ORDINANCES FOR ADOPTION

#24-14: An Ordinance Vacating and Discontinuing the Public Rights for Road Purposes in a Right-Of-Way Intersecting with Franklin Road

#25-14: An Ordinance to Amend Chapter II-A, Fees, of the General Ordinances of the Township of Denville with Regard to Bureau of Fire Prevention Fees

#26-14: An Ordinance Authorizing the Acquisition of Certain Real Property in the Township of Denville, County of Morris, and State of New Jersey
MINUTES FOR ADOPTION

R-14-222: Resolution Authorizing the Refund of Money Due to the Redemption of a Tax Sale Certificate in the Amount of $72,956.87.

MOTION TO ADJOURN

R-14-221: Resolution Authorizing the Refund of Money Due to the Redemption of a Tax Sale Certificate in the Amount of $60,103.61.

R-14-222: Resolution Authorizing the Refund of Money Due to the Redemption of a Tax Sale Certificate in the Amount of $72,956.87.

MINUTES FOR ADOPTION

- September 16, 2014
- September 23, 2014

MOTION TO ADJOURN
ORDINANCE # 24-14

BE IT RESOLVED that an Ordinance entitled:

An Ordinance Vacating and Discontinuing the Public Rights for Road Purposes in a Right-of-Way Intersecting with Franklin Road

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 Vacating and Discontinuing the Public Rights for Road Purposes in a Right-of-Way Intersecting with Franklin Road

Be passed on Final Reading and that a Notice of Final Passage be Published in the 10-15-14 issue of the Citizen Newspaper.

COUNCIL PRESIDENT: MOTION TO ADOPT
ROLL CALL ON ADOPTION

ORDINANCE #24-14

An Ordinance Vacating and Discontinuing the Public Rights for Road Purposes in a Right-of-Way Intersecting with Franklin Road

Notice is hereby given that the above entitled Ordinance was regularly, duly and finally passed at a meeting of the Municipal Council of the Township of Denville, County of Morris and State of New Jersey, held on 10-07-14.

Kathryn M. Bowditch
Acting Municipal Clerk
ORD # 24-14

AN ORDINANCE VACATING AND DISCONTINUING THE PUBLIC RIGHTS FOR ROAD PURPOSES IN A RIGHT-OF-WAY INTERSECTING WITH FRANKLIN ROAD

WHEREAS, the Municipal Council has determined that the unnamed thirty (30') foot right-of-way adjoining Lot 45 located in Block 40505, depicted on Exhibit A and as shown on a certain map entitled "A Map of Mountain View West Shore Indian Lake" filed in the Morris County Clerk’s Office as Map No. 637 is not needed for public road right-of-way purposes; and

WHEREAS, by the adoption of this Ordinance, the Municipal Council wishes to vacate any public interests that may exist in the thirty (30') foot right-of-way adjoining Lot 45 located in Block 40505, depicted on Exhibit A, as a public road right-of-way.

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

SECTION 1. That the unnamed thirty (30') foot right-of-way adjoining Lot 45 located in Block 40505, depicted on Exhibit A and as shown on a certain map entitled "A Map of Mountain View West Shore Indian Lake" filed in the Morris County Clerk’s Office as Map No. 637 be and the same is hereby vacated as a public street of the Township of Denville and any public rights as a public street therein be and the same are hereby forever extinguished, and the said lands referred to shall be held by the owner or owners thereof free and discharged from all public rights as a public street, as if said public rights had never existed.

SECTION 2. Any and all rights and privileges now possessed by public utilities, as defined in R. S. 48:2-13, and by any cable television company, as defined in the Cable Television Act, P.L. 1972, c. 1986, (R. S. 48:5A-1 et seq.), to maintain, repair and replace existing facilities in, adjacent to, over and under that portion of the right-of-way hereby vacated be and the same are hereby expressly reserved and excepted from said vacation.
SECTION 3. The Township Clerk shall, within sixty (60) days after the Ordinance becomes effective, file a certified copy thereof, under the seal of the Township of Denville, together with a copy of the proof of publication thereof, in the Office of the Clerk of Morris County.

SECTION 4. All ordinances of the Township of Denville that are inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of such inconsistency.

SECTION 5. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

SECTION 6. This Ordinance shall take effect immediately upon final passage, approval, and publication as required by law.

BY ORDER OF THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF DENVILLE

ATTEST: 

KATHRYN M. BOWDITCH
ACTING MUNICIPAL CLERK

APPROVED: 

MAYOR THOMAS W. ANDES
TOWNSHIP OF DENVILLE

I hereby certify the foregoing to be a true copy of an ordinance adopted by the Municipal Council of the Township of Denville at its meeting held on ______________, 2014

Kathryn M. Bowditch, Acting Municipal Clerk
ORDINANCE # 25-14

BE IT RESOLVED that an Ordinance entitled:

An Ordinance to Amend Chapter II-A, Fees, of the General Ordinances of the Township of Denville With Regard to Bureau of Fire Prevention Fees

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 to Amend Chapter II-A, Fees, of the General Ordinances of the Township of Denville With Regard to Bureau of Fire Prevention Fees

Be passed on Final Reading and that a Notice of Final Passage be Published in the 10-15-14 issue of the Citizen Newspaper.

COUNCIL PRESIDENT: MOTION TO ADOPT
ROLL CALL ON ADOPTION

ORDINANCE # 24-14

An Ordinance to Amend Chapter II-A, Fees, of the General Ordinances of the Township of Denville With Regard to Bureau of Fire Prevention Fees

Notice is hereby given that the above entitled Ordinance was regularly, duly and finally passed at a meeting of the Municipal Council of the Township of Denville, County of Morris and State of New Jersey, held on 10-07-14.

Kathryn M. Bowditch
Acting Municipal Clerk
ORDINANCE NO. 25-14

AN ORDINANCE TO AMEND CHAPTER II-A, FEES, OF THE GENERAL ORDINANCES OF THE TOWNSHIP OF DENVILLE WITH REGARD TO BUREAU OF FIRE PREVENTION FEES

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

SECTION 1. Chapter II-A, Fees, Section 2A-14, Bureau of Fire Prevention, Smoke detector/carbon monoxide inspection (resale), All inspections, of the General Ordinances of the Township of Denville is hereby amended and supplemented to read as follows:

"Smoke Detector and Carbon Monoxide Alarm Compliance (CSDCMAC) (Resale)

a. Requests for a CSDCMAC received more than 10 business days prior to the change of occupant.................................................................$35.00
b. Requests for a CSDCMAC received four days to 10 days prior to the change of occupant.................................................................$70.00
c. Requests for a CSDCMAC received fewer than four days prior to the change of occupant.................................................................$125.00"

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

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

SECTION 4. This Ordinance shall take effect immediately upon final passage, approval and publication as required by law.

BY ORDER OF THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF DENVILLE

ATTEST: 

KATHRYN M. BOWDITCH
ACTING MUNICIPAL CLERK

APPROVED:

MAYOR THOMAS W. ANDES
TOWNSHIP OF DENVILLE

I hereby certify the foregoing to be a true copy of an ordinance adopted by the Municipal Council of the Township of Denville at its meeting held on ________________, 2014

Kathryn M. Bowditch, Acting Municipal Clerk
ORDINANCE # 26-14

BE IT RESOLVED that an Ordinance entitled:

An Ordinance Authorizing the Acquisition of Certain Real Property in the Township of Denville, County of Morris, and State of New Jersey

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

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

BE IT RESOLVED that an Ordinance entitled:

An Ordinance Authorizing the Acquisition of Certain Real Property in the Township of Denville, County of Morris, and State of New Jersey

Be passed on Final Reading and that a Notice of Final Passage be Published in the 10-15-14 issue of the Citizen Newspaper.

COUNCIL PRESIDENT: MOTION TO ADOPT
ROLL CALL ON ADOPTION

ORDINANCE #24-14

An Ordinance Authorizing the Acquisition of Certain Real Property in the Township of Denville, County of Morris, and State of New Jersey

Notice is hereby given that the above entitled Ordinance was regularly, duly and finally passed at a meeting of the Municipal Council of the Township of Denville, County of Morris and State of New Jersey, held on 10-07-14.

Kathryn M. Bowditch
Acting Municipal Clerk
ORDINANCE #26-14

AN ORDINANCE AUTHORIZING THE ACQUISITION OF CERTAIN REAL PROPERTY IN THE TOWNSHIP OF DENVILLE, COUNTY OF MORRIS, AND STATE OF NEW JERSEY

WHEREAS, the Local Lands and Buildings Law, N.J.S.A. 40A:12-1, et seq., provides that a municipality may, by ordinance, provide for the acquisition of real property or an interest therein by purchase, gift, devise, lease, exchange, or condemnation in the manner provided in the Eminent Domain Act, N.J.S.A. 20:3-1, et seq.; and

WHEREAS, Morris Habitat for Humanity acquired property located at 7 Lake Lenore Drive, Block 31109, Lot 13.01 ("Property") for affordable housing purposes; and

WHEREAS, by Agreement dated August 1, 2011 ("Agreement") the Township agreed to contribute funds from the Housing Trust Funds toward the acquisition of the Property in exchange for a Note and Mortgage on the Property and upon the condition that if Morris Habitat for Humanity was unable to develop the property for affordable housing that title would be conveyed to the Township; and

WHEREAS, Morris Habitat for Humanity was unable to obtain the necessary approvals to develop the Property in accordance with the terms of the Agreement and has tendered a Deed, dated August 4, 2014, to convey the Property to the Township.

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

SECTION 1. The Township of Denville hereby authorizes the acquisition of Block 31109, Lot 13.01 from Morris Habitat for Humanity and further authorizes the cancellation of the Note and Mortgage dated August 1, 2011.
SECTION 2. The Mayor and Township Clerk and all other proper officers and employees of the Township are hereby authorized and directed to take any and all steps necessary to effectuate the purposes of this ordinance.

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

SECTION 4. 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 5. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this ordinance.

SECTION 6. This ordinance shall take effect immediately upon final passage, approval, and publication as required by law.

BY ORDER OF THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF DENVILLE

ATTEST: 
KATHRYN M. BOWDITCH
ACTING MUNICIPAL CLERK

APPROVED: 
MAYOR THOMAS W. ANDES
TOWNSHIP OF DENVILLE

I hereby certify the foregoing to be a true copy of an ordinance adopted by the Municipal Council of the Township of Denville at its meeting held on ______________, 2014

Kathryn M. Bowditch, Acting Municipal Clerk
RESOLUTION AUTHORIZING REINSTATMENT 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

Nanes
Horn
Tompkins

have petitioned the Council to permit the reinstatement of their original installment plan and have tendered to the Tax Collector the requisite amount to bring their accounts current in accordance with the above-referenced statute; and

WHEREAS, the Municipal Council wishes to allow the above referenced property owners to resume payment of their assessments on the original installment schedules approved for their properties.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Denville, in the County of Morris and State of New Jersey, that the Tax Collector be authorized to accept payment of the delinquent installments due, plus interest, from the above referenced property owners for their sewer assessments and that said property owners be permitted to pay all subsequent installments established for their properties over the balance of the twenty year installment period previously authorized by the Municipal Council.

BE IT FURTHER RESOLVED, that should any of the above referenced property owners default on any future installments, the full amount of the sewer assessment shall become due.

BY ORDER OF THE MUNICIPAL COUNCIL
OF THE TOWNSHIP OF DENVILLE

I, KATHRYN M. BOWDITCH, ACTING 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 10-07-2014.

CERTIFICATION DATE:

Kathryn M. Bowditch
Acting Municipal Clerk
RESOLUTION

RESOLUTION FOR APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE MORRIS AVENUE AND SAVAGE ROAD RESURFACING 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.

BE IT FURTHER RESOLVED that the Mayor and Acting Municipal Clerk are hereby authorized to submit an electronic grant application identified as MA-2015-Morris Avenue & Savage Road Resurfacing-00084 to the New Jersey Department of Transportation on behalf of the Township of Denville.

BE IT FURTHER RESOLVED, that the Mayor and Acting 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 and approves the execution of the grant agreement.

I hereby certify the foregoing to be a true copy of a resolution adopted by the Municipal Council of the Township of Denville at its meeting held on October 7, 2014.

Certification Dated: ____________________________ Kathryn M. Bowditch, Acting Municipal Clerk

My signature and the seal of the Township of Denville serve to acknowledge the above resolution and constitutes acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL

Kathryn M. Bowditch
Acting Municipal Clerk

Thomas W. Andes
Mayor
RESOLUTION AUTHORIZING THE REFUND OF MONEY DUE TO THE REDEMPTION OF A TAX SALE CERTIFICATE.

WHEREAS, the Township of Denville held a Tax Lien Sale on 11/15/2013 for Delinquent 2012 Calendar Year Taxes & Water and a Tax Sale Certificate was purchased by Kamasa, LLC on Block 51001 Lot 2.01; 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>
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<tbody>
<tr>
<td>51001 2.01</td>
<td>Kamasa, LLC 5 Henning Terrace</td>
<td>$21,339.36</td>
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<td></td>
<td>Denville, NJ 07834</td>
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Certificate #2013-029
Loc: 15 Lakewood Dr.

Premium Returned $100.00

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 10/14/2009 for Delinquent 2008 Calendar Year Taxes, Water, Sewer & Sewer Assessment and a Tax Sale Certificate was purchased by SFS, LLC on Block 51008 Lot 10; 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>
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<tbody>
<tr>
<td>51008</td>
<td>SFS, LLC</td>
<td>$60,103.61</td>
</tr>
<tr>
<td></td>
<td>Cadence Bank</td>
<td></td>
</tr>
<tr>
<td></td>
<td>2100 Third Ave North, St.1100</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Birmingham, AL 35203</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Attn: Andria Vann</td>
<td></td>
</tr>
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</table>

Certificate #2009-025
Loc: 32 Lakewood Dr.

Premium Returned $29,000.00


CERTIFICATION DATED: KATHRYN M. BOWDITCH ACTING MUNICIPAL CLERK
RESOLUTION AUTHORIZING THE REFUND
OF MONEY DUE TO THE REDEMPTION
OF A TAX SALE CERTIFICATE.

WHEREAS, the Township of Denville held a Tax Lien Sale on 12/1/2010 for Delinquent 2009 Calendar Year Sewer Assessment and a Tax Sale Certificate was purchased by Virgo Municipal Finance Fund LP on Block 51008 Lot 10; 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>
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<tbody>
<tr>
<td>51008 10</td>
<td>Virgo Municipal Finance Fund LP 1441 Broadway, Suite 5010 New York, NY 10018</td>
<td>$72,956.87</td>
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</table>

Certificate #2010-011
Loc: 32 Lakewood Dr.

Premium Returned $200.00

I, KATHRYN M. BOWDITCH, ACTING MUNICIPAL CLERK OF THE TOWNSHIP OF DENVILLE, DO HEREBY CERTIFY THE ABOVE TO BE A TRUE AND EXACT COPY OF A RESOLUTION ADOPTED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF DENVILLE AT THEIR MEETING HELD ON October 7, 2014

CERTIFICATION DATED: KATHRYN M. BOWDITCH ACTING MUNICIPAL CLERK