TOWNSHIP OF DENVILLE  MUNICIPAL COUNCIL  REGULAR MEETING
7:30 P.M.  DATE JUNE 11, 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
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 ---

RECOGNIZING ROCKAWAY RIVER CLEANUP VOLUNTEERS

SHORT RECESS FOR REFRESHMENTS

COUNCIL LHIAISON/COMMITTEE REPORTS

MAYOR’S REPORT

ADMINISTRATOR’S REPORT
MATTERS OF OLD AND/OR NEW BUSINESS

ORDINANCE(S) FOR ADOPTION

#9-13 IMPROVEMENTS TO SEWER UTILITY
TITLE:
BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO THE SEWER UTILITY IN AND BY THE TOWNSHIP OF DENVILLE, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING $105,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF $100,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

#10-13 VARIOUS CAPITAL IMPROVEMENTS
TITLE:
BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS OF THE TOWNSHIP OF DENVILLE, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF $1,687,725 THEREFOR AND AUTHORIZING THE ISSUANCE OF $1,104,500 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

#11-13 AMENDS PEDDLERS & SOLICITORS REGULATIONS
TITLE:
AN ORDINANCE TO AMEND CHAPTER IV, GENERAL LICENSING, SECTION 4-7, PEDDLERS AND SOLICITORS, OF THE REvised GENERAL ORDINANCES OF THE TOWNSHIP OF DENVILLE, MORRIS COUNTY, NEW JERSEY

#12-13 APPLIES PROVISIONS OF TITLE 39 TO 3000 RT. 10 WEST
TITLE:
AN ORDINANCE MAKING THE PROVISIONS OF SUBTITLE ONE OF TITLE 39 WITH VARIOUS TRAFFIC REGULATIONS APPLICABLE TO 3000 ROUTE 10 WEST AND REGULATING THE USE OF SAID DRIVEWAYS AND PARKING LOTS BY MOTOR VEHICLES
ORDINANCE(S) FOR INTRODUCTION

#15-13 AMENDS VARIOUS ANIMAL CONTROL FEES

TITLE:
AN ORDINANCE TO AMEND CHAPTER II-A, FEES, RATES AND CHARGES AND CHAPTER V, ANIMAL CONTROL, OF THE GENERAL ORDINANCES OF THE TOWNSHIP OF DENVILLE

ITEMS FOR DISCUSSION AND/OR ACTION

RESOLUTIONS # CONSENT AGENDA ITEMS

R-13-120# RESOLUTION AUTHORIZING A REFUND OF A COAH DEVELOPMENT FEE IN THE AMOUNT OF $296.00

R-13-121# RESOLUTION AUTHORIZING REFUND OF RECREATION DEPARTMENT FEE IN THE AMOUNT OF $210.00

R-13-122# RESOLUTION AUTHORIZING RAFFLE LICENSES IN THE TOWNSHIP OF DENVILLE

R-13-123# RESOLUTION AUTHORIZING ISSUANCE OF A SPECIAL ONE DAY ABC LIQUOR LICENSE

R-13-124# RESOLUTION AUTHORIZING REINSTATEMENT OF THE ORIGINAL SEWER ASSESSMENT INSTALLMENT PLAN FOR CERTAIN PROPERTIES IN THE TOWNSHIP OF DENVILLE

NON-CONSENT RESOLUTIONS

R-13-125 RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION NJSA 40A:4-87
R-13-126 A RESOLUTION OF THE TOWNSHIP OF DENVILLE AUTHORIZING THE RENEWAL OF AN AGREEMENT WITH THE UNITED BOW HUNTERS OF NEW JERSEY FOR THE MANAGEMENT OF DEER

R-13-127 RESOLUTION REFUNDING THE PAYMENT OF OVERPAID TAXES 2013 – VARIOUS AMOUNTS

R-13-128 RESOLUTION AUTHORIZING THE REFUND OF MONEY DUE TO THE REDEMPTION OF A TAX SALE CERTIFICATE IN THE AMOUNT OF $3,346.85

R-13-129 RESOLUTION AUTHORIZING A REFUND OF A BUILDING PERMIT FEE IN THE AMOUNT OF $17,839.00

R-13-130 RESOLUTION RECOMMENDING AWARD OF STATE AID PROJECT TO TILCON NEW YORK VIA THE 2013 MORRIS COUNTY COOPERATIVE PRICING COUNCIL IN THE AMOUNT OF $246,780.00 FOR FRANKLIN ROAD

R-13-131 RESOLUTION RECOMMENDING AWARD OF STATE AID PROJECT TO DENVILLE LINE STRIPING VIA THE 2013 MORRIS COUNTY COOPERATIVE PRICING COUNCIL IN THE AMOUNT OF $8,700.00 FOR FRANKLIN ROAD


MINUTES FOR ADOPTION 5-7-13 5-14-13 5-21-13

MOTION TO ADJOURN
BE IT RESOLVED THAT AN ORDINANCE ENTITLED:
BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO THE
SEWER UTILITY IN AND BY THE TOWNSHIP OF DENVILLE, IN THE
COUNTY OR MORRIS, NEW JERSEY, APPROPRIATING $105,000
THEREFOR AND AUTHORIZING THE ISSUANCE OF $100,000 BONDS
OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST
THEREOF

BE PASSED ON FINAL READING AND THAT THE ORDINANCE BE PUBLISHED IN
FULL OR BY SUMMARY, TOGETHER WITH THE STATEMENT OF FINAL
PASSAGE, IN THE CITIZEN ON 6-19-13

ORDINANCE #9-13
BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO THE
SEWER UTILITY IN AND BY THE TOWNSHIP OF DENVILLE, IN THE
COUNTY OR MORRIS, NEW JERSEY, APPROPRIATING $105,000
THEREFOR AND AUTHORIZING THE ISSUANCE OF $100,000 BONDS
OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST
THEREOF

THE MUNICIPAL BOND ORDINANCE PUBLISHED HEREWITH IN FULL OR
BY SUMMARY HAS BEEN FINALLY PASSED AND THE TWENTY DAY PERIOD OF
LIMITATION WITHIN WHICH A SUIT, ACTION OR PROCEEDING QUESTIONING
THE VALIDITY OF SUCH ORDINANCE CAN BE COMMENCED AS PROVIDED BY
THE LOCAL BOND LAW, HAS BEGUN TO RUN FROM THE DATE OF THE FIRST
PUBLICATION OF THIS STATEMENT.

DATED: 6-11-13

DONNA I. COSTELLO, RMC/CMC
BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO THE SEWER UTILITY IN AND BY THE TOWNSHIP OF DENVILLE, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING $105,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF $100,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF DENVILLE, IN THE COUNTY OF MORRIS, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the Township of Denville, in the County of Morris, New Jersey (the “Township”) as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of $105,000, including the sum of $5,000 as the down payment required by the Local Bond Law. The down payment has been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of $100,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is improvements to the sewer utility, consisting of
improvements of municipal-owned facilities and the purchase of equipment, consisting of the replacement of pumps at Forest Trail and the installation of all equipment, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefore and incidental thereto, all as shown on and in accordance with the specifications therefore on file in the office of the Township Clerk and hereby approved, which is hereby incorporated by reference as if set forth at length.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this bond ordinance, and the chief financial officer’s signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond
ordinance is made. Such report must include the amount, the description, the interest rate and the 
maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The Township hereby certifies that it has adopted a capital budget or a 
temporary capital budget, as applicable. The capital or temporary capital budget of the Township 
is hereby amended to conform with the provisions of this bond ordinance to the extent of any 
inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with 
the adopted capital or temporary capital budget, a revised capital or temporary capital budget has 
been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and 
stated:

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is 
not a current expense. It is an improvement or purpose that the Township may lawfully 
undertake as a general improvement, and no part of the cost thereof has been or shall be specially 
assessed on property specially benefited thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of 
the Local Bond Law, according to the reasonable life thereof computed from the date of the 
bonds authorized by this bond ordinance, is 10 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly 
prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been 
filed in the office of the Director of the Division of Local Government Services in the 
Department of Community Affairs of the State of New Jersey. Such statement shows that the 
gross debt of the Township as defined in the Local Bond Law is increased by the authorization of
the bonds and notes provided in this bond ordinance by $100,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding $10,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section 7. The Township hereby declares the intent of the Township to issue the bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

Section 8. Any grant moneys received for the purpose described in Section 3(a) hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond
counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy \textit{ad valorem} taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

BY ORDER OF THE MUNICIPAL COUNCIL
OF THE TOWNSHIP OF DENVILLE

ATTEST: 

DONNA I. COSTELLO, RMC/CMC
MUNICIPAL CLERK

APPROVED:

MAYOR THOMAS W. ANDES
TOWNSHIP OF DENVILLE
BOND ORDINANCE #10-13

SHORT EXPLANATORY STATEMENT: VARIOUS CAPITAL IMPROVEMENTS

BE IT RESOLVED THAT AN ORDINANCE ENTITLED:
BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL
IMPROVEMENTS OF THE TOWNSHIP OF DENVILLE, IN THE COUNTY
OF MORRIS, NEW JERSEY, APPROPRIATING THE AGGREGATE
AMOUNT OF $1,687,725 THEREFOR AND AUTHORIZING THE
ISSUANCE OF $1,104,500 BONDS OR NOTES OF THE TOWNSHIP TO
FINANCE PART OF THE COST THEREOF

BE READ BY TITLE ON SECOND READING AND A HEARING HELD THEREON:
COUNCIL PRESIDENT: MOTION TO READ BY TITLE
ROLL CALL
OPEN THE PUBLIC PORTION
CLOSE THE PUBLIC PORTION

BE IT RESOLVED THAT AN ORDINANCE ENTITLED:
BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL
IMPROVEMENTS OF THE TOWNSHIP OF DENVILLE, IN THE COUNTY
OF MORRIS, NEW JERSEY, APPROPRIATING THE AGGREGATE
AMOUNT OF $1,687,725 THEREFOR AND AUTHORIZING THE
ISSUANCE OF $1,104,500 BONDS OR NOTES OF THE TOWNSHIP TO
FINANCE PART OF THE COST THEREOF

BE PASSED ON FINAL READING AND THAT THE ORDINANCE BE PUBLISHED IN
FULL OR BY SUMMARY, TOGETHER WITH THE STATEMENT OF FINAL
PASSAGE, IN THE CITIZEN ON 6-19-13

COUNCIL PRESIDENT: MOTION TO ADOPT
ROLL CALL ON ADOPTION

ORDINANCE #10-13
BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL
IMPROVEMENTS OF THE TOWNSHIP OF DENVILLE, IN THE COUNTY
OF MORRIS, NEW JERSEY, APPROPRIATING THE AGGREGATE
AMOUNT OF $1,687,725 THEREFOR AND AUTHORIZING THE
ISSUANCE OF $1,104,500 BONDS OR NOTES OF THE TOWNSHIP TO
FINANCE PART OF THE COST THEREOF

THE MUNICIPAL BOND ORDINANCE PUBLISHED HEREWITH IN FULL OR BY
SUMMARY HAS BEEN FINALLY PASSED AND THE TWENTY DAY PERIOD OF
LIMITATION WITHIN WHICH A SUIT, ACTION OR PROCEEDING QUESTIONING
THE VALIDITY OF SUCH ORDINANCE CAN BE COMMENCED AS PROVIDED BY
THE LOCAL BOND LAW, HAS BEGUN TO RUN FROM THE DATE OF THE FIRST
PUBLICATION OF THIS STATEMENT.

DATED: 6-11-13

DONNA I. COSTELLO, RMC/CMC
MUNICIPAL CLERK
BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS OF THE TOWNSHIP OF DENVILLE, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF $1,687,725 THEREFOR AND AUTHORIZING THE ISSUANCE OF $1,104,500 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF DENVILLE, IN THE COUNTY OF MORRIS, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Township of Denville, in the County of Morris, New Jersey (the "Township") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to $1,687,725, including a $528,000 grant from the State of New Jersey Department of Transportation (the "State Grant") for improvements to Franklin Road as described in Section 3(b) hereof, and further including the aggregate sum of $55,225 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments or the above mentioned State Grant, negotiable bonds are hereby authorized to be issued in the principal amount of $1,104,500 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond
anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

<table>
<thead>
<tr>
<th>Purpose</th>
<th>Appropriation and Estimated Cost</th>
<th>Estimated Maximum Amount of Bonds or Notes</th>
<th>Period of Usefulness</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) Various improvements to municipal-owned facilities, the acquisition of equipment, including floor replacement at Fire Companies 1 and 2, police radio upgrades, Senior Center improvements, Veteran's Memorial Park bathroom refurbishment, a LED sign for Town Hall, digital tax mapping and the installation of all equipment, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto, all as shown on and in accordance with the specifications therefore on file in the office of the Township Clerk and hereby approved, which is hereby incorporated by reference as if set forth at length.</td>
<td>$265,125</td>
<td>$252,500</td>
<td>10 years</td>
</tr>
<tr>
<td>(b) Improvements to various streets and locations, including construction, reconstruction, surfacing or resurfacing and the paving of various roadways, including, but not limited to, Hillcrest Drive, East Glen Road, Tammany Trail, West Shore Road, Sioux Trail, Smith Road, Poplar Drive, Hemlock Drive, Parks Road, Lakewood Drive, Hewetson Road, Cramsey Place, Cherokee Trail, Geraldine Court, East Shore Road Wall, Main Street Firehouse Parking Lot, removal of river piers, flood gates and Franklin Road*, Broadway Streetscaping*, together with all structures, catch basin repairs, appurtenances, milling, curb and sidewalk reconstruction, drainage improvements, guide rails, utility poles, equipment, crack sealing, including all related costs and expenditures incidental thereto and further including all work and materials necessary therefor and incidental thereto, all as shown on and in accordance with the specifications therefore on file in the office of the Township Clerk and hereby approved, which is hereby incorporated by reference as if set forth at length.</td>
<td>$1,165,350</td>
<td>$607,000</td>
<td>10 years</td>
</tr>
</tbody>
</table>

*Includes State Grant
(c) Acquisition of various vehicles and equipment for the Department of Public Works, including used dump trucks and a roll-off vehicle, together with attachments, accessories and equipment, including all related costs and expenditures incidental thereto, all as shown on and in accordance with the specifications therefore on file in the office of the Township Clerk and hereby approved, which is hereby incorporated by reference as if set forth at length.

<table>
<thead>
<tr>
<th>Purpose</th>
<th>Appropriation and Estimated Cost</th>
<th>Estimated Maximum Amount of Bonds or Notes</th>
<th>Period of Usefulness</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$257,250</td>
<td>$245,000</td>
<td>5 years</td>
</tr>
</tbody>
</table>

TOTAL: $1,687,725 $1,104,500

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose and, as applicable, the State Grant.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this bond ordinance, and the chief financial officer’s signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the
meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements that the Township may lawfully undertake as general improvements, and no part of the costs thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 8.89 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of
the bonds and notes provided in this bond ordinance by $1,104,500, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding $250,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated costs indicated herein for the purposes or improvements.

Section 7. Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or, if other than as referred to in Section 1 hereof, to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such additional funds are so used.

Section 8. The Township hereby declares the intent of the Township to issue the bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3(a) of this bond ordinance. This Section 8 is a declaration of intent within the meaning and for purposes of Treasury Regulations.

Section 9. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the “Rule”) for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof,
provided such undertaking is and continues to be, in the opinion of a nationally recognized bond
counsel, consistent with the requirements of the Rule. In the event that the Township fails to
comply with its undertaking, the Township shall not be liable for any monetary damages, and the
remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Township are hereby pledged to the punctual
payment of the principal of and the interest on the obligations authorized by this bond ordinance.
The obligations shall be direct, unlimited obligations of the Township, and the Township shall be
obligated to levy ad valorem taxes upon all the taxable real property within the Township for the
payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication
thereof after final adoption, as provided by the Local Bond Law.
ORDINANCE #11-13

SHORT EXPLANATORY DESCRIPTION OF ORDINANCE:
AMENDS PEDDLERS AND SOLICITORS REGULATIONS

BE IT RESOLVED THAT AN ORDINANCE ENTITLED:
AN ORDINANCE TO AMEND CHAPTER IV, GENERAL LICENSING, SECTION 4-7, PEDDLERS AND SOLICITORS, OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF DENVILLE, MORRIS COUNTY, NEW JERSEY
BE READ BY TITLE ON SECOND READING AND A HEARING HELD THEREON:

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

BE IT RESOLVED THAT AN ORDINANCE ENTITLED:
AN ORDINANCE TO AMEND CHAPTER IV, GENERAL LICENSING, SECTION 4-7, PEDDLERS AND SOLICITORS, OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF DENVILLE, MORRIS COUNTY, NEW JERSEY

BE PASSED ON FINAL READING AND THAT A NOTICE OF FINAL PASSAGE BE PUBLISHED IN THE JUNE 19, 2013 ISSUE OF THE CITIZEN.

COUNCIL PRESIDENT: MOTION TO ADOPT
ROLL CALL ON ADOPTION

ORDINANCE # 11-13
AN ORDINANCE TO AMEND CHAPTER IV, GENERAL LICENSING, SECTION 4-7, PEDDLERS AND SOLICITORS, OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF DENVILLE, MORRIS COUNTY, NEW JERSEY

NOTICE IS HEREBY GIVEN THAT THE ABOVE ENTITLED ORDINANCE WAS REGULARLY, DULY AND FINALLY PASSED AT A MEETING OF THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF DENVILLE, COUNTY OF MORRIS AND STATE OF NEW JERSEY, HELD ON 6-11-13

DONNA I. COSTELLO, RMC/CMC
MUNICIPAL CLERK
ORDINANCE NO. 11-13

AN ORDINANCE TO AMEND CHAPTER IV, GENERAL LICENSING, SECTION 4-7, PEDDLERS AND SOLICITORS, OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF DENVILLE, MORRIS COUNTY, NEW JERSEY

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

SECTION 1. Chapter IV, General Licensing, Section 4-7, Peddlers and Solicitors, of the Revised General Ordinances of the Township of Denville, is hereby amended in the following particulars only:

a. §4-7.3, Exemptions, paragraph c. 1. All Non-Commercial Solicitation, subparagraph (a) item (6), is hereby amended to read as follows:

"(6) The names of the persons who are expected to go from door to door or to distribute materials within the Township, including their address and driver's license number. This requirement shall not apply to persons under the age of 18 years."

b. §4-7.4, Application for License, is hereby amended and supplemented by the addition of paragraph p, to read as follows:

"p. A copy of the retail food establishment or food and beverage machine license, if required pursuant to §4-12 of the Ordinances of the Township of Denville."

c. §4-7.5, Fees, is hereby amended to read as follows:

"§4-7.5 Fees.

a. Application and License Fees. A fee of $15 per solicitor shall be paid to the Township Clerk to cover the cost of processing the application and investigating the facts stated therein. In addition, the license fee charged by the Township Clerk for the issuance of a license hereunder shall be five ($5.00) dollars per day per solicitor; ten ($10.00) dollars per week per solicitor; twenty-five ($25.00) dollars per month per solicitor; or one hundred ($100.00) dollars per year per solicitor. The expiration date shall be stated on the license."
b. Where an organization has several agents engaged in solicitation activities, each agent shall be licensed separately and each shall pay the appropriate fees."

d. Section 4-7.10, Expiration and Renewal of License, is hereby repealed."

SECTION 2. Chapter II-A, Fees, Rates and Charges, §2A-4.7, Solicitors, the fee for Badge only, is hereby repealed.

SECTION 3. All Ordinances of the Township of Denville that are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

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

SECTION 4. The provisions of this ordinance may be renumbered for purposes of codification.

SECTION 5. This Ordinance shall take effect immediately upon final passage, approval and publication as required by law.

BY ORDER OF THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF DENVILLE

ATTEST: _______________________________ APPROVED: _______________________________

DONNA I. COSTELLO, RMC/CMC                MAYOR THOMAS W. ANDES
MUNICIPAL CLERK                             TOWNSHIP OF DENVILLE

I hereby certify the foregoing to be a true copy of an ordinance adopted by the Municipal Council of the Township of Denville at its meeting held on ____________, 2013

Donna I. Costello, RMC/CMC
ORDINANCE #12-13

SHORT EXPLANATORY DESCRIPTION OF ORDINANCE:
PROVISIONS OF TITLE 39 APPLIED TO 3000 ROUTE 10 WEST

BE IT RESOLVED THAT AN ORDINANCE ENTITLED:
AN ORDINANCE MAKING THE PROVISIONS OF SUBTITLE ONE OF TITLE 39
WITH VARIOUS TRAFFIC REGULATIONS APPLICABLE TO 3000 ROUTE 10
WEST AND REGULATING THE USE OF SAID DRIVEWAYS AND PARKING
LOTS BY MOTOR VEHICLES

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 MAKING THE PROVISIONS OF SUBTITLE ONE OF TITLE 39
WITH VARIOUS TRAFFIC REGULATIONS APPLICABLE TO 3000 ROUTE 10
WEST AND REGULATING THE USE OF SAID DRIVEWAYS AND PARKING
LOTS BY MOTOR VEHICLES

BE PASSED ON FINAL READING AND THAT A NOTICE OF FINAL PASSAGE BE
PUBLISHED IN THE JUNE 19, 2013 ISSUE OF THE CITIZEN.

COUNCIL PRESIDENT: MOTION TO ADOPT
ROLL CALL ON ADOPTION

ORDINANCE #12-13
AN ORDINANCE MAKING THE PROVISIONS OF SUBTITLE ONE OF TITLE 39
WITH VARIOUS TRAFFIC REGULATIONS APPLICABLE TO 3000 ROUTE 10
WEST AND REGULATING THE USE OF SAID DRIVEWAYS AND PARKING
LOTS BY MOTOR VEHICLES

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 6-11-13

DONNA I. COSTELLO, RMC/CMC
MUNICIPAL CLERK
AN ORDINANCE MAKING THE PROVISIONS OF SUBTITLE ONE OF TITLE 39 WITH VARIOUS TRAFFIC REGULATIONS APPLICABLE TO 3000 ROUTE 10 WEST AND REGULATING THE USE OF SAID DRIVEWAYS AND PARKING LOTS BY MOTOR VEHICLES

WHEREAS, Scotto Properties has filed a written consent in accordance with N.J.S.A. 39:5A-1 with the Township of Denville asking that the provisions of Subtitle One of Title 39 of the Revised Statutes of New Jersey be made applicable to the driveways and parking lots at 3000 Route 10 West located in the Township of Denville, County of Morris and that the following regulations shall be enforceable on said property; and

WHEREAS, the site plan of the foregoing property as required by the New Jersey Department of transportation has been received; and

WHEREAS, the Municipal Council of the Township of Denville deems that enforcement of traffic regulations on the aforesaid property will benefit all the citizens of the Township.

NOW, THEREFORE, BE IT ORDAINED, by the Municipal Council of the Township of Denville, in the County of Morris and State of New Jersey, that the Police Department of Denville Township and other law enforcement agencies be and the same are hereby empowered to enforce the provisions of Subtitle 1 of Title 39 of the Revised Statutes of New Jersey and the following regulations:

SECTION 1. General Parking.

A. All vehicles must park in designated areas and between the lines provided.

B. Handicapped parking

All stalls shall be 8 feet wide as shown on the attached site plan and signed with the R7-8 and R7-8P (Reserved Parking Sign and Penalty Plate), in the designated parking
areas for persons who have been issued the Handicapped Parking Permits by the Division of Motor Vehicles.

SECTION 2. Tow-Away Zones:

Any vehicle parked or standing so as to obstruct or impede a normal flow of traffic, block entrances or exit ways, loading zones, oil fills, any grassy area pedestrian walkway, or to present in any way a safety or traffic hazard may be removed by towing the vehicle at the owners or operators expense.

SECTION 3. Unless another penalty is expressly provided for by New Jersey Statute, every person convicted of a violation of this ordinance or any supplement thereto shall be liable to a penalty of not more than ($50.00) dollars or imprisonment for a term not exceeding fifteen (15) days or both.

SECTION 4. Appropriate signs, posts or other necessary materials shall be erected by the owner consistent with the owner’s approved site plan which is on file with the Township of Denville, and shall be paid for by the owner. All signing shall conform to the current Manual on Uniform Traffic Control Devices, pursuant to N.J.S.A. 39:4-198 and N.J.S.A. 39:4-183.27.

SECTION 5. 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 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, subject to the approval of the Commissioner of Transportation.
BY ORDER OF THE MUNICIPAL COUNCIL
OF THE TOWNSHIP OF DENVILLE

ATTEST:

DONNA I. COSTELLO, RMC/CMC
MUNICIPAL CLERK

APPROVED:

MAYOR THOMAS W. ANDES
TOWNSHIP OF DENVILLE

I hereby certify the foregoing to be a true copy of an ordinance adopted by the Municipal Council of the Township of Denville at its meeting held on ____________, 2013

Donna I. Costello, RMC/CMC
ORDINANCE # 15-13

SHORT EXPLANATORY STATEMENT:
AMENDS VARIOUS ANIMAL CONTROL FEES

BE IT RESOLVED THAT AN ORDINANCE ENTITLED:
AN ORDINANCE TO AMEND CHAPTER II-A, FEES, RATES AND CHARGES AND CHAPTER V, ANIMAL CONTROL, OF THE GENERAL ORDINANCES 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
AN ORDINANCE TO AMEND CHAPTER II-A, FEES, RATES AND CHARGES AND CHAPTER V, ANIMAL CONTROL, OF THE GENERAL ORDINANCES 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 7-16-13 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
ORDINANCE NO. 15-13

AN ORDINANCE TO AMEND CHAPTER II-A, FEES, RATES AND CHARGES AND CHAPTER V, ANIMAL CONTROL, OF THE GENERAL ORDINANCES 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. Chapter II-A, Fees, Rates and Charges, Sections 2A-5, Animal Control, of the General Ordinances of the Township of Denville are hereby amended to read as follows:

<table>
<thead>
<tr>
<th>2A-5, Animal Control</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Dog License Fee (neutered) on or before January 31</td>
<td>$ 15.00</td>
</tr>
<tr>
<td>Late Fee (neutered) after January 31</td>
<td>$ 40.00</td>
</tr>
<tr>
<td>Dog License Fee (unneutered) on or before January 31</td>
<td>$ 18.00</td>
</tr>
<tr>
<td>Late Fee (unneutered) after January 31</td>
<td>$ 43.00</td>
</tr>
<tr>
<td>Potentially Dangerous Dog License</td>
<td>$ 700.00</td>
</tr>
<tr>
<td>Cat License Fee (neutered) on or before June 30</td>
<td>$ 15.00</td>
</tr>
<tr>
<td>Late Fee (neutered) after June 30</td>
<td>$ 40.00</td>
</tr>
<tr>
<td>Cat License Fee (unneutered) on or before June 30</td>
<td>$ 18.00</td>
</tr>
<tr>
<td>Late Fee (unneutered) after June 30</td>
<td>$ 43.00</td>
</tr>
<tr>
<td>Animal Boarding Fee</td>
<td>$4.00 per day</td>
</tr>
<tr>
<td>Maintenance and upkeep</td>
<td>$8.00 per day</td>
</tr>
<tr>
<td>Kennel License Fee (up to 10 dogs)</td>
<td>$ 10.00</td>
</tr>
<tr>
<td>Kennel License Fee (more than 10 dogs)</td>
<td>$ 25.00</td>
</tr>
<tr>
<td>Pet/animal supply establishment</td>
<td>$ 10.00</td>
</tr>
<tr>
<td>Pet Shop-With Animals</td>
<td>$ 10.00</td>
</tr>
<tr>
<td>Impoundment Fee for Potentially Dangerous or Vicious Dog</td>
<td>$15.00 per day</td>
</tr>
<tr>
<td>Animal Recovery Fee</td>
<td>$ 25.00</td>
</tr>
<tr>
<td>Replacement Tag</td>
<td>$ 1.00</td>
</tr>
<tr>
<td>Transfer Tag</td>
<td>$ 1.00</td>
</tr>
<tr>
<td>All Summonsnes</td>
<td>$ 50.00</td>
</tr>
<tr>
<td>(Ord. §§5-1 thru 5-13)</td>
<td></td>
</tr>
<tr>
<td>NOTE: All other fees by State Statute</td>
<td></td>
</tr>
</tbody>
</table>

SECTION 2. Chapter V, Animal Control, shall be amended in the following particulars only:
a. Section 5-1, Definitions, item k., "Pet shop" shall be amended to read as follows:

"Pet shop" shall mean any place of business which is not part of a kennel, wherein animals, including but not limited to, dogs, cats, birds, fish, reptiles, rabbits, hamsters or gerbils, are kept or displayed chiefly for the purpose of sale to individuals for personal appreciation and companionship rather than for business or research purposes."

b. Section 5-1, Definitions, is hereby amended and supplemented by the addition of a new definition, "Pet/animal supply establishment" to read as follows:

"Pet/animal supply establishment" shall mean any place of business which sells supplies and food products for pets and animals but does not sell any animal of any kind."

SECTION 3. 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 4. If any section, subsection, sentence, clause of phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

SECTION 5. This Ordinance shall take effect immediately upon final passage, approval and publication as required by law.

BY ORDER OF THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF DENVILLE

ATTEST: APPROVED:

DONNA I. COSTELLO, RMC/CMC MAYOR THOMAS W. ANDES
MUNICIPAL CLERK TOWNSHIP OF DENVILLE

I hereby certify the foregoing to be a true copy of an ordinance adopted by the Municipal Council of the Township of Denville at its meeting held on ____________, 2013

Donna I. Costello, RMC/CMC
CONSTRUCTION DEPARTMENT

RESOLUTION AUTHORIZING A REFUND
OF A COAH DEVELOPMENT FEE

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

and

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

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

<table>
<thead>
<tr>
<th>NAME</th>
<th>PERMIT NUMBER</th>
<th>AMOUNT</th>
<th>REVENUE ACCOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stephan Bell &amp; Lara Reed</td>
<td>121367</td>
<td>$296</td>
<td>17-280-56-000</td>
</tr>
</tbody>
</table>

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

CERTIFICATION DATE

DONNA I. COSTELLO, RMC/CMC
MUNICIPAL CLERK
RESOLUTION AUTHORIZING REFUND OF RECREATION DEPARTMENT FEE:

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>$210.00</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 6-11-13

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>Eagles Football Club</td>
<td>Off Prem 50%</td>
<td>12-3-13</td>
</tr>
<tr>
<td>PAL Denville</td>
<td>On Prem 50%</td>
<td>7-22-13</td>
</tr>
</tbody>
</table>

6-11-13
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):

Denville Centennial Committee

to be used on the following date:

September 22, 2013

for the following event:

Denville Centennial Picnic

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
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
RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND
APPROPRIATION NJSA 40A:4-87

WHEREAS, NJSA 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 was not determined at the time of adoption of the budget; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Township of Denville, in the County of Morris, New Jersey, hereby request the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2013 in the sum of $4,000.00, which is now available from NJ Division of Highway Traffic Safety Click it or Ticket in the amount of $4,000.00.

BE IT FURTHER RESOLVED, that the like sum of $4,000.00 is hereby appropriated under the caption Click it or Ticket.

BE IT FURTHER RESOLVED, that the above is a result of funds from NJ Division of Highway Traffic Safety Click it or Ticket in the amount of $4,000.00.

BY ORDER OF THE MUNICIPAL COUNCIL
OF THE TOWNSHIP OF DENVILLE


CERTIFICATION DATED: DONNA I. COSTELLO, RMC/CMC
MUNICIPAL CLERK
A RESOLUTION OF THE TOWNSHIP OF DENVILLE
AUTHORIZING THE EXECUTION OF AN AGREEMENT
WITH THE UNITED BOW HUNTERS OF NEW JERSEY
FOR THE MANAGEMENT OF DEER FOR THE PERIOD
COMMENCING SEPTEMBER 10, 2013 AND ENDING
FEBRUARY 18, 2014

WHEREAS, the Township Council of the Township of Denville is concerned with the
significant impact of the growth of the white-tail deer population inhabiting the Denville Township
community, including deer/vehicle collisions, damage to ornamental plantings, Lyme’s disease,
and reduction and/or elimination of native plant materials within the Township; and

WHEREAS, after review and thorough investigation, the Mayor and Township Council
entered into an agreement with the United Bow Hunters of New Jersey in 2010 to provide such
deer management services pursuant to the terms of the Agreement which provided for four (4)
one year renewals; and

WHEREAS, the Mayor and Council wish to renew the agreement with the United Bow
Hunters of New Jersey for the 2013-2014 deer hunting season on amended terms, which have
been negotiated and agreed upon by the parties.

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

A. That the Mayor and Township Clerk are hereby authorized and directed to
execute an amended agreement with the United Bow Hunters of New Jersey to
provide deer management services to the Township for the 2013-2014 deer
hunting season commencing on September 10, 2013 and ending on February
18, 2014.

B. That a copy of the agreement is on file in the office of the Municipal Clerk for
inspection by the public.

C. This Resolution shall take effect immediately.

I, DONNA I. 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

CERTIFICATION DATED:

DONNA I. COSTELLO, RMC/CMC
MUNICIPAL CLERK
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 the Municipal Building, 1 St. Mary's Place, Denville, NJ 07834,

(Hereinafter, "Township")

and:

UNITED BOW HUNTERS OF NEW JERSEY
with offices located at

(Hereinafter "UBNJ")

WITNESSETH:

WHEREAS, the Township of Denville has a concern as to the overall deer population and its effect on the health and safety of the residents of the Township of Denville; and

WHEREAS, UBNJ has agreed to conduct a hunt on various Township properties and one private property within the Township solely for the purpose of a deer harvest that will protect the long term health and safety of the residents of the Township of Denville and the deer population; and

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

Qualifications:

1. All UBNJ member hunters shall either possess a NJ FID card which matches the hunter’s New Jersey Driver’s License address or in the case of a member who chooses not to own firearms or a NJ FID card, the member shall have on file with UBNJ a letter from his/her local police department stating that he/she is not a convicted criminal or barred in any way from
owning a firearm. All UBNJ hunters participating in this program shall have a valid NJ Archery Hunting License and will have successfully demonstrated archery proficiency with the hunting equipment they use under guidelines set forth by UBNJ's community Deer Management Program Director.

**Management Plan:**

2. Each hunter shall adhere to the Management Plan, attached hereto as Exhibit A, which sets forth and lists the number of hunt monitors, process as to harvesting of deer, and appropriate notification with respect to hunting activities on Township property. The Management Plan is incorporated and made a part of this Agreement.

**Dates and Time:**

3. Each hunting activity permitted herein shall occur from September 10, 2013 through February 18, 2014 unless specified differently by the NJ Division of Fish, Game & Wildlife in the printed game compendium to be available in August 2013, in which event the dates set forth in the printed game compendium shall control for purposes of this Agreement. Hunting may occur only during hours as permitted by State law which is 30 minutes before sunrise through 30 minutes after sunset. As per State law, there shall be no hunting activities on Sundays on Township property.

**Reporting:**

4. The harvesting of deer shall include appropriate reporting that shall be supplied by the UBNJ Hunt Manager on a bi-monthly schedule starting on October 1, 2013 and ending one week after the close of the hunting season (February 2014). All reports shall be due on the 1st and 15th of each month.

**Notice Requirements:**

5. Hunters will only be permitted to conduct such activity on lands as identified on the attached Exhibit B that have been recommended and approved by the Township Administration. Prior to any activity taking place on the property, access areas of the premises
must contain posted notices of hunting activity, which notice shall have been approved by the Township Administration and Animal Control Officer.

**Access Notification:**

6. Before entering a site, each hunter must contact the Police Department and notify the Police that they intend to hunt on the premises. They will also provide the Police Department with their full name and hunt zone as well as identification of the vehicle and license plate.

7. UBNJ will notify the Township of Denville's Animal Control Officer, Administration (Mayor and Township Administrator) and the Chief of Police of the hunt and harvest data via email in accordance with the harvest reports schedule outlined in paragraph 4 of this Agreement.

8. The UBNJ Denville Hunt Manager shall be responsible for coordinating the hunting on approved Township properties as he feels best suit the goals of the program. The Hunt Manager will have a minimum of three (3) monitors who shall assist and report directly to the Hunt Manager.

9. (A) In no event shall the 2013-2014 Denville UBNJ deer management program result in the harvesting of more than two hundred (200) deer in total from Township properties by UBNJ hunters. UBNJ shall require that the first deer harvested for each archery season in DMZ 13 and 36 be a doe.

(B) The limits on the state game compendium shall control the harvest in DMZ 6.

(C) UBNJ shall allow its hunters to bank a doe. This means that they can take their entire doe requirement up front in the first archery season if the game laws allow unlimited antlerless harvest in DMZ 13 and 36.

10. UBNJ takes full responsibility for its actions and the conduct of all phases of the hunt.
11. UBNJ agrees that no firearms shall be used at anytime with respect to conducting the deer management services as provided for in this Agreement, except if same use is agreed upon by both parties in writing and this Agreement is further modified to reflect such use.

12. UBNJ shall provide the Township with a Certificate of Liability Insurance demonstrating $5,000,000 in liability coverage and naming the Township as an additional insured. The Township of Denville shall not be responsible for the actions of UBNJ and its hunters and monitors. UBNJ shall indemnify, defend and hold harmless the Township from and against all claims, demands, suits and liability (including the reasonable cost of investigating and defending such) for personal injury, property damage, or death, arising out of, or incidental to, the use of the Property by UBNJ, or any of its members, or any of their guests, agents, invitees or permittees.

13. A roster of all UBNJ authorized hunters and their complete contact information and vehicle description shall be supplied to the Chief of Police prior to the start of the season. Any updates or amendments shall be duly noted and supplied to the Denville Chief of Police within 24 hours of said change by the Hunt Manager.

14. Any harvested deer to be donated to a local food bank, shall be processed by a qualified venison processor, at a fee between $75.00 and $100.00 a deer, not to exceed $100.00, which shall be paid by the Township of Denville.

15. If a hunter would like to keep a deer they have harvested, there will be no processing fee charged to the Township of Denville.

16. The Mayor and/or the Township Administrator may take action at any time to suspend the deer hunt for a period of twenty (20) days until such time that the Township Council can make a determination as to whether it wants to continue with the deer hunt.

17. The Mayor and/or the Township Administrator may take action at any time, at their sole discretion, to suspend the UBNJ's activities associated with the baiting of deer.
18. The Township Council may, upon providing notice to a principal of UBNJ, take action to terminate this contract, or any renewals thereof, without any further notice or liability on the part of the Township of Denville.

19. In the event of any incident of injury or violation of qualifications, access to land, or non-compliance with this plan, UBNJ shall immediately report same to the Township Administrator of the Township of Denville.

20. The term of this Agreement shall be for the period as set forth in paragraph 3. However, this Agreement may be renewed by the parties for one (1) additional term consisting of approximately the same dates and times as set forth in this Agreement for the following calendar year. The Agreement shall be deemed renewed for the following year's hunting season upon the written consent of both parties received at least ninety (90) days prior to the start of the hunting season.

21. This Agreement is not assignable by either party.

22. UBNJ agrees to comply with the terms of Exhibit C attached hereto.

ATTEST

Donna I. Costello, RMC/CMC, Clerk

TOWNSHIP OF DENVILLE

By: Thomas W. Andes, Mayor

ATTEST/WITNESS

UNITED BOW HUNTERS OF NEW JERSEY

By: _______________________

_________________________

5
MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE


N.J.A.C. 17:27

GOODS, PROFESSIONAL SERVICE AND GENERAL SERVICE CONTRACTS

During the performance of this contract, the contractor agrees as follows:

The contractor or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Except with respect to affectional or sexual orientation and gender identity or expression, the contractor will ensure that equal employment opportunity is afforded to such applicants in recruitment and employment, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Such equal employment opportunity shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting forth provisions of this nondiscrimination clause.

The contractor or subcontractor, where applicable will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex.

The contractor or subcontractor will send to each labor union, with which it has a collective bargaining agreement, a notice, to be provided by the agency contracting officer, advising the labor union of the contractor's commitments under this chapter and shall post copies of the notice in conspicuous places available to employees and applicants for employment.
The contractor or subcontractor, where applicable, agrees to comply with any regulations promulgated by the Treasurer pursuant to N.J.S.A. 10:5-31 et seq., as amended and supplemented from time to time and the Americans with Disabilities Act.

The contractor or subcontractor agrees to make good faith efforts to meet targeted county employment goals established in accordance with N.J.A.C. 17:27-5.2.

The contractor or subcontractor agrees to inform in writing its appropriate recruitment agencies including, but not limited to, employment agencies, placement bureaus, colleges, universities, and labor unions, that it does not discriminate on the basis of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, and that it will discontinue the use of any recruitment agency which engages in direct or indirect discriminatory practices.

The contractor or subcontractor agrees to revise any of its testing procedures, if necessary, to assure that all personnel testing conforms with the principles of job-related testing, as established by the statutes and court decisions of the State of New Jersey and as established by applicable Federal law and applicable Federal court decisions.
In conformity with the targeted employment goals, the contractor or subcontractor agrees to review all procedures relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationalell or sex, consistent with the statutes and court decisions of the State of New Jersey, and applicable Federal law and applicable Federal court decisions.

The contractor shall submit to the public agency, after notification of award but prior to execution of a goods and services contract, one of the following three documents:

- Letter of Federal Affirmative Action Plan Approval
- Certificate of Employee Information Report
- Employee Information Report Form AA302 (electronically provided by the Division and distributed to the public agency through the Division's website at www.state.nj.us/treas/contract_compliance)

The contractor and its subcontractors shall furnish such reports or other documents to the Division of Public Contracts Equal Employment Opportunity Compliance as may be requested by the office from time to time in order to carry out the purposes of these regulations, and public agencies shall furnish such information as may be requested by the Division of Public Contracts Equal Employment Opportunity Compliance for conducting a compliance investigation pursuant to Subchapter 10 of the Administrative Code at N.J.A.C. 17:27.

COMPANY

(Signature) (Title)

(Date)
MANDATORY AFFIRMATIVE ACTION LANGUAGE

PROCUREMENT, PROFESSIONAL AND SERVICE CONTRACTS

During the performance of this contract, Contractor agrees as follows:

Contractor will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Except with respect to affectional or sexual orientation and gender identity or expression, the contractor will take affirmative action to ensure that such applicants are recruited and employed, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.

Contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting forth provisions of this nondiscrimination clause.

Contractor, where applicable, will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex.

Contractor, where applicable, will send to each labor union or representative or workers with which it has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer advising the labor union or workers' representative of the contractor's commitments under this act and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

Contractor, where applicable, agrees to comply with any regulations [...].
MANDATORY AFFIRMATIVE ACTION LANGUAGE

PROCUREMENT, PROFESSIONAL AND SERVICE CONTRACTS

During the performance of this contract, Contractor agrees as follows:

Contractor will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Except with respect to affectional or sexual orientation and gender identity or expression, the contractor will take affirmative action to ensure that such applicants are recruited and employed, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. Contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting forth provisions of this nondiscrimination clause.

Contractor, where applicable will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified
applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex.

Contractor, where applicable, will send to each labor union or representative or workers with which it has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer advising the labor union or workers' representative of the contractor's commitments under this act and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

Contractor, where applicable, agrees to comply with any regulations promulgated by the Treasurer pursuant to N.J.S.A. 10:5-31 et seq., as amended and supplemented from time to time and the Americans with Disabilities Act.

Contractor agrees to make good faith efforts to employ minority and women workers consistent with the applicable county employment goals established in accordance with N.J.A.C. 17:27-5.2, or a binding determination of the applicable county employment goals determined by the Division, pursuant to N.J.A.C. 17:27-5.2.

Contractor agrees to inform in writing its appropriate recruitment agencies including, but not limited to, employment agencies, placement bureaus, colleges, universities, labor unions, that it does not discriminate on the basis of age, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, and that it will discontinue the use of any
recruitment agency which engages in direct or indirect discriminatory practices.

Contractor agrees to revise any of its testing procedures, if necessary, to assure that all personnel testing conforms with the principles of job-related testing, as established by the statutes and court decisions of the State of New Jersey and as established by applicable Federal law and applicable Federal court decisions.

In conforming with the applicable employment goals, Contractor agrees to review all procedures relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, consistent with the statutes and court decisions of the State of New Jersey, and applicable Federal law and applicable Federal court decisions.

Contractor shall submit to the public agency, after notification of award but prior to execution of a goods and services contract, one of the following three documents:

Letter of Federal Affirmative Action Plan Approval

Certificate of Employee Information Report

Employee Information Report Form AA302

Contractor shall furnish such reports or other documents to the Div. of Contract Compliance & EEO as may be requested by the office from time to time in order to carry out the purposes of these regulations, and public agencies shall furnish such information as may be
requested by the Div. of Contract Compliance & EEO for conducting a compliance investigation pursuant to Subchapter 10 of the Administrative Code at N.J.A.C. 17:27.
RESOLUTION REFUNDING THE PAYMENT
OF OVERPAID TAXES 2013

WHEREAS, it has been found that the following overpayments have occurred.

NOW, THEREFORE, BE IT RESOLVED that the appropriate Municipal Official is hereby authorized and directed to prepare vouchers in the following names to refund said overpayments, which were made in error.

BE IT FURTHER RESOLVED that the Chief Financial Officer shall forward the checks to the appropriate Municipal Official to be delivered to said taxpayers after the refund has been recorded in the taxpayers history file.

<table>
<thead>
<tr>
<th>Block/Lot</th>
<th>Reason for Refund</th>
<th>Owner or Mortgage Co.</th>
<th>Refund Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>20901 IC0217</td>
<td>Mtg Co &amp; Title Co</td>
<td>Donita Judge 217 Sheffield Ct, Denville, NJ 07834</td>
<td>$1,666.08</td>
</tr>
<tr>
<td>30302 17</td>
<td>Title Co &amp; Mtg Co.</td>
<td>Stephen/ Debra Di Giovanna 6 Beech Place, Denville, NJ 07834</td>
<td>$3,140.64</td>
</tr>
<tr>
<td>50202 231</td>
<td>Mtg. Co. &amp; Taxpayer</td>
<td>Genjay Inc, Attn: Kelly O’Neill 85 Bloomfield Ave, Denville, NJ 07834</td>
<td>$7,190.80</td>
</tr>
<tr>
<td>40202 3</td>
<td>Title Co. &amp; Mtg. Co</td>
<td>TRG Settlement Services, LLP 3001 Leadenhall Road, Mount Laurel, NJ 08054</td>
<td>$1,487.52</td>
</tr>
</tbody>
</table>


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
US Bank Cust for Pro Capital I LLC on Block 40604 Lot 148; 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.

BLOCK /LOT             PURCHASER OF LIEN                           REFUND
40604  148             US Bank Cust for Pro Capital I LLC
                                      1000 Haddonfield-Berlin Rd
                                      Suite 203
                                      Voorhees, NJ 08043
                                      $3346.85

Certificate # 2010-026

Premium Returned $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 12-11-13

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

RESOLUTION AUTHORIZING A REFUND
OF A BUILDING PERMIT FEE

WHEREAS, the permit payor listed below has paid a permit fee in the amount shown;
and
WHEREAS, the construction was never undertaken and the permit was voided;
and
WHEREAS, the permit payor has requested that the amount listed below be refunded.

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

<table>
<thead>
<tr>
<th>NAME</th>
<th>PERMIT NUMBER</th>
<th>AMOUNT</th>
<th>REVENUE ACCOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Theodore Pierson</td>
<td>#5937</td>
<td>$17,839</td>
<td>01-192-08-160-001</td>
</tr>
</tbody>
</table>

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

CERTIFICATION DATE    DONNA I. COSTELLO, RMC/CMC
                       MUNICIPAL CLERK
NEW JERSEY DEPARTMENT OF TRANSPORTATION
DIVISION OF LOCAL AID
AND ECONOMIC DEVELOPMENT
RECOMMENDATION OF AWARD
STATE AID PROJECT

BE IT RESOLVED

that ______________________

Township of Denville

hereby recommends to the New Jersey Department of Transportation that the contract for

Franklin Road

(Name of Project)

in the Township of Denville, County of Morris

(Name of Municipality)

be awarded to Tilcon New York Inc. via 2013 Morris County Cooperative Pricing Council

whose bid amounted to $246,780.00 subject to the approval of the Department.

That the Mayor be and is hereby directed to sign for and on its behalf the contract in the
prescribed form for said construction.

That the clerk of this body be and is hereby directed to seal said contract
with the corporate seal of this body and to attest to the same.

Approved by the Township of Denville on ________.

(Name of Local Government) (Date of Award)

(Presiding Officer) (Date)

(Clerk) (Date)

(Affix Seal)
NEW JERSEY DEPARTMENT OF TRANSPORTATION
DIVISION OF LOCAL AID
AND ECONOMIC DEVELOPMENT
RECOMMENDATION OF AWARD
STATE AID PROJECT

BE IT RESOLVED

that ________________________________

Township of Denville

hereby recommends to the New Jersey Department of Transportation that the contract for

Franklin Road

(Name of Project)

in the ________________________________

Township of Denville, County of Morris

(Name of Municipality)

be awarded to Denville Line Striping via 2013 Morris County Cooperative Pricing Council

whose bid amounted to $8,700.00 subject to the approval of the Department.

That the Mayor be and is hereby directed to sign for and on its behalf the contract in the prescribed form for said construction.

That the clerk of this body be and is hereby directed to seal said contract with the corporate seal of this body and to attest to the same.

Approved by the ________________________________

Township of Denville on ________________________________

(Name of Local Government) (Date of Award)

______________________________

(Presiding Officer) (Date)

______________________________

(Clerk) (Date)

(Affix Seal)
RESOLUTION OF THE MUNICIPAL COUNCIL OF THE
TOWNSHIP OF DENVILLE, IN THE COUNTY OF MORRIS
AND STATE OF NEW JERSEY, AUTHORIZING THE
ADJUSTMENT OF ACCRUED INTEREST AND PENALTIES
ASSESSED AGAINST BLOCK 41102, LOT 911, ALSO
KNOWN AS 8 TOMAHAWK TRAIL

WHEREAS, on February 2, 2011, the Township of Denville filed an In Rem
Foreclosure Complaint captioned "Township of Denville v. Block 41102, Lot 911
Assessed to Gloria F. Allaman," docketed as MRS-F-1171-11; and

WHEREAS, on April 10, 2013, the parties appeared before the Hon. Deanne M.
Wilson, J.S.C. for a status conference and at such time Gloria F. Allaman, and her
daughter represented that they had secured a reverse mortgage commitment which
would provide for a payment of $110,000 in full satisfaction of all outstanding taxes,
municipal liens and accrued interest and penalties; and

WHEREAS, by Order dated April 10, 2013, the Hon. Deanne M. Wilson, J.S.C,
directed the Township to consider a settlement of this matter under which the Township
would accept the lump sum payment of $110,000 in full satisfaction of all outstanding
taxes, municipal liens and accrued interest and penalties; and

WHEREAS, the principal sum of unpaid taxes and municipal charges as of May
24, 2013 is $89,956.50; and

WHEREAS, the total amount of overdue taxes, municipal liens, and accrued
interest and penalties as of May 24, 2013 is $226,066.43; and

WHEREAS, N.J.S.A. 54:4-99 provides statutory authority for the Township to
abate, revise, alter, adjust and settle the amount of interest and penalties due on any
past due taxes, assessments and other municipal charges as the Township shall deem
 equitable and just and be for the best interests of the municipality; and

WHEREAS, acceptance of the sum of a minimum of $110,000 in full satisfaction
of all outstanding and unpaid taxes, municipal liens, and interest and penalties would
result in full payment of all outstanding and overdue taxes and municipal liens and a
portion of the interest and penalties accrued thereon; and

WHEREAS, in the absence of settlement and adjustment of interest and
penalties, the Township shall be required to continue to litigate an In Rem Foreclosure
action at significant cost to the Township and, upon foreclosure of the right of
redemption, to incur substantial expense to return the property to the municipal tax rolls;
and

WHEREAS, although the equalized value of the property based on the municipal
tax assessment falls within the range of from $294,400 to $398,400, the residence is in
a state of disrepair such that significant sums of money would be required to improve the property to render it sellable by the Township following foreclosure; and

WHEREAS, the Mayor and Township Council have determined after careful review of the facts that abating the amount of interest and penalties assessed against the property and permitting the redemption of the property for the sum of a minimum of $110,000.00 is equitable and just and in the best interests of the Township.

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

1. The foregoing recitals are incorporated herein as if more particularly set forth at length.

2. The Tax Collector be and is hereby authorized to abate, revise, alter, adjust and settle the amount of interest and penalties due on unpaid taxes and municipal liens assessed against Block 41102, Lot 91, and to accept the sum of a minimum of $110,000.00 in redemption of the liens thereon, provided that such amount shall be paid by certified check to the "Township of Denville" within sixty (60) days after the date hereof in accordance with N.J.S.A. 54:4-101, otherwise this Resolution shall be null and void.

3. Upon timely payment of the redemption amount authorized herein, dismissal of the In Rem Foreclosure action instituted by the Township of Denville against Block 41102, Lot 91 under Docket No. MRS-F-1171-11 shall be authorized.

4. This Resolution shall take effect immediately.


DONNA COSTELLO, RMC/CMC
MUNICIPAL CLERK
The Meeting was called to order at 7:34 p.m. by President Fitzpatrick. The Salute to the Flag was recited, followed by an Invocation given by Councilman Scollans. The Open Public Meetings Act Statement was read by Deputy Township Clerk Kathy Costello. Mrs. Costello noted that this is a non-smoking facility and asked that all cell phones be silenced.

ROLL CALL: KUSER, GABEL, GOLINSKI, LYDEN, SCOLLANS, SMITH, FITZPATRICK

ALSO IN ATTENDANCE: MAYOR ANDES, ADMINISTRATOR WARD, TOWNSHIP ATTORNEY JANSEN

LIAISON REPORTS:
Councilman Scollans reported that he took part in the Birch Run clean up last week. He noted that it was unbelievable how fast DPW responded when they were called to pick up the leaves that were raked out of the flower beds.

Mr. Scollans advised that the Senior Social was well attended but there was an incident where one of the seniors was taken ill. He said that the gentleman spent over a week in the hospital but was able to return home yesterday and is doing fine.

Councilwoman Smith told Mr. Scollans not to be so modest, noting he was the first one on the scene to lend assistance.

Councilman Scollans noted that the Senior Men's Group asked what the town is doing about shared services. He said that he responded by listing the various shared services that the Township already has in place. Mr. Scollans commented that our Administration is very proactive in initiating share services and he suggested that we would do well to look into additional opportunities for saving money by sharing services.

Councilman Scollans announced that the Green Fair was a great success. He advised that the Green Committee was presented with a plaque by Re-Community for the Township's contribution to the Morris County Recycling Program.

Councilman Scollans and Mayor Andes presented the plaque to the Council.

Mr. Scollans read statistics from the plaque emphasizing the savings that are made in various areas by recycling.

Councilman Scollans thanked the Mayor, who spent all day at the Green Fair, as well as President Fitzpatrick and Councilman Gabel, who spent a good deal of their day at the Fair.

Mr. Scollans commended that committee that worked on the school posters and noted that the awards for the winners will be presented at the next regular Council Meeting on May 21st.

Councilman Golinski reported that he attended the Denville TV meeting. He said that there is a college junior working with them, in an unpaid capacity, as an intern. Mr. Golinski said that he lent his services to the Beautification Committee on Saturday.

Councilwoman Lyden advised that the Beautification Committee will have a work party
tomorrow evening at 6:00 p.m. at Route 10 and Franklin Road. Mrs. Lyden noted that she was asked to convey to the Mayor the request for more open communication with his office.

Councilwoman Smith reported that she recently attended a meeting of the Public Health and Safety Committee. She noted that they are a great group of volunteers with exceptional credentials. Mrs. Smith advised that they will be doing their annual Health Fair. She said that there was a discussion on ways to get their information out to the public. Mrs. Smith said that one suggestion was to have a table at the Senior Socials and at other events as well.

Councilwoman Smith asked Administrator Ward what the guidelines are for the various committees to have information posted on our website. She suggested that Mr. Ward provide her with that information and send it to our nurse, Peggy Grossman, as well. Administrator Ward noted that the brief response would be that all requests for space on the website go through the Department Heads. He added that the information also is added to our Twitter feed and the Township's Facebook page. Mr. Ward said that the information is filtered through the Department Heads and then to John Ciardi, with himself copied in. He noted that they are always looking for content and fresh information.

Councilwoman Smith asked what the appropriate format would be to submit information. Mr. Ward replied that pdf or Microsoft Word would be acceptable formats and Mr. Ciardi converts them to whatever he needs.

Mr. Ward said that he will work with Peggy and Carlos to set up a procedure and will speak about the procedure at the next Department Head meeting.

Mrs. Smith suggested that various employee groups be invited to give a 10-15 minute presentation to the Council on what they do so that we can better assist the residents when they have questions.

President Fitzpatrick replied that it is a good suggestion. He noted that he and Councilman Scollans have discussed bringing different committees in, when time can be found at a workshop meeting. Mr. Fitzpatrick said that they spoke particularly about the Green Sustainability Committee and that there would be very tangible things that would be worthwhile in the environmental area. President Fitzpatrick advised that the workshops are full until September but we will start with the Green Sustainability Committee at the September workshop.

Councilwoman Smith recommended that these presentations be held at a regular meeting rather than at a workshop.

Councilman Kuser commented that, with the property maintenance ordinance coming up, it would be a good time to have Kathy Bowditch come to a meeting. He said that it had been suggested that Ms. Bowditch could speak about the funding that is available through COAH to assist residents who are in difficult financial situations with property maintenance costs.

Councilman Gabel reported that the Board of Education is in the final stages of interviewing for the position of Superintendent for the K-8 district.
Mr. Gabel advised that the Mayor's Committee for People with Challenges held a Challenger League game and Mayor Andes threw out the first pitch. Councilman Gabel noted that the Community Development Block Grant for installing generators in our Senior Center and Community Room has been approved by the Board of Freeholders. He said that it has now been submitted to HUD to be considered for approval in the second week of May.

Mr. Gabel announced that the Events and Celebrations Committee held their Pup Centennial this past weekend and their next presence will be at the Rotary Street Fair. Councilman Gabel advised that he had the privilege of standing in for the Mayor at the National Day of Prayer on May 2nd. He said that it was wonderfully attended and we can be very proud that this is something that we offer to our community.

President Fitzpatrick reported that there will be a big river clean-up on Saturday, May 18th. He said that the Rivers and Streams Committee is looking for volunteers at all levels and noted that sign-up can be done on the web site. Mr. Fitzpatrick advised that everyone will meet at the lower parking lot of St. Clare's Hospital at 9:00 a.m. on the day of the clean-up.

MAYOR'S REPORT:
Mayor Andes thanked Councilman Scollans for topping last year's Green Fair. The Mayor thanked Councilman Gabel for filling in at the National Day of Prayer and said that he heard that Mr. Gabel did a fine job.

Mayor Andes reported that he had a meeting last week with N. J. Transit to discuss options for an access road in the Thurmont/Estling Lake area. He said that there is no easy solution but they are examining every possible avenue that may be available. The Mayor noted that this past week-end "Dogs Gone Wild" was held at James Dyer Park at Cook's Pond. He said that there were eighty (80) dogs in attendance and radio station WDHA broadcasted from the site.

Mayor Andes announced that one week from today at 1:30 p.m. Beautification Chairman Franz Fuertges will receive the Living Treasure award at St. Francis Health Resort.

The Mayor noted that the Council members received a copy of the announcement that Denville has been awarded grants in the amount of $528,000 from the Department of Transportation (DOT). He added that $240,000 will be used to re-pave a portion of Franklin Road and $288,000 will be used for Phase I of the downtown improvements.

ADMINISTRATOR'S REPORT:
Administrator Ward reported that, with regard to the FEMA buyout program, the Township closed on the seventh (7th) property on Friday, May 3rd. He said that four (4) properties remain in the program. Mr. Ward noted that, about a month ago, Channel 12 News did a feature on one of the lending institutions that is not being very cooperative. He said that the lending institution was not presented in a very flattering light with regard to their participation in the FEMA buyout program. Mr. Ward advised that, after
the airing of that presentation, the lending institution came back to the table with two (2) of the homeowners that they had previously told that they were not interested. He said that there seems to be some movement with those two properties.

Administrator Ward stated that there were some technical difficulties in getting the gas shut off to the initial six (6) properties, but that issue has been resolved and the gas service has been terminated, as of the last week of April. He said that last Monday a Notice to Proceed was issued to the demolition contractor. Mr. Ward explained that, under the terms of the contract, the contractor has sixty (60) days from the Notice to Proceed to demolish the properties. He said that the contractor has indicated that he intends to proceed within the next two to three weeks.

Administrator Ward advised that construction has commenced on the Valley View Firehouse and there will be an on-site meeting next Tuesday at 9:00 a.m. to discuss the project and be sure that everyone is on the same page. He said that, to date the contractor has been very responsive and is doing a good job.

Mr. Ward called the Council’s attention to the bond ordinance on tonight’s agenda, noting that the two grants mentioned by the Mayor are reflected in that ordinance. He said that there are two amounts, the total amount being appropriated and the amount that is actually being borrowed.

Administrator Ward advised that, with respect to the CDBG grant that we received from the County, there will be a new door, new kitchen, new floor and walls in the Senior Center in addition to the generator at that facility.

Councilman Kuser commented that there were eleven homes in the FEMA buyout program and seven properties have been acquired. He asked, of the four remaining, how many are in jeopardy of not being released by the bank. Mr. Ward replied that, until we have the sign-off from the bank, it would be all four of them. He said that he thinks that there are some that have more life than others. Mr. Ward noted that there is one that we have a tentative closing date on and that one is a key property. He said that, if we are successful in closing on that one, we will have four contiguous properties on each side of Riverside Dr. Mr. Ward advised that with two of the others there has been very little response from either the banks or the homeowners. He added that one that had been dormant is now back to the table with the bank.

Councilman Kuser asked if Mr. Ward feels it would be prudent to send the bank a letter reminding them of the FEMA requirements and now that they have applied for FEMA money it would cost an exorbitant amount of money to insure these properties.

OPEN PUBLIC PORTION:
Gerry Idec, 1 E. Longview Trail, commented that Township Clerk Costello usually announces that this is public property and there is no smoking permitted on the premises. Mr. Idec stated that there is no sign outside that says no smoking on public property. President Fitzpatrick replied that he is not aware of the requirements. Administrator Ward noted that he believes it is a State law and he is not aware of the town ever having a problem with it. Attorney Jansen interjected that it is covered by a
State statute and he is unsure whether there is any requirement to post signs. President Fitzpatrick commented that, since we haven’t had any problems he doesn’t feel there is a need to post signs. Mr. Idec noted that Mr. Ward had mentioned a while back that Denville joined with Randolph to buy a machine to fill in pot holes. Mr. Ward replied that it is actually a paving box that Denville wanted to share with a total of three (3) municipalities and it is still in the works. He said that two of the three have signed the agreement but it cannot go into effect until all three have signed it and contributed their share of the cost. Brian Walsh, 380 Franklin Road, asked if the workshop on the property maintenance issue will be open to the public. Mr. Walsh asked Attorney Jansen why the town does not have an abandoned properties list. President Fitzpatrick replied that the workshop is next Tuesday and there will be a public portion. Attorney Jansen commented that he assumes that Mr. Walsh is referring to the use of spot blight eminent domain, which requires an abandoned properties list. Mr. Walsh replied that all we need is an abandoned properties list and we can start from there. Mr. Jansen explained that an abandoned properties list is used in conjunction with the power of spot blight eminent domain which is available to municipalities under the New Jersey Urban Redevelopment Act. He advised Mr. Walsh that, by statute, qualified municipalities are specifically defined in the act and Denville is not a qualified municipality as defined in the statute. Mr. Jansen noted that spot blight eminent domain is not available to our municipality. He added that it is really only available to municipalities that are in dire financial straits. Mr. Jansen said that all municipalities have the ability to deal with redevelopment through the State Redevelopment Act but spot blight eminent domain is not available to this municipality. Mr. Walsh asked Mr. Jansen if he is saying we cannot create an abandoned properties list. Mr. Jansen replied that a list can be created but nothing can be done with it vis a vis individual blighted properties. President Fitzpatrick commented that he feels the first thing we need is to get the property maintenance ordinance passed, in order to put some teeth into enforcement. Mr. Walsh then read a definition of spot blight eminent domain. Attorney Jansen replied with an explanation of the use of spot blight eminent domain as authorized by the N. J. Urban Redevelopment Act. Mr. Walsh insisted that an abandoned properties list can be created. Councilman Kuser interjected that he feels that the ICC ordinance will be a big help now and in the future. Mr. Walsh asked that the Construction Official and Fire Official go and look at the property in question. Mr. Ward replied that they have both been to the property and found no enforceable violations. He said that he will have them make another trip to the site. Arthur Desbiens, 72 Savage Road, asked if anyone on the Council has heard of, or been approached by, an organization called “ICLEI”. He said that they stand for local government for sustainability. Mr. Desbiens said that he will read the information that
he has. President Fitzpatrick asked him to do it as quickly as he can so that we can get to his questions and respond to them. He asked that Mr. Desbiens do it within the allotted three minutes.

Mr. Desbiens began reading from a booklet that he had brought with him concerning this organization and Agenda 21. He read that the UN began working with the "International Council for Local Environmental Initiatives" - ICLEI.

President Fitpatrick interrupted Mr. Desbiens and asked if there is a specific question that he wanted to ask the Council or did he want the Council to consider this. He suggested that Mr. Desbiens leave the booklet with him and he will see that the Council has the opportunity to read it.

Councilman Scollans interjected that he is the Chairman of the Denville Green Sustainability Committee. He said that we do have a very active sustainability program in Denville. Mr. Scollans invited Mr. Desbiens to attend a meeting of the Committee and give a brief presentation. He said that the Committee is aware of all of those issues with regard to the U.N. Mr. Scollans advised that the State of New Jersey has a very active sustainability program that is run by the State College.

Mr. Desbiens gave President Fitzpatrick a booklet and DVD. President Fitzpatrick suggested that he leave his contact information with Councilman Scollans as well.

Mayor Andes commented that he went to a presentation about a year ago on Agenda 21 that was held in various places around the State. He said that there are a lot of issues with this and it is not pure green sustainability. The Mayor noted that the organization has a facade of good but there are a lot of questionable things about it. Mr. Desbiens indicated that he has concerns with the organization, too.

CLOSE PUBLIC PORTION.

CORRESPONDENCE: All copied to Council.

MATTERS OF OLD AND/OR NEW BUSINESS:
Councilman Golinski asked if there is a way to make the International Property Maintenance Code information available to the public, before the workshop. Administrator Ward replied that there are a couple of extra booklets that can be kept on file in the Clerk’s office. He said that he believes that the code may have a read only version that could potentially be put up on our web site.

President Fitzpatrick commented that he believes it is on line.

There was a brief discussion on how to incorporate our changes into a read only document on line. Mr. Ward said that he would look into making the code available before the meeting.

President Fitzpatrick reminded everyone that the May 14th workshop is for property maintenance. He added that the June workshop is tentatively scheduled to cover the Hotel ordinance, if it is ready, and for anything new on the Estling Lake issue.

President Fitzpatrick noted that there are no workshops in the summer and he hopes to have an environmental workshop in September.
ORDINANCE(S) FOR INTRODUCTION:
#9-13 BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO THE SEWER UTILITY IN AND BY THE TOWNSHIP OF DENVILLE

Deputy Clerk Costello advised that the Supplemental Debt Statement is on file in the Clerk's Office.

BE IT RESOLVED THAT AN ORDINANCE ENTITLED:
BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO THE SEWER UTILITY IN AND BY THE TOWNSHIP OF DENVILLE, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING $105,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF $100,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF
BE INTRODUCED AND READ BY TITLE ON FIRST READING:
MOTION TO INTRODUCE: MOVED BY MEMBER SMITH, SECONDED BY MEMBER LYDEN
DISCUSSION: None.
AYES: SMITH, LYDEN, GABEL, KUSER, GOLINSKI, SCOLLANS, FITZPATRICK

BE IT RESOLVED THAT AN ORDINANCE ENTITLED:
BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO THE SEWER UTILITY IN AND BY THE TOWNSHIP OF DENVILLE, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING $105,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF $100,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF
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 6-11-13 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.
MOTION TO PASS ON FIRST READING: MOVED BY MEMBER SCOLLANS, SECONDED BY MEMBER GOLINSKI
AYES: SCOLLANS, GOLINSKI, GABEL, KUSER, SMITH, LYDEN, FITZPATRICK

#10-13 BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS OF THE TOWNSHIP OF DENVILLE

Deputy Clerk Costello advised that the Supplemental Debt Statement is on file in the Clerk's Office.
BE IT RESOLVED THAT AN ORDINANCE ENTITLED:
BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS OF
THE TOWNSHIP OF DENVILLE, IN THE COUNTY OF MORRIS, NEW JERSEY
APPROPRIATING THE AGGREGATE AMOUNT OF $1,687,725 THEREFOR AND
AUTHORIZING THE ISSUANCE OF $1,104,500 BONDS OR NOTES OF THE
TOWNSHIP TO FINANCE PART OF THE COST THEREOF
BE INTRODUCED AND READ BY TITLE ON FIRST READING:
MOTION TO INTRODUCE: MOVED BY MEMBER SMITH, SECONDED BY MEMBER
KUSER
DISCUSSION: Councilwoman Smith commented that this is the enabling ordinance to
allow for the capital improvements decided upon during the budget process.
AYES: SMITH, KUSER, GABEL, LYDEN, GOLINSKI, SCOLLANS, FITZPATRICK

BE IT RESOLVED THAN AN ORDINANCE ENTITLED:
BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS OF
THE TOWNSHIP OF DENVILLE, IN THE COUNTY OF MORRIS, NEW JERSEY,
APPROPRIATING THE AGGREGATE AMOUNT OF $1,687,725 THEREFOR AND
AUTHORIZING THE ISSUANCE OF $1,104,500 BONDS OR NOTES OF THE
TOWNSHIP TO FINANCE PART OF THE COST THEREOF
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 6-11-13 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.
MOTION TO PASS ON FIRST READING: MOVED BY MEMBER KUSER, SECONDED
BY MEMBER SMITH
AYES: KUSER, SMITH, GABEL, LYDEN, GOLINSKI, SCOLLANS, FITZPATRICK

#11-13 AMEND CHAPTER IV, GENERAL LICENSING, SECTION 4-7,
PEDDLERS AND SOLICITORS
BE IT RESOLVED THAT AN ORDINANCE ENTITLED:
AN ORDINANCE TO AMEND CHAPTER IV, GENERAL LICENSING, SECTION 4-7,
PEDDLERS AND SOLICITORS, OF THE REVISED GENERAL ORDINANCES OF
THE TOWNSHIP OF DENVILLE, MORRIS COUNTY, NEW JERSEY
BE INTRODUCED AND READ BY TITLE ON FIRST READING:
MOTION TO INTRODUCE: MOVED BY MEMBER SCOLLANS, SECONDED BY
MEMBER LYDEN
DISCUSSION: Councilman Golinski asked what Item (6) was changed from. Administrator Ward explained that the ordinance, as originally written, required that the name, address, driver’s license number and Social Security numbers of Non-Commercial solicitors, such as the Girl and Boy Scouts and the Knights of Columbus be provided. It was determined, after discussion with the Chief of Police, that there was no added value in receiving the Social Security numbers and it gave many of these groups around town a level of discomfort to provide them. Mr. Ward said that was the main impetus to the change in the ordinance. He commented that the Social Security number is still required of Commercial solicitors, as part of their background check. Attorney Jansen further explained the changes in the amended ordinance as they apply to both Commercial and Non-Commercial solicitors and peddlers.

AYES: SCOLLANS, LYDEN, GABEL, KUSER, SMITH, GOLINSKI, FITZPATRICK

BE IT RESOLVED THAT AN ORDINANCE ENTITLED:
AN ORDINANCE TO AMEND CHAPTER IV, GENERAL LICENSING, SECTION 4-7, PEDDLERS AND SOLICITORS, OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF DENVILLE, MORRIS COUNTY, NEW JERSEY
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 6-11-13 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.
MOTION TO PASS ON FIRST READING: MOVED BY MEMBER SCOLLANS, SECONDED BY MEMBER LYDEN
AYES: SCOLLANS, LYDEN, GABEL, KUSER, SMITH, GOLINSKI, FITZPATRICK

#12-13 TRAFFIC REGULATION ENFORCEMENT AT 3000 ROUTE 10 WEST
BE IT RESOLVED THAT AN ORDINANCE ENTITLED:
AN ORDINANCE MAKING THE PROVISIONS OF SUBTITLE ONE OF TITLE 39 WITH VARIOUS TRAFFIC REGULATIONS APPLICABLE TO 3000 ROUTE 10 WEST AND REGULATING THE USE OF SAID DRIVEWAYS AND PARKING LOTS BY MOTOR VEHICLES
BE INTRODUCED AND READ BY TITLE ON FIRST READING:
MOTION TO INTRODUCE: MOVED BY MEMBER SCOLLANS, SECONDED BY MEMBER SMITH
DISCUSSION: Administrator Ward explained that this ordinance gives the Police Department enforcement power in a parking area where they wouldn’t otherwise have
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it. Attorney Jansen added that it is for the Crisp Restaurant and the main impetus is to give the Police the ability to enforce the handicapped parking requirements. He said that the owners have given their consent.

AYES: SCOLLANS, SMITH, GABEL, KUSER, LYDEN, GOLINSKI, FITZPATRICK

BE IT RESOLVED THAT AN ORDINANCE ENTITLED:
AN ORDINANCE MAKING THE PROVISIONS OF SUBTITLE ONE OF TITLE 39 WITH VARIOUS TRAFFIC REGULATIONS APPLICABLE TO 3000 ROUTE 10 WEST AND REGULATING THE USE OF SAID DRIVEWAYS AND PARKING LOTS BY MOTOR VEHICLES
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 6-11-13 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.
MOTION TO PASS ON FIRST READING: MOVED BY MEMBER SCOLLANS, SECONDED BY MEMBER GOLINSKI
AYES: SCOLLANS, GOLINSKI, GABEL, KUSER, SMITH, LYDEN, FITZPATRICK

President Fitzpatrick asked if anyone from the Council or the public wished to have anything removed from the Consent Agenda.
Councilman Golinski asked if the Council is authorizing the funding for the 4th of July Fireworks covered in R-13-101.
Mayor Andes replied that it was funded in the budget. He added that the fund-raising by the Centennial Committee with the Denvilleopoly game will help and letters have been sent to those who have traditionally sponsored the Fireworks. The Mayor noted that, to date, about $400 - $500 has been donated and he has received a commitment from one of the service organizations for another $2,000.

CONSENT AGENDA:
R-13-93 RESOLUTION AUTHORIZING REFUND OF RECREATION DEPARTMENT FEES
R-13-94 RESOLUTION AUTHORIZING A REFUND OF A ZONING PERMIT FEE
R-13-95 RESOLUTION AUTHORIZING A REFUND OF A CONSTRUCTION PERMIT FEE
R-13-96 RESOLUTION AUTHORIZING THE REFUND OF MONEY DUE TO THE REDEMPTION OF A TAX SALE CERTIFICATE - $1,043.12
R-13-97  RESOLUTION AUTHORIZING RAFFLE LICENSE(S) IN THE TOWNSHIP OF DENVILLE
R-13-98  RESOLUTION AUTHORIZING A REFUND OF A HEALTH LICENSING FEE - $300.00
R-13-99  RESOLUTION ENDORSING SUBMISSION OF RECYCLING TONNAGE GRANT APPLICATION TO THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION - 2013
R-13-100 RESOLUTION AUTHORIZING FIREWORKS DISPLAY FOR THE YEAR 2013 BY GARDEN STATE FIREWORKS, INC. AT THE DENVILLE FIRE DEPARTMENT CARNIVAL
R-13-101 RESOLUTION AUTHORIZING FIREWORKS DISPLAY
R-13-102 RESOLUTION AUTHORIZING REINSTATEMENT OF THE ORIGINAL SEWER ASSESSMENT INSTALLMENT PLAN FOR CERTAIN PROPERTIES IN THE TOWNSHIP OF DENVILLE
R-13-103 RESOLUTION AUTHORIZING THE REFUND OF MONEY DUE TO THE REDEMPTION OF A TAX SALE CERTIFICATE - $2,100.62
R-13-104 RESOLUTION AUTHORIZING A REFUND OF A COAH DEVELOPMENT FEE - $268.00
R-13-105 RESOLUTION AUTHORIZING REIMBURSEMENT OF HEALTH PERMIT - FOOD VENDOR FEE REQUIRED FOR THE DENVILLE VOLUNTEER FIRE DEPARTMENT ASSOCIATION 2013 CARNIVAL - $20.00

MOTION TO APPROVE CONSENT AGENDA: MOVED BY MEMBER KUSER, SECONDED BY MEMBER GABEL
AYES: KUSER, GABEL, SMITH, LYDEN, GOLINSKI, SCOLLANS, FITZPATRICK

NON-CONSENT RESOLUTIONS:
R-13-106 RESOLUTION AUTHORIZING THE AWARD OF THE KNUTH FARM LICENSE FOR FIVE YEARS TO JEFFREY O'HARA
MOTION TO APPROVE R-13-106: MOVED BY MEMBER SCOLLANS, SECONDED BY MEMBER GOLINSKI
AYES: SCOLLANS, GOLINSKI, GABEL, KUSER, SMITH, LYDEN, FITZPATRICK

R-13-107 RESOLUTION AUTHORIZING TAX EXEMPTION - PETER CERTA
MOTION TO APPROVE R-13-107: MOVED BY MEMBER SCOLLANS, SECONDED BY MEMBER SMITH
AYES: SCOLLANS, SMITH, GABEL, KUSER, LYDEN, GOLINSKI, FITZPATRICK

R-13-108 RESOLUTION AUTHORIZING THE REFUND OF MONEY DUE TO THE REDEMPTION OF A TAX SALE CERTIFICATE - $13,001.36
MOTION TO APPROVE R-13-108: MOVED BY MEMBER SCOLLANS, SECONDED BY MEMBER GABEL
AYES: SCOLLANS, GABEL, KUSER, SMITH, LYDEN, GOLINSKI, FITZPATRICK
R-13-109  RESOLUTION AUTHORIZING ENGINEERING SERVICES IN CONNECTION WITH THE EXPANSION OF VETERANS MEMORIAL PARK

MOTION TO APPROVE R-13-109: MOVED BY MEMBER SCOLLANS, SECONDED BY MEMBER GABEL
AYES: SCOLLANS, GABEL, KUSER, SMITH, LYDEN, GOLINSKI, FITZPATRICK

R-13-110  RESOLUTION APPROVING RELEASE OF ESCROW FUNDS - CURTIS

MOTION TO APPROVE R-13-110: MOVED BY MEMBER SCOLLANS, SECONDED BY MEMBER GOLINSKI
AYES: SCOLLANS, GOLINSKI, GABEL, KUSER, SMITH, LYDEN, FITZPATRICK

MOTION TO APPROVE MINUTES OF 4-9-13, 4-16-13 AND 4-30-13: MOVED BY MEMBER SCOLLANS, SECONDED BY MEMBER GABEL

Councilman Gabel noted an error in the minutes of 4-16-13. He asked that the minutes be corrected to indicate that Lakeview School was awarded 3rd Place in the Science Olympiad and not 2nd Place. Deputy Clerk Costello said that she will correct the minutes.
AYES: SCOLLANS, GABEL, KUSER except 4-30, SMITH except for 4-16, LYDEN, GOLINSKI except for 4-16, FITZPATRICK

R-13-111  CLOSED SESSION - MATTERS OF PENDING LITIGATION: ALLAMAN IN REM FORECLOSURE AND TOWNSHIP OF DENVILLE v. SHONGUM LAKE HOMEOWNERS ASSN.

MOTION TO APPROVE R-13-111: MOVED BY MEMBER SCOLLANS, SECONDED BY MEMBER GABEL

President Fitzpatrick called for a brief recess at 8:48 p.m.
The meeting resumed at 8:55 p.m.
Attorney Jansen noted that he shows a motion on the table that was moved by Member Scollans and seconded by Member Gabel but the roll call was not taken.
AYES: SCOLLANS, GABEL, KUSER, SMITH, LYDEN, GOLINSKI, FITZPATRICK

Attorney Jansen advised that there is no intention to come out of Closed Session and take any action.

Council went into Closed Session at 8:56 p.m.
Council came out of Closed Session at 9:37 p.m.

MOTION TO ADJOURN: MOVED BY MEMBER GABEL, SECONDED BY MEMBER KUSER
AYES: UNANIMOUS
MEETING ADJOURNED AT 9:38 P.M.

Respectfully submitted by:

Kathleen A. Costello
Deputy Township Clerk
The Meeting was called to order at 7:30 p.m. by President Fitzpatrick. The Salute to the Flag was recited, followed by the reading of the Open Public Meetings Act Statement by Deputy Clerk Kathy Costello. Mrs. Costello reminded all present that this is a non-smoking facility and requested that cell phones be muted or turned off.

ROLL CALL: KUSER, GABEL, GOLINSKI, LYDEN, SCOLLANS, SMITH, FITZPATRICK

ALSO IN ATTENDANCE: MAYOR ANDES, ADMINISTRATOR WARD, ATTORNEY PAULA DE BONA AND CONSTRUCTION OFFICIAL SAL POLI.

President Fitzpatrick welcomed the members of VFW Post 2519 who are in attendance tonight.

CEREMONIAL MATTERS AND/OR PRESENTATIONS

President Fitzpatrick turned the meeting over to Councilman Golinski and Mayor Andes. Councilman Golinski commented that the sign that is being presented to VFW Post 2519 for their athletic field does not come close to conveying the appreciation that these men and women deserve for their service to our Country and our community. He said that it is very fitting that the field across from the Post be named "Veterans of Foreign Wars - Post 2519 Field". The Mayor, Councilman Golinski and President Fitzpatrick assembled with representatives of the Post, in front of the dais for the presentation of the sign. Pictures were taken with everyone gathered around the sign.

Mayor Andes made some brief remarks, thanking Mr. Golinski for bringing the idea of the sign to the Council’s attention and he thanked the veterans as well. The Mayor presented 100th Anniversary pins to the member of the VFW Post 2519. A representative of the Post thanked the Council and all involved for recognizing the Post with this sign.

Councilman Golinski thanked Administration for recently hiring a Marine veteran. He said that he would like to encourage the Township and all of the local employers to go out of their way to recruit and hire veterans, wherever possible.

Administrator Ward, following up on Mr. Golinski’s comments, noted that the most recent hire at the Department of Public Works is a Marine veteran who grew up in Denville whose name is Eric Gore. He said that Mr. Gore is only in his second week of employment but has already proven his skills and is going to be a great addition to our DPW. Mr. Ward added that Mr. Gore’s service to our Country was a large consideration in his being selected for the vacancy. He said that the leadership skills that he learned in the military set him head and shoulders above the other applicants. A member of the VFW asked that everyone keep Sgt. Matt Novellino in their prayers. He explained that Matt is with Special Forces in Afghanistan and is the son of former
Denville police officer, Tony Novellino and his wife Anna.

OPEN PUBLIC PORTION:
Charlie Weldon, 40 Lenape Island, thanked the Township and commended them on the work that was done on the North Shore wall. He said that, as one of the Trustees of the Community Club, he wanted express their appreciation. Mr. Weldon then spoke of the wall that was erected at the ramp from Rte. 46 to Rte. 53. He said that he does not understand why it was taken down.
Mr. Ward explained that it was built by well-intentioned volunteers from the Beautification Committee but that that piece of property is owned and maintained by the State Department of Transportation. He further explained that a DOT inspector came out to look at the wall and expressed concerns that the work was performed without permits and that it did not meet DOT guidelines for safety. Mr. Ward noted that the regional office mandated that the wall be taken down in order to avoid a daily fine. He said that, currently, an application for permits has been made and the wall may be rebuilt with the required type of brick, which will be pinned.
Mr. Weldon asked for a status report on the situation that arose with our upstream neighbors during the flooding. Mr. Ward replied that it is a matter of pending litigation and, as such, he is unable to comment.
Franz Fuertges, 109 Ford Road, stated that members of the Beautification Committee have expressed interest in having their own T-shirts. He said they would like to have them say "Grow with Us - Grow with Denville". Mr. Fuertges noted that the members would like to wear these shirts instead of safety gear.
Mr. Fuertges asked if the use of the old Morris Canal is being considered to avoid flooding.
President Fitzpatrick replied that he will defer to Administration with regard to the T-shirts from a safety standpoint.
Mayor Andes interjected that Mr. Fuertges received the "Living Treasure" award this afternoon and, today we are celebrating "Franz Fuertges Day". The Mayor added that the Beautification Committee has a budget, similar to the Recreation Committee, and T-shirts can certainly come out of that budget. He suggested that Mr. Bogardus be consulted about the type of shirt that would meet the safety standards and promote the Beautification Committee. The Mayor said that he will ask that Mr. Ward speak with Mr. Bogardus and they will then have Irene Stefanacci get back to Mr. Fuertges.
President Fitzpatrick noted that, with regard to the Canal being used for flood mitigation, the Engineer and the Mayor, with a group of residents, have been out to look at it. Mayor Andes explained that it is a very costly undertaking to go that route. He advised that Engineer Ruschke is working on finding a plan that is most likely to work but is not nearly as costly. The Mayor added that we will continue to apply for grant money to be used for flood mitigation.
CLOSE PUBLIC PORTION.

PROPERTY MAINTENANCE DISCUSSION

President Fitzpatrick noted that property maintenance has been a big issue for the Council for several years. He said that the Council, by means of two sub-committees, tried to craft their own ordinance but found it to be a difficult and complicated task. President Fitzpatrick advised that the most recent sub-committee focused on the International Property Maintenance Code and they feel that they have come up with a reasonable and workable ordinance for Denville.

Mayor Andes spoke about the difficulties involved in trying to develop a good ordinance and said that there are many issues out there to address. He said that our professionals need the tools to address extreme cases and be able to enforce them. Administrator Ward noted that, after discussion with the Construction Code Official, it was time to look at a code that has been adopted and is being used internationally and is the current standard in the United States. He added that, out of 39 municipalities in Morris County, Denville is one of five that does not have a property maintenance code and there are many who use the International Property Maintenance Code, including many of our neighboring towns.

The Administrator advised that during the six to ten sub-committee meetings, to avoid any ambiguity as to our intent, a preamble was crafted which is listed in the first paragraph of the proposed ordinance. He said that it clearly spells out the Council's intent and how the Code will be applied. Mr. Ward explained that legislative intent is something that is taken into consideration in a Court proceeding, should it come to a point where a violation is issued and appealed.

President Fitzpatrick read the preamble into the record. (A copy is attached to these minutes.)

President Fitzpatrick asked Councilman Kuser for his comments, since he was an integral part of the sub-committee last year.

Councilman Kuser noted that an important point about this ordinance is that it effects both commercial and residential properties. He said that we need this kind of tool to make sure we protect the home owners of Denville. Mr. Kuser commented that it follows the IPMC code, is a proven document that works and holds up in Court. Mr. Kuser said that it will help with many of the issues that his constituents bring to him. He added that there is a plan to brief the Council on COAH funds that are available to the needy and elderly residents for rehabilitation purposes.

Councilwoman Smith, having been on two sub-committees, commented that the real key is that we need to provide the tools needed by our officials to address unsafe conditions. She said that there are structures that are unfit and dangerous and we need to provide the means for our officials to address these issues. Mrs. Smith stated that the proposed ordinance is the enabler to get rid of the egregious situations that
exist and she supports this proposed ordinance. Councilwoman Lyden commented that she is also very much in favor of the proposed ordinance and feels that it is important to have something like this in place. She asked for some clarification on enforcement. Administrator Ward replied that we would seek compliance by notification, then a notice of violation and finally a summons. He said that working with the residents is the best way to achieve compliance.

There was a brief discussion regarding the inability of the Code Official to gain access to a home without the homeowner’s consent. Construction Official Poli advised that, if there is a dangerous condition or children are involved, he would apply to the Court for a warrant. He said that 75% of the IPMC code book addresses the exterior of the building.

President Fitzpatrick asked for a clarification as to why certain sections were amended, such as 4-d. and e. Mr. Ward explained that it was to customize it to Township departments. Attorney DeBona further explained that the parts of this ordinance that dealt with motor vehicles was intentionally deleted because the Township has already that issue in an existing ordinance. Councilwoman Lyden commented that there are people who have dilapidated homes and refuse to accept help, even though it is available to them. Mr. Poli replied that, if it gets that bad, he will take them to Court and the Judge will force them to get help. Mayor Andes interjected that he feels that it is very important that Court be the last resort. He said that the Construction Official will lose his power to negotiate if the first step is to take a homeowner to Court.

It was noted that the fine is up to $2,000 per day, per violation, at the discretion of the Judge. Mr. Poli added that most people do not want to go to Court. Councilman Scollans stated that the IPMC is a good start and definitely a step in the right direction. He said that he would support it. Mr. Scollans noted that he feels that we need a system that has teeth and will work for us and there is not a lot of teeth in the IPMC code. He asked if the IPMC code can be amended to make it a little tougher. Mr. Scollans cited a particular property, noting that this condition should not be permitted to continue.

President Fitzpatrick cautioned the Council that they can obviously not craft an ordinance that is specific to a certain property. He said that he agrees that we need something with a backbone and there may be areas where we can go further; but he still would not want to lose this step forward. Mr. Scollans said that he agrees but asked if we get this proposed ordinance in place, will it help with issues like Franklin Road. He asked for Attorney DeBona’s advice regarding amendments to the IPMC. Attorney DeBona replied that they have already made amendments to it and additional amendments can be made as time goes on. She said that the Council needs to give it a chance to see how it will work. Mr. Poli agreed that the proposed ordinance should be given a chance to see how it
works. He said that we have a good start here that should help with the property that is being cited by giving him the tools to bring the property closer to compliance. Administrator Ward noted that everyone should be very cautious about referencing any specific property. He strongly urged that the discussion be kept to generalities. Mayor Andes asked Mr. Poli to explain the process he would follow for a house that was in total disrepair.

Mr. Poli listed the steps he would take to achieve compliance. Mrs. Smith said that her question is, “will this work for the situations that we have?” and the answer is yes. She also noted that, for the comfort of the public, there is an appeals process included in the ordinance.

Councilman Gabel said that he has gone over this book for the past six months and finds it to be universal and comprehensive. He said that he believes it gives the Construction Official the authorization needed to address a number of properties that need attention and significant latitude to deal with situations that come to his office. Mr. Gabel commented that the definition section is vital since it gives everyone involved a clear understanding of the terms. He noted that the appeals process is fair and balanced. Mr. Gabel had a question regarding the dates in Section 602.3 and 602.4 that deal with heat. He suggested moving the dates, when heat is required to be provided, from October 15th through April 15th to September and May. Mr. Gabel stated that, other than that suggestion, he fully supports the proposed ordinance.

Administrator Ward explained that those dates were selected a couple of years ago in an effort to protect the renters in town. He said that they were adopted as a health standard in the Renters’ Protection Ordinance. Mr. Ward noted that the dates in this ordinance were chosen in order to remain consistent with the existing Renters’ Protection Ordinance. He said that we can look at the dates, with an eye to amending them, but we will then have to look at the other ordinance as well, for consistency’s sake.

Attorney DeBona noted that Section 305, dealing with the interior of a structure, has been eliminated. Mr. Ward asked if the eliminated section was strictly for owner occupied structures. Mrs. DeBona replied that it is only for owner-occupied structures. Councilman Golinski requested that the code be made available on our Township website so that the public may easily retrieve it, since it is a complex ordinance. Mr. Golinski commented that there are significant exemptions for owner-occupied homes in this code.

The Section covering heating of owner-occupied homes was touched on briefly. There was an extensive discussion concerning “occupiable work space” and the heating of such areas. Mr. Golinski was firmly in favor of eliminating that section from the code. Mr. Poli suggested that the ordinance be used as is until we see how it works. President Fitzpatrick asked the Council members for a consensus as to whether the section should be kept, omitted or if they have an alternate suggestion.
Councilman Gabel stated that he will support the ordinance with or without the section in question, but suggested that either “reasonable” or “appropriate” replace a specific temperature. He said that he would like to see the section remain in the ordinance and be adapted, as needed.

Councilman Kuser said that he is voting to support this ordinance and would like to retain the section in question. He commented that he would like to see the ordinance remain as whole as possible.

Councilwoman Smith stated that she would like to see it kept in the ordinance but would still support the ordinance if it is removed.

Councilwoman Lyden commented that she would like to keep the section in and move forward. She said that the IPMC seems to be pretty tried and true and has been working in neighboring towns.

Councilman Golinski suggested that we check with the other towns in Morris County who have adopted the code, to see if they are enforcing that section. He restated his opinion that the section should be omitted.

Councilman Scollans said that he firmly recommends that we go with the recommendation of our Code Official and accept the code as it is.

President Fitzpatrick stated that he strongly recommends that we keep the proposed ordinance as is. He said that he believes that if this section remaining in is a deal-breaker for Mr. Golinski, most of the Council would agree to remove it, but he strongly suggests that it be kept in, go forward and see how it works.

President Fitzpatrick asked Attorney DeBona for any comments or advice she may have regarding the proposed ordinance.

Attorney DeBona noted that, as Administrator Ward pointed out, most municipalities in Morris County have a property maintenance code that works and has been useful in addressing issues that arise. She said that it can be tweaked from time to time in order to have the ordinance work the way the Council intends. Mrs. DeBona advised that she does have a copy of Rockaway Township’s code with her and they did not delete that section.

Councilman Gabel said that he would be interested in Attorney DeBona’s opinion regarding the change that he suggested to “reasonable” or “appropriate”.

Mrs. DeBona replied that it is too vague a term and would be difficult to defend in Court and impossible to enforce.

OPEN PUBLIC PORTION:
Gerry Idec, 1 East Longview Trail, asked what department would enforce the property maintenance ordinance.

President Fitzpatrick replied that it would be the Construction Department.

Mr. Idec asked, if a property is deemed improperly maintained, will some kind of sticker be put on the property.

Construction Official Poli replied that a note would be left for the homeowner. He said that, before writing a violation, he would contact the owner in some fashion.
Mr. Idec inquired as to whether a homeowner could go to the Township and ask for a reduction in taxes because a next door neighbor’s house is in disrepair and it is affecting the property values of the homes around it.

Attorney DeBona replied that anyone can file a tax appeal but it is up to the Judge to decide the end result.

President Fitzpatrick further explained that the person can make any argument they wish to have their taxes reduced, but ultimately must convince the Judge of the validity of the argument.

Franz Fuertges, 109 Ford Road, stated that he understands Mr. Golinski’s argument regarding the temperature requirements for “occupiable work space”. He spoke of the different temperatures required in greenhouses and sheds that hold chemical and fertilizer. He agreed that the section should be eliminated.

Mr. Fuertges commented that he believes that often people do not improve their property because of the cost of the permits that are required. He suggested that the fee structure should be addressed.

Brian Walsh, 380 Franklin Road, stated that he is holding a notice of unsafe structure date 12/9/10 which states that there will be a $2,000 fine if action to remediate the condition is not taken by 12/25/10. He said that nothing was ever done. Mr. Walsh noted that, within two days of taking his car out of the garage and putting a new battery in it, he received a notice of violation for unregistered vehicle. He asked if this property maintenance code will have “selective enforcement”.

Mr. Walsh noted that there is no definition of “blighting” in the definition section of the code and suggested that the definition should be added.

Mr. Walsh asked if Mr. Poli went out to check the roof on the house next door to him because when the wind is strong, the shingles blow off that house and on to his property.

President Fitzpatrick asked what Mr. Walsh’s specific question is regarding the violation notice that he cited. Mr. Walsh replied that the neighbor was cited under a State statute.

Councilman Kuser replied that he believes that violation was for the garage, which was ultimately torn down. Mr. Walsh stated that it says “garage walls and roof”.

Mr. Poll agreed and said that they were both torn down.

Mr. Ward asked Mrs. DeBona if it is appropriate to be discussing a specific property. Attorney DeBona replied that she is not comfortable with discussing a specific property. President Fitzpatrick stated that we do not want to specifically target a property but Mr. Walsh can speak to Council members outside of this public meeting venue.

Mr. Walsh expressed his displeasure with the code due to the lack of certain definitions, such as “blighting”. He said that the State has a definition of it but this code does not. Attorney DeBona commented that she feels that the code is designed to address situations that would be unsafe, unhealthy or unsanitary, whether it uses the word “blight” or not.

Councilman Kuser interjected that, in the Miriam Webster Dictionary, one of the
definitions of "urban blight" is, "a deteriorating condition". It was agreed that "word-smithing" the document is not productive and the lack of a definition for a few specific words does not change the effectiveness of the proposed ordinance. It was also noted that a property maintenance ordinance has been a long time coming and to delay it now would be a disservice to the community. President Fitzpatrick provided a link on the internet to the International Property Maintenance Code and it was posted to our web site today. Administrator Ward interjected that five (5) copies of the code have been ordered and will be available in the Clerk's Office for anyone who wishes to look at it. Attorney DeBona advised that, according to statute, we must have twenty (20) copies on hand. Mr. Ward replied that he will then order twenty (20) copies. President Fitzpatrick suggested that copies could be made off the web site. Mr. Ward replied that there are copyright issues that preclude that possibility. Mr. Walsh asked for an update on the roof inspection that was done at the property next door to him. Mr. Ward replied that he and Mr. Poli will meet with Mr. Walsh after the meeting to give him an update on that specific property. Councilwoman Smith noted that there will be a public hearing on the proposed ordinance at its adoption. She advised that, if the ordinance is introduced at the May 21st meeting, it will be slated for adoption at the June 25th meeting at which time a public hearing will be held. Mrs. Smith added that the public hearing will be advertised before that meeting.

CLOSE PUBLIC HEARING.

President Fitzpatrick made some brief remarks about the validity of the ordinance, the need to have such an ordinance and the fair process for imposing violations. He asked the Council to support the ordinance as is and reminded the members that amendments can be made if it becomes necessary. Mayor Andes commented that he has been an advocate for this type of ordinance from the beginning and is at peace with it as it is. He made some suggestions for changes or additions to the section to which Mr. Golinski objects regarding the use of a specific temperature. Attorney DeBona noted that the Mayor has made a good point. She said that the exception could be expanded to include areas that should not be restricted by a specific, required temperature. Attorney DeBona stated that the ordinance can be amended but, in order to get the ordinance introduced, we should go with it as it is and work on the language to make that section more palatable. President Fitzpatrick asked if an amendment could be made immediately upon introducing the ordinance.
Attorney DeBona replied that a new amendment could be introduced right after adoption. She said that it could be at the same meeting at which the ordinance was adopted.

President Fitzpatrick suggested that the Council go forward with what they have and if, at any point, there is any Council member that would not support the ordinance, with this section included, an amendment to omit it would be introduced.

Councilman Scollans commented that he feels we are going down a dark road if every time one person opposes something in an ordinance, the Council immediately introduces an amendment to the ordinance.

President Fitzpatrick replied that he absolutely would not support that practice.

Councilman Golinski commented that changes cost money and we should get it right now. He said that he thinks the code is good but he still objects to that section on "occupiable work space".

It was decided that the ordinance, as is, will be on the agenda for introduction at next week's Council meeting.

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

MEETING ADJOURNED AT 9:27 P.M.

Respectfully submitted by:

Kathleen A. Costello
Deputy Municipal Clerk
The Meeting was called to order at 7:31 p.m. by President Fitzpatrick. The Salute to the Flag was recited, followed by a moment of silence for the victims of the Oklahoma tornados. The Open Public Meetings Act Statement was read by Deputy Clerk Kathy Costello. Mrs. Costello reminded all that this is a non-smoking facility and asked that all cell phones be silenced.

ROLL CALL: GABEL, GOLINSKI, KUSER, LYDEN, SCOLLANS, SMITH, FITZPATRICK

ALSO IN ATTENDANCE: MAYOR ANDES, ADMINISTRATOR WARD AND TOWNSHIP ATTORNEY JANSEN

CEREMONIAL MATTERS AND/OR PRESENTATIONS

President Fitzpatrick called forward the coaches of the Denville Police Athletic League Blue Knights Hockey Team - Mite Division, who were the champions of that league this year.

Coaches Dave Quincy and Bobby Gander came forward and were joined in front of the dais by the entire team.

President Fitzpatrick, on behalf of the Township Council and the Township of Denville, presented the Coaches and team with an Award of Distinction for becoming champions of their league.

Mayor Andes then congratulated each team member individually.

DENVILLE GREEN FAIR POSTER WINNERS

President Fitzpatrick turned the meeting over to Councilman Scollans, who was the Chairman of the Green Fair, for the presentation to the winners of the poster contest.

Mr. Scollans called forward all of the members of the Green Team who are present and the teachers of the three prize winners.

Councilman Scollans then called up the winners: Nicole Bolan, Haley Driscoll and Kelly San Roman.

Councilman Scollans noted that the goal of the contest was to remind our young residents to be good stewards of the environment today and to ensure a healthy, green environment in the future. He said that the most difficult task was selecting a winner.

Mr. Scollans advised that there were 53 posters submitted, all from Valleyview School, and they were all exceptional.

Councilman Scollans called on Wayne Pacconi and Susan Filauro to present the certificates to the winners. He said that they did a wonderful job putting the posters together.

Sunshine Rotary President Roland Basinski and Sunshine Rotary member Susan Richter then presented awards to the winners.
Mayor Andes thanked the Green Sustainability Committee for putting on the Green Fair and for promoting this contest. He thanked the Sunrise Rotary for their generosity and noted that they are always there when the community needs some financial support. The Mayor congratulated the winners and told them he was very proud of them. He then presented each winner with a Denville Centennial pin.

Councilman Scollans pointed out the three winning posters displayed on the front of the dais. He thanked everyone involved, particularly the students who took part in the contest.

LIAISON REPORTS:
Councilman Gabel reported that the Board of Education is continuing its search for a full-time Superintendent. Mr. Gabel noted that, in reply to his inquiry, he was informed that security continues to be up-dated. Better management of visitors is being worked on, and the Board is updating and reviewing emergency response policies and making some physical improvements.

Mr. Gabel advised that the Mayor's Council for People with Challenges will be very busy in the month of June. He said that they will be present at the Rotary Street Festival, will participate in an Autism Walk at Gardner Field on June 2nd and will participate in the parade on June 9th. Councilman Gabel noted that on June 22nd and 23rd Gardner Field will be hosting the American Cancer Society's Relay for Life. He said that the event will begin at 4:00 p.m. and continue through the night until 6:00 a.m. the next morning.

Councilman Gabel reported that earlier this evening he, along with Mary Ann Cuneo, attended the Freeholders recognition of Boards, Committees and Coalitions that they support. He said that he had the opportunity to thank the Freeholders personally for recommending Denville for the grant that was recently awarded to Denville for generators in our Senior Center and Community Room.

President Fitzpatrick interjected that the Committee for People with Challenges will be recognized at the Council's June 18th workshop meeting.

Councilman Gabel commented that he worked with a great team at the river clean-up and that their effort went largely towards clearing the piers behind La Cucina.

Councilman Kuser reported that Sean Ryan has tendered his resignation from the Board of Adjustment, creating a vacancy on that board which the Council will have to fill.

Councilwoman Smith reported that she attended the MAC meeting and the town truly has amazing volunteers. She noted that one of the things the Committee must do to obtain its grant is to prepare a needs assessment survey. Mrs. Smith explained that the survey is done to identify the burning issues in the town and arrange for programs for alcohol or drug abuse for all ages. She said that the survey will focus primarily on youth and the survey link went up on the web yesterday, as well as on Facebook and Twitter. Mrs. Smith urged everyone to do the survey because the more responses they have, the better.

Councilwoman Smith added that she was at the Senior Social on Sunday and there
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was a wonderful turnout to celebrate Spring. She commended Mark Venis for providing a great barbecue. Mrs. Smith noted that the next Senior Social will be on June 30th and the theme will be Western, with a mix of July 4th, and will be a traditional hamburger and hot dog barbecue.

Councilwoman Lyden reported that she attended the Morris Hills Regional School Board meeting and the turf fields, which were delayed by graduation, will begin being installed on Monday, June 24th. She said that they are expected to be completed by the end of September.

Mrs. Lyden advised that the Beautification Committee is having a work party at McCarter Park tomorrow evening at 6:00 p.m.

Councilman Golinski noted that he was away on business and missed the last Planning Board meeting but has listened attentively to the tapes so that he will be up to speed for tomorrow night’s meeting. He said that he had a great day on Saturday, working with in the area near Mendes St. at the river clean-up.

Councilman Scollans extended the thanks of the Senior Men’s Group to Administrator Ward for taking care of the siding. He said that they are very pleased with it.

Mr. Scollans advised that Howard Shaw had questioned him about the removal of the Rte. 46/Rte. 53 wall and he explained the situation to Mr. Shaw.

Councilman Scollans noted that he attended the Rockaway River Watershed meeting last Wednesday and there was a significant amount of uncertainty as to whether the committee would continue into the future. He said that the State as well as some of the member towns have withdrawn funding. Mr. Scollans reported that the liaisons were asked to go back to their respective towns and ask if there would be support from the town. Mr. Scollans said that he spoke with Mayor Andes who told him that Denville will support the Watershed Committee. He said that the next meeting will be held on June 26th, at which time there will be further discussion as to the future of the Committee. Mr. Scollans commented that there is a lot to be hammered out as to what the Committee has to offer and he has asked them for a detailed Mission Statement.

Councilman Scollans noted that he also was at the river clean-up and worked with a great team. He said that there was a lot of competition among the Council members and it was a very successful day.

President Fitzpatrick advised that the Fire Department is canvassing for funds and he urged everyone to support them. He commented that the ground breaking took place last week for the Valley View Firehouse.

Mr. Fitzpatrick commented as well on the river clean-up and expressed his appreciation to the Council members for their support. He said that each member led a team.

Mr. Fitzpatrick asked each member about their day.

Mr. Gabel said that he and his team were in the area of La Cucina and they cleared the piers of a great deal of debris.

Mr. Golinski advised that his team went from the Rockaway border to Savage Road at Gardner Field. He said that it was amazing to cross the border line and notice the difference. Mr. Golinski added that they only pulled out 15 tires when, in years past,
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they would have found hundreds. He said that they cleared four snags, found a car bumper and some other interesting artifacts. 

Mr. Scollans noted that his team was by the Pocono Road medical building west parking lot that goes along the river. He said that his team consisted of a lot of elderly people, many of them females, and it was unbelievable how hard they worked. Mr. Scollans said that some of those people were 70 plus years old.

President Fitzpatrick reported that he had a crew that tackled the area from Gardner Field up to the Diamond Spring Bridge and there was another great crew in the gazebo park on Diamond Spring Road. He said that the amount of debris that was pulled out was unbelievable and there is still more to be done. Mr. Fitzpatrick also noted that, after the four-day clean-up last year, there was a noticeable difference in the amount of debris that was in the river. He said that George Strother and the clean-up groups will be recognized at the June 11th Council meeting.

MAYOR’S REPORT:  
Mayor Andes reported that there were over 100 volunteers working at the river clean-up on Saturday. He noted that the Morris Rugby group, who had a conflict on Saturday, had 25 people in the river the week before doing a clean-up.

The Mayor commented that, one of the things that the Committee is most appreciative of, is the support of the Council members. He said that it did not go unnoticed and he and the Rivers and Streams Committee are most grateful. Mayor Andes thanked the entire Committee for their dedication to this effort.

The Mayor advised that the groundbreaking for the new firehouse took place last Tuesday before the Council meeting and was well attended. He said that the members of the Fire Department are very excited about the progress that is being made on this project.

Mayor Andes also commented that the Senior Social was a very good event. The Mayor noted that the Memorial Day Parade on Monday will begin at 10:00 a.m. at Painten’ Place, with the Firemen’s ceremony at 9:30 a.m.

Mayor Andes reported that on June 1st, Social Services is holding an outdoor Movie Night at Gardner Field. He said that tickets are available for $4.00.

Mayor Andes advised that the Centennial Parade is on June 9th and will be a really big parade. He said that there will be fourteen (14) bands, a stage coach, trolleys and dozens of floats. The Mayor noted that anyone who wishes to volunteer can contact his office and he will put them in contact with the right person. He said that the planning for the parade is very impressive.

The Mayor spoke about the Denvilleopoly game and exhibited the board. He said that the game is available at Town Hall in the Finance Office at a cost of $25 per game.

ADMINISTRATOR’S REPORT:  
Administrator Ward reported that he and John Egbert met with Mr. Parente of VFW Post 2519 to select a spot and arrange for mark-outs to be done for the placement of
the new sign. He said that every effort will be made to have the new sign installed by Memorial Day.

The Administrator advised that Bill Kader of the Denville Rotary has coordinated the purchase of a replacement sign for Gardner Field. He said that that sign came in yesterday and, while the mark-outs were already scheduled for the VFW field, the mark-outs for the Gardner Field sign were done as well.

Administrator Ward had updates on a couple of on-going projects:

1. The Police Department renovations are proceeding and Mr. Ward forwarded a copy of yesterday’s construction progress meeting report to the Council members. Mr. Ward reported that the Rockaway Township Building Inspector, who is in charge of inspections on the project, noted some deficiencies. He said that, through a change order, the substantial completion date for the project was April 17th. Mr. Ward noted that, since that date has come and gone, our Attorney is setting up a meeting with the contractor and the bonding company in order to see that the deficiencies are corrected.

2. With regard to the demolition contractor, Mr. Ward noted that the contractor received a Notice to Proceed on May 1st, which coincided with the dates that we received confirmation that all six (6) of the homes had all of the utilities disconnected. He said that, based upon the contract, the contractor has sixty (60) days in which to demolish the homes and, in order to be in compliance the demolitions must be completed by June 29th. The Administrator advised that the contractor will be meeting with Construction Official Poli at 8:00 a.m. tomorrow to drop off the completed permit applications and plans to start during the first week of June. Administrator Ward reported that the Township has closed on the seventh property and is just waiting for confirmation from JCP & L that the electricity has been disconnected from that property. He said that the goal is to have all seven (7) properties demolished in the same time frame. Mr. Ward noted that there is an eight closing tentatively scheduled for the first week in June.

Administrator Ward advised that, if the property maintenance ordinance is introduced tonight, June 25th will be the date for the public hearing and adoption of that ordinance. Mr. Ward added that, also on June 25th, our Affordable Housing Liaison, Kathy Bowditch, will give a brief presentation on rehabilitation funding that is available for income qualified residents to assist in making repairs to their homes.

The Administrator commented that the memorandum regarding the State League of Municipalities conference in November will be going out next week. He said that it will give details on the conference and deadlines that are to be met for anyone planning to attend.

President Fitzpatrick commented that the demolition of these homes will have a huge impact on the river clean-up efforts.

OPEN PUBLIC PORTION:
Gerry Idec, 1 East Longview Trail, asked for an explanation of R-13-112. President Fitzpatrick replied that he had planned to remove this resolution from the Consent Agenda but asked Mr. Ward if he could discuss it now. Administrator Ward explained that the County is responsible for all of the bridges throughout Morris County. He said that this resolution supports Morris County's application for Federal funding to replace the bridge on Openaki Road, which has reached its useful life expectancy. Mr. Ward advised that a public hearing, which was attended by residents in that area, was held and four options were explored. He said that the option that was chosen, with approval of the residents present, provides for the replacement and repair of the dam and spillway for Openaki Lake. The Administrator added that the County is asking for a letter of endorsement from Denville which will go down to Washington with their application. Mr. Idec asked if the Cole Brothers Circus obtained a permit and if the Township is checking for Fire safety and animal protection. President Fitzpatrick replied that there is a permit and the other items are standard procedure. Mayor Andes added that he attended the Circus last year and saw both our Fire Official and our Animal Control Officer. Brian Walsh, 380 Franklin Road, asked for a definition of the word "blighting" in Sec. 301.3 of the property maintenance ordinance. President Fitzpatrick replied that there is no definition in the ordinance for the word "blighting", as there are no definitions for many other words used in the ordinance. He explained that there are certain words that are assumed to carry the basic definition and "blighting" is one of them. Mr. Walsh said that there was a discrepancy on the definition at the last meeting. Attorney Jansen responded that there is no discrepancy on the word "blighting". Mr. Jansen noted that, at the last meeting, the discussion concerned the N.J. Urban Redevelopment Act and its reference to "spot blight eminent domain". Mr. Walsh said that we are past that and asked again about the word "blighting". Attorney Jansen replied that blight means a deteriorated area that is in need of redevelopment. Mr. Walsh asked if it can be one property. Mr. Jansen said that, for eminent domain purposes, it cannot be one property in the Township of Denville, it must be an area that is determined to be in need of redevelopment. Mr. Walsh noted that the property next to him was cited for a violation and given 14 days to comply. He said that the owner had twenty-four hours to apply for a stay and asked if the owner had applied for a stay. Administrator Ward explained that the appeal is made to the Morris County Construction Board of Appeals, not to Denville. Mr. Walsh insisted that the homeowner had twenty-four hours to contest the violation and that he wants to know if it was contested. Mr. Ward replied that there is no way for the Township to know. Mayor Andes interjected that the appeal is to the County and the County has not
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notified the Township with regard to whether or not the homeowner has appealed, and they will not notify the Township if no appeal has been filed. Administrator Ward further explained that after 14 days, if no action has been taken by the homeowner, and we have not been notified that an appeal has been filed, the Construction Official will proceed with the process of imposing the proper fines. Attorney Jansen asked Mr. Walsh what it is he would like the Township to do. Mr. Walsh replied that he would like to know if the homeowner has filed an appeal. President Fitzpatrick stated that the Township does not have that information but that Mr. Walsh is free to contact the County to try and obtain that information. Mr. Walsh complained about political signs and Attorney Jansen explained that they are protected by the First Amendment to the Constitution. Mr. Walsh asked to be updated on the unsafe structure violation and whether or not there is an appeal. Attorney Jansen stated that there would be no problem with letting Mr. Walsh know if there has been an appeal and the date it will be heard. Ray Baxter, 381 Franklin Road, complained about the house next door to Mr. Walsh, stating that it brings down property values and is an attractive nuisance. He thanked the Council for the work they do. President Fitzpatrick replied that the Council shares his frustration and that is why they feel that the property maintenance ordinance is so important. John Troccoli, 133 E. Shore Road, asked if there will be an open portion on the property maintenance ordinance on June 25th. President Fitzpatrick advised that there is an open public portion at every Council meeting. Attorney Jansen interjected that, assuming this ordinance is introduced tonight, it will be advertised in the newspaper that there will be a public hearing on adoption of the ordinance on June 25th. Mr. Troccoli asked if this ordinance is meant to be specific to issues in Denville. President Fitzpatrick explained that it does not address specific properties but there are some egregious violations in Denville that will be affected in a positive way by the ordinance. He said that the IPMC has been legally tested and adopted by several municipalities in our State and is recognized internationally. Attorney Jansen noted that it is another tool for our Construction Official. He apologized for misstating the date of the public hearing on the ordinance, noting that the correct date is June 25th. Mr. Troccoli advised that he and his neighbors have discussed such issues as re-sale values and taxes. He asked if there is a tax refund possibility when adjacent properties are in a deteriorating condition and if that would be addressed in this ordinance. President Fitzpatrick said that it is not a part of this ordinance. Attorney Jansen explained the tax appeal process and noted that if the taxpayer feels that, due to the deterioration of the properties around him he is entitled to a reduction in his assessment, he would have to convince the Morris County Tax Board that the
property has been devalued by the condition of the adjacent property. Mr. Troccoli thanked Mr. Jansen for that information.

CLOSE PUBLIC PORTION.

CORRESPONDENCE: All copied to Council.

MATTERS OF OLD AND/OR NEW BUSINESS:
Councilman Scollans commented that, at the last meeting, he brought up an issue regarding ordinances, resolutions and minutes on the web site. He said that they are on there but are not user friendly. Mr. Scollans noted that he has tried to look up ordinances concerning Green Sustainability and it cannot be done easily. Councilman Kuser interjected that he just went into our Adopted Ordinances, put the key word “green” in the search bar and immediately came up with Article 11, Open Space and Green Sustainability Committees. Mr. Scollans replied that he had put in Green Sustainability and it did not come up. President Fitzpatrick intervened in the discussion between Mr. Scollans and Mr. Kuser and explained that the system that is used is called “Clerk’s HQ”. He said that Administration chose this system believing it to be the best and, if there is now a question regarding it, he would suggest that Mr. Scollans meet with Administration. Mr. Scollans replied that he has met with the Township Clerk on this matter. Mayor Andes recommended that a meeting be arranged for Mr. Scollans with IT specialist John Ciardi, since he maintains the operation of our web site. President Fitzpatrick agreed and added that, if there is a new recommendation, the Council would defer to Administration. Councilman Scollans expressed additional concerns about the web site and President Fitzpatrick reiterated that a meeting with John Ciardi would be the best way to resolve those concerns.

ORDINANCE(S) FOR ADOPTION:
#8-13 AN ORDINANCE OF THE TOWNSHIP OF DENVILLE, COUNTY OF MORRIS, STATE OF NEW JERSEY TO AMEND CHAPTER IX, TAXICABS
BE IT RESOLVED THAT AN ORDINANCE ENTITLED: AN ORDINANCE OF THE TOWNSHIP OF DENVILLE, COUNTY OF MORRIS, STATE OF NEW JERSEY TO AMEND CHAPTER IX, TAXICABS BE READ BY TITLE ON SECOND READING AND A HEARING HELD THEREON: MOTION TO READ BY TITLE: MOVED BY MEMBER GOLINSKI, SECONDED BY MEMBER SMITH AYES: GOLINSKI, SMITH, GABEL, KUSER, LYDEN, SCOLLANS, FITZPATRICK

OPEN PUBLIC HEARING: No one wished to be heard.
CLOSE PUBLIC HEARING.

BE IT RESOLVED THAT AN ORDINANCE ENTITLED:
AN ORDINANCE OF THE TOWNSHIP OF DENVILLE, COUNTY OF MORRIS, STATE
OF NEW JERSEY TO AMEND CHAPTER IX, TAXICABS
BE PASSED ON FINAL READING AND THAT A NOTICE OF FINAL PASSAGE BE
PUBLISHED IN THE MAY 29, 2013 ISSUE OF THE CITIZEN.
MOTION TO ADOPT: MOVED BY MEMBER SMITH, SECONDED BY MEMBER
GABEL
AYES: SMITH, GABEL, KUSER, LYDEN, GOLINSKI, SCOLLANS, FITZPATRICK

ORDINANCE(S) FOR INTRODUCTION:
#13-13 CAPITAL ORDINANCE FOR VARIOUS IMPROVEMENTS OR
PURPOSES IN THE AMOUNT OF $179,525
BE IT RESOLVED THAT AN ORDINANCE ENTITLED:
ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS OR PURPOSES IN THE
SUM OF $179,525 FROM THE GENERAL CAPITAL IMPROVEMENT FUND OF THE
TOWNSHIP OF DENVILLE
BE INTRODUCED AND READ BY TITLE ON FIRST READING:
MOTION TO INTRODUCE: MOVED BY MEMBER SCOLLANS, SECONDED BY
MEMBER GOLINSKI
DISCUSSION: None.
AYES: SCOLLANS, GOLINSKI, GABEL, KUSER, SMITH, LYDEN, FITZPATRICK

BE IT RESOLVED THAT AN ORDINANCE ENTITLED:
ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS OR PURPOSES IN THE
SUM OF $179,525 FROM THE GENERAL CAPITAL IMPROVEMENT 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 6-25-13 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.
MOTION TO PASS ON FIRST READING: MOVED BY MEMBER SCOLLANS,
SECONDED BY MEMBER GOLINSKI
AYES: SCOLLANS, GOLINSKI, GABEL, KUSER, SMITH, LYDEN, FITZPATRICK
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#14-13 ADOPTS THE INTERNATIONAL PROPERTY MAINTENANCE CODE
BE IT RESOLVED THAT AN ORDINANCE ENTITLED
AN ORDINANCE OF THE TOWNSHIP OF DENVILLE, COUNTY OF MORRIS, STATE
OF NEW JERSEY TO ADOPT THE INTERNATIONAL PROPERTY MAINTENANCE
CODE
BE INTRODUCED AND READ BY TITLE ON FIRST READING
MOTION TO INTRODUCE: MOVED BY MEMBER SMITH, SECONDED BY MEMBER
KUSER
DISCUSSION: Mayor Andes requested that the preamble to the ordinance be read into
the record. President Fitzpatrick read the preamble. A copy of the entire ordinance is
attached to these minutes.
AYES: SMITH, KUSER, GABEL, LYDEN, GOLINSKI, SCOLLANS, FITZPATRICK

BE IT RESOLVED THAT AN ORDINANCE ENTITLED
AN ORDINANCE OF THE TOWNSHIP OF DENVILLE, COUNTY OF MORRIS, STATE
OF NEW JERSEY TO ADOPT THE INTERNATIONAL PROPERTY MAINTENANCE
CODE
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 6-25-13 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.
MOTION TO PASS ON FIRST READING: MOVED BY MEMBER SMITH, SECONDED
BY MEMBER SCOLLANS
AYES: SMITH, SCOLLANS, GABEL, KUSER, LYDEN, GOLINSKI, FITZPATRICK

President Fitzpatrick advised that he is removing R-13-112 from the Consent Agenda.
President Fitzpatrick asked if anyone from the Council or the public wished to have
anything removed from the Consent Agenda. No one responded.

CONSENT AGENDA:
R-13-113 RESOLUTION AUTHORIZING REINSTATEMENT OF THE ORIGINAL
SEWER ASSESSMENT INSTALLMENT PLAN FOR CERTAIN
PROPERTIES IN THE TOWNSHIP OF DENVILLE
R-13-114 RESOLUTION AUTHORIZING THE REFUND OF MONEY DUE TO THE
REDEMPTION OF A TAX SALE CERTIFICATE IN THE AMOUNT OF
$368.67
R-13-115  RESOLUTION AUTHORIZING A REFUND OF A BUILDING PERMIT FEE IN THE AMOUNT OF $100.00
MOTION TO APPROVE THE CONSENT AGENDA: MOVED BY MEMBER SMITH. SECONDED BY MEMBER SCOLLANS
AYES: SMITH, SCOLLANS, GABEL, KUSER, LYDEN, GOLINSKI, FITZPATRICK

NON-CONSENT RESOLUTIONS:
R-13-112  RESOLUTION SUPPORTING A PRELIMINARY PREFERRED ALTERNATIVE FOR THE REPLACEMENT OF COUNTY BRIDGE NO. 1400-779 ON OPENAKI ROAD OVER THE DEN BROOK IN THE TOWNSHIP OF DENVILLE, COUNTY OF MORRIS
MOTION TO APPROVE R-13-112: MOVED BY MEMBER SCOLLANS, SECONDED BY MEMBER GABEL
DISCUSSION: Councilwoman Smith noted that she was out of town when the public hearing was held at which the proposals for the replacement of the bridge were discussed. She thanked Mr. Ward for providing her with the information from that meeting. Mrs. Smith commented that she recognizes that we are dealing with a safety issue and, because of that, she will not vote against this resolution. But, she noted, that the option that was chosen would not be her preferred option. Mrs. Smith remarked that she regrets the loss of the current bridge as a traffic calming device and feels that the new configuration will have to be closely monitored and narrowing stripes may have to be used. She said that she will support it from a public safety standpoint.
AYES: SCOLLANS, GABEL, KUSER, SMITH, LYDEN, GOLINSKI, FITZPATRICK
Councilman Golinski added that he feels it would be beneficial if we could encourage the County to make the bridge look as historically appropriate as possible.

R-13-116  RESOLUTION AUTHORIZING ADOPTION OF THE TOWNSHIP OF DENVILLE AUDIT REPORT FOR 2012
MOTION TO APPROVE R-13-116: MOVED BY MEMBER SMITH, SECONDED BY MEMBER GOLINSKI
AYES: SMITH, GOLINSKI, GABEL, KUSER, LYDEN, SCOLLANS, FITZPATRICK

R-13-117  RESOLUTION AUTHORIZING THE AWARD OF PROFESSIONAL SERVICES CONTRACT TO APPRAISAL CONSULTANTS CORPORATION
MOTION TO APPROVE R-13-117: MOVED BY MEMBER GABEL, SECONDED BY MEMBER LYDEN
DISCUSSION: Councilman Golinski asked why there are two resolutions for professional appraisal services.
Councilwoman Smith replied that one company specializes in residential and one in commercial appraisals.
AYES: GABEL, LYDEN, KUSER, SMITH, GOLINSKI, SCOLLANS, FITZPATRICK
R-13-118   RESOLUTION AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT TO ASSOCIATED APPRAISAL GROUP
MOTION TO APPROVE R-13-118: MOVED BY MEMBER LYDEN, SECONDED BY MEMBER GABEL
AYES: LYDEN, GABEL, KUSER, SMITH, GOLINSKI, SCOLLANS, FITZPATRICK

R-13-119   RESOLUTION AUTHORIZING EXECUTION OF A STIPULATION OF SETTLEMENT IN THE MATTER OF TOWNSHIP OF DENVILLE vs. DCM CONTRACTING
MOTION TO APPROVE R-13-119: MOVED BY MEMBER SCOLLANS, SECONDED BY MEMBER LYDEN
DISCUSSION: Councilman Golinski asked how homeowners who have outstanding issues would be impacted if we accept this settlement.
Attorney Jansen explained that, if the Council wants to discuss the settlement, they should table the resolution and go into Closed Session with the intention of acting on the resolution when they come out of Closed Session. He cautioned that there is still pending litigation and, if the settlement does not go through, everything that is said would be on the record.
Councilman Golinski replied that he feels that he knows enough about it to vote on it.
AYES: SCOLLANS, LYDEN, GABEL, KUSER, SMITH, GOLINSKI, FITZPATRICK

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

MEETING ADJOURNED AT 8:54 P.M.

Respectfully submitted by,

Kathleen A. Costello
Deputy Township Clerk