ORDINANCES FOR INTRODUCTION


#11-15: An Ordinance of the Township of Denville, County of Morris, and State of New Jersey to Amend Chapter IX, Taxicabs and Limousines.
#12-15: An Ordinance to Amend Chapter II-A, Fees, Rates and Charges and Chapter VIII, Parking Lots and Parking Meters, of the General Ordinances of the Township of Denville, with Respect to Lost Parking Permit Fees.


ITEMS FOR DISCUSSION AND/OR ACTION

NONE

RESOLUTIONS

CONSENT AGENDA:

R-15-100: Resolution Authorizing Issuance of Special One Day ABC Liquor Licenses.


R-15-102: Resolution Endorsing the Submission of the 2014 Recycling Tonnage Grant Application to the New Jersey Department of Environmental Protection.


NON-CONSENT RESOLUTIONS:


R-15-105: Resolution Authorizing a Refund of a COAH Development Fee in the Amount of $2,560.


R-15-107: Resolution Authorizing Agreements for Connections to the Township of Denville's Sewer System.

MINUTES FOR ADOPTION

APRIL 7, 2015    APRIL 14, 2015

MOTION TO ADJOURN
ORDINANCE #10-15

BE IT RESOLVED that an Ordinance entitled:

An Ordinance Amending Chapter 15-9 Entitled “Grease Interceptors” of the Revised General Ordinances of the Township of Denville, Morris County, New Jersey.

Be Introduced and Read by Title on First Reading:

COUNCIL PRESIDENT: MOTION TO INTRODUCE
DISCUSSION ON ORDINANCE
ROLL CALL ON INTRODUCTION

BE IT RESOLVED that an Ordinance entitled

An Ordinance Amending Chapter 15-9 Entitled “Grease Interceptors” of the Revised General Ordinances of the Township of Denville, Morris County, New Jersey.

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 05-19-15 at 7:30 p.m. in the evening, prevailing time, at the municipal building in said Township of Denville at which time and place all persons interested shall be given an opportunity to be heard concerning said said ordinance.

BE IT FURTHER RESOLVED that the Municipal Clerk be authorized and directed to advertise this ordinance in The Citizen newspaper according to law.

COUNCIL PRESIDENT: MOTION TO PASS ON FIRST READING
ROLL CALL

Dated: 4-21-15
WHEREAS, §15-9 of the Township’s current ordinance, which regulates grease interceptors, imposes an onerous and costly obligation upon business owners by requiring a contract with a solid waste hauler for the cleaning of grease interceptors; and

WHEREAS, cleaning of grease interceptors, particularly those sized for establishments generating minimal amounts of grease, does not require a solid waste hauler and can be performed by business owners; and

WHEREAS, evidence of grease interceptor cleaning and maintenance can be achieved by requiring on-site records including logs which reflect the date of service and receipts from a solid waste hauler detailing disposal of grease interceptor contents; and

WHEREAS, the current ordinance sets forth requirements for mobile tanks mounted on trucks or trailers used for cleaning of grease interceptors, an area that is regulated by the NJ Department of Environmental Protection.

NOW, THEREFORE, BE IT ORDAINED, by the Municipal Council of the Township of Denville as follows:

SECTION 1. Chapter 15-9, GREASE INTERCEPTORS, of the “Revised General Ordinances of the Township of Denville” is hereby amended in its entirety to read as follows:

“15-9 GREASE INTERCEPTORS.

15-9.1 Purpose.

a. The purpose of this Chapter shall be to establish rules, regulations, and standards for grease interceptors so as to ensure proper maintenance, operation, and longevity of sanitary sewers in the Township and to ensure protection of the environment."
15-9.2 Definitions.

As used in this chapter the following words and terms shall have the following meanings:

a. “Fats” shall mean substances that are primarily fatty acid esters of alcohol glycerol, also called acylglycerols, neutral fats or glycerides which are a major component in fat cells of plants and adipose cells of animals.

b. “Retail food establishment” shall mean a business licensed by the Township Health Department to prepare, serve, or otherwise make foodstuffs available for human consumption with or without charge.

c. “Grease interceptor” shall mean a device designed for removing and preventing fats, oils, and grease from entering the sanitary sewer and shall include “grease traps.”

d. “Grease trap” shall mean a devise for separating or retaining waterborne greases and grease complexes prior to wastewater exiting the trap and entering the sanitary sewer.

e. “Grease” shall mean fats, waxes, free fatty acids, calcium and magnesium soaps, mineral oils, and certain other non-fatty material from animal or vegetable sources, or from hydrocarbons of petroleum origins, commonly found in wastewater from food preparation and food service.

15-9.3 Grease interceptor required.

a. Retail food establishments which produce grease or oil laden wastes shall have grease interceptors as required in the New Jersey Uniform Construction Code 5:23, Subchapter 3.15, Plumbing Subcode as the same may from time to time be amended and supplemented.

15-9.4 Grease interceptor registration required.

a. No grease interceptor shall be operated until a registration has been obtained from the Township Health Department by the owner of the establishment wherein the grease interceptor is operated.
b. Registrations shall be required for each grease interceptor operated and shall be renewed annually.

c. Registrations shall not be transferable between owners, businesses, or grease interceptors.

d. Registrations shall be displayed conspicuously in public view, at eye level, and adjacent to the establishment's retail food establishment license.

e. Initial and renewal registrations shall require completion of an application promulgated by the Township Health Department and submission of a fee as set forth in Chapter 2A.

f. Renewal applications shall include the following:

(1) An interceptor maintenance log for the last 12 months detailing cleaning with the date, specific interceptor, and person or licensed solid waste firm performing maintenance;

(2) Copies of manifests, receipts, or other documentation confirming proper disposition of grease interceptor waste by a solid waste transporter.

15-9.5 Grease interceptor requirements.

a. Grease interceptors shall installed in accordance with the New Jersey Uniform Construction Code 5:23, Subchapter 3.15, Plumbing Subcode as the same may from time to time be amended and supplemented.

b. Grease traps shall have the grease retention capacity as indicated in the Plumbing Subcode, in accordance with N.J.A.C. 5:23-3.15 and as the same may be from time to time be amended and supplemented.

c. Grease interceptors shall be inspected, cleaned, and emptied at a frequency adequate to prevent the volume of grease from exceeding the grease interceptor's grease retention capacity.

d. Cleaning and emptying of grease interceptors shall be carried out in a manner that will prevent spillage of the interceptor's contents upon the ground. If spillage should occur, the area of the spill shall be disinfected using a suitable chlorine-based compound.
c. All containers used to temporarily store grease interceptor waste shall have tight fighting lids so as to prevent spillage of contents and the attraction of vermin. All indoor or outdoor storage areas wherein said containers are located shall be maintained in a sanitary manner at all times.

d. All containers used to temporarily store grease interceptor waste shall be removed from the premises by a licensed solid waste transporter. All containers shall be removed and/or serviced by a licensed solid waste transporter at regular intervals so as to prevent odors, attraction of vermin, and nuisances.

e. Grease interceptor logs and documentation required for renewal of grease interceptor registrations shall be kept on the premises for a minimum of three (3) years and be available for inspection by authorized Township officials.

f. No emulsifiers, de-emulsifiers, surface active agents, enzymes, degreasers, or any other grease liquefying agent shall be placed directly into grease interceptor to liquefy waste and/or in lieu of proper removal of waste.

15-9.6 Revocation or suspension of grease interceptor registrations.

a. The Health Officer may revoke a grease interceptor registration if the holder is found to be in violation of this chapter and fails to provide access to any authorized Township Official for the purpose of inspection or monitoring of a grease interceptor.

15-9.7 Violations and penalties.

a. Where a blockage occurs in any sanitary sewer line due to the accumulation of grease, the licensed sewer operator, Public Works Director, and/or Assistant Superintendent of Public Works or his/her designee shall certify in writing to the Health Officer the identity of the retail food establishment which caused the blockage.

b. The Township Health Officer or his/her designee shall issue a summons to the owner of the retail food establishment that is in violation of this ordinance.
c. Any person who shall violate or fail to comply with the requirements of this chapter shall, upon conviction, be subject to the penalties set forth in §3-1.1 of the Code of the Township of Denville. Each violation shall be deemed a separate and distinct offense. Said penalty shall be in addition to and not in lieu of any other remedy or penalty as provided by law.

15-9.8 Enforcement.

a. This chapter shall be enforceable by the Health Officer or his/her designee, the Township Plumbing Inspector, Director of Public Works, and Assistant Superintendent of Public Works."

SECTION 2. 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 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.

ATTEST: TOWNSHIP OF DENVILLE
COUNTY OF MORRIS
STATE OF NEW JERSEY

Kathryn M. Bowditch, RMC Municipal Clerk
Thomas Andes, Mayor
Township of Denville
ORDINANCE #11-15

BE IT RESOLVED that an Ordinance entitled:

An Ordinance of the Township of Denville, County of Morris, and State of New Jersey to Amend Chapter IX, Taxicabs and Limousines.

Be Introduced and Read by Title on First Reading:

COUNCIL PRESIDENT: MOTION TO INTRODUCE
DISCUSSION ON ORDINANCE
ROLL CALL ON INTRODUCTION

BE IT RESOLVED that an Ordinance entitled

An Ordinance of the Township of Denville, County of Morris, and State of New Jersey to Amend Chapter IX, Taxicabs and Limousines.

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 05-19-15 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: 4-21-15
ORDINANCE #11-15
AN ORDINANCE OF THE TOWNSHIP OF DENVILLE, COUNTY OF MORRIS, STATE OF NEW JERSEY TO AMEND CHAPTER IX, TAXICABS AND LIMOUSINES

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 IX, Taxicabs and Limousines, Article II, Limousines, is hereby amended in the following particulars only:

a. §9-17, Regulation of Licenses, is hereby amended and supplemented by the addition of §9-17.1, entitled Term of License, to read as follows:

"§9-17.1 Term of license. All licenses shall be valid from the day of issuance and shall expire on the last day of February thereafter."

SECTION 2. 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 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.

BY ORDER OF THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF DENVILLE

ATTEST:     APPROVED:

KATHRYN BOWDITCH, RMC
MUNICIPAL CLERK

MAJOR THOMAS W. ANDES
TOWNSHIP OF DENVILLE

I hereby certify the foregoing to be a true copy of an ordinance adopted by the Municipal Council of the Township of Denville at its meeting held on ____________, 2015

Kathryn M. Bowditch, RMC
BE IT RESOLVED that an Ordinance entitled:

An Ordinance to Amend Chapter II-A, Fees, Rates and Charges and Chapter VIII, Parking Lots and Parking Meters, of the General Ordinances of the Township of Denville, with Respect to Lost Parking Permit Fees.

Be Introduced and Read by Title on First Reading:

COUNCIL PRESIDENT:  MOTION TO INTRODUCE
DISCUSSION ON ORDINANCE
ROLL CALL ON INTRODUCTION

BE IT RESOLVED that an Ordinance entitled

An Ordinance to Amend Chapter II-A, Fees, Rates and Charges and Chapter VIII, Parking Lots and Parking Meters, of the General Ordinances of the Township of Denville, with Respect to Lost Parking Permit Fees.

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 05-19-15 at 7:30 p.m. in the evening, prevailing time, at the municipal building in said Township of Denville at which time and place all persons interested shall be given an opportunity to be heard concerning said said ordinance.

BE IT FURTHER RESOLVED that the Municipal Clerk be authorized and directed to advertise this ordinance in The Citizen newspaper according to law.

COUNCIL PRESIDENT:  MOTION TO PASS ON FIRST READING
ROLL CALL

Dated: 4-21-15
ORDINANCE #12-15

AN ORDINANCE TO AMEND CHAPTER II-A, FEES, RATES AND CHARGES AND CHAPTER VIII, PARKING LOTS AND PARKING METERS, OF THE GENERAL ORDINANCES OF THE TOWNSHIP OF DENVILLE, WITH RESPECT TO LOST PARKING PERMIT FEES

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 VIII, Parking Lots and Parking Meters, Section 8-1, Township Parking Lots, subsection 8-1.3, Parking Permits, paragraph f., Permit regulations, item 11, is hereby amended and supplemented to read as follows:

"(11) When a permit is lost or stolen, the Denville Police Department must be notified and a report made. Also, the permittee must file an affidavit with the Clerk's Office. Permits may be replaced at the fee set forth in Chapter 2A."

SECTION 2. Chapter 2A, Fees, Rates and Charges, Section 2A-4, Township Clerk's Office, subsection 2A-4.1, Parking Fees, is hereby amended and supplemented by the addition of the following fee:

" Replacement of lost permit $50.00"

SECTION 3. 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 4. 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 5. The provisions of this ordinance may be renumbered for purposes of codification.

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

BY ORDER OF THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF DENVILLE
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 ____________, 2015.

Kathryn M. Bowditch, RMC
BE IT RESOLVED that an Ordinance entitled:


Be Introduced and Read by Title on First Reading:

COUNCIL PRESIDENT: MOTION TO INTRODUCE
DISCUSSION ON ORDINANCE
ROLL CALL ON INTRODUCTION

BE IT RESOLVED that an Ordinance entitled


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 05-19-15 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: 4-21-15
ORDINANCE #13-15

AN ORDINANCE OF THE TOWNSHIP OF DENVILLE, COUNTY OF MORRIS, STATE OF NEW JERSEY AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION FOR A MUNICIPAL REVALUATION IN ACCORDANCE WITH N.J.S.A. 40A:4-53

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. Pursuant to N.J.S. 40A:4-53 (Ch. 48, P.L. 1956 as amended by Ch. 144, P.L. 1965 and Ch. 38, P.L. 1969) the sum of $482,285 is hereby appropriated for the revaluation of property and shall be deemed a special emergency appropriation as defined and provided for in N.J.S. 40A:4-55.

SECTION 2. The authorization to finance the appropriation shall be provided for in succeeding annual budgets by the inclusion of at least 1/5 of the amount authorized, pursuant to N.J.S. 40A:4-55.

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

ATTEST:

TOWNSHIP OF DENVILLE
COUNTY OF MORRIS
STATE OF NEW JERSEY

Kathryn M. Bowditch, RMC
Municipal Clerk

Thomas Andes, Mayor
Township of Denville

I hereby certify the foregoing to be a true copy of an ordinance adopted by the Municipal Council of the Township of Denville at its meeting held on ______________, 2015.

Kathryn M. Bowditch, RMC
RESOLUTION AUTHORIZING ISSUANCE OF
SPECIAL ONE DAY ABC LIQUOR LICENSES

BE IT RESOLVED, by the Municipal Council of the Township of Denville that authorization is hereby granted for the issuance of Special One Day Alcoholic Beverage Licenses for the following:

<table>
<thead>
<tr>
<th>Organization</th>
<th>Event</th>
<th>Date(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Morris Rugby Corporation</td>
<td>Family Day</td>
<td>June 6, 2015</td>
</tr>
<tr>
<td>Rotary of Denville</td>
<td>Denville Rotary Street Festival</td>
<td>June 7, 2015</td>
</tr>
<tr>
<td>Joey Bella Memorial Fund, Inc.</td>
<td>BBQ Dinner</td>
<td>July 3, 2015</td>
</tr>
<tr>
<td>Denville Chapter of Unico Nat'l</td>
<td>Beefsteak/Tricky Tray</td>
<td>May 16, 2015</td>
</tr>
</tbody>
</table>

BE IT FURTHER RESOLVED that the Municipal Clerk is hereby authorized to issue said licenses on behalf of the municipality.

BY ORDER OF THE MUNICIPAL COUNCIL
OF THE TOWNSHIP OF DENVILLE

I, Kathryn M. Bowditch, Municipal Clerk of the Township of Denville, do hereby certify the above to be a true and exact copy of a Resolution adopted by the Municipal Council of the Township of Denville at their Regular Meeting held on April 21, 2015.

Certification dated: ____________________________
Kathryn M. Bowditch, RMC
Municipal Clerk

cc: Police Department
    State Division of ABC
RESOLUTION AUTHORIZING RAFFLE LICENSE(S) IN THE TOWNSHIP OF DENVILLE

BE IT RESOLVED by the Municipal Council of the Township of Denville that the application(s) for the following RAFFLE(S) be approved and the Municipal Clerk be authorized to issue said license(s) 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>Dawn Center for Independent Living, Inc.</td>
<td>Calendar Raffle</td>
<td>Aug. 3, 10, 17, 24, 31</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Sept 7, 14, 21, 28</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Oct 5, 12, 19, 26</td>
</tr>
<tr>
<td>Denville Chapter of Unico National</td>
<td>Tricky Tray</td>
<td>5/16/2015</td>
</tr>
<tr>
<td>Denville Chapter of Unico National</td>
<td>50/50 On Premise</td>
<td>5/16/2015</td>
</tr>
<tr>
<td>Rotary Club Denville Sunrise</td>
<td>50/50 Off Premise</td>
<td>6/20/2015</td>
</tr>
<tr>
<td>Morris Rugby Corp.</td>
<td>50/50 Off Premise</td>
<td>6/06/2015</td>
</tr>
<tr>
<td>PTA A. Richard Spinola School</td>
<td>50/50 On Premise</td>
<td>5/21/2015</td>
</tr>
<tr>
<td>PTA A. Richard Spinola School</td>
<td>Tricky Tray</td>
<td>5/28/2015</td>
</tr>
</tbody>
</table>

I, Kathryn M. Bowditch, 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 April 21, 2015.

CERTIFICATION DATE: Kathryn M. Bowditch, RMC Municipal Clerk
RESOLUTION ENDORSING THE SUBMISSION OF THE 2014 RECYCLING TONNAGE GRANT APPLICATION TO THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c. 102, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection is promulgating recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations imposed on municipalities contain certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for such tonnage grants will memorialize the commitment of this municipality to recycling and will indicate the assent of the Municipal Council of the Township of Denville to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Denville, County of Morris, State of New Jersey that the Township of Denville hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates JoAnn George, Recycling Coordinator, to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purpose of recycling.

BY ORDER OF THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF DENVILLE

I, Kathryn M. Bowditch, 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 April 21, 2015.
RESOLUTION AUTHORIZING REINSTALLMENT 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:
Scannela

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 M. BOWDITCH, 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 APRIL 21, 2015.

Certification Date: ____________________________
Kathryn M. Bowditch, RMC
Municipal Clerk
TOWNSHIP OF DENVILLE

TO: Members of the Township Council
FROM: Steven Ward, Business Administrator
DATE: April 21, 2015
RE: MUNICIPAL BID# 4-2015
CONSTRUCTION OF A WALKING PATH AND PARKING AREA
AT MURIEL HEPNER PARK

Please authorize the proposed dates to advertise, accept and award bids for the above referenced subject.

We are proposing to advertise on: April 29, 2015
For bids to be accepted on: May 27, 2015
In anticipation to award on or about: June 9, 2015

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 M. BOWDITCH, 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 April 21, 2015.

CERTIFICATION DATE: Kathryn M. Bowditch, RMC
Municipal Clerk
CONSTRUCTION DEPARTMENT

RESOLUTION AUTHORIZING A REFUND
OF A COAH DEVELOPMENT FEE

WHEREAS, the permit payer listed below has overpaid the COAH Development 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 from the Housing Trust Fund be made to the following named individual as a result of overpayment.

<table>
<thead>
<tr>
<th>NAME</th>
<th>PERMIT NUMBER</th>
<th>AMOUNT</th>
<th>REVENUE ACCOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>3170 Route 10 LLC</td>
<td>131328</td>
<td>$2560</td>
<td>17-280-56-000</td>
</tr>
<tr>
<td>(Towne Hyundai)</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

I, Kathryn M. Bowditch, Municipal Clerk of the Township of Denville, do hereby certify the above to be a true and exact copy of a resolution adopted by the Municipal Council of the Township of Denville at their meeting held on April 21, 2015.

Certification Date: ____________________________

Kathryn M. Bowditch, RMC
Municipal Clerk
RESOLUTION REFUNDING THE PAYMENT
OF 2015 TAXES.

WHEREAS, it has been requested that the following 2nd quarter 2015 taxes be returned to Associated Title Agency due to an overpayment as a result of the Homestead Rebate Credit.

NOW, THEREFORE, BE IT RESOLVED, that the Tax Collector is hereby authorized and directed to prepare a voucher in the following name to refund said overpayment made in error; and

BE IT FURTHER RESOLVED, that the Chief Financial Officer is hereby authorized and directed to deliver the check to the Tax Collector to be delivered to said taxpayer 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>REFUND</th>
</tr>
</thead>
<tbody>
<tr>
<td>60101 16</td>
<td>Associated Title Agency</td>
<td></td>
</tr>
<tr>
<td></td>
<td>64 West Main Street</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Freehold, NJ 07728</td>
<td></td>
</tr>
<tr>
<td></td>
<td>$3,659.40</td>
<td></td>
</tr>
</tbody>
</table>

Loc: 225 Diamond Spring Rd

I, KATHRYN M. BOWDITCH, 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 April 21, 2015.

Certification Dated: ____________________________

Kathryn M. Bowditch, RMC
Municipal Clerk
RESOLUTION AUTHORIZING AGREEMENTS FOR CONNECTIONS TO THE TOWNSHIP OF DENVILLE'S SEWER SYSTEM

WHEREAS, Michael John Rowland and Janis Ackerman-Rowland are the owners of property known as Block 10102, Lot 1 located at 210 North Glen Road in the Township of Boonton and Salvatore Leone and Vincenza Leone are the owners of property known as Block 10101, Lot 10 located at 211 North Glen Road in the Township of Boonton; (collectively “Owners”); and

WHEREAS, the Owners, at their own cost and expense, desire to construct and maintain a single sewer connection from Denville Township’s sewer main in North Glen Road through the North Glen Road right-of-way in order to jointly service their respective properties; and

WHEREAS, the Owners and both the Township of Denville and the Township of Boonton wish to enter into an agreement with regard to the construction and maintenance of the sewer connection.

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. The Mayor and Township Clerk are hereby authorized to execute the attached agreement with Michael John Rowland and Janis Ackerman-Rowland and with Salvatore Leone and Vincenza Leone with regard to the construction and maintenance of a sewer connection from Denville Township’s sewer main in North Glen Road through the roadway known as North Glen Road to service their respective properties located at 210 North Glen Road and 211 North Glen Road in Boonton Township.

2. A copy of the Agreements are on file in the office of the Township Clerk.

3. This Resolution shall take effect immediately.

I, Kathryn M. Bowditch, 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 on April 21, 2015.

Kathryn M. Bowditch, RMC
Municipal Clerk
AGREEMENT

THIS AGREEMENT, made this day of , 2015, by and between:

THE TOWNSHIP OF DENVILLE, a municipal corporation of the State of New Jersey, with offices at the Municipal Building, 1 St. Mary's Place, Denville, New Jersey 07834,

(Hereinafter, “Denville” or Denville Township”)

and

THE TOWNSHIP OF BOONTON, a municipal corporation of the State of New Jersey, with offices at the Municipal Building, 155 Powerville Road, Boonton Township, New Jersey 07005

(Hereinafter, “Boonton” or “Boonton Township”)

and

SALVATORE LEONE and VINCENZA LEONE
211 North Glen Road
(Boonton Township)
Denville, NJ 07834

(Hereinafter, “Property Owner”)

WITNESSETH:

WHEREAS, Property Owner owns property located in the Boonton Township and shown on the tax maps as Block 10101, Lot 10; and

WHEREAS, Property Owner, at its own cost and expense, desires to construct a connection to Denville Township’s sewer system along North Glen Road to service its property (“Sewer Connection”); and

WHEREAS, Property Owner wishes to enter into an agreement with Denville and with Boonton in regard to the Sewer Connection and to address future connections to the Sewer Connection.
NOW, THEREFORE, IN CONSIDERATION OF the mutual promises, covenants and representations herein contained, the parties hereto hereby agree as follows:

A. Denville and Boonton each agree to permit Property Owner, at its own cost and expense, to construct and maintain a sewer connection from Block 10101, Lot 10 through and under the North Glen Road right-of-way to the sewer main located in North Glen Road and to tie into the Township of Denville's sewer system.

B. Property Owner shall be responsible to obtain any and all necessary permits required by the local or state governments, including but not limited to, any necessary NJDEP permits, construction permits, road opening permits, connection permits, RVRSA permits etc. and will pay all applicable fees for such permits and any required connection fees. Property Owner further agrees to repair any damage to North Glen Road and to post all performance guarantees required by the respective Townships’ ordinances in connection with the disturbance of the roadway.

C. The Sewer Connection will remain the personal property of the Property Owner and will not be accepted by either Denville or Boonton and/or become or be treated as a part of the Denville Township’s sewer system. Property Owner will be responsible for all maintenance and repair of the Sewer Connection as well as for any and all damage to Denville, Boonton or to a third party as a result of any malfunction of the Sewer Connection.

D. Neither Denville nor Boonton will permit any connection to the Sewer Connection without the written consent of the Property Owner and the Property Owner shall be solely responsible to seek reimbursement from any future owner of property seeking to connect to the Sewer Connection.

E. Property Owner for themselves, their heirs, successors and assigns, agree to indemnify and hold Denville Township and Boonton Township, their officers and employees harmless against and from all claims, suits, costs, expenses, fees (including legal
fees), and from all damages of every kind and description by reason of the injury or death of any person or persons, or by reason of property damage to any property or personalty as a result of the construction, installation or use of the Sewer Connection and any refusal by the Property Owner to allow future connections to the Sewer Connection by a third party.

F. This agreement shall be recorded by any party, at Property Owner's expense, and shall be deemed to run with the land with respect to the Property Owner's property.

G. No modifications, changes or amendments to this agreement shall be valid or enforceable unless same are in writing and approved by both parties.

IN WITNESS WHEREOF, the said parties hereto have executed this Agreement as of the day and year first above written and have, by resolution, authorized the execution by their duly authorized officers and their corporate seals to be affixed.

ATTEST:

Kathryn M. Bowditch, Clerk

TOWNSHIP OF DENVILLE

By ____________________________________________________________________

Thomas W. Andes, Mayor

ATTEST:

Barbara Shepard, Clerk

TOWNSHIP OF BOONTON

By ____________________________________________________________________

Paul Allieri, Mayor

WITNESS:

________________________________________________________________________

Salvatore Leone

WITNESS:

________________________________________________________________________

Vincenza Leone
AGREEMENT

THIS AGREEMENT, made this day of , 2015, by and between:

THE TOWNSHIP OF DENVILLE, a municipal corporation
of the State of New Jersey, with offices at the
Municipal Building, 1 St. Mary's Place, Denville,
New Jersey 07834,

(Hereinafter, “Denville” or “Denville Township”)

and

THE TOWNSHIP OF BOONTON, a municipal corporation
of the State of New Jersey, with offices at the
Municipal Building, 155 Powerville Road,
Boonton Township, New Jersey 07005

(Hereinafter, “Boonton” or “Boonton Township”)

and

MICHAEL JOHN ROWLAND and JANIS ACKERMAN-ROWLAND
210 North Glen Road
(Boonton Township)
Denville, NJ 07834

(Hereinafter, “Property Owner”)

WITNESSETH:

WHEREAS, Property Owner owns property located in the Boonton Township
and shown on the tax maps as Block 10102, Lot 1; and

WHEREAS, Property Owner, at its own cost and expense, desires to construct a
connection to Denville Township’s sewer system along North Glen Road to service its property
(“Sewer Connection”); and

WHEREAS, Property Owner wishes to enter into an agreement with Denville and
with Boonton in regard to the Sewer Connection and to address future connections to the
Sewer Connection.
NOW, THEREFORE, IN CONSIDERATION OF the mutual promises, covenants and representations herein contained, the parties hereto hereby agree as follows:

A. Denville and Boonton each agree to permit Property Owner, at its own cost and expense, to construct and maintain a sewer connection from Block 10102, Lot 1 through and under the North Glen Road right-of-way to the sewer main located in North Glen Road and to tie into the Township of Denville's sewer system.

B. Property Owner shall be responsible to obtain any and all necessary permits required by the local or state governments, including but not limited to, any necessary NJDEP permits, construction permits, road opening permits, connection permits, RVRSA permits etc. and will pay all applicable fees for such permits and any required connection fees. Property Owner further agrees to repair any damage to North Glen Road and to post all performance guarantees required by the respective Townships' ordinances in connection with the disturbance of the roadway.

C. The Sewer Connection will remain the personal property of the Property Owner and will not be accepted by either Denville or Boonton and/or become or be treated as a part of the Denville Township's sewer system. Property Owner will be responsible for all maintenance and repair of the Sewer Connection as well as for any and all damage to Denville, Boonton or to a third party as a result of any malfunction of the Sewer Connection.

D. Neither Denville nor Boonton will permit any connection to the Sewer Connection without the written consent of the Property Owner and the Property Owner shall be solely responsible to seek reimbursement from any future owner of property seeking to connect to the Sewer Connection.

E. Property Owner for themselves, their heirs, successors and assigns, agree to indemnify and hold Denville Township and Boonton Township, their officers and employees harmless against and from all claims, suits, costs, expenses, fees (including legal
fees), and from all damages of every kind and description by reason of the injury or death of any person or persons, or by reason of property damage to any property or personalty as a result of the construction, installation or use of the Sewer Connection and any refusal by the Property Owner to allow future connections to the Sewer Connection by a third party.

F. This agreement shall be recorded by any party, at Property Owner's expense, and shall be deemed to run with the land with respect to the Property Owner's property.

G. No modifications, changes or amendments to this agreement shall be valid or enforceable unless same are in writing and approved by both parties.

IN WITNESS WHEREOF, the said parties hereto have executed this Agreement as of the day and year first above written and have, by resolution, authorized the execution by their duly authorized officers and their corporate seals to be affixed.

ATTEST:

Kathryn M. Bowditch, Clerk

TOWNSHIP OF DENVILLE

By

Thomas W. Andes, Mayor

ATTEST:

Barbara Shepard, Clerk

TOWNSHIP OF BOONTON

By

Paul Allieri, Mayor

WITNESS:

Michael John Rowland

WITNESS:

Janis Ackerman-Rowland