TOWNSHIP OF DENVILLE  MUNICIPAL COUNCIL  REGULAR MEETING
7:30 P.M.  DATE NOVEMBER 12, 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  MEETING CLOSED:__________________
NOTICE OF PUBLIC MEETING  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
ORDINANCE(S) FOR ADOPTION

#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.

ORDINANCE(S) FOR INTRODUCTION

#23-13
AN ORDINANCE TO ESTABLISH THE SALARIES FOR THOSE EMPLOYEES OF THE DENVILLE POLICE DEPARTMENT GOVERNED BY THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE TOWNSHIP OF DENVILLE, COUNTY OF MORRIS, STATE OF NEW JERSEY AND THE POLICE BENEVOLENT ASSOCIATION LOCAL 142

ITEMS FOR DISCUSSION AND/OR ACTION

NONE SCHEDULED

RESOLUTIONS

# CONSENT AGENDA ITEMS
RESOLUTION AUTHORIZING APPLICATION FOR FUNDS FOR IMPAIRED DRIVING ENFORCEMENT PURSUANT TO THE N.J. DIVISION OF HIGHWAY TRAFFIC SAFETY DRIVE SOBER OR GET PULLED OVER 2013 YEAR END STATEWIDE CRACKDOWN GRANT FROM 12-6-13 THROUGH 1-2-14

RESOLUTION AUTHORIZING REINSTATEMENT OF THE ORIGINAL SEWER ASSESSMENT INSTALLMENT PLAN FOR CERTAIN PROPERTIES IN THE TOWNSHIP OF DENVILLE

RESOLUTION AUTHORIZING A REFUND OF A BUILDING PERMIT FEE - $274.00

RESOLUTION REFUNDING THE PAYMENT OF TAXES OVERPAID FOR CALENDAR YEAR 2013 - $559.65

RESOLUTION REFUNDING THE PAYMENT OF TAXES OVERPAID FOR CALENDAR YEAR 2013 - $1,587.42

RESOLUTION AUTHORIZING THE REFUND OF MONEY DUE TO THE REDEMPTION OF A TAX SALE CERTIFICATE - $1,394.37

RESOLUTION AUTHORIZING THE REFUND OF MONEY DUE TO THE REDEMPTION OF A TAX SALE CERTIFICATE - $905.50

RESOLUTION AUTHORIZING RAFFLE LICENSES IN THE TOWNSHIP OF DENVILLE

RESOLUTION TO EXCLUDE CERTAIN PROPERTY FROM TAX SALE DUE TO OBTAINING OF REVERSE MORTGAGE ON AN AFFORDABLE HOUSING UNIT

NON-CONSENT RESOLUTIONS

RESOLUTION AUTHORIZING THE REFUND OF MONEY DUE TO THE REDEMPTION OF A TAX SALE CERTIFICATE - $3,325.37
R-13-233 RESOLUTION AUTHORIZING THE REFUND OF MONEY DUE TO THE REDEMPTION OF A TAX SALE CERTIFICATE - $31,014.21

R-13-234 RESOLUTION AUTHORIZING THE REFUND OF MONEY DUE TO THE REDEMPTION OF A TAX SALE CERTIFICATE - $48,477.30

R-13-235 RESOLUTION AUTHORIZING EXECUTION OF CHANGE ORDER #1 WITH TILCON NEW YORK FOR FRANKLIN ROAD IMPROVEMENTS

R-13-236 RESOLUTION AUTHORIZING EXECUTION OF CHANGE ORDER #2 WITH DENVILLE LINE PAINTING

R-13-237 RESOLUTION AUTHORIZING THE TRANSFER OF CALENDAR YEAR 2013 BUDGET APPROPRIATIONS

R-13-238 RESOLUTION AUTHORIZING AGREEMENT WITH ST. CLARE’S HOSPITAL FOR SALT STORAGE

R-13-239 RESOLUTION AUTHORIZING ENGINEERING SERVICES IN CONNECTION WITH THE REHABILITATION OF THE COOKS POND DAM

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R-13-240 THE THIRD ADDENDUM AGREEMENT FOR DOLCREST IS ATTACHED TO THE AGENDA. RESOLUTION 13-240 AUTHORIZING EXECUTION OF THE AGREEMENT WILL BE COMING FROM THE ATTORNEY ON MONDAY.

MINUTES FOR ADOPTION 10-15-13

MOTION TO ADJOURN
Proclamation

WHEREAS, in 2013, an estimated 45,220 people will be diagnosed with pancreatic cancer in the United States and 38,460 will die from the disease;
WHEREAS, pancreatic cancer is one of the deadliest cancers, is the fourth leading cause of cancer death in the United States, and is the only major cancer with a five-year relative survival rate in the single digits at just six percent;
WHEREAS, when symptoms of pancreatic cancer present themselves, it is late stage, and 73 percent of pancreatic cancer patients die within the first year of their diagnosis while 94 percent of pancreatic cancer patients die within the first five years;
WHEREAS, approximately 1,180 deaths will occur in New Jersey in 2013;
WHEREAS, the incidence and death rate for pancreatic cancer are increasing and pancreatic cancer is anticipated to move from the fourth to the second leading cause of cancer death in the U.S. by 2020;
WHEREAS, the U.S. Congress passed the Recalcitrant Cancer Research Act last year, which calls on the National Cancer Institute to develop a scientific frameworks, or strategic plans, for pancreatic cancer and other deadly cancers, which will help provide the strategic direction and guidance needed to make true progress against these diseases; and
WHEREAS, the Pancreatic Cancer Action Network is the national organization serving the pancreatic cancer community in the Township of Denville and nationwide through a comprehensive approach that includes public policy, research funding, patient services, and public awareness and education related to developing effective treatments and a cure for pancreatic cancer;
WHEREAS, the Pancreatic Cancer Action Network and its affiliates in the Township of Denville support those patients currently battling pancreatic cancer, as well as to those who have lost their lives to the disease, and are committed to nothing less than a cure;
WHEREAS, the good health and well-being of the residents of the Township of Denville are enhanced as a direct result of increased awareness about pancreatic cancer and research into early detection, causes, and effective treatments;
THEREFORE, BE IT RESOLVED, that the Township of Denville designate the month of November 2013 as “Pancreatic Cancer Awareness Month”.

__________________________
Mayor

__________________________
Date
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 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 ESTABLISHING A MINIMUM AND MAXIMUM RANGE OF SALARY FOR THOSE EMPLOYEES OF DENVILLE TOWNSHIP SUPERVISORY EMPLOYEES' ASSOCIATION

BE PASSED ON FINAL READING AND THAT A NOTICE OF FINAL PASSAGE BE PUBLISHED IN THE 11-20-13 ISSUE OF THE CITIZEN.

COUNCIL PRESIDENT: MOTION TO ADOPT
ROLL CALL ON ADOPTION

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

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 11-12-13

DONNA I. COSTELLO, RMC/CMC
MUNICIPAL CLERK
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:

SALARY RANGES:

<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
ORDINANCE #22-13

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 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 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 FINAL READING AND THAT A NOTICE OF FINAL PASSAGE BE
PUBLISHED IN THE 11-20-13 ISSUE OF THE CITIZEN.

COUNCIL PRESIDENT: MOTION TO ADOPT
ROLL CALL ON ADOPTION

ORDINANCE # 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.

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 11-12-13

DONNA I. COSTELLO, RMC/CMC
MUNICIPAL CLERK
TOWNSHIP OF DENVILLE

ORDINANCE NO. 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.

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><strong>TITLE</strong></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 $ 54,000.00

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 July 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
ORDINANCE # 23-13

BE IT RESOLVED THAT AN ORDINANCE ENTITLED:
AN ORDINANCE TO ESTABLISH THE SALARIES FOR THOSE
EMPLOYEES OF THE DENVILLE POLICE DEPARTMENT
GOVERNED BY THE COLLECTIVE BARGAINING AGREEMENT
BETWEEN THE TOWNSHIP OF DENVILLE, COUNTY OF
MORRIS, STATE OF NEW JERSEY AND THE POLICE
BENEVOLENT ASSOCIATION LOCAL 142

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 ESTABLISH THE SALARIES FOR THOSE
EMPLOYEES OF THE DENVILLE POLICE DEPARTMENT
GOVERNED BY THE COLLECTIVE BARGAINING AGREEMENT
BETWEEN THE TOWNSHIP OF DENVILLE, COUNTY OF
MORRIS, STATE OF NEW JERSEY AND THE POLICE
BENEVOLENT ASSOCIATION LOCAL 142

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 12-3-13 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. 28-13


WHEREAS, State law requires the adoption of an ordinance establishing the salaries for certain Township positions. The salaries listed herein are established pursuant to the Memorandum of Agreement signed by representatives of the Township of Denville and the Police Benevolent Association Local #142 on October 18, 2013 and further amended by mutual consent on October 22, 2013.

NOW, THEREFORE, 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 those employees of the Denville Police Department governed by the collective bargaining agreement between the Township of Denville and the PBA Local 142.”

SECTION 2: Salaries and Wages: The salaries, compensation and benefits of the employees of the Denville Police Department shall be set forth in the aforementioned collective bargaining agreement and shall apply to only those titles recognized, including Patrolmen, Sergeants, Lieutenants and Captain of the Denville Township Police Department.

SECTION 3: Base Salary. The first column references months in the position.

Patrol Officers: Column B applies to Patrol Officers hired on or after January 1, 2006. Column C applies to Patrol Officers hired on or after January 1, 2010.

<table>
<thead>
<tr>
<th>2014 (1.98%)</th>
<th>B</th>
<th>C</th>
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</thead>
<tbody>
<tr>
<td>0-12</td>
<td>$60,807</td>
<td>$48,939</td>
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<tr>
<td>13-24</td>
<td>$70,585</td>
<td>$55,839</td>
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<tr>
<td>25-36</td>
<td>$79,784</td>
<td>$62,741</td>
</tr>
<tr>
<td>37-48</td>
<td>$88,844</td>
<td>$69,642</td>
</tr>
<tr>
<td>49-60</td>
<td>$94,581</td>
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<tr>
<td>61-72</td>
<td>$100,308</td>
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<tr>
<td>72-84</td>
<td>$104,148</td>
<td>$90,345</td>
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<tr>
<td>85-96</td>
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<td>$97,247</td>
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<tr>
<td>Over 96</td>
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<td>$104,148</td>
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<tr>
<td>Year</td>
<td>0-12</td>
<td>13-24</td>
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<td>----------</td>
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</tr>
<tr>
<td>2015</td>
<td>$61,336</td>
<td>$71,199</td>
</tr>
<tr>
<td>2016</td>
<td>$61,870</td>
<td>$71,818</td>
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<tr>
<td>2017</td>
<td>$62,408</td>
<td>$72,443</td>
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<table>
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<tr>
<th>Year</th>
<th>0-12</th>
<th>13-24</th>
<th>25-36</th>
<th>37-48</th>
<th>49-60</th>
<th>61-72</th>
<th>72-84</th>
<th>85-96</th>
<th>Over 96</th>
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<tr>
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<td>$111,173</td>
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<td>$117,421</td>
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<tr>
<td>2016</td>
<td>$119,445</td>
<td>$120,484</td>
<td>$121,532</td>
<td>$122,589</td>
<td></td>
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</tr>
</tbody>
</table>
Lieutenant

<table>
<thead>
<tr>
<th>Year</th>
<th>2014 (1.98%)</th>
<th>2015 (0.87%)</th>
<th>2016 (0.87%)</th>
<th>2017 (0.87%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>0-12</td>
<td>$124,591</td>
<td>$125,675</td>
<td>$126,768</td>
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<tr>
<td>13-24</td>
<td>$129,699</td>
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<td>25-36</td>
<td>$134,913</td>
<td>$136,087</td>
<td>$137,271</td>
<td>$138,465</td>
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Captain

<table>
<thead>
<tr>
<th>Year</th>
<th>2014 (1.98%)</th>
<th>2015 (0.87%)</th>
<th>2016 (0.87%)</th>
<th>2017 (0.87%)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$142,765</td>
<td>$144,007</td>
<td>$145,260</td>
<td>$146,524</td>
</tr>
</tbody>
</table>

SECTION 4. All Ordinances or parts of Ordinance heretofore enacted which are inconsistent with any provision of this Ordinance, to the extent of such inconsistency, are hereby repealed.

SECTION 5. If any section or part of this Ordinance shall be declared to be unconstitutional or invalid, in whole or in part, by a Court of competent jurisdiction, such section or part shall, by the extent that is valid, remain in full force and effect and no such determination shall be deemed to invalidate the remaining section or parts of this Ordinance.

SECTION 6. This Ordinance shall take effect as provided by law but the salaries herein established shall be effective January 1, 2014.

BY ORDER OF THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF DENVILLE

ATTEST:

Donna I. Costello, RMC/CMC
Municipal Clerk

APPROVED:

Thomas W. Andes
Mayor
RESOLUTION AUTHORIZING APPLICATION FOR FUNDS
FOR IMPAIRED DRIVING ENFORCEMENT PURSUANT TO
THE N.J. DIVISION OF HIGHWAY TRAFFIC SAFETY
DRIVE SOBER OR GET PULLED OVER 2013 YEAR END STATEWIDE CRACKDOWN GRANT
FROM 12-6-13 THROUGH 1-2-14

WHEREAS, the State of New Jersey, Division of Highway Safety ("State") provides grants to nonprofit organizations for assistance in the acquisition of funds for the DRIVE SOBER OR GET PULLED OVER 2013 YEAR END STATEWIDE CRACKDOWN GRANT; and

WHEREAS, the Township of Denville desires to further the public interest by obtaining a grant of $ 4,400.00 from the State to fund the DRIVER SOBER OR GET PULLED OVER 2013 YEAR END STATEWIDE CRACKDOWN GRANT; and

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

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

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

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

BY ORDER OF THE MUNICIPAL COUNCIL
OF THE TOWNSHIP OF DENVILLE

I, 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 11-12-13

CERTIFICATION DATED: 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

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

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

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

<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

CERTIFICATION DATE

DONNA I. COSTELLO, RMC/CMC
MUNICIPAL CLERK
RESOLUTION REFUNDING THE PAYMENT
OF TAXES OVERPAID FOR
CALENDAR YEAR 2013

WHEREAS, it has been found that the following taxes were overpaid due to Attorney paying an estimated third quarter at closing before homestead rebate figures and third quarter were determined.

NOW, THEREFORE, BE IT RESOLVED, that the Tax Collector is hereby authorized and directed to prepare a voucher in the following name to refund said overpayment made in error; and

BE IT FURTHER RESOLVED, that the Chief Financial Officer is hereby authorized and directed to deliver the check to the Tax Collector to be delivered to said taxpayer after the refund has been recorded in the taxpayer’s history file.

TAXES

<table>
<thead>
<tr>
<th>BLOCK/LOT</th>
<th>OWNER / MORTGAGE CO.</th>
<th>REFUND</th>
</tr>
</thead>
<tbody>
<tr>
<td>60701 35</td>
<td>Chester H, III/Colleen A King</td>
<td>$559.65</td>
</tr>
<tr>
<td></td>
<td>%Andora &amp; Romano, LLC</td>
<td></td>
</tr>
<tr>
<td></td>
<td>15 Essex Road, Suite 406</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Paramus, NJ 07652</td>
<td></td>
</tr>
</tbody>
</table>

Loc: 7 Stonebridge Court

I, DONNA COSTELLO, MUNICIPAL CLERK

CERTIFICATION DATED: DONNA I. COSTELLO, RMC/CMC MUNICIPAL CLERK
RESOLUTION REFUNDING THE PAYMENT
OF TAXES OVERPAID FOR
CALENDAR YEAR 2013

WHEREAS, it has been found that the following taxes were overpaid due to Home Owner & Mortgage Co. paying 4th quarter.

NOW, THEREFORE, BE IT RESOLVED, that the Tax Collector is hereby authorized and directed to prepare a voucher in the following name to refund said overpayment made in error; and

BE IT FURTHER RESOLVED, that the Chief Financial Officer is hereby authorized and directed to deliver the check to the Tax Collector to be delivered to said taxpayer after the refund has been recorded in the taxpayer’s history file.

<table>
<thead>
<tr>
<th>BLOCK/LOT</th>
<th>OWNER /MORTGAGE CO.</th>
<th>REFUND</th>
</tr>
</thead>
<tbody>
<tr>
<td>41104 242</td>
<td>Theodore C Potter, III 21 Forest Trail Denville, NJ 07834</td>
<td>$1,587.42</td>
</tr>
</tbody>
</table>

Loc: 21 Forest Trail


CERTIFICATION DATED: DONNA I. COSTELLO, RMC/CMC 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 12/2/2011 for Delinquent 2010 Calendar Year sewer, and a Tax Sale Certificate was purchased by Ridgeback Ventures, LLC on Block 2030 Lot 5; 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>20301 5</td>
<td>Ridgeback Ventures, LLC</td>
<td>$1,394.37</td>
</tr>
</tbody>
</table>

Certificate # 2011-006

Premium Returned -0-

1, DONNA I. COSTELLO, MUNICIPAL CLERK

CERTIFICATION DATED: DONNA I COSTELLO, RMC/CMC
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 10/17/2012 for
Delinquent 2011 Calendar Year Sewer, and a Tax Sale Certificate was purchased by
US Bank Cust for Pro Capital I, LLC on Block 20901 Lot 1 C1105; 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>20901</td>
<td>US Bank Cust for Pro Capital I, LLC</td>
<td>$905.50</td>
</tr>
<tr>
<td></td>
<td>1000 Haddonfield-Berlin Rd.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>New York, NY 10018</td>
<td></td>
</tr>
</tbody>
</table>

Certificate # 2012-0004

Premium Returned $500.00

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
MEETING HELD ON 11-13-13.

CERTIFICATION DATED:          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 Premise</td>
<td>12-11-13</td>
</tr>
<tr>
<td>High School</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
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<tr>
<td></td>
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<td></td>
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<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
RESOLUTION TO EXCLUDE CERTAIN PROPERTY FROM TAX SALE DUE TO OBTAINING OF REVERSE MORTGAGE ON AN AFFORDABLE HOUSING UNIT

WHEREAS, it has been found that one (1) affordable housing unit for the Township of Denville should be excluded from Tax Sale due to the homeowner's continuing efforts to secure a reverse mortgage on the subject property;

WHEREAS, the mortgage company is currently awaiting resolutions permitting the subordination of existing liens on the property from the Morris County Community Development Department and the Township of Denville related to previously performed rehabilitation improvement performed thereon; and

WHEREAS, the subordination of the existing municipal lien on the property in addition to the removal of the property from Tax Sale shall ultimately enable the property owner to obtain the reverse mortgage and entitle the Township to continue to receive an affordable housing credit for the property.

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 property listed below.

<table>
<thead>
<tr>
<th>BLOCK/LOT</th>
<th>OWNER</th>
<th>EXCLUDE</th>
</tr>
</thead>
<tbody>
<tr>
<td>50801/7</td>
<td>Carol DeRitter</td>
<td></td>
</tr>
<tr>
<td></td>
<td>436 Diamond Spring Road</td>
<td></td>
</tr>
</tbody>
</table>

I, DONNA COSTELLO, MUNICIPAL CLERK
OF THE TOWNSHIP OF DENVILLE, DO HEREBY
CERTIFY THE ABOVE TO BE A TRUE AND EXACT
COPY OF THE RESOLUTION ADOPTED BY THE
MUNICIPAL COUNCIL OF THE TOWNSHIP OF
DENVILLE AT THEIR MEETING HELD ON
11 - 12 - 13

CERTIFICATION DATE

DONNA I. COSTELLO, RMC/CMC
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 Water & Sewer, and a Tax Sale Certificate was purchased by Arque Tax Receivable Fund, LP on Block 50202 Lot 225.8; 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>50202 225.8</td>
<td>Arque Tax Receivable Fund, LP 11 Surrey Glen Wilton, CT 06897</td>
<td>$3,325.37</td>
</tr>
</tbody>
</table>

Certificate #2010-036

Premium Returned -0-


CERTIFICATION DATED: DONNA I COSTELLO, RMC/CMC 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 12/2/2011 for
Delinquent 2010 Calendar Year Taxes, and a Tax Sale Certificate was purchased by Virgo Municipal
Finance Fund LP on Block 60201 Lot 193 ;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>
| 60201 193 | Virgo Municipal Finance Fund LP
1441 Broadway, Suite 5010
New York, NY 10018 | $31,014.21 |

Certificate # 2011-046

Premium Returned $13,100.00

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
MEETING HELD ON 11 - 12 - 13.

CERTIFICATION DATED: DONNA I COSTELLO, RMC/CMC
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 Taxes Water & Sewer, and a Tax Sale Certificate was purchased by
Virgo Municipal Finance Fund, LP on Block 60801 Lot 1; 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>60801</td>
<td>Virgo Municipal Finance Fund, LP</td>
<td>$48,477.30</td>
</tr>
<tr>
<td></td>
<td>1441 Broadway, Suite 5010</td>
<td></td>
</tr>
<tr>
<td></td>
<td>New York, NY 10018</td>
<td></td>
</tr>
</tbody>
</table>

Certificate # 2010-012

Premium Returned $5,200.00

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
MEETING HELD ON 12/12/13.

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

WHEREAS, the Township of Denville entered into a contract under the 2012 Morris County Co-op Contract #6 with Tilcon New York, Inc. for the Franklin Road Improvements; and

WHEREAS, the Township Engineer has recommended that a change order be authorized for the adjustment in as-built quantities which results in a net decrease in the amount of $40,596.61; and

WHEREAS, the Township is agreeable to granting the requested changes as reflected in Change Order #1 which will decrease the contract sum from $246,780.00 to $206,183.39.

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 Tilcon New York under the 2012 Morris County Co-op Contract shall be amended as described in the attached Change Order #1; and that the Mayor and Township Clerk be authorized and directed to execute said Change Order #1 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 NOVEMBER 12, 2013

CERTIFICATION DATED: DONNA I. COSTELLO, RMC/CMC MUNICIPAL CLERK
NEW JERSEY DEPARTMENT OF TRANSPORTATION
LOCAL AID PROJECTS
CHANGE ORDER NUMBER - No. 1
STATE AID PROJECT

<table>
<thead>
<tr>
<th>Project</th>
<th>Franklin Road Improvements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Municipality</td>
<td>Township of Denville</td>
</tr>
<tr>
<td>County</td>
<td>Morris County</td>
</tr>
<tr>
<td>Contractor</td>
<td>Tilcon New York</td>
</tr>
</tbody>
</table>

In accordance with the project Supplementary Specification, the following are changes in the contract.
Location and Reason for Change (Attach additional sheets if required).
As-Built quantities

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Description</th>
<th>(Quantity +/-)</th>
<th>Unit Price</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Hot Mix Asphalt 9.5 M64 Surface Course, 2&quot; Thick</td>
<td>-345.40</td>
<td>$68.88 / Ton</td>
<td>(23,791.15)</td>
</tr>
<tr>
<td>2</td>
<td>HMA Milling 3&quot; or less</td>
<td>-5,151.00</td>
<td>$1.65 / SY</td>
<td>(8,499.15)</td>
</tr>
<tr>
<td>3</td>
<td>Asphalt Price Adjustment Allowance</td>
<td>Allowance</td>
<td>-</td>
<td>(5,806.31)</td>
</tr>
<tr>
<td>3</td>
<td>Fuel Price Adjustment Allowance</td>
<td>Allowance</td>
<td>-</td>
<td>(2,500.00)</td>
</tr>
</tbody>
</table>

Amount of Original Contract ("As-Ordered") $246,780.00

Adjusted Amount Based on Change Order Nos. $206,133.39

% Increase in Contract (Indicate Decrease or Increase) 13.5%

Extra Supplemental Reduction Penalties Total Change $40,696.61 $40,696.61

(Engineer) (Date) (Local Aid District Engineer) (Date)
(Presiding Officer) (Date)
(Contractor) (Date)

(Submit four (4) copies to the Local Highway Design District Office)
RESOLUTION

WHEREAS, the Township of Denville entered into a contract under the 2012 Morris County Co-op Contract #36 with Denville Line Painting, Inc. for the Franklin Road Improvements; and

WHEREAS, the Township Engineer has recommended that a change order be authorized for the adjustment in as-built quantities which results in a net decrease in the amount of $4,351.63; and

WHEREAS, the Township is agreeable to granting the requested changes as reflected in Change Order #2 which will decrease the contract sum from $8,700.00 to $4,348.37.

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 Denville Line Painting, Inc. under the 2012 Morris County Co-op Contract #36 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 #2 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 NOVEMBER 12, 2013

CERTIFICATION DATED: DONNA I. COSTELLO, RMC/CIMC MUNICIPAL CLERK
NEW JERSEY DEPARTMENT OF TRANSPORTATION
LOCAL AID PROJECTS
CHANGE ORDER NUMBER - No. 2
STATE AID PROJECT

<table>
<thead>
<tr>
<th>Project</th>
<th>Franklin Road Improvements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Municipality</td>
<td>Township of Denville</td>
</tr>
<tr>
<td>County</td>
<td>Morris County</td>
</tr>
<tr>
<td>Contractor</td>
<td>Denville Line Painting, Inc.</td>
</tr>
</tbody>
</table>

In accordance with the project Supplementary Specification, the following are changes in the contract.

Location and Reason for Change (Attach additional sheet if required)

As-Built quantities.

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Description</th>
<th>(Quantity +/-)</th>
<th>Unit Price</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>4&quot; Traffic Striping</td>
<td>-16,667</td>
<td>$0.29</td>
<td>(4,333.43)</td>
</tr>
<tr>
<td>2</td>
<td>Morris County Co-Op Pricing Traffic Marking, Lines, Thermo</td>
<td>88</td>
<td>$2.35</td>
<td>206.80</td>
</tr>
<tr>
<td>3</td>
<td>Construction Layout</td>
<td>1</td>
<td>$275.00</td>
<td>275.00</td>
</tr>
</tbody>
</table>

Amount of Original Contract ("As-Ordered") $8,720.00............
Adjusted Amount Based on Change Order Nos ................................ $4,348.37............

% Increase in Contract (Indicate Decrease or Increase) .......(50.0%)..

Extra $481.80........................
Supplemental $........................
Reduction $4,333.43....................
Penalties (\(i\)) $........................
Total Change $4,351.63...................

Approved (Local Aid District Engineer) ..............................................

(Engineer) ............................................ (Date)
(Presiding Officer) .................................... (Date)
(Contractor) ........................................... (Date)

(1) Contractor incurred penalties for deficient % Air Voids see Form DS-88.

(Submit four (4) copies to the Local Highway Design District Office)
New Jersey Department of Transportation  
Division of Local Aid And Economic Development  
Summary of Bids - State Aid

**Project**: MCCPC - Franklin Road  
**Municipality**: Denville Township  
**County**: Morris County

<table>
<thead>
<tr>
<th>Item #</th>
<th>Description</th>
<th>Quantity</th>
<th>Unit</th>
<th>Unit Price</th>
<th>Amount</th>
<th>Unit Price</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Hot Mix Asphalt 9.5 M64 Surface Course, 2&quot; Thick</td>
<td>2,875</td>
<td>Tons</td>
<td>$68.88</td>
<td>$198,030.00</td>
<td>$68.88</td>
<td>$198,030.00</td>
</tr>
<tr>
<td>2</td>
<td>HMA Milling 2&quot; or less</td>
<td>25,000</td>
<td>SY</td>
<td>$1.65</td>
<td>$41,250.00</td>
<td>$1.65</td>
<td>$41,250.00</td>
</tr>
<tr>
<td>3</td>
<td>Asphalt Price Adjustment Allowance</td>
<td>18</td>
<td>LS</td>
<td>$5,000.00</td>
<td>$5,000.00</td>
<td>$5,000.00</td>
<td>$5,000.00</td>
</tr>
<tr>
<td>4</td>
<td>Fuel Price Adjustment Allowance</td>
<td>18</td>
<td>LS</td>
<td>$2,500.00</td>
<td>$2,500.00</td>
<td>$2,500.00</td>
<td>$2,500.00</td>
</tr>
</tbody>
</table>

**TOTAL**  
$246,780.00  
$246,780.00  
$287,338.75

**Contractor Name**: Tilcon New York, Inc.  
**Street Address**: 625 Mt. Hope Road  
**City/State/Zip**: Wharton, NJ 07885

**Contractor Name**: Intercounty Paving  
**Street Address**: 859 Willow Grove St.  
**City/State/Zip**: Hackettstown, NJ 07840

---

John K. Ruschke, P.E.  
License No. 37148
New Jersey Department of Transportation  
Division of Local Aid And Economic Development  
Summary of Bids - State Aid

**Project**  
MCCPC - Franklin Road

**Municipality**  
Denville Township

**County**  
Morris County

<table>
<thead>
<tr>
<th>Item #</th>
<th>Description</th>
<th>Quantity</th>
<th>Unit</th>
<th>Unit Price</th>
<th>Amount</th>
<th>Unit Price</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Traffic stripes, Long-Life, Epoxy resin 4&quot; White</td>
<td>15,000</td>
<td>LF</td>
<td>$0.29</td>
<td>$4,350.00</td>
<td>$0.29</td>
<td>$4,350.00</td>
</tr>
<tr>
<td>2</td>
<td>Traffic stripes, Long-Life, Epoxy resin 4&quot; Yellow</td>
<td>15,000</td>
<td>LF</td>
<td>$0.29</td>
<td>$4,350.00</td>
<td>$0.29</td>
<td>$4,350.00</td>
</tr>
</tbody>
</table>

**TOTAL**  
$8,700.00

**Contractor Name**  
Denville Line Painting

**Street Address**  
2 Green Pond Road

**City/State/Zip**  
Rockaway, NJ 07866

---

John K. Ruschke, P.E.  
License No. 37148
Township of Denville
1 St. Mary's Place
Denville, NJ 07834

State Aid

<table>
<thead>
<tr>
<th>JOB#</th>
<th>713304</th>
<th>CUSTOMER #</th>
<th>4913</th>
<th>INVOICE#</th>
<th>C1309687A</th>
</tr>
</thead>
</table>

**DESCRIPTION** | **QUANTITY** | **UNIT** | **PRICE** | **TOTAL** |
--- | --- | --- | --- | --- |
901 Asphalt Price Adjustment | 1.00 | LS | 1.00 | -806.31 |
A301A HMA 9.5M64 | 2,529.60 | Tons | 68.88 | 174,238.85 |
C302 Milling, 2" | 19,849.00 | SY | 1.65 | 32,750.85 |

**TOTAL TO DATE**

206,183.39

Amount Due this Requisition

$206,183.39
Escalation Worksheet


Original Index at Bid: $572.50

AC Escalation

<table>
<thead>
<tr>
<th>Week No.</th>
<th>Date (Actual)</th>
<th>Asphalt Mix</th>
<th>Tilcon Plant #</th>
<th>Quantity HMA</th>
<th>(%R) RAP in Mix</th>
<th>(%A) Asphalt in Mix</th>
<th>(C) Current Rack Price</th>
<th>(D) Index Increase</th>
<th>(AxBxD) Total Increase</th>
</tr>
</thead>
<tbody>
<tr>
<td>08/28/13</td>
<td>9.6M64</td>
<td>254</td>
<td>1,447.21</td>
<td>15.00%</td>
<td>5.00%</td>
<td>4.25%</td>
<td>565.00</td>
<td>$ (7.50)</td>
<td>$(461.30)</td>
</tr>
<tr>
<td>08/29/13</td>
<td>9.6M64</td>
<td>254</td>
<td>1,082.39</td>
<td>15.00%</td>
<td>5.00%</td>
<td>4.25%</td>
<td>666.00</td>
<td>$ (7.60)</td>
<td>$(345.01)</td>
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</table>

TOTAL 2,629.60 TONS $ (806.31)

B = (100% less % of rap) times % of asphalt in mix

D = current rack price less original index at bid
**INVOICE**

**R- 15099**

**DATE:** 10/31/2013  
**JOB NAME:** 2013 PAVEMENT MARKING PROGRAM  
**JOB LOCATION:** FRANKLIN ROAD, DENVILLE

**TO:** TOWNSHIP OF DENVILLE  
ONE SAINT MARY'S PLACE  
MUNICIPAL BUILDING  
DENVILLE, NJ 07834  
**ATTN:** MARYANNE (ENGINEERING DEPT.)

**TERMS:** NET 30 DAYS  
**PHONE NO:** 973-625-8339  
**PO NO:** MORRIS COUNTY CO-OP #36

**JOB DATE:**  
**ITEM NO.**  
**DESCRIPTION**  
**QUANTITY**  
**PRICE**  
**AMOUNT**

<table>
<thead>
<tr>
<th>JOB DATE</th>
<th>ITEM NO.</th>
<th>DESCRIPTION</th>
<th>QUANTITY</th>
<th>PRICE</th>
<th>AMOUNT</th>
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</thead>
<tbody>
<tr>
<td>9/24/13</td>
<td>OPTION 'C'</td>
<td>4&quot; YELLOW &amp; WHITE EPOXY RESIN TRAFFIC STRIPES</td>
<td>13,333 LF</td>
<td>$0.29</td>
<td>$3,866.57</td>
</tr>
<tr>
<td>10/17/13</td>
<td>OPTION 'G'</td>
<td>TRAFFIC MARKINGS, LINES, THERMO LAYOUT</td>
<td>88 LF</td>
<td>$2.35</td>
<td>$206.80</td>
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<td></td>
<td>LAYOUT</td>
<td></td>
<td>1 LS</td>
<td>$275.00</td>
<td>$275.00</td>
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</tbody>
</table>

**SUBTOTAL:** $4,348.37  
**PLUS**  
% **SALES TAX:** $0.00  

**TOTAL DUE:** $4,348.37
A RESOLUTION AUTHORIZING THE TRANSFER OF CALENDAR YEAR
2013 BUDGET APPROPRIATIONS

WHEREAS, NJSA 40A: 4-58, permits transfers of budget appropriations between accounts from the period November 1 to December 31, of the 2013 Calendar Year.

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Township of Denville that the following transfer be authorized:

FROM ACCOUNTS

<table>
<thead>
<tr>
<th>CURRENT FUND</th>
<th>ACCOUNT #</th>
<th>ACCOUNT TITLE</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>01-201-20-100-010</td>
<td>S&amp;W Administration</td>
<td>$5,000.00 No Intern / Seasonal Asst utilized in 2013</td>
</tr>
<tr>
<td></td>
<td>01-201-20-130-011</td>
<td>S&amp;W Finance</td>
<td>$5,500.00 Resignation / Internal Promotion</td>
</tr>
<tr>
<td></td>
<td>01-201-22-195-011</td>
<td>S&amp;W Construction</td>
<td>$17,600.00 Allocation between dept needs adjustments (see Zoning below)</td>
</tr>
<tr>
<td></td>
<td>01-201-28-370-016</td>
<td>S&amp;W Recreation</td>
<td>$17,000.00 Allocation between dept needs adjustments (see Parks below)</td>
</tr>
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</table>

Total Current Fund: $42,100.00

TO ACCOUNTS

<table>
<thead>
<tr>
<th>ACCOUNT #</th>
<th>ACCOUNT TITLE</th>
<th>AMOUNT</th>
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</thead>
<tbody>
<tr>
<td>01-201-20-120-010</td>
<td>S&amp;W Clerk &amp; Council</td>
<td>$1,500.00 Meeting Compensation</td>
</tr>
<tr>
<td>01-201-20-180-010</td>
<td>S&amp;W Planning Board</td>
<td>$4,000.00 Allocation between dept needs adjustments</td>
</tr>
<tr>
<td>01-201-20-185-010</td>
<td>S&amp;W Zoning Board</td>
<td>$7,500.00 Allocation between dept needs adjustments</td>
</tr>
<tr>
<td>01-201-25-252-011</td>
<td>S&amp;W Emergency Management</td>
<td>$400.00 Allocation between dept needs adjustments</td>
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<tr>
<td>01-201-25-252-283</td>
<td>O&amp;E Emergency Management</td>
<td>$10,000.00 Assistance For Emergency Grant Received</td>
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<tr>
<td>01-201-26-375-011</td>
<td>S&amp;W Parks</td>
<td>$17,000.00 Allocation between dept needs adjustments</td>
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<tr>
<td>01-201-43-490-011</td>
<td>S&amp;W Municipal Court</td>
<td>$2,800.00 Unanticipated Call outs</td>
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<tr>
<td>01-201-26-301-255</td>
<td>O&amp;E Beautification Committee</td>
<td>$100.00 DOT Permits</td>
</tr>
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</table>

Total Current Fund: $43,100.00

FROM ACCOUNTS

<table>
<thead>
<tr>
<th>ACCOUNT #</th>
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<th>AMOUNT</th>
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</thead>
<tbody>
<tr>
<td>07-201-55-700-010</td>
<td>S&amp;W Sewer Distribution</td>
<td>$22,000.00 Salary Department Allocation</td>
</tr>
</tbody>
</table>

TO ACCOUNTS

<table>
<thead>
<tr>
<th>ACCOUNT #</th>
<th>ACCOUNT TITLE</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>07-201-55-705-510</td>
<td>Sewer Treatment RVRSA</td>
<td>$22,000.00 Contract Revised after Budget Adoption</td>
</tr>
</tbody>
</table>
RESOLUTION AUTHORIZING AGREEMENT WITH ST. CLARE'S HOSPITAL FOR SALT STORAGE

BE IT RESOLVED by the Municipal Council of the Township of Denville that the attached Agreement with St. Clare's Hospital for use of the salt storage facility be approved and the Mayor and Municipal Clerk be authorized to execute said agreement on behalf of the municipality.

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 ON 11-12-13

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

THIS AGREEMENT, made this 5 day of November, 2013, by and between:

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

(Hereinafter, "Township")

and:

SAINT CLARE'S HOSPITAL, INC., with offices at 25 Pocono Road, Denville, New Jersey 07834-2954,

(Hereinafter, "Hospital")

WITNESSETH:

WHEREAS, the Township of Denville operates a salt storage facility at its Department of Public Works site; and

WHEREAS, Hospital has expressed a desire to share the salt storage facility with the Township; and

WHEREAS, the Township and Hospital wish to enter into a written agreement.

NOW, THEREFORE, IN CONSIDERATION OF the mutual covenants and Agreements herein contained, the parties hereto agree as follows:

1. The Township agrees to permit Hospital to store salt supplies at its salt storage facility located at the Public Works yard on Morris Avenue in the Township. Denville shall purchase sufficient supplies to meet both the Township's and the Hospital's anticipated seasonal needs. Hospital anticipates needing 250 tons of salt/year. Township shall invoice Hospital for the salt used by the Hospital at a price equal to the cost of such salt to the Township.

2. Hospital agrees to pay for the salt used in the following manner:
a. Township will weigh each vehicle removing salt from the salt storage facility before and after loading to determine the amount of salt used. Township will submit an invoice to Hospital either at the time that a full truckload of salt has been used by Hospital or monthly, whichever occurs first.

b. Hospital shall pay the invoice within thirty (30) days of receipt.

3. Township shall have sole discretion to allocate the salt supply in the event of a shortage in the supply of salt.

4. Hospital will be responsible for supplying its own crews and vehicles, to retrieve salt for use on Hospital and Hospital Affiliates' private property. Only vehicles registered to the Hospital shall be permitted to load salt from the Township's facility. Private contractors of the Hospital are expressly prohibited from loading salt from the Township's facility. All Hospital vehicles utilizing the Township's salt storage facility must proceed directly to the salt storage facility and depart from the salt storage facility area immediately following the loading of salt.

5. Loading will be scheduled with the DPW Superintendent to avoid conflicts and congestion.

6. Upon execution of this Agreement and upon each renewal of this Agreement, Hospital shall furnish the Township with a Certificate of Insurance which shall clearly show that insurance coverage with at least the following limits of liability will be in effect for the duration of this Agreement for Hospital and any contractor's or subcontractor's hired by Hospital for retrieval of salt and naming the Township as an additional insured.

General Liability $1,000,000 per occurrence combined single limit for bodily injury and property damage.

Auto $1,000,000 per occurrence combined single limit for bodily injury and property damage.

Workers Compensation Statutory coverage, including employer liability limits of $500,000.
7. Township shall provide Hospital with any key or electronic access codes necessary to gain entry to the Public Works Yard and the enclosed salt storage shed and entry to the salt storage facility shall not be limited.

8. Township shall provide Hospital with a designated location at the Public Works Yard in which to store the Hospital’s salt loader, which equipment shall be removed by Hospital at the end of the term.

9. Hospital will use the Public Works Yard and the salt storage facility in a manner that will not unreasonably disturb the use of the facility by the Township for Township purposes.

10. As consideration for the use of the Township’s salt storage facility, Hospital agrees to permit the Township to dump snow removed from Township’s streets and roadways onto the Hospital’s property located on Pocono Road and known as Block 50001 Lot 1.

11. Hospital hereby indemnifies Township against and holds Township harmless from any and all costs (including reasonable attorneys’ fees) and claims of liability or loss which arise out of the use and/or occupancy of the Public Works Yard and salt storage facility pursuant to this Agreement by the Hospital. This indemnity does not apply to any claims arising from the sole negligence or intentional misconduct of the indemnified party. The indemnity obligations under this Paragraph will survive termination of this Agreement.

12. Hospital may not assign its rights and obligations under this Agreement without the prior written consent of the Township.

13. This Agreement shall remain in effect for a term of one (1) year but may be renewed for three successive one (1) year terms upon the same terms and conditions upon the written mutual agreement of the Parties.
IN WITNESS WHEREOF, the parties hereto have caused these presents to be signed by their proper officers and caused their proper seals to be affixed hereto the day and year first above written.

ATTEST:

Donna I. Costello, Clerk

TOWNSHIP OF DENVILLE

By: Thomas W. Andes, Mayor

ST. CLARE'S HOSPITAL, INC.

By: CEO/COO

STATE OF NEW JERSEY:

COUNTY OF MORRIS:

I CERTIFY that on 11-5-13, DONNA I. COSTELLO personally came before me and this person acknowledged under oath, to my satisfaction, that: (a) this person is the Clerk of the TOWNSHIP OF DENVILLE, the municipal corporation named in the attached document; (b) this person is the attesting witness to the signing of this document by the proper municipal 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 the Municipal 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.

Sworn and Subscribed to
Before me this 5th day of November, 2013

Donna I. Costello, Municipal Clerk

Notary sign, seal, stamp

KATHLEEN A. COSTELLO
NOTARY PUBLIC-NEW JERSEY
STATE OF NEW JERSEY:

COUNTY OF MORRIS:

I CERTIFY that on October 28, 2013,

Leslie D. Hirsch personally came before me and acknowledged under oath, to my satisfaction, that:

(a) this person is the CEO of ST. CLARE'S HOSPITAL, INC. named in the attached document;
(b) this person is the attesting witness to the signing of this document by the proper corporate officer who is CEO, the Chief Executive Officer of the Corporation;
(c) this document was signed and delivered by the Corporation as its voluntary act;
(d) this person knows the proper seal of the corporation which was affixed to this document; and
(e) this person signed this proof to attest to the truth of these facts.

Sworn and subscribed to before me this 28th day of October, 2013.

TAMMY L. ORR
Commission # 2291090
Notary Public, State of New Jersey
My Commission Expires
August 21, 2017
(Notary sign, seal stamp)
RESOLUTION AUTHORIZING ENGINEERING SERVICES
IN CONNECTION WITH THE REHABILITATION OF THE
COOKS POND DAM

WHEREAS, on February 5, 2013 the Municipal Council of the Township of Denville approved Resolution R-13-46 which authorized execution by the Mayor and Township Clerk of a Professional Services Agreement ("Agreement") with John K. Ruschke, P.E. of Hatch Mott MacDonald, LLC, 27 Bleeker Street, Millburn, New Jersey 07041 for engineering services for the year 2013; and

WHEREAS, the Agreement was executed by the Mayor and Township Clerk on February 14, 2013; and

WHEREAS, the Agreement specifically provides in paragraph 2 that "A cost proposal shall be submitted by the Engineer and accepted by the Township with respect to engineering, construction contract administration and/or other related services with regard to any and all non-routine individual task assignment(s) where the anticipated fee will exceed $3,000."; and

WHEREAS, the Township of Denville has a need for certain specialized design and bid period services in connection with the Cooks Pond Dam (NJ 25-173) Permit Application for Rehabilitation of the Cooks Pond Dam to meet the requirements of the NJDEP Dam Safety Standards; and

WHEREAS, John K. Ruschke, P.E. has submitted a cost proposal dated September 12, 2013 for design and engineering services for the design and bid period services with the aforemention project; and

WHEREAS, a lump-sum amount of $8,500.00 has been proposed; and

WHEREAS, the Chief Financial Officer has certified that funds are available for this purpose.
NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Denville, County of Morris, State of New Jersey, as follows:

1. The Municipal Council hereby approves the proposal submitted by John K. Ruschke, P.E. of Hatch Mott MacDonald for design and bid period services in connection with rehabilitation of the Cooks Pond Dam and authorizes the project to proceed.

2. Charges shall not exceed $8,500.00 without prior written approval of the Township.

3. 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
adopted by the Municipal Council of the Township of Denville at
their meeting held on November 12, 2013.

Certification Dated: 

Donna I. Costello, RMC/CMC
Municipal Clerk
September 12, 2013

Steven Ward
Business Administrator
Township of Denville
1 St. Mary’s Place
Denville, New Jersey 07834

Re: Cooks Pond Dam (NJ 25-173) – Permit Application Submittal
Proposal for Professional Engineering Services

Dear Mr. Ward:

As requested, Hatch Mott MacDonald (HMM) would be pleased to assist the Township of Denville (Township) by providing Professional Engineering Services for the submittal of a permit application for the rehabilitation of the Cooks Pond Dam to meet the requirements of the NJDEP Dam Safety standards.

Prior analyses completed by HMM included an updated hydrologic and hydraulic (H&H) analysis of Cooks Pond Dam, which indicated that the existing spillway configuration is not adequate to pass the routed spillway design flood (SDF) without overtopping the dam based on the 40% PMP storm. Therefore modifications to the dam are necessary to meet the New Jersey Dam Safety Standards. By letter dated July 22, 2013, the NJDEP Bureau of Dam Safety & Flood Control (Bureau) is requesting that a permit application to rehabilitate the dam and correct the deficiencies be submitted by December 31, 2013.

Proposed Scope of Services

HMM would be pleased to undertake the following tasks to assist the Township in preparing the permit application to rehabilitate Cooks Pond Dam:

1. Develop base mapping of the project site based on existing topography and survey data.
2. Prepare design calculations for modifications to rehabilitate the dam, including overtopping protection and reconstruction of the existing spillway structure.
3. Develop preliminary design drawings for rehabilitation of the Cooks Pond Dam based on the design calculation.
4. Meet with the Township to review the proposed modifications to the dam and review construction costs.
5. Develop preliminary design drawings and technical specifications for rehabilitation of the Cooks Pond Dam based on the design calculations.
6. Prepare and submit the permit application to the NJDEP Bureau of Dam Safety.

Please be advised that during the permit review phase it may be necessary to perform a geotechnical survey to determine subsurface conditions at the dam. This would be an
additional cost beyond our proposed fee under this proposal. In addition, this scope of work does not include the final design or the preparation of contract documents for public bidding purposes. The scope is intended to propose a preliminary design to the NJDEP for their approval of our proposed overtopping protection design concept.

Proposed Fee

HMM would be pleased to undertake the above described services to rehabilitate the dam with compensation in the Lump Sum amount of $8,500 excluding any costs for geotechnical investigations. We would be pleased to initiate services upon receipt of written authorization to proceed.

Please call if you have any questions or require any additional information.

Very truly yours,

Hatch Mott MacDonald

Kevin K. Nollstadt, PE, CFM
Project Engineer
T 973.912.2519  F 973.912.2632
Kevin.Nollstadt@hatchmott.com

John K. Ruschke, PE, PP
Vice President
T 908.238.5000  F 908.730.6500
john.ruschke@hatchmott.com
Dear Mr. Rosania,

This letter is in reference to the 2012 Regular Inspection Report and the 2012 Compliance Schedule prepared on your behalf by John K. Ruschke, P.E., of Hatch Mott McDonald for the Cooks Pond Dam located in Denville Township, Morris County.

Upon review of the submitted Regular Inspection Report, the dam was found to be in POOR condition with maintenance necessary. The Bureau of Dam Safety and Flood Control concurs with the findings and recommendations of this report.

Upon review of the 2012 Cooks Pond Dam Compliance Schedule; the Bureau of Dam Safety has determined that the submitted schedule needs to be revised to address the following comments:

1. The Bureau reviewed the Hydrology and Hydraulic Analysis in January 2011. Based upon that report, the dam was classified as a Class 2, Significant Hazard Structure with a spillway design flood equal to 40% of the PMF which produces an inflow of 800 cfs.

2. In addition, a Conceptual Design was reviewed by the Bureau and comments were provided in a July 9, 2012 letter.

3. Therefore, a revised H&H analysis is not necessary and the Township should continue to proceed with a permit application package to rehabilitate the Cooks Pond Dam.

A permit application package incorporating the comments of the Bureau’s July 9, 2012 letter must be submitted to this office for review and approval by December 31, 2013. Should any delay in the proposed schedule arise, this office must be immediately notified and a written request and justification for an extension of time submitted.

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In view of the above, under the provisions of the Safe Dam Act (N.J.S.A. 58:4-1 et seq.), the owner of the above-referenced dam is hereby ordered to retain the services of a New Jersey licensed professional engineer to perform any necessary studies and to prepare plans and specifications for the implementation of the recommendations outlined in the October 26, 2012 regular inspection report.

Please note that an application must be filed with this office and a permit issued before any additional repairs or modifications are undertaken. Please be reminded that the next Regular Visual Inspection Report will be due in 2014.

Should you have any questions regarding this matter, please contact Jillian M. Lawrence of this office at (609) 984-0859.

Sincerely,

[Signature]

John H. Moyle, P.E. Manager
Bureau of Dam Safety and Flood Control

Encl:  NJDEP letter dated July 9, 2012

C:  John K. Ruschke, P.E., of Hatch Mott McDonald
     Denville Township Engineer and Clerk
     Morris County Engineer
TOWNSHIP OF DENVILLE

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

Date of Request 11/07/13

Hatch Mott Mac Donald
53 Frontage Rd. Suite 170
Hampton, NJ 08827
Name and Address of Contractor

Cook’s Pond Dam Study $8,500.00
Name of Description of Pending contract Amount of Contract

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

<table>
<thead>
<tr>
<th>DEPT., ACCT. #, ORD. #</th>
<th>Open Space</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>15-280-56-000-001</td>
<td>$8,500.00</td>
<td>$8,500.00</td>
</tr>
</tbody>
</table>

TOTAL $8,500.00

Signed:__________________________
Department or Division Head

PLEASE ATTACH A COPY OF PROPOSED CONTRACT

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

15-280-56-000-001 $8,500.00

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

COMMENTS:
Fund availability are predicated on available budget

Michael J Guarino
Chief Financial Officer

CERT13-14

11/07/13
THIRD ADDENDUM AGREEMENT

THIS AGREEMENT, Made this day of , 2013, by and between:

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

(Hereinafter the "Township")

and:

ESTATE OF SAL DOLCE
C/O Remo A Caputo, Esq.
One Broadway, Suite 201
New Jersey 07834

(Hereinafter the "Developer")

WITNESSETH:

WHEREAS, the Developer received final major subdivision approval for premises known as Block 20901, Lots 9 and 22 and more particularly described on plans entitled "Final Plat, Dolcrest, Block 20901, Lots 9 and 22, Township of Denville, Morris County, NJ", prepared by Beardslee Engineering Associates, Sparta, NJ, dated November 1, 2005, consisting of one (1) sheet; and

WHEREAS, the Developer had previously entered into a Developer's Agreement with the Township of Denville dated May 18, 2006, which was recorded in the Morris County Clerk's Office on May 30, 2006, in Book 20522, page 0114&c.; and

WHEREAS, the Developer had previously entered into an Addendum Developer's Agreement with the Township of Denville dated September 13, 2007, and recorded in the Office
of the Morris County Clerk on September 28, 2007, in Book 20929, page 0066&c. whereby the Developer agreed to complete all of the improvements by September 4, 2009; and

WHEREAS, the Developer had previously entered into a Second Addendum Developer's Agreement with the Township of Denville dated December 28, 2007, and recorded in the Office of the Morris County Clerk on January 10, 2008, in Book 20995, page 0955&c.; and

WHEREAS, the improvements have not been completed within the time period set forth in the Developer's Agreement, as amended; and

WHEREAS, the Developer has requested an extension of time within which to complete the subdivision improvements; and

WHEREAS, the Township is agreeable to the same upon execution of the instant extension of the Developer's Agreement, revisions, if necessary, of all bonds and the submission of a current certificate of insurance.

NOW, THEREFORE, IN CONSIDERATION OF the mutual promises, covenants, and representations herein contained, the parties hereto, for themselves, their heirs, successors and assigns, hereby agree as follows:

1. Paragraph two of the Agreement by and between the Township and Developer dated May 18, 2006, and recorded in the Morris County Clerk's Office on May 30, 2006, in Book 20522, page 0114&c., hereinafter "The Agreement," is hereby revised to read as follows:

"2. The Developer agrees at its own cost and expense to complete and install all the improvements as set forth in the preliminary and final plat and conditions of approval as set forth in resolutions of the Denville Township Planning Board granting preliminary and final approval. Additionally, but not by way of limitation, the Developer agrees to complete all the unfinished
improvements as specifically set forth in an estimate(s) prepared by the Township Engineer on July 11, 2013, which estimate(s) and attachments are affixed hereto and made a part hereof as Exhibit A, at a total cost estimate of $71,160. It is understood and agreed that the breakdown in cost per item as set forth in the Engineer's estimate(s) will not be binding on the Township in the event there is a default in this Agreement and the Township retains the right to claim in excess of the amounts per improvements as set forth therein within the terms and conditions of the performance guarantees posted in connection with this subdivision."

2. Paragraph nine of the Agreement is hereby revised to read as follows:

"9. To guarantee the performance of the terms and conditions of this Developer's Agreement, and furthermore, to guarantee that the Developer conforms with all appropriate ordinances, rules and regulations of the Township and its agencies regarding the installation of public improvements, the Developer shall post performance guarantees pursuant to N.J.S.A. 40:550-53 and in accordance with the requirements of the appropriate ordinances of the Township of Denville in the amount of $71,160, ten percent (10%) thereof $7,116 to be in the form of cash with the remainder in the form of a surety bond or other collateral acceptable to the Township and its attorney. All such sums shall be expressly conditioned upon the satisfactory performance of all the work herein set forth within the time as hereinafter stipulated and upon the satisfactory performance of the Developer and compliance with all Township ordinances, and applicable rules and regulations of the Township and its agencies. Reduction of the amount of bond
due to improvements already installed shall not be construed as acceptance or approval of said improvements.

The cash portion of this performance guaranty shall be paid in cash or certified check. Funds exceeding $5,000.00 will be deposited by the Township in an interest bearing account at a rate not less than the minimum currently paid on savings deposits. In the event the interest earned on this Deposit is $100.00 or less for the year, such interest shall inure to the benefit of the Township. In the event the interest earned exceeds $100.00 for the year, such interest shall be applied to the principal of the amount on Deposit. The municipality shall retain for administrative expenses 33-1/3% of the entire amount of interest which shall be in lieu of all other administrative and custodial expense.

Township agrees to notify Developer, in writing, of the name and address of the institution or depository in which the deposit is made and the amount of the deposit.

In the event that the cash portion of this performance guaranty is less than $5,000.00, such funds shall be paid in cash or certified check and invested by the Township in the manner that it invests other municipal funds. All interest which accrues thereon shall inure to the benefit of the Township.

Upon default by the Developer, the Township shall be entitled to all the rights and remedies as provided in N.J.S.A. 40:55D-53, as well as the rights and remedies as provided by general law and case law. It is also agreed that at the option of the Township, the Township can demand specific performance of the within Agreement, or, in the alternative, payments of costs, expenses, fees and damages in order to fulfill the terms of this Agreement and the requirements of all applicable
Township ordinances, rules and regulations of the Township and its agencies, without first doing the work at its own cost and expense. The Developer shall also be responsible for all the attorney's fees and any other additional municipal expenses incurred as a result of the enforcement of this Agreement, including costs of suit, provided the Township prevails or is the successful party in any such litigation. Any such fees, costs or expenses or other costs of the enforcement of the Developer's obligations under this Agreement, shall be added to any sums due from the Developer and shall be paid by the Developer to the Township upon receipt of a statement from the Township."

3. Paragraph 13 of the Agreement is hereby revised to read as follows:

"13. It is agreed that all work to be performed pursuant hereto, including compliance with all applicable Township ordinances and rules and regulations of the Township and its agencies, shall be completed by August 1, 2015. The Developer agrees that should it not comply with the said ordinances or rules and regulations or requirements as above set forth, then the Township shall have the right to suspend all building permits and to issue a stop work order to prevent all construction until such time as compliance may be made."

4. The Township agrees to assume responsibility for snow and ice removal from the roadways in the development; however, until such time as the Township has released the performance guarantee and accepted the improvements, the Developer is responsible for all damage to the roadways as a result of the Township providing snow and ice removal services and hereby agrees to indemnify and hold the Township harmless from any claim for damage to the roadways. In addition, the Developer shall be liable to the Township for any damage to Township
vehicles in connection with snow and ice removal caused by roadway conditions which result from
the failure of the Developer to maintain the roadways in a safe condition.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be
signed by their proper corporate officers and their corporate seals to be affixed hereto the day and
year as indicated in the acknowledgments attached hereto and made a part hereof.

ATTEST: TOWNSHIP OF DENVILLE

______________________________
Donna I. Costello, Clerk

WITNESS:

______________________________
Barbara A. Hoskins, Witness

TOWNSHIP OF DENVILLE

By: ____________________________
Thomas W. Andes, Mayor

Estate of Sal Dolce

______________________________
Roberta, Dolce Co-Executor

By: ____________________________
David F. Simpson Co-Executor

STATE OF NEW JERSEY: SS:
COUNTY OF MORRIS:

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
the Clerk of the TOWNSHIP OF DENVILLE, the municipal corporation named in the attached
document; (b) this person is the attesting witness to the signing of this document by the proper
municipal 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 the 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.

Sworn and Subscribed to
before me this day
of , 2013.

______________________________
Donna I. Costello, Clerk

(Notary sign, seal, stamp)
STATE OF NEW JERSEY:
COUNTY OF MORRIS:  

I CERTIFY that on September 9, 2013, David F. Simpson personally came before me and acknowledged under oath, to my satisfaction, that this person (or if more than one, each person):
(a) is named in and personally signed the attached document as Executor of the Estate of Sal Dolce; and
(b) signed, sealed and delivered this document as his or her act and deed.

A Notary Public of New Jersey
My Commission Expires

BARBARA A. HOSKINS
A Notary Public of New Jersey
My Commission Expires November 23, 2015

Record & Return To:
Paula J. DeBona, Esq,
Jansen & DeBona, LLC
413 West Main Street
Boonton, NJ 07005
Engineer’s Opinion of Probable Costs

Project: Dolcrest
Date: 7/11/13

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Subtotal $59,300.00
Bond Multiplier (20%) $11,860.00
Amount $71,160.00

John K. Ruschke
Borough Engineer - GE 37148

SCHEDULE A