TOWNSHIP OF DENVILLE MUNICIPAL COUNCIL
REGULAR MEETING
October 6, 2015, 7:30 P.M.

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

Council Members
____ Gabel  ____ Kuser  ____ Smith
____ Lyden  ____ Fitzpatrick  ____ Scolians
____ 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

#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.

ORDINANCES FOR INTRODUCTION

#25-15: An Ordinance to Amend Chapter XIV, Streets, Curbs and Sidewalks, of the General Ordinances of the Township of Denville, Regarding Sidewalks in the Downtown Business District on Diamond Spring Road

ITEMS FOR DISCUSSION AND/OR ACTION

2015 Best Practices
MOTION TO ADJOURN

MINUTES FOR ADOPTION

• September 15, 2015

MOTION TO ADJOURN
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 Final Reading and that a Notice of Final Passage be Published in the 10-14-2015 issue of The Citizen newspaper.

COUNCIL PRESIDENT: MOTION TO ADOPT
ROLL CALL ON ADOPTION

Dated: 10/06/2015
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:

Kathryn Bowditch-Leon, Clerk

By:
Thomas W. Andes, Mayor
BE IT RESOLVED that an Ordinance entitled:

An Ordinance to Amend Chapter XIV, Streets, Curbs and Sidewalks, of the General Ordinances of the Township of Denville, Regarding Sidewalks in the Downtown Business District on Diamond Spring Road

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 11-10-2015 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: 10-06-2015
ORDINANCE #25-15

AN ORDINANCE TO AMEND CHAPTER XIV, STREETS, CURBS AND SIDEWALKS, OF THE GENERAL ORDINANCES OF THE TOWNSHIP OF DENVILLE, REGARDING SIDEWALKS IN THE DOWNTOWN BUSINESS DISTRICT ON DIAMOND SPRING ROAD

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 XIV, Streets, Curbs and Sidewalks, Section 14-3, Curbs and Sidewalks, Subsection 14-3.2, Repairs Required, paragraph b., item (1) is hereby amended to read as follows:

"(1) In the downtown business district, all sidewalks which require repair and/or replacement shall be constructed entirely of concrete paving stones laid in accordance with the specifications attached hereto as Appendix A or suitable substitute approved by the Township Engineer. The color and patterns of the concrete paving stones shall be configured as illustrated in Appendix B for the Downtown Business District except Diamond Spring Road and Appendix C for Diamond Spring Road only. In all cases, a Road Opening Permit must be obtained prior to any construction/reconstruction."

SECTION 2. 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 3. If any section, subsection, sentence, clause of phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

SECTION 4. The provisions of this ordinance may be renumbered for purposes of codification.
SECTION 5. This Ordinance shall take effect immediately upon final passage, approval and publication as required by law.

TOWNSHIP OF DENVILLE
COUNTY OF MORRIS
STATE OF NEW JERSEY

ATTEST:

Kathryn Bowditch-Leon, Clerk

By: ________________________

Thomas W. Andes, Mayor

Dated:
APPENDIX A

DENVILLE TOWNSHIP STANDARD SPECIFICATION BRICK PAVERS

DESCRIPTION

This specification covers the installation of concrete paving stones in the designated downtown business district.

The installation of these pavers will be done according to two different pavement sections. These sections are designated separately on the detail and have slightly different makeups. The pavers will be installed in the areas as designated on the plans unless otherwise directed by the Township Engineer. Included in the construction will be the furnishing of all pavers, all labor, and other supplies necessary and incidental to the installation per the manufacturer's specifications.

MATERIALS

Materials used to manufacture pavers shall conform to the following:

2) Aggregates – ASTM C-33 (Washed, graded sand and natural aggregates).
3) Manufacturing shall take place on an Omag Single Layer paving machine.

Compressive Strength – The average compressive strength of the test sample shall not be less than 8000 PSI.

Absorption – The average absorption of the test sample shall not be greater than 5 percent.

Paving mix designs shall be 35% 3/16 stone, 65% concrete sand, 17% Type 1 Portland Cement and 3% powder iron oxide pigment.

CONSTRUCTION DETAIL "A"

The concrete pavers (Pedestrian Areas) shall be 8" x 4" x 2 - 3/8 inch thick. The color and pattern of installation shall be as specified in Appendix B (for Downtown Business District except Diamond Spring Road) and Appendix C (for Diamond Spring Road only).

Subgrade to be compacted to a 95 percent density, with particular attention being paid to trenches and filled foundation areas.

Base requirements shall be a 6" minimum of compacted dense grade aggregate, DGA quarry process material compacted to a 95 percent density.
The sand setting bed shall be loosely screened concrete sand to a thickness of 1 ½ inch. After sand has been screened, it will not be disturbed or pre-compacted.

Aluminum edge restraint shall be painted black from the factory.

CONSTRUCTION DETAIL “B”

The concrete pavers (Traffic Areas) shall be 8” x 4” x 3-1/8 inch thick. Color of pavers and pattern shall be as specified in Appendix B (for Downtown Business District except Diamond Spring Road) and Appendix C (for Diamond Spring Road only).

Subgrade to be compacted to a 95 percent density, with particular attention being paid to trenches and filled foundation areas.

Base requirements shall be a 4” concrete slab, which shall conform to the specifications for the concrete sidewalk. Inserted shall be No. 6x6 welded wire mesh grid. The setting layer shall be 1 inch of mortar, which shall be screened.

INSTALLATION

Laying of pavers shall be done by experienced crew members. Pavers shall be laid hand tight with care taken to maintain straight and true lines.

Cutting where necessary shall be accomplished by a masonry saw.

After pavers are installed and the cutting has been completed, the stones shall be compacted into the loose sand with a plate-type vibrating compactor, one pass on all areas.

Sand shall be swept into the joints and vibrated with a plate-type compactor until joints are full. Joints shall be filled all the way to the bottom of the chamber on the pavers. Excess sand shall be swept off and removed from the site.
DOWNTOWN BUSINESS DISTRICT
CONCRETE PAVER PATTERN

NOT TO SCALE

NOTE: COLOR TO BE APPROVED BY THE TOWNSHIP ENGINEER
DIAMOND SPRING ROAD BUSINESS DISTRICT
CONCRETE PAVER PATTERN

NOTE: COLOR TO BE APPROVED BY THE TOWNSHIP ENGINEER
<table>
<thead>
<tr>
<th>General Management</th>
<th>GM</th>
<th>Comment</th>
<th>Question</th>
<th>Answer</th>
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<tbody>
<tr>
<td>Denville Township (MORs)</td>
<td>4</td>
<td>Yes</td>
<td>Has the appropriate administrative official reviewed the State Computer II report on local government legal fees and does your municipality follow the best practices outlined in the checklist annexed as an Appendix to the report?</td>
<td>Yes</td>
</tr>
<tr>
<td>3</td>
<td>Yes</td>
<td>Does not have any municipality-owned vehicles. Only answer &quot;N/A&quot; if your municipality has not adopted a vehicle use policy prohibiting personal use of municipal vehicles (except for commutation) and providing that employees authorized to use such vehicles for commutation do so from work area to home or to an area within the group's central business district.</td>
<td>Yes</td>
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<tr>
<td>2</td>
<td>Yes</td>
<td>If your municipality, as defined in the General Management Questionnaire, has adopted a vehicle use policy prohibiting personal use of municipal vehicles, is a final judgment has been entered against the municipality and there is no further appeal?</td>
<td>Yes</td>
<td></td>
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<tr>
<td>1</td>
<td>Yes</td>
<td>Did your municipality enter into the renewal of at least one existing shared service agreement or active negotiation to enter into the renewal of at least one existing shared service agreement or another local unit and/or enter into at least one new shared service agreement or active negotiation to enter into a shared service agreement?</td>
<td>Yes</td>
<td></td>
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Please see color key at bottom of sheet for hints on answers.
<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
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<tr>
<td>A multi-ply's participation in FEMA's National Flood Insurance Program Community</td>
<td>Yes</td>
</tr>
<tr>
<td>With regard to your multi-ply's collective bargaining agreements that replaced contract(s) expiring on or after 1/1/17, is the overall impact of the aggregate economic costs limited to an average increase of 2% or less per year over the contract term?</td>
<td>Yes</td>
</tr>
<tr>
<td>Is significant expertise in their profession and training, as provided to public presentations, required for employees who purchase, administer, personnel, technology, etc.)?</td>
<td>Yes</td>
</tr>
<tr>
<td>Does your multi-ply require elected officials to attend on an annual basis at least one institutional course covering the responsibilities and obligations of elected officials?</td>
<td>Yes</td>
</tr>
<tr>
<td>Does your multi-ply maintain an up-to-date multi-ply website containing at minimum the following: past three years adopted budgets; the current year's proposed budget; the full adopted budget for the current year, when approved by the governing body;</td>
<td>Yes</td>
</tr>
<tr>
<td>In addition to the full adopted budget for the current year when approved by the governing body;</td>
<td></td>
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<tr>
<td>most recent annual financial statements and audits; notification(s) for solicitation of bids and RFPs; and meeting dates, minutes and agendas for the governing body, planning</td>
<td></td>
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Comments: Please see color key at bottom of sheet for limits on answers.

Denville Township (Morris)
<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
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<tr>
<td>N/A</td>
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<tr>
<td>Denville Township (Morris)</td>
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</table>

**Comments**

Please see color key at bottom of sheet for limits on answers.
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<tr>
<th>Finance &amp; Audit - FA</th>
<th>Comments</th>
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<tr>
<td>Question</td>
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<td>Answer</td>
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Please see color key at bottom of sheet for filling in answers.

Denville Township (Morris)
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<tr>
<th>Comments</th>
<th>Question</th>
<th>Answer</th>
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<tr>
<td>An adequate segregation of duties be maintained with respect to the recording &amp; financial functions (Treasury). Determining based on the comment(s) whether the findings(s) is/are sufficiently material. If your municipality wishes to appeal the result of this question, the Director shall address such findings in the comments section. Only answer &quot;N/A&quot; if there are no audit findings in the 2013 audit or if the answer is no, please list the repeat finding from the 2013 audit identified in the corrective action plan and address such. Therefore, multipliers should correct noted deficiencies. Have all audit findings addressed areas needing improvement. Ignoring these findings develops the risk to warrant a &quot;no&quot; answer.</td>
<td>Please see color key at bottom of sheet for limits on answers.</td>
<td>1408</td>
</tr>
<tr>
<td>Comments</td>
<td>Question</td>
<td>Answer</td>
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<tr>
<td>Yes</td>
<td>17</td>
<td>408</td>
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**Denelle Township (Morris)**

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<tr>
<th>Answer</th>
<th>Question</th>
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<tr>
<td>Yes</td>
<td>After than January 31 (July 31 for SFY Municipalities) if the electronic Annual Debt Statement for the preceding fiscal year with the Division no longer accepted as a result of the end of the audit period or for any other reason?</td>
</tr>
<tr>
<td>Yes</td>
<td>For its most recent audit period completed, has the municipality collected the findings?</td>
</tr>
</tbody>
</table>

**Notes:**
- N/A if the Director expressly granted an extension in response to a Government Body.
- You may only answer the question if the auditor has certified the municipal clerk has your municipality's completed annual audit report within the Division within 5 days after giving the auditor a certified copy of the municipal clerk.
<table>
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<tr>
<th>Provisions of NJSA 2C:15-10 in the prior year</th>
<th>Answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>40A:11-17 that is more restrictive than state statutory requirements?</td>
</tr>
<tr>
<td>Yes</td>
<td>22 is your municipality up to date and fully compliant with continuing disclosure obligations?</td>
</tr>
<tr>
<td>Yes</td>
<td>21 under Section 2014-09 if a municipality has met the following requirements:</td>
</tr>
</tbody>
</table>

**Comments**

Please see color key at bottom of sheet for limits on answers.

Deniville Township (Morris)

Best Practices Worksheet by 2015/SPY2016
### Municipalities

Municipality complying with the above referenced provision of the local public contracts law is your nature, duration, service and amount of the contract, and that the resolution and contract pursuant, cause to be printed once in the official newspaper a full notice stating the supporting reasons for its action in the resolution awarding each contract and shall examination from the local public contracts law. The governing body shall in each instance

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| N.J.S.A. 40A:17-3(8) states that if a municipality utilizes the professional services N.J.S.A. 40A:17-5 (a3) states that if a municipality utilizes the professional services if (b) provide opportunity for emergency purchasing set forth in is necessary, and to ensure that the provisions for emergency purchasing procedures been established schedule, and that the full chain of subcontracts receive timely, seek to ensure that contractors submitting bids for completed work are paid on a timely, performance of obligations under a where none of construction-related contracts. The law
| Yes                                                                      | 27      |

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**Please see color key at bottom of sheet for limits on answers**

**Denville Township [Morris]**

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**Best Practices Worksheet CY 2015/SPW2016**
In the event a lender calls in the Guaranteed Fund?

<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
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<tbody>
<tr>
<td>Yes 30</td>
<td></td>
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</tbody>
</table>

Discuss how the government body compensates for surplus balances over at least two future years’ budgets and (2) are these budget projections for the funds balanced? Are current fund balances and levels critical to sustaining the current fund? Should the government body discuss annual budgets to present, evaluate, and understand the impact of the current budgeting process on the government body?

<table>
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<tr>
<th>Question</th>
<th>Answer</th>
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<tbody>
<tr>
<td>Yes 29</td>
<td></td>
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</tbody>
</table>

Discuss what surplus balances are. In support of municipal operations, and is this goal evaluated annually?

<table>
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<tr>
<th>Question</th>
<th>Answer</th>
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<tbody>
<tr>
<td>Yes 28</td>
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</table>
### Best Practices Worksheet CY 2015/2016

#### Denville Township (Morris)

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<thead>
<tr>
<th>Question</th>
<th>Comment</th>
<th>Answer</th>
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</thead>
<tbody>
<tr>
<td>Does your municipality receive a written status report at least quarterly on all budget revenues and appropriations as they correspond to the annual adopted budget?</td>
<td>Yes</td>
<td>31</td>
</tr>
<tr>
<td>In developing your multi-year capital plan, is your municipality dedicating sufficient resources, storm sewers, sanitary sewers and water systems?</td>
<td>Yes</td>
<td>32</td>
</tr>
<tr>
<td>This question may only be answered N/A if your multi-annual budget is not adopted by the director in Local Finance Notice 2014-2? This question may only be answered N/A if you have not adopted a calendar year budget no later than the date provided by law or as extended by the Director.</td>
<td>Yes</td>
<td>33</td>
</tr>
<tr>
<td>If your multi-annual budget is not adopted by the Director, subject to a later date pursuant to N.J.S.A. 40A:4-5.1, did your municipality adopt its current year budget no later than March 20 (or September 20 for state fiscal year municipalities unless the Director determines that calendar year multi-annual budgets adopt their budgets no later than March 20 (or September 20 for state fiscal year municipalities)?</td>
<td>Yes</td>
<td>34</td>
</tr>
<tr>
<td>Health Insurance - HI: Does your multi-annual budget exclude from health insurance coverage part-time elected and appointed officials (less than 35 hours per week)? Only answer &quot;yes&quot; if no part-time elected or appointed officials who elect to take State Health Benefits Program (SHBP) health benefits (less than 35 hours per week).</td>
<td>Yes</td>
<td>35</td>
</tr>
<tr>
<td>Are you in compliance with N.J.S.A. 40A:4-10 which requires that calendar year multi-annual budgets adopt their budgets no later than March 20 (or September 20 for state fiscal year municipalities)?</td>
<td>Yes</td>
<td>36</td>
</tr>
<tr>
<td>If your multi-annual budget is not adopted by the Director in Local Finance Notice 2014-2? This question may only be answered N/A if your multi-annual budget is not adopted by the Director, subject to a later date pursuant to N.J.S.A. 40A:4-5.1, did your municipality adopt its current year budget no later than the date provided by law or as extended by the Director.</td>
<td>Yes</td>
<td>37</td>
</tr>
<tr>
<td>Does your municipality receive a written status report at least quarterly on all budget revenues and appropriations as they correspond to the annual adopted budget?</td>
<td>Yes</td>
<td>38</td>
</tr>
<tr>
<td>Please see color key at bottom of sheet for limits on answers.</td>
<td></td>
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<tr>
<td>Plan of lesser cost?</td>
<td>N/A</td>
<td>38</td>
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<tr>
<td>---------------------</td>
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</tr>
<tr>
<td>Contract provisions allowing employees to be switched to SHBP or another non-SHBP plan?</td>
<td>N/A</td>
<td>37</td>
</tr>
<tr>
<td>More expensive insurance coverage to earn higher fees?</td>
<td>No</td>
<td>37</td>
</tr>
<tr>
<td>Contrary to your multiemployer plan's allowable benefits, do you have spousal or spouse coverage?</td>
<td>Yes</td>
<td>36</td>
</tr>
<tr>
<td>Denville Township (Morris)</td>
<td>1408</td>
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<tr>
<th>Question</th>
<th>Answer</th>
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<tbody>
<tr>
<td>Applicable where the municipality has a policy of not making payments in lieu of health benefits.</td>
<td>Yes</td>
</tr>
<tr>
<td>Do the municipal budget and whether said payments are still warranted?</td>
<td>N/A</td>
</tr>
</tbody>
</table>

Discussion about the current policy regarding payments in lieu of health benefits is important because the cost of premium sharing will cause officers and employees to drop coverage if they receive a health insurance benefit they can receive from another source has lessened.

The need to pay officers and employees money to not pay for premium sharing could be significant if the policy ever saved money by replacing the expensive cost of providing health care with the less expensive drop coverage, provided they had coverage from another source. The policy often saved.

Drop coverage, provided they had alternative coverage. Many municipalities would offer coverage even though they had alternative coverage. Many municipalities would offer.

Prior to municipal officers and employees paying required to substantially share in the cost of their health benefits; there was no disincentive to officers and employees accepting.
<table>
<thead>
<tr>
<th>Personnel &amp; Pay</th>
<th>Question</th>
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<tbody>
<tr>
<td></td>
<td><em>Does your municipality retain from pay any overtime earned?</em></td>
<td>Yes</td>
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<tr>
<td></td>
<td><em>Are employees who are classified as exempt under the FLSA?</em></td>
<td>Yes</td>
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<td></td>
<td>Is your municipality paying by the same pay period.</td>
<td>Yes</td>
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</tbody>
</table>

Please see color key at bottom of sheet for hints on answers.
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<thead>
<tr>
<th>Question</th>
<th>Yes</th>
<th>No</th>
<th>Answer</th>
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</thead>
<tbody>
<tr>
<td>Does your municipality have a transition duty program (light duty) to encourage employees out on workers' compensation to return to work?</td>
<td>Yes</td>
<td>No</td>
<td>45</td>
</tr>
<tr>
<td>Has your municipality instituted a policy to not compensate employees for sick leave independently?</td>
<td>Yes</td>
<td>No</td>
<td>44</td>
</tr>
<tr>
<td>Sinclair/Reo Records office maintains records accounting for all employee leave (e.g. time cards, electronic time keeping)?</td>
<td>Yes</td>
<td>No</td>
<td>43</td>
</tr>
<tr>
<td>Are your municipal records maintained in a way that is confidential and secure?</td>
<td>Yes</td>
<td>No</td>
<td>42</td>
</tr>
<tr>
<td>Does your municipality make available to the public free of charge, either through an Internet posting or on-site review, documents that show the current salaries of all employees?</td>
<td>Yes</td>
<td>No</td>
<td>41</td>
</tr>
<tr>
<td>Question</td>
<td>Answer</td>
<td></td>
<td></td>
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<tr>
<td><strong>Commends</strong></td>
<td><strong>Denville Township (Morris)</strong></td>
<td><strong>Best Practices Worksheet CY 2015/2016</strong></td>
<td></td>
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<tr>
<td>Question</td>
<td>Answer</td>
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</table>
| During which the personal manual was adopted? (last five years?) If yes, please provide in the Comments section the date of the meeting updated in your personal manual/booklet by resolution or ordinance within the village, such as staff activities, events, etc. Your multi-employers adopted or amended multi-employers policies, procedures, and benefits. Many insurance carriers encourage the adoption of such a document and other discounted rates for their use. These publications encourage the adoption of multi-employers manual or booklets as a valuable tool to convey a collective bargaining.

Yes: 60  

The multi-employers policies are being adopted such a contractual obligation through collective bargaining. The multi-employers policies are being adopted such a contractual obligation through collective bargaining. The answer to this question can be supplemented by the collective bargaining agreement. Has your multi-employers policy eliminated longevity awards, bonuses or payments for non-union employees?

Yes: 49  

Yes: 48

Temporary Disability Program:

If your multi-employers does not participate in the State bargaining, only answer "N/A." If your multi-employers does not participate in the State bargaining, only answer "N/A." If your multi-employers does not participate in the State bargaining, only answer "N/A." Does your multi-employers have a temporary disability benefit? The answer to this question can be supplemented by the collective bargaining agreement. The weekly benefit rate provided under the State Temporary Disability Law for non-workers is paid 2/3 of their average weekly wage up to the maximum amount payable, which is usually 80% of their earnings. Denitile Township (Morris)

1408  

<table>
<thead>
<tr>
<th>Date</th>
<th>Name</th>
<th>Certification #(s)</th>
<th>94%</th>
<th>Score (Yes + N/A + Prospective)</th>
<th>Total Answered:</th>
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<td>50</td>
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Comments: Please see color key at bottom of sheet for limits on answers.

Denerville Township (Morris)
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<th>Question</th>
<th>Yes</th>
<th>No</th>
<th>Not Applicable</th>
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<tr>
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<td>9-16</td>
<td>17-24</td>
<td>25-32</td>
<td>33-40</td>
<td>41-50</td>
<td>51-60</td>
</tr>
<tr>
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<td>No</td>
<td>Not Applicable</td>
<td>Not Applicable</td>
<td>Not Applicable</td>
<td>Not Applicable</td>
<td>Not Applicable</td>
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<td>0%</td>
<td>0%</td>
<td>0%</td>
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</tbody>
</table>

**Comments**

Please see color key at bottom of sheet for key on answers.

**Denville Township (Morris)**
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.

<table>
<thead>
<tr>
<th>NAME</th>
<th>PERMIT NUMBER</th>
<th>AMOUNT</th>
<th>REVENUE ACCOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Delorenzo Contracting</td>
<td>#151064</td>
<td>$68.00</td>
<td>01-192-08-160-001</td>
</tr>
</tbody>
</table>

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 October 6, 2015.

Certification Date

Kathryn Bowditch-Leon, RMC
Municipal Clerk
RESOLUTION

WHEREAS, the Planning Board of the Township of Denville granted final subdivision approval to Matthew Marano, for Block 60101, Lots 1 and 8; and

WHEREAS, F&F Home Builders, L.L.C. is the successor in interest to Matthew Marano in regard to the subject property; and

WHEREAS, F&F Home Builders, L.L.C. has executed a Second Extension Developer's Agreement with the Township to extend the time for the completion of all public improvements to August 1, 2017; and

WHEREAS, the Township Engineer has advised that Performance Bond #5009811 issued by Bond Safeguard Insurance Company, dated August 19, 2005, is adequate to guarantee the completion of the remaining improvements.

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 Mayor and Township Clerk are hereby authorized to execute the Second Extension Developer's Agreement between the Township and F&F Home Builders, L.L.C.

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 October 6, 2015.

Certification Dated: ____________________

Kathryn Bowditch-Leon, RMC
Municipal Clerk
RESOLUTION AUTHORIZING REINSTATEMENT 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:
Vargas;

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 October 6, 2015.

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

NAME OF ORGANIZATION                      TYPE OF RAFFLE            DATE

PTA Valleyview School                      On-Prem. 50/50              11-21-2015
PTA Valleyview School                      Mdse. Draw Raffle           11-21-2015
PTA Valleyview School                      Tricky Tray                 11-21-2015
PTO Morris County School of Technology     Bingo                        11-13-2015
PTO Morris County School of Technology     On Premise 50/50             11-13-2015
PTA A Richard Spinola School              On Premise 50/50             10-30-2015
PTA A Richard Spinola School              On Premise 50/50             12-05-2015

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 October 6, 2015.

Certification Date: ________________________ Kathryn Bowditch-Leon, RMC
                                                  Municipal Clerk
RESOLUTION TO WAIVE FEES FOR
ST. FRANCIS HEALTH RESORT, INC.

WHEREAS, on September 9, 2015, the Planning Board of the Township of Denville adopted a resolution granting preliminary and final site plan approval with an associated variance and waiver in connection with Block 50002, Lot 1.03 as shown on the tax map of the Township of Denville, owned by St. Francis Health Resort, Inc., a not-for-profit organization; and

WHEREAS, the Planning Board recommended that the Municipal Council consider a refund/waiver of so much of the application fees paid by the applicant as deemed to be reasonable and appropriate pursuant to Ord. 19-1.405; and

WHEREAS, the Planning Board further recommended that the Municipal Council consider waiving the requirement of a Developer’s Agreement given the limited nature of the proposed parking improvements; and

WHEREAS, the applicant paid a total of $6,044.00 in application fees.

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. That the request of St. Francis Health Resort, Inc. for a waiver and refund of application fees in the amount of $6,044 is hereby approved.

2. That the requirement of a Developer’s Agreement is hereby waived.

3. That the Chief Financial Officer is hereby authorized and directed to issue the refund check upon the receipt of an appropriate voucher.

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 October 6, 2015.
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 and 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's representative after the refund has been recorded in the taxpayer's history file.

<table>
<thead>
<tr>
<th>BLOCK/LOT</th>
<th>OWNER /MORTGAGE CO.</th>
<th>AMOUNT</th>
</tr>
</thead>
</table>

Property Location-114 Cedar Lake East


CERTIFICATION DATE: KATHRYN BOWDITCH-LEON, RMC MUNICIPAL CLERK
RESOLUTION AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION AND THE EXECUTION OF A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE FRANKLIN ROAD & FRANKLIN AVENUE RESURFACING PROJECT

NOW, THEREFORE, 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.

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-2016-Franklin Road & Franklin Avenue RESU-00028 to the New Jersey Department of Transportation on behalf of the Township of Denville.

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 signature constitutes 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 approval of 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 October 6, 2015.

Certification Date: Kathryn Bowditch-Leon, RMC
Municipal Clerk
Grant Application for State Aid to
Counties and Municipalities
Municipal Aid 2016
MA-2016-Franklin Road & Franklin Avenue Resu-00028
Roadway_Preservation

TYPE OF IMPROVEMENT

<table>
<thead>
<tr>
<th>Infrastructure</th>
<th>Purpose</th>
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</thead>
<tbody>
<tr>
<td>☑ Bikeway</td>
<td>Primary project purpose is for constructing new bikeways (e.g. bike lanes, bike paths, bike compatible roadways).</td>
</tr>
<tr>
<td>☐ Bridge Preservation</td>
<td>Primary project purpose is for improving the condition of Bridge infrastructure (e.g. new deck, rehabilitation, replacement).</td>
</tr>
<tr>
<td>☐ Mobility</td>
<td>Primary project purpose is to enhance mobility and reduce congestion (e.g. adding lanes, park &amp; ride, signal optimization).</td>
</tr>
<tr>
<td>☐ Pedestrian Safety</td>
<td>Primary project purpose is to enhance pedestrian safety (e.g. new sidewalks, new crosswalks, traffic calming, pedestrian overpass).</td>
</tr>
<tr>
<td>☐ Quality of Life</td>
<td>Primary project purpose is for beautification, environmental mitigation, economic development or historic preservation.</td>
</tr>
<tr>
<td>☐ Roadway Preservation</td>
<td>Primary project purpose is for improving the condition of roadway infrastructure (e.g. resurfacing, reconstruction, drainage).</td>
</tr>
<tr>
<td>☐ Roadway Safety</td>
<td>Primary project purpose is to enhance vehicular safety (e.g. guide rail, signing, warning devices, striping).</td>
</tr>
</tbody>
</table>
Grant Application for State Aid to

Counties and Municipalities
Municipal Aid 2016
MA-2016-Franklin Road & Franklin Avenue Resurfacing
Roadway_Preservation

Project Name

Note: If you have multiple locations for the same type of improvement and scope of work, you may enter “various” for the project limits, download an excel spreadsheet, fill it out and attach it below.

Project Title: Franklin Road & Franklin Avenue Resurfacing

From: Palmer Road

To: NJDOT Route 10

Project Distance (Miles): 0.46
Grant Application for State Aid to
Counties and Municipalities
Municipal Aid 2016
MA-2016-Franklin Road & Franklin Avenue Resu-00028
Roadway_Preservation

PROJECT LOCATION

County to filter by:
Morris County

Municipalities:
Denville Township
The proposed project by the Township will include full depth milling and a complete 2-inch bituminous overlay for a portion of Franklin Avenue from the NJ Transit Bridge to Palmer Road and a portion of Franklin Road from Franklin Avenue to NJDOT Highway Route 10. Drainage inlets will be upgraded and all sidewalk ramps will be reconstructed to meet ADA requirements.

Franklin Road & Franklin Avenue are a major artery for access to NJDOT Highway Route 10, NJDOT Highway Route 46, Morris Knolls Regional High School, Randolph Township, the Borough of Morris Plains, the Town of Dover, as well as the shopping centers located on NJDOT Highway Route 10 and NJDOT Highway Route 46. A significant amount of traffic, both commuter and school traffic, utilize Franklin Road and Franklin Avenue. There are many public facilities located on Franklin Road and Franklin Avenue, and within the vicinity, including Morris Knolls High School, Denville Commons, Veterans Memorial Field, and The Shoppes at Union Hill. The present condition of the roadway is extremely poor and is in immediate need of repair.

The improvements to Franklin Road and Franklin Avenue will result in a pavement surface with superior riding characteristics, and an improved pavement structure which will reduce expenditures for future pavement maintenance. The proposed project will benefit the immediate community in addition to the overall transportation system in the area.
Grant Application for State Aid to Counties and Municipalities Municipal Aid 2016
MA-2016-Franklin Road & Franklin Avenue Resu-00028 Roadway_Preservation

Scope of Work cont’d
Location Map - 8.5 x 11 only - showing project limits
1166712-2016MunicipalAidLocationMap-FranklinRd_Ave_Pa

Note: All information must be clear and legible with street names labeled.

You may include photos with your application by uploading them here:

Does this project include a traffic signal? □ Yes □ No
If Yes, please attach authorization to design or install if available.

Will the project meet AASHTO standards?  □ Yes □ No
If No, list Design Exceptions below
Grant Application for State Aid to
Counties and Municipalities
Municipal Aid 2016
MA-2016-Franklin Road & Franklin Avenue Resu-00028
Roadway_Preservation
Roadway Data Sheet

Project Classification
○ Resurfacing
○ Reconstruction
○ Surface Treatment
○ Drainage
○ Widening
○ New Roadway

Existing Road Conditions. Please enter minimum Widths. If not known enter Zero. Note: If your application includes various locations use a weighted average value according to distance.

Current ADT: 7800
Truck Traffic over 5 Tons(%): 15
Legal Speed Limit (mph): 30
Right of Way Width (feet): 50

Is this Project located on a Commuter Bus Route? ○ Yes ○ No

Pavement Width (feet): 26
Shoulder Width (feet): 0

Curbing:
○ One Side
○ Both Sides
○ Neither

Sidewalk:
○ One Side
○ Both Sides
○ Neither

Existing Minimum Width (feet):

Parking Restrictions: No parking permitted on Franklin Road

Are there any public facilities within 1/2 mile of the project limits? (e.g. Retail centers, school, worship place, library, fire station, etc.)

Franklin Avenue & Franklin Road are the main access way to Morris Knolls Regional High School, U.S. Highway Route 10, U.S. Highway Route 46, the commercial District on Astro Place, the Shoppes at Union Hill (located on Route 10), Denville Commons (Located on Route 10, and Veteran's Memorial Field (located across Route 10)
Grant Application for State Aid to
Counties and Municipalities
Municipal Aid 2016
MA-2016-Franklin Road & Franklin Avenue Resu-00028
Roadway_Preservation
Roadway Data Sheet

If the project improves safety, please explain below

Franklin Road & Franklin Avenue serve as the connecting link between State Highways 10, 46, and 80, as well as the connecting link between many municipalities including Randolph Township, Dover, and Morris Plains. As a key artery, Franklin Road & Franklin Avenue handle commuter, commercial, and local traffic. In order to safety accommodate its traffic load, the overall driving condition of Franklin Road must be maintained.
Grant Application for State Aid to
Counties and Municipalities
Municipal Aid 2016
MA-2016-Franklin Road & Franklin Avenue Resu-00028
Roadway_Preservation
Roadway Data Sheet

Proposed Improvements. Please enter minimum Widths. If not known enter Zero.

Right of Way Width (feet): 33
Pavement Width (feet): 26
Shoulder Width (feet): 0

Curbing:  ○ One Side  ○ Both Sides  ○ Neither
Sidewalk:  ○ One Side  ○ Both Sides  ○ Neither

Proposed Minimum Width (feet):

Parking Restrictions: No parking permitted on Franklin Road (No Change)

Is there an existing bridge being replaced or repaired?  ○ Yes  ○ No
If Yes, please return to the Main Menu and begin a new application with Bridge Preservation selected on the Type of Improvement page.
Grant Application for State Aid to
Counties and Municipalities
Municipal Aid 2016
MA-2016-Franklin Road & Franklin Avenue Resu-00028
Roadway_Preservation

TOTAL ESTIMATED COST OF IMPROVEMENT

Construction Cost: $111,818.00

Please attach a Detailed Construction Cost Estimate (Word, Excel, or PDF format please)

Design Engineering: $0
(List only if eligible for Urban Aid or as a Depressed Rural Center)

Right-Of-Way: $0
(List only if eligible for Urban Aid or as a Depressed Rural Center)

Construction Inspection and Material Testing if requesting: $16,772.70
(15% of the final allowable construction cost maximum)

Total Estimated Cost: $128,590.70

Total Requested Amount: $120,000.00

If you have submitted or plan to submit other applications, please prioritize your applications by assigning them a priority rating. Use number 1 for the highest priority. If you only plan to submit this application, please enter 1 as the priority rating:
Grant Application for State Aid to
Counties and Municipalities
Municipal Aid 2016
MA-2016-Franklin Road & Franklin Avenue Resu-00028
Roadway_Preservation

SIGNATURE PAGE

Title of presiding officer who will be signing this application/agreement:
Steven Ward, Administrator
RESOLUTION

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

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

WHEREAS, the spending plan provides for the use of up to twenty percent (20%) of such funds for administrative costs, including but not limited to consulting and legal fees; and

WHEREAS, the Township previously transferred the anticipated administrative costs for 2015 from the Affordable Housing Trust Fund to the Denville General Trust Fund; and

WHEREAS, those funds have been exhausted and the Township desires to transfer an additional $30,000 for administrative costs for calendar year 2015 to the Denville General Trust Fund; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available in the Affordable Housing Trust Fund for these purposes.

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. That the sum of $30,000 be transferred from the Affordable Housing Trust Fund to the Denville General Trust Fund for affordable housing related administrative costs.

2. 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 October 6, 2015.

Certification Dated: ___________________________ Kathryn Bowditch-Leon, RMC Municipal Clerk
RESOLUTION

WHEREAS, on September 15, 2015, the Township of Denville received bids for an Outdoor Mobile Stage; and

WHEREAS, Century Industries submitted the lowest responsive bid in the amount of $50,670.00; and

WHEREAS, the Municipal Council wishes to award the Outdoor Mobile Stage contract to Century Industries in accordance with its bid proposal; 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 Outdoor Mobile Stage is hereby awarded to Century Industries, 299 Prather Lane, PO Box C, Sellersburg, IN 47172, in accordance with its bid for the price of $50,670.00.

2. The Mayor and Township Clerk are hereby authorized and directed to execute a contract with Century Industries.

3. 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 October 6, 2015.

Certification Date: ___________  
Kathryn Bowditch-Leon, RMC  
Municipal Clerk
RESOLUTION CONSENTING TO THE PROPOSED WATER QUALITY MANAGEMENT (WQM) PLAN AMENDMENT ENTITLED "PROPOSED AMENDMENT TO THE NORTHEAST WATER QUALITY MANAGEMENT PLAN FOR THE GLENMONT COMMONS SUBDIVISION"

WHEREAS, the Municipal Council of the Township of Denville desires to provide for the orderly development of wastewater facilities within Denville Township; and

WHEREAS, the New Jersey Department of Environmental Protection (NJDEP) requires that proposed wastewater treatment and conveyance facilities and wastewater treatment service areas, as well as related subjects, be in conformance with an approved WQM plan; and

WHEREAS, the NJDEP has established the WQM plan amendment procedure as the method of incorporating unplanned facilities into a WQM plan; and

WHEREAS, a proposed WQM plan amendment noticed in the New Jersey Register on August 19, 2015 for Glenmont Commons Subdivision has been prepared by MCB Engineering Associates, LLC on behalf of Glenmont Commons Developers, LLC.

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 Municipal Council of the Township of Denville hereby consents to the amendment entitled Glenmont Commons Subdivision and publicly noticed on August 19, 2015, prepared by MCB Engineering Associates, LLC on behalf of Glenmont Commons Developers, LLC for the purpose of its incorporation into the applicable WQM plan(s).

2. This consent shall be submitted to the NJDEP in accordance with N.J.A.C. 7:15-3.4.

3. A certified copy of this resolution shall be forwarded to the following

   NJDEP, Office of Water Resources Management Coordination
   P.O. Box 420
   Mail Code 401-02A
   401 East State Street
   Trenton, New Jersey 08625

   Steven M. Dalton, Esq.
   Giordano, Halleran & Ciesla, P.C.
   125 Half Mile Road, Suite 300
   Red Bank, New Jersey 07701
   Attorney for Glenmont Commons Developers, LLC
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 October 6, 2015.

Certification Date: ____________________________

Kathryn Bowditch-Leon, RMC
Municipal Clerk
In accordance with N.J.A.C. 7:15-5.24 environmentally sensitive areas (ESAs) are assessed to determine what areas of the property are appropriate for inclusion in the proposed SSA. Environmentally sensitive areas are defined based on a composite geographic information systems (GIS) analysis, as any contiguous area of 25 acres or

Take notice that the New Jersey Department of Environmental Protection (Department) is seeking public comment on a proposed amendment to the Northeast Water Quality Management (WQM) Plan. This amendment proposal, submitted on behalf of Glenmont Commons Developers LLC, would expand the sewer service area (SSA) of the Rockaway Valley Regional Sewerage Authority (RVRSA) to include an approximately 3 acre portion of Block 10002, Lot 3, a 13.2 acre parcel within Denville Township, Morris County. This proposed amendment (Program Interest No.: 435442; Activity No.: AMD14003) would provide for the Glenmont Commons Subdivision to create four new individual lots with one residential unit to be constructed on each lot.

This application has been reviewed in accordance with the Water Quality Management Planning rules that set the environmental standards to be applied to an amendment at N.J.A.C. 7:15-5.18, N.J.A.C. 7:15-5.24 and N.J.A.C. 7:15-5.25(h), as modified by P.L. 2011, c. 203 (amended by P.L. 2013, c. 188). This preliminary notice represents the Department's determination that the proposed amendment is in compliance with the regulatory criteria pursuant to N.J.A.C. 7:15-5.24 and 5.25(h).

In accordance with N.J.A.C. 7:15-5.24 environmentally sensitive areas (ESAs) are assessed to determine what areas of the property are appropriate for inclusion in the proposed SSA. Environmentally sensitive areas are defined based on a composite geographic information systems (GIS) analysis, as any contiguous area of 25 acres or
As a result of the above, pursuant to N.J.A.C. 7:15-5.26(a) the applicant submitted a Habitat Suitability Determination (HSD) application to refute the presumption that the parcel was in fact suitable and critical habitat for the identified species. A review of the HSD application and site investigation conducted by the Department’s Endangered and Nongame Species Program determined that, site disturbance has been minimized to the maximum extent practicable, based upon the site plans for the proposed 4 lot subdivision. Therefore, the Department concluded that the 3 acre footprint of development within the 13.2 acre property would not adversely impact larger consisting of habitat for threatened and endangered species as identified on the Landscape Project Maps of Habitat for Endangered, Threatened or Other Priority Species, Natural Heritage Priority Sites, Category One (C1) special water resource protection areas, and wetlands, alone or in combination, ESAs are required to be excluded from the SSA. As described below, the Department determined that inclusion of the 3 acres as SSA within the 13.5 acre site is compliant with N.J.A.C. 7:15-5.24(b).

In accordance with N.J.A.C. 7:15-5.24(b)1, to determine areas designated as threatened or endangered species habitat, the Department utilized the Division of Fish and Wildlife’s Landscape Project Maps of Habitat for Endangered, Threatened or Other Priority Species, Landscape Project version 3.1. Areas identified by the Landscape Project as being suitable habitat for threatened and endangered species Ranks 3 (State threatened), 4 (State endangered), and 5 (Federal endangered or threatened) are not to be included in proposed SSAs except as provided under N.J.A.C. 7:15-5.24(e)-(h). A review of the Landscape Project Maps determined that the site location was identified as potential Rank 5 Forest Habitat for both Bobcat and Indiana Bat.

As a result of the above, pursuant to N.J.A.C. 7:15 5.26(a) the applicant submitted a Habitat Suitability Determination (HSD) application to refute the presumption that the parcel was in fact suitable and critical habitat for the identified species. A review of the HSD application and site investigation conducted by the Department’s Endangered and Nongame Species Program determined that, site disturbance has been minimized to the maximum extent practicable, based upon the site plans for the proposed 4 lot subdivision. Therefore, the Department concluded that the 3 acre footprint of development within the 13.2 acre property would not adversely impact
the suitability of the habitat of the local population of the species. As a result of this finding, the Department determined that this analysis has been satisfied.

In accordance with N.J.A.C. 7:15-5.24(b)2, areas mapped as Natural Heritage Priority Sites are not to be included in proposed SSAs, except as provided under N.J.A.C. 7:15-5.24(e)-(h). A site review of the property determined that no Natural Heritage Priority Sites exist on site.

In accordance with N.J.A.C. 7:15-5.24(b)3, Category One (Cl) special water resource protection areas are not to be included in proposed SSAs, except as provided under N.J.A.C. 7:15-5.24(e)-(h). The Department determined no classified Cl water bodies exist on or near the property. In addition, no portion of the proposed development on site is identified as within a riparian zone as established at N.J.A.C. 7:15-5.25(g)2-5.

In accordance with N.J.A.C. 7:15-5.24(b)4, areas mapped as wetlands pursuant to N.J.S.A. 13:9A-1 and 13:9B-25 are not proposed as SSA. In accordance with N.J.A.C. 7:15-5.24(e)2, a Letter of Interpretation (LOI) file No. 1408-05-0009.1, dated August 15, 2011 verified the presence and extent of the regulated wetlands and associated transmittal buffers located within Block 10002, Lot 3. No area identified as a regulated wetland or buffer on the property are proposed as SSA as part of this proposed amendment.

All other ESA as defined at N.J.A.C. 7:15-5.24(c) 1-3; lands within certain coastal planning areas (Coastal Fringe, Coastal Rural, and Coastal Environmentally Sensitive Planning Areas) are not applicable to this proposed amendment location nor are any ESA as defined at N.J.A.C. 7:15-5.24(d)1-4; beaches, coastal high hazards area or dunes as defined under N.J.A.C.7:7E.
In accordance with N.J.A.C. 7:15-5.24(d), the proposed site contain ESA as defined under the Federal 201 grant limitations that prohibit the extension of sewers to these areas. The RVRSA Federal 201 Grant (#C-389-06), Findings of No Significant Impact (FOSI), dated June 23, 1984, defines the specific ESA’s as “mapped wetlands in accordance with the National Wetlands Inventory Maps” and/or areas within “the 100 year flood-plain (flood hazard area (FHA)) as defined by the federal Department of Housing and Urban Development”. As described above, wetlands are excluded from the proposed SSA and this site is not within mapped FHA.

Furthermore, as noted as text on the adopted Morris County FWSA map which states: “Pre-existing grant conditions and requirements (from Federal and State grants or loans for sewerage facilities) which provide for restriction of sewer service to environmentally sensitive areas, are unaffected by adoption of this amendment and compliance is required”. Compliance of this condition can only occur if and when an applicant requesting sewer service for any development on the subject property has obtained a USEPA grant mapping waiver. Such waivers are only issued through a formal request through the grantee (RVRSA). This request must include the submission of wetlands verification via a Department LOI confirming that ESA’s will not be impacted if sewer conveyance systems are constructed to serve development. Since, prior to any Department and/or RVRSA approvals for the extension of sewer infrastructure to serve any proposed development will require a USEPA mapping waiver issued at the request of the grantee to serve the development, the stated grant condition will be satisfied at that time.

Denville Township, Morris County, New Jersey has adopted “Land Use Ordinance Chapter XIX, Sub-Chapter No.§19-4.16, which contains stormwater control and design measures. The Department has determined that this sub-chapter/ordinance complies with the water quality and quantity standards in accordance with N.J.A.C.
7:8. Consequently, the requirements of N.J.A.C. 7:15-5.25(g)1 for stormwater control have been satisfied.

N.J.A.C. 7:15-5.25(h)6 does not permit new disturbance in areas with a gradient equal to or greater than 20 percent (20%), except as provided by N.J.A.C. 7:15-5.25g(g)ii. As identified on the submitted approved subdivision site plans, the project proposes minimal disturbance of steep slopes with a gradient of equal to or greater than 20%. In accordance with N.J.A.C. 7:15-5.25g(g)ii new disturbance located in areas of steep slopes can occur if it is necessary “to prevent extraordinary hardship on the property owner, peculiar to the property; or to prevent extraordinary hardship, provided the hardship was not created by the property owner, that would not permit a minimum economically viable use of the property based upon reasonable investment”. To that effect, as part of this proposed amendment, the applicant supplicated their application with additional information including an economic analysis to demonstrate that the steep slope disturbance meets this hardship exception.

In support of the assertion that the applicant incurred significant aggregated monetary investment towards the proposed development of the site, expenditures provided included the cost for land acquisition and taxes, site survey, environmental assessments, engineering and site plan design, obtaining local preliminary major subdivision approval, Department freshwater wetlands and Individual Flood Hazard Area permits and Morris County Soil Conservation District soil erosion plan approval.

To demonstrate that the hardship was peculiar to the property and not created by the property owner, the applicant provided evidence that the approved site plans met Denville Township’s Land Use Ordinance Chapter XIX, Sub-Chapter No. 19-4.508
which regulates development within steep slopes, defined as greater than or equal to fifteen percent (15%). This ordinance allows for disturbance within steep slope gradient between 20% and 30%, however, up to only 30 percent of the total area of these steep slopes onsite can be impacted. The applicant indicated that, as shown on the approved subdivision site plans, titled “Preliminary Major Subdivision, Block 10002 - Lot 3 Township of Denville, Morris County, NJ, minor impacts are proposed within steep slope areas greater than 20% on less than the allowable 30% of the total area of the site. This approved disturbance is mainly for the centralized roadway to gain access to the four units within the 13.2 acre property. The applicant noted that the parcel, an oblong pie shape lot, and as noted here, is constrained by the onsite steep slopes and wetlands. The applicant contends that the final alignment for the access road minimized, to the greatest extent possible disturbance to the on-site constraints, while providing for the least minimum residential units necessary to obtain a viable return in the applicant’s total financial investments.

In addition, the applicant stated that, at the time the Preliminary Major Subdivision Approval was originally granted on December 9, 2009, the property was within approved SSA. Therefore, the applicant acquired the property with the intentions to develop the parcel within the site constraints; as permissible under the residential zoning and applicable land use ordinances. The applicant then sought and was issued Department freshwater wetlands and Individual Flood Hazard Area permits necessary for the construction of the approved 4 dwelling units on individual lots.

Based on the above, the Department determined that the proposed minimum disturbance within the steep slopes, as approved on the Preliminary Major Subdivision Plan, was necessary to avoid additional ESA impacts due to the constraints peculiar to the site. Furthermore, the Department concurred that the proposed disturbance within these steep slopes were necessary in order for the
property owner to obtain a viable return to the overall financial investments made from the purchase to the property and gaining all obligatory local and Department approvals. As a result, pursuant to N.J.A.C. 7:15-5.25(g)ii, in order to prevent a hardship, not created by the property owner, that would not permit a minimum economically viable use of the property based upon reasonable investment, has been met.

This proposed amendment represents only one part of the permit process and other issues may need to be addressed prior to final permit issuance. Additional issues which may need to be addressed may include, but are not limited to, the following: compliance with stormwater regulations; antidegradation; effluent limitations; water quality analysis; exact locations and designs of future treatment works (pump stations, interceptors, sewers, outfalls, wastewater treatment plants); and development in wetlands, flood prone areas, designated Wild and Scenic River areas, or other environmentally sensitive areas which are subject to regulation under Federal or State statutes or rules.

This notice is being given to inform the public that a plan amendment has been proposed for the Northeast WQM Plan. All information relating to the WQM Plan and the proposed amendment is located at the Department, Office of Water Resources Management (WRM) Coordination, P.O. Box 420, Mail Code 401-02A, 401 East State Street, Trenton, New Jersey 08625. The Department's file is available for inspection between 9:00 a.m. and 4:00 p.m., Monday through Friday. An appointment to inspect the documents may be arranged by calling the Office of WRM Coordination at (609) 777-4349.
Interested persons may request in writing that the Department hold a non-adversarial public hearing on the amendment or extend the public comment period in this notice up to 30 additional days. These requests must state the nature of the issues to be raised at the proposed hearing or state the reasons why the proposed extension is necessary. These requests must be submitted within 30 days of the date of this public notice to WQM Program Docket at the Department address cited above. If a public hearing is held, the public comment period in this notice shall be extended to close 15 days after the public hearing.

Interested persons may submit written comments on the amendment to WQM Program Docket, at the Department address cited above with a copy sent to Patrick D. McClellan, Project Engineer, MCB Engineering Associates LLC, 11 Furler Street, P.O. Box 588, Tolowa, New Jersey 07511. All comments must be submitted within 30 days of the date of this public notice. All comments submitted prior to the close of the comment period shall be considered by the Department in reviewing the amendment request.
BE IT RESOLVED by the Municipal Council of the Township of Denville that the applications for the following RAFFLE be approved and the Municipal Clerk be authorized to issue said license on behalf of the Municipality.

<table>
<thead>
<tr>
<th>NAME OF ORGANIZATION</th>
<th>TYPE OF RAFFLE</th>
<th>DATE</th>
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<tbody>
<tr>
<td>Kiwanis Club Denville</td>
<td>Off Premise 50/50</td>
<td>11-29-2015</td>
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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 October 6, 2015.

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