TOWNSHIP OF DENVILLE MUNICIPAL COUNCIL
REGULAR MEETING
June 11, 2019, 7:30 P.M.

- Salute to the 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
_____ Assistant Township Attorney Sharpe

_____ Administrator Ward

_____ Other: __________________________

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

PUBLIC COMMENT ON THE TOWNSHIP OF DENVILLE DOWNTOWN BUSINESS IMPROVEMENT DISTRICT 2019 SPECIAL ASSESSMENTS

R-19-108: Resolution Approving the Assessment Roll of the Township of Denville Downtown Business Improvement District

PUBLIC COMMENT ON MORRIS COUNTY OPEN SPACE AND FARM L And PRESERVATION TRUST FUND GRANT

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

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

Matters of Old/New Business

ORDINANCES FOR ADOPTION

10-19A: An Ordinance Appropriating $44,000 from the Dog Trust Fund of the Township of Denville for the Purchase of a Replacement Animal Control Vehicle

12-19: An Ordinance of the Township of Denville, in the County of Morris and State of New Jersey, to Amend §2-18.2, Police Department, of the Township Code to Increase the Number of Police Sergeants by One
13-19: An Ordinance of the Township of Denville, in the County of Morris and State of New Jersey, to Extend the Lease Agreement with Ayres/Knuth Farm Foundation, Inc. for Block 20003, Lot 1, for a Period of 25 Years, from May 30, 2029 to May 30, 2054

ORDINANCES FOR INTRODUCTION

14-19: An Ordinance Appropriating $300,000 from the Water Capital Improvement Fund of the Township of Denville for Hydrant Upgrades

ITEMS FOR DISCUSSION AND/OR ACTION

NONE

RESOLUTIONS

CONSENT AGENDA:

R-19-109: Resolution Authorizing Renewal of Alcoholic Beverage Licenses in the Township of Denville for 2019-2020

R-19-110: Resolution Authorizing the Refund of a Zoning Board of Adjustment Application Fee

R-19-111: Resolution Authorizing Reinstatement of the Original Sewer Assessment Installment Plan for Certain Properties in the Township of Denville

R-19-112: Resolution Authorizing the Refund of a Smoke Detector and Carbon Monoxide Compliance Fee

R-19-113: Resolution Authorizing a Refund of a Building Permit Fee

R-19-114: Resolution Authorizing Year 2019 Application for a Morris County Open Space and Farmland Preservation Trust Fund Grant

R-19-115: Resolution Authorizing the Refund of Money Due to the Redemption of Tax Sale Certificates

R-19-116: Resolution to Cancel Interest for Certain Properties

R-19-117: Resolution Authorizing the Waiver of the Signature Requirement on Purchase Orders for Certain Vendors

R-19-118: Resolution Authorizing Issuance of a Social Affair Permit by the State of New Jersey Division of Alcoholic Beverage Control

NON-CONSENT AGENDA:

R-19-119: Resolution Authorizing Renewal of the Alcoholic Beverage License for Denville Memorial Post 390 American Legion in the Township of Denville for 2019-2020
R-19-120: Resolution Authorizing Renewal of the Alcoholic Beverage License for Indian Lake Community Club, Inc. in the Township of Denville for 2019-2020

R-19-121: Resolution Authorizing a Shared Services Agreement Between the Township of Denville and the Denville Township Board of Education for the Purpose of Sharing the Costs Associated with Construction of Fields at Valleyview Middle School

R-19-122: Resolution Authorizing the Submission of a Grant Application and the Execution of a Grant Contract with the New Jersey Department of Transportation for the 2020 Franklin Road Resurfacing Project

R-19-123: Resolution Authorizing Engineering Services in Connection with the Submission of a New Jersey Department of Environmental Protection Wetlands General Permit for the Den Brook Trail

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MINUTES FOR ADOPTION

- May 21, 2019 (Regular Meeting only)

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MOTION TO ADJOURN
RESOLUTION APPROVING THE ASSESSMENT ROLL OF THE TOWNSHIP OF DENVILLE DOWNTOWN BUSINESS IMPROVEMENT DISTRICT

WHEREAS, pursuant to N.J.S.A. 40:56-84, the Municipal Council of the Township of Denville introduced, approved, held a public hearing and adopted the budget of the Township of Denville Downtown Business Improvement District (BID); and

WHEREAS, after the adoption of the BID budget, the Municipal Tax Assessor and Chief Finance Officer prepared an assessment roll setting forth separately the amounts to be specially assessed against the benefited and assessable properties located within the BID, in proportion to the benefits; and

WHEREAS, the assessment roll was filed in the Municipal Clerk's office and was available for inspection; and

WHEREAS, notice of a hearing to accept public comment was published once in the official newspaper and was sent to each of the named owners of all tracts, parcels, and lots of property proposed to be assessed and a public hearing has been held.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Denville that the assessment roll is hereby approved and that the Municipal Clerk is directed to send one certified copy of the assessment roll to the Morris County Tax Board.

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
ORDINANCE NO. 10-19A

BE IT RESOLVED that an Ordinance entitled:

An Ordinance Appropriating $44,000 from the Dog Trust Fund of the Township of Denville for the Purchase of a Replacement Animal Control Vehicle

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 Appropriating $44,000 from the Dog Trust Fund of the Township of Denville for the Purchase of a Replacement Animal Control Vehicle

Be passed on Final Reading and that a Notice of Final Passage be published in the 06/19/2019 edition of The Citizen newspaper.

COUNCIL PRESIDENT:    MOTION TO ADOPT
                        ROLL CALL ON ADOPTION

Dated: 06/11/2019
ORDINANCE NO. 10-19A

AN ORDINANCE APPROPRIATING $44,000 FROM THE DOG
TRUST FUND OF THE TOWNSHIP OF DENVILLE FOR THE
PURCHASE OF A REPLACEMENT ANIMAL CONTROL VEHICLE

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

SECTION 1. The sum of $44,000 is hereby appropriated from the Dog Trust Fund of the
Township of Denville for the purpose set forth in Section 2 of this Ordinance.

SECTION 2. The improvement authorized to be paid by this Ordinance is for a replacement
Animal Control Vehicle, together with all attachments, accessories and equipment necessary
therefore and incidental thereto.

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

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

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

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

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

BY ORDER OF THE MUNICIPAL COUNCIL
OF THE TOWNSHIP OF DENVILLE

ATTEST:

Kathryn Bowditch-Leon, RMC
Municipal Clerk

APPROVED:

Thomas W. Andes, Mayor
Township Of Denville

Adoption Date:
ORDINANCE NO. 12-19

BE IT RESOLVED that an Ordinance entitled:

An Ordinance of the Township of Denville, in the County of Morris and State of New Jersey, to Amend §2-18.2, Police Department, of the Township Code to Increase the Number of Police Sergeants by One

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, in the County of Morris and State of New Jersey, to Amend §2-18.2, Police Department, of the Township Code to Increase the Number of Police Sergeants by One

Be passed on Final Reading and that a Notice of Final Passage be published in the 06/19/2019 edition of The Citizen newspaper.

COUNCIL PRESIDENT: MOTION TO ADOPT
ROLL CALL ON ADOPTION

Dated: 06/11/2019
ORDINANCE NO. 12-19

AN ORDINANCE OF THE TOWNSHIP OF DENVILLE, IN THE COUNTY OF MORRIS AND STATE OF NEW JERSEY, TO AMEND §2-18.2, POLICE DEPARTMENT, OF THE TOWNSHIP CODE TO INCREASE THE NUMBER OF POLICE SERGEANTS BY ONE

WHEREAS, the Township of Denville's 2019 municipal budget authorizes an increase in the number of police officers by one (1); and

WHEREAS, the Township wishes to accordingly increase the number of police sergeants from five (5) to six (6) in the Town Code.

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 2, Administration, Article VI, Administrative Departments, § 2-18, Department of Public Safety, § 2-18.2, Police Department, paragraph a, is hereby amended to read as follows:

a. The Police Department shall consist of a Chief of Police, who shall be appointed by the Director of the Department of Public Safety, and shall be the head of the Police Department and not more than one captain, not more than two lieutenants, not more than six sergeants, and not more than 23 patrol officers. The officers and members of the Police Department shall be appointed and designated by the Director of the Department of Public Safety and shall receive such salary as the Township Council may determine.

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, approval, and publication in accordance with law.

BY ORDER OF THE MUNICIPAL COUNCIL
OF THE TOWNSHIP OF DENVILLE

ATTEST:                                     APPROVED:

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

I hereby certify the foregoing to be a true copy of an ordinance adopted by the Municipal Council of the Township of Denville at its meeting held on ____________, 2019

Kathryn Bowditch-Leon, RMC              Municipal Clerk
ORDINANCE NO. 13-19

BE IT RESOLVED that an Ordinance entitled:

An Ordinance of the Township of Denville, in the County of Morris and State of New Jersey, to Extend the Lease Agreement with Ayres/Knuth Farm Foundation, Inc. for Block 20003, Lot 1, for a Period of 25 Years, from May 30, 2029 to May 30, 2054

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, in the County of Morris and State of New Jersey, to Extend the Lease Agreement with Ayres/Knuth Farm Foundation, Inc. for Block 20003, Lot 1, for a Period of 25 Years, from May 30, 2029 to May 30, 2054

Be passed on Final Reading and that a Notice of Final Passage be published in the 06/19/2019 edition of The Citizen newspaper.

COUNCIL PRESIDENT: MOTION TO ADOPT
ROLL CALL ON ADOPTION

Dated: 06/11/2019
ORDINANCE NO. 13-19

AN ORDINANCE OF THE TOWNSHIP OF DENVILLE, IN THE COUNTY OF MORRIS AND STATE OF NEW JERSEY, TO EXTEND THE LEASE AGREEMENT WITH AYRES/KNUTH FARM FOUNDATION, INC. FOR BLOCK 20003, LOT 1, FOR A PERIOD OF 25 YEARS, FROM MAY 30, 2029 TO MAY 30, 2054

WHEREAS, on August 11, 2005, the Township of Denville ("Township") entered into a twenty (20) year lease agreement with the Ayres/Knuth Farm Foundation, Inc., a non-profit corporation of the State of New Jersey, for the protection, historic preservation and enhancement of the portion of the Farm property designated as Block 20003, Lot 1; and

WHEREAS, the term of the lease was from May 31, 2005 to May 30, 2025; and

WHEREAS, on March 17, 2009, the Township adopted Resolution 09-77, which pursuant to N.J.S.A. 40A:12-15 authorized an amendment to the lease agreement for a four (4) year extension of the term to May 30, 2029, to meet a condition of the 2009 Morris County Historic Preservation Grant application; and

WHEREAS, the Township wishes to extend the lease for an additional twenty-five (25) years, to May 30, 2054, in order to meet the requirements of various historic preservation granting agencies, which require at least 20-year leases for an applicant to be eligible to receive certain grants; and

WHEREAS, N.J.S.A. 40A:12-15 permits such an extension.

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the Township of Denville, in the County of Morris and State of New Jersey, that the August 11, 2005 Lease Agreement between the Township of Denville and the Ayres/Knuth Farm Foundation, Inc. is hereby amended to reflect a new termination date of May 30, 2054, and that the Mayor and Township Clerk are hereby authorized to execute the lease amendment which is in a form authorized by the Township Attorney and is attached hereto.

BE IT FURTHER ORDAINED that ordinances, resolutions, regulations or parts of ordinances, resolutions and regulations inconsistent herewith are hereby repealed to the extent of such inconsistencies.

BE IT FURTHER ORDAINED that 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.

BE IT FURTHER ORDAINED that this Ordinance shall take effect immediately upon final passage, approval, and publication in accordance with law.

BY ORDER OF THE MUNICIPAL COUNCIL OF THE TOWNHships OF DENVILLE

ATTEST:

Kathryn Bowditch-Leon, RMC
Municipal Clerk

APPROVED:

Mayor Thomas W. Andes
Township of Denville

I hereby certify the foregoing to be a true copy of an ordinance adopted by the Municipal Council of the Township of Denville at its meeting held on ______________, 2019

Kathryn Bowditch-Leon, RMC
Municipal Clerk
ORDINANCE NO. 14-19

BE IT RESOLVED that an Ordinance entitled:

An Ordinance Appropriating $300,000 from the Water Capital Improvement Fund of the Township of Denville for Hydrant Upgrades

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 Appropriating $300,000 from the Water Capital Improvement Fund of the Township of Denville for Hydrant Upgrades

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 07-16-2019 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 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: 6/11/2019
ORDINANCE NO. 14-19

AN ORDINANCE APPROPRIATING $300,000 FROM THE WATER CAPITAL IMPROVEMENT FUND OF THE TOWNSHIP OF DENVILLE FOR HYDRANT UPGRADES

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

SECTION 1. The sum of $300,000 is hereby appropriated from the Water Capital Improvement Fund of the Township of Denville for the purposes set forth in Section 2 of this Ordinance.

SECTION 2. The improvements authorized to be paid by this Ordinance include state mandated hydrant upgrades and all work necessary in connection therewith.

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

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

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

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

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

BY ORDER OF THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF DENVILLE

ATTEST:  
Kathryn Bowditch-Leon, RMC  
Municipal Clerk

APPROVED:  
Thomas W. Andes, Mayor  
Township of Denville

Adoption Date:
RESOLUTION AUTHORIZING RENEWAL OF ALCOHOLIC BEVERAGE LICENSES IN THE TOWNSHIP OF DENVILLE FOR 2019-2020

BE IT RESOLVED by the Municipal Council of the Township of Denville that the following Alcoholic Beverage Control Licenses be approved for the year July 1, 2019 through June 30, 2020.

<table>
<thead>
<tr>
<th>LICENSE NUMBER</th>
<th>FEE</th>
<th>LICENSEE</th>
<th>ESTABLISHMENT</th>
<th>ADDRESS</th>
</tr>
</thead>
<tbody>
<tr>
<td>1408-31-012-001</td>
<td>$188</td>
<td>Cedar Lake Community Club</td>
<td>Cedar Lake Community Club</td>
<td>P.O Box 279</td>
</tr>
<tr>
<td>(287776)</td>
<td></td>
<td>Lake Arrowhead Club, Inc.</td>
<td>Lake Arrowhead Club</td>
<td>12 Lakewood Drive (P.O. Box 450)</td>
</tr>
<tr>
<td>1408-31-014-001</td>
<td>$188</td>
<td>Peace Pipe Country Club Membership Association</td>
<td>Peace Pipe Country Club Membership Association</td>
<td>2 Lee Road</td>
</tr>
<tr>
<td>(294588)</td>
<td></td>
<td>Veterans of Foreign Wars, Post 2519</td>
<td>VFW Post 2519</td>
<td>71 Ford Road</td>
</tr>
<tr>
<td>1408-31-015-001</td>
<td>$188</td>
<td>Rock Ridge Community Club</td>
<td>Rock Ridge Community Club</td>
<td>55 Entrance Way (P.O. Box 242)</td>
</tr>
<tr>
<td>(307260)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1408-31-016-001</td>
<td>$188</td>
<td>LLD, LLC</td>
<td>Casa Bella Restaurant</td>
<td>300 Route 46</td>
</tr>
<tr>
<td>(294937)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1408-33-004-009</td>
<td>$2,500</td>
<td>CB Denville, LLC</td>
<td>Charlie Browns Steakhouse</td>
<td>167 West Main Street</td>
</tr>
<tr>
<td>(288793)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1408-33-005-008</td>
<td>$2,500</td>
<td>LILTOM, LLC</td>
<td>Thatcher McGhee's</td>
<td>53 Broadway</td>
</tr>
<tr>
<td>Address</td>
<td>Business Name</td>
<td>Business Type</td>
<td>Street</td>
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</tr>
<tr>
<td>1408-33-008-014</td>
<td>Three Sisters Liquor</td>
<td>Chico's Mexican Grill &amp;</td>
<td>559 East Main</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Corp.</td>
<td>Cantina</td>
<td>Street</td>
<td></td>
</tr>
<tr>
<td>(287547)</td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>1408-33-009-003</td>
<td>Rockaway River Country</td>
<td>Rockaway River Country Club</td>
<td>39 Pocono Road</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Club</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(287572)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1408-36-019-004</td>
<td>Tej Denville Hospitality, LLC</td>
<td>Hampton Inn</td>
<td>350 Morris Avenue</td>
<td></td>
</tr>
<tr>
<td>(303062)</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>1408-44-002-003</td>
<td>Henderhoff Enterprises,</td>
<td>Partners Discount Liquors</td>
<td>123 East Main</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Inc</td>
<td></td>
<td>Street, #24</td>
<td></td>
</tr>
<tr>
<td>(293693)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1408-44-006-003</td>
<td>Denville Wine and</td>
<td>Denville Liquors</td>
<td>43 Broadway</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Liquor Inc</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>(296434)</td>
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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 A REFUND OF A ZONING BOARD OF ADJUSTMENT APPLICATION FEE

WHEREAS, Bohler Engineering paid the application fee on behalf of their client, Denville Union Hill, LLC when a Board of Adjustment application was submitted; and

WHEREAS, the variance portion of that application, BA/SP/FSP 19-21, for which Bohler Engineering paid $250.00, was withdrawn; and

WHEREAS, Bohler Engineering has requested that the $250.00 variance fee be refunded.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Denville, that a refund of $250.00, from Revenue Account 01-192-08-105-006, be made to Bohler Engineering as a result of the withdrawal of the variance portion of application of Denville Union Hill, LLC.

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 of The Township of Denville at their meeting held on

Certification Date

Kathryn Bowditch-Leon, RMC
Municipal Clerk
RESOLUTION AUTHORIZING REINSTAMET OF THE ORIGINAL SEWER ASSESSMENT INSTALLMENT PLAN FOR CERTAIN PROPERTIES IN THE TOWNSHIP OF DENVILLE

WHEREAS, on February 14, 2012, the Municipal Council confirmed sewer assessments for certain properties in the Township of Denville; and

WHEREAS, the resolution confirming said assessments authorized the payment of the assessments in yearly installments over a twenty year period commencing April 14, 2012; and

WHEREAS, certain property owners have failed to make their installment payments when they became due; and

WHEREAS, N.J.S.A. 40:56-35 provides in pertinent part that if any such installment shall remain unpaid for 30 days after the time when said payment shall become due, either the whole assessment shall immediately become due, or the governing body may, by resolution, permit any person who is delinquent in the payment of such an installment to pay only the amount of the delinquent payment due, plus accrued interest, and have the payment of said assessment placed back on the regular installment payment schedule; and

WHEREAS, the following property owners:

| Gibbs          | Montinard
<table>
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</tr>
</thead>
<tbody>
<tr>
<td>Fuoco</td>
<td>Glaab</td>
</tr>
</tbody>
</table>

have petitioned the Council to permit the reinstatement of their original installment plan and have tendered to the Tax Collector the requisite amount to bring their accounts current in accordance with the above-referenced statute; and

WHEREAS, the Municipal Council wishes to allow the above referenced property owners to resume payment of their assessments on the original installment schedules approved for their properties.

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 the Tax Collector be authorized to accept payment of the delinquent installments due, plus interest, from the above referenced property owners for their sewer assessments and that said property owners be permitted to pay all subsequent installments established for their properties over the balance of the twenty year installment period previously authorized by the Municipal Council.

BE IT FURTHER RESOLVED, that should any of the above referenced property owners default on any future installments, the full amount of the sewer assessment shall become due.

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 a resolution approved by the Municipal Council at their meeting held on

Certification Date: ____________________________

Kathryn Bowditch-Leon, RMC
Municipal Clerk
RESOLUTION AUTHORIZING REFUND OF A SMOKE DETECTOR AND CARBON MONOXIDE COMPLIANCE FEE

WHEREAS, a certain resident of the Township of Denville requested an inspection of the smoke detectors and carbon monoxide alarms in her home in connection with its sale; and

WHEREAS, this resident paid a Smoke Detector and Carbon Monoxide Compliance fee to the Township of Denville Fire Prevention Bureau in the amount of $50.00, while the fee for said inspection is only $35.00; and

WHEREAS, this resident is entitled to a refund of $15.00.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Denville that a refund, in the amount designated below, is authorized to be issued to the resident named below:

<table>
<thead>
<tr>
<th>NAME</th>
<th>REFUND AMOUNT</th>
<th>ACCOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jody Udelsman</td>
<td>$15.00</td>
<td>01-192-08-105-003</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
CONSTRUCTION DEPARTMENT

RESOLUTION AUTHORIZING A REFUND
OF A BUILDING PERMIT FEE

WHEREAS, the permit payer listed below has overpaid a permit fee in the amount shown; and

WHEREAS, the permit payer has requested that the amount listed below be refunded.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Denville, that a refund be made to the following named individual as a result of the overpayment of a permit fee.

<table>
<thead>
<tr>
<th>NAME</th>
<th>PERMIT NUMBER</th>
<th>AMOUNT</th>
<th>REVENUE ACCOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Poust Heating &amp; Cooling</td>
<td>190188</td>
<td>187.00</td>
<td>01-192-081-60-001</td>
</tr>
</tbody>
</table>

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 of the Township of Denville at their meeting held on

Certification Date ___________________________ Kathryn Bowditch-Leon, RMC Municipal Clerk
RESOLUTION AUTHORIZING YEAR 2019 APPLICATION FOR A MORRIS COUNTY OPEN SPACE AND FARMFLAND PRESERVATION TRUST FUND GRANT

BE IT RESOLVED by the Municipal Council of the Township of Denville that this Governing Body hereby endorses and authorizes the Township of Denville to apply for the year 2019 Morris County Open Space and Farmland Preservation Trust Fund Grant for the following parcel:

<table>
<thead>
<tr>
<th>Name</th>
<th>Block/Lot</th>
<th>Location</th>
<th>Acres</th>
</tr>
</thead>
<tbody>
<tr>
<td>AMCHU Property</td>
<td>60305/5</td>
<td>279 Diamond Spring Rd</td>
<td>5.43 acres</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
RESOLUTION AUTHORIZING THE REFUND OF MONEY DUE TO THE REDEMPTION OF TAX SALE CERTIFICATES

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

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

<table>
<thead>
<tr>
<th>Cert #</th>
<th>Block</th>
<th>Lot</th>
<th>Address</th>
<th>Purchaser of Lien</th>
<th>Refund Amt.</th>
<th>Premium Amt.</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018-032</td>
<td>60505</td>
<td>23</td>
<td>2 Elizabeth Pl</td>
<td>Ridgeback Ventures LLC</td>
<td>$1,762.22</td>
<td>$0</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>PO Box 503</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Mt. Freedom, NJ 07970</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2018-010</td>
<td>40502</td>
<td>94</td>
<td>6 Laurel Trl</td>
<td>SLS1 LLC</td>
<td>$2,026.36</td>
<td>$0</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>21 Robert Pitt Drive</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Ste 207</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Monsey, NY 10952</td>
<td></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
RESOLUTION TO CANCEL INTEREST FOR CERTAIN PROPERTIES

WHEREAS, payments were made for certain properties, but due to Township errors as stated below, said payments were lost; and

WHEREAS, interest has since accrued and should be canceled due to the Township’s errors.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Denville, County of Morris, State of New Jersey, that the Tax Collector is hereby authorized and directed to cancel the interest on the below named properties in the amounts shown.

<table>
<thead>
<tr>
<th>BLOCK / LOT QUALIFIER</th>
<th>REASON</th>
<th>OWNER</th>
<th>CANCELED</th>
</tr>
</thead>
<tbody>
<tr>
<td>20901 / 1 C1008</td>
<td>Payment was placed in drop box at the Tax and Utilities counter. Payment was misplaced and was not deposited.</td>
<td>Ruth Kehoe 1008 Worthington Ct Denville, NJ 07834</td>
<td>$12.17</td>
</tr>
<tr>
<td>41002 / 29</td>
<td>Homeowner placed payment for two properties into one envelope. Payment for one property was processed but the second payment was lost.</td>
<td>Glen/Janet Treier 18 Riekens Trl Denville, NJ 07834</td>
<td>$19.07</td>
</tr>
<tr>
<td>30302 / 13</td>
<td>Payment was placed in the outside drop box. Payment was misplaced and was not deposited.</td>
<td>Nitesh/Dipty Patel 34 Magnolia Ave Denville, NJ 07834</td>
<td>$52.60</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
RESOLUTION AUTHORIZING THE WAIVER OF THE SIGNATURE REQUIREMENT ON PURCHASE ORDERS FOR CERTAIN VENDORS

WHEREAS, N.J.A.C. 5:30-9A.6 and 5:31-4.1 allows for greater flexibility for local units when implementing the claimant certification requirement set forth in N.J.S.A. 40A:5-16(a); and

WHEREAS, a local unit is now given discretion to require a claimant certification as it deems necessary and appropriate; and

WHEREAS, the requirement for a claimant’s signature on all purchase orders is time consuming and payments are not made without a valid invoice and certification from the departments that the goods or services have been received; and

WHEREAS, the Chief Financial Officer of the Township of Denville recommends that a claimant signature only be required for Refunds, Advance Payments, Employee Reimbursements, for services provided exclusively and entirely by an individual (i.e. sole proprietors) and for all construction related work; and

WHEREAS, the Chief Financial Officer and Township Administrator recommend the adoption of this Claimant Signature policy.

NOW, THEREFORE BE IT RESOLVED by the Municipal Council of the Township of Denville that, effective immediately, claimant’s signatures will only be required for Refunds, Advance Payments, Employee Reimbursements, services provided exclusively and entirely by an individual and for all construction related work.

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 ISSUANCE OF A SOCIAL AFFAIR PERMIT BY THE STATE OF NEW JERSEY DIVISION OF ALCOHOLIC BEVERAGE CONTROL

WHEREAS, the below listed organization applied for a Social Affair Permit; and

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

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

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Denville that authorization is hereby granted for the issuance of a Social Affair Permit to the following organization for the identified event:

<table>
<thead>
<tr>
<th>ORGANIZATION</th>
<th>EVENT</th>
<th>LOCATION</th>
<th>DATES</th>
<th>HOURS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Downtown Denville B.I.D.</td>
<td>Downtown Denville Block Party</td>
<td>Broadway and Center Street</td>
<td>7/25/2019</td>
<td>5:00 to 9:00 P.M.</td>
</tr>
</tbody>
</table>

BY ORDER OF THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF DENVILLE

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

Certification Date: ________________________ Kathryn Bowditch-Leon, RMC Municipal Clerk
RESOLUTION AUTHORIZING RENEWAL OF THE ALCOHOLIC BEVERAGE LICENSE FOR DENVILLE MEMORIAL POST 390 AMERICAN LEGION IN THE TOWNSHIP OF DENVILLE FOR 2019-2020

BE IT RESOLVED by the Municipal Council of the Township of Denville that the following Alcoholic Beverage Control License be approved for the year July 1, 2019 through June 30, 2020.

<table>
<thead>
<tr>
<th>LICENSE NUMBER</th>
<th>FEE</th>
<th>LICENSEE</th>
<th>ESTABLISHMENT</th>
<th>ADDRESS</th>
</tr>
</thead>
<tbody>
<tr>
<td>(File Number)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1408-31-011-001</td>
<td>$188</td>
<td>Denville</td>
<td>Denville Memorial</td>
<td>9 Legion Place</td>
</tr>
<tr>
<td>(301956)</td>
<td></td>
<td>Memorial Post</td>
<td>Post 390 American</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>390 American</td>
<td>Legion</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Legion</td>
<td></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
RESOLUTION AUTHORIZING RENEWAL OF THE ALCOHOLIC BEVERAGE LICENSE FOR INDIAN LAKE COMMUNITY CLUB, INC. IN THE TOWNSHIP OF DENVILLE FOR 2019-2020

BE IT RESOLVED by the Municipal Council of the Township of Denville that the following Alcoholic Beverage Control License be approved for the year July 1, 2019 through June 30, 2020.

<table>
<thead>
<tr>
<th>LICENSE NUMBER (File Number)</th>
<th>FEE</th>
<th>LICENSEE</th>
<th>ESTABLISHMENT</th>
<th>ADDRESS</th>
</tr>
</thead>
<tbody>
<tr>
<td>1408-31-013-001 (293689)</td>
<td>$188</td>
<td>Indian Lake Community Club, Inc</td>
<td>Indian Lake Community Club</td>
<td>East Shore Road (P.O. Box 334)</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
RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT BETWEEN THE
TOWNSHIP OF DENVILLE AND THE DENVILLE TOWNSHIP BOARD OF EDUCATION FOR
THE PURPOSE OF SHARING THE COSTS ASSOCIATED WITH CONSTRUCTION OF FIELDS
AT VALLEYVIEW MIDDLE SCHOOL

WHEREAS, the Township of Denville and the Denville Township Board of Education
desire to enter into a shared services agreement for the purpose of memorializing terms and
conditions related to sharing the costs associated with construction of the fields at Valleyview
Middle School ('Fields') and the responsibilities for using and maintaining the Fields; and

WHEREAS, municipalities are permitted to enter into such agreements pursuant to the

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

1. That the Mayor and Municipal Clerk are hereby authorized to execute the shared services
agreement entitled “Shared Services Agreement By and Between Denville Township
Board of Education and Township of Denville”.

2. A copy of the shared services agreement is on file in the office of the Municipal Clerk for
inspection by the public.

3. A copy of the shared services agreement shall be filed, for information purposes, with the
Department of Community Affairs, Division of Local Government Services, pursuant to
rules and regulations promulgated by the Director.

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

Certification Date

Kathryn Bowditch-Leon, RMC
Municipal Clerk
SHARED SERVICES AGREEMENT

BY AND BETWEEN

DENVILLE TOWNSHIP BOARD OF EDUCATION
1 St. Mary’s Place
Denville, New Jersey 07834

-and-

TOWNSHIP OF DENVILLE
1 St. Mary’s Place
Denville, New Jersey 07834

THIS AGREEMENT made this ___ day of __________, 2019, by and between the Denville Township Board of Education (hereinafter referred to as the “Board”), and the Township of Denville (hereinafter referred to as the “Township”);

WHEREAS, the Valleyview Middle School property, located at 320 Diamond Spring Road in the Township of Denville, includes an open area (Exhibit A attached) that is available for the construction of athletic fields (“the Fields”); and

WHEREAS, the Board and the Township have agreed to essential terms and conditions related to sharing the costs associated with construction of the Fields and the responsibilities for using and maintaining the Fields; and

WHEREAS, the Board and the Township hereby enter into this Shared Services Agreement (“Agreement”) to memorialize the agreed-upon terms and conditions.

NOW THEREFORE, in consideration of the mutual covenants, terms and conditions contained herein, the Board and the Township agree as follows:

1. Field Restoration

Board

a. The Board, as the lead agency, shall undertake and be responsible for all Field construction costs, including but not limited to, professional fees, design, bidding, construction, and supervision of construction, as more specifically detailed in the “Engineer’s Estimate Athletic Field” dated January 11, 2019 (Exhibit B attached).

b. The Board shall be responsible for regular, ongoing maintenance of the fields, including but not limited to, cutting, trimming, and fertilizing grass, and maintaining the irrigation system and fence.
c. The Board shall provide the Township with at least seventy-two (72) hours’ written notice of when the Fields are required to be lined and shall also provide, if available, a written schedule of all school activities that require the Fields to be lined.

Township

a. The Township shall contribute fifty percent (50%) of the total cost of construction of the Fields. The Township’s contribution shall not exceed $237,500.00,

b. The Township contributions toward the construction of the Fields referenced in paragraph “a” shall be paid within thirty (30) days from receipt of an invoice and voucher from the Board for work already performed and accepted by the Board.

c. The Township shall maintain the infield and line the Fields for activities, as needed.

2. Use of the Fields

a. Unless mutually agreed to in advance, and under special circumstances to be determined on a case-by-case basis, the Township shall not use the Fields during the period of November 15th through March 15th of each school year.

b. The Board shall have exclusive use of the Fields until 6 p.m. on days when school is in session. The Township shall have use of the Fields during all other hours.

c. The Board and the Township, upon mutual written agreement, shall determine when play is not permitted on the Fields.

d. The Township shall obtain from any group or organization using the Fields, in advance of use, a certificate of insurance naming the Board as an additional insured.

e. The Township shall provide the Board with the names of all persons, groups or organizations approved to use the Fields no later than seventy-two (72) hours after the Township grants such permission.

f. The Township shall be responsible for any damage caused by persons, groups or organizations that it permits to use the Fields.

3. Insurance and Indemnification

a. The Township

i. The Township shall keep in force during the term of this Agreement at the Township’s expense, a policy of property, casualty, and comprehensive general liability insurance with the intention of indemnifying and holding the Board (including but not limited to its officers, agents and employees) harmless, except for the negligence of the Board or their agents or employees from and against all loss, cost, damages, expenses and liability of any nature arising out of or in connection with any act, omission, use of, occupancy of or operations of the Fields
by the Township, its agents, contractors, employees, invitees, or other guests, including but not limited to, claims as a result of injury to or death of any person or property damage or claims of the Township's employees or arising out of or in connection with the Township's use of, occupancy of or operations of the Fields. The liability under said insurance shall be the same as those currently maintained by the Township for any single occurrence and aggregate to include without limitation, personal injury, bodily injury and property damage coverage. The Township shall also maintain all necessary insurance required for employment purposes including without limitation workers compensation/disability insurance. The Township shall name the Board as additional insureds under any insurance policy required by this Agreement.

b. The Board

ii. The Board shall keep in force during the term of this MOU at the Board's expense, a policy of property, casualty, and comprehensive general liability insurance with the intention of indemnifying and holding the Township (including but not limited to its officers, agents and employees) harmless, except for the negligence of the Township or their agents or employees from and against all loss, cost, damages, expenses and liability of any nature arising out of or in connection with any act, omission, use of, occupancy of or operations of the Fields by the Board, its agents, contractors, employees, invitees, or other guests, including but not limited to, claims as a result of injury to or death of any person or property damage or claims of the Board's employees or arising out of or in connection with the Board's use of, occupancy of or operations of the Fields. The liability under said insurance shall be the same as those currently maintained by the Board for any single occurrence and aggregate to include without limitation, personal injury, bodily injury and property damage coverage. If and when the Board hires an employee(s), the Board shall maintain all necessary insurance required for employment purposes including without limitation workers compensation/disability insurance. The Board shall name the Township as additional insureds under any insurance policy required by this Agreement.

c. Each party hereto shall give to the other prompt and timely written notice of any claim made or suit instituted coming to its knowledge which in any way, directly or indirectly, contingently or otherwise, affects or might affect either party.

4. **Duration**

This Agreement shall commence on June 1, 2019 and shall end on May 31, 2049. Any renewal of the Agreement shall be in writing and approved by each party by formal resolution before becoming effective.
5. **Modification**

This Agreement may only be modified by an instrument in writing signed by both parties to the Agreement.

6. **Severability**

If any of the provisions contained in this Agreement are held illegal, invalid or unenforceable, the remaining provisions shall remain in full force and effect.

7. **Termination**

This Agreement may be terminated only upon the mutual agreement of the parties.

8. **Governing Law**

This Agreement shall be governed, construed and interpreted in accordance with the laws of the State of New Jersey. Specifically, this Agreement is entered into pursuant to N.J.S.A.40A:65-1 et seq.

9. **Assignment**

Neither party may transfer or assign any of its rights or obligations under this Agreement without the prior written consent of the other, and any such transfer or assignment or attempt thereat shall be null and void.

10. **Counterparts**

This Agreement may be executed in any number of counterparts, which, taken together, shall constitute but one instrument. It is not necessary that all parties sign all or any one of the counterparts, but each party must sign at least one counterpart for the Agreement to be effective.

11. **Notice**

   a. Any notice, demand, complaint, request, or other submission under this Agreement shall be in writing and shall be delivered to the persons designated below via U.S. Mail, Certified, return receipt requested, with copies mailed to same via First Class mail.

   b. For the Township:

      Township Clerk
      1 St. Mary’s Place
      Denville, New Jersey 07834
For the Board:

School Business Administrator

1 St. Mary’s Place

Denville, NJ 07834

IN WITNESS WHEREOF, the parties have hereunto caused these presents to be signed by their proper corporate officers and caused their proper corporate seals to be hereunto affixed, the day and year first above written.

ATTEST:

TOWNSHIP OF DENVILLE
BOARD OF EDUCATION

By: _______________________
   Business Administrator/
   Board Secretary

By: _______________________
   President

TOWNSHIP OF DENVILLE

By: _______________________
   Municipal Clerk

By: _______________________
   Mayor
RESOLUTION AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION AND THE EXECUTION OF A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE 2020 FRANKLIN ROAD RESURFACING PROJECT

BE IT RESOLVED that the Municipal Council of the Township of Denville formally approves the submission of a grant application for the above stated project; and

BE IT FURTHER RESOLVED that the Township Engineer, on behalf of the Township, is hereby authorized to submit an electronic grant application identified as MA-2020-2020 Franklin Road Resurfacing Proje-00042 to the New Jersey Department of Transportation; and

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Denville and that their signatures constitute the acceptance of the terms and conditions of the grant agreement.

BY ORDER OF THE MUNICIPAL COUNCIL
OF THE TOWNSHIP OF DENVILLE

My signature and the Municipal Seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL

______________________________
Thomas W. Andes, Mayor

______________________________
Kathryn Bowditch-Leon, RMC
Municipal Clerk

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 ENGINEERING SERVICES IN CONNECTION WITH THE SUBMISSION OF A NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION WETLANDS GENERAL PERMIT FOR THE DEN BROOK TRAIL

WHEREAS, the Township entered into a Professional Services Agreement ("Agreement") dated March 22, 2019 with John K. Ruschke, P.E. of Mott MacDonald, LLC, with offices at 412 Mt. Kemble Ave., Suite G22, Morristown, NJ 07960 for engineering services for the year 2019; and

WHEREAS, the Agreement specifically provides in paragraph 2 that "A cost proposal shall be submitted by the Engineer and accepted by the Township with respect to engineering, construction contract administration and/or other related services with regard to any and all non-routine individual task assignment(s) where the anticipated fee will exceed $3,000."; and

WHEREAS, the Township of Denville has a need for engineering services for a Freshwater Wetlands Delineation and submission of a NJ DEP General Permit No. 17 for the Den Brook Trail; and

WHEREAS, John K. Ruschke, P.E. has submitted a cost proposal dated April 5, 2019 for the aforementioned project for an amount not to exceed $11,000.00; and

WHEREAS, the Chief Financial Officer of the Township of Denville has certified in certification #19-23, which is annexed hereto and made a part thereof, that this agreement will be charged to the following budget appropriations and that adequate funds are available under the following line item account:

04-216-55-580-904 $11,000.00

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

1. The Municipal Council hereby approves the proposal submitted by John K. Ruschke, P.E. of Mott MacDonald, LLC for a Freshwater Wetlands Delineation and submission of a NJ DEP General Permit No. 17 for the Den Brook Trail.

2. Charges shall not exceed $11,000.00 without prior written approval of the Township.

3. This Resolution shall take effect immediately.

BY ORDER OF THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF DENVILLE

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

Certification Dated: ____________________________
Kathryn Bowditch-Leon, RMC
Municipal Clerk
Proposal - Wetlands General Permit at the Den Brook Trail
Block 21601, Lot 1, Block 21601, Lot 10
Block 20401, Lot 1, Block 20401, Lot 13
Township of Denville County of Morris, New Jersey

April 5, 2019

Dear Mr. Ward:

Mott MacDonald is pleased to present this Proposal to the Township of Denville (Denville) for a Freshwater Wetlands Delineation and submission of an New Jersey Department of Environmental Protection (NJDEP) General Permit No. 17 (GP 17) for the above referenced site. A GP 17 authorizes activities in freshwater wetlands, transition areas, and/or State open waters necessary for construction of a trail and/or boardwalk for use by pedestrians, bicycles, and other non-motorized methods of transport.

Scope of Work:

Mott MacDonald recommends the following scope of work to complete the project and obtain an NJDEP LOI for the above referenced site:

- Perform a wetlands delineation within 150 feet of the project area on the Blocks/Lots referenced above (site). The wetlands field delineation would be accomplished in accordance with the 1989 Federal Manual for Identifying and Delineating Jurisdictional Wetlands, which is the recognized wetland delineation manual for the State of New Jersey.
- Delineate and flag the boundaries of any identified regulated areas within 150 feet of the project area and obtain the required field data such as soil borings and site photographs. This boundary would then be surveyed using a hand-held GPS unit.
- Prepare and submit an NJDEP GP 17 for the site. This permit is for the construction of trails and boardwalks on publicly owned land. This would confirm the boundaries of any regulated areas. This GP 17 application would require public notification, applicable site mapping, compliance statements, photo logs and field data sheets.
Assumptions:

- As listed at N.J.A.C 7:7A-17.3(c)1-5, the project would be considered (1) A trail or boardwalk of one-half mile or longer and (2) A public project on a site of 50 acres or more. As such, public notification requirements can be satisfied with a Newspaper Notice only.
- Existing base mapping will be used for the site plan. The surveyed wetland, transition area and/or state open water lines would be overlaid on this base map.
- This scope of work does not include the permit application fee.
- The proposed path will be a hiking trail with no significant clearing or grading required.
- The proposed scope of work falls under a Flood Hazard Area permit by rule for trails and boardwalks.
- Additional field work has not been budgeted for any revisions of the wetland delineation by the NJDEP.
- Surveying will be completed with a hand-held GPS unit.

Cost Proposal:

Upon receipt of approval, Mott MacDonald will commence with the performance of the Scope of Work developed for this project on a time and materials basis with a not-to-exceed budget of $11,000.

If you have any questions, please do not hesitate to contact this office.

Very truly yours,

Mott MacDonald

[Signature]

John K. Ruschke, PE
Vice President
john.ruschke@mottmac.com
T 908.238.5000  F 973.267.2890
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          05/22/19

Mott MacDonald
412 Mt Kemble Ave Suite G22
Morristown, NJ 07960
Name and Address of Contractor

<table>
<thead>
<tr>
<th>Den Brook Trail Project</th>
<th>$11,000.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name of Description of Pending contract</td>
<td>Amount of Contract</td>
</tr>
</tbody>
</table>

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>04-216-55-580-904</td>
<td>$11,000.00</td>
<td>$11,000.00</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 Fund under the following line item account(s):

| 04-216-55-580-904 | $11,000.00 |

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

COMMENTS:
Fund availability are predicated on available budget

CERT19-23