

MEETING TO ORDER

A special meeting of the Kinnelon Borough Governing Body was called to order by Mayor Robert W. Collins at 8:00 p.m., on Thursday, March 15, 2012 in the Kinnelon Municipal Building.

Mayor Collins asked for a moment of silence in honor of our troops serving overseas. There was a Salute to the Flag, after which the Clerk stated this meeting is being held pursuant to the New Jersey Open Public Meeting Act. Adequate notice of this meeting was given by advertising in the December 11, 2011 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 Borough Clerk and provided to those persons or entities requesting notification.

ROLL CALL:

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

OATH OF OFFICE –

The Mayor called Donna Mollineaux to come forward at this time to be sworn in as Chief Financial Officer, Alternate Fund Commissioner and Safety Coordinator for the Joint Insurance Fund as well as Pension Certifying Officer.

TREASURER'S REPORT

The Treasurer's Report indicates we started out with cash on hand as of February 1, 2012 in the amount of \$744,571.93. Receipts for the month of February totaled \$9,410,690.00 with disbursements amounting to \$5,082,768.69. The balance on hand February 29, 2012 was \$5,072,493.24.

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

MAYOR'S REPORT

Mayor Collins referred to the Proclamation which is under the Consent Agenda which was emailed to him by Dave Chipkin. Mr. Chipkin's daughter was lucky enough to be a donor recipient which saved her life. Since then, Mr. Chipkin and his daughter have been speaking with the high school and other groups spreading the word on this worthwhile cause. The Mayor encouraged everyone to check off organ donations when they renew their driver's licenses to save a life. Mr. Collins said the Clerk will post the Proclamation on the website.

Next, the Mayor reminded everyone that there will be a 5K run at the High School this coming Sunday.

Mayor Collins stated the Underage Drinking Ordinance Committee gave their recommendations to the governing body last week. He thanked them for doing a good job and reminded everyone this was non-binding. The council will discuss the ordinance next month for possible action at that time.

Reporting that the state aid figures were received the Mayor stated it is exactly what it was last year, \$766,685.00. He noted that being in the Highlands, Kinnelon has no available growth which makes it very difficult to keep up with the increases in health insurance and the economy. Mayor Collins said he

plans to raise the issue with our state legislators to look at the highlands and how it affects municipalities within the highlands region as far as our lack of increasing ratable base.

The Mayor reported an appellate court ruled the Governor could not act unilaterally to disband COAH; it should have been a legislative action. At the last third round we had a requirement of another eight units but that was calculated at Governor Corzine's plan for economic growth. With the highlands one hundred percent and may not actually apply at this time. He advised everyone that although the newspapers refer to Developer's Fees to be set aside for future COAH units, the Borough in fact does not have a development fund to be sent back to Trenton by July 1st.

RECREATION & ORDINANCE

Chairman James Freda reported the roller rink has slowly dismantled. We are recycling the metal and are getting prices for the removal of asphalt. The baseball batting cages at the Boonton Avenue Field were damaged from the big snow storm. Mr. Freda said he got word today from the insurance company the insurance will pay to rebuild the nets and cages. March 24th will be a Field Clean Up and Beautification Day at the different fields. He referred everyone to the webpage for information on signing up. Mr. Freda stated the girl and boy scouts are planning on painting and planting plants.

Mr. Freda referred to the Concession Bid which was awarded to Let Us Produce owned by Greg Kasar who ran it over the last few years.

PUBLIC WORKS & UTILITIES

Chairman Daniel O'Dougherty stated the Construction Official reports for February, 2012 there were 35 new permits issued as well as 3 permit updates. There were no new permits issued for a new single-family dwelling. There was \$12,577.00 collected in permit fees. The total estimated reported construction was \$410,268.00.

Councilman O'Dougherty said the Public Works Department will not be purchasing any new salt at this time. Public Works Department are fixing pot holes and working on the fields. The generator from Stonybrook School is going to be put at the pump house on Cascade Way and a new one will be put into Stonybrook. The current one was not compatible with the sewer treatment plant at the school.

Mayor Collins asked Dan to report on Company 2 firehouse. Councilman O'Dougherty said the steel should be erected by early April. There were some safety issues come to light and Liam Construction assured the committee they would be taken care of.

COORDINATING

Chairman Gary Moleta said both he and Jennifer Highers will be going for training for our website in April. He also reported we will be looking at a capital improvement plan to upgrade our computer system.

Councilman Moleta reported the Health Dept. sponsored a kindergarten program where the children donated 106 cans of food to our food pantry. Mr. Moleta said he is going to bring Gail Flammer to a food handling center in Bergen County which is run by one of our residents, Jimmy James. This will give us some other ideas of what we can do for our community.

Mr. Moleta went to the Environmental Commission meeting which discussed the updating of the Environmental Resource Inventory. He deferred to Councilman Cobell to report on that for the Open

Space Advisory Committee. The Library will be holding its thirty sixth annual Arts and Craft Festival in September. He attended a meeting of the Historical Commission. Our Historian, Tom Kline, will be getting together with John Whitehead to determine the placement of signs directing people to the museum. June 5 & 6, at 9:30 and 2:30 the third graders will be going to the museum for a class trip to learn about Kinnelon's local history. The governing body will take turns attending to answer any questions the children may have about our local government. Through these trips, the children develop pride in their community. The Historical Commission's annual garage sale will be held June 9th.

FINANCE & OPEN SPACE

Chairman Stephen Cobell reported he attended the Open Space Advisory Committee meeting last night. The updated Open Space Plan is coming along; The Land Conservancy of New Jersey is still accepting comments and making some changes. The final plan will be presented to the Planning Board on April 5 and will become a part of the Borough's Master Plan. There will be a shredding event on May 5th behind the municipal building, sponsored by the library. The ERI update was discussed and recommended by the Open Space Advisory Committee as a valuable tool and textbook on the various resources of the borough. Gene Orcutt, a member of the commission, said comparing the inventory which was done in 1972 to the update would be very interesting in and of itself to see how things have changed. It was recommended subject to applying for the grant to offset the cost. Mayor Collins added he reached out to the Borough Planner who indicated his firm also does the ERI updates. Councilman Cobell said The Land Conservancy said if the borough does not get the grant we are not committed to proceed with the update.

Reporting on finance, Chairman Cobell referred to a resolution on the agenda authorizing the attorney to proceed foreclosing on some Tax Title Liens which the governing body has identified as properties which could be either utilized by the borough for recreational purposes or to be sold. Either way, by foreclosing on the properties they would be taken off the tax rolls. Mr. Cobell said there was a budget meeting with the governing body, auditor and our new CFO. Several more changes will be made and it is expected the budget will be able to be introduced in April.

PUBLIC SAFETY

Chairman Andrew SanFilippo reported there were twenty one total calls which included thirteen adult arrests, two juveniles, five CDS and one DWI arrest. DARE lessons continued in Stonybrook on what a drug is and the consequences one is faced with because of using drugs, stranger awareness, forming positive friendships, resistance skills of peer pressure and ways to say no.

All vehicles are in top condition. The detective bureau is working on several cases with other departments on several new cases encompassing the growing controlled substance issues. There were twenty three ambulance responses.

PERSONNEL

Chairman Ronald Mondello reported there are still several typographical errors in the negotiated contract. A union member will be working with him to correct those errors.

HEARING FROM THE PUBLIC

The Mayor then opened the meeting to the public to anyone who wished to speak. No one wished to speak at this time and then Mayor then closed the meeting to the public.

Range of Checking Accts: First to Last Range of Check Dates: 02/17/12 to 03/15/12
Report Type: All Checks Report Format: Super Condensed Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void Ref Number
GENERAL		General Account Payab		
8249	02/17/12	BOR11 BOROUGH OF BLOOMINGDALE	5,707.50	4324
8250	02/23/12	BJS01 BJ'S WHOLESALE CLUB	42.80	4326
8251	02/24/12	MOR41 MORRIS COUNTY PARK COMMISSION	1,763.63	4329
8252	02/24/12	ROT02 ROBERT ROTHMAN	39,906.71	4329
8253	02/28/12	KAN02 Maria Kania	3,962.00	4332
8254	03/15/12	AC A.C. DAUGHTRY INC.	246.21	4336
8255	03/15/12	ACC04 ACC BUSINESS	345.89	4336
8256	03/15/12	ALL04 ALLIED OIL COMPANY	10,963.28	4336
8257	03/15/12	ANJ02 ANJR	35.00	4336
8258	03/15/12	BOR BOROUGH OF BUTLER	7,210.00	4336
8259	03/15/12	BOR01 BOROUGH OF BUTLER ELECTRIC	6,857.59	4336
8260	03/15/12	BOR04 BOROUGH OF BUTLER SEWER	6,866.16	4336
8261	03/15/12	BOR11 BOROUGH OF BLOOMINGDALE	45,327.25	4336
8262	03/15/12	BR01 B&R UNIFORMS	414.70	4336
8263	03/15/12	BUS01 BUSINESS GRAPHICS	60.00	4336
8264	03/15/12	BUZ01 THE BUZAK LAW GROUP, LLC.	4,895.30	4336
8265	03/15/12	CAB01 CABLEVISION	149.80	4336
8266	03/15/12	CAL04 Calibre Press Inc.	380.00	4336
8267	03/15/12	CER01 CERTIFIED SPEEDOMETER SERVICE	144.00	4336
8268	03/15/12	CHE06 CHEMUNG SUPPLY CORPORATION	2,069.14	4336
8269	03/15/12	CIR01 CIRCLE AUTO PARTS INC.	14.17	4336
8270	03/15/12	COO03 COOPERATIVE COMMUNICATIONS INC	2,313.25	4336
8271	03/15/12	COY01 WILLIAM & LAURA COYNE	2,589.96	4336
8272	03/15/12	DAR01 DARMOFALSKI ENGINEERING ASSOC.	11,041.00	4336
8273	03/15/12	DEB03 DE BLOCK ENVIRONMENTAL SERVICE	7,489.70	4336
8274	03/15/12	DEE01 DEER PARK SPRING WATER	43.46	4336
8275	03/15/12	DEL08 DELTA DENTAL OF NEW JERSEY INC	4,208.76	4336
8276	03/15/12	DEL13 DEL-PRO CORPORATION	729.76	4336
8277	03/15/12	DEM02 ELIZABETH A. DEMARTINO	30.00	4336
8278	03/15/12	DIN01 DINN BROTHERS	287.15	4336
8279	03/15/12	DIV08 DIVERSIFIED SERVICES	200.00	4336
8280	03/15/12	DMC01 DMC ASSOCIATES INC.	2,452.50	4336
8281	03/15/12	DOU01 DOUG'S SMALL ENGINE REPAIR	139.50	4336
8282	03/15/12	ELE03 ELECTRO BATTERY SYSTEMS INC.	56.05	4336
8283	03/15/12	ELS04 ELSAG NORTH AMERICA LLC	1,600.00	4336
8284	03/15/12	FAL03 FALCON AUTO PARTS INC	99.38	4336
8285	03/15/12	FIN01 JOHN FINKLE	100.00	4336
8286	03/15/12	FIN04 FINCH FUEL OIL CO. INC.	8,018.47	4336
8287	03/15/12	FOR04 FORD MOTOR CREDIT COMPANY	1,495.85	4336
8288	03/15/12	GAL01 GALL'S INC.	83.10	4336
8289	03/15/12	GAR01 GARDEN STATE HIGHWAY PROD., INC	713.63	4336
8290	03/15/12	GAR05 DR. DAWN GARRO	281.25	4336
8291	03/15/12	GOF01 GOFFCO INDUSTRIES INC.	46.00	4336
8292	03/15/12	GRA01 GRAINGER INC.	511.65	4336
8293	03/15/12	GRA02 GRAMCO	179.00	4336
8294	03/15/12	GRE03 GREENWOOD LAWN SERVICES, INC.	697.25	4336
8295	03/15/12	GRE09 GREEN STAR INDUSTRIAL SUPPLY	414.00	4336
8296	03/15/12	HACGUN Hackettstown Gun & Ammo	100.00	4336
8297	03/15/12	HAW01 HAWKINS, DELAFIELD & WOODS	9,850.34	4336

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Number
8298	03/15/12	HAW03	HAWTHORNE AUTOMOBILE SALES CO.	193.53	4336
8299	03/15/12	HER02	HERO'S SALUTE AWARDS COMPANY	32.00	4336
8300	03/15/12	HER05	HERB'S SPORT SHOP INCORPORATED	253.75	4336
8301	03/15/12	HOM02	HOME DEPOT CREDIT SERVICE	106.61	4336
8302	03/15/12	HOR04	Horizon Office Equipment	260.75	4336
8303	03/15/12	IAC01	I.A.C.P.	120.00	4336
8304	03/15/12	IND03	INDUSTRIAL APPRAISAL COMPANY	175.00	4336
8305	03/15/12	INT03	INTERNATIONAL AUTO BODY	235.00	4336
8306	03/15/12	KIN06	KINNELON SENIOR CITIZENS	442.50	4336
8307	03/15/12	KIN08	KINNELON VOLUNTEER FIRE CO.	6,000.00	4336
8308	03/15/12	KIN09	KINNELON BOARD OF EDUCATION	2,761,395.00	4336
8309	03/15/12	KIN24	Kinnelon Lacrosse Association	2,400.00	4336
8310	03/15/12	LAK10	LAKESIDE BAGELS & DELI	270.06	4336
8311	03/15/12	LIA01	LIAM CONSTRUCTION INC.	75,460.00	4336
8312	03/15/12	MAD03	LAW OFFICE OF MARK D. MADAIO	5,717.00	4336
8313	03/15/12	MAN07	MANDELBAUM, SALSBERG, LAZRIS &	3,378.34	4336
8314	03/15/12	MCD01	PATRICK MC DONNELL	109.94	4336
8315	03/15/12	MCI02	MCI COMM SERVICE	13.18	4336
8316	03/15/12	MET05	METRO HYDRAULIC JACK CO.	523.00	4336
8317	03/15/12	MOB01	L-3 COM MOBILE VISION INC	455.00	4336
8318	03/15/12	MON08	Montague Tool & Supply Co, Inc	176.55	4336
8319	03/15/12	MOR21	MORRIS COUNTY M.U.A.	33,788.32	4336
8320	03/15/12	MOR32	MORRIS CO. FIRE PREVENTION	30.00	4336
8321	03/15/12	MOR42	THE LAND CONSERVANCY OF NJ	2,750.00	4336
8322	03/15/12	MORO7	MORRIS COUNTY CLERK'S OFFICE	16.00	4336
8323	03/15/12	MUR02	THOMAS L. MURPHY	31,341.16	4336
8324	03/15/12	NES01	NESTLE PURE LIFE DIRECT	82.40	4336
8325	03/15/12	NJC01	NJ CONFERENCE OF MAYORS	395.00	4336
8326	03/15/12	NJD05	NJ DEPARTMENT OF TREASURY	2,000.00	4336
8327	03/15/12	NJD07	NJ DEPT HEALTH & SENIOR SERV	390.00	4336
8328	03/15/12	NJLM01	N.J. LEAGUE OF MUNICIPALITIES	36.00	4336
8329	03/15/12	NJP02	NJ POLICE TRAFFIC OFFICERS	35.00	4336
8330	03/15/12	NJS05	NJ STATE ASSOC/CHIEF OF POLICE	495.00	4336
8331	03/15/12	NJW01	NJ WEIGHTS & MEASURES	160.00	4336
8332	03/15/12	NOR02	NORTH JERSEY NEWSPAPER	111.58	4336
8333	03/15/12	ONE02	One Call Concepts, INC.	25.76	4336
8334	03/15/12	OXF01	OXFORD HEALTH PLANS	83,302.19	4336
8335	03/15/12	PEI01	PEIRCE/ EAGLE EQUIPMENT	89.93	4336
8336	03/15/12	PEQ02	PEQUANNOCK TOWNSHIP	28,436.25	4336
8337	03/15/12	PER01	KAREN PERRY	35.35	4336
8338	03/15/12	PRI06	PRIME UNIFORM SUPPLY, INC	360.20	4336
8339	03/15/12	PRO15	PROFESSIONAL INSURANCE	15,803.42	4336
8340	03/15/12	PSE01	P.S.E. & G.	1,960.34	4336
8341	03/15/12	PWA01	PUBLIC WORKS ASSOC. OF N.J.	70.00	4336
8342	03/15/12	REN01	RENTALS UNLIMITED INC.	161.96	4336
8343	03/15/12	RHO01	RHODE ISLAND NOVELTY	738.45	4336
8344	03/15/12	RJC01	R & J CONTROL INC.	361.13	4336
8345	03/15/12	ROU01	ROUTE 23 AUTO MALL	913.69	4336
8346	03/15/12	ROY01	ROYAL COMMUNICATIONS INC.	0.00	03/15/12 VOID 0
8347	03/15/12	ROY01	ROYAL COMMUNICATIONS INC.	19,160.65	4336
8348	03/15/12	RUD01	RUDGE TOWING & RECOVERY	200.00	4336
8349	03/15/12	RUT15	Rutgers, The State University	40.00	4336
8350	03/15/12	SER02	SERVICE SUPPLY LLC	10.95	4336
8351	03/15/12	SES01	SESI CONSULTING ENGINEERS	574.66	4336

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Number
8352	03/15/12	SH001 SHOTMEYER BROS. FUEL CORP.	2,047.72		4336
8353	03/15/12	SMA01 SMART STOP STATE RT 23	276.00		4336
8354	03/15/12	SM001 SMOKE RISE CLUB	2,748.03		4336
8355	03/15/12	SPO05 SPOT-A-WAY	225.00		4336
8356	03/15/12	SS01 S AND S	1,084.89		4336
8357	03/15/12	STI01 STICKEL, KOENIG & SULLIVAN	483.33		4336
8358	03/15/12	SUB03 SUBURBAN DISPOSAL	34,694.44		4336
8359	03/15/12	TAR01 TARGET	300.00		4336
8360	03/15/12	THI01 AMY THIEM	162.00		4336
8361	03/15/12	THY01 THYSSENKRUPP ELEVATOR	1,279.20		4336
8362	03/15/12	TIL01 TILCON NEW YORK INC.	1,158.54		4336
8363	03/15/12	TRIO1 TRI-BORO FIRST AID SQUAD	25,000.00		4336
8364	03/15/12	UNIO6 UNIVERSAL UNIFORMS	63.95		4336
8365	03/15/12	VER01 VERIZON	37.58		4336
8366	03/15/12	VER06 VERIZON WIRELESS	626.39		4336
8367	03/15/12	VFI01 VFIS BENEFITS DIVISION	618.65		4336
8368	03/15/12	VIT02 VITAL COMMUNICATIONS INC.	1,877.68		4336
8369	03/15/12	WBM01 W.B. MASON COMPANY INC.	0.00	03/15/12 VOID	0
8370	03/15/12	WBM01 W.B. MASON COMPANY INC.	1,321.02		4336
8371	03/15/12	WHR01 PETER WHRITENOUR ELECTRIC CO.	819.00		4336
8372	03/15/12	ZAP01 ZAPHYR LLC	6,733.50		4336
8373	03/15/12	ZEE01 ZEE MEDICAL SERVICES	105.22		4336
8374	03/15/12	ZEM01 ZDENEK ZEMAN	72.00		4336

Checking Account Totals	Paid	Void	Amount Void	Amount Paid
Checks:	124	2	0.00	3,356,458.88
Direct Deposit:	0	0	0.00	0.00
Total:	124	2	0.00	3,356,458.88

WIRES	WIRES	Amount Paid	Ref Number
348	02/23/12 BOR02 BOROUGH OF KINNELON	178,382.87	4327
349	02/23/12 BOR02 BOROUGH OF KINNELON	39.09	4328
1277	02/27/12 BOR02 BOROUGH OF KINNELON	181,287.38	4331
1278	02/28/12 BOR02 BOROUGH OF KINNELON	469.61	4333
429	03/13/12 BOR02 BOROUGH OF KINNELON	188,554.47	4334
430	03/13/12 BOR02 BOROUGH OF KINNELON	465.74	4335

Checking Account Totals	Paid	Void	Amount Void	Amount Paid
Checks:	6	0	0.00	549,199.16
Direct Deposit:	0	0	0.00	0.00
Total:	6	0	0.00	549,199.16

Report Totals	Paid	Void	Amount Void	Amount Paid
Checks:	130	2	0.00	3,905,658.04
Direct Deposit:	0	0	0.00	0.00
Total:	130	2	0.00	3,905,658.04

Fund Description	Fund	Budget Total	Revenue Total
CURRENT FUND APPROPRIATIONS	1-01	110,857.69	0.00
SEWER FUND	1-07	6,866.16	0.00
Year Total:		117,723.85	0.00
CURRENT FUND APPROPRIATIONS	2-01	3,607,735.50	0.00
WATER FUND	2-05	27,796.52	0.00
SEWER FUND	2-07	15,053.53	0.00
Year Total:		3,650,585.55	0.00
	C-04	110,538.50	0.00
DOG TAX	D-13	1,172.10	0.00
STATE AND FEDERAL GRANTS	G-02	5,318.90	0.00
RECREATION SPECIAL	R-16	9,699.96	0.00
CLERK SPECIAL	S-20	200.00	0.00
	T-23	6,927.77	0.00
	V-27	3,198.50	0.00
RECYCLE FUND	Y-21	292.91	0.00
Total Of All Funds:		3,905,658.04	0.00

- b. Approval of January 2, 2012 and January 19, 2012 minutes.
- c. RESOLUTION 3.01.12 Authorize Donna Mollineaux, CFO as check signatory and Certifying Officer (Attached)
- d. RESOLUTION 3.02.12 Authorize maternity leave of absence for Jennifer Stillman April 2 – Sept. 10, 2012 (Attached)
- e. RESOLUTION 3.03.12 Refund of overpayment of certain properties due to tax appeals (Attached)
- f. RESOLUTION 3.04.12 Refund of overpayment of Taxes for 2011 48 Alize Drive (Attached)
- g. RESOLUTION 3.05.12 Refund of overpayment of sewer payment 14 Breckenridge Ter. (Attached)
- h. RESOLUTION 3.06.12 Refund of overpayment of Property taxes 2011 – 341 Kinnelon Rd (Attached)
- i. RESOLUTION 3.07.12 Refund of overpayment of Property taxes 2011 – 29 Denise Dr. (Attached)
- j. RESOLUTION 3.08.12 Click It or Ticket Grant Application (Attached)
- k. RESOLUTION 3.09.12 Recycling Tonnage Grant Application (Attached)
- l. RESOLUTION 3.10.12 Morris County Municipal First Responder ID Card (Attached)
- m. RESOLUTION 3.11.12 Authorize Borough Attorney to Proceed with Tax Title Lien Foreclosures (Attached)
- n. RESOLUTION 3.12.12 Authorize Execution of Revised Agreement w/Housing Partnership of Morris County for Kinnelon Ridge Affordable Housing (Attached)
- o. RESOLUTION 3.13.12 Authorizing Eric Labaska to Proceed with Discussion of Health Benefit with Board of Education (Attached)
- p. RESOLUTION 3.14.12 Award of Contract – Zaphyr LLC – Information Technology (Attached)
- q. RESOLUTION 3.15.12 Award of Contract – A Let Us Produce – Refreshment Concession (Attached)
- r. RESOLUTION 3.16.12 Authorize Approval of Butler Sewer Connection for 54 Gormley La.(Attached)
- s. RESOLUTION 3.17.12 Refund of Driveway Bond for 216 South Glen Rd. (Attached)
- t. RESOLUTION 3.18.12 To Establish Salary for Borough Forester (Attached)
- u. Authorization for Library's 36th Annual Arts & Crafts Festival (banner, sandwich boards) (Attached)
- v. Authorization for Bicycle Touring Club of North Jersey's Annual Ramapo Rally 8/19 – Use of Grounds for Rest Stop (Attached)
- w. Raffle License Kinnelon Volunteer Fire Company RL-730-KB (Attached)

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**RESOLUTION 3.01.12 AUTHORIZATION OF PAYMENT SIGNATORIES FOR 2012
AND CERTIFYING OFFICER**

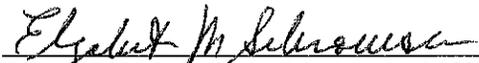
BE IT RESOLVED that all disbursements, direct deposits and checks shall be signed and/or authorized by:

Robert W. Collins Mayor
Elizabeth M. Sebrowski, Borough Clerk
Donna Mollineaux, Chief Finance Officer

BE IT FURTHER RESOLVED that Donna Mollineaux is appointed as Certifying Officer for the Public Employees Retirement System, Police and Fire Retirement System and Defined Contribution Retirement Program effective March 1, 2012.

I, Elizabeth M. Sebrowski, Borough Clerk, do hereby certify this to be a true copy of a resolution which was duly adopted at the regular meeting of the Kinnelon Mayor and Council held on March 8, 2012.

March 8, 2012.


Elizabeth M. Sebrowski, Borough Clerk

RES. # 3.04.12

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

WHEREAS, total 2011 property taxes have been paid on this property, and

WHEREAS, this reduction in assessment has resulted in an overpayment of 2011 property taxes,

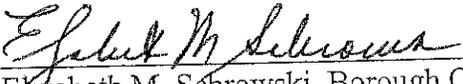
NOW, THEREFORE, BE IT RESOLVED, that the Borough of Kinnelon be authorized to issue a refund check to William and Laura Coyne, in the amount of \$2,589.96 for overpayment of 2011 property taxes. Block 89.01, Lot 6 also known as 48 Alize Drive.

ROLL CALL:

March 15, 2012
Lisa A. Kimkowski, CTC
Tax Collector
BOROUGH OF KINNELON

I, Elizabeth M. Sebrowski, Borough Clerk, Borough of Kinnelon, hereby certify this to be a true copy of the resolution which was duly passed at the regular meeting of The Borough of Kinnelon Mayor and Council on March 15, 2012.

DATE: 03/15/12


Elizabeth M. Sebrowski, Borough Clerk

RES. # 3.05.12

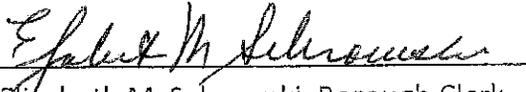
BE IT RESOLVED, by the Mayor and Council of the Borough of Kinnelon that a warrant be drawn to Zdenek Zeman in the amount of \$72.00 representing refund for overpayment of sewer utility for Block 133, Lot 16 also known as 14 Breckenridge Terrace.

ROLL CALL:

March 15, 2012
Lisa A. Kimkowski, C.T.C.
Tax Collector
Borough of Kinnelon

I, Elizabeth M. Sebrowski, Borough Clerk, Borough of Kinnelon, hereby certify this to be a true copy of the resolution which was duly passed at the regular meeting of the Borough of Kinnelon Mayor and Council on March 15, 2012.

DATE: 03/15/12


Elizabeth M. Sebrowski, Borough Clerk

RES. # 3.06.12

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

WHEREAS, Total 2011 property taxes have been paid on this property, and

WHEREAS, this reduction in assessment has resulted in an overpayment of 2011 property taxes,

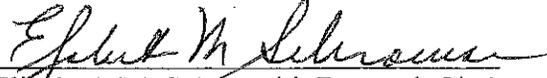
NOW, THEREFORE, BE IT RESOLVED, that the Borough of Kinnelon be authorized to issue a refund check to Thomas L. Murphy, Esq., in Trust for Maureen & Michael Gormeley, in the amount of \$4,222.08 for overpayment of 2011 property taxes. Block 57, Lot 75 also known as 341 Kinnelon Road.

ROLL CALL:

March 15, 2012
Lisa A. Kimkowski, CTC
Tax Collector
BOROUGH OF KINNELON

I, Elizabeth M. Sebrowski, Borough Clerk, Borough of Kinnelon, hereby certify this to be a true copy of the resolution which was duly passed at the regular meeting of The Borough of Kinnelon Mayor and Council on March 15, 2012.

DATE: 03/15/12


Elizabeth M. Sebrowski, Borough Clerk

RES. # 3.07.12

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

WHEREAS, Total 2011 property taxes have been paid on this property, and

WHEREAS, this reduction in assessment has resulted in an overpayment of 2011 property taxes,

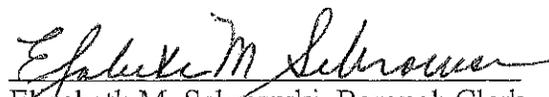
NOW, THEREFORE, BE IT RESOLVED, that the Borough of Kinnelon be authorized to issue a refund check to Mandelbaum, Salsburg, Lazris & Discenza in Trust for Milton Baum and Barbara Kiel, in the amount of \$3,378.34 for overpayment of 2011 property taxes. Block 88, Lot 45.36 also known as 29 Denise Drive.

ROLL CALL:

March 15, 2012
Lisa A. Kimkowski, CTC
Tax Collector
BOROUGH OF KINNELON

I, Elizabeth M. Sebrowski, Borough Clerk, Borough of Kinnelon, hereby certify this to be a true copy of the resolution which was duly passed at the regular meeting of The Borough of Kinnelon Mayor and Council on March 15, 2012.

DATE: 03/15/12


Elizabeth M. Sebrowski, Borough Clerk

RESOLUTION 3. §.12

AUTHORIZATION FOR THE MAYOR
TO SIGN THE CLICK IT OR TICKET
GRANT APPLICATION

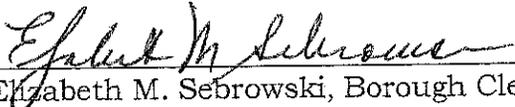
WHEREAS, the Borough of Kinnelon Police Department wishes to apply for the Occupant Protection "Click It or Ticket 2012" Highway Safety Grant from the New Jersey Division of Highway Traffic Safety; and

WHEREAS, the State has awarded a grant to the Borough of Kinnelon in the amount of \$4,000; and

WHEREAS, the grant will pay for police officers to work overtime to enforce laws affecting the safety and welfare of the streets of the Borough of Kinnelon and to educate and encourage the public on the benefits of safety belt and child passenger safety seat restraint use.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Kinnelon to accept the grant from the State of New Jersey and the Mayor and Chief Financial Officer are hereby authorized to sign the Grant Application.

Dated: 3/15/12


Elizabeth M. Sebrowski, Borough Clerk

RESOLUTION 3.09.12

AUTHORIZING THE BORO TO
SUBMIT A RECYCLING TONNAGE
GRANT APPLICATION FOR THE
YEAR 2011

WHEREAS, The mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, It is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, The New Jersey Department of Environmental Protection is promulgating recycling regulations to implement the Mandatory Source and Recycling Act; and

WHEREAS, The recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, A resolution authorizing this municipality to apply for the 2011 Recycling Tonnage Grant will memorialize the Mayor and Council of this municipality to recycling and to indicate the assent of Kinnelon Borough Mayor and Council to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Kinnelon that the Borough of Kinnelon hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates John Whitehead our Recycling Coordinator to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

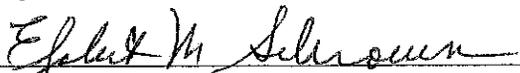
Dated: 3/15/12



Robert W. Collins, Mayor

I, Elizabeth M. Sebrowski, Borough Clerk, of the Borough of Kinnelon do hereby certify this to be a true copy of a resolution which was duly adopted at the regular meeting of the Kinnelon Mayor and Council held on March 15, 2012.

Dated: March 15, 2012



Elizabeth M. Sebrowski, Borough Clerk

RESOLUTION: 3.10.12

FIRST RESPONDER IDENTIFICATION CARD

WHEREAS, the County of Morris was a designated recipient of United States Homeland Security Funding in Federal Fiscal years 2007 and 2008; and

WHEREAS, the Federal funding is administered through the New Jersey Office of Homeland Security and Preparedness to the Morris County Office of Emergency Management; and

WHEREAS, THE Morris County Office of Emergency Management under the direction of the County Board of Chosen Freeholders formulates and approves a spending plan for the Homeland Security Funds directed to the County of Morris that is consistent with the rules and parameters of the specific grant and submits the spending plan to the New Jersey Office of Homeland Security and Preparedness for approval; and

WHEREAS, the Morris County Office of Emergency Management recognized that there is no current standardized identification card for first responders within the County of Morris; and

WHEREAS, the Borough of Kinnelon wishes to participate in this program for a secure, easily recognizable identification card for first responders, that conforms to the Office of the Attorney General's June 2011 guidance for New Jersey Credentialing Standards; and

WHEREAS, the Morris County First Responder Identification Card will display the Borough of Kinnelon emergency services symbol and the emergency services name; and

WHEREAS, Participation in this program is at no cost to the Borough of Kinnelon; and

WHEREAS, this body supports a secure, easy-to-read identification card for our emergency services to employ.

NOW, THEREFORE, BE IT RESOLVED, by the Kinnelon Mayor and Council, County of Morris, State of New Jersey that the Borough of Kinnelon be and is hereby authorized to participate in this program; and

BE IT FURTHER RESOLVED that the be and is hereby authorized and directed to undertake the necessary municipal requirements and provide the necessary data and information to the County of Morris to insure participation in this program.

Dated: March 15, 2012


Elizabeth M. Sebrowski, Borough Clerk

RESOLUTION 3.11.12

AUTHORIZE BOROUGH
ATTORNEY TO PROCEED
WITH IN REM TAX LIEN
FORECLOSURES

WHEREAS, the governing body of the Borough of Kinnelon has identified properties which have outstanding tax title liens; and

~~WHEREAS, said liens cause a hardship on the Borough of Kinnelon's budget; and~~

WHEREAS, N.J.S.A.54:5-104.34 allows the borough to begin In Rem Tax Foreclosures on property liens which are outstanding after six months; and

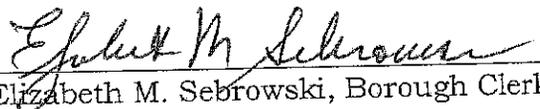
WHEREAS, the borough feels it is fiscally responsible for the Borough Attorney to proceed with foreclosing on those properties that are still outstanding after six months.

NOW, THEREFORE, BE IT RESOLVED the Borough Attorney is hereby authorized by the governing body of the Borough of Kinnelon to proceed with foreclosing on the outstanding tax title liens as previously identified by the Borough Tax Collector.

CERTIFICATION

I, Elizabeth M. Sebrowski, Borough Clerk, do hereby certify this to be a true copy of a resolution duly adopted at the regular meeting of the Kinnelon Mayor and Council held on March 15, 2012.

Dated:


Elizabeth M. Sebrowski, Borough Clerk

RESOLUTION 3.12.12

AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE HOUSING PARTNERSHIP OF MORRIS COUNTY FOR CERTAIN ADMINISTRATIVE SERVICES FOR THE AGE-RESTRICTED AFFORDABLE HOUSING UNITS FOR THE KINNELON RIDGE DEVELOPERS, L.L.C.

WHEREAS, the Borough of Kinnelon ("Borough") requires services with regard to the age-restricted affordable housing sale units for the Kinnelon Ridge Developers, L.L.C.; and

WHEREAS, the Housing Partnership for Morris County (HPMC) is a non-profit corporation of the State of New Jersey whose purpose includes increasing the accessibility and affordable housing in Morris County; and

WHEREAS, the Borough is a member of the HPMC and has paid the annual fee of \$1,000.00 for its services; and

WHEREAS, the Borough has agreed to retain the Housing Partnership for Morris County in accordance with the agreement dated March 15, 2012.

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

1. The Borough hereby appoints the Housing Partnership for Morris County, having offices at 2 East Blackwell Street, Suite 12, Dover, New Jersey 07801 to perform certain administrative services related to the sale of affordable housing units.
2. The scope of services to be performed by the Housing Partnership for Morris County is more specifically set forth in a certain Agreement by and between the Borough and HPMC dated March 15, 2012 ("Agreement").
3. The annual fee of \$1,000.00 has been paid by the Borough in accordance with its membership in the HPMC.
4. Any additional costs, in excess of \$1,000.00 shall be authorized by the Borough Mayor and released from the Developers' escrow account as established with the Borough.

5. The terms and conditions of the Agreement are hereby approved, ratified, and confirmed by the Borough and the Mayor and the Borough Clerk and are hereby authorized and directed to execute said Agreement after execution by the Housing Partnership for Morris County and said Mayor and Borough Clerk, together with all other appropriate officers, employees, professionals, and staff are hereby authorized and directed to take all steps necessary to effectuate the purposes of this Resolution.

This resolution shall take effect immediately.

CERTIFICATION

I HEREBY CERTIFY the above to be a true copy of a Resolution adopted by the Borough Council of the Borough of Kinnelon at a duly convened meeting held on March 15, 2012.


Elizabeth M. Sebrowski, Borough Clerk

AFFORDABLE HOUSING COORDINATING AGENCY AGREEMENT

**Borough of Kinnelon
And
Housing Partnership for Morris County, Inc.**

~~THIS AGREEMENT, made this 15th day of March, 2012, by and between:~~

HOUSING PARTNERSHIP FOR MORRIS COUNTY, a non-profit corporation of the State of New Jersey, with offices at 2 East Blackwell Street, Suite 12, Dover, New Jersey, 07801. (Hereinafter "HPMC")

BOROUGH OF KINNELON, a municipal corporation of the State of New Jersey, with offices at the Municipal Building, Main St., Sparta, NJ Hereinafter the "Municipality")

WHEREAS, the Housing Partnership for Morris County (HPMC) is a non-profit corporation of the State of New Jersey whose purpose includes increasing the accessibility and availability of affordable housing in Morris and Sussex Counties; and

WHEREAS, HPMC proposes to enter into an agreement as set forth herein with the Borough of Kinnelon to provide services to administer the program for the re-sales of the Municipality's Affordable Housing Units ("sale units").

NOW THEREFORE, in consideration of the mutual promises, covenants and representations herein contained, the parties hereto for themselves, their successors and assigns hereby agree as follows:

A. Affirmative Marketing Plan

1. HPMC shall implement the Municipality's Affirmative Marketing Plan for the sale units in accordance with the following marketing and outreach program:

- a. HPMC will provide outreach, press coverage and releases, scanning of their database for potential applicants, mailings, etc..
- b. HPMC will provide informational flyers as part of the marketing program portion of the Affirmative Marketing Plan to be made available at the following:
 - (1) Kinnelon Municipal Building
 - (2) Housing Partnership
- c. HPMC will provide outreach and press releases

as needed to populate waiting lists for affordable re-sale units.

- d. Preliminary applications shall be emailed or mailed to prospective applicants upon their request. Preliminary applications will also be available at HPMC offices.
- e. HPMC will offer Kinnelon affordable housing as a housing option to its income and age-eligible clients seeking housing information by placing the information in HPMC's "Mt. Laurel" senior housing guide.

2. An administrative fee of \$1,000 per unit, will be charged to all households selling their unit, due at closing. In return, the Partnership will price and affirmatively market the unit as needed and qualify the perspective purchasers for income, household composition, age, assets and their readiness to purchase the unit. The Partnership will also require all applicants to complete eight hours of home buyer education and at least one hour of one-on-one counseling at the Housing Partnership offices.
3. Any recording of deed restrictions shall be done by the seller's attorney and recapture mortgage shall be the responsibility of the buyer's attorney.
4. The Partnership will prepare the recapture mortgage and note and require that same be filed with the County of Morris along with the deed, representing the deed restrictions for the unit.
5. The Housing Partnership shall be designated as the "Authority" to administer re-sales and to receive a fee of \$1,000 per unit upon closing of the unit until termination or renewal of this agreement and its successors.

B. Affordable Housing Inquiries

HPMC will be responsible for responding to inquiries regarding the Affordable Housing Sale Units within the Municipality as follows:

1. HPMC staff will provide information and answer inquiries regarding the Municipality's re-sale units.
2. HPMC will provide eligibility information and regional income guidelines to all citizens

inquiring about the affordable for-sale units in the Municipality.

3. HPMC provide appropriate application forms by email, mail or at HPMC offices or at the Municipal Hall and will pre-screen applicants for preliminary eligibility for the sale units.
4. HPMC will assist prospective applicants for the sale units who, upon review/receipt of the application, have questions or need help completing the application.
5. HPMC will explain to a household that appears "over income guidelines" that they may not be eligible for the program, and will provide them with other resources.

C. Processing of Applications for the For-Sale Units and Certification of Applicants for Affordable Housing

HPMC will review all applicants and the documentation submitted for eligibility for the Municipality's for sale units and make a determination as to an applicant's eligibility for the affordable housing by application of the DCA criteria as set forth in N.J.A.C. 5:93-9.1 and as follows:

1. All applicants must complete at least eight (8) hours of homebuyer education at the current registration rate, provided by the Housing Partnership. All applicants must be pre-approved for a mortgage by one of HPMC's 15+- member banks, as listed on HPMC's Bank Membership Guide that provide mortgages for income restricted units.
2. Pursuant to DCA Regulations, every household member over 19 years of age, who will live in the affordable unit, shall be required to provide income and age documentation. Income includes, but is not limited to, wages, salaries, tips, commissions, alimony, regularly scheduled overtime, pensions, social security, unemployment compensation, AFDC, verified regular child support, disability, net income from business or real estate, and income from assets such as savings, CDs, money market, mutual funds, stocks and bonds, and imputed income from non-income producing assets such as equity in real estate. HPMC will verify all income sources of those applicants drawn as "winners of the lottery" plus an additional number

on the waiting list. Verification may include, but is not limited to:

- a. Two months' pay stubs, including overtime, bonuses, or tips dated within 120 days of the interview date or a letter from the applicant's employer stating income figures as projected annually;
 - b. A copy of IRS form 1040 (Tax Computation Form), 1040A, or 1040EZ as applicable and state income tax returns for each of the three years preceding the date of the interview;
 - c. A letter verifying benefits, such as Social Security, Unemployment, Welfare, Disability or Pension income (monthly or annually);
 - d. A letter or appropriate reporting form verifying any other source of income claimed by the applicant such as alimony and child support;
 - e. Reports that verify income from assets to be submitted by banks or other financial institutions managing trust funds, money market accounts, certificates of deposit, stocks or bonds;
 - f. Evidence or reports of income from assets, such as real estate or businesses that are directly held by any Household member;
 - g. Evidence or reports that verify assets that do not earn regular income such as non-income producing real estate or savings that do not earn interest;
 - h. A Notarized statement of explanation in such form as to be satisfactory to the reviewer;
 - i. Income from assets having delayed earnings, such as IRA's or annuity programs shall not be included in current income until such payments are being received. However, these assets must be reported and verified.
 - j. Households will also be required to produce documentation of household composition for determining the applicable median income guide.
 - k. Credit report with credit score.
 - l. Copy of divorce degree with terms of support.
 - m. Evidence of required homebuyer education.
3. HPMC will determine and notify all applicants who have submitted completed applications of their eligibility for the re-sale units.
- a. The Partnership will verify income and assets through third party verification and will determine the applicant's readiness to purchase with a minimum of five percent down and a

- maximum back end ratio of 41 percent.
- b. Households will also be required to produce documentation of household composition for determining the correct unit size and applicable median income guide.
 - c. The administrative agent shall prepare a standard form of eligibility and shall sign and date one for each certified household. Only eligible households shall be referred to income restricted units. In this event, eligibility shall be valid until such time as the sales contract or lease is ruled invalid and no occupancy has occurred.
 - d. HPMC shall maintain a waiting list comprised of all eligible applications, which were received by HPMC. These applications will be processed as received for a particular applicant pool. When a unit becomes available, applicants will be drawn at random and completed applications will be requested in the order in which the names were drawn.. Third party income verification will be completed when the applicant is third or lower in the waiting list.
 - e. Pursuant to N.J.A.C. 5:93-11.5, HPMC will maintain a list of at least five eligible applicants for each sale unit.
 - f. HPMC will complete all applicable monitoring report data for DCA's Annual Monitoring Report for all sale units for which HPMC has provided assistance.
 - g. At the Municipality's option, a visual inspection of the proposed home for purchase or re-sale may be done by the Municipality's building inspector, with a report submitted to the Municipality's Manager regarding the general condition of the proposed purchase.

D. Refinancing

1. Any homeowner wishing to refinance or secure a home equity loan must first contact HPMC or the approved agent. Any refinancing or home equity loans, including any cash out amount, must be approved by HPMC. The applicable mortgage recapture and deed restrictions will be recorded with the new transaction.
2. Resale Process: Fees for the re-sale of the unit shall be the responsibility of the unit owner. The Housing Partnership shall be designated as the "Authority" to administer re-sales and to receive a fee of \$1,000 per unit from the owner upon closing

of the unit until termination or renewal of this agreement and its successors. This fee shall be reviewed in 2014.

When the owner of a sale unit wishes to sell the unit, the following procedures in accordance with applicable DCA rules and regulations shall apply:

1. The seller shall notify the Administrative Agent, who will calculate the resale price according to ~~DCA guidelines and calculator~~. HPMC will provide a written notice of intent to sell, which is to be signed by the seller(s).
2. HPMC will calculate the maximum allowable resale price for the unit, based on the guidelines established by DCA and the condition of the unit. The selling price shall be approved by the Municipality. Within the maximum limits as established by DCA, HPMC will allow the owner to decide the price that they would like the unit "advertised" as to prospective buyers. HPMC will be the sole entity responsible for the resale of a sale unit and will follow the procedures set forth in Section A, 2(b) through (g), if necessary, in marketing the unit. The HPMC will post the unit on njhousing.gov. If needed, HPMC will prepare a flyer with the owner for their particular unit to be distributed by both HPMC and the owner to prospective buyers. HPMC will refer the first age and income eligible certified household in its lottery pool for the particular unit bedroom size and income range and will proceed down the list as needed until a buyer is found for the unit.
3. At re-sale, all eligible improvements, as determined by the Municipality, including items of property that are permanently affixed to the home or were included when the home was initially restricted, shall be included in the maximum allowable resale price. HPMC shall set reasonable prices for all eligible improvements based on DCA regulations. According to Title 5, Chapter a3, sub-chapter 9, NJ Admin. Code 5:80-26.6(c) - "The maximum resale price for a restricted ownership unit, if the resale occurs prior to the one-year anniversary of the date on which title to the unit was first transferred to a certified household, is the initial purchase price. If the resale occurs on or after such anniversary date, the maximum resale price may increase annually based on the next published DCA-adopted increase for that year. The

administrative agent shall approve all resale prices, in writing and in advance of the resale, to assure compliance with the foregoing standards." Other items of property may be sold to the purchaser at a reasonable price that has been approved by HPMC at the time of signing the agreement to purchase. The owner and purchaser must personally certify at the time of closing that no unapproved transfer of funds for the purpose of selling and receiving property has taken place at resale.

4. HPMC will explain to all concerned parties that the following rules apply to unit owners and prospective buyers as set forth in Appendix J, to be signed by all unit purchasers and notarized and placed in file prior to closing:
 - a. The unit must be sold to a qualified low- or moderate-income household, whichever is applicable according to the deed restriction, at a price not to exceed the maximum permitted sales price in accordance with DCA rules and regulations in place at the time of re-sale.
 - b. The unit is regulated by the deed restriction and repayment mortgage lien adopted by DCA for a period of at least 30 years from the date of initial sale.
 - c. Once the deed restriction expires, the repayment option at the end of 30 years requires that 95 percent of the price differential be paid to the Municipality at closing unless the municipality passes an ordinance extending the deed restrictions of the complex.
 - d. If the sale will be to a qualified low- or moderate-income household, HPMC shall certify the income qualifications of the purchaser and shall ensure that the housing unit is covered by the deed restrictions and lien required by DCA.
 - e. HPMC must receive and review any contract of sale and be provided with the seller's attorney's name, address, email, phone and fax number and the purchaser's attorney's name, email, address, phone number and fax number.
 - f. The unit must remain the owner's primary residence and the unit may not be rented to any other party.
 - g. Unit owners must maintain current homeowners insurance.

5. HPMC will contact both seller's attorney and the buyer's attorney to ensure that HPMC is notified of the closing date, location, and time. HPMC must prepare and review the recapture mortgage and note, the Second Repayment Mortgage if applicable and the Second Repayment Mortgage Note. HPMC will explain these required legal documents and the recording procedures to the parties.
6. Low and moderate income sale units shall not be offered to non-income-eligible households without special approval, as outlined in DCA regulation 5:93-9.16, as may be amended, as follows:
 - a. Before offering a unit to a non-income eligible household, persons owning a unit shall notify HPMC and comply with the process specified in DCA. If no eligible buyer enters into a contract of sale for the unit within 90 days of notification, the seller may apply to the Municipality and the Administrative Agent for permission to offer the unit to a non-income eligible household at a price not to exceed the maximum price permitted based on the regional increase in median income as defined by DCA.
 - b. HPMC will review the request and provide to the municipality specific reasons for any delay in selling the housing unit and the hardship to the seller in continuing to offer the affordable unit to an income eligible applicant.
 - c. The HPMC must document efforts to sell the unit to an income eligible household as part of the hardship waiver application.
 - d. If the Municipality grants a hardship waiver, the HPMC may offer a low-income housing unit to a moderate-income household and a moderate-income housing unit may then be offered to a household earning in excess of 80 percent of median income.
 - f. In no case shall the seller be permitted to receive more than the maximum price permitted.
 - g. In no case shall a sale pursuant to a hardship waiver eliminate the resale controls on the unit.
7. HPMC must be notified in writing of any requests for pricing changes by the seller.
8. The Municipality may establish a housing committee to address the various concerns related to affordable housing units, including, but not limited to; approval of the resale price for the

affordable housing sale units and violations of affordable housing regulations.

9. The Municipality building inspector shall inspect the resale unit for sound condition and report to the Municipal Manager who will inform HPMC.

10. The seller shall pay an administrative fee of \$1,000 or the currently agreed upon fee to HPMC at ~~the time of closing of the resale as designated in~~ the Affordable Housing Agreement.

E. Annual Verifications

The HPMC will conduct annual verifications via email of the compliance with Attachment J: Continued residency of the unit owner as per a copy of a current utility bill Proof the home owners insurance is currently in force current status of payment of condo/association fees.

If no response is received within 30 days the unit owner will be contacted and the information pursued until the situation is resolved.

F. Term of Agreement

This agreement shall be effective upon its execution by both parties and shall be reviewed by both parties two (2) years from the date of execution to determine the sufficiency of the terms, unless terminated earlier by either party by 90 days advance notice.

The Municipality agrees to pay the HPMC a fee of \$1,000 a year for the first two years. The terms of the contract shall be reviewed at the end of two years to determine if the fee is sufficient to cover work performed by the HPMC.

G. Coordination and Accountability

HPMC will provide the Municipal Clerk, or any other designated Municipality official, with on-going information regarding the status of the sale units in the format or forum requested by the Municipality.

RESOLUTION 3.13.12

AUTHORIZING BOROUGH INSURANCE
BROKER TO DO FEASIBILITY STUDY
WITH BOARD OF EDUCATION
REGARDING HEALTH CARE COSTS

WHEREAS, the Kinnelon Borough governing body wishes to explore cost saving methods for the expenses incurred from employee health benefits; and

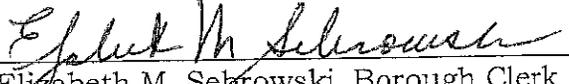
WHEREAS, it desires to authorize the Borough's insurance broker to enter into discussions, along with several governing body members with the Kinnelon Board of Education regarding merging health care costs.

NOW, THEREFORE, BE IT RESOLVED by the Kinnelon Mayor and Council the Borough's Insurance Broker is hereby authorized to enter into discussions with the Board of Education for cost saving methods for healthcare insurance.

CERTIFICATION

I, Elizabeth M. Sebrowski, Borough Clerk, do hereby certify this to be a true copy of a resolution duly adopted at the regular meeting of the Kinnelon Mayor and Council held on March 15, 2012.

Dated:


Elizabeth M. Sebrowski, Borough Clerk

RESOLUTION 3.14.12

AUTHORIZING THE AWARD OF A CONTRACT
FOR INFORMATION TECHNOLOGY
SERVICES TO ZAPHYR LLC

~~WHEREAS, the Borough of Kinnelon ("Borough") duly sought by legal advertisement bids for Information Technology Services; and~~

WHEREAS, two sealed bids were received and opened by the Borough on March 7, 2012; and

WHEREAS, the bids received are as follows:

Sparctech Solutions, LLC	\$15,000.00
Zaphyr LLC	\$18,000.00; and

WHEREAS, the bid received from Sparctech had some specification deficiencies due to which the Borough Attorney has deemed the bid incomplete; and

WHEREAS, the Borough Attorney has indicated that the bid and bond documents submitted by Zaphyr LLC are satisfactory; and

WHEREAS, the Borough desires to authorize the award of the contract to Zaphyr LLC as the lowest responsive and responsible bidder.

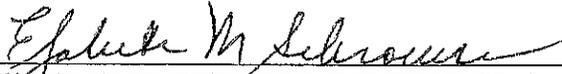
NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Kinnelon, County of Morris, State of New Jersey, as follows:

1. The contract for the Information Technology Services is hereby awarded to Zaphyr LLC, located at 628 State Route 10, Suite 14, Whippany, New Jersey 07981 for the total price of Eighteen Thousand Dollars (\$18,000.00) as the lowest responsive and responsible bidder.
2. The proper Borough Officials and its Attorney are hereby instructed and directed to proceed with the preparation and execution of formal Contracts with Zaphyr LLC as the lowest responsive and responsive bidder, pursuant to the terms of the bid previously submitted and the terms and conditions of this Resolution.
3. This award is subject to the Contractor's compliance with the requirements of P.L. 1975, c 127 and the Regulations adopted thereunder regarding affirmative action.
4. The foregoing award is further subject to the certification of the availability of funds by the appropriate officers of the Borough.
5. This Resolution shall take effect immediately.

CERTIFICATION

I, Elizabeth M. Sebrowski, Clerk of the Borough of Kinnelon, County of Morris, State of New Jersey, do hereby certify the foregoing to be a true copy of a Resolution adopted by the Governing Body at a regular meeting of the Borough held on March 15, 2012.

Dated: March 15, 2012


Elizabeth M. Sebrowski, Borough Clerk

RESOLUTION 3.15.12

AWARD OF CONTRACT FOR
CONCESSIONAIRE FOR
BOONTON AVENUE FIELD

WHEREAS, the Borough of Kinnelon is desirous of hiring a Concessionaire for the Boonton Avenue Field to service, dispense and provide, in quantities adequate for the needs of the public, foods, refreshments, confectionery and allowed beverages, and to operate such refreshment stand only in the buildings at the Boonton Avenue Field equipped for such purpose and in accordance with the time schedules of operation and a contract to be supplied; and

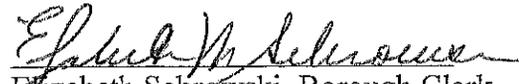
WHEREAS, bids were advertised for, and received in, Kinnelon Borough Hall for the Boonton Avenue Field Concessionaire position on March 7, 2012 at 11:00 AM; and

WHEREAS, the sole bid was received from A Let Us Produce, LLC of 3 Cook Terrace, Kinnelon, New Jersey in the amount of \$3,000.00 for 2012.

NOW THEREFORE BE IT RESOLVED that the Borough Council of the Borough of Kinnelon, County of Morris, State of New Jersey, awards the Concessionaire Contract to the lowest bidder, A Let Us Produce, L.L.C., in the amount of \$3,000.00 for the 2012 season and hereby authorizes Mayor Robert Collins to sign said Contract and authorizes the Borough Clerk to attest to the same.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be mailed to A Let Us Produce, L.L.C. at 3 Cook Terrace, Kinnelon, New Jersey.

I hereby certify that this Resolution consisting of one page was adopted at a meeting of the Borough Council of the Borough of Kinnelon this day of , 2012.


Elizabeth Sebrovski, Borough Clerk


Robert Collins, Mayor

RESOLUTION 3.16.12

AUTHORIZATION TO REQUEST
SEWER CONNECTION WITH THE
BOROUGH OF BUTLER SEWER
SYSTEM

WHEREAS, a resident at 54 Gormley Lane has had the existing septic system fail; and

WHEREAS, his property is within one hundred feet of an existing sewer line owned by the Borough of Butler; and

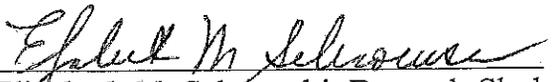
WHEREAS, said resident at 54 Gormley Lane has requested permission to tie into the Butler Sewer System; and

WHEREAS, the Kinnelon Health Officer has recommended the homeowner be allowed to tie into said Butler sewer system.

NOW, THEREFORE, BE IT RESOLVED the Kinnelon Mayor and Council hereby authorize the Clerk to forward a copy of this resolution to the Borough of Butler along with a letter of request on behalf of the homeowner for the said connection to the Butler sewer system.

I, Elizabeth M. Sebrowski, Borough Clerk, do hereby certify this to be a true copy of a resolution which was duly adopted at the regular meeting of the Kinnelon Mayor and Council held on March 15, 2012.

Dated: 3/15/12


Elizabeth M. Sebrowski, Borough Clerk

RESOLUTION *3.17.12*TO REFUND DRIVEWAY BOND
FOR 216 South Glen Road

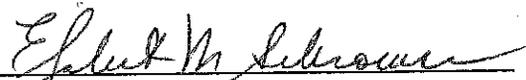
WHEREAS, Hamdi Rifai was required to submit a \$800.00 driveway bond for permit #1607 in order to alter an existing driveway located at 216 South Glen Road; and

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 Hamdi Rifai, 216 South Glen Road; Kinnelon, New Jersey, in the amount of \$800.00

NOW THEREFORE, BE IT RESOLVED the chief Financial officer is hereby authorized to refund a check in the amount of \$800.00 payable to Hamdi Rifai.

Dated *3/15/12*


Elizabeth M. Sebrowski, RMC
Borough Clerk

RESOLUTION 3.18 .12

A RESOLUTION TO ESTABLISH 2012 SALARY
FOR BOROUGH FORESTER

BE IT RESOLVED by the Kinnelon Mayor and Council, that commencing March 15, 2012, the following salary or compensation for the hereinafter listed official position of employment shall be as follows:

DEPARTMENT	SALARY
MUNICIPAL FORESTER	\$2,000.00 ANNUAL

February 13, 2012

Mayor Robert Collins & Borough of Kinnelon Town Council
130 Kinnelon Road
Kinnelon, NJ 07405

Re: 36th Annual Arts & Crafts Festival, Saturday, September 8, 2012

Dear Mayor and Council:

The Friends of the Kinnelon Public Library are planning our **36th Annual Arts and Crafts Festival** to be held on **Saturday, September 8, 2012**, from 10:00am to 4:00pm. We have received all the required approvals from the KHS/Board of Ed and Verizon.

The Friends would like to request permits and/or approval for the following:

1. **Permission to hang our banner over Kinnelon Rd**, approximately 2 weeks prior to the event (Monday, 8/20/12 to Monday 9/10/12). Attached is the Certificate of Liability Insurance for Verizon, plus the approved indemnification application from Verizon.
2. **Permission to place sandwich boards** around town, advertising both the Annual Book Sale (Thursday, 8/9/12 - Tuesday, 8/28/12) and the Arts & Crafts Festival (Tuesday, 8/28/12 - Sunday, 9/9/12).
3. **To have Kinnelon DPW provide and deliver** road barricades & garbage containers to the KHS/Festival Grounds the Friday (9/07/12) before the Festival and picked up again after the show is over.
4. **Permission from the Board of Health allowing us to have a food concession**, serving hot dogs, hamburgers, soda, etc. The Friends of the Kinnelon Library will probably be handling the food concession. If there is any change in the provider, we will advise the Health Department well in advance.
5. **Permission to set up Festival grounds** on the afternoon of Friday, September 7, 2012. Enclosed are the approved 'Use of Grounds Permit' by KHS and the Kinnelon Board of Education and the appropriate Certificate of Liability Insurance.

As usual, we hope that the above will meet with approval from all departments. If there is anything additional that is required, or if regulations have changed, please let us know. Thank you in advance for your support and cooperation.

Sincerely,



Ron Leavesley, President,
The Arts & Crafts Festival Committee & Friends of Kinnelon Public Library

cc: Kinnelon Police: Chief John Finkle (no attachments)
Department of Public Works: John Whitehead (attachments)
Board of Health (no attachments)
KVF Dept.: Chief James Bosch (no attachments)
Superintendent of Buildings: Allen Bresett (no attachments)

Attachments: Verizon Approval (4 pages)
KHS and Kinnelon Board of Ed. Use of Grounds Permit (4 pages)



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

LICENSE FOR: Raffle License No. RL-730 -KB

(Insert Bingo or Raffles)

Identification No. 238-9-18748

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

Insert Name of Licensee KINNELON VOLUNTEER FIRE COMPANY

Address 103 KIEL AVENUE, KINNELON NJ, 07405

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

Kind of Game	Date	Place	During hours
50/50 On Premises	04/01/2012	103 Kinnelon Road	7:00AM – 12:00PM
Kinnelon Road, Kinnelon NJ			

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

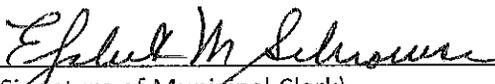
3. This license is valid only if the entire net proceeds are devoted to the following specific purpose:
Assist the Fire Company in purchasing new equipment

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

Names	Addresses
<u>John Smialek</u>	<u>6 Ricker Rd, Kinnelon NJ</u>

Issued by order of MAYOR AND COUNCIL ON March 8, 2012

(SEAL)


(Signature of Municipal Clerk)

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

NO. 165

MARCH 15, 2012

FEB 14 2012



PO Box 839
Mahwah, NJ 07430-0839
www.btcnj.com

Feb. 11, 2012

Ms Elizabeth Sebrowski, Town Clerk
Borough of Kinnelon
130 Kinnelon Rd
Kinnelon, NJ 07405

Dear Ms Sebrowski

I am writing to request that you permit us to use the grounds in front of Kinnelon Town Hall for a rest stop at our annual Ramapo Rally to be held in Sunday Aug 19, 2012. You have been kind enough to allow this for the past several years and we would like to continue this use. Of course we will provide an insurance certificate. As in the past we would also station a few portable toilets on the parking lot grounds.

As you may recall, a portion of our profit is donated to Camp Sunshine, a camp for handicapped youngsters located at the Duck Pond in Ridgewood. Last year we donated \$7,500, despite the fact that heavy rain cut down on our participation.

Thanks for your consideration.


Ken Stahl
Home 201-848-0458
Cell 201-218-5865
333 Crescent Ave, Wyckoff NJ 07481

email ksbite453@gmail.com

ORDINANCE 2-12
AN ORDINANCE ESTABLISHING SALARY RANGES
FOR THE BOROUGH OF KINNELON

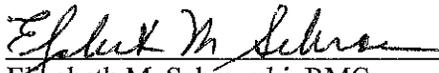
BE IT ORDAINED BY the Kinnelon Mayor and Council, County of Morris, State of New Jersey as follows:

1. Commencing January 1, 2012 the following constitutes the salary ranges for the hereinafter listed officials, positions of employment within which the Governing Body shall, from time to time, by resolution, fix the salaries for persons employed in positions within a salary range.

Title	Minimum	Per	Maximum	Per
Chief Financial Officer	\$80,000.00	YEAR	\$125,000.00	YEAR

Certified to be a true copy of an ordinance which was introduced at the regular meeting of the Kinnelon Mayor and Council held on February 16, 2012. A public hearing on this ordinance will be held on Thursday, March 15, 2012 at 8:00 p.m. prevailing time at the Kinnelon Municipal Building, 130 Kinnelon Road, Kinnelon, New Jersey 07405.

February 16, 2012


Elizabeth M. Sebrowski, RMC
Borough Clerk

**ORDINANCE NO. 3-12 AN ORDINANCE TO ACCEPT CERTAIN DEDICATIONS
AND EASEMENTS IN CONNECTION WITH SOUTH GLEN
ESTATES, SECTION 3 (CENTEX)**

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

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

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

WHEREAS, the 50-Foot Right of Way on South Glen Road, in the Borough of Kinnelon has been dedicated to public use by The Miklos Felkay Family Limited Partnership (“Developer”) by Deed of Dedication dated April 17, 2003, and recorded in the Morris County Clerk’s Office at Deed Book 05828, Page 060 on April 24, 2003; and

WHEREAS, the 50-Foot Right of Way on Andrew Lane, in the Borough of Kinnelon has been dedicated to public use by The Miklos Felkay Family Limited Partnership by Deed of Dedication dated April 17, 2003, and recorded in the Morris County Clerk’s Office at Deed Book 05828, Page 068 on April 24, 2003; and

WHEREAS, the 50-Foot Right of Way on Felkay Court, in the Borough of Kinnelon has been dedicated to public use by The Miklos Felkay Family Limited Partnership by Deed of Dedication dated April 17, 2003, and recorded in the Morris County Clerk’s Office at Deed Book 05828, Page 073 on April 24, 2003; and

WHEREAS, the 50-Foot Right of Way on San Filippo Way, in the Borough of Kinnelon has been dedicated to public use by The Miklos Felkay Family Limited Partnership by Deed of Dedication dated April 17, 2003, and recorded in the Morris County Clerk’s Office at Deed Book 05828, Page 078 on April 24, 2003; and

WHEREAS, the 50-Foot Right of Way on Nicholas Drive, in the Borough of Kinnelon has been dedicated to public use by The Miklos Felkay Family Limited Partnership by Deed of Dedication dated April 17, 2003, and recorded in the Morris County Clerk's Office at Deed Book 05828, Page 083 on April 24, 2003; and

WHEREAS, an easement for underground water storage has been granted by the Developer to the Borough of Kinnelon and presently designated as a portion of Block 300.08, Lot 17 by Grant of Easement, dated April 17, 2003 and recorded in the Morris County Clerk's Office at Deed Book 05828, Page 088 on April 24, 2003; and

WHEREAS, an easement for underground water storage has been granted by the Developer to the Borough of Kinnelon and presently designated as a portion of Block 300.08, Lot 1 by Grant of Easement, dated April 17, 2003 and recorded in the Morris County Clerk's Office at Deed Book 05828, Page 095 on April 24, 2003; and

WHEREAS, an easement for detention basin and drainage for a portion of Block 300.08, Lots 4 and 5 has been granted by the Developer to the Borough of Kinnelon by Grant of Easement, dated April 17, 2003 and recorded in the Morris County Clerk's Office at Deed Book 05828, Page 102 on April 24, 2003; and

WHEREAS, an easement for detention basin and drainage for a portion of Block 30.01, Lots 49 and 50 has been granted by the Developer to the Borough of Kinnelon by Grant of Easement, dated April 17, 2003 and recorded in the Morris County Clerk's Office at Deed Book 05828, Page 111 on April 24, 2003; and

WHEREAS, an easement for detention basin and drainage for a portion of Block 300.08, Lots 13 and 14 has been granted by the Developer to the Borough of Kinnelon by Grant of Easement, dated April 17, 2003 and recorded in the Morris County Clerk's Office at Deed Book 05828, Page 120 on April 24, 2003; and

WHEREAS, an easement for detention basin and drainage for a portion of Block 30.01, Lots 59 and 60 has been granted by the Developer to the Borough of Kinnelon by Grant of

Easement, dated April 17, 2003 and recorded in the Morris County Clerk's Office at Deed Book 05828, Page 129 on April 24, 2003; and

WHEREAS, an easement for detention basin and drainage for a portion of Block 30.01, Lots 62 and 63 has been granted by the Developer to the Borough of Kinnelon by Grant of Easement, dated April 17, 2003 and recorded in the Morris County Clerk's Office at Deed Book 05828, Page 138 on April 24, 2003; and

WHEREAS, an easement for detention basin and drainage for a portion of Block 30.01, Lots 69 and 70 has been granted by the Developer to the Borough of Kinnelon by Grant of Easement, dated April 17, 2003 and recorded in the Morris County Clerk's Office at Deed Book 05828, Page 147 on April 24, 2003; and

WHEREAS, an easement for detention basin and drainage for a portion of Block 30.01, Lots 75 and 76 has been granted by the Developer to the Borough of Kinnelon by Grant of Easement, dated April 17, 2003 and recorded in the Morris County Clerk's Office at Deed Book 05828, Page 156 on April 24, 2003; and

WHEREAS, an easement for Clear Sight for a portion of Block 300.08, Lot 18 has been granted by the Developer to the Borough of Kinnelon by Grant of Easement, dated April 17, 2003 and recorded in the Morris County Clerk's Office at Deed Book 05828, Page 165 on April 24, 2003; and

WHEREAS, an easement for Clear Sight for a portion of Block 300.08, Lot 1 has been granted by the Developer to the Borough of Kinnelon by Grant of Easement, dated April 17, 2003 and recorded in the Morris County Clerk's Office at Deed Book 05828, Page 172 on April 24, 2003; and

WHEREAS, an easement for Clear Sight for a portion of Block 30.01, Lot 48 has been granted by the Developer to the Borough of Kinnelon by Grant of Easement, dated April 17, 2003 and recorded in the Morris County Clerk's Office at Deed Book 05828, Page 179 on April 24, 2003; and

WHEREAS, an easement for Clear Sight for a portion of Block 300.08, Lot 8 has been granted by the Developer to the Borough of Kinnelon by Grant of Easement, dated April 17, 2003 and recorded in the Morris County Clerk's Office at Deed Book 05828, Page 186 on April 24, 2003; and

WHEREAS, an easement for Clear Sight for a portion of Block 300.08, Lot 26 has been granted by the Developer to the Borough of Kinnelon by Grant of Easement, dated April 17, 2003 and recorded in the Morris County Clerk's Office at Deed Book 05828, Page 193 on April 24, 2003; and

WHEREAS, an easement for Clear Sight for a portion of Block 300.07, Lot 8 has been granted by the Developer to the Borough of Kinnelon by Grant of Easement, dated April 17, 2003 and recorded in the Morris County Clerk's Office at Deed Book 05828, Page 200 on April 24, 2003; and

WHEREAS, an easement for Drainage for a portion of Block 300.08, Lot 18 has been granted by the Developer to the Borough of Kinnelon by Grant of Easement, dated April 17, 2003 and recorded in the Morris County Clerk's Office at Deed Book 05828, Page 207 on April 24, 2003; and

WHEREAS, an easement for Drainage for a portion of Block 30.01, Lots 55 and 56 has been granted by the Developer to the Borough of Kinnelon by Grant of Easement, dated April 17, 2003 and recorded in the Morris County Clerk's Office at Deed Book 05828, Page 215 on April 24, 2003; and

WHEREAS, an easement for Drainage for a portion of Block 30.01, Lot 49 has been granted by the Developer to the Borough of Kinnelon by Grant of Easement, dated April 17, 2003 and recorded in the Morris County Clerk's Office at Deed Book 05828, Page 223 on April 24, 2003; and

WHEREAS, an easement for Drainage for a portion of Block 300, Lot 1 has been granted by the Developer to the Borough of Kinnelon by Grant of Easement, dated April 17,

2003 and recorded in the Morris County Clerk's Office at Deed Book 05828, Page 231 on April 24, 2003; and

WHEREAS, an easement for Drainage for a portion of Block 300.08, Lot 17 has been granted by the Developer to the Borough of Kinnelon by Grant of Easement, dated April 17, 2003 and recorded in the Morris County Clerk's Office at Deed Book 05828, Page 239 on April 24, 2003; and

WHEREAS, an easement for Drainage for a portion of Block 300.08, Lots 7 and 8 has been granted by the Developer to the Borough of Kinnelon by Grant of Easement, dated April 17, 2003 and recorded in the Morris County Clerk's Office at Deed Book 05828, Page 247 on April 24, 2003; and

WHEREAS, an easement for Drainage for a portion of Block 300.07, Lot 4 has been granted by the Developer to the Borough of Kinnelon by Grant of Easement, dated April 17, 2003 and recorded in the Morris County Clerk's Office at Deed Book 05828, Page 255 on April 24, 2003; and

WHEREAS, an easement for Drainage for a portion of Block 300.07, Lot 8 has been granted by the Developer to the Borough of Kinnelon by Grant of Easement, dated April 17, 2003 and recorded in the Morris County Clerk's Office at Deed Book 05828, Page 263 on April 24, 2003; and

WHEREAS, an easement for Drainage for a portion of Block 300.08, Lot 11 has been granted by the Developer to the Borough of Kinnelon by Grant of Easement, dated April 17, 2003 and recorded in the Morris County Clerk's Office at Deed Book 05828, Page 271 on April 24, 2003; and

WHEREAS, an easement for Drainage for a portion of Block 300.08, Lot 9 has been granted by the Developer to the Borough of Kinnelon by Grant of Easement, dated April 17, 2003 and recorded in the Morris County Clerk's Office at Deed Book 05828, Page 279 on April 24, 2003; and

WHEREAS, an easement for Drainage for a portion of Block 300.07, Lot 5 has been granted by the Developer to the Borough of Kinnelon by Grant of Easement, dated April 17, 2003 and recorded in the Morris County Clerk's Office at Deed Book 05828, Page 287 on April 24, 2003; and

WHEREAS, an easement for Emergency access beyond terminus of the cul-de-sac of Block 30.01, Lot 48 has been granted by Michael Felkay to the Borough of Kinnelon by Grant of Easement, dated February 11, 1993 and recorded in the Morris County Clerk's Office at Deed Book 3764, Page 130 on May 4, 1993; and

WHEREAS, in reports the Borough engineer has certified that the improvements constructed or installed by the Developer, including the dedicated streets, have been inspected and approved by him as satisfactorily completed.

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

SECTION 1. The dedication of the 50-Foot Right of Way of South Glen Road, in the Borough of Kinnelon, as set forth in a certain Deed of Dedication dated April 17, 2003, and recorded in the Morris County Clerk's Office at Deed Book 05828, Page 060 on April 24, 2003, for use as public street is hereby accepted.

SECTION 2. The dedication of the 50-Foot Right of Way of Andrew Lane, in the Borough of Kinnelon, as set forth in a certain Deed of Dedication dated April 17, 2003, and recorded in the Morris County Clerk's Office at Deed Book 05828, Page 068 on April 24, 2003, for use as public street is hereby accepted.

SECTION 3. The dedication of the 50-Foot Right of Way of Felkay Court, in the Borough of Kinnelon, as set forth in a certain Deed of Dedication dated April 17, 2003, and recorded in the Morris County Clerk's Office at Deed Book 05828, Page 073 on April 24, 2003, for use as public street is hereby accepted.

SECTION 4. The dedication of the 50-Foot Right of Way of San Filippo Way, in the Borough of Kinnelon, as set forth in a certain Deed of Dedication dated April 17, 2003, and

recorded in the Morris County Clerk's Office at Deed Book 05828, Page 078 on April 24, 2003, for use as public street is hereby accepted.

SECTION 5. The dedication of the 50-Foot Right of Way of Nicholas Drive, in the Borough of Kinnelon, as set forth in a certain Deed of Dedication dated April 17, 2003, and recorded in the Morris County Clerk's Office at Deed Book 05828, Page 083 on April 24, 2003, for use as public street is hereby accepted.

SECTION 6. The dedication of an easement for underground water storage on a portion of Block 300.08, Lot 17, in the Borough of Kinnelon, as set forth in a certain Grant of Easement dated April 17, 2003, and recorded in the Morris County Clerk's Office at Deed Book 05828, Page 088 on April 24, 2003, is hereby accepted.

SECTION 7. The dedication of an easement for underground water storage on a portion of Block 300.08, Lot 1, in the Borough of Kinnelon, as set forth in a certain Grant of Easement dated April 17, 2003, and recorded in the Morris County Clerk's Office at Deed Book 05828, Page 095 on April 24, 2003, is hereby accepted.

SECTION 8. The dedication of an easement for detention basin and drainage on a portion of Block 300.08, Lots 4 and 5, in the Borough of Kinnelon, as set forth in a certain Grant of Easement dated April 17, 2003, and recorded in the Morris County Clerk's Office at Deed Book 05828, Page 102 on April 24, 2003, is hereby accepted.

SECTION 9. The dedication of an easement for detention basin and drainage on a portion of Block 30.01, Lots 49 and 50, in the Borough of Kinnelon, as set forth in a certain Grant of Easement dated April 17, 2003, and recorded in the Morris County Clerk's Office at Deed Book 05828, Page 111 on April 24, 2003, is hereby accepted.

SECTION 10. The dedication of an easement for detention basin and drainage on a portion of Block 300.08, Lots 13 and 14, in the Borough of Kinnelon, as set forth in a certain Grant of Easement dated April 17, 2003, and recorded in the Morris County Clerk's Office at Deed Book 05828, Page 120 on April 24, 2003, is hereby accepted.

SECTION 11. The dedication of an easement for detention basin and drainage on a portion of Block 30.01, Lots 59 and 60, in the Borough of Kinnelon, as set forth in a certain Grant of Easement dated April 17, 2003, and recorded in the Morris County Clerk's Office at Deed Book 05828, Page 129 on April 24, 2003, is hereby accepted.

SECTION 12. The dedication of an easement for detention basin and drainage on a portion of Block 30.01, Lots 62 and 63, in the Borough of Kinnelon, as set forth in a certain Grant of Easement dated April 17, 2003, and recorded in the Morris County Clerk's Office at Deed Book 05828, Page 138 on April 24, 2003, is hereby accepted.

SECTION 13. The dedication of an easement for detention basin and drainage on a portion of Block 30.01, Lots 69 and 70, in the Borough of Kinnelon, as set forth in a certain Grant of Easement dated April 17, 2003, and recorded in the Morris County Clerk's Office at Deed Book 05828, Page 147 on April 24, 2003, is hereby accepted.

SECTION 14. The dedication of an easement for detention basin and drainage on a portion of Block 30.01, Lots 75 and 76, in the Borough of Kinnelon, as set forth in a certain Grant of Easement dated April 17, 2003, and recorded in the Morris County Clerk's Office at Deed Book 05828, Page 156 on April 24, 2003, is hereby accepted.

SECTION 15. The dedication of an easement for Clear Sight on a portion of Block 300.08, Lot 18, in the Borough of Kinnelon, as set forth in a certain Grant of Easement dated April 17, 2003, and recorded in the Morris County Clerk's Office at Deed Book 05828, Page 165 on April 24, 2003, is hereby accepted.

SECTION 16. The dedication of an easement for Clear Sight on a portion of Block 300.08, Lot 1, in the Borough of Kinnelon, as set forth in a certain Grant of Easement dated April 17, 2003, and recorded in the Morris County Clerk's Office at Deed Book 05828, Page 172 on April 24, 2003, is hereby accepted.

SECTION 17. The dedication of an easement for Clear Sight on a portion of Block 30.01, Lot 48, in the Borough of Kinnelon, as set forth in a certain Grant of Easement dated April 17,

2003, and recorded in the Morris County Clerk's Office at Deed Book 05828, Page 179 on April 24, 2003, is hereby accepted.

SECTION 18. The dedication of an easement for Clear Sight on a portion of Block 300.08, Lot 8, in the Borough of Kinnelon, as set forth in a certain Grant of Easement dated April 17, 2003, and recorded in the Morris County Clerk's Office at Deed Book 05828, Page 186 on April 24, 2003, is hereby accepted.

SECTION 19. The dedication of an easement for Clear Sight on a portion of Block 300.08, Lot 26, in the Borough of Kinnelon, as set forth in a certain Grant of Easement dated April 17, 2003, and recorded in the Morris County Clerk's Office at Deed Book 05828, Page 193 on April 24, 2003, is hereby accepted.

SECTION 20. The dedication of an easement for Clear Sight on a portion of Block 300.07, Lot 8, in the Borough of Kinnelon, as set forth in a certain Grant of Easement dated April 17, 2003, and recorded in the Morris County Clerk's Office at Deed Book 05828, Page 200 on April 24, 2003, is hereby accepted.

SECTION 21. The dedication of an easement for Drainage on a portion of Block 300.08, Lot 18, in the Borough of Kinnelon, as set forth in a certain Grant of Easement dated April 17, 2003, and recorded in the Morris County Clerk's Office at Deed Book 05828, Page 207 on April 24, 2003, is hereby accepted.

SECTION 22. The dedication of an easement for Drainage on a portion of Block 30.01, Lots 55 and 56, in the Borough of Kinnelon, as set forth in a certain Grant of Easement dated April 17, 2003, and recorded in the Morris County Clerk's Office at Deed Book 05828, Page 215 on April 24, 2003, is hereby accepted.

SECTION 23. The dedication of an easement for Drainage on a portion of Block 30.01, Lot 49, in the Borough of Kinnelon, as set forth in a certain Grant of Easement dated April 17, 2003, and recorded in the Morris County Clerk's Office at Deed Book 05828, Page 223 on April 24, 2003, is hereby accepted.

SECTION 24. The dedication of an easement for Drainage on a portion of Block 300, Lot 1, in the Borough of Kinnelon, as set forth in a certain Grant of Easement dated April 17, 2003, and recorded in the Morris County Clerk's Office at Deed Book 05828, Page 231 on April 24, 2003, is hereby accepted.

SECTION 25. The dedication of an easement for Drainage on a portion of Block 300.08, Lot 17, in the Borough of Kinnelon, as set forth in a certain Grant of Easement dated April 17, 2003, and recorded in the Morris County Clerk's Office at Deed Book 05828, Page 239 on April 24, 2003, is hereby accepted.

SECTION 26. The dedication of an easement for Drainage on a portion of Block 300.08, Lots 7 and 8, in the Borough of Kinnelon, as set forth in a certain Grant of Easement dated April 17, 2003, and recorded in the Morris County Clerk's Office at Deed Book 05828, Page 247 on April 24, 2003, is hereby accepted.

SECTION 27. The dedication of an easement for Drainage on a portion of Block 300.07, Lot 4, in the Borough of Kinnelon, as set forth in a certain Grant of Easement dated April 17, 2003, and recorded in the Morris County Clerk's Office at Deed Book 05828, Page 255 on April 24, 2003, is hereby accepted.

SECTION 28. The dedication of an easement for Drainage on a portion of Block 300.07, Lot 8, in the Borough of Kinnelon, as set forth in a certain Grant of Easement dated April 17, 2003, and recorded in the Morris County Clerk's Office at Deed Book 05828, Page 263 on April 24, 2003, is hereby accepted.

SECTION 29. The dedication of an easement for Drainage on a portion of Block 300.08, Lot 11, in the Borough of Kinnelon, as set forth in a certain Grant of Easement dated April 17, 2003, and recorded in the Morris County Clerk's Office at Deed Book 05828, Page 271 on April 24, 2003, is hereby accepted.

SECTION 30. The dedication of an easement for Drainage on a portion of Block 300.08, Lot 9, in the Borough of Kinnelon, as set forth in a certain Grant of Easement dated April 17, 2003,

and recorded in the Morris County Clerk's Office at Deed Book 05828, Page 279 on April 24, 2003, is hereby accepted.

SECTION 31. The dedication of an easement for Drainage on a portion of Block 300.07, Lot 5, in the Borough of Kinnelon, as set forth in a certain Grant of Easement dated April 17, 2003, and recorded in the Morris County Clerk's Office at Deed Book 05828, Page 287 on April 24, 2003, is hereby accepted.

SECTION 32. The dedication of an easement for emergency access beyond terminus of the cul-de-sac of Block 30.01, Lot 48, in the Borough of Kinnelon, as set forth in a certain Deed of Dedication dated February 11, 1993, and recorded in the Morris County Clerk's Office at Deed Book 3764, Page 130 on May 4, 1993, is hereby accepted.

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

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

SECTION 35. EFFECTIVE DATE. This Ordinance shall take effect upon passage and publication according to law.

ATTEST:

BOROUGH OF KINNELON

Elizabeth M. Sebrowski, Borough Clerk

Robert Collins, Mayor

CERTIFICATION

I, Elizabeth M. Sebrowski, Borough Clerk of the Borough of Kinnelon, County of Morris, State of New Jersey, do hereby certify the foregoing to be a true copy of an Ordinance introduced, read by title and passed on the first reading at a regular meeting of the Borough held on _____, 2012 and adopted by the Governing Body at a regular meeting of the Borough held on _____, 2012.

Elizabeth M. Sebrowski, Borough Clerk

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

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

WHEREAS, the above ordinance was introduced at this meeting held on March 15, 2012 and read by title, and passed on first reading;

NOW, THEREFORE, BE IT RESOLVED that at the regular meeting to be held on April 19, 2012 at 8:00 p.m., prevailing time, at the Kinnelon Municipal Building, this Council further consider for second reading and final passage the said ordinance.

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

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

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

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

ORDINANCE 4-12 – TO ACCEPT THE DEDICATION OF REGAN WAY

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

Thereupon, the ordinance was read by title:

AN ORDINANCE TO ACCEPT THE
DEDICATION OF REGAN WAY AND
VARIOUS EASEMENTS IN CONNECTION
WITH TSA DEVELOPMENT (REGAN WAY)
KINNELON PLANNING BOARD APPLICATION #739

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ORDINANCE NO. 4-12 AN ORDINANCE TO ACCEPT THE DEDICATION OF THE REAGAN WAY AND VARIOUS EASEMENTS IN CONNECTION WITH TSA DEVELOPMENT (REAGAN WAY) KINNELON PLANNING BOARD APPLICATION #739

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

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

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

WHEREAS, the street known as Reagan Way, in the Borough of Kinnelon, has been dedicated to public use by TSA Development ("Developer") and/or are currently in use and accepted by the filing of the Final Subdivision Plat in the Morris County Clerk's Office; and

WHEREAS, various easements for Drainage, Sight Triangles or other easements, Rights of Way or improvements were included on the Final Subdivision Plat by the Developer, which has been recorded in the Morris County Clerk's Office; and

WHEREAS, in reports the Borough Engineer has certified that the improvements constructed or installed by the Developer, including the dedicated street, has been inspected and approved by him as satisfactorily completed.

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

SECTION 1. The dedication of Reagan Way, in the Borough of Kinnelon, as set forth in a certain Subdivision Plat recorded in the Morris County Clerk's Office, for use as public street is hereby accepted.

SECTION 2. SEVERABILITY. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court or federal or

state agency of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

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

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

ATTEST:

BOROUGH OF KINNELON

Elizabeth M. Sebrowski, Borough Clerk

Robert Collins, Mayor

CERTIFICATION

I, Elizabeth M. Sebrowski, Borough Clerk of the Borough of Kinnelon, County of Morris, State of New Jersey, do hereby certify the foregoing to be a true copy of an Ordinance introduced, read by title and passed on the first reading at a regular meeting of the Borough held on _____, 2012 and adopted by the Governing Body at a regular meeting of the Borough held on _____, 2012.

Elizabeth M. Sebrowski, Borough Clerk

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

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

WHEREAS, the above ordinance was introduced at this meeting held on March 15, 2012 and read by title, and passed on first reading;

NOW, THEREFORE, BE IT RESOLVED that at the regular meeting to be held on April 19, 2012 at 8:00 p.m., prevailing time, at the Kinnelon Municipal Building, this Council further consider for second reading and final passage the said ordinance.

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

Councilman R. Mondello then offered a motion to adopt the foregoing resolution. This motion was seconded by Councilman A. SanFilippo.

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

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

ORDINANCE 5-12 – TO ACCEPT CERTAIN DEDICATIONS AND EASEMENTS VISTA COURT

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

Thereupon, the ordinance was read by title:

AN ORDINANCE TO ACCEPT CERTAIN DEDICATIONS
AND EASEMENTS IN CONNECTION WITH KINNELON
PLANNING BOARD APPLICATION #708/708a
VISTA COURT (b. 791. 6.07)

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**ORDINANCE NO. 5-12 AN ORDINANCE TO ACCEPT CERTAIN DEDICATIONS
AND EASEMENTS IN CONNECTION WITH KINNELON
PLANNING BOARD APPLICATION #708/708A VISTA
COURT (B. 79 I. 6.07)**

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

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

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

WHEREAS, the street known as Vista Court, a right-of-way in the Borough of Kinnelon, shown on the Morris County map #5326 and on the Kinnelon Borough Tax Map Sheet #47, has been dedicated to public use by The Bello Group, Inc. ("Developer") by Deed of Dedication recorded in the Morris County Clerk's Office; and

WHEREAS, in reports the Borough engineer has certified that the improvement constructed or installed by the Developer, including the dedicated street, has been inspected and approved by him as satisfactorily completed.

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

SECTION 1. The dedication of Vista Court, the Right of Way shown on the Morris County map #5326 and on the Kinnelon Borough Tax Map Sheet #47, in the Borough of Kinnelon, as set forth in a certain Deed of Dedication recorded in the Morris County Clerk's Office, for use as public street is hereby accepted.

SECTION 2. SEVERABILITY. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court or federal or state agency of competent jurisdiction, such portion shall be deemed a separate, distinct and

independent provision and such holding shall not affect the validity of the remaining portions hereof.

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

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

ATTEST:

BOROUGH OF KINNELON

Elizabeth M. Sebrowski, Borough Clerk

Robert Collins, Mayor

CERTIFICATION

I, Elizabeth M. Sebrowski, Borough Clerk of the Borough of Kinnelon, County of Morris, State of New Jersey, do hereby certify the foregoing to be a true copy of an Ordinance introduced, read by title and passed on the first reading at a regular meeting of the Borough held on _____, 2012 and adopted by the Governing Body at a regular meeting of the Borough held on _____, 2012.

Elizabeth M. Sebrowski, Borough Clerk

The Borough Attorney commented that a default letter has been served on the developer for failure to submit as-built plans. If the plans are not submitted by the next meeting this ordinance shall be held over until the following month. There was no other desire to discuss this ordinance, and the Mayor asked the Clerk to call the roll on the passage thereof, and the vote was as follows:

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

WHEREAS, the above ordinance was introduced at this meeting held on March 15, 2012 and read by title, and passed on first reading;

NOW, THEREFORE, BE IT RESOLVED that at the regular meeting to be held on April 19, 2012 at 8:00 p.m., prevailing time, at the Kinnelon Municipal Building, this Council further consider for second reading and final passage the said ordinance.

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

Councilman G. Moleta then offered a motion to adopt the foregoing resolution. This motion was seconded by Councilman R. Mondello.

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

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

ORDINANCE 6-12 – KINNELON RIDGE DEVELOPERS

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

Thereupon, the ordinance was read by title:

AN ORDINANCE RELEASING PERFORMANCE
GUARANTEES; WAIVING MAINTENANCE GUARANTEES;
AND ACCEPTING VARIOUS IMPROVEMENTS AND
EASEMENTS WITH REGARD TO A DEVELOPMENT
LOCATED ON BLOCK 133; LOT 16 WHICH IS MORE
COMMONLY KNOWN AS "KINNELON RIDGE" AS
DEVELOPED BY KINNELON RIDGE DEVELOPERS LLC

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ORDINANCE NO 6-12

AN ORDINANCE RELEASNG PERFORMANCE GUARANTEES; WAIVING MAINTENANCE GUARANTEES; AND ACCEPTING VARIOUS IMPROVEMENTS AND EASEMENTS WITH REGARD TO A DEVELOPMENT LOCATED ON BLOCK 133; LOT 16 WHICH IS MORE COMMONLY KNOWN AS "KINNELON RIDGE" AS DEVELOPED BY KINNELON RIDGE DEVELOPERS LLC

WHEREAS, Kinnelon Ridge Developers, LLC (hereinafter, the "Developer" or "KRD") constructed a development known as "Kinnelon Ridge" (the "Development") in the Borough of Kinnelon (the "Borough" or "Kinnelon") and

WHEREAS, the Development consisted of 295 units of residential housing (including 54 Units of Low and Moderate Income Housing) pursuant to a Site Plan Approval dated November 13, 1997 and Conditional Site Plan Approval, dated April 8, 1999; and

WHEREAS, the Development also included the requirement to construct the following improvements: On-Site Water Main Extension; Off-Site Water Main Extension; On-Site Sanitary Sewer Main; Off-Site Sanitary Sewer Main; and Improvements to Maple Lake Road; and

WHEREAS, in regard to the aforesaid improvements a Cash Deposit in the amount of \$138,307.20 was posted as well as the

following Performance Bonds: On-Site Water Main Extension (Bond No. SD00004126 for \$537,705.00 posted on June 8, 1999); Off-Site Water Main Extension (Bond No. SD00004123 for \$124,308.00 posted on June 8, 1999); On-Site Sanitary Sewer Main (Bond No. 00004125 for \$302,972.40 posted June 8, 1999); Off-Site Sanitary Sewer Main (Bond No. SD00004122 for \$136,657.80, posted on June 8, 1999); and Improvements to Maple Lake Road (Bond No. SD00004124 for \$143,012.00 posted on June 8, 1999); and

WHEREAS, the Borough Engineers, Darmofalski Engineering Associates, Inc., has determined that there is no objection to the release of Performance and Cash Bonds pursuant as further set forth in their correspondence of January 12, 2012 and subject to the conditions contained therein; and

WHEREAS, the Developer is therefore entitled to the return of its performance guarantees in the amounts set forth above, with applicable interest, subject to the conditions contained herein; and

WHEREAS, the Developer and the Borough have executed an "On-Tract and Off-Tract Developer's Agreement", dated June 14, 1999, and recorded in the offices of the Morris County Clerk at Book DB5016; Page P216, (hereinafter, the "Agreement") which specifies the obligations of the Developer and the Borough with regard to various improvements; and

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

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

WHEREAS, prior to the Development, the street known as Maple Lake Road was a dedicated public street which, in connection with the Development, certain additional improvements were undertaken; and

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

SECTION 1. The Borough hereby accepts all improvements in the Right of Way of Maple Lake Road, in the Borough of Kinnelon, as set forth in a certain Preliminary and Final Site Plans, approved on November 13, 1997 and April 8, 1999, in accordance with the Agreement.

SECTION 3. With regard to the "on-tract" water system set forth in the Agreement, all water mains in excess of 8"; hydrants; valves and individual service meters, be and hereby are accepted by the Borough in accordance with the terms of the

Agreement. Such acceptance specifically excludes all common water lines connecting individual units to the water main located in the Right of Way. Such acceptance of the "on-tract" water system is subject to the conveyance of same to the Borough by a "Bill of Sale".

SECTION 4. With regard to the "off-tract" water system, otherwise designated as the "Water Project" in the Agreement, be and hereby is accepted by the Borough. Said acceptance includes, but may not be limited to: approximately 1300 linear feet of 12" water main in Kiel Avenue; all hydrants, valves and appurtenances to the 12" water main in Kiel Avenue; and an underground pressure reducing vault. Such acceptance of the "off-tract" water system is subject to the conveyance of same to the Borough by a "Bill of Sale".

SECTION 5. With regard to the "on-tract" sanitary sewer system as such term is used in the Agreement, all sewer mains 8" in diameter, and larger, be and hereby are accepted by the Borough. Such acceptance of the "on-tract" sanitary sewer system is subject to the conveyance of same to the Borough by a "Bill of Sale".

SECTION 6. With regard to the "off-tract" sewer system, otherwise known as the "Sewer Project" as set forth in the Agreement, same be and hereby is accepted by the Borough. Said

SECTION 12. EFFECTIVE DATE. This Ordinance shall take effect upon passage and publication according to law.

ATTEST:

BOROUGH OF KINNELON

Elizabeth M. Sebrowski, Borough Clerk

Robert Collins, Mayor

C E R T I F I C A T I O N

I, Elizabeth M. Sebrowski, Borough Clerk of the Borough of Kinneelon, County of Morris, State of New Jersey, do hereby certify the foregoing to be a true copy of an Ordinance introduced, read by title and passed on the first reading at a regular meeting of the Borough held on _____, 2012 and adopted by the Governing Body at a regular meeting of the Borough held on _____, 2012.

Elizabeth M. Sebrowski, Borough Clerk

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

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

WHEREAS, the above ordinance was introduced at this meeting held on March 15, 2012 and read by title, and passed on first reading;

NOW, THEREFORE, BE IT RESOLVED that at the regular meeting to be held on April 19, 2012 at 8:00 p.m., prevailing time, at the Kinnelon Municipal Building, this Council further consider for second reading and final passage the said ordinance.

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

Councilman R. Mondello then offered a motion to adopt the foregoing resolution. This motion was seconded by Councilman A. SanFilippo.

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

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

ORDINANCE 7-12 – AMENDING CHAPTER 199 - WATER

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

Thereupon, the ordinance was read by title:

AN ORDINANCE TO AMEND CHAPTER 199, WATER,
OF THE CODE OF THE BOROUGH OF KINNELON

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ORDINANCE NO. 7-12 AN ORDINANCE TO AMEND CHAPTER 199, WATER, OF THE CODE OF THE BOROUGH OF KINNELON

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

WHEREAS, the Borough desires to amend said schedule found at Chapter 199-25 A(2), regarding water meter charges; and

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

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

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

Chapter 199-25A(2) of the Code of the Borough of Kinnelon, New Jersey, shall be revised to read as follows:

(2) In addition to the fixed charge, all metered water shall be charged for as follows:

- \$7.50 per 1,000 gallons for usage of 1 gallon through 50,000 gallons
- \$9.00 per 1,000 gallons for usage of 50,000 gallons through 100,000 gallons
- \$10.00 per 1,000 gallons for usage of 100,000 gallons through 150,000 gallons
- \$10.50 per 1,000 gallons for usage over 150,000 gallons

Chapter 199-25A(3) of the Code of the Borough of Kinnelon, New Jersey, shall be added as follows:

(3) Charges in effect shall increase by 10% over the then existing charges on January 1st of each year ending in an even number.

SEVERABILITY. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court or federal or state agency

of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

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

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

ATTEST:

BOROUGH OF KINNELON

Elizabeth M. Sebrowski, Borough Clerk

Robert Collins, Mayor

CERTIFICATION

I, Elizabeth M. Sebrowski, Borough Clerk of the Borough of Kinnelon, County of Morris, State of New Jersey, do hereby certify the foregoing to be a true copy of an Ordinance introduced, read by title and passed on the first reading at a regular meeting of the Borough held on _____, 2012 and adopted by the Governing Body at a regular meeting of the Borough held on _____, 2012.

Elizabeth M. Sebrowski, Borough Clerk

MARCH 15, 2012

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

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

WHEREAS, the above ordinance was introduced at this meeting held on March 15, 2012 and read by title, and passed on first reading;

NOW, THEREFORE, BE IT RESOLVED that at the regular meeting to be held on April 19, 2012 at 8:00 p.m., prevailing time, at the Kinnelon Municipal Building, this Council further consider for second reading and final passage the said ordinance.

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

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

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

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

MARCH 15, 2012

RESOLUTION 3.19.12**Authorizing the Borough of Kinnelon To
Make an Application for an Association
Of New Jersey Environmental Commissions
Sustainable Land Use Planning Grant**

WHEREAS, the Borough Council of the Borough of Kinnelon, County of Morris, State of New Jersey (the Borough Council), has recognized the need to develop an Update to the 1973-1974 Environmental Resource Inventory; and

WHEREAS, the Kinnelon Environmental Commission, requests application for grant funding; and

WHEREAS, the Association of New Jersey Environmental Commissions (ANJEC), provides fifty (50%) percent matching grants up to fifteen thousand (\$15,000) dollars to municipalities for local plans that protect natural resources and establish the land use pattern envisioned in the State Plan; and

WHEREAS, the preparation of an Updated Environmental Resource Inventory is a suitable project under this grant program; and

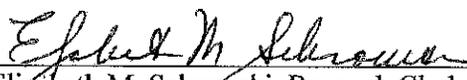
WHEREAS, after due deliberation and consultation the Borough Council of the Borough of KINNELON has determined that it is in the interests of the Borough to make such application;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Kinnelon, County of Morris, State of New Jersey, that the Borough Council desires to further the public interest by submitting a grant application for the Association of New Jersey Environmental Commissions (ANJEC) Sustainable Land Use Planning Grant to fund the following project: Updated Environmental Resource Inventory for the Borough of Kinnelon.

CERTIFICATION

I, Elizabeth M. Sebrowski, Borough Clerk of the Borough of Kinnelon, in the County of Morris and State of New Jersey, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Borough Council of the Borough of Kinnelon, County of Morris, State of New Jersey, at a regular meeting of said Council held on March 15, 2012.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Borough of Kinnelon in the County of Morris and State of New Jersey, on this 15th day of March 2012.


Elizabeth M. Sebrowski, Borough Clerk

RESOLUTION 3.20.12

AUTHORIZATION FOR MAYOR TO SIGN
MORRIS COUNTY HISTORIC PRESERVATION
TRUST GRANT APPLICATION

WHEREAS, the Borough desires to apply for a non construction grant from the Morris County Historical Preservation Trust; and

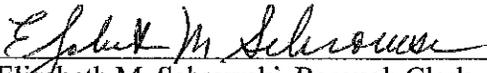
WHEREAS, the purpose of this grant is to obtain Construction Documents for L'Ecole Museum located at 25 Kiel Avenue, Kinnelon, New Jersey.

NOW, THEREFORE, BE IT RESOLVED by the Kinnelon Mayor and Council the Mayor is hereby authorized to sign the Morris County Historic Preservation Trust Grant Application.

CERTIFICATION

I, Elizabeth M. Sebrowski, Borough Clerk, do hereby certify this to be a true copy of a resolution duly adopted at the regular meeting of the Kinnelon Mayor and Council held on March 15, 2012.

Dated: March 15, 2012


Elizabeth M. Sebrowski, Borough Clerk

RESOLUTION 3.21.12

APPROVAL FOR THE LAND CONSERVANCY
OF NEW JERSEY TO PREPARE AN
UPDATED ENVIRONMENTAL RESOURCE
INVENTORY

WHEREAS, the Borough has determined it is in the best interest of the Borough to the Land Conservancy of New Jersey prepare an updated Environmental Resource Inventory; and

WHEREAS, said preparation would be done by The Land Conservancy of New Jersey for a cost of \$10,000.00; and

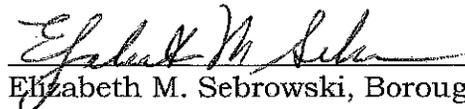
WHEREAS, funds for the update of the Borough's Environmental Resource Inventory would be obtained from the Borough's Open Space Tax Fund.

NOW, THEREFORE, BE IT RESOLVED by the Kinnelon Mayor and Council The Land Conservancy of New Jersey is hereby approved to proceed with the Environmental Resource Inventory Update.

CERTIFICATION

I, Elizabeth M. Sebrowski, Borough Clerk, do hereby certify this to be a true copy of a resolution duly adopted at the regular meeting of the Kinnelon Mayor and Council held on March 15, 2012.

Dated:


Elizabeth M. Sebrowski, Borough Clerk

PROCLAMATION

NATIONAL "DONATE LIFE" MONTH

April 1-30, 2012

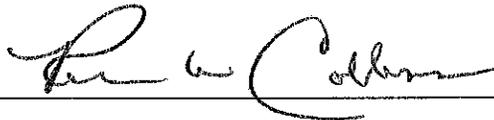
- Whereas:** Realizing the urgent need for donors around the country, the **NATIONAL "DONATE LIFE" MONTH** observance was established in 2003, to promote a greater understanding about the life-saving benefits of donation. Established this year, "**NATIONAL DONATE LIFE BLUE AND GREEN DAY**" on April 20th, 2012, represents a national effort to support and raise awareness for organ and tissue donation and transplantation. Moreover, the need is increasing. The New Jersey Organ and Tissue Sharing Network (NJ Sharing Network) is committed to addressing that need through enhanced awareness; and
- Whereas:** The transplantation of organs and tissues is a miracle of modern medicine made possible through the compassion of organ and tissue donors, enabling surgeons to save thousands of lives every year. Donors not only give the gift of life, but also often restore health and sight to the recipients of the tissue and organs. People of all ages, ethnic backgrounds and religions are affected by the need for organ transplants and by the serious shortage of organ donors that exists. Currently, there are nearly 5,000 New Jersey residents and over 110,000 Americans awaiting life-saving and life-enhancing transplant operations; and
- Whereas:** Every capable person should support this vital effort by learning more about donating tissue and organs, registering as organ and tissue donors, making their families aware of their wishes, and be willing to give the precious gift of health, sight, and life to people in need; and
- Whereas:** Registering as an organ and tissue donor at a local Motor Vehicle Agency or online at www.njsharingnetwork.org signifies our fundamental human responsibility to help others; and
- Whereas:** As Mayor of the Borough of Kinnelon, I recognize **NATIONAL "DONATE LIFE MONTH"** and "**NATIONAL BLUE AND GREEN DAY**" as a great opportunity to join in the fight to save lives by giving the greatest gift.

NOW, THEREFORE, I, Robert W. Collins, Mayor , do hereby proclaim April, 2012 as:

"DONATE LIFE" MONTH

In Kinnelon, New Jersey, and I urge all residents to join me in promoting organ and tissue donor education through the **NATIONAL "DONATE LIFE" MONTH** observance.

SIGNED: _____



DISTRICT SCHOOL

On motion of Councilman G. Moleta, and seconded by Councilman J. Freda, followed by the "yes" roll call vote of all Council Members present the payment of \$2,761,395.00 to the District School when funds become available was approved for payment.

RESIGNATION/RETIRMENT

Upon motion by Councilman G. Moleta and seconded by Councilman S. Cobell, followed by the "yes" roll call vote of all Council Members present, the retirement of Robert A. Dyer, Police Dispatcher, was accepted with the council's regrets.

Upon motion by Councilman G. Moleta and seconded by Councilman S. Cobell, followed by the "yes" roll call vote of all Council Members present, the resignation of Linda Benway as Tax Clerk, was accepted with the council's regrets.

APPOINTMENTS:

Upon motion of Councilman R. Mondello, second by Councilman S. Cobell, followed by the "yes" roll call vote of all Council Members present, the appointment of Robert A. Dyer as Forester was approved.

Upon motion of Councilman A. SanFilippo, seconded by Councilman G. Moleta, followed by the "yes" roll call vote of all Council Members present, the appointment of Mark Ehrenberg as a Police Patrolman to the Kinnelon Police Department was approved.

TAX COLLECTOR'S REPORT

During the month of February the Tax Collector's Report indicates we collected \$6,732,580.81 in taxes.

INVESTMENT OFFICER'S REPORT

A total of \$1,876.58 was collected in interest for the month of February.

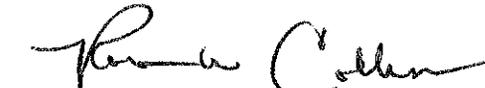
MARCH 15, 2012

ADJOURNMENT

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

Respectfully submitted,


Elizabeth M. Sebrovski, Borough Clerk


Robert W. Collins, Mayor

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