TOWNSHIP OF DENVILLE   MUNICIPAL COUNCIL   REGULAR MEETING
7:30 P.M.   DATE: OCTOBER 15, 2013

PUBLIC COMMENTS:  COUNCIL REQUESTS THAT PUBLIC
COMMENTS BE LIMITED TO (3)
THREE MINUTES PER PERSON

PRESENTATIONS:  COUNCIL REQUESTS THAT
PRESENTATIONS BE LIMITED
TO (30) MINUTES OR LESS AND
MUST BE PRE-ARRANGED WITH
THE MUNICIPAL CLERK

SALUTE TO THE FLAG  MEETING OPENED:
INVOCATION
NOTICE OF PUBLIC MEETING  MEETING CLOSED:
ROLL CALL

KUSER  GABEL  GOLINSKI  LYDEN
SCOLLANS  SMITH  PRESIDENT FITZPATRICK

IN ATTENDANCE
MAYOR ANDES  ADMINISTRATOR WARD
TOWNSHIP ATTORNEY
OTHERS:

CEREMONIAL MATTERS AND/OR PRESENTATIONS

 Council Liaison/Committee Reports

Mayor’s Report

Administrator’s Report

Public Portion
CORRESPONDENCE

MATTERS OF OLD AND/OR NEW BUSINESS

ORDINANCE(S) FOR ADOPTION

#20-13
AN ORDINANCE OF THE TOWNSHIP OF DENVILLE, COUNTY OF MORRIS, STATE OF NEW JERSEY TO AMEND CHAPTER 19, LAND USE, TO PERMIT FARMER’S MARKETS ALL YEAR

ORDINANCE(S) FOR INTRODUCTION

#21-13
AN ORDINANCE ESTABLISHING A MINIMUM AND MAXIMUM RANGE OF SALARY FOR THOSE EMPLOYEES OF DENVILLE TOWNSHIP SUPERVISORY EMPLOYEES’ ASSOCIATION

#22-13
AN ORDINANCE TO AMEND AND SUPPLEMENT ORDINANCE #4-12 ESTABLISHING A MINIMUM AND MAXIMUM RANGE OF SALARY FOR OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF DENVILLE, COUNTY OF MORRIS AND STATE OF NEW JERSEY NOT GOVERNED BY COLLECTIVE BARGAINING.

ITEMS FOR DISCUSSION AND/OR ACTION

NONE SCHEDULED

RESOLUTIONS  #  CONSENT AGENDA ITEMS

R-13-214#  RESOLUTION OF THE TOWNSHIP OF DENVILLE AUTHORIZING THE EXECUTION OF A POSTPONEMENT OF A TOWNSHIP LIEN
R-13-215# RESOLUTION AUTHORIZING THE REFUND OF MONEY DUE TO THE REDEMPTION OF A TAX SALE CERTIFICATE IN THE AMOUNT OF $1,971.68

R-13-216# RESOLUTION AUTHORIZING A REFUND OF A BUILDING PERMIT IN THE AMOUNT OF $274.00

R-13-217# RESOLUTION AUTHORIZING REINSTATEMENT OF THE ORIGINAL SEWER ASSESSMENT INSTALLMENT PLAN FOR CERTAIN PROPERTIES IN THE TOWNSHIP OF DENVILLE

R-13-218# RESOLUTION AUTHORIZING RAFFLE LICENSES IN THE TOWNSHIP OF DENVILLE

NON-CONSENT RESOLUTIONS

R-13-219 RESOLUTION AUTHORIZING THE REFUND OF MONEY DUE TO THE REDEMPTION OF A TAX SALE CERTIFICATE IN THE AMOUNT OF $6,226.22

R-13-220 RESOLUTION REFUNDING THE PAYMENT OF TAXES DUE TO JUDGEMENT BY THE TAX COURT OF NEW JERSEY IN THE AMOUNT OF $63,532.20

R-13-221 RESOLUTION REFUNDING THE PAYMENT OF TAXES OVERPAID DUE TO JUDGEMENT BY THE TAX COURT OF NEW JERSEY IN THE AMOUNT OF $65,903.75

R-13-222 RESOLUTION AUTHORIZING EXECUTION OF CHANGE ORDER #3 RELATIVE TO THE POLICE DEPARTMENT ADDITION AND RENOVATIONS IN AN AMOUNT NOT TO EXCEED $3,375.00

MINUTES FOR ADOPTION 10-1-13

MOTION TO ADJOURN
BE IT RESOLVED THAT AN ORDINANCE ENTITLED:

AN ORDINANCE OF THE TOWNSHIP OF DENVILLE, COUNTY OF MORRIS, STATE OF NEW JERSEY TO AMEND CHAPTER 19, LAND USE, TO PERMIT FARMER’S MARKETS ALL YEAR

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 19, LAND USE, TO PERMIT FARMER’S MARKETS ALL YEAR

BE PASSED ON FINAL READING AND THAT A NOTICE OF FINAL PASSAGE BE PUBLISHED IN THE 10-23-13 ISSUE OF THE CITIZEN.

COUNCIL PRESIDENT: MOTION TO ADOPT
ROLL CALL ON ADOPTION

ORDINANCE # 20-13
AN ORDINANCE OF THE TOWNSHIP OF DENVILLE, COUNTY OF MORRIS, STATE OF NEW JERSEY TO AMEND CHAPTER 19, LAND USE, TO PERMIT FARMER’S MARKETS ALL YEAR


DONNA I. COSTELLO, RMC/CMC
MUNICIPAL CLERK
Ordinance # 20 - 13

AN ORDINANCE OF THE TOWNSHIP OF DENVILLE, COUNTY OF MORRIS, STATE OF NEW JERSEY TO AMEND CHAPTER 19, LAND USE, TO PERMIT FARMER'S MARKETS ALL YEAR

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 19, Land Use, Article 5, Zone Regulations, Section 19-5.7, General Provisions, subsection 19-5.714A, Seasonal Farmer's Market Sales, is hereby amended to read as follows:

"§19-5.714A Farmer's Market Sales.

a. Purpose. The purpose of this Section is to permit and regulate the outdoor display and sale of merchandise within the Township of Denville in such a manner as to protect the public's health and safety and to ensure the integrity of the Township's land use plan and zoning regulations.

b. Designated Zones. Farmer's markets shall be permitted on Lots 14 and 22, Block 50202 within the B-1 and B-2 Zone Districts and such other locations in the B-1 and B-2 Zone Districts as may be designated by the appropriate municipal official provided that at least ten (10) days written notice is given to the sponsor of the farmer's market to relocate the farmer's market for a given weekend.

c. Permit Required.

1. Zoning Permit.

(a) No property shall be utilized for a farmer's market as defined herein without the issuance of a farmer's market permit to the sponsor of the market from the Township's Zoning Officer in accordance with the provisions of this Chapter.

(b) No person, persons, firm or corporation shall participate as a vendor in a farmer's market without first obtaining a permit from the Township's Zoning Officer.

(c) The fee for the farmer's market sponsor permit shall be $50.00. The fee for the farmer's market vendor permit shall be $50.00.


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

(b) No person, persons, firm or corporation shall serve or offer food at a farmer's market without having obtained a farmer's market vendor's license from the Township Health Department. A farmer's market vendor's license shall be required for each stand, kiosk or similar appurtenance from which food is served regardless of whether there is a charge to the public.
(c) Fees for health licenses are set forth in Chapter II-A.

3. Each permit and license shall expire on December 31 of the calendar year in which it is issued.

4. The sponsor of the farmer's market shall be responsible to secure the farmer's market permit and license required pursuant to c.1(a) and c.2(a) above and to verify that permits and licenses required pursuant to c.1(b) and c.2(b) have been obtained by all vendors participating in the event.

5. Farmer's market uses shall be limited to the following vendor categories:

   - Farmer: a person who raises produce, plants, botanicals or animals on the land such person owns, leases or rents. Also includes a person who processes produce, fruit, berries, botanicals, meats, eggs, dairy, honey etc. which is grown, raised or harvested on property that such person owns, leases or rents, and then turned into value added products(s) such as jam, cider, maple syrup, cheese, baked goods, essential oils, etc.

   - Processor: a person who sells foods that such person has personally prepared or processed on property that such person owns, leases or rents. Processors are persons offering fresh food products that have added value to their products through "hand on" processing.

   - Prepared Food: Prepared food vendors offer freshly made foods available for sale and immediate consumption on-site. All food is prepared on property owned, leased or rented by the vendor. Prepared food vendors using local ingredients are preferred.

   - Non-food grower and processor: A person who prepares natural products, such as essential oils, cosmetics, pet foods, soaps etc., that they have personally prepared or processed to support a healthy lifestyle on property that they own, lease or rent.

All vendors are prohibited from reselling products that are not produced, prepared or processed on property that they own, rent or lease.

All vendors and their products must be approved by the sponsor before a vendor permit may issue.

In addition to licensed vendors, one (1) restaurant shall be permitted each week to provide menu samples and sales and one (1) nonprofit organization having I.R.C. Section 501(c)(3) tax-exempt status shall be permitted each week to distribute information to the public regarding the organization and to solicit members and, if desired, to obtain signatures for petitions. The vendor permit fee required under paragraph c.1.(b) above shall not apply to the restaurant and nonprofit organization selling items one (1) time per calendar year as provided in this section. However, all required Health Department license fees shall continue to be paid by each respective vendor.

d. Submission Requirements.

1. The sponsor of the farmer's market shall be required to submit a map order and/or diagram indicating the location of the proposed vendor display stands.

2. A certificate of insurance indicating that the sponsor of the farmer's market and each vendor has public liability insurance in the amount of at least $1,000,000 and naming the Township as an additional insured shall be provided for the sponsor and for each vendor at least ten (10) days prior to the date of the market in which the vendor is
participating. A new certificate of insurance for the market sponsor and each vendor shall be submitted prior to the expiration date of the liability policy indicating renewal of the policy. A vendor who does not provide a current certificate of insurance may not participate in a farmer’s market.

3. Site plan approval is not required for farmer's market uses as defined herein.

e. Days and Hours of Operation. Functions authorized by the farmer's market permit shall be limited to Sundays only and to the hours between 7:00 a.m. and 4:00 p.m. inclusive of set-up and breakdown time.

f. Standards. Farmer's market activity shall adhere to the following standards:
   1. Sponsor shall abide by any and all provisions of this ordinance as well as conditions that may be attached to the permit by the Police, Health and Planning Departments to ensure the public's health, safety and welfare.
   2. No structures, tables, stalls or other appurtenances shall obstruct a sidewalk or emergency access lane.
   3. Solid Waste Removal. It shall be the responsibility of each vendor and the sponsor to arrange for the removal of any solid waste generated.
   4. Temporary signage shall be subject to subsection 19-5.909 of this Chapter.
   5. The sponsor shall contact the Township Police Department for a determination as to whether inclement weather conditions exist that require cancellation of the market and shall abide by the decision of the Police Department.

g. A farmer's market sponsor or vendor permit or license shall not be construed to permit Peddling and/or Soliciting as regulated under Chapter 4, Section 4-7.

h. Exemptions. Farmer's market use as described herein shall be exempted from the provisions of Section 19-5.714 Outdoor Storage.

i. Appeals. Where there is a dispute regarding a decision by the Township's Administrative Officer or Zoning Officer as to whether an activity qualifies for a permit under this section, the matter shall be referred to the Denville Township Zoning Board of Adjustment for a determination pursuant to N.J.S.A. 40:55D-70a."

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:

Donna I. Costello, RMC/CMC Municipal Clerk

TOWNSHIP OF DENVILLE COUNTY OF MORRIS STATE OF NEW JERSEY

Thomas Andes, Mayor Township of Denville
BE IT RESOLVED THAT AN ORDINANCE ENTITLED:
AN ORDINANCE ESTABLISHING A MINIMUM AND MAXIMUM RANGE OF
SALARY FOR THOSE EMPLOYEES OF DENVILLE TOWNSHIP
SUPERVISORY EMPLOYEES’ ASSOCIATION

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 ESTABLISHING A MINIMUM AND MAXIMUM RANGE OF
SALARY FOR THOSE EMPLOYEES OF DENVILLE TOWNSHIP
SUPERVISORY EMPLOYEES’ ASSOCIATION

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 11-12-13 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 ACCORDING TO LAW.

COUNCIL PRESIDENT: MOTION TO PASS ON FIRST READING
ROLL CALL
TOWNSHIP OF DENVILLE
ORDINANCE NO. 21-13

AN ORDINANCE ESTABLISHING A MINIMUM AND MAXIMUM RANGE OF SALARY FOR THOSE EMPLOYEES OF DENVILLE TOWNSHIP SUPERVISORY EMPLOYEES’ ASSOCIATION

PURPOSE: State law permits the adoption of an ordinance establishing a range of salary for certain Township positions. The ranges listed herein establish a minimum and maximum range for a specific job title and not the actual salary. The actual salary and all other terms/conditions of employment shall be delineated in the collective bargaining agreement and shall fall within the minimum and maximum limits established herein.

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

SECTION 1: Short Title: This Ordinance shall hereafter be known and referred to as the “Salary Ordinance for Members of the Denville Township Supervisory Employees’ Association.”

SECTION 2: Salaries and Wages: The annual salaries and compensation of the employees of the Township of Denville shall fall within the ranges contained in the contractual agreement:

<table>
<thead>
<tr>
<th>TITLE</th>
<th>MINIMUM</th>
<th>MAXIMUM</th>
</tr>
</thead>
<tbody>
<tr>
<td>Facility Manager / IT</td>
<td>$58,000.00</td>
<td>$116,000.00</td>
</tr>
<tr>
<td>Construction Official</td>
<td>$46,000.00</td>
<td>$92,000.00</td>
</tr>
<tr>
<td>Court Administrator</td>
<td>$40,000.00</td>
<td>$79,000.00</td>
</tr>
<tr>
<td>Tax Assessor</td>
<td>$49,000.00</td>
<td>$97,000.00</td>
</tr>
<tr>
<td>Tax Collector</td>
<td>$37,000.00</td>
<td>$73,000.00</td>
</tr>
<tr>
<td>Purchasing Agent</td>
<td>$37,000.00</td>
<td>$74,000.00</td>
</tr>
<tr>
<td>Recreation Director</td>
<td>$46,000.00</td>
<td>$92,000.00</td>
</tr>
<tr>
<td>Senior Citizen Bus Coordinator</td>
<td>$26,000.00</td>
<td>$52,000.00</td>
</tr>
<tr>
<td>Registrar of Vital Statistics</td>
<td>$26,000.00</td>
<td>$51,000.00</td>
</tr>
<tr>
<td>Supervisor of Utilities</td>
<td>$34,000.00</td>
<td>$67,000.00</td>
</tr>
</tbody>
</table>

SECTION 3: All Ordinances of the Township of Denville that are inconsistent with any provision 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 as provided by law.

BY ORDER OF THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF DENVILLE

ATTEST:  
Donna I. Costello, RMC/CMC  
Municipal Clerk

APPROVED:  
Thomas W. Andes  
Mayor
BE IT RESOLVED THAT AN ORDINANCE ENTITLED:

AN ORDINANCE TO AMEND AND SUPPLEMENT ORDINANCE #4-12 ESTABLISHING A MINIMUM AND MAXIMUM RANGE OF SALARY FOR OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF DENVILLE, COUNTY OF MORRIS AND STATE OF NEW JERSEY NOT GOVERNED BY COLLECTIVE BARGAINING.

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 AND SUPPLEMENT ORDINANCE #4-12 ESTABLISHING A MINIMUM AND MAXIMUM RANGE OF SALARY FOR OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF DENVILLE, COUNTY OF MORRIS AND STATE OF NEW JERSEY NOT GOVERNED BY COLLECTIVE BARGAINING.

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 8-13-13 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 ACCORDING TO LAW.

COUNCIL PRESIDENT: MOTION TO PASS ON FIRST READING
ROLL CALL
AN ORDINANCE TO AMEND AND SUPPLEMENT ORDINANCE #4-12
ESTABLISHING A MINIMUM AND MAXIMUM RANGE OF SALARY FOR
OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF DENVILLE, COUNTY
OF MORRIS AND STATE OF NEW JERSEY NOT GOVERNED BY
COLLECTIVE BARGAINING.

PURPOSE: State law permits the adoption of an ordinance establishing a range of
salary for certain Township positions. The ranges listed herein establish a minimum and
maximum range for a specific job title and not the actual salary. The actual salary shall
be delineated through a resolution of the Township Council establishing exact salaries
which shall fall within the minimum and maximum limits established herein.

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

SECTION 1: Short Title: This Ordinance shall hereafter be known and
referred to as “An Ordinance to Establish a Range of Salary for Certain Employees of the
Township of Denville Not Governed by a Collective Bargaining Agreement”.

SECTION 2: This ordinance amends Ordinance #4-12, which was adopted
by the Municipal Council of Township of Denville on May 1, 2012 for officers and
employees of the Township of Denville who are not covered by a Collective Bargaining
Agreement. All salaries, terms and conditions listed in Ordinance #4-12, not amended herein,
shall remain unchanged.

SECTION 3: Salaries and Wages. The annual salaries and compensation of
the officers and employees of the Township of Denville shall fall within the ranges as
follows:

<table>
<thead>
<tr>
<th>SALARY RANGES:</th>
</tr>
</thead>
<tbody>
<tr>
<td>TITLE</td>
</tr>
<tr>
<td>----------------</td>
</tr>
<tr>
<td>ADMINISTRATION</td>
</tr>
<tr>
<td>• Administrative Assistant to the Business Administrator</td>
</tr>
<tr>
<td>• Township Safety Administrator</td>
</tr>
<tr>
<td>• Municipal Housing Liaison</td>
</tr>
<tr>
<td>MUNICIPAL CLERK &amp; COUNCIL</td>
</tr>
<tr>
<td>• Municipal Clerk</td>
</tr>
<tr>
<td>• Deputy Township Clerk</td>
</tr>
</tbody>
</table>
FINANCE
- Chief Finance Officer $ 63,000.00 $ 126,000.00
- Payroll Clerk / Assistant to CFO $ 26,000.00 $ 53,000.00

DEPARTMENT OF PUBLIC WORKS
- Director $ 55,000.00 $ 109,000.00
- Assistant Superintendent $ 50,000.00 $ 100,000.00

POLICE DEPARTMENT
- Chief of Police $ 83,000.00 $ 165,000.00

UNCLASSIFIED
- Municipal Prosecutor $ 8,000.00 $ 34,000.00
- Judge, Municipal Court $ 19,000.00 $ 37,000.00

SECTION 4: All classified employees listed herein shall be required to enroll in Prescription Rx Plan with following deductibles: $5 (generic) / $20 (name brand) / 2X (90-day mail order) – effective January 1, 2014.

SECTION 5: Leave Benefits: All classified employee listed herein shall receive pro-rata amount of current year vacation leave benefits and pro-rata amount of current year sick leave benefits based upon the date of voluntary resignation or retirement date – effective March 1, 2014.

SECTION 6: All classified employees listed herein shall receive other forms of leave, including but not limited to personal leave, professional day, bereavement leave, jury duty leave and holiday leave in accordance with the agreement between the Township of Denville and the Denville Township Supervisory Employees’ Association.

SECTION 7: 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 8: 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 9: This Ordinance shall take effect as provided by law.

BY ORDER OF THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF DENVILLE.

ATTEST:                                            APPROVED:

Donna I. Costello, RMC/CMC                         Steven Ward,
Municipal Clerk                                    Acting Mayor
RESOLUTION

A RESOLUTION OF THE TOWNSHIP OF DENVILLE
AUTHORIZING THE EXECUTION OF A POSTPONEMENT

WHEREAS, the Township of Denville is the Lien Holder under an Acknowledgment of Receipt of Grant Proceeds and Consent to Imposition of Lien ("Lien") dated October 4, 2010 and recorded in the Office of the Morris County Clerk in Book 21696 at Page 860 made by Carol A. DeRitter to the Township of Denville on property known as Block 50801, Lot 7; and

WHEREAS, Carol A. DeRitter has requested that the Township subordinate or postpone its interests in the Lien to a reverse mortgage on the property to be held by American Advisors Corporation.

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

The Mayor and Township Clerk are hereby authorized to execute a Postponement of the Township’s lien on Block 50801, Lot 7 to American Advisors Corp.

This Resolution shall take effect immediately.


Certification Dated: 
Donna I. Costello, RMC/CMC 
Municipal Clerk
POSTPONEMENT OF LIEN

This Postponement is made on , 2013,

BETWEEN the Lien Holder(s),

TOWNSHIP OF DENVILLE, a Municipal Corporation of the State of New Jersey

whose address is 1 St. Mary's Place, Denville, NJ 07834,

AND the New Lender(s)

AMERICAN ADVISORS CORP.,

whose address is 3800 West Chapman Avenue, 6th Floor, Orange, CA 92868,

If there is more than one Lien Holder, the word “I” shall mean “We”.

Present Lien. I hold a lien (referred to as the “present lien”). The present lien is dated October 4, 2010, and was made by Carol A. DeRitter to the Township of Denville on property known as Block 50801, Lot 7 on the Tax Maps of the Township of Denville, County of Morris, New Jersey, more commonly known as 436 Diamond Spring Road, Denville, NJ. This present lien was recorded on December 17, 2010, in the office of the County Recording Officer of Morris County, New Jersey in ACKR-OR Book 21696 of deeds on page 0860. The original amount of the present lien was $50,875.00.

New Mortgage. You are about to make a loan in the principal amount of $180,000.00, which will be secured by a mortgage (referred to as the “new mortgage”) covering the same property as the present lien.

Postponement. The present lien will be subject, subordinate and inferior in priority to the new mortgage. This includes all renewals and extensions of the new mortgage. I have been paid $1.00 for making this postponement.

Continuing Effect. This Postponement changes only the priority of the present lien. The present lien remains in effect in all other respects.

Who is Bound. This Postponement is binding upon me and all who succeed to my rights as holder of the present lien.

Signatures. I agree to this Postponement. If this Postponement is made by a corporation, its proper corporate officers sign and its corporate seal is affixed.

Witnessed or Attested by

Donna I. Costello, Township Clerk

TOWNSHIP OF DENVILLE, a Municipal Corporation of the State of New Jersey

(Seal)

Thomas W. Andes, Mayor

STATE OF NEW JERSEY, COUNTY OF MORRIS SS.: I CERTIFY that on , 2013, Donna I. Costello personally came before me, and this person acknowledged under oath, to my satisfaction, that:

(a) this person is Clerk of the municipal corporation named in this document; (b) this person is the attesting witness to the signing of this document by the proper corporate officer who is Thomas W. Andes, the Mayor of the municipal corporation; c) this document was signed and delivered by the municipal corporation as its voluntary act duly authorized by a proper resolution of its Council; (d) this person knows the proper seal of the municipal corporation which was affixed to this document; and (e) this person signed this proof to attest to the truth of these facts.
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 10/17/2012 for Delinquent 2011 Calendar Year Water & Sewer, and a Tax Sale Certificate was purchased by Ridgeback Ventures, LLC on Block 41001 Lot 52; 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 person 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>41001 52</td>
<td>Ridgeback Ventures, LLC</td>
<td>$1,971.68</td>
</tr>
<tr>
<td></td>
<td>PO Box 503</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Mt. Freedom, NJ 07970</td>
<td></td>
</tr>
</tbody>
</table>

Certificate #2012-009

Premium Returned $500.00


CERTIFICATION DATED: DONNA I COSTELLO, RMC/CMC MUNICIPAL CLERK
CONSTRUCTION DEPARTMENT

RESOLUTION AUTHORIZING A REFUND
OF A BUILDING PERMIT FEE

WHEREAS, the permit payor listed below has paid a permit fee in the amount shown;
and
WHEREAS, the construction work was canceled.
and
the permit payor has requested that the amount listed below be refunded.

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

<table>
<thead>
<tr>
<th>NAME</th>
<th>PERMIT NUMBER</th>
<th>AMOUNT</th>
<th>REVENUE ACCOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>United Waterproofing</td>
<td>#130839</td>
<td>$274</td>
<td>01-192-08-160-001</td>
</tr>
</tbody>
</table>

I, DONNA I. COSTELLO, MUNICIPAL CLERK
OF THE TOWNSHIP OF DENVILLE, DO HEREBY
CERTIFY THE ABOVE TO BE A TRUE AND EXACT
COPY OF RESOLUTION ADOPTED BY THE MUNICIPAL
COUNCIL OF THE TOWNSHIP OF DENVILLE AT
THEIR MEETING HELD ON 10-15-13

CERTIFICATION DATE

DONNA I. COSTELLO, RMC/CMC
MUNICIPAL CLERK
RESOLUTION AUTHORIZING REINSTATEMENT OF THE ORIGINAL SEWER ASSESSMENT INSTALLMENT PLAN FOR CERTAIN PROPERTIES IN THE TOWNSHIP OF DENVILLE

WHEREAS, on February 7, 1995, 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 7, 1995; 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 families 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.

CERTIFIED TO BE A TRUE AND EXACT COPY OF RESOLUTION ADOPTED ON 10-15-13

Donna I. Costello, RMC/CMC
Municipal Clerk
BE IT RESOLVED by the Municipal Council of the Township of Denville that the application(s) for the following RAFFLE(S) be approved and the Municipal Clerk be authorized to issue said license(s) on behalf of the Municipality.

<table>
<thead>
<tr>
<th>NAME OF ORGANIZATION</th>
<th>TYPE OF RAFFLE</th>
<th>DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Morris Catholic, High School</td>
<td>Off Premise</td>
<td>2-24-14</td>
</tr>
<tr>
<td>St Clare's Hospital</td>
<td>50/50</td>
<td>12-16-13</td>
</tr>
<tr>
<td>Morris Catholic, High School</td>
<td>Tricky</td>
<td>11-16-17 2013</td>
</tr>
<tr>
<td>PTO Morris City School of Tech</td>
<td>Bingo</td>
<td>11-15-13 5-30-14</td>
</tr>
<tr>
<td>PTO Morris City School of Tech</td>
<td>Tricky Tray</td>
<td>3-28-14</td>
</tr>
<tr>
<td>PTO Morris City School of Tech</td>
<td>On Prem 50/50</td>
<td>11-15-13 3-28-14 5-30-14</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 10/17/2008 for
Delinquent 2007 Calendar Year Water & Sewer, and a Tax Sale Certificate was purchased by Stephen
Bielamowicz on Block 40802 Lot 441; 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 person 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>
</table>
| 40802 441   | Stephen Bielamowicz
             | 150 Flintlock Rd.
             | Morris Plains, NJ 07950 | $6,226.22 |

Certificate #2008-017

Premium Returned $0.00

I, DONNA I. COSTELLO, MUNICIPAL CLERK
OF THE TOWNSHIP OF DENVILLE, DO HEREBY
CERTIFY THE ABOVE TO BE A TRUE AND EXACT
COPY OF RESOLUTION ADOPTED BY THE MUNICIPAL
COUNCIL OF THE TOWNSHIP OF DENVILLE AT THEIR

CERTIFICATION DATED: DONNA I COSTELLO, RMC/CMC
MUNICIPAL CLERK
RESOLUTION REFUNDBING THE PAYMENT
OF TAXES OVERPAID DUE TO JUDGEMENT
BY THE TAX COURT OF NEW JERSEY

WHEREAS, it has been found that the following 2010, 2011, 2012 taxes have been overpaid due to a
Judgement by the Tax Court of New Jersey.

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 in the following name to refund said overpayment; 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 taxpayer after the refund has been recorded in the
taxpayer history files.

<table>
<thead>
<tr>
<th>BLOCK/LOT</th>
<th>OWNER /MORTGAGE CO.</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>62101</td>
<td>WP Properties, LLC</td>
<td>$12,069.00 - 2010</td>
</tr>
<tr>
<td></td>
<td>%Zipp &amp; Tannenbaum, LLC</td>
<td>$25,225.20 - 2011</td>
</tr>
<tr>
<td></td>
<td>166 Gatzner Ave.</td>
<td>$26,208.00 - 2012</td>
</tr>
<tr>
<td></td>
<td>Jamesburg, NJ 08831</td>
<td>$63,532.20 - Total</td>
</tr>
</tbody>
</table>

Property Location- 90-100 Ford Road

I, DONNA COSTELLO, MUNICIPAL CLERK
OF THE TOWNSHIP OF DENVILLE, DO HEREBY
CERTIFY THE ABOVE TO BE TRUE AND EXACT
COPY OF RESOLUTION ADOPTED BY THE MUNICIPAL
COUNCIL OF THE TOWNSHIP OF DENVILLE AT THEIR

CERTIFICATION DATE DONNA I COSTELLO, RMC/CMC
RESOLUTION REFUNDING THE PAYMENT
OF TAXES OVERPAID DUE TO JUDGEMENT
BY THE TAX COURT OF NEW JERSEY

WHEREAS, it has been found that the following 2010, 2011, 2012 taxes have been overpaid due to a
Judgement by the Tax Court of New Jersey.

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 in the following name to refund said overpayment; 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 taxpayer after the refund has been recorded in the
taxpayer history files.

<table>
<thead>
<tr>
<th>BLOCK/LOT</th>
<th>OWNER /MORTGAGE CO.</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>62101 5</td>
<td>WP Properties, LLC</td>
<td>$12,605.40 - 2010</td>
</tr>
<tr>
<td></td>
<td>%Zipp &amp; Tannenbaum, LLC</td>
<td>$26,139.95 - 2011</td>
</tr>
<tr>
<td></td>
<td>166 Gatzmer Ave.</td>
<td>$27,158.40 - 2012</td>
</tr>
<tr>
<td></td>
<td>Jamesburg, NJ 08831</td>
<td>$65,903.75 - Total</td>
</tr>
</tbody>
</table>

Property Location- 66 Ford Road

I, DONNA COSTELLO, MUNICIPAL CLERK
OF THE TOWNSHIP OF DENVILLE, DO HEREBY
CERTIFY THE ABOVE TO BE TRUE AND EXACT
COPY OF RESOLUTION ADOPTED BY THE MUNICIPAL
COUNCIL OF THE TOWNSHIP OF DENVILLE AT THEIR

CERTIFICATION DATE DONNA I COSTELLO, RMC/CMC
RESOLUTION NO. 13-222

WHEREAS, the Township of Denville and El Associates entered into a contract dated December 2, 2010 for construction administration services in regard to the Denville Police Addition and Renovation in the Township of Denville, County of Morris; and

WHEREAS, the Township previously approved Change Order #1 which increased the contract price by $7,500; and

WHEREAS, the Business Administrator has recommended that a change order be authorized for additional work in an amount not to exceed $3,375; and

WHEREAS, the Township is agreeable to granting the requested change as reflected in Change Order #2.

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 contract between the Township and El Associates dated December 2, 2010, shall be amended as described in the attached Change Order #2 and that the Mayor and Township Clerk be authorized and directed to execute said Change Order #3 on behalf of the Township.

BY ORDER OF THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF DENVILLE

I, DONNA I. COSTELLO, MUNICIPAL CLERK OF THE TOWNSHIP OF DENVILLE, DO HEREBY CERTIFY THE ABOVE TO BE A TRUE AND EXACT COPY OF A RESOLUTION APPROVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF DENVILLE AT THEIR MEETING HELD ON OCTOBER 15, 2013

CERTIFICATION DATED: DONNA I. COSTELLO, RMC/CMC MUNICIPAL CLERK
8 October 2013
EG6579.02

Mr. Steven Ward
Township of Denville
Business Administrator
1 Saint Mary’s Place
Denville, New Jersey 07866

Re: Denville Police Addition and Renovation
Additional Services

Dear Mr. Ward:

Pursuant to The Township of Denville Resolution 13-09 certified 28 August 2013, EI Associates provided additional construction administration services which have exhausted the allotted budget of $7,500.00.

As of this date and per our recent meetings, a number of construction deficiencies remain. Therefore EI Associates proposes to provide up to 25 hours of additional construction administration services not to exceed $3,375.00, including reimbursable expenses. These services will be on an as needed basis. Man-hours and reimbursable expenses will be invoiced in accordance with the attached 2013 rate sheets.

We look forward to continuing to provide professional design and construction administration services to The Township of Denville and thank you for this opportunity to be of continued service.

Sincerely,

THEODORE W. GREGORY, AIA
Senior Project Manager

ATTACHMENTS: 23 February 2013 man-hour rate sheet and reimbursable rate sheet

cc: EIA Internal, P. DeBona, Chief C. Wagner, J. Ciardi, D. Price
Change Order No. 2
To Authorize Additional Work in Connection with the Denville Police Addition and Renovation
in the Township of Denville, County of Morris

CONTRACTOR: EI Associates
8 Ridgedale Avenue
Cedar Knolls, NJ 07927

PROJECT: Police Addition and Renovation

OWNER: Township of Denville,
a Municipal Corporation of the
State of New Jersey
1 St. Mary's Place
Denville, New Jersey 07834

The Agreement between the Owner and Contractor for the Project, dated December 2, 2010 (hereinafter, "Agreement"), is hereby amended to reflect the following changes:

1. The scope of work is amended to include additional construction administration services and construction progress meetings required as a result of delays in the completion of the Project.

2. The total compensation to be paid by the Owner to the Contractor for Change Order No. 2 shall be an amount not to exceed $3,375.

All other terms and conditions set forth in the Agreement shall remain in full force and effect.

Approved by Owner
TOWNSHIP OF DENVILLE

Thomas W. Andes, Mayor

Donna I. Costello, Clerk

Approved by Contractor
EI Associates

Theodore W. Gregory

Dated:

Dated:
EI ASSOCIATES
CHARGES FOR REIMBURSABLE EXPENSES FOR DESIGN PROJECTS

Expenses incurred in the interest of the project are charged at the following rates, or if not shown, at cost plus 15%.

1. Reproduction expenses as follows:

- Digital Bond First Copy – 30 x 42: $7.98 each
- Digital Bond Print – 30 x 42: $3.25 each
- Digital Bond First Copy – 24 x 36: $5.35 each
- Digital Bond Print – 24 x 36: $2.25 each
- Photocopy – 8.5 x 11: $0.18 per sheet
- Photocopy – 11 x 17: $0.35 per sheet
- Color Copy – 8.5 x 11: $2.00 each
- Color Copy – 11 x 17: $3.00 each
- CAD Color Plot – 30 x 42: $27.00 each
- CAD Color Plot – 24 x 36: $18.00 each
- CAD Check Plot – 8.5 x 11: $2.50 per plot
- CAD Check Plot – 11 x 17: $2.75 per plot
- CAD Check Plot – 15 x 21: $3.00 per plot
- Staple Prints: $1.50 per set
- Wire or GBC Punch & Bind: $11.55 set
- Acco Punch & Bind: $8.60 per set
- Acetate 8.5 x 11: $0.75 each
- Scan to Disc: $18.00 per dwg.

2. Downward conversion of latest version of AutoCAD to earlier version @ $75 per drawing. Retrieval of archived information: base fee $250.

3. Bind, purge, audit and publish AutoCAD files @ $25 per drawing.

4. Fax at $.50 per Page.

5. Automobile travel at 56.5 cents per mile. Travel involving airplanes, rental cars, hotels, etc. at cost + 15%.

6. Messenger and overnight delivery charges at cost + 15%.

7. Subconsultants such as geotechnical, surveying, asbestos remediation, and specialty consultants at cost + 25%.

Effective 1 January 2013
## EI ASSOCIATES
### BILLING RATE SCHEDULE

<table>
<thead>
<tr>
<th>Grade</th>
<th>Title</th>
<th>Hourly Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Technical Support</td>
<td><strong>50.00</strong></td>
</tr>
<tr>
<td>2</td>
<td>CAD Drafter</td>
<td><strong>70.00</strong></td>
</tr>
<tr>
<td></td>
<td>Administrative Assistant</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Engineering/Architectural Designer</td>
<td><strong>75.00</strong></td>
</tr>
<tr>
<td>4</td>
<td>Sr. Engineering/Architectural Designer</td>
<td><strong>82.00</strong></td>
</tr>
<tr>
<td>5</td>
<td>Architect</td>
<td><strong>95.00</strong></td>
</tr>
<tr>
<td></td>
<td>Engineer</td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>Project Architect</td>
<td><strong>105.00</strong></td>
</tr>
<tr>
<td></td>
<td>Project Engineer</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Estimator/Scheduler</td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>Project Manager</td>
<td><strong>120.00</strong></td>
</tr>
<tr>
<td></td>
<td>Manager, Estimating</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Sr. Project Engineer/Architect</td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>Section Chief</td>
<td><strong>135.00</strong></td>
</tr>
<tr>
<td></td>
<td>Senior Project Manager</td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>Principal</td>
<td><strong>170.00</strong></td>
</tr>
</tbody>
</table>

Effective 23 February 2013
TOWNSHIP OF DENVILLE
MUNICIPAL COUNCIL
REGULAR MEETING

OCTOBER 1, 2013

The Meeting was called to order at 7:30 p.m. by Deputy Township Clerk Kathy Costello. The Salute to the Flag was recited, followed by an Invocation given by Councilman Scollans. The Open Public Meetings Act Statement was read by Deputy Clerk Costello.

Deputy Clerk Costello advised that President Fitzpatrick is away on business and the Council must nominate an Acting President for this evening’s meeting. She asked for nominations from the Council. Councilwoman Smith nominated Councilman Golinski and Councilman Gabel seconded the nomination. Mrs. Costello asked if there were any other nominations. No one responded.

ROLL CALL TO ELECT COUNCILMAN GOLINSKI AS ACTING PRESIDENT:
AYES: SMITH, GABEL, KUSER, LYDEN, SCOLLANS, GOLINSKI
ABSENT: FITZPATRICK

Councilman Golinski assumed the President’s seat and proceeded with the meeting.

ROLL CALL: GABEL, KUSER, SMITH, LYDEN, SCOLLANS, GOLINSKI
ABSENT: FITZPATRICK
ALSO IN ATTENDANCE: MAYOR ANDES, ADMINISTRATOR WARD AND TOWNSHIP ATTORNEY JANSEN

LIAISON REPORTS:
Councilman Gabel reported that he was unable to attend the School Board meeting last night but that he spoke with the Board President today. Mr. Gabel said that the President informed him that it has been a fine start to the school year and a number of initiatives are being pursued. Councilman Gabel advised that the deer management continues to go well and the current number of deer that have been taken is 15. He said that the Denville Food Pantry has benefitted to the tune of about 125 pounds of venison to be distributed to families in need.

Mr. Gabel commented that the Events and Celebrations Committee put on a great picnic which represented the spirit here in Denville.

Councilman Kuser reported that he attended the Recreation Committee meeting and everything is running smoothly.

Mr. Kuser added that he helped set up for the Senior Social. He said that it was very well done and well attended.

Councilwoman Smith also commented on the Senior Social. She said that it was a celebration of Denville’s 100th Anniversary and that she told the Seniors not to expect the table side service at future socials. Mrs. Smith noted that the event was attended by about 62 senior citizens.
Councilwoman Smith advised that October is Breast Cancer Awareness month. She urged both men and women to be tested since, caught in the early stages, it is a treatable disease.

Mrs. Smith had a few remarks concerning the scholarship dinner that was held last night at the Meadow Wood Manor. She said that the dinner was held to honor past County Committeewoman and former First Lady in Denville, Joyce Hussa. Mrs. Smith commended the Mayor and Council for their full attendance at the event. She also commended the Mayor for bringing together four Mayors as well as former and present Council members to honor Mrs. Hussa. Mrs. Smith called it a class act. She added that there will be a bench placed at Muriel Hepner Park in Mrs. Hussa's honor.

Councilwoman Lyden had no report.

Councilman Scollans noted that, as liaison to the Senior Citizens, he was happy to see the full Council attending and supporting the Senior Social. He said it would be great if the member were able to attend more often. Mr. Scollans advised that the seniors were praising the Senior Social when he attended one of their luncheons. He said that the date for the Social was not printed in the Neighbor News and that Mark Venis will check with the newspaper to insure that future dates are published.

Councilman Scollans reported that the Rockaway River Cabinet sent an e-mail to all members asking for volunteers to serve on the executive board.

Mr. Scollans noted that he attended the Green Sustainability Committee meeting but the Environmental Commission meeting was canceled. He said that he recommended that the position of Vice-Chair be created so that, if the Chairman is unavailable, the Vice-Chair can take over.

Councilman Scollans reported that the St. Francis Fall Festival will be held on Sunday. He said that his wife is running the One Dollar 50/50's and has gotten him involved as well.

President Golinski said that he is sure it will be a great day on Sunday.

MAYOR'S REPORT:

Mayor Andes thanked Mrs. Smith for her kind words. He said that the event last night was very nice and very touching. The Mayor noted that Mrs. Hussa was a very gracious and kind-hearted person and he thanked the whole Council for their attendance.

The Mayor announced that the famous fish, Irene, who was rescued on Riverside Drive during Hurricane Irene, passed away yesterday. He said that Irene was covered by the newspapers and TV and children would come into the Administration office to see her. Mayor Andes advised that he attended the annual fund-raiser, a golf outing and dinner, sponsored by the Foundation of Schools for Denville. He said that the organization donated $18,000 this year to the three schools for technology and has donated over $100,000 since they began five years ago.

The Mayor noted that it was a busy week-end with the river cleanup on Saturday morning. He said that a Catholic organization that operates in colleges, St. Paul Behind
the Walls, sent over about 100 college students to help. Mayor Andes added that about 80 tire were pulled from the river along with a lot of other debris. He said a great job was done by the entire group and he acknowledged the presence of both Councilman Golinski and Councilman Scollans. Mayor Andes reported that the Fire Department members looked very sharp at their inspection. He said that the Valley View Firehouse was on the tour and it should be substantially completed by October 21st. He added that it is hoped that there will be a ribbon-cutting before Thanksgiving. The Mayor noted that the Centennial Picnic was well attended. He said that, except for the food and adult beverages, everything was free. Mayor Andes noted that there were many events and rides for both adults and children. He said that the highlight for him was the opening of the 75th anniversary time capsule, which contained pictures of two of his children. The Mayor added that there was art work and projects from the school children for the 100th anniversary time capsule.

ADMINISTRATOR’S REPORT:
Administrator Ward said that he is pleased to announce that the Township closed on the eleventh of eleven homes on Riverside Drive. He gave kudos to the Attorney’s office which coordinated eleven separate closings and noted that eight of the eleven were short sales. Mr. Ward advised that the Township was able to acquire all eleven homes through grant funding from Federal, State and County sources with no local tax dollars being utilized. Mr. Ward reported that demolition permits were issued last week for five of the six remaining properties and one has already come down. He noted that, over the next couple of weeks we should see four additional homes demolished and the last one will be done as soon as the utilities are disconnected. Administrator Ward advised that about three weeks ago the Governor signed into law a $3 million de-snagging grant opportunity for municipalities for a safe river watershed. He said that the Rockaway River is a part of that. Mr. Ward stated that $3 million sounds like a lot of money, but spread out over six counties it gets thin very quickly. He explained that the County of Morris is coordinating the application for the Morris County municipalities. Mr. Ward added that the Township considers that to be a big benefit, since the river is a regional issue. He said that we have been in regular communication with our neighboring municipalities as to assisting the County in identifying the most beneficial utilization of the grant funds if we are successful in receiving an award. The Administrator reported that a progress meeting on the Valley View Firehouse was held this morning. He said that the contractor is on schedule to have everything complete on or before the end of the month. Mr. Ward noted that a gap between the basement floor and the ceiling of the basement was questioned during the Inspection tour. He explained that it is the area where the utilities will be run and, once that is completed, the basement will be filled with stone, as was originally discussed.
OPEN PUBLIC PORTION:
Gerry Idec, 1 E. Longview Trail, asked for an explanation of R-13-205.
President Golinski asked Mr. Idec if he has any other questions.
Mr. Idec asked about the truck that is being purchased. He wanted to know what department it is going to and what it will be used for.
President Golinski explained that what he would like to do is to get all the questions and comments from the public and, after he closes the Public Portion, he will be glad to respond to as many questions as possible.
Mr. Idec strenuously objected to that format stating that it is his turn and he doesn’t want to be told to wait.
President Golinski replied that it is Mr. Idec’s turn to talk and he is taking good notes on Mr. Idec’s questions and, after he closes the Public Portion, every effort will be made to answer Mr. Idec’s questions.
Mr. Idec vociferously objected again to the format.
President Golinski advised Mr. Idec that he has had his opportunity to ask his questions and now other people will be given an opportunity. He said that after everyone has had a chance and the Public Portion is closed, all questions will be addressed.
Brian Walsh, 380 Franklin Road, asked why the format has been changed. He stated that he is here about the property at 382 Franklin Road. Mr. Walsh spoke about violations that were issued in previous years and about the new property maintenance ordinance that was recently passed. He said that four violations were issued on August 27, 2013 indicating that corrective action must be taken in ten days or a summons will be issued. Mr. Walsh said that the ten days were up on September 7th and he wants to know what the next step is. He asked if the summonses are going to be issued or not.
Mr. Walsh complained that the owner of 382 Franklin Road painted his house, except for the back which is falling down, purple and a week later put up eight-foot ribbons representing breast cancer awareness.
Mr. Walsh complained about the format and asked if Mr. Golinski changed it because he knew Mr. Walsh was coming.
President Golinski said no, it was changed because he is sitting in the President’s seat.
Mark Venis, Chairman of the Recreation Committee, said that he is here to thank every member of the Council as well as the Mayor for their work at the Senior Social. Mr. Venis commented that the Recreation Committee often gets credit for these events but he wanted to thank the Council for their ongoing support.
Mark Ebel, 5 Brodziak Rd., expressed concerns for the safety of children because the house on Franklin Road is abandoned. He said that there are concerns about vermin and about the possibility of children breaking into the house and someone getting hurt.
CLOSE PUBLIC PORTION.

President Golinski stated that the bulk of the Public Portion concerned the house that is painted a bright color and has been discussed before so he would like to start with that.
President Golinski noted that Mr. Walsh's first question concerned the change of format for the Public Portion. He said that Mr. Walsh suggested that it was done because Mr. Golinski knew that he, Mr. Walsh, would be in attendance. President Golinski replied that he was not aware of Mr. Walsh's intention to attend beforehand but he had the opportunity to try the new format and that is why it was changed.

President Golinski asked Attorney Jansen if it is his prerogative to do that. Attorney Jansen replied that it is within Mr. Golinski's discretion.

President Golinski noted that Mr. Walsh's next questions were in regard to what the next steps are and what are we going to do about that house. He asked Administrator Ward for an update.

Administrator Ward advised that, up until the time that the property maintenance code was adopted in June of this year, the Township had almost no tools to address properties such as 382 Franklin Rd. He said that, as Mr. Walsh noted, in 2010 there was a notice to the homeowner directing him to address a structural failure to a portion of the property. Mr. Ward noted that, at that point, the garage and a causeway to the garage were demolished. He said that was done at the directive of the Township. The Administrator advised that there was another directive issued earlier this year due to concerns that there were structural integrity issues with the main house. He said that our Construction Official met with the homeowner's engineer and corrective action was taken to meet the appropriate building code. Mr. Ward commented that it certainly did not address the eyesore issue, which everyone on this Governing Body and Administration recognizes. The Administrator stated that on August 27th, shortly after the property maintenance code was adopted, a notice of violation was issued to the property owner on Franklin Rd. containing almost one dozen violations. He said that the letter that accompanied the violations indicated that the Township reserved the right to issue summonses if corrective action was not taken within a ten day period.

Mr. Ward advised that the owner commenced addressing the violations and there are still some pending issues but the owner is in regular contact with the Construction Dept. and is working to correct the outstanding violations.

Administrator Ward noted that the preamble to the maintenance code specifically stated that the code was not to be used for punitive purposes. He said that due to the fact that the homeowner is working to comply, the Township has not issued a summons to him yet, despite the ten days having elapsed. Mr. Ward commented that, should the time come that the homeowner ceases to take corrective action and violations remain unattended, the Township has the right to issue a summons. He said that when a summons is issued and the matter goes to Court, it often delays the process, possibly for multiple years.

Administrator Ward addressed the vibrant purple color that the homeowner painted his home, saying that there is no ordinance regulating the color that a property owner may paint his home. Mr. Ward advised that in discussing the Lupus/Breast Cancer Awareness emblems with the Construction Official/Zoning Officer, he was told that it falls into the same category as holiday decorations. He said that it is not in violation of
any local ordinance or zoning provision. Mr. Ward commented that the Property Maintenance Officer drives by the property every day. Mayor Andes noted that there are two other purple houses in town but the Township can’t govern taste or decorations. He gave a brief history of the development of the property maintenance ordinance and spoke of the preamble to the ordinance. The Mayor spoke about a house in Cedar Lake that was issued a summons in 2007 and went to Court. He said that, just recently, the Township lost that case in Court. The Mayor noted that the homeowner has now been issued violations under the new property maintenance code.

Mayor Andes commented that there are certain things we can do and certain things that we can’t but we are going to hold him to the code. He said that there is nothing that the Township can do about the color. The Mayor added that if he doesn't paint the fourth side of the house, he will receive a summons.

President Golinski commended Mr. Ward and the staff that goes out in the field for the progress that has been made. Mr. Golinski related a story about a long-term, elderly resident who needed help maintaining her property. He said that she reached out and Mr. Golinski spoke with the Administrator. Mr. Golinski added that with the help of Kathy Bowditch and Deirdre Rock, a team of young volunteers was organized to maintain the lady's house and landscaping on a regular basis. He said that this is an instance where the ordinance highlighted the needs, help is being provided and everyone wins.

President Golinski asked Mr. Ward to give an explanation to Mr. Idec of R-13-205. The Administrator advised that a developer was granted a minor subdivision by the Board of Adjustment in 2006. He said that there was a time limit for completion and, probably due to poor economic times, the project has been delayed. Mr. Ward explained that this resolution authorizes an extension to the developer's agreement with the Township.

President Golinski stated that Mr. Idec's next question concerned the truck that the Township is purchasing. Administrator Ward advised that it is a Ford F350 4WD cab and chassis for the Department of Public Works and was in the 2013 municipal budget. He noted that it is not from a local dealer because it is being purchased through a State contract where the State goes out and solicits bids on commonly purchased vehicles from dealerships throughout the State to get the lowest possible price. Mr. Ward said that this resolution approves the purchase through the State contract.

President Golinski commented that, since he tried this new format, he would welcome any feedback on it after the meeting.

CORRESPONDENCE: All copied to Council.
MATTERS OF OLD AND/OR NEW BUSINESS: None.

ITEMS FOR DISCUSSION AND/OR ACTION:
2013 BEST PRACTICES INVENTORY

President Golinski explained that this is a self-evaluation of the Township's financial management performance, prepared by CFO Guarino.

Administrator Ward noted that the State requires municipalities to complete a Best Practices worksheet and the release of State aid is actually tied to the answers and performance of the municipality. He said that the Township has taken steps each year to improve and come into better compliance with the best practices that the State recommends. Mr. Ward noted that he is pleased to announce that we are in compliance with 48 of the 50 items on the worksheet and the other 2 are beyond our control due to contractual obligations. He added that we scored 96% and will receive 100% of State aid.

CONSENT AGENDA:
R-13-203 RESOLUTION AUTHORIZING EXECUTION OF A DOCUMENT ENTITLED “FEDERAL FISCAL YEAR 2013 CERTIFICATIONS AND ASSURANCES FOR FEDERAL TRANSIT ADMINISTRATION ASSISTANCE PROGRAMS”
R-13-204 RESOLUTION AUTHORIZING ACCEPTANCE OF FUNDS FOR UNITED STATES DEPARTMENT OF JUSTICE BULLETPROOF VEST PARTICIPATION GRANT (BVP)
R-13-205 RESOLUTION AUTHORIZING EXECUTION OF AN EXTENSION DEVELOPER’S AGREEMENT BETWEEN THE TOWNSHIP OF DENVILLE AND RJR DEVELOPERS, LLC
R-13-207 RESOLUTION AUTHORIZING ACCEPTANCE OF FUNDS FOR DRIVE SOBER OR GET PULLED OVER 2013 STATEWIDE LABOR DAY CRACKDOWN GRANT
R-13-208 RESOLUTION AUTHORIZING A REFUND OF A COAH DEVELOPMENT FEE IN THE AMOUNT OF $137.00
R-13-209 RESOLUTION AUTHORIZING A REFUND OF A COAH DEVELOPMENT FEE IN THE AMOUNT OF $81.00
R-13-210 RESOLUTION AUTHORIZING A REFUND OF A COAH DEVELOPMENT FEE IN THE AMOUNT OF $58.00
R-13-211 RESOLUTION AUTHORIZING REINSTATEMENT OF THE ORIGINAL SEWER ASSESSMENT INSTALLMENT PLAN FOR CERTAIN
PROPERTIES IN THE TOWNSHIP OF DENVILLE

President Golinski asked if anyone from the Council or the public would like to have anything removed from the Consent Agenda. No one responded.

MOTION TO APPROVE CONSENT AGENDA: MOVED BY MEMBER KUSER, SECONDED BY MEMBER SMITH
AYES: KUSER, SMITH, GABEL except R-13-212, LYDEN, SCOLLANS, GOLINSKI
ABSTAIN: GABEL on R-13-212
ABSENT: FITZPATRICK

NON-CONSENT RESOLUTIONS:
R-13-213 RESOLUTION AUTHORIZING AWARD OF CONTRACT TO DFFLM, LLC IN ACCORDANCE WITH STATE CONTRACT #83557 FOR 2014 FORD F350 4WD CAB AND CHASSIS IN THE AMOUNT OF $38,661.00
MOTION TO APPROVE R-13-213: MOVED BY MEMBER KUSER, SECONDED BY MEMBER SMITH
AYES: KUSER, SMITH, GABEL, LYDEN, SCOLLANS, GOLINSKI
ABSENT: FITZPATRICK

MOTION TO APPROVE MINUTES OF 9-10-13 AND 9-17-13: MOVED BY MEMBER SMITH, SECONDED BY MEMBER GABEL
AYES: SMITH, GABEL, KUSER except 9-17-13, LYDEN, SCOLLANS, GOLINSKI
ABSTAIN: KUSER on 9-17-13
ABSENT: FITZPATRICK

MOTION TO ADJOURN: MOVED BY MEMBER SMITH, SECONDED BY MEMBER LYDEN
AYES: UNANIMOUS

MEETING ADJOURNED AT 8:20 P.M.

Respectfully submitted by,

Kathleen A. Costello
Deputy Township Clerk