TOWNSHIP OF DENVILLE MUNICIPAL COUNCIL
REGULAR MEETING
September 15, 2015, 7:30 P.M.

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

Council Members

_____ Gabel  _____ Kuser  _____ Smith

_____ Lyden  _____ Fitzpatrick  _____ Scollans

_____ Golinski, Council President

In Attendance

_____ Mayor Andes  _____ Administrator Ward

_____ Township Attorney Jansen  _____ Other: _______________________________

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

NONE

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

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

Matters of Old/New Business

ORDINANCES FOR ADOPTION

NONE

ORDINANCES FOR INTRODUCTION

#24-15  An Ordinance of the Township of Denville, County of Morris, and State of New Jersey to Mandate Direct Deposit for Municipal Employees Pursuant to N.J.S.A. 52:14-15f et seq.

ITEMS FOR DISCUSSION AND/OR ACTION

NONE
RESOLUTIONS

CONSENT AGENDA:


R-15-203: Resolution Refunding the Payment of Taxes Overpaid Due to Judgment by the Tax Court of New Jersey in the Amount of $2,378.40.

R-15-204: Resolution Authorizing the Refund of Money Due to the Redemption of a Tax Sale Certificate in the Amount of $1,575.38.

R-15-205: Resolution Refunding the Payment of Taxes Overpaid Due to Judgment by the Tax Court of New Jersey in the Amount of $764.24.

NON-CONSENT AGENDA:

R-15-206: Resolution Awarding a Contract in the Amount of $83,000.00 for a Sewer Camera System to W. E. Timmerman Co., Inc.


R-15-208: Resolution Authorizing the Refund of Money Due to the Redemption of a Tax Sale Certificate in the Amount of $4,088.22.

R-15-209: Resolution of the Township of Denville Waiving Certain Fees Associated with Temporary Food Licenses for Vendors Specifically Recruited by the Township's Green Sustainability Committee for Participation in the 2015 Annual Green Fair.

MINUTES FOR ADOPTION

- September 1, 2015

MOTION TO ADJOURN
ORDINANCE #24-15

BE IT RESOLVED that an Ordinance entitled:

An Ordinance of the Township of Denville, County of Morris, and State of New Jersey to Mandate Direct Deposit for Municipal Employees Pursuant to N.J.S.A. 52:14-15f et seq.

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, and State of New Jersey to Mandate Direct Deposit for Municipal Employees Pursuant to N.J.S.A. 52:14-15f et seq.

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 10-06-2015 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: 09-15-2015
ORDINANCE #24-15

AN ORDINANCE OF THE TOWNSHIP OF DENVILLE, COUNTY OF MORRIS, AND STATE OF NEW JERSEY TO MANDATE DIRECT DEPOSIT FOR MUNICIPAL EMPLOYEES PURSUANT TO N.J.S.A. 52:14-15f et. seq.

WHEREAS, P.L. 2013 c. 28, authorizes local governments to mandate direct deposit for certain governmental employees effective after July 1, 2014; and

WHEREAS, P.L. 2013 c. 28 permits governing bodies to grant exemptions on such terms and conditions as they deem necessary.

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. All full time employees and elected public officials who receive compensation from the Township of Denville are mandated to have direct deposit of their compensation as of January 1, 2016 in accordance with Chapter 28 P.L. 2013, as codified at N.J.S.A. 52:14-15f (b). Seasonal and/or temporary employees of the Township shall be exempt from this requirement.

SECTION 2. All ordinances or parts of Ordinances inconsistent with or in conflict with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 3. 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 4. This Ordinance shall take effect after final passage, approval and publication according to law.

TOWNSHIP OF DENVILLE
COUNTY OF MORRIS
STATE OF NEW JERSEY

ATTEST:

By:

Kathryn Bowditch-Leon, Clerk

Thomas W. Andes, Mayor
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>Academy for Visual &amp; Performing Arts</td>
<td>Tricky Tray</td>
<td>10/03/2015</td>
</tr>
<tr>
<td>Education Foundation, Inc.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Academy for Visual &amp; Performing Arts</td>
<td>On Premise 50/50</td>
<td>10/03/2015</td>
</tr>
<tr>
<td>Education Foundation, Inc.</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 September 15, 2015.

Certification Date: ________________________________  Kathryn Bowditch-Leon, RMC
                                        Municipal Clerk
RESOLUTION AUTHORIZING RENEWAL OF AN ALCOHOLIC BEVERAGE LICENSE IN THE TOWNSHIP OF DENVILLE FOR 2015-2016

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, 2015 through June 30, 2016.

<table>
<thead>
<tr>
<th>LICENSE NUMBER</th>
<th>FEE</th>
<th>LICENSEE</th>
<th>ESTABLISHMENT</th>
<th>ADDRESS</th>
</tr>
</thead>
<tbody>
<tr>
<td>1408-31-011-001</td>
<td>$188.00</td>
<td>Denville Memorial Post</td>
<td>Denville Memorial Post</td>
<td>9 Legion Place</td>
</tr>
</tbody>
</table>

I, Kathryn Bowditch-Leon, Municipal Clerk for the Township of Denville do hereby certify the above to be a true and exact copy of the resolution adopted by the Municipal Council of the Township of Denville at their regular Council meeting held on September 15, 2015.

Certification Date: ___________________________  Kathryn Bowditch-Leon, RMC
                                      Municipal Clerk
RESOLUTION REFUNDING THE PAYMENT
OF TAXES OVERPAID DUE TO JUDGMENT
BY THE TAX COURT OF NEW JERSEY

WHEREAS, it has been found that the following 2013 taxes have been overpaid due to a Judgment by the Tax Court of New Jersey.

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 is hereby authorized and directed to prepare a voucher in the following name to refund said overpayment; and

BE IT FURTHER RESOLVED, that the Chief Financial Officer is hereby authorized and directed to forward the check to the Tax Collector to be delivered to said taxpayer after the refund has been recorded in the taxpayer history files.

<table>
<thead>
<tr>
<th>BLOCK/LOT</th>
<th>OWNER /MORTGAGE CO.</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>40605 130</td>
<td>Jacobus &amp; Associates, LLC</td>
<td>$2,378.40</td>
</tr>
<tr>
<td></td>
<td>Trustee for Bevacqua, Joseph J/Patricia E</td>
<td></td>
</tr>
<tr>
<td></td>
<td>c/o Jennifer R Jacobus, ESQ.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>301 South Livingston Ave.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Livingston, NJ 07039</td>
<td></td>
</tr>
</tbody>
</table>

Property Location-31 Hussa Place

I, KATHRYN M. BOWDITCH-LEON, MUNICIPAL CLERK
OF THE TOWNSHIP OF DENVILLE, DO HEREBY
CERTIFY THE ABOVE TO BE TRUE AND EXACT
COPY OF RESOLUTION ADOPTED BY THE MUNICIPAL
COUNCIL OF THE TOWNSHIP OF DENVILLE AT THEIR
MEETING HELD ON SEPTEMBER 15, 2015.
RESOLUTION AUTHORIZING THE REFUND OF MONEY DUE TO THE REDEMPTION OF A TAX SALE CERTIFICATE

WHEREAS, the Township of Denville held a Tax Lien Sale on 11/15/2013 for Delinquent 2012 Calendar Year Water & Sewer and a Tax Sale Certificate was purchased by Ralph Lopez on Block 20002 Lot 3.01 C1402; and

WHEREAS, the owner of said property has paid to the Tax Collector all moneys due for the Redemption of said Tax Sale Certificate.

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 is hereby authorized and directed to prepare a voucher to refund the amount shown below to the named lien holder; and

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

<table>
<thead>
<tr>
<th>BLOCK /LOT</th>
<th>PURCHASER OF LIEN</th>
<th>REFUND</th>
</tr>
</thead>
</table>
| 20002 3.01 C1402 | Ralph Lopez  
38 Paler Drive  
Morris Plains, NJ 07950 | $1,575.38    |

Certificate #2013-004  
Loc: 91 Henning Ter.  
Premium Returned $1,200.00

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 September 15, 2015.

Certification Date: ___________________________  
Kathryn Bowditch-Leon, RMC  
Municipal Clerk
RESOLUTION REFUNDING THE PAYMENT
OF TAXES OVERPAID DUE TO JUDGMENT
BY THE TAX COURT OF NEW JERSEY

WHEREAS, it has been found that the following 2014 taxes have been overpaid due to a Judgment by the Tax Court of New Jersey.

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 is hereby authorized and directed to prepare a voucher in the following name to refund said overpayment; and

BE IT FURTHER RESOLVED, that the Chief Financial Officer is hereby authorized and directed to forward the check to the Tax Collector to be delivered to said taxpayer after the refund has been recorded in the taxpayer history files.

<table>
<thead>
<tr>
<th>BLOCK/LOT</th>
<th>OWNER /MORTGAGE CO.</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>51001 17</td>
<td>Spector Foerst &amp; Assoc. Thomas C</td>
<td>$764.24</td>
</tr>
<tr>
<td></td>
<td>Attorney for Lacey m/ James M Foerst,Esq.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Spector, Foerst &amp; Assoc.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>159 Millburn Avenue</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Millburn, NJ 07041</td>
<td></td>
</tr>
</tbody>
</table>

Property Location-16 Garwood Trail

I, KATHRYN M. BOWDITCH-LEON, MUNICIPAL CLERK
OF THE TOWNSHIP OF DENVILLE, DO HEREBY
CERTIFY THE ABOVE TO BE TRUE AND EXACT
COPY OF RESOLUTION ADOPTED BY THE MUNICIPAL
COUNCIL OF THE TOWNSHIP OF DENVILLE AT THEIR
MEETING HELD ON SEPTEMBER 15, 2015.

CERTIFICATION DATE  KATHRYN M BOWDITCH, RMC
MUNICIPAL CLERK
WHEREAS, on August 27, 2015, the Township of Denville received bids for the Sewer Camera System; and

WHEREAS, W. E. Timmerman Co., Inc. submitted the only responsive bid in the amount of $77,375.00 for Alternate #1 and $83,000 for Alternate #2, which includes installation of the system; and

WHEREAS, the Municipal Council wishes to award the Sewer Camera System Contract to W. E. Timmerman Co., Inc. in accordance with its bid proposal for Alternate #2; and

WHEREAS, the Chief Financial Officer of the Township of Denville has certified that funds are available for this purpose.

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

1. A contract for the Sewer Camera System is hereby awarded to W.E. Timmerman Co., Inc., in accordance with its bid for the price of $83,000.00 for Alternate #2. 

2. The Mayor and Township Clerk are hereby authorized and directed to execute a contract with W. E. Timmerman Co., Inc., 3554 Route 22 West, P.O. Box 71, Whitehouse, NJ 08888.

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 September 15, 2015.

Certification Dated: ___________________________  Kathryn Bowditch-Leon, RMC
Municipal Clerk
RESOLUTION AUTHORIZING THE REFUND 
OF MONEY DUE TO THE REDEMPTION 
OF A TAX SALE CERTIFICATE

WHEREAS, the Township of Denville held a Tax Lien Sale on 11/15/2013 for Delinquent 2012 Calendar Year Water & Sewer and a Tax Sale Certificate was purchased by US Bank/ Pro Capital III, LLC on Block 60904 Lot 3; and

WHEREAS, the owner of said property has paid to the Tax Collector all moneys due for the Redemption of said Tax Sale Certificate.

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 is hereby authorized and directed to prepare a voucher to refund the amount shown below to the named lien holder; and

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

<table>
<thead>
<tr>
<th>BLOCK / LOT</th>
<th>PURCHASER OF LIEN</th>
<th>REFUND</th>
</tr>
</thead>
<tbody>
<tr>
<td>60904 3</td>
<td>US Bank Cust / Pro Capital III, LLC</td>
<td>$2,776.40</td>
</tr>
<tr>
<td></td>
<td>50 South 16th St. Suite 1950</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Philadelphia, PA 19102</td>
<td></td>
</tr>
</tbody>
</table>

Certificate #2013-040
Loc: 43 Cedar Lake West
Premium Returned $800.00

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 September 15, 2015.

Certification Date: ___________________________ Kathryn Bowditch-Leon, RMC
                                           Municipal Clerk
RESOLUTION AUTHORIZING THE REFUND OF MONEY DUE TO THE REDEMPTION OF A TAX SALE CERTIFICATE

WHEREAS, the Township of Denville held a Tax Lien Sale on 10/8/2014 for Delinquent 2013 Calendar Year Sewer and a Tax Sale Certificate was purchased by Ridgeback Ventures LLC on Block 61901 Lot 9; and

WHEREAS, the owner of said property has paid to the Tax Collector all moneys due for the Redemption of said Tax Sale Certificate.

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 is hereby authorized and directed to prepare a voucher to refund the amount shown below to the named lien holder; and

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

<table>
<thead>
<tr>
<th>BLOCK /LOT</th>
<th>PURCHASER OF LIEN</th>
<th>REFUND</th>
</tr>
</thead>
<tbody>
<tr>
<td>61901 9</td>
<td>Ridgeback Ventures, LLC</td>
<td>$4,088.22</td>
</tr>
<tr>
<td></td>
<td>PO Box 503</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Mt. Freedom, NJ 07970</td>
<td></td>
</tr>
</tbody>
</table>

Certificate #2014-054
Loc: 69 Kitchell Rd.

Premium Returned $0.00

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 September 15, 2015.

Certification Date: ____________
Kathryn Bowditch-Leon, RMC
Municipal Clerk
RESOLUTION OF THE TOWNSHIP OF DENVILLE WAIVING CERTAIN FEES ASSOCIATED WITH TEMPORARY FOOD LICENSES FOR VENDORS SPECIFICALLY RECRUITED BY THE TOWNSHIP'S GREEN SUSTAINABILITY COMMITTEE FOR PARTICIPATION IN THE 2015 ANNUAL GREEN FAIR

WHEREAS, the Green Sustainability Committee or "Green Team" promotes and hosts an annual Green Fair aimed at educating the public as it relates to sustainable activities and lifestyles that minimize the long term impact to our environment; and

WHEREAS, the annual Green Fair serves as an interactive education forum and is an integral element of the Township's ability to maintain its bronze certification through the Sustainable Jersey program; and

WHEREAS, the Denville Health Department, in accordance with the NJ State Health Code, is required to ensure all vendors comply with the regulations of the State of New Jersey associated with the distribution of food and/or beverages; and

WHEREAS, non-food establishment businesses are required to complete and submit in advance a temporary food license application to the Denville Health Department for review to ensure all food they may be serving is prepared and served in a safe and sanitary manner as regulated by the State of New Jersey; and

WHEREAS, pursuant to Section 2A-6 of the General Code of the Township of Denville, a twenty-dollar ($20) fee exists for both a "Temporary Food Establishment License" and an "Individual Booth, Stand or Conveyance License."

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Township of Denville hereby waives the aforementioned twenty-dollar ($20) fee for the cost of a "Temporary Food Establishment License" and an "Individual Booth, Stand or Conveyance License" for vendors specifically recruited by the Green Sustainability Committee for the 2015 Annual Green Fair scheduled for September 27, 2015.

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 September 15, 2015.