

October 20, 2016

Proclamation
Horning Boy Scout Troop 277

WHEREAS, the Mayor and Council of the Borough of Kinnelon wishes to Honor Kinnelon Boy Scout Troop 277; and

WHEREAS, Troop 277 has requested a blue line be painted in the center of the County Road in front of the Municipal Building to show support for our Kinnelon Police Officers and other fellow Police Officers; and

WHEREAS, Kinnelon Troop 277 has shown strength and positive leadership within our community; and

WHEREAS, the Borough of Kinnelon is very proud of the community services, commitment and dedication that Troop 277 has shown the Kinnelon Residents.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Kinnelon on this 20th day of October 2016, Honor Kinnelon Troop 277 for all their community services, commitment and dedication.



Mayor, Robert W. Collins

Kinnelon Police Department

October 20, 2016

130 Kinnelon Road, Kinnelon, New Jersey 07405
973-838-5400 Fax: 973-838-5944



John Schwartz
Chief of Police
Chief@kinnelonpd.org

September 8, 2016

Mayor and Council

On May 11, 2016 at 7:35pm Patrolman Matthew Solari and Patrolman James Economou were dispatched to a residence for a 39 year old female having a reaction to prescription medication and was suffering side effects. Upon arrival at the home Officers were met by the victim's husband who stated that there was no problem and medical attention was not needed. Patrolman Solari and Economou insisted on speaking to the victim. The officers were lead to a bedroom which was locked. The victim did not respond when her name was called. They open the door with a key and found the victim facedown not breathing and having no pulse. Officers began administering CPR and the victim began labored breathing. The officers administered one dose of Narcan and the victim's breathing became less labored and she became more responsive. While the victim was being loaded into an ambulance she was speaking and answering questions.

For this act performed in the line of duty which resulted in saving a life, I am respectfully awarding Patrolman Matthew Solari and Patrolman James Economou the Kinnelon Police Life Saving Award.

Respectfully Submitted

Chief John Schwartz
Kinnelon Borough Police Department

Kinnelon Police Department

October 20, 2016

130 Kinnelon Road, Kinnelon, New Jersey 07405
973-838-5400 Fax: 973-838-5944



John Schwartz
Chief of Police
Chief@kinnelonpd.org

September 8, 2016

Mayor and Council

On February 18, 2016 at 6:49am a resident called reporting that they found their 20 year old son unconscious in his bedroom. The called stated that they heard a thud coming from his sons room. When the son did not open his bedroom door the caller broke it down and found his son unconscious. The caller stated that he believed his son had overdosed on Heroin.

Sgt. Christopher Mucci, Sergeant Christopher Burns and Patrolman Rickey Ferriola arrived at the home within 4 minutes. Upon arrival they found the male unconscious with shallow breathing and a weak pulse. The officer's immediately administered one dose of NARCAN and within a few minutes, the male was breathing more normally and conscious. The male was then transported to the hospital for treatment.

For this act performed in the line of duty which resulted in saving a life, I am respectfully awarding Sergeant Christopher Burns, Sergeant Christopher Mucci and Patrolman Rickey Ferriola the Kinnelon Police Life Saving Award.

Respectfully Submitted

Chief John Schwartz
Kinnelon Borough Police Department

Kinnelon Police Department

October 20, 2016

130 Kinnelon Road, Kinnelon, New Jersey 07405

973-838-5400 Fax: 973-838-5944



John Schwartz
Chief of Police
Chief@kinnelonpd.org

September 8, 2016

Mayor and Council

On August 18, 2016 at 11:04pm Sergeant Christopher Mucci and Patrolman Sean Patalita were dispatched to a residence in town on a reported Heroin overdose of a 27 year old male. Upon arrival at the home officers found the victim lying face down and unconscious. When they rolled the victim over they observed that his breathing was shallow and his pulse was extremely low. The officers' administered oxygen to the victim and administered one dose of Narcan. While monitoring the victim it became clear that he had stopped breathing and his lips were turning blue. Officers administered another dose of Narcan as the First Aid Squad arrived. The victim then began breathing on his own and was loaded into the ambulance for transportation to the hospital. The officers were later notified that the victim had survived his overdose due to the quick administration of Narcan.

For this act performed in the line of duty which resulted in saving a life, I am respectfully awarding Sergeant Christopher Mucci and Patrolman Sean Patalita the Kinnelon Police Life Saving Award.

Respectfully Submitted

Chief John Schwartz
Kinnelon Borough Police Department

TREASURER'S REPORT

The Treasurer's Report for October 20, 2016, indicated we started out with cash on hand as of August 31, 2016, in the amount of \$7,660,356.45. Receipts for the month of September 2016 totaled \$899,551.18 with disbursements amounting to \$4,491,463.59. The balance on hand as of September 30, 2016 was \$4,068,444.04.

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

Roll Call: C. Giantonio, Yes; A. Barish, Yes;
C. Sventy, Yes; J. Freda, Yes.

MAYOR'S REPORT:

Mayor Robert Collins reminded everyone that Tuesday November 8th is the General Election, this year is a presidential election. Please remember to vote. Also on this year's ballot is the turf referendum, where we will gather general input from the public. At the work session October 13th Councilman Barish reported that our tax revaluation is almost done. A link was put up on the website for addition information.

Councilman Freda and Councilman Giantonio were not present at the council workshop where we spoke about changing the Kinnelon Recreation Commission to a Committee. We will defer introduction until next month on this ordinance, when all council members are present and can have input.

We received notification from the state, that they have lifted Executive Order No. 210, which means that next year we will be able to pave Fayson Lake Road.

Mayor Collins also stated that a higher gas tax will be coming soon. We went from the 2nd lowest to the 7th highest. The money raised with the gas tax is supposed to be for the Transportation Trust fund for repairing and maintenance of New Jersey's roads and bridges.

Mayor Collins reported on NJ's water supply & condition throughout the state, the most southern counties are the reported to be normal. We will keep resident apprised of the water conditions and if we will be going in to a drought.

Mayor Collins thanked Councilman Freda, Councilman Yago and Councilwoman Sventy for all their hard work for K-Fest, despite the weather conditions, there was a great turnout.

UTILITIES

Chairman Clifford Giantonio stated that the Governor's Executive Order No. 210 has been lifted and Fayson Lakes Road will be paved next year. In the Building Department we are still working on cleaning up the old outstanding permits.

COORDINATING & OPEN SPACE

Chairwoman Carol Sventy reported: Board of Education: is asking residents to participate in a Strategic Planning Initiative which will help create a shared community vision for the future of Kinnelon Public Schools. Board of Health scheduled a rabies clinic for November 19th from 1:00 pm to 3:00 pm. The Environmental and Open Space Advisory Committees will have a joint meeting between both committees on November 9th to discuss a town wide trail plan. Historical Commission's Pathways of History tour had approximately 75 people visit the L'Ecole museum and a Resolution is on this evenings consent agenda, that if approved will award the contract bid for the museum's Phase II construction project for roof and siding replacement. Kamelot will have a Safety Bug program for our Kinnelon High School students on Wednesday, November 2nd.

Range of Checking Accts: GENERAL to GENERAL Range of Check Ids: 15799 to 15931
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
15799	10/20/16	ABR02 ABREU TRUCK SERVICES, INC	5,792.99	4661
15800	10/20/16	AC A.C. DAUGHTRY INC.	1,230.75	4661
15801	10/20/16	ACC07 ACCURATE WASTE SYSTEMS, INC	1,350.00	4661
15802	10/20/16	ACT04 ACTION DATA SERVICES	1,658.24	4661
15803	10/20/16	AFF02 AFFILIATED TECHNOLOGY	1,085.19	4661
15804	10/20/16	AIR03 AIR GROUP	687.75	4661
15805	10/20/16	ALL04 ALLIED OIL COMPANY	8,433.01	4661
15806	10/20/16	ALL16 ALL WET IRRIGATION, LLC.	3,960.00	4661
15807	10/20/16	ALL17 ALL PURPOSE ELECTRIC	2,536.80	4661
15808	10/20/16	AP001 APOLLO FLAG COMPANY INC.	21.25	4661
15809	10/20/16	AUT04 AUTO LOCKS	95.00	4661
15810	10/20/16	BEL10 BELL PERFORMANCE	1,769.25	4661
15811	10/20/16	BELL11 THE BELGARD AGENCY LLC	175.00	4661
15812	10/20/16	BOR BOROUGH OF BUTLER	46,955.00	4661
15813	10/20/16	BOR01 BOROUGH OF BUTLER ELECTRIC	6,539.77	4661
15814	10/20/16	BOR11 BOROUGH OF BLOOMINGDALE	1,185.65	4661
15815	10/20/16	BR01 B&R UNIFORMS	255.00	4661
15816	10/20/16	BRA05 Braen Supply, Inc	1,071.78	4661
15817	10/20/16	BUR02 CHRISTOPHER BURNS	28.00	4661
15818	10/20/16	BUR08 BURGIS ASSOCIATES, INC	281.25	4661
15819	10/20/16	BUS01 BUSINESS GRAPHICS	443.00	4661
15820	10/20/16	BUZ01 THE BUZAK LAW GROUP, LLC.	12,048.49	4661
15821	10/20/16	CAB01 CABLEVISION	1,163.78	4661
15822	10/20/16	CER01 CERTIFIED SPEEDOMETER SERVICE	152.00	4661
15823	10/20/16	CHI06 ATLANTIC CORPORATE HEALTH	160.00	4661
15824	10/20/16	COL03 COLUMBIA SAVINGS BANK	4,420.41	4661
15825	10/20/16	CON05 CONTRACTORS WELDING SERVICE	510.00	4661
15826	10/20/16	CON11 CONNOLLY & HICKEY	2,500.00	4661
15827	10/20/16	CON12 CONCENTRA MEDICAL CENTER	88.50	4661
15828	10/20/16	CO003 COOPERATIVE COMMUNICATIONS INC	1,399.61	4661
15829	10/20/16	COREL005 CORELOGIC	6,836.30	4661
15830	10/20/16	CRE01 CREW ENGINEERS INC.	525.00	4661
15831	10/20/16	DAR01 DARMOFALSKI ENGINEERING ASSOC.	13,625.00	4661
15832	10/20/16	DEB03 DE BLOCK ENVIRONMENTAL SERVICE	7,577.22	4661
15833	10/20/16	DEL08 DELTA DENTAL OF NEW JERSEY INC	4,538.01	4661
15834	10/20/16	DMC01 DMC ASSOCIATES INC.	1,000.00	4661
15835	10/20/16	DOR06 Dorsey & Semrau, LLC	4,437.50	4661
15836	10/20/16	DOV01 DOVER BRAKE & CLUTCH	275.00	4661
15837	10/20/16	EAG01 EAGLE POINT/TJ MORRIS & SON	2,084.11	4661
15838	10/20/16	EDM01 EDMUNDS AND ASSOCIATES	42.00	4661
15839	10/20/16	EJG01 EJG SPORTS	521.62	4661
15840	10/20/16	ELE03 ELECTRO BATTERY SYSTEMS INC.	58.18	4661
15841	10/20/16	EVO01 EVO STUDIOS, INC.	2,005.00	4661
15842	10/20/16	FF1 FF1, Professional Safety	39,900.37	4661
15843	10/20/16	FLE03 KRISTEN A. FLEMING	1,209.75	4661
15844	10/20/16	FOR05 FOREMOST PROMOTIONS	1,439.08	4661
15845	10/20/16	FOX01 FOX ARCHITECTURAL	1,137.50	4661
15846	10/20/16	FRE09 FREDCO GROUP, LLC	5,000.00	4661
15847	10/20/16	FRI05 PATRICIA FRITZ	100.00	4661
15848	10/20/16	GAL01 GALL'S INC.	372.88	4661
15849	10/20/16	GAM01 GAME DAY SPORTS	1,655.97	4661

October 20, 2016

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void Ref Num
15850	10/20/16	GAR01	GARDEN STATE HIGHWAY PROD.,INC	98.00 4661
15851	10/20/16	GAR05	DR. DAWN GARRO	332.50 4661
15852	10/20/16	GIL03	GILBY'S SCREEN PRINTING	700.00 4661
15853	10/20/16	GLO03	GLOBAL ARENA LLC	24.46 4661
15854	10/20/16	GOL07	JOSEPH R. GOLDEN, PE	2,040.00 4661
15855	10/20/16	GRA15	GRASS ROOTS TURF PRODUCTS	2,520.62 4661
15856	10/20/16	HOL04	HOLIDAY INN EXPRESS	166.74 4661
15857	10/20/16	HOM02	HOME DEPOT CREDIT SERVICE	427.61 4661
15858	10/20/16	HOR04	Horizon Office Equipment	466.50 4661
15859	10/20/16	IBN01	IBN CONSTRUCTION CORP	40,469.94 4661
15860	10/20/16	IND03	INDUSTRIAL APPRAISAL COMPANY	170.00 4661
15861	10/20/16	JCP01	JCP & L	70.42 4661
15862	10/20/16	JER03	JERSEY PAPER PLUS	372.90 4661
15863	10/20/16	JIM01	JIMMY THE SHOE DOCTOR	69.98 4661
15864	10/20/16	KHS04	KHSHA	242.95 4661
15865	10/20/16	KIN06	KINNELON SENIOR CITIZENS	1,274.00 4661
15866	10/20/16	KIN08	KINNELON VOLUNTEER FIRE CO.	6,000.00 4661
15867	10/20/16	KIN09	KINNELON BOARD OF EDUCATION	3,042,862.67 4661
15868	10/20/16	LAK02	LAKELAND BANK	4,288.65 4661
15869	10/20/16	LAN06	LANGUAGE LINE SERVICES	40.95 4661
15870	10/20/16	LEI01	SCOTT LEITER	180.00 4661
15871	10/20/16	LOE01	LOEFFELS WASTE OIL SERVICE	150.00 4661
15872	10/20/16	MAY02	ROBERT MAYER	200.00 4661
15873	10/20/16	MB02	M&B TRUCKING INC.	1,925.00 4661
15874	10/20/16	MCI01	MCI EASTERN SECURITY	415.00 4661
15875	10/20/16	MIC12	MICHAEL CIANCOTTO PLUMBING &	5,078.40 4661
15876	10/20/16	MOR14	MORRIS CTY POLICE CHIEFS ASSOC	300.00 4661
15877	10/20/16	MOR21	MORRIS COUNTY M.U.A.	36,039.48 4661
15878	10/20/16	MOR41	MORRIS COUNTY PARK COMMISSION	2,070.00 4661
15879	10/20/16	MOR42	THE LAND CONSERVANCY OF NJ	5,500.00 4661
15880	10/20/16	MPH01	MPH INDUSTRIES, INC.	1,359.00 4661
15881	10/20/16	NAP01	P&A Auto Parts	358.57 4661
15882	10/20/16	NES01	NESTLE PURE LIFE DIRECT	191.82 4661
15883	10/20/16	NEW04	NJ ST.LEAGUE OF MUNICIPALITIES	25.00 4661
15884	10/20/16	NEW14	NEWTON PRINTING	644.64 4661
15885	10/20/16	NJA10	NJ ADVANCE MEDIA	229.40 4661
15886	10/20/16	NJC05	NJ CRIMINAL INTERDICTION LLC	350.00 4661
15887	10/20/16	NJD07	NJ DEPT HEALTH & SENIOR SERV	37.20 4661
15888	10/20/16	NJLABOR	NJ LABOR LAW POSTER SERVICE	282.00 4661
15889	10/20/16	NOA01	NOAH'S ARK PORT A JONS	600.00 4661
15890	10/20/16	NOR02	NORTH JERSEY NEWSPAPER	112.03 4661
15891	10/20/16	NOR18	NORTHEAST COMMUNICATIONS, INC.	6,441.00 4661
15892	10/20/16	NWR01	NW REFS	5,280.00 4661
15893	10/20/16	ONE02	One Ca11 Concepts, INC.	78.75 4661
15894	10/20/16	ORI01	ORIENTAL TRADING COMPANY	58.85 4661
15895	10/20/16	PAR01	PARTAC PEAT CORPORATION	452.55 4661
15896	10/20/16	PEN05	PENNSYLVANIA DUI ASSOCIATION	1,250.00 4661
15897	10/20/16	PEQ02	PEQUANNOCK TOWNSHIP	30,409.99 4661
15898	10/20/16	PIT01	PITNEY BOWES INC	1,819.54 4661
15899	10/20/16	PIT02	PITNEY BOWES, INC.	2,304.00 4661
15900	10/20/16	POL03	POLLARD WATER COMPANY	81.27 4661
15901	10/20/16	PRI06	PRIME UNIFORM SUPPLY, INC	321.18 4661
15902	10/20/16	PRM01	PRMHA	300.00 4661
15903	10/20/16	PSE01	P.S.E. & G.	190.00 4661

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
15904	10/20/16	RAC02 RACHLES/MICHELE'S OIL CO.,INC	1,636.73		4661
15905	10/20/16	RID01 RIDDELL	579.19		4661
15906	10/20/16	RIV03 RIVERDALE POWER MOWER INC.	52.50		4661
15907	10/20/16	RIV06 Riverdale Environmental	3,170.00		4661
15908	10/20/16	RJ001 HEATHER ROWENS	24.20		4661
15909	10/20/16	RRD01 RR DONNELLEY	105.00		4661
15910	10/20/16	SAN03 Tony Sanchez, LTD	351.67		4661
15911	10/20/16	SCH03 SCHMITZ SAFE & LOCK COMPANY	12.95		4661
15912	10/20/16	SER04 SERAPH INC	160.00		4661
15913	10/20/16	SHE03 SHERWIN WILLIAMS CO.	6,176.15		4661
15914	10/20/16	SPO05 SPOT-A-WAY	225.00		4661
15915	10/20/16	STA STAPLES ADVANTAGE, DEPT NY	539.31		4661
15916	10/20/16	STA22 STADIUM SYSTEM	289.00		4661
15917	10/20/16	STO01 STORR TRACTOR COMPANY	171.31		4661
15918	10/20/16	SUB03 SUBURBAN DISPOSAL	48,583.33		4661
15919	10/20/16	TAR02 BARBARA TARTARILLA	300.00		4661
15920	10/20/16	TIL01 TILCON NEW YORK INC.	85,710.77		4661
15921	10/20/16	TRE02 TREASURER, STATE OF NEW JERSEY	475.00		4661
15922	10/20/16	TRE05 TREAS. STATE OF NEW JERSEY	3,397.00		4661
15923	10/20/16	TRI16 PATRICK J. TRIANO	540.00		4661
15924	10/20/16	TRO01 TROPICANA CASINO & RESORT	107.00		4661
15925	10/20/16	TUR01 TURN-OUT FIRE AND SAFETY	850.29		4661
15926	10/20/16	VER06 VERIZON WIRELESS	245.22		4661
15927	10/20/16	VER11 VERIZON WIRELESS - KPD	390.14		4661
15928	10/20/16	VER12 V.E. RALPH & SON, INC.	168.41		4661
15929	10/20/16	WAL11 WALLINGTON PLUMBING & HEATING	31.30		4661
15930	10/20/16	WAR06 MARK WARNER	350.00		4661
15931	10/20/16	ZAP01 ZAPHYR LLC	7,009.68		4661

Report Totals	Paid	Void	Amount Paid	Amount Void
Checks:	133	0	3,571,662.67	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	133	0	3,571,662.67	0.00

Totals by Year-Fund					
Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND APPROPRIATIONS	5-01	1,025.43	0.00	0.00	1,025.43
CURRENT FUND APPROPRIATIONS	6-01	3,283,474.91	0.00	0.00	3,283,474.91
WATER FUND	6-05	48,194.13	0.00	0.00	48,194.13
SEWER FUND	6-07	8,877.22	0.00	0.00	8,877.22
Year Total:		<u>3,340,546.26</u>	<u>0.00</u>	<u>0.00</u>	<u>3,340,546.26</u>
	C-04	181,767.58	0.00	0.00	181,767.58
DOG TAX	D-13	381.69	0.00	0.00	381.69
STATE AND FEDERAL GRANTS	G-02	8,802.99	0.00	0.00	8,802.99
	I-14	200.00	0.00	0.00	200.00
KAMELOT	K-17	1,959.69	0.00	0.00	1,959.69
	L-22	2,575.00	0.00	0.00	2,575.00
RECREATION SPECIAL	R-16	13,173.44	0.00	0.00	13,173.44
	V-27	20,931.25	0.00	0.00	20,931.25
RECYCLE FUND	Y-21	299.34	0.00	0.00	299.34
Total of All Funds:		<u><u>3,571,662.67</u></u>	<u><u>0.00</u></u>	<u><u>0.00</u></u>	<u><u>3,571,662.67</u></u>

October 20, 2016
12:07 PM

BOROUGH OF KINNELON
Check Register By Check Id

Page No: 1

October 20, 2016

Range of Checking Accts: PLANNING 2 to PLANNING 2 Range of Check Ids: 1704 to 1705
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
1704	10/20/16	DAR01 DARMOFALSKI ENGINEERING ASSOC.	2,875.00		4662
1705	10/20/16	DMC01 DMC ASSOCIATES INC.	482.50		4662

Report Totals	Paid	Void	Amount Paid	Amount Void
Checks:	2	0	3,357.50	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	<u>2</u>	<u>0</u>	<u>3,357.50</u>	<u>0.00</u>

October 20, 2016
12:07 PM

BOROUGH OF KINNELON
Check Register By Check Id

Page No: 2
October 20, 2016

Project Description	Project No.	Project Total
ABDALLAH ABEDRABBO	1045	500.00
20 ORCHARD ROAD	11003112	125.00
YILDIZ- 110 KIEL AVE-#1324	1324	857.50
61 LAKESIDE TRAIL	1422	125.00
5 LOUIS LANE/1438 / ODZA	1438	625.00
2 TAMARACK DR 1448 OLSEN A	1448	1,000.00
C&M CONSTRUCTION/HARVEST LANE	89-10-72	125.00
Total of All Projects:		<u>3,357.50</u>

October 20, 2016
12:21 PM

BOROUGH OF KINNELON
Check Register By Check Id

Page No: 1
October 20, 2016

Range of Checking Accts: PLANNING 2 to PLANNING 2 Range of Check Ids: 1707 to 1707
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
1707	10/20/16	WAY03 WAYNE JOHNSON & SONS LLC	232.50		4663
Report Totals					
			<u>Paid</u>	<u>Void</u>	
		Checks:	1	0	
		Direct Deposit:	0	0	
		Total:	<u>1</u>	<u>0</u>	
			<u>Amount Paid</u>	<u>Amount Void</u>	
			232.50	0.00	
			<u>0.00</u>	<u>0.00</u>	
			<u>232.50</u>	<u>0.00</u>	

October 20, 2016
12:21 PM

BOROUGH OF KINNELON
Check Register By Check Id

Page No: 2
October 20, 2016

Project Description	Project No.	Project Total
1 LEONE TERRACE	45205163	207.50
49 Rnd Hill Wayne Johnson	56402107	25.00
Total Of All Projects:		<u>232.50</u>

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:

Roll Call: C. Giantonio, Yes; A. Barish, Yes;
C. Sventy, Yes; J. Freda, Yes.

CONSENT AGENDA:

A motion was offered by Councilman A. Barish and seconded by Councilwoman C. Sventy, the following motions and resolutions were offered for approval.

- a. Resolution: 10.02.16 Withholding Damages for DPW Garage Expansion
- b. Resolution: 10.03.16 Authorizing Soil Disturbance Permit, 49 Round Hill Road, Block 56402, Lot 107
- c. Resolution: 10.04.16 Overpayment 2016 Property Taxes, Block 56502, Lot 133, 81 Boonton Ave, \$2415.89
- d. Resolution: 10.05.16 Overpayment 2016 Property Taxes, Block 45502, Lot 115, 24 Boonton Ave, \$4,420.41
- e. Resolution: 10.06.16 Overpayment 2016 Property Taxes, Block 56402, Lot 102, 25 Saw Mill Road, \$5,426.53
- f. Resolution: 10.07.16 Overpayment 2016 Property Taxes, Block 33602, Lot 120, 2 Goldfinch Run, \$4,876.50
- g. Resolution: 10.08.16 Endorsing & Supporting the Passage of Assembly Bill No. 3686, "Ralph and David's Law"
- h. Resolution: 10.09.16 Authorizing Mayor to Sign 2016 Best Practices
- i. Resolution: 10.10.16 Refund Driveway Bond, 61 Lakeside Trail
- j. Resolution: 10.11.16 Law Enforcement Officers
- k. Resolution: 10.12.16 Authorizing Submission Freshwater Wetland Maple Lake Dam- For Removal and Restoration
- l. Resolution: 10.13.16 Authorization for Change Fund for Clerk's Department - \$100
- m. Resolution: 10.14.16 Awarding of the Phase II Exterior Restoration, L'Ecole Kinnelon Museum to Northeast Roof Maintenance
- n. Resolution: 10.15.16 Authorizing the Mayor to sign Extension of MOU between Borough and Pompton Plains Reformed Church
- o. Resolution: 10.16.16 Authorizing Mayor to Sign Council 52, AFSCME Bargaining Agreement
- p. Resolution: 10.17.16 Chapter 159 – 2016 Body Armor \$1,783.18
- q. Resolution: 10.18.16 Added/Omitted Taxes for Fourth Quarter 2016-Block 11407, Lot 101
- r. Resolution: 10.19.16 Award of Contract for Solid Waste, Bulk Waste & Recyclable Curbside Collection to Suburban Disposal
- s. Resolution: 10.20.16 Authorization for Cancellation Certificate of Sale No. 15-00008, Block 57401, Lot 146-66 Denise Drive
- t. Minutes for approval June 16, 2016
- u. Resolution: 10.21.16 Authorization to hire Laura M. Gakos – Secretary to the Open Space Advisory Committee and the Historical Commission

October 20, 2016

RESOLUTION 10.01 .16

CHANGE ORDER FOR DPW GARAGE
EXPANSION

WHEREAS, on February 19, 2015, Resolution 2.18.15 the Borough of Kinnelon awarded the contract for the Renovation and Expansion of the DPW Garage in the amount of \$1,518,203.00 to IBN Construction Corp., 49 Hermon Street, Newark, NJ 07105; and

WHEREAS, during the course of the contract, Fox Architect Design, PC and the DPW Superintendent, John Whitehead have determined on two separate change orders resulting in a reduction of the contract amount; and

WHEREAS, Change Order No. 1 of the net amount (34,790.66) as follows:

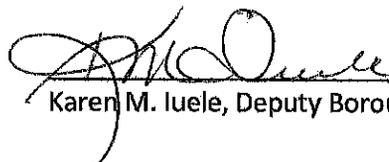
Remove and replace roof sheathing on existing building	\$21,381.36
Additional trucking costs for contaminated soil	\$23,286.60
Rerouting of HVAC ducts upper level office space	\$ 1,021.92
Upcharge from Pella corrected window configuration	\$ 1,561.18
Additional epoxy floor and cove in existing office	\$ 8,958.28
Provide epoxy floor coating existing garage	(\$32,000.00)
Provide epoxy floor coating new garage	(\$59,000.00)

which made the new total Contract \$1,483,412.34; and

WHEREAS, Change Order No. 2 of the net amount (\$7,795.17) were due to the credit of (\$4,757.98) for Electric, June 2015 through January 2016, and (\$3,040.19) for Gas, January through February 2016 to be paid for by the contractor per the project specifications, which made the new total Contract \$1,475,617.17.

NOW, THEREFORE, BE IT RESOLVED, By the Kinnelon Mayor and Council, County of Morris, State of New Jersey, the contract price for \$1,518,203.00 awarded to IBN Construction Corp shall be adjusted in accordance with this change order decrease of \$42,585.83. The new total Contract shall be in the amount of \$1,475,617.17.

Dated: October 20, 2016


Karen M. Iuele, Deputy Borough Clerk

October 20, 2016

RESOLUTION 10.02.16

WITHHOLDING DAMAGES FOR DPW GARAGE
EXPANSION

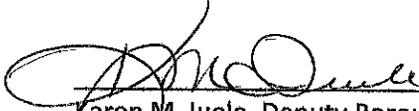
WHEREAS, on February 19, 2015, Resolution 2.18.15, the Borough of Kinnelon awarded the contract for the Renovation and Expansion of the DPW Garage in the amount of \$1,518,203.00 to IBN Construction Corp., 49 Hermon Street, Newark, NJ 07105; and subsequent change orders resulting in a decrease in the contract amount bringing the revised contract amount to \$1,475,617.17; and

WHEREAS, during the course of the contract, Fox Architect Design, PC, The Buzak Law Group, LLC and the DPW Superintendent, John Whitehead have determined that IBN Construction Corp. are in violation of the Prompt Payment Law, N.J.S.A. 2A:30A-2, for delays in performance; and

WHEREAS, in accordance with the Contract "liquidated damages in the amount of \$250 for each day that expires after 160 calendar days after the date on the Notice to Proceed until the work is substantially complete" resulting in liquidated damages of 150 days at \$250 per day for a total of \$37,500.00; and

NOW, THEREFORE, BE IT RESOLVED, by the Kinnelon Mayor and Council, County of Morris, State of New Jersey, the revised contract price of \$1,475,617.17 awarded to IBN Construction Corp shall be adjusted in accordance with the liquidated damages decrease of \$37,500.00 for an new contract price of \$1,438,117.17.

Dated: October 20, 2016


Karen M. Luele, Deputy Borough Clerk

October 20, 2016

Resolution 10.03.16

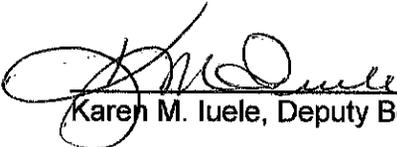
AUTHORIZING OF A SOIL
DISTURBANCE PERMIT
49 Round Hill Road, Block 56402, Lot 107

WHEREAS, the Mayor and Council of the Borough of Kinnelon approved a Soil Disturbance Permit for 49 Round Hill Road, Block 56402, Lot 107; and

WHEREAS, Thomas Boorady, P.E. of Darmofalski Engineering Associates, Inc. has no objection to the Borough of Kinnelon approving a Soil Disturbance permit; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Kinnelon does hereby approve a Soil Disturbance Permit for 49 Round Hill Road, Kinnelon, NJ.

Dated: October 21, 2016



Karen M. Iuele, Deputy Borough Clerk

October 20, 2016

RESOLUTION # 10.04.16

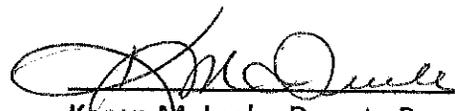
BE IT RESOLVED, BY THE Mayor and Council of the Borough of Kinnelon, that a warrant be drawn to CORELOGIC in the amount of \$2,415.89 for overpayment of 2016 property taxes on Block 56502, Lot 133 known as 81 Boonton Ave., due to a payment received from a Title Company and Mortgage Company. Corelogic served as the mortgage lender of the property owner in paying the taxes.

ROLL CALL:

October 20, 2016
Judith O'Brien, CTC
Acting Tax Collector
Borough of Kinnelon

I, Karen M. Iuele, Deputy Borough Clerk, Borough of Kinnelon, hereby certify this resolution to be a true copy of the resolution which was duly passed at the regular meeting of the Borough of Kinnelon May and Council October 20, 2016.

Date: 10/20/16


Karen M. Iuele, Deputy Borough Clerk

October 20, 2016

RESOLUTION # 10.05.16

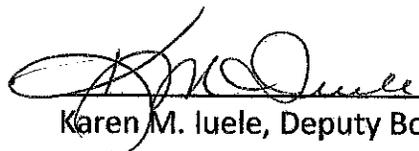
BE IT RESOLVED, BY THE Mayor and Council of the Borough of Kinnelon, that a warrant be drawn to CORELOGIC in the amount of \$4,420.41 for overpayment of 2016 property taxes on Block 45502, Lot 115 known as 24 Boonton Ave., due to a payment received from a Title Company and Mortgage Company. Corelogic served as the mortgage lender of the property owner in paying the taxes.

ROLL CALL:

October 20, 2016
Judith O'Brien, CTC
Acting Tax Collector
Borough of Kinnelon

I, Karen M. Iuele, Deputy Borough Clerk, Borough of Kinnelon, hereby certify this resolution to be a true copy of the resolution which was duly passed at the regular meeting of the Borough of Kinnelon May and Council October 20, 2016.

Date: 10/20/16


Karen M. Iuele, Deputy Borough Clerk

October 20, 2016

RESOLUTION # 10.06.16

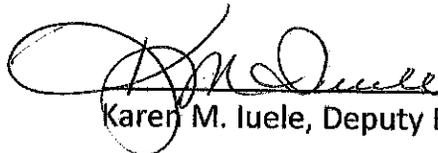
BE IT RESOLVED, BY THE Mayor and Council of the Borough of Kinnelon, that a warrant be drawn to CORELOGIC in the amount of \$5,426.53 for overpayment of 2016 property taxes on Block 56402, Lot 102 known as 25 Saw Mill Rd., due to a payment received from the property owner and Mortgage Company. Corelogic served as the mortgage lender of the property owner in paying the taxes and the property owner has requested that they be refunded.

ROLL CALL:

October 20, 2016
Judith O'Brien, CTC
Acting Tax Collector
Borough of Kinnelon

I, Karen M. Iuele, Deputy Borough Clerk, Borough of Kinnelon, hereby certify this resolution to be a true copy of the resolution which was duly passed at the regular meeting of the Borough of Kinnelon May and Council October 20, 2016.

Date: 10/20/16


Karen M. Iuele, Deputy Borough Clerk

October 20, 2016

RESOLUTION # 10.07.16

BE IT RESOLVED, BY THE Mayor and Council of the Borough of Kinnelon, that a warrant be drawn to KRISTEN A FLEMING in the amount of \$1,209.75 for overpayment of 2016 property taxes on Block 33602, Lot 120 known as 2 Goldfinch Run, due to successful State Tax Court Appeal of the 2016 property taxes. This appeal reduced the amount of taxes in total \$9,753.00 for 2016 leaving an overpayment by the property-owner in the above amount. The appeal has also reduced the Preliminary 2017 Taxes on the property by \$4,876.50.

ROLL CALL:

October 20, 2016
Judith O'Brien, CTC
Acting Tax Collector
Borough of Kinnelon

I, Karen M. Luele, Deputy Borough Clerk, Borough of Kinnelon, hereby certify this resolution to be a true copy of the resolution which was duly passed at the regular meeting of the Borough of Kinnelon Mayor and Council October 20, 2016.

Date: 10/20/16



Karen M. Luele, Deputy Borough Clerk

October 20, 2016

RESOLUTION OF THE BOROUGH OF KINNELON ENDORSING AND SUPPORTING THE PASSAGE OF ASSEMBLY BILL NO 3686, DESIGNATED AS "RALPH AND DAVID'S LAW"

WHEREAS, on February 26, 2006 Dave Heim, a thirteen year old boy was tragically killed by a drunk driver in Sussex County; and

WHEREAS, the drunk driver who hit David was convicted solely of drunk driving and served only thirty days in jail, the maximum term of imprisonment for a first offense under the State's Drunk Driving Law; and

WHEREAS, another tragic death occurred on May 5, 2012 when Ralph Politi, Jr. an East Hanover Township community activist and business owner, was killed by a drunk driver who swerved out of her lane and struck him as he stood by his pickup truck; and

WHEREAS, in the case of Ralph Politi, the drunk driver was recently acquitted of first degree aggravated manslaughter and second-degree vehicular homicide, and instead received a two year suspension of her drivers' license, and was ordered to perform thirty days of community service and pay \$733 in fines and penalties; and

WHEREAS, as a result of the untimely deaths of both David Helm and Ralph Politi, and the penalty limitations imposed by current law, members of both sides of the aisle have crafted Assembly Bill No. 3686, which establishes the crime of strict liability vehicular homicide and the conditions under which a defendant may be charged with such a violation; and

WHEREAS, under Assembly Bill No. 3686, strict liability vehicular homicide would be a third-degree crime, but neither the presumption of nonimprisonment that normally applies to first time offenders convicted of third degree crimes, nor the casual requirements of N.J.S.A. 2C:2-3, would apply ; and

WHEREAS, Assembly Bill No. 3686 would be known as "Ralph and David's Law" in honor of Ralph Politi and David Heim; and

WHEREAS, the Borough Council of the Borough of Kinnelon applauds the be-partisan efforts of members of the General Assembly in strengthening the penalty provisions for operating a vehicle or vessel under the influence of drugs or alcohol, closing any loopholes that would set a violator free

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

1. The Borough Council endorses and supports the bi-partisan efforts of the General Assembly in the introduction of Assembly Bill No. 3686, which establishes the third-degree crime of strict liability vehicular homicide,

October 20, 2016

amends various sections of statutory law, and designates Assembly Bill No. 3686 as "Ralph and David's Law".

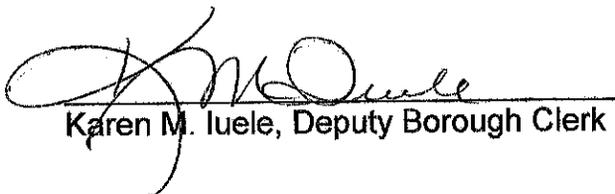
2. The Borough Council calls upon all mayors and governing bodies in the other thirty-eight Morris County municipalities to approve and adopt resolutions in support of Assembly Bill No. 3686.
3. That certified copies of this resolution shall be transmitted to the sponsors of Assembly Bill No. 3686, Assemblymen John F. McKeon and Anthony M. Bucco, Assemblywomen Mila M. Jasey, Nancy F. Munoz and Valerie Vainieri Huttie, Assembly Speaker Vincent Prieto, Senate President Stephen M. Sweeney, members of the 21st, 25th, 27th and 40th Legislative Districts, the New Jersey State League of Municipalities and all Morris County municipalities.

ADOPTED AND APPROVED
October 21, 2016



Mayor Robert W. Collins

Attest: 10-20-2016



Karen M. Iuele, Deputy Borough Clerk

October 20, 2016

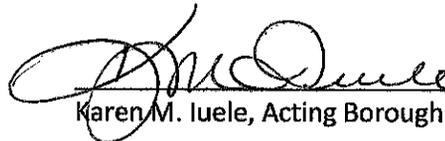
RESOLUTION 10.09.16

AUTHORIZING MAYOR TO SIGN
NEW JERSEY 2016 MUNICIPAL
BEST PRACTICE QUESTIONNAIRE

WHEREAS, the Council of the Borough of Kinnelon do hereby authorize the Mayor of the Borough of Kinnelon to sign the New Jersey 2016 Municipal Best Practice Questionnaire.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Kinnelon do hereby authorize the Mayor of the Borough of Kinnelon to sign the New Jersey 2016 Municipal Best Practice Questionnaire.

Date: 10/20/2016



Karen M. Iuele, Acting Borough Clerk

Kinnelon Borough (Morris)		Comments
<i>Please see Color Key at bottom of sheet for limits on answers</i>		
Answer	Question	Comments
1415	General Management - GM	
Yes	Has your municipality 1) explored all potential shared service opportunities; and 2) filed a copy of all shared service agreements presently in effect for which it provides the service, along with any amendments thereto, with the Division (excluding cooperative purchasing agreements governed by the Local Public Contracts Law)? In the Comments section, please identify all explored all potential shared service opportunities, whether an agreement resulted and, where no agreement was reached, the reason(s) why.	Entered in an additional shared service agreement with a neighboring municipality for Borough Clerk. Also exploring agreements with Morris County for recycling.
Yes	Has your municipality adopted a written vehicle use policy prohibiting personal use of municipal vehicles (except for commuting), and providing that employees authorized to use such vehicles for commuting to/from work have a fringe benefit value added to the gross income reported on the employee's W-2 (unless the vehicle meets the "qualified non-personal vehicle" criteria specified by the IRS)? Only answer "N/A" if your municipality does not have any municipally-owned vehicles.	
Yes	Active monitoring management of a municipality's ratable base is fundamental to helping ensure fiscal stability. Does your municipality have an established written policy requiring its tax assessor to notify the chief financial officer and the governing body of all tax appeals upon filing, but no later than June 1st each year?	

Kinnelon Borough (Morris)		
<i>Please see Color Key at bottom of sheet for limits on answers</i>		
Answer	Question	Comments
Yes	Does your municipality maintain an up-to-date municipal website containing at minimum the following: past three years adopted budgets; the current year's proposed budget (including the full adopted budget for the current year when approved by the governing body); most recent annual financial statement and audits; notification(s) for solicitation of bids and RFPs; and meeting dates, minutes and agendas for the governing body, planning board, board of adjustment and all commissions?	
No	A municipality's participation in FEMA's <u>National Flood Insurance Program Community Rating System</u> can lead to significant flood insurance premium reductions for its homeowners. An explanation of the program may be found on FEMA's website at http://www.fema.gov/national-flood-insurance-program/national-flood-insurance-program-community-rating-system , and more information on how the NJDEP's statewide CRS coordinator can assist with improving your rating can be found at http://www.nj.gov/dep/floodcontrol/about.htm . <u>Does your municipality have, or has your municipality made an application to FEMA for, a Community Rating System ranking of at least Class 9?</u>	

Kinnelon Borough (Morris)		
<i>Please see Color Key at bottom of sheet for limits on answers</i>		
Answer	Question	Comments
Yes	<p>The "Director's Ratio" (the average ratio of assessed to true market value) for each municipality as determined by the Director of the Division of Taxation, in the Table of Equalized Valuations promulgated annually pursuant to <u>N.J.S.A. 54:1-35.1</u>. A Director's Ratio of lower than 85 percent generally denotes lack of uniformity in assessments and indicates a need for revaluation. <u>N.J.A.C. 18:12A-1.14</u>. <u>If the ratio of assessed values to market values in your municipality is presently less than 85%, has your municipality at minimum awarded a contract for the updating of tax maps and earmarked funds in its budget for the hiring of relevant firms and/or professionals?</u></p>	<p>Currently in final stages of Borough wide revaluation.</p>
Yes	<p>The Local Government Ethics Law, designed to ensure transparency in government, requires local government officers to file Financial Disclosure Forms. Compliance by local elected officials is particularly important. <u>Have all of your local elected officials filed their Financial Disclosure Form in 2016 that covers the 2015 calendar year?</u></p>	
Yes	<p>While outside employment by municipal officials can sometimes be acceptable, it is imperative that no conflicts of interest impinge on municipal governance. Does your municipality have 1) an established documented process requiring department heads to submit notice of outside employment, and 2) upon receiving such notice, does your municipality have a documented process within its human resources function to determine whether or not a conflict of interest exists?</p>	

Kinnelon Borough (Morris)	
<i>Please see Color Key at bottom of sheet for limits on answers</i>	Question
Answer	Comments
1415	<p>Many municipalities have created one or more authorities (including fire districts, utilities authorities, redevelopment authorities, housing authorities, port authorities, etc.) to provide greater focus and attention on addressing a public need, or to reduce governing body burdens. While creation of an authority is often appropriate, and many authorities successfully fulfill their missions, authorities with weak membership or insufficient local-level monitoring can become wasteful, inefficient and unresponsive to the public they serve. N.J.S.A. 40A:5A-20 allows a local governing body to dissolve an authority subject to certain parameters and with Local Finance Board approval. Municipalities should at least annually assess the authority or authorities they created and publicly discuss their findings and conclusions. Findings and conclusions should address whether their existing authorities 1) continue to serve the public interest, and 2) are more efficient than other potential alternatives in providing services and financing public facilities. <u>Within the past year, 1) has the above-referenced discussion appeared as a listed agenda item on a scheduled governing body meeting, and 2) do the findings and conclusion appear in publicly-available meeting minutes? Please identify the meeting date under "Comments".</u></p>
N/A	

Kinnelon Borough (Morris)		
<i>Please see Color Key at bottom of sheet for limits on answers</i>		
Answer	Question	Comments
Finance & Audit - FA		
No	<p>Audit findings address areas needing improvement. Ignoring these findings devalues the process; therefore, municipalities should correct noted deficiencies. <u>Have all audit findings from the 2014 audit been 1) identified in the corrective action plan and 2) addressed such that they are not repeated in the 2015 audit? If the answer is no, please list the repeat findings, along with the date the corrective action plan was submitted to DLGS, under Comments. Only answer "N/A" if there were no audit findings in 2014.</u></p>	<p>General Ledger not updated, Fixed Assets not updated, Ch. 159 Resolutions not all filed with DLGS</p>
N/A	<p>Payments In Lieu of Taxed (PILOTs) are often used as a tool for economic development. It is imperative that municipalities monitor PILOT agreements to ensure recipients complying with all agreement terms, including but not limited to timely payment and reporting. Does your municipality 1) have an official designated to monitor exemptions granted pursuant to the Long-Term Tax Exemption Law (N.J.S.A. 40A:20-1 et seq.) and Five-Year Exemptions/ Abatements granted pursuant to N.J.S.A. 40A:21-1 et seq., and 2) have in place a documented process for ensuring compliance with the terms of each PILOT agreement?</p>	
No	<p><u>N.J.S.A. 40A:5-4 requires municipalities to complete their annual audit for the preceding fiscal year within 6 months after the close of their fiscal year. Further, N.J.S.A. 40A:5-6 requires the municipality's auditor to submit a certified duplicate copy of the audit report and recommendations with the Division within 5 days after filing the original with the municipal clerk. Has your municipality received its completed audit for the preceding fiscal year within the statutory timeframe, and confirmed that your auditor has filed a certified duplicate copy of the audit report with the Division? You may only answer this question "N/A" if the Director expressly granted an extension in response to a governing body resolution petitioning for same.</u></p>	

Kinnelon Borough (Morris)		
<i>Please see Color Key at bottom of sheet for limits on answers</i>		
Answer	Question	Comments
13	<p>Pursuant to <u>N.J.S.A. 40A: 2-40</u>, the chief financial officer each municipality shall, before the end of the first month of the fiscal year, file its Annual Debt Statement with the Division of Local Government Services. The annual debt statement must be filed electronically following the procedure described in Local Finance Notice 2013-3. <u>Did your municipality file its electronic Annual Debt Statement for the preceding fiscal year with the Division no later than January 31 (July 31 for SFY municipalities)?</u></p>	
14	<p>Local Finance Notice 2014-09 contains important information about the need for municipalities that have certain outstanding debt to abide by requirements to annually disclose certain information with respect to financial conditions. The continuing financial disclosure obligations are required by federal law and local agreements executed as part of past issuances of debt. Failure to comply can result in penalties against local governments and individual officers responsible for various filings. Failure to comply can also result in a lack of access to capital markets. <u>Is your municipality up to date and fully compliant with continuing disclosure obligations as discussed in Local Finance Notice 2014-09?</u></p>	
15	<p>The Prompt Payment Law, enacted as P.L. 2006 c.96, establishes timing standards for the payment of obligations under a wide range of construction-related contracts. The law seeks to ensure that contractors submitting bills for completed work are paid on a timely, established schedule, and that the full chain of subcontractors receive timely payment from their hiring contractor. Local Finance Notice 2006-21 discusses the law and its impact on local governments. <u>Have your municipality's claim payment procedures been reviewed by legal counsel and appropriate municipal staff to ensure compliance with the Prompt Payment Law?</u></p>	
16	<p>While the issuance and renewal of bond anticipation notes can be a reasonable and prudent financing mechanism, failing to take advantage of low interest rates on permanent financing can cause municipalities to incur unnecessary carrying costs and inflated costs of issuance. Has your municipality evaluated its outstanding bond anticipation notes and developed a strategy to move toward permanent financing?</p>	October 20, 2016
Procurement - P		

Kinnelon Borough (Morris)		
<i>Please see Color Key at bottom of sheet for limits on answers</i>		
Answer	Question	Comments
N/A	<p>Pursuant to <u>N.J.S.A. 52:15C-10(a)</u>, municipalities (among other government entities) must notify the State Comptroller within no later than 20 business days of awarding most contracts greater than \$2 million but less than \$10 million. For contracts \$10 million or more, <u>N.J.S.A. 52:15C-10(b)</u> requires written notification to the State Comptroller of any negotiation or solicitation no later than 30 days before advertisement; from which point the State Comptroller has 30 days to approve the procurement moving forward unless said period is waived. Further information on the law and applicable forms is available on the State Comptroller's website. <u>Did your municipality comply with the notice and approval provisions of N.J.S.A. 52:15C-10 in the prior year?</u></p>	
N/A	<p>Pursuant to <u>N.J.S.A. 40A:11-25</u>, the Director of the Division of Local Government Services must approve all prequalification regulations enacted by contracting units subject to the Local Public Contracts Law. Prequalification requirements can be fixed according to experience, financial ability, capital, and equipment. Absent Director approval, bid prequalification regulations are of no force and effect and may not be required as a condition of bid acceptance on any public contract. Local Finance Notice 2016-12 goes into further detail concerning prequalification regulations under the Local Public Contracts Law. Is your municipality following the process set forth in <u>N.J.S.A. 40A:11-25</u>, including seeking Director approval prior to implementing and enforcing all prequalification regulations? "N/A" is only applicable where the municipality has not adopted any prequalification regulations.</p>	
Yes	<p><u>N.J.S.A. 40A:11-5 (a)(i)</u> states that, if a municipality utilizes the professional services exemption from the Local Public Contracts Law, "The governing body shall in each instance state supporting reasons for its action in the resolution awarding each contract and shall forthwith cause to be printed once, in the official newspaper, a brief notice stating the nature, duration, service and amount of the contract, and that the resolution and contract are on file and available for public inspection in the office of the clerk of the [] municipality...". <u>With respect to the award of professional services contracts, is your municipality complying with the above referenced provision of the Local Public Contracts Law?</u></p>	October 20, 2016

Kinnelon Borough (Morris)	
<i>Please see Color Key at bottom of sheet for limits on answers</i>	
Answer	Question
Budget Preparation and Presentation - BP	
20 Yes	N.J.A.C. 5:30-3.8(a) requires that the introduced annual municipal budget incorporate a User-Friendly Budget section. Is your municipality providing the public with its introduced User-Friendly Budget at least one week prior to the date of the public hearing on adopting the annual budget?
21 Yes	Unless the Director sets forth a later date pursuant to N.J.S.A. 40A:4-5.1, N.J.S.A. 40A:4-5 requires that calendar year municipalities approve their introduced budgets no later than February 10 (or August 10 for state fiscal year municipalities) and N.J.S.A. 40A:4-10 requires that calendar year municipalities adopt their budgets no later than March 20 (or September 20 for state fiscal year municipalities). <u>Did your municipality introduce and adopt its current year budget no later than the dates provided by law or as extended by the Director in Local Finance Notice 2015-27?</u> This question may only be answered N/A if your municipality is under State Supervision or if the Division instructed the municipality to delay budget adoption.
Health Insurance - HI	
22 Yes	Does your municipality exclude from healthcare coverage part-time elected and appointed officials (less than 35 hours per week)? Only answer "yes" if no part-time elected or appointed officials receive health benefits. If your municipality has part-time elected or appointed officials who elect to take State Health Benefits Program (SHBP) health benefits (or receive a waiver for not doing so) by virtue of serving in their position continuously since May 21, 2010, you must answer "No". If you answered "No", please list in the Comments section the name and title of each elected or appointed official receiving either health benefits or a waiver payment in lieu of health benefits.
23 Yes	Is your municipality collecting at least the amount set forth by the Chapter 78 Grid for health benefit contributions (or 1.5% of base salary, whichever is greater) for all officers and employees?

Kinnelon Borough (Morris)		
<i>Please see Color Key at bottom of sheet for limits on answers</i>		
Answer	Question	Comments
1415	<p>Payments for waivers filed before May 21, 2010, and maintained continuously since, cannot exceed fifty percent (50%) of the amount saved by the local unit as a result of the employee's waiver of coverage. For waivers filed on or after May 21, 2010, which is the effective date of P.L. 2010, c. 2, payments cannot exceed the lesser of twenty-five percent (25%) of the amount saved by the local unit as a result of the waiver, or \$5,000. When calculating an employee's waiver payment, the local unit must deduct the employee's healthcare contribution obligation from the total premium cost. Local units have sole discretion as to whether or not to offer employees payments for waiver of health benefits, and may offer waiver payments lower than the statutory maximum. Health benefit waiver payments are statutorily excluded from collective bargaining. See Local Finance Notices 2010-12 and 2016-10 for further discussion on health benefit waiver payments. <u>Does your municipality 1) refrain from paying waiver payments in excess of the statutory maximum; 2) deduct employee healthcare contribution obligations from the total premium cost when calculating waiver payments; and 3) refrain from incorporating healthcare waiver payments in any labor agreement? "N/A" is only applicable where the municipality has a policy of not making payments in lieu of health benefits.</u></p>	
Yes		

Kinnelon Borough (Morris)		
1415	<i>Please see Color Key at bottom of sheet for limits on answers</i>	
Answer	Question	Comments
Personnel - PE		
25 Yes	<p>The Fair Labor Standards Act (FLSA) is a federal law requiring that overtime pay must be paid for all hours over 40 hours in a work week except for those employees classified as exempt and thus not entitled to overtime. Management employees such as elected officials, managers/administrators, municipal clerks, CFOs, public works superintendents, police chiefs and other department heads are typically classified as having exempt status and thus not entitled to overtime pay. Other municipal employees may also be classified as exempt under the FLSA (you should consult with labor counsel for more detailed guidance). Exempt status would also preclude overtime pay for time worked during emergencies, attendance at night meetings and participation in training sessions. Compensated leave time in lieu of cash payments is considered to be a form of overtime pay unless such leave is utilized in the same pay period. <u>Does your municipality refrain from paying overtime to employees classified as exempt under the FLSA?</u></p>	
26 Yes	<p><u>For any employees covered by a collective bargaining agreement, has your municipality instituted a policy to not compensate said employees for sick leave accumulated after a certain date? If such provisions were imposed by an arbitrator in binding arbitration but the municipality is seeking to eliminate such a contractual obligation through collective bargaining, your answer can be "N/A". If answering "N/A", the municipality must identify under "Comments" each such provision imposed by an arbitrator, along with the status of the collective bargaining negotiations to eliminate each such provision.</u></p>	
27 Yes	<p>Has your municipality instituted a written policy to not compensate non-union employees for sick leave accumulated after a certain date?</p>	
28 Yes	<p>Has your municipality adopted an ordinance, resolution, regulation or written policy eliminating longevity awards, bonuses or payments for non-union employees?</p>	

Kinnelon Borough (Morris)

Please see Color Key at bottom of sheet for limits on answers

1415	Answer	Question	Comments
	Yes	<p>For any employees covered by a collective bargaining agreement, has your municipality eliminated all longevity awards, bonuses or payments for employees hired on or after a specified date, and refrained from increasing any longevity awards, bonuses or payments for employees hired before a specified date? The answer to this question can be "N/A" if such provisions were imposed by an arbitrator in binding arbitration but the municipality is seeking to eliminate such a contractual obligation through collective bargaining. If answering "N/A", the municipality must identify under "Comments" each such provision imposed by an arbitrator, along with the status of the collective bargaining negotiations to eliminate each such provision.</p>	
	Yes	<p>Employee personnel manuals or handbooks serve as a valuable tool to convey a municipality's policies, procedures and benefits. Many insurance carriers encourage the adoption of such a document and offer discounted rates for their use. These publications should review employees' rights and obligations in areas ranging from discrimination, safety, violence, and harassment to vacation and sick days, holidays, use of township vehicles, smoking and political activity, among others. Has your municipality adopted or updated an employee personnel manual/handbook by resolution or ordinance within the last five years? If yes, please provide in the Comments section the date of the meeting at which the personnel manual was adopted or updated.</p>	15-Sep-16

Kinnelon Borough (Morris)		
<i>Please see Color Key at bottom of sheet for limits on answers</i>		
Answer	Question	Comments
0	Select	
23	Yes	
3	No	
4	N/A	
30	Total Answered:	
27	Score (Yes + N/A)	
90%	Score %	
Chief Administrative Officer's Certification		
	I hereby certify that the information provided in this Best Practices Inventory is accurate to the best of my knowledge.	Certification #(s)
	Robert W. Collins, Mayor	10/4/2016
Chief Financial Officer's Certification		
	I hereby certify that the information provided in this Best Practices Inventory is accurate to the best of my knowledge.	Certification #(s)
	Kelly A. Lombardi	N-0845 10/4/2016
Municipal Clerk's Certification		
	I hereby certify that the Governing Body of the Borough of Kinnelon in the County of Morris discussed/will discuss the CY 2016/SFY 2017 Best Practice Inventory as completed herein at a public meeting on October 20, 2016, with the Inventory results, and the certification thereof by the Chief Administrative and Chief Financial Officers, respectively, to be stated in the minutes of said public meeting.	Certification #(s)
	Jane McCarthy	C-0683 10/4/2016

October 20, 2016

RESOLUTION 10.10.16

TO REFUND DRIVEWAY BOND
61 LAKESIDE TRAIL

WHEREAS, Michael Covello was required to submit a \$200.00 Driveway bond for permit #1685 in order to install a driveway located at 61 Lakeside Trail, Kinnelon, New Jersey ; 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 Michael Covello, 61 Lakeside Trail, Kinnelon, New Jersey, in the amount of \$200.00

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

Dated



Karen Luele
Deputy Borough Clerk

Borough of Kinnelon
Kinnelon, NJ 07405

October 20, 2016

Resolution No. 10.11.16

WHEREAS, law enforcement officers are essential to the safety and well-being of our American Republic and its citizens; and

WHEREAS, radical organizations and their ideology of terror represent an existential threat to democracy worldwide; and

WHEREAS, the terroristic use of beheadings by ISIS and the furtherance of its global ambitions is both a form of cruel and unusual punishment, as well as a crime against humanity; and

WHEREAS, the terrorist groups have declared that a state of war exists between them and the United States of America, its allies, the military organizations of the USA and its allies, and American citizens and those of our allies worldwide; and

WHEREAS, the First Amendment to the Constitution of the United States of America protects disturbing and offensive images and commentary; and

WHEREAS, that under the Constitution of the United States of America, our best means of combating disturbing and offensive speech is with more speech to counter what we find disturbing and offensive; so

BE IT RESOLVED, that the Freeholders of the County of Morris express their condemnation of publications and distribution of any and all images that purport to glorify or justify violence against law enforcement officers and call on the New Jersey legislature to join the Freeholders in condemning such publications; and

BE IT FURTHER RESOLVED that copies of this resolution shall be sent to the President of the United States, Senate President of the House, Speaker of the House, Governor of the State of New Jersey, the President of the New Jersey Senate, the Speaker a of the New Jersey Assembly, the legislators who represent Morris County municipalities and the members (Senate and House) of Congress who represent the County, and to all municipalities in Morris County.

I hereby certify the above to be a true copy of a resolution adopted by the Borough of Kinnelon of the County of Morris at a regular meeting on October 21, 2016.



Mayor Robert W. Collins



Karen M. Iuele Deputy Borough Clerk

October 20, 2016

Scott (KN-2056)
Weber Dam Resolution
100316
101116

RESOLUTION NO. 10.12.16

**RESOLUTION AUTHORIZING THE
SUBMISSION OF A FRESHWATER WETLAND
GENERAL PERMIT NO. 18 APPLICATION AND A
DAM SAFETY PERMIT APPLICATION TO THE
NJDEP FOR APPROVAL TO REMOVE MAPLE
LAKE DAM AND RESTORATION OF MAPLE LAKE
DAM**

WHEREAS, pursuant to the Contract of Sale between the Borough of Kinnelon ("Borough") and The Villas at Maple Lake, L.L.C. ("The Villas") for the acquisition of the Weber Tract by the Borough for passive recreation and open space, The Villas agreed to remediate the Maple Lake Dam in accordance with the specifications of the New Jersey Department of Environmental Protection ("NJDEP"); and

WHEREAS, in order to remove the dam and restore the Maple Lake bed, The Villas must apply for and obtain a Freshwater Wetland General Permit No. 18 and a Dam Safety Permit Application from the NJDEP in order to remediate the dam and construct said improvements; and

WHEREAS, the Borough desires to approve the applications by The Villas to the NJDEP to in order that The Villas remove the dam and restore the lake bed at Maple Lake in accordance with NJDEP requirements and standards.

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

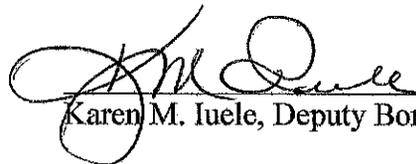
1. The Borough hereby authorizes the execution and submission of an application for a Freshwater Wetland General Permit No. 18 and a Dam Safety Permit Application to the NJDEP to permit The Villas at to remove Maple Lake Dam and restore the Maple Lake bed in accordance with NJDEP requirements.

October 20, 2016

2. After all NJDEP approvals are obtained but prior to any site disturbance, The Villas agrees to submit a Soil Disturbance Permit application in accordance with Chapter 169 of the Kinnelon Borough Code for review and approval by the Borough Engineer.
3. After all NJDEP approvals are obtained but prior to any site disturbance, The Villas agrees to obtain certification from the Morris County Soil Conservation District.
4. After all NJDEP approvals are obtained but prior to any site disturbance, The Villas agrees to obtain tree removal permits in accordance with Chapter 186 of the Kinnelon Borough Code.
5. The Villas agrees to comply with all applicable municipal ordinances and regulations, as well as County, State and Federal Laws applicable to the Maple Lake Dam removal and restoration of the Maple Lake bed.
6. The Mayor and Borough Clerk, together with all other appropriate employees and professionals are hereby authorized and directed to take any and all steps necessary to effectuate the purposes of this Resolution.
7. This resolution shall take effect immediately.

CERTIFICATION

I, Karen M. Iuele, Deputy Borough Clerk of the Borough of Kinnelon hereby certify the foregoing to be a true copy of a Resolution adopted by the governing body of the Borough of Kinnelon at a duly convened meeting held on October 20, 2016.


Karen M. Iuele, Deputy Borough Clerk

October 20, 2016

RESOLUTION 10.13.16

ESTABLISH CHANGE FUND
FOR CLERK'S DEPARTMENT

WHEREAS, the Clerks Department would like have permission from the Mayor and Council of the Borough of Kinnelon to establish a change fund for the clerk's office in the amount of \$100.00; and

WHEREAS, the Mayor and Council of the Borough of Kinnelon due hereby approve a change fund for the clerk's office department;

NOW THEREFORE BE IT RESLOVED by the Mayor and Council of the Borough of Kinnelon due hereby approve a change fund for the Clerk's Office Department in the amount of 100.00.

Dated: October 20, 2016



Robert W. Collins, Mayor

October 20, 2016

Keli (KN-1005)
Museum Phase II Resolution
101216

**RESOLUTION NO. 10.14.16 RESOLUTION AWARDING CONTRACT FOR
PHASE II: EXTERIOR RESTORATION OF L'ECOLE
KINNELON MUSEUM TO NORTHEAST ROOF
MAINTENANCE, INC.**

WHEREAS, Connolly & Hickey Historical Architects, LLC ("Connolly & Hickey") was retained as the historical architect for the restoration and reconstruction of L'Ecole, the Kinnelon Museum; and

WHEREAS, the Borough of Kinnelon ("Borough"), through Connolly & Hickey, sought bids for a Contract for Phase II: Exterior Restoration of L'École, the Kinnelon Museum, as well as three bid alternates for installation of attic ventilation, attic level repairs and barrier-free route; and

WHEREAS, three sealed bids for the Phase II: Exterior Restoration and the three bid alternates were received and opened by the Borough on September 21, 2016; and

WHEREAS, Northeast Roof Maintenance, Inc. submitted a bid including the three bid alternates in the total amount of \$292,750, Precision Building and Construction submitted a bid including the three bid alternates in the total amount of \$324,948, and Hawley Brothers Inc. submitted a bid including the three bid alternates in the total amount of \$335,900; and

WHEREAS, Connolly & Hickey has reviewed and approved the bid documents submitted by Northeast Roof Maintenance, Inc. and has recommended that the Contract for Phase II: Exterior Restoration as well as the three bid alternates should be awarded to Northeast Roof Maintenance, Inc. in the bid amount of \$292,750; and

WHEREAS, the Borough desires to authorize the award of the Contract to Northeast Roof Maintenance, Inc. as the lowest responsive and responsible bidder.

October 20, 2016

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

1. The Contract for Phase II: Exterior Restoration of L'Ecole, the Kinnelon Museum, including the three bid alternates for installation of attic ventilation, attic level repairs and barrier-free route, for the total bid amount of Two Hundred Ninety-Two Thousand Seven Hundred and Fifty Dollars (\$292,750), is hereby awarded to Northeast Roof Maintenance, Inc., 649 Catherine Street, Perth Amboy, New Jersey, 08861 as the lowest responsive and responsible bidder.

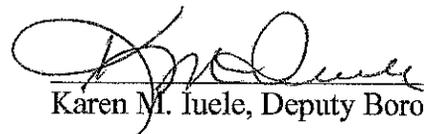
2. The Mayor and Borough Clerk are hereby authorized and directed to execute the contract and said officers, together with all other officers, professionals and employees of the Borough are hereby authorized and directed to take any and all steps necessary to effectuate the purposes of this Resolution.

3. This award is subject to the Contractor=s compliance with the requirements of P.L. 1975, c.127 (N.J.S.A. 10:5-31 et seq.) and the regulations thereunder regarding affirmative action.

4. This Resolution shall take effect immediately.

CERTIFICATION

I, Karen M. Iuele, Deputy Borough Clerk of the Borough of Kinnelon hereby certify the foregoing to be a true copy of a Resolution adopted by the governing body of the Borough of Kinnelon at a duly convened meeting held on October 20, 2016.


Karen M. Iuele, Deputy Borough Clerk

RESOLUTION NO. 10.15.16 RESOLUTION AUTHORIZING THE MAYOR TO SIGN A AN EXTENSION OF THE MEMORANDUM OF UNDERSTANDING BETWEEN THE BOROUGH AND POMPTON PLAINS REFORMED BIBLE CHURCH

WHEREAS, on October 15, 2015 the Borough entered into a memorandum of understanding with the Pompton Plains Reformed Bible Church for the transfer of church land to the Borough (“Memorandum of Understanding”); and

WHEREAS, the Memorandum of Understanding expires on December 31, 2016 unless otherwise extended in writing by mutual agreement of the parties; and

WHEREAS, the Mayor and Council wish to sign an extension of the Memorandum of Understanding with the Pompton Plains Reformed Bible Church as it is in the best interests of the Borough in order to complete the acquisition of the property by the Borough.

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

1. The Borough hereby authorizes the Mayor to sign a twelve (12) month extension of the Memorandum of Understanding with the Pompton Plains Reformed Bible Church through December 31, 2017.
2. The Mayor and Borough Clerk, together with the Borough attorney and other appropriate and applicable officers, employees, professionals and staff of the Borough, are hereby authorized and directed to take all steps necessary to effectuate the purposes of this Resolution.
3. This Resolution shall take effect immediately.

October 20, 2016

CERTIFICATION

I, Karen M. Iuele, Deputy Borough Clerk of the Borough of Kinnelon hereby certify the foregoing to be a true copy of a Resolution adopted by the governing body of the Borough of Kinnelon at a duly convened meeting held on October 20, 2016.


Karen M. Iuele, Deputy Borough Clerk

October 20, 2016

MEMORANDUM OF UNDERSTANDING TERM EXTENSION

This Memorandum of Understanding Extension, made and entered into this 20th day of October, Two Thousand and Sixteen between the Borough of Kinnelon, a Municipal Corporation of the State of New Jersey ("Borough") and Pompton Plains Reformed Bible Church ("PPRC").

WITNESSETH:

WHEREAS, the Borough and PPRC entered into a Memorandum of Understanding dated October 15, 2015 ("Memorandum of Understanding") for the transfer of vacant land containing approximately 10 acres formally known as Block 45502, Lot 119 on the current tax map of the Borough of Kinnelon, commonly known as 46 Boonton Avenue ("Property") from PPRC to the Borough; and

WHEREAS, the Memorandum of Understanding shall expire on December 31, 2016 unless otherwise extended in writing by mutual agreement of the parties; and;

WHEREAS, both parties desire to extend the Memorandum of Understanding for another twelve (12) month period through December 31, 2017; and

NOW THEREFORE, in consideration of mutual promises and covenants contained herein the parties do agree as follows:

Term. The term of the Memorandum of Understanding shall be extended for the additional twelve (12) months through December 31, 2017 under the same terms and conditions as set forth in the original Memorandum of Understanding. All other provisions of the 2015 Memorandum of Understanding remain unchanged .

IN WITNESS WHEREOF; the parties have executed this Memorandum of Understanding Term Extension on the dates set forth herein below.

POMPTON PLAINS REFORMED BIBLE
CHURCH

BOROUGH OF KINNELON



Mayor Robert Collins

[Print name and title below signature]

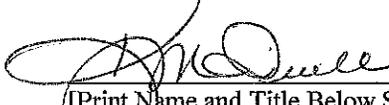
ACKNOWLEDGEMENT

STATE OF NEW JERSEY |
COUNTY OF MORRIS |

SS.:

BE IT REMEMBERED, that on this 20th day of October, in the year of our Lord, Two Thousand Sixteen, before me, the subscriber, personally appeared KAREN M. IUELE, who, being by me duly sworn on her oath, doth depose and make proof to my satisfaction that she is the DEPUTY CLERK of the BOROUGH OF KINNELON, a municipal corporation, the corporation named in the within instrument; that ROBERT COLLINS is the MAYOR of said municipality; that the execution as well as making of this instrument has been duly authorized by proper action of the Governing Body; that deponent well and truly knows the corporate seal of said municipality; and the seal affixed to said instrument is such seal and was thereto affixed to said instrument signed and delivered by said MAYOR COLLINS as and for the voluntary act and deed of said municipality, in the presence of deponent, who thereupon subscribed her name thereto as witness.

Sworn and subscribed to before me on the date aforesaid.


[Print Name and Title Below Signature]
KAREN M. IUELE
Deputy Borough Clerk


[Print Name and Title Below Signature]

LINDA A. MONTGOMERY
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires 3/31/2017

ACKNOWLEDGMENT, CORPORATE OR OTHER ENTITY

STATE OF NEW JERSEY |
COUNTY OF MORRIS |

SS.:

I CERTIFY that on October 20th, 2016.

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

- (a) was the maker of the attached instrument; and
- (b) was authorized to and did execute this instrument as Borough of Kinnelon, the entity named in this instrument.

Sworn and subscribed to before me this 20th day of October, 2016.


[Print Name and Title Below Signature]

KAREN IUELE
NOTARY PUBLIC OF NEW JERSEY
My commission expires July 16,

October 20, 2016

RESOLUTION 10, 16.16

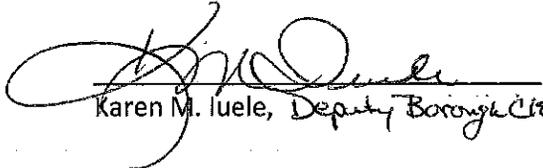
AUTHORIZATION FOR MAYOR TO SIGN
COUNCIL 52, AFSCME COLLECTIVE BARGAINING
AGREEMENT EXTENSION FOR THE YEAR 2016

WHEREAS, the Kinnelon Mayor and Council have reviewed and approved the Extension of the Collective Bargaining Agreement between the Borough of Kinnelon and Council 52 AFSCAME for the year January 1, 2016 and December 31, 2016 with a 2% raise; and

WHEREAS, it is necessary for the Mayor to Sign said Agreement; and

NOW, THEREFORE, BE IT RESOLVED by the Kinnelon Mayor and Council the Mayor or the Borough is hereby authorized to execute the extended 2016 Collective Bargaining Agreement between the Borough of Kinnelon and Council 52, AFSCME Collective Bargaining Agreement with a 2% raise for the DPW Maintainers.

Dated: October 20, 2016


Karen M. Luele, Deputy Borough Clerk

October 20, 2016

RESOLUTION 10.17-16

CHAPTER 159 TO ADD
2016 BODY ARMOR
GRANT FUND TO THE
2016 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 2016 which item is now available as a revenue from

MISCELLANEOUS REVENUES

State and Federal Revenues Offset with appropriations:

2016 BODY ARMOR GRANT \$1,783.18

SECTION 2.

BE IT FURTHER RESOLVED that a like sum of \$300.00 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:

2016 BODY ARMOR GRANT \$1,783.18

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.

DATED: 10/20/2016


Karen M. Iuele
Deputy Borough Clerk

October 20, 2016

RESOLUTION # 10.18.16

WHEREAS, The owners of Block 11407, Lot 101 did certain improvements to their property creating a billing for Added/Omitted taxes for fourth quarter 2016; and

WHEREAS, The Tax Collector calculated the billing based on the information imputed by the Tax Assessor; and

WHEREAS, The Tax Assessor erroneously entered the assessment twice, causing a duplicate billing on the Tax Collector's behalf; and

WHEREAS, The Tax Assessor must remove the duplicate through the Tax Appeal process in 2017, causing an overbill on the property in 2016.

BE IT RESOLVED, BY THE Mayor and Council of the Borough of Kinnelon, that the Tax Collector remove the overbill caused by the duplicate input from the property as not to burden the taxpayer and to allow for the appeals process to complete in 2017.

ROLL CALL:

October 20, 2016
Judith O'Brien, CTC
Acting Tax Collector
Borough of Kinnelon

I, Karen M. Iuele, Deputy Borough Clerk, Borough of Kinnelon, hereby certify this resolution to be a true copy of the resolution which was duly passed at the regular meeting of the Borough of Kinnelon Mayor and Council October 20, 2016.

Date: 10/20/16


Karen M. Iuele, Deputy Borough Clerk

October 20, 2016

Scott (KN-1012)
KN Bulk Waste and Recyclable Materials Resolution
101816

RESOLUTION 10.19.16 AUTHORIZING THE AWARD OF A CONTRACT FOR SOLID WASTE, BULK WASTE AND RECYCLABLE MATERIALS CURBSIDE COLLECTION AND TRANSPORTATION SERVICES TO SUBURBAN DISPOSAL, INC. IN THE BID AMOUNT OF \$1,308,000.00 FOR SOLID WASTE CURBSIDE COLLECTION AND THE BID AMOUNT OF \$657,000.00 FOR RECYCLABLE MATERIALS FOR THE PERIOD OF JANUARY 1, 2017 THROUGH DECEMBER 31, 2019

WHEREAS, the Borough of Kinnelon ("Borough") duly sought bids for a Contract for Solid Waste, Bulk Waste And Recyclable Materials Curbside Collection And Transportation Services commencing January 1, 2017; and

WHEREAS, one (1) sealed bid was received and opened by the Borough on August 24, 2016; and

WHEREAS, Suburban Disposal, Inc. ("Suburban Disposal") provided a bid dated August 24, 2016 in the bid amount of One Million Three Hundred Thousand Eight Hundred Dollars (\$1,308,000.00) for solid waste curbside collection for 2017 through 2019 and in the bid amount of Six Hundred Fifty-Seven Thousand Dollars (\$657,000.00) for recyclable material curbside collection for 2017 through 2019; and

WHEREAS, Suburban Disposal's bid documents are in order and the contract for Solid Waste, Bulk Waste And Recyclable Materials Curbside Collection And Transportation Services commencing on January 1, 2017 should be awarded to Suburban Disposal as the only responsive and responsible bidder; and

WHEREAS, the Borough desires to authorize the award of the Contract for a three-year period to Suburban Disposal as the only responsive and responsible bidder.

October 20, 2016

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

1. The Solid Waste, Bulk Waste And Recyclable Materials Curbside Collection And Transportation Services from January 1, 2017 through December 31, 2019, in the bid amount of One Million Three Hundred Thousand Eight Hundred Dollars (\$1,308,000.00) for solid waste curbside collection and the bid amount of Six Hundred Fifty-Seven Thousand Dollars (\$657,000.00) for recyclable material curbside collection is hereby awarded to Suburban Disposal as the only responsive and responsible bidder.

2. The Mayor and Deputy Borough Clerk are hereby authorized and directed to execute the contract subsequent to execution by Suburban Disposal, and said officers, together with all other officers, professionals and employees of the Borough are hereby authorized and directed to take any and all steps necessary to effectuate the purposes of this Resolution.

3. This award is subject to the Contractor's compliance with the requirements of P.L. 1975, c.127 (N.J.S.A. 10:5-31, *et seq.*) and the regulations thereunder regarding affirmative action.

4. The foregoing award is further subject to the certification of availability of funds by the appropriate officers of the Borough.

5. This Resolution shall take effect immediately.

CERTIFICATION

I, Karen M. Iuele, Deputy Borough Clerk of the Borough of Kinnelon hereby certify the foregoing to be a true copy of a Resolution adopted by the Governing Body of the Borough of Kinnelon at a duly convened meeting held on October 20, 2016.



Karen M. Iuele, Deputy Borough Clerk

October 20, 2016

RESOLUTION # 10.20.16

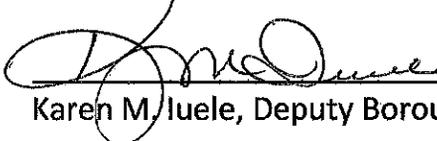
BE IT RESOLVED, BY THE Mayor and Council of the Borough of Kinnelon, that the Mayor and Municipal Clerk are hereby required to sign as Authorization for Cancellation Certificate of Sale No. 15-00008 dated December 17, 2015 for Block 57401, Lot 146 known as 66 Denise Drive as the Tax Collector has received the Certified Funds to satisfy said lien.

ROLL CALL:

October 20, 2016
Judith O'Brien, CTC
Acting Tax Collector
Borough of Kinnelon

I, Karen M. Iuele, Deputy Borough Clerk, Borough of Kinnelon, hereby certify this resolution to be a true copy of the resolution which was duly passed at the regular meeting of the Borough of Kinnelon Mayor and Council October 20, 2016.

Date: 10/20/16


Karen M. Iuele, Deputy Borough Clerk

October 20, 2016

RESOLUTION 10.21 .16

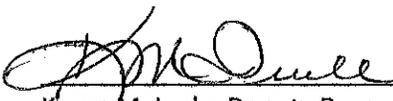
AUTHORIZATION TO HIRE
LAURA M. GAKOS AS SECRETARY
TO THE OPEN SPACE ADVISORY
COMMITTEE AND THE HISTORICAL
COMMISSION

WHEREAS, the Council of the Borough of Kinnelon wishes to hire Laura M. Gakos as secretary to the Open Space Advisory Committee and the Historical Commission; and

WHEREAS Laura M. Gakos start date is October 1, 2016, with a rate of pay of \$20.00 an hour not to exceed \$200.00 per month.

NOW THERE FOR BE IT RESOLVED BY, the Mayor and Council of the Borough of Kinnelon approved hiring Laura M. Gakos as the secretary to the Open Space Advisory Committee and the Historical Commission.

Dated: October 20, 2016



Karen M. Luele, Deputy Borough Clerk

October 20, 2016

RESOLUTION 10.22.16

AUTHORIZATION FOR PHOENIX CONSULTING
GROUP LLC PROPOSAL FOR A CFO SEARCH AND
INTERIM STAFFING SERVICES

WHEREAS, the Borough Council of the Borough of Kinnelon, County of Morris, State of New Jersey do hereby wish to higher Phoenix Consulting Group LLC; and

WHEREAS, Phoenix Consulting Group will help the Borough of Kinnelon CFO with financial support and staffing services; and

WHEREAS, the Proposal and Agreement service is for \$150.00an hour for CFO search services, \$115.00 an hour for Office Staffing Associate and \$150.00 for Office Staffing Partner.

NOW, THEREFORE, BE IT RESOLVED, by the Borough of Kinnelon, County of Morris, State of New Jersey, that the Borough Council of the Borough of Kinnelon hereby authorize Phoenix Consulting Group for CFO Search and Interim Staffing Services.

Dated: 10/20/16


Karen M. Luele, Deputy Borough Clerk



October 20, 2016

October 19, 2016

Robert Collins, Mayor
Borough of Kinnelon
130 Kinnelon Road
Kinnelon, NJ 07405

Dear Mayor Collins,

We are pleased to offer the Borough of Kinnelon our services to aid in your search for your new CFO and services for an interim CFO, and mentoring services, if deemed necessary.

We also offer the following services:

- Budget Model
- Budget Consulting Services
- Long Term Planning
- Capital Planning
- Interim Tax Collectors
- Executive Search Services for CMFO, CCFO & Tax Collector
- Shared Service Cost Model

We strongly believe in a partnership with the clients we serve, and attempt to fully incorporate your input and considerations in all of our actions.

We are extremely proud of the fact that our team of professionals are current in their fields at the highest levels. Our approach in conducting executive searches is based upon a practical based work product, experience and qualifications; rather than theory through a questionnaire. Due to our experience in the field, we are more interested in the vetting process as to real life accomplishments in the administration or chief financial officer field rather than theory.

We will want to know, for example, a candidate's knowledge of:

- Fund balance strategies;
- Recent past history of audit comments;
- Temporary budgets;
- Ability to identify savings for a municipality through bond reissuance or refinancing;
- Combining notes into a bond sale; and
- Providing past financial analysis, plans to amend and outcomes.

I. Personnel

We would recommend that Jon Rheinhardt (See Exhibit A for Jon's resume) and Jason Gabloff (see Exhibit C for Jason's resume) be the point people for the employment search aspect. They will be supported by Joseph Kovalcik. (See Exhibit B for Joe's Resume), and David Hollberg (see Exhibit D for David's resume) on an as needed basis.

We have staff that would be available be the onsite staff/interim CFO for 1 to 2 days per week until such time as a new CFO is hired. The purpose of the interim staff would be to ensure that the office continues to function and has an experienced CFO to answer questions and offer guidance and support. Jason Gabloff and David Hollberg would continue to serve as support to the staff and Governing Body of Kinneelon on an as needed basis.

Jon Rheinhardt

Jon Rheinhardt holds the designations of CTC, CMFO, CCFO, RPPO, QPA and MPA. Jon offers more than twenty-six years of municipal finance experience from a variety of positions.

First, spending five years as a municipal auditor, Jon obtained a unique understanding of the financial, operational and regulatory side of county, municipal, joint insurance fund and school finances. Working for the County of Morris as the Assistant Treasurer for over seven years and the Borough of Wharton as the Administrator and Finance Officer for more than thirteen years has given Jon the ability to experience municipal government operations from both a large organizational view point down to a small town.

Jon served as the Chairman of the Morris County Municipal Joint Insurance Fund (MCMJIF) and also serves as the MCMJIF representative for the Municipal Excess Liability Joint Insurance Fund (MEL), Environmental Joint Insurance Fund (E-JIF) and the Residual Claims Fund Joint Insurance Fund (RCF) at the statewide level. Jon is currently the chairman of the MEL.

Jon is also an instructor for Rutgers teaching the municipal finance courses to those seeking certification as CMFO's in the State of New Jersey. In addition to Rutgers, Jon has been a guest instructor for the Morris County Prosecutor's office for their Command School teaching finance to the law enforcement community. The County of Morris also enlisted Jon to teach a finance basics course as part of a county wide shared service educational seminar. Jon has also been a guest speaker for various League of Municipality seminars in the area of Shared Services, Newly Elected Officials Training, Capital and Debt Planning, to name a few. Jon was also involved in a public forum effort sponsored by Morris County to bring schools and municipalities together to identify shared services.

Jon earned his Bachelor of Science degree in Accounting from Rider College, Lawrenceville, NJ and his Masters in Public Administration from Fairleigh Dickinson University, Madison, NJ.

Jon was the Chairman of the Morris County Employees Federal Credit Union prior to their merger with Tri Co Federal Credit Union. Joining the Tri Co Board of Directors in 2000, Jon was an active member of the Financial Management Committee, Personnel Committee, and Chairman of the Supervisory Committee. In May 2008 through June 2014 Jon served as Chairman of the Board for Tri Co Federal Credit Union.

Jon serves on the Board for the Government Finance Officers Association of New Jersey as the First Vice President and also on various committees.

Jason Gabloff

Jason Gabloff is a Certified Municipal Finance Officer and has a MPA from Seton Hall University. Jason offers more than twenty years of experience of municipal finance experience.

Jason has been the CFO for the Township of Millburn since 2003 and serves as the Part Time CFO in the Borough of Netcong since 2000. He is the Immediate Past President of the Government Finance Officers Association of New Jersey and Past Chairman of the Morris County Municipal Joint Insurance Fund. Jason is an instructor for Rutgers teaching the municipal finance courses to those seeking certification as CMFO's in the State of New Jersey and an Adjunct Professor for Seton Hall University – MPA Program. Jason has also been a guest speaker for the New Jersey League of Municipalities Conference and the GFOA of NJ Conference.

David Hollberg

David is a 1990 graduate of William Paterson University with a Bachelor of Science Degree in Public Administration. He received his Certification as a Municipal Finance Officer in 1991 and has worked in local government for the past 28 years in financial and management positions.

David is currently the Township Manager and Chief Financial Officer for Pequannock Township in Morris County. Prior to taking on the role as Manager in 2009 he had served as Pequannock's Chief Financial Officer and Director of Finance since 1995. He has also served as the Chief Financial Officer for the Township of Edison and the Borough of Bloomingdale and as a Treasurer for a Municipal Joint Insurance Fund.

Before working in municipal finance, David held a seat on the Pequannock Township Board of Education. He is a 30 year member of the Pequannock Township Fire Department where he spent 5 years as an officer, including three as Chief and now runs the driver and pump



October 20, 2016

training program. Dave is also an instructor for Rutgers, teaching Capital and Utility finance courses in the CMFO certification program.

As the Township Manager, David guided the formation of an Economic Development Commission; implemented a merit based pay program for municipal employees, obtained four separate FEMA Grants totalling over \$17 Million in flood and hazard mitigation funds and was the architect for a robust capital program that eliminated the need for General Obligation Debt.

Dave serves on the Executive Board for the Government Finance Officers Association of New Jersey. As President, he helped guide the organization to become more engaged in the legislative process and to work more closely with the Division of Local Government Services and the NJ League of Municipalities.

Joe Kovalcik

Joe Kovalcik is a Certified Municipal Finance Officer and Certified County Finance Officer. Joe offers more than 16 years of municipal finance experience from a variety of positions. Joe has been the CFO for the County of Morris since 2014 and had previously served the County in a variety of positions since 2000. Joe is an instructor for Rutgers teaching the municipal finance courses to those seeking certification as CMFO's in the State of New Jersey. In addition to Rutgers, the County of Morris also enlisted Joe to teach a finance basics course as part of a county wide shared service educational seminar. Joe has also been a guest speaker for the New Jersey League of Municipalities Conference and the GFOA of NJ Conference.

Joe serves on the Board for the Government Finance Officers Association of New Jersey as the Northern Area Chairman and also on various committees.

The Phoenix Consulting Group, LLC Executive Search Methodology

II. Confidentiality

In any executive search conducted by our firm, confidentiality is paramount. Our approach would be to offer as an alternative to receive resumes rather than have them arrive at the Borough's Municipal Building and possibly taint the process. If the governing body is sufficiently comfortable as to the confidentiality of reception at their municipal building, we will work closely with the Borough's staff and Governing Body in sharing the confidentiality of the resumes and applicants.

All respondents will be shared with the Governing Body side-by-side. It is paramount that the staff members providing assistance maintain the confidentiality of the process. There is the distinct possibility that an applicant may already be under employ with another jurisdiction and will not want that confidential information to get back sooner than it has to, in the event the application moves farther along.

III. Interview with the Mayor/ Governing Body

Prior to advertising and determining the extent and breadth of our proposed reach, we will want to determine from the governing body, exactly what they are seeking in a candidate. From our conversation, we will determine what is being looked for in the candidate. This is something we will offer to evaluate, as well as the staffing and organizational levels of the front office staff, as part of our proposal. Our goal is to establish the "preferred candidate" credentials that will be used as the guideline for evaluating applicants.

Once the governing body has expressed their desires in the form of what the Chief Financial Officer candidate and hire will resemble, the advertisement stage would commence.

IV. Breadth of Advertising

Dependent upon the size of the candidates to attract, we would like the Borough to advertise online in the New Jersey League of Municipalities website, the League Magazine and the Government Finance Officers Association website.

V. Vetting of Responses

We would highly recommend against the use of a written pre-screening questionnaire. In our experience, it tends to turn off candidates who might otherwise apply, as being too cumbersome. The initial vetting process should have as a goal of whittling the candidates down to approximately 2 to 5, candidates based upon the desired traits, experience, skills and educational elements desired at the initial consensus meeting establishing the preferred candidate credentials.

VI. The Interviews

We would recommend the interview be a two-part process. Jon Rheinhardt and Jason Gabloff will be the leads in our executive search team.

The first round would be standard questions with our team. There should be a ranking thereafter. Subsequent to the initial round and rankings, would be a second round with members of the governing body with the opportunity to identify one to two prime candidates.

It is at this point that based upon prior discussions with the governing body as to salary, offers, skill sets, and a significant commitment by the candidate to the Borough and *visa versa* should be broached and discussed.

VII. The Employment Phase

Once the Governing Body has settled on a lead candidate, and if the terms are in agreement, we would recommend to the governing body the appropriate candidate.

It is important to note that throughout this process The Phoenix Consulting Group, LLC will be capable of assisting the Borough of Kinnelon in the search process through our statewide contacts, our knowledge of the available candidates and our experience in search process in producing an outstanding candidate and member of the Kinnelon team.

Phoenix Consulting Group LLC's Interim CFO/Staffing Services

I. Financial Consulting Services

Phoenix Consulting Group LLC, agrees to provide financial consulting services for the Borough of Kinnelon for the remainder of the year 2016 and until such time as a successor is qualified, and to provide all day-to-day financial consulting with reference to the Borough's financial affairs. Phoenix Consulting Group LLC will provide assistance to the borough's named chief financial officer. When not onsite, we are available via phone and email to assist and provide guidance to the Borough staff.

Phoenix Consulting Group LLC's Interim CFO/Staffing Services

I. The mentoring services include, but are not limited to the following:

- a. General Ledger preparation and review
 - i. Posting of entries
 - ii. Review and understanding of balance sheet
- b. Cash Management
 - i. Investments
 - ii. Banking relationships
 - iii. Forecasting
- c. Budget Management
 - i. Fund Balance
 - ii. Analysis and reporting
 - iii. Utilization
- d. Capital Planning/Debt Management
 - i. Long term planning



- ii. Debt analysis
- iii. Use of short term and long term debt
- e. Office Oversight
 - i. Personnel management
 - ii. Day -to-day functions
 - iii. reporting
- f. Payroll
 - i. Tax filings
 - ii. Reconciling
 - iii. Pension management
- g. Purchasing
 - i. Bid process
 - ii. Encumbrance accounting
 - iii. Enforcement

II. Proposed Benchmarks

The proposed time frame for hiring a new CFO will be approximately three (3) months. This will be contingent the seamless working relationship with the Governing Body.

The Mentoring Services part of the proposal will be contingent upon the skill level of the candidate. In our previous engagements, this process usually has taken two (2) years due to the scope of responsibilities of CFO position. It is anticipated that by the end of the first year that the framework of the Finance Office will be in place and the maintenance of the books of original entry and completion of bank reconciliations in a timely manner and the reconciliation and funding of the payroll accounts.

Upon completion of year 2, the CFO should be able to run all facets of the finance office. At the end of year 2 we will review the finance office with the governing body. It is anticipated that there still may be need for assistance in budget preparation and capital and debt planning.



Phoenix Consulting Group LLC Proposal for Services:

- I. **CFO Search Services** **\$150 an hour**
- a. Meet with governing body – gain consensus on preferred candidate qualifications.
 - b. Vetting to maximum 2 to 5 applicants.
 - c. Two (2) rounds of interview to produce 1-3 candidates.
 - d. Final one (1) round of interview if necessary.
 - e. Negotiating salary and terms on behalf of City if requested.
 - f. Preparation of a draft employment agreement, subject to review and approval of the municipal attorney.
- II. **Office Staffing - Associate** **\$115 an hour**
Partner **\$150 an hour**

Respectfully,


Jon Rheinhardt

Jon Rheinhardt CCFO, CMFO, RPPO, QPA, CTC, MPA (Partner)
Jason Gabloff, CMFO, MPA

October 20, 2016

Exhibit A

JON S. RHEINHARDT, SR.

JRheinhardt@phoenixconsultinggrp.com

RELEVANT CAREER EXPERIENCE

BOROUGH OF WHARTON, Wharton, New Jersey, 2003 – Present

Borough Administrator and Chief Financial Officer

- Responsible for the direction and supervision of all departments and offices of the Borough with the exception of Law Enforcement
- Prepare the annual operating and capital budgets for the main operating account, water utility, sewer utility, and special sanitation district
- Developed and continue to maintain a Financial Trend and Projection Program for the Borough which monitors five year historical trends of financial performance along with a five year budget projection. This program is the first step in the budget process to review prior performance
- Established and maintain a detail debt affordability analysis which is used as a long range planning tool for debt issuance, capital planning and decision making
- Revise and update all Borough personnel policies and ordinances to comply with current laws
- Personnel officer for the Borough
- Serve as purchasing agent for the Borough to ensure compliance with N.J.S.A. 40A:11
- Evaluate the feasibility and cost benefit of Interlocal and shared service agreements entered into by the Borough
- Negotiate contracts for the Borough subject to the confirmation of the Borough Council inclusive of Developer Agreements, Collective Bargaining Agreements, and Interlocal Agreements
- Manage all phases of construction projects for the Borough ranging from initial design to final closeout
- Participated in the successful negotiation of a Shared Court arrangement with Mine Hill Township in 2007 and again with the Five-Town Joint Court which became effective in February 2009
- Representative for the Borough to the Morris County Municipal Joint Insurance Fund, the Municipal Excess Liability Joint Insurance Fund, and the Residual Claims Fund. January 2008 through May 2010, served as the Secretary/Vice Chair for the Morris County Municipal Joint Insurance Fund. May 2010 to December 2011 and 2014, served as Chairman for the Morris County Municipal Joint Insurance Fund. Presently serving as the Chair for the Municipal Excess Liability Joint Insurance Fund

RUTGERS UNIVERSITY, New Brunswick, New Jersey, 2001 – Present

Coadjutant Faculty Member

- Teach the core accounting courses for the Center for Government Services Municipal Finance Officer financial management certification program
- Involved in the updating and rewriting the course material for Current Fund, Utility Fund and Annual Financial Statements

Continued...

CAREER EXPERIENCE CONTINUED

COUNTY OF MORRIS, Morristown, New Jersey, 1995 – 2003

Assistant County Treasurer

- Prepared the Statutory Annual Financial Statement and Annual Debt Statement
- Compiled and reviewed the Financial Statements for the Annual Audit
- Coordinated the preparation of the Official Statements for Bond and Note Sales
- Reviewed, analyzed, and prepared various departmental budgets
- Monitored revenues in order to develop fund balance forecasts and to ensure adequate collection from revenue sources
- Monitored expenditures in order to ensure that adequate funds are available to meet salary and other expense requirements
- Recommended areas in which to improve methods of operation
- Continually evaluated the internal controls of the office and implement changes to maintain proper control
- Automated various functions of the Treasurer's Office including the implementation of a new accounting system in year 2000
- Trained employees on various software packages, accounting practices, and rules and regulations of the State of New Jersey
- Responsible for the daily investment of County funds

NISIVOCCIA & COMPANY, LLP, Mt. Arlington, New Jersey, 1990 – 1994

Senior Accountant / Auditor

- Provided auditing, accounting, compilation and advisory services to government clients
- Prepared the Statutory Annual Financial Statements and Debt Statements
- Compiled audit reports and determined recommendations for improvement
- Reviewed Federal and State grants for compliance with the Single Audit Act
- Prepared financial statements and supporting schedules
- Supervised and trained audit staff
- Analyzed current and prior year performance to obtain a better understanding of the clients' operations in order to determine audit scopes, strategies, and provided recommendations to improve operations
- Designed and programmed computer applications to meet clients' needs
- Automated audits, audit reports, and budget models

EDUCATION

FAIRLEIGH DICKINSON University – Madison, New Jersey

Masters in Public Administration (2009)

RIDER University – Lawrenceville, New Jersey

Bachelor of Science, Accounting (1990)

Continued...

CAREER EXPERIENCE CONTINUED

STATE OF NEW JERSEY CERTIFICATIONS

- Certified Municipal Finance Officer (C.M.F.O.)
- Certified County Finance Officer (C.C.F.O.)
- Registered Public Purchasing Official (R.P.P.O.)
- Qualified Purchasing Agent (Q.P.A)
- Certified Tax Collector (C.T.C)
- Registered Municipal Clerk (R.M.C.), (Completed 3 of the 5 courses)

ADDITIONAL ACTIVITIES

County of Morris Shared Services Seminars

- Guest Speaker on Municipal Budgeting and Finance
- Joint Presentation from Schools and Municipalities on Shared Services and open communications

Government Finance Officers Association of New Jersey (GFOANJ)

- Executive Board Member (September 2009 – Present)
- Presently serving as Secretary
- Serve on the Legislative and Technology Committees
- Speaker for GFOA on a variety of issues

League of Municipalities

- Serve on the League Legislative Committee
- Speaker for the league in a variety of educational seminars (2008 – Present)
- Provide testimony on behalf of the League on a variety of issues

Morris County Prosecutor's Office Command School

- Guest Speaker on Municipal Budgeting and Finance for Law Enforcement

State of New Jersey, Department of Community Affairs, Division of Local Government Services

- Serve on the Board of Examiners to review the C.M.F.O. state exam (December 2009 – Present)

Tri Co Federal Credit Union (2000 – 2014)

- Chairman of the Board (May 2008 – 2014)

Treasurer of Schools Monies

- West Morris Regional High School District, Chester, New Jersey
- Mendham Township Board of Education, Mendham, New Jersey
- East Hanover Board of Education, East Hanover, New Jersey
- Boonton Board of Education, Boonton, New Jersey
- Unity Charter School, Morristown, New Jersey

October 20, 2016

Exhibit B

October 20, 2016

JOSEPH A. KOVALCIK JR., CCFO, CMFO

jkovalcik@phoenixconsultinggrp.com

PROFESSIONAL PROFILE

Highly organized, dedicated and committed to professionalism. Work very well under pressure with attention to detail. Excellent written and oral communication skills. 14 years experience in local government processes. Able to supervise employees in various positions and of various skill levels. Proven track record with a strong focus on meeting deadlines. Excellent computer skills with experience in systems administration.

EDUCATION

Montclair State University, Upper Montclair, New Jersey

- ❖ Bachelor of Science in Business Administration: Concentration: Accounting, May 1994

Rutgers University, New Brunswick, New Jersey

- ❖ New Jersey Certified Municipal Finance Officer (CMFO), June 2004
- ❖ New Jersey Certified County Finance Officer (CCFO), January 2005

PROFESSIONAL EXPERIENCE

The County of Morris, Morristown, New Jersey

June 2014- Present

Chief Financial Officer, County Treasurer and Director of Finance

- ❖ Preparation of County Budget and Official Statement
- ❖ Conduct negotiations and sale of Bonds and Notes
- ❖ Review of ledgers and other staff work
- ❖ Preparation of cost studies and special projects
- ❖ Posting manual books of entry and reviewing various entries
- ❖ Research and compilation of data
- ❖ Prepare Financial Statements and reports
- ❖ Interface with departments, divisions and agencies
- ❖ Training and support of office staff
- ❖ Delegation of suitable work assignments
- ❖ Prepare capital and operating budgets
- ❖ Cost out of salary negotiation proposals
- ❖ Provide assistance in office automation, technical support and technical assistance for Department of Finance
- ❖ Train departments on financial reporting system

October 20, 2016

The Township of Parsippany-Troy Hills, Parsippany, New Jersey **September 2013 – June 2014**
Business Administrator, Chief Financial Officer, Treasurer, Comptroller and Director of Finance

- ❖ Preparation of Municipal Budget and Official Statement
- ❖ Conduct negotiations and sale of Bonds and Notes
- ❖ Review of ledgers and other staff work
- ❖ Preparation of cost studies and special projects
- ❖ Posting manual books of entry and reviewing various entries
- ❖ Research and compilation of data
- ❖ Prepare Financial Statements and reports
- ❖ Interface with departments, divisions and agencies
- ❖ Training and support of office staff
- ❖ Delegation of suitable work assignments
- ❖ Prepare capital and operating budgets
- ❖ Conduct salary negotiations (inclusive of PBA Contract)
- ❖ Handle personnel and business related items of the Township

Rutgers University – The Center for Government Services
New Brunswick, New Jersey **Fall 2004 - Present**

Adjunct Instructor

- ❖ Teach course subjects within the Financial Management Program for New Jersey Local Governments

The County of Morris, Morristown, New Jersey **October 2000 – September 2013**
Assistant County Treasurer

- ❖ Assisted County Treasurer in preparation of County Budget and Official Statement
- ❖ Assisted County Treasurer in negotiations and sale of Bonds and Notes
- ❖ Reviewed of ledgers and other staff work
- ❖ Prepared cost studies and special projects
- ❖ Posted manual books of entry and reviewing various entries
- ❖ Researched and compiled data
- ❖ Supervised preparation of Financial Statements, Audits and reports
- ❖ Implemented and served as systems administrator for Municipal Software Inc. – Financial Management System
- ❖ Provided assistance in office automation, technical support and technical assistance for Department of Finance
- ❖ Assisted in development with ITD of the County Interactive Budget System
- ❖ Trained departments on financial reporting system
- ❖ Interfaced with departments, divisions, constitutional officers and agencies
- ❖ Trained and supported office staff
- ❖ Delegated suitable work assignments
- ❖ Prepared division capital, computer and operating budgets

October 20, 2016

Borough of Mount Arlington, Mount Arlington, NJ February 2009 - Present

Budget Consultant

- ❖ Provide technical assistance
- ❖ Preparation of budget forecasts via creation of various models in Excel
- ❖ Provide fiscal advice and strategic vision for implementation of Borough's financial plan
- ❖ Preparation of annual operating budget
- ❖ Assist in compilation of capital budget
- ❖ Attend finance committee and capital budget committee meetings
- ❖ Present the annual budget and future years financial plans to the Mayor and Council and the general public

Borough of Mount Arlington, Mount Arlington, NJ January 2008 – December 2008

Chief Financial Officer

- ❖ Reviewed all expense payment vouchers prior to presentation of bill list
- ❖ Prepared monthly meeting reports
- ❖ Reviewed monthly general ledger and all financial statements
- ❖ Prepared municipal budget
- ❖ Presented the annual budget and future years financial plans to the Mayor and Council and the general public

Borough of Stanhope, Stanhope, NJ April 2006 – June 2008

Chief Financial Officer

- ❖ Reviewed all expense payment vouchers prior to presentation of bill list
- ❖ Prepared monthly meeting reports
- ❖ Reviewed monthly general ledger and all financial statements
- ❖ Oversaw and implemented Cash Management Plan
- ❖ Prepared municipal budget
- ❖ Presented the annual budget and future years financial plans to the Mayor and Council and the general public

COMPUTER EXPERIENCE

Excellent knowledge of: Windows XP, & Windows 7, MS Office Suite, MS Outlook, Mitchell Humphrey - FMSII Finance System, Municipal Software Inc. - Financial Management System, Kronos, Vital, Paychex Preview and Microsoft Visual Basic

PROFESSIONAL ORGANIZATIONS AND INTERESTS

- ❖ Presented and moderated finance sessions at various conferences and continuing education seminars
- ❖ Executive Board Member and Northern Area Chair of the Government Finance Officers Association of New Jersey
- ❖ Member of Board of Examiners for New Jersey State Administered Certified Municipal Finance Officers (CMFO) Exam

Professional References Available Upon Request

October 20, 2016

Exhibit C

JASON G. GABLOFF

6 Joseph Lane ■ Succasunna, NJ 07876 ■ (973) 584-0486 ■ jkhhgabloff@optonline.net

PROFESSIONAL PROFILE

Highly organized, dedicated and committed to professionalism. Work very well under pressure with attention to detail. Excellent written and oral communication skills. 18 years experience in municipal finance. Able to supervise employees in various positions and of various skill levels. Proven track record with a strong focus on meeting deadlines. Excellent computer skills with experience in network administration.

EDUCATION

Seton Hall University, South Orange, New Jersey

- ❖ Masters in Public Administration, May 2005

Rutgers University, New Brunswick, New Jersey

- ❖ New Jersey Certified Municipal Finance Officer, June 1998

William Paterson University, Wayne, New Jersey

- ❖ Bachelor of Science, Accounting, May 1995
-

PROFESSIONAL EXPERIENCE

TOWNSHIP OF MILLBURN, Millburn, New Jersey

May 2003 - Present

Chief Financial Officer

- ❖ Advise Township Administrator and Committee on financial issues relating to upcoming projects
- ❖ Developed and Implemented an on-line payment system for various Township fees
- ❖ Responsible for preparing and maintaining a \$52,000,000.00 budget
- ❖ Helped implement and manage People Trak – Human Resources software
- ❖ Formulate and prepare Annual Financial Statements, Annual Debt Statement, and all supplemental reports throughout the course of the year
- ❖ Responsible for handling all issuance of debt and for investing Township funds
- ❖ Redesigned cash management plan to maximize interest earnings
- ❖ Supervise three employees (assistant to the CFO, accounts payable, and payroll)
- ❖ Developed electronic purchasing guidelines to ensure proper budget controls
- ❖ Prepare annual audit financial statements and notes to the financial statements
- ❖ Analyze all financial controls and tools on a regular basis to ensure proper accounting
- ❖ Financial analysis and comparisons of tax rates, budgets, and other information that can be used in decision making by the Township Committee and Business Administrator
- ❖ Established and manage Parking Utility Fund
- ❖ Work with Administrator/Human Resources on coordinating benefits for employees
- ❖ Oversee purchasing and coordinate bids with other departments

BOUROUGH OF NETCONG, Netcong, New Jersey
Chief Financial Officer (part-time)

Aug. 2000 - Present

- ❖ Handle all bank reconciliation's
- ❖ Work with Borough Administrator on advising council on financial related issues
- ❖ Work closely with Borough staff to set up electronic cash receipts, disbursements and general ledger
- ❖ Maintain \$3,000,000.00 budget which includes water and sewer utilities

TOWNSHIP OF SPARTA, Sparta, New Jersey
Director of Finance

May 1999 – April 2003

- ❖ Advised Township Manager and Council on financial issues relating to upcoming projects
- ❖ Developed long and short-term capital plan
- ❖ Implemented interlocal agreements with board of education for computer services
- ❖ Responsible for preparing and maintaining a \$20,000,000.00 budget including a water and sewer utility
- ❖ Responsible for handling all issuance of debt
- ❖ Worked with other departments to reduce overall township costs
- ❖ Established relationships with various banks to help in the cash management and investing of Township funds
- ❖ Supervised five employees (tax, water, accounts payable, and payroll)
- ❖ Worked with Purchasing Agent on development and implementation of purchasing manual
- ❖ Worked with Purchasing Agent on bid proposals and secure all bids to ensure compliance with New Jersey Local Public Contract Laws and Local Budget Law

COMPUTER EXPERIENCE

Excellent knowledge of, Windows XP, Windows 7 and Windows 8, MS Office, WordPerfect, Quicken, Outlook, Edmunds Municipal Software Systems, etc.

PROFESSIONAL AND VOLUNTEER ORGANIZATIONS

- ❖ President of the Government Finance Officers Association of New Jersey
- ❖ Past Chairman, Morris County Municipal Joint Insurance Fund
- ❖ Government Finance Officers Association of United State and Canada
- ❖ Instructor for Rutgers University – New Jersey CMFO licensing courses
- ❖ Adjunct Professor for Seton Hall University – MPA Program
- ❖ President, Roxbury Soccer Club

Professional References Available Upon Request

October 20, 2016

Exhibit D

October 20, 2016

David W. Hollberg
DhollbergCFO@gmail.com

EDUCATION

William Paterson College, Wayne NJ
Bachelor of Science, January 1990
Major: Public Administration
Concentration: Finance

Rutgers University, New Brunswick NJ
Local Government Financial Management
NJ State Municipal Finance Officers Certification, December 1991
Passed NJ State CMFO Exam on first attempt with a score of 100 on the Worksheet

January 2009
to Present

Township of Pequannock Pompton Plains NJ
TOWNSHIP MANAGER / CHIEF FINANCIAL OFFICER

- Chief Executive Officer of the Township - Faulkner Council-Manager Plan E
- Responsible for all Personnel matters - 100 FT Employees, up to 150 PT
- Prepare and Implement \$24M in Municipal Budgets - Current & 4 Utilities
- Reorganized Public Works & Recreation Departments for operational efficiency
- Applied for & Received 3 FEMA Grants for Flood Acquisition & Elevations (\$16.5M)
- Maintained a Stable Budget and Tax Rate for 6 Consecutive Years
- Prepare Annual Debt and Annual Financial Statements and Municipal Budget
- Managed the Design & Construction of a \$16 Million Sanitary Sewer Extension
- Successfully Implemented a Performance Based Pay Plan tied to Annual Evaluations
- Responsible for Four Municipal Utilities (Water, Sewer, Solid Waste & Recreation)

March 2008
to December 2008

Township of Edison Edison NJ
DIRECTOR of FINANCE / CHIEF FINANCIAL OFFICER

- Responsible for Maintenance of all Financial Records of the Township
- Prepare Annual Debt Statement and Review Annual Financial Statement
- Prepare and Implement Municipal Budget in excess of \$140 Million
- Assist in bringing FY09 budget from \$3 Million over to \$1M under Levy CAP
- Prepared a Capital Replacement Plan to Modernize the Vehicle Fleet
- Supervise Twenty Employees including the Tax Collector and Tax Assessor
- Responsible for Municipal Sewer Utility and Sanitation District Financial Activity
- Prepare Monthly Financial Reports for the Administrator and Council
- Prepare Detailed Financial Analysis for Various Municipal Activities
- Advise Municipal Council, Mayor and Staff on Financial and Budget Matters

January 1995
to March 2008

Township of Pequannock Pompton Plains NJ
CHIEF FINANCIAL OFFICER / TREASURER

- Maintain all Financial Records of the Township
- Prepare Annual Debt and Annual Financial Statements and Municipal Budget
- Pre-Audit all Books and Accounts in preparation of Annual Single Audit
- Supervise Cash Receipts and Co-Signatory on Disbursements
- Responsible for Four Municipal Utilities (Water, Sewer, Solid Waste & Recreation)

David W. Hollberg

Page 2

April 1993
to March 2008

DIRECTOR of FINANCE

- Responsible for all Department of Finance Activities including:
Tax & Utility Collection, Assessment and Financial Administration
- Become Acting Township Manager in his Absence
- Supervise Nine Employees including the Tax Collector and Tax Assessor
- Make Finance Related Recommendations to the Township Manager
- Direct and Coordinate all Data Processing Activities including an Interlocal Service Agreement to Provide a Network Administrator to four other Municipalities

October 1990
to April 1993

PRINCIPAL ACCOUNTANT

- Maintain Receipt and Disbursement Journals & General Ledger
- Perform all Monthly Accounting Cycle Tasks
- Budget Analysis for Township Manager and Department Heads

May 1989
to October 1990

ACCOUNTS CLERK / ADMINISTRATIVE ASSISTANT

- Responsible for all Aspects of Accounts Payable / Receivable
- Process all Purchase Orders & Vouchers

May 1988
to May 1989

INTERN to the TOWNSHIP MANAGER

- Various Projects under the Direction of the Township Manager
- Prepared a Personnel Handbook, still in use by the Township
- Undertook an historical Financial Evaluation based on an ICMA Guide

**PROFESSIONAL
POSITIONS HELD**

**New Jersey Intergovernmental Insurance Fund Old Bridge NJ
TREASURER / CFO**

May 2005
to December 2010

- Maintain all Financial Records of the Insurance Fund
- Prepare Monthly Account Reconciliation's for all Bank Accounts
- Prepare and Submit Monthly Treasurer's Report to the Executive Board
- Maintain a General Ledger and supporting Books of Original Entry
- Collect, Deposit and Record all Cash Receipts
- Invest all Idle Funds; Maximize Investment Return within the Cash Management Plan
- Work Closely with the Auditor in preparation of Annual Audit and Mid-Year Review

July 1995
to June 2003

**Pequannock Township Board of Education Pompton Plains NJ
TREASURER of SCHOOL MONIES**

- Review all Financial Records of the Board of Education
- Prepare Monthly Account Reconciliation's for all Bank Accounts
- Prepare and Submit Monthly Treasurer's Report in a Timely Fashion
- Review Year End Adjusting Entries with the Business Administrator

March 1997
to March 2000

**Borough of Bloomingdale Bloomingdale NJ
CHIEF FINANCIAL OFFICER**

- Review and Sign Annual Debt and Annual Financial Statements
- Review and Provide Guidance on the Municipal Budget in Accordance with Statute
- Consult with Treasurer and Staff regarding Statutory Requirements

David W. Hollberg

Page 3

**PROFESSIONAL
ORGANIZATIONS**

- Government Finance Officer's Association of New Jersey, Past President
- Government Finance Officer's Association, Member
- Tax Collector's & Treasurer's Association of New Jersey, Member
- Tax Collector's & Treasurer's Association of Morris County, Member
- Morris County Alliance of Active Fire Chief's, Secretary (2007 / 2008)
- International Association of Fire Chief's (IAFC), Member

**RELATED
EXPERIENCE
& INTERESTS**

- Assist Other Municipalities in Setting up General Ledgers
- Served three year term as elected member of the Board of Education
- Served on the Finance Committee of Winding Brook Homeowner's Assoc. (Hamburg)
- Adjunct Instructor for Rutgers, Financial Management Courses for CFO Certification
- Founding Member of the Black Diamond Investment Club
- Active Member and Chief (3 Years) of Pompton Plains Engine Company #1
- Active Member of the Pequannock Township First Aid Squad
- Co-owner of Asset Photography, Inc., specializing in Digital Assessment Photography
- Recreation League Soccer Coach, 6 Years
- Attended FBI Citizen's Academy, Newark Division, Spring 2009 - Member FBICAAA

October 20, 2016

Keli (KN-2035)
Development Application Ordinance
090116

ORDINANCE NO. 15-16

**AN ORDINANCE AMENDING THE LAND USE
ORDINANCE OF THE BOROUGH OF KINNELON,
IN THE COUNTY OF MORRIS, NEW JERSEY, TO
UPDATE SUBMISSION REQUIREMENTS FOR
APPLICATIONS FOR DEVELOPMENT**

WHEREAS, the Highlands Water Protection and Planning Act ("Highlands Act," N.J.S.A. 13:20-1, *et seq.*) was enacted by the State Legislature on August 10, 2004 for the purpose of protecting, enhancing, and restoring the natural resources of the New Jersey Highlands Region, in particular the water resources, which provide drinking water to over 5 million New Jersey residents; and

WHEREAS, the Highlands Act created the Highlands Water Protection and Planning Council (the "Highlands Council") and charged it with crafting a comprehensive master plan for the New Jersey Highlands Region; and

WHEREAS, the Highlands Regional Master Plan was adopted by the Highlands Council through the adoption of Resolution 2008-27 on July 17, 2008, and became effective on September 8, 2008 as the product of a long-term, participatory, and region-wide planning effort; and

WHEREAS, Resolution 2008-27 included the adoption of Highlands Regional Master Plan as well as the adoption of various technical reports and guidelines that accompanied the Plan including the 2008 Plan Conformance Guidelines; and

WHEREAS, the Plan Conformance Guidelines provide an overview of the Highlands Act's bifurcated system for municipal conformance with the Highlands Regional Master Plan – mandatory Plan Conformance for any portion (or if applicable, the whole) of a municipality

October 20, 2016

located within the Preservation Area and voluntary Plan Conformance for any portion (or if applicable, the whole) of a municipality lying within the Planning Area; and

WHEREAS, Section 14 of the Highlands Act expressly requires that municipalities must revise and conform their local Master Plan and development regulations for that portion of their lands within the Preservation Area, as related to development and use of said lands, with the goals, requirements and provisions of the Regional Master Plan within 15 months of the effective date of adoption thereof, or December 8, 2009; and

WHEREAS, Section 15 of the Highlands Act provides for voluntary Plan Conformance where any municipality located wholly or partially in the Planning Area may at any time voluntarily revise and conform its local master plan and development regulations, as related to the development and use of land in the Planning Area, with the goals, requirements and provisions of the Regional Master Plan; and

WHEREAS, the Plan Conformance Guidelines detail the requirements for Plan Conformance including amendments to the Environmental Resource Inventory, Master Plan, and Land Use Ordinance, which together are intended to achieve conformance with the Regional Master Plan and provide immediate protections to vital Highlands Resources; and

WHEREAS, the Plan Conformance Guidelines require conforming municipalities to adopt Initial Revisions as a first step of Plan Conformance; the initial revisions are revisions of the existing Master Plan and development regulations which are deemed necessary by the Highlands Council for prompt enactment by a petitioning local government in order to ensure the protection and enhancement of the resources of the Highlands Region; and

WHEREAS, the Plan Conformance Guidelines include the adoption of a Development Application Checklist Ordinance as an Initial Revision in order to ensure that any Application for Development not be deemed complete until such time as certain documents have been submitted

October 20, 2016

by the Applicant and to ensure that Applications for Development are consistent or revised to be consistent with the Regional Master Plan; and

WHEREAS, the Borough of Kinnelon is located in the Highlands Region with lands lying within both the Preservation Area and the Planning Area, as defined by section 7 of the Highlands Act; and

WHEREAS, the Governing Body of the Borough of Kinnelon has, on behalf of the municipality, petitioned the Highlands Council for Plan Conformance with respect to Borough lands located within both the Planning Area portion and the Preservation Area portion of the Highlands Region; and

WHEREAS, the Petition filed with the Highlands Council contains proposed amendments to the municipal planning program, including amendments to the Environmental Resource Inventory, Master Plan, and Land Use Ordinance, which together are intended to achieve conformance with the Regional Master Plan and provide immediate protections to vital Highlands Resources located within the Borough; and

WHEREAS, the Governing Body finds that the proposed changes to the municipal planning program are of broad and significant effect, are vital to the protection of the Highlands resources of the municipal Highlands Area, and are compelling to the interests and general welfare of the community; and

WHEREAS, the Governing Body recognizes that the formal municipal adoption of each component of the revised planning program must take place, in sequential order in accordance with all statutory requirements, involving public hearings and deliberation by the Planning Board and Governing Body; a process that will require an additional undetermined period of time; and

WHEREAS, the Governing Body is aware that lands within the Planning Area are not regulated by the New Jersey Department of Environmental Protection's Highlands Rules

October 20, 2016

(N.J.A.C. 7:38-1, *et seq.*) and, with the exception of Wastewater Management Plans and Water Allocation Permits, would remain without the full suite of Highlands Regional Master Plan protections during the interim period between the date of filing of the Petition for Plan Conformance and the adoption of ordinances and regulations that will provide such protections; and

WHEREAS, an immediate level of protection to the resources located within the Highlands Region by adoption of revised submission requirements pertinent to Applications for Development therein is required by the Plan Conformance Guidelines; and

WHEREAS, the adoption of revised submission requirements pertinent to Applications for Development therein is essential to ensuring that Applicants achieve compliance with the standards and protections required under the Highland Regional Master Plan despite the interim status of the municipal Plan Conformance ordinances and regulations, this interim period not constituting an appropriate instance in which municipal approvals based upon existing municipal regulatory requirements, can appropriately be issued conditioned upon subsequent approval by the Highlands Council or the New Jersey Department of Environmental Protection (NJDEP), as may occur under usual circumstances; and

WHEREAS, the Governing Body finds that the adoption of such submission requirements are important not only to provide such immediate resource protections, but to ensure the proper management of Applications for Development involving lands within the Highlands Area of the municipality; and

WHEREAS, the Highland Council deems the immediate protections ascribed by this Ordinance to lands in the Planning Area and the Preservation Area of the municipality, eligible for application of the provisions of the Highlands Act at N.J.S.A. 13:20-22 and N.J.S.A. 13:20-

24 regarding legal representation to municipalities filing for Plan Conformance and regarding the strong presumption of validity and extraordinary deference afforded to such ordinances.

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

SECTION ONE. The Land Use Ordinance of the Borough of Kinnelon be and is hereby amended to incorporate the following provisions:

SECTION 1. APPLICABILITY

This Ordinance shall apply to any Application for Development involving lands located within (or partially within) the Borough Highlands Area (as illustrated in Exhibit A, "Borough of Kinnelon Highlands Area") that seeks approval of a site plan, subdivision, or change in use, where approval of such Application would: a) result in the ultimate disturbance of one (1) acre or more of land; b) produce a cumulative impervious surface area of one-quarter (1/4) acre, or more; c) in the case of residential development, create three or more dwelling units; or d) introduce or expand on any of the following land uses/facilities:

- A. Landfills;
- B. Permanent storage or disposal of hazardous wastes, industrial or municipal sludge or radioactive materials, including solid waste landfills;
- C. Collection and transfer facilities for hazardous wastes, solid wastes that contain hazardous materials, and radioactive materials;
- D. Industrial treatment facility lagoons; or
- E. Any Major or Minor Potential Contaminant Source (as identified in Appendix A and Appendix B of this Ordinance, respectively) on lands located within 200 feet of the wellhead of any public community well or public non-community well, as these are defined at Section 4 below.

For purposes of this Ordinance, the phrases "Application for Development," "Highlands Area," "residential development," "ultimate disturbance," and "cumulative impervious surface area" shall be defined as provided at Section 4 below.

SECTION 2. ADMINISTRATIVE COMPLETENESS

A. **CONSISTENCY DETERMINATIONS REQUIRED.** No Application for Development included in Section 1 above, shall be deemed complete or considered for review by the applicable Borough land use Board until and unless the Applicant has obtained and provided a copy of:

1. A Consistency Determination from the Highlands Council indicating that the application is consistent with the Highlands Regional Master Plan; or
2. A Consistency Determination from the Highlands Council indicating that the application is not consistent with the Highlands Regional Master Plan, accompanied by a certification, as detailed in Section 2.B below, by the Applicant's professional(s) that the application has been revised since review by the Highlands Council to achieve consistency with the Highlands Regional Master Plan.

B. **FINDINGS OF INCONSISTENCY.** Where a Highlands Council Consistency Determination indicates that an Application for Development is inconsistent with the Highlands Regional Master Plan, no such application shall be deemed complete or considered for review by the applicable Borough land use Board, until or unless the Applicant has obtained from the professional(s) responsible for preparation of the Applicant's plans, a certification indicating that to the best of the knowledge and abilities of such professional(s), the application has been revised to achieve consistency with the Highlands Regional Master Plan and specifically describing the revisions made to achieve such consistency.

C. **CHECKLIST WAIVER.** The Borough may issue a waiver from the provisions of this Section where it can be established by the Applicant and can be verified by the designated representative(s) of the Borough that:

1. The activity, improvement or development proposed by the subject Application for Development has not yet been formally determined to be exempt from the Highlands Act (see Section 3.B, below), but eligibility for an exemption has been sufficiently established by the Applicant; or
2. The activity, improvement or development proposed in the Application for Development will neither encroach upon a Highlands Resource or Highlands Resource Area, nor be of detrimental impact to any Highlands resource or Highlands Resource Area as these are identified and delineated in the Highlands Regional Master Plan. The Applicant's professional(s) responsible for preparation of the Applicant's plan shall establish compliance of the above through a formal certification specifically addressing the Highlands Resources and Resource Areas and related policies and objectives as identified in Chapter 4 of the Highlands Regional Master Plan.

- D. **HIGHLANDS COUNCIL CALL-UP.** All municipal waivers or findings of application completeness issued pursuant to this Section shall be issued in writing, inclusive of a statement indicating the rationale for the determination. All such determinations shall be subject to Highlands Council call-up review, and shall include conditions requiring same consistent with this paragraph. The municipality shall within five (5) calendar days of issuance of all such determinations, provide a copy of the decision to the Applicant and to the Highlands Council. The Highlands Council call-up review period shall expire 15 calendar days following its receipt of same. Upon determining to exercise this authority for call-up review, the Highlands Council shall transmit notice to the Applicant and the municipality. Absent any such notification from the Highlands Council within that timeframe, the application shall be considered complete, with the date of the waiver or finding of application completeness to be as of the date of first issuance by the municipality.

SECTION 3. EXCLUSIONS AND EXEMPTIONS

- A. **EXCLUSIONS.** The following specific improvements and related applications shall be excluded from the provisions of this Ordinance:
1. The reconstruction, within the same footprint, of any building or other structure lawfully existing as of the effective date of this Ordinance, in the event of its destruction or partial destruction by fire, storm, natural disaster, or any other unintended circumstance.
 2. Any improvement or alteration to a building or other structure lawfully existing as of the effective date of this Ordinance, where such improvement or alteration is necessary for compliance with the provisions of the Americans with Disabilities Act, or to otherwise provide accessibility to the disabled.
 3. Any Agricultural or Horticultural Use or Development that would not result in either:
 - a. An increase, since the date of enactment of the Highlands Act (August 10, 2004), either individually or cumulatively, of new agricultural impervious cover of greater than three percent (3%) to the total land area of a Farm Management Unit. Solar panels shall not be included in any calculation of agricultural impervious cover (all terms as defined in Section 4, below); or
 - b. Construction of three (3) or more residential dwelling units (including accessory dwelling units) served by individual on-site septic system(s).

B. EXEMPTIONS. Any activity, improvement or development project listed and demonstrated to constitute a Highlands Act exemption shall be exempt from the provisions of this Ordinance. Formal demonstration of a Highlands Act exemption for an Application for Development involving lands located (or partially located) in the Highlands Area shall consist of one of the following:

1. *State Agency Determination.* State Agency Determinations shall include either, a Highlands Applicability Determination (HAD) issued by the NJDEP for a Preservation Area proposal, or a Highlands Exemption Determination issued by the Highlands Council for a Planning Area proposal, in either case, indicating that the proposal qualifies as a Highlands Act Exemption.

SECTION 4. DEFINITIONS

For the purpose of this Ordinance, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this Ordinance clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

Agricultural or Horticultural Development – means construction for the purposes of supporting common farmsite activities, including but not limited to, the production, harvesting, storage, grading, packaging, processing, and the wholesale and retail marketing of crops, plants, animals, and other related commodities and the use and application of techniques and methods of soil preparation and management, fertilization, weed, disease, and pest control, disposal of farm waste, irrigation, drainage and water management, and grazing.

Agricultural or Horticultural Use -- means the use of land for common farmsite activities, including but not limited to, the production, harvesting, storage, grading, packaging, processing, and the wholesale and retail marketing of crops, plants, animals, and other related commodities and the use and application of techniques and methods of soil preparation and management, fertilization, weed, disease, and pest control, disposal of farm waste, irrigation, drainage and water management, and grazing.

Agricultural Impervious Cover – means agricultural or horticultural buildings, structures or facilities with or without flooring, residential buildings and paved areas, but not meaning temporary coverings.

Applicant – means a developer submitting an Application for Development.

Application for Development – means the application form and all accompanying documents required by ordinance for approval of a subdivision plat, site plan, planned development, conditional use, zoning variance, or direction of the issuance of a permit pursuant to section 25 or section 27 of P.L.1975, c.291 (C.40:55D-34 or C.40:55D-36).

Disturbance – means the placement of impervious surface, the exposure or movement of soil or bedrock, or the clearing, cutting, or removing of vegetation.

Disturbance, Ultimate – means the total existing or proposed area of disturbance of a lot, parcel, or other legally designated (or otherwise legally recognized) tract or subdivision of land, for the purpose of, and in connection with, any human activity, property improvement, or development, including the surface area of all buildings and structures, all impervious surfaces, and all associated land disturbances such as excavated, filled, and graded areas, and all lawn and landscape areas. Ultimate disturbance shall not include areas of prior land disturbance which at the time of evaluation: a) contain no known man-made structures (whether above or below the surface of the ground) other than such features as old stone rows or farm field fencing; and b) consist of exposed rock outcroppings, or areas which, through exposure to natural processes (such as weathering, erosion, siltation, deposition, fire, flood, growth of trees or other vegetation) are no longer impervious or visually obvious, or ecologically restored areas which will henceforth be preserved as natural areas under conservation restrictions.

Farm Management Unit – means a parcel or parcels of land, whether contiguous or noncontiguous, together with agricultural or horticultural buildings, structures and facilities, producing agricultural or horticultural products, and operated as a single enterprise.

Highlands Council – means the New Jersey Highlands Water Protection and Planning Council.

Highlands Act – means the Highlands Water Protection and Planning Act, P.L. 2004, c.120, as amended, codified in part at N.J.S.A. 13:20-1 *et seq.*

Highlands Applicability Determination (HAD) – means the determination made by the NJDEP of whether a project proposed for the Preservation Area is a major Highlands development, whether any such major Highlands development is exempt from the Highlands Act, and whether the project is consistent with the applicable Areawide Water Quality Management Plan.

Highlands Area – means that portion of the municipality for which the land use planning and regulation are in conformance with, or are intended or proposed to be in conformance with, the Highlands Regional Master Plan.

Highlands Region – means all that area within the boundaries of the municipalities listed in subsection a. of section 7 of the Highlands Act.

Impervious Surface – means any structure, surface, or improvement that reduces or prevents absorption of stormwater into land, including, but not limited to, porous paving, paver blocks, gravel, crushed stone, decks, patios, elevated structures, and other similar structures, surfaces, or improvements.

Impervious Surfaces, Cumulative – means the total area of all existing or proposed impervious surfaces situated or proposed to be situated within the boundary lines of a lot, parcel, or other legally recognized subdivision of land, expressed either as a measure of land area such as acreage, or square feet, or as a percentage of the total lot or parcel area.

Major Potential Contaminant Sources (PCS) – means land uses and activities determined by the Highlands Council to pose a major risk of ground water contamination (see Appendix A).

Minor Potential Contaminant Sources (PCS) – means land uses and activities determined by the Highlands Council to pose a minor risk of ground water contamination (see Appendix B).

Municipal Land Use Law (MLUL) – means the New Jersey Municipal Land Use Law, N.J.S.A. 40:55D-1, *et seq.*

NJDEP – New Jersey Department of Environmental Protection

NJDEP Preservation Area Rules – means the regulations established by the NJDEP to implement requirements of the Highlands Act, titled "Highlands Water Protection and Planning Act Rules," and codified at N.J.A.C. 7:38-1, *et seq.*

Planning Area – means lands within the Highlands Region not within the Preservation Area (N.J.S.A. 13:20-7).

Plan Conformance – means the process by which a municipality revises the master plan, development regulations and other regulations related to the development and use of land to conform them with the goals, requirements, and provisions of the Regional Master Plan in accordance with the Highlands Plan Conformance Guidelines.

Public Community Well – means a well that provides water to a public water system serving at least 15 service connections used by year-round residents or regularly serving at least 25 year-round residents.

Public Non-Community Well – means a well that is not a public community well and that provides water to a public water system regularly serving at least 25 individuals for at least 60 days in any given calendar year.

Preservation Area – means that portion of the Highlands Region so designated by subsection b. of section 7 of the Highlands Act.

Regional Master Plan (RMP) – means the Highlands Regional Master Plan or any revision thereof adopted by the Highlands Council pursuant to N.J.S.A. 13:20-8.

Solar Panel – means an elevated panel or plate, or a canopy or array thereof, that captures and converts solar radiation to produce power, and includes flat plate, focusing solar collectors, or photovoltaic solar cells and excludes the base or foundation of the panel, plate, canopy, or array. (As defined by the Highlands Act, N.J.S.A. 13:20-1, *et seq.*, as amended.)

Structure – means a combination of materials to form a construction for occupancy, use or ornamentation whether installed on, above, or below the surface of a parcel of land.

SECTION FIVE. If any portion, paragraph, clause, sentence or phrase of this Ordinance is determined to be invalid by any court of competent jurisdiction, such invalidity shall not affect the remaining portions of this Ordinance.

SECTION SIX. All ordinances or parts thereof inconsistent herewith are hereby repealed to the extent of such inconsistency only.

October 20, 2016

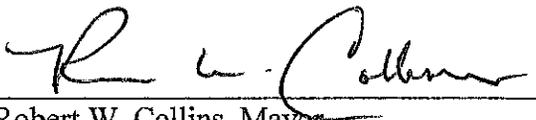
SECTION SEVEN. This Ordinance shall take effect after final passage and publication in the manner prescribed by law.

ATTEST:

BOROUGH OF KINNELON



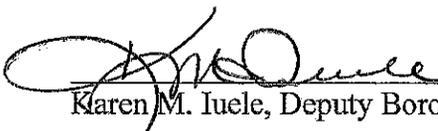
Karen M. Iuele, Deputy Borough Clerk



Robert W. Collins, Mayor

CERTIFICATION

I, Karen M. Iuele, 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 the regular meeting of the Borough held on September 15, 2016 and adopted by the Governing Body at a regular meeting of the Borough held on October 20, 2016.



Karen M. Iuele, Deputy Borough Clerk

APPENDIX A. MAJOR POTENTIAL CONTAMINANT SOURCES

Land uses and activities determined by the Highlands Council (based on New Jersey Safe Drinking Water Act regulations at N.J.A.C. 7:10 and NJDEP regulations) to be Major Potential Contaminant Sources include those listed below.

1. Underground fuel and chemical storage and oil tanks regulated by NJDEP under provisions of the Underground Storage of Hazardous Substances Act (N.J.S.A. 58:10A-21, *et seq.*).
2. Above-ground storage facility for a hazardous substance or waste with a cumulative capacity greater than 2,000 gallons.
3. Automotive service center (repair & maintenance).
4. Dry cleaning processing facility.
5. Road salt storage facility.
6. Cemetery.
7. Highway maintenance yard.
8. Truck, bus, locomotive maintenance yard.
9. Site for storage and maintenance of heavy construction equipment and materials.
10. Site for storage and maintenance of equipment and materials for landscaping, excluding household storage and maintenance of such equipment.
11. Livestock operation containing 300 or more Animal Units (AU) [1 AU= 1000 pounds of live animal weight] as defined by the NJ Department of Agriculture in its Criteria and Standards for Animal Waste Management, at N.J.A.C. 2:91.
12. Quarrying and/or mining facility.
13. Asphalt and/or concrete manufacturing facility.

October 20, 2016

14. Junkyard/auto recycling and scrap metal facility.
15. Residential or agricultural motor fuel in NJDEP exempted underground storage tanks
(i.e., under 1,000 gallons).

APPENDIX B. MINOR POTENTIAL CONTAMINANT SOURCES

Land uses and activities determined by the Highlands Council (based on New Jersey Safe Drinking Water Act regulations at N.J.A.C. 7:10 and NJDEP regulations) to be Minor Potential Contaminant Sources include the following:

1. Underground storage of hazardous substance or waste of less than 50 gallons.
2. Underground heating oil storage tank with a capacity of less than 2,000 gallons.
3. Sewage treatment facility regulated by a NJPDES permit granted under N.J.A.C. 7:14A.
4. Industrial waste line.
5. Septic system disposal field.
6. Facility requiring a ground water discharge permit issued by the NJDEP pursuant to N.J.A.C 7:14A, *et seq.*
7. Stormwater retention-recharge basin on an industrial property receiving runoff from surfaces other than roof areas.
8. Dry well on an industrial property receiving runoff from surfaces other than roof areas.
9. Waste oil collection, storage and recycling facility.
10. Agricultural chemical bulk storage and mixing or loading facility including crop dusting facilities.
11. Above-ground storage of hazardous substance or waste in quantities of less than 2,000 gallons.
12. Livestock operation containing 8 or more Animal Units (AU) [1 AU= 1000 pounds of live animal weight] or those receiving 142 or more tons of animal waste per year as

October 20, 2016

defined by the NJ Department of Agriculture pursuant to its Criteria and Standards for Animal Waste Management, at N.J.A.C. 2:91.

Exhibit A: Borough Highlands Area

October 20, 2016



Regional Master Plan Overlay Zone Designation

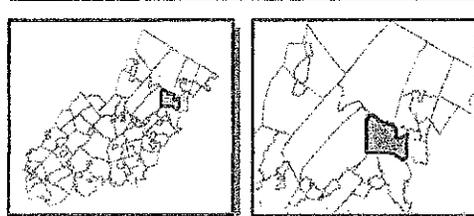
Zone

- | | |
|---|---|
|  Protection |  Lakes Greater Than 10 acres |
|  Conservation |  Preservation Area |
|  Existing Community |  Municipal Boundaries |

Sub-Zone

-  Existing Community Environmentally Constrained
-  Conservation Environmentally Constrained
-  Lake Community
-  Wildlife Management

Kinnelon Borough



1 inch = 0.682 miles



October 20, 2016

Keli (KN-2035)
Plan Conformance Ordinance
090216

**ORDINANCE NO. 16-16 AN ORDINANCE TO PETITION THE HIGHLANDS
COUNCIL FOR PLAN CONFORMANCE FOR THE
PLANNING AREA**

WHEREAS, the Borough of Kinnelon ("Borough") is located partially within the New Jersey Highlands Region Planning Area; and

WHEREAS, on May 19, 2011 the Highlands Council adopted Resolution #2011-16 approving the Borough's Petition for a Plan Conformance; and

WHEREAS, it is the desire of the Borough Council to establish that the Borough shall conform its Master Plan and all development regulations to uses and development appropriate within the Planning Area of the Highlands Region; and

WHEREAS, in order to achieve Plan Conformance, it is necessary to adopt an ordinance petitioning the Highlands Council for Plan Conformance for the lands within the Planning Area.

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

SECTION ONE. Purpose. The Borough of Kinnelon is located partially within that portion of the New Jersey Highlands Region defined by the Highlands Act, as the "Planning Area" (see definitions, below). This Ordinance is enacted pursuant to Section 15.a. of the Highlands Water Protection and Planning Act (Highlands Act, N.J.S.A. 13:20-1, *et seq.*), which provides that a municipality may choose to conform its master plan, development regulations, and other regulations to the provisions of the Highlands Regional Master Plan, with respect to

lands located within the Planning Area, and by Ordinance, petition the New Jersey Highlands Water Protection and Planning Council (Highlands Council) for Plan Conformance approval of such planning and regulatory documents.

By adoption of this Ordinance, the Governing Body of the Borough of Kinnelon establishes that the municipality shall conform its Master Plan, development regulations, and all other regulations applicable to the use and development of land within the Planning Area of the municipality, to achieve consistency with the goals, requirements, and provisions of the Highlands Regional Master Plan. Said conformance shall be in accordance with the provisions of Highlands Council approval of the municipality's Petition for Plan Conformance, which was previously submitted to the Highlands Council by Resolution adopted by the Governing Body on November 19, 2009, and which the Highlands Council approved with certain conditions by Highlands Council Resolution No. 2011-16, adopted on May 19, 2011. Further, this Ordinance specifically reserves the rights of the municipality as specified by the Highlands Act, with respect to the voluntary nature of Plan Conformance for the Planning Area.

SECTION TWO. Basis and Background. The Highlands Act finds and declares that protection of the Highlands Region is an issue of State level importance because of its vital link to the future of the State's drinking water supplies and other significant natural resources. The Highlands Act creates a coordinated land use planning system requiring the Highlands Council to prepare and adopt a Regional Master Plan that serves to protect, restore and enhance the significant resources of the Highlands Region. The Highlands Act sets forth a bifurcated system for municipal conformance with the goals, requirements and provisions of the Regional Master Plan. Pursuant to Section 14.a. of the Highlands Act, a municipality located wholly or partially in the Preservation Area was required to submit by December 8, 2009 a revised municipal Master

October 20, 2016

Plan, development regulations and other regulations, as applicable to the development and use of land in the Preservation Area, to conform them with the Regional Master Plan.

Pursuant to Section 15.a. of the Highlands Act, for a municipality located wholly in the Planning Area or for any portion of a municipality lying within the Planning Area, the municipality may submit at any time a revised Master Plan, development regulations and other regulations, as applicable to the development and use of land in the Planning Area, that conforms with the Regional Master Plan. Plan Conformance by a municipality is strictly voluntary for lands in the Planning Area.

Consequently, the Borough of Kinnelon having lands in the Planning Area of the Highlands Region, did submit as part of a Petition for Plan Conformance to the Highlands Council on December 8, 2009, proposed revisions to the Master Plan, development regulations and other regulations that relate to the development and use of land in the Planning Area. On May 19, 2011 the Highlands Council adopted Resolution No. 2011-16 approving the Borough of Kinnelon's Petition for Plan Conformance. The approval was conditioned upon the Borough of Kinnelon's adoption of an ordinance pursuant to Section 15a of the Highlands Act, formally petitioning the Highlands Council for Plan Conformance for lands within the Planning Area.

SECTION THREE. Applicability. This Ordinance applies to the development and use of land located in the Planning Area of the Borough of Kinnelon, as defined by Section 7 of the Highlands Act.

SECTION FOUR. Definitions. For the purpose of this Ordinance, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this Ordinance clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number

include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

Highlands Council - means the New Jersey Highlands Water Protection and Planning Council.

Highlands Act - means the Highlands Water Protection and Planning Act, P.L. 2004, c.120, as amended, codified in part at N.J.S.A. 13:20-1 *et seq.*

Highlands Region means all that area within the boundaries of the municipalities listed in subsection a. of section 7 of the Highlands Act.

Planning Area - means lands within the Highlands Region not within the Preservation Area (N.J.S.A. 13:20-7).

Plan Conformance - means the process by which a municipality revises the Master Plan, development regulations and other regulations related to the development and use of land to conform them with the goals, requirements, and provisions of the Regional Master Plan in accordance with the Highlands Plan Conformance Guidelines.

Preservation Area - means that portion of the Highlands Region so designated by subsection b. of section 7 of the Highlands Act.

Regional Master Plan- means the Highlands Regional Master Plan or any revision thereof adopted by the Highlands Council pursuant to N.J.S.A. 13:20-8.

SECTION FIVE. Petition for Plan Conformance. The Borough of Kinnelon hereby formalizes its Petition for Plan Conformance to the Highlands Council, declaring it fully effective for lands in the Planning Area of the municipality, said Petition having been approved by the Highlands Council subject to the conditions as set forth in Highlands Council Resolution No. 2011-16, adopted on May 19, 2011.

October 20, 2016

SECTION SIX. Reserved Right of Withdrawal for Planning Area. At any time, the Borough of Kinnelon may withdraw that portion of its Petition for Plan Conformance for the Planning Area. In such event, any approvals, rejections or conditions of the revised municipal Master Plan, development regulations or other regulations that pertain to the Planning Area, as set forth by the Highlands Council in approving Resolution No. 2011-16, will not be binding upon the Borough of Kinnelon. Any such withdrawal, should it occur, shall require repeal of this Ordinance, and shall be followed by formal notification to the Highlands Council, sent within ten (10) days of adoption by certified mail and including a certified copy of such repealing ordinance.

SECTION SEVEN. Planning Grants and Technical Assistance. Upon application of the Borough of Kinnelon, the Highlands Council has made, or will make, grant funding and other financial and technical assistance available to the Borough of Kinnelon for the reasonable costs associated with the revision of the master plan, development regulations or other regulations, which revisions are designed to bring those plans and regulations into conformance with the Regional Master Plan. The Highlands Council shall provide grant funds for all mandatory aspects of Plan Conformance in accordance with the Plan Conformance Grant Program, and may also provide grant funds for the discretionary aspects of Plan Conformance as determined by the Highlands Council. As Plan Conformance for lands in the Planning Area is strictly voluntary, the Borough of Kinnelon retains the right to withdraw that portion of the Petition relating to lands lying in the Planning Area from the Plan Conformance process at any time.

SECTION EIGHT. If any portion, paragraph, clause, sentence or phrase of this Ordinance is determined to be invalid by any court of competent jurisdiction, such invalidity shall not affect the remaining portions of this Ordinance.

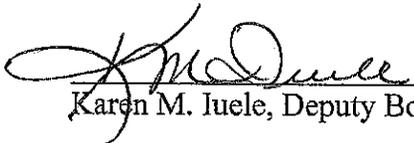
October 20, 2016

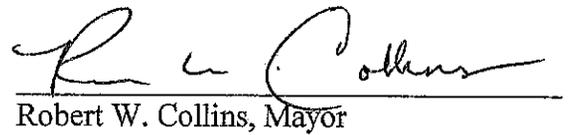
SECTION NINE. All ordinances or parts thereof inconsistent herewith are hereby repealed to the extent of such inconsistency only.

SECTION TEN. This Ordinance shall take effect after final passage and publication in the manner prescribed by law.

ATTEST:

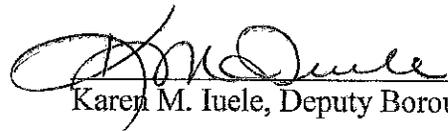
BOROUGH OF KINNELON


Karen M. Iuele, Deputy Borough Clerk


Robert W. Collins, Mayor

CERTIFICATION

I, Karen M. Iuele, 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 the regular meeting of the Borough held on September 15, 2016 and adopted by the Governing Body at a regular meeting of the Borough held on October 20, 2016.


Karen M. Iuele, Deputy Borough Clerk

October 20, 2016

Scott (KN-1030)
Kamelot Committee Ordinance
101216

ORDINANCE NO. 19-16

**AN ORDINANCE AMENDING CHAPTER 44,
KINNELON ALLIANCE COMMITTEE
("KAMELOT")**

WHEREAS, the Borough of Kinnelon ("Borough") established the Kinnelon Alliance Committee, known as "KAMELOT", for positive community service, which, among other things, serves as a resource body for planning, developing, and coordinating programs for the Borough's youth, as well as serves the Municipal Alliance Committee to the Morris County Advisory Committee on Alcoholism and Drug Abuse; and

WHEREAS, the Mayor and Borough Council deem it necessary and appropriate to amend the length of terms of members to serve on the KAMELOT Committee.

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

SECTION ONE. Chapter 44, Kinnelon Alliance Committee, Section 44-1, Establishment; membership; terms; vacancies; Subsection B of the Code of the Borough of Kinnelon shall be amended to read as follows:

B. Appointment and Term. Members shall be appointed at the Borough Council annual reorganization meeting and the terms for all said members shall be for three (3) years.

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

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

October 20, 2016

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

ATTEST

BOROUGH OF KINNELON

Karen Iuele, Deputy Borough Clerk

Robert W. Collins, Mayor

CERTIFICATION

I, Karen M. Iuele, 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 the regular meeting of the Borough held on _____ and adopted by the Governing Body at a regular meeting of the Borough held on _____.

Karen M. Iuele, Deputy Borough Clerk

October 20, 2016

Keli (KN-3026-A)
Peach Tree Lane Ordinance I
101116

ORDINANCE NO. 20-116

**ORDINANCE ACCEPTING THE DEDICATION OF
A 40 FOOT WIDE RIGHT OF WAY OVER A 23,652
SQUARE FOOT PORTION OF BLOCK 56904 ON
THE OFFICIAL TAX MAP OF THE BOROUGH OF
KINNELON FROM MICHAEL MORATTO (PEACH
TREE LANE)**

WHEREAS, N.J.S.A. 40A:12-4 and 40a:12-5 authorize a municipality, by ordinance, to acquire real property by purchase, gift, devise, lease, exchange, condemnation, or installment purchase agreement; and

WHEREAS, in accordance with major subdivision approval granted by the Borough of Kinnelon Planning Board on October 6, 2006 for the development of residential lots on property known as Block 56904, Lots 107-111 on the Official Tax Map of the Borough of Kinnelon (formerly known as Block 89.10, Lots 68.06 and 72), Michael Moratto ("Developer") desires to convey a 40 foot wide right-of-way over a 23,652 square foot portion of Block 56904 on the Official Tax Map of the Borough of Kinnelon ("Right of Way") for use as a public street (Peach Tree Lane); and

WHEREAS, the Right of Way is conveyed free and clear of any liens and encumbrances; and

WHEREAS, the Borough of Kinnelon desires to accept the dedication of the Right of Way for use as a public street (Peach Tree Lane).

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 a 23,652 square foot portion of Block 56904 on the Official Tax Map of the Borough of Kinnelon, which was formerly known as Block 89.10, Lot

October 20, 2016

72, for use as a public street (Peach Tree Lane) as described in a certain Deed by and between the Borough of Kinnelon and Michael Moratto dated November 17, 2016, is hereby accepted.

SECTION 2. The Mayor and Borough Clerk together with all other officers, professionals and employees of the Borough are hereby authorized and directed to take any and all steps necessary to effectuate the purposes of this Ordinance.

SECTION 3. The Borough Tax Collector and Tax Assessor are hereby authorized and directed to take any action necessary to further the purpose of this Ordinance.

SECTION 4. All ordinances of the Borough of Kinnelon which are inconsistent with the provisions of this Ordinance are hereby repealed as to the extent of such inconsistency.

SECTION 5. If any section, subsection clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid by any Court of competent jurisdiction, such decision shall not affect the remaining portion of this Ordinance.

SECTION 6. This Ordinance shall take effect immediately upon final passage, approval and publication as provided by law.

ATTEST:

BOROUGH OF KINNELON

Karen M. Iuele, Deputy Borough Clerk

Robert W. Collins, Mayor

CERTIFICATION

I, Karen M. Iuele, 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 the regular meeting of the Borough held on _____ and adopted by the Governing Body at a regular meeting of the Borough held on _____.

Karen M. Iuele, Deputy Borough Clerk

October 20, 2016

Keli (KN-3026-A)
Peach Tree Lane Resolution II
101116

ORDINANCE NO. 21-16

**ORDINANCE ACCEPTING THE DEDICATION OF
A 40 FOOT WIDE RIGHT OF WAY OVER A 6,811
SQUARE FOOT PORTION OF BLOCK 56904, LOT
107 ON THE OFFICIAL TAX MAP OF THE
BOROUGH OF KINNELON (PEACH TREE LANE)**

WHEREAS, on October 6, 2006, the Borough of Kinnelon Planning Board granted major subdivision approval for the development of residential lots on property known as Block 56904, Lots 107-111 on the Official Tax Map of the Borough of Kinnelon (formerly known as Block 89.10, Lots 68.06 and 72); and

WHEREAS, in connection with that major subdivision approval, a subdivision plan was filed in the Morris County Clerk's Office as Map 2006094994 on October 2, 2006 ("Filed Map"), which Filed Map is attached hereto as Exhibit A and made a part hereof; and

WHEREAS, the Filed Map depicts the dedication of a 40 foot wide right of way over a 6,811 square foot portion of Block 56904, Lot 107, which was formerly known as Block 89.10, Lot 68.06, to the Borough of Kinnelon for use as a public street (Peach Tree Lane); and

WHEREAS, the Borough of Kinnelon desires to accept the dedication of the 40 foot wide right of way for use as a public street (Peach Tree Lane) as depicted on the Filed Map.

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 a of a 40 foot wide right of way over a 6,811 square foot portion of Block 56904, Lot 107 on the Official Tax Map of the Borough of Kinnelon, which was formerly known as Block 89.10, Lot 68.06, for use as a public street (Peach Tree Lane) is hereby accepted.

October 20, 2016

SECTION 2. The Mayor and Borough Clerk together with all other officers, professionals and employees of the Borough are hereby authorized and directed to take any and all steps necessary to effectuate the purposes of this Ordinance.

SECTION 3. The Borough Tax Collector and Tax Assessor are hereby authorized and directed to take any action necessary to further the purpose of this Ordinance.

SECTION 4. All ordinances of the Borough of Kinnelon which are inconsistent with the provisions of this Ordinance are hereby repealed as to the extent of such inconsistency.

SECTION 5. If any section, subsection clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid by any Court of competent jurisdiction, such decision shall not affect the remaining portion of this Ordinance.

SECTION 6. This Ordinance shall take effect immediately upon final passage, approval and publication as provided by law.

ATTEST:

BOROUGH OF KINNELON

Karen M. Iuele, Deputy Borough Clerk

Robert W. Collins, Mayor

CERTIFICATION

I, Karen M. Iuele, 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 the regular meeting of the Borough held on _____ and adopted by the Governing Body at a regular meeting of the Borough held on _____.

Karen M. Iuele, Deputy Borough Clerk

There was no other desire to discuss this ordinance, and the Mayor asked the Deputy Borough Clerk to call the roll on the passage thereof, and the vote was as followed.

Roll Call: C. Giantonio, Yes; A. Barish, Yes;
C. Sventy, Yes; J. Freda, Yes.

WHEREAS, the above ordinance was introduced at this meeting held on October 20, 2016 and read by title, and passed on first reading:

NOW, THEREFORE, BE IT RESOLVED that at the regular meeting to be held on November 17, 2016 at 8:00pm, 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 Deputy Clerk of this Borough be and she is hereby directed to publish the proper notice thereof.

Councilman A. Barish offered a motion to publish the foregoing resolution. This was second by Councilwomen C. Sventy.

Roll Call: C. Giantonio, Yes; A. Barish, Yes;
C. Sventy, Yes; J. Freda, Yes.

TAX COLLECTOR'S REPORT

During the month of September 2016 the Tax Collector's Report indicated we collected \$374,827.17 in taxes.

INVESTMENT OFFICER'S REPORT

A total of \$922.62 was collected in interest for the month of September 2016.

DISTRICT SCHOOL

On motion of Councilman A. Barish, and seconded by Councilwoman C. Sventy, followed by the "yes" roll call vote of all Council Members present the payment of \$3,042,862.67 to the District School when funds become available was approved for payment.

Roll Call: C. Giantonio, Yes; A. Barish, Yes;
C. Sventy, Yes; J. Freda, Yes.

MAYOR'S APPOINTMENT

Upon motion of Councilwoman C. Sventy, and seconded by Councilman J. Freda, followed by the "yes" roll call vote of all Council Members present, the appointment of Mary E. Smialek, to the Planning Board was approved.

Roll Call: C. Giantonio, Yes; A. Barish, Yes;
C. Sventy, Yes; J. Freda, Yes.

RESIGNATION

Upon motion by Councilwoman C. Sventy and seconded by Councilman A. Barish, followed by the "yes" roll call vote of all Council Members present, the resignation of Kelly Lombardi, as the Municipal CFO, was accepted with the councils regrets.

October 20, 2016

ADJOURNMENT

This meeting adjourned at approximately 9:15 p.m. on motion by Councilwoman C. Sventy, with the unanimous affirmative voice vote of all present.

Respectfully submitted,


Karen M. Luele, Deputy Borough Clerk


Robert W. Collins, Mayor

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