

January 16, 2014

**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, January 16, 2014 in the Kinnelon Municipal Building.

There was a Salute to the Flag, after which the Acting Borough Clerk Karen Iuele stated this meeting is being held pursuant to the New Jersey Open Public Meeting Act. Adequate notice of this meeting was given by advertising in the January 8, 2014 edition of the Trends and was provided to the Star Ledger, Daily Record and the North Jersey Herald News. Adequate notice was also posted on the municipal building bulletin board, filed with the Acting Borough Clerk and provided to those persons or entities requesting notification.

**ROLL CALL:**

The roll was called and present and answering were Councilpersons James Freda, Daniel O'Dougherty Gary Moleta, Stephen Cobell, Carol Sventy and Ronald Mondello.

**OATHS OF OFFICE ADMINISTERED**

Mayor Collins asked Chief Gail Bresett, 1<sup>st</sup> Assistant Chief Thomas Stearn and 2<sup>nd</sup> Assistant Chief William Allen to come forward to take the oath of office for Kinnelon Volunteer Fire Chiefs. The Kinnelon Volunteer Fire Chiefs were joined by Former Mayor Glenn Sisco, who was asked to hold the bible.

**KINNELON POLICE LIFE SAVING AWARD**

Chief John Schwartz presented Patrolwoman Melissa Huizenga and Patrolman Matthew Solari along with Butler Police Sergeant Keith Soules and Patrolman Dimitri Clark with the Kinnelon Police Life Saving Award.

**TREASURER'S REPORT**

The Treasurer's Report for January 2014 indicated we started out with cash on hand as of November 30, 2013, in the amount of \$6,444,531.29. Receipts for the month of December 2013 totaled \$3,814,469.68 with disbursements amounting to \$6,872,163.00. The balance on hand as of December 31, 2013 was \$3,386,837.97.

Upon motion by Councilman S. Cobell and seconded by Councilwoman Carol Sventy with the affirmative voice vote of all council members present, the Treasurer's Report was accepted as read.

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

**MAYOR'S REPORT:**

Mayor Collins stated that the affordable care act has presented challenges for certain corporations as well as municipalities, and expressed a concern to the council last week. It was undetermined how volunteer hours would be treated as far as creating eligibility for medical insurance for our firefighters. Congressman Frelinghuysen reached out to the Department of Treasury, and the preliminary determination has been made that volunteer firefighters and volunteer emergency medical personnel will not have volunteer hours be counted to

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determine employers full time employees. You have our support and provide a very valuable function. Thank you for your service on behalf the Mayor and Council.

Mayor Collins spoke on the borough survey that was mailed out to approximately 4,000 residents, was returned and collated, put into a summary report and handed out to the council at the work session. Out of 4,000 that were mailed, 835 were returned. That was around 21%, 3 to 5% is a decent return. This survey speaks for itself. The survey was placed on our website for the borough residents. 85% of our residents had dealings with our borough personnel thought it was good to excellent.

The Mayor said that on a personal note the New Jersey League of Municipalities has reappointed him to the League Legislative Committee and the League Land Use, Environment & Community Development Committee. Also Mayor Collins mentioned he was re-elected to New Jersey Conference of Mayors.

### **RECREATION**

Chairman James Freda stated that there was not report for Recreation. Kamelot's meeting is next week, so there was nothing to report. On March 20<sup>th</sup> Councilman Freda will be doing the tour of the Borough Hall for Stoneybrook School student of government. They will be touring the Borough Hall, Police Department and the DPW.

### **PUBLIC WORKS & UTILITY**

Chairman O'Dougherty reported that the DPW had to responded six times for snow and ice with a total of 8.5 inches of snow and 2 inches of ice for the month of January. Potholes within the borough have been patched. Clearing and straightening of street signs around the borough have been done. Roadside debris on Fayson Lake Road and Miller Road had been cleaned, and the final week for Christmas tree recycling was done.

### **PUBLIC SAFETY**

Councilman Gary Moleta reported on Sustainable Jersey. Carol Vreeland who is on the Sustainable Jersey Committee along with the Green Team had the town accredited to receive grants. We are in the process of working on a grant for Stoneybrook School Garden Improvements.

### **FINANCE**

Chairman Stephen Cobell stated that all of the departments have submitted their budget requests. They have been reviewed and imputed in to our system. Part of what will impact our budget is the three union negotiations we are dealing with.

### **COORDINATING & OPEN SPACE**

Chairwoman Carol Sventy mentioned Gene Orcutt had been elected chair of the Board of Adjustment. The committee sat down with the Board of Education to review the SSO program. Both Chief Schwartz and Diana DeGiuseppe reported that the program has been working out very well. The Board of Health ended on the high note and thanked all the residents in town who donated to the food bank. The Library Board of Trustees had their six month review of their new director. Councilwoman Sventy stated that it is with regret that Carol Vreeland will be resigning from the Environment Committee but we are very glad that she will be continuing with the Sustainable Jersey Committee and the Green Team. The Open Space Advisory Committee is still looking for new members; they would like to have someone from the recreation portion of our community. They are continuing to work on the Kinnelon Trail Mapping project.

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Councilman Freda asked Councilwoman Seventy who is paying for the SSO program for the Board of Education. Councilwoman Seventy replied that the Board of Education is paying for this program.

### PERSONNEL & ORDINANCE

Chairman Ronald Mondello congratulated Gail Bresett, Thomas Stearn and William Allen on their appointments of Chiefs of Kinnelon Volunteer Fire Company, and also to the police for their Life Saving Award. Councilman Mondello congratulated Mayor Collins on his appointment to the League Legislative Committee.

Councilman Mondello mentioned that the CFO had forwarded job descriptions; the committee will review those and make recommendations.

### HEARING FROM THE PUBLIC

Mayor Collins asked if anyone from the public wished to be heard to please step forward.

Adelaida Colon, Jersey Central Power and Light area manager for Kinnelon took the opportunity to introduce herself and said if anything is needed please call her. We have 189 customers.

Former Councilman Paul Metcalfe congratulated all of the chiefs of the volunteer fire company and the new appointments for the Kinnelon Police Department. Mr. Metcalf also congratulated Gary Moleta on become elected Council President. He came tonight to speak on the resolution being giving consideration to creating the position of Deputy Mayor. Some of my questions he had were, as a councilman for 10 years they never even considered naming anyone Deputy Mayor to any position and there were many people who he served with and served before him and have served since who had made numerous contributions to the borough and yet none have been named Deputy Mayor. He recognized and congratulated Councilman O'Dougherty and thanked him very much for all of his service and his dedication to the veterans not only in Kinnelon but within the State of New Jersey. But he questioned the need to create a position of Deputy Mayor, whether it be formal or informal expiring in 2015 to a position of Deputy Mayor of Community Affairs. He questioned why it is necessary, because there are many people who are commissioners to the Recreation Committee and they are not called Deputy Mayor of the Recreation Commission. We have a Councilperson who is a commissioner of the Historical Commission and they are not called Deputy Mayor of the Historical Commission. He read in the newspaper the night before about a gentleman in Ramsey who serves as a Commissioner of Veterans Affairs. He questions why we need a Deputy Mayor of Veterans Affairs. It would be proper to name Councilman O'Dougherty the Commissioner of Veterans Affairs, or Director of Veterans Affairs. The resolution states it is not to be confused or have any authority over the council and not to be confused with the President of the Council. I still feel the public not knowing the interworkings of government, would view the title of Deputy Mayor to be one of authority. As a former councilman and member of the public and a resident of the Borough of Kinnelon since 1972 he's concerned that it is unnecessary. We do not need a Deputy Mayor. He asked each of the councilmembers to give this further consideration; either table this resolution for further discussion or vote it down. He said that he appreciated the opportunity to come before the council and hoped you do the right thing.

Robert Lewis, 37 Gravel Hill Road, Kinnelon thanked the Council for all the hard work they have been doing on the turf on trying to have turf fields in our town. From what he has read with all the trips to Trenton, he just wanted to say thank you. Also he thanked the council for re-sodding the field behind the Municipal Building. This was a big improvement for our teams and the visiting teams. He asked if there is a plan to preserve the work, so that we will not have to go through this again and spend the money. Do we have a maintenance program for this field, and limit the use of this field so that it has the proper rest.

Mayor Collins stated that at our December meeting he mentioned to the council that he asked our Department of Public works to come up with a formal maintenance plan. John Whitehead the DPW Supervisor,

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had been working with our engineer, and he had also asked the Recreation Liaison Councilman Freda. They are working on outlining a specific maintenance plan so that we don't take steps backwards. John Whitehead has identified equipment that would maintain the quality of the fields. Also it was talked about outsourcing our field maintenance; this might be a more cost effective way of securing our fields. We have made steps forward and we don't want to go backwards.

Mr. Lewis asked if there were rules with the other sports programs to follow and also for the outside vendors that use the field. They should treat the fields with the same respect that we treat them with.

Mayor Collins asked Mr. Lewis to talk to the recreation commissioners because we do not get involved at that level. The Mayor agreed that, if we only have one group that is not using discretion, it is going to place wear on it.

Councilman Freda stated that the recreation commission does make the decision on whether the field is used. John Whitehead does make the decisions if there is rain and if the games are canceled.

Mayor Collins and Councilman Freda thanked Mr. Lewis.

Ernest Palatucci, 2 Colonial Lane, Kinnelon came before the council to support Mr. Metcalfe's questing of the resolution that is being discussed and is trying to understand what the need is for this position to be created.

Councilman Cobell stated that he has had the opportunity to help Councilman O'Dougherty with the V.F.W. He is an accountant and they don't have anyone doing this for them, so he has been helping out with some reports for the V.F.W. He has seen a lot of the work that they do, especially Councilman O'Dougherty, helping veterans throughout the tri-borough. He feels that if we could do something for Dan for all the work he does, then we should. We would give him a title of Deputy Mayor of Veterans Affairs. If when he goes and works with the veterans, that important title makes our veterans feel a little important and someone cares then we have done something good and positive. This is the primary reason why he will push for this resolution naming Councilman O'Dougherty "Deputy Mayor of Veterans Affairs."

Mr. Palatucci stated that he appreciates what is being said regarding giving the veteran the feeling that proper attention is being paid. Councilman O'Dougherty should be commended for his work. However, from the public point of view the bureaucrats have always been straight forward and very much on line with the Mayor and Council form of government. To put the importance of the role Dan will be play is sufficed in my opinion. The fact the Mayor and Council are putting that kind of attention to his efforts to do the job. I think it is very confusing in terms of the public's perception of the bureaucrats here in Kinnelon to add another layer. The articles that he has read led it to be a very confusing feeling as far as what is the job description, role and responsibility were going to be. Are there going to be voting members, is he going to be a voting member as a council member and a Deputy Mayor.

You are opening a pandora's box for something that does not need to be done.

Glenn Sisco, 31 Ricker Road, Kinnelon said that he has been a resident for 57 years. It appears that Resolution 1.01.14 is a done deal; it is in the back as you walk in and also on the agenda. No reflection on Councilman O'Dougherty, because he knows he will do a good job because he does a good job now with the veterans. It just seems as though it's not a necessary thing to make a Deputy Mayor. Our form of government doesn't call for it. It was in 1922 when a group of people from Kinnelon went down to Pequannock. Pequannock is a township and a Falkner Act. The people from the Borough of Kinnelon had some decisions to make to form their own town. to select a form of government; the selection was the Borough Form of Government. The Borough Form of Government is all spelled out in the statues. How you have to fill in for the Mayor absence. And no one is a deputy of anything. It has been that way for 92 years. If it isn't broken don't fix it. The system is not broken. What we have done over the years is to make a standing committee. There are titles that mean a lot more than Deputy Mayor. The county has a good office of veteran's affairs. He would rather see the councilmembers think of some other title instead of Deputy Mayor.



Range of Checking Accts: First to Last Range of Check Dates: 12/20/13 to 01/16/14  
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 Num
GENERAL		General Account Account Payab		
10831	12/20/13	JIM01 JIMMY THE SHOE DOCTOR	1,534.01	4477
10832	12/26/13	STI03 JENNIFER STILLMAN - TREASURER	154.98	4478
10833	12/26/13	STI03 JENNIFER STILLMAN - TREASURER	28.32	4479
10834	12/26/13	ALL10 WILLIAM ALLEN	599.00	4480
10835	12/26/13	BAL08 PAUL BALDWIN	599.00	4480
10836	12/26/13	BAR09 ADAM BARISH	359.00	4480
10837	12/26/13	BER04 JOHN BERTHIAUME	425.00	4480
10838	12/26/13	BOS01 JAMES BOSCH	587.00	4480
10839	12/26/13	BRE01 GAIL L. BRESETT	599.00	4480
10840	12/26/13	BRE03 ALAN BRESETT	599.00	4480
10841	12/26/13	BRE08 JEFFREY BRESETT	359.00	4480
10842	12/26/13	CRA02 JEFFREY CRANE	359.00	4480
10843	12/26/13	DOT01 NORMAN DOTTI	599.00	4480
10844	12/26/13	FRA10 CHRISTOPHER FRANKS	419.00	4480
10845	12/26/13	HEI03 ANDREW HEILMANN	539.00	4480
10846	12/26/13	HIC01 HARRY HICKS	599.00	4480
10847	12/26/13	JAM04 JAMES KIELAR	599.00	4480
10848	12/26/13	JUN01 BRYAN JUNCOSA	575.00	4480
10849	12/26/13	KEI03 KIETH PAVLAK	599.00	4480
10850	12/26/13	LOW01 KEVIN LOWRY	599.00	4480
10851	12/26/13	LUM RICHARD F. LUMMER	599.00	4480
10852	12/26/13	MAR21 MARK LERNER	563.00	4480
10853	12/26/13	MER07 ALEXANDER MERLUCCI	599.00	4480
10854	12/26/13	MER08 MATTHEW MERLUCCI	599.00	4480
10855	12/26/13	MIC11 MICHAEL MARZULLO	359.00	4480
10856	12/26/13	NEE03 WILLIAM NEELY	533.00	4480
10857	12/26/13	PIR01 FRANK PIROG	473.00	4480
10858	12/26/13	SIN03 JOHN SINKE	599.00	4480
10859	12/26/13	SIS02 GLENN L. SISCO	599.00	4480
10860	12/26/13	SMIALEK JOHN SMIALEK	533.00	4480
10861	12/26/13	SPI04 ROBERT SPINK	443.00	4480
10862	12/26/13	STA26 BRIAN STACK	545.00	4480
10863	12/26/13	STE15 THOMAS STEARN	599.00	4480
10864	12/26/13	TSI01 JOHN TSINKELIS	491.00	4480
10865	12/26/13	WIR01 ROBERT WIRTHS	599.00	4480
10866	01/15/14	OXF01 OXFORD HEALTH PLANS	95,131.76	4481
10867	01/16/14	ABR01 JOSEPH T. ABRUSCI	450.00	4482
10868	01/16/14	ACC04 ACC BUSINESS	345.38	4482
10869	01/16/14	ACT04 ACTION DATA SERVICES	1,008.19	4482
10870	01/16/14	ALL17 ALL PURPOSE ELECTRIC	95.00	4482
10871	01/16/14	ARD01 SUSAN ARDREY	1,368.20	4482
10872	01/16/14	ASCAP ASCAP	330.00	4482
10873	01/16/14	AWI01 AWISCO NEW YORK CORP	144.69	4482
10874	01/16/14	BAC01 BERNARD BACCETTA ESQ.	750.00	4482
10875	01/16/14	BOR BOROUGH OF BUTLER	3,794.29	4482
10876	01/16/14	BOR01 BOROUGH OF BUTLER ELECTRIC	7,896.99	4482
10877	01/16/14	BOR11 BOROUGH OF BLOOMINGDALE	1,017.60	4482
10878	01/16/14	BR01 B&R UNIFORMS	4,447.90	4482
10879	01/16/14	BUS01 BUSINESS GRAPHICS	73.00	4482

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void Ref Num
GENERAL		General Account Account Payab Continued		
10880	01/16/14	CAB01 CABLEVISION	486.51	4482
10881	01/16/14	CIR01 CIRCLE AUTO PARTS INC.	72.06	4482
10882	01/16/14	CLI01 CLIFFSIDE BODY CORP.	1,523.00	4482
10883	01/16/14	COR02 CORRPRO COMPANIES	710.00	4482
10884	01/16/14	CRO04 DAVID CROUTHAMEL	114.98	4482
10885	01/16/14	DAR01 DARMOFALSKI ENGINEERING ASSOC.	9,840.00	4482
10886	01/16/14	DAR06 DART SEASONAL PRODUCTS INC	1,012.80	4482
10887	01/16/14	DEA03 KENNETH DE ANGELO	26.00	4482
10888	01/16/14	DEB03 DE BLOCK ENVIRONMENTAL SERVICE	9,298.93	4482
10889	01/16/14	DEL03 DELL INC	5,645.34	4482
10890	01/16/14	DEL08 DELTA DENTAL OF NEW JERSEY INC	4,052.42	4482
10891	01/16/14	DEL16 DE LAGE LANDEN	392.18	4482
10892	01/16/14	ELE03 ELECTRO BATTERY SYSTEMS INC.	178.04	4482
10893	01/16/14	ETD01 ETD DISCOUNT TIRE CENTERS, INC	900.00	4482
10894	01/16/14	FAL03 FALCON AUTO PARTS INC	393.59	4482
10895	01/16/14	FAY02 FAYSON LAKES ASSOCIATION	50.00	4482
10896	01/16/14	FDR01 FDR North LLP	142.92	4482
10897	01/16/14	FED01 FED-EX	51.48	4482
10898	01/16/14	FOR04 FORD MOTOR CREDIT COMPANY	4,664.71	4482
10899	01/16/14	GIR03 GIRL SCOUTS OF NNJ	750.00	4482
10900	01/16/14	GRA02 GRAMCO	54.00	4482
10901	01/16/14	GRI03 GRIEF SPEAKS LLC	800.00	4482
10902	01/16/14	HAI01 GERDA HAINES	26.00	4482
10903	01/16/14	HOM02 HOME DEPOT CREDIT SERVICE	98.45	4482
10904	01/16/14	HOR04 Horizon Office Equipment	260.75	4482
10905	01/16/14	INS05 INSTITUTE FOR FORENSIC PSYCH.	425.00	4482
10906	01/16/14	JAM01 JAMES MALONEY & SON	2,300.00	4482
10907	01/16/14	JIM01 JIMMY THE SHOE DOCTOR	565.90	4482
10908	01/16/14	KEY01 KEY-TECH	1,650.00	4482
10909	01/16/14	KIM01 BRIAN KIMBLE	49.66	4482
10910	01/16/14	KIN08 KINNELON VOLUNTEER FIRE CO.	6,000.00	4482
10911	01/16/14	KIN09 KINNELON BOARD OF EDUCATION	2,856,235.50	4482
10912	01/16/14	KIN29 KINNELON JR. WRESTLING	400.00	4482
10913	01/16/14	KIN30 KINNELON COMPETITION CHEER	130.00	4482
10914	01/16/14	LAK10 LAKESIDE BAGELS & DELI	306.66	4482
10915	01/16/14	LAW02 LAWYERS DIARY AND MANUAL	96.00	4482
10916	01/16/14	LOE01 LOEFFELS WASTE OIL SERVICE	40.00	4482
10917	01/16/14	MAD03 LAW OFFICE OF MARK D. MADAIO	4,818.71	4482
10918	01/16/14	MAG01 THOMAS MAGILL	168.45	4482
10919	01/16/14	MCI02 MCI COMM SERVICE	12.80	4482
10920	01/16/14	MEC03 CARLA MECIONIS	129.63	4482
10921	01/16/14	MGL01 M.G.L. FORMS SYSTEM	678.00	4482
10922	01/16/14	MOM01 MOMAR INCORPORATED	529.91	4482
10923	01/16/14	MOR08 MORRIS COUNTY FIRE FIGHTERS &	255.00	4482
10924	01/16/14	MOR21 MORRIS COUNTY M.U.A.	25,187.45	4482
10925	01/16/14	MOR42 THE LAND CONSERVANCY OF NJ	2,750.00	4482
10926	01/16/14	MOR52 MORRIS MUNICIPAL JOINT INS	161,764.63	4482
10927	01/16/14	MOR07 MORRIS COUNTY CLERK'S OFFICE	8.00	4482
10928	01/16/14	NES01 NESTLE PURE LIFE DIRECT	64.46	4482
10929	01/16/14	NEW11 NJ STATE LEAGUE MUNICIPALITIES	65.00	4482
10930	01/16/14	NEW25 NEW JERSEY LUBE OIL	232.01	4482
10931	01/16/14	NOR02 NORTH JERSEY NEWSPAPER	5.36	4482

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
GENERAL General Account Account Payab Continued					
10932	01/16/14	NOR18 NORTHEAST COMMUNICATIONS, INC.	12,609.65		4482
10933	01/16/14	NOR19 NORTHEAST COMMUNICATIONS, INC.	2,763.20		4482
10934	01/16/14	ONE02 One Call Concepts, INC.	43.32		4482
10935	01/16/14	PAD01 PA DUI ASSOCIATION	2,200.00		4482
10936	01/16/14	PIT06 PITNEY BOWES- RESERVE ACCOUNT	2,000.00		4482
10937	01/16/14	POM01 POMPTON PLUMBING & HEATING CO,	4.27		4482
10938	01/16/14	POS05 POSTMASTER OF WAYNE	400.00		4482
10939	01/16/14	PRB01 P.R.B.R.S.A.	92,700.00		4482
10940	01/16/14	PRO15 PROFESSIONAL INSURANCE	3,039.00		4482
10941	01/16/14	PSE01 P.S.E. & G.	2,819.54		4482
10942	01/16/14	REI07 REIVAX CONTRACTING CORP	133,098.01		4482
10943	01/16/14	ROU01 ROUTE 23 AUTO MALL	34.63		4482
10944	01/16/14	SAN03 Tony Sanchez, LTD	768.00		4482
10945	01/16/14	SHO01 SHOTMEYER BROS. FUEL CORP.	838.35		4482
10946	01/16/14	SMA01 SMART STOP STATE RT 23	276.00		4482
10947	01/16/14	SPO05 SPOT-A-WAY	450.00		4482
10948	01/16/14	SS01 S AND S	881.06		4482
10949	01/16/14	SUB03 SUBURBAN DISPOSAL	39,640.01		4482
10950	01/16/14	TRE05 TREAS. STATE OF NEW JERSEY	5,305.00		4482
10951	01/16/14	TRE09 Treasurer, State of New Jersey	1,000.00		4482
10952	01/16/14	TRIO2 TRIUS OF NEW JERSEY	88.68		4482
10953	01/16/14	TUR01 TURN-OUT FIRE AND SAFETY	781.00		4482
10954	01/16/14	US03 US BANK CUST FOR PRO CAPITAL	24,322.34		4482
10955	01/16/14	VER01 VERIZON	38.47		4482
10956	01/16/14	VER06 VERIZON WIRELESS	232.81		4482
10957	01/16/14	VER11 VERIZON WIRELESS - KPD	195.06		4482
10958	01/16/14	VIT02 VITAL COMMUNICATIONS INC.	174.00		4482
10959	01/16/14	WAT01 WATER WORKS SUPPLY COMPANY	230.31		4482
10960	01/16/14	WBM01 W.B. MASON COMPANY INC.	398.15		4482
10961	01/16/14	WHI03 JOHN WHITEHEAD, JR.	85.89		4482
10962	01/16/14	WIL11 CHERYL WILTSHIRE	50.00		4482
10963	01/16/14	ZAP01 ZAPHYR LLC	1,700.00		4482

Checking Account Totals	Paid	Void	Amount Paid	Amount Void
Checks:	133	0	3,571,295.35	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	133	0	3,571,295.35	0.00

PLANNING 2		Columbia Bank			
1627	01/16/14	CAS07 CASPER CONTRUCTION	800.00		4483
1628	01/16/14	DAR01 DARMOFALSKI ENGINEERING ASSOC.	3,240.00		4483
1629	01/16/14	HAR11 Donald K Harty	520.00		4483

Checking Account Totals	Paid	Void	Amount Paid	Amount Void
Checks:	3	0	4,560.00	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	3	0	4,560.00	0.00

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Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num	
PLANNING 2		Columbia Bank				
Report Totals			Continued			
			<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
		Checks:	136	0	3,575,855.35	0.00
		Direct Deposit:	0	0	0.00	0.00
		Total:	136	0	3,575,855.35	0.00

Fund Description	Fund	Budget Total	Revenue Total
CURRENT FUND APPROPRIATIONS	3-01	135,388.13	0.00
WATER FUND	3-05	2,672.76	0.00
SEWER FUND	3-07	<u>10,298.93</u>	<u>0.00</u>
Year Total:		148,359.82	0.00
CURRENT FUND APPROPRIATIONS	4-01	3,146,406.92	0.00
SEWER FUND	4-07	<u>92,700.00</u>	<u>0.00</u>
Year Total:		3,239,106.92	0.00
	C-04	155,531.89	0.00
DOG TAX	D-13	563.12	0.00
STATE AND FEDERAL GRANTS	G-02	376.21	0.00
KAMELOT	K-17	5,040.00	0.00
	L-22	1,497.83	0.00
TAX SALE PREMIUMS	Q-32	16,000.00	0.00
RECREATION SPECIAL	R-16	<u>1,891.52</u>	<u>0.00</u>
	V-27	2,750.00	0.00
RECYCLE FUND	Y-21	178.04	0.00
Total of All Funds:		<u><u>3,571,295.35</u></u>	<u><u>0.00</u></u>

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BOROUGH OF KINNELON  
Check Register by Check Date

January 16, 2014  
Page No: 6

Project Description	Project No.	Project Total
DONNELLY II, 37 CLIFF TRL 1388	1388	600.00
16 HEARTHSTONE DR	1405	480.00
43 KIEL AVE #1406	1406	480.00
PioCosta 1407	1407	480.00
69 EAST LAKE ROAD LLC, HARTY	21-3	520.00
5 MEADOW LANE CASPER 576828	576828	800.00
MASTERTON, SUMMIT TERR, 793	793	480.00
SMOKE RISE CLUB # 794	794	720.00
Total of All Projects:		<u>4,560.00</u>



RESOLUTION NO. 1.01. 2014

**A RESOLUTION NAMING COUNCILMAN DANIEL O' DOUGHERTY  
DEPUTY MAYOR OF THE BOROUGH OF KINNELON FOR  
VETERANS' AFFAIRS**

BE IT RESOLOVED BY THE MAYOR AND COUNCIL OF THE  
BOROUGH OF KINNELON AS FOLLOWS:

WHEREAS, pursuant to N.J.S.A. 40A:60-4, the Borough Council of  
Kinnelon has the full power and authority to exercise all powers of local  
government in such manner as its Council may determine; and

WHEREAS, pursuant to N.J.S.A. 40A:60-6a the Borough Council is the  
legislative body of the municipality; and

WHEREAS, pursuant to N.J.S.A. 40A:60-6b(1) the Council may, adopt any  
resolution for any purposes required for government of the municipality or for the  
accomplishment of any public purpose; and

WHEREAS, it is the duty and the responsibility of the Council to consider  
the needs of its citizens and provide for these needs with the highest quality of  
services consistent with the Borough's budgetary constraints and to otherwise  
adopt legislation intended to facilitate the smooth operation of Borough  
government; and,

WHEREAS, there are no citizens of the municipality more deserving of  
respect and access to municipal services, support, information and assistance than  
the veterans of military service who have served our nation; and

WHEREAS, Daniel O'Dougherty is an honored veteran of military service,  
having served in Vietnam and having received two Purple Hearts, a Bronze Star  
and numerous other honors, who still suffers from his numerous service related  
injuries and who remains actively involved in Veterans Affairs and providing  
service to our community by supporting and assisting other veterans; and

WHEREAS, this Council finds that naming Daniel O'Dougherty to the  
position of Deputy Mayor of the Borough of Kinnelon for Veterans' Affairs is in

the best interests of the citizens of Kinnelon and will create a source of assistance, outreach and service to our Veterans.

NOW, THEREFORE BE IT RESOLVED by the Borough of Kinnelon Mayor and Council as follows:

Section 1. Councilman Daniel O'Dougherty is hereby named the "Deputy Mayor for Veterans' Affairs for the Borough of Kinnelon" who shall act as general liaison between the Governing Body and the members of the public, various community and Veterans' affairs, agencies and institutions that aid veterans and shall from time to time, as directed by the Governing Body, perform such other duties as is consistent with this function. The Deputy Mayor for Veterans' Affairs shall periodically report to the Governing Body with respect to such contacts, interaction, governmental activities, community events, and such other details relating to same as the Governing Body deems appropriate.

Section 2. The Deputy Mayor for Veterans' Affairs shall not possess the powers of the Mayor, as found in N.J.S.A. 40A:60-5, nor supersede those powers of the Council President as found in N.J.S.A. 40A:60-3, or have those powers conferred upon a Deputy-Mayor in other forms of government. The phrase "Deputy Mayor for Veteran's Affairs" shall not be shortened or abbreviated in a manner so as to create confusion with the phrase "Deputy Mayor".

Section 3. This Resolution shall expire and be of no further effect on December 31, 2015.

January 16, 2014

A motion was offered by Councilman S. Cobell and seconded by Councilman R. Mondello, the motion and resolution was offered for approval:

Mayor Collins opened Resolution 1.01.14 for discussion;

Councilman Moleta stated that there were two different resolutions. The public may have read in the paper his concerns on how it was worded. He needed clarification. The first one that was discussed needed changes. Some of the changes were Deputy Mayor of Community and Veterans Affairs was changed to Deputy Mayor of the Borough of Kinnelon for Veterans Affairs. In section 2 the phrase Deputy Mayor of Veterans Affairs shall not be shorten or abbreviated in any matter so as not to be confused with Deputy Mayor. He also asked Councilman O'Dougherty how he felt about this title or would consider another title that would be more appropriate.

Councilman O'Dougherty responded that he had talked to different council people and either commissioner or liaison would be important title. He spoke with a Morris County representative and he stated that, yes it a good thing, "Deputy Mayor", it's just a title. But that has more effect in trying to help people. I'm very friendly with our V.F.W. liaison, and also with the D.A.V. liaison. I asked him and he also said that the wording of Deputy Mayor has more of an impact. Since the article was written I've had two people call me, one of them has no roof and the other has no job. The Mayor reached out to me today and mentioned he would help out with some of those aspects. I would like everyone to know I do not have any aspirations to run for Mayor.

Councilman Moleta also asked our legal counsel that by creating a position whether it be Veterans Liaison Officer or Deputy Mayor would that be in any violation of our By-Laws.

Mr. Madaio answered that all of your suggestions are very good suggestions and I do think it is lawful act in this form of Borough Government.

Councilwoman Carol Sventy expressed her deepest appreciation to Councilman O'Dougherty and all of our veterans for their sacrifice and service to our country. Through their service we are able to enjoy our freedom;, otherwise we would not be able to.

Councilwoman Sventy stated that she does not feel that this resolution should contain the title of Deputy Mayor. She said that she thinks commissioner or some of the other suggestions mentioned tonight would be just as appropriate. Councilwoman Sventy asked a question. Is there currently a problem with how the veteran's services are being provided? If there is, how will this resolution help to resolve this so that our veterans and families won't suffer any loss of their disability or services to them? I would like to see a better description of the duties and responsibilities of this two year position, and what happens at the end of two years? There is nothing in the Kinnelon By-Laws as you have heard from several others, regarding a position of deputy mayor, with or without powers. And are we in some way degrading this title by using it in such a way? I have personally heard from several residents who also do not approve of the title Deputy Mayor and feel strongly that this would undermine the authority of our Council President. Does this mean our Mayor no longer has the responsibility of Community Affairs? This title will confuse our residents. There must be another way of honoring Councilman O'Dougherty for serving our country. If the Mayor and Council are adopting a resolution for this town it should be for the right reasons.

Councilman Mondello stated that first and most I would like to thank my colleagues and public for their well thought out and insightful comments. Having said that he still feels quite perplexed as to why there is any opposition to this form of honoring veterans and Councilman O'Dougherty for their services. And as to the agreements that this title is misleading and confusing, he firmly believes this argument is speculative at best. A major of the residents do not know who their Mayor is or Council President or who the council members are.

They care about clean streets, safe streets and keeping taxes low. The resolution clearly spells out this is an honorary title. That Deputy Mayor of Veterans Affairs shall not possess the powers of mayor nor supersede the powers of Council President, nor have the powers of Deputy Mayor in other form of government. The title must

January 16, 2014

never be shorten to Deputy Mayor and must be recited as Deputy Mayor of Veterans Affairs. There is an argument that this form of government does not have a Deputy Mayor; this is true. However to his knowledge no New Jersey form of government has a Deputy Mayor of Veterans Affairs. And he is proud Kinnelon will be the first. There is a sunset provision that will act as a safety valve if this confusion causes harm or damage. A sacrifice based on love in the countless hours that Councilman O'Dougherty spends in helping his fellow veterans with their many needs. This title adds significance, honor, and respect and shows that we have not forgotten and we all care. This type of resolution makes me proud to be an American.

Mayor Collins noted that this resolution came before the council at the work session, and I asked that the council have the opportunity to think about this resolution, digest what was been asked and move forward. We had one councilman that wanted to have action last week and the Mayor thought it was inappropriate. As part of the transparency in government pledge that the Mayor has to the community, this was a better approach.

Mayor Collins thanked former Councilman Paul Metcalfe and said that he did an excellent job of articulating the concerns regarding the title and the position. This resolution is poorly drafted. That was the Mayor's concern last week and his concern at the meeting. he has no vote on this matter unless there is a tie, and the Mayor said as Mayor Sisco said, there may already have been a leading before approving this. The Mayor said that the public may not know but the job that pays the bills for his family has a large part of its operation dedicated to veteran's services. It is a non-profit organization with a 15 million dollar operating budget. Over the last 10 years they have helped over 1,500 veterans. They work very closely with the county veteran's office. The Mayor had reached out to the county asking how many other municipalities in the county are undertaking a role of veteran's services at least on the local level. The residing official said he thinks this is a great idea in order to support the county and lack of resources they have., The county rep also said that he thinks having, at the local level, someone who is going to interface with our local veterans and maybe people in the area is an excellent idea. Our Council may or may not know based upon the 2010 census, we have 10,248 residents in the town and 530 are veterans.

We have an obligation to insure we have the help needed to access veteran's services at the highest level. In talking with the representatives from the county he did say however that any local should be supported with adequate training. There are programs such as Veterans Administration Supportive Housing Program, Supportive Service for Veterans Families, there are job coaches, and a number of programs available to veterans that they may not know about. The Mayor has offered his assistance to Councilman O'Dougherty to meet with the Mayor's professionals that have been working with veterans for over ten years. In reviewing this, the veteran's service organization at the county level had a job description for a veteran's service officer. That job description clearly defines by position what the responsibilities are related to veteran's services. This resolution doesn't speak to this. I think it is ambiguous on the front on actually what the charge is. This job description should have been incorporated into a resolution if we are going to move forward. The Mayor disagreed with Councilman Mondello. He thinks this is a required position and should not have a sunset provision. He doesn't think that our veterans go away December 31, 2015. The need for veteran's support services increases with time as are veterans get older. The borough should be supporting this effort on an ongoing basis, which speaks to Mayor Sisco's point of creating a Department of Veterans services within the Borough. I think that would be more appropriate than one individual taking this on by himself. This resolution circumvents our Borough By-Laws by creating a job without going through a revision or an ordinance. That would be more appropriate. Our veterans are the most mistreated people coming back from a conflict. The Mayor said he doesn't know how we can make it up to them. We have people from Iraq, Afghanistan that need additional support services. They come back with missing arms, legs, the challenge here is to support our veterans the best way we can.

I don't know if this resolution accomplishes this. Councilman O'Dougherty knows how the Mayor feels about veterans. Everyone has stories about family members who have dedicated themselves to protecting this nation. The Mayor feels very serious about that moment of silent we take before every meeting. Mayor Collins thanked the public for coming out and expressing their opinion.

January 16, 2014

Roll Call: J. Freda, Yes; S. Cobell, Yes;  
D. O'Dougherty, Recused; C. Sventy, No;  
G. Moleta; Yes R. Mondello, Yes;

Councilman O'Dougherty thanked the council for giving him this honor and said not only will he assist veterans for Kinnelon but he does interface with other municipalities.

**CONSENT AGENDA:**

A motion was offered by Councilman R. Mondello and seconded by Councilman S. Cobell, the following motions and resolutions were offered for approval:

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

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

- a. RESOLUTION 1.02.14 – PRBRSA 5 Year Appointment - Elmer J. Gall (Attached)
- b. RESOLUTION 1.03.14 – Pathways to History Program Grant \$2,284.00(Attached)
- c. RESOLUTION 1.04.14 – Award of Contract to Dykstra Associates – Survey work for Property Block 89, Lot 1(Attached)
- d. RESOLUTION 1.05.14 – Award of Contract to Envirotactic, Inc. – PAR work for Property Block 89, Lot 1(Attached)
- e. RESOLUTION 1.06.14 – Award of Contract to Heritage Abstract Company – Title work for Property Block 89, Lot 1(Attached)
- f. RESOLUTION 1.07.14 – Authorizing Mayor Collins to Sign Repayment Agreement with Fantastic Sam (Attached)
- g. RESOLUTION 1.08.14 – Refund Driveway Bod – 61 Ricker Road, Mr. John Fogg - \$200.00 (Attached)
- h. RESOLUTION 1.09.14 – Granting Sick Leave to Jeanette Rossi \_\_ Kinnelon Public Library(Attached)
- i. RESOLUTION 1.10.14 – Authorization to Apply for \$2,000.00 Grant from Sustainable Jersey for Stoneybrook School Garden Improvement (Attached)



Resolution No. 1.02.14RESOLUTION

WHEREAS, the Sewerage Authorities Law, more specifically at N.J.S.A. 40:14A-4(b), provides for the appointment of municipal members to a sewerage authority for a term commencing on February 1, and expiring on February 1 in the fifth year after such year; and

WHEREAS, the Borough of Kinnelon is a municipal member of the Pequannock River Basin Regional Sewerage Authority ("PRBRSA") and therefore must provide for such appointment of a municipal representative; and

WHEREAS, N.J.S.A. 40:14A-4(b) further provides that the member representative of each municipality shall be appointed by resolution of the governing body; and

WHEREAS, the Borough of Kinnelon wishes to confirm the appointment of Elmer Gall as its member representative of PRBRSA to serve for a period of five years commencing February 1, 2014; and

WHEREAS, N.J.S.A. 40:14A-4(e) thereafter provides that a copy of each such resolution appointing any member of a sewerage authority, duly certified by the appropriate office of the local unit, shall be filed in the office of the New Jersey State Department of Treasury, Division of Revenue.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Kinnelon in the County of Morris and State of New Jersey on this 16 day of January, 2014, as follows:

1. Elmer Gall is hereby appointed to represent the Borough of Kinnelon as aforesaid commencing on February 1, 2014 and ending February 1, 2019.

2. This Resolution shall take effect immediately and a certified copy hereof shall be filed in the office of the New Jersey State Department of Treasury, Division of Revenue, as well as in the offices of the Borough of Kinnelon Municipal Clerk and the Office of the Pequannock River Basin Regional Sewerage Authority.

Certified to be a true copy of a Resolution enacted at a duly convened public meeting of the Borough of Kinnelon held on January 16, 2014.

  
Karen Luele, Borough Clerk  
Acting

RESOLUTION 1.03.14

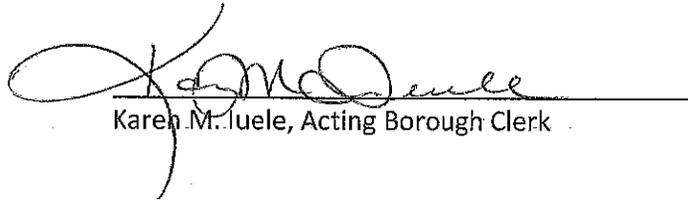
AUTHORIZATION FOR MAYOR TO  
ACCEPT NEW JERSEY HISTORICAL  
COMMISSION GRANT PROGRAM 2014

WHEREAS, the Mayor and Council of the Borough of Kinnelon accepts the New Jersey Commission Grant Program 2014; and

WHEREAS, the grant period is from 1-01-2014 to 8/31/14 for the project Pathways to Historical Program.

NOW, THEREFORE BE IT RESLOVED BY, the Mayor and Council of the Borough of Kinnelon, accepts the New Jersey Commission Grant Program 2014.

Dated: 01/16/2014



Karen M. Luele, Acting Borough Clerk

RESOLUTION 1.04 .14

BOROUGH OF KINNELON  
COUNTY OF MORRIS  
STATE OF NEW JERSEY

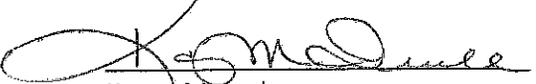
WHEREAS the Borough of Kinnelon with an address of 130 Kinnelon Road, Kinnelon New Jersey 07405 has agreed to pursue the preservation of the property know as Totowa Constructors Ins. Also known as Block 89 Lot 1 on the tax maps of Kinnelon, Morris County state of New Jersey for open space and/or recreation use and;

WHEREAS the required due diligence for this transaction will consist of an appraisal to determine the property value, a Preliminary assessment report, a survey of the property, and a title search and;

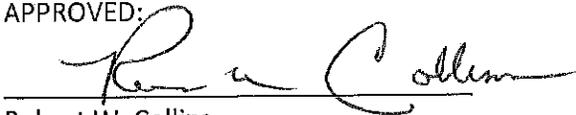
NOW, THEREFORE, BE IT RESOLVED, BY THE Mayor and Council of the Borough of Kinnelon as follows;

1. The Mayor and Borough Clerk are hereby authorized to execute an agreement with Dykstra Associates, Pa. in an amount not to exceed \$3,190.00.
2. The Acting Borough Clerk is hereby authorized and directed to publish a copy of this Resolution in the Borough's official newspaper and to provide a copy of this resolution to the Chief Financial Officer and the Land Conservancy of New Jersey.

ATTEST:

  
 Karen M. Luele,  
 Acting Borough Clerk

APPROVED:

  
 Robert W. Collins,  
 Mayor

CLERK'S CERTIFICATION

I, Karen M. Luele, Acting Borough Clerk of the Borough of Kinnelon do hereby certify that the attached is a true copy of a resolution duly adopted by the Mayor and Council of the Borough of Kinnelon at a regular meeting held on January 19, 2014

  
 Karen M. Luele, Acting Borough Clerk



Dykstra Associates, PC

Engineers • Land Surveyors • Planners • Landscape Architects • Environmental Consultants

Attn: Shari Johnson  
 The Land Conservancy of New Jersey  
 19 Boonton Avenue  
 Boonton, NJ 07005

November 11, 2013  
 Proposal #2446

Project: Open Space Survey to NJDEP Green Acres Standards

Owner of Record: Totowa Constructors

Parcels: Block 89, Tax Lot 1, Kinnelon Borough, Morris County, NJ - about 6 acres±

Premises: Southeast Corner of Highlands Drive & Boonton Avenue, Kinnelon, NJ 07405

Dear Ms. Johnson:

As requested, Dykstra Associates, PC (DA) is pleased to provide the following proposal for professional services on the above referenced property. The project has been broken down into phases with fees quoted for two different turnaround times as follows:

Phase I: Survey of Property -lump sum	Standard Turnaround 45-60 Days from Authorization to proceed	\$3,190
Phase II: Supplemental Field & Office Work Related to Encroachments (if required) -no charge		NC

The individual breakdown of each of the phases along with the applicable terms is as follows:

### Scope of Work

#### Phase I: Survey of Property

DA will perform field & office work as required to prepare a boundary survey of the subject parcel in its entirety. The survey will be prepared to meet the requirements of the "Scope of Work for Professional Land Surveying Services," issued by the State Of New Jersey Department of Environmental Protection, Green Acres Program, ACSM Standards and supplemental requirements contained in the site specific engagement RFP, if any.

DA will prepare a new metes & bounds description of the parcel. Mapping of existing features, along the parcel frontage, within adjoining Road Rights of Way is included. Corner marking in accordance with Green Acres standards is included. All survey deliverables required in the RFP are included. Revisions based on Green Acres review and recommendations are included. Work associated with new easements, subdivisions, rights of way or exceptions is not included. Bearings & Coordinates will be referenced to The New Jersey State Plane Coordinate System – North American Datum 1983 (NAD 83).



Dykstra Associates, PC

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Engineers • Land Surveyors • Planners • Landscape Architects • Environmental Consultants

Attn: Shari Johnson  
The Land Conservancy of New Jersey

November 11, 2013  
Proposal #2446

**Phase II: Supplemental Work Related to Encroachments, if required**

DA will perform field & office work associated with supplemental mapping to confirm removal of encroachments which may be discovered in the course of Phase I survey work and/or for the setting of markers for exception areas that are then designated. These tasks will be performed at no additional charge.

**Authorization to Proceed & Schedule of Payments**

If this proposal meets with your approval, please execute this contract by signing and returning with the initial payment specified below

❖ **SCHEDULE OF PAYMENTS:**

- Initial payment waived for land conservation clients
- All work will be invoiced at phase completion. Terms are 30 days net

Thank you for considering Dykstra Associates, PC and allowing us to submit this proposal. Please do not hesitate to contact us if you have any questions, or require additional information.

Sincerely,

A handwritten signature in black ink, appearing to read 'Michael Drelich', written over a horizontal line.

Michael Drelich  
Office Manager

RESOLUTION 1.05 .14

BOROUGH OF KINNELON  
COUNTY OF MORRIS  
STATE OF NEW JERSEY

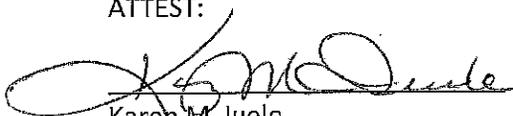
WHEREAS the Borough of Kinnelon with an address of 130 Kinnelon Road, Kinnelon New Jersey 07405, has agreed to pursue the preservation of the property known as Totowa Constructors, Inc. Also known as Block 89 Lot 1 on the tax maps of Kinnelon, Morris County state of New Jersey for open space and/or recreation use and;

WHEREAS the required due diligence for this transaction will consist of an appraisal to determine the property value, a Preliminary assessment report, a survey of the property, and a title search and;

NOW, THEREFORE, BE IT RESOLVED, BY THE Mayor and Council of the Borough of Kinnelon as follows;

1. The Mayor and Borough Clerk are hereby authorized to execute an agreement with Envirotactics, Ins. in an amount not to exceed \$4,500.00. If necessary \$95.00 an hour.
2. The Acting Borough Clerk is hereby authorized and directed to publish a copy of this Resolution in the Borough's official newspaper and to provide a copy of this resolution to the Chief Financial Officer and the Land Conservancy of New Jersey.

ATTEST:

  
 Karen M. Iuele,  
 Acting Borough Clerk

APPROVED:

  
 Robert W. Collins,  
 Mayor

CLERK'S CERTIFICATION

I, Karen M. Iuele, Acting Borough Clerk of the Borough of Kinnelon do hereby certify that the attached is a true copy of a resolution duly adopted by the Mayor and Council of the Borough of Kinnelon at a regular meeting held on January 19, 2014

  
 Karen M. Iuele, Acting Borough Clerk



VIA EMAIL ONLY

November 7, 2013

Shari Johnson  
The Land Conservancy of New Jersey  
19 Boonton Avenue  
Boonton, NJ 07005

**Re: Green Acres Program - Preliminary Assessment Price Estimate  
Totowa Constructors, Inc.  
Block 89, Lot 1 (6.07 acres)  
Boonton Avenue  
Borough of Kinnelon, Morris County, New Jersey  
Envirotactics Proposal #13-4233R**

Dear Ms. Johnson:

As requested, Envirotactics, Inc. is pleased to submit for your review and approval this proposal to conduct a Preliminary Assessment (PA) for the above referenced property (site). The PAR identifies potential areas of concern at the site based on historic and current assessment of the property. This PAR is being conducted as part of the requirements of the Green Acres Program.

Additionally, pricing to conduct a soils investigation to address potential historical farm use at the site is provided under Task 2.

The purpose of the preliminary assessment is to identify the presence of any potentially contaminated areas of concern at the subject property. If any potentially contaminated areas of concerns are identified, then there is need for a site investigation pursuant to N.J.A.C. 7:26E-3.3. If no potentially contaminated areas of concern are identified, then no further investigation is required at the site.

***Background/Site Description***

Envirotactics understands that the subject property (Bloc 89, Lot 1) is vacant and predominantly forested land with some wetlands present. This parcel is in the Highlands Preservation Area. The township intends to purchase the property for open space.

Envirotactics, Inc.

1625 Highway-71

Wall, NJ 07719

Phone 732-449-0077

Fax 732-449-5810

[www.envirotactics.com](http://www.envirotactics.com)

**TASK 1 PRELIMINARY ASSESSMENT**

The proposed Preliminary Assessment will be performed in accordance with the *N.J.A.C. 7:26E The Technical Requirements for Site Remediation (N.J.A.C. 7:26E-3.1)*. The PAR will be conducted in accordance with the requirements of the Green Acres Program.

The preliminary assessments will be based upon a diligent inquiry and include, but not be limited to an evaluation of the following:

- Prior to any site visit/inspection, Envirotactics will notify the following individuals of the scheduled date of assessment and what will take place during the assessment: Property owner (or primary contact) and Linda Glosinski (Land Preservation Specialist, The Land Conservancy of New Jersey);
- Perform a site walk-through consisting of a reconnaissance of the subject property using a GPS unit to verify property boundaries and to identify potential areas of environmental concern or hazardous materials;
- Conduct an interview with current owner, operator or tenant (point of contact person) regarding current operations conducted at the site and past historical knowledge of the site;
- Access federal and state databases to determine if any reported environmental conditions exists on the site or at nearby properties;
- Conduct a search for and review of historic Sanborn Maps, Topographic Maps, and aerial photographs;
- Brief descriptions of the past usage of the site by each owner and operator;
- Access and review publicly available records at the local regulatory agencies to determine if any past or current environmental, investigative or corrective actions have been implemented at the property;
- Review available environmental reports provided by the client and any data or information concerning known discharges that have occurred on the site; and
- Prepare draft and final copies of a Preliminary Assessment Report for submission to The Land Conservancy of New Jersey.

**TASK 1 FEE SUMMARY**

Envirotactics will perform the Preliminary Assessment as outlined in Task 1 for the lump sum amount of **\$2,000.**

**TASK 2 LIMITED SOILS INVESTIGATION FOR PESTICIDES**

The purpose of the limited soils investigation will be to determine if there are any potential pesticides from suspected historical agricultural use within Block 89, Lot 1 (6.07 acres). No groundwater sampling will be performed as part of the limited soils investigation.

The pesticide soil sampling will be conducted in accordance with NJDEP protocol as outlined in a report dated March 1999 entitled "Final Report Findings and Recommendations for the Remediation of Historic Pesticide Contamination". Envirotactics will complete the limited soils investigation as follows:

The NJDEP recommends a sampling frequency of one (1) sample for every 2 acres for sites less than 10 acres in size, with minimum of two (2) soil samples, then one (1) sample for every 5 acres above 10 acres. A reduced sampling frequency may be appropriate for very large sites.

Based upon on the estimated total property area (6.07 acres) to have been historically utilized as farmland, Envirotactics proposes to collect three (3) soil samples from Block 89, Lot 1.

Envirotactics will mobilize to the site and install three (3) soil borings at random locations of the subject property suspected to have been utilized for historical agricultural purposes to a depth corresponding to approximately 0-6 inches below grade using a stainless steel hand-auger.

A total of three (3) soil samples will be collected for Total Pesticides, Lead and Arsenic laboratory analyses. All sample locations will be located with a GPS unit accurate to less than 12 inches and will be plotted on aerial photographs as part of the report.

Once the laboratory results are received, Envirotactics will incorporate findings into a Letter Report. The letter report will not be suitable for submission to the NJDEP. The limited soils investigation pricing is based upon no discharges being present and no Licensed Site Remediation Professional (LSRP) services being required.

<b>Project Management &amp; Equipment</b>	<b>\$995</b>
<ul style="list-style-type: none"> <li>• Project Management/Field Sampling (6 hours estimated at \$95/hour)</li> <li>• Utility Vehicle and Hand Auger Soil Sampling Equipment (\$125/day)</li> <li>• GPS Unit (\$300/day)</li> </ul>	
<b>Soil Sampling Analysis – (Normal 5-day turn-around time)</b>	<b>\$675</b>
<ul style="list-style-type: none"> <li>• 3 PP Pesticides samples @ \$155/sample</li> <li>• 3 Arsenic and Lead samples @ \$70/sample</li> </ul>	
<b>Letter Reporting</b>	<b>\$750</b>

**TASK 2 FEE SUMMARY**

The estimated time and materials price to perform the scope of work outlined in Task 2 is **\$2,420.**

**SCHEDULE & DELIVERABLES**

Envirotactics is prepared to conduct the preliminary assessment one-week after authorization to proceed anticipated on November 21<sup>st</sup> or December 19<sup>th</sup>, 2013.

The report will be prepared for Kinnelon Borough and New Jersey Department of Environmental Protection (NJDEP).

A draft PAR copy will be available with 3-4 weeks upon completion of field work. The draft copy of the PAR will be submitted electronically to The Land Conservancy of New Jersey – Linda Glosinski, Land Preservation Specialist at [LGlosinski@tlc-nj.org](mailto:LGlosinski@tlc-nj.org) for review prior to final issuance of the report.

Upon approval and acceptance of the reports, three (3) hard copies of the final PAR and a PDF-format copy will be forwarded to The Land Conservancy of New Jersey for distribution.

**CONDITIONS**

The following provisions are considered part of this proposal.

- **A title history or environmental lien search is not included as part of this PAR. The client will provide the title history or environmental lien search for each subject property, if required as part of this PAR.**
- Written authorization from the Land Conservancy of New Jersey is required prior to scheduling any field work.
- The client will be required to provide title and deed information for the property since the property has been developed.
- This assessment does not include the cost associated with reviewing NJDEP files. Any NJDEP files available for the site will be reviewed at a rate of \$95/hour (portal to portal).
- No sampling is included in a Preliminary Assessment.
- Should areas of concern be identified, additional investigation and reporting will be required and are not included in this proposal. If required to re-mobilize to the site after the initial site visit, a Project Manager will be provided at \$95/hour (portal to portal) to confirm removal of any debris and/or to witness the removal of debris and determine if any potentially contaminated areas of concern exist in that area. No sampling or analysis will be performed unless authorized by the client. If sampling and analysis are required, additional costs will be provided under separate cover.
- The client will provide a property survey showing building locations, site plan (or equivalent), and tax block and lot number(s);
- A point of contact knowledgeable with the site and its recent history will be available during the site inspection and/or interview process.
- Envirotactics is not responsible for the accuracy of any information provided by others for review and incorporation into the final report.
- This proposal does not include detailed reviews of historical environmental reports or any NJDEP file review time. This can be completed at an hourly rate of \$95/hour.
- The above price does not include NJDEP review fees. These fees are payable directly to Treasurer, State of New Jersey. Additional review fees may be incurred if a Site Investigation (SI) is conducted.
- Envirotactics liability for this project is limited to the total cost of the project as outlined in this proposal.
- **Payment of invoice due upon receipt of PAR.**
- Invoices not paid within 30-days will be subject to a 1.5% surcharge per month.
- **DEFAULT AND COLLECTION COSTS:** Client will be in default if it does not pay a balance on time, files for bankruptcy, or make assignment for the benefit of creditors. Default means we can demand immediate payment for the balance. Client agrees to pay any collection fees incurred due to the non-payment of monies due past thirty (30) days.
- **Report will be forwarded upon receipt of balance due.**

**PROPOSAL ACCEPTANCE #13-4233R**

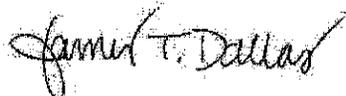
The proposal is acceptable. I agree to the conditions outlined herein. Please signify your acceptance of this proposal and authorization for Envirotactics to proceed by executing a copy of this proposal and returning it to Envirotactics with notice to proceed by The Land Conservancy of New Jersey or approved resolution by the Borough of Kinnelon.

Thank you for the continued opportunity to submit a proposal and your consideration in this regard. Envirotactics will expedite the scheduling of the work upon receipt of written authorization to proceed.

If you have any questions, please call me at (732) 449-0077.

Sincerely,

**For Envirotactics, Inc.**

A handwritten signature in cursive script that reads "James T. Dallas".

James T. Dallas  
Director, Sales & Business Development

RESOLUTION 1.06 .14

BOROUGH OF KINNELON  
COUNTY OF MORRIS  
STATE OF NEW JERSEY

WHEREAS the Borough of Kinnelon with an address of 130 Kinnelon Road, Kinnelon New Jersey 07405, has agreed to pursue the preservation of the property known as Totowa Constructors Inc. Also known as Block 89 Lot 1 on the tax maps of Kinnelon, Morris County state of New Jersey for open space and/or recreation use and;

WHEREAS the required due diligence for this transaction will consist of an appraisal to determine the property value, a Preliminary assessment report, a survey of the property, and a title search and;

NOW, THEREFORE, BE IT RESOLVED, BY THE Mayor and Council of the Borough of Kinnelon as follows;

1. The Mayor and Borough Clerk are hereby authorized to execute an agreement with Heritage Abstract Company, in an amount not to exceed \$851.0
2. The Acting Borough Clerk is hereby authorized and directed to publish a copy of this Resolution in the Borough's official newspaper and to provide a copy of this resolution to the Chief Financial Officer and the Land Conservancy of New Jersey.

ATTEST:

  
Karen M. Luele,  
Acting Borough Clerk

APPROVED:

  
Robert W. Collins,  
Mayor

CLERK'S CERTIFICATION

I, Karen M. Luele, Acting Borough Clerk of the Borough of Kinnelon do hereby certify that the attached is a true copy of a resolution duly adopted by the Mayor and Council of the Borough of Kinnelon at a regular meeting held on January 19, 2014

  
Karen M. Luele, Acting Borough Clerk

**HERITAGE ABSTRACT COMPANY**  
 465 South Street, Suite 230, Morristown, NJ 07960  
 Telephone 973.540.1345 – Fax 973.292.1799

**Date:** November 8, 2013  
**File No.:** BRUCE - NJ LAND

**\*\*\* ESTIMATE \*\*\***

The insurance commissioner has directed that a statement detailing each pass-through search charge must be supplied to the purchaser, borrower or lessee in each insured transaction.

*This estimate supersedes any/all prior invoices*  
 NOTE: This estimate is subject to change.  
 Final total invoice must be verified prior to closing.

**APPLICANT**

Shari Johnson, Project Manager  
 The Land Conservancy of New Jersey  
 19 Boonton Avenue  
  
 Boonton, NJ 07005

**AMOUNT OF INSURANCE**

Owners Insurance: **\$175,000.00**  
 Mortgage Insurance: \$0.00  
 2nd Mortgage Insurance: \$0.00  
 Prior Insured Amount: \$0.00  
 Prior Mortgage Amount: \$0.00

**PROPERTY INFORMATION**

Buyer: **Kinnelon Borough**  
 Property: **Highlands Drive**  
 Borough of Kinnelon, Morris County  
 Tax Block: 89 Tax Lot: 1  
 Type:

**RATE INFORMATION**

Rate Type: 09/2013 Standard  
 State: NJ  
  
 Sales Rep: Bruce Puleo  
 Underwriter:

**CHARGES**

Rate	\$550.00
Examination Fee (1101)	\$100.00
Tax and Assessments (1101)	\$30.00
Upper Court Judgment Search/Patriot Name Search (1101)	\$16.00
Survey Endorsement (1104)	\$25.00
Notice of Settlement (1101)	\$25.00
Electronic Doc. Processing Fee (1101)	\$25.00
Copies (1101)	\$20.00
Corporate Status/Franchise Tax Search	\$60.00

**Total Charges:** \$851.00  
**Total Payments:** \$0.00  
**Balance Due:** **\$851.00**

**COMMENTS:**

RESOLUTION 1.07.14

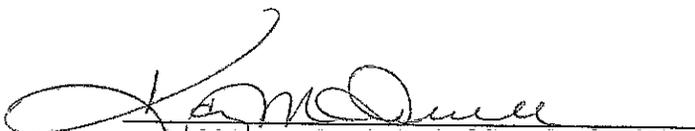
AUTHORIZATION FOR MAYOR TO  
SIGN REPAYMENT AGREEMENT  
WITH FANTASTIC SAM

WHEREAS, the Mayor and Council authorize Mayor Collins to sign repayment agreement with Fantastic Sam; and

WHEREAS, Fantastic Sam agrees to pay Kinnelon Back Charges in the sum of \$6,327.81 in the amount of \$200.00 per month, each and every month until repaid in full.

NOW, THEREFORE BE IT RESLOVED BY, the Mayor and Council of the Borough of Kinnelon, authorizes Mayor Collins to sign repayment agreement with Fantastic Sam.

Dated: 01/16/2014



Karen M. Tuele, Acting Borough Clerk

Prepared by: \_\_\_\_\_  
Mark D. Madaio, Esq.

### REPAYMENT AGREEMENT

THIS AGREEMENT, made on this 16 day of January, 2014, by the Borough of Kinnelon, maintaining offices at 130 Kinnelon Road, Kinnelon, New Jersey 07405 ("Kinnelon" or the "Borough") and "Fantastic Sam's", operating at 1161 Route 23 South, Kinnelon, New Jersey 07405 (hereinafter, "Fantastic Sam's"), which have agreed as follows:

### WITNESSITH

WHEREAS, Fantastic Sam's is a retail establishment operating at 1161 Route 23 South (the "Property") in the Borough and,

WHEREAS, due to the location of the Property, it is supplied sewer services by the Borough of Butler (hereinafter, "Butler") pursuant to one or more Agreements between Kinnelon and Butler (the "Agreements"); and

WHEREAS, pursuant to the Agreements, Butler invoices Kinnelon for sewer services at the Property and Kinnelon pays said invoices and, in turn, invoices owners of the Property seeking reimbursement; and

WHEREAS, Butler has provided sewer services to the Property and invoiced Kinnelon for same and said invoices have been paid by Kinnelon. Notwithstanding said invoices have not been invoiced and paid by Fantastic Sams resulting in an agreed upon outstanding balance of \$6,327.81 (herein, "Back Charges") presently due and owing to Kinnelon; and

WHEREAS, Kinnelon continues billing Fantastic Sams for current sewer charges which are being maintained as current and the parties are desirous of reaching an agreement as to the payment of Back Charges which is set forth more fully herein.

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

1. Fantastic Sams agrees to pay Kinnelon Back Charges in the sum of \$6,327.81 in the amount of \$200 per month, each and every month until repaid in full without interest, penalty or additional fees (the "Payment Period"). Payments are due on the 15<sup>th</sup> day of each month without billing, notice or set-off for any reason. This amount is agreed

- by the parties to be the amount of Back Charges due and owing and the parties waive all rights to protest, amend or revise this amount of designated Back Charges.
2. At all times during the Payment Period, Fantastic Sams shall maintain all current invoices for sewer services as timely paid, in full.
  3. Upon the completion of the Payment Period, Kinnelon shall provide Fantastic Sams a Release of any claims with regard to the Back Charges.
  4. In the event of the failure to make payments during the Payment Period, or any breach hereof, Kinnelon may avail itself of all remedies permitted by law in order to collect sewer charges including, but not limited to, the severing of water or sewer services to Fantastic Sams and/of the sale of any tax, sewer or water liens pursuant to law.
  5. The within Agreement may be recorded by Kinnelon and shall be deemed a lien against the Property which shall be satisfied upon any sale or encumbrance of the Property. Additionally, Fantastic Sams agrees to permit the recording of a UCC Lien to assure that any purchaser of the business interest is made aware of this obligation.

**Severability.** In the event that, notwithstanding the foregoing, any of the provisions of the Agreement shall be held to be invalid or unenforceable, the remaining provision thereof shall nevertheless continue to be valid and enforceable as though the invalid or unenforceable parts had not been included herein.

**Entire Agreement.** This Agreement constitutes the entire agreement among the parties with respect to the matters herein. It cannot be changed or terminated orally and may be modified only by subsequent written agreement executed by all parties hereto.

**Applicable Law.** This Agreement shall be governed by and construed in accordance with the laws of the State of New Jersey.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals the day and year first above written.

ATTEST

BOROUGH OF KINNELON

  
Karen Iuele, Deputy Borough Clerk

  
Robert W. Collins, Mayor

ATTEST

FANTASTIC SAMS

\_\_\_\_\_  
[Print Name and Title Below Signature] , Executive Director  
[Print Name Below Signature]

STATE OF NEW JERSEY  
COUNTY OF MORRIS

SS.:

**BE IT REMEMBERED**, that on this day 16 of January, in the year of our Lord, Two Thousand Fourteen, before me, the subscriber, personally appeared KAREN IUELE, who, being by me duly sworn on her oath, doth depose and make proof to my satisfaction that she is the DEPUTY CLERK of the BOROUGH OF KINNELON, a municipal corporation, the corporation named in the within instrument; that ROBERT W. COLLINS is the MAYOR of said municipality; that the execution as well as making of this instrument has been duly authorized by a proper Resolution of the Governing Body of the said municipality; that deponent well and truly knows the corporate seal of said municipality; and the seal affixed to said instrument is such seal and was thereto affixed, and said instrument signed and delivered by said MAYOR as and for the voluntary act and deed of said municipality, in the presence of deponent, who thereupon subscribed her name thereto as witness.

  
Karen Iuele, Deputy Borough Clerk

Sworn and subscribed to  
before me on the date aforesaid.

January 16, 2014

[Print Name and Title Below Signature]

\_\_\_\_\_

STATE OF NEW JERSEY

SS.:

COUNTY OF MORRIS

I CERTIFY that on \_\_\_\_\_, 2014

\_\_\_\_\_ personally came before me and stated under oath to my satisfaction that this person (or if more than one, each person):

- (a) was the maker of the attached instrument; and
- (b) was authorized to and did execute this instrument as \_\_\_\_\_ of **Fantastic Sams**, the entity named in this instrument.

Sworn and subscribed to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
[Print Name and Title Below Signature]

RESOLUTION *1.08.14*

TO REFUND DRIVEWAY BOND  
61 RICKER ROAD

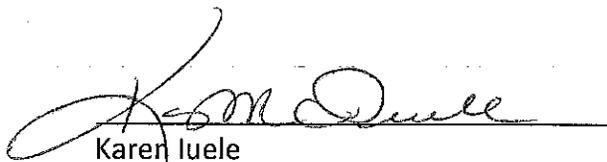
WHEREAS, John Fogg was required to submit a \$200.00 Driveway bond for permit #1672 in order to install a driveway located at ; and

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 Fogg, 61 Ricker Road; 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 Fogg.

Dated

  
Karen Luele  
Acting Borough Clerk

RESOLUTION 1.09.14

GRANTING SICK LEAVE TO  
JEANETTE ROSSI -  
KINNELON LIBRARY

WHEREAS, the Governing Body of the Borough of Kinnelon finds and declares that Jeanette Rossi is an employee of the Kinnelon Public Library; and

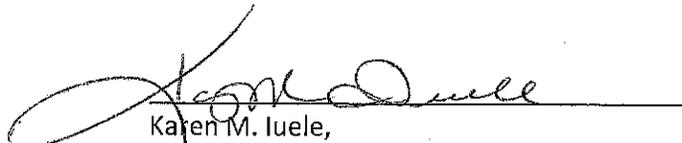
WHEREAS, the Governing Body further finds and declares that the Employee will be out of work on sick leave until March 1, 2014; and

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Kinnelon does hereby grant sick leave to Jeanette Rossi; and

BE IT FURTHER RESOLVED that the Chief Financial Officer, Donna Mollineaux is and is hereby directed to formally notify the State Public Employees Retirement System of said status and to cause the same to be included in the records maintained for said employee.

I, Karen M. Iuele, Acting Borough Clerk hereby certify this to be a true copy of a resolution which was adopted at the regular meeting of the Kinnelon Mayor and Council held on January 17, 2014.

Dated: 1/17/14

  
Karen M. Iuele,  
Acting Borough Clerk

RESOLUTION 1.10.14

SUPPORT FROM LOCAL GOVERNING  
BODY AUTHORIZING THE SUSTAINABLE  
JERSEY GRANT APPLICATION

WHEREAS, a sustainable community seeks to optimize quality of life for its residents by ensuring that it's environmental. Economic and social objectives are balanced and mutually supportive; and

WHEREAS, the Borough of Kinnelon strives to save tax dollars, assure clean land, air and water, improve working and living environments; and

WHEREAS, the Borough of Kinnelon is participating in the Sustainable Jersey Program ;and

WHEREAS, one of the purposes of the Sustainable Jersey Program is to provide resources to municipalities to make progress on sustainability issues, and they have created a grant program called the sustainable Jersey Small Grants program;

THEREFORE, the Mayor and Council of the Borough of Kinnelon has determined that Kinnelon should apply for the aforementioned Grant.

THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Kinnelon, State of New Jersey, authorize the submission of the aforementioned Sustainable Jersey Grant.

Dated: 1-16-2014



Robert W. Collins, Mayor

Resolution 1.11.14

EXTRACT from the minutes of a regular meeting of the Borough Council of the Borough of Kinnelon, in the County of Morris, New Jersey, held at the Municipal Building, 130 Kinnelon Road, Kinnelon, New Jersey, on January 16, 2014, at 8:00 o'clock P.M.

PRESENT: Councilman J. Freda Councilwoman C. Sierly  
Councilman D. O'Dougherty Councilman Cobell  
Councilman G. Molella Councilman Mondello

ABSENT: None

R. Mondello introduced and moved the adoption of the following resolution and S. Cobell seconded the motion:

**RESOLUTION AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$5,657,000 BOND ANTICIPATION NOTES OF THE BOROUGH OF KINNELON, IN THE COUNTY OF MORRIS, NEW JERSEY.**

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

Section 1. Pursuant to a bond ordinance of the Borough of Kinnelon, in the County of Morris (herein called "local unit") entitled: "Bond ordinance providing for improvement of Fayson Lake Road in and by the Borough of Kinnelon, in the County of Morris, New Jersey, appropriating \$90,000 therefor and authorizing the issuance of \$85,700 bonds or notes of the Borough for financing such appropriation", finally adopted on June 17, 1999 (#07-99), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$17,409 shall be issued purpose for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 2. Pursuant to a bond ordinance of the local unit entitled: "Bond ordinance providing for improvement of Fayson Lakes Road, Stone House Road and Forge Road in and by the Borough of Kinnelon, in the County of Morris, New Jersey, appropriating \$200,000 therefor and authorizing the issuance of \$190,400 bond or notes of the Borough for financing such appropriation", finally adopted on July 18, 2002 (#11-02), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$52,117 shall be issued purpose for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 3. Pursuant to a bond ordinance of the local unit entitled: "Bond ordinance providing for improvement of Kakeout Road in and by the Borough of Kinnelon, in the County of Morris, New Jersey, appropriating \$230,000 therefor and authorizing the issuance of \$219,000 bonds or notes of the Borough for financing such appropriation"; finally adopted on April 19, 2001 (#1-01), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$11,750 shall be issued purpose for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 4. Pursuant to a bond ordinance of the Borough of the local unit entitled: "Bond ordinance providing for the improvement of Chilhowie Drive in and by the Borough of Kinnelon, in the County of Morris, New Jersey, appropriating \$200,000 therefor and authorizing the issuance of \$190,400 bonds or notes of the Borough for financing such appropriation", finally adopted on April 17, 2003 (#1-03), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$21,932 shall be issued purpose for the purpose of

temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 5. Pursuant to a bond ordinance of the local unit entitled: "Bond ordinance providing for the acquisition of lands in and by the Borough of Kinnelon, in the County of Morris, New Jersey, appropriating \$746,250 therefor and authorizing the issuance of \$71,400 bonds or notes of the Borough for financing such appropriation", finally adopted on May 15, 2003 (#6-03), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$18,944 shall be issued purpose for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 6. Pursuant to a bond ordinance of the local unit entitled: "Bond ordinance providing for the construction of a new bike path in and by the Borough of Kinnelon, in the County of Morris, New Jersey, appropriating \$360,000 therefor and authorizing the issuance of \$342,840 bonds or notes of the Borough for financing such appropriation", finally adopted on May 15, 2003 (#10-03), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$8,813 shall be issued purpose for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 7. Pursuant to a bond ordinance of the local unit entitled: "Bond ordinance providing for the construction of recreational facilities in and by the Borough of Kinnelon, in the County of Morris, New Jersey, appropriating \$1,400,000 therefor and authorizing the issuance of \$1,333,300 bond or notes of the Borough for financing such

appropriation”, finally adopted on September 18, 2003 (#20-03; supplemented by #13-04), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$989,072 shall be issued purpose for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 8. Pursuant to a bond ordinance of the local unit entitled: “Bond ordinance providing for the construction of a salt storage building in and by the Borough of Kinnelon, in the County of Morris, New Jersey, appropriating \$390,000 therefor and authorizing the issuance of \$371,400 bonds or notes of the Borough for financing such appropriation”, finally adopted on April 15, 2004 (#9-04; supplemented by #19-05), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$166,128 shall be issued purpose for the purpose of temporarily financing the improvements or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 9. Pursuant to a bond ordinance of the local unit entitled: “Bond ordinance making a supplemental appropriation of \$200,000 for the construction of recreational facilities 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 \$190,000 bonds or notes of the Borough for financing such supplemental appropriation”, finally adopted on May 20, 2004 (#13-04), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$121,044 shall be issued purpose for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 10. Pursuant to a bond ordinance of the local unit entitled: "Bond ordinance providing for various improvements to the water supply and distribution system in and by the Borough of Kinnelon, in the County of Morris, New Jersey, appropriating \$250,000 therefor and authorizing the issuance of \$250,000 bonds or notes of the Borough for financing such appropriation", finally adopted on June 17, 2004 (#15-04), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$77,334 shall be issued purpose for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 11. Pursuant to a bond ordinance of the local unit entitled: "Bond ordinance appropriating \$548,000, and authorizing the issuance of \$447,000 bonds or notes of the Borough for the acquisition of various equipment by the Borough of Kinnelon, in the County of Morris, New Jersey", finally adopted on April 21, 2005 (#4-05), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$100,031 shall be issued purpose for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 12. Pursuant to a bond ordinance of the local unit entitled: "Bond ordinance making a further supplemental appropriation of \$100,000 for the construction of recreational facilities 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 \$95,000 bonds or notes of the Borough for financing such supplemental appropriation", finally adopted on July 21, 2005 (#18-05), Bond Anticipation Notes of the local unit in a principal

amount not exceeding \$28,825 shall be issued purpose for the purpose of temporarily financing the improvements or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 13. Pursuant to a bond ordinance of the local unit entitled: "Bond ordinance providing for the improvement of Forestdale Road and Eric Drive in and by the Borough of Kinnelon, in the County of Morris, New Jersey, appropriating \$300,000 therefor and authorizing the issuance of \$249,500 bonds or notes of the Borough for financing such appropriation", finally adopted on May 18, 2006 (#19-05), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$167,922 shall be issued purpose for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 14. Pursuant to a bond ordinance of the local unit entitled: "Bond ordinance appropriating \$260,000, and authorizing the issuance of \$247,500 bonds or notes of the Borough for various improvements or purposes authorized to be undertaken by the Borough of Kinnelon, in the County of Morris, New Jersey", finally adopted on August 18, 2005 (#13-6), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$146,754 shall be issued purpose for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 15. Pursuant to a bond ordinance of the local unit entitled: "Bond ordinance providing for the improvement of various roads in and by the Borough of Kinnelon, in the County of Morris, New Jersey, appropriating \$140,000 therefor and authorizing the issuance

of \$133,300 bonds or notes of the Borough for financing such appropriation”, finally adopted on May 18, 2006 (#14-06), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$75,352 shall be issued purpose for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 16. Pursuant to a bond ordinance of the local unit entitled: “Bond ordinance appropriating \$902,000, and authorizing the issuance of \$856,900 bonds or notes of the Borough for various improvements or purposes authorized to be undertaken by the Borough of Kinnelon, in the County of Morris, New Jersey”, finally adopted on June 19, 2008 (#9-08), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$310,652 shall be issued purpose for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 17. Pursuant to a bond ordinance of the local unit entitled: “Bond ordinance appropriating \$443,000, and authorizing the issuance of \$420,850 bonds or notes of the Borough for various improvements or purposes authorized to be undertaken by the Borough of Kinnelon, in the County of Morris, New Jersey”, finally adopted on August 20, 2009 (#10-09), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$242,294 shall be issued purpose for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 18. Pursuant to a bond ordinance of the local unit entitled: “Bond ordinance providing for the acquisition of a new fire truck by the Borough of Kinnelon, in the

County of Morris, New Jersey, appropriating \$480,000 therefor and authorizing the issuance of \$457,000 bond or notes of the Borough for financing such appropriation”, finally adopted on December 17, 2009 (#18-09), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$408,894 shall be issued purpose for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 19. Pursuant to a bond ordinance of the local unit entitled: “Bond ordinance providing for the substantial reconditioning of a fire rescue truck by the Borough of Kinnelon, in the County of Morris, New Jersey, appropriating \$300,000 therefor and authorizing the issuance of \$285,000 bonds or notes of the Borough for financing such appropriation”, finally adopted on December 17, 2009 (#19-09), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$238,333 shall be issued purpose for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 20. Pursuant to a bond ordinance of the local unit 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 of the Borough for financing such appropriation” finally adopted on July 15, 2010 (#9-10), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$857,000 shall be issued purpose for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 21. Pursuant to a bond ordinance of the local unit entitled: "Bond ordinance appropriating \$540,000, and authorizing the issuance of \$513,000 bonds or notes of the Borough, for various improvements or purposes authorized to be undertaken by the Borough of Kinnelon, in the County of Morris, New Jersey", finally adopted on September 16, 2010 (#12-10), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$1,400 shall be issued purpose for the purpose of temporarily financing the improvements or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 22. Pursuant to a bond ordinance of the local unit entitled: "Bond ordinance providing for the improvement of Cutlass Road in and by the Borough of Kinnelon, in the County of Morris, New Jersey, appropriating \$465,000 therefor and authorizing the issuance of \$452,000 bonds or notes of the Borough for financing such appropriation" finally adopted on March 17, 2011 (#2-11), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$265,000 shall be issued purpose for the purpose of temporarily financing the improvements or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 23. Pursuant to a bond ordinance of the local unit entitled: "Bond ordinance providing for the reconstruction of the Forge Road culvert in and by the Borough of Kinnelon, in the County of Morris, New Jersey, appropriating \$1,400,000 therefor and authorizing the issuance of \$1,330,000 bonds or notes of the Borough for financing such appropriation" finally adopted on November 17, 2011 (#16-11), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$1,330,000 shall be issued purpose for the purpose of temporarily financing the improvements or purpose described in Section 3 of said bond

ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor..

Section 24. Pursuant to the provisions of Section 40A:2-26 of the Local Bond Law of New Jersey, particularly paragraph (f) thereof and in lieu of the sale of more than one issue of bonds as provided for in said Local Bond Law, the several issues of bonds of this local unit authorized pursuant to bond ordinances of the local unit hereinabove in Sections 1 to 23 described, shall be combined into a single and combined issue of bonds in the principal amount of \$5,657,000.

(a) All notes issued hereunder shall mature at such times as may be determined by the chief financial officer, acting chief financial officer or treasurer (the "chief financial officer") of the local unit, provided that no note shall mature later than (i) one year from the date of the first note issued hereunder and (ii) three years from the date of the first note issued pursuant to the bond ordinances referred to in Sections 1 to 23 hereof, unless the local unit shall have paid and retired amounts of such notes sufficient to allow it, in accordance with provisions of Section 40A:2-8 of the Local Bond Law, to renew a portion thereof beyond the third anniversary date of the first of such notes;

(b) All notes issued hereunder shall bear interest at such rate or rates as may be determined by the Chief Financial Officer of the local unit; and

(c) The notes shall be in the form prescribed by resolution heretofore adopted by the governing body of this local unit determining the form of Bond Anticipation Notes issued pursuant to the Local Bond Law, and any such notes shall be signed or sealed by officers of the local unit in any manner permitted by Section 40A:2-25 of said Local Bond Law notwithstanding that said form or resolution may otherwise provide.

Section 25. The Chief Financial Officer of the local unit is hereby authorized and directed to determine all matters in connection with said notes not determined by this or a subsequent resolution, and the Chief Financial Officer's signature upon said notes shall be conclusive as to such determinations.

Section 26. The Chief Financial Officer of the local unit is hereby authorized to sell said Bond Anticipation Notes from time to time at public or private sale in such amounts as the Chief Financial Officer may determine at not less than par and to deliver the same from time to time to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof and payment therefor.

Section 27. Any instrument issued pursuant to this resolution shall be a general obligation of the local unit, and the local unit's faith and credit are hereby pledged to the punctual payment of the principal of and interest on said obligations and, unless otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget and a tax sufficient to provide for the payment thereof shall be levied and collected.

Section 28. The Chief Financial Officer of the local unit is authorized and directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of notes pursuant to this resolution is made, such report to include the amount, description, interest rate and maturity of the notes sold, the price obtained and the name of the purchaser.

Section 29. The Chief Financial Officer of the local unit is hereby authorized and directed to do all other matters necessary, useful, convenient or desirable to accomplish the delivery of said notes to the purchasers thereof as promptly as possible, including (i) the preparation, execution and dissemination of a Preliminary Official Statement and Final Official

Statement with respect to said notes, (ii) preparation, distribution and publication, if necessary, of a Notice of Sale with respect to said notes, (iii) execution of a Continuing Disclosure Undertaking, with respect to said notes in accordance with Rule 15c2-12 promulgated by the Securities and Exchange Commission and (iv) execution of an arbitrage and use of proceeds certificate certifying that, among other things, the local unit, to the extent it is empowered and allowed under applicable law, will do and perform all acts and things necessary or desirable to assure that interest paid on said notes is not included in gross income under Section 103 of the Internal Revenue Code of 1986, as amended.

Section 30. All action heretofore taken by Borough officials and professionals with regard to the sale and award of said notes is hereby ratified, confirmed, adopted and approved.

Section 31. This resolution shall take effect immediately.

Upon motion of R. Mondello, seconded by S. Cobell,

the foregoing resolution was adopted by the following vote:

AYES: Councilman J. Freda, Councilman D. O'Daugherty  
 Councilman G. Moleta, Councilman S. Cobell  
 Councilwoman C. Svedy, Councilman R. Mondello

NOES:  
 NONE

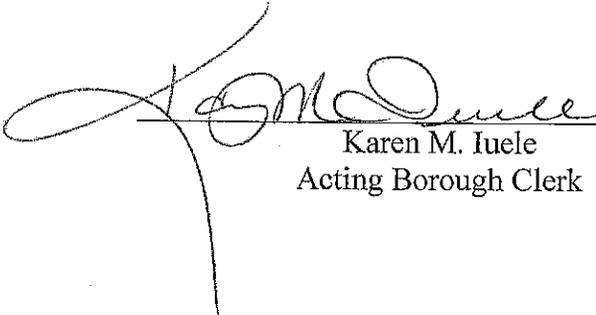
**CLERK'S CERTIFICATE**

I, **KAREN M. IUELE**, Acting Borough Clerk of the Borough of Kinnelon, in the County of Morris, New Jersey, **HEREBY CERTIFY** that the foregoing annexed extract from the minutes of a meeting of the Borough Council of said Borough, duly called and held on January 16, 2014, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Borough, and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

**I FURTHER CERTIFY** that the original of each resolution referred to in said extract was after its adoption and in due form and time submitted by me for approval to the Mayor of said Borough, who thereafter duly approved the same and, on January 16, 2014, affixed his signature thereto in token of such approval.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the corporate seal of said Borough this 16th day of January, 2014.

**(SEAL)**

  
Karen M. Iuele  
Acting Borough Clerk

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

**TAX COLLECTOR'S REPORT**

During the month of December , 2013 the Tax Collector's Report indicated we collected \$532,862.69 in taxes.

**INVESTMENT OFFICER'S REPORT**

A total of \$854.78 was collected in interest for the month of December, 2013.

**DISTRICT SCHOOL**

On motion of Councilman R. Mondello , and seconded by Councilwoman C. Sventy, followed by the "yes" roll call vote of all Council Members present the payment of \$2,855,395.50 to the District School when funds become available was approved for payment.

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

**RESIGNATION:**

Upon motion by Councilwoman C. Sventy and seconded by Councilman G. Moleta, followed by the "yes" roll call vote of all Council Members present, the resignation of Carol Vreeland – Environmental Commission was accepted with the council regrets.

**CLOSED SESSION:**

RESOLUTION TO GO INTO EXECUTIVE SESSION:

WHEREAS, the Open Public Meetings Act, P.L. 1975, Chapter 231 permits the exclusion of the public from a meeting in certain circumstances; and

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

WHEREAS, the Governing Body wishes to discuss;

Contract Negotiations

January 16, 2014

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

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

MOTION: Councilman S. Cobell

SECOND: Councilman R. Mondello

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

Mayor Collins asked for a motion to go back in to open session;

MOTION: Councilwoman C. Sventy

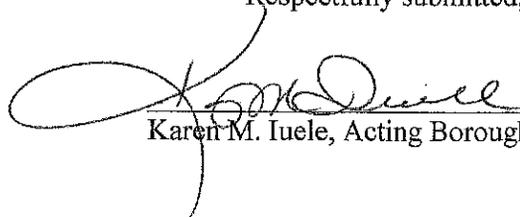
SECOND: Councilman D. O'Dougherty

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

### ADJOURNMENT

This meeting adjourned at approximately 10:00 p.m. on motion by Councilman S. Cobell, with the unanimous affirmative voice vote of all present.

Respectfully submitted,



Karen M. Iuele, Acting Borough Clerk

Robert W. Collins, Mayor

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