TOWNSHIP OF DENVILLE
MUNICIPAL COUNCIL
REGULAR MEETING

June 26, 2018

The Meeting was called to order at 7:30 P.M. by Council President Gabel. The Salute to the Flag was recited, followed by an Invocation by Councilman Borowiec. DPW Clerk Jane Garvey read the Notice of Compliance with the Open Public Meetings Act and noted that this is a non-smoking facility. Ms. Garvey requested that all electronics be silenced at this time.

ROLL CALL:
Present: Murphy, Buie, Witte, Bergen, Lyden, Borowiec, President Gabel
Absent: None

ALSO IN ATTENDANCE:
Thomas Andes, Mayor; Steven Ward, Administrator; John Jansen, Township Attorney; Edward Buzak, Planning Board Attorney and Affordable Housing Counsel (arrived late); Jason Kasler, Township Planner

PRESENTATIONS/CEREMONIAL MATTERS:
NONE

LIAISON REPORTS:
Councilman Murphy reported that the Downtown Denville B.I.D. meeting was cancelled tonight due to lack of a quorum and a conflict with the Municipal Council meeting. He stated that the Green Sustainability Committee is continuing to schedule speakers for the educational seminars for which they received a grant. Councilman Buie reported that the Beautification Committee continues to work hard throughout the town and advised that pictures may be found on their Facebook page. He then reported that he attended the Library Board meeting, where they reviewed the Director’s report, upcoming events and their audit. Councilwoman Witte reported that P.R.I.D.E. has a new president – Susan Reinhardt. She then reviewed upcoming events including the Denville Fire Department Carnival and fireworks tomorrow, the Joey Bella Memorial Fund events on July 2nd and 3rd and the Township fireworks on July 4th. She stated the Rockaway River Watershed Committee (RRWC) met last week and conveyed that the macrobiotic studies done show that the Rockaway River is the best river in the area. She then stated that the RRWC is preparing for Canal Day on August 18th and the 4H Fair on July 22nd. She reported that the Seniors are enjoying their trips and yard sales and that the Morris Hills Regional Board of Education is currently working on contracts. She stated that over 40 kids and adults participated in the Denville Police Department/Kiwanis Club Bike Rodeo and that TransOptions and Eagle Scout Lucas Crammond were there to assist. She stated that the Kiwanis Club Father’s Day Pancake Breakfast was also a success. Councilman Bergen reported that the first meeting of 2018 of the Mayor’s Council for People with Challenges was held. Councilwoman Lyden reported that the Paths and Trails Committee met with Greener by Design who proposed a Master Plan for the trails and would like to make a presentation to the Council at the July 17th meeting. Councilman Borowiec reported that the Mayor’s Sports Facilities Committee is working hard on “Ramp Up Vets Field”, which is generating a lot of support for the improvements to Veterans Field. He thanked Councilman Buie for attending the Library Board meeting on his behalf. President Gabel reported that the Historical Society will meet on Thursday to discuss the needs of the 1860 schoolhouse as well as the newly acquired schoolhouse across the street. He stated that the Fire Department will have their second quarter statistics available in July.
An Ordinance of the Township of Denville, County of Morris, and State of New Jersey to Amend Chapter 19, Land Use, to Implement Settlement Agreements with RAM Associates and Glenmont Commons in Connection with the Township’s Affordable Housing Obligation

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

MOTION TO READ BY TITLE:
MOVED BY MEMBER WITTE, SECONDED BY MEMBER MURPHY

AYES: WITTE, MURPHY, BUJE, BERGEN, LYDEN, PRESIDENT GABEL
NAYS: BOROWIEC

OPEN PUBLIC HEARING

Meena Srinivas (112 Seasons Glen Drive, Parsippany) asked how the zoning came to be amended from single family to multi-family dwellings. She stated that she would also like to see the grading, lighting and proposed development plans as she had been told when she bought her home that the Casterline Road property would not be developed. Jason Kasler, Township Planner, explained that the owner of the property in question is an intervenor in the Township’s Declaratory Judgment Action and approached the Township with proposals to assist in meeting its affordable housing obligation. He then stated that final build-out plans have not yet been submitted, but that the same protections are in place as for every other project brought for approval. He stated that the proposed locations of the building avoid the steep slopes area as much as possible. Ms. Srinivas asked what light spillage is being proposed, to which Mr. Kasler stated that it is in conformance with the current zoning ordinance. Ms. Srinivas stated that she is concerned that a street is being proposed to be built very close to her back yard where her children play and that she would like to have more information and was not in favor of the Council adopting the ordinance. Mr. Kasler
stated that the developer has agreed to provide a buffer, that the light spillage will conform with the current zoning ordinance, and that the grading to the entry way conforms to requirements for sight visibility, etc. He then explained that more detailed site plans, including grading and buffering have to be submitted to the Planning Board and public hearing(s) will be held on those plans. Mr. Ward stated that the Township’s lighting ordinance states that the intensity shall not exceed 0.5-foot candle along a property line and shall not exceed 0.3-foot candle at a residential property line.

President Gabel asked Edward Buzak, Affordable Housing Counsel, to address what we hope to accomplish at tonight’s Council meeting. Mr. Buzak explained that adoption of this ordinance is being considered in order to fulfill the Township’s constitutional obligation to provide affordable housing and that a detailed inventory of all vacant land within the Township has been done. He stated this ordinance allows the developer to submit a detailed plan to the Planning Board, which will be reviewed by the Township professionals and public hearings will be held where the public can come and ask questions on the plans. Prateek Parakh (106 Seasons Glen Dr., Parsippany) commented that he respects the need for the Township to provide affordable housing but believes that there is plenty of other vacant land in Denville. He expressed his concern that the zoning is being changed from single family homes to multi-family townhomes, which would change the make-up of the neighborhood and cause traffic safety issues. He stated that the development would be 10 feet from his property line and he strongly opposes the passage of the ordinance. Mr. Parakh stated that when he purchased his property he was told that there would be no development of the Casterline property.

Prateek Parakh (106 Seasons Glen Dr., Parsippany) commented that he respects the need for the Township to provide affordable housing but believes that there is plenty of other vacant land in Denville. He expressed his concern that the zoning is being changed from single family homes to multi-family townhomes, which would change the make-up of the neighborhood and cause traffic safety issues. He stated that the development would be 10 feet from his property line and he strongly opposes the passage of the ordinance. Mr. Parakh stated that when he purchased his property he was told that there would be no development of the Casterline property.

Mr. Kasler explained the vacant land analysis, which may be found on the Township’s website, shows that there are 7,461 total lots in Denville, 491 of which are vacant, of which 356 are less than .08 acres in size, 15 are outside of the sewer service area, 14 are water bodies, 13 have been developed, 9 have received development approval, 40+ have environmental restrictions, 20 have no access, and 1 has been designated for recreational use. He expressed that there is not plenty of vacant land in Denville. He then explained the history of the declaratory judgement action in the Court and stated that the Court will ultimately determine the Township’s affordable housing obligation.

Mr. Parakh asked if the adoption of the ordinance can be put on hold at this time until further review can be done. He once again voiced his concern for the allowance of multi-family townhomes to be built so close to his property line.

Peter Ngai (118 Seasons Glen Dr., Parsippany) advised that, in 2003, Mr. Mossberg stated that single family homes would be built on the Casterline property and was concerned about why plans have changed to now allow for multi-family homes to be built. He stated he was also concerned about the proposed landscaping of the property.

President Gabel explained that over 500 municipalities in New Jersey are currently addressing the affordable housing issue. He stated that the Township is moving forward in good faith and that the Council is doing their due diligence and is committed to working with the community. He stated that, with regard to the landscaping design, the Planning Board will look at that level of detail.

Carita Ngai (118 Seasons Glen Dr., Parsippany) stated that when they bought their house, there was an understanding that only single-family homes on 1-acre lots would be able to be built and asked what has changed.

Councilman Murphy noted that the developer, Mr. Mossberg, originally proposed to build 228 units on this property and that, through negotiations, the Township has reduced the number to 65 units, of which 10 will be affordable housing units. He stated that for the past year, this project has been strongly debated by the Council. He advised that if residents had been told something different by Mr. Mossberg about what would be built on this property, that it is something to discuss with Mr. Mossberg. Mr. Murphy stated that the property is owned by Mr. Mossberg and he has the right to develop the land.

Denise Worts (26 Woods Edge Rd, Rockaway Borough) voiced her concerns about the possible environmental constraints, the increased traffic, the proposed slope disturbance and buffering associated
with the Franklin Avenue property. She stated her belief that there is a very active ecosystem on that property which she would like to see remain intact. Ms. Worts expressed that more than the constitutional obligation should be considered when making this decision and that the impact on people’s lives should be important. She also voiced her concern about the impact to the school systems and stated that she is opposed to the adoption of this ordinance.

Mr. Kasler stated that the courts have determined that the impact on schools or traffic cannot be a factor in this decision. He stated that both developers have tried to minimize the impact to the environment by situating the developments away from the steeply sloped areas and any other environmentally sensitive areas as much as possible.

Mr. Buzak stated that the Township has historically set a high standard for developments in the town and that these developments will be held to that standard also. He confirmed that both developments will include both market rate units and affordable housing units.

Ms. Worts stated that she would like to have the buffer extended.

President Gabel reiterated that this is simply the first step and that is something that could be discussed at the Planning Board meetings on this application.

Mr. Murphy asked that Mr. Kasler explain the next steps should this ordinance be adopted tonight. Mr. Kasler reviewed the procedure which will be followed. Mr. Buzak reviewed the timeline submission requirements contained in the settlement agreements.

Councilwoman Witte stated for the public that the Council has the same concerns about the impact on schools, police, fire and traffic but the Court has advised the Township that these are not factors upon which to make a decision. She stated that water and sewer availability may be the only items that could impact this decision.

Raj Srinivas (112 Seasons Glen Dr., Parsippany) voiced his concerns about the safety of the neighborhood children, who use his backyard as a play area. He requested that the buffer be increased from 10 feet to 20-25 feet.

President Gabel stated that the buffer would be addressed at a future Planning Board meeting.

Kavita Jain (106 Seasons Glen Dr., Parsippany) voiced her concerns that the proposed development would greatly affect her privacy. She stated that she would rather have the 15 units of affordable housing only, not the 65 units proposed. She stated that she did not like the idea of so many townhouses being developed on the property right behind hers.

Mr. Buzak explained that Mr. Mossberg first proposed 228 units, which has been reduced to 65 units and is a much lower density that what is being imposed by the courts in order to accommodate a municipality’s affordable housing obligation. He stated that if the Township does not move forward in good faith, then it risks the loss of its immunity and if the immunity is lost, then so is control over what is built, where it is built and how many units are built.

Ms. Jain asked if the Township can once again negotiate with the builder to lessen the number of units.

Prateek Parakh (106 Seasons Glen Dr., Parsippany) once again spoke against the passing of this ordinance at this meeting.

CLOSED PUBLIC HEARING

RESOLUTION

WHEREAS, the Municipal Council of the Township of Denville has introduced Ordinance No. 15-18 entitled, "AN ORDINANCE OF THE TOWNSHIP OF DENVILLE, COUNTY OF MORRIS, STATE OF NEW JERSEY TO AMEND CHAPTER 19, LAND USE, TO IMPLEMENT SETTLEMENT AGREEMENTS WITH RAM ASSOCIATES AND GLENMONT COMMONS IN CONNECTION WITH THE TOWNSHIP’S AFFORDABLE HOUSING OBLIGATION", and

WHEREAS, pursuant to N.J.S.A. 40:55D-26, the aforesaid Ordinance was forwarded to the Planning Board for a report and recommendation; and
WHEREAS, the Planning Board considered the Ordinance on June 13, 2018 and found that the Ordinance is inconsistent with the 2010 Master Plan; and

WHEREAS, N.J.S.A. 40:55D-62 provides that a zoning ordinance shall either be substantially consistent with the land use plan element and the housing plan element of the master plan or designed to effectuate such plan elements; provided that the governing body may adopt a zoning ordinance or amendment or revision thereto which in whole or part is inconsistent with or not designed to effectuate the land use plan element and the housing plan element, but only by affirmative vote of a majority of the full authorized membership of the governing body, with the reasons of the governing body for so acting set forth in a resolution and recorded in its minutes when adopting the ordinance; and

WHEREAS, the Municipal Council wishes to spread upon the minutes of this meeting its reasons for proceeding with the adoption of the Ordinance despite any inconsistencies with the land use plan element and housing plan element and/or any other elements of the Master Plan.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Denville, in the County of Morris, and State of New Jersey, by affirmative vote of a majority of its full authorized membership, that the governing body has determined to proceed with the adoption of Ordinance No. 15-18 for the following reasons:

1. The Master Plan recognizes that land use planning efforts must be adjusted where necessary to address changing demographic characteristics and conditions.
2. It is desirable to provide for the development of affordable housing.
3. The current Housing Element and Fair Share Plan (HEFSP) was adopted by the Planning Board in May of 2010 and is based upon COAH’s third round regulations which have since been declared invalid. In May of 2016, the Township prepared a preliminary Housing Element and Fair Share Plan which was submitted to the Court as part of the Township’s pending declaratory judgment action. Both the Glenmont Commons and RAM Associates sites are included in the preliminary HEFSP.
4. The Ordinance is part of the compliance plan for the Township of Denville which is in the process of being finalized.
5. In 2016, both the Planning Board and the Municipal Council informally endorsed the 2016 HEFSP and its submission for review by the Court, and agreed to take formal action on it if approved by the Court.
6. It is anticipated that, once the Special Master appointed by the Court rules on the Denville Vacant Land adjustment, which will conclude with a realistic development potential (RDP), a new HEFSP will be formally adopted and will include the Glenmont Commons and RAM Associates sites.

BE IT FURTHER RESOLVED, that for all of the foregoing reasons, an ordinance entitled “AN ORDINANCE OF THE TOWNSHIP OF DENVILLE, COUNTY OF MORRIS, STATE OF NEW JERSEY TO AMEND CHAPTER 19, LAND USE, TO IMPLEMENT SETTLEMENT AGREEMENTS WITH RAM ASSOCIATES AND GLENMONT COMMONS IN CONNECTION WITH THE TOWNSHIP’S AFFORDABLE HOUSING OBLIGATION” be passed on final reading and that a notice of the final passage be published in the July 4, 2018 edition of the Citizen newspaper.

MOTION TO ADOPT:
MOVED BY MEMBER MURPHY, SECONDED BY MEMBER BERGEN
AYES: MURPHY, BERGEN, BUIE, WITTE, LYDEN, PRESIDENT GABEL
NAYS: BOROWIEC

Ordinance No. 16-18:
BE IT RESOLVED that an Ordinance entitled:
An Ordinance of the Township of Denville, County of Morris, and State of New Jersey to Amend Chapter 13, Removal of Trees, in Connection with the Township’s Affordable Housing Obligation

Be passed on Final Reading and that a Notice of Final Passage be published in the 07/04/2018 edition of The Citizen newspaper.

MOTION TO ADOPT:
MOVED BY MEMBER MURPHY, SECONDED BY MEMBER BUIE
AYES: MURPHY, BUIE, WITTE, BERGEN, LYDEN, PRESIDENT GABEL
NAYS: BOROWIEC

OPEN PUBLIC HEARING
No one wished to be heard.
CLOSED 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 Amend Chapter 13, Removal of Trees, in Connection with the Township’s Affordable Housing Obligation

MOTION TO READ BY TITLE:
MOVED BY MEMBER WITTE, SECONDED BY MEMBER BERGEN
AYES: WITTE, BERGEN, MURPHY, BUIE, LYDEN, PRESIDENT GABEL
NAYS: BOROWIEC

OPEN PUBLIC HEARING
No one wished to be heard.
CLOSED PUBLIC HEARING

MATTERS OF OLD AND/OR NEW BUSINESS:
NONE

ORDINANCES FOR INTRODUCTION:
NONE

ITEMS FOR DISCUSSION AND/OR ACTION:
NONE

CONSENT AGENDA:
R-18-139: Resolution Authorizing Raffle Licenses in the Township of Denville
R-18-140: Resolution Authorizing Renewal of Alcoholic Beverage Licenses in the Township of Denville for 2018-2019
R-18-141: Resolution Granting Permission to Bid for Janitorial Services
R-18-142: Resolution Granting Permission to Bid for the First Avenue Streetscape Project
R-18-143: Resolution Authorizing Reinstatement of the Original Sewer Assessment Installment Plan for Certain Properties in the Township of Denville
R-18-144: Resolution Reestablishing the Township of Denville Municipal Alliance Committee for the Year 2018
President Gabel asked if anyone from the public or from the Council would like to have any resolutions removed from the Consent Agenda. No one responded.

MOTION TO APPROVE THE CONSENT AGENDA:
MOVED BY MEMBER BERGEN, SECONDED BY MEMBER WITTE
AYES: BERGEN, WITTE, MURPHY, BUIE, LYDEN, BOROWIEC, PRESIDENT GABEL
NAYS: NONE

NON-CONSENT AGENDA:
R-18-145: Resolution Refunding the Overpayment of 2018 Taxes
MOTION TO APPROVE R-18-145:
MOVED BY MEMBER LYDEN, SECONDED BY MEMBER MURPHY
AYES: LYDEN, MURPHY, BUIE, WITTE, BERGEN, BOROWIEC, PRESIDENT GABEL
NAYS: NONE

R-18-146: Resolution Refunding the Overpayment of 2018 Taxes for Properties Granted Veterans Exemptions
MOTION TO APPROVE R-18-146:
MOVED BY MEMBER MURPHY, SECONDED BY MEMBER WITTE
AYES: MURPHY, WITTE, BUIE, LYDEN, BERGEN, BOROWIEC, PRESIDENT GABEL
NAYS: NONE

R-18-147: Resolution Authorizing the Cancellation of Unexpended and Dedicated Balances of General Capital Appropriations
MOTION TO APPROVE R-18-147:
MOVED BY MEMBER MURPHY, SECONDED BY MEMBER WITTE
AYES: MURPHY, WITTE, BUIE, LYDEN, BERGEN, BOROWIEC, PRESIDENT GABEL
NAYS: NONE

R-18-148: Resolution Endorsing Submittal and Certifying Maintenance Commitment for the Township of Denville’s 2018 Transportation Alternatives Set-Aside Program (TAP) Application
MOTION TO APPROVE R-18-148:
MOVED BY MEMBER MURPHY, SECONDED BY MEMBER LYDEN
AYES: MURPHY, LYDEN, BUIE, WITTE, BERGEN, BOROWIEC, PRESIDENT GABEL
NAYS: NONE

R-18-149: Resolution Authorizing Settlement of Certain Tax Appeals
MOTION TO APPROVE R-18-149:
MOVED BY MEMBER MURPHY, SECONDED BY MEMBER LYDEN
AYES: MURPHY, LYDEN, BUIE, WITTE, BERGEN, BOROWIEC, PRESIDENT GABEL
NAYS: NONE

MINUTES FOR ADOPTION:
May 8, 2018 (Workshop only)

MOVED BY MEMBER BERGEN, SECONDED BY MEMBER BUIE
AYES: BERGEN, BUIE, LYDEN, BOROWIEC, PRESIDENT GABEL
NAYS: NONE
ABSTAIN: MURPHY, WITTE

MOTION TO ADJOURN:
Township Council
06-26-2018

MOVED BY MEMBER WITTE, SECONDED BY MEMBER BERGEN
AYES: UNANIMOUS
The Meeting adjourned at 8:54 P.M.

Kathryn Bowditch-Leon, RMC
Municipal Clerk
ORDINANCE NO. 15-18

BE IT RESOLVED that an Ordinance entitled:

An Ordinance of the Township of Denville, County of Morris, and State of New Jersey to Amend Chapter 19, Land Use, to Implement Settlement Agreements with RAM Associates and Glenmont Commons in Connection with the Township’s Affordable Housing Obligation

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

TOWNSHIP ATTORNEY: Resolution Authorizing Passage on Final Reading of Ordinance No. 15-18 entitled:

An Ordinance of the Township of Denville, County of Morris, and State of New Jersey to Amend Chapter 19, Land Use, to Implement Settlement Agreements with RAM Associates and Glenmont Commons in Connection with the Township’s Affordable Housing Obligation

COUNCIL PRESIDENT: MOTION TO ADOPT
ROLL CALL ON ADOPTION

Dated: 06/26/2018
RESOLUTION

WHEREAS, the Municipal Council of the Township of Denville has introduced Ordinance No. 15-18 entitled, “AN ORDINANCE OF THE TOWNSHIP OF DENVILLE, COUNTY OF MORRIS, STATE OF NEW JERSEY TO AMEND CHAPTER 19, LAND USE, TO IMPLEMENT SETTLEMENT AGREEMENTS WITH RAM ASSOCIATES AND GLENMONT COMMONS IN CONNECTION WITH THE TOWNSHIP’S AFFORDABLE HOUSING OBLIGATION”, and

WHEREAS, pursuant to N.J.S.A. 40:55D-26, the aforesaid Ordinance was forwarded to the Planning Board for a report and recommendation; and

WHEREAS, the Planning Board considered the Ordinance on June 13, 2018 and found that the Ordinance is inconsistent with the 2010 Master Plan; and

WHEREAS, N.J.S.A. 40:55D-62 provides that a zoning ordinance shall either be substantially consistent with the land use plan element and the housing plan element of the master plan or designed to effectuate such plan elements; provided that the governing body may adopt a zoning ordinance or amendment or revision thereto which in whole or part is inconsistent with or not designed to effectuate the land use plan element and the housing plan element, but only by affirmative vote of a majority of the full authorized membership of the governing body, with the reasons of the governing body for so acting set forth in a resolution and recorded in its minutes when adopting the ordinance; and

WHEREAS, the Municipal Council wishes to spread upon the minutes of this meeting its reasons for proceeding with the adoption of the Ordinance despite any inconsistencies with the land use plan element and housing plan element and/or any other elements of the Master Plan.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Denville, in the County of Morris, and State of New Jersey, by affirmative vote of a majority of its full authorized membership, that the governing body has determined to proceed with the adoption of Ordinance No. 15-18 for the following reasons:
1. The Master Plan recognizes that land use planning efforts must be adjusted where necessary to address changing demographic characteristics and conditions.

2. It is desirable to provide for the development of affordable housing.

3. The current Housing Element and Fair Share Plan (HEFSP) was adopted by the Planning Board in May of 2010 and is based upon COAH's third round regulations which have since been declared invalid. In May of 2016, the Township prepared a preliminary Housing Element and Fair Share Plan which was submitted to the Court as part of the Township's pending declaratory judgment action. Both the Glenmont Commons and RAM Associates sites are included in the preliminary HEFSP.

4. The Ordinance is part of the compliance plan for the Township of Denville which is in the process of being finalized.

5. In 2016, both the Planning Board and the Municipal Council informally endorsed the 2016 HEFSP and its submission for review by the Court, and agreed to take formal action on it if approved by the Court.

6. It is anticipated that, once the Special Master appointed by the Court rules on the Denville Vacant Land adjustment, which will conclude with a realistic development potential (RDP), a new HEFSP will be formally adopted and will include the Glenmont Commons and RAM Associates sites.

BE IT FURTHER RESOLVED, that for all of the foregoing reasons, an ordinance entitled "AN ORDINANCE OF THE TOWNSHIP OF DENVILLE, COUNTY OF MORRIS, STATE OF NEW JERSEY TO AMEND CHAPTER 19, LAND USE, TO IMPLEMENT SETTLEMENT AGREEMENTS WITH RAM ASSOCIATES AND GLENMONT COMMONS IN CONNECTION WITH THE TOWNSHIP'S AFFORDABLE HOUSING OBLIGATION" be passed on final reading and that a notice of the final passage be published in the July 4, 2018 edition of the Citizen newspaper.

COUNCIL PRESIDENT: MOTION TO ADOPT
ROLL CALL ON ADOPTION
ORDINANCE NO. 15-18

AN ORDINANCE OF THE TOWNSHIP OF DENVILLE, COUNTY OF MORRIS, AND STATE OF NEW JERSEY TO AMEND CHAPTER 19, LAND USE, TO IMPLEMENT SETTLEMENT AGREEMENTS WITH RAM ASSOCIATES AND GLENMONT COMMONS IN CONNECTION WITH THE TOWNSHIP’S AFFORDABLE HOUSING OBLIGATION

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 19, Land Use, Article 5, Zone Regulations, §19-5.5A, Zoning Map Amendments, is hereby amended and supplemented to include the following zone changes designated by block and lot:

<table>
<thead>
<tr>
<th>Block</th>
<th>Lot</th>
<th>Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>10002</td>
<td>3</td>
<td>T-5 Zone</td>
</tr>
<tr>
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<td>T-5 Zone</td>
</tr>
<tr>
<td>10002</td>
<td>2</td>
<td>POS Zone</td>
</tr>
</tbody>
</table>

SECTION 2. Chapter 19, Land Use, Article 1, General Provisions, § 19.1.2, Definitions, is hereby amended and supplemented to incorporate the following changes:

1. Amend “Building Height” to read as follows:

"BUILDING HEIGHT"

The vertical distance from the mean finished grade (measured along the perimeter of the building, measured at a minimum of four (4) corners of the structure) of the ground adjoining the building to the highest point of the roof for flat or shed roofs, to the deck line for mansard roofs, and to the mean height between eaves and ridge for gable, hip, and gambrel roofs. In multifamily buildings, the building height shall be calculated for each vertical unit."

2. Delete the following definition in its entirety:

"HEIGHT OF BUILDING"

The vertical distance from the average ground elevation around the foundation to the level of the highest point of the roof surface."
3. Add the following definitions to be placed in alphabetical order with the existing definitions:

"INTERLOCKING DWELLINGS"

A multiple story residential dwelling unit that shares vertical space within another residential dwelling unit.

"VERTICAL FLATS"

At least two single story residential dwellings with direct and individualized access to the ground floor.

SECTION 3. Chapter 19, Land Use, Article 5, Zone Regulations, § 19-5.721, Yards, is hereby amended to establish new paragraph "c" to read as follows:

"c. Projections into yards. The following projections shall be permitted into required yards and shall not be considered in the determination of yard size or lot coverage:

Architectural features such as bay windows, cornices, eaves, window sills or other architectural features provided that said feature does not project more than twenty four (24) inches."

SECTION 4. Chapter 19, Land Use, Article 5, Zone Regulations, § 19-5.25E, T-5 Multi-Family Zoning, to read as follows:

19-5.25E. T-5 Multi-Family Zoning.

19-5.2501E. Principal permitted uses.

The following uses shall be principal permitted uses in the T-5 Zone:

a. Single family homes.
b. Townhouses.
c. Vertical Flats.
d. Interlocking dwellings.

19-5.2502E. Permitted accessory uses.

Any and all uses of land that are customarily, habitually, and by long practice, as established by reasonable association with, incidental and subordinate to the principal use of the property, including, but not limited to the following:

a. Decks.
b. Patios/Terraces.
c. Gate House/Guard Booth/Welcome Booth.
19-5.2503E. Bulk Standards.

a. For single-family residential development, the bulk standards found in the R-3 Zone shall apply.

b. For multifamily dwellings the following bulk standards shall apply:

1. Minimum residential building setbacks from external property lines: 50 feet.
2. Minimum accessory buildings from external property lines.
   a. From residential zoned land: 50 feet.
   b. From POS zoned land: 20 feet.
3. Minimum front yard.
   a. 25 feet from any internal cartway.
   b. 8 feet from parking field.
   For the purpose of this section of the ordinance, the front of a multifamily building shall be defined as that portion of the structure that has access to the driveway and the rear shall be that portion of the structure that contains a patio/deck. Any other side of the building shall be a side.
   a. 25 feet between side and side.
b. 35 feet between rear and rear.
c. 40 feet between side and rear.
d. 60 feet between side and front.
e. 75 feet between front and rear.
f. 80 feet between front and front.

5. Minimum distance between residential building and retaining walls.
   a. From the closest point of the structure (which includes decks): 14 ft.
   b. From the closest wall of the dwelling unit: 3 vertical feet for each foot of wall height.

6. Allowable projections into yards or building envelope.
   If no separate lots are created, architectural features such as bay windows, cornices, eaves, window sills, steps, overhangs, other building protrusions or architectural features, provided that said feature does not project more than 24 inches. Ramps designed in accordance with the Americans with Disabilities Act are not considered a building appurtenance and are not regulated by this section.

c. Coverage.
   1. Maximum Building coverage: 25%.
   2. Maximum Impervious coverage: 65%.
   3. Minimum open space or landscaped areas: 25%.
      a. In computing the open space requirement, common recreation areas accessory to the residential use and required buffer areas, environmentally sensitive lands and stormwater facilities shall be included.
      b. Any open space as provided herein shall be owned and maintained by the homeowners association or condominium association in accordance with the provision of N.J.S.A. 40:55D-43.

d. Maximum Building Height.
1. 3 ½ stories.
2. 45 feet.

e. Maximum Units per building:
   1. Townhouses: 8 per building.
   2. Vertical flats / Interlocking Apartments: 12 per building.

f. Maximum Length of building: 190 feet.
g. Maximum Density: 5 Units per acre.

19-5.2504E. Design Standards.

a. Buildings shall have architectural features, finishes and patterns that provide visual interest.

b. The overall design of the project shall have a unified theme, displayed through the application of common building materials such as brick, cultured stone and wood.

c. Trash. Each dwelling unit must be designed so as to have a dedicated location for the interior storage of trash or designed in such a way that said trash shall be stored in a dedicated exterior storage facility. If there is no interior trash storage provided for, said external facility shall be constructed in such a way as to be a part of the building with no distinction between construction material, shall be designed for the trash of a single unit, and designed in such a way as to prevent wildlife from gaining access. In no instance shall trash be stored outside and in no case shall dumpsters be permitted.

d. Mailboxes. Mailboxes must be provided in either gang mailboxes or located in a club house, or other type of facility.

e. Lighting. The lighting requirements shall comport with § 19-5.731, Outdoor Lighting, of the Township of Denville’s Zoning Ordinance.

f. Utility meters. All utility meters may be located in the interior of the building provided that said meters are located within a common area and not within an individual dwelling unit. If utility meters are located on the exterior of a structure, landscaping must be provided in the vicinity to aid in the screening of said meters.
g. Air-conditioning units, emergency generators, or other sound producing equipment. Any emergency generators, air-conditioning units, or other sound producing equipment must be adequately screened by either fencing or landscaping so as to reduce its impact to surrounding land uses.

h. Signage.

1. With the exception of street signs, traffic control signs, and building identification signs, there shall be a single development identification sign permitted. Said identification sign shall be a ground mounted monument sign, a freestanding sign or, if an accessory building is utilized for a guard booth/welcome booth, a wall sign may be permitted.

2. A proposed monument or freestanding sign shall be located on the property, but outside any required sight triangle area, and shall contain no more than 24 square feet per side and no more than two sides. A proposed monument or freestanding sign shall not exceed 3 feet in height from the base of the sign and may be externally lit.

3. A proposed wall sign may be permitted if a guard booth/welcome booth is proposed, or if a retaining wall is proposed, where said sign is incorporated into this accessory structure. This wall sign shall contain no more than 24 square feet and may be externally lit. No development identification may be permitted on any building that houses a dwelling unit, garage or club house.

i. Fences and walls. Fences, walls, and retaining walls shall be permitted provided that no fence or freestanding wall shall exceed 6 feet in height, unless located in the front yard between a principal building and any street or roadway, in which case no fence or freestanding wall shall exceed 4 feet in height. Retaining walls may exceed 6 feet in height, where the Approving Board finds that the additional wall height outweighs the amount of disturbance a tiered or multiple-tiered wall would require. The Approving Board may, in appropriate situations, require such walls to provide landscaping to be
planted in front of or atop such walls in order to reduce their visual impact. In no case shall a retaining wall exceed 8 feet in height. For the purpose of applying height limits, multiple, staggered or tiered walls, and/or wall/fence combinations shall be considered single units unless the horizontal distance between the top of any section or tier shall meet or exceed 5 feet.

j. Access.

1. If only one permanent point of access is proposed, an emergency access point must be provided through the use of grass pavers or other suitable methods or a boulevard access point must be utilized. If a second point of access is not available, no guard house or restricted access is permitted.

2. If gates or other methods of excluding the vehicular traffic are proposed, the application must provide adequate provisions for emergency vehicles as well as turnaround provisions for visitors who have been refused entry.

19-5.2505E. Buffer Areas.

a. The applicant shall provide and maintain a landscaped buffer area within the T-5 Townhouse Zone which shall be no less than 25 feet in width from all exterior lot lines of the tract. Where said buffer abuts land in the POS zone or another inclusionary development site, said buffer can be reduced to a minimum of 20 feet. When natural vegetation within the buffer is sparse or non-existent, the landowner shall be required to provide a year-round visual screen as determined by the Planning Board.

b. No use or structure, including parking or loading areas but excluding fences, retaining walls, detention, retention and drainage facilities and utility structures, shall be permitted within the required buffer area.

c. Regrading within the buffer area. Every effort shall be made to minimize the amount of regrading within the buffer area.

19-5.2506E. Steep Slope Disturbance.
The Maximum Permitted Disturbance of Slope Areas as defined in § 19-5.729.f.1 shall be modified to allow for the following:

<table>
<thead>
<tr>
<th>Slope</th>
<th>Maximum Permitted Disturbance of Slope Area (Entire Lot(s))</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 15%</td>
<td>100%</td>
</tr>
<tr>
<td>15% to 19.9%</td>
<td>50%</td>
</tr>
<tr>
<td>20% to 24.9%</td>
<td>25%</td>
</tr>
<tr>
<td>25% to 29.9%</td>
<td>10%</td>
</tr>
<tr>
<td>30% or more</td>
<td>0%</td>
</tr>
</tbody>
</table>

The column entitled "Permitted Development Activity" from the table in § 19-5.729.f.1 is not included in, and is not applicable to, this Section because this Section regulates all development activities equally per slope classification.

Should the applicant prove that it is not possible to achieve the maximum density (or 120 units whichever is achieved first) on the subject property without receiving a variance from this section of the ordinance, the approving board shall grant, as minimally invasive as possible, variances to achieve the maximum density. This relaxation of standards shall only be available for a maximum of 65 percent of the subject property or properties. Any further variance request for incursion into steeply sloping lands must follow the traditional variance procedures afforded by the Municipal Land Use Law.

### 19-5.2507E. Circulation, parking, utilities, planning and staging.

**a. Street requirements.** The requirements of N.J.A.C. 5:21 et seq. (Residential Site Improvement Standards) shall govern the design of streets unless a de minimus exception from such requirements is approved by the Board.

**b. Off-street parking requirements.**

1. Parking spaces shall be provided for each dwelling unit in accordance with N.J.A.C. 5:21 (Residential Site Improvement Standards).
2. Each townhouse dwelling unit shall include one garaged parking space which is assigned to said unit.

3. Each pair of affordable interlocking dwelling unit shall include one garaged parking space which is assigned to one of the two affordable housing units. A surface parking space shall be dedicated and assigned to the remaining affordable housing unit from the interlocking pair.

4. Parking for handicapped persons shall be provided as required by state and federal law.

5. All parking shall be adequately landscaped, lighted and conveniently located relative to the housing to be served. Under no circumstances shall parking be more than 300 feet from the housing to be served.

c. Utility improvements.

1. All developments shall be served by public water and public sanitary sewerage systems.

2. All utility improvements shall be located within a street right of way or within a utility easement, including storm drainage systems, sanitary sewerage collection and disposal systems and water supply and distribution systems, and shall be subject to review and approval by the Township in accordance with the standards and procedures established at N.J.A.C. 5-21 et seq. (Residential Site Improvement Standards) and subject to review and approval by the New Jersey Department of Environmental Protection as well as appropriate county and other state agencies, where applicable. Water supply and sanitary sewer collection and distribution facilities shall also be subject to review and approval by the Township Engineer and Fire Department and the Denville Water and Sewer Department.

3. Electric, gas and telephone service shall be provided by the developer in concert with the appropriate public utilities providing such service. Said service shall be
provided as part of an underground system and shall be located within a street right of way or within a utility easement. If such underground facilities cannot reasonably be provided throughout the development due to topographic or geological conditions of the land or due to technical circumstances, and if the landowner shall adequately demonstrate the lack of feasibility of such undertaking, an exception to this requirement may be granted by the Planning Board.

d. Emergency facilities. All housing developed within the T-5 Townhouse Zone shall be suitably designed to facilitate emergency access by police, fire fighting and ambulance service vehicles.

e. Sidewalks. Sidewalks shall be provided within the development in accordance with the RSIS except that the Planning Board, in its reasonable discretion, may approve the substitution of pedestrian walkways not paralleling streets where appropriate.

19-5.2508E. Applicability.

To the extent that any provisions found in § 19-26 are found to be inconsistent with this Ordinance, the provisions of this Ordinance shall govern.

19-5.2509E. Affordable Housing Requirements.

a. Development must provide affordable housing consistent with the requirements of the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301 et seq. ("FHA"); applicable regulations of the New Jersey Council on Affordable Housing ("COAH"); applicable requirements of the courts of the State of New Jersey; and all applicable regulations on affordability controls and other regulations of the New Jersey Housing and Mortgage Finance Agency ("NJHMFA") including, without limitation, the Uniform Housing Affordability Controls, N.J.A.C. 5:80-26.1 et seq. ("UHAC").

b. All said affordable units shall be constructed on site and integrated among buildings throughout the development so that such buildings contain a mix of affordable and
market rate units. Affordable units shall also be constructed to be indistinguishable from market rate units from the exterior of the building.

c. Twenty percent (20%) of all for sale residential units developed with the T-5 Townhouse Zone shall be reserved for occupancy by very low income, low income and moderate households.

d. Fifteen percent (15%) of all rental residential units developed with the T-5 Townhouse Zone shall be reserved for occupancy by very low income, low income and moderate households (hereinafter “Affordable Units”)

e. At least 50% of the affordable units will be available to very low income and low income households and the remainder of which will be available to moderate income households as defined in the FHA and UHAC and other applicable statutes and regulations. A minimum of 13% of the affordable units will be made available to very low income households, defined as households earning 30% or less of the regional median income by household size.

f. Bedroom distribution:

1. In any multifamily development there shall be the following distribution of bedrooms in affordable units:

   a. One bedroom: a maximum of 20% of the affordable units.

   b. Three bedrooms: a minimum of 20% of the affordable units.

   c. Two bedrooms: the balance of the affordable units.

   g. The phasing applicable to the affordable units shall follow regulations established at N.J.A.C. 5:93-5.6(d).

SECTION 5. The Township Clerk is hereby directed to give notice at least ten days prior to hearing on the adoption of this Ordinance to the County Planning Board and to all other persons entitled thereto pursuant to N.J.S.A. 40:55D-15 and N.J.S.A. 40:55D-63 (if required). Upon the adoption of this Ordinance after public hearing thereon, the Township Clerk is further directed to publish notice of the passage thereof and to file a copy of the Ordinance as finally adopted with the
By Order of the Municipal Council
Of the Township of Denville

ATTEST: APPROVED:

Kathryn Bowditch-Leon, RMC 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 ______________, 2018

Dated

Kathryn Bowditch-Leon, RMC
ORDINANCE NO. 16-18

BE IT RESOLVED that an Ordinance entitled:
An Ordinance of the Township of Denville, County of Morris, and State of New Jersey to Amend Chapter 13, Removal of Trees, in Connection with the Township's Affordable Housing Obligation

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 Amend Chapter 13, Removal of Trees, in Connection with the Township's Affordable Housing Obligation

Be passed on Final Reading and that a Notice of Final Passage be published in the 07/4/2018 edition of The Citizen newspaper.

COUNCIL PRESIDENT: MOTION TO ADOPT
ROLL CALL ON ADOPTION

Dated: 06/26/2018
ORDINANCE NO. 16-18

AN ORDINANCE OF THE TOWNSHIP OF DENVILLE, COUNTY OF MORRIS, AND STATE OF NEW JERSEY TO AMEND CHAPTER 13, REMOVAL OF TREES, IN CONNECTION WITH THE TOWNSHIP’S AFFORDABLE HOUSING OBLIGATION

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 13, Removal of Trees, §13-3, Definitions, is hereby amended and supplemented to add the following definition, to be placed in alphabetical order with the existing definitions:

"AVERAGE WOODED ACRE"

The average wooded acre at a site, which shall be determined as follows:

a. A selective inventory, by size and species, of all trees having a DBH (Diameter at Breast Height) of four inches or greater shall be conducted using a minimum of one-tenth-acre plots (66 feet by 66 feet), which shall be staked or visibly marked to allow for inspection.

b. The location of the inventory plots shall be determined by the applicant, subject to approval, by using a grid overlay drawn to the same scale as the site plan submitted with the application.

c. A representative five percent of the wooded acres proposed to be cleared shall be inventoried."

SECTION 2. Chapter 13, Removal of Trees, §13-5.2, Contents of application, paragraph "f" is hereby amended to read as follows:

"f. For lots under 10 Acres: Number of trees to be removed, and the species and approximate size of each such tree.

For lots equal to or greater than 10 acres: Either a tree inventory or an average wooded acre inventory shall be submitted."

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 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 may be renumbered for purposes of codification.
SECTION 6. This Ordinance shall take effect immediately upon final passage, approval, and publication as required by law.

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 ____________, 2018.

Dated ____________________________  Kathryn Bowditch-Leon, RMC

Mayor Thomas W. Andes
Township of Denville

ATTEST: ____________________________  APPROVED: ____________________________

Kathryn Bowditch-Leon, RMC  Municipal Clerk  ____________________________
RESOLUTION AUTHORIZING RAFFLE LICENSES IN THE TOWNSHIP OF DENVILLE

BE IT RESOLVED by the Municipal Council of the Township of Denville that the applications for the following raffles be approved and the Municipal Clerk be authorized to issue said licenses 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>PAL Denville</td>
<td>Off Premise 50/50</td>
<td>10/07/2018</td>
</tr>
<tr>
<td>Avidd Community Services of New Jersey Inc</td>
<td>Off Premise 50/50</td>
<td>11/24/2018</td>
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</table>

BY ORDER OF THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF DENVILLE

I, Kathryn Bowditch-Leon, Municipal Clerk for 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 the Council meeting held on June 26, 2018.

Certification Date: ___________________________  Kathryn Bowditch-Leon, RMC  Municipal Clerk
RESOLUTION AUTHORIZING RENEWAL OF ALCOHOLIC BEVERAGE LICENSES IN THE TOWNSHIP OF DENVILLE FOR 2018-2019

BE IT RESOLVED by the Municipal Council of the Township of Denville that the following Alcoholic Beverage Control Licenses be approved for the year July 1, 2018 through June 30, 2019.

<table>
<thead>
<tr>
<th>LICENSE NUMBER</th>
<th>FEE</th>
<th>LICENSEE</th>
<th>ESTABLISHMENT</th>
<th>ADDRESS</th>
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<tbody>
<tr>
<td>1408-33-001-007</td>
<td>$2,500</td>
<td>LLD, LLC</td>
<td>Casa Bella Restaurant</td>
<td>300 Route 46</td>
</tr>
<tr>
<td>(233115)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1408-33-007-005</td>
<td>$2,500</td>
<td>Bensi of Denville Inc.</td>
<td>Bensi Restorante Italiano</td>
<td>3056 Route 10 West</td>
</tr>
<tr>
<td>(236338)</td>
<td></td>
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</tr>
<tr>
<td>1408-36-019-004</td>
<td>$2,500</td>
<td>Tej Denville Hospitality, LLC</td>
<td>Hampton Inn</td>
<td>300 Morris Ave</td>
</tr>
<tr>
<td>(234414)</td>
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<td></td>
<td></td>
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</tbody>
</table>

BY ORDER OF THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF DENVILLE

I, Kathryn Bowditch-Leon, Municipal Clerk for 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 regular Council meeting held on June 26, 2018.

Certification Date: ___________________________  Kathryn Bowditch-Leon, RMC Municipal Clerk
TO: Members of the Township Council

FROM: Steve Ward, Business Administrator

DATE: June 26, 2018

RE: Municipal Bid #6 -2018 Janitorial Services

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

We are proposing to advertise on: July 11, 2018
For bids to be accepted on: July 26, 2018
In anticipation to award on or about: August 7, 2018

BE IT RESOLVED, by the Municipal Council of the Township of Denville, in the County of Morris, State of New Jersey that permission to advertise and accept bids for the above referenced services is hereby granted.

BY ORDER OF THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF DENVILLE

I, Kathryn Bowditch-Leon, Municipal Clerk for 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 regular Council meeting held on June 26, 2018.

Certification Date: ____________________________ Kathryn Bowditch-Leon, RMC Municipal Clerk
TO: Members of the Township Council

FROM: Steve Ward, Business Administrator

DATE: June 26, 2018

RE: Municipal Bid #5 -2018
First Avenue Streetscape Project

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

We are proposing to advertise on: July 11, 2018
For bids to be accepted on: August 22, 2018
In anticipation to award on or about: September 4, 2018

BE IT RESOLVED, by the Municipal Council of the Township of Denville, in the County of Morris, State of New Jersey that permission to advertise and accept bids for the above referenced project is hereby granted.

BY ORDER OF THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF DENVILLE

I, Kathryn Bowditch-Leon, Municipal Clerk for 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 regular Council meeting held on June 26, 2018.

Certification Date: ___________________________ Kathryn Bowditch-Leon, RMC
Municipal Clerk
RESOLUTION AUTHORIZING REINSTATEMENT OF THE ORIGINAL SEWER ASSESSMENT INSTALLMENT PLAN FOR CERTAIN PROPERTIES IN THE TOWNSHIP OF DENVILLE

WHEREAS, on February 14, 2012, 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 14, 2012; 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 property owners:
Wemmlinger
Aber

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 Bowditch-Leon, 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 June 26, 2018.

Certification Date: ____________________________  Kathryn Bowditch-Leon, RMC Municipal Clerk
RESOLUTION REESTABLISHING THE TOWNSHIP OF DENVILLE MUNICIPAL ALLIANCE COMMITTEE FOR THE YEAR 2018

BE IT RESOLVED by the Mayor and Municipal Council of the Township of Denville in the County of Morris and State of New Jersey that, in compliance with Public Law 1989, Chapter 51 and the Governor’s Council on Alcoholism and Drug Abuse, the committee known as the Municipal Alliance Committee of the Township of Denville is hereby continued; and

BE IT FURTHER RESOLVED that the Municipal Alliance Committee pledges to work toward the accomplishment of the following goals as directed in the Chapter 51 Legislation:

1. Organize and coordinate the efforts of school, police, business groups and other community organizations to fight drug/alcohol abuse through any and all means available.

2. Adopt clear procedures for the intervention, treatment and discipline of students abusing alcohol and drugs.

3. Provide a comprehensive drug/alcohol abuse education and outreach program for parents.

4. Provide a comprehensive community substance awareness program.

BE IT FURTHER RESOLVED that the above-mentioned Alliance will be recognized as an Ad Hoc Advisory Committee reporting to the Mayor.

BE IT FURTHER RESOLVED that the membership of the Alliance shall include, but not be limited to, the following representatives: the Substance Abuse Coordinator, Township Official(s), Township Police representative(s), member(s) of the Board of Education, member(s) of local community organization(s), member(s) of local religious group(s), and interested private citizens.

BY ORDER OF THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF DENVILLE

I, Kathryn Bowditch-Leon, Municipal Clerk for 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 regular Council meeting held on June 26, 2018.

Certification Date: __________________________ Kathryn Bowditch-Leon, RMC Municipal Clerk
## Municipal Alliance Committee Membership List

<table>
<thead>
<tr>
<th>Alliance Name:</th>
<th>County:</th>
<th>Grant Year:</th>
<th>Last Updated:</th>
<th>Mailing Address and E-mail</th>
<th>Term</th>
<th>Sector</th>
</tr>
</thead>
<tbody>
<tr>
<td>Thomas W. Andes/YES</td>
<td>Denville, NJ 07834</td>
<td></td>
<td></td>
<td>Thomas.andes@denville nj.org, 15 Frazer Road Denville, NJ 07834 glenn.buie@denville nj.org</td>
<td>Mayor and/or/governing body (or designee)</td>
<td></td>
</tr>
<tr>
<td>Glenn Buie/YES</td>
<td>Denville, NJ 07834</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bill Underwood/YES</td>
<td>Denville, NJ 07834</td>
<td></td>
<td></td>
<td>1 St. Mary's Place Wunderwood@denville police.org</td>
<td>Chief of police (or designee) and other law enforcement agencies</td>
<td></td>
</tr>
<tr>
<td>Peg McClusky/YES</td>
<td>Denville, NJ 07834</td>
<td></td>
<td></td>
<td>35 Birch Run Avenue <a href="mailto:Peg3510@gmail.com">Peg3510@gmail.com</a></td>
<td>School district administrative staff and/or school board member</td>
<td></td>
</tr>
<tr>
<td>Lucille Kuser</td>
<td>Denville, NJ 07834</td>
<td></td>
<td></td>
<td>14 Sunderland Road <a href="mailto:dmnkuser@aol.com">dmnkuser@aol.com</a></td>
<td>A representative of the Parent-Teacher Association or other Home-School Association</td>
<td></td>
</tr>
<tr>
<td>Stacey Murphy/YES</td>
<td>Denville, NJ 07834</td>
<td></td>
<td></td>
<td>32 Dogwood Drive <a href="mailto:staceymurphy@optonline.net">staceymurphy@optonline.net</a> <a href="mailto:Roops1011@gmail.com">Roops1011@gmail.com</a></td>
<td>Parents and/or guardians</td>
<td></td>
</tr>
<tr>
<td>Rupande Mehta/YES</td>
<td>Denville, NJ 07834</td>
<td></td>
<td></td>
<td>54 Glattly Drive <a href="mailto:Vikki.edmundson@gmail.com">Vikki.edmundson@gmail.com</a></td>
<td>A representative from Youth Services Organizations</td>
<td></td>
</tr>
<tr>
<td>Vikki Edmundson/YES</td>
<td>Denville, NJ 07834</td>
<td></td>
<td></td>
<td>358 Franklin Road <a href="mailto:Vikki.edmundson@gmail.com">Vikki.edmundson@gmail.com</a></td>
<td>A representative of the Chamber of Commerce or local businesses</td>
<td></td>
</tr>
<tr>
<td>Kathy Covert</td>
<td>Denville, NJ 07834</td>
<td></td>
<td></td>
<td>38 Saint Mary's Place <a href="mailto:wcovert@optonline.net">wcovert@optonline.net</a></td>
<td>Representatives of local civic or volunteer groups</td>
<td></td>
</tr>
<tr>
<td>Joan Knapp/YES</td>
<td>Denville, NJ 07834</td>
<td></td>
<td></td>
<td>5 Redwood Road <a href="mailto:radford357@yahoo.com">radford357@yahoo.com</a></td>
<td>Representatives of local Faith Based Organizations</td>
<td></td>
</tr>
<tr>
<td>Lorna Tangara</td>
<td>Denville, NJ 07834</td>
<td></td>
<td></td>
<td></td>
<td>Private citizens with interest or experience in issues concerning alcohol or drug abuse, addiction or juvenile delinquency</td>
<td></td>
</tr>
</tbody>
</table>
### Governor's Council on Alcoholism and Drug Abuse
#### Fiscal Grant Cycle July 2014-June 2019

<table>
<thead>
<tr>
<th>Youth representatives</th>
<th>Older adult representatives</th>
</tr>
</thead>
<tbody>
<tr>
<td>Carol Bsaray/YES Ann Marie Remillard Fran Kelly</td>
<td>60 Birch Run Denville, NJ 07834 <a href="mailto:Rgb25@optonline.net">Rgb25@optonline.net</a> 54 Mount Pleasant Turnpike Denville, NJ 07834 <a href="mailto:amremillard@aol.com">amremillard@aol.com</a> 10 Memory Lane Denville, NJ 07834</td>
</tr>
<tr>
<td>Angie Cote/YES</td>
<td>4 Magnolia Avenue Denville, NJ 07834 <a href="mailto:amdcote@icloud.com">amdcote@icloud.com</a></td>
</tr>
<tr>
<td>Arlene Stoller</td>
<td>Individuals who have been affected by alcoholism or drug abuse, including individuals who have been directly affected by their own or family members abuse or addictions</td>
</tr>
<tr>
<td></td>
<td>Health and Human Service agencies/professionals; especially health care professionals including Pharmacists, Physicians or Therapists, etc.</td>
</tr>
<tr>
<td></td>
<td>Representatives of the local communications media; or Public Relations</td>
</tr>
<tr>
<td></td>
<td>Representatives of public and private organizations involved in the prevention or treatment of alcoholism and drug abuse and/or the regional coalition</td>
</tr>
</tbody>
</table>
RESOLUTION REFUNDING THE OVERPAYMENT OF 2018 TAXES

WHEREAS, it has been found that the following overpayments have occurred due to reasons listed below.

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.

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 refunds have been recorded in the taxpayer's 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>61004/221</td>
<td>Valley National Bank paid 2nd qtr. 2018 taxes through Corelogic Tax Service but it was paid in error.</td>
<td>Valley National Bank 1720 Route 23 North Wayne, NJ 07470</td>
<td>$2,602.40</td>
</tr>
</tbody>
</table>

Loc: 3 Lee Rd.

Loc: 103 Cedar Lake West

BY ORDER OF THE MUNICIPAL COUNCIL
OF THE TOWNSHIP OF DENVILLE

I, Kathryn Bowditch-Leon, Municipal Clerk for 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 regular Council meeting held on June 26, 2018.

Certification Date

Kathryn Bowditch-Leon, RMC Municipal Clerk
RESOLUTION REFUNDING THE OVERPAYMENT OF 2018 TAXES FOR PROPERTIES GRANTED VETERANS EXEMPTIONS

WHEREAS, it has been found that the following overpayments have occurred due to the owners of the properties being granted 100% veteran exemptions.

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.

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 refunds have been recorded in the taxpayer's history files.

<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>30201/3</td>
<td>Date of Veterans Exemption 3/9/18</td>
<td>DiGiacomo/Tracy, Joseph/Heather</td>
<td>$3,559.95</td>
</tr>
<tr>
<td></td>
<td></td>
<td>34 Cooper Rd, Denville, NJ 07834</td>
<td></td>
</tr>
<tr>
<td>40808/438</td>
<td>Date of Veterans Exemption 1/16/18</td>
<td>Gomes, Scott K/ Nicole Gisele</td>
<td>$3,519.19</td>
</tr>
<tr>
<td></td>
<td></td>
<td>4 Cliffside Trl, Denville, NJ 07834</td>
<td></td>
</tr>
<tr>
<td>60801/74</td>
<td>Date of Veterans Exemption 1/16/18</td>
<td>Russell, Terry S/ Susan L</td>
<td>$2,563.20</td>
</tr>
<tr>
<td></td>
<td></td>
<td>14 Dayton Rd, Denville, NJ 07834</td>
<td></td>
</tr>
</tbody>
</table>

I, Kathryn Bowditch-Leon, Municipal Clerk for 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 regular Council meeting held on June 26, 2018.

Certification Date: ____________________________
Kathryn Bowditch-Leon, RMC
Municipal Clerk
RESOLUTION AUTHORIZING THE CANCELLATION OF UNEXPENDED AND DEDICATED BALANCES OF GENERAL CAPITAL APPROPRIATIONS

WHEREAS, certain GENERAL CAPITAL Improvement appropriation balances remain dedicated to projects now completed; and

WHEREAS, it is necessary to formally cancel said balances so that the unexpended balances may be returned to each respective Capital Improvement Fund or credited to Fund Balance, and unused debt authorizations may be canceled.

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 following unexpended and dedicated balances of General Capital Appropriations be cancelled:

<table>
<thead>
<tr>
<th>ORDINANCE NUMBER</th>
<th>DATE AUTHORIZED</th>
<th>PROJECT DESCRIPTION</th>
<th>AMOUNT CANCELLED</th>
</tr>
</thead>
<tbody>
<tr>
<td>07-13</td>
<td>06/2013</td>
<td>Veterans Memorial Park</td>
<td>$77,025.95</td>
</tr>
<tr>
<td>14-12</td>
<td>08/2012</td>
<td>Flood Buy-out Program</td>
<td>$357.49</td>
</tr>
<tr>
<td>12-12</td>
<td>08/2012</td>
<td>Valley View Firehouse</td>
<td>$17,876.04</td>
</tr>
<tr>
<td>16-14</td>
<td>07/2014</td>
<td>Veterans Park Field Lights</td>
<td>$42,602.32</td>
</tr>
<tr>
<td>27-15</td>
<td>01/2016</td>
<td>Openaki School House</td>
<td>$8,029.00</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Total</td>
<td>$145,890.80</td>
</tr>
</tbody>
</table>

BY ORDER OF THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF DENVILLE

I, Kathryn Bowditch-Leon, Municipal Clerk for 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 regular Council meeting held on June 26, 2018.

Certification Date

Kathryn Bowditch-Leon, RMC Municipal Clerk
RESOLUTION ENDORSING SUBMITTAL AND CERTIFYING MAINTENANCE COMMITMENT FOR THE TOWNSHIP OF DENVILLE'S 2018 TRANSPORTATION ALTERNATIVES PROGRAM (TAP) APPLICATION

WHEREAS, the Township of Denville is preparing a 2018 grant application to the State of New Jersey Department of Transportation Alternatives Program (TAP); and

WHEREAS, the Township of Denville is proposing streetscape improvements along Diamond Spring Road between Broadway and First Avenue as part of its Denville Downtown Streetscape Program; and

WHEREAS, the proposed project will increase pedestrian use and safety, improve economic development opportunities, enhance the aesthetic and environmental qualities of the downtown area and improve access to this area which is an important transportation corridor within the Township; and

WHEREAS, assistance from the TAP program will enhance the transportation experience for residents and visitors, bolster the economy of the Township of Denville, and improve the overall quality of life for the residents and those who travel to Denville's downtown area; and

WHEREAS, the Township of Denville is committed to the maintenance of the project for, at a minimum, the period of its useful life; and

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

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Municipal Council of the Township of Denville does fully support the project, certifies maintenance and endorses the above-mentioned grant application to the State of New Jersey Department of Transportation TAP program.

BY ORDER OF THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF DENVILLE

I, Kathryn Bowditch-Leon, Municipal Clerk for 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 regular Council meeting held on June 26, 2018.

Certification Date: ________________________

Kathryn Bowditch-Leon, RMC
Municipal Clerk
RESOLUTION AUTHORIZING SETTLEMENT OF CERTAIN TAX APPEALS

WHEREAS, appeals of the real property tax assessments of the following properties have been filed in the Tax Court of New Jersey:

<table>
<thead>
<tr>
<th>PROPERTY OWNER</th>
<th>BLOCK</th>
<th>LOT</th>
<th>ADDRESS</th>
</tr>
</thead>
<tbody>
<tr>
<td>AMCHU Associates</td>
<td>60305</td>
<td>5</td>
<td>279 Diamond Spring Rd</td>
</tr>
<tr>
<td>Adeel, Waqas</td>
<td>21601</td>
<td>1</td>
<td>4 Kathay Terrace</td>
</tr>
<tr>
<td>Calitri Real Estate LLC</td>
<td>41203</td>
<td>12</td>
<td>109 Route 46 East</td>
</tr>
<tr>
<td>3155 Professional Plaza LLC</td>
<td>20201</td>
<td>16</td>
<td>3155 Route 10</td>
</tr>
</tbody>
</table>

; and

WHEREAS, the Township Tax Assessor, Attorney and Appraisal Expert are of the opinion that it is the best interest of the Township to settle these appeals.

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 settlement of the following tax appeals filed in the Tax Court of New Jersey is hereby authorized as follows:

<table>
<thead>
<tr>
<th>PROPERTY OWNER</th>
<th>YEAR</th>
<th>ORIGINAL ASSESSMENT</th>
<th>PROPOSED SETTLEMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>AMCHU Associates</td>
<td>2016-2017</td>
<td>$298,100</td>
<td>$171,000</td>
</tr>
<tr>
<td>Adeel, Waqas</td>
<td>2017</td>
<td>$786,600</td>
<td>$602,900</td>
</tr>
<tr>
<td>Adeel, Waqas</td>
<td>2018</td>
<td>$788,600</td>
<td>$595,600</td>
</tr>
<tr>
<td>Calitri Real Estate LLC</td>
<td>2014</td>
<td>$1,140,000</td>
<td>Withdrawn</td>
</tr>
<tr>
<td>Calitri Real Estate LLC</td>
<td>2015</td>
<td>$1,140,000</td>
<td>$1,040,000</td>
</tr>
<tr>
<td>Calitri Real Estate LLC</td>
<td>2016-2017</td>
<td>$1,634,000</td>
<td>Dismissed</td>
</tr>
<tr>
<td>Calitri Real Estate LLC</td>
<td>2018</td>
<td>$1,634,000</td>
<td>$1,564,000</td>
</tr>
<tr>
<td>3155 Professional Plaza LLC</td>
<td>2010-2011</td>
<td>$2,225,400</td>
<td>Withdrawn</td>
</tr>
</tbody>
</table>
2. All municipal officials are hereby authorized to take whatever actions may be necessary to implement the terms of this Resolution.

3. This Resolution shall take effect immediately.

BY ORDER OF THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF DENVILLE

I, Kathryn Bowditch-Leon, Municipal Clerk for 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 regular Council meeting held on June 26, 2018.

Certification Date: ___________________________  Kathryn Bowditch-Leon, RMC
Municipal Clerk

<table>
<thead>
<tr>
<th>3155 LLC</th>
<th>Professional Plaza</th>
<th>2013-2014</th>
<th>$2,225,400</th>
<th>$1,734,900</th>
</tr>
</thead>
<tbody>
<tr>
<td>3155 LLC</td>
<td>Professional Plaza</td>
<td>2015</td>
<td>$2,225,400</td>
<td>Dismissed</td>
</tr>
<tr>
<td>3155 LLC</td>
<td>Professional Plaza</td>
<td>2017</td>
<td>$2,813,100</td>
<td>$2,303,100</td>
</tr>
</tbody>
</table>