

FEBRUARY 17, 2011

MEETING TO ORDER

The regular meeting of the Kinnelon Borough Governing Body was called to order by Mayor Robert W. Collins at 8:00 p.m., on Thursday, February 17, 2011 in the Kinnelon Municipal Building.

There was a Salute to the Flag, after which the Clerk stated this meeting is being held pursuant to the New Jersey Open Public Meeting Act. Adequate notice of this meeting was given by advertising in the January 2, 2011 edition of the Trends and was provided to the Star Ledger, Daily Record and the North Jersey Herald News on January 2, 2011. Adequate notice was also posted on the municipal building bulletin board, filed with the Borough Clerk and provided to those persons or entities requesting notification.

Mayor Collins asked for a moment of silence in honor of our troops serving overseas, after which he asked the Clerk to call the roll.

The roll was called and present and answering were Councilmen James Freda, Daniel O'Dougherty, Gary Moleta, Stephen Cobell and Andrew SanFilippo. Councilman Ronald Mondello was absent.

TREASURER'S REPORT

The Treasurer's Report indicates we started out with cash on hand as of December 1, 2010 in the amount of \$5,839,088.92. Receipts for the month of December totaled \$1,020,726.77, with disbursements amounting to \$3,968,947.63. The new balance on hand December 31, 2010 was \$2,890,868.06 and has been reconciled with various bank balances.

The Treasurer's Report indicates we started out with cash on hand as of January 1, 2011 in the amount of \$2,890,868.06. Receipts for the month of January totaled \$3,465,382.26 with disbursements amounting to \$3,342,174.19. The new balance on hand January 31, 2011 was \$3,014,076.13.

MAYOR'S REPORT

Mayor Robert Collins asked Councilman O'Dougherty to report on the Cutlass Road project after which the Mayor read a letter from the State of New Jersey Department of Transportation advising the Borough we received a \$200,000 grant for the Cutlass Road project.

The Mayor said at the reorganization meeting he committed the Borough to be more transparent and to that end we have posted the last three year's budgets on the website and when the current budget is introduced it too will be posted for all to see. He announced the Census figures are in and the Borough has gone from 9365 people in 2000 to 10,248 in 2010.

Mayor Collins said the Tax Assessor has reported Tax Appeals are on the rise which prompted the governing body to explore a possible Borough wide property revaluation or reassessment and to evaluate what options may be available to address the increase in property tax.

RECREATION & ORDINANCE

Chairman James Freda reported the on line registration is working out well. The Recreation Commission will be holding a special meeting to discuss lacrosse registration deadlines.

FEBRUARY 17, 2011

Councilman Freda discussed the Ordinance Committee is reviewing the proposed Soil Ordinance which was held over from last year and will be reviewing our construction fees due to a letter from the State DCA which stated with a Shared Service Agreement all three towns have to have consistent fees. The Committee will be reviewing Bloomingdale and Butler's fees. Mr. Freda discussed Ordinance 1-11 which adds two alternate Recreation Members. They will only vote if someone is missing.

PUBLIC WORKS & UTILITIES

Chairman Daniel O'Dougherty reported the DPW responded eight times for snow and ice conditions with a total of fourteen inches of snow and three inches of ice. The intersections have been cleared for sight distance purposes and the catch basins were also cleared. The roadways are being swept to be in compliance with the Storm Water Act.

Mr. O'Dougherty also reported the Bond Ordinance for Cutlass Road will be introduced and between the low price for asphalt and the fact that the Road Maintainers will be doing much of the work themselves, we should be able to complete the project under the expected cost figure.

Councilman O'Dougherty stated the Borough Attorney has been working with the committee to draw up a survey for the people involved with the Sheep Rock Road water line.

COORDINATING

Chairman Gary Moleta reported first for the Historical Commission informing everyone that the Museum now has a direct link on our website and they are looking into better signs advertising the museum. They are working with Councilman O'Dougherty and the DPW for that. They have been given permission to put L'Ecole Museum on the New Jersey and National Register of Historic Places.

Reporting for the Board of Health, Mr. Moleta informed everyone they are considering and researching the increase for dog licenses as well as the late fees. The public should be aware that summonses for \$51.00 are being issued to anyone who has not licensed their dogs. The Borough and towns in the area do provide free rabies clinics. Mr. Moleta said he will be working with the Board of Health to update their website information on their clinics.

Councilman Moleta stated he attended his first Board of Education meeting and was told the Board of Ed will form a liaison committee. He informed the Board members about his involvement with the Anti Bullying Rights Act and the training he can provide to that end. A conversation with Mr. Whitehead regarding diesel fuel supply for the buses took place.

Mr. Moleta attempted to visit the Board of Adjustment and Environmental Commission but their meeting was cancelled. He received copies of their minutes.

Lastly, Councilman Moleta explained that he went on a six hour "ride along" with the police department which presented a unique view of policing in our Borough, particularly with our unique environmental characteristics, i.e. lakes and hiking trails throughout the nineteen square miles. He said he feels the department does the best they can in spite of having the lowest ratio of police officers per resident in the County. He pointed out that the borough employees have offered him assistance in helping him in his new job. They field the telephone calls, correspondence and keep the council informed on all issues even though they cost the borough only seventeen cents on the dollar. He said the safety and security and critical functions of our borough for only seventeen cents on the dollar is something to be proud.

FINANCE & OPEN SPACE

Chairman Stephen Cobell reported first on the Open Space Public Advisory Committee which is still waiting to hear when the closing for the Weber property will be. He stated we are renewing our agreement with the Land Conservancy of New Jersey who helps us in that regard.

Reporting on Finance, Mr. Cobell said the Finance Committee has met a few times with the Chief Financial Officer and the new auditor, Lou Mai. Several projects they are looking at this year are upgrading accounting system as well as the benefits of foreclosing on tax title liens. The 2% cap has pushed the governing body to find ways to offset a portion of the increases. Mr. Cobell said that as the Mayor has stated the budget will be put on our website as soon as it is formulated.

Mayor Collins thanked Mr. Cobell for reaching out to a computer expert, at his own cost, to develop an Excel Spreadsheet from our current Edmund reports to be used for the budget process.

Councilman Ron Mondello arrived at 8:20 p.m.

PUBLIC SAFETY

Chairman Andrew SanFilippo thanked Councilman Moleta for taking the time out of his day to ride along with the police department. Prior to taking over the Public Safety Committee he really had no insight into the police department other than that it was a "Mayberry Police Department". Now, Councilman SanFilippo said he has a lot more respect for all the department does considering they are not over staffed. He read the Police Report for the month of January there were 2155 calls for service, eleven adult arrests, three juvenile arrests and eight accidents. The officers issued 262 summonses and there were arrests for the controlled substances and DWI. There were three incidents alerts for possible child abductions which ended up with one being a neighbor offering a child a ride. The other two are being investigated. Sergeant Joe Napoletano and Patrolman Sean Patalita have talked to the children in the classrooms on this subject and it was noted that none of the children actually got into the cars. Mr. SanFilippo said they must be doing something right.

Mr. SanFilippo also reported that digital cameras have been installed in all the cars and the old VHS cameras were given to the Fire Department. An automated license plate reader was installed in one of the cars. The Polaris has been delivered to assist with homeland security of our reservoir areas as well as lost hikers. Night goggles and flashlights were also purchased through grant funds. Councilman SanFilippo commended the Chief for getting us whatever grants are available.

Councilman SanFilippo also added his concern that with the 2% cap that the department will not be able to replace the police officers who have recently retired. He suggested we come up with shared services where we could be the providing town to make some money.

Reporting for the Kinnelon Volunteer Fire Company, Mr. SanFilippo said the department responded to eighteen alarms, one of which was an incident where 150 gallons of home heating fuel was pumped into someone's garage by mistake.

PERSONNEL

Chairman Ronald Mondello said the Insurance Repetitive, Eric Labaska, has been able to reduce our dental rates by \$28,410 over the next two years without any reduction in the benefits. Mr. Mondello also contacted Mr. Labaska to see if he would compromise his compensation for the health benefits due to

the great increase. Mr. Labaska has agreed to keep his compensation the same as it was prior to the increase in rates. Mr. Mondello said the Personnel Handbook should be ready for introduction next month.

At this time, Councilman Jim Freda offered his condolences to Councilman Dan O'Dougherty in the loss of his wife's sister. He also announced the passing of a former Recreation Commissioner from town, Nancy Struck. Nancy was very involved with the Recreation program as well as being a friend and will be missed by all.

HEARING FROM THE PUBLIC

Mr. Nelson Helu, County Committee member had a few questions regarding the fees for the dogs. He asked what the purpose of the fee and if we are just charging to raise money. Mr. Helu was told by Councilman O'Dougherty that licensing pays for the Animal Control Officer and makes sure that the rabies inoculations are up to date. He was unsure if it is adequate for our costs. Mr. Moleta added that it is a state mandate that all dogs be licensed with an up-to-date rabies shot. He said the secretary of the Board of Health is researching the fees at this time.

Mr. Helu asked if Kinnelon has any debt. Mayor Collins said we have sixteen million in outstanding bonds; we could borrow up to eighty four million, but we are not overly leveraged. This month we secured a note at less than 1%. Mayor Collins said we have the highest rating we've ever had - Aa1- which reflects we are fiscally conservative.

Mr. Helu asked how the council is preparing Kinnelon for the economic downturn we are going into in the next couple of years. Everyone will have a change in lifestyle. The Mayor said we have already entered into shared service agreements for our CFO through Boonton Township, our Construction Department and Animal Control Service through Bloomingdale and our Health Services through Pequannock Township. Through entering into shared services, we have reduced ongoing operational costs. The Mayor added that we are now approaching other municipalities to look into providing them services to bring income into the Borough. Mayor Collins stated he will be asking the Finance Committee to evaluate on a three year business plan to address some continuing issues and plans for the future. Mayor Collins said he objects to the State painting all towns with the same brush.

Mr. Helu asked if these efficiencies were done to prepare us for what is coming or were they just done to make Kinnelon such a nice place to be in? We have gained efficiencies in the past and it is an ongoing process. We have approached other municipalities to see if there is a way to improve their and our operation.

A discussion on the number of defaults and tax appeals included the fact that defaults do not necessarily take the homes off the tax rolls and that the tax collection rate is about 98%. Mayor Collins said we are not insulated from the economic challenges being faced by our state or country and because of the increase in tax appeals; Kinnelon is looking into possibly reassessing all of the properties in the Borough to bring everyone back to fair market value.

Next Mr. Helu asked about the cameras on traffic lights. Councilman SanFilippo explained they are not cameras, but rather aid in the changing of the traffic lights. Mr. SanFilippo asked Mr. Helu why he is painting a picture of gloom and doom. Mr. Helu said the inflation rate has not changed, just the formula. He is preparing for it and compared this to the 1930's crash.

Range of Checking Accts: First to Last Range of Check Dates: 01/21/11 to 02/17/11
Report Type: All Checks Report Format: Super Condensed Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void Ref Number
GENERAL		General Account Account Payab		
6406	01/27/11	SOLO2 MATTHEW SOLARI	500.00	4166
6407	01/31/11	BJSO1 BJ'S WHOLESALE CLUB	42.80	4167
6408	02/17/11	AC A.C. DAUGHTRY INC.	28.41	4168
6409	02/17/11	ACCO4 ACC BUSINESS	294.77	4168
6410	02/17/11	AIR03 AIR GROUP	3,650.00	4168
6411	02/17/11	ALLO4 ALLIED OIL COMPANY	11,163.94	4168
6412	02/17/11	AME16 AMERICAN HOSE & HYDRAULIC CO.	230.46	4168
6413	02/17/11	AMPM A.M./P.M. SERVICES	99.00	4168
6414	02/17/11	ANI01 ANIMAL EMERGENCY & REFERRAL	237.00	4168
6415	02/17/11	AWI01 AWISCO NEW YORK CORP	85.86	4168
6416	02/17/11	BEY01 BEYER BROS. CORP.	160.84	4168
6417	02/17/11	BIL01 P&K OFFICIATING	4,680.00	4168
6418	02/17/11	BOR BOROUGH OF BUTLER	30,900.00	4168
6419	02/17/11	BOR01 BOROUGH OF BUTLER ELECTRIC	8,754.96	4168
6420	02/17/11	BOR02 BOROUGH OF KINNELON	47.00	4168
6421	02/17/11	BUS01 BUSINESS GRAPHICS	125.00	4168
6422	02/17/11	BUT02 BUTLER FOREIGN CAR	105.00	4168
6423	02/17/11	BUZ01 THE BUZAK LAW GROUP, LLC.	364.32	4168
6424	02/17/11	CAP05 CAPTUREPOINT.COM	3,797.00	4168
6425	02/17/11	CCTS1 CCTS CAPITAL, LLC	697.90	4168
6426	02/17/11	CER01 CERTIFIED SPEEDOMETER SERVICE	88.00	4168
6427	02/17/11	CLI01 CLIFFSIDE BODY CORP.	1,586.53	4168
6428	02/17/11	DAR01 DARMOFALSKI ENGINEERING ASSOC.	460.00	4168
6429	02/17/11	DEE01 DEER PARK SPRING WATER	35.69	4168
6430	02/17/11	DOU01 DOUG'S SMALL ENGINE REPAIR	132.50	4168
6431	02/17/11	ETD01 ETD DISCOUNT TIRE CENTERS, INC	661.80	4168
6432	02/17/11	FAY01 FAYSON LAKES WATER COMPANY	110.28	4168
6433	02/17/11	FER09 FERRARI DENTAL	100.00	4168
6434	02/17/11	FIN04 FINCH FUEL OIL CO. INC.	8,235.11	4168
6435	02/17/11	FOR04 FORD MOTOR CREDIT COMPANY	1,380.85	4168
6436	02/17/11	GAR01 GARDEN STATE HIGHWAY PROD., INC	579.47	4168
6437	02/17/11	GIL06 OLGA GILHOOLUI	128.41	4168
6438	02/17/11	GRA02 GRAMCO	95.80	4168
6439	02/17/11	HAW01 HAWKINS, DELAFIELD & WOODS	5,010.13	4168
6440	02/17/11	HER02 HERO'S SALUTE AWARDS COMPANY	24.00	4168
6441	02/17/11	HOM02 HOME DEPOT CREDIT SERVICE	1,638.24	4168
6442	02/17/11	HOR04 Horizon Office Equipment	108.00	4168
6443	02/17/11	IND02 INDIAN SPRING \CULLIGAN WATER	74.99	4168
6444	02/17/11	JAC05 JACK BRANAGAN	775.00	4168
6445	02/17/11	JIM01 JIMMY THE SHOE DOCTOR	183.51	4168
6446	02/17/11	KIN05 KINNELON PUBLIC LIBRARY	6,000.00	4168
6447	02/17/11	KIN06 KINNELON SENIOR CITIZENS	932.00	4168
6448	02/17/11	KIN08 KINNELON VOLUNTEER FIRE CO.	6,000.00	4168
6449	02/17/11	KIN09 KINNELON BOARD OF EDUCATION	2,717,104.00	4168
6450	02/17/11	KNA03 KNAPP, TRIMBOLI & PRUSINOWSKI,	1,269.00	4168
6451	02/17/11	KYB01 KYBA	2,283.94	4168
6452	02/17/11	LAK10 LAKESIDE BAGELS & DELI	496.15	4168
6453	02/17/11	LAW02 LAWYERS DIARY AND MANUAL	86.00	4168
6454	02/17/11	LUD01 DONALD B LUDWIG	650.00	4168

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Number
6455	02/17/11	MAD03	LAW OFFICE OF MARK D. MADAIO	8,615.00	4168
6456	02/17/11	MAI05	MAIN POOL & CHEMICAL CO INC.	1,154.00	4168
6457	02/17/11	MAS05	MASCHIO'S FOOD SERVICES	1,500.00	4168
6458	02/17/11	MB02	M&B TRUCKING INC.	1,300.00	4168
6459	02/17/11	MCD02	Morris County Duplicating Corp	2,651.00	4168
6460	02/17/11	MCI02	MCI COMM SERVICE	12.56	4168
6461	02/17/11	MERG01	DORIS MERGL	250.00	4168
6462	02/17/11	MIC09	Michele Van Allen Assemblies	2,050.00	4168
6463	02/17/11	MJG01	MJG Promotions	1,238.00	4168
6464	02/17/11	MOB01	L-3 COM MOBILE VISION INC	46,132.15	4168
6465	02/17/11	MOR17	MORRIS CTY TAX COLL/TREAS ASSC	30.00	4168
6466	02/17/11	MOR42	THE LAND CONSERVANCY OF NJ	2,750.00	4168
6467	02/17/11	MUN05	MUN. CLERKS ASSOC OF N.J.	175.00	4168
6468	02/17/11	NAS03	MIMI NASO	315.00	4168
6469	02/17/11	NEW05	NEW BRIDGE SERVICES	1,000.00	4168
6470	02/17/11	NJ 01	NJ WATER ASSOCIATION	295.00	4168
6471	02/17/11	NJC01	NJ CONFERENCE OF MAYORS	395.00	4168
6472	02/17/11	NJD07	NJ DEPT HEALTH & SENIOR SERV	382.20	4168
6473	02/17/11	NJL02	NJ LOCAL BOARDS HEALTH ASSOC.	95.00	4168
6474	02/17/11	NJLABOR	NJ LABOR LAW POSTER SERVICE	202.00	4168
6475	02/17/11	NOR02	NORTH JERSEY NEWSPAPER	89.28	4168
6476	02/17/11	NUT01	Nutley Supply	352.57	4168
6477	02/17/11	OCC01	CHILTON OCCUPATIONAL HLTH CTR	270.00	4168
6478	02/17/11	ODE01	JOHN O'DELL	28.70	4168
6479	02/17/11	OXF01	OXFORD HEALTH PLANS	150,779.18	4168
6480	02/17/11	PAE01	PAETEC COMMUNICATIONS, INC.	522.53	4168
6481	02/17/11	PAU04	STEVEN PAULSON	143.06	4168
6482	02/17/11	PEQ02	PEQUANNOCK TOWNSHIP	24,203.50	4168
6483	02/17/11	PIT06	PITNEY BOWES- RESERVE ACCOUNT	1,500.00	4168
6484	02/17/11	POS03	POSTMASTER BUTLER	370.00	4168
6485	02/17/11	PRI06	PRIME UNIFORM SUPPLY, INC	478.60	4168
6486	02/17/11	PRO15	PROFESSIONAL INSURANCE	4,039.00	4168
6487	02/17/11	PSE01	P.S.E. & G.	4,193.25	4168
6488	02/17/11	QUA01	QUALITY AUTOMOTIVE	2,678.89	4168
6489	02/17/11	RIC05	RICOH CORPORATION	959.37	4168
6490	02/17/11	ROY01	ROYAL COMMUNICATIONS INC.	603.77	4168
6491	02/17/11	SHO01	SHOTMEYER BROS. FUEL CORP.	672.58	4168
6492	02/17/11	SPA04	SPARCTECH SOLUTIONS LLC	1,000.00	4168
6493	02/17/11	SUB02	SUBURBAN TITLE & ABSTRACT INC	475.00	4168
6494	02/17/11	TAN02	NU-LOOK CONTRACTING	650.00	4168
6495	02/17/11	TEL02	TELSTAR PLUS INC	4,110.00	4168
6496	02/17/11	THY01	THYSSENKRUPP ELEVATOR	1,230.00	4168
6497	02/17/11	TOW01	TOWNSHIP OF RANDOLPH	1,100.00	4168
6498	02/17/11	TUR01	TURN-OUT FIRE AND SAFETY	169.96	4168
6499	02/17/11	VER01	VERIZON	73.70	4168
6500	02/17/11	VER06	VERIZON WIRELESS	455.56	4168
6501	02/17/11	WBM01	W.B. MASON COMPANY INC.	275.54	4168
6502	02/17/11	WEL01	WELDON ASPHALT	564.20	4168
6503	02/17/11	XTR01	XTREME GRAPHICS LLC	650.00	4168

Checking Account Totals	Paid	Void	Amount Void	Amount Paid
Checks:	98	0	0.00	3,095,373.81
Direct Deposit:	0	0	0.00	0.00

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Number
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Total:	98	0	0.00	3,095,373.81	
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PUBLIC ASSIST 1

1021	01/26/11	CRE04	CREST FUEL OIL CO.	1,262.24	4165
1022	01/26/11	FLA01	GAIL FLAMMER	35.88	4165

Checking Account Totals	Paid	Void	Amount Void	Amount Paid
Checks:	2	0	0.00	1,298.12
Direct Deposit:	0	0	0.00	0.00
Total:	2	0	0.00	1,298.12

WIRES

WIRES

1158	01/24/11	BOR02	BOROUGH OF KINNELON	174,711.86	4162
11104	01/24/11	BOR02	BOROUGH OF KINNELON	120.23	4162
164	01/26/11	BOR02	BOROUGH OF KINNELON	488.94	4164
165	01/26/11	BOR02	BOROUGH OF KINNELON	182,732.55	4163

Checking Account Totals	Paid	Void	Amount Void	Amount Paid
Checks:	4	0	0.00	358,053.58
Direct Deposit:	0	0	0.00	0.00
Total:	4	0	0.00	358,053.58

Report Totals	Paid	Void	Amount Void	Amount Paid
Checks:	104	0	0.00	3,454,725.51
Direct Deposit:	0	0	0.00	0.00
Total:	104	0	0.00	3,454,725.51

Fund Description	Fund	Budget Total	Revenue Total
CURRENT FUND APPROPRIATIONS	0-01	64,579.26	0.00
WATER FUND	0-05	32,464.92	0.00
Year Total:		97,044.18	0.00
CURRENT FUND APPROPRIATIONS	1-01	3,255,832.28	0.00
WATER FUND	1-05	11,801.33	0.00
SEWER FUND	1-07	4,498.54	0.00
Year Total:		3,272,132.15	0.00
	C-04	53,140.28	0.00
DOG TAX	D-13	1,206.97	0.00
	F-22	500.00	0.00
STATE AND FEDERAL GRANTS	G-02	3,039.35	0.00
KAMELOT	K-17	2,043.41	0.00
PUBLIC ASSIST 2	P-18	1,298.12	0.00
RECREATION SPECIAL	R-16	16,966.22	0.00
	T-23	4,467.24	0.00
	V-27	2,887.59	0.00
Total of All Funds:		3,454,725.51	0.00

RESOLUTION 2.01.11

A SALARY RESOLUTION TO
ISSUE AN ADDITIONAL STIPEND TO THE
MUNICIPAL COURT JUDGE 2011

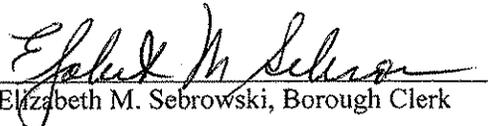
WHEREAS, the Borough has eliminated healthcare benefits for part time employees; and

WHEREAS, the Municipal Court Judge was an employee affected by said change in benefits; and

WHEREAS, the Kinnelon Mayor and Council feels it is advisable to compensate the Municipal Court Judge for his many years of service to the Borough and desires to offset the added unexpected expense the loss of healthcare has added by compensating him with an additional \$10,000 for the year 2011 only.

WHEREAS, said payment is not to be eligible for pension salary purposes.

Date:


Elizabeth M. Sebrowski, Borough Clerk

RESOLUTION 2.7.11

RESOLUTION AUTHORIZING THE
RETENTION OF THE KNAPP, TRIMBOLI
& PRUSINOWSKI, LLC AS SPECIAL
LEGAL COUNSEL

WHEREAS, the Borough desires to retain special Legal Counsel to perform various legal functions as directed by the Governing Body of the Borough; and

WHEREAS, the supplying of legal services is exempt from public bidding as a "Professional Service"; and

WHEREAS, N.J.S.A. 40A:11-1 et seq. Requires that all contracts be in writing; and

WHEREAS, Counsel has completed and submitted a Business Entity Disclosure Certificate which certifies that Counsel has not made any reportable contributions to a political or candidate committee in the Borough of Kinnelon in the previous one-year, and that the contract will prohibit Counsel from making any reportable contribution through the term of the contract; and

WHEREAS, the Borough has agreed to retain Knapp, Trimboli & Prusinowski, LLC with offices located at 210 Park Ave, Suite 302, Florham Park, New Jersey 07932 as Special Legal Counsel for the Borough under the terms and condition set forth hereinafter.

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

1. The Borough agrees to retain Knapp, Trimboli & Prusinowski, LLC as Special Counsel to the Borough for the following:

- a. To act as Special Counsel on behalf of the Borough for the Rocco Nazzaro matter at the hourly rate of \$135.00 per hour; and
- b. To act as Special Counsel on behalf of the Borough for the hearing and preparation for arbitrations as our fees would not exceed \$7,250.00

WHEREAS, said contract is being awarded to Counsel based upon the merits and ability of counsel to provide the legal services as described herein; and

WHEREAS, This contract was not awarded through a "fair and open process" pursuant to N.J.S.A.19:44-A20.4 et seq.

BOROUGH OF KINNELON
MORRIS COUNTY, NEW JERSEY
NOTICE OF AWARD OF CONTRACT

The Borough of Kinnelon has awarded a Contract for professional service without competitive bidding in accordance with N.J.S.A. 40A:11-5(1)(A)(i). The Contract and Resolution awarding it are available for public inspection at the Office of the Borough Clerk, Borough of Kinnelon, Municipal Building, 130 Kinnelon Road, Kinnelon, New Jersey 07405.

AWARDED TO: Knapp, Trimboli & Prusinowski, LLC
210 Park Ave, Suite 302
Florham Park, New Jersey 07932

DURATION: Until completion of the services
outlined in the Interim Services Agreement
submitted on January 27, 2011 by
Fredric M. Knapp, Esq.

NATURE OF CONTRACT: To provide services connected with that of a
Arbitration hearing.

COMPENSATION: NOT TO EXCEED - \$7,250.00

BOROUGH OF KINNELON
COUNTY OF MORRIS, STATE OF NEW JERSEY

Dated: February 17, 2011


Elizabeth M. Sebrovski, Borough Clerk

AUTHORIZING THE RENEWAL OF AN
AGREEMENT TO RETAIN THE LAND
CONSERVANCY OF NEW JERSEY FOR
OPEN SPACE PRESERVATION
CONSULTING SERVICES

WHEREAS, with the creation of a dedicated source of tax revenue, the Open Space Trust, and an Open Space Advisory Committee for the acquisition of open space, a need exists to retain the services of an open space preservation consultant whose staff members have technical expertise and experience in the field of open space and farmland preservation and stewardship; and

WHEREAS, The Land Conservancy of New Jersey ("Conservancy") is a nonprofit organization whose mission is to preserve and protect open space for natural, historic, agricultural and recreational purposes and to assist municipalities in the stewardship of open space lands; and

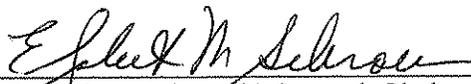
WHEREAS, the Borough of Kinnelon ("Borough") desires to renew its contract with the Conservancy for the purpose of assisting the Borough and the Open Space Advisory Committee with a variety of open space services and landowner negotiations and the parties desire to continue an Agreement setting forth the terms and conditions for said consulting services.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Kinnelon, County of Morris, State of New Jersey, as follows:

1. The Mayor is hereby authorized to enter into an Agreement to retain The Land Conservancy of New Jersey for open space preservation consulting services. The general terms and conditions of the Agreement by and between the Borough of Kinnelon and The Land Conservancy of New Jersey for open space preservation consulting services from March 15, 2011 through March 14, 2012 for an amount not to exceed Eleven Thousand Dollars (\$11,000.00) are hereby approved.
2. The Borough hereby authorizes and approves any non-substantive modifications to the Agreement as may be recommended and approved by the Governing Body and Borough Attorney prior to execution.
3. The Mayor and Borough Clerk are hereby authorized and directed to execute said agreement and said officers together with all other appropriate officers, employees, consultants and professionals of the Borough are hereby authorized and directed to take any and all steps necessary to effectuate the purposes of this resolution.
4. This Resolution shall take effect immediately.

CERTIFICATION

I, Elizabeth M. Sebrowski, Borough Clerk of the Borough of Kinnelon hereby certify the foregoing to be a true copy of a Resolution adopted by the Borough Council of the Borough of Kinnelon at a duly convened meeting held on February 17, 2011.


Elizabeth M. Sebrowski, Borough Clerk

RESOLUTION # 2.04.11

WHEREAS, certain taxpayers in the Borough of Kinnelon qualified for the senior citizen deduction for the year 2010, and

WHEREAS, 2010 property taxes have already been paid

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Kinnelon be authorized to refund Doris Mergl in the amount of \$250.00 for the above stated reason. Block 57 Lot 86.01, also known as 104 Miller Rd.

ROLL CALL:

February 17, 2011
Lisa A. Kimkowski
Tax Collector

I, Elizabeth M. Sebrowski, Borough Clerk, Borough of Kinnelon, hereby certify this resolution to be a true copy of the resolution which was duly passed at the regular meeting of the Borough of Kinnelon Mayor and Council on February 17, 2011

DATE: 2/17/11

RESOLUTION # 2.05.11

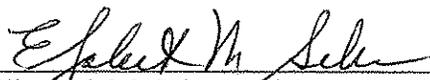
BE IT RESOLVED, by the Mayor and Council of the Borough of Kinnelon, that a warrant be drawn to CCTS Capital, LLC, in the amount of \$697.90 for redemption of Tax Sale Certificate 080007, Block 34, Lot 376, also known as 68 Boonton Ave., Kinnelon, New Jersey.

ROLL CALL:

February 17, 2011
Lisa Kimkowski, C.T.C.
Tax Collector
Borough of Kinnelon

I, Elizabeth M. Sebrowski, Borough Clerk, Borough of Kinnelon, hereby certify this resolution to be a true copy of the resolution which was duly passed at the regular meeting of the Borough of Kinnelon Mayor and Council on February 17, 2011.

DATE: 2/17/11


Elizabeth M. Sebrowski, Borough Clerk

RES. # 2.06, 11

BE IT RESOLVED, by the Mayor and Council of the Borough of Kinnelon that a warrant be drawn to Garth Llewellyn in the amount of \$72.00 representing refund for overpayment of sewer utility for Block 133, Lot 16 also known as 80 Garden Place.

ROLL CALL:

February 17, 2011

Lisa A. Kimkowski, C.T.C.

Tax Collector

Borough of Kinnelon

I, Elizabeth M. Sebrowski, Borough Clerk, Borough of Kinnelon, hereby certify this to be a true copy of the resolution which was duly passed at the regular meeting of the Borough of Kinnelon Mayor and Council on February 17, 2011.

DATE: 2/17/11


Elizabeth M. Sebrowski, Borough Clerk

RESOLUTION 2.07.11

AUTHORIZING THE BOROUGH TO
FILE A NOTICE OF INTENT TO
APPLY FOR A MORRIS COUNTY
HISTORIC PRESERVATION TRUST FUND
GRANT FOR L'ECOLE MUSEUM

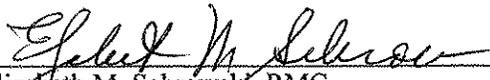
WHEREAS, the Borough of Kinnelon indicated their interest to submit a "Notice of Intent" to submit an application to the Morris County Historic Preservation Trust Fund for a non-construction grant; and

WHEREAS, the filing of this grant application is subject to the Historical Commission's receiving a Certificate of Eligibility showing the museum, known as L'Ecole is eligible for listing by the State Historic Preservation Office; and

WHEREAS, the Historical Commission has received a Certificate of Eligibility from the Department of Environmental Protection Natural & Historic Resources Historic Preservation Office;

NOW, THEREFORE, BE IT RESOLVED, the Borough of Kinnelon authorizes the Mayor and the Clerk to submit a Notice of Intent to submit an application for a Morris County Historic Preservation Trust Fund Non-Construction Grant.

Dated: 2/17/11


Elizabeth M. Sebrowski, RMC
Borough Clerk

RESOLUTION 2.8.11

AUTHORIZATION TO PROCEED
WITH FILING AN APPLICATION
TO PUT L'ECOLE MUSEUM ON THE
NEW JERSEY AND NATIONAL
REGISTER OF HISTORIC PLACES

WHEREAS, Dr. Miller donated her home and office located at 25 Kiel Avenue in Kinnelon, Morris Count, New Jersey to the Borough of Kinnelon to be used as a historical museum for the betterment of the citizens of the Borough of Kinnelon; and

WHEREAS, the Historical Commission has taken the necessary steps to establish the fact that Dr. Helen Miller was of historical importance in the medical field for women thereby making her home an important place in New Jersey's history; and

WHEREAS, the Historical Commission has received a Certificate of Eligibility which states that Dr. Miller's significance must be understood within the context of women in medicine. In 1849, Elizabeth Blackwell became the first woman to receive a degree from a US medical college, ushering in what is generally understood as the first wave of women in medicine (from circa 1850 through the end of the 19th century). However, in the early 20th century the participation of women in medicine dropped dramatically. Their numbers did not rise substantially until the 1970s (in 1960 only 7% of the physicians in the US were women; by 1980 their number rose to 12% and to 17% by 1990). The period of significance of the property is 1931 (the date of Dr. Miller's purchase) to 1964 (the date that the Kinnelon Medical Center opened). It is significant at a local level.

NOW, THEREFORE, BE IT RESOLVED, the Kinnelon Mayor and Council hereby authorize the Historical Commission to proceed with filing an application to have the L'Ecole Museum (also known as Dr. Helen Miller's home and office) located at 25 Kiel Avenue, Kinnelon, Morris County, New Jersey be placed on both the New Jersey and National Register of Historic Places.

Date: 2/17/11


Elizabeth M. Sebrowski, RMC
Borough Clerk

AUTHORIZING THE RETENTION OF NORMAN
J. GOLDBERG, INC. STATE CERTIFIED GENERAL
REAL ESTATE APPRAISERS

WHEREAS, the Borough desires to retain special Appraisal Services to perform appraisal services as directed by the Governing Body of the Borough of Kinnelon; and

WHEREAS, the supplying of appraisal services is exempt from public bidding as a "Professional Service"; and

WHEREAS, N.J.S.A.40A:11-1 et seq. requires that all contracts be in writing; and

WHEREAS, Norman J. Goldberg, Inc. has completed and submitted a Business Entity Disclosure Certificate which certifies that the firm has not made any reportable contributions to a political or candidate committee in the Borough of Kinnelon in the previous one-year, and that the contract will prohibit the firm from making any reportable contribution through the term of the contract; and

WHEREAS, the Borough has agreed to retain Norman J. Goldberg, Inc. with offices located at 33 Clinton Road, West Caldwell, New Jersey 07006 as special appraiser for the Borough under the terms and conditions set forth hereinafter.

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

1. The Borough agrees to retain Norman J. Goldberg for the purposes of preparing a current market value valuation of the property located at Block 70, Lot 1 and Block 89, Lot 1 Both parcels are located in the R – Residential zone of Kinnelon Borough; and
2. The appraisal will be a Self Contained Appraisal Reports (as defined by the Uniform Standards of Professional Appraisal Practice (USPAP) and are to meet the requirements of New Jersey Department of Environmental Protection – Green Acres Program.

The appraisal will reflect the following valuation conditions:

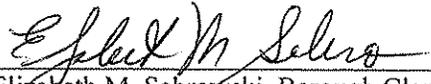
1. Hypothetical value – subject to zoning in place January 1, 2004 – as exempt from the Highlands Regulations and/or the Stormwater Management rules; and
2. Current value – current market value subject to current zoning, Highlands Regulations and Stormwater Management Rules.

NOW, THEREFORE, BE IT RESOLVED the total fee for the aforesaid work is not to exceed the sum of \$1,875. The fee to be paid shall be the same for both Green Acres appraisal or non Green Acres appraisal.

WHEREAS, said contract is being awarded to the Norman J. Goldberg Inc. based upon the merits and ability of the appraiser to provide appraisal services as described herein; and

WHEREAS, this contract was not awarded through a "fair and open process" pursuant to N.J.S.A.19:44-A20.4 et seq.

Dated: February 17, 2011


Elizabeth M. Sebrovski, Borough Clerk

BOROUGH OF KINNELON
MORRIS COUNTY, NEW JERSEY
NOTICE OF AWARD OF CONTRACT

The Borough of Kinnelon has awarded a Contract for professional service without competitive bidding in accordance with N.J.S.A. 40A:11-5(1)(a)(i). The Contract and Resolution awarding it are available for public inspection at the Office of the Borough Clerk, Borough of Kinnelon, Municipal Building, 130 Kinnelon Road, Kinnelon, New Jersey 07405.

AWARDED TO:

Norman J. Goldberg, Inc.
33 Clinton Road
West Caldwell, NJ 07006

DURATION:

Until completion of the surveying services outlined in the proposal submitted on January 17, 2011 submitted by Norman J. Goldberg

NATURE OF CONTRACT:

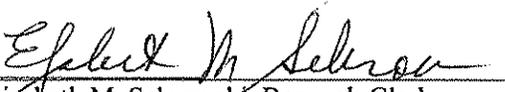
To provide appraisal services in connection with the acquisition Block 70, Lot 1 and Block 89, Lot 1 (Totowa Construction, Inc) by the Borough for Municipal Public Purposes.

COMPENSATION:

NOT TO EXCEED - \$1,875.00

BOROUGH OF KINNELON
COUNTY OF MORRIS, STATE OF NEW JERSEY

Dated: February 17, 2011


Elizabeth M. Sebrovski, Borough Clerk

RESOLUTION 2.10.11

AUTHORIZES EXEMPT STATUS FOR
DANIEL O'DOUGHERTY, 9 ROUND HILL
ROAD AND CANCEL S A 2010 TAXES AS
OF JULY 2, 2010

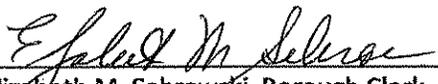
WHEREAS, on February 11, 2011 the Tax Assessor of the Borough of Kinnelon approved an application from Daniel O'Dougherty, 9 Round Hill Road and declared Mr. O'Dougherty exempt status as a totally disabled veteran effective July 2, 2010; and

WHEREAS, the governing body of the Borough of Kinnelon wishes to cancel Mr. O'Dougherty 2010 taxes as of July 2, 2010 and to refund any 2010 taxes which have already been paid.

NOW, THEREFORE, BE IT RESOLVED by the Kinnelon Mayor and Council that Daniel O'Dougherty be declared tax exempt as a totally disabled veteran.

BE IT FURTHER RESOLVED that any 2010 taxes after July 2, 2010 already paid be hereby refunded.

Dated: February 17, 2011


Elizabeth M. Sebrovski, Borough Clerk

Resolution 2-11-2011

BOROUGH OF MORRIS
COUNTY OF MORRIS
CAPITAL BUDGET AMENDMENT RESOLUTION

Whereas, the local capital budget for the year 2011 has not been approved yet; and,

Whereas, it is desired to create said capital budget section,

Now, Therefore Be it Resolved, by the Mayor and Council of the Borough of Kinnelon, County of Morris, to create the capital budget section for the Borough be made:

Ayes	(<i>Freda</i>)	Abstain	(<i>None</i>)
	(<i>O'Dougherty</i>)		
	(<i>Molitor</i>)	Absent	(<i>None</i>)
	(<i>Cobell</i>)		
	(<i>San Filippo</i>)		
	(<i>Mandello</i>)		
	TO		

RECORDED VOTE
(insert last names)

CAPITAL BUDGET (Current Year Action)
2011

<u>PROJECT</u>	<u>ESTIMATED</u>	<u>Capital</u>	<u>Debt</u>
<u>NUMBER</u>	<u>TOTAL COST</u>	<u>Improvement</u>	<u>Authorized</u>
		<u>Fund</u>	
1	\$ 465,000.00	\$ 13,000.00	\$ 452,000.00
Improvements to Cutlass Road			
TOTAL - ALL PROJECTS	\$ 465,000.00	\$ 13,000.00	\$ 452,000.00

PLANNED FUNDING SERVICES
FOR CURRENT YEAR 2011

3 YEAR CAPITAL PROGRAM 2011 - 2013
Anticipated Project Schedule and Funding Requirement

TO

<u>PROJECT</u>	<u>ESTIMATED</u>	<u>FUNDING AMOUNTS</u>
<u>NUMBER</u>	<u>TOTAL COST</u>	<u>PER YEAR</u>
		<u>Budget</u>
		<u>Year</u>
		<u>2011</u>
1	\$ 465,000.00	\$ 465,000.00
Improvements to Cutlass Road		
TOTAL - ALL PROJECTS	\$ 465,000.00	\$ 465,000.00

TO

3 YEAR CAPITAL PROGRAM 2011 - 2013
SUMMARY OF ANTICIPATED FUNDING SOURCES AND AMOUNTS

<u>PROJECT</u>	<u>ESTIMATED TOTAL COST</u>	<u>BONDS AND NOTES</u>	
		<u>Capital Improvement Fund</u>	<u>General</u>
Improvements to Cutlass Road	\$ 465,000.00	\$ 13,000.00	\$ 452,000.00
TOTAL - ALL PROJECTS	\$ 465,000.00	\$ 13,000.00	\$ 452,000.00

Be It Further Resolved, that two certified copies of this resolution be filed forthwith in the Office of the Director of the Division of Local Government Services.
It is hereby certified that this is a true copy of a resolution creating the capital budget section adopted by the governing body on the 17th day of February 2011.

Certified by me

Feb 17, 2011

(Date)

Egidio M. Schiavone
Borough Clerk

Trenton, New Jersey

Approved February 25, 2011

Thomas P. Hoff
Director of the Division of Local Government Services

PROCLAMATION

WHEREAS, the citizens of the Borough of Kinnelon stand firmly committed to promoting reading as the catalyst for our students' future academic success, their preparation for America's jobs of the future, and their ability to compete in a global economy; and

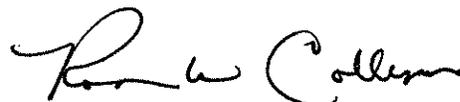
WHEREAS, Kinnelon has provided significant leadership in the area of community involvement in the education of our youth, grounded in the principle that educational investment is the key to the community's well-being and long-term quality of life; and

WHEREAS, NEA's Read Across America, a national celebration of reading, will be conducted on March 2, 2011, which would have been the 107th birthday of Theodor Seuss Geisel, better known as Dr. Seuss; and

WHEREAS, Read Across America-NJ is being conducted statewide by the New Jersey Education Association, in partnership with the New Jersey State League of Municipalities, the New Jersey Library Association, and their local affiliates across the state to promote reading and adult involvement in education of our community's students:

NOW, THEREFOR, BE IT RESOLVED that the Mayor and Council calls on the citizens of Kinnelon to assure that every child is in a safe place reading together with a caring adult on March 2, 2011;

AND BE IT FURTHER RESOLVED that his body enthusiastically endorses NEA's Read Across America and Read Across America-NJ and recommits our community to engage in programs and activities to make America's children the best readers in the world.



Robert W. Collins, Mayor

The foregoing motions and resolutions were approved by the following roll-call vote:

Roll Call: J. Freda, Yes; S. Cobell, Yes;
 D. O'Dougherty, Yes; A. SanFilippo, Yes;
 G. Moleta, Yes; R. Mondello, Yes.

ORDINANCE 1-11 – AMENDING CHAPTER 4-40C – RECREATION COMMISSION

**BOROUGH OF KINNELON
MORRIS COUNTY, NEW JERSEY**

ORDINANCE No. 1-11

AN ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER 4-40C OF THE REVISED GENERAL CODE OF
BOROUGH OF KINNELON WHICH ESTABLISHED AND
CREATED A RECREATION COMMISSION

WHEREAS, the General Code of the Borough of Kinnelon, Chapter 4-40C provides for the establishment of a Board of Recreation Commissioners; and

WHEREAS, while the underlying statute permits alternate members on a recreation commission, said Code does not provide for alternate members on said Commission; and

WHEREAS, the Mayor and Council of the Borough of Kinnelon have determined that there exists a need on the part of the Borough to modify the Borough Code to provide for alternate members.

BE IT ORDAINED, by the Mayor and Council of the Borough of Kinnelon, Morris County, State of New Jersey as follows:

Chapter 4-40C of the Revised General Code of the Borough of Kinnelon shall be revised to read as follows:

Board of Recreation Commissioners. (N.J.S.A. 40:12-1) The Board of Recreation Commissioners is established in the Borough of Kinnelon. The Board shall be composed of seven regular members. The term of the regular members of the Board shall be five years. The Board shall have supervision and control over the maintenance, operation and regulation of any public recreation areas and public entertainment activities in connection therewith, and shall have the powers and duties as are provided by law. In addition to the aforesaid regular members, the Board shall include two alternate members, designated as "Alternate No. 1" and "Alternate No. 2". The length of the terms of the alternate members shall be the same as the length of the terms of the regular members of the Board of Recreation Commissioners.

Except as provided for hereinabove, all other provisions of this chapter of the Revised Borough Code shall remain in full effect.

All Ordinances of parts or Ordinances inconsistent herewith are hereby repealed as to such inconsistencies only.

In the event that any word, phrase, clause, section or provision of this Ordinance is found by any Court of competent jurisdiction to be unenforceable, illegal or unconstitutional, such word, phrase, clause or provision shall be severable from the balance of this Ordinance and the remainder of this Ordinance shall remain in full force and effect.

This Ordinance shall take effect upon passage and publication as provided by Law.

INTRODUCED Councilman J. Freda SECONDED BY: Councilman D. O'Dougherty

	Yes	No	Abs		Yes	No	Abs
James Freda	[x]	[]	[]	Stephen Cobell	[x]	[]	[]
Daniel O'Dougherty	[x]	[]	[]	Andrew Sam Filippo	[x]	[]	[]
Gary Moleta	[x]	[]	[]	Ronald Mondello	[x]	[]	[]

WHEREAS, the above ordinance was introduced at this meeting held on February 17, 2011 and read by title, and passed on first reading;

NOW, THEREFORE, BE IT RESOLVED that at the regular meeting to be held on March 17, 2011 at 8:00 p.m., prevailing time, at the Kinnelon Municipal Building, this Council further consider for second reading and final passage the said ordinance.

BE IT FURTHER RESOLVED That the Clerk of this Borough is hereby directed to publish the proper notice thereof.

Councilman J. Freda then offered a motion to adopt the foregoing resolution. This motion was seconded by Councilman S. Cobell.

The Mayor then asked the Clerk to call the roll on the passage of the above resolution, and the vote was as follows:

Roll Call:	J. Freda, Yes;	S. Cobell, Yes;
	D. O'Dougherty, Yes;	A. SanFilippo, Yes;
	G. Moleta, Yes;	R. Mondello, Yes.

FEBRUARY 17, 2011

ORDINANCE 2-11 – B.A.N. ORDINANCE FOR THE IMPROVEMENT OF CUTLASS ROAD

BOND ORDINANCE PROVIDING FOR THE IMPROVEMENT OF CUTLASS ROAD IN AND BY THE BOROUGH OF KINNELON, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING \$465,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$452,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING SUCH APPROPRIATION

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

The improvement described in Section 3 of this bond ordinance is hereby authorized as a general improvement to be made or acquired by the Borough of Kinnelon, in the County of Morris, New Jersey. For the said improvement or purpose stated in said Section 3, there is hereby appropriated the sum of \$465,000, said sum being inclusive of all appropriations heretofore made therefor and including the sum of \$13,000 as the down payment for said improvement or purpose required by law and now available therefor by virtue of provision in a previously adopted budget or budgets of the Borough for down payment or for capital improvement purposes and including also the sum of \$200,000 received or expected to be received by the Borough from the New Jersey Department of Transportation as a grant-in-aid of financing said improvement or purpose.

For the financing of said improvement or purpose and to meet the part of said \$465,000 appropriation not provided for by application hereunder of said down payment, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$452,000 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the Borough

FEBRUARY 17, 2011

in a principal amount not exceeding \$452,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

The improvement hereby authorized and purpose for the financing of which said obligations are to be issued is the reconstruction and resurfacing of Cutlass Road, from Boonton Avenue to State Route 23, to provide a roadway pavement at least equal in useful life or durability to a roadway pavement of Class B construction (as such term is used or referred to in section 40A:2-22 of said Local Bond Law), including all curbing, drainage facilities, landscaping, guide rails, traffic markings, signage, structures, equipment, site work, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved.

The estimated maximum amount of bonds or notes to be issued for said purposes is \$452,000 of which \$200,000 is the amount of notes of the Borough to be issued pending receipt of the said \$200,000 NJDOT grant.

The estimated cost of said purpose is \$465,000, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor being the amount of the said \$13,000 down payment for said purpose.

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

The said purpose described in Section 3 of this bond ordinance is not a current expense and is a property or improvement which the Borough may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

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

FEBRUARY 17, 2011

The supplemental debt statement required by said Local Bond Law has been duly made and filed in the office of the Borough Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Borough as defined in said Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$452,000, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

An aggregate amount not exceeding \$70,000 for interest on said obligations, costs of issuing said obligations and other items of expense listed in and permitted under section 40A:2-20 of said Local Bond Law may be included as part of the cost of said improvement and is included in the foregoing estimate thereof.

This bond ordinance authorizes \$200,000 of obligations of the Borough to be issued pending receipt of the said NJDOT grant and pursuant to section 40A:2-11(c) of said Local Bond Law no down payment is required for such obligations.

The funds from time to time received by the Borough on account of the grant referred to in Section 1 of this bond ordinance shall be used for financing the improvement or purpose described in Section 3 of this bond ordinance by application thereof either to direct payment of the costs of said improvement or purpose, or to payment or reduction of the authorization of the obligations of the Borough authorized by this bond ordinance. Any such funds so received may, and all such funds so received which are not required for direct payment of such costs shall, be held and applied by the Borough as funds applicable only to the payment of obligations of the Borough authorized by this bond ordinance.

All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Borough Treasurer or the Chief Financial Officer (the "Chief Financial Officer"), provided that no note shall mature later than one year from its date. The notes shall

FEBRUARY 17, 2011

bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of section 40A:2-8 of said Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body of the Borough at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

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

The capital budget or temporary capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistent herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Borough Clerk and are available for public inspection.

This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

INTRODUCED BY: Councilman D. O'Dougherty

SECONDED BY: Councilman G. Moleta

	Yes	No	Abs		Yes	No	Abs
James Freda	[x]	[]	[]	Stephen Cobell	[x]	[]	[]
Daniel O'Dougherty	[x]	[]	[]	Andrew SanFilippo	[x]	[]	[]
Gary Moleta	[x]	[]	[]	Ronald Mondello	[x]	[]	[]

WHEREAS, the above ordinance was introduced at this meeting held on February 17, 2011 and read by title, and passed on first reading;

NOW, THEREFORE, BE IT RESOLVED that at the regular meeting to be held on March 17, 2011 at 8:00 p.m., prevailing time, at the Kinnelon Municipal Building, this Council further consider for second reading and final passage the said ordinance.

BE IT FURTHER RESOLVED That the Clerk of this Borough is hereby directed to publish the proper notice thereof.

Councilman J. Freda then offered a motion to adopt the foregoing resolution. This motion was seconded by Councilman S. Cobell.

The Mayor then asked the Clerk to call the roll on the passage of the above resolution, and the vote was as follows:

Roll Call:	J. Freda, Yes;	S. Cobell, Yes;
	D. O'Dougherty, Yes;	A. SanFilippo, Yes;
	G. Moleta, Yes;	R. Mondello, Yes.

DISTRICT SCHOOL

On motion of Councilman R. Mondello, and seconded by Councilman J. Freda, followed by the "yes" roll call vote of all Council Members present the payment of \$2,714,104.00 to the District School when funds become available was approved for payment.

RESIGNATION

Upon motion of Councilman G. Moleta, second by Councilman J. Freda, followed by the "yes" roll call vote of all Council Members present, the resignation of Gina Persson from the Kinnelon Public Library Board was approved with the Mayor and Council's regrets.

APPOINTMENTS:

Upon motion of Councilman G. Moleta, and seconded by Councilman A. SanFilippo, followed by the "yes" roll call vote of all Council Members present, the appointment of Glenn L. Sisco to the Open Space Advisory Committee was approved.

TAX COLLECTOR'S REPORT

During the month of January, 2011 the Tax Collector's Report indicates we collected \$4,098,510.92 in taxes.

FEBRUARY 17, 2011

INVESTMENT OFFICER

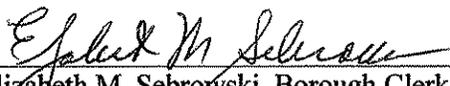
A total of \$3,051.43 was collected in interest for the month of December, 2010.

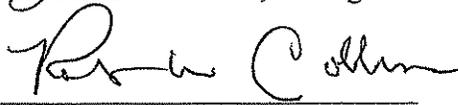
A total of \$2,312.12 was collected in interest for the month of January, 2011.

ADJOURNMENT

This meeting adjourned at approximately 9:00 p.m. on motion by Councilman J. Freda and seconded by Councilman R. Mondello with the unanimous affirmative voice vote of all present.

Respectfully submitted,


Elizabeth M. Sebrowski, Borough Clerk


Robert W. Collins, Mayor

cc: Mayor
All Councilmen
Police Dept.
Public Works Dept.
Attorney
Engineer
Auditor