TOWNSHIP OF DENVILLE MUNICIPAL COUNCIL
REGULAR MEETING
December 19, 2017  7:30 P.M.

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

Council Members

____ Gabel
____ Lyden
____ Golinski, Council President

____ Witte
____ Fitzpatrick
____ Murphy

In Attendance

____ Mayor Andes
____ Township Attorney Jansen
____ Administrator Ward
____ Other: __________________________

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

VETERANS’ RECOGNITION CEREMONY

- 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

21-17: An Ordinance Establishing a Minimum and Maximum Range of Salary for Those Employees Who are Members of the Denville Township Employees’ Association

22-17: An Ordinance of the Township of Denville, County of Morris and State of New Jersey Naming the Outside Plaza at Town Hall the “Jack O’Keeffe Plaza”
23-17: An Ordinance of the Township of Denville, County of Morris and State of New Jersey Adopting Regulations for the Planting, Growing and/or Cultivating of Bamboo

ORDINANCES FOR INTRODUCTION
NONE

ITEMS FOR DISCUSSION AND/OR ACTION
NONE

RESOLUTIONS

CONSENT AGENDA:

R-17-264: Resolution Authorizing Acceptance of Funds for the 2017 United States Department of Justice Bulletproof Vest Partnership (BVP) Grant

R-17-265: Resolution Refunding the Payment of Taxes Overpaid Due to Judgment by the Tax Court of New Jersey

R-17-266: Resolution Refunding the Overpayment of 2017 Taxes

NON-CONSENT AGENDA:

R-17-267: Resolution Authorizing Tax Refunds and the Cancellation of Tax Delinquencies Under Ten Dollars ($10.00)

R-17-268: Resolution to Cancel 2017 Taxes for Certain Township Owned Properties

R-17-269: Resolution Authorizing a Shared Services Agreement Between the Township of Denville and the County of Morris

R-17-270: Resolution Approving 2017 Executive Session Minutes

R-17-271: Resolution Authorizing the Execution of the Collective Bargaining Agreement Between the Township of Denville and the Denville Township Supervisory Employees' Agreement


R-17-273: Resolution Establishing 2018, 2019, 2020, 2021 Salaries for Regular Part-Time/Non-Seasonal Employees of the Township of Denville Not Governed by Collective Bargaining Agreements
R-17-274: Resolution Authorizing the Signing and Execution of the Collective Bargaining Agreement Between the Township of Denville and the Denville Township Employees’ Association

R-17-275: Resolution Opposing the Permanent Closing of the Lackawanna Avenue Railroad Crossing as Proposed by NJ Transit and Currently Under Administrative Review by the NJ Department of Transportation

R-17-276: Resolution of the Township of Denville, County of Morris and State of New Jersey Confirming the Sale of Various Items of Municipal Property No Longer Needed for Public Use

R-17-277: Resolution Authorizing the Transfer of Calendar Year 2017 Budget Appropriations

MINUTES FOR ADOPTION

• November 21, 2017

MOTION TO ADJOURN
ORDINANCE NO. 21-17

BE IT RESOLVED that an Ordinance entitled:

An Ordinance Establishing a Minimum and Maximum Range of Salary for Those Employees Who are Members of the Denville Township Employees' Association

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 Establishing a Minimum and Maximum Range of Salary for Those Employees Who are Members of the Denville Township Employees' Association

Be passed on Final Reading and that a Notice of Final Passage be published in the 1/04/2018 edition of The Citizen newspaper.

COUNCIL PRESIDENT: MOTION TO ADOPT
ROLL CALL ON ADOPTION

Dated: 12/19/2017
ORDINANCE NO. 21-17

AN ORDINANCE ESTABLISHING A MINIMUM AND MAXIMUM RANGE OF SALARY FOR THOSE EMPLOYEES WHO ARE MEMBERS OF THE DENVILLE TOWNSHIP EMPLOYEES' ASSOCIATION

WHEREAS, State law permits the adoption of an ordinance establishing a range of salary for certain Township positions. The ranges listed herein establish a minimum and maximum range for a specific job title and not the actual salary. The actual salary and all other terms/conditions of employment shall be delineated in the collective bargaining agreement and shall fall within the minimum and maximum limits established herein.

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

SECTION 1: Short Title: This Ordinance shall hereafter be known and referred to as the “Salary Ordinance for Members of the Denville Township Employees' Association.”

SECTION 2: Salaries and Wages: The annual salaries and compensation of the officers and employees of the Township of Denville shall fall within the ranges contained in the contractual agreement:

**SALARY RANGES:**

<table>
<thead>
<tr>
<th>TITLE</th>
<th>MINIMUM</th>
<th>MAXIMUM</th>
</tr>
</thead>
<tbody>
<tr>
<td>Custodian of Buildings &amp; Grounds</td>
<td>$22,000.00</td>
<td>$45,000.00</td>
</tr>
<tr>
<td>DPW Secretary</td>
<td>$26,000.00</td>
<td>$52,000.00</td>
</tr>
<tr>
<td>Asst. Court Administrator</td>
<td>$26,000.00</td>
<td>$52,000.00</td>
</tr>
<tr>
<td>Deputy Court Clerk</td>
<td>$24,000.00</td>
<td>$48,000.00</td>
</tr>
<tr>
<td>Senior Records Clerk (Police)</td>
<td>$22,000.00</td>
<td>$45,000.00</td>
</tr>
<tr>
<td>Records Clerk (Police)</td>
<td>$18,000.00</td>
<td>$35,000.00</td>
</tr>
<tr>
<td>Secretary (Police)</td>
<td>$29,000.00</td>
<td>$58,000.00</td>
</tr>
<tr>
<td>Registrar of Vital Statistics</td>
<td>$28,000.00</td>
<td>$56,000.00</td>
</tr>
<tr>
<td>Clerk (Utilities)</td>
<td>$18,000.00</td>
<td>$36,000.00</td>
</tr>
<tr>
<td>Utility Collector Senior Clerk</td>
<td>$24,000.00</td>
<td>$48,000.00</td>
</tr>
<tr>
<td>Technical Assistant to Construction Official</td>
<td>$26,000.00</td>
<td>$52,000.00</td>
</tr>
<tr>
<td>Animal Control Officer</td>
<td>$38,000.00</td>
<td>$75,000.00</td>
</tr>
<tr>
<td>Deputy Tax Assessor</td>
<td>$27,000.00</td>
<td>$53,000.00</td>
</tr>
<tr>
<td>Clerk (DPW)</td>
<td>$19,000.00</td>
<td>$38,000.00</td>
</tr>
<tr>
<td>DPW/Community Development Secretary</td>
<td>$18,000.00</td>
<td>$35,000.00</td>
</tr>
<tr>
<td>Senior Citizen Bus Driver</td>
<td>$20,000.00</td>
<td>$39,000.00</td>
</tr>
<tr>
<td>Planning &amp; Zoning Board Secretary</td>
<td>$24,000.00</td>
<td>$47,000.00</td>
</tr>
<tr>
<td>Clerk (Health)</td>
<td>$18,000.00</td>
<td>$36,000.00</td>
</tr>
<tr>
<td>Accts. Payable/Receivable Clerk</td>
<td>$22,000.00</td>
<td>$43,000.00</td>
</tr>
<tr>
<td>Clerk (Construction)</td>
<td>$19,000.00</td>
<td>$38,000.00</td>
</tr>
<tr>
<td>Dispatcher Police / Fire</td>
<td>$39,000.00</td>
<td>$78,000.00</td>
</tr>
<tr>
<td>Administrative Specialist (Police)</td>
<td>$28,000.00</td>
<td>$56,000.00</td>
</tr>
</tbody>
</table>
SECTION 3: All Ordinances of the Township of Denville that are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency,

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

SECTION 5: This Ordinance shall take effect as provided 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

Adopted:
ORDINANCE NO. 22-17

BE IT RESOLVED that an Ordinance entitled:

An Ordinance of the Township of Denville, County of Morris and State of New Jersey Naming the Outside Plaza at Town Hall the “Jack O’Keeffe Plaza”

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

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

BE IT RESOLVED that an Ordinance entitled:

An Ordinance of the Township of Denville, County of Morris and State of New Jersey Naming the Outside Plaza at Town Hall the “Jack O’Keeffe Plaza”

Be passed on Final Reading and that a Notice of Final Passage be published in the 01/04/2018 edition of The Citizen newspaper.

COUNCIL PRESIDENT: MOTION TO ADOPT ROLL CALL ON ADOPTION

Dated: 12/19/2017
ORDINANCE NO. 22-17

AN ORDINANCE OF THE TOWNSHIP OF DENVILLE, COUNTY OF MORRIS AND STATE OF NEW JERSEY NAMING THE OUTSIDE PLAZA AT TOWN HALL THE “JACK O’KEEFFE PLAZA”

WHEREAS, John C. “Jack” O’Keeffe served in the 422nd Infantry Regiment of the 106th Infantry Division in World War II, survived the Battle of the Bulge where there were 75,000 U.S. casualties and was ultimately awarded a Bronze Star for his service; and

WHEREAS, Jack went on to serve as a member of the Denville Township Committee from 1965 to 1971 and held the position of Chairman or Mayor in 1966; and

WHEREAS, Jack was on the Township Committee when the Denville Charter Study Commission did a study and issued a final report recommending that Denville become a Faulkner Act municipality; and

WHEREAS, in 1967 Jack and Committeeman Dalrymple were charged with investigating the need for a municipal building that would provide one site for all municipal services with the exception of the Road, Water and Sewer operations; and

WHEREAS, Jack was elected Mayor and commenced his first term in 1980, making him the only individual to serve as Mayor of Denville under both forms of government; and

WHEREAS, as Mayor, Jack was instrumental in purchasing the properties upon which both the Town Hall and the Library are currently located; and

WHEREAS, as Mayor, Jack was also instrumental in the construction of the recreational complex at Zeek Road that is now known as Veterans Memorial Park and the preservation of Firemen’s Field; and

WHEREAS, Jack also served as a member and President of the Denville Library Board of Trustees; and

WHEREAS, Jack went on to serve two three-year terms as a Morris County Freeholder and held the position of Freeholder Director; and

WHEREAS, Jack was a tireless public servant for more than thirty years until his retirement from public life in 1997.

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the Township of Denville, County of Morris and State of New Jersey, that the outside plaza adjacent to the Community Room at the Denville Town Hall shall henceforth be known as the Jack O’Keefe Plaza.

BY ORDER OF THE MUNICIPAL COUNCIL
OF THE TOWNSHIP OF DENVILLE

ATTEST:

Kathryn Bowditch-Leon, RMC
Municipal Clerk

APPROVED:

Mayor Thomas W. Andes
Township of Denville

Adopted:
ORDINANCE NO. 23-17

BE IT RESOLVED that an Ordinance entitled:

An Ordinance of the Township of Denville, County of Morris and State of New Jersey Adopting Regulations for the Planting, Growing and/or Cultivating of Bamboo

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

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

BE IT RESOLVED that an Ordinance entitled:

An Ordinance of the Township of Denville, County of Morris and State of New Jersey Adopting Regulations for the Planting, Growing and/or Cultivating of Bamboo

Be passed on Final Reading and that a Notice of Final Passage be published in the 01/04/2018 edition of The Citizen newspaper.

COUNCIL PRESIDENT:  MOTION TO ADOPT
ROLL CALL ON ADOPTION

Dated: 12/19/2017
ORDINANCE NO. 23-17

AN ORDINANCE OF THE TOWNSHIP OF DENVILLE, COUNTY OF MORRIS, STATE OF NEW JERSEY ADOPTING REGULATIONS FOR THE PLANTING, GROWING AND/OR CULTIVATING OF BAMBOO

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

SECTION 1. Purpose

This Ordinance is adopted to control the planting, growing, maintaining and/or cultivating of bamboo in the Township of Denville and to require barriers to prevent the spread of existing bamboo into other areas of the Township.

SECTION 2. Regulation of the Planting, Growing or Cultivating of Bamboo

Subject to certain exemptions set forth in this Ordinance, no persons, residents, citizens, property owners and/or tenants of the Township shall plant, cultivate, or cause to grow, any bamboo on any lot and/or parcel of ground anywhere within the geographic boundaries of the Township of Denville, except for:

1. Where the root system of such bamboo plants is entirely contained within an above ground level planter, barrel, or other vessel of such design, material and location as to entirely prevent the spread of growth of the bamboo plants’ root system beyond the container in which it is planted; and

2. Whether planted or growing in a container, as described herein, all bamboo plants shall be located, trimmed and maintained so that no part of the plant shall be closer than ten (10) feet from any property line.

SECTION 3. Exemptions

This Ordinance shall not apply to any land owner or tenant in possession of said land who, prior to the effective date of this Ordinance, has any bamboo on any property within the Township limits. Notwithstanding the foregoing, no portions of such bamboo shall be allowed to grow upon, extend roots across, or extend branches, stalks or leaves over any public way or onto any private property. If such occurs, the provisions of Section 4 shall apply.

SECTION 4. Complaint Notice, Order for Removal and Compliance

Whenever a complaint is received by the Township regarding the encroachment of any bamboo plant or root, or whenever the Township, on its own observations and inspections, determines that there is an encroachment of bamboo plants or roots on the property of another land owner, or tenant in possession of the property, or both, the Township shall cause Notice to be served and the following actions to occur:

1. The Notice shall be mailed by Certified Mail, Return Receipt Requested, properly addressed and with sufficient postage, and also by First Class mail. Notice by Certified Mail shall be deemed complete on the date of personal delivery, or the date the Certified Mail is marked refused or unclaimed or otherwise undeliverable by the United
This Ordinance shall take effect immediately upon final passage, approval and publication as required by law.

SECTION 9. Effective Date

This Ordinance may be renumbered for purposes of codification.

SECTION 8. Renumbering

This Ordinance shall take effect immediately upon final passage, approval and publication as required by law.
I 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 _________________, 20__.

Kathryn Bowditch-Leon, RMC
Municipal Clerk
RESOLUTION AUTHORIZING ACCEPTANCE OF FUNDS FOR THE 2017 UNITED STATES DEPARTMENT OF JUSTICE BULLETPROOF VEST PARTNERSHIP [BVP] GRANT

WHEREAS, the United States Department of Justice provides grants to nonprofit organizations for assistance in the acquisition of Bulletproof Vests; and

WHEREAS, the Township of Denville Police Department had applied for the Fiscal Year 2017 BVP Grant for the amount of $3,072.20 from the United States Department of Justice to fund the following project: 'BULLETPROOF VEST PARTNERSHIP PROGRAM (BVP); and

WHEREAS, the United States Department of Justice has awarded said grant to the Township of Denville in the amount of $3,072.20; and

WHEREAS, the applicant is willing to use the United States Department of Justice funds in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the United States Department of Justice for the above-named project.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Denville that authorization is hereby granted to accept the "Fiscal Year 2017 BVP Grant" from the United States Department of Justice in the amount of $3,072.20 and for the Police Chief and Chief Municipal Officer to sign the Grant Acceptance Conditions on behalf of the municipality.

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 December 19, 2017.

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 2017 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's history files.

<table>
<thead>
<tr>
<th>BLOCK/LOT</th>
<th>OWNER/MORTGAGE CO.</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>50003.01 / 6.03</td>
<td>Inglesino, Webster, Wyciskala &amp; Taylor LLC Attorney Trust Fund, for Michael/Helen Guardabasco</td>
<td>$1,595.28</td>
</tr>
<tr>
<td></td>
<td>600 Parsippany Rd. Suite 204 Parsippany, NJ 07054</td>
<td></td>
</tr>
</tbody>
</table>

Loc: 4 Philhower Ct.

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 December 19, 2017.

Certification Date: ____________________________  Kathryn Bowditch-Leon, RMC
Municipal Clerk
RESOLUTION REFUNDING THE OVERPAYMENT OF 2017 TAXES

WHEREAS, it has been found that the following overpayments have occurred due to the reasons listed below.

NOW, THEREFORE, BE IT RESOLVED that the appropriate Municipal Official is hereby authorized and directed to prepare vouchers in the following names to refund said overpayments, due to said reasons stated below.

BE IT FURTHER RESOLVED that the Chief Financial Officer shall forward the checks to the appropriate Municipal Official to be delivered to said taxpayers after the refund has been recorded in the taxpayer’s history file.

<table>
<thead>
<tr>
<th>Block/Lot</th>
<th>Reason for Refund</th>
<th>Owner or Mortgage Co.</th>
<th>Refund Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>60502/6</td>
<td>Widow’s deduction granted after taxes were paid</td>
<td>Barbara Marshall Mills 5 Edgewater Dr Denville, NJ 07834</td>
<td>$250.00</td>
</tr>
<tr>
<td>61801/4</td>
<td>Disabled deduction granted after taxes were paid</td>
<td>John James Walker 8 Whitman Dr Denville, NJ 07834</td>
<td>$250.00</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 December 19, 2017.

Certification Date

Kathryn Bowditch-Leon, RMC Municipal Clerk
WHEREAS, N.J.S.A. 40A:5-17.1 provides that a municipality may authorize the processing of tax refunds of less than ten dollars ($10.00) and the cancellation of tax delinquencies of less than ten dollars ($10.00); and

WHEREAS, the costs to collect certain balances exceed the delinquency itself.

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 to process, without any further action on the part of the governing body, any property tax refund of less than ten dollars ($10.00); and

BE IT FURTHER RESOLVED that the Tax Collector is hereby authorized to process, without any further action on the part of the governing body, the cancellation of any property tax refund, delinquency or the charges and fees imposed by the municipality of less than ten dollars ($10.00); and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be provided by the Municipal Clerk to the Tax Collector and Chief Financial Officer.

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 December 19, 2017.

Certification Date: _______________________________  Kathryn Bowditch-Leon, RMC
Municipal Clerk
RESOLUTION TO CANCEL 2017 TAXES FOR CERTAIN TOWNSHIP OWNED PROPERTIES

WHEREAS, it has been found that the following 2017 taxes should be canceled because the four properties were purchased by the Township.

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 following taxes.

<table>
<thead>
<tr>
<th>BLOCK / LOT</th>
<th>OWNER</th>
<th>TAXES CANCELED</th>
</tr>
</thead>
<tbody>
<tr>
<td>11101 / 3</td>
<td>Township of Denville 1 St. Mary's Place Denville, NJ 07834</td>
<td>$6,477.50 2017</td>
</tr>
<tr>
<td>Deed Date 5/31/17</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Loc: 43 Smith Rd</td>
<td></td>
<td></td>
</tr>
<tr>
<td>30501 / 41</td>
<td>Township of Denville 1 St. Mary's Place Denville, NJ 07834</td>
<td>$101.09 2017</td>
</tr>
<tr>
<td>Deed Date 5/30/17</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Loc: 17 Highview Rd</td>
<td></td>
<td></td>
</tr>
<tr>
<td>31001 / 31</td>
<td>Township of Denville 1 St. Mary's Place Denville, NJ 07834</td>
<td>$42.96 2017</td>
</tr>
<tr>
<td>Deed Date 5/30/17</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Loc: 30 Evergreen Rd</td>
<td></td>
<td></td>
</tr>
<tr>
<td>61702 / 28.01</td>
<td>Township of Denville 1 St. Mary's Place Denville, NJ 07834</td>
<td>$5,640.34 2017</td>
</tr>
<tr>
<td>Deed Date 1/4/17</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Loc: 29 Spear Ln</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>$12,261.89</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 December 19, 2017.

Certification Date

Kathryn Bowditch-Leon, RMC
Municipal Clerk
RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT BETWEEN THE TOWNSHIP OF DENVILLE AND THE COUNTY OF MORRIS

WHEREAS, the Township of Denville and the County of Morris desire to enter into a shared services agreement for the purpose of providing emergency medical pre-arrival instruction 9-1-1 phone services; and

WHEREAS, municipalities are permitted to enter into such agreements pursuant to the Uniform Shared Services and Consolidation Act, N.J.S.A 40A:65-1 et seq.

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 "Services Agreement for Emergency Medical Pre-Arrival Instruction 9-1-1 Services".

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.

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 December 19, 2017.

Certification Date

Kathryn Bowditch-Leon, RMC
Municipal Clerk
SERVICE AGREEMENT
FOR
EMERGENCY MEDICAL PRE-ARRIVAL
INSTRUCTION 9-1-1 PHONE SERVICES

NOW, THEREFORE, it is understood and agreed as follows:

1. The County shall provide the following services to the Municipality in a continuous, 24-hour per day basis commencing September 11, 2017 and continuing throughout the term of this agreement:
   (a) Accept and process emergency 9-1-1 medical calls received by Denville Township and provide emergency medical pre-arrival instructions.

2. The services listed in paragraph 1 hereof shall be performed by personnel to be hired, paid, and supervised by the Department of Law & Public Safety of the County and using physical facilities of the County.

3. The Municipality agrees to pay the County an annual contract amount of $5,500.00.

4. This agreement shall take effect on January, 2018 and remain in effect after execution unless terminated by either party. Either party may terminate this Agreement by providing sixty (60) days written notice to the other party.

5. Payments to be made to the County by the Municipality, under paragraph 3 of this agreement, shall be made at such time as is agreed upon by the chief fiscal officers of the parties hereto, consistent with statutory and other legal requirements. If there is no agreement between the chief fiscal officers within 90 days of the date of this agreement, or if payment is not made by the municipality within 60 days of the agreed upon date for any payment by the municipality, the County reserves the right, and may terminate services under this agreement.

6. This agreement is entered into pursuant to the provisions of N.J.S.A. 40A:65-1 et seq. (Shared Services and Consolidation) and it is the intent of the parties hereto that the provisions hereof shall be construed to give full effect to the legislative intent expressed therein.

7. In addition to the other rights and remedies of the parties herein, the Township of Denville agrees to indemnify and hold harmless the County of Morris, including its employees and agents, from any and all liability and claims for damages or injury caused by, or resulting from, the negligent acts or omissions by the Township of Denville's personnel.
arising out of this Agreement or any of the obligations assumed by the Township of Denville hereunder, provided it is determined by a Court having the appropriate jurisdiction that the Township of Denville is solely or jointly responsible for such liability. In the event it is determined by a Court that the Township of Denville is not solely responsible for said liability, then the Township of Denville liability shall be limited to that degree of liability determined by said Court to be the proportionate liability of the Township of Denville. The Township of Denville, upon notice from the County, shall resist and defend, at the expense of the Township of Denville, such action or proceeding with counsel reasonably satisfactory to the County. In addition, at its option, the County may engage separate counsel to appear on its behalf in such action or proceeding without waiving its rights or the Township of Denville's obligation under this paragraph. In addition to the other rights and remedies of the parties herein, the County agrees to indemnify and hold harmless the Township of Denville, including its officers, trustees, employees, volunteers and agents, from any and all liability and claims for damages or injury caused by, or resulting from, the negligent acts or omissions by the County arising out of this agreement or any of the obligations assumed by the County hereunder, provided it is determined by a Court having the appropriate jurisdiction that the County is solely or jointly responsible for such liability. In the event it is determined by court that the County is not solely responsible for said liability, then the County's liability shall be limited to that degree of liability determined by said Court to be the proportionate liability of the County. The County, upon notice from the Township of Denville, shall resist and defend, at the expense of the County, such action or proceeding with counsel reasonably satisfactory to the Township of Denville. In addition, at its option, the Township of Denville may engage separate counsel to appear on its behalf in such action or proceeding without waiving its rights or the County's obligation under this paragraph.

8. The Municipality agrees (a) that the law of the State of New Jersey shall be the operative law in this agreement and in any subsequent contract or any related matters; and (b) that the Municipality submits to the jurisdiction of the courts of the State of New Jersey as to any claims or disputes arising out of this agreement or any subsequent contract based on this agreement. This provision shall govern in spite of language to the contrary in any submitted proposal, supporting documentation or contract language submitted with or subsequent to the agreement.

9. At the conclusion of the agreement the County and Municipality will review the existing agreement and determine if any revisions are necessary.

IN WITNESS THEREOF, the parties hereto have caused their authorized officials to affix their signatures and proper corporate seals, the day and year first written above.
FOR: ______________________

BY: ______________________

Mayor

ATTEST: ____________________

Township Clerk

FOR: COUNTY OF MORRIS

BY: ______________________

Board of Chosen Freeholders

ATTEST: ____________________

Diane M. Ketchum, Clerk of the Board of Chosen Freeholders
RESOLUTION APPROVING 2017 EXECUTIVE SESSIONS MINUTES

BE IT RESOLVED, by the Municipal Council of the Township of Denville, County of Morris, State of New Jersey that the following minutes of Executive Session Meetings be approved:

<table>
<thead>
<tr>
<th>Date</th>
<th>To Be Released</th>
<th>Members Absent</th>
</tr>
</thead>
<tbody>
<tr>
<td>April 11, 2017</td>
<td>No</td>
<td>None</td>
</tr>
<tr>
<td>June 20, 2017</td>
<td>No</td>
<td>Lyden</td>
</tr>
<tr>
<td>August 8, 2017</td>
<td>No</td>
<td>Lyden</td>
</tr>
<tr>
<td>September 12, 2017</td>
<td>No</td>
<td>Lyden</td>
</tr>
<tr>
<td>October 10, 2017</td>
<td>No</td>
<td>None</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 December 19, 2017.

Certification Date: ____________________
Kathryn Bowditch-Leon, RMC
Municipal Clerk
WHEREAS, the Township of Denville has been engaged in collective bargaining with the members of the Denville Supervisory Employees' Association ("DTSEA") for a successor agreement for the agreement that expires on December 31, 2017; and

WHEREAS, both parties have executed a memorandum of agreement detailing the revised terms and conditions of the successor collective bargaining agreement, which include:

1. Four-year contract term: January 1, 2018 to December 31, 2021;
2. 2.00% base salary increase – effective January 1, 2018;
3. 2.00% base salary increase – effective January 1, 2019;
4. 2.00% base salary increase – effective January 1, 2020;
5. 2.00% base salary increase – effective January 1, 2021;
6. Leave Benefits – Revised language to clarify that if DTSEA employee is required to work on all or portion of day in which Municipal Offices are closed said employee is not entitled to additional compensation or bonus time off.
7. Vacation Accrual Capped at 25 days (instead of 30 days) for DTSEA employees hired after January 1, 2010.
8. Add one (1) floating holiday for DTSEA members in recognition of the many hours worked beyond the normal work schedule in which they are not entitled to overtime compensation or compensatory time off.
9. Increase Snow-plowing rate: $1.00 per year for each of the four (4) years;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Denville that authorization is hereby granted for the Mayor and Municipal Clerk to execute the Collective Bargaining Agreement between the Township of Denville and the Denville Township Supervisory Employee’s Association for the years 2018, 2019, 2020 and 2021.

BE IT FURTHER RESOLVED a fully-executed copy of the Collective Bargaining Agreement between the Township of Denville and the Denville Township Supervisory Employees’ Association shall remain on file in the Office of the Municipal Clerk and shall be available for inspection by the public during regular business hours.

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 December 19, 2017.

Certification Date

Kathryn Bowditch-Leon, RMC
Municipal Clerk
WHEREAS, the Township of Denville has certain employees not governed by collective bargaining agreements, who are collectively referred to as "confidential employees;" and

WHEREAS, the Governing Body of the Township of Denville desires to establish the following salaries for these employees for the years 2018, 2019, 2020 and 2021.

NOW, THEREFORE, BE IT RESOLVED that the Municipal Council of the Township of Denville grants the following salary increases and other items exclusively for the titles listed below, as follows:

1) 2.0% base salary increase – effective January 1, 2018;
2) 2.0% base salary increase – effective January 1, 2019;
3) 2.0% base salary increase – effective January 1, 2020;
4) 2.0% base salary increase – effective January 1, 2021;

This resolution shall take effect immediately upon passage.

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 December 19, 2017.

Kathryn Bowditch-Leon, RMC
Municipal Clerk
RESOLUTION ESTABLISHING 2018, 2019, 2020 AND 2021 SALARIES FOR REGULAR PART-TIME / NON-SEASONAL EMPLOYEES OF THE TOWNSHIP OF DENVILLE NOT GOVERNED BY COLLECTIVE BARGAINING AGREEMENTS

WHEREAS, the Township of Denville has certain regular part-time/non-seasonal employees not governed by collective bargaining agreements; and

WHEREAS, the Township of Denville wishes to provide these certain regular/non-seasonal employees actively employed by the Township with the following increases for the years 2018, 2019, 2020 and 2021:

1) 2.0% base salary increase – effective January 1, 2018;
2) 2.0% base salary increase – effective January 1, 2019;
3) 2.0% base salary increase – effective January 1, 2020;
4) 2.0% base salary increase – effective January 1, 2021.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Denville that the following titles shall be entitled to the increases stated above.

TITLE
- Administrative Assistant – Health
- Administrative Assistant – Fire/Admin
- Tax Assessor
- Building Inspector/Asst. Property Maintenance Code Enforcement
- Electrical Inspector
- Sub Code Official /Plumbing/Heating
- Meter Reader (DPW)
- P/T Laborer (DPW)
- Social Services Coordinator
- Fire Official
- Assistant Fire Official
- Fire Prevention Inspector
- Fire Sub-Code

This resolution shall take effect immediately upon passage.

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 December 19, 2017.

WHEREAS, the Township of Denville has been engaged in collective bargaining with the members of the Denville Township Employees' Association for a successor agreement for the agreement which expires on December 31, 2017; and

WHEREAS, both parties have executed a memorandum of agreement detailing the revised terms and conditions of the successor collective bargaining agreement, which include:

1) Four (4) year contract term: January 1, 2018 to December 31, 2021;
2) The salary increases shall be as follows:
   a. 2.0% base salary increase, dispatchers 0.65% increase – effective January 1, 2018;
   b. 2.0% base salary increase, dispatchers 1.13% increase – effective January 1, 2019;
   c. 2.0% base salary increase, dispatchers 1.33% increase – effective January 1, 2020;
   d. 2.0% base salary increase, dispatchers 1.34% increase – effective January 1, 2021;
3) Clarify language associated with employees requirement to provide acceptable medical evidence after certain sick leave usage thresholds have been surpassed;
4) Clarify language associated with employees’ requirement to utilize leave benefits during inclement weather events;
5) Increase after hours board meeting stipend from $135.00 to $155.00 per meeting;
6) Amend language to cap vacation accrual to 25 days after 19 years of employment for those employees hired on or after January 1, 2018; and
7) Amend language to permit employees to carry-over a maximum of five (5) days of vacation time from the year earned to the next succeeding year [formerly was three (3) days].

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Denville that authorization is hereby granted for the Mayor and Municipal Clerk to execute the Collective Bargaining Agreement between the Township of Denville and the Denville Township Employees' Association for the years 2018, 2019, 2020 and 2021.

BE IT FURTHER RESOLVED that a fully-executed copy of the Collective Bargaining Agreement between the Township of Denville and the Denville Township Employees' Association shall remain on file in the Office of the Municipal Clerk and shall be available for inspection by the public during regular business hours.

This resolution shall take effect upon expiration of the statutory 20-day period following passage of Ordinance No. 21-17 by the Council and approval by the Mayor, providing no suit, action, proceeding or referendum challenging or questioning said Ordinance has been commenced, and shall be retroactive to the extent set forth herein.

BY ORDER OF THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF DENVILLE

Kathryn Bowditch-Leon, Municipal Clerk

Certification Date

Kathryn Bowditch-Leon, RMC
Municipal Clerk
RESOLUTION OPPOSING THE PERMANENT CLOSING OF THE LACKAWANNA AVENUE RAILROAD CROSSING AS PROPOSED BY NJ TRANSIT AND CURRENTLY UNDER ADMINISTRATIVE REVIEW BY THE NJ DEPARTMENT OF TRANSPORTATION

WHEREAS, on May 11, 2016, the Township of Denville received a "Memorandum of Record" from the NJ Department of Transportation ("NJDOT") advising the Township that the NJDOT would be reviewing a petition from NJ Transit to permanently close the Lackawanna Avenue at-grade railroad crossing; and

WHEREAS, on May 27, 2016 and September 6, 2017, the Denville Township Administration filed formal objections with the NJDOT to the proposed permanent closing of the Lackawanna Avenue Railroad Crossing; and

WHEREAS, the cumulative eight (8) pages of objections to the permanent closing of the Lackawanna railroad crossing submitted by the Township Administration to the NJDOT clearly outline the safety concerns for motorist and pedestrians, particularly school children attending the adjacent Morris County School of Technology as well as highlight the negative quality of life impacts such a closing would have for area residents; and

WHEREAS, the aforementioned objections included, but were not limited to, grave concerns for pedestrian and motorist safety; the elimination of an alternate means of ingress/egress in the event the Station Road crossing was closed due to an emergency or routine repair; and additional traffic congestion at the intersection of Station Road and State Route 53; and

WHEREAS, said objections also identified a complete lack of traffic incidents or accidents at the Lackawanna Avenue railroad crossing whereas there was a notable record of traffic incidents and accidents at the Station Road crossing which will most certainly be exacerbated if Station Road became the only point of ingress/egress for all traffic.

NOW, THEREFORE, BE IT RESOLVED that the Municipal Council of the Township of Denville, in the County of Morris and State of New Jersey hereby expresses its vehement opposition to the permanent closing of the Lackawanna Avenue Railroad Crossing and urges the NJDOT not to proceed with its permanent closure in order to preserve the health, safety and quality of life for pedestrians, particularly school children, and motorists.

BE IT FURTHER RESOLVED that a copy of this resolution will be sent to NJ Transit, NJ Department of Transportation, Senator Anthony Bucco, Assemblyman Anthony Bucco and Assemblyman Michael Carroll.

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 December 19, 2017.
RESOLUTION OF THE TOWNSHIP OF DENVILLE, COUNTY OF MORRIS AND STATE OF NEW JERSEY CONFIRMING THE SALE OF VARIOUS ITEMS OF MUNICIPAL PROPERTY NO LONGER NEEDED FOR PUBLIC USE

WHEREAS, by Resolution R-17-242, the Municipal Council of the Township of Denville authorized the sale of various items of municipal property no longer needed for public use through GovDeals, Inc., and

WHEREAS, one (1) certified copy of Resolution R-17-242 was sent to the Director of the Division of Local Government Services; and

WHEREAS, the winning bidder(s) for the sale beginning on 12-06-2017 and ending on 12-19-2017 will be provided on a Schedule B in the amounts listed.

NOW, THEREFORE, BE IT RESOLVED that the Municipal Council of the Township of Denville does hereby confirm the sale to the recipients named and for the amounts listed on Schedule B.

BE IT FURTHER RESOLVED that this Resolution shall take effect pursuant to law.

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 December 19, 2017.
A RESOLUTION AUTHORIZING THE TRANSFER OF CALENDAR YEAR
2017 BUDGET APPROPRIATIONS

WHEREAS, NJSA 40A: 4-58, permits transfer of budget appropriations
between accounts from the period November 1 to December 31,
of the 2017 Calendar Year.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township
of Denville that the following transfer be authorized:

FROM ACCOUNTS

<table>
<thead>
<tr>
<th>ACCOUNT #</th>
<th>ACCOUNT TITLE</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>01-201-20-110-256</td>
<td>O&amp;E Mayor</td>
<td>$5,000.00 Minimal use of Contracted Services</td>
</tr>
</tbody>
</table>

Total Current Fund: $5,000.00

TO ACCOUNTS

<table>
<thead>
<tr>
<th>ACCOUNT #</th>
<th>ACCOUNT TITLE</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>01-201-29-390-200</td>
<td>O&amp;E Library</td>
<td>$5,000.00 Assists in Installing Fire/Smoke Alarm System</td>
</tr>
</tbody>
</table>

Total Current Fund: $5,000.00