An Ordinance of the Township of Denville, County of Morris, State of New Jersey to Amend Chapter 3, Police Regulations, Chapter 6, Alcoholic Beverage Control and Chapter 19, Land Use, of the Revised General Ordinances of the Township of Denville with Regard to Farmer's Market Regulations

An Ordinance of the Township of Denville, County of Morris, State of New Jersey to Amend Chapter V, Animal Control

Bond Ordinance Providing for Various Capital Improvements in and by the Township of Denville, in the County of Morris,
New Jersey, Appropriating $136,500 Therefor and Authorizing the Issuance of $104,000 Bonds or Notes of the Township to Finance Part of the Cost Thereof

ORDINANCES FOR INTRODUCTION

#20-15: An Ordinance to Amend Chapter XIV, Streets, Curbs and Sidewalks, of the General Ordinances of the Township of Denville, Regarding Sidewalks in the Downtown Business District

ITEMS FOR DISCUSSION AND/OR ACTION

NONE

RESOLUTIONS

CONSENT AGENDA:

R-15-160: Resolution Authorizing Renewal of Alcoholic Beverage Licenses in the Township of Denville for 2015-2016

R-15-161: Resolution Authorizing Raffle Licenses in the Township of Denville

R-15-162: Resolution Authorizing a Refund of a Building Permit Fee in the Amount of $120.00


R-15-164: Resolution Authorizing an Advanced Payment to New Jersey Department of Transportation Pursuant to N.J.S.A. 40A:5-16.3

R-15-165: Resolution Authorizing the Refund of Money Due to the Redemption of a Tax Sale Certificate in the Amount of $1,973.25

R-15-166: Resolution Authorizing the Refund of Taxes Overpaid in 2015

R-15-167: Resolution Authorizing Refund of Recreation Department Fees

NON-CONSENT RESOLUTIONS:

R-15-168: Resolution Authorizing Renewal of Alcoholic Beverage License for Peace Pipe Country Club Membership Association for 2015-2016
R-15-169: Resolution Authorizing Settlement of Certain Tax Appeals

MINUTES FOR ADOPTION

- June 16, 2015
- June 23, 2015

MOTION TO ADJOURN
BE IT RESOLVED that an Ordinance entitled:

An Ordinance of the Township of Denville, County of Morris, State of New Jersey to Amend Chapter 3, Police Regulations, Chapter 6, Alcoholic Beverage Control and Chapter 19, Land Use, of the Revised General Ordinances of the Township of Denville with Regard to Farmer's Market Regulations

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

COUNCIL PRESIDENT: MOTION TO READ BY TITLE  
ROLL CALL  
OPEN PUBLIC HEARING  
This public hearing will remain open and be continued at the ________  
_________________ Township Council Meeting to await the Planning Board's  
statutorily required review of the Ordinance.
ORDINANCE #17-15

AN ORDINANCE OF THE TOWNSHIP OF DENVILLE, COUNTY
OF MORRIS, STATE OF NEW JERSEY TO AMEND CHAPTER 3,
POLICE REGULATIONS, CHAPTER 6, ALCOHOLIC BEVERAGE
CONTROL AND CHAPTER 19, LAND USE, OF THE REVISED
GENERAL ORDINANCES OF THE TOWNSHIP OF DENVILLE
WITH REGARD TO FARMER’S MARKET REGULATIONS

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 III, Police Regulations, Section 3-14, Consuming Alcoholic
Beverages in Public Places, subsection 3-14.4, Exemption, of the Revised General Ordinances
of the Township of Denville, is hereby amended and supplemented to designate the existing
paragraph as "a." and by the addition of paragraph b. to read as follows:

"b. The provisions of subsection 3-14.1 shall not apply to vendors who have
been issued a Wine Festival Permit by the New Jersey Division of Alcoholic Beverage
Control and are participating in a farmer’s market pursuant to Chapter XIX, Section 19-5-
714A and their customers during the period that the farmer’s market is open provided
that the vendor is in compliance with Chapter VI, Alcoholic Beverage Control, and
provided further that this exemption shall not permit open containers of alcoholic
beverages other than the sample offered to customers."

SECTION 2. Chapter VI, Alcoholic Beverage Control, Section 6-4, Regulations
of Licenses, subsection 6-4.1, Hours of Sale, item a., of the Revised General Ordinances of the
Township of Denville, is hereby amended to read as follows:

"a. No licensee shall serve, deliver or allow, permit or suffer the sale or delivery
of any alcoholic beverage for consumption on the premises on weekdays between the
hours of 2:00 a.m. and 8:00 a.m. or on Sundays between the hours of 2:00 a.m. and
12:00 noon except for New Year's Day and for a farmer's market. When New Year's Day
shall fall on a weekday, sale for consumption on the premises shall be prohibited
between the hours of 5:00 a.m. and 8:00 a.m., and when the same shall fall on a
Sunday, sale for consumption on the premises shall be prohibited between the hours of
5:00 a.m. and 12:00 noon. Samples for consumption on the premises of the farmer’s
market held on Sundays pursuant to Ord.19-5.714A shall be prohibited between the
hours of 2:00 a.m. and 8:30 a.m. Notwithstanding the above, the Municipal Council may
authorize the sale and consumption of alcoholic beverages at any times prohibited by
this section in connection with a special event, series of events or observances.”

SECTION 3. Chapter 18, Land Use, Section 5-7, General Provisions, Section
19-5.714A, Farmer’s Market Sales, of the Revised General Ordinances of the Township
of Denville, is hereby amended in the following particulars only:

a. Paragraph c, Permit Required, subparagraph 2., Health Licenses, and
subparagraph 4 are hereby amended and supplemented to read as follows:

"2. Health Licenses and other Licenses/Permits.

(a) No person, persons, firm or corporation shall operate a
farmer’s market without first obtaining a farmer’s market blanket license
from the Township’s Health Department.

(b) No person, persons, firm or corporation shall serve or offer
food at a farmer’s market without having obtained a farmer’s market
vendor’s license from the Township Health Department. A farmer’s
market vendor’s license shall be required for each stand, kiosk or similar
appurtenance from which food is served regardless of whether there is a
charge to the public.

(c) Fees for health licenses are set forth in Chapter II-A.

(d) No person, persons, firm or corporation shall serve or offer
samples of wine or bottles of wine for sale at a farmer’s market without
having obtained a Wine Festival Permit from the Division of Alcoholic
Beverage Control for each day that such samples and sales are
conducted.”
“4. The sponsor of the farmer’s market shall be responsible to secure the farmer’s market permit and license required pursuant to paragraphs c.1(a) and c.2(a) above and to verify that permits and licenses required pursuant to paragraphs c.1(b), c.2(b) and c.2(d) have been obtained by all vendors participating in the event, as applicable. A copy of all Wine Festival Permits must be submitted to the Township Clerk prior to each farmer’s market at which a wine vendor will be participating. Not more than one winery may offer samples and sales at any single farmer’s market.”

b. Paragraph f, Standards, is hereby amended and supplemented by the addition of subparagraph 6, to read as follows:

“6. Wine samplings. The following requirements, of which i. through v. are pursuant to the State Sanitary Code, shall apply to all vendors offering wine samplings:

i. Single service disposable cups may only be used to serve wine or any other beverage.

ii. Single service disposable cups must be protected from contamination during handling, display or storage.

iii. The wine and any other beverage may only be served by a farmer’s market vendor/employee. Self-service, wherein patrons serve their own beverages, is prohibited.

iv. A waste receptacle must be provided for disposal of single service cups.

v. A means of hand washing must be readily available to the vendor/employee providing wine samplings.

vi. A fetal alcohol syndrome notice from the Township Health Department must be conspicuously posted at the point that the wine sample is being served and at the point of sale of any wine in bottles.

vii. Not more than four (4) – one and one-half ounce samples of wine shall be served to any patron during a farmer’s market.

viii. Samples may not be offered to, or allowed to be consumed by, any minor or intoxicated person.”

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

SECTION 7. 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: KATHRYN M. BOWDITCH, RMC MUNICIPAL CLERK

APPROVED: MAYOR 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 Municipal Clerk
MOTION TO ADOPT

COUNCIL PRESIDENT:

Roll Call on Adoption

An Ordinance of the Township of Denville, County of Morris, State of New Jersey to Amend Chapter V, Animal Control

Be passed on Final Reading and that a Notice of Final Passage be Published in the 07-22-2015 issue of The Citizen newspaper.

MOTION TO READ BY TITLE
ROLL CALL
OPEN PUBLIC HEARING
CLOSE PUBLIC HEARING

ORDINANCE #18-15

BE IT RESOLVED that an Ordinance entitled:

An Ordinance of the Township of Denville, County of Morris, State of New Jersey to Amend Chapter V, Animal Control

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

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, State of New Jersey to Amend Chapter V, Animal Control

Be passed on Final Reading and that a Notice of Final Passage be Published in the 07-22-2015 issue of The Citizen newspaper.

MOTION TO ADOPT
ROLL CALL ON ADOPTION
ORDINANCE #18-15

AN ORDINANCE OF THE TOWNSHIP OF DENVILLE, COUNTY OF MORRIS, STATE OF NEW JERSEY TO AMEND CHAPTER V, ANIMAL CONTROL

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 V, Animal Control, Section 5-2, License Required, Subsection 5-2.2, Fees, is hereby amended to read as follows:

“5-2.2 Fees.

The annual fees for dog and cat licenses and registration tags and applicable late charges shall be as set forth in Chapter IIA, Fees, Rates and Charges, Section 2A-5, Animal Control, of these Revised General Ordinances. The fee for each annual renewal of the license and registration tag shall be the same as for the original license and tag. All dog licenses, registration tags and renewals thereof shall expire on the last day of December in each year. All cat licenses, registration tags and renewals thereof shall expire on the last day of May in each year. All license and registration tag fees shall be payable in full for the entire amount thereof regardless of the date applied for or issued. In the event that any animal registration tag is lost, such tag shall be replaced upon application to the division of health and upon payment of the replacement fee set forth in Chapter IIA, Section 2A-5 of these Revised General Ordinances. Dogs used as guides for blind persons and commonly known as “seeing eye” dogs, dogs used to assist handicapped persons and commonly known as “service dogs,” or dogs used to assist deaf persons and commonly known as “hearing ear” dogs shall be licensed and registered as other dogs hereinabove provided for, except that the owner or keeper of such dog shall not be required to pay any fee therefor.”

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: 

________________________ 

KATHRYN M. BOWDITCH, RMC MUNICIPAL CLERK

APPROVED: 

________________________ 

MAYOR 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 Municipal Clerk
BE IT RESOLVED that an Ordinance entitled:

Bond Ordinance Providing for Various Capital Improvements in and by the Township of Denville, in the County of Morris, New Jersey, Appropriating $136,500 Therefor and Authorizing the Issuance of $104,000 Bonds or Notes of the Township to Finance Part of the Cost Thereof

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

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

Due to improper publication of notice, this public hearing will have to remain open and be continued at the August 11, 2015 Township Council meeting.
ORDINANCE #19-15

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF DENVILLE, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING $136,500 THEREFOR AND AUTHORIZING THE ISSUANCE OF $104,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF DENVILLE, IN THE COUNTY OF MORRIS, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the Township of Denville, in the County of Morris, New Jersey (the "Township") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of $136,500, including the sum of $32,500 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of $104,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.
Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is various capital improvements, consisting of the acquisition of 911 software and hardware desk upgrade and renovation, including all work and materials necessary therefor and incidental thereto and further including all related costs and expenditures necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must
include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Township may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 5 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance.
by $104,000, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding $6,500 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section 7. The Township hereby declares the intent of the Township to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3(a) of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations.

Section 8. Any grant moneys received for the purpose described in Section 3(a) hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the `Rule`) for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking
Section 10. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy \textit{ad valorem} taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.
 ORDINANCE #20-15

BE IT RESOLVED that an Ordinance entitled:

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

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 XIV, Streets, Curbs and Sidewalks, of the General Ordinances of the Township of Denville, Regarding Sidewalks in the Downtown Business District

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 08-11-2015 at 7:30 p.m. in the evening, prevailing time, at the municipal building in said Township of Denville at which time and place all persons interested shall be given an opportunity to be heard concerning said ordinance.

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

COUNCIL PRESIDENT: MOTION TO PASS ON FIRST READING
ROLL CALL

Dated: 07-14-2015
ORDINANCE #20-15
AN ORDINANCE TO AMEND CHAPTER XIV, STREETS, CURBS AND SIDEWALKS, OF THE GENERAL ORDINANCES OF THE TOWNSHIP OF DENVILLE, REGARDING SIDEWALKS IN THE DOWNTOWN BUSINESS DISTRICT

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

SECTION 1. Chapter XIV, Streets, Curbs and Sidewalks, Section 14-3, Curbs and Sidewalks, is hereby amended in the following particulars only:

a. Subsection 14-3.1, Construction Required, is hereby amended to read as follows:

"14-3.1 Construction Required.

Sidewalks and curbs shall be constructed and maintained as defined, required and set forth in Chapter 19, Land Use Ordinance in connection with a subdivision or site plan and in accordance with heretofore established lines, grades and standards.

b. Subsection 14-3.2, Repairs Required, paragraph b., item (1) is hereby amended to read as follows:

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

c. Subsection 14-3.2, Repairs Required, paragraph b. is hereby amended and supplemented by the addition of item (3) to read as follows:

"(3) In the downtown business district owners of the land fronting on sidewalks may install benches for general public use. The benches shall meet specific
color, construction and location requirements as specified herein. A request to install benches shall be submitted to the Township Engineer for review and approval. Approval by the Township Engineer shall not constitute an easement or any other legal rights of ownership to maintain benches within the municipal right-of-way. Benches installed within the limits of the sidewalk area on private property shall be exempt from Site Plan approval but must be approved by the Township Engineer.

Ownership of benches shall remain with the property owner. All benches shall be maintained by the property owners in good condition. Benches deemed to be in poor condition or unsafe shall be removed immediately upon request by the Township. The Township shall have the right to remove any bench for improvements, replacement or repair of the municipal infrastructure within the right-of-way. The Township will not be responsible for any damage to the benches.

All such benches shall meet the following specifications in order to achieve uniformity throughout the downtown business district:

(a) All benches shall be of a green color which is as close as possible to the color of the downtown clock tower. The configuration and construction shall also be consistent with municipal benches installed at the clock tower. Acceptable manufacturers/model numbers shall be Wabash Valley Heritage Series Style #SPHR305 or approved equal.

(b) Benches shall be commercial grade and for public use. Benches shall be installed in accordance with the manufacturer's recommendations and guidelines. Benches shall be firmly secured to the sidewalk to prevent movement during normal use. All benches shall be approximately six (6) feet wide.
(c) The location of benches shall not obstruct pedestrian movement or be inconsistent with the basic development plan for the downtown business district. Installation of benches shall be limited to the right-of-way fronting the subject property unless otherwise approved by the Township Engineer.

(d) All other benches/outdoor seating shall be prohibited except as permitted pursuant to Ord. §4-11, Sidewalk Cafes."

SECTION 2. All Ordinances of the Township of Denville, which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

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

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

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

TOWNSHIP OF DENVILLE  
COUNTY OF MORRIS  
STATE OF NEW JERSEY

ATTEST:

Kathryn M. Bowditch, Clerk

By: Thomas W. Andes, Mayor
APPENDIX A

DENVILLE TOWNSHIP STANDARD SPECIFICATION BRICK PAVERS

DESCRIPTION

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

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

MATERIALS

Materials used to manufacture pavers shall conform to the following:

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

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

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

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

CONSTRUCTION DETAIL “A”

The concrete pavers (Pedestrian Areas) shall be 8” x 4” x 2 - 3/8 inch thick. The color and pattern of installation shall be as specified in Appendix B.

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

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

Aluminum edge restraint shall be painted black from the factory.

CONSTRUCTION DETAIL “B”

The concrete pavers (Traffic Areas) shall be 8” x 4” x 3-1/8 inch thick. Color of pavers and pattern shall be as specified in Appendix B.

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

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

INSTALLATION

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

Cutting where necessary shall be accomplished by a masonry saw.

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

Sand shall be swept into the joints and vibrated with a plate-type compactor until joints are full. Joints shall be filled all the way to the bottom of the chamber on the pavers. Excess sand shall be swept off and removed from the site.
RESOLUTION AUTHORIZING RENEWAL OF ALCOHOLIC BEVERAGE LICENSES IN THE TOWNSHIP OF DENVILLE FOR 2015-2016

BE IT RESOLVED, by the Municipal Council of the Township of Denville that the following Alcoholic Beverage Control Licenses be approved for the year July 1, 2015 through June 30, 2016.

<table>
<thead>
<tr>
<th>LICENSE NUMBER</th>
<th>FEE</th>
<th>LICENSEE</th>
<th>ESTABLISHMENT</th>
<th>ADDRESS</th>
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<tr>
<td>1408-31-012-001</td>
<td>$188.00</td>
<td>Cedar Lake Community Club</td>
<td>Cedar Lake Community Club</td>
<td>134 Cedar Lake East</td>
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<td>1408-31-014-001</td>
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<td>Lake Arrowhead Club, Inc.</td>
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<td>1408-31-016-001</td>
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<td>Veterans of Foreign War, Post 2519, Inc.</td>
<td>V.F.W. Post 2519</td>
<td>71 Ford Road</td>
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<tr>
<td>1408-31-020-001</td>
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<td>Rock Ridge Community Club</td>
<td>Rock Ridge Community Club</td>
<td>55 Entrance Way</td>
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<td>1408-33-001-006</td>
<td>$2,500.00</td>
<td>LLD LLC</td>
<td>Casa Bella</td>
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<tr>
<td>1408-33-003-003</td>
<td>$2,500.00</td>
<td>The Second Half, Inc.</td>
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<td>5 East Main Street, Suite 15 &amp; 17</td>
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<td>1408-33-004-009</td>
<td>$2,500.00</td>
<td>CB Denville LLC</td>
<td>Charlie Brown's Steakhouse</td>
<td>167 West Main Street</td>
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<td>1408-33-007-005</td>
<td>$2,500.00</td>
<td>Bensi of Denville, Inc</td>
<td>Bensi</td>
<td>3056 Route 10 West, Ste. A</td>
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<td>1408-33-008-013</td>
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<td>RRC Liquor Corp.</td>
<td>Rattlesnake Cantina</td>
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<td>CHSF, LLC</td>
<td>Hampton Inn</td>
<td>350 Morris Avenue</td>
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</tbody>
</table>

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 the resolution adopted by the Municipal Council of the Township of Denville at their regular Council meeting held on July 14, 2015.

Certification Date: ___________________________ Kathryn M. Bowditch, RMC Municipal Clerk
BE IT RESOLVED by the Municipal Council of the Township of Denville that the applications for the following RAFFLES be approved and the Municipal Clerk be authorized to issue said licenses on behalf of the Municipality.

<table>
<thead>
<tr>
<th>NAME OF ORGANIZATION</th>
<th>TYPE OF RAFFLE</th>
<th>DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Morris Catholic H.S.</td>
<td>Off Prem. 50/50</td>
<td>11/21/2015</td>
</tr>
<tr>
<td>Morris Catholic H.S.</td>
<td>On Prem. 50/50</td>
<td>11/21/2015</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 July 14, 2015.

CERTIFICATION DATE: ________________________________
Kathryn M. Bowditch, RMC
Municipal Clerk
RESOLUTION AUTHORIZING A REFUND
OF A BUILDING PERMIT FEE

WHEREAS, the permit payor listed below has paid a permit fee in the amount shown; and

WHEREAS, the duplicate construction permits were paid for and issued; and

WHEREAS, the permit payor 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 entity as a result of an overpayment.

<table>
<thead>
<tr>
<th>NAME</th>
<th>PERMIT NUMBER</th>
<th>AMOUNT</th>
<th>REVENUE ACCOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sterling Environmental</td>
<td>#121056 &amp; #121243</td>
<td>$120</td>
<td>01-192-08-160-001</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 RESOLUTION ADOPTED BY THE MUNICIPAL
COUNCIL OF THE TOWNSHIP OF DENVILLE AT
THEIR MEETING HELD ON July 14, 2015.

CERTIFICATION DATE

KATHRYN M. BOWDITCH, RMC
Municipal Clerk
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:
Schroth; Zega; Morris; Schneider; Mammon; Dachisen

Menke; Yang; Baruch; Barbiere; Pflug

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 July 14, 2015.

Certification Date: ___________________________  Kathryn M. Bowditch, RMC
Municipal Clerk
WHEREAS, the Municipal Council previously authorized Generator Adapted Controller Cabinet Agreements ("Agreements") between the Township of Denville and the New Jersey Department of Transportation ("NJDOT") for the upgrade of traffic signals at the following five intersections to allow for the connection of a generator to supply the intersections with emergency power during utility power outages ("Emergency Generator Connections"): 

Route 46 & Franklin Road  
Route 46 & West Main Street (Broadway)  
Route 10 & Jughandle Station No. 444  
Route 10 & Franklin Road  
Route 53 & Diamond Spring Road & Broadway; and

WHEREAS, pursuant to the Agreements, the Township of Denville agreed to assume 25% of the total cost; and

WHEREAS, NJDOT is requiring that payment of the Township's share be submitted prior to any work being done; and

WHEREAS, N.J.S.A 40A:5-16.3 provides that the governing body of a municipality participating in a statutorily authorized joint, inter-local or other cooperative activity may, by resolution, provide for and authorize payment in advance; and

WHEREAS, the Township Auditor has advised that the advance expenditure may be made pursuant to the authority granted in N.J.S.A. 40A:5-16.3.

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

1. The Chief Financial Officer is hereby authorized to submit payment in the amount of $12,000 to the NJDOT for the Township of Denville's cost share of the Emergency Generator Connections.

2. 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 at their meeting held on July 14, 2015.

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

WHEREAS, the Township of Denville held a Tax Lien Sale on 11/15/2013 for Delinquent 2012 Calendar Year Water & Sewer and a Tax Sale Certificate was purchased by US Bank Cust/Pro Capital III, LLC on Block 31102 Lot 24; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Denville, in the County of Morris and State of New Jersey, that the Tax Collector is hereby authorized and directed to prepare a voucher to refund the amount shown below to the named lien holder; and

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

<table>
<thead>
<tr>
<th>BLOCK /LOT</th>
<th>PURCHASER OF LIEN</th>
<th>REFUND</th>
</tr>
</thead>
<tbody>
<tr>
<td>31102 24</td>
<td>US Bank Cust/Pro Capital III, LLC</td>
<td>$1,973.25</td>
</tr>
<tr>
<td></td>
<td>50 South 16th St. Ste 1950 Philadelphia, PA 19102</td>
<td></td>
</tr>
</tbody>
</table>

Certificate #2013-010
Loc: 12 Harmony Lane

Premium Returned $900.00

I, Kathryn M. Bowditch, 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 July 14, 2015.

Certification Date: ____________________________

Kathryn M. Bowditch, RMC
Municipal Clerk
RESOLUTION AUTHORIZING THE REFUND
OF TAXES OVERPAID IN 2015

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 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 taxpayers 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>50410 3</td>
<td>Title Co. &amp; Mtg. Co. both paid 2nd qtr 2015</td>
<td>Elite Title Group 22 Ridge Road Lyndhurst, NJ 07671</td>
<td>$1,766.12</td>
</tr>
<tr>
<td>27 Orchard St.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>40814 1743</td>
<td>Title Co. &amp; Mtg. Co. both paid 2nd qtr 2015</td>
<td>Keith E Paterson Attorney at Law Schoolhouse Plaza 124 East Main St., Suite 104 Denville, NJ 07834</td>
<td>$2,070.35</td>
</tr>
<tr>
<td>37 Chestnut Hill Dr. E.</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 resolution adopted by the Municipal Council of the Township of Denville at their meeting held on July 14, 2015.

Certification Dated: ________________________________
Kathryn M. Bowditch, RMC Municipal Clerk
RESOLUTION AUTHORIZING REFUND
OF RECREATION DEPARTMENT FEES

WHEREAS, certain residents of the Township of Denville have paid program fees to the Recreation Department; and

WHEREAS, these residents did not avail themselves of the program for which said fees were paid.

NOW THEREFORE BE IT RESOLVED, by the Municipal Council of the Township of Denville that refunds, in the amounts designated in this resolution, be authorized to be issued to the residents named in said resolution as follows:

<table>
<thead>
<tr>
<th>NAME</th>
<th>REFUND AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kim Zorzoris</td>
<td>$590.00</td>
</tr>
<tr>
<td>Karen Mancuso</td>
<td>$590.00</td>
</tr>
<tr>
<td>Darin McDermott</td>
<td>$325.00</td>
</tr>
</tbody>
</table>

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 that 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 July 14, 2015.

Certification Date: ___________________________  Kathryn M. Bowditch, RMC
Municipal Clerk
RESOLUTION AUTHORIZING RENEWAL OF ALCOHOLIC BEVERAGE LICENSE FOR PEACE PIPE COUNTRY CLUB MEMBERSHIP ASSOCIATION FOR 2015-2016

BE IT RESOLVED, by the Municipal Council of the Township of Denville that the following Alcoholic Beverage Control License be approved for the year July 1, 2015 through June 30, 2016.

<table>
<thead>
<tr>
<th>LICENSE NUMBER</th>
<th>FEE</th>
<th>LICENSEE</th>
<th>ESTABLISHMENT</th>
<th>ADDRESS</th>
</tr>
</thead>
<tbody>
<tr>
<td>1408-31-015-001</td>
<td>$188.00</td>
<td>Peace Pipe Country Club</td>
<td>Membership Association</td>
<td>2 Lee Road</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 the resolution adopted by the Municipal Council of the Township of Denville at their regular Council meeting held on July 14, 2015.

Certification Date: ________________________________

Kathryn M. Bowditch, RMC
Municipal Clerk
RESOLUTION AUTHORIZING SETTLEMENT OF CERTAIN TAX APPEALS

WHEREAS, appeals of the 2009, 2010 and 2011 real property tax assessments of the following properties have been filed in the Tax Court of New Jersey:

<table>
<thead>
<tr>
<th>OWNER</th>
<th>BLOCK</th>
<th>LOT</th>
<th>ADDRESS</th>
</tr>
</thead>
<tbody>
<tr>
<td>China Oval by Charlie Brown's Inc.</td>
<td>41202</td>
<td>1</td>
<td>167 W. Main St.</td>
</tr>
<tr>
<td>China Oval by Charlie Brown's Inc.</td>
<td>41202</td>
<td>2</td>
<td>153 W. Main St.</td>
</tr>
</tbody>
</table>

; and

WHEREAS, the Township Tax Assessor, attorney and appraisal expert are of the opinion that it is the best interest of the Township to settle these appeals.

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

1. The settlement of the following tax appeals filed at the Tax Court of New Jersey are hereby authorized as follows:

<table>
<thead>
<tr>
<th>CASE</th>
<th>YEAR</th>
<th>ORIGINAL ASSESSMENT</th>
<th>PROPOSED ASSESSMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>China Oval by Charlie Brown's Inc.</td>
<td>2009</td>
<td>$ 924,600</td>
<td>$ 875,000</td>
</tr>
<tr>
<td>Block 41202, Lot 1</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>China Oval by Charlie Brown's Inc.</td>
<td>2010</td>
<td>$ 924,600</td>
<td>$ 700,000</td>
</tr>
<tr>
<td>Block 41202, Lot 1</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>China Oval by Charlie Brown's Inc.</td>
<td>2011</td>
<td>$ 924,600</td>
<td>$ 650,000</td>
</tr>
<tr>
<td>Block 41202, Lot 1</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>China Oval by Charlie Brown's Inc.</td>
<td>2009</td>
<td>$ 238,600</td>
<td>$ 238,600</td>
</tr>
<tr>
<td>Block 41202, Lot 2</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

2. All municipal officials are hereby authorized to take whatever actions may be necessary to implement the terms of this Resolution.

3. This Resolution shall take effect immediately.

I, Kathryn M. Bowditch, 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 July 14, 2015.

Certification Date: ___________________________ Kathryn M. Bowditch, RMC
Municipal Clerk