

**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 December 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 Clerk reported there was no Treasurer's Report submitted due to illness of the Treasurer. The report will be read at the January 2012 meeting.

**MAYOR'S REPORT**

Mayor Collins discussed a post storm assessment meeting held with our OEM, Butler Electric, DPW, Fire and Police Departments to determine what we could have done differently or better. We received many complaints about the service received from Jersey Central Power and Light. Although Butler Electric has limited resources, their response was better. A number of homes had no electric for from two, three or four days. Mr. Collins said he will be looking into using social media to alert and communicate with the residents. A list of residents who have well water will be distributed to JCP&L because if you don't have electric, you don't have water. It is possible to be put on a list with JCP&L if you have medical concerns or special needs to be attended to quicker. Although the borough has limited resources, assistance was given to those people who needed help. Mayor Collins asked everyone to refrain from placing their brush to the curb.

The Mayor stated the Kinnelon Road repair will be completed by the end of the month.

Advisory Committee members at the reorganization meeting to be held Monday, January 2<sup>nd</sup> at 7:30 p.m.

Mayor Collins congratulated the peewee football team on their championship.

Lastly, Mr. Collins announced we received a resignation from our Public Defender, Michael Kelly and said will be looking for a replacement.

### **RECREATION & ORDINANCE**

Chairman James Freda reported we had two of our teams participate in the super bowl this year. The peewees won the super bowl; the juniors, unfortunately did not. Mr. Freda said the juniors did everything right, all plays were executed correctly, they just didn't win.

Mr. Freda said basketball is under way, with a basketball clinic beginning in January, Starting Monday we will be dismantling the rink behind the municipal building. Our DPW men will be doing it themselves. We will be going out to bid for the snack stand at Boonton Avenue. With baseball being our fastest growing sport, Mr. Freda said he reached out to OLM to see if we could help fix a field behind their school for use by the borough as a baseball field for the smaller kid's sports. At Boonton Avenue, we will be looking to add another baseball field.

The council talked in depth at their last meeting about turf. Mr. Freda explained he went to the Highlands to talk about what the highlands restrictions are for this town. Highlands says they consider turf to be an impervious surface which could hurt the aquifer. Behind the municipal building is very wet. The Highlands would not help us to get turf there. We looked at all our fields. KRP field would be willing to help us with it. There are no lights, however. You want to use a turf facility from morning to night. We need a turf facility because we are in great need for fields. Mr. Freda introduced a gentleman in the audience named Larry, who works for Field Turf. Larry said he is willing to donate the turf for \$400,000. Lights would be another \$200,000. KRP is 80,000 square feet of turf; the high school field would be 91,000 square feet. Mr. Freda was excited with the great numbers and said we still have to go out for bid. Mr. Freda thinks we should use some of our open space dollars and pay down some of our debt with open space dollars.

Mr. Freda said the council understands the conditions of the fields.

Mayor Collins commented at this time that he believes the referendum for the Open Space Tax will not allow the money to be used for the turf. However, Kinnelon is a town where people come together to make things work and private fundraising can be an option. Even if we find a location on borough property, we will still need to get highlands exemption. The board of education would not have to go through that same process. He said he is glad there are people thinking outside the box.

### **PUBLIC WORKS & UTILITIES**

Chairman Daniel O'Dougherty reported we have completed preparation of our equipment for winter, but he assured everyone we will have a tremendous amount of snow. All brush removal from the storms is completed. All ditches were cleaned out.

Mr. O'Dougherty said a tub grinder was rented to grind up all the brush at the recycling center. We have mulch for anyone who wants to pick it up.

Mr. O'Dougherty reported on the storm assessment meeting he attended. He briefly discussed a problem which arose in Smoke Rise with telephone poles.

### **COORDINATING**

Chairman Gary Moleta reported there were critical concerns about our IT services.

Mr. Moleta attended a district advisory council meeting at the high school, on behalf of the Mayor. He learned our high school is rated 182 in the country and number seven in the state. This has a direct reflection on home values. Mr. Moleta also stated our school superintendent is going to retire next year due to the governor's cap on salaries. He said he is sure the Board will do well in replacing him.

Councilman Moleta reported on the Board of Health stated they gave out baskets for Thanksgiving and Christmas. He stated anyone in need should contact them for help. He reported the Historical Commission is looking for a local Historian and reported several of the Environmental Commission members are active with Sustainable Jersey which puts forth efforts on environmental issues in New Jersey.

### **FINANCE & OPEN SPACE**

Chairman Stephen Cobell reported as Finance Chairman, our shared service arrangement with Boonton Township providing our Chief Municipal Finance Officer, has not been renewed for 2012. We are looking at two firms to provide the service on an interim basis and will be advertising for a full time CMFO who will also perform additional administrative duties. Mr. Cobell said he met with our current CMFO and our auditor and was assured by our auditor he can provide us with what we will need to begin our budget process. Also on finance, we will have to look at water rates and will consider using stratified rates which would increase with higher usage.

The finance committee started touring the larger valued of our potential tax title lien properties. The committee will bring them back to the full council to look at along with our attorney and our open space consultant from the Land Conservancy contact. There may be potential for borough use or for sale.

Mr. Cobell said he could not attend the Open Space Committee this month, but turned the meeting over to Councilman Mondello who attended in his place.

Councilman Mondello said the Land Conservancy report was given which stated the Open Space Committee should identify several parcels of property as potential Open Space acquisitions. There was a discussion on the Weber Tract reimbursements as well as a discussion on the dam which will be remediated next year. A discussion on trail maps as well as the potential property to be used for a community garden also took place.

**PUBLIC SAFETY**

Chairman Andrew SanFilippo reported for the Office of Emergency Management. Several FEMA representatives met with John Whitehead and Jen Highers who have done an outstanding job in working with FEMA to obtain reimbursements. Mr. SanFilippo thanked all the representatives from the borough including the CERT team, health department, library, OEM, Fire Department, police department, school, Smoke Rise, etc. for helping in the emergency of the storm. FEMA complimented the people of Kinnelon saying they were very nice to work with. Mr. SanFilippo also stated people may not be aware that utility companies keep a list of people who have special medical needs for times when power goes out.

Mr. SanFilippo reported the Kinnelon Volunteer Fire Company responded to fourteen alarms in November; there were no structure fires. He thanked Chief Jim Bosch for serving as chief stating this is his last term.

Reporting for the Kinnelon Police Department, Chairman SanFilippo stated there were forty seven total alarms calls for November and 404 year to date. There were fifteen adults, five juveniles, four CDS and five DWI arrests. Mr. SanFilippo also reported the County Chiefs Association is sponsoring a DUI check point which our officers will be participating in this weekend off the highway.

Lastly, Mr. SanFilippo congratulated Michael Hubner who was sworn in as a Superior Court judge.

**PERSONNEL**

Chairman Ronald Mondello stated the borough's health insurance is up for renewal. Although Horizon's premium was a little more than Oxford's, it was felt the savings was not dramatic enough compared to the impact changing companies would have on the employees who would have to look for new providers.

The state now requires the borough offer a Flexible Spending Account. Frankel Benefits, our current insurance broker, has offered to provide the benefit supervision for only about \$500.00, which is dramatically lower than other quotes received.

Mr. Mondello reported the third borough bargaining unit is close to conclusion with an acceptable contract. The Personnel Handbook is being updated also for our employees to reflect recommendations from the risk management fund.

**PROCLAMATION FOR K-FEST VOLUNTEERS**

Mayor Collins asked the council's permission to recognize three individuals who took on the tremendous task of planning and running the K-Fest event held at Lake Rickabear.

Thereupon, Mayor Collins read the following proclamations thanking Kathy Brino, Olga Gilhooley and Roberta Lane:

# PROCLAMATION

**WHEREAS**, the Borough of Kinnelon held the first annual "K-Fest" at Lake Rickabear on Sunday, October 2, 2011 for all residents of the Borough of Kinnelon; and

**WHEREAS**, KAMELOT, which is a drug and alcohol education and awareness committee of the Borough sponsored the K-Fest event; and

**WHEREAS**, Kathy Brino, Olga Gilhooley and Roberta Lane members of KAMELOT, volunteered to be members of the K-Fest Committee and spent many hours working and planning events for residents of all ages.

**NOW, THEREFORE, BE IT RESOLVED** the Kinnelon Mayor and Council hereby thank Kathy Brino, Olga Gilhooley and Roberta for their many hours of service and for making K-Fest a success.

Motion: Councilman G. Moleta  
Second: Councilman D. O'Dougherty

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

Mayor Collins also thanked Councilman Jim Freda for spearheading the event.

## **HEARING FROM THE PUBLIC**

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

Bob Lewis, 37 Gravel Hill Road, expressed his concern about the condition of the fields. He stated the referees spray painted the spots on the fields where someone could get hurt. Councilman Freda and the DPW filled the spots in right away, but still there were times when they had to forfeit games because of their conditions. He asked what can be done now to deal with the situation. He asked if there is a plan.

Mayor Collins said John Whitehead, our DPW Superintendent, has told him the fields are just not getting adequate rest. Freshman lacrosse practices on our field when the field should be resting for use by our football league. Because it was a swamp prior to a field, a lot of the buried wood is decaying and causing holes. We bought turf about five or six years ago and we may have to do that again. He referred to the plan to locate property more property to provide more fields. The Mayor asked people to think outside the box. Mr. Lewis asked if there is any money allocated to fix the fields this spring. Councilman SanFilippo said there is. Councilman Freda stated putting dirt down is not enough if they aren't allowed to rest.

Councilman Freda said he would like to be allowed to aggressively pursue an alternative, perhaps with the Board of Education.

Mehul Gadhavi, 22 Amira Lane, said he would like the borough to have more of a plan for obtaining a turf field. He understands that now the municipal field is not an option which narrows it down to KRP or the high school. He asked the governing body to commit to a definite plan to pursue whether either of those locations can be used by going to the DEP or the Highlands to see if they will approve those locations. He said he feels there is no progress. If there is a plan and things are checked off as not possible, people can see some progress.

Mayor Collins explained to Mr. Gadhavi the council has been working with the Highlands for a long time. The borough is entirely in the preservation area which makes it difficult to get anything done on "borough owned property". Even if KRP is designated as the possible site, we still need to apply for a Highlands Exemption. The Mayor said it took two years to get the exemption for the firehouse which is a public safety issue. The DPW will also need an exemption. The Board of Education property does not. They could put forth a referendum to the voters and if it passes can go forward, especially if the estimated cost will be as low as has been proposed. Councilman SanFilippo concurred stating the question should be posed to the Board of Education.

Mr. Gadhavi said going to the Board of Education would be Option A and asked if that is the only option. Mayor Collins said KRP would be Option B, but we would have to apply for a Highlands Exemption since we do not own the Boonton Avenue field which is within three hundred feet of the Taylortown Reservoir. Mayor Collins said Councilman Cobell and his committee visited forty three properties, some of which could be potential recreational sites. He added that we hired a new Municipal Planner who will be updating our Master Plan which includes recreational properties. Councilman Cobell stated that Councilman Freda has met with the Highlands Council and discussed what properties the Council would support. Councilman Freda said he would like to be given authorization to go to the next step which will cost us something for engineering to go to the Highlands. Mayor Collins said that the Recreation Committee should coordinate with the engineer. The next step for the Mayor and Council to take into consideration would be to get costs from the engineer for

Larry Bascum, South Glen Road, said he has a company that installs turf fields. He was approached by a resident in town and was asked to contact Councilman Freda. His daughter just finished her first year in the recreation program. He knows the conditions of our fields. He told the story of how Mountain Lakes privately raised the money for a turf field and suggested Kinnelon should do the same thing. Mayor Collins agreed, but said we still have the Highlands exemption issue. Larry said he feels we are on the right track moving to look at the high school.

John Covallo, 33 Forestdale Road, agreed the high school is the only way to go. There is too much red tape with government and if this gentleman is willing to provide the field for \$500,000 that's what we should do. At this time Mr. Bascum said if it is private money, he will knock off \$100,000 and provide it for \$400,000. He suggested the town should

A discussion on doing a joint venture at KRP with the Board of Education which the Mayor stated would hurry the process along. Mayor Collins also mentioned there is discussion of the high school track being repaired. Any discussions on the possibility of a turf field at the high school should be taking place now, prior to them

improving the track otherwise, they will say they can't because the track was just improved. He suggested the Board of Education should be included in the planning process. Councilman Freda said the school is afraid about having a referendum affect the passage of the budget. Mayor Collins said if we can do private funding and coordinate with the schools; that is the direction we should take.

Kevin Gray, Pheasant Run, was curious why there is no determination on whether we can utilize Open Space Fund money. Mayor Collins said that turf is outside the parameters of what is allowed with the Open Space Tax money. Mr. Gray said knowing that, is at least progress. Councilman Cobell said there are other options such as bonding. The attorney was asked to look into whether the Open Space Tax funds can be used.

Councilman Freda commented that he is confused as to what the next step is. Mayor Collins said he feels the Borough Engineer should be asked to put together an estimate for an application for KRP and report back to the council for the next work session. It is a matter of establishing the dollars for the budget. The funding mechanism has to come after the highlands process. Councilman Cobell asked for a five year capital plan for the Recreation Commission budget.

No one else wished to speak. The Mayor wished everyone a happy holiday. He also noted there is a salary resolution is on the Consent Agenda because the original resolution did not take everyone into account originally.

#### **CONSENT AGENDA:**

A motion was offered by Councilman R. Mondello and seconded by Councilman S. Cobell, approve items a through z with the exception of item "k" Resolution 12.09.11 for further discussion; and

WHEREAS, Councilman Freda asked for clarification of item "u" Resolution 12.19.11 since he had pay checks which were being cancelled; however, the Borough Attorney explained checks are only able to be cashed for a period of six months. If these checks are older than that, they would have to be cancelled and reissued.

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 did desire to remove item "k" from the Agenda to be discussed separately,

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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Range of Checking Accts: First to Last Range of Check Dates: 11/18/11 to 12/15/11  
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			Account Payab
7829	11/22/11	COF01 COFFEY & ASSOC. ATTORNEY TRUST	1,749.94		4292
7830	12/15/11		0.00	12/15/11 VOID	0
7831	12/15/11		0.00	12/15/11 VOID	0
7832	12/15/11		0.00	12/15/11 VOID	0
7833	12/15/11		0.00	12/15/11 VOID	0
7834	12/15/11		0.00	12/15/11 VOID	0
7835	12/15/11		0.00	12/15/11 VOID	0
7836	12/15/11		0.00	12/15/11 VOID	0
7837	12/15/11		0.00	12/15/11 VOID	0
7838	12/15/11		0.00	12/15/11 VOID	0
7839	12/15/11		0.00	12/15/11 VOID	0
7840	12/15/11		0.00	12/15/11 VOID	0
7841	12/15/11		0.00	12/15/11 VOID	0
7842	12/15/11		0.00	12/15/11 VOID	0
7843	12/15/11		0.00	12/15/11 VOID	0
7848	12/15/11	ACC04 ACC BUSINESS	338.60		4295
7849	12/15/11	ACT03 ACTION INTERPRETING LLC	284.00		4295
7850	12/15/11	ALL04 ALLIED OIL COMPANY	2,944.39		4295
7851	12/15/11	ALL10 WILLIAM ALLEN	426.00		4295
7852	12/15/11	ALL16 ALL WET IRRIGATION, LLC.	113.75		4295
7853	12/15/11	ARM01 JEANNE ARMSTRONG	1,059.00		4295
7854	12/15/11	BAC01 BERNARD BACCETTA ESQ.	750.00		4295
7855	12/15/11	BAL05 CHRISTOPHER BALDISSARD	516.00		4295
7856	12/15/11	BAR09 ADAM BARISH	600.00		4295
7857	12/15/11	BOR BOROUGH OF BUTLER	7,000.00		4295
7858	12/15/11	BOR11 BOROUGH OF BLOOMINGDALE	75,996.50		4295
7859	12/15/11	BOS01 JAMES BOSCH	600.00		4295
7860	12/15/11	BR01 B&R UNIFORMS	2,125.00		4295
7861	12/15/11	BRE01 GAIL L. BRESSETT	600.00		4295
7862	12/15/11	BRE03 ALAN BRESSETT	600.00		4295
7863	12/15/11	BRE08 JEFFREY BRESSETT	600.00		4295
7864	12/15/11	BUS03 PHILLIP BUSSEY	360.00		4295
7865	12/15/11	BUZ01 THE BUZAK LAW GROUP, LLC.	5,415.00		4295
7866	12/15/11	CAB01 CABLEVISION	149.80		4295
7867	12/15/11	CAP06 CAPITOL SUPPLY CONSTRUCTION	169.05		4295
7868	12/15/11	CIF02 NICHOLAS CIFELLI	80.40		4295
7869	12/15/11	COO03 COOPERATIVE COMMUNICATIONS INC	2,282.97		4295
7870	12/15/11	COR07 CORELOGIC TAX SERVICES	3,095.30		4295
7871	12/15/11	DAR01 DARMOFALSKI ENGINEERING ASSOC.	11,155.00		4295
7872	12/15/11	DEE01 DEER PARK SPRING WATER	44.80		4295
7873	12/15/11	DEL08 DELTA DENTAL OF NEW JERSEY INC	3,899.69		4295
7874	12/15/11	DEL13 DEL-PRO CORPORATION	661.84		4295
7875	12/15/11	DEL16 DE LAGE LANDEN	195.57		4295
7876	12/15/11	DOI01 LINDA L. DOIG	125.00		4295
7877	12/15/11	DU01 LU DUONG	7,516.42		4295
378	12/15/11	EFI01 EFINGER SPORTING GOODS	805.00		4295
7879	12/15/11	FAL03 FALCON AUTO PARTS INC	287.48		4295
7880	12/15/11	FER10 JUSTIN FERRARO	438.00		4295
7881	12/15/11	FIN04 FINCH FUEL OIL CO. INC.	5,220.08		4295

check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Number
7882	12/15/11	FITZ MIKE FITZPATRICK & SON, INC	26,469.20		4295
7883	12/15/11	FLA01 GAIL FLAMMER	49.00		4295
7884	12/15/11	FOR04 FORD MOTOR CREDIT COMPANY	1,495.85		4295
7885	12/15/11	FOR05 FOREMOST PROMOTIONS	888.76		4295
7886	12/15/11	FRA06 FRANK'S TACKLE	169.99		4295
7887	12/15/11	GIB02 GIBLIN & GIBLIN, ESQS	50.00		4295
7888	12/15/11	GIL03 GILBY'S SCREEN PRINTING	99.00		4295
7889	12/15/11	GLE01 GLENN ROE, COUNTY TREASURER	5,788.42		4295
7890	12/15/11	GLE02 GLENN L. ROE, COUNTY TREASURER	507.23		4295
7891	12/15/11	HEI03 ANDREW HEILMANN	480.00		4295
7892	12/15/11	HIC01 HARRY HICKS	600.00		4295
7893	12/15/11	HOM02 HOME DEPOT CREDIT SERVICE	25.91		4295
7894	12/15/11	HOR04 Horizon Office Equipment	757.00		4295
7895	12/15/11	IUE01 KAREN IUELE	49.00		4295
7896	12/15/11	JES01 JESCO, INC.	23.85		4295
7897	12/15/11	JUN01 BRYAN JUNCOSA	360.00		4295
7898	12/15/11	KAS03 BARBARA KASEGRANDE	1,990.20		4295
7899	12/15/11	KIN06 KINNELON SENIOR CITIZENS	472.50		4295
7900	12/15/11	KIN08 KINNELON VOLUNTEER FIRE CO.	2,000.00		4295
7901	12/15/11	KIN09 KINNELON BOARD OF EDUCATION	2,761,395.50		4295
7902	12/15/11	LAK11 SEAN LAKE	450.00		4295
7903	12/15/11	LOW01 KEVIN LOWRY	600.00		4295
7904	12/15/11	LUD01 DONALD B LUDWIG	1,495.00		4295
7905	12/15/11	LUM RICHARD F. LUMMER	600.00		4295
7906	12/15/11	MAD03 LAW OFFICE OF MARK D. MADAIO	4,097.00		4295
7907	12/15/11	MAR06 MIKE MARZULLO	360.00		4295
7908	12/15/11	MB02 M&B TRUCKING INC.	195.00		4295
7909	12/15/11	MCI02 MCI COMM SERVICE	12.77		4295
7910	12/15/11	MER07 ALEXANDER MERLUCCI	600.00		4295
7911	12/15/11	MER08 MATTHEW MERLUCCI	564.00		4295
7912	12/15/11	MOR41 MORRIS COUNTY PARK COMMISSION	7,281.64		4295
7913	12/15/11	MOR42 THE LAND CONSERVANCY OF NJ	2,750.00		4295
7914	12/15/11	NEE03 WILLIAM NEELY	420.00		4295
7915	12/15/11	NJD07 NJ DEPT HEALTH & SENIOR SERV	358.80		4295
7916	12/15/11	NOR02 NORTH JERSEY NEWSPAPER	400.85		4295
7917	12/15/11	OCC01 CHILTON OCCUPATIONAL HLTH CTR	65.00		4295
7918	12/15/11	ODB02 ODB	257.68		4295
7919	12/15/11	OXF01 OXFORD HEALTH PLANS	81,254.44		4295
7920	12/15/11	PAV KIETH PAVLAK	600.00		4295
7921	12/15/11	PEI01 PEIRCE/ EAGLE EQUIPMENT	157.56		4295
7922	12/15/11	PEN04 Penn Jersey Machinery, LLC	51.73		4295
7923	12/15/11	PIR01 FRANK PIROG	450.00		4295
7924	12/15/11	POM01 POMPTON PLUMBING & HEATING CO,	210.32		4295
7925	12/15/11	PRI06 PRIME UNIFORM SUPPLY, INC	378.20		4295
7926	12/15/11	PSE01 P.S.E. & G.	1,495.28		4295
7927	12/15/11	PWA01 PUBLIC WORKS ASSOC. OF N.J.	70.00		4295
7928	12/15/11	QUA01 QUALITY AUTOMOTIVE	2,370.32		4295
7929	12/15/11	RIV06 Riverdale Environmental	600.00		4295
7930	12/15/11	ROU01 ROUTE 23 AUTO MALL	214.03		4295
7931	12/15/11	ROY01 ROYAL COMMUNICATIONS INC.	673.77		4295
932	12/15/11	SE02 JUSTIN SIEK	72.00		4295
7933	12/15/11	SHO01 SHOTMEYER BROS. FUEL CORP.	212.29		4295
7934	12/15/11	SIN03 JOHN SINKE	600.00		4295
7935	12/15/11	SIS02 GLENN L. SISCO	600.00		4295

check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Number
7936	12/15/11	SMA01 SMART STOP STATE RT 23	262.00		4295
7937	12/15/11	SMI12 MARIBETH SMIALEK	97.09		4295
7938	12/15/11	SMIALEK JOHN SMIALEK	420.00		4295
7939	12/15/11	SPI04 ROBERT SPINK	510.00		4295
7940	12/15/11	STA02 STAPLES CREDIT PLAN	69.99		4295
7941	12/15/11	STA11 TERRY STAGG	600.00		4295
7942	12/15/11	STE15 THOMAS STEARN	600.00		4295
7943	12/15/11	TAN02 NU-LOOK CONTRACTING	1,430.00		4295
7944	12/15/11	TIL01 TILCON NEW YORK INC.	370.58		4295
7945	12/15/11	TRA05 TRADITIONAL OKINAWAN KARATE	500.00		4295
7946	12/15/11	TRE04 TREASURER, STATE OF NEW JERSEY	100.00		4295
7947	12/15/11	TSI01 JOHN TSINKELIS	600.00		4295
7948	12/15/11	TWI01 TCJWL	525.00		4295
7949	12/15/11	UNI04 UNIVERSAL JOINT DRIVE SERVICE	133.99		4295
7950	12/15/11	VER01 VERIZON	37.25		4295
7951	12/15/11	VER06 VERIZON WIRELESS	781.04		4295
7952	12/15/11	WHI07 EDWARD WHITEMAN	600.00		4295
7953	12/15/11	FIN01 JOHN FINKLE	20.00		4297
7954	12/15/11	STI02 JENNIFER L. STILLMAN	125.00		4297

Checking Account Totals	Paid	Void	Amount Void	Amount Paid
Checks:	108	14	0.00	3,060,175.61
Direct Deposit:	0	0	0.00	0.00
<b>Total:</b>	<b>108</b>	<b>14</b>	<b>0.00</b>	<b>3,060,175.61</b>

PLANNING 2 Columbia Bank

1560	12/15/11	CEN02 Centex Homes LLC	981.88	4298
1561	12/15/11	DAR01 DARMOFALSKI ENGINEERING ASSOC.	2,760.00	4298
1562	12/15/11	PET05 FILIP PETROVSKI	1,041.81	4298

Checking Account Totals	Paid	Void	Amount Void	Amount Paid
Checks:	3	0	0.00	4,783.69
Direct Deposit:	0	0	0.00	0.00
<b>Total:</b>	<b>3</b>	<b>0</b>	<b>0.00</b>	<b>4,783.69</b>

WIRES

WIRES

1987	11/18/11	BOR02 BOROUGH OF KINNELON	244.13	4291
111986	11/18/11	BOR02 BOROUGH OF KINNELON	189,050.29	4290
2000	12/01/11	BOR02 BOROUGH OF KINNELON	10,382.01	4293
2068	12/01/11	BOR02 BOROUGH OF KINNELON	174,138.76	4294

Checking Account Totals	Paid	Void	Amount Void	Amount Paid
Checks:	4	0	0.00	373,815.19
Direct Deposit:	0	0	0.00	0.00
<b>Total:</b>	<b>4</b>	<b>0</b>	<b>0.00</b>	<b>373,815.19</b>

Report Totals	Paid	Void	Amount Void	Amount Paid
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check #	Check Date	Vendor	Amount Paid	Reconciled/Void Ref Number
Checks:	115	14	0.00	3,438,774.49
Direct Deposit:	0	0	0.00	0.00
	<u>115</u>	<u>14</u>	<u>0.00</u>	<u>3,438,774.49</u>
Total:	115	14	0.00	3,438,774.49

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Fund Description	Fund	Budget Total	Revenue Total
CURRENT FUND APPROPRIATIONS	1-01	3,384,748.61	0.00
WATER FUND	1-05	11,961.13	0.00
SEWER FUND	1-07	8,331.90	0.00
	Year Total:	3,405,041.64	0.00
	C-04	9,801.00	0.00
DOG TAX	D-13	462.53	0.00
STATE AND FEDERAL GRANTS	G-02	7,966.67	0.00
RECREATION SPECIAL	R-16	3,489.15	0.00
	T-23	4,115.65	0.00
	V-27	3,038.58	0.00
RECYCLE FUND	Y-21	75.58	0.00
	Total of All Funds:	3,433,990.80	0.00

Project Description	Project No.	Project Total
21 LINCLON RD #10317 PETROVSKI	10317	40.69
21 Lincoln Road	10317B	1,001.12
	300149	1,380.00
156 SOUTH GLEN- BASCOM	300150	920.00
24 LAKEVIEW DR / RATZ /5884	5884	115.00
CENTEX HOMES 196 SOUTH GLEN RD	623-A6	23.50
CENTEX HOMES/SOUTH GLEN ESTATE	623A	958.38
Karen D'Amico/17 Ledgewood/785	785	345.00
Total of All Projects:		<u>4,783.69</u>

- B. APPROVAL OF NOVEMBER 17, 2011 MINUTES
- C. RESOLUTION: 12.01.11 – Rescind Award of Contract Until 2012 for Certified Valuations for Revaluation – (ATTACHED)
- \*D. RESOLUTION:12.02.11 – Authorize Submission of Safe Route To  
To School NJDOT Grant Application (ATTACHED)
- E. RESOLUTION:12.03.11 – Refund of Overpayment of 4<sup>th</sup> Quarter 2011 Taxes  
22 White Birch - (ATTACHED)
- F. RESOLUTION:12.04.11 – Refund of Overpayment of 3<sup>rd</sup> & 4<sup>th</sup> Quarter 2011 Taxes  
5 Poinsettia Court (ATTACHED)
- G. RESOLUTION:12.05.11 – Refund of Overpayment of 4<sup>th</sup> Quarter Taxes  
9 Fayson Lakes Road - (ATTACHED)
- H. RESOLUTION:12.06.11 - Refund of Overpayment of Sewer Utility Payment for  
55 Garden Place (ATTACHED)
- 
- I. RESOLUTION:12.07.11 - Refund of Duplicate Property Taxes to Morris County  
Park Commission Block 89/Lot 57 (ATTACHED)
- 
- J. RESOLUTION:12.08.11 – Refund of Duplicate Property Taxes to Morris County  
Park Commission Block 89/Lot 58 (ATTACHED)
- K. RESOLUTION:12.09.11 – *Amend Award of Contract – Buzak Law Group*  
Withdrawn as per motion by Councilman Mondello
- L. RESOLUTION:12.10.11 – Budget Transfer of Funds – December (ATTACHED)
- M. RESOLUTION: 12.11.11 – Refund of Various Escrow Accounts  
(ATTACHED)
- N. RESOLUTION:12.12.11 – Refund of Driveway Bond – 7 Highlands Drive  
(ATTACHED)
- O. RESOLUTION:12.13.11 – Refund of Driveway Bond – 3 Cobb Lane (ATTACHED)
- P. RESOLUTION:12.14.11 - Establish a Citizens Underage Drinking Ordinance  
Advisory Committee (ATTACHED)
- Q. RESOLUTION:12.15.11 - Authorizing Execution of Memorandum of Agreement to  
Provide D.R.E. Services (ATTACHED)
- R. RESOLUTION: 12.16.11 – Adopting Changes to an Existing Deferred Compensation  
Plan – VALIC (ATTACHED)
- S. RESOLUTION:12.17.11 – Authorizing Award of Professional Service Atlantic  
Environmental Groundwater Monitoring Report & Investi-  
gation – Kinnelon DPW (ATTACHED)



RESOLUTION 12.0/11

RESCISION OF AWARD OF CONTRACT  
TO CERTIFIED VALUATIONS FOR THE  
REVALUATION OF REAL PROPERTY IN  
THE BOROUGH OF KINNELON

WHEREAS, the Borough of Kinnelon did award a Professional Service Contract to Certified Valuations in November, 2011 for the purpose of the revaluation of all real property within the Borough of Kinnelon; and

WHEREAS, funds for the award have not been established for this award.

NOW, THEREFORE, BE IT RESOLVED, the award of contract for the Professional Service which was made in November, 2011 to Certified Valuations be hereby rescinded until such time as the funds will be available.

---

December 15, 2011

  
Elizabeth M. Sebrowski, Borough Clerk

RESOLUTION – 12.02.11

APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE KIEL AVENUE SAFE ROUTES TO SCHOOLS APPLICATION

WHEREAS, the Kinnelon Mayor and Council desire to construct sidewalks, ADA ramps, pedestrian crossings, advanced warning devices, signs and lights, on Kiel Avenue, to connect both the Kiel Elementary School and Pearl R. Miller Middle School with a parking area across the street; and,

WHEREAS, the purpose of the proposed improvements is to improve the health and well-being of children by enabling and encouraging children, including those with disabilities, to walk to school; and, make walking to school a safer and more appealing transportation alternative, thereby encouraging a healthy and active lifestyle from an early age.

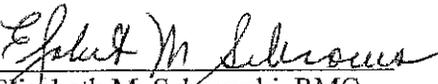
WHEREAS, the Kinnelon Mayor and Council desire to request aid from the State of New Jersey in the amount of \$154,720.

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

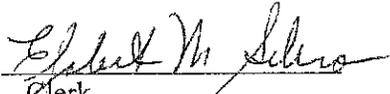
BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as SRS-I-2012-Kinnelon Borough-00161 to the New Jersey Department of Transportation on behalf of Kinnelon Borough.

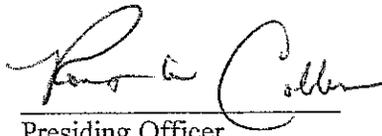
BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of Kinnelon Borough and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

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

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

  
Presiding Officer  
Robert W. Collins  
Mayor

DARMOFALSKI ENGINEERING ASSOCIATES, INC.  
 CIVIL ENGINEERING  
 86 NEWARK-POMPTON TURNPIKE  
 RIVERDALE, NJ 07457  
 Tel: (973) 835-8300 Fax: (973) 835-1117

CONSTRUCTION COST ESTIMATE FOR  
 KIEL AVENUE - SAFE ROUTES TO SCHOOLS  
 BOROUGH OF KINNELON, MORRIS COUNTY  
 DECEMBER 15, 2011

ITEM NO.	DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	TOTAL
1	SIDEWALK, PORTLAND CEMENT CONCRETE, 4" THICK	SY	200	\$ 65.00	\$ 13,000.00
2	ADA RAMPS, CAST-IN-PLACE DETECTABLE WARNING SURFACES, PORT. CEM. CONC., 6" THICK	EA	6	\$ 1,200.00	\$ 7,200.00
3	PEDESTRIAN WARNING SIGNAL, POWER SOURCE TO BE DETERMINED	EA	4	\$ 15,000.00	\$ 60,000.00
4	TOPSOIL, FERTILIZER, SALT HAY, GRASS SEED, 4" THICK	SY	100	\$ 5.00	\$ 500.00
5	TRAFFIC CONTROL	LS	1	\$ 3,000.00	\$ 3,000.00
6	PAVEMENT MARKINGS	LS	1	\$ 2,000.00	\$ 2,000.00
7	MODULAR RETAINING WALL, 4' HIGH MAXIMUM	SF	600	\$ 30.00	\$ 18,000.00
8	SIGNAGE	LS	1	\$ 1,500.00	\$ 1,500.00
9	LIGHTING	LS	1	\$ 15,000.00	\$ 15,000.00
	<i>Subtotal</i>				\$ 120,200.00
	10% Contingency			\$ 12,020.00	\$ 132,220.00
	Inspection/Testing			\$ 7,500.00	\$ 139,720.00
	Surveying			\$ 5,000.00	\$ 144,720.00
	Design / Engineering / Administration			\$ 10,000.00	\$ 154,720.00
	<b>TOTAL COST ESTIMATE</b>				<b>\$ 154,720.00</b>

*Paul P. Darmofalski, P.E.*

Paul P. Darmofalski, P.E.  
 N.J.P.E. License No. 24743

I hereby certify this is a true copy of the estimate

RES. # 12.03.11

BE IT RESOLVED, by the Mayor and Council of the Borough of Kinnelon, Kinnelon, New Jersey, that a warrant be drawn to Corelogic Tax Services in the amount of \$3,095.30 representing refund for overpayment of 4<sup>th</sup> Quarter 2011 property taxes for Block 34, Lot 29, also known as 22 White Birch Terrace, Kinnelon, New Jersey.

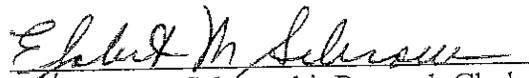
ROLL CALL:

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December 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 December 15, 2011.

DATE: 12/15/11

  
Elizabeth M. Sebrowski, Borough Clerk

RES. # 12.04.11

BE IT RESOLVED, by the Mayor and Council of the Borough of Kinnelon, Kinnelon, New Jersey, that a warrant be drawn to Lu Duong, in the amount of \$7,516.42 representing refund for overpayment of 3<sup>rd</sup> and 4<sup>th</sup> Quarter 2011 property taxes for Block 157, Lot 20.02, also known as 5 Poinsettia Court, Kinnelon, New Jersey.

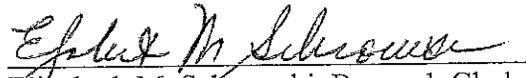
ROLL CALL:

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December 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 December 15, 2011.

DATE: 12/15/11

  
Elizabeth M. Sebrowski, Borough Clerk

RES. # 12.05.11

BE IT RESOLVED, by the Mayor and Council of the Borough of Kinnelon, Kinnelon, New Jersey, that a warrant be drawn to Barbara Kasegrande in the amount of \$1,990.20 representing refund for overpayment of 4<sup>th</sup> Quarter 2011 property taxes for Block 58, Lot 115.07, also known as 9 Fayson Lakes Road, Kinnelon, New Jersey.

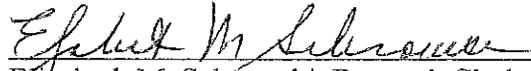
ROLL CALL:

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December 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 December 15, 2011.

DATE: 12/15/11

  
Elizabeth M. Sebrowski, Borough Clerk

RES. # 12.06.11

BE IT RESOLVED, by the Mayor and Council of the Borough of Kinnelon that a warrant be drawn to Justin Siek in the amount of \$72.00 representing refund for overpayment of sewer utility for Block 133, Lot 16 also known as 55 Garden Place.

ROLL CALL:

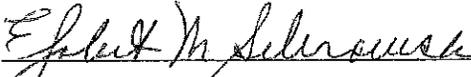
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December 15, 2011  
Lisa A. Kimkowski, C.T.C.  
Tax Collector  
Borough of Kinnelon

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 December 15, 2011

DATE: 12/15/11

  
Elizabeth M. Sebrowski, Borough Clerk

DECEMBER 15, 2011

NO. 687

RESOLUTION # 12.07.11

WHEREAS, Certain properties in the Borough of Kinnelon are exempt for the year 2011, and;

WHEREAS, 2011 property taxes have already been paid

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Kinnelon be authorized to refund Morris County Park Commission in the amount of 2,038.85 for the above stated reason. Block 89 Lot 57, also known as Brook Valley Road.

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ROLL CALL:

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December 15, 2011  
Lisa A. Kimkowski  
Tax Collector

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

DATE: 12/15/11

RESOLUTION # 12.08.11

WHEREAS, Certain properties in the Borough of Kinnelon are exempt for the year 2011, and;

WHEREAS, 2011 property taxes have already been paid

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Kinnelon be authorized to refund Morris County Park Commission in the amount of 5,242.79 for the above stated reason. Block 89 Lot 58, also known as Brook Valley Road.

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ROLL CALL:

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December 15, 2011  
Lisa A. Kimkowski  
Tax Collector

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

DATE: 12/15/11

RESOLUTION 12.09.11

**AMENDMENT OF AN AWARD OF FAIR AND OPEN  
PROFESSIONAL SERVICES CONTRACT  
– THE BUZAK LAW GROUP LLC –  
SPECIAL INTERIM COUNSEL – AMOUNT NOT TO  
EXCEED \$37,000.00**

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 \$37,000.00.

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: December 15, 2011

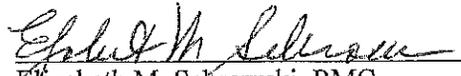
  
Robert W. Collins, Mayor

Attest:

  
Elizabeth M. Sebrowski, Borough Clerk

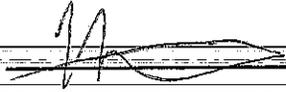
I, Elizabeth M. Sebrowski, Borough Clerk, do hereby certify this to be a true copy of a resolution which was duly passed at the regular meeting of the Kinnelon Mayor and Council held on December 15, 2011.

Dated: December 15, 2011

  
Elizabeth M. Sebrowski, RMC  
Borough Clerk

CERTIFICATION OF FUNDS

I, Norman Eckstein, Chief Municipal Finance Officer of the Borough of Kinnelon do hereby certify that sufficient funds are available in our Capital Account, Ordinance 10-09, for the expected services rendered to the Borough related to Atlantic Environmental Solutions, Inc for Groundwater monitoring reports and Investigation.



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Norman Eckstein, CFO

RESOLUTION *12.10.11*

TRANSFER OF FUNDS

WHEREAS, There appears to be insufficient funds in the following accounts (excepting the appropriation for Contingent Expenses or Deferred Charges, to meet the demand thereon for the balance of the Current Year):

- Assessor, Other Expenses
- Planning Board, Salaries and Wages
- Police, Salaries and Wages
- Stormwater, Salaries and Wages
- Board of Health, Salaries and Wages
- Social Security

WHEREAS, There appears to be a surplus in the following accounts (excepting the appropriation for Contingent Expenses, Deferred Charges, Cash Deficit of Preceding year, Reserve for Uncollected Taxes, Down Payments, Capital Improvement Fund, or Interest and Debt Redemption Charges) over and above to be deemed necessary for the balance of the Current Year:

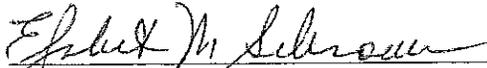
Landfill Tipping Fees

NOW, THEREFORE, BE IT RESOLVED (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the provisions of R.S.40A:4-58, part of the surplus in the accounts heretofore mentioned be and the same is hereby transferred to the account (excepting the appropriation for Contingent Expenses or Deferred Charges) mentioned as being insufficient to meet the current demands; and

BE IT FURTHER RESOLVED that the Treasure be hereby authorized and directed to make the following transfers:

From	Account #	Amount	To	Account#
Landfill Tipping Fees	1-01-32-465-021	\$8,000.00	Assessor, Other Expense	1-01-20-150-046
Landfill Tipping Fees	1-01-32-465-021	\$1,000.00	Planning Board, S&W	1-01-21-180-011
Landfill Tipping Fees	1-01-32-465-021	\$5,000.00	Police, S&W	1-01-25-240-012
Landfill Tipping Fees	1-01-32-465-021	\$1,000.00	Stormwater, S&W	1-01-26-300-011
Landfill Tipping Fees	1-01-32-465-021	\$3,000.00	Board of Health, S&W	1-01-27-330-011
Landfill Tipping Fees	1-01-32-465-021	\$10,000.00	Social Security	1-01-36-472-001

Dated December 15, 2011

  
Elizabeth M. Sebrowski, Borough Clerk

RESOLUTION 12.11.11

REFUND OF VARIOUS ESCROWS  
ACCOUNTS

WHEREAS, the Borough Treasurer has certain escrow accounts which were to be held until the appropriate projects were completed; and

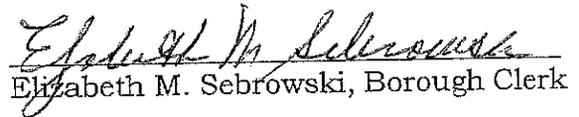
WHEREAS, the Borough Engineer has authorized the refund of several of the escrow accounts.

NOW, THEREFORE, BE IT RESOLVED that the Borough Engineer hereby authorizes the Treasurer to close and refund the following various escrow accounts:

Name	Address	Amount
Filip Petrovski	21 Lincoln Road Kinnelon, New Jersey	\$1,041.81
Centex Homes		\$981.88

I, Elizabeth M. Sebrowski, Borough Clerk, 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 December 15, 2011.

December 15, 2011

  
Elizabeth M. Sebrowski, Borough Clerk

RESOLUTION 12.12.11

TO REFUND DRIVEWAY BOND  
FOR 7 Highland Drive

WHEREAS, Deborah New was required to submit a \$250.00 driveway bond for permit #1648 in order to alter an existing driveway located at 7 Highland Drive; and

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

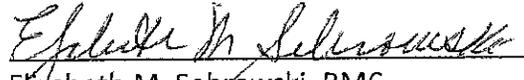
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WHEREAS, it is deemed appropriate to refund the driveway bond to Deborah New, 7 Highland Drive, Kinnelon, New Jersey, in the amount of \$250.00

---

NOW< THEREFORE, BE IT RESOLVED the chief Financial officer is hereby authorized to refund a check in the amount of \$250.00 payable to Deborah New.

Dated

  
Elizabeth M. Sebrovski, RMC  
Borough Clerk

DECEMBER 15, 2011

NO. 696

RESOLUTION 12.13.11

TO REFUND DRIVEWAY BOND  
FOR 3 Cobb Lane

WHEREAS, John A. Bohan was required to submit a \$200.00 driveway bond for permit #1647 in order to alter an existing driveway located at 3 Cobb Lane; 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 John A. Bohan, 3 Cobb Lane, 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 John A. Bohan.

Dated

  
Elizabeth M. Sebrovski, RMC  
Borough Clerk

RESOLUTION 12.14.11

AUTHORIZING THE FORMATION OF  
A CITIZENS UNDERAGE DRINKING  
ORDINANCE ADVISORY COMMITTEE

WHEREAS, the Borough of Kinnelon desires to form a Citizens Underage Drinking Ordinance Advisory Committee which comprises of seven (7) members of the public; and

WHEREAS, said committee shall be formed for the sole purpose of reviewing the proposed Underage Drinking Ordinance 7-11 and making recommendations to the Mayor and Council; and

WHEREAS, the members of the committee shall interview professionals knowledgeable in the legal defects in the state laws which prohibit the police department in giving our underage children the best help possible; and

WHEREAS, the said committee shall be required to report its findings and recommendation for any changes to Ordinance 7-11 to the Borough Council within a set time period of sixty (60) days from the date of adoption of this resolution; and

WHEREAS, said committee shall be dissolved upon recommendations made to the governing body.

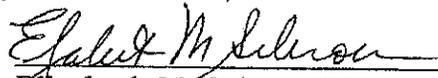
NOW, THEREFORE, BE IT RESOLVED, the Mayor and Council hereby authorize the formation of a temporary committee to be known as the Citizens Underage Drinking Ordinance Advisory Committee; and

BE IT FURTHER RESOLVED, the committee shall consist of seven (7) members of the public, elected officials excluded; and

BE IT FURTHER RESOLVED, said committee shall submit it's findings and recommendations to the Kinnelon Mayor and Council on any changes to the Ordinance 7-11 with sixty days of this date.

Certified to be a true copy of a resolution duly adopted at the regular meeting of the Kinnelon Mayor and Council held on Thursday, December 15, 2011.

December 15, 2011

  
Elizabeth M. Sebrowski, RMC  
Borough Clerk



RESOLUTION 12.15.11

AUTHORIZE EXECUTION OF  
MEMORANDUM OF AGREEMENT  
FOR DRUG RECOGNITION EXPERT  
SERVICES

WHEREAS, the Borough of Kinnelon desires to provide the services of an Drug Recognition Expert (D.R.E.); and

WHEREAS, the Borough of Kinnelon will offer to provide these services to the Township of West Milford, Borough of Bloomingdale, Borough of Pompton Lakes and the Borough of Wanaque.

NOW, THEREFORE, BE IT RESOLVED, the Mayor and Chief of Police of the Borough of Kinnelon are hereby authorized to execute a Memorandum of Agreement for Drug Recognition Expert Services on behalf of the Borough with each of the above mentioned municipalities.

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Dated: December 15, 2011

  
Elizabeth M. Sebrowski, Borough Clerk

RESOLUTION 12.16.11  
FOR ADOPTING CHANGES TO  
AN EXISTING DEFERRED COMPENSATION PLAN PURSUANT TO THE  
FINAL INTERNAL REVENUE CODE SECTION 415 REGULATIONS, PENSION PROTECTION  
ACT OF 2006, THE HEROES EARNINGS ASSISTANCE AND RELIEF TAX ACT OF 2008 AND THE  
WORKER, RETIREE AND EMPLOYER RECOVERY ACT OF 2008

WHEREAS, the (hereinafter referred to as the "Employer") by resolution adopted a Deferred Compensation Plan (hereinafter referred to as the "Plan") effective March 19, 1992, for the purpose of making available to eligible employees the accrual of tax benefits under a Section 457 Deferred Compensation Plan; and

WHEREAS, the Employer by resolution retained The Variable Annuity Life Insurance Company ("VALIC") as the contractor under the Deferred Compensation Plan and executed a Service Agreement with said contractor; and

WHEREAS, the final Internal Revenue Code ("Code") Section 415 regulations, Pension Protection Act of 2006 ("PPA"), the Heroes Earnings Assistance and Relief Tax Act of 2008 (the "HEART Act") and the Worker, Retiree and Employer Recovery Act of 2008 ("WRERA") amended Section 457 of the Code; and

WHEREAS, State and local governmental Section 457(b) plan sponsors must amend their plans to comply with the PPA legislative changes by the last day of the 2011 plan year;

WHEREAS, the Employer desires its Plan to conform with the changes in the Code; and

WHEREAS, the Employer desires to adopt an amended and restated Plan that conforms with the changes in the Code; and

WHEREAS, such amended and restated Plan shall supersede the previously adopted Plan;

NOW, THEREFORE, BE IT RESOLVED that the Employer does hereby adopt the amended and restated Plan prepared by VALIC and assigned Plan Document identifier 81-PD- VALIC-1 03111 by the Director of the Division of Local Governmental Services.

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be forwarded to the Director of the Division of Local Government Services.

I, \_\_\_\_\_  
of the Employer, in the County of \_\_\_\_\_ and the State of New Jersey, do hereby certify  
the foregoing to be a true and correct copy of a RESOLUTION adopted by the Employer on the \_\_\_ day of  
\_\_\_\_\_, 20 \_\_\_.

Witness my hand and seal of the Employer on the \_\_\_ day of \_\_\_\_\_, 20 \_\_\_.

Signature



RESOLUTION 12.17.11

AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT TO ATLANTIC ENVIRONMENTAL SOLUTIONS, INC FOR GROUNDWATER MONITORING REPORT & INVESTIGATION

WHEREAS, the Borough of Kinnelon ("Borough ") has agreed to retain Atlantic Environmental Solutions, Inc. located at , 5 Marine View Plaza, Hoboken, New Jersey 07030 to provide the necessary environmental services as specifically outlined in the September 20, 2011 proposal submitted by Jeffrey Anderson, CHMM, LSRP, Vice President; and

WHEREAS, the contract with Environmental Solutions, Inc for said environmental services is for a total amount not to exceed Thirty Eight Thousand Sixty Four Dollars (\$38,064.00) therefore the requirements of N.J.S.A 19:44A-20.5 (Pay-to Play Legislation) does apply; and

WHEREAS, the Borough of Kinnelon has a need to acquire the professional services of a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5 as appropriate; and

WHEREAS, the CMFO has determined and certified in writing that the value of the services will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is one year; and

WHEREAS, the governing body of the Borough of Kinnelon has certified that the professional services for the Kinnelon Mayor & Council provided by the below listed professionals will exceed \$17,500; and

WHEREAS, the listed professional has 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, said below listed individual has completed and submitted a Political Contribution Disclosure Certification and a Business Registration Certificated; and

WHEREAS, this contract was not awarded through a "fair and open process" pursuant to N.J.S. 19:44A-20.4 et seq.

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 hereby hires, employs and retains Atlantic Environmental Solutions, Inc located at 5 Marine View Plaza, Hoboken, New Jersey 07030 to provide environmental services in connection with Block 11, Lot 49.02 as specifically outlined in the proposal submitted to the Borough dated September 20, 2011 by Jeffrey Anderson, CHMM, LSRP, Vice President.

2. Atlantic Environmental Solutions, Inc. shall be compensated at the rate as provided in the Proposal for a total contract amount not to exceed Thirty Eight Thousand Sixty Four Dollars (\$38,064.00).

3. The contract with said Atlantic Environmental Solutions, Inc. firm is for professional services and exempt from the bidding requirements under the Local Public Contracts Law, N.J.S.A. 40A11-1 et seq.

4. The award is also subject to compliance with the Equal Employment Opportunity Requirements pursuant to N.J.S.A 10:5-31 et seq. and N.J.A.C. 17:27.

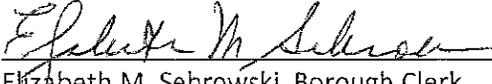
5. The Mayor and Borough Clerk, together with all appropriate officers, employees, professionals and staff of the Borough are hereby authorized and directed to take all steps necessary to effectuate the purposes of this Resolution.

6. It is hereby directed that Notice of Award of this Contract shall be published one in the official designated newspaper of the Borough within ten (10) days of the date hereof.

7. This resolution shall take effect immediately.

CERTIFICATION

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

  
Elizabeth M. Sebrowski, Borough Clerk

RESOLUTION 12.18.11

AUTHORIZATION TO CANCEL  
OUTSTANDING CHECK FROM  
GENERAL ACCOUNT

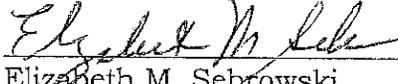
WHEREAS, the Kinnelon General Account has outstanding checks which is over one year old; and

WHEREAS, it is necessary to remove these items from the general accounts outstanding check list; and

NOW, THEREFORE, BE IT RESOLVED the treasurer is hereby authorized to ~~draw a general account check in the amount of \$43,672.72 to be deposited back to the original expended accounts drawn from.~~

<u>CHECK#</u>	<u>ISSUED TO</u>	<u>AMOUNT</u>
4107	First American	\$2,248.51
4912	Rutgers	\$300.00
5020	Morris County Fire	\$40.00
5260	Montville Baseball	\$1,200.00
5390	NJ Intergovernmental Fund	\$38,417.21
5807	State of New Jersey Treasure	\$1,368.00
5847	Institute for Professional Development	\$99.00
6020	Morris County Clerk's Office	\$3.00

Dated: December 15, 2011

  
Elizabeth M. Sebrowski,  
Borough Clerk

RESOLUTION 12.19.11

AUTHORIZATION TO CANCEL  
OUTSTANDING CHECK FROM  
THE PAYROLL ACCOUNT

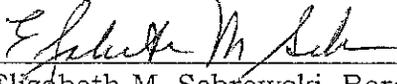
WHEREAS, the Kinnelon Payroll Account has outstanding checks which is over one year old; and

WHEREAS, it is necessary to remove these items from the payroll account outstanding check list; and

NOW, THEREFORE, BE IT RESOLVED the treasurer is hereby authorized to draw a payroll check in the amount of \$7,052.46 to be deposited back to the current account.

<u>CHECK#</u>	<u>ISSUED TO</u>	<u>AMOUNT</u>
391	Daniel Colucci	\$.06
396	Michael Zaccagnino	\$436.71
1144	James Freda	\$151.42
1271	Tracey Stroe	\$209.05
1305	Michael Zaccagnino	\$106.65
1611	Tom Farrell	\$79.02
1615	Tracey Stroe	\$21.21
1987	Brittany Airey	\$344.68
2176	Todd Vigneri	\$1,254.59
2346	James Freda	\$141.42
2482	James Freda	\$141.42
2616	Emily Green	\$8.04
2760	Cathryn Bissell	\$102.29
3586	Michael Zaccagnino	\$215.60
3945	Maryellen Liddy	\$1,402.95
4106	Michael Zaccagnino	\$107.77
4412	John Thomson	\$429.22
4609	Robert Westdyk	\$484.14
5011	Michael Zaccagnino	\$107.77
5057	James Freda	\$141.41
5283	Brian Kimble	\$1,166.74

Dated: December 15, 2011

  
Elizabeth M. Sebrowski, Borough Clerk

RESOLUTION 12.20.11

AUTHORIZATION TO VOID  
AND REISSUE OUTSTANDING  
CHECK FROM THE PAYROLL  
ACCOUNT

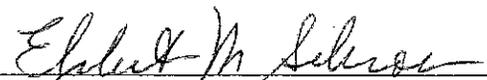
WHEREAS, the Kinnelon Payroll Account has outstanding checks which is over one year old; and

WHEREAS, it is necessary to void and reissue these items from the payroll account outstanding check list; and

NOW, THEREFORE, BE IT RESOLVED the treasurer is hereby authorized to void and reissue the following payroll checks:

<u>CHECK#</u>	<u>ISSUED TO</u>	<u>AMOUNT</u>
1624	Galina Adair	\$1,119.19
1626	Christina Hitchings	\$1,071.97
1627	Tanya Lenkow	\$1,175.84
3896	Kevin Corter	\$180.82
4194	John D'Angelo	\$5,304.53
4672	Lauri DeVeau	\$166.60
4681	Ryan Walsh	\$324.13
5225	Jessica Nebesni	\$1,147.46

Dated: December 15, 2011

  
Elizabeth M. Sebrowski, Borough Clerk

RESOLUTION 12. 21.11

CANCELLATION OF VOID  
CHECK'S NEVER ISSUED

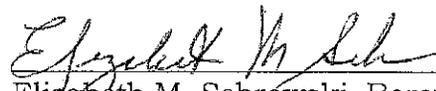
WHEREAS, there our outstanding check on the balance sheet of the General Account in the amount of \$151,004.52;

WHEREAS, the funds creating this amount has been investigated and determined that they should be cancelled.

NOW, THEREFORE, BE IT RESOLVED, by the council of the Borough of Kinnelon, that the following check's in the amount of \$151,004.52 should be cancelled.

<u>CHECK#</u>	<u>ISSUED TO</u>	<u>AMOUNT</u>
6478	John O'Dell	\$28.70
6495	Telstar Plus Inc	\$4,110.00
6518	Borough of Kinnelon	\$1010.00
6551	Garth Llewellyn	\$80.00
6570	Lawmen Supply Company	\$202.40
6797	Gateway Title Agency LLC	\$3,813.60
6887	Tropicana Casino & Resort	\$200.12
7044	Indian Spring/Culligan Water	\$129.00
7370	Draeger Safety Diagnositcs Inc.	\$366.65
7451	Tri County Youth Football League	\$660.00
7478	Marilee Cotrell	\$48.00
7481	Darmofalski Engineering Assoc.	\$3,795.00
7485	Depository Trust - JP Morgan	\$113,993.75
7496	David Forman	\$72.00
7566	Darmofalski Engineering Assoc.	\$3,795.00
7570	VM Associates Inc.	\$18,700.00

Dated: December 15, 2011

  
Elizabeth M. Sebrowski, Borough Clerk

## RESOLUTION 12.22.11

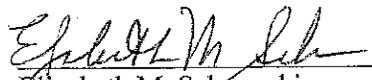
A RESOLUTION TO ESTABLISH 2011 SALARIES  
BORO EMPLOYEES – BY TITLE

BE IT RESOLVED by the Kinnelon Mayor and Council, that commencing January 1, 2011, the following salary or compensation for the hereinafter listed officials, positions of employment shall be as follows:

DEPARTMENT	SALARY	
MAYOR	\$ 7,500.00	ANNUAL
COUNCIL MEMBERS	\$ 2,000.00	ANNUAL
BOROUGH CLERK	\$ 76,789.00	ANNUAL
TAX COLLECTOR	\$ 46,705.00	ANNUAL
MUNICIPAL ASSESSOR	\$ 32,105.00	ANNUAL
RECREATION DIRECTOR	\$ 47,452.00	ANNUAL
DPW SUPERINTENDENT	\$ 98,652.00	ANNUAL
DPW FOREMAN	\$ 80,970.00	ANNUAL
DPW WORKING FOREMAN	\$ 74,315.00	ANNUAL
MUNICIPAL COURT JUDGE	\$ 36,260.00	ANNUAL
MUNICIPAL COURT ADMINISTRATOR	\$ 48,452.00	ANNUAL
POLICE CHIEF	\$ 138,554.00	ANNUAL
POLICE LIEUTENANT	\$ 118,548.00	ANNUAL
CROSSING GUARDS	\$ 16.39	HOURLY
MUSEUM DOCENTS	\$ 10.20	HOURLY
EMERGENCY MANAGEMENT SEC'Y P/T	\$ 15.76	HOURLY
DEPUTY BOROUGH CLERK	\$ 42,194.00	ANNUAL
TREASURER	\$ 55,232.00	ANNUAL
FINANCE ASSISTANT	\$ 36,411.00	ANNUAL
DPW SECRETARY	\$ 18,226.46	ANNUAL
PLANNING BOARD SECRETARY	\$ 12,982.54	ANNUAL
BOARD OF ADJUSTMENT SECRETARY	\$ 9,090.00	ANNUAL
ASSESSOR SECRETARY P/T	\$ 22,071.00	ANNUAL
ASSESSOR	\$ 32,105.00	ANNUAL
TAX CLERK	\$ 9.00	HOURLY
OPEN SPACE SECRETARY	\$ 200.00	MONTHLY
FIRE PREVENTION OFFICIAL	\$ 7,000.00	ANNUAL
DISPATCHER – FULL TIME	\$ 48,143.00	ANNUAL
DISPATCHER – PART TIME	\$ 15.52	HOURLY
ZONING OFFICIAL	\$ 7,759.00	ANNUAL
SPECIAL POLICE OFFICER	\$ 15.00	HOURLY
MUNICIPAL DEPUTY COURT CLERK	\$ 34,558.00	ANNUAL
MUNICIPAL JUDGE	\$ 26,260.00	ANNUAL
BOARD OF HEALTH SECRETARY	\$ 41,410.00	ANNUAL
ENVIRONMENTAL SECRETARY	\$ 4,117.00	ANNUAL
DEPUTY REGISTRAR	\$ 779.00	ANNUAL
LIBRARY DIRECTOR	\$ 82,900.01	ANNUAL
LIBRARY ADMIN. ASS'T/MEETING ROOMS	\$ 36,336.60	ANNUAL
REFERENCE LIBRARIAN P/T	\$ 24.45	HOURLY
REFERENCE LIBRARIAN FULL TIME	\$ 51,368.35	ANNUAL
TEEN/REFERENCE LIBRARIAN	\$ 51,733.79	ANNUAL
YOUTH SERVICES	\$ 37,133.70	ANNUAL
YOUTH SERVICES ASSISTANT	\$ 18.46	HOURLY

YOUTH SERVICES ASSIST/TECH SERVICES	\$ 30,793.92	ANNUAL
PUBLICATIONS/MATERIALS PROCESSING	\$ 16.85	HOUR
MATERIALS PROCESSNG ASSISTANT	\$ 13.46	HOUR
HEAD OF CIRCULATION/COLLECTION DEV.	\$ 47,029.88	ANNUAL
SENIOR LIBRARY ASSISTANT	\$ 16.00	HOUR
CLERK (NEW)	\$ 13.00	HOUR
CLERK B	\$ 13.43	HOUR
CLERK C	\$ 13.47	HOUR
CLERK D	\$ 13.48	HOUR
CLERK – SPECIAL EVENTS – GALLERY	\$ 13.51	HOUR
CLERK – INTERLIBRARY LOAN	\$ 35,151.18	ANNUAL
LIBRARY TEEN PAGE	\$ 7.25	HOUR
JANITORIAL SERVICE	\$ 16.16	HOUR
POLICE PROBATION PATROLMAN W/O TRAINING	\$ 40,500.00	ANNUAL
POLICE PROBATION W/TRAINING	\$ 45,500.00	ANNUAL
PATROLMAN 2 <sup>ND</sup> YEAR	\$ 52,500.00	ANNUAL
PATROLMAN 3 <sup>RD</sup> YEAR	\$ 60,000.00	ANNUAL
PATROLMAN 4 <sup>TH</sup> YEAR	\$ 67,500.00	ANNUAL
PATROLMAN 5 <sup>TH</sup> YEAR	\$ 74,500.00	ANNUAL
PATROLMAN 6 <sup>TH</sup> YEAR	\$ 82,000.00	ANNUAL
PATROLMAN 7 <sup>TH</sup> YEAR	\$ 89,500.00	ANNUAL
PATROLMAN 8 <sup>TH</sup> YEAR	\$ 99,077.00	ANNUAL
POLICE SERGEANT	\$ 104,695.00	ANNUAL
DPW MAINTAINER START	\$ 13.83	HOUR
DPW MAINTAINER AFTER 1ST YEAR	\$ 15.01	HOUR
DPW MAINTAINER 2 <sup>ND</sup> YEAR	\$ 16.49	HOUR
DPW MAINTAINER 3 <sup>RD</sup> YEAR	\$ 17.75	HOUR
DPW MAINTAINER 4 <sup>TH</sup> YEAR	\$ 19.11	HOUR
DPW MAINTAINER 5 <sup>TH</sup> YEAR	\$ 20.47	HOUR
DPW MAINTAINER 6 <sup>TH</sup> YEAR	\$ 21.93	HOUR
DPW MAINTAINER 7 <sup>TH</sup> YEAR	\$ 23.70	HOUR
DPW MAINTAINER 8 <sup>TH</sup> YEAR	\$ 24.66	HOUR
DPW MAINTAINER 9 <sup>TH</sup> YEAR	\$ 24.91	HOUR
DPW MAINTAINER 11 <sup>TH</sup> YEAR	\$ 25.90	HOUR
DPW MAINTAINER 25 <sup>TH</sup> YEAR	\$ 33.87	HOUR
DPW MAINTANER 34 <sup>TH</sup> YEAR	\$ 33.71	HOUR
RECYCLING WATCHMAN	\$ 14.00	HOUR
DPW WATER MAINTAINER	\$ 30.52	HOUR
RECREATION SUMMER REC STAFF 1 <sup>ST</sup> YEAR	\$ 7.25	HOUR
RECREATION SUMMER REC STAFF 2 <sup>ND</sup> YEAR	\$ 7.75	HOUR
RECREATION SUMMER REC STAFF 3 <sup>RD</sup> YEAR	\$ 8.50	HOUR
RECREATION SUMMER REC STAFF 4 <sup>TH</sup> YEAR	\$ 9.00	HOUR
ARTS AND CRAFT DIRECTOR SUMMER REC	\$ 18.00	HOUR

Dated: December 15, 2011

  
 Elizabeth M. Sebrovski  
 Borough Clerk

LICENSE FOR: Raffles License No. RL-729-KB  
(Insert Bingo or Raffles)

Identification No. 238-5-20685  
(Display this license conspicuously  
During the conduct of the games)

Insert Name  
Of Municipality BOROUGH OF KINNELON  
Insert Name of  
Licensee HSA Pearl R. Miller School Inc

Address 117 Kiel Ave, Kinnelon, New Jersey 07405

(cross out line which) ~~Bingo (Not Proceed 30 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
Basket Raffle	3/01/2012	Pearl Miller School	6:00p.m. - 9:00p.m
Rain Date	3/16/2012		6:00p.m - 9:00p.m.

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

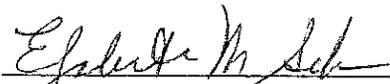
3. This license is valid only if the entire net proceeds are devoted to the following specific purpose:  
All proceeds donated to the PRMHSA which benefits PRM students in 6<sup>th</sup>, 7<sup>th</sup> and 8<sup>th</sup> grades

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

Names	Addresses
<u>Lisa Warnek</u>	<u>3 Tammy Terrace, Kinnelon New Jersey</u>

Issued by order of MAYOR AND COUNCIL ON December 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.

LICENSE FOR: Raffles License No. RL-728 -KB

(Insert Bingo or Raffles)

Identification No. 238-5-20685

Insert Name Of Municipality BOROUGH OF KINNELON (Display this license conspicuously During the conduct of the games)

Insert Name of Licensee HSA Pearl R. Miller School Inc

Address 117 Kiel Ave, Kinnelon, New Jersey 07405

(cross out line which) ~~Bingo (not to Exceed 38 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
<u>50/50 On Permisses</u>	<u>3/01/2012</u>	<u>Pearl Miller School</u>	<u>6:00p.m. - 9:00p.m</u>
<u>Rain Date</u>	<u>3/16/2012</u>		<u>6:00p.m - 9:00p.m.</u>

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

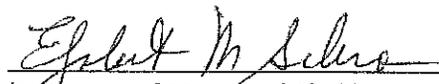
3. This license is valid only if the entire net proceeds are devoted to the following specific purpose:  
All proceeds donated to the PRMHSA which benefits PRM students in 6<sup>th</sup>, 7<sup>th</sup> and 8<sup>th</sup> grades

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

Names	Addresses
<u>Lisa Warnek</u>	<u>3 Tammy Terrace, Kinnelon New Jersey</u>

Issued by order of MAYOR AND COUNCIL ON December 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.

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**

***Discussion on Resolution 12.09.11***

Councilman R. Mondello asked to discuss the resolution known as Resolution 12.09.11 which would increase the award amount for The Buzak Law Group, LLC. Councilman Mondello said he will not be voting for this resolution and gave his reasons as follows.

He said when we initially put this contract together Mr. Buzak estimated the cost would be \$7,500.00. That seemed fair. They came back and said they needed an amendment for another \$7,500.00. He said he is not voting for this amendment. He said he would like all the matters to go to Mr. Madaio and have him supervise what is needed or not needed "to keep an eye on the faucet".

Mr. Mondello stated we have a borough attorney. He suggested Mr. Buzak is to do no additional work without being reviewed and authorized by our attorney. Councilman Cobell questioned if Mr. Mondello would want to leave the amount at the former number. Mr. Mondello said no more additional funds are to be expended on the prior law firm. He has nothing but accolades for The Buzak Law Group. The reason we went out for RFP's was to decrease the legal fees. One of the charges of the Borough Attorney is to oversee the legal fees. He is comfortable in letting the borough attorney decide when we need to expend more money.

Mayor Collins asked our attorney to review the bills previously submitted by Mr. Buzak. The work may have been done, but Mr. Madaio could research the bills and review what has been done. Mayor Collins also said he would ask our Borough Attorney to reach out to Mr. Buzak and explain we would not be expecting any additional work to be done at this time until we know where we are at.

At this time Mayor Collins thanked Mr. Madaio in coming to an amicable agreement with Mr. Felkay's estate and closing the chapter on that development as shown in the following ordinance.

**ORDINANCE NO. 17-11 – SOUTH GLEN ESTATES SECTIONS 2A & 2B**

The Mayor ordered the Clerk to read the notice and ordinance entitled:

AN ORDINANCE TO ACCEPT CERTAIN  
DEDICATIONS AND EASEMENTS IN  
CONNECTION WITH SOUTH GLEN ESTATES  
SECTIONS 2A AND 2B

## ORDINANCE NO. 17-11

AN ORDINANCE TO ACCEPT  
CERTAIN DEDICATIONS AND  
EASEMENTS IN CONNECTION WITH  
SOUTH GLEN ESTATES, SECTIONS  
IIA and IIB

WHEREAS, N.J.S.A. 40:67-1(b) authorizes the Governing Body of every municipality to make, amend, repeal and enforce ordinances to accept any street dedicated to public use, and thereafter, improve and maintain the same; and

---

WHEREAS, N.J.S.A. 40A:12-4 authorizes any municipality to acquire easements; and

---

WHEREAS, N.J.S.A. 40A:12-5 requires that the acquisition of easements by municipalities be accomplished by ordinance; and

WHEREAS, the streets known as Claremont Terrace, Skyline Terrace and Huckleberry Court, and a portion of the street known as South Glen Road in the Borough of Kinnelon have been dedicated to public use by Michael Felkay ("Developer") by Deed of Dedication dated February 11, 1993 and recorded in the Morris County Clerk's Office at Deed Book 3764, Page 155 on May 4, 1993; and

WHEREAS, a portion of the street known as South Glen Road in the Borough of Kinnelon has been dedicated to public use by the Developer by Deed of Dedication dated February 11, 1993 and recorded in the Morris County Clerk's Office at Deed Book 3764, Page 211 on May 4, 1993; and

WHEREAS, the street known as Julia Terrace in the Borough of Kinnelon has been dedicated to public use by the Developer by Deed of Dedication dated August 10, 1995 and recorded in the Morris County Clerk's Office at Deed Book 4262, Page 203 on October 4, 1995;

and

WHEREAS, the street known as Thomas Road in the Borough of Kinnelon has been dedicated to public use by the Developer by Deed of Dedication dated August 10, 1995 and recorded in the Morris County Clerk's Office at Deed Book 4262, Page 207 on October 4, 1995; and

WHEREAS, a temporary cul-de-sac included on the street known as Julia Terrace in the Borough of Kinnelon has been dedicated to public use by the Developer by Deed of Dedication dated August 10, 1995 and recorded in the Morris County Clerk's Office at Deed Book 4262, Page 227 on October 4, 1995; and

WHEREAS, a temporary cul-de-sac included at the terminus of the street known as South Glen Road in the Borough of Kinnelon has been dedicated to public use by the Developer by Deed of Dedication dated March 9, 1993 and recorded in the Morris County Clerk's Office at Deed Book 3763, Page 256 on May 3, 1993; and

WHEREAS, an emergency access road beyond the terminus of the temporary cul-de-sac on the street known as South Glen Road has been dedicated to public use by the Developer by Deed of Dedication, dated February 11, 1993 and recorded in the Morris County Clerk's Office at Deed Book 3764, Page 130 on May 4, 1993; and

WHEREAS, a drainage easement for a portion of Block 300.03, Lots 3, 5 and 6 in the Borough of Kinnelon has been granted to the Borough by the Developer by Grant of Easement, dated February 11, 1993 and recorded in the Morris County Clerk's Office at Deed Book 3763, Page 288 on May 3, 1993; and

WHEREAS, a detention basin and drainage easement for a portion of Block 300.06, Lot 15 and a portion of Block 30.01, Lot 46 in the Borough of Kinnelon has been granted to the Borough by the Developer by Grant of Easement, dated March 9, 1993 and recorded in the

Morris County Clerk's Office at Deed Book 3763, Page 265 on May 3, 1993; and

WHEREAS, a drainage easement for a portion of Block 300.04, Lot 1 and Block 300, Lot 1 in the Borough of Kinnelon has been granted to the Borough by the Developer by Grant of Easement, dated August 9, 1995 and recorded in the Morris County Clerk's Office at Deed Book 4262, Page 219 on October 4, 1995; and

WHEREAS, a drainage easement for a portion of Block 300.05, Lot 8 and Block 300, Lot 1 in the Borough of Kinnelon has been granted to the Borough by the Developer by Grant of Easement, dated August 9, 1995 and recorded in the Morris County Clerk's Office at Deed Book 4262, Page 211 on October 4, 1995; and

~~WHEREAS, in reports dated November 11, 2004, and December 13, 2004, the Borough Engineer has certified that the improvements constructed or installed by the Developer, including the six dedicated streets, have been inspected and approved by him as satisfactorily completed.~~

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

SECTION 1. The dedication of Claremont Terrace, Skyline Terrace, Huckleberry Court and a portion of South Glen Road for use as public streets is hereby accepted.

SECTION 2. The dedication of Julia Terrace for use as a public street is hereby accepted.

SECTION 3. The dedication of Thomas Road for use as a public street is hereby accepted.

SECTION 4. The dedication of a temporary cul-de-sac on Julia Terrace for use as a public street is hereby accepted.

SECTION 5. The dedication of a temporary cul-de-sac included at the terminus of South

Glen Road for use as a public street is hereby accepted.

SECTION 6. The dedication of an emergency access road beyond the terminus of the temporary cul-de-sac on the street known as South Glen Road in the Borough of Kinnelon, as set forth in a certain Deed of Dedication dated February 11, 1993 and recorded in the Morris County Clerk's Office at Deed. Book 3764, Page 130 on May 4, 1993 is hereby accepted.

SECTION 7. The grant of a drainage easement across a portion of Block 300.03, Lots 3, 5 and 6 in the Borough of Kinnelon, as set forth in a certain Grant of Easement dated February 11, 1993 and recorded in the Morris County Clerk's Office at Deed Book 3763, Page 288 on May 3, 1993, is hereby accepted.

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SECTION 8. ~~The grant of a detention basin and drainage easement across a portion of Block 300.06, Lot 15 and a portion of Block 30.01, Lot 46 in the Borough of Kinnelon, as set forth in a certain Grant of Easement dated March 9, 1993 and recorded in the Morris County Clerk's Office at Deed Book 3763, Page 265 on May 3, 1993, is hereby accepted.~~

SECTION 9. The grant of a drainage easement across a portion of Block 300.04, Lot 1 and Block 300, Lot 1 in the Borough of Kinnelon, as set forth in a certain Grant of Easement dated August 9, 1995 and recorded in the Morris County Clerk's Office at Deed Book 4262, Page 219 on October 4, 1995, is hereby accepted.

SECTION 10. The grant of a drainage easement across a portion of Block 300.05, Lot 8 and Block 300, Lot 1 in the Borough of Kinnelon, as set forth in a certain Grant of Easement dated August 9, 1995 and recorded in the Morris County Clerk's Office at Deed Book 4262, Page 211 on October 4, 1995, is hereby accepted.

SECTION 11. All ordinances of the Borough of Kinnelon which are inconsistent with the provisions of this Ordinance are hereby repealed as to the extent of such inconsistency.

SECTION 12. 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 13. This Ordinance shall take effect immediately upon final passage, approval and publication as provided by law.

ATTEST:

BOROUGH OF KINNELON

Elizabeth M. Sebrowski, Borough Clerk

Robert W. Collins,  
Mayor

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### CERTIFICATION

I, Elizabeth M. Sebrowski, Borough Clerk of the Borough of Kinnelon, County of Morris, State of New Jersey, do hereby certify the foregoing to be a true copy of an Ordinance introduced, read by title and passed on the first reading at a regular meeting of the Borough held on October 20, 2011 and adopted by the Governing Body at a regular meeting of the Borough held on November 17, 2011.

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



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\*

The Mayor announced the meeting was open to hear any objections to this ordinance that may be presented by any taxpayer of the Borough of Kinnelon, all parties in interest, and citizens. Hearing none, the Mayor closed this portion of the meeting to the public.

Councilman G. Moleta then offered the following resolution and moved its adoption. This motion was seconded by Councilman J. Freda.

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

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

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

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The Mayor declared the ordinance adopted and finally passed, approved the same, and ordered the Clerk to publish the notice thereof.

**RESOLUTION 12.23.11**

**AUTHORIZE EXECUTION OF  
AGREEMENT OF MUTUAL  
RELEASE - ESTATE OF  
MIKLOS FELKAY - SOUTH  
GLEN SECTIONS 2A AND 2B**

WHEREAS, it is necessary for the borough to execute an Agreement of Mutual Release in order to liquidate securities of a Developer's Agreement for South Glen Section 2A and 2B; and

WHEREAS, said Agreement must be signed by the Mayor of the Borough of Kinnelon.

NOW, THEREFORE, BE IT RESOLVED, the Mayor is hereby authorized to execute the Agreement of Mutual Release on behalf of the Borough of Kinnelon.

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

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

**NEW BUSINESS**

Councilman Moleta reported a problem which arose with our current I.T. provider. In order to fill the need for I.T. support he was authorized to find a temporary company until we can advertise and go out for formal bids. Mr. Moleta said he met with a company, Zaphar Technologies who will provide the borough with a DNA of our computer systems which will give us an analysis of how our system works and what is needed. He requested a three month agreement with this company to give us the time to find a proper support company. In the meantime, this DNA blueprint will be a valuable tool for anyone who takes over afterwards. We asked for a DNA from the prior service company, but they have not provided it. Mr. Moleta said his priority in looking for this vendor was knowledge with working with police data. Mr. Moleta said he received three proposals for the temporary services and will be working with the clerk on drawing up specifications to go out to bid. He distributed the three proposals and discussed the one from Zaphar. Councilman Mondello asked for Mr. Moleta's recommendation. Mr. Moleta said he does not feel comfortable in making the decision to hire Zaphar without the council understanding where the cost comes from. Mr. Moleta went through Zaphar's proposal. It was recommended to hire Zaphar Technology for three months and in the meantime go out for bids for the service for the rest of the year.

A motion to allow Zaphar Technology service our system for three months was offered by Councilman R. Mondello. This motion was seconded by Councilman A. SanFilippo

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

**DISTRICT SCHOOL**

On motion of Councilman , and seconded by Councilman , 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 November the Tax Collector's Report indicates we collected \$7,415,395.98 in taxes.

**INVESTMENT OFFICER**

A total of \$1,776.56 was collected in interest for the month of November, 2011.

**APPOINTMENT**

Upon motion by Councilman R. Mondello, and seconded by Councilman G. Moleta the appointment of the members of the Citizens Underage Drinking Ordinance Advisory Committee of Patrick Caserta, Mark Gaw, Nicholas Zichello, Jeannine Mazzona, Donna McLaughlin, Lila Helu and Michele Barabash-Fradkin, followed by the "yes" roll call vote of all Council Members present was approved.

**RESIGNATION**

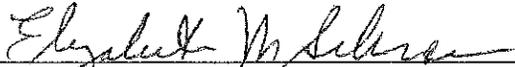
Upon motion by Councilman A. SanFilippo, seconded by Councilman R. Mondello, followed by the "yes" roll call vote of all Council Members present the resignation of Michael Kelly as Public Defender was approved with regrets.

~~Upon motion by Councilman R. Mondello, seconded by Councilman S. Cobell, followed by the "yes" roll call vote of all Council Members present authorization for the Clerk to advertise for Public Defenders was approved.~~

**ADJOURNMENT**

This meeting adjourned at approximately 10:17 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