

**MEETING TO ORDER.**

The regular meeting of the Kinnelon Borough Governing Body was called to order by Mayor James J. Freda at 8:00 p.m., on Thursday, May 21, 2020 via live zoom meeting due to the Covid-19 virus.

There was a Salute to the Flag, after which the Borough Clerk Karen M. Iuele stated this meeting is being held pursuant to the New Jersey Open Public Meeting Act. Adequate notice of this meeting was given by advertising in the January 8, 2020 edition of the Trends and was provided to the Star Ledger, Daily Record and the North Jersey Herald News. Adequate notice was also posted on the Municipal Building Bulletin Board, filed with the Borough Clerk and provided to those persons or entities requesting notification.

**ROLL CALL:**

The roll was called and present and answering were Councilpersons William Yago, Robert Roy, Glenn Sisco, Vincent Russo, Randall Charles and James Lorkowski.

**TREASURER'S REPORT:**

The Treasurer's Report for May 21, 2020, indicated we started out with cash on hand as of March 31, 2020, in the amount of \$85,027.45. Receipts for the month of April totaled \$3,628,086.36, with disbursements amounting to \$3,592,567.87. The balance on hand as of April 30, 2020 was \$120,545.94.

Upon motion by Councilman R. Roy and seconded by Councilman V. Russo, with the affirmative voice vote of all council members present, the Treasurer's Report was accepted as read.

Roll Call:	William Yago, Yes;	V. Russo, Yes;
	R. Roy, Yes;	R. Charlies, Yes;
	G. Sisco, Yes;	J. Lorkowski, Yes.

**HEARING FROM THE PUBLIC:**

Mayor Freda asked if anyone from the public wished to be heard, to please step forward, hearing none. Mayor Freda closed this portion of the meeting.

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

A motion was offered by Councilman V. Russo and seconded by Councilman W. Yago for the payment of bills dated April 16, 2020, when the bills list is received and reviewed and approved by the council.

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Range of Checking Accts: First to Last Range of Check Dates: 04/18/20 to 12/31/20  
Report Type: All Checks Report Format: Super Condensed Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void Ref Num
GENERAL		General Account Payab		
21022	05/21/20	AASLH AMER ASSOC STATE/LOCAL HISTORY	118.00	4820
21023	05/21/20	AC A.C. DAUGHTRY INC.	30.75	4820
21024	05/21/20	ACT04 ACTION DATA SERVICES	2,851.99	4820
21025	05/21/20	AFF02 AFFILIATED TECHNOLOGY	1,239.59	4820
21026	05/21/20	AGL01 A.G.L. WELDING SUPPLY COMPANY	194.21	4820
21027	05/21/20	AIR03 AIR GROUP	2,980.00	4820
21028	05/21/20	ALL04 ALLIED OIL COMPANY	2,274.23	4820
21029	05/21/20	ALL12 ALL TRAFFIC SOLUTIONS INC.	1,500.00	4820
21030	05/21/20	AMEER005 AMEER YASSIN	2,247.23	4820
21031	05/21/20	ATL10 ATLANTIC HEALTH SYSTEM	163.15	4820
21032	05/21/20	AUT05 THE AUTO PARTS SOURCE	132.63	4820
21033	05/21/20	BOR BOROUGH OF BUTLER	32,455.48	4820
21034	05/21/20	BOR01 BOROUGH OF BUTLER ELECTRIC	6,181.98	4820
21035	05/21/20	BOR02 BOROUGH OF KINNELON	390.90	4820
21036	05/21/20	BOR11 BOROUGH OF BLOOMINGDALE	60,983.27	4820
21037	05/21/20	BOT06 CARRIE BOTT	235.00	4820
21038	05/21/20	CAB01 OPTIMUM	58.29	4820
21039	05/21/20	CAB02 OPTIMUM	151.18	4820
21040	05/21/20	CAB03 OPTIMUM	126.18	4820
21041	05/21/20	CAB04 OPTIMUM	126.18	4820
21042	05/21/20	CAB05 OPTIMUM	126.18	4820
21043	05/21/20	CAB06 OPTIMUM	126.18	4820
21044	05/21/20	CAB07 OPTIMUM	126.18	4820
21045	05/21/20	CAB08 OPTIMUM	89.90	4820
21046	05/21/20	CAB09 OPTIMUM	116.18	4820
21047	05/21/20	CAB10 OPTIMUM	340.32	4820
21048	05/21/20	CIN05 CINTAS CORPORATION #111	434.72	4820
21049	05/21/20	CIT05 CIT FINANCE LLC	456.50	4820
21050	05/21/20	CON11 CONNOLLY & HICKEY	17,000.00	4820
21051	05/21/20	COO03 COOPERATIVE COMMUNICATIONS INC	1,592.86	4820
21052	05/21/20	CQF01 CQFLUENCY	56.10	4820
21053	05/21/20	CRO04 DAVID CROUTHAMEL	100.00	4820
21054	05/21/20	DAN01 DAN COMO & SONS INC.	60.00	4820
21055	05/21/20	DAN11 CHARLES DANIEL	109.94	4820
21056	05/21/20	DAP01 CORRINE DAPUZZO	64.90	4820
21057	05/21/20	DAR01 DARMOFALSKI ENGINEERING ASSOC.	500.00	4820
21058	05/21/20	DEB03 DE BLOCK ENVIRONMENTAL SERVICE	14,795.84	4820
21059	05/21/20	ELE03 ELECTRO BATTERY SYSTEMS INC.	82.72	4820
21060	05/21/20	EME02 EMERGENCY MEDICAL PRODUCTS INC	792.92	4820
21061	05/21/20	ENF01 ENFORSYS, INC.	1,075.00	4820
21062	05/21/20	EXT01 EXTRA SPACE STORAGE	750.00	4820
21063	05/21/20	FED01 FED-EX/OMEGA CORPORATE CENTER	42.05	4820
21064	05/21/20	FIR16 FIRST DEFENSE SANITIZING	300.00	4820
21065	05/21/20	GEN03 GENERAL CODE PUBLISHERS CORP.	1,195.00	4820
21066	05/21/20	GOM02 GOMM'S TIRE	1,120.00	4820
21067	05/21/20	GRA01 GRAINGER INC.	1,224.00	4820
21068	05/21/20	GSB01 GLATFELTER SPECIALTY BENEFITS	812.00	4820
21069	05/21/20	HAN07 FABIOLA HANDLER	250.00	4820
21070	05/21/20	HAY03 RAYMOND J. HAYDUCKA	3,900.00	4820

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
GENERAL		General Account Payab	Continued		
21071	05/21/20	HOM02 HOME DEPOT CREDIT SERVICE	93.38		4820
21072	05/21/20	HOR04 HORIZON OFFICE EQUIPMENT	0.00	05/21/20 VOID	0
21073	05/21/20	HOR04 HORIZON OFFICE EQUIPMENT	1,566.56		4820
21074	05/21/20	IAC01 I.A.C.P.	380.00		4820
21075	05/21/20	IUE01 KAREN IUELE	94.69		4820
21076	05/21/20	JCP01 JCP&L	17.41		4820
21077	05/21/20	JER03 JERSEY PAPER PLUS	414.10		4820
21078	05/21/20	JIM01 JIMMY THE SHOE DOCTOR	369.89		4820
21079	05/21/20	KIN08 KINNELON VOLUNTEER FIRE CO.	7,000.00		4820
21080	05/21/20	KIN09 KINNELON BOARD OF EDUCATION	1,923,845.40		4820
21081	05/21/20	KJA01 K&J ACCESSORIES INC	485.00		4820
21082	05/21/20	LAK02 LAKELAND BANK EQUIP FINANCE	4,374.20		4820
21083	05/21/20	LAW07 LAWSOFT INC.	1,390.00		4820
21084	05/21/20	LES08 LUKE LESKO	185.00		4820
21085	05/21/20	MAT04 MATTHIJSSSEN, INC.	3,601.25		4820
21086	05/21/20	MGL01 M.G.L. FORMS SYSTEM	1,352.50		4820
21087	05/21/20	MOR03 MORRIS CO. ASSESSOR'S ASSN.	195.00		4820
21088	05/21/20	MOR21 MORRIS COUNTY M.U.A.	26,872.67		4820
21089	05/21/20	MURD MURDZOSKI, VELO & SNEZANA	757.86		4820
21090	05/21/20	NEO01 QUADIENT, INC.	136.80		4820
21091	05/21/20	NES01 NESTLE PURE LIFE DIRECT	38.66		4820
21092	05/21/20	NJA06 NJ ASSOC. OF CHIEFS OF POLICE	1,334.00		4820
21093	05/21/20	NJD07 NJ DEPT HEALTH & SENIOR SERV	18.00		4820
21094	05/21/20	NJL02 NJ LOCAL BOARDS HEALTH ASSOC.	95.00		4820
21095	05/21/20	NOR02 NORTH JERSEY MEDIA GROUP	0.00	05/21/20 VOID	0
21096	05/21/20	NOR02 NORTH JERSEY MEDIA GROUP	488.60		4820
21097	05/21/20	NOR13 NORTH JERSEY MUNICIPAL	7,604.00		4820
21098	05/21/20	NOR18 NORTHEAST COMMUNICATIONS, INC.	409.68		4820
21099	05/21/20	ONE02 ONE CALL CONCEPTS, INC.	66.64		4820
21100	05/21/20	PAR09 PARAGON RESTORATION CORP.	72,535.29		4820
21101	05/21/20	PEQ02 PEQUANNOCK TOWNSHIP	32,944.53		4820
21102	05/21/20	PSE01 P.S.E. & G.	1,777.89		4820
21103	05/21/20	RAC02 RACHLES/MICHELE'S OIL CO.,INC	378.18		4820
21104	05/21/20	ROD01 THE RODGERS GROUP, LLC	3,172.00		4820
21105	05/21/20	ROS08 SURAIA ROSARIO	125.00		4820
21106	05/21/20	ROU01 ROUTE 23 AUTO MALL	110.66		4820
21107	05/21/20	ROW02 MICHAEL A. ROWE	24.05		4820
21108	05/21/20	RUT08 RUTGERS YTH SPORTS RESRCH COUN	530.00		4820
21109	05/21/20	SCH05 JOHN SCHWARTZ	125.93		4820
21110	05/21/20	SCH30 MELANIE SCHUCKERS	60.24		4820
21111	05/21/20	SER06 SERVPRO OF DOVER STILLWATER/	4,000.00		4820
21112	05/21/20	SHA03 THE SHADE TREE DEPARTMENT LLC	450.00		4820
21113	05/21/20	STA STAPLES ADVANTAGE, DEPT NY	148.00		4820
21114	05/21/20	STA05 STATE OF NEW JERSEY PWT	75.71		4820
21115	05/21/20	STA30 STATE TOXICOLOGY LABORATORY	45.00		4820
21116	05/21/20	STO01 STORR TRACTOR COMPANY	139.28		4820
21117	05/21/20	SUB03 SUBURBAN DISPOSAL INC.	62,805.55		4820
21118	05/21/20	TIL01 TILCON NEW YORK INC.	2,177.55		4820
21119	05/21/20	TRA11 TRANSUNION RISK & ALTERNATIVE	500.00		4820
21120	05/21/20	TRE05 TREAS. STATE OF NEW JERSEY	2,601.00		4820
21121	05/21/20	TRI19 MONICA TRINIDAD	85.00		4820
21122	05/21/20	TUR01 TURN-OUT FIRE AND SAFETY	325.96		4820

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num	
GENERAL                      General Account Account Payab      Continued						
21123	05/21/20	UNI22 UNIFIRST-FIRST AID CORP	643.04		4820	
21124	05/21/20	VER06 VERIZON WIRELESS	672.66		4820	
21125	05/21/20	VER11 VERIZON WIRELESS - KPD	152.04		4820	
21126	05/21/20	VER15 VERIZON CONNECT NWF, INC	869.79		4820	
21127	05/21/20	VIR02 VIRTU WATER METER SERVICES, INC	185.00		4820	
21128	05/21/20	WES09 ROBERT WESTYDK	135.00		4820	
21129	05/21/20	WUB01 ANDREW WUBBENHORST	159.83		4820	
Checking Account Totals <u>Paid</u> <u>Void</u> <u>Amount Paid</u> <u>Amount Void</u>						
		Checks:	106	2	2,333,220.20	0.00
		Direct Deposit:	0	0	0.00	0.00
		Total:	<u>106</u>	<u>2</u>	<u>2,333,220.20</u>	<u>0.00</u>
PLANNING 2                      Columbia Bank						
1801	05/21/20	DAR01 DARMOFALSKI ENGINEERING ASSOC.	4,875.00		4821	
Checking Account Totals <u>Paid</u> <u>Void</u> <u>Amount Paid</u> <u>Amount Void</u>						
		Checks:	1	0	4,875.00	0.00
		Direct Deposit:	0	0	0.00	0.00
		Total:	<u>1</u>	<u>0</u>	<u>4,875.00</u>	<u>0.00</u>
Report Totals <u>Paid</u> <u>Void</u> <u>Amount Paid</u> <u>Amount Void</u>						
		Checks:	107	2	2,338,095.20	0.00
		Direct Deposit:	0	0	0.00	0.00
		Total:	<u>107</u>	<u>2</u>	<u>2,338,095.20</u>	<u>0.00</u>

Totals by Year-Fund					
Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND	0-01	2,190,987.99	0.00	0.00	2,190,987.99
WATER FUND	0-05	39,213.11	0.00	0.00	39,213.11
SEWER FUND	0-07	10,058.98	0.00	0.00	10,058.98
Year Total:		2,240,260.08	0.00	0.00	2,240,260.08
CURRENT FUND	9-01	250.00	0.00	0.00	250.00
DOG TAX	D-13	18.00	0.00	0.00	18.00
STATE AND FEDERAL GRANTS	G-02	17,159.83	0.00	0.00	17,159.83
RECREATION SPECIAL	R-16	2,997.00	0.00	0.00	2,997.00
	V-27	72,535.29	0.00	0.00	72,535.29
Total of All Funds:		2,333,220.20	0.00	0.00	2,333,220.20

Project Description	Project No.	Project Total
SCHAEFFER ANDREW	1482	125.00
252 Long Meadow	1498	625.00
204 Boonton Ave Gravino #1513	1513	500.00
8 ALPINE #1514 LACH	1514	125.00
MADISON CONCEPTS #1517	1517	2,375.00
19 GRACEVIEW-Tegrar/Primerano	1518	1,000.00
PIOCOSTA #9118	9118	125.00
Total of All Projects:		<u>4,875.00</u>



Resolution 5.02.2020

**RESOLUTION OF THE BOROUGH OF KINNELON, COUNTY OF MORRIS,  
STATE OF NEW JERSEY, AFFIRMING RECOMMENDATION AS TO A  
PERSONNEL MATTER**

**WHEREAS**, a personnel matter was challenged by an employee of the Borough of Kinnelon; and

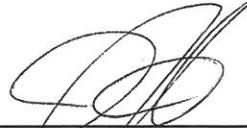
**WHEREAS**, a hearing was held and a recommendation with findings was made by an independent hearing officer; and

**WHEREAS**, the Borough Council has reviewed such recommendation and findings, and hereby affirms the matter.

**NOW, THEREFORE, BE IT RESOLVED**, the Mayor and Borough Council of the Borough of Kinnelon, County of Morris, State of New Jersey, hereby directs notice to the appropriate parties.

This Resolution shall take effect immediately.

Adopted: May 14, 2020



\_\_\_\_\_  
Mayor James J. Freda

**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 Borough Council of the Borough of Kinnelon at a duly convened meeting held on May 14, 2020.



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

RESOLUTION # 5.03.2020

**BE IT RESOLVED**, By the Mayor and Council of the Borough of Kinnelon, that a warrant be drawn to VELO & SNEZANA MURDZOSKI in the amount of \$757.86 (2017 = \$159.36, 2018 = \$162.11, 2019 = \$436.39) for the successful State Tax Court appeal on Block 45303/Lot 116 known as 142 KAKEOUT ROAD.

ROLL CALL: *Conventer*  
*yago, Roy, Susco, Russo, Charles, Tortkwski*

May 21, 2020  
Charles Daniel, CTC  
Tax Collector  
Borough of Kinnelon

I, Karen M. luele, 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 May 21, 2020.

Date: 5/21/20

  
\_\_\_\_\_  
Karen M. luele, Borough Clerk

RESOLUTION # 5.04.2020

**BE IT RESOLVED**, By the Mayor and Council of the Borough of Kinnelon, that a warrant be drawn to YASSIN, AMEER & BRITTANY in the amount of \$2,247.23 for the successful 2019 State Tax Court appeal on Block 11803/Lot 122 known as 31 TOWER HILL LANE.

ROLL CALL:

*Councilman*

*Yago, Poy Sisao, Russo, Charles Lorkowski*

May 21, 2020  
Charles Daniel, CTC  
Tax Collector  
Borough of Kinnelon

I, Karen M. Luele, 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 May 21, 2020.

Date: 5/21/20

  
Karen M. Luele, Borough Clerk

RESOLUTION # 5.05.2020

BE IT RESOLVED, by the Mayor and Council of the Borough of Kinnelon that a warrant be drawn to Genevieve Wall the amount of \$186.53 representing refund for overpayment of the 1<sup>st</sup> quarter 2020 Water bill on Account 3136-0, known as 10 Normandy Ct.

ROLL CALL:

*Councilman  
Yago, Roy, Sisco, Russo, Charles, Kortowski*

May 21, 2020  
Leigh Irwin  
Tax Clerk  
Borough of Kinnelon

I, Karen M. Iuele, Borough Clerk, Borough of Kinnelon, hereby certify resolution to be a true copy of the resolution which was duly passed at the regular meeting of the Borough of Kinnelon Mayor and Council on May 21, 2020.

DATE: 05/21/2020

  
Karen M. Iuele, Borough Clerk

RESOLUTION 5. 06 .2020

AUTHORIZING OF A SOIL  
DISTURBANCE PERMIT  
829 WEST SHORE DRIVE  
BLOCK 11503, LOT 108

WHEREAS, the Mayor and Council of the Borough of Kinnelon approved a Soil Disturbance Permit for 6 829 West Shore Drive, Block 11503, Lot 108; and

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

NOW, THEREFOR, BE IT RESOLVED, that the Mayor and Council of the Borough of Kinnelon does hereby approve a Soil Disturbance Permit for 829 West Shore Drive.

Dated: May 21, 2020

  
\_\_\_\_\_  
Karen M. Luele, RMC  
Municipal Clerk

RESOLUTION 5.07 .20

AUTHORIZATION TO RENEW  
AN AGREEMENT WITH GRAMCO  
BUSINESS COMMUNICATIONS

WHEREAS, the Borough of Kinnelon has recording devices used for the recording and transcription of its public meetings; and

WHEREAS, the Maintenance Contract Agreement expired on May 13, 2020; and

WHEREAS, the Borough wishes to renew its service agreement with Gramco Business Communication; and

WHEREAS, said agreement is for a twelve-month period from May 14, 2020 to May 13, 2021 for the following services and costs:

1 Samson Portable Pa System-Main Meeting Room	\$775.00
1 Liberty Digital Recording System	\$1,045.00
1 Marantz CDR-310 Digital Recording System	\$495.00
1 Marantz PMD – 611 Digital Recording System	\$495.00

For a Total Renewal Cost of .....\$2,810.00

NOW, THEREFORE, BE IT RESOLVED, by the Borough of Kinnelon, the Mayor is hereby authorized to sign said agreement and authorize the Treasurer to pay the Annual Renewal Fee of \$2,810.00

Dated: May 21, 2020

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

**RESOLUTION NO. 5.08.2020 RESOLUTION APPROVING STIPULATION OF SETTLEMENT OF TAX APPEAL BY DIANA M. CRONIN ON PROPERTY KNOWN AS BLOCK 11803, LOT 121 (33 TOWER HILL LANE), BOROUGH OF KINNELON, MORRIS COUNTY, NEW JERSEY**

**WHEREAS**, Diana M. Cronin filed a tax appeal against the Borough of Kinnelon ("Borough") to the Tax Court of New Jersey for the Tax Year 2018 challenging the assessment of real property known as Block 11803, Lot 121 ( 33 Tower Hill Lane) as shown on the Official Tax Map of the Borough of Kinnelon; and

**WHEREAS**, there were negotiations between the parties and a settlement has been proposed and is being recommended by the Borough Attorney and the Borough Assessor; and

**WHEREAS**, the Governing Body desires to approve the same.

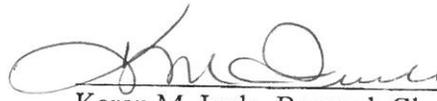
**NOW THEREFORE BE IT RESOLVED**, by the Borough Council of the Borough of Kinnelon, County of Morris, State of New Jersey, they being the Governing Body thereof as follows:

1. The settlement of the tax appeal for Block 11803, Lot 121 (33 Tower Hill Lane) reducing the assessment of \$1,176,100 to \$1,000,000 for Tax Year 2018 is hereby authorized and approved.
2. The Borough Attorney is hereby authorized to sign the Stipulation of Settlement incorporating the complete agreement between the parties.
3. The Borough Assessor, Borough Attorney, Borough Tax Collector, employees, agents or representatives of the Borough are hereby authorized to do whatever is necessary to effectuate the purpose of this Resolution.

4. This Resolution shall take effect immediately.

**CERTIFICATION**

I, Karen M. Iuele, 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 May 21, 2020.

  
Karen M. Iuele, Borough Clerk



# Borough of Kinnelon

130 Kinnelon Road  
Kinnelon, New Jersey 07405

973-838-5401  
Extension 1  
Fax: 973-838-1862  
www.kinnelonboro.org

James J. Freda  
Mayor

## **RESOLUTION 05.09.2020**

### **RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KINNELON SUPPORTING DIRECT STABILIZATION FUNDING TO THE COUNTY OF MORRIS**

**WHEREAS**, the County of Morris Board of Chosen Freeholders has adopted Resolution 2020-298 urging the State to provide funding to counties with populations of less than 500,000 in their efforts to respond to the COVID-19 pandemic and work to keep our constituents safe; and

**WHEREAS**, the County of Morris has to date been severely impacted by this virus with 309 residents who have lost their life thus far during this crisis; and

**WHEREAS**, due to this pandemic the County of Morris has had to undertake immediate plans of action to both identify those individuals infected with the virus and to initiate unanticipated costly yet critical strategic plans relative to the prevention of the continued spread of the virus inclusive of but not limited to:

- Initiated the Morris County Office of Emergency Management and Public Health Response staff efforts beginning in late February.
- Established outside COVID-19 testing sites at Morristown Medical Center, Chilton Hospital, Dover General Hospital, St. Clare's Hospital, and the Zufall Clinic helping to ensure that potentially infected individuals remain outside the perimeter of those critical facilities.
- Contracted with an Epidemiologist.
- Established a COVID-19 testing site at the County College of Morris last month with no support of personal protection equipment, testing kits, or other materials from the State of New Jersey as supplied to other Counties.
- Supported the needs of both the Atlantic HealthCare Hospital System and the Prime HealthCare Hospital System.
- Accepted and medically treated out of County adult inmates, juvenile offenders, and Children in Crisis, in the respective Morris County facilities, resulting in the spread of the virus within the County's Correctional Facility, Juvenile Detention and Youth Shelter operational staff, further resulting in significant staff illness, significant overtime costs, and significant sanitizing costs.
- Stretched professional resources beyond the realm of reasonability by serving as the Medical Examiner for three Counties.
- Required to accept over 60 COVID-19 positive residents of long-term care facilities from outside of Morris County as directed by the New Jersey Department of Health.
- Established multiple temporary morgues within the various hospitals.
- Responding to the increased demand and associated costs relative to the Morris County 911 Communication Center, processing over 8,132 calls since the initial Executive Order 104.
- Processing, responding to, and incurring the related costs to over 1,937 EMS emergencies of which 901 were determined to be potential COVID-19 responses, requiring full personal protection equipment since the beginning of the pandemic.
- Established and supporting temporary housing facilities for Community Based Human Service residential providers addressing the needs of the Homeless, Division of Developmental Disabilities, and Behavioral Health populations.
- Redirected the Senior Nutrition Program from a congregate and home delivered operation to solely home delivered operation, significantly increasing operational costs.
- Continuing to provide life sustaining transportation services via the County's paratransit program, placing staff at considerable risk as well as incurring significant sanitizing expenses relative to all transportation vehicles.
- Addressed the increased demand for Temporary Assistance services relative to increased applications for programs like Supplemental Nutrition Assistance Program (SNAP), while dealing with reduced staff due to COVID-19 and office closures to sanitize their space.



# Borough of Kinnelon

130 Kinnelon Road  
Kinnelon, New Jersey 07405

973-838-5401  
Extension 1  
Fax: 973-838-1862  
www.kinnelonboro.org

James J. Freda  
Mayor

- Because the Federal Government's emergency stockpile of personal protective equipment was depleted and understanding that the State would not be receiving further shipments, required us to expend exorbitant funds to purchase said personal protective equipment for local healthcare and first responder disciplines.
- Provided Emergency Funding to the four local Food Pantries that operate five days per week.
- Provided Hazard Pay to first responders and front-line staff.
- Established a secure facility for homeless positive COVID-19 individuals who do not require hospitalization, to recover from the virus.
- Further, within this secure facility for homeless COVID-19 individuals, ensured the provision of medical, nutritional, transportation and social services; and

**WHEREAS**, \$3.44 billion has been allocated to the State New Jersey from the Coronavirus Relief Fund, established by the CARES Act, which was signed into law on March 27, 2020; and

**WHEREAS**, the Fund provides a direct payment to the State of New Jersey, as well as provided over 1 Billion Dollars of direct payments to New Jersey counties with populations greater than 500,000 individuals; and

**WHEREAS**, Morris County, with a population that is just 1.6% below the threshold of 500,000, is not expected to receive a direct payment from the federal government, and thus will have to rely solely on a share of the state's allotment; and

**WHEREAS**, elected officials representing Morris County have expressed this inequity to the State of New Jersey.

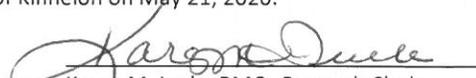
**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Chosen Freeholders of the County of Morris strongly urges the State of New Jersey to provide direct stabilization funding to Morris County from the Coronavirus Relief Fund in an amount consistent with the allocation made to counties that have populations slightly over 500,000, by utilizing the formula applied through the CARES Act. This funding is critical to Morris County's ability to continue its efforts to respond to the COVID-19 pandemic and work to keep our constituents safe.

**BE IT FURTHER RESOLVED**, that the federal government adopt an aid funding threshold reflecting the true impact of COVID-19 for all future allocations, based on metrics indicative of the negative effects the virus has had on a jurisdiction and the level of actions taken to combat the threats.

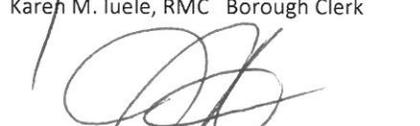
**BE IT FURTHER RESOLVED**, that the Mayor and Council of the Borough of Kinnelon, County of Morris and State of New Jersey support the County of Morris' Resolution. This resolution should be shared with the President of the United States, the Speaker of the United States House of Representatives and the Leaders of the United States Senate, and the Honorable Senators and Congressional Representatives from the State of New Jersey. This resolution should also be shared with the Governor of the State of New Jersey and New Jersey legislative representatives to the County of Morris. Additionally, the resolution should be shared with the New Jersey Association of Counties for distribution to all of the counties in the State of New Jersey, and to all of all of the mayors of municipalities within Morris County.

I, Karen M. Luele, Clerk of the Borough of Kinnelon, County of Morris, and State of New Jersey, hereby certifies this to be a true copy of a resolution adopted by the Mayor and Council of the Borough of Kinnelon on May 21, 2020.

Dated: May 21, 2020

  
Karen M. Luele, RMC Borough Clerk

Dated: May 21, 2020

  
Mayor, James J. Freda

**BOROUGH OF KINNELON**  
**COUNTY OF MORRIS, NEW JERSEY**  
**RESOLUTION NO. 5.10.2020**  
**AUTHORIZING THE TAX COLLECTOR TO**  
**PROCESS THIRD QUARTER "ESTIMATED"**  
**TAX BILLS, DUE AUGUST 1, 2020**

**WHEREAS**, in light of the disruption caused by the coronavirus outbreak, the State delayed the adoption of the State Fiscal Year 2021 Budget to September 30, 2020; and

**WHEREAS**, the Division of Local Government Services (DLGS) cannot certify State Aid allocations to municipal budgets until State Aid Appropriations are known; and

**WHEREAS**, the DLGS cannot approve municipal budgets and the County Board of Taxation cannot certify taxes until long after the June 30, 2020 deadline to process third quarter bills due August 1, 2020; and

**WHEREAS**, without an adopted 2020 Municipal Budget and without a 2020 Certified Tax Rate, the Tax Collector cannot process the final 2020 Tax Levy; and

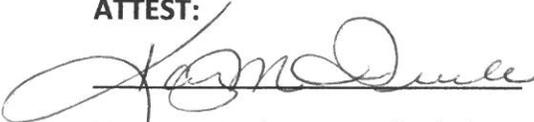
**WHEREAS**, the DLGS "*strongly recommends*" under Local Finance Notice 2020-07, "*that municipalities prepare to issue estimated property tax bills for 2020;*" and

**WHEREAS**, the Tax Collector, in consultation with the Chief Financial Officer, computed and certified an estimated Tax Levy necessary to bill third quarter taxes due August 1, 2020.

**NOW, THEREFORE, BE IT RESOLVED**, by the Governing Body of the Borough of Kinnelon, in the County of Morris and State of New Jersey on this 21st day of May, 2020 that the Tax Collector is hereby authorized and directed to process estimated tax bills for the third quarter installment of 2020 taxes; and

**BE IT FURTHER RESOLVED** that, the third quarterly installment of 2020 taxes shall not be subject to interest until the later of August 10, 2020 or the twenty-fifth (25) calendar day after the date the estimated tax bills were mailed. The estimated tax bills shall contain a notice specifying the date on which interest may begin to accrue.

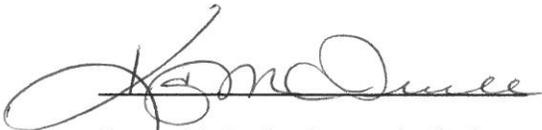
**ATTEST:**

  
\_\_\_\_\_  
Karen M. Luele, Borough Clerk

  
\_\_\_\_\_  
James Freda, Mayor

**CERTIFICATION**

I, Karen M. Luele, Borough Clerk of the Borough of Kinnelon, Count of Morris, State of New Jersey, do hereby certify that the foregoing resolution was adopted at a meeting of the Borough Council held on May 21, 2020.

  
\_\_\_\_\_  
Karen M. Luele, Borough Clerk

5-21-2020  
Date



ORDINANCE 06-2020

**CALENDAR YEAR 2020**  
**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS**  
**AND TO ESTABLISH A CAP BANK**  
**(N.J.S.A. 40A: 4-45.14)**

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

**WHEREAS**, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

**WHEREAS**, the Borough Council of the Borough of Kinnelon in the County of Morris finds it advisable and necessary to increase its CY 2020 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**WHEREAS**, the Borough Council hereby determines that a 1.0% increase in the budget for said year, amounting to \$95,959.13 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Borough Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW THEREFORE BE IT ORDAINED**, by the Borough Council of the Borough of Kinnelon, in the County of Morris, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2020 budget year, the final appropriations of the Borough of Kinnelon shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$239,897.83, and that the CY 2019 municipal budget for the Borough of Kinnelon be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Dated: 5-21-2020

  
\_\_\_\_\_  
Mayor James Freda

May 21, 2020

The Mayor announced the meeting was open to hear any objections to this ordinance that may be presented by any taxpayer of the Borough of Kinnelon, and all parties in interest, and citizens. Hearing none, Mayor Freda brought it back to the dais, does anyone from the council wish to speak on this ordinance at this time.

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

Councilman V. Russo offered a motion to adopt the foregoing resolution. This motion was seconded by Councilman R. Charlies.

Roll Call:	W. Yago; Yes;	V. Russo; Yes;
	R. Roy; Yes;	R. Charles; Yes;
	G. Sisco; Yes;	J. Lorkowski; Yes.

**RESOLUTION 5.11.2020  
OF THE GOVERNING BODY  
OF THE BOROUGH OF KINNELON  
COUNTY OF MORRIS, NEW JERSEY**

Re: Adoption of 2020 Kinnelon Municipal Budget

**BE IT RESOLVED**, that the following statement of revenues and appropriations attached hereto constitute the local Budget of the Borough of Kinnelon, Morris County, New Jersey for the year 2020.

**BE IT FURTHER RESOLVED**, that the said 2020 Kinnelon Municipal Budget was adopted at the Mayor and Council regular meeting held on May 21, 2020.

Councilman W. Yago offered a motion to adopt the foregoing resolution. This motion was seconded by Councilman R. Charlies.

Dated: May 21, 2020

  
Karen M. Iuele, RMC  
Borough Clerk

Roll Call:	William Yago; Yes;	V. Russo; Yes;
	R. Roy; Yes;	R. Charlies; Yes;
	G. Sisco; Yes;	J. Lorkowski; Yes.



**ORDINANCE NO. 07-2020**

**AN ORDINANCE TO AMEND CHAPTER 163, SEWER CONNECTIONS,  
OF THE CODE OF THE BOROUGH OF KINNELON**

WHEREAS, Chapter 163-6A of the Code of the Borough of Kinnelon (“Borough”) currently provides a schedule which sets forth the annual sewer service fee for single family, multi-family and non-residential users; and

WHEREAS, the Borough desires to amend the annual sewer service fee schedule found at Chapter 163-6A of the Code of the Borough of Kinnelon.

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. Chapter 163-6A(1) and (2) of the Code of the Borough of Kinnelon is hereby amended to read as follows:

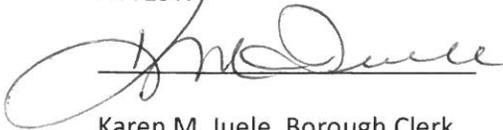
- A. An annual sewer service charge is hereby established as follows:
  - 1) Single family residential (excluding condominiums) [250 gallons per day (gpd)]:  
\$1,171.00
  - 2) Multi-family dwellings (apartments and condominiums)
    - i. One bedroom (150 gpd): \$703.00
    - ii. Two bedrooms (225 gpd): \$1,054.00
    - iii. Three bedrooms (250 gpd): \$1,171.00
  - 3) Nonresidential units [0 to 100,000 gallons per year (gpy)]: \$1,171.00,  
(100,001 and over): \$11.10/1,000 gpy excess over 100,000 gpy

SECTION 2. 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 3. If any section, subsection, sentence, clause of 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 4. This Ordinance shall take effect starting with the quarterly sewer billing period of July 1, 2020 and shall be in effect to June 30, 2021.

ATTEST:



Karen M. Luele, Borough Clerk



James Freda, Mayor

#### CERTIFICATION

I, Karen M. Luele, 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, ready by title and passed on the first ready at the regular meeting of the Borough held on April 14, 2020 and adopted by the Governing Body of the Borough held on May 21, 2020.



Karen M. Luele, Borough Clerk



ORDINANCE NO. 08-2020

AN ORDINANCE AUTHORIZING A CAPITAL PURCHASE OF AN ASPHALT HOT PATCHER DUMP TRAILER AND APPROPRIATING \$35,000.00 FROM THE CAPITAL IMPROVEMENT FUND TO DO SO

BE IT ORDAINED by the Borough Council of the Borough of Kinnelon, in the County of Morris, State of New Jersey as follows:

SECTION 1: The sum of \$35,000.00 is hereby appropriated from the Capital Improvement Fund for the purchase of a 4-Ton Asphalt Hot Patcher Dump Trailer.

SECTION 2: The purchase hereby authorized and purposes for which these appropriations are made include all cost and materials necessary therefor and incidental thereto. An amount not exceeding \$35,000.00 for items of expense permitted pursuant to N.J.S.A 40A:2-20 is included in the costs indicated herein for the purchase.

SECTION 3: The Capital Budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistencies herewith.

EFFECTIVE DATE: This ordinance shall take effect upon final passage and publication according to law.

ATTEST:

BOROUGH OF KINNELON



Karen M. Luele, RMC

Kinnelon Borough Clerk



James Freda, Mayor

CERTIFICATION

I, Karen Luele, Borough Clerk of the Borough of Kinnelon, County of Morris, State of New Jersey, do hereby certify the foregoing to be true copy of an Ordinance introduced, read by title and passed on the first reading at a regular meeting of the Borough held on May 21, 2020 and adopted by the Governing Body at a regular meeting of the Borough held on June 18, 2020.

A handwritten signature in cursive script, appearing to read "K. Luele", is written over a solid horizontal line.

Karen M. Luele, RMC, Borough Clerk

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

Roll Call: William Yago, Yes; V. Russo, Yes;  
R. Roy, Yes; R. Charlies, Yes;  
G. Sisco, Yes; J. Lorkowski, Yes.

WHEREAS, the above ordinance was introduced at this meeting held on May 21, 2020 and read by title, and passed on first reading:

NOW, THEREFORE, BE IT RESOLVED, that at the regular meeting to be held on June 18, 2020 at 8:00 pm, 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 Borough Clerk of this Borough be and she is hereby directed to publish the proper notice thereof.

Councilman G. Sisco offered a motion to publish the foregoing resolution. This was second by Councilman V. Russo.

Roll Call: William Yago, Yes; V. Russo, Yes;  
R. Roy, Yes; R. Charlies, Yes;  
G. Sisco, Yes; J. Lorkowski, Yes.

**Ordinance 09-2020**

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 151, THE PEDDLERS AND SOLICITIORS ORDINANCE, OF THE CODE OF THE BOROUGH OF KINNELON TO AMEND THE PERMIT FEE SCHEDULE, AND TO CLARIFY THE PERMIT APPLICATION, PERMIT REVOCATION, AND PERMIT DENIAL AND REVOCATION APPEAL PROCESSES**

Councilman R. Roy introduced the following ordinance and moved the same be read by title and passed on first reading. This was seconded by Councilman G. Sisco.

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

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**ORDINANCE NO. 09-2020 AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 151, THE PEDDLERS AND SOLICITORS ORDINANCE, OF THE CODE OF THE BOROUGH OF KINNELON TO AMEND THE PERMIT FEE SCHEDULE AND TO CLARIFY THE PERMIT APPLICATION, PERMIT REVOCATION, AND PERMIT DENIAL AND REVOCATION APPEAL PROCESSES**

**WHEREAS**, pursuant to N.J.S.A. 40:48-1 et. seq., N.J.S.A. 40:52-1; and N.J.S.A. 45:24-1 et. seq. the governing body of a municipality may make, amend, repeal and enforce ordinances to regulate the conduct of peddlers and solicitors; and

**WHEREAS**, the Borough of Kinnelon desires to amend Section 151-8 “Fees” of Chapter 151 of the Code of the Borough of Kinnelon (the “Peddlers and Solicitors Ordinance”) in order to amend the permit fee schedule and required fees contained therein; and

**WHEREAS**, the Borough of Kinnelon desires to amend Sections 151-4 “Application for Permit”, 151-5 “Investigation by Borough Chief of Police; Report of approval or disapproval”, and 151-6 “Issuance of permit; grounds for denial” of the Peddlers and Solicitors Ordinance in order to clarify the application process for a permit and to strike the submission of fingerprints to the Borough as a requirement for issuance of a permit so that the Borough Code is consistent with the holding set forth in N.J. Citizen Action v. Edison Township, 797 F.2d 1250 (3d Cir. 1986) invalidating a fingerprinting requirement for solicitor permits in the absence of supporting evidence that solicitors pose a significant history of criminal behavior within a municipality; and

**WHEREAS**, the Borough of Kinnelon desires to amend Section 151-13 “Revocation of Permit; hearing” of the Peddlers and Solicitors Ordinance and add new Section 151-14 in order to clarify the revocation process for holders of a permit and to clarify the permit revocation and permit denial appeal processes.

**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.** Section 151-8 “Fees” at subsection “A” shall be amended such that the fee for a permit issued for a calendar year expiring on December 31 shall be amended from \$200.00 to \$100.00 and the permit fee for a daily permit shall be amended from \$50.00 to \$20.00, such that as amended, subsection “A” shall read as follows:

- A. The fee for a permit granted for the calendar year expiring on December 31 shall be \$100.00. A permit granted for one day shall be \$20.00.

**SECTION 2.** Section 151-8 “Fees”, subsection “B” shall be stricken in its entirety and subsection “C” of Section 151-8 re-lettered to be subsection “B” of Section 151-8 “Fees”.

**SECTION 3.** Section 151-4 “Application for Permit” shall be stricken in its entirety and replaced with the following language and shall now read as follows:

**§151-4. Application for Permit.**

All persons, except as otherwise provided by this Chapter or by law, desiring to solicit for charitable or other purposes or to peddle, solicit, canvass, hawk (collectively “solicit”) within the Borough shall file with the Borough Clerk prior to any such solicitation, a solicitation permit application on forms provided by the Borough Clerk. This shall include all persons who are driving a vehicle within the Borough to transport persons peddling, soliciting, canvassing and hawking. The application shall set forth, and include, the following information:

A. Whether the person registering is a natural person, partnership, or corporation and:

i. if a natural person, the business and residence address and telephone number must be given.

ii. if a partnership, the names of all partners and the principal business address and telephone number of each partner must be given.

iii. if a corporation, trust, foundation, association, society or other group, the person registering must state whether it is organized under the laws of New Jersey or is a foreign corporation and must state the mailing address, the business location, the telephone number, the name of the individual in charge of the local office of such corporation;

B. The name, address, date of birth, social security number and photo identification (which the Borough Clerk will photocopy and attach to the application) of the person or persons who shall be conducting the solicitation or otherwise peddling, soliciting, canvassing or hawking. Each individual must answer if he/she has been convicted of a crime, and if "yes", must provide an explanation of the crime, location, and date;

C. A brief description of the nature of the business and the goods to be sold or services to be performed for which funds are to be solicited and an explanation of the intended use of the funds toward that purpose;

D. The time period within which the solicitation or the peddling, soliciting, canvassing or hawking is to be conducted, giving the date of the commencement and termination of the effort;

E. If a vehicle or vehicles are to be used in the solicitation, or to transport persons soliciting, a description of the same, including year, make and model, together with the license plate number, state, vehicle registration certificate information and liability insurance information or other satisfactory means of identification;

F. Complete driver's license information and driver's license numbers of all solicitors, canvassers, peddlers and hawkers, copies of current Motor Vehicle Commission ("MVC") driver history abstracts for the last five (5) years and a criminal history background check from a State of New Jersey approved vendor. Neither the MVC abstracts nor the criminal history background checks shall be older than thirty (30) days from the date the permit application is filed with the Borough;

G. The applicant shall be responsible for the payment of all fees associated with obtaining the MVC driver's history abstract and criminal history background check from a State approved vendor. The MVC driver history abstract must be transmitted directly from the MVC to the Borough Police Department with a copy to the Applicant, and the criminal history background check must be transmitted directly from the State approved vendor to the Borough Police Department, with a copy to the Applicant;

H. The names of any other municipalities in which the person registering has solicited or otherwise peddled, solicited, canvassed or hawked within the previous 12 months;

I. An application for a permit shall be verified under oath and shall contain such information determined to be necessary to identify each person or organization and the cause or purpose of the solicitation, peddling, canvassing or hawking. It shall be the sole responsibility of the applicant to secure MVC driver history abstracts and criminal history background checks, and arrange for/authorize them to be sent to the Borough Police Department. An application shall not be complete until such time as all reports (including but not limited to MVC driver history abstracts and criminal history background checks) have been RECEIVED by the Borough Clerk/Police Department as applicable;

J. If while the application is pending, or during the term of any permit granted hereunder, there is any change in the information set forth in the application, the applicant shall notify the Borough Clerk in writing thereof within 24 hours after such change; and

K. The Borough Chief of Police shall review all complete applications, MVC driver history abstracts and criminal history background checks and applicant qualifications as set forth herein and shall provide recommendations to the Borough Clerk.

**SECTION 4.** Section 151-5 "Investigation by Borough Chief of Police; report of approval or disapproval" shall be amended and re-titled "Review by Borough Chief of Police; report of approval or disapproval". Subsections "A" and "B" of Section 151-5 are stricken in their entirety and replaced with the following language and shall now read as follows:

**§151-5. Review by Borough Chief of Police; report of approval or disapproval.**

A. Upon receipt of such application, the original shall be filed with the Borough Clerk and a duplicate shall be referred to the Borough Chief of Police. The Borough Chief of Police shall review the complete permit application inclusive of MVC driver history abstract and criminal history background check, and all information required to be submitted to determine its compliance with the terms of this Chapter within 14 business days after receipt of the complete application. The Borough Chief of Police shall review said application to ascertain that the applicant has not been convicted of a crime (and is not subject to any outstanding criminal warrants or indictments) relating to fraud, deception, theft or assault, and that he/she is selling or soliciting for a project free from fraud or other criminal purpose.

**SECTION 5.** Subsection “C” of Section 151-5 shall be re-lettered to be subsection “B” of Section 151-5 “Review by Borough Chief of Police; report of approval or disapproval” and the opening paragraph therein amended with the following language to now read as follows:

B. Upon completion of his review, the Borough Chief of Police shall make a written report to the Borough Clerk with his recommendations and reasons therefore regarding approval or disapproval and return the application to the Borough Clerk. Any recommendation by the Borough Chief of Police that a permit should not be issued to the applicant shall be based on one or more of the following findings of fact with respect to the applicant:

**SECTION 6.** Section 151-6 “Issuance of permit; grounds for denial” at subsection “A” shall be amended such that as amended, subsection “A” shall read as follows:

A. Prior to issuing any permit, the Borough Clerk shall consider all of the information supplied in and with the application as well as the written report by the Borough Chief of Police.

**SECTION 7.** Section 151-6 “Issuance of permit; grounds for denial” shall be supplemented with the addition of the following subsection:

C. Within 3 business days of receiving the Chief of Police’s written report, the Borough Clerk shall upon payment of the prescribed fee or in the event of an applicant who is not required to pay a fee, issue a permit and certificate of registration to the applicant or notify the applicant that his/her application is disapproved and that no permit will be issued. The reasons for disapproval shall be noted on the application and notice shall be by regular U.S. mail, postage prepaid to the applicant at the address shown on the application form or at the applicant’s last known address, as well as to the applicant’s email address as listed on the application.

**SECTION 8.** Section 151-13 “Revocation of permit; hearing” shall be stricken in its entirety and replaced with the following language and shall now read as follows:

**§151-13. Revocation or Suspension of Permit; hearing.**

Any permit issued under the provisions of this Chapter may be revoked by the Chief of Police on a showing that any of the provisions of this chapter have been violated or for other good cause. Upon learning of the alleged violation of any provisions of this Chapter, or for other good cause, the Chief of Police shall immediately suspend the permit and give the permittee written notice of a hearing to be held by him within five (5) days of such suspension to determine whether or not the permit should be revoked. The notice shall contain a statement of facts upon which the Chief of Police has acted in suspending the permit, and will be served by certified U.S. mail, return receipt requested, to the permit holder at the address shown on the application form or at the his/her last known address. Notice shall be effective upon mailing. A copy of said notice shall also be sent to the permit holder’s email address as listed on the application. If, after such hearing, the Chief of Police finds that this Chapter has been violated or other good cause exists, he shall, within five (5) days of the hearing revoke the permit and give the holder thereof written notice of said revocation and the reasons thereof. Or in the absence of such finding, the permit holder shall within five (5) days of the hearing be notified in writing of the termination of the suspension of the permit. Notice shall be by U.S. mail to the permit holder at the address shown on the application form or at his/her last known address, and shall be effective upon mailing. A copy of said notice shall also be sent to the permit holder’s email address as listed on the application.

In addition, any permit which may have been issued may be revoked for a violation of this Chapter or on good cause shown by majority vote of the Borough Council at any regular or special meeting thereof after five (5) days’

written notice to the permit holder and upon affording the said holder of an opportunity to be heard with respect to the reasons for such revocation. Notice shall be served by certified U.S. mail, return receipt requested, to the permit holder at the address shown on the application form or at the his/her last known address, and shall be effective upon mailing. A copy of said notice shall also be sent to the permit holder's email address as listed on the application.

Any revocation made by the Chief of Police or Borough Council shall be for one year from the date of revocation.

**SECTION 9.** A new Section shall be included within Chapter 151 and the new Section shall be numbered Section 151-14. The existing Section 151-14 shall be renumbered "151-15"; the existing Section 151-15 shall be renumbered "151-16".

**SECTION 10.** The new Section 151-14 shall be added to the Borough Code of the Borough of Kinnelon, in the County of Morris, State of New Jersey, and shall read as follows:

**§151-14. Appeal; Reinstatement of Revoked Permit.**

A. Any person aggrieved by the action of the Borough Clerk or Chief of Police in the denial of an application for a permit, or in the decision with reference to revocation of a permit, shall have the right to appeal to the Borough Council. Such appeal shall be taken by filing with the Borough Clerk, within fourteen (14) days after notice of the action complained of has been mailed to such applicant or permit holder's address as stated on the application or last known address, a written statement setting forth fully the grounds for a hearing on such appeal. The Borough Council shall set a time and place for hearing the appeal and a notice of the hearing shall be given to the permit holder/applicant. The decision of the Borough Council on the appeal shall be final and conclusive.

B. The Borough Council may issue another permit to a person whose permit has been revoked or denied as provided in this Chapter if, acting after a hearing they are satisfied by clear and convincing evidence that the acts which led to the revocation or denial will not occur again; otherwise, no person whose permit has been revoked or denied nor any person for him/her, directly or indirectly shall be issued another permit to solicit. The revocation shall be for one year from the date of revocation, after which the person may make another application, which shall be reviewed in accordance with this Chapter.

**SECTION 11.** All ordinances, resolutions and regulations or parts of ordinances, resolutions and regulations inconsistent herewith are hereby repealed to the extent of such inconsistency.

**SECTION 12.** If any section, paragraph, article, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply to the section, paragraph, article, subdivision, clause or provision so adjudged and the remainder of this Ordinance shall be deemed valid and effective.

**SECTION 13.** This Ordinance shall take effect after approval and publication as required by law.

ATTEST:

BOROUGH OF KINNELON

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

\_\_\_\_\_  
James J. Freda, Mayor

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

I, Karen M. Iuele, 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, RMC, Borough Clerk

May 21, 2020

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

Roll Call: William Yago, Yes; V. Russo, Yes;  
R. Roy, Yes; R. Charlies, Yes;  
G. Sisco, Yes; J. Lorkowski, Yes.

WHEREAS, the above ordinance was introduced at this meeting held on May 21, 2020, 2020 and read by title, and passed on first reading:

NOW, THEREFORE, BE IT RESOLVED, that at the regular meeting to be held on June 18, 2020 at 8:00 pm, 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 Borough Clerk of this Borough be and she is hereby directed to publish the proper notice thereof.

Councilman G. Sisco offered a motion to publish the foregoing resolution. This was second by Councilman V. Russo.

Roll Call: William Yago, Yes; V. Russo, Yes;  
R. Roy, Yes; R. Charlies, Yes;  
G. Sisco, Yes; J. Lorkowski, Yes.

**TAX COLLECTOR'S REPORT;**

During the month of April 2020, the Tax Collector's Report indicated we collected \$3,231,912.79 in taxes.

**INVESTMENT OFFICER'S REPORT;**

A total of \$1,888.14 was collected in interest for the month of April 2020.

**DISTRICT SCHOOL PAYMENT:** \$3,202,880.67

**ADJOURNMENT:**

This meeting adjourned at approximately 9:00 p.m. on motion by Councilman G. Sisco with the unanimous affirmative voice vote of all present.

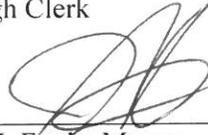
May 21, 2020

Respectfully submitted,



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Karen M. Iuele, RMC  
Borough Clerk



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James J. Freda, Mayor

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