

**MEETING TO ORDER**

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

There was a Salute to the Flag, after which the Deputy 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. Mayor Collins then asked for a moment of silence in honor of our troops serving overseas.

**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.

**TREASURER'S REPORT**

The Treasurer's Report for November indicated we started out with cash on hand as of October 1, 2012 in the amount of \$1,699,916.30. Receipts for the month of October totaled \$2,036,246.12 with disbursements amounting to \$3,362,238.31. The balance on hand on October 31, 2012 was \$373,924.11.

Upon motion by Councilman G. Moleta and seconded by Councilman J. Freda with the affirmative voice vote of all council members present, the Treasurer's Reports were accepted as read.

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

**MAYOR'S REPORT**

Mayor Collins mentioned that he at December's meeting recognize everyone that stepped up and helped those needed help with Hurricane Sandy. Mayor Collins stated that there were still some homes that are affected by the storm so he will wait. Mayor Collins read a couple of letters regarding the storm. Mayor Collins read a letter from Ameer Krass Managing Partner, Pach Energy LLC, Kinnelon Getty. This letter is noted in the minutes. Mr. Krass offer the Kinnelon Getty to be a fueling depot for emergency vehicles. Also a note from Karol Kaiser was read by Mayor Collins on what an outstanding job the DPW did.

Mayor Collins mentioned that we will be doing a post assessment after Thanksgiving to evaluate what we did well and what can be improved upon.

Butler Electric reported that they replaced 154 telephone poles from the storm. The last storm in October of 2011 there were only 30 replaced.

Trunk or Treat went very well and Mayor Collins thanked Councilman James Freda for that. The community needed an event after the storm to bring us together. The Kinnelon High School was packed with cars for Trunk or Treat

## RECREATION & ORDINANCE

Chairman James Freda thanked Mayor Collins for the fantastic job that he did throughout the storm.

Recreation had extended its winter programs sign ups for Spring Lacrosse because of the storm. Basketball, basketball clinic, junior colts' clinic and wrestling, along with all the boys and girls lacrosse were extended.

Councilman J. Freda recapped on K-Fest which was a great event this year. Each year K-Fest gets better and bigger. K-Fest next year will be October 6, 2013, with a rain date of October 13, 2013. Trunk or Treat was a great; there were about 200 cars. Councilman Freda said that K-fest is his and Trunk or Treat is the Mayors.

## PUBLIC WORKS & UTILITY

Chairman Daniel O'Dougherty thanked the Mayor for the great job with the storm. Everyone was helping someone who needed help. Chairman Dan O'Dougherty mentioned that you can't say enough for Butler Electric our police department and our DPW. The DPW cleaned the main streets first, and then went to the side streets.

Mayor Collins thanked Councilman Daniel O'Dougherty for manning one of the shelters. The residents at least had a face that they recognized if they showed up late.

## COORDINATING

Chairman Gary Moleta thanked the Mayor and all the Council for the exceptional job that was done throughout the storm. We stepped up to the plate and help as much as we could. Chairman Gary Moleta then mentioned that he never saw Councilman Dan O'Dougherty as hard as he did at K-Fest and along with Councilman Ron Mondello who worked the cotton candy machine.

Regarding the Historical Commission, there was a tree down and phone outage at the museum caused by the storm but this was rectified. On the Library, the Director Barbara Owens stayed late to give people access to a warm building. Hot coffee and teas station were set up to keep the patrons warm.

## FINANCE & OPEN SPACE

Chairman Stephen Cobell thanked the Mayor and the Council for all that was done throughout the storm. The town had two great events recently K-Fest and Trunk or Treat and both were a great hit. Our professionals and volunteers did a great job on both events.

Chairman Cobell reported on Open Space Advisory Committee. The main topic of event were the new trails and they are applying for a Trail Grant that is due February 15, 2013. The Open Space Advisory Committee is looking at the New Pond area. The grant is a \$24,000 .00.

Chairman S. Cobell report on finance; Resolution 11.06.12, "In Rem Foreclosure on four Properties in in Borough of Kinnelon, the first four tax title liens that will be foreclosed on. These are the four with the largest value, and will have the greatest impact to the municipality. Also "11.01.12 Special Emergency Appropriation Resulting from hurricane Sandy", which is for storm expenses. The budget process is behind due to the storm.

**PUBLIC SAFETY**

Chairman Andrew San Filippo mentioned that a man is judged by how he reacts under fire. A lot of people didn't know how Mayor Collins was going to handle the storm; he did an outstanding job. OEM Coordinator Harry Hicks and his volunteers did a great job and their dedication is the best.

Mount Arlington Police Department gave an administrative commendation presented to Lt John Schwartz of the Kinnelon Police Department. This commendation was for creating and implementing a method adopted by the department that increased the effectiveness of the processes related to handling in line of duty deaths specifically by developing and organizing the funeral of Joseph S. Walgo Jr.

For the month of October the Kinnelon Fire Department responded to 36 alarms. The Fire Department spent a lot of time during the storm with residents that needed help. During the storm there were over 20 members of the Kinnelon Fire Department living at the fire house around the clock. Tanker #2 is back from the repair shop and back in service. At the Company #1 Fire House during the storm a telephone pole came down and struck the building causing minor damage. Station #2 and #3 weathered the storm very well.

**PERSONNEL**

Chairman Ronald Mondello acknowledged the Mayor and Council for facing the storm and for all their help. Council Mondello also thanked the employees for all their help and the volunteer. These volunteer left their houses and families in the storm to help others that needed help and ask for nothing in return. There is no greater definition of love than this.

Chairman Ronald Mondello mentioned that the Borough Union Contract is on hold.

Councilman Mondello mentioned a law firm in Somerville started a class action law suit against JCP&L. Councilman Mondello would like to in the future speak with the Mayor and Council on some kind of penalties on utility companies that put dollars before their customers in a crisis.

**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.

Mayor Collins thanked Barbara Owen, Director of Kinnelon Library again for all that she did during the hurricane.

**PAYMENT OF BILLS AS SUBMITTED BY THE TREASURER**

A motion was offered by Councilman Daniel O'Dougherty and seconded by Councilman Andrew San Filippo for the payment of bills dated November 15, 2012.

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

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Range of Checking Accts: First to Last      Range of Check Dates: 10/19/12 to 11/15/12  
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 Num
GENERAL		General Account Payab			
9170	10/23/12	MAD03 LAW OFFICE OF MARK D. MADAIO	3,000.00		4382
9171	10/24/12	DRA03 DRAEGER SAFETY DIAGNOSTICS INC	166.00		4383
9172	11/02/12	SMI02 SMILE MAKERS	276.58		4384
9173	11/09/12	GET01 PACH ENERGY/GETTY	534.18		4385
9174	11/15/12	ACC04 ACC BUSINESS	347.30		4386
9175	11/15/12	ACT04 ACTION DATA SERVICES	667.45		4386
9176	11/15/12	AFA01 A.F.A. TEAM SPORTS	4,986.90		4386
9177	11/15/12	ATR03 AIR GROUP	240.00		4386
9178	11/15/12	ALL04 ALLIED OIL COMPANY	5,932.15		4386
9179	11/15/12	AME16 AMERICAN HOSE & HYDRAULIC CO.	25.00		4386
9180	11/15/12	ANJ01 ANJEC	220.00		4386
9181	11/15/12	BAR21 BARTLETT TREE EXPERTS	408.00		4386
9182	11/15/12	BOR BOROUGH OF BUTLER	56,202.50		4386
9183	11/15/12	BOR02 BOROUGH OF KINNELON	55.50		4386
9184	11/15/12	BR01 B&R UNIFORMS	800.00		4386
9185	11/15/12	BRA05 Braen Supply, Inc	535.50		4386
9186	11/15/12	BSN01 BSN SPORTS	265.64		4386
9187	11/15/12	BUR02 CHRISTOPHER BURNS	37.04		4386
9188	11/15/12	BUS01 BUSINESS GRAPHICS	572.00		4386
9189	11/15/12	CAB01 CABLEVISION	275.37		4386
9190	11/15/12	CIP01 KATHLEEN A. CIPOLETTI	41.00		4386
9191	11/15/12	CIT04 CITIMORTGAGE, INC.	1,334.13		4386
9192	11/15/12	COO03 COOPERATIVE COMMUNICATIONS INC	2,334.40		4386
9193	11/15/12	CRE04 CREST FUEL OIL CO.	3,148.99		4386
9194	11/15/12	DAN08 DANA M D'ANGELO	750.00		4386
9195	11/15/12	DAR01 DARMOFALSKI ENGINEERING ASSOC.	1,422.00		4386
9196	11/15/12	DAV04 DAVID WEBER OIL	492.90		4386
9197	11/15/12	DEB03 DE BLOCK ENVIRONMENTAL SERVICE	6,938.34		4386
9198	11/15/12	DEL08 DELTA DENTAL OF NEW JERSEY INC	3,924.64		4386
9199	11/15/12	DEL16 DE LAGE LANDEN	392.18		4386
9200	11/15/12	DMC01 DMC ASSOCIATES INC.	875.00		4386
9201	11/15/12	DOC01 DOCUMENT CONCEPTS	325.50		4386
9202	11/15/12	EFI01 EFINGER SPORTING GOODS	242.10		4386
9203	11/15/12	EJG01 EJG SPORTS	1,402.00		4386
9204	11/15/12	FAL03 FALCON AUTO PARTS INC	51.98		4386
9205	11/15/12	FAY01 FAYSON LAKES WATER COMPANY	11,389.31		4386
9206	11/15/12	FID01 JOSEPH FIDUCCIA	40.92		4386
9207	11/15/12	FOR04 FORD MOTOR CREDIT COMPANY	1,495.85		4386
9208	11/15/12	FOR07 FORD MOTOR CREDIT	14,926.28		4386
9209	11/15/12	GAR01 GARDEN STATE HIGHWAY PROD., INC	1,953.55		4386
9210	11/15/12	GET01 PACH ENERGY/GETTY	502.30		4386
9211	11/15/12	HOM02 HOME DEPOT CREDIT SERVICE	100.30		4386
9212	11/15/12	JEN01 JENSON & MITCHELL INC.	1,788.14		4386
9213	11/15/12	JER03 JERSEY PAPER PLUS	644.08		4386
9214	11/15/12	JIM01 JIMMY THE SHOE DOCTOR	319.95		4386
9215	11/15/12	KIN08 KINNELON VOLUNTEER FIRE CO.	2,000.00		4386
9216	11/15/12	KIN09 KINNELON BOARD OF EDUCATION	2,831,532.25		4386
9217	11/15/12	LOE01 LOEFFELS WASTE OIL SERVICE	61.00		4386
9218	11/15/12	MAD03 LAW OFFICE OF MARK D. MADAIO	3,000.00		4386

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
GENERAL General Account Account Payab Continued					
9219	11/15/12	MCI02 MCI COMM SERVICE	12.84		4386
9220	11/15/12	MOL05 DONNA MOLLINEAUX	192.30		4386
9221	11/15/12	MOR21 MORRIS COUNTY M.U.A.	26,188.12		4386
9222	11/15/12	NAP02 JOSEPH NAPOLETANO	184.35		4386
9223	11/15/12	OXF01 OXFORD HEALTH PLANS	80,804.71		4386
9224	11/15/12	PAS07 PASSAIC CTY POLICE ACADEMY	75.00		4386
9225	11/15/12	PAU04 STEVEN PAULSON	93.00		4386
9226	11/15/12	PEE01 PEERLESS CONCRETE PRODUCTS CO.	145.00		4386
9227	11/15/12	PEI01 PEIRCE/ EAGLE EQUIPMENT	17,598.82		4386
9228	11/15/12	PEQ02 PEQUANNOCK TOWNSHIP	56,872.50		4386
9229	11/15/12	PIT06 PITNEY BOWES- RESERVE ACCOUNT	1,094.96		4386
9230	11/15/12	PK01 P&K OFFICIATING	460.00		4386
9231	11/15/12	POM01 POMPTON PLUMBING & HEATING CO,	26.02		4386
9232	11/15/12	PRI06 PRIME UNIFORM SUPPLY, INC	360.20		4386
9233	11/15/12	PSE01 P.S.E. & G.	213.98		4386
9234	11/15/12	ROY01 ROYAL COMMUNICATIONS INC.	509.15		4386
9235	11/15/12	RUT08 RUTGERS YTH SPORTS RESRCH COUN	915.00		4386
9236	11/15/12	SER02 SERVICE SUPPLY LLC	7.93		4386
9237	11/15/12	SHO01 SHOTMEYER BROS. FUEL CORP.	239.00		4386
9238	11/15/12	SMO01 SMOKE RISE CLUB	1,345.19		4386
9239	11/15/12	SS01 S AND S	304.35		4386
9240	11/15/12	STA STAPLES ADVANTAGE, DEPT NY	565.27		4386
9241	11/15/12	STA03 STAR LEDGER	625.44		4386
9242	11/15/12	STA05 STATE OF NEW JERSEY PWT	32.73		4386
9243	11/15/12	STO01 STORR TRACTOR COMPANY	130.73		4386
9244	11/15/12	SUB03 SUBURBAN DISPOSAL	34,694.44		4386
9245	11/15/12	TIL01 TILCON NEW YORK INC.	978.09		4386
9246	11/15/12	TJS01 TJ'S SPORTWIDE TROPHY & AWARDS	1,772.25		4386
9247	11/15/12	TRI01 TRI-BORO FIRST AID SQUAD	25,000.00		4386
9248	11/15/12	TUR01 TURN-OUT FIRE AND SAFETY	717.85		4386
9249	11/15/12	USS01 US SPORTS INSTITUTE INC.	2,392.50		4386
9250	11/15/12	VER01 VERIZON	38.19		4386
9251	11/15/12	VFI01 VFIS BENEFITS DIVISION	618.65		4386
9252	11/15/12	VIT02 VITAL COMMUNICATIONS INC.	168.00		4386
9253	11/15/12	WIN04 WINZER CORPORATION	307.13		4386

Checking Account Totals	Paid	Void	Amount Paid	Amount Void
Checks:	84	0	3,224,659.89	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	84	0	3,224,659.89	0.00

PLANNING 2 Columbia Bank  
1585 11/15/12 DAR01 DARMOFALSKI ENGINEERING ASSOC. 1,725.00 4387

Checking Account Totals	Paid	Void	Amount Paid	Amount Void
Checks:	1	0	1,725.00	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	1	0	1,725.00	0.00

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Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
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PLANNING 2		Columbia Bank	Continued			
Report Totals			<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
		Checks:	85	0	3,226,384.89	0.00
		Direct Deposit:	0	0	0.00	0.00
		Total:	<u>85</u>	<u>0</u>	<u>3,226,384.89</u>	<u>0.00</u>

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Fund Description	Fund	Budget Total	Revenue Total
CURRENT FUND APPROPRIATIONS	2-01	3,111,875.06	0.00
WATER FUND	2-05	75,516.14	0.00
SEWER FUND	2-07	<u>4,178.82</u>	<u>0.00</u>
Year Total:		3,191,570.02	0.00
	C-04	20,187.49	0.00
STATE AND FEDERAL GRANTS	G-02	166.00	0.00
	I-14	750.00	0.00
RECREATION SPECIAL	R-16	11,553.38	0.00
	V-27	408.00	0.00
RECYCLE FUND	Y-21	25.00	0.00
Total of All Funds:		<u><u>3,224,659.89</u></u>	<u><u>0.00</u></u>

Project Description	Project No.	Project Total
90 CHAPEL HILL TERRACE	1523	115.00
325 MOUNTAIN ROAD #260136	260136	460.00
SOUTH GLEN ROAD LLC II	3000713	115.00
192 & 196 SOUTH GLENN	300158-9	690.00
39 FOX LEDGE TERRACE	827	345.00
Total of All Projects:		<u>1,725.00</u>

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

**CONSENT AGENDA:**

A motion was offered by Councilman A. San Filippo and seconded by Councilman J. Freda, the following motions and resolutions were offered for approval:

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

WHEREAS, the Council Members of the Borough of Kinnelon did desire to remove item R from the Agenda,

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

- a. Approval of September 15, 2012 Minutes
- b. RESOLUTION 11.01.12 Authorizing Special Emergency Appropriation Resulting from Hurricane Sandy (Attached) (Action taken at work session)
- c. RESOLUTION 11.02.12 Transfer of Funds (Attached) (Action taken at work session)
- d. RESOLUTION 11.03.12 Extend 4<sup>th</sup> Quarter tax payment deadline to 11/16/12 (Attached) (Action taken at workshop)
- e. RESOLUTION 11.04.12 Purchase of Police Car from Borough of Riverdale (Attached)
- f. RESOLUTION 11.05.12 To rescind Resolution 10.07.12 In Rem Foreclosure of Four Properties in the Borough of Kinnelon (Attached)
- g. RESOLUTION 11.06.12 Authorizing the In Rem Foreclosure of four Properties in the Borough of Kinnelon (Attached)
- h. RESOLUTION 11.08.12 Deferred Compensation Plan (Attached)
- i. RESOLUTION 11.09.12 B.A.N Pay down and Rollover Resolution for \$4,023,000.00 (Attached)
- j. RESOLUTION 11.10.12 Chapter 159-Druck Driving Enforcement Fund \$3,123.87 (Attached)
- k. RESOLUTION 11.11.12 Chapter 159- Recycling Tonnage Grant \$10,736.75 (Attached)
- l. RESOLUTION 11.12.12 Chapter 159- Catch Basin Cleaning (Attached)
- m. Raffle License KB-Pearl Miller School

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RESOLUTION 11.01.12

A RESOLUTION AUTHORIZING SPECIAL EMERGENCY APPROPRIATION  
RESULTING FROM HURRICANE SANDY STORM RELATED DAMAGES

WHEREAS, it has been found necessary for the Borough of Kinnelon to make an Emergency Appropriation to meet certain extraordinary expenses incurred, or to be incurred, by Hurricane Sandy Storm Related Damage; and

WHEREAS, N.J.S. 40A:4-54, provides that it shall be lawful to make such appropriation, which appropriation issued to finance the same shall be provided for in succeeding annual budgets by the inclusion of an appropriation; and

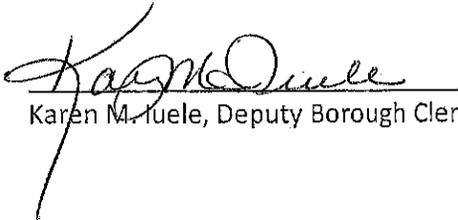
NOW, THEREFORE, BE IT RESOLVED, by the Kinnelon Mayor and Council to make an Emergency Appropriation to meet certain extraordinary expense incurred or to be incurred, by Hurricane Sandy Storm Related Damages.

Dated: 11/08/12

\_\_\_\_\_  
Robert W. Collins, Mayor

I, Karen M. Iuele, hereby certify the foregoing to be a true copy of a resolution adopted by the Mayor and Council of the Borough of Kinnelon, held on November 8, 2012.

Dated: 11/08/12

  
\_\_\_\_\_  
Karen M. Iuele, Deputy Borough Clerk

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

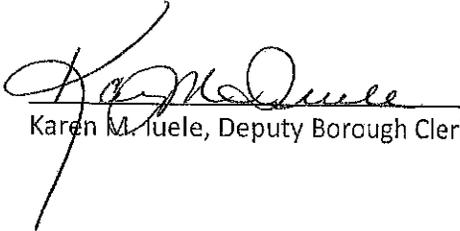
- Administration O/E
- Clerk O/E
- Legal O/E
- Gasoline
- Condo Act

NOW, THEREFORE, BE IT RESOLVED, not less than two-third of all the members thereof affirmatively concurring that in accordance with the provisions of R.S. 40A:4-58, part of the surplus in the accounts heretofore mentioned be and same hereby transferred to the account being insufficient to meet the current demands: and

BE IT FURTHER RESOLVED that the Treasurer be herby authorized and directed to make the following transfers:

From:	
Tax Collection Salary & Wages	\$8,000.00
Tax Assessment Salary & Wages	\$1,000.00
Tax Assessment O/E	\$2,000.00
Planning Board O/E	\$3,500.00
Health Insurance	\$20,000.00
Municipal Court O/E	\$2,000.00
Total	\$36,500.00
To:	
Administration O/E	\$5,500.00
Clerk O/E	\$2,000.00
Legal O/E	\$4,000.00
Gasoline	\$5,000.00
Condo Act	\$20,000.00
Total	\$36,500.00

Dated: 11/08/12

  
 Karen M. Iuele, Deputy Borough Clerk

RESOLUTION 11.03.12

BE IT RESOLVED, by the Mayor and Council of the Borough of Kinnelon, Kinnelon, New Jersey, that due to Hurricane Sandy, 4<sup>th</sup> Quarter tax payments have been extended to November 16<sup>th</sup>.

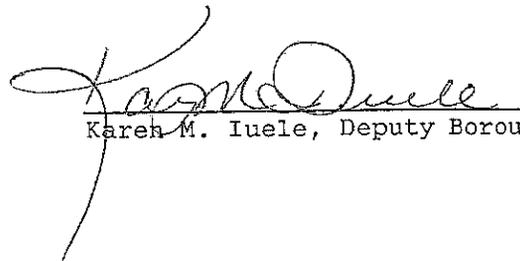
BE IT FURTHER RESOLVED, by the Mayor and Council that tax payments are extended beyond the original due date of November 1<sup>st</sup> to November 16<sup>th</sup>.

APPROVED BY MAYOR AND COUNCIL: November 8, 2012

Submitted by:

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

Dated: November 8, 2012

  
Karen M. Iuele, Deputy Borough Clerk

RESOLUTION 11. *A*.12

AUTHORIZING THE PURCHASE OF USED  
POLICE VEHICLE FROM BLOOMINGDALE

WHEREAS, the Borough of Kinnelon, Mayor and Council wish to purchase a police vehicle from the Borough of Bloomingdale; and

WHEREAS, the Borough of Kinnelon has authorized payment in the amount of \$6,000.00.

NOW, THEREFORE, BE IT RESOLVED by the Kinnelon Mayor and Council, that the CFO is authorized the payment in the amount of \$6,000.00 to the Borough of Bloomingdale for the used police vehicle.

Dated: 11/8/12

  
\_\_\_\_\_  
Karen M. Juele, Deputy Borough Clerk

RESOLUTION 11.05 .12

A RESOLUTION AUTHORIZING  
THE MAYOR AND COUNCIL TO  
RESCIND RESOLUTION 10.07.12  
FORECLOSURE OF PROPERTIES IN  
THE BOROUGH OF KINNELON

WHEREAS, the Kinnelon Mayor and Council wish to rescind Resolution 10.07.12, In Rem Foreclosure of four Properties in the Borough of Kinnelon; and

WHEREAS, the Mayor and Council of the Borough of Kinnelon wish to replace this resolution with 11.06.12 "In Rem Foreclosure of Four Properties in the Borough of Kinnelon; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Kinnelon Resolution 11.06.12 will replace Resolution 10.07.12.

Dated: 11/8/12

  
Karen M. Juele, Deputy Borough Clerk

RESOLUTION 11.06.12

AUTHORIZING THE FOURCLOSURES  
OF FOUR PROPERTIES IN THE  
BOROUGH OF KINNELON

WHEREAS, the Mayor and Council desire to undertake the In Rem foreclosure of four properties in the Borough of Kinnelon; and

WHEREAS, said properties are set forth herein below and are contained on the certified "Tax Foreclosure List" which is attached here to and made part hereof :

*Schedule Number (1)*

*Certificate Number (80-6)*

*Name of Owner as it appears on last Tax Duplicate* Parkin Realty Corp % G Bastamov

*Description of land as it appears on Tax Duplicate and Certificate of Sale* Block 3 Lot 23

*Date of Tax Sale* 9/21/80

*Amount of Tax Sale* \$169.25

*Amount to Redeem* \$234,160.92

*Date of Recording* 9/23/2011 in Book 1742 Page 666

*Schedule Number (3)*

*Certificate Number (80-18)*

*Name of Owner as it appears on last Tax Duplicate* Louis J & Laura Basenese

*Description of land as it appears on Tax Duplicate and Certificate of Sale* Block 10 Lot 2

*Date of Tax Sale* 9/12/80

*Amount of Tax Sale* \$111.09

*Amount to Redeem* \$231,408.39

*Date of Recording* 9/23/80 in Book 1742 Page690

*Schedule Number (11)*

*Certificate Number (80-37)*

*Name of Owner as it appears on last Tax Duplicate* Parkin Realty Corp % G Bastamov,

*Description of land as it appears on Tax Duplicate and Certificate of Sale* Block 26 Lot 97

*Date of Tax Sale* 9/12/80

*Amount of Tax Sale* 330.00

*Amount to Redeem* \$269,986.,

*Date of Recording* 9/23/80 in Book 1742 Page 728

*Schedule Number (12)*

*Certificate Number (80-39)*

*Name of Owner as it appears on last Tax Duplicate Parkin Realty Corp % G Bastamov*

*Description of land as it appears on Tax Duplicate and Certificate of Sale Block 26 Lot 115.36*

*Date of Tax Sale 9/12/80*

*Amount of Tax Sale \$173.87*

*Amount to Redeem \$252,938.04*

*Date of Recording 9/23/8 in Book 1742 Page 732*

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Kinnelon that the four properties listed above and set forth on the attached certified Tax Foreclosure List are approved by the Mayor and Council to be foreclosed by In Rem Foreclosure.

Dated: November 15, 2012

  
Karen M. Iuele, Deputy Borough Clerk

IN REM FORECLOSURE LIST

Schedule Number	Certificate Number	Name of Owner as it appears on last Tax Duplicate	Description of land as it appears on Tax Duplicate and Certificate of Sale		Date of Tax Sale	Amount of Tax Sale
			Block	Lot		
1	80-6	Parkin Realty Corp % G Bastamov	3	23	9/12/1980	\$ 169.25
3	80-18	Lous J & Laura Basenese	10	21	9/12/1980	\$ 111.09
11	80-37	Parkin Realty Corp % G Bastamov	26	97	9/12/1980	\$ 330.00
12	80-39	Parkin Realty Corp % G Bastamov	26	115.3	9/12/1980	\$ 173.87

The In Rem Foreclosure list has been certified by Lisa A. Kimkowski, Tax Collector, Borough of Kinnelon on the 15th day of Nov

  
 Lisa A. Kimkowski, C.T.C.

November 15, 2012

RESOLUTION 11.07.12

SALARY RESOLUTION FOR  
ELIZABETH M. SEBROWSKI  
BOROUGH CLERK

BE IT RESOLVED by the Kinnelon Mayor and Council that the following salary for the hereinafter listed official position of employment for the year 2012 shall be as follows:

DEPARTMENT

SALARY

Borough Clerk  
Elizabeth M. Sebrowski

\$80,243.00

Dated 11/15/12

  
Karen M. Iuele, Deputy Borough Clerk

RESOLUTION 11.08.12

DEFERRED COMPENSATION PLAN

WHEREAS, in order to attract and retain qualified employees there exists a need to adopt and implement a DEFERRED COMPENSATION PLAN for the employees of the Borough of Kinnelon (hereinafter referred to as "Employer"), which will provide employees the opportunity to enhance their financial security at retirement through savings of compensation on a deferred basis as provided by Section 457 of the Internal Revenue Code of 1986, as amended ("Code"); and

WHEREAS, in 2012 the Employer adopted a DEFERRED COMPENSATION PLAN provided by AXA-Equitable and assigned the plan identifier (66-PD- Equitable-053107) Borough of Kinnelon by the Division of Local Government Services; and

WHEREAS, the offering of additional investments from another contractor will provide additional retirement investment options to participating employees; and

WHEREAS, there is no direct financial cost to the Employer to adopt and implement an additional employee deferred compensation plan and

WHEREAS, the Employer solicited written proposals from two or more contractors for a Deferred Compensation Plan that meet the requirements of the Municipal, County and Authority Deferred Compensation Programs Rule N.J.A.C. 5:37; including AXA Equitable and ING

WHEREAS, the following contractors submitted written proposals:  
AXA Equitable Life Insurance Company (hereinafter referred to as "AXA Equitable) and ING  
and

WHEREAS, the Borough of Kinnelon reviewed the proposals and met with representatives of the responding contractors of deferred compensation services; and

WHEREAS, it was deemed that AXA Equitable has the ability to: (1) maintain complete records of accounts; (2) manage accounts with absolute fidelity; (3) provide advice concerning various categories of investments; and (4) provide continuing consultation to participants.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Kinnelon that the CFO is hereby authorized to execute the Service Agreement (bearing the identifier: 66-SA-Equitable-053107 assigned by the New Jersey Division of Local Government) with AXA Equitable for the provision of administrative and investment services.

BE IT FURTHER RESOLVED that the CFO is hereby designated as Local Plan Administrator for the administration of the DEFERRED COMPENSATION PLAN.

BE IT FURTHER RESOLVED that there has been no collusion, or evidence or appearance of collusion, between any local official and a representative of AXA Equitable in the selection of AXA Equitable as contractor for the administration of the Service Agreement pursuant to N.J.A.C. Section 5:37-5.7.

BE IT FURTHER RESOLVED that the Borough of Kinnelon is adopting a deferred compensation plan substantially similar to one on which a favorable Private Letter Ruling has been previously obtained from the federal Internal Revenue Service except for provision added by reason of The Small Business Job Protection Act 1996 (United State Public Law no.104-188), the Tax Payer Relief Act 2001 (United States public law no.105-34) and the Economic Growth and Tax Relief Reconciliation Act 2001 (United states public law no.107-16) , and all such provisions are stated in the plan in terms substantially similar to the text of those provisions in the Internal Revenue code section 457. The use of the Ruling is for guidance only and acknowledges that for Internal Revenue Service purposes, the Ruling of another employer is not to be considered precedent.

BE IT FURTHER RESOLVED that a certified copy of this resolution and all necessary required documents shall be submitted to the Director of the Division of Local Government Services within the State Department of Community Affairs for approval.

ROLL CALL VOTE:

Ayes: *All in favor*  
Nays: *None*  
Abstain: *None*  
Absent: *None*

I hereby certify the foregoing to be a true copy  
of a resolution adopted by the  
Council of the Borough of Kinnelon  
at a meeting held on November 15

  
Karen Iuele  
deputy borough clerk

**EXTRACT** from the minutes of a regular meeting of the Borough Council of the Borough of Kinnelon, in the County of Morris, New Jersey, held at the Municipal Building, 130 Kinnelon Road, Kinnelon, New Jersey, on November 15, 2012, at 8:00 o'clock P.M.

**PRESENT:** J. Freda                      S. Cobell  
                  D. O'Dougherty                      A. San Filippo  
                  G. Moleta                                R. Mandello

**ABSENT:**

S. Cobell introduced and moved the adoption of the following resolution and G. Moleta seconded the motion:

**RESOLUTION AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$4,023,000 BOND ANTICIPATION NOTES OF THE BOROUGH OF KINNELON, IN THE COUNTY OF MORRIS, NEW JERSEY.**

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

Section 1. Pursuant to a bond ordinance of the Borough of Kinnelon, in the County of Morris (herein called "local unit") entitled: "Bond ordinance making a further supplemental appropriation of \$100,000 for the construction of recreational facilities in and by the Borough heretofore authorized to be undertaken by the Borough of Kinnelon, in the County of Morris, New Jersey, and authorizing the issuance of \$95,000 bonds or notes of the Borough for financing such supplemental appropriation", finally adopted on July 21, 2005 (#18-05), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$43,445 shall be issued purpose for the purpose of temporarily financing the improvements or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 2. Pursuant to a bond ordinance of the local unit entitled: "Bond ordinance making a supplemental appropriation of \$35,000 for the improvement of Forestdale Road and Eric Drive in and by the Borough heretofore authorized to be undertaken by the Borough of Kinnelon, in the County of Morris, New Jersey, and authorizing the issuance of \$33,300 bonds or notes of the Borough for financing such supplemental appropriation", finally adopted on February 16, 2006 (#3-06), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$27,745 shall be issued ~~purpose~~ for the purpose of temporarily financing the improvements or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 3. Pursuant to a bond ordinance of the local unit entitled: "Bond ordinance providing for the improvement of Kiel Avenue in and by the Borough of Kinnelon, in the County of Morris, New Jersey, appropriating \$880,000 therefor and authorizing the issuance of \$858,000 bonds or notes of the Borough for financing such appropriation and repealing two bond ordinances of the Borough heretofore adopted on April 15, 2004 (#8-04) and February 16, 2006 (#2-06)", finally adopted on June 14, 2007 (#4-07), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$379,845 shall be issued purpose for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 4. Pursuant to a bond ordinance of the local unit entitled: "Bond ordinance appropriating \$810,000, and authorizing the issuance of \$778,900 bonds or notes of the Borough for various improvements or purposes authorized to be undertaken by the Borough of Kinnelon, in the County of Morris, New Jersey", finally adopted on May 17, 2007 (#10-07A),

Bond Anticipation Notes of the local unit in a principal amount not exceeding \$509,430 shall be issued purpose for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 5. Pursuant to a bond ordinance of the local unit entitled: "Bond ordinance providing for various improvements to the water supply and distribution system in and by the Borough of Kinnelon, in the County of Morris, New Jersey, appropriating \$440,000 therefor and authorizing the issuance of \$390,000 bonds or notes of the Borough for financing such appropriation", finally adopted on May 17, 2007 (#11-07), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$361,030 shall be issued purpose for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 6. Pursuant to a bond ordinance of the local unit entitled: "Bond ordinance appropriating \$902,000, and authorizing the issuance of \$856,900 bonds or notes of the Borough for various improvements or purposes authorized to be undertaken by the Borough of Kinnelon, in the County of Morris, New Jersey", finally adopted on June 19, 2008 (#9-08), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$498,700 shall be issued purpose for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 7. Pursuant to a bond ordinance of the local unit entitled: "Bond ordinance providing for the acquisition of new and additional vehicular equipment for use by the

water utility of the Borough of Kinnelon, in the County of Morris, New Jersey, appropriating \$55,000 therefor and authorizing the issuance of \$55,000 bond or notes of the Borough for financing such appropriation”, finally adopted on June 19, 2008 (#10-08), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$49,100 shall be issued purpose for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 8. Pursuant to a bond ordinance of the local unit entitled: “Bond ordinance providing for the acquisition of new and additional communication equipment by the Borough of Kinnelon, in the County of Morris, New Jersey, appropriating \$75,000 therefor and authorizing the issuance of \$71,400 bonds or notes of the Borough for financing such appropriation”, finally adopted on February 16, 2006 (#01-06), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$67,640 shall be issued purpose for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 9. Pursuant to a bond ordinance of the local unit entitled: “Bond ordinance appropriating \$443,000, and authorizing the issuance of \$420,850 bonds or notes of the Borough for various improvements or purposes authorized to be undertaken by the Borough of Kinnelon, in the County of Morris, New Jersey”, finally adopted on August 20, 2009 (#10-09), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$142,730 shall be issued purpose for the purpose of temporarily financing the improvement or purpose

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

Section 10. Pursuant to a bond ordinance of the local unit entitled: "Bond ordinance making a supplemental appropriation of \$540,000 for the improvement of Kiel Avenue (Phase IV) in and by the Borough heretofore authorized to be undertaken by the Borough of Kinnelon, in the County of Morris, New Jersey, and authorizing the issuance of \$513,000 bonds or notes of the Borough for financing such supplemental appropriation", finally adopted on August 20, 2009 (#11-09), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$94,735 shall be issued purpose for the purpose of temporarily financing the improvements or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 11. Pursuant to a bond ordinance of the local unit entitled: "Bond ordinance providing for the improvement of Brookvalley Road in and by the Borough of Kinnelon, in the County of Morris, New Jersey, appropriating \$540,000 therefor and authorizing the issuance of \$527,000 bonds or notes of the Borough for financing such appropriation", finally adopted on April 15, 2010 (#6-10), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$252,000 shall be issued purpose for the purpose of temporarily financing the improvements or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 12. Pursuant to a bond ordinance of the local unit entitled: "Bond ordinance providing for the construction of a new firehouse in and by the Borough of Kinnelon, in the County of Morris, New Jersey, appropriating \$900,000 therefor and authorizing the issuance of \$857,000 bonds or notes of the Borough for financing such appropriation", finally

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

Section 13. Pursuant to a bond ordinance of the local unit entitled: "Bond ordinance appropriating \$540,000, and authorizing the issuance of \$513,000 bonds or notes of the Borough, for various improvements or purposes authorized to be undertaken by the Borough of Kinnelon, in the County of Morris, New Jersey", finally adopted on September 16, 2010 (#12-10), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$406,600 shall be issued purpose for the purpose of temporarily financing the improvements or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 14. Pursuant to a bond ordinance of the local unit entitled: "Bond ordinance making a supplemental appropriation of \$350,000 for the construction of a new firehouse in and by the Borough heretofore authorized to be undertaken by the Borough of Kinnelon, in the County of Morris, New Jersey, and authorizing the issuance of \$333,000 bonds or notes of the Borough for financing such supplemental appropriation", finally adopted on October 20, 2011 (#15-11), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$333,000 shall be issued purpose for the purpose of temporarily financing the improvements or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor.

Section 15. Pursuant to the provisions of Section 40A:2-26 of the Local Bond Law of New Jersey, particularly paragraph (f) thereof and in lieu of the sale of more than one

issue of bonds as provided for in said Local Bond Law, the several issues of bonds of this local unit authorized pursuant to bond ordinances of the local unit hereinabove in Sections 1 to 14 described, shall be combined into a single and combined issue of bonds in the principal amount of \$4,023,000.

(a) All notes issued hereunder shall mature at such times as may be determined by the chief financial officer of the local unit, provided that no note shall mature later than (i) one year from the date of the first note issued hereunder and (ii) three years from the date of the first note issued pursuant to the bond ordinances referred to in Section 1 to 14 hereof, unless the local unit shall have paid and retired amounts of such notes sufficient to allow it, in accordance with provisions of Section 40A:2-8 of the Local Bond Law, to renew a portion thereof beyond the third anniversary date of the first of such notes;

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

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

Section 16. The chief financial officer of the local unit is hereby authorized and directed to determine all matters in connection with said notes not determined by this or a subsequent resolution, and the chief financial officer's signature upon said notes shall be conclusive as to such determinations.

Section 17. The chief financial officer of the local unit is hereby authorized to sell said Bond Anticipation Notes from time to time at public or private sale in such amounts as the chief financial officer may determine at not less than par and to deliver the same from time to time to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof and payment therefor.

Section 18. Any instrument issued pursuant to this resolution shall be a general obligation of the local unit, and the local unit's faith and credit are hereby pledged to the punctual payment of the principal of and interest on said obligations and, unless otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget and a tax sufficient to provide for the payment thereof shall be levied and collected.

Section 19. The chief financial officer of the local unit is authorized and directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of notes pursuant to this resolution is made, such report to include the amount, description, interest rate and maturity of the notes sold, the price obtained and the name of the purchaser.

Section 20. The chief financial officer of the local unit is hereby authorized and directed to do all other matters necessary, useful, convenient or desirable to accomplish the delivery of said notes to the purchasers thereof as promptly as possible, including (i) the preparation, execution and dissemination of a Preliminary Official Statement and Final Official Statement with respect to said notes, (ii) preparation, distribution and publication, if necessary, of a Notice of Sale with respect to said notes, (iii) execution of a Continuing Disclosure Undertaking, with respect to said notes in accordance with Rule 15c2-12 promulgated by the Securities and Exchange Commission and (iv) execution of an arbitrage and use of proceeds

certificate certifying that, among other things, the local unit, to the extent it is empowered and allowed under applicable law, will do and perform all acts and things necessary or desirable to assure that interest paid on said notes is not included in gross income under Section 103 of the Internal Revenue Code of 1986, as amended.

Section 21. All action heretofore taken by Borough officials and professionals with regard to the sale and award of said notes is hereby ratified, confirmed, adopted and approved.

Section 22. This resolution shall take effect immediately.

Upon motion of S. Cobell, seconded by G. Moheta,

the foregoing resolution was adopted by the following vote:

AYES: All in favor

NOES: NONE

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

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

SECTION 1.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Kinnelon hereby requests the Director of the Division of Local Government Service to approve the insertion of an item of revenue in the budget year 2012, which item is now available as a revenue from

MISCELLANEOUS REVENUES

State and Federal Revenues Offset with appropriations:

State of New Jersey	
Drunk Driving Enforcement Funds	\$3,123.87

SECTION 2.

BE IT FURTHER RESOLVED that a like sum of \$3,123.87 be and the same is hereby appropriated to General Appropriations.

Excluded from the Cap and under the caption:

General Appropriations

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

State of New Jersey	
Drunk Driving Enforcement Funds	\$3,123.87

SECTION 3.

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

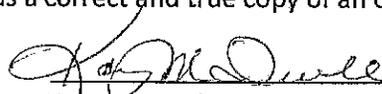
CERTIFIED to be a true copy of a resolution which was finally adopted by the Kinnelon Mayor and Council at a regular meeting held on November 15, 2012.

Resolution No. 11.10.12  
Offered by: A. Sav Filippo

Seconded by: S. Cobell

Adopted November 15, 2012 and certified as a correct and true copy of an original.

DATED: November 15, 2012

  
 Karen M. Luele  
 Deputy Borough Clerk



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

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

SECTION 1.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Kinnelon hereby requests the Director of the Division of Local Government Service to approve the insertion of an item of revenue in the budget year 2012, which item is now available as a revenue from

MISCELLANEOUS REVENUES

State and Federal Revenues Offset with appropriations:

State of New Jersey  
SOLID WASTE 2010 RECYCLING TONNAGE GRANT FUNDS           \$10,736.75

SECTION 2.

BE IT FURTHER RESOLVED that a like sum of \$10,736.75 be and the same is hereby appropriated to General Appropriations.

Excluded from the Cap and under the caption:

General Appropriations

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

State of New Jersey  
SOLID WASTE 2010 RECYCLING TONNAGE GRANT FUNDS           \$10,736.75

SECTION 3.

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

CERTIFIED to be a true copy of a resolution which was finally adopted by the Kinnelon Mayor and Council at a regular meeting held on November 15, 2012.

Resolution No. 11.11.12  
Offered by: A. Saw Filippo

Seconded by: S. Cobell

Adopted November 15, 2012 and certified as a correct and true copy of an original.

DATED: November 15, 2012

  
Karen M. Iuele  
Deputy Borough Clerk



RESOLUTION 11.12.12

CHAPTER 159 TO ADD  
CATCH BASIN CLEANING  
TO THE 2012 MUNICIPAL BUDGET

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

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

SECTION 1.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Kinnelon hereby requests the Director of the Division of Local Government Service to approve the insertion of an item of revenue in the budget year 2012 which item is now available as a revenue from

MISCELLANEOUS REVENUES

State and Federal Revenues Offset with appropriations:

Catch Basin Cleaning \$6,400.00

SECTION 2.

BE IT FURTHER RESOLVED that a like sum of \$6,400.00 be and the same is hereby appropriated to general Appropriations.

Excluded from the Cap and under the caption:

General Appropriations

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

Catch Basin Cleaning \$6,400.00

SECTION 3.

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

CERTIFIED to be a true copy of a resolution which was finally adopted by the Mayor and Council at a regular meeting held on November 15, 2012.

Resolution No. 11.12.12  
Offered by: A. SAN FILIPPO

Seconded by: S. Cobell

Adopted November 15 2012 and certified as a correct and true copy of an original.

DATED:

  
Karen M. Luele,  
Deputy Borough Clerk

INTERLOCAL SERVICES AGREEMENT BETWEEN THE  
BOROUGH OF KINNELON AND THE TOWNSHIP OF BOONTON  
WITH RESPECT TO USE OF A VACUUM TRUCK

THIS AGREEMENT made this 11 day of June 2012 by and between the:

**BOROUGH OF KINNELON**

A Municipal Corporation of the  
State of New Jersey, with offices located at  
Municipal Building  
130 Kinnelon Road  
Kinnelon, New Jersey 07405

(Hereinafter "Kinnelon")

and

**TOWNSHIP OF BOONTON**

A Municipal Corporation of the  
State of New Jersey, with offices located at  
Municipal Building  
155 Powerville Road  
Boonton, New Jersey 07005-8730

(Hereinafter "Boonton")

**WITNESSETH:**

**WHEREAS**, the governing body of a municipality may enter into a contract with another municipality for the joint provisions within their jurisdictions of any service which either municipality is empowered to render within its own jurisdiction pursuant to N.J.S.A. 40:8A-1, et seq. known as the Interlocal Services Act; and

**WHEREAS**, Boonton Township has a need for certain services, including, limited storm sewer cleaning services; and

**WHEREAS**, the Borough of Kinnelon has the ability to provide such services to Boonton Township.

**NOW, THEREFORE, IN CONSIDERATION OF** the mutual covenants, promises and consideration recited herein, the parties agree as follows:

1. Services Provided. The Borough of Kinnelon agrees to provide Boonton Township with a vacuum truck and operator for the purpose of cleaning Boonton Township's storm sewers in accordance with a schedule to be agreed upon by the parties.

2. Cost of Services. Sewer Cleaning services: Boonton Township shall pay for the use of Kinnelon's Sewer Vactor, and one (1) operator, as follows:

One driver - \$30 per hour, beginning when he begins his shift in Kinnelon and ending when he returns to Kinnelon

Truck - \$50 per hour, in addition to the driver's rate for all hours billed by the driver.

Boonton Township agrees to make payment to Kinnelon at the above stated rate for services rendered. Payment shall be made after the next regular Boonton Township Committee meeting where the payment of said bills may be approved.

Boonton Township shall supply one laborer to use with the Kinnelon Sewer Vactor Truck and its driver at all times during the performance of this Agreement. Kinnelon is not obligated to perform services any day when such laborers can not be provided.

3. Indemnification and Insurance. The Borough of Kinnelon agrees to indemnify and save harmless Boonton Township, its officers, employees and agents, and each and every one of them, against and from all claims, suits, costs, expenses, fees (including legal fees), and from all damages of every kind and description by reason of the injury or death of any person or persons or by reason of the negligent acts, errors or omissions of Kinnelon, its officers, agents or employees while engaged in the performance of this Agreement.

The Borough of Kinnelon shall furnish Boonton Township with a Certificate of Insurance which shall name Boonton Township as an additional insured and shall clearly show that insurance coverage with at least the following limits of liability will be in effect for the duration of this Agreement.

General Liability: \$1,000,000 per occurrence combined single limit for bodily injury and property damage.

Auto: \$1,000,000 per occurrence combined single limit for bodily injury and property damage.

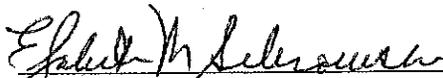
Workman's Compensation: Statutory coverage including employer's liability limits of \$500,000.

Boonton Township shall continue to maintain Workman's Compensation Insurance which shall continue to cover the Boonton laborer for all work rendered in connection with this Agreement.

4. Appropriation of Funds. This Agreement is subject to the availability, appropriation and certification of sufficient funds as may be required to meet the extended obligation in subsequent years, and this Agreement may be cancelled if sufficient funds are not available, appropriated or certified by Boonton Township.
5. Term. The term of this Agreement shall be one (1) year, provided, however, that it shall be automatically renewed for six (6) additional and successive one (1) year terms, unless and until one of the parties elects to terminate the Agreement or modify its terms by providing sixty (60) days prior written notice to the other party before the end of the calendar year.
6. Authorization. Each party agrees to authorize this Agreement by Resolution and furnish the other party with a copy of same.
7. Binding Effect. This Agreement is binding on the heirs, successors and assigns of the parties.

**IN WITNESS WHEREOF**, the parties have caused these presents to be signed by their corporate officers and their proper corporate seals to be affixed hereto the day and year as indicated in the acknowledgments attached hereto and made a part hereof.

ATTEST:

  
Elizabeth Sebrovski, Borough Clerk

BOROUGH OF KINNELON

By:   
Robert Collins, Mayor

ATTEST:

  
Barbara Shepard, Township Clerk

TOWNSHIP OF BOONTON

By:   
Michele Rankin, Mayor

WITNESS:

\_\_\_\_\_

\_\_\_\_\_



BOROUGH OF  
*Kinnelon*  
130 Kinnelon Road  
Kinnelon, New Jersey 07405

Phone: 973-838-5401  
Extension 234  
Fax: 973-838-5441

John Whitehead, CPWM, CRP  
Superintendent

---

DEPARTMENT OF PUBLIC WORKS

**To: Barbara**

**From: John Whitehead**

**Date: November 7, 2012**

**Re: Invoice for Catch Basin Cleaning**

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\$30 per hour for the driver

\$50 per hour for the truck

Week of July 23, 2012 – Mon, Tues, Wed, Thur & Fri = \$3,200.00

Week of July 30, 2012 – Mon, Tues, Wed & Thur = \$2,560.00

Week of August 9, 2012 – Mon = \$640.00

Total \$ 6,400.00

LICENSE FOR: Raffle License No. RL-738 -KB  
(Insert Bingo or Raffles)

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

Insert Name  
Of Municipality BOROUGH OF KINNELON

Insert Name of  
Licensee HSA PEARL R. MILLER SCHOOL INC

Address 117 KIEL AVENUE, KINNELON NJ, 07405

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

Kind of Game	Date	Place	During hours
50/50 Premises	12/08/2012	PRM SCHOOL 117 KIEL AVE, Kinnelon NJ	9:00aM – 1:00PM

2. The value and character of the prizes authorized to be offered and given on each date are:  
Up to \$500.00

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

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

Names	Addresses
<u>Patti Morris</u>	<u>4 Lyons Terrace, Kinnelon</u>
<u>Deanna Dugan</u>	<u>508 Pepperidge Tree La., Kinnelon NJ</u>

Issued by order of MAYOR AND COUNCIL ON November 15, 2012

(SEAL)

  
(Signature of Deputy Municipal Clerk)

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

The foregoing motions and resolutions were approved with Resolution R. removed. By the following roll-call vote:

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

Mayor Collins took under consideration Resolution 11.07.12 – Salary Resolution – Elizabeth Sebrowski Borough Clerk. This was discussed at the work session; Ms. Sebrowski is retiring at the end of the year and is applying for her pension. Mayor asked if anyone had any remarks. Councilman J. Freda mentioned that at this time the borough cannot give over a 4% raise. Councilman S. Cobell mentioned that she can go ahead and apply for her pension and adjust her finale salary later and also agreed with Councilman Freda. Councilman G. Moleta said she should get her 3% at this time since she wore many hats. Councilman A. San Filippo felt that she should be compensated for the 20 years that she devoted to this town. Councilman D. O'Dougherty said that she will be compensated when everyone else receives their raises, and can adjust her pension.

Mayor Collins called for a roll call:

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

Resolution 11.07.12 Salary Resolution Borough Clerk; No's have it and it does not move forward.

**OLD BUSINESS**

**ORDINANCE 21-12 – DISSOLVE LAKELAND REGIONAL SOLID WASTE MANAGEMENT AUTHORITY**

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

An Ordinance to Dissolve the Lakeland Regional  
Solid Waste Management Authority

This ordinance was introduced and passed on first reading at a regular meeting of the Governing Body held on October 18, 2012.

The Mayor read the following notice and ordinance in full and stated that the notice has been published as required by law, a copy was posted on the Municipal Building bulletin Board, and additional copies were made available to the public.

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**ORDINANCE NO. 2172 AN ORDINANCE TO DISSOLVE THE LAKELAND REGIONAL SOLID WASTE MANAGEMENT AUTHORITY**

**WHEREAS**, In May 1977, the municipalities of Bloomingdale, Butler, Kinnelon, Pequannock, Pompton Lakes and Ringwood joined together to form the “Lakeland Regional Solid Waste Management Authority” (hereinafter, the “Authority”); and

**WHEREAS**, Each of the member municipalities contributed to the Authority in the following percentages of the initial budgeting requirements:

Bloomingdale	13.1%	Pequannock	22.8%
Butler	12.6%	Pompton Lakes	17.7%
Kinnelon	12.9%	Ringwood	20.9%; and

**WHEREAS**, While the Authority was formed, and moved forward toward hiring professionals, it never actually operated for its intended purpose, and for over 30 years has continued to exist without taking any actions or operating in any fashion; and

**WHEREAS**, Kinnelon has control of an open bank account for the benefit of the Authority and since the Authority has never conducted any business – any will not do so in the future – Kinnelon believes that it is sensible to disband the Authority and to disburse funds back to the member municipalities in the same percentages as their original contributions; and

**WHEREAS**, Pursuant to N.J.S.A. 40:66A-64, the governing bodies which have created a solid waste management authority may dissolve the authority upon the condition that:

- “...a. the members of the authority have not been appointed, the authority by resolution duly adopted consents to such dissolution or the governing body desires to join in the creation of another authority under this or another law and
- b. the solid waste management authority has no debts or obligations outstanding or all creditors or obligees of the authority have consented to its dissolution.”

**WHEREAS**, members have not been appointed to the Authority; the Authority is not in operation; and the Authority has no debts or obligations outstanding, the adoption of parallel ordinances is the appropriate way to proceed to finalize the dissolution of the Authority.

**NOW, THEREFORE, BE IT ORDAINED** by the Governing Body of the Borough of Kinnelon, County of Morris, State of New Jersey, that the Lakeland Regional Solid Waste Management Authority be and hereby is dissolved.

Certified copies of the Dissolution Ordinances are to be filed with the Secretary of State and upon proof of such filing, the authority shall be dissolved.

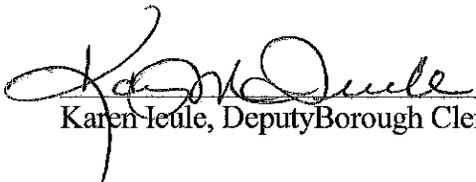
SEVERABILITY. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court or federal or state agency of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding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

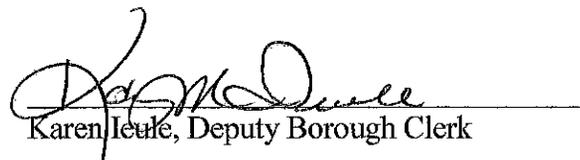
BOROUGH OF KINNELON

  
Karen Ieule, Deputy Borough Clerk

  
Robert Collins, Mayor

### CERTIFICATION

I, Karen Ieule, Deputy 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 02/18, 2012 and adopted by the Governing Body at a regular meeting of the Borough held on November 15, 2012.

  
Karen Ieule, Deputy Borough Clerk

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

Councilman D.O'Dougherty then offered the following resolution and moved its adoption. This motion was seconded by Councilman S. Cobell.

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

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

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

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

New Business

**ORDINANCE 22-12 EMERGENCY HURRICANE**

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

Thereupon, the ordinance was read by title:

An Ordinance Authorizing a special emergency  
Appropriation in the amount of \$80,000 for the Cost  
Associated with Hurricane Sandy

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ORDINANCE #22-12

ORDINANCE AUTHORIZING A SPECIAL EMERGENCY  
APPROPRIATION IN THE AMOUNT OF \$80,000 FOR THE COSTS  
ASSOCIATED WITH HURRICANE SANDY

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

Section 1. The unforeseen costs associated with Hurricane Sandy on October 29, 2012 and the aftermath that followed are hereby authorized, and a special emergency appropriation of \$80,000 is hereby authorized pursuant to the Local Budget Law (N.J.S.A. 40A:4-54).

Section 2. A copy of this ordinance as finally adopted shall be filed with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey.

Section 3. This ordinance shall take effect in accordance with applicable law.

NOTICE OF PENDING ORDINANCE AND SUMMARY

The ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the governing body of the Borough of Kinnelon in the County of Morris, State of New Jersey, on November 15, 2012. It will be further considered for final passage, after public hearing thereon, at a meeting of the governing body to be held at the Council Chambers in the Municipal Building, 130 Kinnelon Road, in the Borough on December 20, 2012 at 8:00 o'clock p.m. During the week prior to and up to and including the date of such meeting, copies of the full ordinance will be available at no cost and during regular business hours at the Clerk's office for the members of the general public who shall request the same. The summary of the terms of such ordinance follows:

Title: "Ordinance Authorizing a Special Emergency Appropriation in the Amount of \$80,000 for Hurricane Sandy storm related costs in and by the Borough of Kinnelon, in the County of Morris, New Jersey."

Purpose: The authorize the costs of Hurricane Sandy

Appropriation: \$80,000

This Notice is published pursuant to N.J.S.A. 40:49-2(a).

Karen Iuele Deputy Clerk

Record of Council Vote on Passage

COUNCILMAN	AYE	NAY	Absta in	Absent	COUNCILMAN	AYE	NAY	Absta	Absen

I hereby certify that the foregoing is a true copy of an ordinance adopted by the Governing Body of the Borough of Kinnelon at an Official Meeting held on Thursday,

\_\_\_\_\_  
 Karen Iuele  
 Deputy Municipal Clerk, Borough of Kinnelon

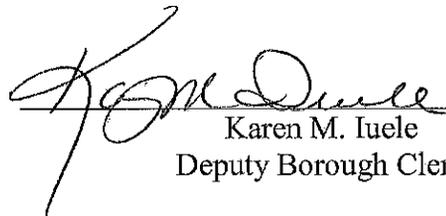
**CLERK'S CERTIFICATE**

I, **KAREN M. IUELE**, Deputy Borough Clerk of the Borough of Kinnelon, in the County of Morris, New Jersey, **HEREBY CERTIFY** that the foregoing annexed extract from the minutes of a meeting of the Borough Council of said Borough, duly called and held on November 15, 2012, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Borough, and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

I **FURTHER CERTIFY** that the original of each resolution referred to in said extract was after its adoption and in due form and time submitted by me for approval to the Mayor of said Borough, who thereafter duly approved the same and, on November 15, 2012, affixed his signature thereto in token of such approval.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the corporate seal of said Borough this 15th day of November, 2012.

(SEAL)

  
\_\_\_\_\_  
Karen M. Iuele  
Deputy Borough Clerk

November 15, 2012

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

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

WHEREAS, the above ordinance was introduced at this meeting held on November 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 December 20, 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 S. Cobell then offered a motion to adopt the foregoing resolution. This motion was seconded by Councilman J. Freda.

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	A. San Filippo, Yes
	G. Moleta, Yes:	R. Mondello, Yes.

### **DISTRICT SCHOOL**

On motion of Councilman S. Cobell, and seconded by Councilman A. San Filippo, followed by the "yes" roll call vote of all Council Members present the payment of \$2,831,532.25.00 to the District School when funds become available was approved for payment.

### **TAX COLLECTOR'S REPORT**

During the month of October, 2012 the Tax Collector's Report indicates we collected \$1,698,565.65 in taxes.

### **INVESTMENT OFFICER'S REPORT**

A total of \$711.65 was collected in interest for the month of October 2012.

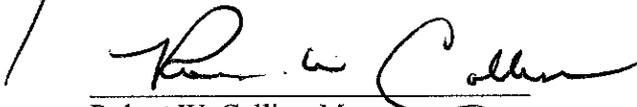
November 15, 2012

ADJOURNMENT

This meeting adjourned at approximately 8:50 p.m. on motion by Councilman J. Freda and seconded by Councilman G. Moleta with the unanimous affirmative voice vote of all present.

Respectfully submitted,

  
\_\_\_\_\_  
Karen M. Iuele, Deputy Borough Clerk

  
\_\_\_\_\_  
Robert W. Collins, Mayor

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