TOWNSHIP OF DENVILLE MUNICIPAL COUNCIL
REGULAR MEETING
AUGUST 12, 2014, 7:30 P.M.

- Salute to the flag
- Invocation
- Notice of public meeting
- Roll call:

Council Members

___ Gabel  ___ Kuser  ___ Smith
___ Lyden  ___ Golinski  ___ Scollans
___ Fitzpatrick, Council President

In Attendance

_____ Mayor Andes  _____ Administrator Ward
_____ Township Attorney Jansen  _____ Other: ____________________________

CEREMONIAL MATTERS & PRESENTATIONS

(Presentations are coordinated in advance with the Council President and are limited to thirty (30) minutes or less)

NONE

- Council Liaison/Committee Reports
- Mayor’s Report
- Business Administrator’s Report
- Correspondence

Public Portion (Please limit comments to a maximum of three (3) minutes)

Matters of Old / New Business

ORDINANCES FOR ADOPTION

#17-14: An Ordinance Vacating and Discontinuing the Public Rights for Road Purposes in Portions of Lakewood Drive

#18-14: An Ordinance of the Township of Denville, County of Morris and State of New Jersey to Regulate Parking on Mosswood Trail
ORDINANCES FOR INTRODUCTION

#19-14: An Ordinance Establishing a Minimum and Maximum Range of Salary for Those Employees of the Denville Township Public Works Employees' Association

#20-14: An Ordinance Establishing a Minimum and Maximum Range of Salary for Those Employees of the Denville Township Public Works Supervisors' Association

#21-14: An Ordinance to Officially Designate Denville Park Meadow (properties purchased with flood hazard mitigation grant funding on Riverside Drive)

#22-14: An Ordinance of the Township of Denville, County of Morris, and State of New Jersey to Regulate Parking on Adelaide Place, Bowers Place, New Street, Watts Avenue and Meadow Street

#23-14: An Ordinance of the Township of Denville, County of Morris, State of New Jersey Pursuant to the Five-Year Exemption and Abatement Law, Granting Abatement and Exemption for the Estling Village Project

ITEMS FOR DISCUSSION AND/OR ACTION

None

RESOLUTIONS

CONSENT AGENDA:

R-14-170: Resolution Authorizing Reinstatement of the Original Sewer Assessment Installment Plan for Certain Properties in the Township of Denville

R-14-171: Resolution Authorizing Raffle Licenses in the Township of Denville

R-14-172: Resolution Authorizing Refund of Recreation Department Fees

R-14-173: Resolution Authorizing a Waiver of Construction Permit Fees Due to Damage from Tropical Storm Irene

R-14-174: Resolution Authorizing the Township of Denville to Enter Into an Agreement with Morris County Which Establishes a Cooperative Means of Conducting Certain Community Development and H.O.M.E. Activities Programs.

R-14-175: Resolution Authorizing Execution of Sanitary Sewer Easement Agreement with Estling Lake Corporation
R-14-176: Resolution Requesting Permission to Bid for Services for the Purpose of the Township of Denville Revaluation

NON-CONSENT RESOLUTIONS:

R-14-177: Resolution Amending the Award of the Veteran’s Memorial Park Field Improvements Project Contract to Include Supplemental Bid Item C in the Amount of $344,800

R-14-178: Resolution Approving Change Order #1 to the Veteran’s Memorial Park Field Improvements Project Contract to Delete Alternate Bid Item 2 and Add Alternate Bid Item 1

R-14-179: Resolution Authorizing Renewal of Alcoholic Beverage License for Bensi of Denville, Inc.

R-14-180: Resolution Authorizing the Refund of $40,661.64 Due to the Redemption of a Tax Sale Certificate

R-14-181: Resolution Amending R-13-251 with Regard to the Salary for the Position of Deputy Municipal Clerk

R-14-182: Resolution Awarding a Contract to Monmouth Telecom for Telephone and Internet Services

R-14-183: Resolution Authorizing the Approval of a Developer’s Agreement with Estling Village, LLC (resolution forthcoming)

MINUTES FOR ADOPTION

• July 15, 2014

MOTION TO ADJOURN
BE IT RESOLVED that an Ordinance entitled:

An Ordinance Vacating and Discontinuing the Public Rights for Road Purposes in Portions of Lakewood Drive

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

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

BE IT RESOLVED that an Ordinance entitled:

An Ordinance Vacating and Discontinuing the Public Rights for Road Purposes in Portions of Lakewood Drive

Be passed on Final Reading and that a Notice of Final Passage be Published in the 8-20-14 issue of the Citizen Newspaper.

COUNCIL PRESIDENT: MOTION TO ADOPT
ROLL CALL ON ADOPTION

ORDINANCE #17-14

An Ordinance Vacating and Discontinuing the Public Rights for Road Purposes in Portions of Lakewood Drive

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 8-12-14.

Kathryn M. Bowditch
Acting Municipal Clerk
ORD # 17-14

AN ORDINANCE VACATING AND DISCONTINUING THE PUBLIC RIGHTS FOR ROAD PURPOSES IN PORTIONS OF LAKewood DRIVE

WHEREAS, Ordinance #7-89 accepted the dedication of several streets as municipal streets "as depicted on the Township of Denville Tax Map"; and

WHEREAS, Lakewood Drive was among the accepted streets; and

WHEREAS, the Township of Denville Tax Map shows Lakewood Drive as including two approaches to Lake Arrowhead as depicted on Schedule A attached hereto as Area 1 and Area 2; and

WHEREAS, the Municipal Council has determined that the two approaches depicted on the attached Schedule A and designated as an "approach" between Lots A-8 and A-9 and as an "approach" between Lots A-28 and A-29 as shown on "Map of Lake Arrowhead, Denville - Mt. Lakes, Morris County, New Jersey", made by A.G. Brohmer, Surveyor, Boonton, N.J. dated April, 1926, and filed July 12, 1926 in the Morris County Clerk's Office, Morristown, NJ as Map No. 743-D are not needed for public road right-of-way purposes; and

WHEREAS, Lake Arrowhead Club, a New Jersey corporation, is the owner of the underlying fee interest in Lakewood Drive; and

WHEREAS, by the adoption of this Ordinance, the Municipal Council wishes to vacate any public interests in the portions of Lakewood Drive depicted on Schedule A as Area 1 and Area 2, as public road rights-of-way.

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

SECTION 1. That the portions of Lakewood Drive as depicted on Schedule A as Area 1 and Area 2 be and the same are hereby vacated as a public street of the Township of Denville and any public rights as a public street therein be and the same are hereby forever extinguished, and the said lands referred to shall be held by the owner or owners thereof free and
discharged from all public rights as a public street, as if said public rights had never existed, subject to any easement which may exist for storm water drainage.

SECTION 2. Any and all rights and privileges now possessed by public utilities, as defined in R. S. 48:2-13, and by any cable television company, as defined in the Cable Television Act, P.L. 1972, c. 1986, (R. S. 48:5A-1 et seq.), to maintain, repair and replace existing facilities in, adjacent to, over and under those portions of Lakewood Drive hereby vacated be and the same are hereby expressly reserved and excepted from said vacation.

SECTION 3. The Township Clerk shall, within sixty (60) days after the Ordinance becomes effective, file a certified copy thereof, under the seal of the Township of Denville, together with a copy of the proof of publication thereof, in the Office of the Clerk of Morris County.

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

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

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

BY ORDER OF THE MUNICIPAL COUNCIL
OF THE TOWNSHIP OF DENVILLE

ATTEST:                   APPROVED:

KATHRYN M. BOWDITCH                     MAYOR THOMAS W. ANDES
ACTING 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 __________, 2014.

Kathryn M. Bowditch, Acting Municipal Clerk
BE IT RESOLVED that an Ordinance entitled:

An Ordinance of the Township of Denville, County of Morris and State of New Jersey to Regulate Parking on Mosswood Trail

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 of the Township of Denville, County of Morris and State of New Jersey to Regulate Parking on Mosswood Trail

Be passed on Final Reading and that a Notice of Final Passage be Published in the 8-20-14 issue of the Citizen Newspaper.

COUNCIL PRESIDENT: MOTION TO ADOPT
ROLL CALL ON ADOPTION

ORDINANCE # 18-14

An Ordinance of the Township of Denville, County of Morris and State of New Jersey to Regulate Parking on Mosswood Trail

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 8-12-14.

Kathryn M. Bowditch
Acting Municipal Clerk
ORDINANCE #18-14

AN ORDINANCE OF THE TOWNSHIP OF DENVILLE, COUNTY OF MORRIS, AND STATE OF NEW JERSEY TO REGULATE PARKING ON MOSSWOOD TRAIL

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. No person shall park a vehicle at any time upon any of the following described streets or parts of streets:

<table>
<thead>
<tr>
<th>Name of Street</th>
<th>Side</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mosswood Trail</td>
<td>Southeast</td>
<td>From the southeasterly curbline of Lakewood Drive to a point 406 feet southeasterly thereof.</td>
</tr>
</tbody>
</table>

SECTION 2. Appropriate signs shall be erected and maintained as required by the NJ Department of Transportation.

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

SECTION 5. This Ordinance shall take effect as required by law, upon the posting of appropriate signs.

BY ORDER OF THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF DENVILLE

ATTEST:                        APPROVED:

KATHRYN M. BOWDITCH             MAYOR THOMAS W. ANDES
ACTING 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 ____________, 2014

Certification Date

Kathryn M. Bowditch, Acting Municipal Clerk
ORDINANCE # 19-14

BE IT RESOLVED that an Ordinance entitled:

An Ordinance Establishing a Minimum and Maximum Range of Salary for Those Employees of Denville Township Public Works Employees' Association

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 Establishing a Minimum and Maximum Range of Salary for Those Employees of Denville Township Public Works Employees' Association

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 9-09-14 at 7:30 p.m. in the evening, prevailing time, at the municipal building in said Township of Denville at which time and place all persons interested shall be given an opportunity to be heard concerning said said ordinance.

BE IT FURTHER RESOLVED that the Acting Municipal Clerk be authorized and directed to advertise this ordinance in the Citizen newspaper according to law.

COUNCIL PRESIDENT: MOTION TO PASS ON FIRST READING
ROLL CALL

Dated: 8-12-14
TOWNSHIP OF DENVILLE

ORDINANCE #19-14

AN ORDINANCE ESTABLISHING A MINIMUM AND MAXIMUM RANGE OF SALARY FOR THOSE EMPLOYEES OF DENVILLE TOWNSHIP PUBLIC WORKS EMPLOYEES' ASSOCIATION.

PURPOSE: State law permits the adoption of an ordinance establishing a range of salary for certain Township positions. The ranges listed herein establish a minimum and maximum range for a specific job title and not the actual salary. The actual salary and all other terms/conditions of employment shall be delineated in the collective bargaining agreement and shall fall within the minimum and maximum limits established herein.

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

SECTION 1: Short Title: This Ordinance shall hereafter be known and referred to as the “Salary Ordinance for Members of the Denville Township Public Works Employees’ Association.”

SECTION 2: Salaries and Wages: The annual salaries and compensation of the following employees of the Township of Denville shall fall within the following ranges as pursuant to the contractual agreement:

<table>
<thead>
<tr>
<th>TITLE</th>
<th>MINIMUM</th>
<th>MAXIMUM</th>
</tr>
</thead>
<tbody>
<tr>
<td>Apprentice</td>
<td>$10.50/h</td>
<td>$21.00/h</td>
</tr>
<tr>
<td>Laborer</td>
<td>$11.00/h</td>
<td>$22.00/h</td>
</tr>
<tr>
<td>Senior Laborer</td>
<td>$15.00/h</td>
<td>$30.00/h</td>
</tr>
<tr>
<td>Truck Driver</td>
<td>$17.50/h</td>
<td>$35.00/h</td>
</tr>
<tr>
<td>Senior Truck Driver</td>
<td>$15.00/h</td>
<td>$30.00/h</td>
</tr>
<tr>
<td>Equipment Operator</td>
<td>$18.25/h</td>
<td>$37.00/h</td>
</tr>
<tr>
<td>Mechanic Helper</td>
<td>$12.50/h</td>
<td>$36.00/h</td>
</tr>
<tr>
<td>Mechanic</td>
<td>$18.50/h</td>
<td>$37.00/h</td>
</tr>
<tr>
<td>Head Mechanic</td>
<td>$19.25/h</td>
<td>$39.50/h</td>
</tr>
</tbody>
</table>

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 4: If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.
SECTION 5: This Ordinance shall take effect as provided by law but shall be retroactive to April 1, 2014.

BY ORDER OF THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF DENVILLE

ATTEST: 

Kathryn M. Bowditch 
Acting Municipal Clerk

APPROVED:

Steven Ward 
Business Administrator / Acting Mayor

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

Certification Date: 

Kathryn M. Bowditch 
Acting Municipal Clerk
ORDINANCE # 20-14

BE IT RESOLVED that an Ordinance entitled:

An Ordinance Establishing a Minimum and Maximum Range of Salary for Those Employees of Denville Township Public Works Supervisors' Association

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 Establishing a Minimum and Maximum Range of Salary for Those Employees of Denville Township Public Works Supervisors' Association

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 9-09-14 at 7:30 p.m. in the evening, prevailing time, at the municipal building in said Township of Denville at which time and place all persons interested shall be given an opportunity to be heard concerning said ordinance.

BE IT FURTHER RESOLVED that the Acting Municipal Clerk be authorized and directed to advertise this ordinance in the Citizen newspaper according to law.

COUNCIL PRESIDENT: MOTION TO PASS ON FIRST READING
ROLL CALL

Dated: 8-12-14
TOWNSHIP OF DENVILLE
ORDINANCE #20-14

AN ORDINANCE ESTABLISHING A MINIMUM AND MAXIMUM RANGE OF SALARY FOR THOSE EMPLOYEES OF DENVILLE TOWNSHIP PUBLIC WORKS SUPERVISORS’ ASSOCIATION.

PURPOSE: State law permits the adoption of an ordinance establishing a range of salary for certain Township positions. The ranges listed herein establish a minimum and maximum range for a specific job title and not the actual salary. The actual salary and all other terms/conditions of employment shall be delineated in the collective bargaining agreement and shall fall within the minimum and maximum limits established herein.

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

SECTION 1: Short Title: This Ordinance shall hereafter be known and referred to as the “Salary Ordinance for Members of the Denville Township Public Works Supervisors’ Association.”

SECTION 2: Salaries and Wages: The annual salaries and compensation of the following employees of the Township of Denville shall fall within the following ranges pursuant to the contractual agreement:

<table>
<thead>
<tr>
<th>TITLE</th>
<th>MINIMUM</th>
<th>MAXIMUM</th>
</tr>
</thead>
<tbody>
<tr>
<td>Assistant Supervisor</td>
<td>$20.50/hour</td>
<td>$41.00/hour</td>
</tr>
<tr>
<td>Supervisor</td>
<td>$22.25/hour</td>
<td>$44.50/hour</td>
</tr>
</tbody>
</table>

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

SECTION 5: This Ordinance shall take effect as provided by law but shall be retroactive to April 1, 2014.

BY ORDER OF THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF DENVILLE

ATTEST:  APPROVED:

Kathryn M Bowditch  Steven Ward
Acting Municipal Clerk  Business Administrator / Acting Mayor

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

Certification Date  Kathryn M. Bowditch
Acting Municipal Clerk
ORDINANCE # 21-14

BE IT RESOLVED that an Ordinance entitled:

An Ordinance to Officially Designate Denville Park Meadow

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 Officially Designate Denville Park Meadow

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 9-09-14 at 7:30 p.m. in the evening, prevailing time, at the municipal building in said Township of Denville at which time and place all persons interested shall be given an opportunity to be heard concerning said ordinance.

BE IT FURTHER RESOLVED that the Acting Municipal Clerk be authorized and directed to advertise this ordinance in the Citizen newspaper according to law.

COUNCIL PRESIDENT: MOTION TO PASS ON FIRST READING
ROLL CALL

Dated: 8-12-14
AN ORDINANCE TO OFFICIALLY DESIGNATE
DENVILLE PARK MEADOW

WHEREAS, the Township of Denville acquired the following eleven residential properties (hereinafter “the Property”) with funding from the Federal Emergency Management Agency (FEMA) through the New Jersey Office of Emergency Management (NJOEM) under the Hazard Mitigation Grant Program (HMGP), from the County of Morris Open Space and Farmland Preservation Trust Fund and from the State of New Jersey Green Acres Program:

<table>
<thead>
<tr>
<th>Property Address</th>
<th>Block</th>
<th>Lot</th>
</tr>
</thead>
<tbody>
<tr>
<td>24 Riverside Drive</td>
<td>50401</td>
<td>43</td>
</tr>
<tr>
<td>22 Riverside Drive</td>
<td>50401</td>
<td>44</td>
</tr>
<tr>
<td>20 Riverside Drive</td>
<td>50401</td>
<td>45</td>
</tr>
<tr>
<td>18 Riverside Drive</td>
<td>50401</td>
<td>46</td>
</tr>
<tr>
<td>16 Riverside Drive</td>
<td>50401</td>
<td>47</td>
</tr>
<tr>
<td>23 Riverside Drive</td>
<td>50408</td>
<td>113</td>
</tr>
<tr>
<td>25 Riverside Drive</td>
<td>50408</td>
<td>115</td>
</tr>
<tr>
<td>27 Riverside Drive</td>
<td>50408</td>
<td>118</td>
</tr>
<tr>
<td>15 Riverside Drive</td>
<td>50408</td>
<td>106</td>
</tr>
<tr>
<td>19 Riverside Drive</td>
<td>50408</td>
<td>108</td>
</tr>
<tr>
<td>33 Riverside Drive</td>
<td>50408</td>
<td>122</td>
</tr>
</tbody>
</table>

WHEREAS, a condition of the funding was that the Property be dedicated for use as open space; and

WHEREAS, the Township desires to use the Property as a public park/rain garden and to officially name the park.

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 Property on Riverside Drive be officially designated and hereafter known as DENVILLE PARK MEADOW.

This Ordinance shall take effect immediately upon final passage, approval and publication as required by law.
BY ORDER OF THE MUNICIPAL COUNCIL
OF THE TOWNSHIP OF DENVILLE

ATTEST:

KATHRYN M. BOWDITCH
ACTING MUNICIPAL CLERK

APPROVED:

MAYOR THOMAS W. ANDES
TOWNSHIP OF DENVILLE

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

Kathryn M. Bowditch, Acting Municipal Clerk

d/p/OrdDenvilleParkMeadow
BE IT RESOLVED that an Ordinance entitled:

An Ordinance of the Township of Denville, County of Morris, State of New Jersey to Regulate Parking on Adelaide Place, Bowers Place, New Street, Watts Avenue and Meadow Street

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 of the Township of Denville, County of Morris, State of New Jersey to Regulate Parking on Adelaide Place, Bowers Place, New Street, Watts Avenue and Meadow Street

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 9-09-14 at 7:30 p.m. in the evening, prevailing time, at the municipal building in said Township of Denville at which time and place all persons interested shall be given an opportunity to be heard concerning said ordinance.

BE IT FURTHER RESOLVED that the Acting Municipal Clerk be authorized and directed to advertise this ordinance in the Citizen newspaper according to law.

COUNCIL PRESIDENT: MOTION TO PASS ON FIRST READING
ROLL CALL

Dated: 8-12-14
ORDINANCE #22-14

AN ORDINANCE OF THE TOWNSHIP OF DENVILLE, COUNTY OF MORRIS, AND STATE OF NEW JERSEY TO REGULATE PARKING ON ADELAIDE PLACE, BOWERS PLACE, NEW STREET, WATTS AVENUE AND MEADOW STREET

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. For purposes of this Ordinance, the term “school days” shall mean those days on which any public or private school is open to students for classroom instruction.

SECTION 2. No person shall park a vehicle upon any of the following described streets or parts of streets between the hours specified on school days:

<table>
<thead>
<tr>
<th>Name of Street</th>
<th>Side</th>
<th>Hours</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adelaide Place</td>
<td>Both</td>
<td>10:00 a.m. to 2:00 p.m.</td>
<td>Entire length</td>
</tr>
<tr>
<td>Bowers Place</td>
<td>Both</td>
<td>10:00 a.m. to 2:00 p.m.</td>
<td>Entire length</td>
</tr>
<tr>
<td>Meadow Street</td>
<td>Both</td>
<td>10:00 a.m. to 2:00 p.m.</td>
<td>Entire length</td>
</tr>
<tr>
<td>New Street</td>
<td>Both</td>
<td>10:00 a.m. to 2:00 p.m.</td>
<td>Entire length</td>
</tr>
<tr>
<td>Watts Avenue</td>
<td>Both</td>
<td>10:00 a.m. to 2:00 p.m.</td>
<td>Entire length</td>
</tr>
</tbody>
</table>
SECTION 4. Appropriate signs shall be erected and maintained as required by the NJ Department of Transportation.

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 as required by law, upon the posting of appropriate signs.

BY ORDER OF THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF DENVILLE

ATTEST: KATHRYN M. BOWDITCH, ACTING MUNICIPAL CLERK

APPROVED: MAYOR THOMAS W. ANDES, TOWNSHIP OF DENVILLE

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

Kathryn M. Bowditch, Acting Municipal Clerk
BE IT RESOLVED that an Ordinance entitled:

An Ordinance of the Township of Denville, County of Morris, State of New Jersey Pursuant to the Five-Year Exemption and Abatement Law, Granting Abatement and Exemption for the Estling Village Project

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 of the Township of Denville, County of Morris, State of New Jersey Pursuant to the Five-Year Exemption and Abatement Law, Granting Abatement and Exemption for the Estling Village Project

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 9-09-14 at 7:30 p.m. in the evening, prevailing time, at the municipal building in said Township of Denville at which time and place all persons interested shall be given an opportunity to be heard concerning said said ordinance.

BE IT FURTHER RESOLVED that the Acting Municipal Clerk be authorized and directed to advertise this ordinance in the Citizen newspaper according to law.

COUNCIL PRESIDENT: MOTION TO PASS ON FIRST READING
ROLL CALL

Dated: 8-12-14
ORDINANCE #23-14

AN ORDINANCE OF THE TOWNSHIP OF DENVILLE, COUNTY OF MORRIS, STATE OF NEW JERSEY PURSUANT TO THE FIVE-YEAR EXEMPTION AND ABATEMENT LAW, GRANTING ABATEMENT AND EXEMPTION FOR THE ESSLING VILLAGE PROJECT.

WHEREAS, the Municipal Council adopted Ordinance #5-14 pursuant to the Five-Year Exemption and Abatement Law (N.J.S.A. 40A:21-1 et seq.) to enable the Township to exempt or abate local property taxes for eligible development projects located in an area in need of rehabilitation, as such areas are defined under the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 et seq.); and

WHEREAS, Estling Village, LLC has submitted an application for an abatement and/or exemption of a multiple dwelling construction on Block 30601, Lot 6, (the “Project”) which area has been determined by the Municipal Council to be an area in need of rehabilitation in accordance with the Local Redevelopment and Housing Law; and

WHEREAS, the application for a five-year tax exemption has been reviewed by Administration, Township staff and Township professionals and the Township Administrator has recommended that the Township Council authorize a financial agreement with Estling Village, LLC for the Project;

WHEREAS, the terms of a financial agreement have been negotiated between Administration and Estling Village, LLC.

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

SECTION 1. The application of Estling Village, LLC for a five-year tax exemption is hereby approved and the Mayor and the Acting Municipal Clerk are authorized to execute a Financial Agreement for Five-Year Tax Exemption with Estling Village, LLC, 54 Horse Hill Road, Suite 201, Cedar Knolls, New Jersey 07927.

SECTION 2. The condition in Section 6.E. of Ordinance #5-14, that the applicant waive the filing of any tax appeal during the exemption period is hereby eliminated with respect to the Financial Agreement with Estling Village, LLC.

SECTION 3. A copy of the Financial Agreement is on file in the Office of the Township Clerk for review by the public.

SECTION 4. Within thirty (30) days of the adoption of this Ordinance and the execution of the Financial Agreement, the Township Clerk shall forward a copy of the Financial Agreement and a copy of this Ordinance to the Directory of Local Government Services in the Department of Community Affairs, State of New Jersey.

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 upon final passage, approval, and publication as required by law.

BY ORDER OF THE MUNICIPAL COUNCIL
OF THE TOWNSHIP OF DENVILLE

ATTEST:

KATHRYN M. BOWDITCH
ACTING MUNICIPAL CLERK

APPROVED:

MAYOR THOMAS W. ANDES
TOWNSHIP OF DENVILLE

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

Kathryn M. Bowditch, Acting Municipal Clerk
RESOLUTION AUTHORIZING 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
DeFranco, Paulin

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

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

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

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

BY ORDER OF THE MUNICIPAL COUNCIL
OF THE TOWNSHIP OF DENVILLE

I, KATHRYN M. BOWDITCH, ACTING MUNICIPAL CLERK FOR THE TOWNSHIP OF DENVILLE DO HEREBY CERTIFY THE ABOVE TO BE A TRUE AND EXACT COPY OF A RESOLUTION APPROVED BY THE MUNICIPAL COUNCIL AT THEIR MEETING HELD ON 8-12-2014.

CERTIFICATION DATE:

Kathryn M. Bowditch
Acting Municipal Clerk
RESOLUTION AUTHORIZING RAFFLE LICENSE(S)  

IN THE TOWNSHIP OF DENVILLE

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

<table>
<thead>
<tr>
<th>NAME OF ORGANIZATION</th>
<th>TYPE OF RAFFLE</th>
<th>DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Morris Catholic High School</td>
<td>Off Prem 50/50</td>
<td>11-22-2014</td>
</tr>
<tr>
<td>Morris Catholic High School</td>
<td>Off Prem 50/50</td>
<td>02-25-2015</td>
</tr>
<tr>
<td>Morris Catholic High School</td>
<td>On Prem 50/50</td>
<td>11-22-2014</td>
</tr>
<tr>
<td>Morris Knolls Choral Boosters</td>
<td>On Prem 50/50</td>
<td>10-24-2014</td>
</tr>
<tr>
<td>Morris Knolls Choral Boosters</td>
<td>Tricky Tray</td>
<td>10-24-2014</td>
</tr>
</tbody>
</table>

BY ORDER OF THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF DENVILLE

I, KATHRYN M. BOWDITCH, ACTING MUNICIPAL CLERK FOR THE TOWNSHIP OF DENVILLE DO HEREBY CERTIFY THE ABOVE TO BE A TRUE AND EXACT COPY OF A RESOLUTION APPROVED BY THE MUNICIPAL COUNCIL AT THEIR MEETING HELD ON 8-12-2014.

CERTIFICATION DATE:  
Kathryn M. Bowditch  
Acting Municipal Clerk
RESOLUTION AUTHORIZING REFUND OF RECREATION DEPARTMENT FEES

R-14-172

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>Carol Bullis</td>
<td>$110.00</td>
</tr>
<tr>
<td>Heather Mackenzie</td>
<td>$250.00</td>
</tr>
<tr>
<td>Nicole Handler</td>
<td>$272.00</td>
</tr>
<tr>
<td>Kirah Lagu</td>
<td>$110.00</td>
</tr>
<tr>
<td>Jen Spence</td>
<td>$180.00</td>
</tr>
</tbody>
</table>

BY ORDER OF THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF DENVILLE

I, KATHRYN M. BOWDITCH, ACTING MUNICIPAL CLERK OF THE TOWNSHIP OF DENVILLE, DO HEREBY CERTIFY THE ABOVE TO BE A TRUE AND EXACT COPY OF RESOLUTION ADOPTED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF DENVILLE AT THEIR MEETING HELD ON August 12, 2014

CERTIFICATION DATED: KATHRYN M. BOWDITCH ACTING MUNICIPAL CLERK

- Res/Rec/Refund2
RESOLUTION

WHEREAS, Tropical Storm Irene caused substantial damage in the Township of Denville and placed significant costs and expenses on both residential and business property owners; and

WHEREAS, the Township supported and continues to support those property owners and encourages redevelopment of the areas of the municipality harmed by such acts of nature; and

WHEREAS, N.J.S.A. 5:27D-126b permits municipalities to waive fees for construction permits; and

WHEREAS, the Township Council previously authorized a waiver of construction permit fees associated with repairs to damage caused by Tropical Storm Irene on September 13, 2011 as detailed in Resolution #R-11-204; and

WHEREAS, the aforementioned resolution expired on January 28, 2012; and

WHEREAS, due to various unforeseen factors, certain property owners were unable to commence repairs related to damage caused by Tropical Storm Irene until after the expiration of the aforementioned construction fee waiver resolution; and

WHEREAS, the Township of Denville desires to demonstrate its support of property owners by refunding fees associated with construction permits where the property owner has demonstrated extenuating circumstances which led to the delay in applying for the requisite construction permits,

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 a portion of the construction permit fees related to damage caused by Tropical Storm Irene shall be refunded to the owner of the following property as detailed:

1. Block 50702, Lot 5 - Refund: $1,683.00

This resolution shall take effect immediately.

BY ORDER OF THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF DENVILLE

I, KATHRYN M. BOWDITCH, ACTING MUNICIPAL CLERK FOR THE TOWNSHIP OF DENVILLE DO HEREBY CERTIFY THE ABOVE TO BE A TRUE AND EXACT COPY OF A RESOLUTION APPROVED BY THE MUNICIPAL COUNCIL AT THEIR MEETING HELD ON 8-12-2014.
RESOLUTION
TOWNSHIP OF DENVILLE

WHEREAS, the County of Morris, State of New Jersey, is eligible to receive Federal funds available through the Department of Housing and Urban Development; and

WHEREAS, in order to receive certain Federal funds which are potentially available to the County of Morris under the Community Development Block Grant Program, HOME Investment Partnerships Program authorized by Title II of the Cranston-Gonzalez National Affordable Housing Act, Federal Register, Vol. 56, No. 143, dated July 2, 1991, an agreement has been proposed under which the Township of Denville and the County of Morris will form a consortium by establishing a cooperation agreement for Federal Fiscal Years 2015, 2016 and 2017; and direct its activities to the elimination of housing problems within New Jersey in accordance with the housing goals and strategies outlined in the Morris County Consolidated Plan; and

WHEREAS, municipalities are permitted to enter into such agreements pursuant to the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq.

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 agreement entitled, "AGREEMENT BETWEEN THE COUNTY OF MORRIS AND CERTAIN MUNICIPALITIES LOCATED THEREIN ESTABLISHING A COOPERATIVE MEANS OF CONDUCTING CERTAIN COMMUNITY DEVELOPMENT AND HOME ACTIVITIES PROGRAM" pursuant to the National Affordable Housing Act of 1990, a copy of which is on file in the County of Morris, Department of Human Services, Division of Community & Behavioral Health Services, Office of Community Development, shall be executed by the Mayor and Township Clerk in accordance with the provisions of the law.

2. A copy of the Agreement is on file in the office of the Township Clerk for inspection by the public.

3. A copy of this Agreement shall be filed, for informational purposes, with the Department of Community Affairs, Division of Local Government Services, pursuant to rules and regulations promulgated by the Division.

4. This resolution shall take effect immediately.

BY ORDER OF THE MUNICPAL COUNCIL OF THE TOWNSHIP OF DENVILLE

I, KATHRYN M. BOWDITCH, ACTING MUNICIPAL CLERK FOR THE TOWNSHIP OF DENVILLE DO HEREBY CERTIFY THE ABOVE TO BE A TRUE AND EXACT COPY OF A RESOLUTION APPROVED BY THE MUNICIPAL COUNCIL AT THEIR MEETING HELD ON 8-12-2014.

CERTIFICATION DATE: ___________________________ Kathryn M. Bowditch Acting Municipal Clerk
AGREEMENT BETWEEN THE COUNTY OF MORRIS AND CERTAIN MUNICIPALITIES LOCATED THEREIN ESTABLISHING A COOPERATIVE MEANS OF CONDUCTING CERTAIN COMMUNITY DEVELOPMENT AND HOME ACTIVITIES PROGRAM

WHEREAS, Title I of the Housing and Community Development Act of 1974, as amended, and Title II of the Cranston-Gonzales National Affordable Housing Act of 1990 provides for substantial Federal funds being made available to certain urban counties for use therein; and

WHEREAS, these Acts established certain criteria which must be met in order for a county to be the recipient of said funding; and

WHEREAS, as required by Federal guidelines, the Morris County Counsel has determined that the terms and provisions of this agreement are fully authorized by State and local law and that the agreement provides the County of Morris with full authority consistent with authority delegated by Federal law; and

WHEREAS, the Uniform Shared Services and Consolidation Act (N.J.S.A. 40A:65-1 et seq.) provides a mechanism through which counties and municipalities may enter into agreements for the provision of joint services.

It is therefore agreed by the County of Morris and the Township of Denville as follows:

A. Planning Process

1. Nature and Extent of Service

a. Purpose

The purpose of this agreement is to establish a legal mechanism through which the county government may apply for, receive and disburse Federal funds available to eligible urban counties under Title I of the Housing and Community Development Act of 1974, as amended, commonly known as Community Development Block Grant (CDBG) Entitlement Program; and, funds available under Title II of the Cranston-Gonzales National Affordable Housing Act of 1990, commonly known as the HOME Investment Partnership Program; and to take such actions in cooperation with the participating municipalities as may be necessary to participate in the benefits of these programs. Federal funds received by the County shall be for such functions as urban renewal, water and sewer facilities, neighborhood facilities, public facilities, open space, housing and such other purposes as are authorized by these Acts. Nothing contained in this agreement shall deprive any municipality or other unit of local government of any powers of zoning, development control, or other lawful authority which it presently possesses, nor shall any participant be deprived of any state or federal aid to which it might be entitled in its own right, except as herein provided.

b. Establishment of Committee

There is hereby established a cooperative Community Development Committee, consisting of two representatives from each participating municipality and two
representatives of county government, each to be appointed for one-year periods coinciding with the calendar year. The governing body and the chief executive officer of each participating agency shall make one appointment each.

c. Responsibilities of Committee

(1) The committee may choose to elect a chairperson and shall take formal action only upon a two-thirds vote of the full membership thereof.

(2) The Director of the Office of Community Development, designated as the Administrative Liaison Officer, shall be accountable and subject to the supervision of the Division of Community & Behavioral Health Services. He or she shall, within the limits of resources available, provide technical and administrative support to the Committee.

(3) The Committee shall meet promptly after its establishment and thereafter as often as required. It shall establish rules of procedures as may be required.

(4) The Committee shall study and discuss the community development and housing needs of the county which affect the participating local governments and shall determine the most effective and acceptable utilization of CDBG and HOME funds available to the county government. It shall recommend to the Board of Chosen Freeholders applications for participation in Federal funding, and towards that end it shall, in the manner herein prescribed, be authorized to develop required plans and such documents and certifications of compliance as are required by the Federal Government for participation by the County in the programs. Funds applied for may be those available for urban counties for CDBG, and participating jurisdictions for the Home Program.

(5) The Committee shall develop, in full consultation with the Office of Community Development and all affected agencies of the local governments involved, priorities for the actual utilization of such funds as are made available from the Federal Government under these Titles. The Committee shall recommend for each project or activity to be carried out with these funds a specific means of accomplishment. This may be for the County to carry out the project or function, for a municipality to receive the monies to carry it out, or for some other combination of local or State agencies. Such implementation mechanism shall be established either by means of a separate contract entered into between the County government and the municipality or municipalities in which the activities or functions are to take place, pursuant to the provisions of the Interlocal Services Act, or by inclusion of such information in Section C of this agreement, subject to the same approvals. The implementation mechanism shall be established before submission of the application to HUD, together with any relevant documents that become part of this agreement.

(6) Every municipality participating in the Community Development Block Grant and HOME Programs may request participation in the expenditure of Federal funds, comment on the overall needs of the County which may be served through these funds, and otherwise take part in the proceedings of the Committee through its members of the Committee. No project shall be undertaken or services provided in any municipality without prior notification to the governing body of the municipality and the opportunity for comment by the same body.
d. **Standards of Performance**

Every Shared Services Agreement established pursuant to the agreement shall contain standards of performance as required by the applicable federal regulations. Performance reports shall be prepared for the Committee annually, and they shall be submitted to the Board of Chosen Freeholders as may be required for submission to the Federal Government.

2. **Estimated Cost and Allocation Thereof**

The amount of Federal funds involved shall be the amount applied for by the Board of Chosen Freeholders pursuant to the recommendation of the Committee, subject to any modifications made by HUD. Any Federal funds received by letter of credit or otherwise shall be placed in County Trust Funds established and maintained pursuant to regulations promulgated by the Director of the Division of Local Government Service in the New Jersey Department of Community Affairs. These funds shall be in separate bank accounts subject to the control of the County government, which shall be the designated recipient of the funds provided under the Federal Act. Upon authorization by the County and in compliance with State law and promulgated regulations, funds may be expended from the County Trust Funds by the County or by payment to a particular municipality pursuant to a specific contract. Neither the Committee, the County government, nor any participating local government may expend or commit funds except as may be authorized pursuant to this agreement and in full compliance with State and Federal laws and regulations. No participant under this contract may in any way be obligated to expend funds of its own except as may be mutually agreed upon in a lawful manner.

3. **Duration of Contract**

This contract will be effective, starting with the three Federal Fiscal Years 2015, 2016 and 2017 appropriations and will remain in effect until the CDBG (and HOME, where applicable) funds and program income received with respect to activities and all successive qualification periods under this agreement are expended and the funded activities completed.

This agreement will automatically be renewed for participation in successive three-year qualification periods. The County and the participating unit of local government may not terminate or withdraw from the agreement while the agreement remains in effect for each three year qualification period. The County or the municipality may elect not to participate in a new qualification period in three-year intervals, provided written notice is given. A copy of the notice must be sent to the HUD Field Office. By the date specified in HUD's urban county qualification notice for the next qualification period, the urban county will notify the participating unit of general local government in writing of its right not to participate. A copy of the county's notification to the jurisdiction must be sent to the HUD Field Office by the date specified in the urban county qualification notice.
Failure by either party to adopt any amendment to the agreement incorporating changes necessary to meet the requirements for cooperation agreements set forth in the Urban County Qualification Notice applicable for the subsequent three-year urban county qualification period, and to submit such amendment to HUD as provided in the urban county qualification notice will void the automatic renewal of such qualification period.

By executing the CDBG cooperation agreement, the cooperating unit of general local government understands that it:

(a) May not apply for grants from appropriations under the State CDBG Program for fiscal years during the period in which it participates in the urban county’s CDBG program; and

(b) May receive a formula allocation under the HOME Program only through the urban county. Thus, even if the urban county does not receive a HOME formula allocation, the participating unit of local government cannot form a HOME consortium with other local governments. (Note: This does not preclude the urban county or a unit of government participating with the urban county from applying to the State for HOME funds, if the state allows. An existing renewable agreement need not be amended to add this Note. It is included here only for purposes of clarification.); and

(c) May receive a formula allocation under the ESG Program only through the urban county. (Note: This does not preclude the urban county or a unit of government participating with the urban county from applying to the State for ESG funds, if the state allows. An existing renewable agreement need not be amended to add this Note. It is included here only for purposes of clarification.)

4. Designation of General Agent
The Administrative Liaison Officer, Director of Community Development, is hereby designated as the administrative agent of the Board of Chosen Freeholders for purposes of compliance with statutory and regulatory responsibilities.

B. Qualifications as Urban County

In addition to such assurances and agreements as may have been made by previously executed ordinances in order to meet the criteria for funding eligibility as an “urban county,” the parties hereto agree to cooperate to undertake, or assist in undertaking, community renewal and lower income housing assistance activities. This agreement shall be effective when a sufficient number of municipalities have signed the contract so that 200,000 population is represented and when all other Federal eligibility criteria for designation as an “urban county” under the Act have been satisfied. In the event that sufficient municipalities to meet these criteria should not sign this agreement within the time period set forth by the United States Department of Housing and Urban Development, the Freeholder Director shall so notify all signators, and the agreement shall thereupon be null and void.
In order to comply with Federal requirements, the County government, through its Board of Chosen Freeholders, shall be the applicant for Community Development and HOME funds and shall take responsibility as applicant and shall have the final responsibility for selecting projects and submitting annual Action Plans. The County shall also have the authority to carry out activities which may be funded starting with Fiscal 2015, 2016 and 2017 appropriations, and for renewal periods thereafter, and from any other program income generated from the expenditure of such funds.

C. Agreement as to Specific Activities (Interlocal Service Agreement)

1. Activities
The municipality hereby agrees to cooperate with the County of Morris in conducting those activities included on Attachment A. Specific projects are set forth in the applications submitted to HUD. The municipality also agrees to the use by the County of certain of the funds to be applied for county planning and administrative costs as also indicated on the accompanying lists.

2. Identification of Participants
a. County
The municipality agrees that the County, as the applicant, takes full responsibility and assumes all obligations of an applicant under the Housing and Community Development Act of 1974, as amended, and the Cranston-Gonzalez National Affordable Housing Act. This responsibility will also extend to parts of the planning and management process, including the analysis of needs, the setting of objectives, the development of the Consolidated Plan and Annual Action Plans, and all assurances of certifications of compliance with Federal and State requirements necessary under Federal and State laws. The responsibility of the County shall apply to all Community Development and HOME projects whether or not the County or locality carries out directly an activity or activities included in the application.

b. Municipality
As appropriate, certain activities are to be undertaken by the participating municipalities, specifically to undertake, or assist in undertaking, community renewal and lower-income housing assistance activities. A separate grant agreement between the County and municipality must be executed for these projects. The chief executive officer of each municipality is responsible for the implementation of these projects. The municipality further agrees to cooperate with the County in complying with the requirements of the Housing and Community Development Act of 1974, as amended, and the Cranston-Gonzalez National Affordable Housing Act of 1990. Pursuant to 24 CFR 570.501(b), the municipality is subject to the same requirements applicable to subrecipients, including the requirement of a written agreement as set forth in 24 CFR 570.503.
3. Costs

a. Costs of Activities
The cost of Community Development and HOME activities shall be set forth in the applications submitted to HUD. In addition, the municipality may apply for additional funds from other sources and/or appropriate municipal funds, as it deems necessary to successfully carry out the projects.

b. Payment
Payments for the conduct of activities to be carried out by individual municipalities will be made to the municipality on the basis of vouchers signed by the approving authority of the municipality. Such payments will be made to the municipality upon submission by the municipality of appropriate County vouchers and supporting documentation and authorization by the County.

c. Program Income
The municipality must inform the County of any income generated by the expenditure of Community Development Block Grant and HOME funds received. Program income must be paid to the County unless it is agreed in writing that the municipality may retain the income. All program income must be used for eligible activities in accordance with all CDBG requirements as applicable. The County has the responsibility for monitoring and reporting to HUD on the use of any program income received thereby requiring appropriate record keeping and reporting by the municipality as may be needed for this purpose. Any program income on hand or received subsequent to project close-out or change in status of the municipality shall be paid to the County.

4. General Standards of Performance
Activities to be carried out under this agreement shall be performed in accordance with Federal, State and local laws and regulations. In carrying out the activities, the County will be responsible for contact with other local, State and Federal agencies to prevent duplication of effort and to foster coordination of related activities.

Activities to be carried out by individual municipalities shall be based on detailed work proposals and budget outlines submitted to the County for review. The County Administrative Liaison Officer and other County staff members as may be necessary shall examine the project data submitted to the County and shall grant approval prior to the commencement of any work involved.

The parties hereto agree to take any and all actions pursuant to proper legal means in order to carry out the specific project, the Community Development Program, the HOME Program, the approved Consolidation Plan and to meet all other requirements of the CDBG and HOME Programs and other applicable laws.

5. Standards Applicable to Real Property Acquired or Improved With CDBG Funds
The following standards apply to real property acquired or improved in whole or in part using CDBG funds that is within the control of the municipality:
a. The municipality must notify the County of any modification or change in the use of real property from that planned at the time of acquisition or improvement, including disposition;

b. The municipality shall reimburse the County an amount equal to the current fair market value (less any portion thereof attributable to expenditures of non-CDBG funds) of property acquired or improved with CDBG funds that is sold or transferred for a use which does not qualify under CDBG regulations; and

c. Program income generated from disposition or transfer of property prior to or subsequent to close-out or a change in status or termination of the Cooperation Agreement between the County and municipality must be paid to the County unless otherwise agreed pursuant to Paragraph C.3.c. herein.

6. Time Period
Work on the activities to be carried out directly by municipalities shall commence only upon notification by the County that the funds have been released by HUD. In accordance with HUD regulations, activities included in the annual applications shall be completed or underway in accordance with the respective grant agreement for the project.

7. Availability of Records for Audit
Required records of progress of activities carried out by the County and by individual municipalities will be maintained according to the enabling federal legislation and accompanying regulations, the New Jersey Division of Local Finance and other applicable requirements. All records shall be kept in a manner prescribed by these regulations and shall be available for audit by the proper authorities. Records of activities carried out by the County shall be maintained by the Administrative Liaison Officer of the County, and records of activities carried out by individual municipalities shall be maintained by the municipal clerk of the municipality carrying out the activity. CDBG and HOME funds received by the municipality shall be audited as part of the municipality’s annual audit in accordance with standards applicable to the Single Audit Act.

D. Signators

This contract shall be executed in similarly worded counterparts each of which shall be signed by the Freeholder Director and the chief executive officer of an individual municipality. Each such signator agency agrees to cooperate with all other signators and be bound as if all had signed the same agreement.

E. Modifications

1. Modification of Activity
Should it become necessary to modify or amend the activity of a specific project within the specified costs, or in the event that a modification is requested by a municipality participating in or carrying out an activity, the County, in compliance with the by-laws of the Community Development Committee, may make modifications to a project with the approval of HUD and the concurrence of the
municipality or municipalities involved. In the case of alteration of a regional or countywide project, approval of all municipalities in the region or County may be required. Such local approval may take the form of a letter from the chief officer or a resolution of the governing body.

2. Limitation of Modification
Modification of an activity shall not include deletion of a project, substitution of one project for another, or change of the location of a project unless such changes are required by HUD, Federal regulation or State law. Any such modification and/or amendment to the Application for Federal Assistance shall require approval per the by-laws of the Community Development Committee, by the governing body of the municipality, and by resolution of the Board of Chosen Freeholders when required by HUD regulation.

F. Severability
In the event that any portion of this agreement shall be made inoperative by reason of judicial or administrative ruling, the remainder shall continue in effect.

G. Certification
The parties hereto certify that they shall, and they so agree, to take all required actions necessary to assure compliance with the urban county’s certification required by Section 104(b) of Title I of the Housing and Community Development Act of 1974, as amended, including Title VI of the Civil Rights Act of 1964, the Fair Housing Act, Section 109 of Title I of the Housing and Community Development Act of 1974, and other applicable laws.

The parties hereto agree that funding hereunder is prohibited for activities in or in support of any cooperating unit of general local government that does not affirmatively further fair housing within its own jurisdiction or that impedes the County’s actions to comply with its fair housing certification.

The parties hereto agree to cooperate to undertake, or assist in undertaking, community renewal and lower income housing assistance activities.

The parties have adopted and are enforcing:

1. A policy of prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individual engaged in non-violent civil rights demonstrations; and

2. A policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within the jurisdiction.
H. Supersession

This agreement shall supplement any previous agreements on this subject and shall replace and supersede any previously agreed upon provisions only to the extent of conflict of purpose.

IN WITNESS WHEREOF, the parties have hereunto, pursuant to authorization from properly adopted resolution, executed this agreement on this ___ day of ______, 2014.

ATTEST

Diane M. Ketchum, Clerk

COUNTY OF MORRIS

Thomas J. Mastrangelo, Director
Board of Chosen Freeholders

ATTEST

Kathryn M. Bowditch,
Acting Municipal Clerk

Thomas W. Andes, Mayor
ATTACHMENT A

ELIGIBLE COMMUNITY DEVELOPMENT BLOCK GRANT ACTIVITIES

- Property acquisition and disposition

- Construction, reconstruction, rehabilitation or installation of publicly owned facilities and improvements including: senior centers, parks, centers for the handicapped, neighborhood facilities, fire protection facilities, parking facilities, street improvements, water & sewer facilities, foundations and platforms for air rights sites, pedestrian malls and walkways, flood and drainage facilities, solid waste disposal facilities, others

- Clearance activities

- Public services

- Completion of Urban Renewal projects

- Relocation

- Removal of architectural barriers

- Construction, reconstruction, rehabilitation or installation, or acquisition of privately-owned utilities

- Rehabilitation of public residential structures, public housing, modernization, and rehabilitation of private properties

- Acquisition for the purpose of rehabilitation

- Rehabilitation financing

- Planning and urban design activities

- Code enforcement

- Historic preservation

- Economic Development activities

- Activities by private non-profit entities, local development, corporations, or small business investment companies, neighborhood-based non-profit organizations
ATTACHMENT A

ELIGIBLE HOME INVESTMENT PARTNERSHIP (HOME) ACTIVITIES

PER TITLE II OF THE NATIONAL AFFORDABLE HOUSING ACT

HOME funds may be used to provide incentives to develop and support affordable rental housing and home ownership through:

- Acquisition of improved or unimproved property, including standard housing units
- New construction
- Reconstruction on existing foundation
- Moderate rehabilitation less than $25,000 per unit
- Substantial rehabilitation more than $25,000 per unit
- Site improvements for housing development
- Conversion from non-residential to residential use
- Demolition when associated with construction
- Tenant Based Rental Assistance
- Soft costs in relation to above activities
- First-Time Homebuyers Assistance
- Administrative activities
RESOLUTION

WHEREAS, the Township desires to obtain a permanent utility easement for a sanitary sewer line on property known as Block 30001, Lot 12 owned by Estling Lake Corporation; and

WHEREAS, the parties have agreed upon the terms of an Easement Agreement.

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

1. The Mayor and Township Clerk are hereby authorized to execute an Easement Agreement with Estling Lake Corp. for a sanitary sewer easement on property known as Block 30001, Lot 12.

2. A copy of the Easement Agreement is on file in the office of the Township Clerk for inspection by the public.

3. This Resolution shall take effect immediately.

BY ORDER OF THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF DENVILLE

I, KATHRYN M. BOWDITCH, ACTING MUNICIPAL CLERK FOR THE TOWNSHIP OF DENVILLE DO HEREBY CERTIFY THE ABOVE TO BE A TRUE AND EXACT COPY OF A RESOLUTION APPROVED BY THE MUNICIPAL COUNCIL AT THEIR MEETING HELD ON 8-12-2014.

CERTIFICATION DATE:__________
Kathryn M. Bowditch
Acting Municipal Clerk
EASEMENT AGREEMENT

THIS easement agreement ("Easement Agreement") is made as of, and is effective on the __ day of, ______ 2014,

BETWEEN: ESTLING LAKE CORPORATION, having an address of P.O. Box 281, Denville, New Jersey 07834, referred to as the "Grantor."

AND: THE TOWNSHIP OF DENVILLE, a municipal body of the State of New Jersey, referred to as the "Grantee."

WITNESSETH:

WHEREAS, Grantor is the owner of property located in the Township of Denville, County of Morris, and State of New Jersey identified as Block 30001, Lot 12 on the official tax maps, and as further described in Exhibit A (the "Grantor’s Property"); and

WHEREAS, Grantee desires to reconstruct, service, repair, and maintain a sanitary sewer line (referred to herein as the "Sewer Line") that is to be installed on the Grantor’s Property by Estling Village, L.L.C.; and

WHEREAS, Grantor has agreed to grant an easement to Grantee to allow Grantee to reconstruct, service, repair, and maintain the Sewer Line, subject to the terms and conditions set forth in this Agreement; and

WHEREAS, Grantor and Grantee desire to memorialize the terms of their agreement.

NOW, THEREFORE, the Grantor and Grantee hereby agree as follows:

1. Permanent Easement. Subject to the terms and conditions of this Easement Agreement, the Grantor hereby grants and conveys to Grantee a perpetual sanitary sewer easement over a portion of the Grantor’s Property, (the "Easement Area") as more particularly described in Exhibit B, for purposes of reconstructing, servicing, repairing, and maintaining the Sewer Line and for making connections therewith from the following:

   a. the fifty-three (53) single-family dwellings that exist on Estling Lake Road, Thurmont Road, Vista Way and Beverly Road at the time this Easement Agreement is entered into,
b. the 100 unit residential apartment complex to be developed on land identified as 30 Estling Lake Road, Denville, Morris County, New Jersey and owned by Estling Village, L.L.C.,

c. future structures which may be constructed on the properties currently owned by the Grantor further identified as Block 30001 on the official tax maps of the Township of Denville, and

d. no more than twenty-five (25) future residential units.

2. Financial responsibility. Grantee shall be solely responsible for all costs associated with reconstructing, maintaining, servicing, and repairing the Sewer Line within the Easement Area, including any inspection fees, bonds and permits. All work shall be performed in a good and workmanlike manner and in accordance with applicable regulations.

3. Date limitation. This easement is subject to the following date limitation: As the Grantor uses the Grantor’s property primarily during the summer months, all non-emergency reconstruction, service, repair, and maintenance (including any necessary cleanup) on the Sewer Line shall take place between October 1st and April 1st.

4. Access To Easement Area. Grantee, and its employees, contractors, agents and representatives, shall have the permanent right of ingress to and egress from the Grantor’s Property for any purpose consistent with the terms of this Agreement. Grantee shall provide Grantor with ten (10) days written notice prior to entering the Grantor’s Property, except in the case of emergency. In the case of emergency, written notice shall be provided as soon as possible by e-mail, telephone and regular mail. The Grantor shall provide the Grantee with its current contact information from time to time.

5. Road Access. Grantee’s rights under this Easement Agreement shall not interfere with the Grantor’s right to uninterrupted access and use of Estling Lake Road. The Grantor’s only means of emergency access and egress is by way of Estling Lake Road.

6. Restoration of Premises. After any excavation, service, repair, or maintenance of the Sewer Line, the Grantee shall immediately cause all debris and equipment to be removed from the Grantor’s Property and restore the surface of the Easement Area and any other areas affected to their original condition, or better, if restoration to the original condition is not possible. Grantee shall restore the surface of Estling Lake Road, in the event the road is damaged during the course of the Grantee’s maintenance, repair, or service of the Sewer Line, in accordance with the road opening requirements of the Township of Denville as set forth in Section 14-2.8 of the Code of the Township of Denville.

7. Indemnification/Insurance. Grantee shall release, indemnify, defend and hold harmless the Grantor from and against all liability, damage, claims, suits and costs (including reasonable attorney’s fees) arising out of or related to the Grantee’s use of the Grantor’s Property or the actions of Grantee and/or Grantee’s employees, contractors, agents and representatives.
8. **Term of Easement.** The easement rights granted herein shall be perpetual and shall be possessed and enjoyed by Grantee, its successors and assigns, in perpetuity.

9. **Easement to Run with the Land.** This easement shall run with the Grantor’s Property and shall be binding upon and inure to the benefit of the Grantor and Grantee, and their successors and assigns and all successors in title.

10. **Complete Agreement.** This Easement Agreement constitutes the complete and only agreement between Grantor and Grantee regarding the subject matter hereof. This Easement Agreement shall supersede all prior agreements, grants, reservations of rights and/or understandings with respect to the subject matter hereof.

11. **No Modification.** This Easement Agreement may not be modified except in writing executed by Grantor and Grantee.

12. **Recordation by Grantee.** The Grantee shall record this Easement Agreement in the Morris County Clerk’s Office after the completed Sewer Line has been inspected, approved and accepted by both the Township of Denville and the Rockaway Valley Regional Sewerage Authority.

This Easement Agreement has been executed by a duly authorized representative of the Grantor and Grantee as of the date first set forth above.

WITNESS: 

GRANTOR: 

ESTLING LAKE CORPORATION

By: ____________________________

Alfred B. Edwards, President

WITNESS: 

GRANTEE: 

Township of Denville

By: ____________________________

Thomas W. Andes, Mayor

Kathryn M. Bowditch
Acting Municipal Clerk
STATE OF NEW JERSEY:
: SS:
COUNTY OF MORRIS

I CERTIFY that on ___, 2014, KATHRYN M. BOWDITCH, personally came before me and this person acknowledged under oath, to my satisfaction, that: (a) this person is the Clerk of the TOWNSHIP OF DENVILLE, the municipal corporation named in the attached document; (b) this person is the attesting witness to the signing of this document by the proper municipal officer who is THOMAS W. ANDES, the Mayor of the municipal corporation; (c) this document was signed and delivered by the municipal corporation as its voluntary act duly authorized by a proper resolution of the Committee; (d) this person knows the proper seal of the municipal corporation which was affixed to this document; and (e) this person signed this proof to attest to the truth of these facts.

Sworn and Subscribed to before me this ___ day of ___, 2014.

Kathryn M. Bowditch, Acting Municipal Clerk

(Notary sign, seal, stamp)
Council meeting: August 12, 2014

Members of the Council:

RE: Municipal Bid# 6-2014

Township of Denville Revaluation

Please authorize the proposed dates to advertise, accept and award bids for the above referenced subject;

We are proposing to advertise on: August 27, 2014

For bids to be accepted on: October 1, 2014

In anticipation to award on: October 7th or October 27th

Respectfully,

Steven Ward, Business Administrator

BY ORDER OF THE MUNICIPAL COUNCIL
OF THE TOWNSHIP OF DENVILLE

I, KATHRYN M. BOWDITCH, ACTING MUNICIPAL CLERK FOR THE TOWNSHIP OF DENVILLE DO HEREBY CERTIFY THE ABOVE TO BE A TRUE AND EXACT COPY OF A RESOLUTION APPROVED BY THE MUNICIPAL COUNCIL AT THEIR MEETING HELD ON 8-12-2014.

CERTIFICATION DATE: Kathryn M. Bowditch
Acting Municipal Clerk
RESOLUTION NO. R-14-177

WHEREAS, on April 2, 2014, the Township of Denville received six (6) bids for Veteran's Memorial Park Field Improvements project; and

WHEREAS, Applied Landscape Technologies, Inc. submitted the lowest responsible and responsive bid as follows:

Base Bid - $932,600
Alternate Bid Item 1 - $360,500
Alternate Bid Item 2 - $357,800
Supplemental Bid Item A - $28,750
Supplemental Bid Item B - $151,200
Supplemental Bid Item C - $334,800; and

WHEREAS, on April 22, 2014, the Municipal Council awarded the Veteran's Memorial Park Field Improvements Contract ("Contract") to Applied Landscape Technologies, Inc. in accordance with its bid proposal for the Base Bid, Alternate Bid Item 2, and Supplemental Bid Items A and B for a total of $1,470,350.00; and

WHEREAS, pursuant to N.J.S.A. 40A:11-24, Applied Landscape Technologies, Inc. agreed to an unlimited extension of time to award Supplemental Bid Item C; and

WHEREAS, the Municipal Council desires to amend the award of the Contract to award Supplemental Bid Item C to Applied Landscape Technologies, Inc. in accordance with its bid proposal of $334,800 for a total Contract amount of $1,805,150.00; and

WHEREAS, the Chief Financial Officer of the Township of Denville has certified that funds are available for this purpose.

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

1. The award of the Contract for the Veteran’s Memorial Park Field Improvements, awarded on April 22, 2014 to Applied Landscape Technologies, Inc., P.O. Box
608, Montville, NJ 07045 is hereby amended to include the award of Supplemental Bid Item C in accordance with its bid of $334,800 for a total Contract amount of $1,805,150.00.

2. The Mayor and Township Clerk are hereby authorized and directed to execute an amendment to the Contract with Applied Landscape Technologies, Inc. to include Supplemental Bid Item C.

3. This Resolution shall take effect immediately.

BY ORDER OF THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF DENVILLE


Certification Dated: ___________________________ Kathryn M. Bowditch, Acting Municipal Clerk
RESOLUTION NO. R-14-178

WHEREAS, the Township of Denville entered into a contract with Applied Landscape Technologies, Inc. for the Veteran's Memorial Park Field Improvements Project; and

WHEREAS, the Township Engineer has recommended that a change order be authorized to upgrade the turf system by deleting Alternate Bid Item No. 2 in the amount of $357,800 and adding Alternate Bid Item No. 1 in the amount of $360,500 for a net increase in the contract amount of $2,700.00; and

WHEREAS, the Township is agreeable to granting the requested changes as reflected in Change Order #1 which will increase the contract sum from $1,805,150.00 to $1,807,850.00.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Denville, in the County of Morris, and State of New Jersey, that the contract between the Township and Applied Landscape Technologies, Inc. shall be amended as described in the attached Change Order #1; and that the Mayor and Township Clerk be authorized and directed to execute said Change Order #1 on behalf of the Township.

BY ORDER OF THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF DENVILLE

I, KATHRYN M. BOWDITCH, ACTING MUNICIPAL CLERK OF THE TOWNSHIP OF DENVILLE, DO HEREBY CERTIFY THE ABOVE TO BE A TRUE AND EXACT COPY OF A RESOLUTION APPROVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF DENVILLE AT THEIR MEETING HELD ON AUGUST 12, 2014

CERTIFICATION DATED: ___________________________ KATHRYN M. BOWDITCH
ACTING MUNICIPAL CLERK
Change Order No. 1
IN CONNECTION WITH THE VETERANS MEMORIAL PARK FIELD IMPROVEMENTS PROJECT

CONTRACTOR
Applied Landscape Technologies, Inc.
P.O. Box 608
Montville, NJ 07045

PROJECT:
Veterans Memorial Park Field Improvements

OWNER:
Township of Denville,
a Municipal Corporation of the
State of New Jersey
1 St. Mary's Place
Denville, New Jersey 07834

The Agreement between the Owner and Contractor for the Project, dated May 15, 2014 (hereinafter, "Agreement"), is hereby amended to reflect the following changes:

1. Deletion of Alternate Bid Item 2 in the amount of $357,800.
2. Addition of Alternate Bid Item 1 in the amount of $360,500.
3. The Contract price is revised from $1,805,105 to $1,807,805.

All other terms and conditions set forth in the Agreement shall remain in full force and effect.

Approved by Owner
TOWNSHIP OF DENVILLE

________________________________________
Thomas W. Andes, Mayor

________________________________________
Kathryn M. Bowditch, Acting Municipal Clerk

Dated:
TOWNSHIP OF DENVILLE

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

By The Governing Body

Date of Request 08/07/14

Applied Landscape Technologies, Inc.
P.O. Box 608
Montville, NJ 07045

Name and Address of Contractor

Veteran’s Memorial Field Improvements $337,500.00
Name of Description of Pending contract Amount of Contract

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

<table>
<thead>
<tr>
<th>DEPT., ACCT. #, ORD. #</th>
<th>Capital</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>04-216-55-553-901</td>
<td>$2,700.00</td>
<td>$2,700.00</td>
</tr>
<tr>
<td>04-216-55-555-901</td>
<td>334,800.00</td>
<td>334,800.00</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>TOTAL</td>
<td>$337,500.00</td>
</tr>
</tbody>
</table>

Signed: __________________________
Department or Division Head

PLEASE ATTACH A COPY OF PROPOSED CONTRACT

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

<table>
<thead>
<tr>
<th>DEPT., ACCT. #, ORD. #</th>
<th>Capital</th>
</tr>
</thead>
<tbody>
<tr>
<td>04-216-55-553-901</td>
<td>$2,700.00</td>
</tr>
<tr>
<td>04-216-55-555-901</td>
<td>334,800.00</td>
</tr>
</tbody>
</table>

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

COMMENTS:
Fund availability are predicated on available budget

CERT 14-13
RESOLUTION AUTHORIZING RENEWAL
OF ALCOHOLIC BEVERAGE LICENSE FOR
BENSI OF DENVILLE, INC.
#1408-33-007-005

BE IT RESOLVED by the Municipal Council of the Township of Denville
that the Alcoholic Beverage Control License #1408-33-007-005 d/b/a Bensi of
Denville, Inc. be approved for the year 2014-2015.

BY ORDER OF THE MUNICIPAL COUNCIL
OF THE TOWNSHIP OF DENVILLE

I, KATHRYN M. BOWDITCH, ACTING MUNICIPAL CLERK FOR THE
TOWNSHIP OF DENVILLE DO HEREBY CERTIFY THE ABOVE TO BE A
TRUE AND EXACT COPY OF A RESOLUTION APPROVED BY THE
MUNICIPAL COUNCIL AT THEIR MEETING HELD ON 8-12-14.

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

WHEREAS, the Township of Denville held a Tax Lien Sale on 10/17/12 for
Delinquent 2011 Calendar Year Taxes, Water & Sewer, and a Tax Sale Certificate was purchased by
Ridgeback Ventures, L.L.C on Block 30202 Lot 10; and

WHEREAS, the owner of said property has paid to the Tax Collector all moneys due for the
Redemption of said Tax Sale Certificate.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Denville, in
the County of Morris and State of New Jersey, that the Tax Collector is hereby authorized and directed to
prepare a voucher to refund the amount shown below to the named lien holder; and

BE IT FURTHER RESOLVED, that the Chief Financial Officer is hereby authorized and directed to
forward the check to the Tax Collector to be delivered to said person after proper notation has been made
on the Tax Records.

<table>
<thead>
<tr>
<th>BLOCK /LOT</th>
<th>PURCHASER OF LIEN</th>
<th>REFUND</th>
</tr>
</thead>
<tbody>
<tr>
<td>30202 10</td>
<td>Ridgeback Ventures, L.L.C</td>
<td>$40,661.64</td>
</tr>
<tr>
<td></td>
<td>PO Box 503</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Mt. Freedom, NJ 07970</td>
<td></td>
</tr>
</tbody>
</table>

Certificate #2012-007
Loc: 20 Magnolia Ave.

Certification Dated: KATHRYN BOWDITCH
CERTIFICATION DATED: KATHRYN BOWDITCH
ACTING MUNICIPAL CLERK
RESOLUTION NO. R-14-181

WHEREAS, by Resolution R-13-251, the Municipal Council established the salaries for certain Denville employees not governed by collective bargaining agreements for years 2014, 2015, 2016 and 2017; and

WHEREAS, the Municipal Council increased the salary of the Deputy Municipal Clerk during the period in which she served as Acting Municipal Clerk (July 2014) by the amount of $500/month; and

WHEREAS, the Municipal Council wishes to permanently increase the annual salary of the Deputy Municipal Clerk.

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

1. Resolution R-13-251 is hereby amended with regard to the position of Deputy Municipal Clerk, effective August 1, 2014, as follows:

"TITLE

<table>
<thead>
<tr>
<th>Date</th>
<th>Deputy Municipal Clerk</th>
</tr>
</thead>
<tbody>
<tr>
<td>01/01/2014</td>
<td>$56,889.00*</td>
</tr>
<tr>
<td>01/01/2015</td>
<td>$61,075.00</td>
</tr>
<tr>
<td>01/01/2016</td>
<td>$62,284.00</td>
</tr>
<tr>
<td>01/01/2017</td>
<td>$63,517.00</td>
</tr>
</tbody>
</table>

*includes July
Annualized $59,889

2. The above salary amounts shall be increased by the amount of $1,500.00 per annum upon the Deputy Municipal Clerk obtaining the Municipal Clerk Certification.

3. This resolution shall be effective immediately but shall be retroactive to August 1, 2014.

BY ORDER OF THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF DENVILLE


Certification Dated: Kathryn M. Bowditch, Acting Municipal Clerk
RESOLUTION # R-14-182

WHEREAS, the Township of Denville solicited quotes for a new municipal-wide telephone system upgrade which would incorporate new technologies to provide redundancy and automated failover communication paths; and

WHEREAS, Administration has recommended that a contract for a three-year term be awarded to Monmouth Telecom for full telephony and internet service; and

WHEREAS, the Municipal Council wishes to award the telephone and internet services contract to Monmouth Telecom in accordance with its proposal dated June 4, 2014 in the amount of $20,372.53 for one-time equipment charges and set-up fee, and in the amount of approximately $3,413.66 per month for recurring charges; and

WHEREAS, Monmouth Telecom has completed and submitted a Business Entity Disclosure Certification which certifies that the company has not made any reportable contributions to a political or candidate committee in the Township of Denville in the previous one year, and that the contract will prohibit the company from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer of the Township of Denville has certified that funds are available for the equipment costs and set-up fee.

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

1. A contract for telephone and internet services for a term of three (3) years is hereby awarded to Monmouth Telecom, 10 Drs. James Parker Blvd., Suite 110 in accordance with its proposal in the amount of $20,372.53 for equipment charges and a one-time set-up fee and, in addition, for monthly recurring charges in the approximate amount of $3,413.66 per month.
2. The Mayor and Township Clerk are hereby authorized and directed to execute a contract with Monmouth Telecom, a copy of which is on file in the office of the Township Clerk.

3. This contract is awarded without competitive bidding in accordance with N.J.S.A. 40A:11-5(1)(f) of the Local Public Contracts Law because said services are exempt from the provisions of the bidding statutes in that they are services rendered by an entity subject to the jurisdiction of the Board of Public Utilities.

4. The Business Entity Disclosure Certification and the Determination of Value shall be placed on file with this resolution.

5. This Resolution shall take effect immediately.

BY ORDER OF THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF DENVILLE


Certification Dated: Kathryn M. Bowditch, Acting Municipal Clerk
TOWNSHIP OF DENVILLE

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

Date of Request 07/30/14

Certification # 14-12

Monmouth Telecom
10 Drs. James Parker Blvd
Redbank, NJ 07701
Name and Address of Contractor

Telecommunication Services $20,372.53
Name of Description of Pending contract
Amount of Contract

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

<table>
<thead>
<tr>
<th>DEPT., ACCT. #, ORD. #</th>
<th>Police Service</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>01-201-31-440-200</td>
<td>$20,372.53</td>
<td>$20,372.53</td>
</tr>
</tbody>
</table>

Total $20,372.53

Signed: Department or Division Head

PLEASE ATTACH A COPY OF PROPOSED CONTRACT

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

| 01-201-31-440-200 | $20,372.53 |

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

COMMENTS:
Fund availability are predicated on available budget.

Michael Guarino
Date 07/30/14
Chief Financial Officer

CERT14-12
RESOLUTION

WHEREAS, Estling Village, LLC, developer of the Estling Village multi-unit residential project on Block 30601, Lot 6 has executed a Developer's Agreement; and

WHEREAS, John Ruschke, Township Engineer, has approved the bond estimate prepared by Omland Engineering Associates, Inc. dated 7/16/14 and has recommended a performance guarantee in the amount of $1,041,937.08; and

WHEREAS, the above performance guarantee has not yet been posted and approved by the Township Attorney.

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

1. That the Mayor and Township Clerk are hereby authorized to execute the Developer's Agreement with Estling Village, LLC, subject to the posting by Estling Village, LLC of the cash portion of the performance guarantee and a performance bond or letter of credit satisfactory to the Township Attorney.

2. A copy of the Developer's Agreement is on file in the Office of the Township Clerk.

This resolution shall take effect immediately.

BY ORDER OF THE MUNICIPAL COUNCIL
OF THE TOWNSHIP OF DENVILLE


Certification Dated: ____________________________ Kathryn M. Bowditch
Acting Municipal Clerk