TOWNSHIP OF DENVILLE MUNICIPAL COUNCIL
REGULAR MEETING
December 20, 2016, 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

----- Kuser
----- Murphy

----- Administrator Ward

----- Mayor Andes
----- Township Attorney Jansen

----- Other: 

In Attendance

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

15-16: An Ordinance Authorizing the Acquisition of Block 61702, Lot 28 in the Township of Denville, County of Morris, and State of New Jersey
Location: 29 Spear Lane

ORDINANCES FOR INTRODUCTION

NONE

ITEMS FOR DISCUSSION AND/OR ACTION

Morris County Housing Authority
Community Development Building Grant Application
Peer Place Basketball Court Renovations
RESOLUTIONS

CONSENT AGENDA:

R-16-267: Resolution Authorizing Raffle Licenses in the Township of Denville

R-16-268: Resolution Authorizing Acceptance of Drive Sober or Get Pulled Over 2015 Holiday Crackdown Grant

R-16-269: Resolution Requesting Approval of Items of Revenue and Appropriation Pursuant to N.J.S.A. 40A:4-87

R-16-270: Resolution Authorizing a Refund of a Building Permit Fee in the Amount of $179.20

R-16-271: Resolution Refunding 2016 Utility Overpayment in the Amount of $99.83

R-16-272: Resolution Granting Permission to Advertise for Bids for Municipal Building Renovations for the Inclusion of the Board of Education Offices

NON-CONSENT AGENDA:

R-16-273: Resolution Approving 2016 Executive Session Minutes

R-16-274: Resolution Authorizing Tax Refunds and the Cancellation of Tax Delinquencies Under Ten Dollars ($10.00)

R-16-275: Resolution Refunding the Overpayment of 2016 Taxes

R-16-276: Resolution Authorizing Amendment to Shared Services Agreement for Public Health Services with the County of Morris

MINUTES FOR ADOPTION

- November 22, 2016
- December 6, 2016

MOTION TO ADJOURN
ORDINANCE NO. 15-16

BE IT RESOLVED that an Ordinance entitled:

An Ordinance Authorizing the Acquisition of Block 61702, Lot 28 in the Township of Denville, County of Morris, and State of New Jersey

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 Authorizing the Acquisition of Block 61702, Lot 28 in the Township of Denville, County of Morris, and State of New Jersey

Be passed on Final Reading and that a Notice of Final Passage be published in the 12/28/2016 edition of The Citizen newspaper.

COUNCIL PRESIDENT: MOTION TO ADOPT
ROLL CALL ON ADOPTION

Dated: 12/20/2016
ORDINANCE NO. 15-16

AN ORDINANCE AUTHORIZING THE
ACQUISITION OF BLOCK 61702, LOT 28 IN THE
TOWNSHIP OF DENVILLE, COUNTY OF
MORRIS, AND STATE OF NEW JERSEY

WHEREAS, the Local Lands and Buildings Law, N.J.S.A. 40A:12-1, et seq., provides that a municipality may, by ordinance, provide for the acquisition of real property or an interest therein by purchase, gift, devise, lease, exchange, or condemnation in the manner provided in the Eminent Domain Act, N.J.S.A. 20:3-1, et seq.; and

WHEREAS, Seton Hall University has offered to donate property known as Block 61702, Lot 28 as shown on the official tax map of the Township of Denville, and also known as 29 Spear Lane, to the Township; and

WHEREAS, the Municipal Council of the Township of Denville has determined that it is in the interest of the Township to acquire the said property for open space purposes.

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. The Township of Denville hereby authorizes the acquisition of Block 61702, Lot 28 by donation from Seton Hall University for open space purposes.

SECTION 2. The Mayor and Township Clerk and all other proper officers and employees of the Township are hereby authorized and directed to take any and all steps necessary to effectuate the purposes of this ordinance.

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

SECTION 4. All ordinances of the Township of Denville, which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.
SECTION 5. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this ordinance.

SECTION 6. This ordinance shall take effect immediately upon final passage, approval, and publication as required by law.

I hereby certify the foregoing to be a true copy of an ordinance adopted by the Municipal Council of the Township of Denville at its meeting held on ______________, 2016

Kathryn Bowditch-Leon, RMC
Municipal Clerk

Mayor Thomas W. Andes
Township of Denville

BY ORDER OF THE MUNICIPAL COUNCIL
OF THE TOWNSHIP OF DENVILLE

ATTEST: 
Mayor Thomas W. Andes
Township of Denville

APPROVED:

Kathryn Bowditch-Leon, RMC
Municipal Clerk
November 28, 2016

Mr. Steven Ward, Business Administrator
Township of Denville
1 St. Mary’s Place
Denville, NJ 07834

Re: CDBG funding

Dear Mr. Ward:

The Housing Authority of the County of Morris is applying for CDBG funds from the County of Morris for Peer Place playground. The application is for replacement of the playground equipment, ground cover and some of the fencing around the playground. I am requesting that you present this application to the Council Members at the next local public meeting.

As you may know, the complex opened in May 2003. Since that time, the playground equipment has been repaired numerous times and the playground mulch added as well as repairs to the fencing around the equipment. We intend to replace the mulch with poured in place rubber surfacing material. This material will last many years and we will not have to continue to add to it to keep it at the recommended level as playground mulch requires. The Housing Authority Operating Budget and Capital Fund Budgets have been drastically reduced over the years, making it very difficult to fund such items.

Attached is a copy of the application and page 13 of 16 is the certification page that the Mayor has to sign after the application is discussed at the meeting. Please add this to the Council Member agenda for the next local public meeting. I will need the executed certification prior to December 16, 2016.

Thanking you in advance for your assistance with this matter. If you have any questions, please feel free to contact me.

Sincerely,

Lucille A. Favale
Deputy Executive Director

Enclosure
DEADLINE DATE: DECEMBER 16, 2016

For further information contact:
Department of Human Services
Division of Community & Behavioral Health Services
Office of Community Development
Timothy J. Tansey
Director of Community Development Programs
TELE (973) 285-6060
FAX (973) 285-6031

DEADLINE DATE: DECEMBER 16, 2016
2017 CDBG APPLICATION

I. GENERAL
A. Grant Request
$80,000.00

B. Applicant
Housing Authority County of Morris

C. Address of Applicant
99 Ketch Road
Morristown 07960

D. Contact Person
Roberta L. Strater
973-540-1914
mcha@morriscountyha.org

E. DUNS Number
198208186
SAMS Cage Number 35RU6

Federal ID# 22-2882910

II. ACTIVITY
A. Title
Replacement of Playground Equipment and Fencing

B. Location
Peer Place, Denville, NJ 07834

C. Census: Tract 415 Block Group 3 Age of Building 13

D. Parcel: Block 21301 Lot 7.01 Current Zone R

From Tax Records

III. IMPLEMENTATION
If this activity cannot commence between 7/1/17 - 6/30/18 the applicant should not consider submitting the activity at this time. For your information, funds should be released by September 2017.

A. What is your anticipated start date? 7/1/17

B. What is your anticipated completion date? 6/30/18

IV. APPLICANT SIGNATURE
I certify that the information in this application is correct to the best of my knowledge.

(Signature) Roberta L. Strater
(Name) Executive Director (Title)

V. ACTIVITY ELIGIBILITY & TYPE
A. Eligibility - Which criteria do this application meet (pg. 7):
☒ Benefits low/moderate income (Complete Page 14)
1. Public Improvements: Itemized cost estimate of total activity (e.g. linear feet of pipe, number of fire hydrants, square yards of FABC, engineering cost, etc.).

2. Public Facilities: Itemized cost estimate of total activity (e.g. drainage and grading, number of benches, number of windows to be replaced, roof replacement cost, etc.).

3. Housing: Cost per budget line items e.g. acquisition, demolition, site improvements, specific rehab items or rehab cost per unit.

4. Public Services:
   a) For vehicles, attach a copy of the price quote.
   b) For other services please provide the following information:
      i) The agency operating budget for current year and most recent balance sheet.
      ii) A proposed total budget for the activity specified in this grant application.
      iii) A cost breakdown for the use of grant funds requested in this application.

When developing your budget, please consider Labor Law Requirements applying to CDBG-funded construction work. The Davis-Bacon Act is triggered when construction work over $2,000 is financed in whole or in part with CDBG funds. It requires that workers receive no less
Peer Place Playground Replacement Budget
(Total playground area is 3000 sq, ft.)

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Playground Equipment</td>
<td>$42,877.63</td>
</tr>
<tr>
<td>Installation of playground equipment</td>
<td>$8,195.00</td>
</tr>
<tr>
<td>Receive/unload and transport of playground equipment</td>
<td>$750.00</td>
</tr>
<tr>
<td>Poured in Place Rubber Surface Material (1700 sq. ft.)</td>
<td>$19,142.00</td>
</tr>
<tr>
<td>Removal of existing playground equipment and site work</td>
<td>$19,695.00</td>
</tr>
<tr>
<td>Mulch (1300 sq. ft.)</td>
<td>$1,000.00</td>
</tr>
<tr>
<td>Fencing around Playground</td>
<td>$1,200.00</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$92,859.63</strong></td>
</tr>
</tbody>
</table>
than the prevailing wages being paid for similar work in the same area. Davis-Bacon does not apply to the rehabilitation of residential structures containing less than eight units or construction carried out by employees of the grantee. Please contact the office for additional information.

VIII. OTHER INFORMATION

A. MAP - attach the census map, site the location and **highlight** the service area of the activity.

B. ENVIRONMENTAL CONCERNS:

<table>
<thead>
<tr>
<th></th>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Is activity located in flood plain or area of special flood hazard?</td>
<td></td>
<td>☒</td>
</tr>
<tr>
<td>2. Is activity located in the NJ Highlands Preservation or Planning Area?</td>
<td></td>
<td>☒</td>
</tr>
<tr>
<td>3. Will activity have an impact on a sole source aquifer?</td>
<td></td>
<td>☒</td>
</tr>
<tr>
<td>4. Is activity located in or near a wetland or transition area?</td>
<td></td>
<td>☒</td>
</tr>
<tr>
<td>5. Is activity located within a one-mile radius of a hazardous waste site?</td>
<td></td>
<td>☒</td>
</tr>
<tr>
<td>6. Does the activity comply with N.J. Stormwater Management Regulations?</td>
<td></td>
<td>☒</td>
</tr>
<tr>
<td>7. Will activity impact a historical or archeological structure or site?</td>
<td></td>
<td>☒</td>
</tr>
<tr>
<td>8. Are there any known impediments to the prompt implementation of the activities? (Including but not limited to requirements for State permits or any local action)?</td>
<td></td>
<td>☒</td>
</tr>
</tbody>
</table>

If yes, please explain: 

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IX. CERTIFICATIONS

A. ALL MUNICIPALLY SPONSORED APPLICATIONS - Municipal Certification

This application has been discussed at a local public meeting held on 

(Mayor's Signature)  
(Date)
### In order to be eligible, an activity must benefit low/moderate (L/M) income persons as per one of the five standards described on page 4. Check and complete only ONE of the following:

1. □ a) Activity benefits a census area where at least 24.11% of residents are L/M income.
   b) % ______ of residents in area are L/M income.

2. □ a) Activity benefits a surveyed area (an 80% response rate is required) where at least 51% of the residents are L/M income. Call Community Development to obtain a survey form.
   b) % ______ of residents in area are L/M income.

3. □ a) Activity benefits a clientele presumed to be L/M income, e.g. elderly persons, disabled adults, abused children, battered spouses, homeless persons and illiterate persons.
   b) 100% of clientele are L/M income.

4. □ a) Activity benefits L/M income clientele exclusively based on income verification, e.g. scholarships.
   b) 100% of clientele are L/M income.

5. □ a) Activity benefits clientele, of whom at least 51% are L/M income, based on household size and income.
   b) % ______ of clientele are L/M income. Provide documentation.

Do not hesitate to call our office for assistance in determining the L/M income benefit for your activity.

### INCOME LIMITS

The Department of Housing and Urban Development considers low and moderate-income households to be those that have annual incomes below 80% of the median income for the Newark Standard Metropolitan Statistical Area (SMSA). Very low-income households have incomes below 50% and extremely low-income households have incomes below 30% of the SMSA median.

**Low/Moderate Household Income**

<table>
<thead>
<tr>
<th>Household Size</th>
<th>Extremely Low (30%)</th>
<th>Very Low (50%)</th>
<th>Low (80%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Person</td>
<td>$18,850</td>
<td>$31,400</td>
<td>$46,000</td>
</tr>
<tr>
<td>2 Persons</td>
<td>$21,550</td>
<td>$35,900</td>
<td>$52,600</td>
</tr>
<tr>
<td>3 Persons</td>
<td>$24,250</td>
<td>$40,400</td>
<td>$59,150</td>
</tr>
<tr>
<td>4 Persons</td>
<td>$26,900</td>
<td>$44,850</td>
<td>$65,700</td>
</tr>
<tr>
<td>5 Persons</td>
<td>$29,100</td>
<td>$48,450</td>
<td>$71,000</td>
</tr>
<tr>
<td>6 Persons</td>
<td>$32,580</td>
<td>$52,050</td>
<td>$76,250</td>
</tr>
<tr>
<td>7 Persons</td>
<td>$36,730</td>
<td>$55,650</td>
<td>$81,500</td>
</tr>
<tr>
<td>8+ Persons</td>
<td>$40,890</td>
<td>$59,250</td>
<td>$86,750</td>
</tr>
</tbody>
</table>

**Effective Date: June 6, 2016**
PUBLIC FACILITIES

1. Specifically describe the work to be completed (e.g. construction of a park including basketball court, and playground equipment, etc.; new construction of a 20' x 40' senior center including 2 bathrooms, service kitchen, etc.).

   Replace the 34' x 50' playground area. We intend to replace the playground equipment, ground surface and fencing. The ground surface under the playground equipment will be replaced with 1700 SF of poured in place rubber. We will also replace 60' of chain link fencing with same.

2. Describe the overall character of the service area and the need for the activity (e.g. tot lot needed in densely populated area, etc.).

   The playground equipment is damaged and needs to be replaced. Every year we have to add to the playground mulch each year because the product decapitate and has to be replenished.

3. Note and specify the number of persons [P] or households [H] the activity will benefit: H - 57

4. Why is the applicant unable to fully fund the activity through bonding or other funds?

   The operating budget cannot fully fund this project.

5. Have you applied to other funding sources and been denied? Note sources and reason for denial:

   No. We have not been denied from any funding source.

6. Supply appropriate documentation to support the degree of need. Examples of documentation: planning and/or engineering studies, letters from State or public agencies and newspaper articles.
RESOLUTION AUTHORIZING RAFFLE LICENSES
IN THE TOWNSHIP OF DENVILLE

BE IT RESOLVED by the Municipal Council of the Township of Denville that the application for the following raffles be approved and the Municipal Clerk be authorized to issue said licenses on behalf of the Municipality.

<table>
<thead>
<tr>
<th>NAME OF ORGANIZATION</th>
<th>TYPE OF RAFFLE</th>
<th>DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>St Joseph's Catholic Church</td>
<td>Merchandise Raffle</td>
<td>04/29/2017</td>
</tr>
<tr>
<td></td>
<td>Off-Premises 50/50</td>
<td>04/29/2017</td>
</tr>
<tr>
<td>PTA A. Richard Spinola School</td>
<td>On-Premises 50/50</td>
<td>02/11/2017</td>
</tr>
<tr>
<td></td>
<td></td>
<td>03/09/2017</td>
</tr>
<tr>
<td></td>
<td></td>
<td>03/30/2017</td>
</tr>
<tr>
<td></td>
<td>Tricky Tray</td>
<td>03/09/2017</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 20, 2016.

Certification Date: ____________________________
Kathryn Bowditch-Leon, RMC
Municipal Clerk
RESOLUTION AUTHORIZING ACCEPTANCE OF DRIVE SOBER OR GET PULLED OVER 2016 YEAR END HOLIDAY CRACKDOWN GRANT

WHEREAS, the Township of Denville Police Department had applied for the DRIVE SOBER OR GET PULLED OVER 2016 YEAR END HOLIDAY CRACKDOWN GRANT from the New Jersey Division of Highway Traffic Safety; and

WHEREAS, the State of New Jersey has awarded said grant to the Township of Denville in the amount of $5,000.; and

WHEREAS, the grant will pay for Police Officers to work overtime to enforce laws effecting the safety and welfare of the people of Denville and to raise awareness about the dangers of drinking and driving.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Denville that authorization is hereby granted to accept the "DRIVE SOBER OR GET PULLED OVER 2016 YEAR END HOLIDAY CRACKDOWN GRANT" from the State of New Jersey in the amount of $5,000. and for the Mayor, Chief Municipal Finance Officer and Chief of Police 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 20, 2016.

Certification Dated: ____________________________

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

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

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

NOW, THEREFORE, BE IT RESOLVED that the Municipal Council of the Township of Denville, in the County of Morris, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2016 in the sum of $5,000.00, which is now available from NJ Division of Highway Traffic Safety Drive Sober or Get Pulled Over 2016 Year End Holiday Crackdown Grant in the amount of $5,000.00.

BE IT FURTHER RESOLVED that the like sum of $5,000.00 is hereby appropriated under the caption Drive Sober or Get Pulled Over.

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 20, 2016.

Certification Dated: ___________________________  Kathryn Bowditch-Leon, RMC
**CONSTRUCTION DEPARTMENT**

**RESOLUTION AUTHORIZING A REFUND OF A BUILDING PERMIT FEE**

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

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

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

<table>
<thead>
<tr>
<th>NAME</th>
<th>PERMIT NUMBER</th>
<th>AMOUNT</th>
<th>REVENUE ACCOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>SUNRUN INC.</td>
<td>160923</td>
<td>$179.20</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 December 20, 2016.

Certification Date: ____________________________

Kathryn Bowditch-Leon, RMC
Municipal Clerk
WHEREAS, it has been found that the following overpayment has occurred due to the reason listed below.

NOW, THEREFORE, BE IT RESOLVED that the appropriate Municipal Official is hereby authorized and directed to prepare a voucher in the following name to refund said overpayment, due to said reason stated below.

BE IT FURTHER RESOLVED that the Chief Financial Officer shall forward the check to the appropriate Municipal Official to be delivered to said person after the refund has been recorded in the property’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>11301 5</td>
<td>Billed incorrect amount of water usage</td>
<td>Michael &amp; Bronwyn Fraser</td>
<td>$99.83</td>
</tr>
<tr>
<td></td>
<td></td>
<td>6 Rosewood Lane</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Denville, NJ 07834</td>
<td></td>
</tr>
</tbody>
</table>

Loc: 6 Rosewood Lane

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 approved by the Municipal Council of the Township of Denville at their meeting held on December 20, 2016.

Dated: ____________________________

Kathryn Bowditch-Leon, RMC
Municipal Clerk
BE IT RESOLVED, by the Municipal Council of the Township of Denville, in the County of Morris, State of New Jersey that permission to advertise and accept bids for the above referenced project is hereby granted.

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 20, 2016.
RESOLUTION APPROVING 2016 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>January 12, 2016</td>
<td>No</td>
<td>None</td>
</tr>
<tr>
<td>March 22, 2016</td>
<td>No</td>
<td>None</td>
</tr>
<tr>
<td>June 14, 2016</td>
<td>No</td>
<td>Murphy</td>
</tr>
<tr>
<td>October 11, 2016</td>
<td>No</td>
<td>Murphy, Lyden</td>
</tr>
</tbody>
</table>

October 11, 2016 (2 sets)  

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>January 12, 2016</td>
<td>No</td>
<td>None</td>
</tr>
<tr>
<td>March 22, 2016</td>
<td>No</td>
<td>None</td>
</tr>
<tr>
<td>June 14, 2016</td>
<td>No</td>
<td>Murphy</td>
</tr>
<tr>
<td>October 11, 2016</td>
<td>No</td>
<td>Murphy, Lyden</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 20, 2016.

Certification Date:  

Kathryn Bowditch-Leon, RMC  
Municipal Clerk
RESOLUTION AUTHORIZING TAX REFUNDS AND THE CANCELLATION OF TAX DELINQUENCIES UNDER TEN DOLLARS ($10.00)

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 20, 2016.

Certification Date: ___________________________________________ 
Kathryn Bowditch-Leon, RMC
Municipal Clerk
RESOLUTION REFUNDING THE OVERPAYMENT OF 2016 TAXES

WHEREAS, it has been found that the following overpayments have occurred due to 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 the 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 refunds have 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>10702 4</td>
<td>Payment from closing posted to wrong account. Was posted to 28 Mabro Dr., but should have been posted to 38 Mabro Dr. (7/5/16)</td>
<td>Bank of America PO Box 961230 BAC 32011 Fort Worth, TX 76161-9810</td>
<td>$3,980.50</td>
</tr>
<tr>
<td>10702 4</td>
<td>Return of interest. Payment was received on time but posted to wrong account. (10/31/16)</td>
<td>Bank of America PO Box 961230 BAC 32011 Fort Worth, TX 76161-9810</td>
<td>$84.84</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 20, 2016.

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

WHEREAS, on September 14, 2016, the Township of Denville entered into a Shared Services Agreement with the County of Morris for public health services for the period of January 1, 2017 through December 31, 2021; and

WHEREAS, the Township wishes to enter into an amendment to the Agreement to provide for the services of a Registered Environmental Health Specialist; and

WHEREAS, municipalities are permitted to enter into such agreements pursuant to N.J.S.A. 26:3A2-1 et seq., N.J.S.A. 40A:65-1 et seq. and other applicable statutes and regulations; and

WHEREAS, the Chief Financial Officer 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. That the Mayor and the Township Clerk are hereby authorized to execute an Amendment to the Shared Services Agreement for Public Health Services for the services of a Registered Environmental Health Specialist with the County of Morris for the term of January 1, 2017 through December 31, 2021 subject to the annual appropriation of funds.

2. A copy of the Amendment to the Agreement is on file in the office of the Township Clerk for inspection by the public.

3. A copy of the Amendment to the Agreement shall be filed, for informational purposes, with the Department of Community Affairs, Division of Local Government Services pursuant to rules and regulations promulgated by the Division.

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 December 20, 2016.

Kathryn Bowditch-Leon, RMC
Municipal Clerk
WHEREAS, the County of Morris, Department of Law & Public Safety, Office of Health Management, with offices located at 634 West Hanover Avenue, Morris Township, NJ 07961 (hereinafter called “Provider”) and the Township of Denville, with offices located at 1 St. Mary’s Place, Denville NJ 07834 (hereinafter referred to as the “Recipient”) entered into a shared services agreement for public health services in accordance with the Local Health Services Act as codified at N.J.S.A. 26:3A2-1, et seq. on September 14th, 2016; and

WHEREAS, the Provider and Recipient have mutually agreed to amend and supplement said shared services agreement for public health services to include the services of a Registered Environmental Health Specialist.

NOW, THEREFORE, in consideration of the mutual covenants, conditions, and agreements contained herein, the shared services agreement for public health services executed between the Provider and the Recipient on September 14th, 2016 is amended and supplemented as follows:

1. The Provider shall furnish the services of a properly licensed Registered Environmental Health Specialist to carry out and discharge within the territorial jurisdiction of the Recipient, environmental health services and activities in accordance with N.J.A.C. 8:52-1.1 et seq., Public Health Practice Standards of Performance for Local Boards of Health in New Jersey and as set forth in the Programmatic Proposal of Public Health Services attached hereto and marked as “Exhibit A”;
2. The term of this amendment shall correspond with the term of the shared services agreement executed between the Provider and the Recipient dated September 14th, 2016.

3. The Provider shall furnish the Recipient with up to one hundred twenty-five (125) hours of environmental health services per annum.

4. The cost for each calendar year subsequent to 2017 shall be subject to a 2% increase as reflected in clause number 5 of this amendment.

5. The Recipient shall pay the Provider for services rendered as follows:
   a. A total of $4,500.00 for calendar year 2017 to be paid in four quarterly installments of $1,125.00.
   b. A total of $4,590.00 for calendar year 2018 to be paid in four quarterly installments of $1,147.50.
   c. A total of $4,681.80 for calendar year 2019 to be paid in four quarterly installments of $1,170.45.
   d. A total of $4,775.44 for calendar year 2020 to be paid in four quarterly installments of $1,193.86.
   e. A total of $4,870.94 for calendar year 2021 to be paid in four quarterly installments, the first three of which shall be $1,217.00 and the final fourth shall be $1,219.94.

6. At the request of the Recipient, the Provider may furnish additional hours of environmental health services to be paid by the Recipient at a rate of $36.00 per hour.

7. Calendar year quarters as referenced in the terms specified in clause number 5 of this amendment shall be defined as follows: Quarter 1 (January to March); Quarter 2 (April to June); Quarter 3 (July to September); and Quarter 4 (October to December).
8. Payment shall be made within thirty (30) days of submission of an invoice from the Provider to the Recipient or by other means as agreed by the Chief Fiscal Officers of both parties.

IN WITNESS WHEREOF, the said parties have hereunto set their hands, seals, and caused these presents to be signed by their proper officers.

ATTEST:  

MORRIS COUNTY BOARD OF CHOSEN FREEHOLDERS

________________________  __________________________
Diane M. Ketchum  Kathryn A. DeFillippo
CLERK OF THE BOARD  FREEHOLDER DIRECTOR

ATTEST:  

TOWNSHIP OF DENVILLE

________________________  __________________________
Kathryn Bowditch-Leon, RMC  Thomas Andes
TOWNSHIP CLERK  MAYOR
EXHIBIT A

PROGRAMMATIC PROPOSAL OF PUBLIC HEALTH SERVICES

County of Morris, Department of Law & Public Safety, Office of Health Management
AND
the Township of Denville

The Provider shall furnish the following local health services to the Recipient:

A. Environmental Health: Provision of a licensed Registered Environmental Health Specialist for enforcement of state and local public health regulations relative to:

1. Food Surveillance: Comprehensive surveillance program of retail food establishments and food/beverage vending machines in accordance with the State Sanitary Code (N.J.A.C. 8:24) and local ordinances governing the same. Specifically, services to be provided include: inspection of retail food establishments (including institutions providing food services), temporary food establishments, and mobile food establishments; inspection of vending machines dispensing potentially hazardous food; investigation of complaints at local food establishments; collection of food samples as required by the NJ Department of Health; condemnation or embargoing of adulterated or unwholesome food; and assistance with investigation of foodborne illness or outbreaks as required.

2. Emergency Response: Performance of emergency responses associated with emergency occurrences at retail food establishments in accordance with the State Sanitary Code (N.J.A.C. 8:24).