



**TOWNSHIP OF DENVILLE MUNICIPAL COUNCIL
REGULAR MEETING
October 18, 2022, 7:30 P.M.**

- **Salute to the Flag**
- **Invocation**
- **Statement of Compliance with Open Public Meetings Act**
- **Roll Call:**

Council Members

<input type="checkbox"/> Borowiec	<input type="checkbox"/> Buie	<input type="checkbox"/> Fahrer
<input type="checkbox"/> Golinski	<input type="checkbox"/> Kovacs	<input type="checkbox"/> Murphy
<input type="checkbox"/> Coté, Council President		

In Attendance

<input type="checkbox"/> Mayor Andes	<input type="checkbox"/> Administrator Ward
<input type="checkbox"/> Township Attorney Semrau	<input type="checkbox"/> Other: _____

PROCLAMATIONS / PRESENTATIONS / CEREMONIAL MATTERS

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

PRESENTATION BY THE BUSINESS IMPROVEMENT DISTRICT (BID)

- **Council Liaison/Committee Reports**
- **Mayor's Report**
- **Administrator's Report**
- **Correspondence**

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

Matters of Old/New Business:

ORDINANCES FOR INTRODUCTION

NONE

ORDINANCES FOR ADOPTION

NONE

ITEMS FOR DISCUSSION AND/OR ACTION

RESOLUTIONS

CONSENT AGENDA:

R-22-175: Resolution Refunding the Overpayment of 2020, 2021 & 2022 Taxes

R-22-176: Resolution to Cancel 2022 Taxes as a Result of Veterans Exemption

R-22-177: Resolution Authorizing Refund of Recreation Department Fee

R-22-178: Resolution Authorizing a Refund of a COAH Payment

NON-CONSENT AGENDA:

R-22-179: Resolution Authorizing a Refund of a Building Permit Fee

R-22-180: Resolution Amending Prior Resolution for the Purchase of (2) Two Ford Police Utility Interceptor PPC in Accordance with Morris County Cooperative Pricing Council

R-22-181: Resolution of the Township of Denville, County of Morris, State of New Jersey, Accepting the Bid from 12-18 Vanderhoof LLC for the Sale of the Property Located at 12-18 Vanderhoof Avenue (Block 62002, Lot 1)

MINUTES FOR ADOPTION

- August 16, 2022

EXECUTIVE SESSION:

R-22-182: Resolution Authorizing Executive Session to Discuss Matters falling within the Attorney-Client Privilege

Formal action will not be taken following executive session

MOTION TO ADJOURN

RESOLUTION REFUNDING THE OVERPAYMENT OF 2020, 2021 & 2022 TAXES

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

NOW, THEREFORE, BE IT RESOLVED that the appropriate Municipal Official is hereby authorized and directed to prepare a voucher in the following name to refund said overpayment, due to reason stated below.

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

Block/Lot	Reason for Refund	Owner or Mortgage Co.	Refund Amount
50801 8	Property became 100% Vet Exempt 8/1/2022	Matthew Godfrey 55 River Road Denville, NJ 07834	\$1,747.65
40702 27	Mortgage Co. paid on Vet Exempt Property Exempt of as 7/30/2020	Corelogic Tax Service Attn: Refund Department P.O. Box 9202 Coppell, TX 75019	\$2,664.19 – 2020 \$5,268.27 – 2021 \$7,932.46 – Total

**BY ORDER OF THE MUNICIPAL COUNCIL
OF THE TOWNSHIP OF DENVILLE**

I, Tara M. Pettoni, 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 October 18, 2022.

Certification Date:

Tara M. Pettoni, RMC
Municipal Clerk

RESOLUTION TO CANCEL 2022 TAXES AS A RESULT OF VETERANS EXEMPTION

WHEREAS, it has been found that the following property Owner has been granted a 100% Veterans Exemption from the VA for their property therefore requiring part of 2021 taxes & 2022 taxes to be canceled.

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Denville, County of Morris, State of New Jersey, that the Tax Collector is hereby authorized and directed to cancel the 2021 taxes for the below Block & Lot.

Block/Lot	Owner	Canceled
40813 925 Loc: 53 Indian Road Date of Exemption 12/1/2021	Julio Mejia 53 Indian Road Denville, NJ 07834	\$1,613.92 4 th qtr. 2022 1 st , 2 nd & 3 rd qtrs. 2022 canceled R-22-147
50801 8 Loc: 55 River Road Date of Exemption 8/1/22	Matthew Godfrey 55 River Road Denville, NJ 07834	\$1,747.65 part 3 rd qtr. 2022 \$2,636.45 4 th qtr. 2022

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RESOLUTION AUTHORIZING REFUND OF RECREATION DEPARTMENT FEE

WHEREAS, a certain resident of the Township of Denville has paid program fee to the Recreation Department; and

WHEREAS, this resident did not avail themselves of the program for which said fee was paid.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Denville that refund, in the amount designated in this resolution, is authorized to be issued to the resident named in said resolution as follows:

<u>NAME</u>	<u>REFUND AMOUNT</u>	<u>PROGRAM</u>
Maria Graziano	\$90.00	Ski Club 2023

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RESOLUTION AUTHORIZING A REFUND OF A RESIDENTIAL DEVELOPMENT FEE

WHEREAS, the permit payer listed below has overpaid the Residential Development Fee in the amount shown; and

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

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

<u>NAME</u>	<u>PERMIT NUMBER</u>	<u>AMOUNT</u>	<u>REVENUE ACCOUNT</u>
Vanier	22-0678	\$563.00	17-280-56-000

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Tara M. Pettoni, RMC
Municipal Clerk

RESOLUTION AUTHORIZING A REFUND OF A BUILDING PERMIT FEE

WHEREAS, the permit payer listed below has requested a refund for a permit fee in the amount shown; and

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

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

<u>NAME</u>	<u>PERMIT NUMBER</u>	<u>AMOUNT</u>	<u>REVENUE ACCOUNT</u>
Vanier	22-0678	\$2,810.00	17-280-56-000

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RESOLUTION AMENDING PRIOR RESOLUTION FOR THE PURCHASE OF (2) TWO FORD POLICE UTILITY INTERCEPTOR PPC IN ACCORDANCE WITH MORRIS COUNTY COOPERATIVE PRICING COUNCIL

WHEREAS, The Township of Denville wishes to amend prior resolution R-22-143; and

WHEREAS, the Township Council awarded Resolution 22-143 for (2) Ford Police Utility Interceptors, but due to delays in manufacturing 2022 Ford Interceptors are no longer available; and

WHEREAS, The Denville Police Department now wishes to purchase one (1) 2023 Ford Police Utility Interceptor, and a second vehicle would be purchased from a different vendor; and

WHEREAS, said vehicle can be purchased from Maplecrest Ford Inc. through the Morris County Co-operative Pricing Council Contract No. 15A, item 2; and

WHEREAS, the maximum amount of the contract is \$43,570.05 in accordance with the quotation submitted for one Ford Police Utility Interceptor.

WHEREAS, public bids are not required when the purchase is made through a state-approved co-operative in accordance with N.J.S.A. 40A:11-12 of the Local Public Contracts Law.

WHEREAS, the Chief Financial Officer of the Township of Denville would reduce certification of funds # 22-24 in the amount of \$31,824.05

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the Township of Denville, in the County of Morris, and State of New Jersey, that a contract for the purchase of one (1) Ford Police Utility Interceptors is hereby awarded to Maplecrest Ford Inc., in accordance with the terms and conditions contained in Morris County Co-operative Pricing Council Contract No. 15A, item 2, and the Mayor and Township Clerk are hereby authorized to execute same.

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Municipal Clerk

MAPLECREST FORD, INC.



102 E. MAIN ST MENDHAM, NJ 07945
800-627-7811 Phone *800-627-7650 Fax
govsalesbrad@aol.com

To: Denville PD || Attn: Wesley Sharples

From: Andrea Cardinale || 10/11/2022

<u>Item 2:</u>	<u>Bid Price:</u>
Ford Utility Police Interceptor: Police Pursuit	\$34,232.00
• 66A Delete lighting packages (front):	(\$700.00)
• 66B Delete lighting packages (rear):	(\$300.00)
• Wire Delete Roof Wiring:	(\$60.00)
• 86T: Rear Taillamp Housing	\$58.20
• 55F: Remote Keyless Entry Key Fob 4-key fobs	\$329.80
• 99C: Engine 3.0L V6 EcoBoost 1//o 99B engine	\$4,137.05

Contract Includes:

• 17T: <i>Cargo Dome Lamp</i>	
• 43D: <i>Courtesy Lamp Disable</i>	
• 60R: <i>Noise Suppression</i>	
• 76R: <i>Reverse Sensing</i>	
• 51R: <i>Driverside LED Spotlight</i>	
• 68G: <i>Rear Door Locks/Windows Inoperative</i>	
• 153: <i>Front License Plate Bracket</i>	
• Spare: <i>Full Size Spare Tire *Standard</i>	
• Warranty: <i>5 year/100,000 mile extended powertrain warranty</i>	
▪ <u>Original Purchase Order Total:</u>	<u>\$37,697.05</u>
▪ Extended (2)	\$75,394.10
▪ <u>2023 Increase 1 unit:</u>	<u>\$5,873.00</u>
▪ <u>Decrease Purchase order by 1</u>	<u>(\$37,697.05)</u>
<u>New Purchase Order Total (1 Unit):</u> <u>\$43,570.05</u>	

Please contact me for further information

Sincerely,

Andrea Cardinale

TOWNSHIP OF DENVILLE

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

Date of Request 07/21/22

Maplecrest Ford Inc.
102 E. Main Street
Mendham, NJ 07945
Name and Address of Contractor

Ford - Police Utility Interceptor PPC (2)	\$43,570.05
Name of Description of Pending contract	Amount of Contract

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

Signed: _____
Department or Division Head

PLEASE ATTACH A COPY OF PROPOSED CONTRACT

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

01-201-25-240-289 \$43,570.05

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

COMMENTS:

Fund availability are predicated on available budget

Jessica Falce 10/14/22
Jessica L Falce Date
Chief Financial Officer

RESOLUTION OF THE TOWNSHIP OF DENVILLE, COUNTY OF MORRIS, STATE OF NEW JERSEY, ACCEPTING THE BID FROM 12-18 VANDERHOOF LLC FOR THE SALE OF THE PROPERTY LOCATED AT 12-18 VANDERHOOF AVENUE (BLOCK 62002, LOT 1)

WHEREAS, the Township of Denville is the owner of the property located at 12-18 Vanderhoof Avenue, designated as Block 62002, Lot 1 on the Township Tax Map (the "Property"); and

WHEREAS, pursuant to Resolution 22-100, adopted by the Township Council on June 14, 2022, the Township authorized the sale at public auction of the Property; and

WHEREAS, pursuant to the same resolution, a public auction was held on September 22, 2022 at 12 p.m., with notice being sent to all contiguous owners of the subject property advising them of their right to attend and bid on the subject property; and

WHEREAS, at the time of the auction, the Property was bid on by one entity, 12-18 Vanderhoof LLC; and

WHEREAS, 12-18 Vanderhoof LLC's bid in the amount of \$6,435,000 was equal to or exceeded the minimum bid established by the Township and set forth in published legal notices and was the highest bid of those submitted at the public auction; and

WHEREAS, 12-18 Vanderhoof LLC paid the required \$10,000 nonrefundable deposit due at the time of the auction; and

WHEREAS, the Mayor and Administrator recommend that that bid from 12-18 Vanderhoof LLC be accepted by the Township.

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

1. The bid from 12-18 Vanderhoof LLC, having a mailing address of 77 Highgate Course, Saint Charles, Illinois 60174 in the amount of \$6,435,000 for the sale of the property located at 12-18 Vanderhoof Avenue (Block 62002, Lot 1) is hereby accepted, in accordance with the public land sale.
2. The terms of such acceptance are subject to the final contractual terms being authorized by the Administration and Township Attorney consistent with the terms of the bid as advertised.

This Resolution shall take effect immediately.

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RESOLUTION

WHEREAS, the Open Public Meetings Act P.L.1974, Chapter 231 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Township of Denville, that the public shall be excluded from discussion of the following matters:

- A confidential matter, under Federal Law or State Statute, or rule of court
- A matter in which the release of information would impair a right to receive funds from the Government of the United States
- Material the disclosure of which constitutes an unwarranted invasion of privacy
- Collective bargaining negotiations.
- A matter involving the purchase, lease or acquisition of real property with public funds
- Tactics and techniques utilized in protecting the safety and property of the public, including investigations of violations or possible violations of the law,
- ✓ Pending or anticipated litigation or contract negotiation other than in section (4) herein which the public body is, or may become a party, specifically, Alexander Adams vs Township of Denville and Olenowski vs Township of Denville
- ✓ Matters falling within the attorney-client privilege
- A matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of promotion or disciplining of a specific prospective public officer or employee employed or appointed by the public body
- Deliberations occurring after a public hearing that may result in the imposition of a specific civil penalty or loss of a license or permit

BE IT FURTHER RESOLVED that minutes will be kept on file in the municipal clerk's office, and once the matters involving the confidentiality of the above no longer requires that confidentiality, then the minutes shall be made public.

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