TOWNSHIP OF DENVILLE MUNICIPAL COUNCIL
REGULAR MEETING
May 19, 2015, 7:30 P.M.

- Salute to the flag
- Invocation
- Notice of public meeting
- Roll call:

Council Members

Gabel Kuser Smith
Lyden Fitzpatrick Scollans
Golinski, Council President

In Attendance
Mayor Andes Administrator Ward
Township Attorney Jansen Other: __________________________

ADMINISTRATION OF OATH OF OFFICE FOR NEW PATROL OFFICERS

OFFICER ZACHARY LANCASTER
OFFICER ADAM TEMPORALE

- Council Liaison/Committee Reports
- Mayor’s Report
- Business Administrator’s Report
- Correspondence

Public Portion  (Please limit comments to a maximum of three (3) minutes)

Matters of Old / New Business

ORDINANCES FOR ADOPTION

#10-15: An Ordinance Amending Chapter 15-9 Entitled “Grease Interceptors” of the Revised General Ordinances of the Township of Denville, Morris County, New Jersey

#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
#13-15: An Ordinance of the Township of Denville, County of Morris and State of New Jersey Authorizing a Special Emergency Appropriation for a Municipal Revaluation in Accordance with N.J.S.A. 40A:4-53

ORDINANCES FOR INTRODUCTION

#15-15: An Ordinance to Amend the Code of the Township of Denville, County of Morris With Regard to the Maintenance of Vacant and Abandoned Properties

#16-15: An Ordinance to Amend Chapter II-A, Fees, Rates and Charges and Chapter VI, Alcoholic Beverage Control, of the General Ordinances of the Township of Denville

ITEMS FOR DISCUSSION AND/OR ACTION

NONE

CONSENT AGENDA:

RESOLUTIONS

R-15-117: Resolution Authorizing the Township of Denville to Enter into a “Renewal” Cooperative Pricing Agreement with the Middlesex Regional Educational Services Commission Cooperative Pricing System, Hereinafter Referred to as the “Lead Agency” for the Conduct of Certain Functions Relating to the Purchase of Work, Materials and Supplies for their Respective Jurisdictions

R-15-118: Resolution Authorizing the Township of Denville to Enter into a “Renewal” Cooperative Pricing Agreement with the Somerset County Cooperative Pricing System, Hereinafter Referred to as the “Lead Agency” for the Conduct of Certain Functions Relating to the Purchase of Work, Materials and Supplies for their Respective Jurisdictions

R-15-119: Resolution Authorizing the Township of Denville to Enter into a “Renewal” Cooperative Pricing Agreement with the Cranford Police Department Cooperative Pricing System, Hereinafter Referred to as the “Lead Agency” for the Conduct of Certain Functions Relating to the Purchase of Work, Materials and Supplies for their Respective Jurisdictions

R-15-120: Resolution Authorizing Acceptance of Grant for 2015 Click It or Ticket Statewide Seat Belt Mobilization Project Pursuant to the N.J. Division of Highway Traffic Safety from 05-18-15 through 05-31-15
R-15-121: Resolution Requesting Approval of Items of Revenue and Appropriation Pursuant to N.J.S.A. 40A:4-87

R-15-122: Resolution Authorizing a Refund of a Building Variance Application Fee in the Amount of $100

R-15-123: Resolution of the Township of Denville Authorizing a Sale Through GovDeals of Various Items of Municipal Property No Longer Needed for Public Use and Certain Items Confiscated by the Township Police Department

R-15-124: Resolution Authorizing the Refund of Money Due to the Redemption of a Tax Sale Certificate in the Amount of $1,978.59

NON-CONSENT RESOLUTIONS:

R-15-125: Resolution Authorizing a Special Emergency Appropriation for a Municipal Revaluation Pursuant to N.J.S.A. 40A:4-55

R-15-126: Resolution Authorizing the Filing of a Declaratory Judgment Action in the Superior Court of New Jersey, Law Division and a Motion Seeking Temporary Immunity From Third Party Lawsuits While Pursuing the Declaratory Judgment Action and Taking All Ancillary Actions Associated Therewith to Accomplish That Objective

R-15-127: Resolution Rejecting Bids Received for Janitorial Services and Granting Permission to Re-Bid for Janitorial Services

MINUTES FOR ADOPTION

• May 5, 2015
• May 12, 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 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 Amending Chapter 15-9 Entitled "Grease Interceptors" of the Revised General Ordinances of the Township of Denville, Morris County, New Jersey

Be passed on Final Reading and that a Notice of Final Passage be Published in the 05-27-2015 issue of The Citizen Newspaper.

COUNCIL PRESIDENT: MOTION TO ADOPT
ROLL CALL ON ADOPTION
ORDINANCE #10-15
AN ORDINANCE AMENDING CHAPTER 15-9 ENTITLED “GREASE INTERCEPTORS” OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF DENVILLE, MORRIS COUNTY, NEW JERSEY

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 be 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 interceptors’ 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.

f. 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.

g. 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.

h. 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
BE IT RESOLVED that an Ordinance entitled:

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

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

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

BE IT RESOLVED that an Ordinance entitled:

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

Be passed on Final Reading and that a Notice of Final Passage be Published in the 05-27-2015 issue of The Citizen Newspaper.

COUNCIL PRESIDENT:    MOTION TO ADOPT
                       ROLL CALL ON ADOPTION
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:
KATHRYN 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
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 Final Reading and that a Notice of Final Passage be Published in the 05-27-2015 issue of The Citizen Newspaper.

COUNCIL PRESIDENT: MOTION TO ADOPT
ROLL CALL ON ADOPTION
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, or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

SECTION 5. 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

P:\DT\Ord\parkingpermits15
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:

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 passed on Final Reading and that a Notice of Final Passage be Published in the 05-27-2015 issue of The Citizen Newspaper.

COUNCIL PRESIDENT: MOTION TO ADOPT
ROLL CALL ON ADOPTION
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 or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

SECTION 5. This Ordinance shall take effect 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
ORDINANCE #15-15

BE IT RESOLVED that an Ordinance entitled:

An Ordinance to Amend the Code of the Township of Denville, County of Morris with Regard to the Maintenance of Vacant and Abandoned Properties

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 the Code of the Township of Denville, County of Morris with Regard to the Maintenance of Vacant and Abandoned Properties

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 06-23-15 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: 5-19-15
ORDINANCE #15-15
AN ORDINANCE TO AMEND THE CODE OF THE
TOWNSHIP OF DENVILLE, COUNTY OF
MORRIS WITH REGARD TO THE
MAINTENANCE OF VACANT AND ABANDONED
PROPERTIES

WHEREAS, P.L. 2014, Chapter 35 and P.L. 2014, Chapter 5 authorize municipalities to adopt ordinances to regulate the care, maintenance, security and upkeep of the exterior of vacant and abandoned residential properties on which a summons and complaint in an action to foreclose has been filed and further authorizes the imposition of penalties for violation of the ordinance by a foreclosure creditor.

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 Code of the Township of Denville, is hereby amended and supplemented in the following particulars only:

a. Chapter III, Police Regulations, Section 3-5, Removal of Weeds and Brush, is hereby amended by the addition of the following subsection 3-5.4, to read as follows:

"3-5.4 Notice required. Notice of violations for any property declared vacant and abandoned pursuant to Chapter Xi-A shall be given to a foreclosing creditor pursuant to the procedures set forth in Section 11A-6 of this Code as required by P.L. 2014, c. 35."

b. Chapter XI, State Uniform Construction Code, Section 11-6, Housing Code, Subsection 11-6.5, Notice of Violations, is hereby amended and supplemented by the addition of the item e. to read as follows:
"e. Notice required. Notice of violations for any property declared vacant and abandoned pursuant to Chapter XI-A shall be given to a foreclosing creditor pursuant to the procedures set forth in Section 11A-6 of this Code as required by P.L. 2014, c. 35."

c. Chapter XI-A, Property Maintenance Code, is hereby amended and supplemented by the addition of the following new subsection:


a. Definitions.

"Creditor" shall mean, consistent with section 3 of P.L. 2008, c. 86, a State chartered bank, savings bank, savings and loan association or any credit union, any person required to be licensed under the provisions of the "New Jersey Residential Mortgage Lending act," and any entity acting on behalf of the Creditor named in the debt obligation, including but not limited to, servicers.

"Vacant and Abandoned" residential property shall mean, consistent with section 1 of P.L. 2010, c.70 (C.2A:50-73), residential real estate for which a notice of violation has been issued pursuant to Section 11A-6.c of this Chapter and subsection b. of section 1 of P.L. 2014, c.35. Residential property shall further be deemed "Vacant and Abandoned" where a mortgaged property is not occupied by a mortgagor or tenant and at least two of the following conditions exist:

1. overgrown or neglected vegetation;
2. the accumulation of newspapers, circulars, flyers or mail on the property;
3. disconnected gas, electric, or water utility services to the property;
4. the accumulation of hazardous, noxious, or unhealthy substances or materials on the property;
5. the accumulation of junk, litter, trash or debris on the property;
6. the absence of window treatments such as blinds, curtains or shutters;
(7) the absence of furnishings and personal items;
(8) statements of neighbors, delivery persons, or government employees indicating that the residence is vacant and abandoned;
(9) windows or entrances to the property that are boarded up or closed off or multiple window panes that are damaged, broken and unrepai(red;
(10) doors to the property that are smashed through, broken off, unhinged, or continuously unlocked;
(11) a risk to the health, safety or welfare of the public, or any adjoining or adjacent property owners, exists due to acts of vandalism, loitering, criminal conduct, or the physical destruction or deterioration of the property;
(12) an uncorrected violation of a municipal building, housing, or similar code during the preceding year, or an order by municipal authorities declaring the property to be unfit for occupancy and to remain vacant and unoccupied;
(13) the mortgagee or other authorized party has secured or winterized the property due to the property being deemed vacant and unprotected or in danger of freezing;
(14) a written statement issued by any mortgagor expressing the clear intent of all mortgagors to abandon the property; and
(15) any other reasonable indicia of abandonment.

b. **Creditor responsibility.** Pursuant to the provisions of P.L. 2014, c.35, a creditor filing a summons and complaint to foreclose a lien on a residential property that is vacant and abandoned, as defined in this Chapter, whether the filing of the summons and complaint is made before or after the determination that the property is vacant and abandoned, shall be responsible for the care, maintenance, security and upkeep of the exterior of the residential property. This obligation applies whether the determination
that the property is vacant and abandoned is made by the public officer pursuant to the provisions of this Chapter, pursuant to the provisions of N.J.S.A. 2A:50-73 or otherwise.

c. **Notice to Creditor; time to correct violations.** If the public officer designated by the Township, or other authorized municipal official, determines that a creditor obligated to care, maintain, secure and upkeep a vacant and abandoned property has failed to do so in accordance with the provisions of this Chapter, Chapter III, Section 3-5, Chapter 11, Section 11-6 or Chapter XXIV of this Code, the public officer or other authorized municipal official shall issue a notice of violation to the creditor that has filed a summons and complaint to foreclose on the property in question. The notice shall require the person or entity to correct the violation within thirty (30) days of the receipt of the notice, or within ten (10) days of receipt of the notice if the violation presents an imminent threat to public health and safety. The issuance of this notice shall constitute evidence that a property is “vacant and abandoned” for purposes of N.J.S.A. 2A:50-73.

d. **Designated Representative of out-of-State creditor; violation.** An out-of-State creditor shall include the full name and contact information of the in-State representative or agent of the creditor in the notice required to be provided to the municipal clerk pursuant to N.J.S.A. 46:10B-51.a(1). An out-of-State creditor found by a court of competent jurisdiction to have violated this provision shall be subject to a fine of $2,500.00 for each day of the violation commencing on the day after the ten (10) day period as set forth in paragraph one of N.J.S.A. 46:10B-51.a(1) with respect to notifying the municipal clerk that an action to foreclose on the property has been filed.”

d. **Chapter XI-A, Property Maintenance Code, the previous section 11A-6, is hereby amended to be designated as subsection 11A-7 and to read as follows:**

“11A-7 **Enforcement and penalties.**
a. The provisions of this Chapter shall be enforceable by the Township Code Official or his designee.

b. Except as set forth in Section 11A-6.d and herein, any person, firm, corporation or entity violating any provision of this Chapter shall, upon conviction, be punishable as provided in Section 1-3 of the Code of the Township of Denville. A creditor required to care, maintain, secure and upkeep a property under this Chapter cited in a notice issued pursuant to Section 11A-6.b shall be subject to a fine of $1,500.00 for each day of the violation, commencing 31 days following receipt of the notice, except if the violation presents an imminent risk to public health & safety, in which case the fine shall commence 11 days following the receipt of the notice."

e. Chapter XXIV, Public Health Nuisance Code, is hereby amended and supplemented by the addition of subsection 24-5, to read as follows:

"24-5 Notice required. Notice of violations for any property declared vacant and abandoned pursuant to Chapter XI-A shall be given to a foreclosing creditor pursuant to the procedures set forth in Section 11A-6 of this Code as required by P.L. 2014, c. 35."

SECTION 2. This ordinance maybe re-numbered for codification purposes.

SECTION 3. All ordinances of the Township of Denville that are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

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

SECTION 5. This ordinance shall take effect 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
ORDINANCE #16-15

BE IT RESOLVED that an Ordinance entitled:

An Ordinance to Amend Chapter II-A, Fees, Rates and Charges and Chapter VI, Alcoholic Beverage Control, of the General Ordinances of the Township of Denville

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 VI, Alcoholic Beverage Control, of the General Ordinances of the Township of Denville

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 06-23-15 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: 5-19-15
ORDINANCE NO. 16-15

AN ORDINANCE TO AMEND CHAPTER II-A, FEES, RATES AND CHARGES AND CHAPTER VI, ALCOHOLIC BEVERAGE CONTROL, OF THE GENERAL ORDINANCES OF THE TOWNSHIP OF DENVILLE

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 II-A, Fees, Rates and Charges, Section 2A-4, Township Clerk’s Office, subsection 2A-4.2, Plenary Licenses, of the General Ordinances of the Township of Denville is hereby amended to read as follows:

| Club license | $ 188.00 |
| Retail Distribution license, effective January 1, 2016 | $2,250.00 |
| Retail Distribution license, effective January 1, 2017 | $2,500.00 |
| Retail Consumption license | $2,500.00 |

SECTION 2. Chapter VI, Alcoholic Beverage Control, Section 6-3, Licenses, Subsection 6-3.4, License Fees: Maximum Number, is hereby amended to read as follows:

“6-3.4 License fees; Maximum Number. The annual license fees shall be as set forth in Chapter II A, Fees, Rates and Charges. The maximum number of licenses for the sale or distribution of alcoholic beverages in the township shall be as follows:

Plenary Retail Consumption License — Five (5)
Plenary Retail Distribution License — Two (2)

The provisions of this subsection with respect to the limitation on the number of licenses shall not apply to the renewal or transfer of licenses presently issued.”

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. 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. ANDRES 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
RESOLUTION AUTHORIZING THE TOWNSHIP OF DENVILLE TO ENTER INTO A “RENEWAL” COOPERATIVE PRICING AGREEMENT WITH THE MIDDLESEX REGIONAL EDUCATIONAL SERVICES COMMISSION COOPERATIVE PRICING SYSTEM, HEREINAFTER REFERRED TO AS THE “LEAD AGENCY” FOR THE CONDUCT OF CERTAIN FUNCTIONS RELATING TO THE PURCHASE OF WORK, MATERIALS AND SUPPLIES FOR THEIR RESPECTIVE JURISDICTIONS

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

1. This Resolution shall be known and may be cited as the “Renewal” Cooperative Pricing Council Resolution of the Township of Denville.

2. Pursuant to the provisions of N.J.S.A. 40A:11-11(5), the Municipal Council of the Township of Denville is hereby authorized to enter into a “Renewal” Cooperative Pricing Agreement with the Lead Agency or any other contracting unit for the purchase of work, materials and supplies.

3. The Lead Agency entering into contract on behalf of the Township of Denville shall be responsible for complying with the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) and all other provisions of the revised statutes of the State of New Jersey.

4. This “Renewal” Cooperative Pricing Council Resolution shall be effective January 1, 2015 and shall extend the term of the Cooperative Pricing Agreement for a term of one year to expire December 31, 2015, unless terminated by either the Lead Agency or the Division of Local Government Services.

This Resolution shall take effect immediately upon final passage and publication according to law, but shall be retroactive to January 1, 2015.

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 adopted by the Municipal Council for the Township of Denville at their Regular meeting held on May 19, 2015.

Certification Dated: ___________________________ Kathryn M. Bowditch, RMC
Municipal Clerk
RESOLUTION AUTHORIZING THE TOWNSHIP OF DENVILLE TO ENTER INTO A 
"RENEWAL" COOPERATIVE PRICING AGREEMENT WITH THE SOMERSET 
COUNTY COOPERATIVE PRICING SYSTEM, HEREINAFTER REFERRED TO AS 
THE "LEAD AGENCY" FOR THE CONDUCT OF CERTAIN FUNCTIONS RELATING 
TO THE PURCHASE OF WORK, MATERIALS AND SUPPLIES FOR THEIR 
RESPECTIVE JURISDICTIONS

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

1. This Resolution shall be known and may be cited as the "Renewal" Cooperative 
Pricing Council Resolution of the Township of Denville.

2. Pursuant to the provisions of N.J.S.A. 40A:11-11(5), the Municipal Council of the 
Township of Denville is hereby authorized to enter into a "Renewal" Cooperative 
Pricing Agreement with the Lead Agency or any other contracting unit for the 
purchase of work, materials and supplies.

3. The Lead Agency entering into contract on behalf of the Township of Denville shall 
be responsible for complying with the provisions of the Local Public Contracts Law 
(N.J.S.A. 40A:11-1 et seq.,) and all other provisions of the revised statutes of the 
State of New Jersey.

4. This "Renewal" Cooperative Pricing Council Resolution shall be effective January 
1, 2015 and shall extend the term of the Cooperative Pricing Agreement for a term 
of one year to expire December 31, 2015, unless terminated by either the Lead 
Agency or the Division of Local Government Services.

This Resolution shall take effect immediately upon final passage and publication 
according to law, but shall be retroactive to January 1, 2015.

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 adopted by the Municipal Council for 
the Township of Denville at their Regular meeting held on May 19, 2015.

Certification Dated:_________________ Kathryn M. Bowditch, RMC
Municipal Clerk
RESOLUTION AUTHORIZING THE TOWNSHIP OF DENVILLE TO ENTER INTO A "RENEWAL" COOPERATIVE PRICING AGREEMENT WITH THE CRANFORD POLICE DEPARTMENT COOPERATIVE PRICING SYSTEM, HEREINAFTER REFERRED TO AS THE "LEAD AGENCY" FOR THE CONDUCT OF CERTAIN FUNCTIONS RELATING TO THE PURCHASE OF WORK, MATERIALS AND SUPPLIES FOR THEIR RESPECTIVE JURISDICTIONS

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

1. This Resolution shall be known and may be cited as the "Renewal" Cooperative Pricing Council Resolution of the Township of Denville.

2. Pursuant to the provisions of N.J.S.A. 40A:11-11(5), the Municipal Council of the Township of Denville is hereby authorized to enter into a "Renewal" Cooperative Pricing Agreement with the Lead Agency or any other contracting unit for the purchase of work, materials and supplies.

3. The Lead Agency entering into contract on behalf of the Township of Denville shall be responsible for complying with the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) and all other provisions of the revised statutes of the State of New Jersey.

4. This "Renewal" Cooperative Pricing Council Resolution shall be effective January 1, 2015 and shall extend the term of the Cooperative Pricing Agreement for a term of one year to expire December 31, 2015, unless terminated by either the Lead Agency or the Division of Local Government Services.

This Resolution shall take effect immediately upon final passage and publication according to law, but be retroactive to January 1, 2015.

BY ORDER OF THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF DENVILLE

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 for the Township of Denville at their Regular meeting held on May 19, 2015.
RESOLUTION AUTHORIZING ACCEPTANCE OF GRANT FOR 2015 CLICK IT OR TICKET STATEWIDE SEAT BELT MOBILIZATION PROJECT PURSUANT TO THE N.J. DIVISION OF HIGHWAY TRAFFIC SAFETY FROM 05-18-15 THROUGH 05-31-2015

WHEREAS, the State of New Jersey, Division of Highway Safety ("State") provides grants to nonprofit organizations for assistance in the acquisition of funds for implementation of an enforcement campaign for seat belt use compliance; and

WHEREAS, the Township of Denville desires to further the public interest by obtaining a grant of $4,000.00 from the State to fund the 2015 CLICK IT OR TICKET STATEWIDE SEAT BELT MOBILIZATION PROJECT; and

WHEREAS, the State shall determine if the application is complete and in conformance with the scope and intent of the grant program and notify the applicant of the amount of the funding award; and

WHEREAS, the Township of Denville is willing to use the State's funds in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the State for the above named project.

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 Traffic Task Force of the Denville Police Department is hereby authorized to make application for a grant from the State of New Jersey, Division of Highway Safety for a SEAT BELT ENFORCEMENT PROJECT, MAY 18 THROUGH MAY 31, 2015.
2. The Traffic Task Force of the Denville Police Department shall provide additional application information and furnish such documents as may be required.
3. The Traffic Task Force of the Denville Police Department shall act as the authorized correspondent of the Township relative to this application.
4. The applicant agrees to comply with all applicable laws, rules and regulations in its performance of the project.
5. This Resolution shall take effect immediately.

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 May 19, 2015.

Certification Date:  Kathryn M. Bowditch, RMC
Municipal Clerk
R-15-121
RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND
APPROPRIATION PURSUANT TO 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 that the Director of the Division of Local Government Services approve the insertion of an item of revenue in the budget of the year 2015 in the sum of $4,000.00, which is now available from NJ Division of Highway Traffic Safety Click it or Ticket Statewide Seat Belt Mobilization Grant in the amount of $4,000.00.

BE IT FURTHER RESOLVED, that the like sum of $4,000.00 is hereby appropriated under the caption Click it or Ticket.

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 meeting held May 19, 2015.
CONSTRUCTION DEPARTMENT

RESOLUTION AUTHORIZING A REFUND OF A BUILDING VARIANCE APPLICATION FEE

WHEREAS, the permit payer listed below has paid a variance application fee in the amount shown; and

WHEREAS, the applicant withdrew his request for a variance and 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 withdrawal of the request for a variance.

<table>
<thead>
<tr>
<th>NAME</th>
<th>PERMIT NUMBER</th>
<th>AMOUNT</th>
<th>REVENUE ACCOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Andrew Vita</td>
<td>#130324</td>
<td>$100</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 the resolution adopted by the Municipal Council of the Township of Denville at their meeting held on May 19, 2015.

Certification Date

Kathryn M. Bowditch, RMC
Municipal Clerk
RESOLUTION OF THE TOWNSHIP OF DENVILLE AUTHORIZING A SALE THROUGH GOVDEALS OF VARIOUS ITEMS OF MUNICIPAL PROPERTY NO LONGER NEEDED FOR PUBLIC USE AND CERTAIN ITEMS CONFISCATED BY THE TOWNSHIP POLICE DEPARTMENT.

WHEREAS, by Resolution 07-209, the Municipal Council of the Township of Denville authorized the use of an online auction service, pursuant to the Local Unit Electronic Technology Pilot Program and Study Act, P.L. 2001, c.30 for the sale of various items of municipal property no longer needed for public use and certain items confiscated by the Township Police Department, by entering into an agreement with GovDeals, Inc.; and

WHEREAS, the property, as contained in Schedule "A" attached, is not needed for public use; and

WHEREAS, the sale will be on-line at www.GovDeals.com and will be conducted pursuant to Local Finance Notice 2008-09; and

WHEREAS, the items described in Schedule "A" contain the most accurate information available to inform the public of the description of the items being sold; and

WHEREAS, the terms and conditions of the agreement entered into with the vendor are available on the vendor's website and are also available in the Township of Denville Purchasing Department. It is understood that all merchandise is sold in an "AS IS" condition. Questions regarding the vehicles for sale can be obtained by calling the Denville Public Works Department at 140 Morris Avenue, Denville, NJ (973) 625-8334. Questions regarding all other items can be obtained by calling the Purchasing Department at (973) 625-8300 ext. 296.

NOW, THEREFORE, BE IT RESOLVED that the Municipal Council of the Township of Denville hereby authorizes the sale of items of municipal property no longer needed for public use and certain items confiscated by the Township Police Department as contained in Schedule "A" attached, at a sale to be held on-line beginning May 27, 2015 through June 9, 2015; and

BE IT FURTHER RESOLVED that the bidders must be pre-registered and approved by the vendor at www.GovDeals.com. Payment by the bidder must be made directly to GovDeals within 5 business days (excluding holidays) of winning bid; and

BE IT FURTHER RESOLVED that the successful bidder of the sale of the items will be confirmed at the next meeting of the Municipal Council of the Township of Denville to be held on June 9, 2015. The successful bidders will be able to pick up vehicles and vehicular parts at the Department of Public Works, 140 Morris Avenue and pick up all other items at the Municipal Building, 1 St. Mary's Place; and

BE IT FURTHER RESOLVED that a Certified Copy of this Resolution shall be forwarded to the Division of Local Government Services.

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 May 19, 2015.

Certification Date: ___________________________  Kathryn M. Bowditch, RMC Municipal Clerk
<table>
<thead>
<tr>
<th>Item</th>
<th>Manufacturer</th>
<th>S/N, V.I.N. or Model #</th>
</tr>
</thead>
<tbody>
<tr>
<td>2008 Crown Victoria</td>
<td>Ford</td>
<td>2FAPH 71V58 X1239 61</td>
</tr>
<tr>
<td>1995 Dump Truck</td>
<td>International</td>
<td>1HTSC AAROS H6756 81</td>
</tr>
<tr>
<td>1993 4900 Cab/Chassis</td>
<td>International</td>
<td>1HTSD PPR3P H4820 04</td>
</tr>
<tr>
<td>1996 Ram BR2500 Pick up Truck</td>
<td>International</td>
<td>1B7KF 26Z2T J2008 40</td>
</tr>
<tr>
<td>1994 4900 Cab/Chassis</td>
<td>International</td>
<td>1HTSD PPR8R H5659 64</td>
</tr>
<tr>
<td>1995 K 150 Pick up Truck</td>
<td>GMC</td>
<td>1GTEK 14K6S Z5676 05</td>
</tr>
<tr>
<td>1989 R30 Bucket Truck</td>
<td>Chevy</td>
<td>1S8BR 34K5K J1236 56</td>
</tr>
<tr>
<td>1992 4900 Garbage Truck</td>
<td>International</td>
<td>1HTSD PPR5P H4820 05</td>
</tr>
<tr>
<td>1990 F-800 Cab/Chassis</td>
<td>Ford</td>
<td>1FDYK 84A2L VA437 73</td>
</tr>
<tr>
<td>2002 Liberty</td>
<td>Jeep</td>
<td>1J4GL 48K72 W2992 42</td>
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<tr>
<td>1995 P 3500 Step Van</td>
<td>Jeep</td>
<td>1GBJH 32K5S 33087 98</td>
</tr>
<tr>
<td>1999 Cherokee</td>
<td>Volks Wagon</td>
<td>1J4FF 6FS3XL 5988 33</td>
</tr>
<tr>
<td>2002 Jetta</td>
<td>Ford</td>
<td>3VWSE69M22M032447 70</td>
</tr>
<tr>
<td>2000 Expedition</td>
<td>Groundmaster 325-D with Plow</td>
<td>30795-60146 60” Red Poly box of items</td>
</tr>
<tr>
<td>Grounds Equipment</td>
<td>Elgin Geo Vac Sweeper</td>
<td></td>
</tr>
<tr>
<td>New sweeper brooms</td>
<td>Meyer's snow plow parts various</td>
<td></td>
</tr>
<tr>
<td>snow plow parts</td>
<td>DELL</td>
<td></td>
</tr>
<tr>
<td>Computer rack with KB tray</td>
<td>Mech Power</td>
<td></td>
</tr>
<tr>
<td>Mechanics Tools</td>
<td>unknown</td>
<td></td>
</tr>
<tr>
<td>Car Stereo Equipment</td>
<td>JL Audio</td>
<td>300/4</td>
</tr>
<tr>
<td>4 channel amplifier</td>
<td>Planet Audio</td>
<td></td>
</tr>
<tr>
<td>Car amplifier</td>
<td>Panasonic</td>
<td></td>
</tr>
<tr>
<td>Car crossover</td>
<td>Cadence</td>
<td></td>
</tr>
<tr>
<td>Car stereo wiring kit</td>
<td>Panasonic</td>
<td></td>
</tr>
<tr>
<td>Car cd player receiver</td>
<td>unknown</td>
<td></td>
</tr>
<tr>
<td>Car Stereo Kicker Equipment</td>
<td>assorted, Nintendo</td>
<td></td>
</tr>
<tr>
<td>DVD's &amp; Ninetendo</td>
<td>Cobra</td>
<td>9100</td>
</tr>
<tr>
<td>Radar Detector</td>
<td>unknown</td>
<td></td>
</tr>
<tr>
<td>Bracelet</td>
<td>Velbon</td>
<td></td>
</tr>
<tr>
<td>D3 50 Camera Tripod</td>
<td>Tamron</td>
<td></td>
</tr>
<tr>
<td>Camera lens</td>
<td>The Listeners Bible</td>
<td></td>
</tr>
<tr>
<td>New Testament Audio Bible</td>
<td>Nikon</td>
<td></td>
</tr>
<tr>
<td>Camera 2 lenses and case</td>
<td>Panasonic</td>
<td></td>
</tr>
<tr>
<td>Video Camera</td>
<td>unknown</td>
<td></td>
</tr>
<tr>
<td>Gold ring, money clip &amp; bracelet</td>
<td>Sanyo</td>
<td></td>
</tr>
<tr>
<td>Time lapse video cassette recorder</td>
<td>Canon</td>
<td></td>
</tr>
<tr>
<td>Canon Speed lite with case</td>
<td>Minolta</td>
<td></td>
</tr>
<tr>
<td>Minolta misc equipment</td>
<td>Nikon</td>
<td></td>
</tr>
<tr>
<td>Zoom AF camera</td>
<td>Polaroid</td>
<td></td>
</tr>
<tr>
<td>Spectra Pro</td>
<td>Spectrum</td>
<td></td>
</tr>
<tr>
<td>SR50 VHS</td>
<td>Savin</td>
<td></td>
</tr>
<tr>
<td>Fax 3750</td>
<td>Spectrum</td>
<td></td>
</tr>
</tbody>
</table>
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 10/8/2014 for Delinquent 2013 Calendar Year Water & Sewer and a Tax Sale Certificate was purchased by US Bank/for BVOOl Trust on Block 30801, Lot 3; 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>30801 3</td>
<td>US Bank/for BVOOl Trust</td>
<td>$1,978.59</td>
</tr>
<tr>
<td></td>
<td>50 South 16th St. Ste 1950</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Philadelphia, PA 19102-2513</td>
<td></td>
</tr>
</tbody>
</table>

Certificate #2014-009
Loc: 6 Birch Run Ave.

Premium Returned $2,300.00


CERTIFICATION DATED: KATHRYN M. BOWDITCH, RMC MUNICIPAL CLERK
RESOLUTION AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION FOR A MUNICIPAL REVALUATION PURSUANT TO N.J.S.A. 40A:4-55

WHEREAS, it has been found necessary to make an emergency appropriation to meet certain extraordinary expenses incurred, or to be incurred, in connection with a municipal revaluation; and

WHEREAS, by adoption of Ord. No. 13-15, the Council authorized a special emergency appropriation for the revaluation of property in the Township pursuant to N.J.S.A. 40A:4-53; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Denville, County of Morris, State of New Jersey, (not less than two-thirds of all governing body members affirmatively concurring) that in accordance with the provisions of N.J.S.A.40A:4-55:

1. That an emergency appropriation is hereby made for a municipal revaluation in the total amount of $482,500.

2. That the emergency appropriation shall be provided for in the budgets of the next succeeding years by the inclusion of not less than $96,500 per year.

3. That the statement required by the Local Finance Board has been filed with the Clerk and a copy will be transmitted to the Director of the Division of Local Government Services.

4. That two (2) certified copies of this resolution will be filed with the Director of the Division of Local Government Services; however no approval is required from the Division.

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 May 19, 2015.

Certification Date: ___________________  Kathryn M. Bowditch, RMC Municipal Clerk
RESOLUTION AUTHORIZING THE FILING OF A DECLARATORY JUDGMENT ACTION IN THE SUPERIOR COURT OF NEW JERSEY, LAW DIVISION AND A MOTION SEEKING TEMPORARY IMMUNITY FROM THIRD PARTY LAWSUITS WHILE PURSUING THE DECLARATORY JUDGMENT ACTION AND TAKING ALL ANCILLARY ACTIONS ASSOCIATED THEREWITH TO ACCOMPLISH THAT OBJECTIVE

WHEREAS, in 1975 the Supreme Court of New Jersey in South Burlington County N.A.A.C.P. v. Township of Mount Laurel, 67 N.J. 151 (1975), ruled that the developing municipalities in the State of New Jersey exercising their zoning power, in general, had a constitutional obligation to provide a realistic opportunity for the construction of their fair share of the region's low and moderate income housing needs; and

WHEREAS, in 1983, the Supreme Court refined that constitutional obligation in South Burlington County N.A.A.C.P. v. Township of Mount Laurel, 92 N.J. 158 (1983), to apply to those municipalities having any portion of their boundaries within the growth area as shown on the State Development Guide Plan; and

WHEREAS, in 1985, the New Jersey Legislature adopted, and the Governor signed the Fair Housing Act ("FHA") which transformed the judicial doctrine which became known as the "Mount Laurel obligation" into a statutory one and provided an alternative administrative process in which municipalities could elect to participate in order to establish a Housing Element & Fair Share Plan ("HE&FSP") that would satisfy its constitutional obligation by creating an administrative agency known as the Council on Affordable Housing ("COAH") to develop regulations to define the obligation and implement it; and
WHEREAS, COAH proceeded to adopt regulations for the first round obligations applicable from 1987 to 1993 and second round obligations that created a cumulative obligation from 1987 to 1999; and

WHEREAS, prior to the expiration of the second round regulations, COAH embarked upon a process to develop third round regulations utilizing a different methodology for the calculation of a municipality's affordable housing obligation that became known as the growth share methodology; and

WHEREAS, the Township of Denville ("Township") received First Round Substantive Certification from the New Jersey Council on Affordable Housing ("COAH") on or about May 15, 1988 that addressed its first round affordable housing obligation; and

WHEREAS, the Township received Second Round Substantive Certification from COAH on or about August 2, 2000 and Amended Second Round Substantive Certification from COAH on or about November 7, 2001, that addressed its cumulative second round affordable housing obligation; and

WHEREAS, COAH adopted the first iteration of growth share regulations on or about December 20, 2004; and

WHEREAS, a 2006 HE&FSP was prepared pursuant to the first iteration of the third round rules adopted by COAH and a petition for third round substantive certification was submitted to COAH on or about July 1, 2006; and

WHEREAS, as a result of the first iteration of the third round rules being invalidated in 2007; a second and third iteration of the third round rules being adopted by COAH in 2008; a September 5, 2008 Executive Order #114 concerning the interrelationship of the COAH affordable housing obligation and the growth projections in the Highlands Regional Master Plan being issued
by the Governor; and an October, 2008 Memorandum of Understanding ("MOU") between COAH and the Highlands Council being executed, the Township prepared its latest 2010 HE&FSP addressing its entire affordable housing obligation and submitted it to COAH on or about June 3, 2010; and

**WHEREAS**, the third iteration of the third round regulations were invalidated by the Appellate Division in 2010, which determined, among other things, that the growth share methodology was invalid and that COAH should adopt regulations utilizing methodologies similar to the ones utilized in the first and second rounds, i.e. 1987-1999; and

**WHEREAS**, on September 26, 2013, the Supreme Court of New Jersey affirmed the Appellate Division's invalidation of the third iteration of the third round regulations, sustained their determination that the growth share methodology was invalid, and directed COAH to adopt new regulations based upon the methodology utilized in the first and second rounds; and

**WHEREAS**, COAH proceeded to propose such regulations in accordance with the schedule established by the Supreme Court; and

**WHEREAS**, on October 20, 2014, COAH deadlocked on the adoption of the revised regulations; and

**WHEREAS**, Fair Share Housing Center ("FSHC"), an interested party and housing advocacy group filed a motion with the Supreme Court to enforce litigant's rights in light of COAH's deadlock and subsequent inaction; and

**WHEREAS**, on March 10, 2015 the Supreme Court issued its decision on FSHC's motion to enforce litigant's rights and in doing so established a procedure for municipalities to utilize to transition their applications pending before COAH to the judicial system in order to achieve similar protections that the municipality would have received had the COAH process proceeded; and
WHEREAS, the procedure established by the Supreme Court requires that by July 8, 2015 a participating municipality (of which the Township is one), bring a Declaratory Judgment action in the Law Division of the Superior Court before the designated Mount Laurel judge on notice and an opportunity to be heard to a variety of entities, to declare the municipality's HE&FSP as being constitutionally compliant; and

WHEREAS, the Supreme Court gave the Township the right to seek temporary immunity from third party lawsuits while it pursues its Declaratory Judgment action; and

WHEREAS, on April 9, 2015 the Appellate Division issued its decision in the case entitled In re Failure of the Council on Affordable Housing to Adopt Trust Fund Commitment Regulations, Docket No. A-5257-11T4 and Docket No. A-0122-13T3 ("Trust Fund Case") wherein they divested COAH of jurisdiction to effect a forfeiture of Affordable Housing Trust Funds not spent or committed to be spent within four years of their receipt and transferred jurisdiction over any such actions to the 15 Mount Laurel designated judges who would also be hearing the Declaratory Judgment actions abovementioned; and

WHEREAS, in light of the Trust Fund Case, the Township seeks to have the Court assume jurisdiction over any future spending plan amendments sought by the Township; and

WHEREAS, the Township desires to authorize the initiation of a Declaratory Judgment action in order for the Township to proceed to validate a HE&FSP to be prepared by the Township Planner; to seek temporary immunity while it pursues the Declaratory Judgment action; and to take all ancillary actions associated therewith to accomplish that objective.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Township of Denville, County of Morris, State of New Jersey as follows:
1. The Buzak Law Group, LLC is hereby authorized and directed to initiate a Declaratory Judgment action in the Superior Court of New Jersey, Law Division, Morris County, to seek a declaration that the Township's HE&FSP, to be prepared by the Township Planner, is constitutionally compliant and satisfies the Township's affordable housing obligation for the period ending in Year 2025, or such other time period as may be determined by subsequent proceedings.

2. Said Declaratory Judgment action shall be filed no later than July 8, 2015, the deadline set forth in the Supreme Court decision above referenced, for the filing of such an action.

3. Simultaneous with the filing of the Declaratory Judgment action, The Buzak Law Group, LLC is hereby authorized and directed to seek and obtain temporary immunity from any third party lawsuits associated with the Township's affordable housing obligation, for a minimum period of five months or such other time as the Court may direct, in order to allow the Township and its Planner to complete a revised HE&FSP to reflect and accommodate the Township's affordable housing obligation through Year 2025, or such other time period as may be determined by subsequent proceedings.

4. The governing body requests the Planning Board to authorize the Township Planner to prepare a revised HE&FSP as part of the Master Plan of the Township which, among other things, will establish the affordable housing obligation of the Township through year 2025, or such other time period as may be determined by subsequent proceedings, and further establish a mechanism to satisfy that obligation.

5. The Township requests that the governing body representatives participate in the review of the HE&FSP prior to its public hearing and disposition by the Planning Board inasmuch
as the Township will be required to endorse the same as part of its proceedings to obtain the protections to be afforded to it through the Declaratory Judgment action abovementioned.

6 The Buzak Law Group, LLC and Kasler Associates and all other appropriate Township professionals, employees, elected, and appointed officials are hereby authorized and directed to take any and all steps necessary to effectuate the purposes of this Resolution.

7. This Resolution shall take effect immediately.

CERTIFICATION

I, Kathryn M. Bowditch, Township Clerk of the Township of Denville, hereby certify that the foregoing is a true copy of the Resolution adopted by the governing body at a meeting held on May 19, 2015.

Certification Dated ________________ Kathryn M. Bowditch, RMC
RESOLUTION

WHEREAS, the Township of Denville solicited bids for janitorial services for several municipal buildings; and

WHEREAS, on May 13, 2015, the Township received five (5) bids; and

WHEREAS, the lowest responsive bid submitted exceeds the amount appropriated in the budget for such services; and

WHEREAS, Administration has recommended that the bids be rejected.

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 bids received for janitorial services are hereby rejected.
2. That the Township Purchasing Agent is authorized to re-bid the contract.
3. This Resolution shall take effect immediately.

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 adopted by the Municipal Council at their meeting held on May 19, 2015.

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