AM/FM/CD Radio</td>
<td>Included</td>
</tr>
<tr>
<td>665</td>
<td>AM/FM/CD Radio</td>
<td>Included</td>
</tr>
<tr>
<td>76R</td>
<td>Reverse Vehicle Aid Sensor</td>
<td>Included</td>
</tr>
<tr>
<td>52S</td>
<td>Cruise Control</td>
<td>Included</td>
</tr>
<tr>
<td>624</td>
<td>Privacy Glass</td>
<td>$30.00</td>
</tr>
<tr>
<td>43B</td>
<td>Rear Window Defroster - requires 924 Privacy Glass</td>
<td>$60.00</td>
</tr>
<tr>
<td>96V</td>
<td>XL Value Package - Chrome Bumpers, AM/FM/CD, Cruise Control</td>
<td>Included</td>
</tr>
<tr>
<td>17F</td>
<td>XL Décor Package - Chrome Front &amp; Rear Bumper, Chrome Hub Covers</td>
<td>Included</td>
</tr>
<tr>
<td>942</td>
<td>Daytime Running Lights</td>
<td>Included</td>
</tr>
<tr>
<td>88D</td>
<td>Payload Downgrade - 10000 GVWR Package</td>
<td>Included</td>
</tr>
<tr>
<td>146&quot; WB</td>
<td>6.75' Bed (Standard per Contract)</td>
<td>Included</td>
</tr>
<tr>
<td>164&quot; WB</td>
<td>8' Bed</td>
<td>Included</td>
</tr>
</tbody>
</table>

Options Total $394.25

ADDITIONAL TRUCK EQUIPMENT

Options Total $-

Total Price with Options $30,759.25

Exterior Paint Color will be Magnetic

Interior Trim will be

Date 2/27/2018

Quote is good for 60 Days
Please sign here to accept
Order Cut-Off Date is 3/2/2018 for the 2018 Model Year. All orders must be received before this date.
RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR THE PURCHASE OF A 2018 CHEVROLET TAHOE ALL-WHEEL DRIVE PC1 PURSUIT VEHICLE FOR THE POLICE DEPARTMENT IN ACCORDANCE WITH CRANFORD POLICE COOPERATIVE PRICING SYSTEM CONTRACT NO. 17-01, ITEM NO. 10

WHEREAS, the Township of Denville wishes to purchase one (1) 2018 Chevrolet Tahoe all-wheel drive PC1 pursuit vehicle detailed on a quote for the Police Department; and

WHEREAS, said vehicle can be purchased from Mall Chevrolet, 75 Haddonfield Road, Cherry Hill, New Jersey, 08002, through Cranford Police Cooperative Pricing System Contract No. 17-01, Item No. 10; and

WHEREAS, the maximum amount of the contract is $34,005.00 in accordance with the attached quotation; and

WHEREAS, public bids are not required when the purchase is made through an authorized State of New Jersey approved cooperative contract in accordance with N.J.S.A. 40A:11-10 of the Local Public Contracts Law; and

WHEREAS, the Chief Financial Officer of the Township of Denville has certified in certification #18-29, which is annexed hereto and made a part hereof, that this contract will be charged to the following budget appropriation and that adequate funds are available under the following line item account:

04-216-55-574-924 $34,005.00

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 contract for the purchase of one (1) 2018 Chevrolet Tahoe all-wheel drive PC1 pursuit vehicle for the Police Department is hereby awarded to Mall Chevrolet, in accordance with the terms and conditions contained in the Cranford Police Cooperative Pricing Council Contract No. 17-01, Item No. 10, and that the Mayor and Municipal Clerk are hereby authorized to execute same.

BY ORDER OF THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF DENVILLE

I, Kathryn M. 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 4-216-55-574-924, 2018.

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: 04/23/18

CERTIFICATION # 18-29

Mall Chevrolet
75 Haddonfield Road
Cherry Hill, NJ 08002
Name and Address of Contractor

2018 Chevrolet Tahoe all-wheel drive PC1 pursuit vehicle Police $34,005.00
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>General Cap</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>04-216-55-574-924</td>
<td>$34,005.00</td>
<td>$34,005.00</td>
</tr>
</tbody>
</table>

TOTAL $34,005.00

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):

<table>
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<th>DEPT. ACCT. #, ORD. #</th>
<th>General Cap</th>
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<td>04-216-55-574-924</td>
<td>$34,005.00</td>
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All Certification Payments should be placed on white vouchers with the Certification
Number shown on the voucher.

COMMENTS:

Michael J. Guarino Date
Chief Financial Officer 04/23/18
CERT18-29
## MALL CHEVROLET

75 Haddonfield Road, Cherry Hill, NJ 08002  
Direct: 856-449-9254 / Fax: 856-504-0106  
buildman13@gmail.com  
Rick Di Renzo, Fleet Manager

| Date: | 2/6/2018 |

**END USER:**  
DENVILLE PD  
**ADDRESS - CITY, STATE, ZIP:**

**VEHICLE TYPE:** 2018 CHEVROLET TAHOE AWD PC1 PURSUIT  
**Comments:** 47-CPCPS

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RESOLUTION WAIVING REQUIREMENTS FOR A RESERVE SEPTIC DISPOSAL AREA AND TWO SEPTIC TANKS IN SERIES AT 125 HILLCREST DRIVE (BLOCK 70501; LOT 498) AND 126 HILLCREST DRIVE (BLOCK 70502; LOT 335)

WHEREAS, Chapter 15-10.8 (a) of the Revised General Ordinances of the Township of Denville requires that all single-family dwellings constructed after 1990 and served by an individual subsurface sewage disposal system have a reserve disposal area equivalent to 100% of the disposal area for future expansion or replacement of the system; and

WHEREAS, Chapter 15-10.12 (a) of the Revised General Ordinances of the Township of Denville requires that all single-family dwellings constructed after 1990 and served by an individual subsurface sewage disposal system install two 1,000-gallon septic tanks in series; and

WHEREAS, a cesspool is being replaced at an existing home which is being reconstructed at 126 Hillcrest Drive (Block 70502, Lot 336) and said residence shall be serviced by an individual subsurface sewage disposal system; and

WHEREAS, components of the individual subsurface sewage disposal system shall be sited at 125 Hillcrest Drive (Block 70501, Lot 498) and 126 Hillcrest Drive (Block 70502, Lot 335); and

WHEREAS, the Township Health Department is in receipt of a letter dated April 27, 2018 (appendix hereto) from a licensed Professional Engineer requesting relief from the requirements for a reserve septic disposal area and two septic tanks in series as set forth at Chapter 15-10.8 (a) and Chapter 15-10.12 (a) respectively; and

WHEREAS, the Township Health Officer recommends waiving the requirements for a reserve septic disposal area and two septic tanks in series based on his review of the aforesaid letter and the proposed septic plans/specifications for the property; and

WHEREAS, pursuant to Chapter 15-10.8 (b) and Chapter 15-10.12 (d), the Municipal Council may, for good cause shown and based upon the opinion and recommendation of the Township Health Officer, waive the requirements for a reserve septic disposal area and two septic tanks in series via a resolution which sets forth the reasons for the waiver and conditions as the Municipal Council may impose.

NOW, THEREFORE BE IT RESOLVED, by the Municipal Council of the Township of Denville that a waiver for a reserve septic disposal area and two septic tanks in series is granted for 125 Hillcrest Drive (Block 70501, Lot 498) and 126 Hillcrest Drive (Block 70502, Lot 335) for the reasons set forth in the April 27, 2018 letter from Ferriero Engineering, Inc., subject to the following conditions:

1. The individual subsurface sewage disposal system shall meet all applicable requirements set forth at N.J.A.C. 7:9A-1.1 et seq. and all other applicable requirements of Chapter 15-10 of the Revised General Ordinances of the Township of Denville.

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 , 2018.

Certification Date

Kathryn Bowditch-Leon, RMC Municipal Clerk
Mr. Carlos Perez, Health Officer  
Denville Township Department of Health  
1 St. Mary’s Place  
Denville, NJ 07834

Re: Septic System Application Waiver Request  
Suzanne Randall e/o Eaglesite Management  
125-126 Hillcrest Drive  
Blocks 70501; 70502, Lots 498; 335  
Township of Denville  
Our Project No. 171023

Dear Mr. Perez,

The above referenced waiver request has been submitted to authorize replacement of the existing cesspool serving the 2-bedroom dwelling located on lot 335 in block 70502 along Hillcrest Drive. A proposed advanced wastewater pretreatment septic system has been designed for the existing 350 gallon per day use in full conformance with the State Code, N.J.A.C. 7:9A. The subject parcels listed above are under common ownership of the applicant and are characterized predominately by steeply sloping wooded terrain. Since the proposed septic system will serve a reconstructed 2-bedroom dwelling on the property, the Revised General Ordinances of the Township of Denville require that the design provide an additional disposal area to be placed in reserve for future expansion of the 2-bedroom use or replacement of the primary disposal area. The ordinance also requires the design to provide two (2) septic tanks in series with a total minimum volume of 2,000 gallons. No change, expansion or intensification of the existing property use is proposed as part of this application.

Relief from the reserve disposal area requirement outlined in Chapter 15-10.8 of the Township Ordinance is requested based on the following:

1. N.J.A.C.7:9A precludes the construction of a disposal field in an area where the slope of the existing ground surface is greater than 25%. There are no additional locations on the subject properties where a reserve disposal area may be provided in compliance with the State Code requirements to satisfy the Township ordinance.

2. A reserve disposal area for future expansion purposes is unnecessary. The existing lot geometry and environmental constraints severely limit any potential to expand the existing 2-bedroom use.

April 27, 2018
Re: Septic System Application Waiver Request

Suzanne Randall c/o Eaglesite Management
125-126 Hillcrest Drive
Blocks 70501; 70502, Lots 498; 335
Township of Denville
Our Project No. 171023

3. Replacement of the system through the use of a reserve disposal area is avoidable. If a future malfunction of the primary disposal area is observed for any reason, the disposal area components are easily accessible from Hillcrest Drive and may be removed and replaced in-kind to mitigate the cause of any malfunction. This solution would be preferable to the tree removal and addition steep slope disturbance that would occur through the use of a reserve area located somewhere on the subject parcels.

Relief from the septic tank requirements outlined in Chapter 15-10.12 of the Township Code is requested in consideration of the environmental constraints and spatial limitations on the lots. A 2-compartment septic tank is proposed on the plans to satisfy the multi-compartment aspect of the Township Code requirement. The 1,250 gallon 2-compartment tank proposed for the 2-bedroom use is large enough to serve an equivalent 5-bedroom dwelling per NJ State Code.

The existing cesspool on the property must be replaced pursuant to N.J.A.C. 7:9A-3.16, and the proposed septic system design meets the minimum requirements set forth in N.J.A.C. 7:9A-3.3(e)1. and N.J.A.C. 7:9A-3.3(e)2. The septic system alteration is not directly or indirectly caused by an expansion of the facility that the individual subsurface sewage disposal system serves, and the proposed system components are located in the most ideal and least constrained location on the property. The applicant respectfully requests a waiver from the Township reserve disposal area requirement at Chapter 15-10.8 of the ordinance, and a waiver of the two septic tank in series ordinance requirement at Chapter 15-10.12.

Please feel free to contact me if you have any questions or require additional information.

Very truly yours,

[Signature]

Paul W. Ferriero, PE, CME
President

cc: Eaglesite Management, via email
    Thomas J. Malman, Esq., via email
WHEREAS, the application of RAM Associates/Toll Brothers for a waiver/mapping revision for the project containing 116 dwelling units referred to above has been reviewed by the Township of Denville.

WHEREAS, the RVRSA also determined in said Resolution that it will not take any action upon a waiver request until it receives a "written recommendation of endorsement by the appropriate officials or body of the affected municipality"; and

WHEREAS, the waiver request procedures established by the USEPA and the New Jersey Department of Environmental protection (NJDEP) require that the grantee (i.e. RVRSA) approve the submission of the waiver/mapping revision; and

WHEREAS, by Resolution dated March 13, 1986, the RVRSA determined that:
"the issues relating to the approval or denial of such a request are more appropriately the subject of an evaluation by the officials of the municipality within which the site of the proposed project is located, than by members of a regional sewerage authority;" and

WHEREAS, the RVRSA also determined in said Resolution that it will not take any action upon a waiver request until it receives a "written recommendation of endorsement by the appropriate officials or body of the affected municipality"; and

WHEREAS, the application of RAM Associates/Toll Brothers for a waiver/mapping revision for the project containing 116 dwelling units referred to above has been reviewed by the Township of Denville.
NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Denville as follows:

1. The waiver /mapping revision request submitted by RAM Association/Toll Brothers for the project described above is hereby granted a written recommendation of endorsement conditioned upon the approval from all other local, State and Federal regulatory agencies with jurisdiction over such a request.

2. The Clerk is hereby authorized and directed to forward a certified copy of this Resolution to the RVRSA.

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 , 2018.

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