

MEETING TO ORDER

The regular meeting of the Kinnelon Borough governing body was called to order by Mayor Robert W. Collins at 8:00 p.m., on Thursday September 15, 2011 in the Kinnelon Municipal Building.

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

Mayor Collins asked for a moment of silence in honor of our troops serving overseas.

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

TREASURER'S REPORT

The Treasurer's Report indicates we started out with cash on hand as of August 1, 2011 in the amount of \$119,820.41. Receipts for the month of August totaled \$5,521,432.78, with disbursements amounting to \$4,336,777.64. The new balance on hand August 31, 2011 was \$1,304,475.55 and has been reconciled with various bank balances.

MAYOR'S REPORT

Mayor Collins announced the borough held its Day of Remembrance on September 11th at which time we remembered those we lost on that day ten years ago. We also dedicated our steel artifact which is located in the lobby. He invited anyone who had not seen it to notice it on their way out. He stated the plaque reads "Forever in our hearts, souls and Minds" and mentioned both the cabinet and the plaque were donated by Kinnelon residents.

The Mayor reported on the recent hurricane Irene and said he was proud of our volunteer fire, police and OEM members. He said residents checked on their neighbors and people who called about electrical outages called back to let us know when it came back on. Everyone pulled together to help. He was exceptionally proud of the work the DPW achieved in constructing a roadway, Forge Road, which was washed out and had stranded residents on the other side of the road. Within forty eight hours the temporary road was constructed.

Mayor Collins said Kinnelon Road, which is a County road, is another story. He has reached out to state and county agencies asking them to prioritize the repair as this is a very important commuter transportation artery. The county has assured him they are taking emergency steps for the repair, but it will still take several weeks. The Mayor said we do have a lot of people pulling for us.

There was an emergency meeting held by the council at which the scheduling of an extra bulk pick up was discussed. Unfortunately, the Mayor said there are no available containers because of the disasters in other nearby municipalities. He did announce our regular curbside bulk pick up is in several weeks.

Mayor Collins noted the Anti-bullying Proclamation on the agenda which supports the efforts of the Board of Education in this worthwhile problem. Mr. Collins stated Councilman Moleta has spoken nationally on this subject and is providing assistance to the Board of Education in this matter.

The Mayor said he will be recommending the indefinite postponement of the Underage Drinking Ordinance. A small committee of residents will be formed to independently research underage drinking ordinance and advise the Mayor and Council of their findings. There will be a firm date set for further consideration of the ordinance once that committee is set up.

Mayor Collins stated the firehouse will be discussed later as well as authorizing the Chief of Police to hire a new police officer. He explained this is would not be an additional officer, but rather, a replacement for an officer who retired quite a while ago.

The Mayor stated that the borough does not have an Administrator referred to the item on the Consent Agenda regarding the Request for Proposals for a Consultant for those purposes. In the meantime, he took credit for choosing Council Liaisons that take the time to achieve the work which would normally be done by that office.

Mayor Collins also extended his condolences for the passing of former Firefighter, Joe Pavlak and said he was a fine firefighter and will be sorely missed. He asked Joe's son, Keith to pass the condolences to his family.

RECREATION & ORDINANCE

Chairman James Freda reported he has identified a grant available from the major league baseball. He intends to apply for repairs to the Boonton Avenue field. Mr. Freda stated the recreation commission has added several new programs, one being zumba which will be held at the Kiel School for adults. There will also be a junior Colts academy for junior kindergarten and

kindergarten children for basketball, hockey, and baseball in the gymnasium. They are also looking into other kindergarten activities such as pottery and ceramics, junior chefs and pretty princess parties. Volleyball is another sport Mr. Freda said the commission is looking to add if they can identify somewhere to hold it.

Councilman Freda said K-Fest is coming to town. This will be a country fair type of event for the whole town at Lake Rickabear on October 2nd from noon to 6 p.m. It is sponsored by KAMELOT. Jim also thanked Olga Gilhooley, Kathy Barino and Roberta Lane for their effort on this behalf. He asked everyone to go to kinnelonday.org to register.

PUBLIC WORKS & UTILITIES

Chairman Daniel O'Dougherty reported the DPW has completed the line painting prior to the winter. They have removed several large trees and are in the process of cleaning up after Hurricane Irene. There were several berms damaged from the storm.

Reporting on Sheeprock Road, Mr. O'Dougherty said it was decided to hold off on proceeding with the project survey until further information could be gathered. The engineer may be able to apply for grant money for next year.

COORDINATING

Chairman Gary Moleta reported he received a frantic call while on a cruise during the hurricane from a resident who had a power outage problem. When he finally contacted her, she reiterated how the borough employees went out of their way to help her. She wanted to let the borough employees know how she appreciated their assistance in her time of need. Mr. Moleta appreciated her letting him know and told her that is what we pay taxes for. He thanked everyone who helped during the storm.

One young resident sent out an email which went viral and filled the food pantry quickly. There was a great need for the pantry during the storm and no one was turned away. Mr. Moleta reported on the back pack program which the Board of Health provides for the school children. He commended the department for doing such a good job for our residents.

Mr. Moleta said he was in contact with Mr. Opekiun at the school. He gave kudos to the school system in their involvement with the Anti Bullying program. Councilman Moleta discussed the change in hours for the high school track. He directed everyone to the school's website regarding this matter.

Councilman Moleta said he had a meeting with Councilman O'Dougherty regarding our phone services.

Mr. Moleta also congratulated the Historical Commission for the work they have been accomplishing.

Mr. Moleta referred to several letters he received regarding Officer Patalita in several instances. He said he is proud of all of our police officers.

Lastly, Mr. Moleta thanked the Optimists Club for their donation of \$750 to the Kinnelon Food Pantry.

FOOD PANTRY COMMENTS

Mayor Collins asked anyone who may have extra money or food to donate to the Food Pantry. He also said the Kinnelon Football League is asking for donations at their upcoming football games. Mr. SanFilippo added that K-Fest will have a drop off station for food donations. Councilman O'Dougherty added that on October 1st the Knights of Columbus and Our Lady of the Magnificat are also collecting food at Pathmark for the Food Pantry and the Father English Center in Paterson which is also in desperate need also.

FINANCE & OPEN SPACE

Chairman Stephen Cobell reported the borough received an analysis of tax lien properties from the Land Conservancy. The Open Space Committee will be going over the properties with the comments and suggestions from the Land Conservancy to see if there can be a borough purpose. The Open Space Advisory Committee is running a tour of the properties for public officials as a step in the update of our Open Space Plan.

As Finance Chairman, Mr. Cobell reported the 2012 budget packages have been distributed to the departments. This year the Finance Committee is also asking for a five year capital requirement projection as well. With the fiscal restraints as they are we will be budgeting on a five year basis.

Mr. Cobell reported our CFO, Norman Eckstein, has submitted an application for FEMA funding for our hurricane related expenses.

PUBLIC SAFETY

Chairman Andrew SanFilippo reported the OEM, Adam Barish, Police, Fire and Triboro First Aid did a wonderful job during the storm. He thanked Mr. Barish for setting up a CERT response team to answer the phones thereby relieving the police phones for emergencies.

Mr. SanFilippo reported the Police Department reports for the month of August there were 2466 calls for service, eleven adult arrests, zero juvenile,

three controlled dangerous substance and three DWI's. One hundred twenty nine summonses were issued in August.

PERSONNEL

Chairman Ronald Mondello stated the Mayor and Council are still in negotiations with the new union.

The Mayor added that he reached out to the Morris County Community Development to inquire about extending the Block Grant we received for \$80,000 towards the Company #2 Firehouse.

HEARING FROM THE PUBLIC

The Mayor then opened the meeting to anyone from the public who wished to be heard.

Rob Von Schalscha, 8 Magdalena, asked if the boro has a master plan with regard to field usage. Mayor said there is a Master Plan with a recreation element within it. There is also an Open Space Tax for active and passive recreation. However, the mayor pointed out the Kinnelon is essentially "rock" which makes it difficult to find property such as that. The second issue is the borough has a lot of wetlands. Mayor Collins stated we do not own the Boonton Avenue field, but rent it from the Town of Boonton. We are always evaluating properties which could be obtained for recreational use. A number of years we built the Kinnelon Recreation Park, but the fields are over used. Just to clarify, Rob asked if the town would be interested in adding a community park with a walking or running facility on the thirty acres behind the Municipal Building. It could have exercise and fitness areas and could be funded through grants.

Councilman Freda said he is in the process of trying to deal with the Highlands about trying to put turf on that field. He said it is a very difficult entity to deal with. There is a trout field back there. Everything we try to do is stopped because of the highlands. He said it is frustrating. Until we get the Highlands onboard we can't do it. Every effort is being done up here to acquire fields, but it gets shot down.

Councilman O'Dougherty said maybe it will take the media getting involved. We still have not received our exemption for the DPW garage. He added the Board of Education needs no exemptions.

Councilman Freda added that no approval for the turf field was voted on by the council. Mr. Freda informed Mr. Schalscha of the bus tour which will be visiting different properties around the borough this Saturday.

Mayor Collins said the Borough's Master Plan is for both active and passive recreation. We are currently revising the Open Space Plan.

Paul Giachino, 15 Forge Road, thanked the town for the response received during the hurricane. He especially thanked John Whitehead and said he met the Mayor during the storm. As a new resident he observed he can see the Police Department is pro-active. Mayor Collins thanked him for his comments.

Adam Barish, Assistant OEM Coordinator and Assistant Fire Chief, 51 Hoot Owl Terrace thanked the governing body, for their support during the storm. He also thanked the Fire Company and CERT Team who assisted him during the storm as Jane Johnson, Dick and Dee Unger and Lauren Coombs. He reported the Fire Company responded for about seventy two hours pumping basements with as little as one inch to many feet of water. Mayor Collins said the pre-planning that went into effect for the storm was incredible and the CERT team handled the overflow from the dispatchers in such a professional, caring fashion. The Mayor said a critical analysis was done the week after the storm. It was critical, but at the end of the day everyone got very high marks for their efforts. Chief Barish added that the Police, DPW and Fire Company all worked together to handle what had to be done.

Alex Merlucci, asked if there were any questions on the firehouse issue. Councilman O'Dougherty said he had said he would contact some contractors for some bids for the firehouse steel beams. He got one bid in from Durobeam for \$60,000 and another for \$18,000 for the erection of the steel. Mr. O'Dougherty stated the engineer sent the plans to several contractors and he discussed the results received back. Mr. O'Dougherty explained all the options available and said he believes we could come in for a lower price with those options. He suggested rejecting the bids and rebidding as a steel building. He asked the council not to go out for more bonding. Mr. Merlucci asked if the bids received included the rest of the structure. Councilman O'Dougherty said it did not, but he feels there could be a savings doing it this way. Mr. Merlucci warned that you are not comparing apples to apples. The structure that was designed and bid on includes the needs of the fire company. For the council to take action tonight on oral bids received over bids in writing which take into account the entire building would be a mistake. Mr. Merlucci also reminded the council there is a time restraint with the award and the block grant.

Councilman Cobell added to Mr. O'Dougherty's comments to Mr. Merlucci saying all the other specifications would be the same as the original bid. It would just be bid out as a steel building.

Mr. Merlucci said he feels that this process doesn't seem to be the appropriate process. The initial investment, initial cost and the life cycle of the building and its components should be considered. He also commented that a prefabricated building in the residential zone may not be appropriate.

Terry Stagg, 2nd Assistant Chief, 88 Fayson Lakes Road, said this project has been going on for years. They have looked and spoken to people with steel buildings. Comments made by those who have steel buildings recommend the masonry block be extended higher because of insulation problems. Chief Stagg also said he doubts the figures given to Councilman O'Dougherty couldn't possibly include prevailing wages, which is required. He also said he is uncomfortable with how the specifications were sent out bypassing the bid process. If they had wanted to bid the project originally they could have. He also reiterated what Mr. Merlucci said about the concern about losing the grant opportunity for the project.

Councilman Freda asked what the rush is. Mr. Merlucci said there are major problems with some of the apparatus caused from the firehouse. There is severe rusting on one of the trucks. Mr. Merlucci also said Mr. Darmofalski recommended that we award the contract to Liam Construction. He asked who would pay to change the specs and the cost to go out for bids. Mr. Cobell said he would like the engineer to review what was received by Mr. O'Dougherty.

Councilman SanFilippo added he has some real worry about how a company can get a bid package that has already been opened and bid and come back and say they can do it for less? He said what we have to do is look at this quickly and asked we have a special meeting.

The Mayor stated the contractors who bid on this project cannot bid on other projects until we have either awarded or rejected the current bids. In concert with that we have the outstanding grant. He stated he has an obligation to advise the County that we may be going back out for bids that the project will not begin when stated and that we would need an extension from them. He also said he is uncomfortable with securing a quote or bid after the opening of bids and before an award is made. He stated the bid laws in New Jersey are very specific. The Mayor said he reached out for guidance and advice from our attorney. The attorney assured him that this is considered "due diligence" and he said he will take his word on that.

Councilman SanFilippo asked for clarification on what Councilman O'Dougherty did when he asked for a price of the material delivered to the site without the site work, etc.

Chief Jim Bosch explained a five year plan was discussed with the council quite a few years ago. A committee of the fire company asked many questions of companies with all types of structures prior to the architect's plans. Mayor Collins acknowledged the borough is trying to do a thorough investigation before committing borough funds. Chief Stagg said the Fire Committee designed the building to get the biggest bang for the buck. If new bids are advertised, it will take a lot of time.

Mayor Collins clarified that it was twelve years ago this was proposed to the council under Chief Apeldoorn.

Margaret Zybrick, 20 Dogwood Trail, wanted to discuss the underage drinking ordinance. She said she was appreciative that the council tabled it for now. Although she does not support the ordinance she does not condone underage drinking. As a parent, her concern is to do right by the kids and doesn't think punitive action is the right way to go. Kids are kids and if they make a mistake, she would like them to learn from it, not be browbeaten by it. She agreed there should be a committee and said she would like to serve on it. Mrs. Zybrick related a story of a town (unnamed) where police officers stopped children pulling out of the high school parking lot who did not have their seatbelts fastened and gave them booklets on the hazards rather than citations. It showed the students they cared. That type of approach is what she feels should be done here.

Councilman Moleta advised Mrs. Zybrick that this is about changing behavior through education, accountability and through consequences which has shown to have a dramatic change in behavior.

Councilman Mondello said the state has set forth what should be in the ordinance if a municipality wants to adopt an ordinance. He feels that is unfair of the state. He also said he feels parents know best. If the borough tries to adopt its own ordinance the state will deem it unconstitutional.

Councilman SanFilippo added by adopting this ordinance, he thinks we are risking people's criticism. When underage kids drink, they are breaking the law. He said he originally wanted community service for the underage kids – where their friends would see them. He also would recommend they go to a detoxification center to see what it is like when you are hooked. He said everyone here knows someone who didn't make it from an alcohol related death. Mr. SanFilippo said getting involved with the police as a council member has educated him. He knows now the cops are trying to protect our kids and trying to get them on the right path. He doesn't think a \$250 fine is proper. Education, community service, teaching the kids that this behavior is not the right thing to do is what will help. He charged this council and the community to come up with the right solution. After the second time a child gets in trouble he should be educated.

Norm Dotti, 177 Summit Terrace South, related a story about his son and concluded that sometimes it is better for the child to have consequences at the time they make a mistake because it makes them into a better person. If there are no consequences, they won't change.

Mr. Dotti also stated he has been involved with the fire company for thirty one years and was intimately involved with the construction of the company 3 firehouse. He thanked the governing body for their support of the

fire company and reminded them that if we had to have a paid fire department the cost would be tremendous. He stated this project will well serve the community.

Avery Hart, 5 Cherry Tree Lane, offered brief thoughts on the underage ord. She was the mother of two adolescent boys and she knows many underage children have a drink. As a social worker and therapist she pointed out that the police need effective tools to help the few families whose children have serious problems and are dealing with this underage drinking issue. Anything that can be done to prevent a life-long drinking problem can help. This would be an appropriate tool for the intervention they need. She offered we need to trust our police to handle it appropriately. Education and intervention is vital. She stated the earlier the intervention the wiser the community.

No one else wished to speak at this time and the Mayor then closed the meeting with the comment that when looking at other towns whose meetings are televised, it points out that Kinnelon is exceptional in that there is no screaming and our meetings and that it is held in a polite manner. He added that former Mayor Sisco would always offer to have someone speak at a meeting when they came in late; stating that they had taken their time to come out and they should be heard.

CONSENT AGENDA:

A motion was offered by Councilman SanFilippo and seconded by Councilman O'Dougherty, the following motions and resolutions were offered for approval:

WHEREAS, the Borough Council of the Borough of Kinnelon has reviewed the Special Consent Agenda consisting of various proposed Resolutions and Motions, and

WHEREAS, the Council Members of the Borough of Kinnelon do not desire to remove any items from the Agenda,

NOW, THEREFORE, BE IT RESOLVED, that the following Resolutions and Motions are hereby approved:

A. PAYMENT OF BILLS AS SUBMITTED BY THE TREASURER

RESOLVED that the bills as listed and presented by the Treasurer, approved by the Finance Committee and shown on pages of these minutes, be authorized for payment:

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09/14/11
11:34:24

NO. 496

BOROUGH OF KINNELON
Check Register By Check Date

SEPTEMBER 15, 2011 Page No: 1

Range of Checking Accts: First to Last Range of Check Dates: 08/19/11 to 09/15/11
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 Payab			
7450	08/30/11	STI03 JENNIFER STILLMAN - TREASURER	195.55		4254
7451	09/01/11	TRI13 TRI COUNTY YOUTH FOOTBALL LEAG	660.00	09/06/11 VOID	4255
7452	09/09/11	MOR53 MORRIS COUNTY SOIL	1,025.00		4258
7453	09/15/11	AC A.C. DAUGHTRY INC.	401.21		4261
7454	09/15/11	AC001 ACORN PEST CONTROL	250.00		4261
7455	09/15/11	ACC04 ACC BUSINESS	336.01		4261
7456	09/15/11	AIR03 AIR GROUP	717.60		4261
7457	09/15/11	ALL04 ALLIED OIL COMPANY	4,660.34		4261
7458	09/15/11	ALL14 All Sports America	166.20		4261
7459	09/15/11	ARI01 ARISTOCRAT LIMOUSINE & BUS CO.	1,300.00		4261
7460	09/15/11	ARM01 JEANNE ARMSTRONG	900.00		4261
7461	09/15/11	ASCAP ASCAP	158.50		4261
7462	09/15/11	BAL07 RICHARD BALDI	350.00		4261
7463	09/15/11	BOO01 BOONTON ELECTRIC SUPPLY CORP.	74.57		4261
7464	09/15/11	BOO03 BOONTON TOWNSHIP	7,455.00		4261
7465	09/15/11	BOR11 BOROUGH OF BLOOMINGDALE	5,601.50		4261
7466	09/15/11	BOR12 BOROUGH OF KINNELON	68,000.00		4261
7467	09/15/11	BOR13 BOROUGH OF KINNELON	60,000.00		4261
7468	09/15/11	BOR14 BOROUGH OF KINNELON	81,582.23		4261
7469	09/15/11	BOR15 BOROUGH OF KINNELON	70,000.00		4261
7470	09/15/11	BOR16 BOROUGH OF KINNELON	35,000.00		4261
7471	09/15/11	BR01 B&R UNIFORMS	180.85		4261
7472	09/15/11	BUS01 BUSINESS GRAPHICS	154.00		4261
7473	09/15/11	CAB01 CABLEVISION	149.80		4261
7474	09/15/11	CER01 CERTIFIED SPEEDOMETER SERVICE	144.00		4261
7475	09/15/11	CIF02 NICHOLAS CIFELLI	100.00		4261
7476	09/15/11	CIT03 CIT-E-NET	3,300.00		4261
7477	09/15/11	COO03 COOPERATIVE COMMUNICATIONS INC	2,218.14		4261
7478	09/15/11	COT02 MARILEE COTRELL	48.00	09/15/11 VOID	4261
7479	09/15/11	COU12 COUNTY OF MORRIS, TREASURER	3,879.02		4261
7480	09/15/11	D2L D2L ASSOCIATES, INC.	10,310.81		4261
7481	09/15/11	DAR01 DARMOFALSKI ENGINEERING ASSOC.	3,795.00	09/15/11 VOID	4261
7482	09/15/11	DEE01 DEER PARK SPRING WATER	60.77		4261
7483	09/15/11	DEL08 DELTA DENTAL OF NEW JERSEY INC	3,899.69		4261
7484	09/15/11	DEL16 DE LAGE LANDEN	195.57		4261
7485	09/15/11	DEP05 DEPOSITORY TRUST- JP MORGAN	113,993.75	09/15/11 VOID	4261
7486	09/15/11	DRA02 DRAEGER SAFETY DIAGNOSTICS, INC	366.95		4261
7487	09/15/11	EDM01 EDMUNDS AND ASSOCIATES	1,136.10		4261
7488	09/15/11	ELE03 ELECTRO BATTERY SYSTEMS INC.	8.75		4261
7489	09/15/11	EME02 EMERGENCY MEDICAL PRODUCTS INC	113.29		4261
7490	09/15/11	ETD01 ETD DISCOUNT TIRE CENTERS, INC	586.50		4261
7491	09/15/11	FED01 FED-EX	53.15		4261
7492	09/15/11	FIC01 PATRICIA FICHTNER	100.00		4261
7493	09/15/11	FIN01 JOHN FINKLE	81.42		4261
7494	09/15/11	FIN04 FINCH FUEL OIL CO. INC.	3,766.01		4261
7495	09/15/11	FOR04 FORD MOTOR CREDIT COMPANY	1,495.85		4261
7496	09/15/11	FOR06 DAVID FORMAN	72.00	09/15/11 VOID	4261
7497	09/15/11	GEN03 GENERAL CODE PUBLISHERS CORP.	409.62		4261
7498	09/15/11	GIR01 GIRLS KLAX	3,000.00		4261

9/14/11
1:34:24

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void Ref Number
7499	09/15/11	GRE09 GREEN STAR INDUSTRIAL SUPPLY	708.00	4261
7500	09/15/11	GTB01 G.T.B.M. INC.	1,575.00	4261
7501	09/15/11	HOM02 HOME DEPOT CREDIT SERVICE	338.24	4261
7502	09/15/11	HOR04 Horizon Office Equipment	232.00	4261
7503	09/15/11	IND02 INDIAN SPRING \CULLIGAN WATER	44.00	4261
7504	09/15/11	ING02 INGLESE ARCHITECTURE &	1,275.31	4261
7505	09/15/11	JER03 JERSEY PAPER PLUS	67.28	4261
7506	09/15/11	KEN02 JAMES P. KENAH	140.00	4261
7507	09/15/11	KIN05 KINNELON PUBLIC LIBRARY	5,947.06	4261
7508	09/15/11	KIN08 KINNELON VOLUNTEER FIRE CO.	4,000.00	4261
7509	09/15/11	KIN09 KINNELON BOARD OF EDUCATION	5,522,790.00	4261
7510	09/15/11	KOS01 KOSCO HARLEY-DAVIDSON	50.00	4261
7511	09/15/11	LAK04 Lakeland Septic Co., Inc.	330.00	4261
7512	09/15/11	LIF02 LIFESAVERS, INC.	1,181.25	4261
7513	09/15/11	MAD03 LAW OFFICE OF MARK D. MADAIO	4,172.00	4261
7514	09/15/11	MB02 M&B TRUCKING INC.	2,080.00	4261
7515	09/15/11	MCI02 MCI COMM SERVICE	12.33	4261
7516	09/15/11	MED01 MEDICAL ASSOCIATES OF NJ P.A.	575.00	4261
7517	09/15/11	MIA01 MIAMIS SYSTEMS CORPORATION	742.50	4261
7518	09/15/11	MIC02 MICRO SYSTEMS-NJ	27.00	4261
7519	09/15/11	MJG01 MJG Promotions	384.00	4261
7520	09/15/11	MOB01 L-3 COM MOBILE VISION INC	90.00	4261
7521	09/15/11	MON11 MONMOUTH COUNTY POLICE ACADEMY	25.00	4261
7522	09/15/11	MOR08 MORRIS COUNTY FIRE FIGHTERS &	170.00	4261
7523	09/15/11	MOR21 MORRIS COUNTY M.U.A.	27,402.88	4261
7524	09/15/11	MOR42 THE LAND CONSERVANCY OF NJ	9,750.00	4261
7525	09/15/11	NOR02 NORTH JERSEY NEWSPAPER	183.46	4261
7526	09/15/11	OCC01 CHILTON OCCUPATIONAL HLTH CTR	375.00	4261
7527	09/15/11	OD02 DAN O'DOUGHERTY	4,000.00	4261
7528	09/15/11	ONE02 One Call Concepts, INC.	56.00	4261
7529	09/15/11	OXF01 OXFORD HEALTH PLANS	74,869.60	4261
7530	09/15/11	PAP01 PAPER MART, INCORPORATED	609.30	4261
7531	09/15/11	PEN04 Penn Jersey Machinery, LLC	184.61	4261
7532	09/15/11	PIT06 PITNEY BOWES- RESERVE ACCOUNT	1,400.00	4261
7533	09/15/11	POM03 POM EXPRESS	166.00	4261
7534	09/15/11	PRB01 P.R.B.R.S.A.	81,694.00	4261
7535	09/15/11	PRI06 PRIME UNIFORM SUPPLY, INC	337.52	4261
7536	09/15/11	PSE01 P.S.E. & G.	27.85	4261
7537	09/15/11	REL04 CHRISTINE RELOVSKY	200.00	4261
7538	09/15/11	RIC06 RICCIARDI BROTHERS INC	1,949.20	4261
7539	09/15/11	RID03 RIDGEWOOD PRESS	91.25	4261
7540	09/15/11	RIV03 RIVERDALE POWER MOWER INC.	156.00	4261
7541	09/15/11	ROU01 ROUTE 23 AUTO MALL	6,773.86	4261
7542	09/15/11	ROY01 ROYAL COMMUNICATIONS INC.	623.77	4261
7543	09/15/11	RUT15 Rutgers, The State University	509.00	4261
7544	09/15/11	SIR02 SIRCHIE FINGER PRINT	131.90	4261
7545	09/15/11	SKY02 SKYLANDS AREA FIRE EQUIPMENT	145.77	4261
7546	09/15/11	SMA01 SMART STOP STATE RT 23	262.00	4261
7547	09/15/11	SMO01 SMOKE RISE CLUB	1,345.19	4261
7548	09/15/11	SPA04 SPARCTECH SOLUTIONS LLC	2,674.75	4261
7549	09/15/11	SPO05 SPOT-A-WAY	225.00	4261
7550	09/15/11	SS01 S AND S	688.50	4261
7551	09/15/11	STA22 STADIUM SYSTEM	2,695.00	4261
7552	09/15/11	STI01 STICKEL,KOENIG & SULLIVAN	1,200.00	4261

09/14/11
1:34:24

NO. 498

BOROUGH OF KINNELON
Check Register By Check Date

SEPTEMBER 15, 2011 page No: 3

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Number
7553	09/15/11	STO01 STORR TRACTOR COMPANY	3,381.95		4261
7554	09/15/11	TIL01 TILCON NEW YORK INC.	770.76		4261
7555	09/15/11	TRA04 JULIE TRAPANESE	200.00		4261
7556	09/15/11	TRI13 TRI COUNTY YOUTH FOOTBALL LEAG	7,300.00		4261
7557	09/15/11	TUR01 TURN-OUT FIRE AND SAFETY	458.93		4261
7558	09/15/11	UNI06 UNIVERSAL UNIFORMS	537.70		4261
7559	09/15/11	VER01 VERIZON	36.59		4261
7560	09/15/11	VER06 VERIZON WIRELESS	427.10		4261
7561	09/15/11	VFI01 VFIS BENEFITS DIVISION	749.95		4261
7562	09/15/11	WBM01 W.B. MASON COMPANY INC.	90.02		4261
7563	09/15/11	WHR01 PETER WHRITENOUR ELECTRIC CO.	1,105.00		4261
7564	09/15/11	XTR01 XTREME GRAPHICS LLC	1,175.00		4261
7565	09/15/11	COT02 MARILEE COTRELL	48.00		4263
7566	09/15/11	DAR01 DARMOFALSKI ENGINEERING ASSOC.	3,795.00	09/15/11 VOID	4263
7567	09/15/11	FIN04 FINCH FUEL OIL CO. INC.	3,703.31		4263
7568	09/15/11	FOR06 DAVID FORMAN	72.00		4263
7569	09/15/11	STA02 STAPLES CREDIT PLAN	166.46		4263
7570	09/15/11	VMA VM ASSOCIATES INC	18,700.00		4263
7571	09/15/11	VMA01 VM ASSOCIATES, INC.	2,250.00		4263
7572	09/15/11	DAR01 DARMOFALSKI ENGINEERING ASSOC.	3,795.00		4264

Checking Account Totals	Paid	Void	Amount Void	Amount Paid
Checks:	117	6	122,363.75	6,186,535.15
Direct Deposit:	0	0	0.00	0.00
Total:	117	6	122,363.75	6,186,535.15

PLANNING 2 Columbia Bank
 1553 09/15/11 DAR01 DARMOFALSKI ENGINEERING ASSOC. 4,078.00 4262

Checking Account Totals	Paid	Void	Amount Void	Amount Paid
Checks:	1	0	0.00	4,078.00
Direct Deposit:	0	0	0.00	0.00
Total:	1	0	0.00	4,078.00

WIRES WIRES
 1504 09/06/11 BOR02 BOROUGH OF KINNELON 238.77 4257
 15030 09/06/11 BOR02 BOROUGH OF KINNELON 170,040.01 4256
 1523 09/12/11 BOR02 BOROUGH OF KINNELON 176,548.99 4259
 1524 09/12/11 BOR02 BOROUGH OF KINNELON 53.28 4260

Checking Account Totals	Paid	Void	Amount Void	Amount Paid
Checks:	4	0	0.00	346,881.05
Direct Deposit:	0	0	0.00	0.00
Total:	4	0	0.00	346,881.05

Report Totals	Paid	Void	Amount Void	Amount Paid
Checks:	122	6	122,363.75	6,537,494.20

09/14/11
1:34:24

NO. 499

BOROUGH OF KINNELON
Check Register By Check Date

SEPTEMBER 15, 2011 Page No: 4

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void Ref Number
		Direct Deposit:	0	0
			<u>0.00</u>	<u>0.00</u>
		Total:	122	6
			<u>122,363.75</u>	<u>6,537,494.20</u>

09/14/11
1:34:24

NO. 500

BOROUGH OF KINNELON
Check Register By Check Date

SEPTEMBER 15, 2011 Page No: 5

Fund Description	Fund	Budget Total	Revenue Total
CURRENT FUND APPROPRIATIONS	0-01	20,447.06	0.00
WATER FUND	0-05	3,515.60	0.00
SEWER FUND	0-07	2,250.00	0.00
Year Total:		26,212.66	0.00
CURRENT FUND APPROPRIATIONS	1-01	6,276,531.87	0.00
WATER FUND	1-05	16,527.51	0.00
SEWER FUND	1-07	118,312.34	0.00
Year Total:		6,411,371.72	0.00
	C-04	56,695.31	0.00
DOG TAX	D-13	100.00	0.00
STATE AND FEDERAL GRANTS	G-02	4,089.95	0.00
	J-19	4,000.00	0.00
RECREATION SPECIAL	R-16	18,390.63	0.00
	T-23	2,130.95	0.00
	V-27	9,965.37	0.00
RECYCLE FUND	Y-21	459.61	0.00
Total of All Funds:		6,533,416.20	0.00

09/14/11
1:34:24

NO. 501

BOROUGH OF KINNELON
Check Register By Check Date

SEPTEMBER 15, 2011
Page No: 6

Project Description	Project No.	Project Total
6 Hemlock Verblauw	11201	115.00
10 Andrew Ln 3000814 Giordano	3000814	230.00
14 FELKAY COURT	3000822	115.00
156 SOUTH GLEN- BASCOM	300150	805.00
GABEL- 43 DANIEL LANE	46114	1,203.00
174 KinneLon Road	784	575.00
Karen D'Amico/17 Ledgewood/785	785	575.00
Wesoly/94 Saw Mill Road	88-45-03	345.00
COHEN 11 THORNWOOD DRIVE	883007	115.00
Total of All Projects:		<u>4,078.00</u>

- B. APPROVAL OF JULY 21 M&C MINUTES
- C. RESOLUTION: 9.03.11 – AWARD OF CONTRACT UNDER EMERGENCY CIRCUMSTANCES – FORGE ROAD – FITZPATRICK (NOT TO EXCEED \$35,000) (ATTACHED)
- *D. RESOLUTION: 9.04.11 –AUTHORIZE MAYOR TO SIGN APPLICATION FOR DISCRETIONARY AID FOR FORGE ROAD REPAIR (ATTACHED) This Resolution was discussed separately after the Consent Agenda.
- E. RESOLUTION: 9.05.11 – CHAPTER 159-DRUNK DRIVING ENFORCEMENT FUNDS \$4,288.08 (ATTACHED)
- F. RESOLUTION: 9.06.11 – AUTHORIZE BOROUGH TO RENEW MORRIS COUNTY COOPERATIVE PURCHASING AGREEMENT (ATTACHED)
- G. RESOLUTION: 9.07.11 – AMENDING AWARD OF CONTRACT BUZAK LAW GROUP (NOT TO EXCEED \$35,000) (ATTACHED)
- H. RESOLUTION: 9.08.11 – AUTHORIZE CLERK TO ADVERTISE FOR RFP'S FOR CONSULTING SERVICES (ATTACHED)
- I. RESOLUTION: 9.09.11 – REFUND OF DRIVEWAY BOND \$200 – 1 WEST CREST TRAIL (ATTACHED)
- J. RESOLUTION: 9.10.11 – REFUND OF SEWER UTILITY OVERPAYMENT 6 MANCHESTER COURT (ATTACHED)
- K. RESOLUTION: 9.11.11 – REFUND OF SEWER UTILITY OVERPAYMENT 45 STOCKTON DRIVE (ATTACHED)
- L. RESOLUTION: 9.12.11 – AWARD OF CONTRACT TO KEY TECH FOR CORE TESTING – KIEL AVE & BROOKVALLEY RD. (ATTACHED)
- M. RESOLUTION: 9.13.11 – AUTHORIZE ENGINEER TO APPLY FOR D.O.T. STATE AID FOR FAYSON LAKES ROAD REPAVING (ATTACHED)
- N. RESOLUTION: 9.14.11 - DEDICATED BY RIDER – K-FEST DONATION
- O. RESOLUTION: 9.15.11 – TAX SALE CERTIFICATE (ATTACHED)

KINNELON BOROUGH
MORRIS COUNTY, NEW JERSEY

RESOLUTION 9.03.11

A RESOLUTION AWARDING EMERGENCY CONTRACT
TO MIKE FITZPATRICK & SON
FOR REPAIRS TO FORGE ROAD RESULTING FROM
HURRICANE IRENE STORM RELATED DAMAGES

WHEREAS, it has been found necessary for the Borough of Kinnelon to award an Emergency Contract without advertising for bids and bidding, notwithstanding that the contract price will exceed the bid threshold, when an emergency affecting the public health, safety or welfare requires the immediate delivery of goods or the performance of services, provided that the awarding of such contract was made in the following manner according to the provisions of N.J.S.40A:11-6; and

WHEREAS, the nature of the emergency occurred on Sunday, August 28, 2011. Due to Hurricane Irene, the entire width of the Forge Road culvert pipe was extremely compromised. The extent of the damage has resulted in the need to prepare emergency repairs to the entire width of the Forge Road culvert pipe. The damage is approximately 35 feet wide and 25 feet deep; and

WHEREAS, John Whitehead, the Public Works Director, was the Borough Official in charge of the agency wherein the emergency occurred at Forge Road. Furthermore, John Whitehead notified Mayor Robert Collins about the urgent need for emergency repairs of the Forge Road culvert pipe. Mayor Robert Collins agreed to the urgent need for emergency repairs of the Forge Road culvert pipe; and

WHEREAS, there was insufficient time to have the contractor have completed and submitted a Business Entity Disclosure Certification which certifies that neither they, nor their professional firms have made any reportable contributions to a political or candidate committee in the Borough of Kinnelon in the previous one year, and that the contract will prohibit the professional services of the firms from making any reportable contributions through the term of the contract; and,

WHEREAS, the below listed contractor will have completed and submitted a Political Contribution Disclosure Certification and a Business Registration Certificate prior to final payment for the emergency repairs of the Forge Road culvert pipe.

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. A contract has been awarded to Mike Fitzpatrick & Son Inc., 18 Cozy Lake Road, PO Box 430, Oak Ridge, New Jersey 07438. The cost for labor and materials is \$35,000.00.

2. The cost of the contract will be charged against the Special Emergency Appropriation: Hurricane Iren Storm Related Damages.
3. The Clerk of the Borough of Kinnelon in the County of Morris is hereby directed to forward a copy of this Resolution to the Division of Local Government Services.

I, Elizabeth M. Sebrowski, Borough Clerk hereby certify this to be a true copy of a resolution adopted by the Mayor and Council of the Borough of Kinnelon, at its 1 meeting held on September 15, 2011.

Dated September 15, 2011



Elizabeth M. Sebrowski
Borough Clerk

Resolution 9.04.11

**A RESOLUTION REQUESTING PERMISSION FOR
THE DEDICATION BY RIDER OF REVENUES
RECEIVED BY THE BOROUGH FOR K-FEST**

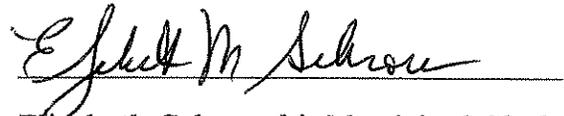
WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimate in advance; and

WHEREAS, pursuant to N.J.S.A. 40A:4-39, the dedicated revenues anticipated from donations for K-FEST 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 K-FEST, 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 September 15, 2011.



Elizabeth Sebrowski, Municipal Clerk
Borough of Kinnelon

RESOLUTION 9.5.11

CHAPTER 159 TO ADD DRUNK DRIVING ENFORCEMENT FUNDS TO 2011 MUNICIPAL BUDGET

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount;

SECTION 1.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Kinnelon hereby requests the Director of the Division of Local Government Service to approve the insertion of an item of revenue in the budget year 2010, which item is now available as a revenue from

MISCELLANEOUS REVENUES

State and Federal Revenues Offset with appropriations:

State of New Jersey
Drunk Driving Enforcement Funds \$4,288.08

SECTION 2.

BE IT FURTHER RESOLVED that a like sum of \$4,288.08.00 be and the same is hereby appropriated to General Appropriations. Excluded from the Cap and under the caption:

General Appropriations

(A) Operations excluded from the Caps
State and Federal Programs Offset by Revenues:

State of New Jersey
Drunk Driving Enforcement Funds \$4,288.08

SECTION 3.

BE IT FURTHER RESOLVED that a certified copy of this resolution be filed in the Office of the Director of Local Government Services.

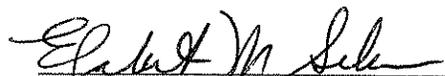
CERTIFIED to be a true copy of a resolution which was finally adopted by the Kinnelon Mayor and Council at a regular meeting held on September 15, 2011.

Resolution No. 9.05.11
Offered by San Filippo

Seconded by: O'Dougherty

Adopted 9/15/11 and certified as a correct and true copy of an original.

DATED: September 15, 2011


Elizabeth M. Sebrovski, RMC
Borough Clerk

RESOLUTION 9.6 .11

AUTHORIZING EXECUTION OF AN AGREEMENT
WITH THE MORRIS COUNTY COOPERATIVE
PRICING COUNCIL TO RENEW MEMBERSHIP
THEREIN FOR THE PERIOD OF OCTOBER 1, 2011
THROUGH SEPTEMBER 30, 2016

WHEREAS, the Morris County Cooperative Pricing Council ("MCCPC") was created in 1974 to conduct a voluntary cooperative pricing system with municipalities, boards of educations, and other public bodies located in the County of Morris and adjoining counties; and

WHEREAS, the purpose of the MCCPC is to provide substantial savings on various good and services to its members through the cooperative public bidding process; and

WHEREAS, the Borough of Kinnelon desires to enter into an Agreement with the MCCPC, which is administered by Randolph Township as Lead Agency to renew its membership in the MCCPC for the period of October 1, 2011 through September 30, 2016.

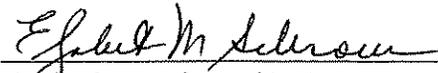
BE IT RESOLVED, by the Borough of Kinnelon, County of Morris, State of New Jersey as follows:

1. The Mayor and Council of the Borough of Kinnelon hereby authorizes the execution of an Agreement with the Morris County Cooperative Pricing Council by the Township of Randolph as Lead Agency dated October 1, 2011 pursuant to N.J.S.A. 40A:11-11(5). Said Agreement is for renewal of membership in the MCCPC for a five (5) year period from October 1, 2011 through September 30, 2016.
2. The Borough of Kinnelon Clerk is hereby directed to submit a copy of the adopted Resolution, along with an executed Agreement, to Randolph Township as Lead Agency of the MCCPC.
3. This Resolution shall take effect immediately upon final passage according to law.
4. All appropriate Kinnelon officials are authorized and directed to perform all required acts to affect the purpose of this Resolution.

Certification

I, Elizabeth M. Sebrowski, Clerk of the Borough of Kinnelon, hereby certify the forgoing to be a true copy of a Resolution adopted by the Mayor and Council of Kinnelon at a duly convened meeting held on September 15, 2011

Dated: 9/15/11


Elizabeth M. Sebrowski, RMC
Borough Clerk

RESOLUTION 9.7.11**AMENDMENT OF AN AWARD OF FAIR AND OPEN
PROFESSIONAL SERVICES CONTRACT
– THE BUZAK LAW GROUP LLC –
SPECIAL INTERIM COUNSEL – AMOUNT NOT TO
EXCEED \$35,000.00**

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

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

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

WHEREAS, Counsel has completed and submitted a Business Entity Disclosure 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 The Buzak Law Group LLC with offices located at 150 River Road, Montville, New Jersey 07045 as Special Legal Counsel 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 The Buzak Law Group, LLC (“Counsel”) as Special Counsel to the Borough for the following:
 - a. To act as Special Counsel on behalf of the Borough for the Acquisition of the Weber Tract at the hourly rate of \$130.00 per hour; and
 - b. To act as Special Counsel on behalf of the Borough for the conclusion of the Council on Affordable Housing and Highlands matters at the rate of \$200.00 per hour; and
 - c. To update the new Borough Attorney on ongoing matters outstanding at the rate of \$150.00 per hour.
 - d. The total amount is amended to not exceed \$35,000.00.

2. WHEREAS, this contract has been awarded to Counsel based upon the merits and ability of counsel to provide the legal 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, The Buzak Law Group LLC does hereby attest that Counsel, 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. Counsel 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.

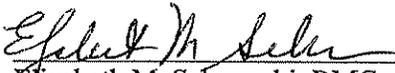
Dated: September 15, 2011


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 September 15, 2011.

Dated: September 15, 2011


Elizabeth M. Sebrowski, RMC
Borough Clerk

RESOLUTION 9.08.11

AUTHORIZE CLERK TO ADVERTISE
FOR REQUEST FOR PROPOSALS FOR
CONSULTANT SERVICES

WHEREAS, the Borough of Kinnelon desires to advertise for Consultant Services for the purpose of providing administrative support services that are consistent with job responsibilities that are typically associated with a Municipal Manager or Business Administrator; and

WHEREAS, the scope of services to be provided by the consultant will include the following:

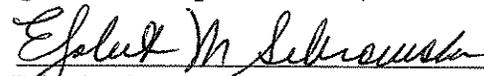
- (1) Assist in preparation of the annual budget.
- (2) Personnel support, including compensation studies, performance evaluations, pension plan administration, labor negotiations, grievance processing, training and staff development.
- (3) Formulation and implementation of goals, policies, procedures, rules and regulations pertaining to borough administration.
- (4) Providing administrative support of planning, zoning and code enforcement functions. Assist in:
 - (a) Developing contracts for borough services: sanitation, building maintenance, equipment, rentals, cable tv, recreation field maintenance, engineering, legal services and others as may be required.
 - (b) Administering construction contracts.
 - (c) Preparation of Capital Improvement Program.
 - (d) Providing support to department heads to assist them in accomplishing their administrative tasks.
 - (e) Codifying existing borough service policies and developing and implementing new operation policies.
 - (f) Providing direction of central purchasing.
- (5) Research and pursue grant opportunities.

- (6) Assist council members with follow up on specific projects.
- (7) Research and pursue shared service opportunities.
- (8) Keep the Borough informed as to federal aid projects and state aid projects and any other aid programs for which the Borough of Kinnelon may qualify.

NOW, THEREFORE, BE IT RESOLVED that the Borough of Kinnelon authorizes the Clerk of the Borough to advertise for Request for Proposals ("RFP"s) from those interested parties that shall include their respective qualifications and the cost(s) associated with providing the administrative support services as outlined in this resolution.

CERTIFICATION

I, Elizabeth M. Sebrowski, Borough Clerk of the Borough of Kinnelon hereby certify the foregoing to be a true copy of a Resolution adopted by the Borough Council of the Borough of Kinnelon at a duly convened meeting held on September 15, 2011.


Elizabeth M. Sebrowski, Borough Clerk

RESOLUTION 9.09.11

TO REFUND DRIVEWAY BOND
FOR 1 West Crest Trail

WHEREAS, Diversified Services was required to submit a \$200.00 driveway bond for permit #1646 in order to alter an existing driveway located at 1 West Crest Trail; and

WHEREAS, the driveway was installed, inspected and approved by the Public Works Foreman; and

WHEREAS, it is deemed appropriate to refund the driveway bond to Diversified Services, 1 West Crest Trail, Kinnelon, New Jersey, in the amount of \$200.00

NOW< THEREFORE, BE IT RESOLVED the chief Financial officer is hereby authorized to refund a check in the amount of \$200.00 payable to Diversified Services.

Dated


Elizabeth M. Sebrowski, RMC
Borough Clerk

RES. # 9.10.11

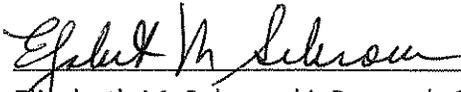
BE IT RESOLVED, by the Mayor and Council of the Borough of Kinnelon that a warrant be drawn to David Forman in the amount of \$72.00 representing refund for overpayment of sewer utility for Block 133, Lot 16 also known as 6 Manchester Court.

ROLL CALL:

September 15, 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 September 15, 2011.

DATE: 9/15/11


Elizabeth M. Sebrowski, Borough Clerk

RES. # 9.11.11

BE IT RESOLVED, by the Mayor and Council of the Borough of Kinnelon that a warrant be drawn to Marilee Cotrell in the amount of \$48.00 representing refund for overpayment of sewer utility for Block 133, Lot 16 also known as 45 Stockton Drive.

ROLL CALL:

September 15, 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 September 15, 2011.

DATE: 9/15/11


Elizabeth M. Sebrowski, Borough Clerk

RESOLUTION 9.12.11

AUTHORIZE BOROUGH TO ENTER
INTO A CONTRACT WITH KEY TECH
TO PROVIDE ASPHALT CORE
DRILLING AND TESTING OF
KIEL AVENUE AND BROOK VALLEY
ROAD

WHEREAS, the Borough Engineer requested quotes for the services of core drilling and testing of Kiel Avenue and Brook Valley Road as required by the New Jersey Department of Transportation after any road resurfacing project; and

WHEREAS, the Borough received quotes from Key-Tech Construction Testing, Inspection & Related Laboratory Services, located at 210 Maple Place, Keyport, NJ 07735 and the Morris County Cooperative Council; and

WHEREAS, the lowest responsive quote for the services was received from Key Tech.

NOW, THEREFORE, BE IT RESOLVED the Borough of Kinnelon desires to award the contract of Core and Testing for both locations to Key-Tech as follows:

For the core drilling and testing of Kiel Avenue in the amount of \$1,800.00

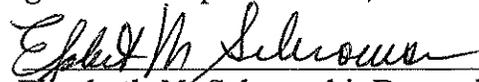
AND

For the core drilling and testing of Brook Valley Road in the amount of \$3,500.00.

BE IT FURTHER RESOLVED, the Clerk is hereby authorized to issue purchase orders to Key-Tech in the amount of \$1,800.00 for Kiel Avenue and \$3,500.00 for Brook Valley Road.

CERTIFICATION

I, Elizabeth M. Sebrowski, Borough Clerk of the Borough of Kinnelon hereby certify the foregoing to be a true copy of a Resolution adopted by the Borough Council of the Borough of Kinnelon at a duly convened meeting held on September 15, 2011.


Elizabeth M. Sebrowski, Borough Clerk

KEY-TECH

Construction Testing, Inspection & Related Laboratory Services
210 Maple Place, Keyport, NJ 07735
Tel (732)888-8308 Fax (732)888-8307

MATERIAL QUESTIONNAIR DATA SHEET FOR CORING AND TESTING OF

_____ Project Name

_____ Municipality and County

_____ Paving Contractor and Supplier

Client to be Billed _____

Lot size

Job limit

Job length

Approximate width

Leveling course

HMA base course Mix _____ Serial No.: _____ Thickness: _____

HMA surface course Mix _____ Serial No.: _____ Thickness: _____

Asphalt Plant shipped from _____ Total Tons: _____ Date: _____

Location of cores

Number of 6" cores

SA-11, Material Questionnaire Provided

Mix Design w/Backup Sheets Provided

Note: 1. Coring Company is to calculate adjustments.

2. Enclose appropriate municipal voucher with paperwork to coring company.

KEY-TECH

210 Maple Place

P.O. Box 48

Keyport, NJ 07735

Phone (732)888-8308

Fax (732)888-8307

August 16, 2011

Darmofalski Engineering Assoc.
86 Newark Pompton Turnpike
Riverdale, NJ 07457

ATT: Mr. Thomas A. Boorady

FAX: 973-835-1117

RE: Brook Valley Road
Borough of Kinnelon
Morris County, NJ
Key-Tech Job #: 11-176

Asphalt Core Drilling and Testing Proposal

Dear Mr. Thomas A. Boorady,

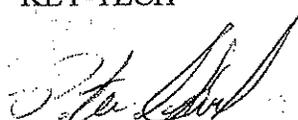
In follow up to your request, we are pleased to enclose our Proposal of Services pertaining to the above referenced project.

Our laboratory has been inspected and accredited by AASHTO Materials Reference Laboratory since 1990 and we have performed testing services on local aid projects throughout the State of New Jersey.

We appreciate the opportunity to submit our proposal. Should you have any questions please do not hesitate to contact me.

Very truly yours,

KEY-TECH


Peter Chmiel

RWS/PC:eb
enc.

Email Address: Info@keytechlabs.com

August 16, 2011

RE: SCOPE OF SERVICES INCLUDED IN OUR COST ESTIMATE

Project: Brook Valley Road
Borough of Kinnelon
Morris County, NJ

BITUMINOUS CONCRETE CORE DRILLING

Core drilling performed in accordance with N.J.D.O.T. specifications – ASTM/AASHTO procedures.

- Perform random sampling calculations and sample mark out in field.
- Supply drilling unit and labor to obtain samples of finished pavement.
- Filling and compacting sample holes with patch material.

LABORATORY ANALYSIS

Quality Control tests are performed in our AASHTO certified laboratory by a New Jersey Society of Asphalt Certified Technician in accordance with AASHTO procedures as required by the N.J.D.O.T.

- Extraction Analysis (composition of mix) AASHTO procedure T-308-8.
- Bulk specific gravity and void analysis (density) AASHTO procedure T-166.
- Maximum theoretical specific gravity AASHTO procedure T-209.

CALCULATION OF PENALTIES (IF APPLICABLE) AND FINAL REPORT

- Calculation of penalties based upon in-place quantities supplied by client.
- Preparation of the required N.J.D.O.T. final report of test results for submittal to the N.J.D.O.T. for project acceptance and cost reimbursement.

COST ESTIMATE PROPOSAL

Based upon the information supplied on the core data sheet, the following number of core samples and tests are required: 3 Lots: Top Course

15 each, 6.00" diameter samples to be tested for bulk specific gravity, maximum theoretical gravity, void analysis and thickness measurements.

15 each, 8.00" diameter samples to be tested for mix composition.

Our Lump Sum Cost Estimate for this project is \$3,500.00

NOTE: The above cost estimate is based upon minimal traffic control at no additional cost. Should local authorities or traffic conditions warrant lane closures and/or traffic directors, additional cost for local off-duty police officers would be charged at their cost to us after authorization by the client.

The enclosed "Data Sheet for Coring and Testing" must be submitted with the "Authorization to Proceed".

A voucher from the municipality must be attached at the time of the core request.

KEY-TECH

Construction Testing, Inspection & Related Laboratory Services
210 Maple Place, Keyport, NJ 07735
Tel (732)888-8308 Fax (732)888-8307

MATERIAL QUESTIONAIR DATA SHEET FOR CORING AND TESTING OF

Project Name

Municipality and County

Paving Contractor and Supplier

Client to be Billed _____

Lot size _____

Job limit _____

Job length _____

Approximate width _____

Leveling course _____

HMA base course Mix	Serial No.:	Thickness:
HMA surface course Mix	Serial No.:	Thickness:
Asphalt Plant shipped from	Total Tons:	Date:

Location of cores _____

Number of 6" cores _____

SA-11, Material Questionnaire Provided _____

Mix Design w/Backup Sheets Provided _____

- Note: 1. Coring Company is to calculate adjustments.**
2. Enclose appropriate municipal voucher with paperwork to coring company.



MORRIS COUNTY COOPERATIVE PRICING COUNCIL

A SHARED SERVICES SUCCESS STORY SINCE 1974

NOTIFICATION OF AWARD

CONTRACT #6: ROAD RESURFACING

Contract Period: January 1, 2011 - December 31, 2011

1/18/2011: Contract with Intercounty Paving Associates for Category D for all Districts - Rescinded.

2/3/2011: Contract with Joseph M. Sanzari, Inc. for Category E, District #3 Members – Rescinded and Re-Awarded to Micro Pave Systems.

VENDOR INFORMATION

(See individual contract items to determine actual awardees)

(Note: According to specifications bid amounts are subject to an asphalt price adjustment if applicable pursuant to N.J.S.A. 40A:11-16d.)

Vendor: Tilcon New York, Inc.

Address: 625 Mt. Hope Road, Wharton, NJ 07885

Contact Person: George W. Thompson

Title: Vice President

Tel #: 973/366-7741

Fax #: 973/366-8501

E-Mail:

Response Time: 2 days

Vendor: Micro Pave Systems, Inc.

Address: P.O. Box 295, Cedar Knolls, NJ 07927-0295

Contact Person: Paul Bryson

Title: President

Tel #: 973/398-5800

Fax #: 973/398-1424

E-Mail: micropave@aol.com

Response Time:

Vendor: Sor Testing Laboratories, Inc.

Address: 98 Sand Park Road, Cedar Grove, NJ 07009

Contact Person: Dr. Kamil Sor

Title: President

Tel #: 973/239-6001

Fax #: 973/239-8380

E-Mail: sorlabs@aol.com

Response Time: Not Noted

ITEMS AWARDED

CAT. A: SUPERPAVE HOT MIX ASPHALT (HMA)						
Item	DISTRICT #1		DISTRICT #2		DISTRICT #3	
	Unit Price	Vendor	Unit Price	Vendor	Unit Price	Vendor
1. Bituminous Concrete - Superpave Hot Mix Asphalt (HMA) laid & compacted to a depth of 2" by bidder, including tack coat as directed by MCCPC member:	\$62.25/ton	Tilcon	\$52.25/ton	Tilcon	\$52.25/ton	Tilcon

2. Bituminous Concrete - Superpave Hot Mix Asphalt (HMA) laid & compacted to a depth of 1-1/2" by bidder, including tack coat as directed by MCCPC member:	\$62.25/ton	Tilcon	\$52.25/ton	Tilcon	\$52.25/ton	Tilcon
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CAT. B: BITUMINOUS CONCRETE IN PLACE						
Item	DISTRICT #1		DISTRICT #2		DISTRICT #3	
	Unit Price	Vendor	Unit Price	Vendor	Unit Price	Vendor
1. Bituminous Concrete - Type FABC, delivered, laid & compacted to depth of 2" by bidder, including tack coat as directed by MCCPC member:	\$52.25/ton	Tilcon	\$52.25/ton	Tilcon	\$52.25/ton	Tilcon
2. Bituminous Concrete - Type FABC, delivered, laid & compacted to depth of 1-1/2" by bidder, including tack coat as directed by MCCPC member:	\$52.25/ton	Tilcon	\$58.85/ton	Tilcon	\$52.25/ton	Tilcon
3. Bituminous Concrete - Type MABC, delivered, laid & compacted to depth of 2" by bidder, including tack coat as directed by MCCPC member:	\$52.25/ton	Tilcon	\$58.85/ton	Tilcon	\$52.25/ton	Tilcon
4. Bituminous Concrete - Stabilized Base delivered, laid & compacted including tack coat as directed by MCCPC member:	\$49.50/ton	Tilcon	\$55.55/ton	Tilcon	\$49.50/ton	Tilcon

CAT. C: MILLING IN PLACE						
Item	DISTRICT #1		DISTRICT #2		DISTRICT #3	
	Unit Price	Vendor	Unit Price	Vendor	Unit Price	Vendor
1. One Inch:	\$1.75/yd.	Tilcon	\$2.75/yd.	Tilcon	\$1.75/yd.	Tilcon
2. Two Inches:	\$1.75/yd.	Tilcon	\$1.75/yd.	Tilcon	\$1.75/yd.	Tilcon
3. Three Inches:	\$5.00/yd.	Tilcon	\$5.00/yd.	Tilcon	\$2.25/yd.	Tilcon
4. Eight Inches:	\$10.00/yd.	Tilcon	\$10.00/yd.	Tilcon	\$6.00/yd.	Tilcon

CAT. D: RESURFACING PREPARATIONS - Contract with Intercounty Paving Rescinded on 1/18/2011 – No Award for the 2011 Contract Period						
Item	DISTRICT #1		DISTRICT #2		DISTRICT #3	
	Unit Price	Vendor	Unit Price	Vendor	Unit Price	Vendor
1. Yards of fabric underliner, Amo Pave or approved equivalent (IN PLACE):		No Award		No Award		No Award
2. Raising of manholes as per specifications:		No Award		No Award		No Award
3. Resetting of inlet frames & grates as per specifications:		No Award		No Award		No Award

CAT. E: CRACK SEALANT						
Item	DISTRICT #1		DISTRICT #2		DISTRICT #3	
	Unit Price	Vendor	Unit Price	Vendor	Unit Price	Vendor
1. Sealant (per linear foot) to be applied as directed by the MCCPC member:	\$.348/lin. Ft.	Micro Pave	\$.388/lin. Ft.	Micro Pave	\$.388/lin. Ft.	Micro Pave

CAT. F: INFRARED PAVEMENT RESTORATION		
Item	FOR DISTRICTS #1, #2, and #3	Vendor
	Unit Price Per Cu. Ft.	
1.	Price per cubic foot for the "Infrared Pavement Restoration" of roads, as per specifications:	NO BIDS

CAT. G: LONGITUDINAL JOINT - PAVEMENT SEAM REPAIR		
Item	DISTRICTS #1, #2 and #3	Vendor
	Unit Price Per Cu. Ft.	
1.	Go-Repair Mastic or equivalent to be applied as directed by the MCCPC member, as per specifications (minimum purchase of 40 cubic feet):	NO BIDS

CAT. H: BELGIUM BLOCK (PURCHASING & INSTALLATION)						
Item; Belgium Block	DISTRICT #1 MEMBERS		DISTRICT #2 MEMBERS		DISTRICT #3 MEMBERS	
	Unit Price Per Linear Ft.	Vendor	Unit Price Per Linear Ft.	Vendor	Unit Price Per Linear Ft.	Vendor
1. Belgium Block Curbing – Price per linear foot for the purchase and installation of Belgium Block Curbing:	NO BIDS		NO BIDS		NO BIDS	

2. Belgium Block Curbing – Price per linear foot for the removal of “old” existing Belgium Block Curbing and replacement of new Belgium Block Curbing:	<p style="text-align: center;">NO BIDS</p>		<p style="text-align: center;">NO BIDS</p>		<p style="text-align: center;">NO BIDS</p>	
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CAT. H: CONCRETE CURBING (PURCHASING & INSTALLATION)							
Item: Concrete Curbing		DISTRICT #1 MEMBERS		DISTRICT #2 MEMBERS		DISTRICT #3 MEMBERS	
		Unit Price Per Linear Ft.	Vendor	Unit Price Per Linear Ft.	Vendor	Unit Price Per Linear Ft.	Vendor
1.	Concrete Curbing – Price per linear foot for the purchase and installation of Concrete Curbing:	<p style="text-align: center;">NO BIDS</p>		<p style="text-align: center;">NO BIDS</p>		<p style="text-align: center;">NO BIDS</p>	
2.	Concrete Curbing – Price per linear foot for the removal of “old” existing Concrete Curbing and the replacement of new Concrete Curbing:	<p style="text-align: center;">NO BIDS</p>		<p style="text-align: center;">NO BIDS</p>		<p style="text-align: center;">NO BIDS</p>	

CAT. I: ON-SITE CONSTRUCTION OBSERVATION, FIELD & TESTING SERVICES							
Item		DISTRICT #1		DISTRICT #2		DISTRICT #3	
		Unit Price	Vendor	Unit Price	Vendor	Unit Price	Vendor
1. CONCRETE, GROUT & MORTAR							
a.	Field or plant technician services (cost per day):	\$475.00/per day	Sor Testing Labs	\$475.00/per day	Sor Testing Labs	\$475.00/per day	Sor Testing Labs
b.	Compressive strength testing (per cylinder or cube):	\$25.00	Sor Testing Labs	\$25.00	Sor Testing Labs	\$25.00	Sor Testing Labs
c.	Pick-up of samples at MCCPC members locations as specified (cost per trip):	\$200.00/trip	Sor Testing Labs	\$200.00/trip	Sor Testing Labs	\$200.00/trip	Sor Testing Labs

CAT. I: ON-SITE CONSTRUCTION OBSERVATION, FIELD & TESTING SERVICES						
Item	DISTRICT #1		DISTRICT #2		DISTRICT #3	
	Unit Price	Vendor	Unit Price	Vendor	Unit Price	Vendor
2. REINFORCING STEEL						
a. Field technician services (cost per day):	\$500.00/per day	Sor Testing Labs	\$500.00/per day	Sor Testing Labs	\$500.00/per day	Sor Testing Labs

Item	DISTRICT #1		DISTRICT #2		DISTRICT #3	
	Unit Price	Vendor	Unit Price	Vendor	Unit Price	Vendor
3. EARTHWORK OBSERVATION & TESTING						
a. Gradation analysis (cost per sample):	\$200.00/per sample	Sor Testing Labs	\$200.00/per sample	Sor Testing Labs	\$200.00/per sample	Sor Testing Labs
b. Laboratory compaction test (cost per sample):	\$275.00/per sample	Sor Testing Labs	\$275.00/per sample	Sor Testing Labs	\$275.00/per sample	Sor Testing Labs
c. Field technician services (cost per day):	\$550.00/per day	Sor Testing Labs	\$550.00/per day	Sor Testing Labs	\$550.00/per day	Sor Testing Labs
d. Soil nuclear density gauge (cost per day):	\$150.00/per day	Sor Testing Labs	\$150.00/per day	Sor Testing Labs	\$150.00/per day	Sor Testing Labs
e. Pick-up of samples at MCCPC members location as specified (cost per trip):	\$200.00/per trip	Sor Testing Labs	\$200.00/per trip	Sor Testing Labs	\$200.00/per trip	Sor Testing Labs

Item	DISTRICT #1		DISTRICT #2		DISTRICT #3	
	Unit Price	Vendor	Unit Price	Vendor	Unit Price	Vendor
4. ASPHALT PAVEMENT CORING & LABORATORY						
a. Coring & testing, five (5) cores, one (1) lot:	\$2,000.00	Sor Testing Labs	\$2,000.00	Sor Testing Labs	\$2,000.00	Sor Testing Labs
b. Coring & testing, ten (10) cores, two (2) lots:	\$3,500.00	Sor Testing Labs	\$3,500.00	Sor Testing Labs	\$3,500.00	Sor Testing Labs
c. Coring & testing, fifteen (15) cores, three (3) lots:	\$5,000.00	Sor Testing Labs	\$5,000.00	Sor Testing Labs	\$5,000.00	Sor Testing Labs
d. Coring & testing, twenty (20) cores, four (4) lots:	\$6,500.00	Sor Testing Labs	\$6,500.00	Sor Testing Labs	\$6,500.00	Sor Testing Labs
e. Coring & testing, twenty-five (25) cores, five (5) lots:	\$8,000.00	Sor Testing Labs	\$8,000.00	Sor Testing Labs	\$8,000.00	Sor Testing Labs
f. Coring & testing, thirty (30) cores, six (6) lots:	\$9,500.00	Sor Testing Labs	\$9,500.00	Sor Testing Labs	\$9,500.00	Sor Testing Labs

Item	DISTRICT #1		DISTRICT #2		DISTRICT #3	
	Unit Price	Vendor	Unit Price	Vendor	Unit Price	Vendor
5. ASPHALT OBSERVATION & TESTING						
a. Field or plant technician services (cost per day):	\$550.00/per day	Sor Testing Labs	\$550.00/per day	Sor Testing Labs	\$550.00/per day	Sor Testing Labs
b. Thin lift nuclear density gauge (cost per day):	\$150.00/per day	Sor Testing Labs	\$150.00/per day	Sor Testing Labs	\$150.00/per day	Sor Testing Labs



NO. 526

SEPTEMBER 15, 2011

BOROUGH OF
Kinnelon

Phone: 973-838-5401

Extension 1

Fax: 973-838-1862

130 Kinnelon Road
Kinnelon, New Jersey 07405

BOROUGH CLERK

RESOLUTION – 9.13.11

APPROVAL TO SUBMIT A GRANT APPLICATION
AND EXECUTE A GRANT AGREEMENT WITH THE
NEW JERSEY DEPARTMENT OF TRANSPORTATION
FOR THE FAYSON LAKES ROAD IMPROVEMENTS

WHEREAS, the Kinnelon Mayor and Council desire to resurface approximately 6,400 linear feet of Fayson Lakes Road between Boonton Avenue and the Butler Reservoir including the drainage improvements, guide rail replacement, traffic control signs and striping; and,

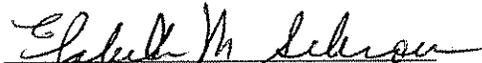
WHEREAS, the Kinnelon Mayor and Council desire to request aid from the State of New Jersey in the amount of \$275,000.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Kinnelon Borough, formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2012-Kinnelon Borough-00408 to the New Jersey Department of Transportation on behalf of Kinnelon Borough.

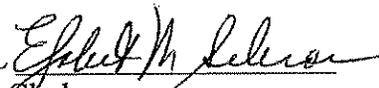
BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of Kinnelon Borough and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Certified as a true copy of the Resolution adopted by the Council on
This **15th** Day of September, 2011.

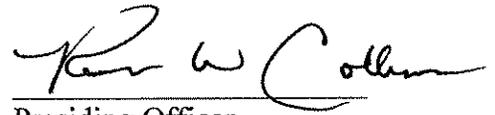

Elizabeth M. Sebrowski, RMC
Borough Clerk

My signature and the Clerk's seal serve to acknowledge the above resolution and constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement as authorized by the resolution above.

ATTEST AND AFFIX SEAL


Clerk

Elizabeth M. Sebrowski, R.M.C.
Borough Clerk



Presiding Officer
Robert W. Collins
Mayor

Resolution 9.14.11

**A RESOLUTION REQUESTING PERMISSION FOR
THE DEDICATION BY RIDER OF REVENUES
RECEIVED BY THE BOROUGH FOR K-FEST**

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 K-FEST 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 K-FEST, 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 September 15, 2011.


Elizabeth Sebrovski, Borough Clerk
Borough of Kinnelon

RESOLUTION 9.15.11

WHEREAS, Certificate of Sale #10-00007 was issued to the Borough of Kinnelon for delinquent taxes on Block 26, Lot 115.105, 87 Green Hill Road, assessed to Giacomo Longo Revocable Living Trust, at a tax sale held on December 6, 2010; and

WHEREAS, the assessed owner, Giacomo Longo Revocable Living Trust, has redeemed Certificate #10-00007 by paying the full amount of the delinquency.

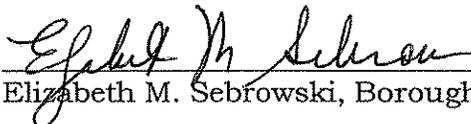
NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Municipal Clerk of the Borough of Kinnelon are hereby authorized to endorse Certificate of Sale #10-00007 for cancellation.

ROLL CALL:

September 15, 2011
Lisa Kimkowski, C.T.C.
Tax Collector
Borough of Kinnelon

I, Elizabeth M. Sebrowski, Borough Clerk, Borough of Kinnelon, hereby certify this resolution to be a true copy of the resolution which was duly passed at the regular meeting of the Borough of Kinnelon Mayor and Council held on September 15, 2011.

DATED: 9/15/11


Elizabeth M. Sebrowski, Borough Clerk

RESOLUTION 9.16.11

TO APPROVE & APPORTION ASSESSED
VALUE OF WEBER TRACT FOR TAX
PURPOSES BASED UPON ACREAGE

WHEREAS, the property located at Block 11, Lot 204, known as the Weber Tract was acquired by the Borough of Kinnelon on June 8, 2011; and

WHEREAS, the tract contained a total of 162 acres +/-; and

WHEREAS, on the same date the Borough conveyed approximately sixty two (62) acres to the County of Morris; and

WHEREAS, the property is assessed for \$2,640,000.00 and is taxable for 2011; and

WHEREAS, the tax bill for the entire property went to Morris County; and

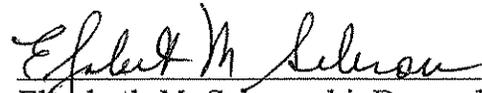
WHEREAS, the Kinnelon Mayor and Council needs to approve to apportion the assessed value based upon the acreage as follows:

County of Morris	62 acres @ \$16,296/acre = \$1,010,400
Borough of Kinnelon	100 acres @ \$16,296/acre = \$1,629,600
Totals	162 acres @ \$16,296/acre = \$2,640,000

NOW, THEREFORE, BE IT RESOLVED the Mayor and Council do hereby approve to apportion of assessed value as mentioned above.

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 September 15, 2011.

Dated: September 15, 2011


Elizabeth M. Sebrowski, Borough Clerk

RESOLUTION 9.17.11

AUTHORIZING THE CANCELLATION OF
TAXES ON THE BOROUGH PORTION OF
THE WEBER TRACT ON A PRORATED
BASIS.

WHEREAS, the Borough of Kinnelon acquired a 100 acre portion of Block 11, Lot 204 on June 8, 2011; and

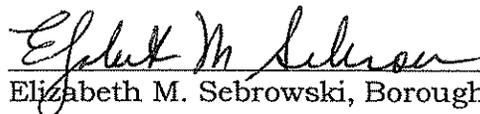
WHEREAS, the taxes on that portion of the property retained by the Borough are due; and

WHEREAS, it is desired to cancel the taxes on that portion of the Weber Tract retained by the Borough.

NOW, THEREFORE, BE IT RESOLVED by the Kinnelon Mayor and Council that the prorated taxes on the 100 acres of Block 11, Lot 204 retained by the Borough are hereby cancelled.

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 September 15, 2011.

Dated: September 15, 2011


Elizabeth M. Sebrowski, Borough Clerk

RESOLUTION # 9.18.11

WHEREAS, Certificate of Sale #080002 was issued to the Borough of Kinnelon for delinquent taxes on Block 30.01, Lot 45, 110 South Glen Road, assessed to Miklos Felkay, at a tax sale held on December 5, 2008; and,

WHEREAS, the assessed owner, Miklos Family Trust, has redeemed Certificate #080002 by paying the full amount of the delinquency.

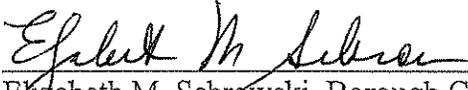
NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Municipal Clerk of the Borough of Kinnelon are hereby authorized to endorse Certificate of Sale #080002 for cancellation.

ROLL CALL:

September 15, 2011
Lisa Kimkowski, C.T.C.
Tax Collector
Borough of Kinnelon

I, Elizabeth M. Sebrowski, Borough Clerk, Borough of Kinnelon, hereby certify this resolution to be a true copy of the resolution which was duly passed at the regular meeting of the Borough of Kinnelon Mayor and Council on September 15, 2011.

DATE: 09/15/11


Elizabeth M. Sebrowski, Borough Clerk

CERTIFICATE OF SALE

FOR UNPAID MUNICIPAL LIENS

SEPTEMBER 15, 2011 CERTIFICATE

No. 080002

LISA A. KIMKOWSKI, COLLECTOR OF TAXES of the taxing district of the
BOROUGH OF KINNELON of in
the COUNTY of MORRIS and State of New Jersey, do hereby certify that on
the 4th day of December 2008 at a public sale of lands for
delinquent municipal liens, pursuant to the Revised Statutes of New Jersey, 1937, Title 54, Chapter 5, and the amendments and supplements
thereto I sold to BOROUGH OF KINNELON

whose address is 130 KINNELON ROAD, KINNELON, NJ 07405

for One Thousand Six Hundred Seventy Seven dollars and 45 cents, the land
in said taxing district described as Block No. 30.01 Lot No. 45
and known as 110 SOUTH GLEN RD
duplicate thereof and assessed thereon to FELKAY, MIKLOS & R CONTANT, on the tax

THE AMOUNT OF THE SALE WAS MADE UP OF THE FOLLOWING ITEMS:

	AMOUNT	INTEREST	TOTAL
Taxes For: 2007	1511.65	133.43	1645.08
Assessments For Improvements			
TOTAL COSTS OF SALE	32.90		32.90
TOTAL			1677.98
PREMIUM (IF ANY) PAID			

Said sale is subject to redemption on repayment of the amount of sale, together with interest at the rate of 18.00 per centum per annum from the date of sale, and the costs incurred by the purchaser as defined by statute. The sale is subject to municipal charges accruing after December 31, 2007; municipal authority charges accruing after December 31, 2007 and assessment installments not yet due, amounting to .00 dollars and interest thereon.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 05th day of December, 2008

STATE OF NEW JERSEY
COUNTY OF: MORRIS

Lisa A. Kimkowski
LISA A. KIMKOWSKI, COLLECTOR OF TAXES

BE IT REMEMBERED, that on this 05th day of December 2008 before me a NOTARY PUBLIC of New Jersey, personally appeared LISA A. KIMKOWSKI, the Collector of Taxes of the taxing district of BOROUGH OF KINNELON in the County of MORRIS, who, I am satisfied, is the individual described herein, and who executed the above Certificate of Sale; and I having made known to him the contents thereof, he thereupon acknowledged to me that he signed, sealed and delivered the same as his voluntary act and deed, for the uses and purposes therein expressed.

Prepared By: *Lisa A. Kimkowski* LISA A. KIMKOWSKI, PREPARER
Karen M. Iuele KAREN M. IUELE, NOTARY PUBLIC

NOTE: NJSA 46:15-3 requires that all signatures appearing on the certificate, those of the collector, the Notary Public who takes this acknowledgement, and the preparer shall be printed, typed or stamped underneath such signature the name of the person that signed: My Commission Expires July 16, 2011

RESOLUTION AUTHORIZING THE PURCHASE OF VARIOUS GOODS AND SERVICES FROM VARIOUS MORRIS COUNTY COOPERATIVE PRICING COUNCIL VENDORS FOR THE CUTLASS ROAD IMPROVEMENTS PROJECT, INCLUDING WOODLAND COURT, FOR A TOTAL COST OF \$284,909.00

WHEREAS, the Borough of Kinnelon ("Borough") desires to complete an improvements project for Cutlass Road, including Woodland Court (the "Project"); and

WHEREAS, the Borough desires to use the Morris County Cooperative Pricing Council ("MCCPC") in order to award contracts to vendors to complete the Project; and

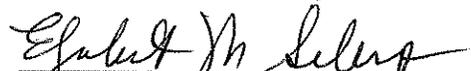
WHEREAS, the Borough of Kinnelon desires to purchase materials and services from the various vendors awarded contracts by the MCCPC as follows: 1) MCCPC Contract #6 to Tilcon New York, Inc., located at 625 Mt. Hope Road, Wharton, New Jersey 07885, for resurfacing; 2) MCCPC Contract #14 to Campbell Foundry Company, located at 800 Bergen Street, Harrison, New Jersey 07029; for inlet and manhole castings; 3) MCCPC Contract #26 to M.L. Ruberton Construction Company, Inc., located at 1512 Mays Landing Road, Folsom, NJ 08037 for the installation of guide rails; 4) MCCPC Contract #28 to Garden State Highway Products, Inc., located at 1740 East Oak Road, Vineland, NJ 08361, for traffic sign materials; 5) MCCPC Contract #36 to Denville Line Painting, Inc., located at 2 Green Pond Road, Rockaway, New Jersey 07866, for the traffic striping; and, 6) MCCPC Contract #42 to Andy Matt, Inc., located at 19 Scrub Oaks Road, Mine Hill, New Jersey 07803, landscaping materials.

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

1. The Borough of Kinnelon hereby authorizes the purchase of the following: 1) Road resurfacing services from Tilcon New York, Inc., in the amount of \$230,500.00; 2) inlet and manhole castings from Campbell Foundry Company, in the amount of \$4,000.00; 3) guide rail installation services from M.L. Ruberton Construction Company, Inc., in the amount of \$35,644.00; 4) traffic sign materials from Garden State Highway Products, Inc., in the amount of \$3,125.00; 5) traffic striping services from Denville Line Painting, Inc., in the amount of \$9,460.00; and, 6) landscaping materials from Andy Matt, Inc., in the amount of \$2,180.00.
2. The Mayor and Borough Clerk are hereby authorized and directed to execute MCCPC Contract Nos. 6, 14, 26, 28, 36 and 42, and said officers, together with all other officers, professionals and employees of the Borough are hereby authorized and directed to take any and all steps necessary to effectuate the purposes of this Resolution.
3. The foregoing awards are subject to the certification of availability of funds by the appropriate officers of the Borough.
4. This Resolution shall take effect as herein provided.

CERTIFICATION

I, Elizabeth M. Sebrowski, Borough Clerk of the Borough of Kinnelon hereby certify the foregoing to be a true copy of a Resolution adopted by the Borough Council of the Borough of Kinnelon at a duly convened meeting held on September 15, 2011.


Elizabeth M. Sebrowski, Borough Clerk

DARMOFALSKI ENGINEERING ASSOCIATES, INC.

CIVIL ENGINEERS
86 NEWMARK POWERTON TURNPIKE
RIVERDALE, NJ 07457-1429
TEL: (973)835-8300 | FAX: (973)835-1117

SEPTEMBER 15, 2011

NO. 534

NJDOT Local Aid Project Estimate for CUTLASS ROAD (Between Boonton Avenue & NJ Route 23), Including WOODLAND COURT
Total Project Length = 7,000 LF or 1.33 miles (Cutlass Rd. & Woodland Ct. Combined length)

Municipality: Borough of Kinnelon
County: Morris County

Item #	Description	Quantity	Unit	Unit Price	Amount
	INLET AND MANHOLE CASTINGS - MCCPC Contract #14 - Campbell Foundry Company, 800 Bergen Street, Harrison, NJ 07029				
	Inlet frames, head pieces, and grates with reduced openings and NJDEP Markings	1	LS	\$ 4,000.00	\$ 4,000.00
	TOTAL - Campbell Foundry				\$ 4,000.00
	RESURFACING - MCCPC Contract #6 - Ticon New York, Inc., Address: 625 Mt. Hope Road, Wharton, NJ 07885				
	Roadway Excavation - Milling, 2" Depth	11,000	SY	\$ 1.75	\$ 19,250.00
	Hot Mix Asphalt (HMA) 9.5 M 64, 2" Thick Surface Course, Including Tack Coat	3,000	TN	\$ 65.00	\$ 195,000.00
	Hot Mix Asphalt (HMA) 9.5 M 64, Leveling Course, Including Tack Coat	250	TN	\$ 65.00	\$ 16,250.00
	TOTAL - Ticon New York				\$ 230,500.00
	GUIDE RAILS - MCCPC Contract #26 - M.L. Ruberton Construction Company, Inc., 1512 Mays Landing Road, Folsom, NJ 08037				
	Weathering steel (brown) beam guide rail (6 feet, 3" post spacing)	800	LF	\$ 30.00	\$ 24,000.00
	Extruder terminals	6	EA	\$ 1,649.00	\$ 9,894.00
	Price for each extra length post when required for side slope installation	30	EA	\$ 45.00	\$ 1,350.00
	Install beam guide rail elements (to strengthen the rail) 12 1/2 ft. sections	100	LF	\$ 4.00	\$ 400.00
	TOTAL - M.L. Ruberton				\$ 35,644.00
	TRAFFIC STRIPING - MCCPC Contract #36 - Denville Line Painting, Inc., 2 Green Pond Road, Rockaway, NJ 07866				
	Double Yellow Centerlines, 4" wide Long Life Thermoplastic	11,000	LF	\$ 0.71	\$ 7,810.00
	Stop Bar White, 24" wide, Thermoplastic	300	SF	\$ 5.50	\$ 1,650.00
	TOTAL - Denville Line Painting				\$ 9,460.00
	LANDSCAPING MATERIALS - MCCPC Contract #42 - Andy Matt, Inc., 11 Scrub Oaks Road, Mine Hill, NJ 07803				
	Topsoil	100	CY	\$ 21.80	\$ 2,180.00
	TOTAL - Andy Matt				\$ 2,180.00
	TRAFFIC SIGN MATERIALS - MCCPC #28 - Garden State Highway Products, Inc., 1740 East Oak Road, Vineland, NJ 08361				
	Traffic Sign Materials and Post Hardware	25	EA	\$ 125.00	\$ 3,125.00
	TOTAL - Garden State Highway Products				\$ 3,125.00
	Subtotal				\$ 284,909.00
	Inspection / Testing				\$ 15,000.00
	TOTAL ELIGIBLE FOR STATE AID				\$ 299,909.00
	NJDOT Allotment FY2011				\$ 200,000.00
	Amount of State Not Participating				\$ 99,909.00
	Survey / Design / Engineering / Administration (not eligible for State Aid)				\$ 30,000.00
	TOTAL Borough Liability				\$ 129,909.00

I hereby certify this is a true copy of the estimate

Paul P. Darmofalski, P.E.
Paul P. Darmofalski, P.E.
New Jersey P.E. License No. 24743

NO. 535
PROCLAMATION

SEPTEMBER 15, 2011

WHEREAS, bullying is physical, verbal, sexual, or emotional harm or intimidation directed at a person or group of people; and

WHEREAS, bullying occurs in neighborhoods, playgrounds, schools, and through technology, such as the Internet and cell phones; and

WHEREAS, various researchers have concluded that bully in the most common form of violence, affecting millions of American children and adolescents annually; and

WHEREAS, thousands of New Jersey children and adolescents are affected by bullying annually; and

WHEREAS, targets of bullying are more likely to acquire physical, emotional and learning problems and students who are repeatedly bullied often fear such activities as riding the bus, going to school, and attending community activities; and

WHEREAS, children who bully are at greater risk of engaging in more serious violent behavior; and

WHEREAS, a large percentage of children who are bullied believe that adult help is infrequent and ineffective; and

WHEREAS, a school make substantial contributions to the future of America and to the development of our nation's young people as knowledgeable, responsible and productive citizens; and

WHEREAS, excellence in education is dependent on safe, secure and peaceful school setting; and

WHEREAS, the safety and well-being of many students, teachers and school staff are unnecessarily jeopardized by crime and violence, such as bullying in our schools; and

WHEREAS, it is the responsibility of all citizens to enhance the learning experiences of young people by helping to ensure fair and effective discipline, promote good citizenship, and generally make school safe and secure; and

WHEREAS, all leaders especially those in education, law enforcement, government and business should eagerly collaborate with each other, the U.S. Department of Justice, U.S. Department o Education, and the New Jersey Department of Education, to focus public attention on school safety and identify, develop and promote innovate answers to these critical issues, and

WHEREAS, Administrators and educators in Kinnelon' s schools are encouraged to formally adopt similar resolutions and proclamations so that we may enthusiastically work together to make our town's schools safe, secure and peaceful places for learning, teaching and working, free of violence and fear; and

WHEREAS, the observance of National Bullying Prevention Month will substantially promote efforts to provide Kinnelon's schools with positive and safe learning climates; and

NOW THEREFORE BE IT RESOLVED, that Mayor Robert W. Collins proclaims October 2011, as **BULLYING PREVENTION AND AWARENESS MONTH**; and

BE IT FURTHER SESOLVED, that the Borough of Kinnelon' s schools, parents, recreation programs, religious institutions, and community organizations be encouraged to engage in variety of awareness and prevention activities designed to make our communities safer for all children and adolescents.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of Borough of Kinnelon to affixed this the 15th day of September, 2011.



Mayor Robert W. Collins

LGCCC 2R-A
Municipal Record Service (609) 547-2444

LICENSE FOR: Raffle License No. RL-726 -KB
(~~Insert Name of~~ Raffles)

Identification No. 238-9-18748
(Display this license conspicuously
During the conduct of the games)

Insert Name
Of Municipality BOROUGH OF KINNELON
Insert Name of
Licensee KINNELON VOLUNTEER FIRE COMPANY

Address 103 KIEL AVENUE, KINNELON NJ, 07405

(cross out line which) Bingo (not to Exceed 35 games),
1. This license allows the licensee to conduct 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
50/50 On Premises 10/16/2011 103 Kinnelon Road 7:00AM – 12:00PM
Kinnelon Road, Kinnelon NJ

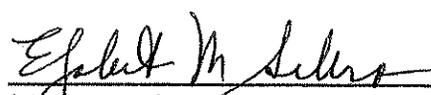
2. The value and character of the prizes authorized to be offered and given on each date are:
50/50 CASH

3. This license is valid only if the entire net proceeds are devoted to the following specific purpose:
Assist the Fire Company in purchasing new equipment

4. The names and addresses of the members under whom the games will be held, operated and conducted are:
Names Addresses
John Smialek 6 Ricker Rd, Kinnelon NJ

Issued by order of MAYOR AND COUNCIL ON September 15, 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.

SEPTEMBER 15, 2011

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

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

OLD BUSINESS

ORDINANCE 7-11 – UNDERAGE DRINKING ORDINANCE

Mayor Collins asked to have this ordinance tabled, with the understanding that a committee will be formed to discuss the ordinance.

Councilman Moleta commented that having a committee to discuss the ordinance and the intent will help. He is hoping to protect the children and our community from alcohol related accidents and deaths and to allow our children's minds to develop without the outside influence of alcohol. This ordinance addresses children under the age of eighteen with education and intervention. The ordinance does not address children over eighteen who are considered adults by the law with adult penalties. Over seventy percent of towns in New Jersey have already adopted this ordinance. He proposed that KAMELOT provide an educational component to go along with this ordinance.

Councilman A. SanFilippo offered a motion to table the ordinance until a later date. This motion was seconded by Councilman Freda.

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;
	G. Moleta, Yes;	R. Mondello, Yes.

ADDITIONAL COMMENTS FROM THE PUBLIC

Cal Munem, 218 Kinnelon Road, stated he has been in law enforcement for the past twenty years as well as being an educator. He gave statistics of all the New Jersey municipalities as well as the Morris Counties which have adopted this ordinance. He said it is not about intrusion into your life, but intervention. He stated the community as a whole and the parents must advocate the safety of the children. Mr. Munem said it is a tool. It shows there are consequences for bad behavior. Mr. Munem said he would be interested in serving on the committee if needed.

Lila Helu, , added her comments that because it is a violation of her property rights she has some reservations about the ordinance.

ORDINANCE NO. 14-11 AN ORDINANCE TO AMEND CHAPTER 169, SOIL REMOVAL, OF THE CODE OF THE BOROUGH OF KINNELON, NEW JERSEY

WHEREAS, N.J.S.A. 40:48-2 permits a municipality to make and amend an ordinance as it may deem necessary and proper for good government, order, and protection of persons and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants; and

WHEREAS, the Borough Council of the Borough of Kinnelon ("Borough") desires to amend Chapter 169, Soil Removal, of the Code Of The Borough Of Kinnelon, New Jersey.

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

SECTION ONE. Chapter 169, Soil Removal, of the Code of the Borough of Kinnelon, New Jersey, shall be revised to read as follows:

CHAPTER 169 SOIL DISTURBANCE

§169-1 DEFINITIONS.

Person shall mean any developer, organization, individual, company, corporation, partnership, limited liability company, limited liability partnership, or any other form of business entity.

Site shall mean the Block(s) and Lot(s) that is named on the application form and is the location of the project.

Soil disturbance shall mean any movement of soil including, movement of soil within one (1) site or movement of soil from one site to another site regardless of its destination. This also includes movement of soil on land disturbed previously as a result of a previous project or development.

Soil exportation shall mean removing soil from one (1) site to any location off-site.

Soil importation shall mean bringing soil to the site from any location off-site.

Soil movement shall mean the transfer of soil within a site.

Topsoil shall mean soil, that, in its natural state, constitutes the top layer of earth, and is composed of two (2%) percent or more, by weight, of organic matter and has the ability to support vegetation.

§169-2 GRADING PLANS REQUIRED.

Any soil disturbance that results in a change in grade or elevation of two (2') feet or more but does not fall within the limits set forth below in §169-3, shall require approval from the Borough Engineer. A grading plan shall be prepared and submitted to the Borough Engineer for approval, along with a minimum escrow amount of \$1,000.00. Applicant

shall also file a Building Permit Application with the Building Department and pay the appropriate fee. The Borough Engineer may request additional escrow funds as warranted.

Grading plans shall be prepared by a licensed professional engineer and shall be accompanied by a signed and sealed topographic survey prepared by a licensed professional and surveyor. Grading plans involving the construction of new retaining walls or the repair/reconstruction of existing retaining walls, regardless of height, shall require the prior review and approval by the Borough Engineer. In cases where retaining walls exceed a height of four (4) feet and in cases involving tiered walls, structural calculations prepared by a licensed professional engineer shall be submitted for review and approval by the Borough Engineer to confirm the standards are met for sliding, overturning and global stability. Upon completion of work shown on the lot grading plans and retaining wall plans, the applicant shall submit a topographic as-built survey prepared by a licensed professional land surveyor for review and approval by the Borough Engineer. Routine inspections are required by both the applicant's Design Engineer and the Borough Engineer to ensure all work conforms with the approved plans. A certified report of completion is required to be submitted to the Borough Engineer by the design engineer to ensure retaining walls were constructed in substantial conformance with the approved plans. In cases involving rock cuts, the Borough Engineer may require the applicant to obtain a certification from a professional engineer familiar with geotechnical matters to ensure the safety and stability of such rock cuts.

§169-3 SOIL DISTURBANCE PERMIT REQUIRED.

- a. Any soil disturbance within the Borough of Kinnelon involving fifty (50) cubic yards volume of soil or more on one (1) site shall comply with the provisions of this Soil Disturbance Chapter. Any soil disturbance within the Borough of Kinnelon involving fifty (50) cubic yards volume of soil or more on one (1) site requires first obtaining a soil disturbance permit, as provided herein, to be approved by the Borough Council. This section shall not apply to soil disturbance by the Borough or its contractors.
- b. This section shall also apply to soil disturbance incident under a permit issued by the Construction Official for the construction of a single family dwelling and its accessory structures (such as garage, shed, swimming pools, cabana houses, driveway, etc.).
- c. The soil disturbance permit shall expire after one (1) year from the date it is issued. In the event the soil disturbance activity for which the permit was issued is not completed within one (1) year, the applicant may apply to the Borough Council for an extension of said permit. Approval of said extension shall not be unreasonably withheld.
- d. All applications shall include a soil erosion and sediment control plan as set forth in Chapter 167, Soil Erosion and Sediment Control, of the Borough of Kinnelon Code Book. In addition, certification may be required from the Morris County Soil Conservation District.
- e. All applications for lot grading plan or soil disturbances shall include a report from a qualified environmental professional which confirms the presence or absence of freshwater wetlands, wetlands transition areas, flood hazard areas, category-1 watercourses, riparian buffers, and which confirms the applicability of the state Highlands Water Protection and Planning Act, the state Flood Hazard Area Control Act, Freshwater Wetlands Act, or any other state regulations protecting environmental resources which could be impacted by the proposed work. Copies of any necessary state

permits shall be submitted prior to the final approval of any lot grading or soil disturbance plan.

- f. Exemptions from Permit Requirements. In cases involving minor soil moving, as set forth below, no Permit is required:
1. Removal of less than 50 cubic yards.
 2. Spreading of topsoil for a lawn, provided that there is not a buildup of more than four inches and the areas filled are within the property line.
 3. Filling of holes left by rock or tree stump removal.
 4. Filling of sunken backfill areas, provided that such filling does not take place more than two years after the completion of the original backfill.
 5. Importation of less than 50 cubic yards, provided that the change in elevation is no more than two feet at any point and the source of fill material is identified and approved by the Construction Official.
 6. Cut and fill operations over an area less than 400 square feet that result in no more than a two-foot change in elevation at any point.
 7. Notwithstanding the foregoing, no exemption should be given in cases where stormwater facilities are being constructed or in cases where grading will redirect runoff which could potentially adversely affect neighboring properties or public and private roads.

§169-4 APPLICATION AND CONTOUR MAP.

- a. *Application.* Any disturbance of soil within the Borough of Kinnelon of five thousand (5,000) square feet surface area or more on one (1) site or fifty (50) cubic yards volume of soil or more on one (1) site requires the submission to the Borough Clerk of an application for a soil disturbance permit. In addition, an application fee in the amount of one hundred fifty (\$150.00) dollars must be submitted with the application if the applicant proposes to disturb fifty (50) to five hundred (500) cubic yards of soil. An application fee in the amount of five hundred (\$500.00) dollars must be submitted with the application if the applicant proposes to disturb five hundred one (501) or more cubic yards of soil. In the event soil is being exported from one (1) site within the Borough of Kinnelon and imported to another site within the Borough of Kinnelon, then two (2) soil disturbance permits must be obtained, one (1) permit for the exportation and one (1) permit for the importation. Applications can be obtained by the Borough Clerk's office and shall be signed by the person intending to perform the soil disturbance and by the owner of the site where the soil is to be disturbed. In addition, the application must include a contour map of the site where the soil is to be disturbed, the appropriate fee and when the application involves the importation or exportation of soil, a traffic plan. Twenty-five (25) copies of the application shall be submitted if the application will be reviewed by the Borough Engineer and the Planning Board or Board of Adjustment, as set forth below. Four (4) copies of the application shall be submitted if only the Borough Engineer will review the application.
- b. *Contour Map.* Accompanying the application shall be a contour map of the site where the soil is to be disturbed showing the proposed grades resulting from the intended soil disturbance in relation to the existing topography of the site. Twenty-five (25) copies of the map and earth work calculations shall be submitted if the application will be reviewed by

the Borough Engineer and the Planning Board or Board of Adjustment, as set forth below. Four (4) copies of the map and earth work calculations shall be submitted if only the Borough Engineer will review the application. The map and earth work calculations must include not only the site where the soil is to be disturbed, but also all surrounding lands within two hundred (200') feet of the perimeter of the site. The map and earth work calculations shall be prepared and certified by a licensed professional engineer of the State of New Jersey. The map must be prepared using a scale of not less than one (1") inch to thirty (30') feet showing the site and its relation to all of the surrounding lands in the following manner:

1. The dimensions of the site and the lot and block number of the site and of each lot in the surrounding lands as shown on the Tax Assessment Map of the Borough.
 2. The existing elevations of all lands with two (2') foot contour lines.
 3. The existing elevations of all buildings, structures, streets, streams, bodies of water and watercourses (natural or artificial), as well as underground utilities, aboveground utilities, septic system components, potable wells, and irrigation wells.
 4. All wooded areas.
 5. The proposed final elevations where existing elevations shown on the map are to be changed as a result of completion of the proposed work.
 6. Proposed slopes and lateral supports at the limits of the area upon completion of the soil disturbance operations.
 7. Proposed provisions and facilities for surface water drainage and, where applicable, channels of natural or artificial drainage, including cross sections showing proposed channel widths, bank slopes and method of erosion and control thereof.
 8. Accurate cross sections at intervals of not more than fifty (50') feet showing the locations and quantities, in cubic yards, of soil to be disturbed.
 9. All proposed elevations in enclosed rectangular boxes, and all existing elevations to be indicated without any kind of enclosure.
 10. If the application is before the Planning Board or Board of Adjustment, such other pertinent data as the Planning Board or Board of Adjustment may require.
- c. *Traffic Plan.* Accompanying all applications, which include the importation or exportation of soil, shall be a traffic plan which will indicate the following:
11. The specific trucking ingress and egress into the subject site.
 12. The proposed truck routes that will be used to service the site.
 13. The specific hours of operation.
 14. The maximum number of cubic yards that will be moved to or from the subject site during any twenty-four (24) hour period.

15. The required traffic plan shall comply with the following requirements.
 - a. Except for emergencies, all soil shall be imported or exported from the subject site during the hours of 7:00 a.m. through 6:00 p.m. Eastern Standard Time on weekdays only (excluding holidays).
 - b. The scheduling of trucks used to move soil to and from the subject site shall be done in such a way as to minimize truck traffic within school zones during the morning and afternoon school hours.

Twenty-five (25) copies of the traffic plan shall be submitted if the application will be reviewed by the Borough Engineer and the Planning Board or Board of Adjustment. Four (4) copies of the traffic plan shall be submitted if only the Borough Engineer will review the application.

§169-5 REVIEW AND EXAMINATION OF APPLICATION

- a. Upon receipt of an application for a soil disturbance permit in conjunction with an application before the Planning Board or Board of Adjustment, the Borough Clerk shall send a copy of the same to the Planning Board or Board of Adjustment, as appropriate and the Borough Engineer, who shall review the application and submit their report and recommendations to the Borough Council. In the event a soil disturbance permit application is submitted in conjunction with soil disturbance on property that is not before the Planning Board or Board of Adjustment, the permit application shall be submitted to the Borough Clerk for distribution to the Borough Engineer. The Borough Engineer shall review the application and submit a report and recommendations to the Borough Council.
- b. The applicant has the right to be heard by the Borough Council at such time as the soil permit application is being considered by the Borough Council.
- c. The Borough Council shall grant or deny the application within forty-five (45) days after receipt of the reports and recommendations of the Planning Board or Board of Adjustment and/or Borough Engineer. The Planning Board or Board of Adjustment and/or Borough Engineer, in considering and reviewing the application and the contour map, shall take into consideration the public health, safety and general welfare, and shall give particular consideration to the following factors:
 1. The potential for soil erosion by water and wind.
 2. The prevention of silt and sediment from entering brooks, streams, ponds, lakes, rivers and other bodies of water
 3. The existing drainage of the site involved and any changes in drainage patterns that may result from the establishment of new contours.
 4. Types and fertility of the soil to be removed and the use to which it will be put.
 5. Lateral support slopes and grades of abutting streets and lands.
 6. Land values and uses of those properties affected directly or indirectly by the proposed disturbance of soil.
 7. Such other factors as may bear upon or relate to a coordinated, adjusted and harmonious physical development of the site in connection with the surrounding lands in accordance with the master plan for the development of the Borough.

- d. If after examining the application, the map provided, and the reports of the Planning Board or Board of Adjustment and/or Borough Engineer, the Borough Council shall be of the opinion that the proposed soil disturbance will not create conditions inimical to the public health, welfare and safety and will not result in the creation of any sharp declivities, pits or depressions, soil erosion, fertility problems or depressed land values, nor create any drainage or sewerage problems or other conditions of danger, permission to remove the soil shall be granted with any condition or demand deemed necessary by the Borough Council.

§169-6 FEES.

An application fee of one hundred fifty (\$150.00) dollars must be submitted with the application if the applicant proposes to disturb fifty (50) to five hundred (500) cubic yards of soil. An application fee in the amount of five hundred (\$500.00) dollars must be submitted with the application if the applicant proposes to disturb five hundred one (501) or more cubic yards of soil. In addition to the application fee stated herein, a minimum escrow of one thousand (\$1,000.00) dollars must be established. The Borough Engineer may request additional escrow funds as warranted.

Prior to issuance of a soil disturbance permit and approval of the same by the Borough Council, the permit applicant shall pay to the Borough a permit fee as per the following schedule:

Movement of soil within the same site	\$0.10 per cubic yard
Exportation of soil from the site irrespective of the destination of the soil	\$0.25 per cubic yard (\$0.10 for movement and \$0.15 for exportation)
Importation of soil from a location outside the site	\$0.25 per cubic yard (\$0.10 for movement and \$0.15 for importation)

If soil is imported and the applicant is charged twenty-five (\$0.25) cents per cubic yard and that soil is later moved within the site in connection with the same soil movement activity or construction of the same development, a further fee shall not be charged. In addition, if soil is moved within the site and the applicant is charged ten (\$0.10) cents per cubic yard and that soil is later exported from the site in connection with the same soil movement activity or construction of the same development, an additional charge of fifteen (\$0.15) cents shall be charged.

All soil volume calculations for the purposes of determining fees shall be initially calculated by the applicant and submitted to the Borough Engineer for approval.

§169-7 PERFORMANCE GUARANTEE.

Before any permit or permission for soil disturbance is granted or issued, the owner or applicant shall file with the Borough Clerk, in such amount as in the opinion of the Borough Engineer shall be sufficient, a performance guarantee, in a form satisfactory to the Borough Attorney, consistent with the guarantee form permitted under the Municipal Land Use Law, N.J.S.A. 40:55D-1, et seq. to insure the faithful performance of the work to be undertaken, pursuant to the permission granted by the Borough Council, pursuant to the provisions of this section. For those soil permit applications submitted in connection with an application before the Planning Board or Board of Adjustment, said performance guarantee may be included in the guarantee

required by the Developer's Agreement. An as constructed contour map shall be filed and approved by the Borough Engineer prior to the release of any bond required

§169-8 SOIL PERMIT EFFECTIVE ONLY WHERE USE ERMITTED BY ZONING ORDINANCE.

Notwithstanding anything herein to the contrary, a soil disturbance permit shall not be granted pursuant to this chapter in conjunction or related to a use not permitted for or on the relevant property by the Borough Zoning Ordinance.

§169-9 CONDUCT OF OPERATION: INSPECTION.

- a. If permission to remove the soil is granted, the owner or person in charge shall so conduct the operations that there shall be no sharp declivities, pits or depressions and in such a manner that the area shall be properly leveled off, cleared of debris and graded to conform to the contour lines and grades as approved by the Borough Engineer
- b. For the purpose of administering and enforcing the provisions of this chapter any duly authorized officer, agent or employee of the Borough shall have the right to enter into and upon any lands in or upon which such soil disturbance operations are being conducted, in order to examine and inspect such lands and the operations thereon.

§169-10 REMOVAL OF TOP LAYER OF ARABLE SOIL PROHIBITED

The owner of the site or the person in charge of the disturbance of soil, when permission has been duly granted, shall not take away the top layer of arable soil to a depth of six (6") inches, but such top layer of arable soil to a depth of six (6") inches shall be set aside for retention on the site, and shall be respread over the site when the rest of the soil has been removed pursuant to levels and contour lines approved by the Borough Engineer.

§169-11 ENFORCEMENT.

The Borough Engineer is hereby designated as the officer whose duty it shall be to enforce the provisions of this chapter. The Borough Engineer shall from time to time, upon the Borough Engineer's own initiative and whenever directed by the Mayor or Council, inspect the site for which permits have been granted to ensure compliance with the terms of the permit of this section. In addition, once all soil disturbance is complete, the Borough Engineer shall inspect the site to determine whether the actual soil disturbed is consistent with the soil disturbance permit issued. In the event more soil is disturbed than authorized by the soil disturbance permit, the applicant shall submit the additional fees due. The additional fees due shall be calculated using the fee for the total soil disturbed minus the fees already paid. In no event shall fees paid for soil disturbance permit be refunded by the Borough.

§169-12 VIOLATIONS AND PENALTIES.

Any person violating any of the provisions of this chapter shall be subject, upon conviction, to the penalties stated in Chapter I, Section 14.

§169-13 SOIL IMPORTED FOR USE AS FILL.

- a. Soil to be Used as Fill. No person shall raise the level of any land or portion thereof within the Borough by adding any material or substance other than fill. This section is not applicable to the addition to the land of any material or substance in the ordinary course of farming, horticulture, gardening, quarrying and mining.
- b. Applicable Substances; Exceptions. Fill shall consist of topsoil, earth, rock, gravel, quarry process, or sand obtained solely from virgin sources. Concrete and asphalt cannot be used as

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fill. Topsoil is the exposed layer of the earth's surface, and earth is the layer of soil immediately beneath the topsoil and above rock. Rock excludes boulders, boulders being detached and rounded or worn pieces of rock, the greatest side of which is no less than six (6") inches. All other materials are excluded. Excluded materials include, but are not limited to, soil containing contaminates, muck, peat, timber, debris, stumps and roots of trees, demolished structures, construction materials or of any other refuse; provided, however that these excluded items shall not have been reprocessed so as to conform with the definition of "fill" herein provided. Muck is soft silt or clay, very high in organic content, which is usually found in swampy areas. Peat is soil composed principally of partially decomposed vegetative matter.

SECTION TWO. All ordinances of the Borough of Kinnelon which are inconsistent with the provisions of this Ordinance are hereby repealed as to the extent of the inconsistency.

SECTION THREE. If any section, subsection, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid by any Court of competent jurisdiction, such decision shall not affect the remaining portion of this Ordinance.

SECTION FOUR. This Ordinance shall take effect immediately upon final passage, approval, and publication 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;
	G. Moleta, Yes;	R. Mondello, Yes.

WHEREAS, the above ordinance was introduced at this meeting held on September 15, 2011 and read by title, and passed on first reading;

NOW, THEREFORE, BE IT RESOLVED that at the regular meeting to be held on October 20, 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 G. Moleta.

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

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

RESOLUTION 8.22.11 - REJECTION OF ALL BIDS FOR THE KINNELON COMPANY #2 FIREHOUSE.

Mayor Collins explained that this resolution was held over from the last meeting. By adopting this resolution the council will be choosing to go back out for bids on the firehouse. By not adopting the resolution, we will be committing to amend the bond ordinance in order to award the bid. He then opened the meeting to the council to discuss this resolution.

Councilman Gary Moleta said he is concerned about the continued delays in approving this project which has been underway for many years as well as the possibility of losing the grant for \$80,000.

Councilman Cobell asked for an explanation from the attorney as to what happens to Resolution 9.20.11 if this resolution is passed. Mr. Madaio said it would not be acted upon.

Councilman SanFilippo said we received thirteen bids on the project. People lose sight of the fact that the firemen are residents of Kinnelon who volunteer to run into your house when it is on fire. They are looking for a proper and appropriate place to train to run into your house while it is on fire. They want to build a place that houses the equipment to be used in order to run into your house. Councilman SanFilippo said he finds the fire company members some of the finest people in town. They are only trying to build an appropriate firehouse for training and storage of public equipment. He has issues with someone taking an open bid to shop around and come back with pricing. When you add prevailing wages and concrete and materials, we will be in the same place. Mr. SanFilippo said he doesn't think Kinnelon's residents want that type of building, such as the steel building Bloomingdale has. He said he is in favor of adding to the bond ordinance and awarding the bid.

Councilman Cobell said his idea of the firehouse has evolved since the beginning. He believes the fire company deserves the building they want. He has no problem if the project is 2% more than the original. However, he would like the opportunity to discuss with the professionals to see if a steel building is feasible.

Mr. SanFilippo asked if we could hold off on the rejection of the bids. Mr. Madaio explained the different options the council has. He said the preferred way would be to have a meeting with the architect and engineer to review the issue.

Mayor Collins said our professional engineer has already indicated there is no guarantee that the bids would come in less if we go back out for bid. In changing the specifications to control the cost, we may not end up with the building we want. The Mayor asked the attorney if during the building process a change order could be done to reflect something which would save us money. Mr. Madaio said that would not be

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appropriate. Any change like that to the specifications would require us going back out to bid. Making inquiries such as we have done with the idea that we would be going back out for bids with changed specifications is alright.

Councilman O'Dougherty asked if you could rebid the project with an alternate. Mr. Madaio said you can, but the architect would have a few hours of time changing the specifications. All that would have to be done within the sixty days. You would be looking at several months. Mayor Collins reminded everyone that he has had assurance that if the project is moving forward, the grant could be extended. Extending the award would jeopardize the grant. Mr. Madaio said there are many unknowns at risk if you go back out for bids; especially the possible loss of the grant. Presently, we have a substantially lower bid than the others, but that same contractor could essentially bid at a higher price the next time.

Councilman Cobell agreed that if there is not going to be a substantial savings we should go forward with the award.

Mayor Collins questioned taking an unofficial quote that does not take into account all the other factors.

Councilman Mondello had no problem waiting a week, however, he feels the fire company has already done their homework. He agreed to wait only because of the possibility that we could save \$200,000 as Councilman O'Dougherty has suggested.

Mayor Collins said he has the consensus that we should wait and hold a special meeting.

A motion by Councilman R. Mondello to postpone action taken on Resolution 8.22.11 and Resolution 9.20.11 until a special meeting to be held prior to the sixty day deadline. This motion was seconded by Councilman S. Cobell.

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

9/12/11

ORDINANCE # 15-11

BOND ORDINANCE MAKING A SUPPLEMENTAL APPROPRIATION OF \$350,000 FOR THE CONSTRUCTION OF A NEW FIREHOUSE IN AND BY THE BOROUGH HERETOFORE AUTHORIZED TO BE UNDERTAKEN BY THE BOROUGH OF KINNELON, IN THE COUNTY OF MORRIS, NEW JERSEY, AND AUTHORIZING THE ISSUANCE OF \$333,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING SUCH SUPPLEMENTAL APPROPRIATION.

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

Section 1. The improvement described in Section 3 of this bond ordinance has heretofore been and is hereby authorized as a general improvement to be made or acquired by the Borough of Kinnelon, in the County of Morris, New Jersey, by Section 3(a) of the bond ordinance (the "Prior Ordinance") of the Borough adopted July 15, 2010 (#9-10), entitled: "Bond ordinance providing for the construction of a new firehouse in and by the Borough of Kinnelon, in the County of Morris, New Jersey, appropriating \$900,000 therefor and authorizing the issuance of \$857,000 bonds or notes for financing such appropriation". The cost of the improvement described in Section 3(a) of this bond ordinance, estimated in July, 2010, at \$900,000 is now estimated at \$1,250,000. By the Prior Ordinance there has been appropriated to payment of the cost of said improvement the sum of \$900,000. It is now necessary for the Borough to raise the additional sum of \$350,000 to meet the remainder of said \$1,250,000 estimated cost of said improvement not provided by the appropriation therefor made by the Prior Ordinance.

Section 2. For the said improvement or purpose stated in Section 3(a) of this bond ordinance, and in addition to the sum of \$900,000 heretofore appropriated therefor by the Prior Ordinance, there is hereby appropriated the further sum of \$350,000, including the sum of \$17,000 as an additional down payment for said improvement or purpose required by law and now available therefor by virtue of provision in a previously adopted budget or budgets of the Borough for down payment or for capital improvement purposes. Said additional appropriation of \$350,000 shall be financed and met from the said additional down payment, and from the proceeds of negotiable bonds of the Borough which are hereby authorized to be issued in the principal amount of \$333,000 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the Borough in a principal amount not exceeding \$333,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

Section 3. (a) The improvement authorized by Section 3(a) of the Prior Ordinance and by this bond ordinance and the purpose for the financing of which said obligations are to be issued is the construction of a new firehouse in and by the Borough on property owned by the Borough and located at 140 Boonton Avenue and identified as Lot 2 in Block 70 on the Official Tax Map of the Borough, including all related structures and appurtenances, the improvement of the site thereof and the demolition of the existing building thereon, and the purchase and installation of equipment, together with all structures, equipment, work and materials necessary, useful or convenient for said building, 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.

(b) The estimated maximum amount of bonds or notes to be issued for said purpose is \$1,190,000 inclusive of the \$857,000 principal amount of bonds or notes of the Borough heretofore authorized for said improvement or purpose pursuant to the Prior Ordinance.

(c) The estimated cost of said purpose is \$1,250,000 inclusive of the sum of \$900,000 heretofore appropriated for said improvement or purpose by the Prior Ordinance.

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

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

(b) The period of usefulness of said purpose within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is forty (40) 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 \$333,000, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An amount not exceeding \$10,000 for items of expense listed in and permitted under section 40A:2-20 of said Local Bond Law may be included as part of the

additional cost of said improvement and has been included in the foregoing \$350,000 additional estimated cost 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.

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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;
	G. Moleta, Yes;	R. Mondello, Yes.

WHEREAS, the above ordinance was introduced at this meeting held on September 15, 2011 and read by title, and passed on first reading;

NOW, THEREFORE, BE IT RESOLVED that at the regular meeting to be held on October 20, 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 R. Mondello then offered a motion to adopt the foregoing resolution. This motion was seconded by Councilman G. Moleta.

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

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

RESOLUTION 9.21.11

AUTHORIZATION FOR CHIEF OF POLICE TO HIRE NEW POLICE OFFICER

A discussion was held before action was taken on the resolution on the finances of the Police Department and comments from the Finance Chairman and a member of the Finance Committee that they have been assured by the Chief that this will not increase his 2012 budget and that he understands that someone could be laid off next year. Councilman SanFilippo stated the officer to be considered was neck and neck with the last officer hired and is well qualified to serve.

A motion offered by Councilman A. SanFilippo and seconded by Councilman G. Moleta to approve the following resolution:

AUTHORIZATION IS HEREBY GIVEN to the Police Chief to hire a new police officer who was previously interviewed for the position.

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

DISTRICT SCHOOL

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

TAX COLLECTOR'S REPORT

During the month of August the Tax Collector's Report indicates we collected \$6,372,381.05 in taxes.

INVESTMENT OFFICER

A total of \$833.08 was collected in interest for the month of August, 2011.

MAYOR'S COMMENTS

Mayor Collins stated we received an acknowledgement from the New Jersey General Assembly for receipt of Resolution 7.04.11 which supports safety improvements on Route 23.

The Mayor also received from the Governor a Proclamation stating September 11, 2011 as a National Day of Remembrance on September 13th.

COUNCIL COMMENTS

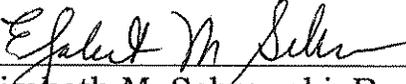
Councilman O'Dougherty read a letter from our insurance company requesting the borough ask the Fire Company move fire trucks in Smoke Rise to the Recycling Center under the overhang. Mayor Collins asked the Councilman to discuss this with the Public Safety Committee.

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ADJOURNMENT

This meeting adjourned at approximately 10:48 p.m. on motion by Councilman J. Freda and seconded by Councilman D. O'Dougherty with the unanimous affirmative voice vote of all present.

Respectfully submitted,



Elizabeth M. Sebrowski, Borough Clerk



Robert W. Collins, Mayor

cc: Mayor
All Councilmen
Chief Financial Officer
General Code
Police Dept.
Public Works Dept.
Recreation
Tax Collector
Assessor
Municipal Court
Attorney
Engineer
Auditor