TOWNSHIP OF DENVILLE MUNICIPAL COUNCIL
REGULAR MEETING
March 18, 2025 7:30 P.M.

Salute to the Flag

Invocation – Father Carmen Buono, Chaplain at Morris Catholic High School

Statement of Compliance with Open Public Meetings Act

Roll Call:

Council Members

_____ Borowiec _____ Buie _____ Kovacs _____ Maffei
_____ Simpson _____ Venis _____ Golinski, Council President

In Attendance

_____ Mayor Andes _____ Administrator Ward Other: _____
_____ Attorney Sharpe _____ Clerk Bansch

PROCLAMATIONS / PRESENTATIONS / CEREMONIAL MATTERS
(Presentations are coordinated in advance with the Council President and limited to 30 minutes or less)

- **Administration of Police Oaths of Office**
  - **Chief Scott Welsch – Promotion to Chief**
  - **Captain Frederick Jackson – Promotion to Captain**
  - **Lieutenant Daniel Fernandez – Promotion to Lieutenant**
  - **Sergeant John Bortak – Promotion to Sergeant**

- **Business Improvement District (BID) Budget Presentation**

Council Liaison/Committee Reports

Mayor's Report

Administrator's Report

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

Matters of Old/New Business

ORDINANCES FOR INTRODUCTION – None

ORDINANCES FOR ADOPTION

05-25 **An Ordinance of the Township of Denville, County of Morris, State of New Jersey, Authorizing Acceptance of a Right-of-Way Dedication for Smith Road in Connection with Major Subdivision Approvals for the Mary Farm Road Subdivision (Block 20401, Lots 2, 10 & 11.05)**

06-25: **An Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank Pursuant to N.J.S.A. 40a: 4-45.14 for Calendar Year 2025**

ITEMS FOR DISCUSSION AND/OR ACTION – None

RESOLUTIONS

CONSENT AGENDA:

R-25-59: **Resolution Authorizing the Refund of Money Due to the Redemption of a Tax Sale Certificate from Tax Sale**

R-25-60 **Resolution Authorizing Submission of a Renewal Grant Application for the Denville Municipal Alliance Grant for Fiscal Year 2026**

NON-CONSENT AGENDA

R-25-61 **Resolution Authorizing Engineering Services in Connection with a Phase I Environmental Site Assessment**

R-25-62 **Resolution Authorizing a One-Year Final Contract Extension to Seneca Tree Service Inc for Tree Removal and Stump Grinding Services in Accordance with N.J.S.A. 40A:11-15**

R-25-63 **Resolution Recommending the Endorsement of a Wetland Waiver/Mapping Revision in Connection with Development by DR Horton, Inc. at Thurmont Road in the Township of Denville**

MINUTES FOR ADOPTION – None

EXECUTIVE SESSION – None

MOTION TO ADJOURN

ORDINANCE NO. 05-25

AN ORDINANCE OF THE TOWNSHIP OF DENVILLE, COUNTY OF MORRIS, STATE OF NEW JERSEY, AUTHORIZING ACCEPTANCE OF A RIGHT-OF-WAY DEDICATION FOR SMITH ROAD IN CONNECTION WITH MAJOR SUBDIVISION APPROVALS FOR THE MARY FARM ROAD SUBDIVISION (BLOCK 20401, LOTS 2, 10 & 11.05)

WHEREAS, in connection with the Mary Farm Road Subdivision located at 50 & 50A Smith Road and 9 Mary Farm Road (Block 20401 Lots 2, 10 & 11.05), Fason Enterprises, LLC ("Grantor") desires to grant to the Township a street right-of-way ("ROW") dedication for a portion of Smith Road, for the location, installation, repair and maintenance of streets, drainage facilities, utilities and other facilities customarily located on the streets rights-of-way; and

WHEREAS, the deed of easement and metes & bounds description and map is attached hereto as Exhibit A; and

WHEREAS, the ROW dedication requires formal acceptance from the Township by way of ordinance and recording by the Grantor; and

WHEREAS, the Township is authorized pursuant to law to grant and receive interests in real property, including easements, by ordinance; and

WHEREAS, the Township Engineer and Township Attorney have reviewed the ROW dedication and recommend approving same; and

WHEREAS, the Township now wishes to formally authorize and accept the ROW dedication, a copy of which shall be placed on file with the Municipal Clerk.

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

1. The Township hereby authorizes and accepts the street ROW dedication from Falcon Enterprises, LLC, as Grantor, to the Township of Denville, as Grantee, for a portion of Smith Road as more fully described in the Deed of Dedication, metes & bounds description, and map, attached hereto and incorporated herein in Exhibit A.

2. The Municipal Clerk shall forward this ordinance and the deed to the Grantor, who shall record them with the Morris County Clerk's Office, at Grantor's sole expense. Grantor shall provide a copy of the recorded documents to the Municipal Clerk.

BE IT FURTHER ORDAINED that this Ordinance shall take effect twenty (20) days following final passage, approval, and publication as required by law.

BY ORDER OF THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF DENVILLE

ATTEST:

APPROVED:

_____
MATTHEW N. BANSCH
MUNICIPAL CLERK

_____
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 February 18, 2025.

_____

Matthew N. Bansch, Municipal Clerk

Exhibit A

RECORD AND RETURN TO:
Municipal Clerk
Township of Denville
1 Saint Mary's Place
Denville, NJ 07834

Prepared by:

MICHAEL S. RUBIN, ESQ.

DEED OF DEDICATION

THIS DEED is made on the day of December, 2024,

BETWEEN

FASON ENTERPRISES, LLC, a New Jersey Limited Liability Company, with a registered office located at 16 Ray Place, Unit 3, Fairfield, NJ 07004, referred to as the Grantor,

AND

TOWNSHIP OF DENVILLE, a Municipal Corporation, with offices located at 1 Saint Mary's Place, Denville, New Jersey 07834, referred to as the Grantee.

The words AGrantor@ and AGrantee@ shall mean all Grantors and all Grantees listed above.

Transfer of Ownership. The Grantor grants and conveys (transfers ownership of) the property (called the "Property") described below to the Grantee. The transfer is made for the sum of ONE DOLLAR AND NO CENTS ($1.00).

The Grantor acknowledges receipt of this money.

Tax Map Reference. (N.J.S.A. 46:15-2.1) Municipality of Township of Denville
Block No. 20401 Lot No. 2.01 (a portion thereof) Qualifier No. Account No.

G No lot and block or account number is available on the date of this Deed. (Check box if applicable.)

Property: The Property consists of a portion of the land but none of the buildings on the land in the Township of Denville, County of Morris, State of New Jersey. The Grantor is dedicating to the Township of Denville a portion of the Property frontage along Smith Road. The legal description of the portion to be dedicated to the Township of Denville is:

Please see attached Legal Description annexed hereto and made a part hereof. (Check box if applicable.)

BEING a portion of the property formerly designated as Block 20401, Lot 2. Lot 2 was conveyed to the Grantor herein by Deed from Robert M. Howitt, unmarried, dated March 26, 2021, and recorded in the Office of the Morris County Clerk on April 15, 2021, in Deed OR Book 24103, Page 13, File Number 2021037922.

The Township of Denville Planning Board approved an amendment to the Mary Farm Road subdivision which, *inter alia*, subdivided Lot 2 into three lots, including Lot 2.01, as evidenced by a certain map entitled "Amended Final Subdivision Plat, Mary Farm Road, Block 20401, Lots 2, 10 & 11.05, Mary Farm Road & Smith Road, Township of Denville, Morris County, New Jersey" and recorded with the Morris County Clerk=s Office on August 10, 2023, as Map-OR, Book 9, Page 130, File Number 2023029814. The Amended Final Subdivision Plat depicts the portion of Lot 2.01 dedicated hereby to the Township of Denville for the widening of Smith Road.

The street address of the Property is 2 Mary Farm Road, Denville, New Jersey 07834.

Type of Deed. This Deed is called a "**Deed of Dedication**." The Grantor is transferring to Grantee only that portion of its interest in the Property as described herein.

Signature. The Grantor signs this Deed as of the date at the top of the first page. (Print name below each signature.

Witness by:

Fason Enterprises, LLC, a
New Jersey Limited Liability Company

_____

By: _____ (Seal)
VICTOR RECCHIA, Managing Member

_____

By: _____ (Seal)
NORMAN D. RECCHIA, Managing

STATE OF NEW JERSEY)
) SS:
COUNTY OF ESSEX)

I certify that on December , 2024,

VICTOR RECCHIA AND NORMAN D. RECCHIA,

personally came before me and stated to my satisfaction that such person (if more than one, each person):

(a) made this Deed on behalf of Fason Enterprises, LLC, a New Jersey Limited Liability Company; and

(b) was authorized to and did execute this Deed as Managing Members of Fason Enterprises, LLC, the entity named in the Deed; and

(c) executed this Deed in their capacity as Managing Members; and

(d) made this Deed for $1.00 as the full and actual consideration paid or to be paid for the transfer of title. (Such consideration is defined in N.J.S.A. 46:15-5.)

_____

Michael S. Rubin, Esq.
Attorney-At-Law
State of New Jersey

DYKSTRA WALKER
DESIGN DW GROUP

ENGINEERING, ENVIRONMENTAL SERVICES, PLANNING, SURVEYING

Revised February 6, 2025
December 12, 2024 **Project No. 01060**

DESCRIPTION OF RIGHT-OF-WAY DEDICATION
TO SMITH ROAD
FROM LOT 2 - BLOCK 20401
TOWNSHIP OF DENVILLE, MORRIS COUNTY, NEW JERSEY

Beginning at a point in the approximate centerline of Smith Road (33' right-of-way per tax map), said point being the third corner of Lot 2, Block 20401 as described in Deed Book 24103, Page 13, running, thence;

1. S 31°48'11" W, 88.18 feet along the fourth course of said deed, and more or less along the centerline of Smith Road centerline, thence;

2. S 32°51'11" W, 117.58 feet along the fifth course of said deed, and more or less along the centerline of Smith Road centerline, thence;

3. N 65°24'39" W, 23.77 feet partly along the sixth course of Deed Book 24103, Page 13 to a monument found in the newly defined westerly right-of-way line of Smith Road, thence;

4. Northeasterly along the newly established westerly right-of-way line of Smith Road, a non-tangent curve to the right having a radius of 1625.00 feet, an arc length of 14.68 feet, and a central angle of 00°31'03" (chord - N 27°04'11" E, 14.68 feet), thence the following two courses running along said newly established right-of-way line, being parallel and 25 feet distant from courses 1-2 defined above;

5. N 32°51'11" E, 106.16 feet, thence;

6. N 31°48'11" E, 84.77 feet to a point in the second course of Lot 2, Block 20401 as defined in Deed Book 24103, Page 13, thence;

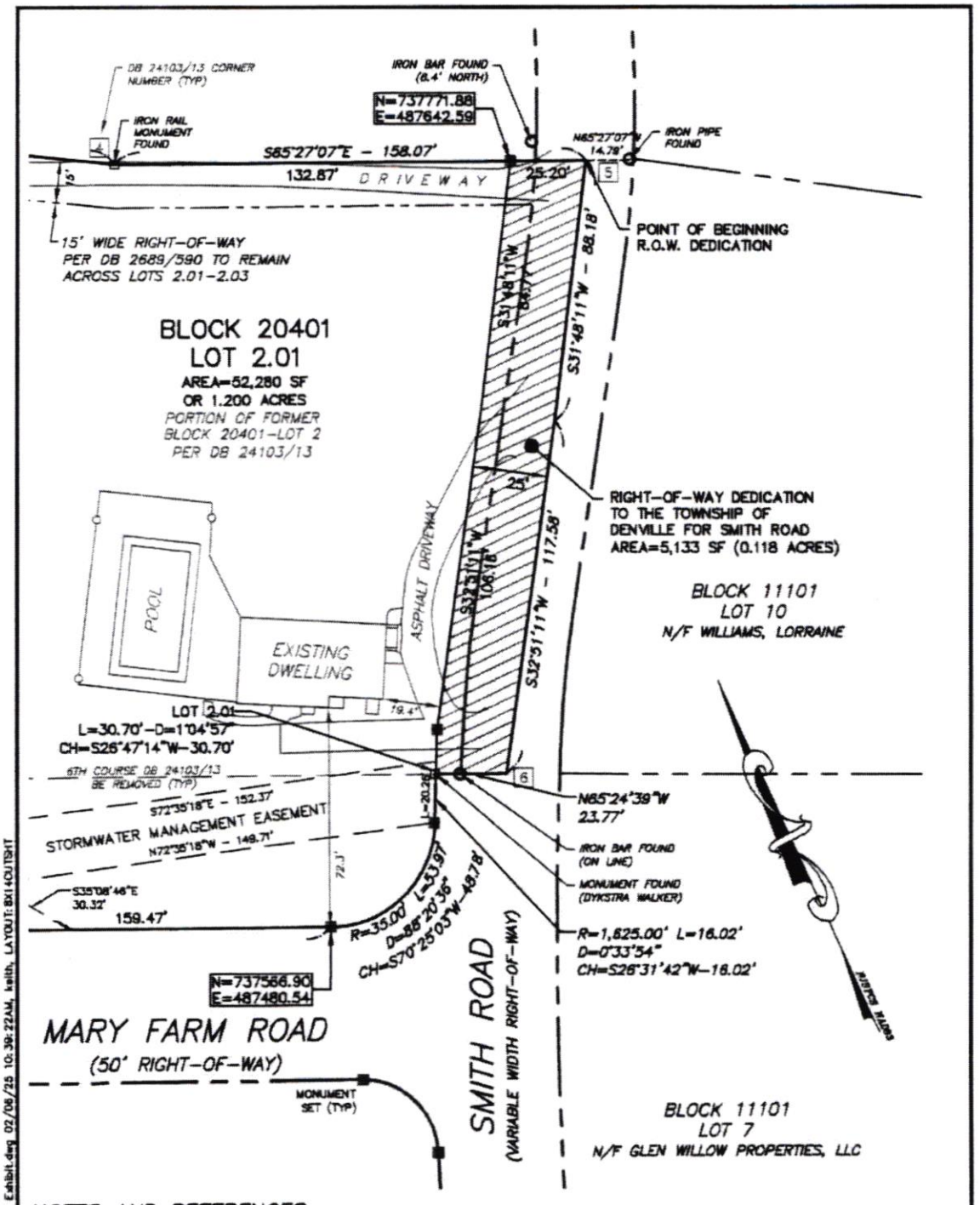
7. S 65°27'07" E, 25.20 feet said second course to the point or place of beginning.

Containing 5,133 square feet or 0.118 acres of land, more or less.

Right-of-way dedication as shown on map titled "Amended Final Subdivision Plat, Mary Farm Road, Block 20401, Lots 2, 10 & 11.05, Township of Denville, Morris County, New Jersey", recorded in the Morris County Clerk's Office on 8/10/23 as Filed Map No. 2023029814, and also being shown on the attached map titled "Right-Of-Way Dedication Exhibit, Block 20401, Lot 2, Smith Road, Township of Denville, Morris County, New Jersey" prepared by Dykstra Walker Design Group, dated 2/6/25. The bearings for this description are in accordance with New Jersey State Plane Coordinate System NAD 83 per said Filed Map.

Kenneth D. Dykstra, Professional Land Surveyor
New Jersey License No. 24GB03297200

21 BOWLING GREEN PARKWAY, SUITE 204 • LAKE HOPATCONG, NJ 07849
PHONE (973) 663-6540 • FAX (973) 663-0042 • www.dykstrawalker.com



NOTES AND REFERENCES:

1. MAP TITLED "FINAL SUBDIVISION PLAT, MARY FARM ROAD, BLOCK 20401, LOTS 3 & 11, TOWNSHIP OF DENVILLE, MORRIS COUNTY, NEW JERSEY" PREPARED BY DYKSTRA WALKER DESIGN GROUP, DATED 9/25/14, LAST REVISED 12/2/15, AND FILED IN THE MORRIS COUNTY CLERK'S OFFICE ON 9/29/16 AS MAP NO. 2016061740. HORIZONTAL DATUM IS NAD 83 PER SAID MAP.

2. MAP TITLED "AMENDED FINAL SUBDIVISION PLAT, MARY FARM ROAD, BLOCK 20401, LOTS 2, 10 & 11.05, TOWNSHIP OF DENVILLE, MORRIS COUNTY, NEW JERSEY" PREPARED BY DYKSTRA WALKER DESIGN GROUP, DATED 10/25/22, LAST REVISED 5/30/23, AND FILED IN THE MORRIS COUNTY CLERK'S OFFICE ON 8/10/23 AS MAP NO. 2023029814.

DYKSTRA WALKER DESIGN GROUP PA

PROFESSIONAL ENGINEERS, PLANNERS & SURVEYORS
21 BOWLING GREEN PARKWAY, SUITE 204
LAKE HOPATCONG, NJ 07849
PHONE (973) 663-6540 · FAX (973) 663-0042

RIGHT-OF-WAY DEDICATION EXHIBIT

BLOCK 20401, LOT 2
SMITH ROAD
TOWNSHIP OF DENVILLE
MORRIS COUNTY NEW JERSEY

PROJ: 01060	SCALE: 1"=40'	DRWN: KJO/KDD	DATE: 2/6/2025

J:\pdsk\PROJ\01\01060\dwg\50 Smith Road\Subdivision\ROW Dedication Exhibit.dwg 02/06/25 10:39:22AM, keith, LAYOUT: 8X14OUTSHT

ORDINANCE NO. 06-25

AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK PURSUANT TO N.J.S.A. 40A: 4-45.14 FOR CALENDAR YEAR 2025

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the Municipal Council of the Township of Denville in the County of Morris finds it advisable and necessary to increase its CY 2025 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS, the Municipal Council hereby determines that a 1.0% increase in the budget for said year, amounting to $187,101.10, in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

WHEREAS, the Municipal Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the Township of Denville, in the County of Morris, a majority of the full authorized membership of this governing body affirmatively concurring, that in the CY 2025 budget year the final appropriations of the Township of Denville shall in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to $654,853.85 and that the CY 2025 municipal budget for the Township of Denville be approved and adopted in accordance with this ordinance; and

BE IT FURTHER ORDAINED that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and

BE IT FURTHER ORDAINED that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

BE IT FURTHER ORDAINED that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

BY ORDER OF THE MUNICIPAL COUNCIL
OF THE TOWNSHIP OF DENVILLE

ATTEST:

APPROVED:

MATTHEW N. BANSCH
MUNICIPAL CLERK

MAYOR THOMAS W. ANDES
TOWNSHIP OF DENVILLE

CERTIFICATIONS

Introduction:

I hereby certify the foregoing to be a true copy of an ordinance introduced by the Municipal Council of the Township of Denville at its meeting held on February 18, 2025.

Ayes: Borowiec, Buie, Golinski, Kovacs, Maffei, Venis

Nays: None

Absent: Simpson

2/18/25
Certification Date:

Matthew N. Bansch, Municipal Clerk

Adoption:

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 March 18, 2025.

Ayes:

Nays:

Absent:

Certification Date:

Matthew N. Bansch, Municipal Clerk

R-25-59

RESOLUTION AUTHORIZING THE REFUND OF MONEY DUE TO THE REDEMPTION OF A TAX SALE CERTIFICATE FROM TAX SALE

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 vouchers to refund the amounts shown below to the named lien holders.

BE IT FURTHER RESOLVED that the Chief Financial Officer is hereby authorized and directed to forward the checks to the Tax Collector to be delivered to the following lien holders after proper notation has been made on the Tax Records:

Cert #	Block	Lot	Address	Purchaser of Lien	Refund Amt.	Premium Amt.
2024-049	70101	63	81 Ford Rd N	RTLF-NJ II LLC PO Box 71054 Chicago, IL 60694	$3,181.42	$100.00
2024-039	50308	8	35 East Main St	RTLF-NJ II LLC PO Box 71054 Chicago, IL 60694	$21,245.05	$7,000.00

BY ORDER OF THE MUNICIPAL COUNCIL
OF THE TOWNSHIP OF DENVILLE

I, Matthew N. Bansch, 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 March 18, 2025.

_____
Certification Date

_____
Matthew N. Bansch, Municipal Clerk

R-25-60

RESOLUTION AUTHORIZING SUBMISSION OF A RENEWAL GRANT APPLICATION FOR THE DENVILLE MUNICIPAL ALLIANCE GRANT FOR FISCAL YEAR 2026

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey; and

WHEREAS, the Municipal Council of the Township of Denville, County of Morris, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore, has an established Municipal Alliance Committee; and

WHEREAS, the Municipal Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Municipal Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Morris.

NOW, THEREFORE, BE IT RESOLVED, that the Municipal Council of the Township of Denville, County of Morris, State of New Jersey hereby recognizes the following:

1. The Municipal Council does hereby authorize submission of a strategic plan for the Denville Municipal Alliance grant for fiscal year 2026 in the amount of:

GCSUD Grant	$7,459.00
Cash Match	$1,864.75
In-Kind	$5,594.25

2. The Municipal Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

BY ORDER OF THE MUNICIPAL COUNCIL
OF THE TOWNSHIP OF DENVILLE

I, Matthew N. Bansch, 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 March 18, 2025.

_____
Certification Date

_____
Matthew N. Bansch, Municipal Clerk

R-25-61

RESOLUTION AUTHORIZING ENGINEERING SERVICES IN CONNECTION WITH A PHASE I ENVIRONMENTAL SITE ASSESSMENT

WHEREAS, the Township entered into a Professional Services Agreement ("Agreement") dated January 1, 2025 with John K. Ruschke, P.E. of Mott MacDonald, LLC, with offices at 412 Mt. Kemble Ave., Suite G22, Morristown, NJ 07960 for engineering services for the year 2025; and

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

WHEREAS, John K. Ruschke, P.E. has submitted a cost proposal dated March 3, 2025 for Professional Engineering Services for Phase I Environmental Site Assessments, Block 20102, L07 13 for an amount not to exceed $7,900.00; and

WHEREAS, the Chief Financial Officer of the Township of Denville has certified in Certification #25-02, which is annexed hereto and made a part thereof, that this agreement will be charged to the following budget appropriation, and that adequate funds are available under the following line item accounts:

#15-280-56-000-001 $7,900.00

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 Municipal Council hereby approves the proposal submitted by John K. Ruschke, P.E. of Mott MacDonald, LLC for Professional Engineering Services for Phase I Environmental Site Assessments, Block 20102, L07 13.

2. Charges shall not exceed $7,900.00 without prior written approval of the Township.

3. This Resolution shall take effect immediately.

BY ORDER OF THE MUNICIPAL COUNCIL
OF THE TOWNSHIP OF DENVILLE

I, Matthew N. Bansch, 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 March 18, 2025.

_____
Certification Date:

_____
Matthew N. Bansch, Municipal Clerk

MOTT MACDONALD

Mr. Steve Ward, Administrator
Township of Denville
1 St. Mary's Place
Denville, NJ 07834

Phase I Environmental Site Assessments Proposal
Block 20102, L07 13
Township of Denville, New Jersey

March 3, 2025

Dear Mr. Ward:

In response to the request from the Township of Denville (the Township), Mott MacDonald is pleased to submit the following proposal for Professional Engineering Services associated with the performance of a Phase I Environmental Assessments (ESA) for the above referenced property located within Denville Township, Morris County, New Jersey.

412 Mount Kemble Avenue
Suite G22
Morristown NJ 07960
United States of America

T +1 (908) 730 6000
F +1 (973) 267 2890
mottmac.com

Project Background

The performance of due diligence provides a level of liability protection related to known and unknown environmental issues. The Phase I Environmental Site Assessment (per *ASTM E1527 Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process*) is the industry standard for performing due diligence. The State of New Jersey has an independent process for performing due diligence (Preliminary Assessment), however, as the evaluation is being performed in advance of any potential property acquisition, the Phase I ESA is the appropriate due diligence methodology for this project.

Scope of Work

This scope of work to complete a Phase 1 ESA covers the topics which must be addressed under ASTM E1527-21. For the purposes of this Phase I ESA, the terms "any" and "all" will mean "reasonably ascertainable" as defined in the ASTM *Standard Practice for Environmental Site Assessments*. A few illustrative examples of this include current addresses of all past owners, operators, and permittees; the reasons for denial of a historical permit; historical raw materials and hazardous constituents; past production processes; etc. Attempts will be made to gather useful data in this regard but not all data described in the proposed regulations may be able to be obtained.

Tasks that we will undertake within this project focus on site inspections and data gathering and evaluation culminating in production of a Phase I ESA Report. Specifically, we will:

- Conduct a site visit of the property to examine current and past uses of the property, general topography and to investigate the presence or absence of potential areas of environmental concern such as visually discernible spills or

discharges of hazardous substances, storage tanks, drums and containers, potential asbestos containing materials, potential PCB containing electrical and hydraulic equipment (excluding fluorescent light ballast), if present, and stained soils.

- Develop a photographic log that will be included with the summary report developed for the site.
- Conduct a visual inspection of all adjacent properties from the subject property line, public right-of-way, or other vantage points to identify any visually observable environmental conditions which may impact the site.
- Review records and information including site drawings and as-built diagrams provided by the Township or current Owner.
- Interview the Owner or individuals knowledgeable about the site, as designated by the Township, to investigate past uses of the property and other conditions.
- Obtain and review environmental database search for the property and ASTM radii including such sources of information as:
  - Standard Environmental Records:
    - Federal NPL Site List
    - Federal CERCLIS List
    - Federal RCRA TSD facilities list
    - Federal RCRA generators list
    - Federal ERNS list
    - New Jersey Department of Environmental Protection
  - Standard Physical Setting Source:
    - USGS Topographic Sheet(s)
  - Standard Historical Sources:
    - Sanborn Fire Insurance Maps local records.
- Obtain and review an environmental lien search for the property (most recent owner) through a third-party provider.
- Review historical aerial photographs via online service provider.
- Contact local, state, and federal environmental agencies to determine if they are aware of any environmental concerns, complaints, enforcement actions, etc. associated with the property.
- Review relevant information (e.g., ownership records, permits, notices of violation, construction permits) made available by the Township or the current owner.
- Review NJDEP online information.
- Identify properties located adjacent to the site that may present the potential for vapor migration onto the sites (based on information provided in the commercial database search report).
- Submit and review ASTM User Questionnaire to identified "user"; and
- Prepare a Phase I ESA Report which will describe and document our investigation and conclusions, locate, and describe recognized environmental conditions or present information describing the lack of same.

Mott MacDonald General

MOTT MACDONALD

Please note our inspection and reporting will be based upon physical property limits as identified by the Township due to the confidential nature of the review. No survey tasks are included in our Scope of Work or Cost Estimate. If you require a survey as part of this project, we will provide a proposal with the associated costs. No physical sampling of soils or groundwater are proposed at this time.

Prior to submitting a draft copy of the Phase I ESA Reports, Mott MacDonald will discuss the results of our work with you. After receiving approval, a draft copy of the report will then be prepared and submitted for review. After incorporating appropriate review comments, Mott MacDonald will finalize the Phase I ESA Reports.

The potential presence of radon gas, vapor intrusion by volatile organic compounds, or the presence of potential asbestos containing materials or lead-based paint will be considered and presented within the report, however, no sampling of the aforementioned will be completed. In addition, no soil sampling is recommended at this time. If the Phase I ESA reveals the need for sampling of any type, Mott MacDonald will provide a proposal with the associated costs.

Cost Summary

We propose to undertake the above-described Scope of Work on a lump sum basis of $7,900. Please note this cost estimate does not include acquiring and reviewing a full title search; however, if one is provided to Mott MacDonald, we will review the provided information and include a summary in the Phase I ESA Report. As outlined in our Scope of Work, we will review environmental lien information, provided through a third-party provider. Further, this cost estimate includes review of regulatory files (if any) at the NJDEP and local municipal authorities.

Should you have any questions regarding our scope of work or our proposal, please do not hesitate to contact our office.

Very truly yours,

MOTT MACDONALD, LLC

John K. Ruschke, PE, PMP, ENV-SP
Vice President
T 908.238.5000
john.ruschke@mottmac.com

Michael A. Polito, Jr. PE, DBIA
Vice President
D 732 333 3287
michael.polito@mottmac.com

Mott MacDonald General

R-25-62

RESOLUTION AUTHORIZING A ONE-YEAR FINAL CONTRACT EXTENSION TO SENECA TREE SERVICE INC FOR TREE REMOVAL AND STUMP GRINDING SERVICES IN ACCORDANCE WITH N.J.S.A. 40A:11-15

WHEREAS, the Township of Denville duly awarded a two-year contract dated May 9,2023 for tree removal and stump grinding services to Seneca Tree Service Inc (the "Contract"); and

WHEREAS, the Contractor has agreed to extend the contract for their final extension in accordance with N.J.S.A. 40A:11-15; and

WHEREAS, the Township desires to extend the contract with Seneca Tree Service Inc. for a one-year term, to run from May 10, 2025 to May 9, 2026; and

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

1. The Contract between the Township of Denville and Seneca Tree Service Inc, dated May 9,2023, is hereby extended for a period of one year, from May 10, 2025 to May 8,2025.

2. The same terms and conditions shall apply as per the original proposal.

3. The Mayor and Municipal Clerk are authorized and directed to execute the Second and Final Contract Extension between the Township and Seneca Tree Service Inc.

4. A copy of this Resolution and Second Contract Extension Amendment shall be kept on file in the Office of the Township Clerk for examination by the public.

5. This Resolution shall take effect immediately.

BY ORDER OF THE MUNICIPAL COUNCIL
OF THE TOWNSHIP OF DENVILLE

I, Matthew N. Bansch, 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 March 18, 2025.

_____
Certification Date

_____
Matthew N. Bansch, Municipal Clerk

R-25-63

RESOLUTION RECOMMENDING THE ENDORSEMENT OF A WETLAND WAIVER/MAPPING REVISION IN CONNECTION WITH DEVELOPMENT BY DR HORTON, INC. AT THURMONT ROAD IN THE TOWNSHIP OF DENVILLE

WHEREAS, DR Horton, Inc. desires to connect premises known and designated as Tax Block 30501, Lots 8, 32-24, 36 & 37; Block 30601, Lot 16; Block 30607, Lots 15-17; and Block 30611, Lots 1-5 on the Tax Map of the Township of Denville, located at Thurmont Road, to the municipal system for the ultimate discharge to the Rockaway Valley Regional Sewerage Authority (RVRSA); and

WHEREAS, a portion of the property to be connected to the municipal system contains designated wetlands (Environmentally Sensitive Areas – ESA) as defined by the United States Fish and Wildlife Service; and

WHEREAS, one of the conditions imposed by the United States Environmental Protection Agency (USEPA) upon the grant for the construction of the RVRSA facilities prevents the connection of any sewer generating building(s), facility(ies), or any construction on any parcel of land containing any wetlands (ESA's) to the RVRSA collection system for a period of 50 years after November 29, 1983; and

WHEREAS, said grant conditions provides for exceptions to the prohibition if approved, in writing by the Regional Administrator of USEPA, Region 2; and

WHEREAS, the waiver request procedures established by the USEPA and the New Jersey Department of Environmental Protection (USEPA) require the grantee (i.e. RVRSA) approve the submission of the waiver/mapping revision; and

WHEREAS, by Resolution dated March 13, 1986, the RVRSA determined that issues relating to the approval or denial of such a request are more appropriately the subject of evaluation by the officials of the municipality within which the site of the proposed project is located, than by members of a regional sewerage authority; and

WHEREAS, the RVRSA also determined in said Resolution that it will not take any action upon a waiver request until it received a "written recommendation of endorsement by the appropriate officials or body of the affected municipality"; and

WHEREAS, the application of DR Horton, Inc. for a waiver request/mapping revision for the project referred to above has been reviewed by the Township Engineer.

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

1. The waiver request/mapping revision submitted by DR Horton, Inc. for the project described is hereby granted a written recommendation of endorsement.

2. The Municipal Clerk is hereby authorized and directed to forward a certified copy of this Resolution to the RVRSA.

This Resolution shall take effective immediately.

BY ORDER OF THE MUNICIPAL COUNCIL
OF THE TOWNSHIP OF DENVILLE

I, Matthew N. Bansch, 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 March 18, 2025.

_____ _____

Certification Date Matthew N. Bansch, Municipal Clerk