TOWNSHIP OF DENVILLE  MUNICIPAL COUNCIL  REGULAR MEETING
7:30 P.M.  DATE  MAY 6, 2014

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

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

SALUTE TO THE FLAG
INVOCATION
NOTICE OF PUBLIC MEETING
ROLL CALL

KUSER GABEL GOLINSKI LYDEN
SCOLLANS SMITH PRESIDENT FITZPATRICK

IN ATTENDANCE
MAYOR ANDES ADMINISTRATOR WARD
TOWNSHIP ATTORNEY

OTHERS:

CEREMONIAL MATTERS AND/OR PRESENTATIONS

R-14-109
RESOLUTION RECOGNIZING MUNICIPAL CLERK’S WEEK
MAY 4 THROUGH MAY 10, 2014

MONTHLY REPORTS
COUNCIL LIAISON/COMMITTEE REPORTS

MAYOR’S REPORT

ADMINISTRATOR’S REPORT
ORDINANCE(S) FOR ADOPTION

ORDINANCE(S) FOR INTRODUCTION

#16-14
ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS OR PURPOSES IN THE SUM OF $420,000 FROM THE OPEN SPACE TRUST FUND OF THE TOWNSHIP OF DENVILLE

ITEMS FOR DISCUSSION AND/OR ACTION

RESOLUTIONS  #  CONSENT AGENDA ITEMS

R-14-110#  RESOLUTION ENDORSING THE TOWNSHIP OF DENVILLE'S APPLICATION FOR NEW JERSEY DEPARTMENT OF TRANSPORTATION ALTERNATIVES PROGRAM (NJDOT TAP) FUNDS

R-14-111#  RESOLUTION AUTHORIZING REFUND OF RECREATION DEPARTMENT FEES IN THE AMOUNT OF $520.00
R-14-112# RESOLUTION AUTHORIZING RAFFLE LICENSES IN THE TOWNSHIP OF DENVILLE

R-14-113# RESOLUTION AUTHORIZING ISSUANCE OF SPECIAL ONE DAY ABC LIQUOR LICENSE

NON-CONSENT RESOLUTIONS

R-14-114 RESOLUTION AUTHORIZING THE REFUND OF MONEY DUE TO THE REDEMPTION OF A TAX SALE CERTIFICATE IN THE AMOUNT OF $39,771.43

R-14-115 RESOLUTION AUTHORIZING THE REFUND OF MONEY DUE TO THE REDEMPTION OF A TAX SALE CERTIFICATE IN THE AMOUNT OF $6,202.86

R-14-116 RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION (N.J.S.A. 40A:4-87)

R-14-117 RESOLUTION AUTHORIZING EXECUTION OF SETTLEMENT AGREEMENT IN THE MATTER OF RJR DEVELOPERS, LLC v. TOWNSHIP OF DENVILLE AND THE ZONING BOARD OF ADJUSTMENT OF THE TOWNSHIP OF DENVILLE

MINUTES FOR ADOPTION 4-22-14

MOTION TO ADJOURN
WHEREAS, a Municipal Clerk is a professional who provides continuity in government from administration to administration, seeing to it that the business of local government continues uninterrupted while providing experienced and dedicated public service to the governing body, colleagues and residents; and

WHEREAS, one of the oldest positions of public service in local government, the Municipal Clerk's Office was established when the early colonists came to America and began setting up forms of local government; and

WHEREAS, the functions of a Municipal Clerk necessitate a thorough knowledge of legal procedure, administration and interpersonal relations; and

WHEREAS, a Municipal Clerk has core duties prescribed by state statute, including but not limited to (1) acting as secretary to the municipal corporation; (2) acting as secretary to the governing body; (3) serving as chief administrative officer in all elections; (4) serving as chief registrar of voters in their municipality; (5) serving as the administrative officer responsible for accepting and issuing various licenses and permits; (6) serving as coordinator and records manager; and (7) performing other such duties as are imposed by statute, regulation or municipal ordinance or resolution; and

WHEREAS, in recognition of Municipal Clerk's Week (May 4-20, 2014), the Municipal Council of the Township of Denville wishes to recognize their Municipal Clerk and Deputy Municipal Clerk for the outstanding services they provide to the Township of Denville.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Denville that while recognizing the importance of its role and functions of the Municipal Clerks Office and the impact it has on the public, that it salutes its Municipal Clerk Donna I. Costello and Deputy Municipal Clerk Kathleen A. Costello for their dedication and commitment to Denville Township's local government; and

BE IT FURTHER RESOLVED that the Municipal Council of the Township of Denville recognizes all of the New Jersey Municipal Clerks for their service to their respective local governments and calls upon other communities to join in recognizing their Municipal Clerk and Deputy Municipal Clerk during the week of Municipal Clerk's Week, May 4 through 10, 2014.

BY ORDER OF THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF DENVILLE

GENE FITZPATRICK, PRESIDENT
DENVILLE MUNICIPAL COUNCIL
ORDINANCE # 16-14

BE IT RESOLVED THAT AN ORDINANCE ENTITLED:
ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS OR PURPOSES IN THE SUM OF $420,000 FROM THE OPEN SPACE TRUST FUND OF THE TOWNSHIP OF DENVILLE

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
ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS OR PURPOSES IN THE SUM OF $420,000 FROM THE OPEN SPACE TRUST FUND OF THE TOWNSHIP OF DENVILLE

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 6-10-14 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

DATED: 5-6-14
ORDINANCE # 16-14

ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS OR PURPOSES IN THE SUM OF $420,000 FROM THE OPEN SPACE TRUST FUND OF THE TOWNSHIP OF DENVILLE

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 sum of $420,000 is hereby appropriated from the Open Space Trust Fund of the Township of Denville for the purposes set forth in Section 2 of this Ordinance.

SECTION 2. The improvements authorized to be paid by this Ordinance include Veteran's Fields Lighting Improvements in the amount of $420,000 for equipment and fixtures and all work necessary in connection with the installation of same.

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

SECTION 4. The capital budget of the Township of Denville is hereby amended to conform with the provisions of this Ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Municipal Clerk and is available for public inspection.
SECTION 5. All Ordinances of the Township of Denville which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 6. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

SECTION 7. This Ordinance shall take effect immediately upon final passage, approval and publication as required by law.

BY ORDER OF THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF DENVILLE

DONNA I. COSTELLO, RMC/CMC
MUNICIPAL CLERK

ATTEST: APPROVED:

DONNA I. COSTELLO, RMC/CMC
MUNICIPAL CLERK

MAYOR THOMAS ANDES
TOWNSHIP OF DENVILLE
Resolution

Endorsing the Township of Denville’s Application for New Jersey Department of Transportation Alternatives Program (NJDOT TAP) Application

WHEREAS, the Township of Denville is preparing a grant application to the State of New Jersey Department of Transportation Alternatives Program Funds (TAP); and

WHEREAS, the Township of Denville is proposing transportation enhancements along Broadway, for the second Phase of its Denville Downtown Streetscape Improvement project which will encompass the remainder of Broadway, the main street within the Township’s central business district. This improvement project will increase pedestrian use and safety, improve economic development opportunities, enhance the aesthetic and environmental qualities of its central business district; and improve access to this area which is an important transportation corridor within the Township and the County of Morris; and

WHEREAS, assistance from the TAP program will enhance the transportation experience for residents and visitors, bolster the economy of the Township of Denville and improve the overall quality of life for the residents and those who travel through area to visit attractions within the Township’s central business district; and

WHEREAS, the Township of Denville is committed to continual ownership and maintenance of the project for a minimum throughout its useful life; and

WHEREAS, in order to enhance the project’s construction readiness, the Township of Denville will be responsible for all engineering design and inspection fees associated with the project; and

WHEREAS, the Township further demonstrates its commitment to the project by committing to provide not less than a twenty percent (20%) match to any grant funds received from this grant program.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Denville that we fully support and endorse the project and the above-mentioned grant application to the State of New Jersey Department of Transportation TAP program.
RESOLUTION AUTHORIZING REFUND
OF RECREATION DEPARTMENT FEES

WHEREAS, certain residents of the Township of Denville have paid program fees to the Recreation Department; and

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

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

<table>
<thead>
<tr>
<th>NAME</th>
<th>REFUND AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nancy Hagan</td>
<td>$520.00</td>
</tr>
</tbody>
</table>

BY ORDER OF THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF DENVILLE

I, DONNA I. COSTELLO, MUNICIPAL CLERK OF THE TOWNSHIP OF DENVILLE, DO HEREBY CERTIFY THE ABOVE TO BE A TRUE AND EXACT COPY OF RESOLUTION ADOPTED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF DENVILLE AT THEIR MEETING HELD ON 5-6-14

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

- Res/Rec/Refund2
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>O.H. of the Magnificat</td>
<td>On frem 50%</td>
<td>6-2-14</td>
</tr>
<tr>
<td></td>
<td>Misc Raffle</td>
<td>6-2-14</td>
</tr>
</tbody>
</table>

...
RESOLUTION AUTHORIZING ISSUANCE OF SPECIAL ONE DAY ABC LIQUOR LICENSE

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

St. Francis Residential Community

to be used on the following date(s):

10-5-14

for the following event(s):

St. Francis Fall Festival

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

BY ORDER OF THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF DENVILLE

DONNA I. COSTELLO, RMC/CMC
MUNICIPAL CLERK

cc: POLICE
5-6-14
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 11/15/13 for Delinquent 2012 Calendar Year Taxes, and a Tax Sale Certificate was purchased by US Bank Cust/Prop Capital III, LLC on Block 10403 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>10403 1</td>
<td>US Bank Cust/Pro Capital II, LLC</td>
<td>$39,771.43</td>
</tr>
</tbody>
</table>

Certificate # 2013-002
Loc: 23 Mabro Dr.

Premium Returned $105,000.00

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 5-6-14

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 11/15/13 for
Delinquent 2012 Calendar Year Water & Special Assessment and a Tax Sale Certificate was purchased by
US Bank Cust/ Crestar Capital, LLC on Block 70301 Lot 9; 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>70301</td>
<td>US Bank Cust/ Crestar Capital, LLC</td>
<td>$6,202.86</td>
</tr>
<tr>
<td></td>
<td>DCS-Tax Lien Service Group</td>
<td></td>
</tr>
<tr>
<td></td>
<td>50 S 16th Street Suite 1950</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Philadelphia, PA 19102-2513</td>
<td></td>
</tr>
</tbody>
</table>

Certificate #2013-047
Loc: 2 Freeman Lane

Premium Returned $2,600.00

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 5-6-14

CERTIFICATION DATED: DONNA I COSTELLO, RMC/CMC
MUNICIPAL CLERK
RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION (N.J.S.A. 40A:4-87)

WHEREAS, N.J.S.A. 40A: 4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an appropriation for an equal amount.

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Township of Denville in the County of Morris and State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2014 in the sum of $4,000.00, which is now available as a revenue from the NEW JERSEY DIVISION OF HIGHWAY TRAFFIC SAFETY CLICK IT OR TICKET program; and

BE IT FURTHER RESOLVED that the like sum of $4,000.00 is hereby appropriated under the caption CLICK IT OR TICKET; and

BE IT FURTHER RESOLVED that the above is the result of a Grant of $4,000.00 from the NEW JERSEY DIVISION OF HIGHWAY TRAFFIC SAFETY CLICK IT OR TICKET program.

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 5-6-14

BY ORDER OF THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF DENVILLE

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

WHEREAS, the Township of Denville, the Zoning Board of Adjustment and RJR Developers, LLC have negotiated a settlement in the matter of RJR Developers, LLC v. Township of Denville and Zoning Board of Adjustment of the Township of Denville, Docket No. MRS-L-680-14; and

WHEREAS, the Township desires to settle the matter in accordance with the terms and conditions as set forth in a certain Settlement Agreement.

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 Municipal Council hereby approves and authorizes the settlement of litigation titled RJR Developers, LLC v. Township of Denville and Zoning Board of Adjustment of the Township of Denville, Docket No. MRS-L-680-14, in accordance with the terms and conditions as set forth in a certain Settlement Agreement.

2. The Mayor and the Municipal Clerk are hereby authorized to execute the Settlement Agreement in the matter of RJR Developers, LLC v. Township of Denville and Zoning Board of Adjustment of the Township of Denville, Docket No. MRS-L-680-14.

3. This Resolution shall take effect immediately.


Certification Dated: ____________________________  Donna I. Costello, RMC/CMC
Municipal Clerk

PIDT/ResSettleRJR