

APPOINTMENTS

Upon motion of Councilman R. Mondello and seconded by Councilman D. O'Dougherty, followed by the "yes" roll call vote of all Council Members present, the appointment of Anne Arnowitz to the Kinnelon Public Library Board was approved. Mayor Collins administered the oath of office to Ms. Arnowitz.

Upon motion of Councilman R. Mondello and seconded by Councilman D. O'Dougherty, followed by the "yes" roll call vote of all Council Members present, the appointment of Carol Vreeland to the Committee For Sustainable Jersey was approved. Mayor Collins administered the oath of office to Mrs. Vreeland at this time.

Upon motion of Councilman R. Mondello and seconded by Councilman D. O'Dougherty, followed by the "yes" roll call vote of all Council Members present, appointment of Nina Mickey and Gary Moleta to the Committee for Sustainable Jersey was approved. Both Ms. Mickey and Councilman Moleta were absent.

Upon motion of Councilman J. Freda and seconded by Councilman D. O'Dougherty, followed by the "yes" roll call vote of all Council Members present, the appointment of Jeannie Armstrong to the Kinnelon Recreation Commission was approved. Ms. Armstrong was not present.

TREASURER'S REPORT

The Treasurer's Report indicates we started out with cash on hand as of June 1, 2011 in the amount of \$4,127,660.96. Receipts for the month of June totaled \$262,265.97, with disbursements amounting to \$3,530,202.08. The new balance on hand June 30, 2011 was \$859,724.85 and has been reconciled with various bank balances.

MAYOR'S REPORT

Mayor Collins referred to the World Trade Center's a piece of steel which the borough has been awarded and stated he will be inviting the governing body to join him in an honor guard to pick up the steel next week. It will be dedicated on the anniversary of September 11th.

Last month Councilmen Mondello and Freda discussed at the workshop their concern of the parking at the Boonton Avenue field. This discussion included the need for more parking, the dangerous situation that exists presently as well as the fact that we lease the field from the Town of Boonton. Approval would be required by the Town of Boonton, but because the parking lot is within three hundred feet of the reservoir we will have to secure an exemption from the Highlands Council to receive approval to extend the parking area.

The Mayor pointed out that the governing body has taken action to postpone the Underage Drinking Ordinance until the September meeting. The subject can be addressed at the public portion of this meeting, but we will not be taking action on it yet.

RECREATION & ORDINANCE

Chairman James Freda reported at a previous meeting it was discussed the Ordinance Committee is working on an amendment to the code pertaining to size of homes. A proposed ordinance is ready but needs to be reviewed by the Borough

Planner. Unfortunately, the borough has not appointed a replacement for Adrian Humbert who has retired. Once it can be reviewed, the ordinance will go forward.

Sign ups for fall sports has been extended until July 30th. Those sports include football, flag football, soccer, cheerleading and other fall sports. You can go on line to sign up. The summer programs included lacrosse, two additional frozen ropes programs and summer rec. Councilman Freda thanked Karen Perry for doing her usual great job with the summer recreation program. Our eight year old softball girls are the district champs. He congratulated them all on their victory. He suggested we invite them to one of our meetings to be given an award.

Councilman Freda said he met with a company called AstroTurf, a field turf company that comes with fundraising ideas. A committee will be formed to look into ideas for that fund raising. He said he feels it is a necessity in this town.

An event to be held on October 2nd will be called K-Fest. There will be no borough dollars spent on this event. Any money to be spent will come out of KAMELOT. It will be a "drug and alcohol free day" held at Lake Rickabear. They hope to get anywhere from five to six hundred people. The committee consists of Olga Gilhooley, Kathy Barino and Roberta Lane.

Councilman Freda also discussed the additional parking at the Boonton Avenue field and said it is unfair that our neighbors who are not in the highlands have added multiple convenience stores and condos with no problem, but Kinnelon has to wait two years to add to our parking lot.

PUBLIC WORKS & UTILITIES

Chairman Daniel O'Dougherty said we have been watering our fields and warned everyone to be careful because we have not had much rain and things are dry. He announced the borough received our first check from Boonton Township in the amount of \$5,120 for the shared use of our Public Works for catch basin repairs. Mr. O'Dougherty referred to one of the bond ordinances to be acted upon which is left over balances from prior bond ordinances and which will be now used for additional paving projects.

Mr. O'Dougherty reported we have still not received our Highlands Exemption for the renovation of the D.P.W. garage. It was hoped we could start the renovation in the spring of 2012. Mr. O'Dougherty asked if the Mayor could follow up to hurry it along.

Mr. O'Dougherty said televisions are no longer accepted at the curb. There is a company who is going to bring a dumpster for them to be accepted at the recycling center.

COORDINATING

There were no reports in Chairman Gary Moleta's absence.

FINANCE & OPEN SPACE

Chairman Stephen Cobell reported there are about forty five potential tax title liens which the borough is looking at which could be foreclosed and used for something by the borough. The representative for the Land Conservancy has offered to look up all the properties, mapping them and will see if there are any recorded environmental concerns. When she is done there will be maps of the properties and he, the attorney and the Land Conservancy representative will go and investigate them for potential use.

Councilman Cobell said there is report on the status of our Open Space Fund. We currently have \$722,000.00 in cash and a \$300,000.00 receivable from Green Acres which is a total of \$1,022,000.00 for future projects. The Open Space Committee is looking at potential properties to pursue for open space.

We received our 2010 audit. The Finance Committee is pursuing the auditor's recommendations which will be published on our website.

PUBLIC SAFETY

Chairman Andrew SanFilippo again congratulated the police officers for a job well done. He stated the department accepted two new police cars. They were lettered and striped. The razor was used for another incident of someone lost in the woods. It was purchased with drug seized money and grants.

The police responded to 1990 calls for service in the month of June with twenty three arrests. The Fire Department responded to eleven alarms. One of their members, Mark Lerner graduated from high school. They participated with the police in Child Safety Day and Safety Town.

PERSONNEL

Chairman Ronald Mondello stated he met with Richard "Buzzy" Dressel who is the liaison handling the negotiations for the employee's who are organizing. Mr. Dressel mentioned he read the DPW and PBA contracts as well as the Borough's Personnel Policy. He commented that the Personnel Policy is the most fair and even handed handbook he has ever seen. Mr. Mondello said that is due to the effort of many who were involved in its conception and update.

Mr. Mondello stated the rest of his report must be held until closed session.

Mayor Collins added the report that the Board of Education has been notified of additional state aid in the amount of \$632,000.00. They are currently evaluating their needs. Mayor Collins encouraged them to provide some tax relief back to the borough.

HEARING FROM THE PUBLIC

Mayor Sisco spoke regarding the underage drinking ordinance. He referred to the special meeting on July 12th and acknowledged he did not speak on that night. Those children who are able to take the DARE program receive training against drinking and drugs. Once they become a little older, they are influenced by the

television, advertisements and movies. In all the ads at the bottom there is a blurb "drink responsibly". Children in those age brackets can get disrespectful to parents and other grown ups. In the old days your father would discipline you. Now, if you do that you get visited by Dyfus. He feels that appropriately administered by our police department, those that have a need of a wake up call would be charged, but without anything on their record. He said the police won't respond on private property any differently than now. There are only three communities in this area who don't have this ordinance.

Thomas Kline, Historic Commissioner, reported the Historical Commission has received a \$25,200 grant to create a preservation plan for the museum. The plan maps out a positive plan for the research and preservation of the museum. Resolution 7.12.11 addresses this issue. Resolution 7.15.11 also awards a professional contract for doing the plan. This whole grant process has taken a cooperative effort of many people. Mayor Collins asked Mr. Kline to give the governing body's thanks to all who contributed to the application of the grant.

Carla Mecionis, 7 Ricker Road, asked for a better understanding of an article she read regarding a water line project up to Sheep Rock Road. She asked what properties will be included in the project. The Mayor stated it is all the streets off Ricker Road.

Mrs. Carla Mecionis said the article mentioned an estimate in excess of \$1.1 million. Councilman O'Dougherty said it was a preliminary estimate from Vreeland Engineering. Mr. O'Dougherty said there are many benefits from this project. She asked if all that information will be in the survey. Mrs. Mecionis was concerned about the timing of the mailing of the survey mailing and wanted to make sure all that information on the project was included in the survey. She stated that according to our boro ordinance, with sewer projects, if you live within 100 feet you have to connect. Mr. O'Dougherty stated the \$1.1 million figure includes the connection fees.

Councilman SanFilippo he was on the Utility Committee last year and he didn't believe that figure included the connection fee. Mayor - only an estimate to allow us to approach the homeowners. Carla if homeowners don't return the survey how is that counted? Mr. Madaio - if in excess of 50% reply they do not want to go forward, it won't. The proportionate cost to the homeowner cannot exceed the value of increase to the home's value.

Mrs. Mecionis asked, if it is determined that the project cost will be much more than this estimate after the surveys are received, what will happen. Mr. Madaio repeated the added value to your home has to be more than the amount to be assessed. Since it is expensive to get certain information, the borough council is trying to have as much information available without incurring a large cost.

Mrs. Mecionis then asked that the survey form will be understandable, clearly state that it is a prelim figure, somehow express that it is the majority of negatives which will stop the projects.

Mrs. Mecionis also asked about the underage drinking ordinance meetings. Mayor Collins stated there are five meetings including tonight until we take action on September 15th. She said she understands people's concern about the invasion of

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NO. 327
BOROUGH OF KINNELON
Check Register By Check Date

Range of Checking Accts: First to Last Range of Check Dates: 06/17/11 to 07/21/11
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		
7096	06/20/11	FIN04 FINCH FUEL OIL CO. INC.	298.26	4219
7097	06/24/11	STI03 JENNIFER STILLMAN - TREASURER	163.37	4222
7098	06/28/11	HOR04 Horizon Office Equipment	9,910.00	4224
7099	07/05/11	FOR04 FORD MOTOR CREDIT COMPANY	1,495.85	4227
7100	07/08/11	PRB01 P.R.B.R.S.A.	81,693.00	4228
7101	07/08/11	NEW22 NEW JERSEY MOTOR VEHICLE	40.00	4229
7102	07/08/11	NEW22 NEW JERSEY MOTOR VEHICLE	40.00	4230
7103	07/11/11	AJ01 AJ'S pizza	300.00	4231
7104	07/18/11	STI03 JENNIFER STILLMAN - TREASURER	193.75	4234
7206	07/21/11	AC A.C. DAUGHTRY INC.	28.41	4235
7207	07/21/11	ACC04 ACC BUSINESS	337.45	4235
7208	07/21/11	AIR03 AIR GROUP	957.50	4235
7209	07/21/11	ALL04 ALLIED OIL COMPANY	6,468.98	4235
7210	07/21/11	ALL14 All Sports America	1,803.00	4235
7211	07/21/11	ALL16 ALL WET IRRIGATION, LLC.	1,500.00	4235
7212	07/21/11	AME16 AMERICAN HOSE & HYDRAULIC CO.	47.65	4235
7213	07/21/11	AME19 AMERA-CHEM INC.	124.45	4235
7214	07/21/11	ANJ02 ANJR	180.00	4235
7215	07/21/11	AP001 APOLLO FLAG COMPANY INC.	137.90	4235
7216	07/21/11	ATL04 Atlantic Tactical	1,734.25	4235
7217	07/21/11	BAC01 BERNARD BACCETTA ESQ.	750.00	4235
7218	07/21/11	BLO01 BLOOMINGDALE FLORIST	125.00	4235
7219	07/21/11	BOR01 BOROUGH OF BUTLER ELECTRIC	7,789.93	4235
7220	07/21/11	BSN01 BSN SPORTS	500.14	4235
7221	07/21/11	BUS01 BUSINESS GRAPHICS	206.00	4235
7222	07/21/11	BUS07 BUSINESS RADIO LICENSING	110.00	4235
7223	07/21/11	BUT02 BUTLER FOREIGN CAR	69.20	4235
7224	07/21/11	BUZ01 THE BUZAK LAW GROUP, LLC.	4,063.54	4235
7225	07/21/11	CAB01 CABLEVISION	149.80	4235
7226	07/21/11	CAM07 BETTY CAMPBELL	85.00	4235
7227	07/21/11	CAPO1 GEORGE CAPODAGLI	8,002.76	4235
7228	07/21/11	CUS01 CUSTOM BANDAG INC.	453.10	4235
7229	07/21/11	D2L D2L ASSOCIATES, INC.	10,288.28	4235
7230	07/21/11	DAR01 DARMOFALSKI ENGINEERING ASSOC.	4,255.00	4235
7231	07/21/11	DAV04 DAVID WEBER OIL	468.70	4235
7232	07/21/11	DEE01 DEER PARK SPRING WATER	54.50	4235
7233	07/21/11	DEL05 DELUXE INTERNATIONAL TRUCK INC	206.26	4235
7234	07/21/11	DEL08 DELTA DENTAL OF NEW JERSEY INC	3,941.31	4235
7235	07/21/11	DEL16 DE LAGE LANDEN	195.57	4235
7236	07/21/11	DIN01 DINN BROTHERS	2,217.65	4235
7237	07/21/11	DIS01 DISCOUNT SCHOOL SUPPLY	173.62	4235
7238	07/21/11	DMC01 DMC ASSOCIATES INC.	9,200.00	4235
7239	07/21/11	DYK01 DYKSTRA WALKER DESIGN GROUP	3,200.04	4235
7240	07/21/11	ELE03 ELECTRO BATTERY SYSTEMS INC.	77.90	4235
7241	07/21/11	ELS04 ELSAG NORTH AMERICA LLC	29,995.00	4235
7242	07/21/11	ETD01 ETD DISCOUNT TIRE CENTERS, INC	1,489.80	4235
7243	07/21/11	FAL03 FALCON AUTO PARTS INC	1,548.59	4235
7244	07/21/11	FAV01 RALPH M. FAVA, ATTORNEY AT LAW	3,000.00	4235
7245	07/21/11	FAY01 FAYSON LAKES WATER COMPANY	11,088.00	4235

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NO. 328
BOROUGH OF KINNELON
Check Register By Check Date

JULY 21, 2011 Page No: 2

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void Ref Number
7246	07/21/11	FAY02 FAYSON LAKES ASSOCIATION	100.00	4235
7247	07/21/11	FBI01 FBI-LEEDA, INC	50.00	4235
7248	07/21/11	FER02 BERNADINE FERRARI	185.23	4235
7249	07/21/11	FIN04 FINCH FUEL OIL CO. INC.	4,645.72	4235
7250	07/21/11	FIN05 FINISHING TOUCH	535.00	4235
7251	07/21/11	FIS01 JOE FISCHER	1,910.00	4235
7252	07/21/11	FOR04 FORD MOTOR CREDIT COMPANY	1,495.85	4235
7253	07/21/11	GIL06 OLGA GILHOOLOUI	207.56	4235
7254	07/21/11	GLO03 GLOBAL ARENA LLC	19.52	4235
7255	07/21/11	GOL04 NORMAN J. GOLDBERG INC	1,875.00	4235
7256	07/21/11	GRA02 GRAMCO	1,600.00	4235
7257	07/21/11	HAW01 HAWKINS, DELAFIELD & WOODS	6,377.34	4235
7258	07/21/11	HER02 HERO'S SALUTE AWARDS COMPANY	498.00	4235
7259	07/21/11	HER05 HERB'S SPORT SHOP INCORPORATED	168.00	4235
7260	07/21/11	HOM02 HOME DEPOT CREDIT SERVICE	1,424.84	4235
7261	07/21/11	HOR04 Horizon Office Equipment	287.00	4235
7262	07/21/11	HOU01 HOUSING PARTNERS'P/MOR.CTY INC	1,000.00	4235
7263	07/21/11	IND02 INDIAN SPRING \CULLIGAN WATER	129.00	4235
7264	07/21/11	INT03 INTERNATIONAL AUTO BODY	513.70	4235
7265	07/21/11	JER03 JERSEY PAPER PLUS	367.91	4235
7266	07/21/11	JES01 JESCO, INC.	239.77	4235
7267	07/21/11	JIM01 JIMMY THE SHOE DOCTOR	129.95	4235
7268	07/21/11	JOH07 John Deere Landscapes	274.00	4235
7269	07/21/11	JON08 JOHN'S HOME & GARDEN CENTER	263.76	4235
7270	07/21/11	JR01 JR. POLICE ACADEMY	500.00	4235
7271	07/21/11	KELO2 MICHAEL F. KELLY	675.00	4235
7272	07/21/11	KIM02 LISA KIMKOWSKI	125.00	4235
7273	07/21/11	KIN06 KINNELON SENIOR CITIZENS	568.92	4235
7274	07/21/11	KIN08 KINNELON VOLUNTEER FIRE CO.	6,000.00	4235
7275	07/21/11	KIN09 KINNELON BOARD OF EDUCATION	500,000.00	4235
7276	07/21/11	KOLB1 JENNIFER KOLB	72.00	4235
7277	07/21/11	LAK04 Lakeland Septic Co., Inc.	528.00	4235
7278	07/21/11	LEE03 CHRISTINE LEE	120.00	4235
7279	07/21/11	LOE01 LOEFFELS WASTE OIL SERVICE	120.00	4235
7280	07/21/11	MAD03 LAW OFFICE OF MARK D. MADAI0	5,170.00	4235
7281	07/21/11	MAG03 MAGLOCLEN	400.00	4235
7282	07/21/11	MCI01 MCI EASTERN SECURITY	165.00	4235
7283	07/21/11	MCI02 MCI COMM SERVICE	12.37	4235
7284	07/21/11	MED01 MEDICAL ASSOCIATES OF NJ P.A.	4,600.00	4235
7285	07/21/11	MOR14 MORRIS CTY POLICE CHIEFS ASSOC	200.00	4235
7286	07/21/11	MOR21 MORRIS COUNTY M.U.A.	27,628.48	4235
7287	07/21/11	MOR52 MORRIS MUNICIPAL JOINT INS	150,707.67	4235
7288	07/21/11	MR02 M&R DESIGN & PROMOTIONS	308.00	4235
7289	07/21/11	NABA1 BENJAMIN NABAS	72.00	4235
7290	07/21/11	NAS01 NASCO ARTS AND CRAFTS	852.85	4235
7291	07/21/11	NEW04 NJ ST.LEAGUE OF MUNICIPALITIES	110.00	4235
7292	07/21/11	NIX01 NIXLE, LLC	1,196.00	4235
7293	07/21/11	NJD07 NJ DEPT HEALTH & SENIOR SERV	43.20	4235
7294	07/21/11	NJI01 NJ INTERGOVERNMENTAL INS. FUND	5,097.42	4235
7295	07/21/11	NOR02 NORTH JERSEY NEWSPAPER	209.76	4235
7296	07/21/11	ONE02 One Call Concepts, INC.	58.24	4235
7297	07/21/11	OXF01 OXFORD HEALTH PLANS	73,534.53	4235
7298	07/21/11	PAE01 PAETEC COMMUNICATIONS, INC.	522.46	4235
7299	07/21/11	PAL02 PALOS SPORTS	625.49	4235

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NO. 329
BOROUGH OF KINNELON
Check Register By Check Date

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Number
7300	07/21/11	PER01 KAREN PERRY	148.68		4235
7301	07/21/11	PIT02 PITNEY BOWES, INC.	1,152.00		4235
7302	07/21/11	PIT06 PITNEY BOWES- RESERVE ACCOUNT	1,500.00		4235
7303	07/21/11	POM01 POMPTON PLUMBING & HEATING CO,	8.24		4235
7304	07/21/11	PRI06 PRIME UNIFORM SUPPLY, INC	382.88		4235
7305	07/21/11	PRO15 PROFESSIONAL INSURANCE	7,107.55		4235
7306	07/21/11	PSE01 P.S.E. & G.	225.81		4235
7307	07/21/11	PWA01 PUBLIC WORKS ASSOC. OF N.J.	100.00		4235
7308	07/21/11	QUA01 QUALITY AUTOMOTIVE	547.43		4235
7309	07/21/11	RELO2 RELIABLE OFFICE SUPPLIES	33.98		4235
7310	07/21/11	RIV06 Riverdale Environmental	1,890.00		4235
7311	07/21/11	ROU01 ROUTE 23 AUTO MALL	49.43		4235
7312	07/21/11	ROY01 ROYAL COMMUNICATIONS INC.	328.77		4235
7313	07/21/11	RYA02 RYAN'S STORY PRESENTATION LTD	1,500.00		4235
7314	07/21/11	SAN03 Tony Sanchez, LTD	2,887.95		4235
7315	07/21/11	SCH03 SCHMITZ SAFE & LOCK COMPANY	18.00		4235
7316	07/21/11	SCH23 PATRICIA SCHABLIK	85.00		4235
7317	07/21/11	SMA01 SMART STOP STATE RT 23	786.00		4235
7318	07/21/11	SMO01 SMOKE RISE CLUB	2,746.20		4235
7319	07/21/11	SPA04 SPARCTECH SOLUTIONS LLC	3,460.00		4235
7320	07/21/11	SPO05 SPOT-A-WAY	225.00		4235
7321	07/21/11	STA02 STAPLES CREDIT PLAN	491.42		4235
7322	07/21/11	STA10 ELIZABETH STAGG	190.00		4235
7323	07/21/11	STE08 STEEN ASSOCIATES, INC.	3,490.00		4235
7324	07/21/11	STI01 STICKEL, KOENIG & SULLIVAN	966.66		4235
7325	07/21/11	STO01 STORR TRACTOR COMPANY	265.44		4235
7326	07/21/11	SUB03 SUBURBAN DISPOSAL	71,888.88		4235
7327	07/21/11	TIL01 TILCON NEW YORK INC.	2,155.75		4235
7328	07/21/11	TIT03 TITLE SOURCE	2,736.12		4235
7329	07/21/11	TRA05 TRADITIONAL OKINAWAN KARATE	100.00		4235
7330	07/21/11	TRE02 TREASURER, STATE OF NEW JERSEY	125.00		4235
7331	07/21/11	TRE05 TREAS. STATE OF NEW JERSEY	2,458.00		4235
7332	07/21/11	UST02 U.S. TOY	136.34		4235
7333	07/21/11	VER01 VERIZON	37.12		4235
7334	07/21/11	VER06 VERIZON WIRELESS	223.44		4235
7335	07/21/11	WBM01 W.B. MASON COMPANY INC.	332.98		4235
7336	07/21/11	WES01 WEST GROUP PAYMENT CENTER	626.50		4235
7337	07/21/11	WHI03 JOHN WHITEHEAD, JR.	60.00		4235
7338	07/21/11	YOS01 JOHN YOST	1,080.00		4235
7339	07/21/11	FOR04 FORD MOTOR CREDIT COMPANY	1,380.85		4236

Checking Account Totals	Paid	Void	Amount Void	Amount Paid
Checks:	143	0	0.00	1,129,605.47
Direct Deposit:	0	0	0.00	0.00
Total:	143	0	0.00	1,129,605.47

PUBLIC ASSIST 1
1029 06/27/11 COP04 COPPOLA SERVICES, INC 262.15 4223

Checking Account Totals	Paid	Void	Amount Void	Amount Paid
Checks:	1	0	0.00	262.15

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NO. 330
BOROUGH OF KINNELON
Check Register By Check Date

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Number
		Direct Deposit:	0	0	
			0.00	0.00	
		Total:	1	0	
			0.00	262.15	

Check #	Date	Type	Vendor	Amount	Ref Number
1047	06/22/11	WIRE	BOROUGH OF KINNELON	174,068.67	4220
1048	06/22/11	WIRE	BOROUGH OF KINNELON	290.14	4221
1128	06/30/11	WIRE	BOROUGH OF KINNELON	169,439.43	4225
1129	06/30/11	WIRE	BOROUGH OF KINNELON	454.37	4226

Checking Account Totals	Paid	Void	Amount Void	Amount Paid
Checks:	4	0	0.00	344,252.61
Direct Deposit:	0	0	0.00	0.00
Total:	4	0	0.00	344,252.61

Report Totals	Paid	Void	Amount Void	Amount Paid
Checks:	148	0	0.00	1,474,120.23
Direct Deposit:	0	0	0.00	0.00
Total:	148	0	0.00	1,474,120.23

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NO. 331
BOROUGH OF KINNELON
Check Register By Check Date

JULY 21, 2011 Page No: 5

Fund Description	Fund	Budget Total	Revenue Total
CURRENT FUND APPROPRIATIONS	0-01	3,249.82	0.00
CURRENT FUND APPROPRIATIONS	1-01	1,257,341.62	0.00
WATER FUND	1-05	21,445.66	0.00
SEWER FUND	1-07	91,863.71	0.00
Year Total:		1,370,650.99	0.00
	C-04	35,407.34	0.00
DOG TAX	D-13	72.70	0.00
STATE AND FEDERAL GRANTS	G-02	30,433.60	0.00
CAMELOT	K-17	2,272.79	0.00
PUBLIC ASSIST 2	P-18	262.15	0.00
RECREATION SPECIAL	R-16	14,076.56	0.00
	T-23	5,408.95	0.00
	V-27	11,997.91	0.00
RECYCLE FUND	Y-21	287.42	0.00
Total of All Funds:		1,474,120.23	0.00

JULY 21, 2011

- B. Approval of Minutes from June 19, 2011 Regular Meeting
- C. RESOLUTION 7.01.11 Supporting Participation in the Sustainable Jersey Municipal Certification Program (Attached)
- D. RESOLUTION 7.02.11 Authorize Mayor to Sign ANJEC 2011 Sustainable Land Use Grant Agreement (Attached)
- E. RESOLUTION 7.03.11 Authorize Mayor to Sign Land Conservancy of NJ Agreement and Pay Fee of \$14,000 (Attached)
- F. RESOLUTION 7.04.11 Seeking Intervention to Increase Safety & Public Awareness on State Highway Route 23 (Attached)
- G. RESOLUTION 7.05.11 Refund of \$8,002.76 for Overpayment of 2010 Property Taxes 814 West Shore Drive (Attached)
- H. RESOLUTION 7.06.11 Refund of Overpayment of Sewer Payment \$72.00 – 42 Garden Pl. (Attached)
- I. RESOLUTION 7.07.11 Refund of Overpayment of Sewer Payment \$72.00 – 8 Manchester Court (Attached)
- J. RESOLUTION 7.08.11 Refund of Overpayment of 2nd Qtr 2011 Property Taxes 10 Sleepy Hollow Road (Attached)
- K. RESOLUTION 7.09.11 Authorize Mayor to Sign Highlands Amended Grant Agreement (Attached)
- L. RESOLUTION 7.10.11 Dedicated by Rider Fireworks Donation (Attached)
- M. RESOLUTION 7.11.11 Closing Escrow Account for Streciwilk – 10 Shirley Terrace Board of Adjustment App #1347 (Attached)
- N. RESOLUTION 7.12.11 Authorize Mayor to Sign Grant Application for L'Ecole Museum (Attached)
- O. RESOLUTION 7.13.11 Authorize Mayor to Sign Settlement – Carbone v Borough of Kinnelon et al. (Attached)
- P. RESOLUTION 7.14.11 Authorize Tax Collector to Process Refunds of \$10.00 or less as Per N.J.S.A.40A:5-017.1 (Attached)
- Q. RESOLUTION 7.15.11 Award of Professional Contract for Connolly and Hickey for Historic Preservation Plan for L'Ecole Museum
- R. RESOLUTION 7.16.11 Authorize Mayor to Execute Lease Agreement for KVFC Co. #2 Firehouse (Attached)

RESOLUTION 7.01.11

BOROUGH OF KINNELON SUPPORTING
PARTICIPATION IN THE SUSTAINABLE
JERSEY MUNICIPAL CERTIFICATION
PROGRAM

WHEREAS, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives balanced and mutually supportive; and

WHEREAS, the Borough of Kinnelon strives to save tax dollars, assure clean land, air and water, improve working and living environments and steps to building a sustainable community that will thrive well into the new century; and

WHEREAS, the Borough of Kinnelon hereby acknowledges that the residents of Kinnelon desire a stable, sustainable future for themselves and future generations; and

WHEREAS, the Borough of Kinnelon wishes to support a model of government which benefits our residents now and far into the future by exploring and adopting sustainable, economical-sound, local government practices; and

WHEREAS, by endorsing a sustainable path the Borough Kinnelon is pledging to educate itself and community members further about sustainable activities and to develop initiatives supporting sustainable local government practices; and

WHEREAS, as elected representatives of the Borough of Kinnelon, we have a significant responsibility to provide leadership which will seek community-based sustainable solution to strengthen our community:

NOW THEREFORE BE IT RESOLVED, that to focus attention and effort within the Borough of Kinnelon on matters of sustainability, the Mayor and Council wishes to pursue local initiatives and actions that will lead to Sustainable Jersey Municipal Certification.

BE IT FURTHER RESOLVED, by the Mayor and Council of the Borough of Kinnelon that we do hereby authorize Councilman Gary Moleta to serve as Kinnelon's agent for the Sustainable Jersey Municipal Certification process and authorize the Mayor to complete the Municipal Registration on behalf of Kinnelon.

Dated: _____



Robert W. Collins, Mayor

RESOLUTION 7.2.11

AUTHORIZING MAYOR TO SIGN
ANJEC 2011 SUSTAINABLE LAND
USE PLANNING GRANT PROJECT
AGREEMENT

WHEREAS, the Borough of Kinnelon has entered into a contract with the Land Conservancy of New Jersey to update the municipal Open Space & Recreation Plan; and

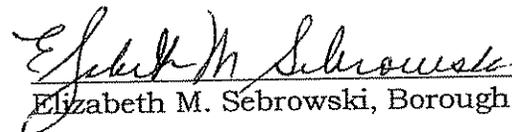
WHEREAS, the updated plan will be consistent with Green Acres Planning Incentive program guidelines and will incorporate changes in land use and regulation since 2005, with additional recommendations for stewardship, trails/connectivity, flood protection/restoration along the river corridor, community gardens and recreation, and a detailed 5-year action plan; and

WHEREAS, the Borough agrees to all necessary requirements to said grant.

NOW, THEREFORE, BE IT RESOLVED the Kinnelon Mayor and Council do hereby authorize the Mayor to sign said 2011 Sustainable Land use Planning Grant Project Agreement on behalf of the Borough.

I, Elizabeth M. Sebrowski, do hereby certify this to be a true copy of a resolution which was duly adopted at the regular meeting of the Kinnelon Mayor and Council held on July 21, 2011.

Dated: July 21, 2011


Elizabeth M. Sebrowski, Borough Clerk

RESOLUTION 7.3.11

AUTHORIZE MAYOR TO SIGN AN
AGREEMENT WITH THE LAND
CONSERVANCY OF NEW JERSEY
TO COMPLETE THE UPDATE TO
THE BOROUGH'S OPEN SPACE AND
RECREATION PLAN

WHEREAS, the Borough of Kinnelon has been awarded a grant from the Association of New Jersey Environmental Commissions (ANJEC) to update the Borough's Open Space and Recreation Plan; and

WHEREAS, the Borough wishes to partner with the Land Conservancy of New Jersey to complete the update to the Borough's Open Space and Recreation Plan; and

WHEREAS, it is necessary for the Mayor to sign an agreement with the Land Conservancy of New Jersey; and

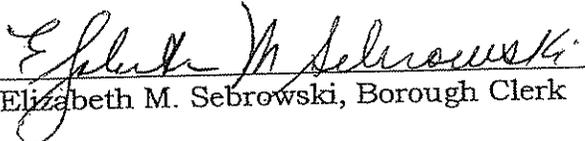
WHEREAS, there is a fee to complete the Plan in the amount of \$10,000.

NOW, THEREFORE, BE IT RESOLVED by the Kinnelon Mayor and Council that the Mayor is hereby authorized to sign an agreement with the Land Conservancy of New Jersey to complete the update to the Borough's Open Space and Recreation Plan which will include updated digital mapping, incorporation of public meetings and workshops to determine the community's goals for open space preservation, and an updated inventory and analysis of the Borough's land base and need for recreation and conservation of lands; and

BE IT FURTHER RESOLVED the Treasurer is hereby authorized to issue a check in the amount of \$10,000 to the Land Conservancy of New Jersey for the fee to complete the Plan.

I, Elizabeth M. Sebrowski, do hereby certify this to be a true copy of a resolution which was duly adopted at the regular meeting of the Kinnelon Mayor and Council held on July 21, 2011.

Dated:


Elizabeth M. Sebrowski, Borough Clerk

RESOLUTION: 7.4.11

NO. 337

JULY 21, 2011
THE BOROUGH OF KINNELON SEEKING
STATE INTERVENTION TO INCREASE
SAFETY AND PUBLIC AWARENESS ON
STATE HIGHWAY ROUTE 23

WHEREAS, State Highway Route 23 was established in 1927, running 52.63 miles from Verona, New Jersey to the New York State Border at Wantage Township, New Jersey; and

WHEREAS, the Borough of Kinnelon has no authority to interfere with the structure, maintenance and/or design of this road which functions are within the purview of various divisions of the State government; and

WHEREAS, many residents of the Borough of Kinnelon travel this State highway in commuting to and from work on a daily basis; and

WHEREAS, it is one of the two major highways closest to the Borough of Kinnelon and;

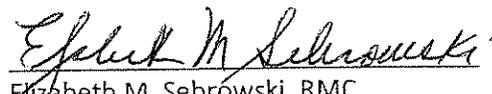
WHEREAS, in the 1960's the route was planned to be upgraded which plans were cancelled in the 1970's; and

WHEREAS, many of our neighboring municipalities have requested that the Borough of Kinnelon join this request for intervention by the State of New Jersey; and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Kinnelon, in the County of Morris and State of New Jersey that, in the interests of the residents of the Borough and the residents of surrounding municipalities who regularly commute on the Route 23, and all persons who have cause to operate an automotive conveyance on New Jersey State Highway Route 23, they hereby request that the State of New Jersey, through the appropriate State departments, immediately conduct a study to determine both long-term and short-term safety improvements along State Highway Route 23; and

BE IT FURTHER RESOLVED, that copies of this Resolution be forwarded to New Jersey Governor Chris Christie, Senator Joseph Pennacchio, Assemblymen Alex DeCroce and Jay Webber, NJDOT Commission James S. Simpson; the 38 Municipalities within Morris County, the Morris County Board of Chosen Freeholders, each municipality within the Counties of Sussex & Passaic and the Boards of Chosen Freeholders for Sussex and Passaic Counties seeking their endorsement and support of this request.

I, Elizabeth M. Sebrowski, Borough Clerk do hereby certify this to be a true copy of the resolution which was adopted at the regular meeting of the Kinnelon Borough Mayor and Council held on July 21, 2011


Elizabeth M. Sebrowski, RMC
Borough Clerk

RES. # 205.11

WHEREAS, the Tax Court of New Jersey has entered Judgments on appeals filed by taxpayers in the Borough of Kinnelon; and

WHEREAS, Total 2010 property taxes have been paid on this property, and

WHEREAS, this reduction in assessment has resulted in an overpayment of 2010 property taxes,

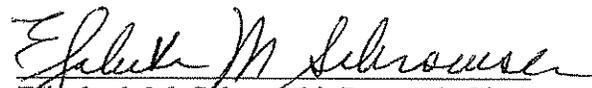
NOW, THEREFORE, BE IT RESOLVED, that the Borough of Kinnelon be authorized to issue a refund check to George Capodagli, in the amount of \$8,002.76 for overpayment of 2010 property taxes. Block 39, Lot 1.40 also known as 814 West Shore Drive.

ROLL CALL:

July 21, 2011
Lisa A. Kimkowski, CTC
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 July 21, 2011.

DATE: 07/21/11


Elizabeth M. Sebrowski, Borough Clerk

RES. # 7.06.11

BE IT RESOLVED, by the Mayor and Council of the Borough of Kinnelon that a warrant be drawn to Jennifer Kolb in the amount of \$72.00 representing refund for overpayment of sewer utility for Block 133, Lot 16 also known as 42 Garden Place.

ROLL CALL:

July 21, 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 July 21, 2011.

DATE: 7/21/11


Elizabeth M. Sebrowski, Borough Clerk

RES. # 7.07.11

BE IT RESOLVED, by the Mayor and Council of the Borough of Kinnelon that a warrant be drawn to Benjamin Nabas in the amount of \$72.00 representing refund for overpayment of sewer utility for Block 133, Lot 16 also known as 8 Manchester Court.

ROLL CALL:

July 21, 2011

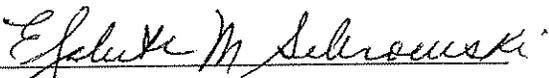
Lisa A. Kimkowski, C.T.C.

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 July 21, 2011.

DATE: 7/21/11


Elizabeth M. Sebrowski, Borough Clerk

RES. # 7.08-11

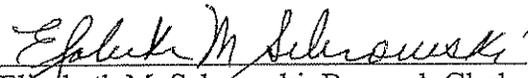
BE IT RESOLVED, by the Mayor and Council of the Borough of Kinnelon, Kinnelon, New Jersey, that a warrant be drawn to Title Source, LLC., in the amount of \$2,736.12, representing refund for overpayment of 2nd Qtr 2011 property taxes for Block 15, Lot 28, also known as 10 Sleepy Hollow Road, Kinnelon, New Jersey.

ROLL CALL:

July 21, 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 July 21, 2011.

DATE: 07/21/11


Elizabeth M. Sebrowski, Borough Clerk

RESOLUTION 7.09.11

AUTHORIZATION FOR MAYOR
TO SIGN AMENDED GRANT
AGREEMENT BETWEEN THE
STATE OF NEW JERSEY HIGHLANDS
WATER PROTECTION AND PLANNING
COUNCIL AND KINNELON BOROUGH
PLAN CONFORMANCE GRANT
#09-033-011-1415

WHEREAS, the Borough of Kinnelon received a Highlands Conformance Grant in March, 2009 in the amount of \$50,000; and

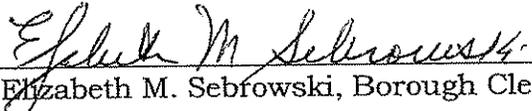
WHEREAS, an additional \$50,000 was awarded to the Borough on or about May of 2009; and

WHEREAS, the Highlands Council has now approved an additional grant in the amount of \$90,000, making the total granted \$190,000.

NOW, THEREFORE, BE IT RESOLVED the Mayor is hereby authorized to sign the Amended Grant Agreement Between the State of New Jersey Highlands Water Protection and Planning Council and Kinnelon Borough Plan Conformance Grant #09-033-011-1415.

I, Elizabeth M. Sebrowski, Borough Clerk, hereby certify this to be a true copy of a resolution was adopted at the regular meeting of the Kinnelon Mayor and Council held on July 21, 2011.

Dated: July 21, 2011


Elizabeth M. Sebrowski, Borough Clerk

Resolution 7.10.11

**A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION
BY RIDER OF REVENUES RECEIVED BY THE BOROUGH
FOR FIREWORKS**

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimate in advance; and

WHEREAS, pursuant to N.J.S.A. 40A:4-39, the dedicated revenues anticipated from donations for Fireworks may be anticipated as revenue and appropriated for the purposes to which said revenue is dedicated.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Kinnelon, in the County of Morris and State of New Jersey as follows:

1. The Mayor and Council does hereby request permission of the Director of the Division of Local Government Services to dedicate by rider revenues received by the Borough for donations for Fireworks, to anticipate said revenues, to appropriate such funds, and to pay the expenditures of the Fireworks.
2. The Clerk of the Borough of Kinnelon in the County of Morris is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

I hereby certify the foregoing to be a true copy of a resolution adopted by the Mayor and Council of the Borough of Kinnelon, at its meeting held on July 21, 2011.



Elizabeth Sebrovski, Municipal Clerk
Borough of Kinnelon

RESOLUTION 7.11.11

CLOSING ESCROW ACCOUNT STRECIWILK
ZONING BOARD OF ADJUSTMENT
APPLICATION NO. 1347 – 10 SHIRLEY TERRACE
ESCROW ACCOUNT #04-2084947

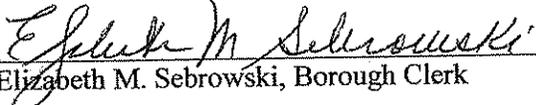
WHEREAS, the Borough of Kinnelon received a check from Iwona & Marek Streciwilk. in order to set up an escrow account for an application to the Board of Adjustment Application number 1347 account number 04-2084947; and

WHEREAS, the office of Darmofalski Engineering Associates, Inc., has advised the Mayor and Council the balance of \$655.00 is no longer needed and may be refunded by the Treasurer.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council that the said account be closed and a check in the amount of \$655.00 be returned to Iwona & Marek Streciwilk, 10 Shirley Terrace, Kinnelon, NJ 07405.

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 July 21, 2011.

Dated: July 21, 2011


Elizabeth M. Sebrowski, Borough Clerk

RESOLUTION 7.12.11

AUTHORIZE MAYOR TO SIGN
GRANT AGREEMENT FOR 2011
MORRIS COUNTY HISTORIC
PRESERVATION TRUST FUND GRANT
AGREEMENT - L'ECOLE KINNELON
MUSEUM

WHEREAS, the Borough of Kinnelon applied for a 2011 Morris County Historic Preservation Trust Fund Grant in the amount of \$25,200; and

WHEREAS, the Borough has received notification that the Morris County Board of Chosen Freeholders have approved the funding in the amount of \$25,200 to the L'Ecole Kinnelon Museum projected; and

WHEREAS, said approval of funding was based upon the recommendation of the Morris County Historic Preservation Trust Fund Review Board; and

WHEREAS, L'Ecole Kinnelon Museum was the residence and office of Dr. Helen Miller which was constructed in 1873 to serve as a one-room schoolhouse; and

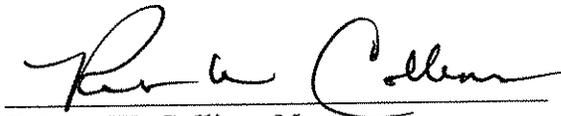
WHEREAS, the building became the home and office of Dr. Helen Miller, an early pioneer in female cancer detection and screening; and

WHEREAS, the building has a Certification for Eligibility for the Historic Registers; and

WHEREAS, the grant will assist with the completion of a Preservation Plan including structural and mechanical/electrical/plumbing evaluation.

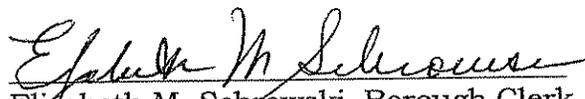
NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Kinnelon that the Mayor of the Borough is hereby authorized to execute the 2011 Morris County Historic Preservation Trust Fund Grant Agreement on behalf of the borough.

Dated: July 21, 2011


Robert W. Collins, Mayor

I, Elizabeth M. Sebrowski, Borough Clerk of the Borough of Kinnelon do hereby certify this to be a true copy of a resolution which was duly adopted at the regular meeting of the Kinnelon Mayor and Council held on July 21, 2011.

Dated: July 22, 2011


Elizabeth M. Sebrowski, Borough Clerk

RESOLUTION 7.13.11

AUTHORIZATION FOR MAYOR TO
SIGN A CONFIDENTIAL SETTLEMENT
AGREEMENT AND RELEASE
REGARDING CARBONE V. BOROUGH
OF KINNELON

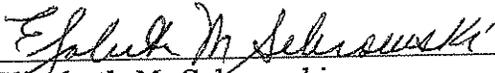
WHEREAS, the Kinnelon Mayor and Council have agreed upon a settlement for the matter Carbone v Borough of Kinnelon; and

WHEREAS, all parties have agreed upon a fair settlement; and

WHEREAS, the Mayor has been authorized by the governing body to sign said settlement agreement.

NOW, THEREFORE, BE IT RESOLVED that the Mayor is hereby authorized to sign the document entitled Confidential Settlement Agreement and Release in the matter of Carbone v. Borough of Kinnelon.

Dated: July 21, 2011


Elizabeth M. Sebrowski
Borough Clerk

RES. # 7.14.11

WHEREAS, Chapter 82, Public Law of 1987, know as N.J.S.A. 40A:5-017.1, permits authorized employees to process cancellation of property tax refund or delinquencies of less than \$10.00 without further action of the Governing Body: and

WHEREAS, the Tax Collector is responsible for property tax collection:

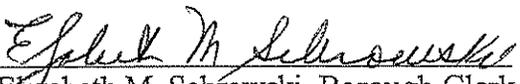
NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council does hereby authorize the Tax Collector to cancel property tax refunds or delinquencies of less than \$10.00 per State Statue.

ROLL CALL:

July 21, 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 July 21, 2011.

DATE: 7/21/10


Elizabeth M. Sebrowski, Borough Clerk

RESOLUTION 7.15.11

**AWARD OF FAIR AND OPEN PROFESSIONAL SERVICES
CONTRACT – CONNOLLY & HICKEY HISTORICAL
ARCHITECTS – FOR HISTORIC PRESERVATION PLAN –
L'ECOLE MUSEUM – AMOUNT NOT TO
EXCEED \$30,300.00**

WHEREAS, the Borough desires to retain a Historical Architectural Firm to prepare the necessary Historic Preservation Plan for the L'Ecole Museum; and

WHEREAS, the supplying of architectural 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 Certification 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 contributions through the term of the contract; and

WHEREAS, the Borough has agreed to retain Connolly & Hickey Historical Architects as an architectural firm to prepare a Historic Preservation Plan for the museum known as L'Ecole for the Borough under the terms and conditions set forth hereinafter.

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

1. The Borough agrees to retain Connolly & Hickey, Historical Architects ("Architects") as architects to the Borough for the following:

a. To act as historical architects for the preparation of a Historic Preservation Plan for L'Ecole Museum for an amount, not to exceed \$30,300.00; and

2. WHEREAS, this contract has been awarded to Counsel based upon the merits and ability of counsel to provide the historical architectural services as described herein. This contract was not awarded through a "fair and open process" pursuant to N.J.S.A.19:44A-20.4 et seq. As such, Connolly & Hickey does hereby attest that the firm and its subsidiaries, assigns, or principals controlling in excess of 10% of the company, has neither made a contribution that is reportable pursuant to the Election Law Enforcement Commission, pursuant to N.J.S.A. 19:44A-8 or 19:44A-16, in the one (1) year period preceding the award that would, pursuant to P.L. 2004 c 19 affect its eligibility to perform this contract, nor will it make a reportable contribution during the term of the contract to any political party committee in the Borough of Kinnelon if a member of that political party is serving in an elective public office in the Borough of Kinnelon when the contract is awarded, or to any candidate committee of any person serving in an elective public office of the Borough of Kinnelon when the Contract is awarded.

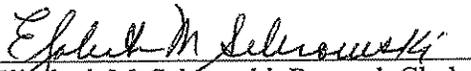
3. Connolly & Hickey has complied with the Affirmative Action requirements set forth in N.J.A.C. 17:27-1 et seq. and further agrees to comply with the Affirmative Action requirements set forth

in P.L. 1975 c 127 and the regulations adopted thereunder, as set forth in Exhibit A attached hereto and made a part thereof.

WHEREAS, This Agreement shall be for the period effective January 1, 2011 to December 31, 2011 or until such time as the aforementioned matters are completed.

Dated: July 21, 2011


Robert W. Collins, Mayor

Attest: 
Elizabeth M. Sebrowski, Borough Clerk

I, Elizabeth M. Sebrowski, Borough Clerk, do hereby certify this to be a true copy of a resolution which was duly passed at the regular meeting of the Kinnelon Mayor and Council held on July 21, 2011.

Dated: July 21, 2011


Elizabeth M. Sebrowski, RMC
Borough Clerk

CERTIFICATION OF FUNDS

I, Norman Eckstein, Chief Municipal Finance Officer of the Borough of Kinnelon do hereby certify that sufficient funds are available in and Open Space Trust for the expected charges from Connolly & Hickey related to services rendered to the Borough for the preparation of a Historic Preservation Plan for L'Ecole Museum. Amount not to Exceed \$30,300.00.


Norman Eckstein

BOROUGH OF KINNELON
NOTICE OF AWARD OF CONTRACT

The Borough of Kinnelon has awarded a Contract for professional services without competitive bidding in accordance with N.J.S.A. 40A:11-5(1)(a)(i). The Contract and Resolution authorizing 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: Connolly & Hickey, Historical Architects
P.O. Box 1726
Cranford, New Jersey 07016

DURATION: July 21, 2011 THROUGH JANUARY 31, 2011

NATURE OF CONTRACT: Preparation of a Historic Preservation Plan
L'Ecole Kinnelon Museum

AMOUNT OF CONTRACT: NOT TO EXCEED \$30,300

BOROUGH OF KINNELON
COUNTY OF MORRIS, STATE OF NEW JERSEY

Dated: July 21, 2011

s/s Elizabeth M. Sebrowski
Elizabeth M. Sebrowski, RMC, Borough Clerk

RESOLUTION 7.16.11

AUTHORIZE EXECUTION OF A LEASE
AGREEMENT BETWEEN THE BOROUGH
OF KINNELON AND THE KINNELON
VOLUNTEER FIRE COMPANY FOR USE OF
COMPANY #2 FIREHOUSE

WHEREAS, the Borough transferred possession of the Company #2 Firehouse for renovation purposes; and

WHEREAS, the Kinnelon Mayor and Council desires to allow the Kinnelon Volunteer Fire Company the use of said Company #2 Firehouse until completion of the project; and

WHEREAS, the Borough Attorney has reviewed all documents regarding this project and has recommended the execution of a Lease Agreement between the Borough of Kinnelon and the Kinnelon Volunteer Fire Company.

NOW, THEREFORE, BE IT RESOLVED the Mayor and Council of the Borough of Kinnelon do hereby authorize the Mayor to sign said lease agreement between the Borough of Kinnelon and the Kinnelon Volunteer Fire Company on behalf of the Borough.

I, Elizabeth M. Sebrowski, do hereby certify this to be a true copy of a resolution which was duly adopted at regular meeting of the Kinnelon Mayor and Council held on July 21, 2011.

Dated: July 21, 2011


Elizabeth M. Sebrowski, Borough Clerk

LICENSE FOR: Raffle
(Insert Bingo or Raffles)

License No. RL-721 -KB

Identification No. 411-5-37094

(Display this license conspicuously
During the conduct of the games)

Insert Name
Of Municipality BOROUGH OF KINNELON

Insert Name of
Licensee Girl Scout of Northern New Jersey

Address 95 Newark Pompton Turnpike, Riverdale, NJ 07457

1. This license allows the licensee to conduct (cross out line which) Bingo (not to Exceed 35 games),
Raffles of the kind stated,
The winner to be determined on each of the dates, at the places and during the hours shown below:

Kind of Game	Date	Place	During hours
Merchandise Raffle	10/15/2011	Lake Rickabear Camp 414 Kinnelon Road, Kinnelon NJ	10:00am - 2:30p.m

2. The value and character of the prizes authorized to be offered and given on each date are:

Xbox 360 with Kinect \$299.99 1 Spa Finder Gift Certificate \$100.00

1 Amazon Gift \$75.00 1 Barnes & Noble Gift Certificate \$50.00

1 Target Gift Certificate \$25.00

3. This license is valid only if the entire net proceeds are devoted to the following specific purpose:
Programs & Services for Girl Members of GSNNJ

4. The names and addresses of the members under whom the games will be held, operated and conducted are:

Names	Addresses
<u>Karen Cerrete</u>	<u>54 Route 206N, Chester, NJ</u>
<u>Julie Sadowshi</u>	<u>32 Bayord Leve, Suffern NY</u>
<u>Jamie Kay Krenech</u>	<u>193 1/2 Morris St. Morristown, NJ</u>

Issued by order of MAYOR AND COUNCIL ON July 21, 2011

(SEAL)


(Signature of Municipal Clerk)

Games must be played in accordance with the rules of the Control Commission.
See Parts VI, VII and VIII of Rules and Regulations.

LICENSE FOR: Raffle License No. RL-722 -KB

(Insert Bingo or Raffles)

Identification No. 238-2-31069

(Display this license conspicuously
During the conduct of the games)

Insert Name
Of Municipality BOROUGH OF KINNELON

Insert Name of
Licensee JEWISH CONGREGATION KINNELON

Address 91 KINNELON ROAD, KINNEON NJ 07405

1. This license allows the licensee to conduct (cross out line which) Bingo (not to Exceed 35 games),
Raffles of the kind stated,
The winner to be determined on each of the dates, at the places and during the hours shown below:

Kind of Game	Date	Place	During hours
Calendar Raffle	12/01/2011	OLM	5:00PM - 6:00PM
91 Kinnelon Road, Kinnelon NJ			

2. The value and character of the prizes authorized to be offered and given on each date are:

178 @ \$25.00 Each

5 @ \$100.00 Each

3. This license is valid only if the entire net proceeds are devoted to the following specific purpose:

To Benefit the Jewish Congregation of Kinnelon Educational Programs

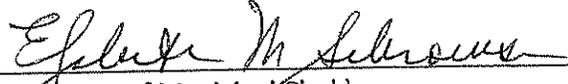
Community-Service Projects and Pastoral Services

4. The names and addresses of the members under whom the games will be held, operated and conducted are:

Names	Addresses
<u>Brain Gordon</u>	<u>10 Honeysuckle Road Kinnelon, NJ 07405</u>
<u>Sol Goldengerg</u>	<u>1287 Green Pond Road, Newfoundland, NJ</u>

Issued by order of MAYOR AND COUNCIL ON July 21, 2011

(SEAL)


(Signature of Municipal Clerk)

Games must be played in accordance with the rules of the Control Commission.
See Parts VI, VII and VIII of Rules and Regulations.

JULY 21, 2011

July 20th, 2011
Mayor Robert W, Collins and
Members of the Borough Council
130 Kinnelon Road
Kinnelon, NJ 07405

Re: Smoke Rise Nursery School Open House Signboards

To Whom It May Concern:

The Smoke Rise Nursery School requests permission to place six signboards advertising open enrollment at our nursery school at the following locations in Kinnelon:

- Corner of Kinnelon Rd and Fayson Lakes Rd.
- Kinnelon Rd., facing the Smoke Rise East Gate entrance
- Corner of Kiel Ave. and Kakeout Rd.
- 107 Boonton Ave, across from Stonybrook School
- Corner of Boonton ave and Fayson Lakes Rd.
- Corner of Fayson Lakes Rd and Miller Rd.

The signboards, with your permission, will be in place during the period of August 21st until September 17th, 2011. We appreciate your support!

Sincerely,



Kelly Parrella
SRNS Publicity Committee
14 Hilltop Road
Kinnelon, NJ 07405
(973) 291-4826

ORDINANCE NO. 8-11 **AN ORDINANCE TO AMEND CHAPTER 56-1 OF THE
CODE OF THE BOROUGH OF KINNELON, NEW JERSEY,
REGARDING THE MEMBERS OF THE POLICE
DEPARTMENT**

WHEREAS, the Borough Council of the Borough of Kinnelon ("Borough") desires to amend Chapter 56, Police Department, of the Code of the Borough of Kinnelon, New Jersey regarding the table of command of the members of the Police Department,

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

SECTION 1. Chapter 56-1 of the Code of the Borough of Kinnelon, New Jersey, shall now read:

There is hereby established in the Borough of Kinnelon a Police Department, which shall consist of members according to the following schedule:

Title	Maximum number of officers to be employed in the title
Chief of Police	1
Acting Chief of Police (as needed pursuant to § 56-7)	1
Lieutenant	1
Patrol Sergeant	4
Detective Sergeant	1
Detective	1
Patrol Officer	8
Police Matron	4

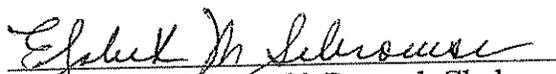
SECTION 2. SEVERABILITY. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court or federal or state agency of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

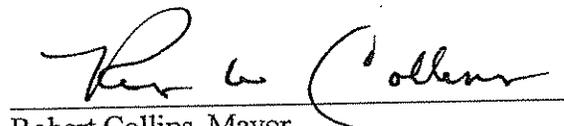
SECTION 3. INCONSISTENT ORDINANCES. Ordinances, resolutions, and regulations or parts of ordinances, resolutions, and regulations inconsistent herewith, are hereby repealed to the extent of such inconsistency.

SECTION 4. EFFECTIVE DATE. This Ordinance shall take effect upon passage and publication according to law.

ATTEST:

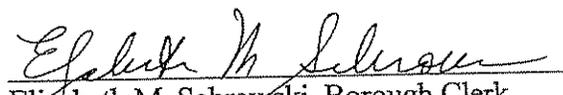
BOROUGH OF KINNELON


Elizabeth M. Sebrowski, Borough Clerk


Robert Collins, Mayor

CERTIFICATION

I, Elizabeth M. Sebrowski, Borough Clerk of the Borough of Kinnelon, County of Morris, State of New Jersey, do hereby certify the foregoing to be a true copy of an Ordinance introduced, read by title and passed on the first reading at a regular meeting of the Borough held on June 16, 2011 and adopted by the Governing Body at a regular meeting of the Borough held on July 21, 2011.


Elizabeth M. Sebrowski, Borough Clerk

The Mayor announced the meeting was open to hear any objections to this ordinance that may be presented by any taxpayer of the Borough of Kinnelon, all parties in interest, and citizens. No one wished to speak at this time. The Mayor then closed this portion of the meeting to the public.

Councilman A. SanFilippo then offered the following resolution and moved its adoption. This motion was seconded by Councilman S. Cobell.

RESOLVED that the above ordinance, as read on Second Reading at this meeting held on July 21, 2011 be adopted and finally passed.

The Mayor then asked the Borough Clerk to call the roll on the passage thereof, and the vote was as follows:

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

ORDINANCE 7-11 (HELD OVER UNTIL SEPTEMBER 15, 2011)

Councilman SanFilippo read a statement at this time relating an incident of an underage child who was passed out in the middle of a road, found by a police officer and brought to the police station to be picked up by his parent.

Mr. SanFilippo said regardless of whether adults drank under the age of 21 when they were young, everyone knows someone who "didn't make it". He questioned what if another child who had been at the party this child was at and drunkenly ran this boy over?

He said what it amounts to is – Underage drinking is against the law. Period. Parents who condone the serving of alcohol to underage children are breaking the law. They are teaching the children that they need not respect the laws of the land because they are entitled to do whatever they want. This is the wrong message to be giving our underage children. He asked should we be worried about the underage drinkers or the parents breaking the law.

Mr. SanFilippo said maybe what we should be looking at is Parents Who Host, Lose the Most.

Councilman Mondello asked if our legal counsel could clarify the question of how this ordinance affects a juvenile's record. After a brief discussion on the matter, Mr. Madaio said he would do that.

ORDINANCE NO. 9-11 AN ORDINANCE TO AMEND CHAPTER 199, WATER, OF
THE CODE OF THE BOROUGH OF KINNELON

WHEREAS, Chapter 199-25 of the Code of the Borough of Kinnelon ("Borough") currently provides a schedule which sets forth the water rates for all users; and

WHEREAS, the Borough desires to amend said schedule found at Chapter 199-25 B(4) and B(5), the fees for Water Shutoff and Turn-on; and

WHEREAS, Chapter 199-21 of the Code of the Borough of Kinnelon permits the Governing Body of the Borough of Kinnelon ("Governing Body") to amend said schedule by resolution; and

WHEREAS, the Governing Body desires to adopt a resolution to amend said schedule.

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

1. Chapter 199-25B(4) Shutoff fee shall be amended to \$75.00.
2. Chapter 199-25B(5) Turn-on fee shall be amended to \$75.00 during normal business hours (weekdays between 7:00 a.m. and 3:00 p.m.) and \$150.00 at all other times.

SEVERABILITY. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court or federal or state agency of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

INCONSISTENT ORDINANCES. Ordinances, resolutions, and regulations or parts of ordinances, resolutions, and regulations inconsistent herewith, are hereby repealed to the extent of such inconsistency.

NO. 361

EFFECTIVE DATE. This Ordinance shall take effect upon passage and publication according to law.

ATTEST:

BOROUGH OF KINNELON

Elizabeth M. Sebrowski, Borough Clerk

Robert Collins, Mayor

CERTIFICATION

I, Elizabeth M. Sebrowski, Borough Clerk of the Borough of Kinnelon, County of Morris, State of New Jersey, do hereby certify the foregoing to be a true copy of an Ordinance introduced, read by title and passed on the first reading at a regular meeting of the Borough held on _____, 2011 and adopted by the Governing Body at a regular meeting of the Borough held on _____, 2011.

Elizabeth M. Sebrowski, Borough Clerk

There was no desire to discuss this ordinance, and the Mayor asked the Clerk to call the roll on the passage thereof, and the vote was as follows:

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

WHEREAS, the above ordinance was introduced at this meeting held on July 21, 2011 and read by title, and passed on first reading;

NOW, THEREFORE, BE IT RESOLVED that at the regular meeting to be held on August 18, 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 be and she is hereby directed to publish the proper notice thereof.

Councilman D. O'Dougherty 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;
	R. Mondello, Yes.	

ORDINANCE 10-11 - RENEWAL OF CABLEVISION FRANCHISE

Councilman A. SanFilippo introduced the following ordinance and moved the same be read by title and passed on first reading. This was seconded by Councilman S. Cobell.

Thereupon, the ordinance was read by title:

AN ORDINANCE GRANTING MUNICIPAL CONSENT FOR THE RENEWAL OF A CABLE TELEVISION FRANCHISE TO CABLEVISION OF OAKLAND, LLC FOR THE SUPPLYING OF A CABLE TELEVISION SERVICES IN THE BOROUGH OF KINNELON, COUNTY OF MORRIS, STATE OF NEW JERSEY

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Draft 7.18.11

ORDINANCE NO. 10-11 AN ORDINANCE GRANTING MUNICIPAL CONSENT FOR THE RENEWAL OF A CABLE TELEVISION FRANCHISE TO CABLEVISION OF OAKLAND, LLC FOR THE SUPPLYING OF CABLE TELEVISION SERVICES IN THE BOROUGH OF KINNELON, COUNTY OF MORRIS, STATE OF NEW JERSEY

WHEREAS, by Ordinance 7-73, as amended, the Mayor and Council of the Borough of Kinnelon (the "Borough") granted a non-exclusive franchise for cable television services to Micro Cable Communications Corp., d/b/a UA-Columbia Cablevision of New Jersey ("UACC"), for a period of fifteen (15) years; and

WHEREAS, by Ordinance 7-89, as amended, the Mayor and Council of the Borough, granted a non-exclusive consent for the renewal of the cable television franchise to UACC for a period of ten (10) years; and

WHEREAS, on June 25, 1990, the cable operator became United Artists Cable of New Jersey; in 1991 the cable operator became United Artists Cable Company, a TCI Company; in November 1992, the cable operator became TCI of Northern New Jersey; and, as of March 4, 1998, the cable system was transferred to Cablevision of Oakland, Inc. and on December 26, 2001 the cable system was transferred to Cablevision of Oakland, LLC (the "Company"); and

WHEREAS, by Ordinance 8-99, as amended, the Mayor and Council of the Borough granted a non-exclusive consent for the renewal of the Cable Television Franchise to the Company for a period of ten (10) years; and

WHEREAS, the Company has filed with the Borough of Kinnelon an Application for Municipal Consent for the renewal of the non-exclusive cable television franchise in accordance with the law; and

WHEREAS, on March 19, 2009 and April 16, 2009 a public hearing concerning the renewal of the franchise for the placement, operation and maintenance of a cable television system was duly held, after proper public notice, pursuant to the terms and conditions of the Communications Act of 1934 and its amendments (47 U.S.C. 521, et seq. and N.J.A.C. 14:18-1, et seq.), the New Jersey Cable Television Act (N.J.S.A. 48:5A-1, et seq.) and administrative regulations promulgated thereunder (N.J.A.C. 14:17-1.1, et seq.), and other applicable law; and all comments and presentations regarding the qualifications of the Company for renewal of the franchise having been received and considered; and

WHEREAS, the Borough, by its governing body, hereby makes and finds the following determinations with respect to the Application for Municipal Consent (the "Application") of the Company:

- a. The Company has substantially complied with the material terms of the existing franchise and applicable law;
- b. The quality of the Company's service has been reasonable in light of community needs;
- c. The Company possesses the financial, legal, and technical ability to provide the services, facilities and equipment set forth in its Application and proposal, the terms of which are incorporated herein;
- d. The Company's Application and proposal is reasonable to meet the future cable-related community needs and interest, taking into account the cost of meeting such needs and interests.

WHEREAS, the Borough desires to grant the renewal of the franchise for cable television services to the Company under the terms and conditions as set forth in this Ordinance.

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

SECTION 1. GRANT OF NON-EXCLUSIVE FRANCHISE. The Borough hereby grants to the Company its non-exclusive consent to place in, upon, along, across, above, over and under

the highways, streets, alleys, sidewalks, public ways, and public places in the Borough poles, wires, cables, and fixtures necessary for the maintenance and operation in the Borough of a cable television system or other communications facilities and for the provision of any communication service over such facilities. Operation and construction, pursuant to said consent, is conditioned upon prior approval of the Board of Public Utilities.

SECTION 2. DEFINITIONS. For the purposes of the Ordinance, the following terms, phrases, words and their derivations shall have the meaning given herein. Such meaning or definition of terms is supplemental to those definitions given by the Federal Communications Commission, F.C.C. Rules and Regulations 47 C.F.R. Subsection 76.1 et seq.; the Cable Communications Policy Act, 47 U.S.C. 521 et seq., as amended; and the Cable Television Act, N.J.S.A. 48:5A-1 et seq. and shall in no way be construed to broaden, alter or conflict with federal or state definitions:

- a. "Borough" is the Borough of Kinnelon, County of Morris, State of New Jersey.
- b. "Company" is the grantee of rights under this Ordinance and is known as Cablevision of Oakland, LLC.
- c. "Act" or "Cable Television Act" is Chapter 186 of the General Laws of New Jersey, and subsequent amendment thereto, Section 48:5A-1, et seq.
- d. "Federal Act" is the Communications Act of 1934, and its amendments, 47 U.S.C. 521, et seq., and the Communications Act of 1996, and its amendments.
- e. "Board" is the New Jersey Board of Public Utilities of the State of New Jersey or its successor agency.
- f. "Office of Cable Television" is the New Jersey Board of Public Utilities, Office of Cable Television.
- g. "Application" is the Application for Municipal Consent, Borough of Kinnelon, dated December 17, 2008 and received by the Borough on December 22, 2008, submitted by Cablevision of Oakland, LLC.

h. "Standard Installation" shall mean the installation of drop cable to a customer's premises where the distance from the point of entry into the building being served is less than 150 feet from the active cable television system plant.

SECTION 3. STATEMENT OF FINDINGS. On March 19, 2009 and April 16, 2009, a public hearing concerning the consent herein granted to the Company was held after proper public notice pursuant to the terms and conditions of the Act. Said hearings having been held and fully open to the public, and the Borough having received all comments regarding the qualifications of the Company to receive this consent, the Borough hereby finds the Company possesses the necessary legal, technical, character, financial and other qualifications and that the Company's operating and construction arrangements are adequate and feasible.

SECTION 4. DURATION OF FRANCHISE. The consent herein granted shall be non-exclusive and shall be for a term of ten (10) years from the date of issuance of a Certificate of Approval by the Board.

SECTION 5. EXPIRATION AND SUBSEQUENT RENEWAL. If the Company seeks a successive consent, it shall, prior to the expiration of this consent, apply for a municipal consent and Certificate of Approval in accordance with N.J.S.A. 48:5A-16, and applicable state and federal rules and regulations. In accordance with N.J.S.A. 48:5A-25.1, both the Borough and Cablevision shall be bound by the terms of this municipal consent until such time as Cablevision converts the municipal consent (and any Certificate of Approval) into a system-wide franchise.

SECTION 6. FRANCHISE FEE. Pursuant to the terms and conditions of the Act, the Company shall, during each year of operation under the consent granted herein, pay to the Borough two percent (2%) of the gross revenues from all recurring charges in the nature of subscription fees paid by subscribers to its cable television reception service in the Borough or any amount mandated by the Cable Television Act or otherwise required by law in excess thereof. The Company will charge the franchise fee to users as permitted by law.

SECTION 7. TERRITORY. The consent granted herein to the Company shall apply to

the entirety of the Borough and any property hereafter annexed.

SECTION 8. PROVISION OF SERVICE. The Company shall be required to proffer service along any public right-of-way to any person's residence located in those areas of the franchise territory described herein, in accordance with the proposal for the provision of services as described in the Application. Commercial entities will be proffered service in accordance with the Company's commercial line extension policy as identified in the Application.

SECTION 9. CONSTRUCTION REQUIREMENTS. Cablevision shall perform construction and installation of its plant and facilities in accordance with applicable State and federal law. In the event that the Company or its agents shall disturb any pavement, street surfaces, sidewalks, driveways or other surfaces in the natural topography, the Company shall at its sole expense restore and replace such places or things so disturbed in as good condition as existed prior to the commencement of said work.

If at any time during the period of this consent, the Borough shall alter or change the grade of any street, alley or other way or place, the Company, upon reasonable notice by the Borough, shall remove, re-lay and relocate its equipment, at the expense of the Company.

Upon at least 14 days' notice, the Company shall temporarily move or remove appropriate parts of its facilities to allow for the moving of buildings, machinery or in other similar circumstances. The expense shall be borne by the party requesting such action except when requested by the Borough, in which case the Company shall bear the costs.

During the exercise of its rights and privileges under this franchise, the Company, upon notice to the Borough Clerk, emergency situations excepted, shall have the authority to trim trees upon and overhanging streets, alleys, sidewalks and public places of the Borough so as to prevent the branches of such trees from coming in contact with the wires and cables of the Company. Such trimming shall be only to the extent necessary to maintain proper clearance for the Company's facilities.

SECTION 10. TECHNICAL AND CUSTOMER SERVICE STANDARDS. Cablevision shall comply with the technical and customer service standards established for the cable industry

under applicable State and federal laws, rules and regulations.

SECTION 11. LOCAL OFFICE. During the term of this franchise, and any renewal thereof, the Company shall maintain a local business office or agent for the purpose of receiving, investigating, and resolving all complaints regarding the quality of service, equipment malfunctions and similar matters as prescribed in N.J.S.A. 48:5A-26(d). Such local business office shall be open between 9:00 a.m. and 5:00 p.m. Monday through Friday, with the exception of Holidays.

SECTION 12. INSTALLATION OF SERVICES. The Company shall provide installation and service to any subscriber's residence within a reasonable time period under normal operating conditions in accordance with State and Federal regulations.

SECTION 13. QUALITY OF SIGNAL. The Company agrees to provide quality signals in accordance with State and Federal regulations.

SECTION 14. ALTERATION OF BASIC SERVICE. Subject to Federal Law, the Company shall not alter its basic service, including rate and channel changes, without prior notice to the Office of Cable Television and the Borough as required by applicable State law.

SECTION 15. ANNUAL SYSTEM STATUS REPORT. Upon request by the Borough, but no more than one time per year, a company representative shall attend a Borough Council meeting to discuss any changes, improvements, new procedures or to answer any concerns the Borough may have with the provision of cable television service in the Borough.

SECTION 16. MUNICIPAL COMPLAINT OFFICER. The Office of Cable Television is hereby designated as the complaint officer for the Borough, pursuant to N.J.S.A. 48:5a-26(b). All complaints shall be received and processed in accordance with N.J.A.C. 14:17-6.5.

SECTION 17. PERFORMANCE BOND. During the life of the franchise the company shall maintain a bond with the Borough in the amount of \$25,000.00. Such bond shall be to insure the faithful performance of all undertakings of the Company as represented in its application and incorporated herein.

SECTION 18. CABLE RATE. The rates of the Company shall be subject to regulation as permitted by federal and state law.

SECTION 19. FREE INSTALLATION AND SERVICE. The Company shall provide the installation of one outlet and basic monthly cable television reception service at no charge in the Municipal Building, Department of Public Works, Kinnelon Free Public Library, Police Department, all Fire Department buildings and all public and private accredited K-12 school buildings in the Borough provided they are standard installations. Each additional outlet installed, if any, shall be paid for, by the institution requesting the same on a materials plus labor basis.

SECTION 20. ACCESS CENTER; MODULATOR LOCATION. The Borough has agreed to have access capability at the Kinnelon High School Studio Facility. The Borough and the Company have agreed to utilize the High School as the designated modulator location within the Borough and the High School Studio Facility will be the Borough's Access Center and will be used by the Police Department and Fire Department for emergency announcements. All access programming shall be of a non-commercial nature.

SECTION 21. ADMINISTRATION OF ACCESS CENTER. The mechanism for scheduling use of the Borough's Access Center shall be established by the Kinnelon Board of Education with the advice and consent of the Borough. The policy and rules and regulations with regard to the operation of the Borough's Access Center and programming availability guidelines, including by way of example and not limitation, scope of announcements, program schedule, use of facilities by various groups and organizations, advocacy of legislative, budgetary or other issues, equal time and fairness doctrines shall be established solely by the Borough. Such guidelines and policy shall be strictly applied to the operation of the Borough's Access Center by the Kinnelon Board of Education. All programming produced at the Borough's Access Center shall be of a non-commercial nature. Users of the Borough's Access Center shall comply with Cablevision's public educational and government access ("PEG") Guidelines to the extent applicable.

SECTION 22. FREE INTERNET SERVICE. Upon written request from the Borough, the Company shall provide to state and locally accredited elementary and secondary schools and municipal public libraries in the Borough, without charge, the following: (1) one standard installation per school or library; (2) one cable modem per installation; and, (3) basic cable modem

service for the term of this Ordinance for each installation. This offer shall be subject to the terms, conditions and use policies of the Company, as those policies may exist from time to time.

Upon written request from the Borough, the Company shall provide to (1) one municipally owned facility, without charge, the following: (1) one standard installation; (2) one cable modem per installation; and (3) basic cable modem service for the term of this Ordinance for each installation. This offer shall be subject to the terms, conditions and use policies of the Company as those policies may exist from time to time.

SECTION 23. SENIOR DISCOUNTS. The Company voluntarily offers a discount for senior citizens meeting the eligibility requirements pursuant to the State's Pharmaceutical Aid for the Aged and Disabled program. The Company reserves the right to alter or discontinue the discount at any point during the term of this Ordinance.

SECTION 24. INSURANCE. The Company agrees to maintain and keep in full force and effect at its sole expense at all times during the term of this consent, sufficient liability insurance naming the Borough as an additional insured and insuring against loss by any such claim, suit, judgment, execution or demand in the minimum amounts of \$1.5 million combined single limit for bodily injury or death to one person or resulting from any one accident and for property damage resulting from any one accident. The Company shall also provide workers compensation insurance at the State mandated limited. The insured will protect, defend, indemnify, and hold harmless, the Borough from and against any and all losses, penalties, damages, settlements, costs, charges, professional fees, or other expenses or liabilities arising out of or resulting from the operation, construction or maintenance of the cable system provided that any such claims, damage, loss, or expense is attributable to bodily injury, sickness, disease, or death, or to injury to or destruction of the tangible property including the loss of the use resulting therefrom and is caused in whole or in part by any negligent or willful act or omission of the Company.

SECTION 25. EMERGENCY USES AND SERVICES. The Borough shall adhere to the State Emergency Plan as established in accordance with Part 11 of the FCC regulations.

SECTION 27. LEVEL PLAYING FIELD. In the event that the Borough approves or permits a cable system to operate in the Borough on terms more favorable or less burdensome than those contained in this ordinance, then such more favorable or less burdensome terms shall be applicable to this franchise, pursuant to approval of a petition to amend the Certificate of Approval filed with the Board of Public Utilities as provided for under N.J.A.C. 14:17-6.7.

SECTION 28. PUBLIC, EDUCATIONAL, AND GOVERNMENTAL ACCESS.

A. Cablevision shall continue to make available non-commercial public, educational and governmental ("PEG") access services available to the residents of the Borough as described in the Application for municipal consent. All Cablevision support for PEG access shall be for the exclusive benefit of Cablevision's subscribers.

B. The Borough agrees that Cablevision shall retain the right to use the PEG access channel, or portion thereof, for non-PEG access programming, during times when the Borough is not utilizing the channel for purposes of providing PEG access programming. In the event that the Company uses said PEG access channel for the presentation of such other programming, the PEG programming shall remain the priority use and the Company's rights with respect to using the channel for non-PEG programming shall be subordinate to the Borough's provision of PEG access programming on such channel.

C. Cablevision shall have discretion to determine the format and method of transmission of the PEG access programming provided for in Section 21 of this Ordinance.

D. In consideration for the rights granted in this Ordinance, the Company shall provide the Borough with a grant in the amount of Thirteen Thousand Dollars (\$13,000.00). Cablevision shall provide an initial grant payment of Four Thousand Dollars (\$4,000.00) within ninety (90) days of the issuance of the Certificate of Approval by the Board of Public Utilities. The remaining grant of Nine Thousand Dollars (\$9,000.00) shall be provided in annual installments of One Thousand Dollars (\$1,000.00) upon written request by the Borough. The Annual Grant may be used by the

Borough for any cable and/or other telecommunications related purpose as the Borough, in its discretion, might deem appropriate. Cablevision shall not be obligated to make any additional payments beyond year ten (10) of the franchise. Notwithstanding the foregoing, should Cablevision apply for a system-wide certification or otherwise convert its municipal consent to a system-wide certification in accordance with applicable law, it shall be relieved of any payments due and owing after the date of such conversion or award of a state-wide franchise. The Borough agrees that all amounts provided pursuant to this Section, shall be used for the exclusive support of PEG access equipment and facilities.

E. The Company shall have no further obligation to provide any PEG grant payments due and payable after the date upon which the Company converts the municipal consent granted herein to a system-wide franchise in accordance with N.J.S.A. 48:5A-25.1.

SECTION 29. REQUEST FOR NON-FRANCHISED COMPETITIVE RELIEF. In the event that a non-franchised multi-channel video programmer provides service to residents of the Borough, the Company shall have a right to request amendments to this Ordinance and any Certificates of Approval that relieve the Company of regulatory burdens that create a competitive disadvantage to the Company. In requesting amendments, the Company shall file with the Board a petition for approval seeking to amend the ordinance. Such petition shall: i) indicate the presence of a non-franchised competitor(s), ii) identify the basis for the Company's belief that certain provisions of the Certificate of Approval place the Company at a competitive disadvantage, and iii) identify the regulatory burdens to be amended or repealed in order to eliminate the competitive disadvantage. The Borough shall not unreasonably object to granting the Company's petition and so amending the franchise ordinance, subject to approval of the petition by the Board of Public Utilities filed hereunder pursuant to N.J.A.C. 14:17-6.7.

SECTION 30. REMOVAL OF FACILITIES. Upon the expiration, termination or revocation of this franchise, the Company, at its sole cost and expense and upon the direction of the Borough, shall remove the cables and appurtenant devices herein, unless the Company, its affiliated entities or assigns, should within six (6) months after such expiration, termination or revocation,

obtain certification from the FCC to operate an Open Video System, or any other federal or state certification to provide telecommunication services. The Company shall seek approval from the Board of Public Utilities prior to dismantling its cable system in the Borough.

SECTION 31. INCORPORATION OF APPLICATION. All of the commitments and statements contained in the Application and any amendment thereto submitted in writing to the Borough by the Company except as modified herein, are binding upon the Company as terms and conditions of this consent. The Application and any other relevant writings submitted by the Company shall be considered a part hereof by reference as long as they do not conflict with state or federal law.

SECTION 32. CONFLICTING PROVISIONS. In the event any portion of the Application or this Ordinance is in conflict with the provisions of the Cable Television Act (N.J.S.A. 48:5A-1, et seq.), the Cable Communications Policy Act and its amendments (47 U.S.C. 521, et seq.), and/or F.C.C. Rules and Regulations (76.1, et seq.), as amended, such portion shall not be construed as effective and shall be severable. The remainder of the Application and/or this Ordinance not so affected shall remain in full force and effect.

SECTION 33. SEVERABILITY. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court or federal or state agency of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

SECTION 34. INCONSISTENT ORDINANCES. Ordinances, resolutions, and regulations or parts of ordinances, resolutions, and regulations inconsistent herewith, are hereby repealed to the extent of such inconsistency.

SECTION 35. EFFECTIVE DATE. This Ordinance shall take effect upon passage and publication according to law and the Company's written acceptance thereof within ten (10) days. If the Company does not accept the terms and conditions hereof, then the actions of the Borough and Company shall be governed by and subject to the provisions of the Act, the regulations related

thereto and the actions of the Board and Office of Cable Television.

ATTEST:

BOROUGH OF KINNELON

Elizabeth M. Sebrowski, Borough Clerk

Robert Collins, Mayor

CERTIFICATION

I, Elizabeth M. Sebrowski, Borough Clerk of the Borough of Kinnelon, County of Morris, State of New Jersey, do hereby certify the foregoing to be a true copy of an Ordinance introduced, read by title and passed on the first reading at a regular meeting of the Borough held on _____, 2010 and adopted by the Governing Body at a regular meeting of the Borough held on _____, 2010.

Elizabeth M. Sebrowski, Borough Clerk

There was no desire to discuss this ordinance, and the Mayor asked the Clerk to call the roll on the passage thereof, and the vote was as follows:

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

WHEREAS, the above ordinance was introduced at this meeting held on July 21, 2011 and read by title, and passed on first reading;

NOW, THEREFORE, BE IT RESOLVED that at the regular meeting to be held on August 18, 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 be and she is hereby directed to publish the proper notice thereof.

Councilman D. O'Dougherty 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;
	R. Mondello, Yes.	

ORDINANCE 11-11 - BOND ORDINANCE APPROPRIATING \$160,000

Councilman D. O'Dougherty introduced the following ordinance and moved the same be read by title and passed on first reading. This was seconded by Councilman S. Cobell.

Thereupon, the ordinance was read by title:

**BOND ORDINANCE APPROPRIATING \$160,000, AND
AUTHORIZING THE ISSUANCE OF \$152,000 BONDS OR
NOTES OF THE BOROUGH, FOR VARIOUS
IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE
UNDERTAKEN BY THE BOROUGH OF KINNELON,
IN THE COUNTY OF MORRIS, NEW JERSEY**

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7/19/11

ORDINANCE # 11-11

BOND ORDINANCE APPROPRIATING \$160,000, AND AUTHORIZING THE ISSUANCE OF \$152,000 BONDS OR NOTES OF THE BOROUGH, FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE BOROUGH OF KINNELON, IN THE COUNTY OF MORRIS, NEW JERSEY.

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:

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized as general improvements to be made or acquired by the Borough of Kinnelon, in the County of Morris, New Jersey. For the said several improvements or purposes stated in said Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriations made for said improvements or purposes, said sum being inclusive of all appropriations heretofore made therefor and amounting in the aggregate to \$160,000 including the aggregate sum of \$8,000 as the several down payments for said improvements or purposes required by law and more particularly described in said Section 3 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.

Section 2. For the financing of said improvements or purposes and to meet the part of said \$160,000 appropriations not provided for by application hereunder of said down payments, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$152,000 pursuant to the Local Bond Law of New Jersey. In anticipation of the

issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Borough in a principal amount not exceeding \$152,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

Section 3. The improvements hereby authorized and the several purposes for the financing of which said obligations are to be issued, the appropriation made for and estimated cost of each such purpose, and the estimated maximum amount of bonds or notes to be issued for each such purpose, are respectively as follows:

<u>IMPROVEMENT OR PURPOSE</u>	<u>APPROPRIATION AND ESTIMATED COST</u>	<u>ESTIMATED MAXIMUM AMOUNT OF BONDS AND NOTES</u>
(a) Acquisition by purchase of new and additional computer equipment for use by the Police Department of the Borough and the Administration Department of the Borough, together with all accessories necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved	\$22,000	\$20,900
(b) Acquisition of new and additional of vehicular equipment for use by the Police Department of the Borough, including without limitation two (2) utility vehicles, together with all attachments, appurtenances and equipment necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved	85,000	80,700
(c) Improvement of municipally-owned facilities and grounds in and by the Borough, including the Department of Public Works facilities by the removal of underground fuel storage tanks, together with all structures, equipment, 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	<u>53,000</u>	<u>50,400</u>
Totals	\$160,000	\$152,000

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the said down payment for said purpose.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) The said purposes described in Section 3 of this bond ordinance are not current expenses and each 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.

(b) The average period of usefulness of said purposes within the limitations of said Local Bond Law and taking into consideration the respective amounts of the said obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 8.59 years.

(c) 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 \$152,000, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) Amounts not exceeding \$22,000 in the aggregate for interest on said obligations, costs of issuing said obligations, engineering costs 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 costs of said improvements and are included in the foregoing estimate thereof.

Section 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note shall mature later than one year from its date. The notes shall 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 N.J.S.A. §40A:2-8. 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.

Section 6. 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.

Section 7. 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 inconsistency 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.

Section 8. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

7/19/11

ORDINANCE # 12-11

ORDINANCE AMENDING A BOND ORDINANCE OF THE BOROUGH OF KINNELON, IN THE COUNTY OF MORRIS, NEW JERSEY, HERETOFORE ADOPTED ON MARCH 17, 2011 (#2-11) RELATING TO THE IMPROVEMENT OF CUTLASS ROAD.

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:

Section 1. The bond ordinance of the Borough of Kinnelon, in the County of Morris, New Jersey, heretofore adopted by the governing body thereof on March 17, 2011 and entitled: "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" (#2-11) is hereby amended to the extent and with the effect that Section 3(a) thereof shall read as follows (revised text is underscored):

"Section 3(a). 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 and all or portions of Woodland Court 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 heretofore and hereby approved."

Section 2. 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 inconsistency 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.

Section 3. This ordinance shall take effect twenty (20) days after the first publication thereof after final passage as provided by the Local Bond Law of New Jersey.

There was no desire to discuss this ordinance, and the Mayor asked the Clerk to call the roll on the passage thereof, and the vote was as follows:

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

WHEREAS, the above ordinance was introduced at this meeting held on July 21, , 2011 and read by title, and passed on first reading;

NOW, THEREFORE, BE IT RESOLVED that at the regular meeting to be held on August 18, 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 be and she is hereby directed to publish the proper notice thereof.

Councilman S. Cobell then offered a motion to adopt the foregoing resolution. This motion was seconded by Councilman D. O'Dougherty.

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;
	R. Mondello, Yes.	

ORDINANCE 12-11 - BOND ORDINANCE AMENDING BOND RELATING TO CUTLASS ROAD

Councilman S. Cobell introduced the following ordinance and moved the same be read by title and passed on first reading. This was seconded by Councilman D. O'Dougherty

Thereupon, the ordinance was read by title:

ORDINANCE AMENDING A BOND ORDINANCE OF THE BOROUGH OF KINNELON, IN THE COUNTY OF MORRIS NEW JERSEY, HERETOFORE ADOPTED ON MARCH 17, 2011 (#2-11) RELATING TO THE IMPROVEMENT OF CUTLASS ROAD.

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There was no desire to discuss this ordinance, and the Mayor asked the Clerk to call the roll on the passage thereof, and the vote was as follows:

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

WHEREAS, the above ordinance was introduced at this meeting held on July 21, , 2011 and read by title, and passed on first reading;

NOW, THEREFORE, BE IT RESOLVED that at the regular meeting to be held on August 18, 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 be and she is hereby directed to publish the proper notice thereof.

Councilman D. O'Dougherty 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;
	R. Mondello, Yes.	

ORDINANCE 13-11 – BOND ORDINANCE PROVIDING FOR IMPROVEMENT OF VARIOUS ROADS

Councilman D. O'Dougherty introduced the following ordinance and moved the same be read by title and passed on first reading. This was seconded by Councilman S. Cobell.

Thereupon, the ordinance was read by title:

ORDINANCE PROVIDING FOR THE IMPROVEMENT OF VARIOUS ROADS IN AND BY THE BOROUGH OF KINNELON, IN THE COUNTY OF MORRIS, NEW JERSEY, AND APPROPRIATING \$175,000 THEREFOR, CONSTITUTING PROCEEDS OF BOND ANTICIPATION NOTES OF THE BOROUGH HERETOFORE ISSUED.

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7/19/11

ORDINANCE # 13-11

ORDINANCE PROVIDING FOR THE IMPROVEMENT OF VARIOUS ROADS IN AND BY THE BOROUGH OF KINNELON, IN THE COUNTY OF MORRIS, NEW JERSEY, AND APPROPRIATING \$175,000 THEREFOR, CONSTITUTING PROCEEDS OF BOND ANTICIPATION NOTES OF THE BOROUGH HERETOFORE ISSUED.

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF KINNELON, IN THE COUNTY OF MORRIS, NEW JERSEY, AS FOLLOWS:

Section 1. The improvement described in Section 2 of this ordinance has heretofore been and is hereby authorized to be made or acquired by the Borough of Kinnelon, New Jersey, as a general improvement, and there is hereby appropriated therefor the sum of \$175,000, said sum constituting proceeds of bond anticipation notes of the Borough heretofore issued and not necessary for financing the purposes for which issued and now available for financing the said improvement or purpose.

Section 2. The improvement or purpose for the financing of which the appropriation is made as provided in Section 1 of this ordinance is the improvement of various roads in and by the Borough, including Miller Road, Pheasant Run, Carl Place, Siek Road, Alpine Drive and Whitty Road, by the construction or reconstruction therein of roadway pavements, at least equal in useful life or durability to a roadway pavement of Class B reconstruction (as such term is used or referred to in section 40A:2-22 of said Local Bond Law), including the construction or reconstruction of curbs, walkways and sidewalks, the reconstruction and installation of pedestrian safety improvements and the installation of lighting, signage and other structures, together with all drainage facilities, landscaping, 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 heretofore and heretofore and hereby approved.

Section 3. It is the opinion of the Borough Council of the Borough, as the governing body thereof, that it is in the best interest of the Borough that \$175,000 constituting proceeds of bond anticipation notes of the Borough heretofore issued under Ordinance Nos. 9-08 (\$70,000) and 12-10 (\$105,000) shall be appropriated to and used to finance costs, including incidental expenses, of the improvement or purpose above described in Section 2 of this ordinance.

Section 4. 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 inconsistency 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.

Section 5. This ordinance shall take effect after final passage as provided by law.

There was no desire to discuss this ordinance, and the Mayor asked the Clerk to call the roll on the passage thereof, and the vote was as follows:

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

WHEREAS, the above ordinance was introduced at this meeting held on July 21, 2011 and read by title, and passed on first reading;

NOW, THEREFORE, BE IT RESOLVED that at the regular meeting to be held on August 18, 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 be and she is hereby directed to publish the proper notice thereof.

Councilman D. O'Dougherty 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;
	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 A. SanFilippo, second by Councilman S. Cobell, followed by the "yes" roll call vote of all Council Members present, the resignation of Cathryn Bissell from the Kinnelon Public Library Board was approved with the Mayor and Council's regrets.

TAX COLLECTOR'S REPORT

During the month of June the Tax Collector's Report indicates we collected \$202,731.83 in taxes.

INVESTMENT OFFICER

A total of \$1,090.42 was collected in interest for the month of June, 2011.

Prior going into closed session, Mayor Collins thanked the governing body for their spirit of cooperation in working together over the last seven months since he took office.

RESOLUTION TO GO INTO EXECUTIVE SESSION:

At 9:45 p.m. Councilman R. Mondello offered the following motion to go into closed session. This motion was seconded by Councilman A. SanFilippo followed by the "yes" roll call vote of all Council Members present.

WHEREAS, the Open Public Meetings Act, P.L. 1975, 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; and

WHEREAS, the Governing Body wishes to discuss;

Collective Bargaining

Minutes will be kept and once the matter involving the confidentiality of the above no longer requires that confidentiality, then the minutes can be made public.

NOW THEREFORE BE IT RESOLVED that the public be excluded from this meeting.

MOTION: Councilman A. SanFilippo

SECOND: Councilman R. Mondello

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

At 9:50 p.m. the governing body went back into open session.

ADJOURNMENT

This meeting adjourned at approximately 10:00 p.m. on motion by Councilman R. Mondello and seconded by Councilman A. SanFilippo 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