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

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

Council Members

- Gabel
- Lyden
- Golinski, Council President

In Attendance

- Mayor Andes
- Township Attorney Jansen

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

Interview Candidates for Zoning Board of Adjustment Vacancy

R-17-209: Resolution Appointing Board of Adjustment Members for the Township of Denville Effective September 20, 2017

- Council Liaison/Committee Reports
- Mayor's Report
- Administrator's Report
- Correspondence

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

Matters of Old/New Business

ORDINANCES FOR ADOPTION

NONE

ORDINANCES FOR INTRODUCTION

16-17: An Ordinance Appropriating an Additional $105,000 for Renovations to the Denville Municipal Building with Said Funding Being Provided by the Denville Township Board of Education (Pending Board of Education Endorsement on September 18, 2017)
CONSENT AGENDA:

R-17-210: Resolution Authorizing Raffle Licenses in the Township of Denville

R-17-211: Resolution Authorizing Reinstatement of the Original Sewer Assessment Installment Plan for Certain Properties in the Township of Denville

R-17-212: Resolution of the Township of Denville Correcting Schedule A of Resolution R-17-202 Which Authorizes the Sale Through GovDeals of Various Items of Municipal Property No Longer Needed for Public Use

R-17-213: Resolution Authorizing the Release of a Performance Guarantee Ensuring a Deed of Easement on the Property Located at 3 Tulip Lane

NON-CONSENT AGENDA:

R-17-214: Resolution to Approve Execution of an Agreement with Nissan World of Denville for Sanitary Sewer Extension

R-17-215: Resolution Authorizing Acceptance of Funds and the Execution of a State of New Jersey Highlands Water Protection and Planning Council Amended Grant Agreement #09-033-011-1408

R-17-216: Resolution Requesting Approval of Items of Revenue and Appropriation Pursuant to N.J.S.A. 40A:4-87 for the State of New Jersey Highlands Water Protection and Planning Council Amended Grant #09-033-011-1408

R-17-217: Resolution Authorizing Amendment to Shared Services Agreement for Public Health Services with the County of Morris

R-17-218: Resolution Refunding the Overpayment of 2017 Taxes

MINUTES FOR ADOPTION

- August 8, 2017

MOTION TO ADJOURN
BE IT RESOLVED that an Ordinance entitled:

An Ordinance Appropriating an Additional $105,000 for Renovations to the Denville Municipal Building with Said Funding Being Provided by the Denville Township Board of Education

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 Appropriating an Additional $105,000 for Renovations to the Denville Municipal Building with Said Funding Being Provided by the Denville Township Board of Education

Be Passed on First Reading

BE IT FURTHER RESOLVED that said ordinance shall be considered for final passage at a meeting of the Municipal Council of the Township of Denville on 10-17-2017 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: 09-19-2017
ORDINANCE NO. 16-17

AN ORDINANCE APPROPRIATING AN ADDITIONAL $105,000 FOR RENOVATIONS TO THE DENVILLE MUNICIPAL BUILDING WITH SAID FUNDING BEING PROVIDED BY THE DENVILLE TOWNSHIP BOARD OF EDUCATION

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. An additional sum of $105,000 is hereby appropriated from funds being provided by the Denville Township Board of Education for the purposes set forth in Section 2 of this Ordinance.

SECTION 2. The improvements authorized to be paid by this Ordinance include renovation and reconstruction within the Denville Township Municipal Building to facilitate the Denville Board of Education’s relocation into the Municipal Building in the amount of $105,000 for items located therein and all work necessary in connection therewith.

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

SECTION 4. The capital budget of the Township of Denville is hereby amended to conform with the provisions of this Ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Municipal Clerk and is available there for public inspection.

SECTION 5. 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 6. 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 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:  APPROVED:

Kathryn Bowditch-Leon, RMC  Mayor Thomas W. Andes
Municipal Clerk  Township of Denville

Adopted:
RESOLUTION APPOINTING BOARD OF ADJUSTMENT MEMBERS FOR THE TOWNSHIP OF DENVILLE EFFECTIVE SEPTEMBER 20, 2017

WHEREAS, Regular Zoning Board of Adjustment Member Sally Dankos unexpectedly passed away in July; and

WHEREAS, it is in the Township’s custom to have Alternate Member #1 appointed to fill the vacancy created by the resignation of a Regular Member, to appoint Alternate #2 to fill the unexpired term of Alternate #1, and to appoint someone to fill the unexpired term of Alternate #2; and

WHEREAS, the Municipal Council has conducted interviews of interested citizens and wishes to proceed with the appointments.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Denville that the following appointments to the Board of Adjustment are hereby made, effective September 20, 2017:

Edward Moroney is appointed to fill the unexpired term of former Regular Member Sally Dankos expiring December 31, 2017.

Harold Fahrer is appointed to fill the unexpired term of former Alternate #1 Edward Moroney, expiring December 31, 2017.

________________________ is appointed to fill the unexpired term of former Alternate #2 Harold Fahrer, expiring December 31, 2018.

BY ORDER OF THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF DENVILLE

I, Kathryn Bowditch-Leon, Municipal Clerk for the Township of Denville do hereby certify the above to be a true and exact copy of the resolution adopted by the Municipal Council of the Township of Denville at their regular Council meeting held on September 19, 2017.

Certification Date: ________________

Kathryn Bowditch-Leon, 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>
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</thead>
<tbody>
<tr>
<td>Boonton Twp Education Foundation</td>
<td>On Premise 50/50</td>
<td>10/16/2017 and 10/21/2017</td>
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<tr>
<td>Morris Knolls Choral Boosters, Inc.</td>
<td>On Premise 50/50</td>
<td>10/27/2017</td>
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<tr>
<td>Morris Knolls Choral Boosters, Inc.</td>
<td>Tricky Tray</td>
<td>10/27/2017</td>
</tr>
<tr>
<td>HSA St Mary's Prep</td>
<td>Bingo</td>
<td>11/17/2017</td>
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</table>

I, Kathryn Bowditch-Leon, Municipal Clerk for the Township of Denville do hereby certify the above to be a true and exact copy of the resolution adopted by the Municipal Council of the Township of Denville at the Council meeting held on September 19, 2017.

Certification Date: ________________________________
Kathryn Bowditch-Leon, 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:

Dinkel

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 Bowditch-Leon, 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 August 8, 2017.
RESOLUTION OF THE TOWNSHIP OF DENVILLE CORRECTING SCHEDULE A OF RESOLUTION R-17-202 WHICH AUTHORIZES THE SALE THROUGH GOVDEALS OF VARIOUS ITEMS OF MUNICIPAL PROPERTY NO LONGER NEEDED FOR PUBLIC USE

WHEREAS, on September 5, 2017 the Municipal Council of the Township of Denville passed Resolution R-17-202, Resolution of the Township of Denville Authorizing a Sale Through GovDeals of Various Items of Municipal Property No Longer Needed for Public Use; and

WHEREAS, some VIN Numbers and MAKE information contained in Schedule A of Resolution R-17-202 was found to be incorrect.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Denville that Schedule A of Resolution R-17-202 is hereby corrected and revised as annexed to this resolution and will be auctioned on-line through GovDeals; and

BE IT FURTHER RESOLVED that a Certified Copy of this Resolution as well as Resolution R-17-202 shall be forwarded to the Division of Local Government Services.

BY ORDER OF THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF DENVILLE

I, Kathryn Bowditch-Leon, Municipal Clerk for the Township of Denville do hereby certify the above to be a true and exact copy of the resolution adopted by the Municipal Council of the Township of Denville at their regular Council meeting held on September 19, 2017.

Certification Date

Kathryn Bowditch-Leon, RMC
Municipal Clerk

R-17-212
VEHICLES:

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<th>VIN NUMBER</th>
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<th>MAKE</th>
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<td>Mack</td>
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<td>2010</td>
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<td>2003</td>
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<td>1997</td>
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<td>Jeep Liberty</td>
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EQUIPMENT:

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<td>4465</td>
<td>Hydraulic Cutters</td>
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PRINTERS:

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<td>HP Laser Jet 8150N</td>
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</table>
RESOLUTION AUTHORIZING THE RELEASE OF A PERFORMANCE GUARANTEE ENSURING A DEED OF EASEMENT ON THE PROPERTY LOCATED AT 3 TULIP LANE

WHEREAS, Prakash and Vani Maddali posted a cash performance guarantee in the amount of $10,000 to ensure that a 12'-wide walking path easement situated on Lot 15.01, Block 10901, and rights in perpetuity are hereby granted to the Township of Denville; and

WHEREAS, the Deed of Easement was executed on April 26, 2017 and recorded with the Morris County Clerk's Office on July 21, 2017, thus satisfying the conditions of the performance guarantee.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Denville that the cash performance guarantee in the amount of $10,000 plus the interest accrued is hereby released.

BY ORDER OF THE MUNICIPAL COUNCIL
TOWNSHIP OF DENVILLE

I, Kathryn Bowditch-Leon, Municipal Clerk for the Township of Denville do hereby certify the above to be a true and exact copy of the resolution adopted by the Municipal Council of the Township of Denville at their regular Council meeting held on September 19, 2017.
WHEREAS, Nissan World of Denville has applied for a Road Opening Permit for a sanitary sewer extension to connect property owned by Nissan World of Denville located at Block 21301, Lot 3, in the Township of Denville, to the Township sewer collection system; and

WHEREAS, the proposed low-pressure sewer extension would open Peer Place from Route 10 to Forges Avenue and is described on a preliminary plan entitled "Sanitary Sewer Extension Plan, Nissan World of Denville", prepared by Paul W. Ferriero, PE of Ferriero Engineering, Inc. Chester, New Jersey, dated January 20, 2017; and

WHEREAS, Daniel Quinn, General Contractor for Nissan World of Denville has executed an Agreement with the Township of Denville; and

WHEREAS, Nissan World of Denville agrees, at its own cost and expense, to complete and install all of the improvements as set forth on the Sanitary Sewer Expansion Plan prepared by Paul W. Ferriero, PE of Ferriero Engineering, Inc. to be responsible for all maintenance and repair of the sewer extension as well as for any and all damage to the Township or to a third party as a result of any malfunction of the sewer extension, except for the repair of any damage caused as a result of the negligent acts, error or omissions of the Township or its subcontractors or their officers, agents or employees, and to comply with all of the conditions set forth in the Agreement and all applicable ordinances, rules and regulations of the Township and other agencies of entities having jurisdiction.

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 Mayor and Municipal Clerk are hereby authorized to execute an Agreement with Nissan World of Denville for the installation of a low-pressure sewer extension on Peer Place from Route 10 to Forges Avenue in the Township of Denville.

This Resolution shall take effect immediately.

BY ORDER OF THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF DENVILLE

I, Kathryn Bowditch-Leon, Municipal Clerk of the Township of Denville do hereby certify the above to be a true and exact copy of the resolution adopted by the Municipal Council at their meeting held on September 19, 2017.

Certification Dated: Kathryn Bowditch-Leon, RMC Municipal Clerk
AGREEMENT

THIS AGREEMENT, made this day of , 2017 by and between:

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

(Hereinafter the “Township”)

and:

NISSAN WORLD OF DENVILLE
c/o Donald Gumm
2031 Route 9
Toms River, NJ 08755

(Hereinafter the “Property Owner”)

WITNESSETH:

WHEREAS, the Property Owner has applied for a Road Opening Permit for a sanitary sewer extension to connect property owned by Nissan World of Denville located at Lot 3, Block 21301, in the Township of Denville, Morris County, New Jersey, to the Township sewer collection system; and

WHEREAS, the proposed low pressure sewer extension would open Peer Place from Route 10 to Forges Avenue and is described on a preliminary plan entitled, “Sanitary Sewer Extension Plan, Nissan World of Denville”, prepared by Paul W. Ferriero, PE of Ferriero Engineering, Inc., Chester, New Jersey, dated January 20, 2017; and

WHEREAS, the Property Owner and the Township wish to enter into an Agreement to insure compliance with local ordinances and regulations and to set forth the rights, duties and obligations of the parties in connection with the sanitary sewer extension.
NOW, THEREFORE, IN CONSIDERATION OF the mutual promises and covenants herein contained, the parties hereto, for themselves, their heirs, successors, and assigns, hereby agree as follows:

1. The Property Owner agrees to comply with all of the terms, conditions and obligations contained in a letter from John K. Ruschke, PE, Township Engineer dated March 6, 2017 (attached hereto as Exhibit A).

2. The Property owner shall be responsible to obtain any and all necessary permits required by the local or state government, including but not limited to, any necessary NJDEP and NJDOT permits, construction permits, road opening permits, connection permits, Township of Parsippany-Troy Hills permits etc. and will pay all applicable fees for such permits and any required connection fees. Property owner agrees to comply with all provisions of Chapter XV, Sewer and Water, of the Code of the Township of Denville and to pay all user fees and charges in accordance with the applicable Ordinance sections.

3. The Property owner agrees, at its own cost and expense, to complete and install all the improvements as set forth on the Sanitary Sewer Expansion Plan prepared by Paul W. Ferriero, PE of Ferriero Engineering, Inc. dated January 20, 2017 in connection with this project and to repair any damage to Peer Place and to restore it to the satisfaction of the Township Engineer.

4. The Property Owner agrees to install the sanitary sewer extension in accordance with the terms and conditions of applicable Township ordinances and rules and regulations as well as those of other agencies having jurisdiction, including but not limited to, the NJDEP, the NJDOT and the Township of Parsippany-Troy Hills and further agrees that the sanitary sewer extension and related improvements and restoration work shall be subject to final inspection and approval by the Township Engineer and shall comply with all his recommendations, as well as those of any other agency having jurisdiction hereover.
5. The Property Owner shall be responsible to maintain Peer Place and keep the same open to traffic at all times.

6. Prior to the commencement of any construction in connection with the project, the Property Owner shall comply, among other things, with the following:
   a) Approval of the Township Engineer, in writing;
   b) The Township shall receive written notice at least one (1) week prior to the commencement of construction;
   c) The Property Owner shall pay all inspection fee deposits in accordance with the ordinance; and
   d) The Property Owner shall furnish four (4) copies of construction plans to the Township Engineer.

7. The low pressure sewer extension will remain the personal property of the Property Owner and will not be accepted by the Township and/or become or be treated as a part of the Township’s sewer system. Property Owner will be responsible for all maintenance and repair of the sewer extension as well as for any and all damage to the Township or to a third party as a result of any malfunction of the sewer extension, except for the repair of any damage caused as a result of the negligent acts, errors or omissions of the Township or its subcontractors or their officers, agents or employees.

8. The Township will not permit any connection to the sewer extension without the written consent of the Property Owner and the Property Owner shall be solely responsible to seek reimbursement from any future owner of property seeking to connect to the sewer extension.

9. If any objectionable odors result from the sewer extension installation, the Property Owner shall implement measures to correct the situation to the satisfaction of the Township Engineer.
10. To guarantee the performance of the terms and conditions of this Agreement, and furthermore, to guarantee that the Property Owner conforms with all appropriate ordinances, rules and regulations of the Township or the agencies having jurisdiction regarding the installation of the sanitary sewer extension, the Property Owner shall post a performance guarantee in an amount equal to 120% of the estimated cost of the installation of the extension, 10% thereof to be in the form of cash and the remainder to be in the form of a surety bond or other collateral acceptable to the Township and its attorney, expressly conditioned upon the satisfactory performance of all the work herein set forth within the time as hereafter stipulated or as hereafter agreed upon and upon the satisfactory performance of the Property Owner and compliance with all Township ordinances, and applicable rules and regulations of the Township and those agencies having jurisdiction.

Upon default by the Property Owner, the Township shall be entitled to all the rights and remedies provided by general law and case law. It is also agreed that at the option of the Township, the Township can demand specific performance of the within Agreement, or, in the alternative, payment of costs, expenses, fees and damages in order to fulfill the terms of this Agreement and the requirements of all other applicable ordinances, rules and regulations of the Township and other agencies having jurisdiction, without first doing the work at its own cost and expense.

The Property Owner shall be responsible for all the attorneys' fees and costs of suit and any other additional municipal expenses incurred as a result of the enforcement of this Agreement, provided the Township is the prevailing party in any such litigation.

11. Upon default by the Property Owner under this instant Agreement, the Township shall provide the Property Owner with thirty (30) days' notice within which period of time the Property Owner shall be required to complete installation of the sewer extension as required as a condition of this Agreement.
12. It is agreed that all work to be performed pursuant hereto, including compliance with all applicable ordinances, rules and regulations, shall be completed within one (1) year.

13. This Agreement, and all the terms and conditions herein set forth, shall be fully binding on any successor in title of the Property Owner. This Agreement shall be recorded in the Office of the Morris County Clerk by the Township at the expense of the Property Owner.

14. The Property Owner covenants and agrees to indemnify and hold harmless the Township, its officers, agents and servants and each and every one of them against and from any and all liability, suits and cost of every name and description and from all damages to which said Township or any of its officers, agents or servants may be put with respect to any personal or other injury, loss or property damage the Township may suffer as a result of the carelessness in the performance of said work or through the negligence of said Property Owner or through any improper or defective machinery, implements or appliances used by the Property Owner, its agent or agents or as a result of any claim, demand, cost or judgment that may be made against it arising out of this Agreement for the performance of the obligations thereof, unless the said liability, loss or damage is caused by or arises out of the negligence of the Township, its officer, agent or employees.

The Property Owner shall take all precautions for the safety of all employees on the work and shall comply with all the provisions of Federal, State and municipal regulations and codes to prevent accidents or injuries to persons on or about or adjacent to the premises where the work is being performed.

15. The Property Owner shall procure insurance for public personal injury liability and property damage liability including contingent liability and contractual liability which might result from the performance of the work required under this Agreement and shall provide the Township with a Certificate of Insurance designating the Township as an additional insured under each said policy in which insurance coverage shall be in the following amounts:

One person in any occurrence $1,000,000.00
The Property Owner further covenants and agrees that it will provide automobile liability and property damage insurance coverage and provide the Township with a Certificate of Insurance designating the Township as an additional insured under said policy, which insurance coverage shall be in the following amounts:

- Bodily injury, each person: $1,000,000.00
- Bodily injury, each occurrence: $1,000,000.00
- Property damage: $1,000,000.00

The Property Owner further covenants and agrees that it will provide worker's compensation insurance coverage for employees and will require evidence of such coverage to be supplied by any subcontractor who may be employed to perform the work under this Agreement.

16. When the sanitary sewer extension has been installed and certified by the Township Engineer to be complete, the Property Owner shall be required to post a two-year maintenance guarantee, which shall run from the date of acceptance, in an amount to be determined by the Township Engineer.

17. No modification, changes or amendments to this Agreement shall be enforceable unless same are in writing and approved by both parties.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals or caused their proper corporate officers and their proper corporate seals to be affixed hereto the day and year as indicated on the attached acknowledgments.

ATTEST: TOWNSHIP OF DENVILLE

Kathy Bowditch-Leon, RMC

By: Thomas W. Andes, Mayor
Dear Mr. Gumm:

On behalf of the Township of Denville (Township), Mott MacDonald has received and reviewed a Road Opening Permit Application for a sanitary sewer extension for connection of the subject property (Nissan World of Denville) to the Township sewer collection system. The proposed low pressure sewer extension is located within the New Jersey Highway Route 10 right-of-way and Peer Place within the Township of Denville. The limits of the proposed sanitary sewer extension are shown on a plan entitled "Sanitary Sewer Extension Plan, Nissan World of Denville, Lot 3, Block 21301, Township of Denville Morris County, New Jersey" prepared by Paul W. Ferriero, PE. of Ferriero Engineering, Inc. dated January 20, 2017 submitted with the Road Opening Permit Application.

Based upon our review, the above referenced Road Opening Permit Application is not approved, and needs to be revised to address the following:

1. Consideration should be given to collaboration with the neighboring property owners of Block 21301, Lot 4 on the sanitary sewer extension as a joint venture. An easement through the rear of Block 21301, Lot 4 would eliminate the need for the work within the New Jersey Route 10 right-of-way and substantially shorten the length of the sewer extension.

2. Documentation of approval from the New Jersey Department of Transportation (NJDOT) for work within the New Jersey Route 10 right-of-way should be provided, included any easements and/or agreements.
3. The applicant shall enter into a Developer’s Agreement with the Township of Denville for work within the Peer Place right-of-way. A draft agreement should be provided for review.

4. The approximate location of the water main within Peer Place should be shown on the plans. A minimum horizontal separation distance of ten feet between the water main and proposed low pressure force main should be provided for the entire length of the sewer extension. The approximate location of any other utilities, in addition to water, within Peer Place should also be identified on the plans. Consideration should be given to relocating the proposed low pressure force main in Peer Place to the southern side of the roadway to increase separation between the water main and to allow for one-way traffic to be maintained during construction.

5. A complete Treatment Works Approval (TWA) Application should be submitted to this office for review and endorsement. The application must include an Engineer’s report (including any design calculations), sanitary sewer profile(s), and sanitary sewer specifications.

6. Due to the length of the proposed extension, an odor-control carbon insert should be installed in the manhole receiving flow from the 2" SDR-9 HDPE pipe. Said manhole should also receive an interior epoxy coating to be installed by the applicant.

7. Prior to any construction, a sewer connection permit shall be obtained from the Parsippany Troy Hills Treatment Plant. The Applicant is responsible for coordination with the plant in regards to inspection(s) of the sanitary sewer connection.

8. The applicant must obtain approval for Highway Occupancy (for signage and traffic control) from the New Jersey Department of Transportation (NJDOT). A copy of the permit must be provided to this office.

9. Street openings within the paved surface of any Township road are prohibited between November 1 and April 15, per Township Ordinance, except as otherwise authorized by the Township Engineer and/or Superintendent of Public Works.

If you have any questions, please do not hesitate to contact this office.

Very truly yours,

Mott MacDonald

John K. Ruschke, PE
Vice President
john.ruschke@mottmac.com
T 908.238.6000 F 973.287.2890

Co:  John Egbert, Denville DPW Director
     Paul W. Ferrero, PE, Ferrero Engineering, Inc.
WHEREAS, the State of New Jersey Highlands Water Protection and Planning Council (Highlands Council) has authorized the use of Plan Conformance Grant Program funds to assist the Township of Denville in completion of a Water Use and Conservation Management Plan and Stormwater Management Plan; and

WHEREAS, the Highlands Council has awarded funding to the Township of Denville in an amount not to exceed $85,000.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Denville that authorization is hereby granted to accept the grant from the Highlands Council and for the Municipal Clerk and Mayor to sign the Plan Conformance #09-033-011-1408.

BY ORDER OF THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF DENVILLE

I, Kathryn Bowditch-Leon, Municipal Clerk for the Township of Denville do hereby certify the above to be a true and exact copy of the resolution adopted by the Municipal Council of the Township of Denville at their regular Council meeting held on September 19, 2017.
July 28, 2017

The Honorable Thomas Andes
Denville Township
1 St. Mary’s Place
Denville, NJ 07834

Subject: Highlands Council Grant Agreement
Denville Township - $85,000
Plan Conformance Grant # 09-033-011-1408

Dear Mayor Andes:

On behalf of the Highlands Water Protection and Planning Council (Highlands Council), I am pleased to advise you that the Highlands Council, by unanimous vote at its meeting of July 20, 2017, authorized use of Plan Conformance Grant Program funding in an amount not to exceed $85,000 to assist the Township in completion of a Water Use and Conservation Management Plan and Stormwater Management Plan. Pending the Governor’s review of Highlands Council meeting minutes, this action provides for execution of an Amended Plan Conformance Grant Agreement with Denville Township. In the interest of expediting the matter, we have prepared and enclose two (2) copies of a Plan Conformance grant contract for your review and signature, which we ask that you sign and return within thirty (30) days of receipt. The Agreement will become effective only following expiration of the Governor’s review period.

The Plan Conformance Grant Program is a reimbursement-based grant program funded by the Highlands Protection Fund. The Highlands Act established and dedicated this special non-lapsing fund specifically for Plan Conformance activities. The Highlands Council does not require matching funding for issuance of these grants, which may be used solely toward reimbursement of reasonable expenses associated with Plan Conformance.

The Plan Conformance Grant Program provides for completion of both the Water Use and Conservation Management Plan and Stormwater Management Program components. For payment purposes, the Township will be required to submit a final deliverable for each completed task, as described in the individual scopes of work. All deliverables will be examined for completeness and technical sufficiency by Highlands Council staff. Once a deliverable has been deemed technically complete, a letter will be issued requesting the corresponding invoices. Invoices will similarly be reviewed for technical and administrative completeness prior to issuance of a payment voucher for signature. This voucher must be signed and returned to the Highlands Council for payment by the Department of the Treasury.
Please note that any request for a reallocation of funds due to anticipated cost overruns must be substantiated through a formal request to the Executive Director accompanied by revised scopes of work for the affected tasks: the task which requires additional funding, and the task being reduced. Approval of such requests requires that both tasks be completed within the revised amounts.

Should you have any questions regarding this letter or the scopes of work for the Water Use and Conservation Management Plan or the Stormwater Management Program, please contact Kelley Curran (telephone ext. 104, e-mail address kelley.curran@highlands.nj.gov). For questions regarding grant funding or reimbursement of expenditures, please contact Herbert August, Manager of Grants Administration (telephone ext. 102, or via e-mail at herbert.august@highlands.nj.gov). Please do not hesitate to contact me directly (telephone extension 101, e-mail address margaret.nordstrom@highlands.nj.gov) should you or your elected and appointed officials have questions or require assistance regarding any other matter.

Sincerely,

Margaret Nordstrom
Executive Director

Enclosure

c: Service List
RESTATEMENT REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION PURSUANT TO N.J.S.A. 40A:4-87 FOR THE STATE OF NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL AMENDED GRANT AGREEMENT #09-033-011-1408

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 request the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2017 in the sum of $85,000.00, which is now available from NJ Highlands Water Protection and Planning Council in the amount of $85,500.00.

BE IT FURTHER RESOLVED that the like sum of $85,000.00 is hereby appropriated under the caption Highlands Planning Assistance Grant.

BY ORDER OF THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF DENVILLE

I, Kathryn Bowditch-Leon, Municipal Clerk for the Township of Denville do hereby certify the above to be a true and exact copy of the resolution adopted by the Municipal Council of the Township of Denville at their regular Council meeting held on September 19, 2017.
RESOLUTION AUTHORIZING AMENDMENT TO SHARED SERVICES AGREEMENT FOR PUBLIC HEALTH SERVICES WITH THE COUNTY OF MORRIS

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

WHEREAS, the Township wishes to enter into an amendment to the Agreement to include the services of a Public Health Nurse & Public Health Nurse Supervisor; and

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

WHEREAS, the Chief Financial Officer of the Township of Denville has certified in certification #17-23, which is annexed hereto and made a part thereof, that this agreement will be charged to the following budget appropriation and that adequate funds are available under the following line item account:

01-201-27-330-010 $34,711.00; and

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

1. That the Mayor and the Township Clerk are hereby authorized to execute an Amendment to the Shared Services Agreement for Public Health Services to include the services of a Public Health Nurse and Public Health Nurse Supervisor with the County of Morris for the term of January 1, 2018 through December 31, 2021 subject to the annual appropriation of funds.

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

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

This resolution shall take effect immediately.

BY ORDER OF THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF DENVILLE

I, Kathryn Bowditch-Leon, Municipal Clerk of the Township of Denville do hereby certify the above to be a true and exact copy of the resolution adopted by the Municipal Council at their meeting held on September 19, 2017.
TOWNSHIP OF DENVILLE

Request For And Certification As To The Availability
Of Adequate Funds For A Contract Which Is Pending Approval
By The Governing Body

Date of Request 09/19/17

County of Morris
634 West Hanover Ave.
Morris Township, NJ 07960
Name and Address of Contractor

Public Health Services $34,711.00
Name of Description of Pending contract Amount of Contract

This contract will be charged to the following budget appropriations as per the detailed budget:

<table>
<thead>
<tr>
<th>DEPT., ACCT. #, ORD. #</th>
<th>General Cap</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>01-201-27-330-010</td>
<td>$34,711.00</td>
<td>$34,711.00</td>
</tr>
</tbody>
</table>

TOTAL $34,711.00

Signed: ____________________________
Department or Division Head

PLEASE ATTACH A COPY OF PROPOSED CONTRACT

I hereby certify that adequate funds are available in the Current Fund under the following line item account(s):

01-201-27-330-010 $34,711.00

All Certification Payments should be placed on white vouchers with the Certification Number shown on the voucher.

COMMENTS:
Fund availability are predicated on adopted 2018 budget

Michael J Guarino
Date 09/19/17
Chief Financial Officer

CERT17-23
WHEREAS, the County of Morris, Department of Law & Public Safety, Office of Health Management, with offices located at 634 West Hanover Avenue, Morris Township, NJ 07961 (hereinafter called “Provider”) and the Township of Denville, with offices located at 1 St. Mary’s Place, Denville NJ 07834 (hereinafter referred to as the “Recipient”) entered into a shared services agreement for public health services in accordance with the Local Health Services Act as codified at N.J.S.A. 26:3A2-1, et seq. on September 14th, 2016; and

WHEREAS, the Provider and Recipient have mutually agreed to amend and supplement said shared services agreement for public health services to include the services of a Public Health Nurse & Public Health Nurse Supervisor.

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

1. The Provider shall furnish the services of a properly licensed Public Health Nurse to carry out and discharge within the territorial jurisdiction of the Recipient, public health nursing services and activities in accordance with N.J.A.C. 8:52-1.1 et seq., Public Health Practice Standards of Performance for Local Boards of Health in New Jersey and as set forth in the Programmatic Proposal of Public Health Services attached hereto and marked as “Exhibit A”.
2. The Provider shall furnish the services of a Public Health Nurse Supervisor in accordance with N.J.A.C. 8:52-1.1, et seq., provided that said employee may also serve as the Provider's Public Health Nurse under the terms of this agreement.

3. The Provider's Public Health Nurse shall devote a minimum of two (2) hours per week at the Recipient's office for the provision of consultations, blood pressure screenings, home visits, and referrals to seniors and residents. The Provider and the Recipient shall jointly meet to set forth a schedule for monthly public health nursing hours at the start of each calendar year. In the event the Provider is unable to adhere to a date in the adopted schedule, the Provider shall notify the Recipient and hours shall be rescheduled.

4. The Recipient shall furnish an office at its Health Department which provides adequate privacy for nursing services rendered by the Provider. The office shall have a desk, telephone with voicemail capabilities which can be accessed remotely, and secure internet access. The Recipient shall provide facsimile capabilities and a file cabinet(s) that can be locked for the storage of medical records.

5. The Provider shall be responsible for the cost of medical supplies and/or obtaining standing orders from a properly licensed physician as may be required for clinical services and public health emergencies.

6. The Recipient shall be responsible for the provision of annual seasonal influenza immunization clinics for its residents and municipal employees. The Recipient shall be responsible for the costs associated with the purchase of vaccines, clinical supplies, and the compensation of influenza clinic personnel other than personnel provided by the Provider under the terms of this agreement. The Provider shall be responsible for arranging and supervising annual seasonal influenza immunization clinics.
7. It is understood that the term of this Agreement shall begin January 1, 2018 and terminate on December 31, 2021 unless extended or renegotiated to the mutual satisfaction of both the Provider and the Recipient prior to the termination date, and shall take effect following adoption of appropriate resolutions by each of the contracting parties.

8. The Recipient shall pay the Provider for services rendered as follows:
   a. A total of $34,710.23 for calendar year 2018 to be paid in four quarterly installments, the first three of which shall be $8,677.00 and the final fourth shall be $8,679.23.
   b. A total of $35,404.44 for calendar year 2019 to be paid in four quarterly installments of $8,851.11.
   c. A total of $36,112.53 for calendar year 2020 to be paid in four quarterly installments, the first three of which shall be $9,028.00 and the final fourth shall be $9,028.53.
   d. A total of $36,834.78 for calendar year 2020 to be paid in four quarterly installments, the first three of which shall be $9,208.00 and the final fourth shall be $9,210.78.

9. Calendar year quarters as referenced in the terms specified in clause number 5 of this amendment shall be defined as follows: Quarter 1 (January to March); Quarter 2 (April to June); Quarter 3 (July to September); and Quarter 4 (October to December).

10. Payment shall be made within thirty (30) days of submission of an invoice from the Provider to the Recipient or by other means as agreed by the Chief Fiscal Officers of both parties.
IN WITNESS WHEREOF, the said parties have hereunto set their hands, seals, and caused these presents to be signed by their proper officers.

ATTEST: 

MORRIS COUNTY BOARD OF
CHOSEN FREEHOLDERS

Douglas R. Cabana
FREEHOLDER DIRECTOR

___________________________
Diane M. Ketchum
CLERK OF THE BOARD

___________________________

ATTEST:

TOWNSHIP OF DENVILLE

___________________________
Kathryn Bowditch-Leon, RMC
TOWNSHIP CLERK

___________________________
Thomas Andes
MAYOR
EXHIBIT A

PROGRAMMATIC PROPOSAL OF PUBLIC HEALTH SERVICES

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

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

A. Public Health Nursing, Communicable Disease, & Adult Health Services: Fulfill the requirements of N.J.A.C. 8:52, Public Health Practice Standards of Performance for Local Boards of Health in New Jersey, Subchapter 7, Public Health Nursing; specifically, services to be provided include:


2. Child Health Conference: Provision of Child Health Conference (CHC) clinics for infants and preschool children up to five years of age with specific emphasis on the medically indigent and based upon the most recent CHC guidelines from the NJ Department of Health. Residents requiring CHC services shall be referred to Zufall Federally Qualified Health Center, which provides comprehensive medical and dental services along with assistance in establishing a medical home and enrolling eligible children in available health insurance programs.

3. Adult Health Services:
   a. Cardiovascular Disease Services – Provision of hypertension screenings risk assessments, referrals, and educational information.
b. **Diabetes Services** – Provision of diabetes risk assessments, referrals, and educational information as needed.

c. **Breast, Cervical, & Colorectal Cancer Screening Services** – Coordination and referrals to the NJ Cancer Education and Early Detection Screening Program at Morristown Medical Center for breast, cervical, and colorectal screenings and educational programs. Provision of educational programs or materials on colon cancer risk factors and prevention.

4. **Communicable Disease Control**: Provision of a comprehensive communicable disease control program in accordance with the State Sanitary Code (N.J.A.C. 8:57) which includes: surveillance for reportable diseases; investigation of reportable diseases; implementation of control measures for reportable diseases; and collection of necessary specimens and ensuring specimens collected undergo the necessary laboratory analysis when required by the New Jersey Department of Health.

5. **School Immunization Audits**: Audits of all preschools and schools once per year. Enforcement of school immunization regulations set forth in the State Sanitary Code (N.J.A.C. 8:57). Schools identified as having deficiencies will be subject to additional periodic surveys, audits, and enforcement action.

6. **Rabies Control**: Notification of victims of animal bites and/or injuries about necessary medical attention for the prevention of rabies infection.

7. **Childhood Lead Poisoning Case Management**: Provision of childhood lead poisoning nursing case management services as directed by the NJ Department of Health.

8. **Employee Hepatitis B Immunization Monitoring**: Maintenance and monitoring of hepatitis B immunization records for Township employees. Follow-up with the employee and/or the employee’s supervisor regarding required or missing hepatitis B inoculations.
RESOLUTION REFUNDING THE OVERPAYMENT OF 2017 TAXES

WHEREAS, it has been found that the following overpayment has occurred due to reason listed below.

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

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

<table>
<thead>
<tr>
<th>Block/Lot Qualifier</th>
<th>Reason for Refund</th>
<th>Owner or Mortgage Co.</th>
<th>Refund Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>10801 17</td>
<td>Property was sold. Both the previous mortgage co. and title co from closing paid 3rd quarter taxes. Attorney for seller is requesting refund as the new owner's mortgage co. will be paying the 3rd quarter taxes.</td>
<td>Tao, Guoqing/Xiaoying Wu / Rosemary Stone-Doherty, Esq.</td>
<td>$4,881.44</td>
</tr>
</tbody>
</table>

Loc: 30 North Ridge Rd.

I, Kathryn Bowditch-Leon, Municipal Clerk for the Township of Denville do hereby certify the above to be a true and exact copy of the resolution adopted by the Municipal Council of the Township of Denville at their regular Council meeting held on September 19, 2017.

Certification Date

Kathryn Bowditch-Leon, RMC
Municipal Clerk