TOWNSHIP OF DEVILLE MUNICIPAL COUNCIL REGULAR MEETING 7:30 P.M. DATE 10-2-12

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
INVOCATION
NOTICE OF PUBLIC MEETING
ROLL CALL

FITZPATRICK GABEL GOLINSKI LYDEN

SCOLLANS SMITH PRESIDENT KUSER

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

ORDINANCE(S) FOR INTRODUCTION

ITEMS FOR DISCUSSION AND/OR ACTION

RESOLUTIONS  # CONSENT AGENDA ITEMS

R-12-236# RESOLUTION OF THE TOWNSHIP OF DENVILLE, COUNTY OF MORRIS AND STATE OF NEW JERSEY, TO SUPPORT THE PASSAGE OF S180/A640 BY THE LEGISLATURE TO AMEND MEGAN'S LAW

R-12-237# RESOLUTION AUTHORIZING ACCEPTANCE OF ADDITIONAL FUNDS FOR THE MUNICIPAL ALLIANCE COMMITTEE FROM THE STATE OF NEW JERSEY, DEPARTMENT OF COMMUNITY AFFAIRS

R-12-238# RESOLUTION AUTHORIZING REFUND OF RECREATION DEPARTMENT FEES
R-12-239# RESOLUTION AUTHORIZING A REFUND OF A COAH DEVELOPMENT FEE

R-12-240# RESOLUTION AUTHORIZING ISSUANCE OF SPECIAL ONE DAY ABC LIQUOR LICENSE

R-12-241# RESOLUTION AUTHORIZING REINSTATEMENT OF THE ORIGINAL SEWER ASSESSMENT INSTALLMENT PLAN FOR CERTAIN PROPERTIES IN THE TOWNSHIP OF DENVILLE

R-12-242# RESOLUTION AUTHORIZING RAFFLE LICENSES IN THE TOWNSHIP OF DENVILLE

R-12-243# RESOLUTION AUTHORIZING ACCEPTANCE OF FUNDS FOR UNITED STATES DEPARTMENT OF JUSTICE BULLETPROOF VEST PARTNERSHIP GRANT (BVP)

R-12-244# RESOLUTION TO EXCLUDE CERTAIN PROPERTIES FROM TAX SALE DUE TO ACQUISITION OF PROPERTY

NON-CONSENT RESOLUTIONS

R-12-245 RESOLUTION AUTHORIZING AWARD OF CONTRACT FOR PURCHASE OF POLICE LOCKERS THROUGH THE SOMERSET COUNTY COOPERATIVE PRICING SYSTEM

R-12-246 RESOLUTION GRANTING APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NJ DEPARTMENT OF TRANSPORTATION FOR THE BLOOMFIELD AVENUE TRANSIT ENHANCEMENT PROJECT

MINUTES FOR ADOPTION:  9-11-12  9-18-12

MOTION TO ADJOURN
RESOLUTION OF THE TOWNSHIP OF DENVILLE, COUNTY OF MORRIS AND STATE OF NEW JERSEY, TO SUPPORT THE PASSAGE OF S180/A640 BY THE LEGISLATURE TO AMEND MEGAN’S LAW

WHEREAS, Bill S108/A291, introduced in the Legislature in 2010 proposes to amend Megan’s Law to require the County Prosecutors to determine the risk of re-offense of sex offenders under Megan’s Law prior to the release of a sex offender from incarceration; and

WHEREAS, currently, many sex offenders are not tiered until they have been released into the community; and

WHEREAS, the Municipal Council of the Township of Denville believes it is in the best interests of the citizens of the Township of Denville and all of New Jersey to require the Prosecutor’s Office to determine a sex offender’s risk of re-offense prior to release.

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Township of Denville, County of Morris, State of New Jersey, hereby supports the passage of New Jersey Legislature Bill S180/A640 which amends Megan’s Law in order to require the County Prosecutors to determine a sex offender’s risk of re-offense prior to release from incarceration and urges the enactment of such legislation as soon as possible.

CERTIFICATION


CERTIFICATION DATED: DONNA I. COSTELLO, RMC/CMC MUNICIPAL CLERK
RESOLUTION AUTHORIZING ACCEPTANCE OF ADDITIONAL FUNDS FOR THE MUNICIPAL ALLIANCE COMMITTEE FROM THE STATE OF NEW JERSEY, DEPT. OF COMMUNITY AFFAIRS

WHEREAS, the Municipal Alliance Committee of the Township of Denville has been awarded a grant in the amount of $13,062.00 from the Department of Community Affairs; and

WHEREAS, the Department of Community Affairs has determined that an additional $1,500 for Fiscal Year 2013 has become available; and

WHEREAS, the Department of Community Affairs wishes to award the additional $1,500 to the Denville Municipal Alliance Committee, due to their exemplary spending in 2011

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Denville that authorization is hereby granted to accept the additional funding, in the amount of $1,500, from the State of New Jersey.

BY ORDER OF THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF DENVILLE

DONNA I. COSTELLO, RMC/CMC
MUNICIPAL CLERK

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 ADOPTED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF DENVILLE AT THEIR REGULAR COUNCIL MEETING HELD ON 10-2-12

CERTIFICATION DATED: DONNA I. COSTELLO, RMC/CMC MUNICIPAL CLERK
WHEREAS, certain residents of the Township of Denville have paid program fees to the Recreation Department; and

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

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

<table>
<thead>
<tr>
<th>NAME</th>
<th>REFUND AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>ERIC KALOS</td>
<td>$89.00</td>
</tr>
<tr>
<td>RACHEL KWOCK</td>
<td>$89.00</td>
</tr>
<tr>
<td>BRANDIE BROJAN</td>
<td>$89.00</td>
</tr>
<tr>
<td>KELLY CASARIO</td>
<td>$99.00</td>
</tr>
</tbody>
</table>

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 RESOLUTION ADOPTED BY THE MUNICIPAL
COUNCIL OF THE TOWNSHIP OF DENVILLE AT THEIR
MEETING HELD ON 10-2-12

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

- Res/Rec/Refund2
CONSTRUCTION DEPARTMENT

RESOLUTION AUTHORIZING A REFUND
OF A COAH DEVELOPMENT FEE

WHEREAS, the permit payor listed below has overpaid the COAH Development Fee in the amount shown;

and

WHEREAS, the permit payor has requested that the amount listed below be refunded.

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

<table>
<thead>
<tr>
<th>NAME</th>
<th>PERMIT NUMBER</th>
<th>AMOUNT</th>
<th>REVENUE ACCOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Robert Gibbs</td>
<td>100716</td>
<td>$78.00</td>
<td>17-280-56-000</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 ___/___/______.

CERTIFICATION DATE

DONNA I. COSTELLO, RMC/CMC MUNICIPAL CLERK
RESOLUTION AUTHORIZING ISSUANCE OF
SPECIAL ONE DAY ABC LIQUOR LICENSE

BE IT RESOLVED by the Municipal Council of the Township of Denville that
authorization is hereby granted for the issuance of a Special One Day Alcoholic
Beverage License for the following organization(s):

Knights of Columbus

______________________________

______________________________

______________________________

______________________________

to be used on the following date(s):

Saturday, October 13, 2012

Rain Date: Saturday, October 27, 2012

______________________________

______________________________

______________________________

______________________________

for the following event(s):

Clam Bake/Pig Roast

______________________________

______________________________

______________________________

______________________________

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

______________________________

______________________________

______________________________

______________________________

BY ORDER OF THE MUNICIPAL COUNCIL
OF THE TOWNSHIP OF DENVILLE

DONNA I. COSTELLO, RMC/CMC
MUNICIPAL CLERK

cc: POLICE

10-2-12
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

[Signature]

[Signature]

[Signature]

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

10-2-12

Donna I. Costello, RMC/CMC
Municipal Clerk
RESOLUTION AUTHORIZING RAFFLE LICENSE(S)
IN THE TOWNSHIP OF DENVILLE

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

<table>
<thead>
<tr>
<th>NAME OF ORGANIZATION</th>
<th>TYPE OF RAFFLE</th>
<th>DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Morris Catholic</td>
<td>On Site</td>
<td>11-15 to 11-18</td>
</tr>
<tr>
<td>N. S.</td>
<td>50-50</td>
<td></td>
</tr>
</tbody>
</table>
RESOLUTION AUTHORIZING ACCEPTANCE OF FUNDS
FOR UNITED STATES DEPARTMENT OF JUSTICE
BULLETPROOF VEST PARTNERSHIP GRANT (BVP)

WHEREAS, the Township of Denville Police Department had applied
for a United States Department of Justice Bulletproof Vest Partnership
Grant (BVP) by Resolution 12-159 on 6-21-12; and

WHEREAS, the United States Department of Justice has awarded
said grant to the Township of Denville in the amount of $792.00; and

WHEREAS, the grant will allow for the purchase of Bulletproof Vests
for the protection of the Township of Denville Police Officers.

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 United States Department of Justice in the amount of
$792.00 and authorize the Municipal Clerk and Chief Municipal Finance
Officer to sign the Grant Acceptance Conditions; and

BE IT FURTHER RESOLVED that a Certified copy of this Resolution
be forwarded to the State of New Jersey, Department of Community Affairs.

BY ORDER OF THE MUNICIPAL COUNCIL
OF THE TOWNSHIP OF DENVILLE

DONNA I. COSTELLO, RMC/CMC
MUNICIPAL CLERK

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 ADOPTED BY THE
MUNICIPAL COUNCIL OF THE TOWNSHIP OF
DENVILLE AT THEIR REGULAR COUNCIL MEETING
HELD ON 10-2-12

CERTIFICATION DATED: DONNA I. COSTELLO, RMC/CMC
MUNICIPAL CLERK
RESOLUTION TO EXCLUDE CERTAIN PROPERTIES FROM TAX SALE
DUE TO ACQUISITION OF PROPERTY.

WHEREAS, it has been found that 3 properties should be excluded from Tax Sale
because they are properties about to be acquired by the Township pursuant to
Ord. #14-12.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of
Denville, County of Morris, State of New Jersey, that the Tax Collector is hereby authorized and
directed to remove from the tax sale list the three properties described below.

<table>
<thead>
<tr>
<th>BLOCK / LOT</th>
<th>OWNER</th>
<th>EXCLUDE</th>
</tr>
</thead>
<tbody>
<tr>
<td>50408 108</td>
<td>Daniel/ Marianne D'Amico</td>
<td></td>
</tr>
<tr>
<td></td>
<td>19 Riverside Dr.</td>
<td></td>
</tr>
<tr>
<td>50408 113</td>
<td>Randall/Gina Theerman</td>
<td></td>
</tr>
<tr>
<td></td>
<td>23 Riverside Dr.</td>
<td></td>
</tr>
<tr>
<td>50408 118</td>
<td>Michael McGregor</td>
<td></td>
</tr>
<tr>
<td></td>
<td>27 Riverside Dr.</td>
<td></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 ___________ 10-1-12 ___________.

CERTIFICATION DATE  DONNA I COSTELLO. RMC/CMC
MUNICIPAL CLERK
RESOLUTION AUTHORIZING AWARD OF CONTRACT FOR
PURCHASE OF POLICE LOCKERS THROUGH THE SOMERSET
COUNTY COOPERATIVE PRICING SYSTEM

WHEREAS, the Township of Denville is a party to a cooperative
purchasing agreement with the Somerset County Cooperative Pricing
System, a cooperative purchasing program organized pursuant to the
Local Public Contracts Law, N.J.S.A. 40A:11-10 et seq; and

WHEREAS, the Local Public Contracts Law authorizes a
municipality to acquire goods and services through a duly formed
cooperative purchasing system without advertising for bids; and

WHEREAS, the Township of Denville wishes to acquire lockers
for the Police Department; and

WHEREAS, the Somerset County Cooperative Pricing System
has awarded a contract to Storage Systems, USA, 400 Heckman
Street, Phillipsburg, NJ 08865 for such lockers; and

WHEREAS, the procurement of goods and services through a
cooperative purchasing program is an "open and fair" process under
the New Jersey Pay-to-Play law, N.J.S.A. 19:44A-20.5 et seq; and

WHEREAS, certification as to the availability of funds, #N-0600
has been provided by the Chief Finance Officer.

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. Any and all appropriate municipal officials are hereby authorized and directed to execute a contract and/or purchase order with Storage Systems, USA, 400 Heckman Street, Phillipsburg, NJ 08865 pursuant to Somerset County Cooperative Pricing System Contract #cc-0062-10R in the amount of $56,118.00 for the purchase of police lockers.

2. This resolution shall take effect immediately.

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 RESOLUTION 12-245 ADOPTED BY THE
MUNICIPAL COUNCIL OF THE TOWNSHIP OF
DENVILLE AT THEIR MEETING HELD ON 10-2-12

CERTIFICATION DATED: DONNA I. COSTELLO, RMC/SMS
MUNICIPAL CLERK
Wardrobe Lockers

The Sentinel Airflow™ line of duty lockers has been designed for the law enforcement officer with these special features:

- Engineered to keep clothing and equipment separated and ventilated to facilitate drying
- Lockable security compartment for sidearms or valuables
- Separate body armor compartment
- Boot tray - perforated, removable for cleaning
- Air vents for both top and drawer unit, perforated top
- Combination, keyed lock or hasp
- 14 gauge construction with 16 gauge shelves and reinforced doors
- 18" W model has a single door; 24", 36" and 42" W models have double doors
- All lockers 24" D x 72" H (90" with drawer)
- 14 gauge continuous hinges
- Slam latch operation

Options:
- Sloping top
- Keyless drawer unit - automatically locking, 36" deep drawer, heavy-duty 200 lb. drawer slides, bench.

Weapons Lockers

HEAVY-DUTY SIDEARM LOCKERS

These 7 gauge steel lockers are engineered for areas where a higher degree of security is required. Standard models are available in 4, 6, 8 and 10 openings. Each opening has a hinged pull down door to easily access the felt-lined bottom. May be surface or flush mounted.

- Each numbered door has a coded security lock cylinder
- Master keyed
- Overall Dimensions (10-door unit): 29.25" W x 8" D x 37.5" H
- Door opening: 12.63" W x 6" H
RESOLUTION OF THE TOWNSHIP OF DENVILLE TO APPROVE SUBMITTAL OF A GRANT APPLICATION AND EXECUTION OF A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE BLOOMFIELD AVENUE TRANSIT ENHANCEMENT PROJECT

NOW, THEREFORE, BE IT RESOLVED that the Municipal Council of the Township of Denville formally approves the grant application for the above stated project; and

BE IT FURTHER RESOLVED that the Mayor, Municipal Clerk and Presiding Officer are hereby authorized to submit an electronic grant application identified as SSY 2012-Denville Township-00048 to the New Jersey Department of Transportation on behalf of the Township of Denville; and

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Denville and that their signatures constitute acceptance of the terms and conditions of the grant agreement.

CERTIFIED AS A TRUE COPY OF RESOLUTION 12-246 ADOPTED BY THE MUNICIPAL COUNCIL ON OCTOBER 2, 2012.

DONNA I. COSTELLO, RMC/CMC
MUNICIPAL CLERK

MY SIGNATURE AND THE CLERK’S SEAL ARE AUTHORIZED BY THE ABOVE RESOLUTION AND CONSTITUTE ACCEPTANCE OF THE TERMS AND CONDITIONS OF THE GRANT AGREEMENT.

STEVEN WARD, PRESIDING OFFICER AND BUSINESS ADMINISTRATOR

ATTEST:

DONNA I. COSTELLO, RMC/CMC
MUNICIPAL CLERK

THOMAS W. ANDES, MAYOR
TOWNSHIP OF DENVILLE