

MEETING TO ORDER.

The regular meeting of the Kinnelon Borough Governing Body was called to order by Mayor James Freda at 8:00 p.m., on Thursday, September 17, 2020 in the Kinnelon Municipal Building, 130 Kinnelon Road, Kinnelon New Jersey.

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 September 17, 2020, indicated we started out with cash on hand as of July 31, 2020, in the amount of \$3,639,886.53. Receipts for the month of August totaled \$8,981,781.03, with disbursements amounting to \$5,760,505.03. The balance on hand as of August 31, 2020 was \$6,861,162.53.

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:	W. Yago, Yes;	V. Russo, Yes;
	R. Roy, Yes;	R. Charlies, Yes;
	G. Sisco, Yes;	J. Lorkowski, Yes.

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 September 17, 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: 08/21/20 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 Account Payab			
21475	09/17/20	4IM01 4imprint, Inc.	1,761.05		4832
21476	09/17/20	AC A.C. DAUGHTRY INC.	1,230.75		4832
21477	09/17/20	AC001 ACORN PEST CONTROL	275.00		4832
21478	09/17/20	ACT04 ACTION DATA SERVICES	961.33		4832
21479	09/17/20	AFF02 AFFILIATED TECHNOLOGY	1,244.79		4832
21480	09/17/20	AIR03 AIR GROUP	3,513.90		4832
21481	09/17/20	ALL04 ALLIED OIL COMPANY	1,875.27		4832
21482	09/17/20	ALL16 ALL WET IRRIGATION & LIGHTING	214.65		4832
21483	09/17/20	AUT05 THE AUTO PARTS SOURCE	0.00	09/17/20 VOID	0
21484	09/17/20	AUT05 THE AUTO PARTS SOURCE	963.73		4832
21485	09/17/20	BAR26 BARRINGTON PRESS	1,500.00		4832
21486	09/17/20	BOR01 BOROUGH OF BUTLER ELECTRIC	8,217.62		4832
21487	09/17/20	BOR02 BOROUGH OF KINNELON	585.50		4832
21488	09/17/20	BR01 B&R UNIFORMS	1,420.25		4832
21489	09/17/20	BRA05 BRAEN SUPPLY, INC	1,270.98		4832
21490	09/17/20	BUZ01 THE BUZAK LAW GROUP, LLC.	9,630.00		4832
21491	09/17/20	CAB01 OPTIMUM	58.58		4832
21492	09/17/20	CAB02 OPTIMUM	141.18		4832
21493	09/17/20	CAB03 OPTIMUM	116.18		4832
21494	09/17/20	CAB04 OPTIMUM	116.18		4832
21495	09/17/20	CAB05 OPTIMUM	126.18		4832
21496	09/17/20	CAB06 OPTIMUM	116.18		4832
21497	09/17/20	CAB07 OPTIMUM	116.18		4832
21498	09/17/20	CAB08 OPTIMUM	89.90		4832
21499	09/17/20	CAB09 OPTIMUM	116.18		4832
21500	09/17/20	CAB10 OPTIMUM	340.32		4832
21501	09/17/20	CDM01 CDM SMITH INC	12,742.50		4832
21502	09/17/20	CEU01 CEUnion	95.00		4832
21503	09/17/20	CHI01 CHILTON OCCUPATIONAL HLTH CTR	160.00		4832
21504	09/17/20	CIN05 CINTAS CORPORATION #111	435.92		4832
21505	09/17/20	CIT05 CIT FINANCE LLC	591.50		4832
21506	09/17/20	COO03 COOPERATIVE COMMUNICATIONS INC	1,623.50		4832
21507	09/17/20	DAN01 DAN COMO & SONS INC.	3,780.00		4832
21508	09/17/20	DAR01 DARMOFALSKI ENGINEERING ASSOC.	3,525.00		4832
21509	09/17/20	DEB03 DE BLOCK ENVIRONMENTAL SERVICE	8,016.76		4832
21510	09/17/20	DIG02 DIGITALBUYER	368.00		4832
21511	09/17/20	DRA02 DRAEGER, INC.	179.00		4832
21512	09/17/20	EJG01 EJG SPORTS	909.35		4832
21513	09/17/20	EME02 EMERGENCY MEDICAL PRODUCTS INC	418.95		4832
21514	09/17/20	EXT01 EXTRA SPACE STORAGE	750.00		4832
21515	09/17/20	FED01 FED-EX/OMEGA CORPORATE CENTER	42.66		4832
21516	09/17/20	FRI04 ASHLEY FRITZ	400.00		4832
21517	09/17/20	GAM01 GAME DAY SPORTS	994.57		4832
21518	09/17/20	GSB01 GLATFELTER SPECIALTY BENEFITS	812.00		4832
21519	09/17/20	HAI04 ELLEN HAID	30.25		4832
21520	09/17/20	HOM02 HOME DEPOT CREDIT SERVICE	239.11		4832
21521	09/17/20	HOR04 HORIZON OFFICE EQUIPMENT	255.00		4832
21522	09/17/20	IUE01 KAREN IUELE	188.16		4832
21523	09/17/20	JCP01 JCP&L	13.76		4832

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void Ref Num
GENERAL		General Account Account Payab Continued		
21524	09/17/20	JIM01 JIMMY THE SHOE DOCTOR	212.73	4832
21525	09/17/20	KIN08 KINNELON VOLUNTEER FIRE CO.	7,000.00	4832
21526	09/17/20	KIN09 KINNELON BOARD OF EDUCATION	3,261,710.92	4832
21527	09/17/20	LAK02 LAKELAND BANK EQUIP FINANCE	4,374.20	4832
21528	09/17/20	LAK13 LAKELAND AUTO PARTS	139.45	4832
21529	09/17/20	LAW07 LAWSOFT INC.	695.00	4832
21530	09/17/20	LEW02 CYNTHIA LEWIS	300.00	4832
21531	09/17/20	LOE01 LOEFFEL'S WASTE OIL SERVICE	150.00	4832
21532	09/17/20	MAT04 MATTHIJSEN, INC.	2,828.75	4832
21533	09/17/20	MOR14 MORRIS CTY POLICE CHIEFS ASSOC	300.00	4832
21534	09/17/20	MOR21 MORRIS COUNTY M.U.A.	35,017.25	4832
21535	09/17/20	MOR42 THE LAND CONSERVANCY OF NJ	15,000.00	4832
21536	09/17/20	MOS03 MOST DEPENDABLE FOUNTAINS INC	265.00	4832
21537	09/17/20	NEO01 QUADIENT, INC.	725.80	4832
21538	09/17/20	NES01 NESTLE PURE LIFE DIRECT	230.18	4832
21539	09/17/20	NJ001 NJ OVERHEAD DOORS LLC	2,663.00	4832
21540	09/17/20	NJD07 NJ DEPT HEALTH & SENIOR SERV	5.40	4832
21541	09/17/20	NJLABOR NJ LABOR LAW POSTER SERVICE	337.00	4832
21542	09/17/20	NJLM01 NEW JERSEY STATE LEAGUE	170.00	4832
21543	09/17/20	NJP02 NJ POLICE TRAFFIC OFFICERS	50.00	4832
21544	09/17/20	NOR02 NORTH JERSEY MEDIA GROUP	255.15	4832
21545	09/17/20	NOR13 NORTH JERSEY MUNICIPAL	3,714.00	4832
21546	09/17/20	NOR18 NORTHEAST COMMUNICATIONS, INC.	1,609.68	4832
21547	09/17/20	ONE02 ONE CALL CONCEPTS, INC.	77.22	4832
21548	09/17/20	PAT04 SEAN PATALITA	139.98	4832
21549	09/17/20	PHO04 PHOENIX CONSULTING GROUP, LLC	2,500.00	4832
21550	09/17/20	PSE01 P.S.E. & G.	204.20	4832
21551	09/17/20	QUA05 QUALITY GLASS LLC	935.00	4832
21552	09/17/20	RAC02 RACHLES/MICHELE'S OIL CO., INC	986.93	4832
21553	09/17/20	RIO01 RIO SUPPLY INC	690.00	4832
21554	09/17/20	RIV03 RIVERDALE POWER MOWER INC.	376.35	4832
21555	09/17/20	RIV06 R.E.R. SUPPLY, LLC	5,400.00	4832
21556	09/17/20	ROG01 ROGO FASTENER CO., INC	547.72	4832
21557	09/17/20	ROU01 ROUTE 23 AUTO MALL	1,109.11	4832
21558	09/17/20	RR02 R&R RADAR INC	350.00	4832
21559	09/17/20	RUS03 VINCENT RUSSO	29.83	4832
21560	09/17/20	SAL01 SALOMONE BROTHERS INC.	355.00	4832
21561	09/17/20	SCH30 MELANIE SCHUCKERS	83.23	4832
21562	09/17/20	SER02 SERVICE SUPPLY LLC	34.49	4832
21563	09/17/20	SHA03 THE SHADE TREE DEPARTMENT LLC	635.30	4832
21564	09/17/20	SHI03 SHI INTERNATIONAL CORP	2,688.00	4832
21565	09/17/20	SMO01 SMOKE RISE CLUB	54,827.81	4832
21566	09/17/20	STA STAPLES ADVANTAGE, DEPT NY	1,116.01	4832
21567	09/17/20	STAT2 STATE OF NEW JERSEY	726.35	4832
21568	09/17/20	SUB03 SUBURBAN DISPOSAL INC.	62,805.55	4832
21569	09/17/20	TAN07 DARA TANZOLA	1,850.00	4832
21570	09/17/20	THY01 THYSSENKRUPP ELEVATOR CORP.	5,042.70	4832
21571	09/17/20	TIL01 TILCON NEW YORK INC.	723.50	4832
21572	09/17/20	TRE05 TREAS. STATE OF NEW JERSEY	1,184.00	4832
21573	09/17/20	TRE11 TREASURER, STATE OF NEW JERSEY	240.00	4832
21574	09/17/20	TYR01 TYREX RESOURCES LLC	544.00	4832
21575	09/17/20	VER11 VERIZON WIRELESS - KPD	152.04	4832

Check #	Check Date	Vendor		Amount Paid	Reconciled/Void	Ref Num
GENERAL General Account Account Payab Continued						
21576	09/17/20	WAS04	WASH HOUNDS	115.38		4832
21577	09/17/20	WAY04	WAYNE ELECTRIC SUPPLY COMPANY	171.00		4832
21578	09/17/20	WES09	ROBERT WESTYDK	90.20		4832
21579	09/17/20	WIN06	WIND RIVER ENVIRONMENTAL	1,220.00		4832
Checking Account Totals						
				<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>
				Checks: 104	1	3,558,277.28
				Direct Deposit: 0	0	0.00
				Total: 104	1	3,558,277.28
PLANNING 2 Columbia Bank						
1807	09/17/20	DAR01	DARMOFALSKI ENGINEERING ASSOC.	2,000.00		4833
1808	09/17/20	VAL09	PATRICK VALENTE	125.00		4833
Checking Account Totals						
				<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>
				Checks: 2	0	2,125.00
				Direct Deposit: 0	0	0.00
				Total: 2	0	2,125.00
Report Totals						
				<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>
				Checks: 106	1	3,560,402.28
				Direct Deposit: 0	0	0.00
				Total: 106	1	3,560,402.28

Totals by Year-Fund					
Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND	0-01	3,511,381.49	0.00	0.00	3,511,381.49
WATER FUND	0-05	3,277.80	0.00	0.00	3,277.80
SEWER FUND	0-07	7,997.76	0.00	0.00	7,997.76
Year Total:		3,522,657.05	0.00	0.00	3,522,657.05
	C-04	3,525.00	0.00	0.00	3,525.00
DOG TAX	D-13	5.40	0.00	0.00	5.40
STATE AND FEDERAL GRANTS	G-02	28,007.50	0.00	0.00	28,007.50
RECREATION SPECIAL	R-16	3,931.73	0.00	0.00	3,931.73
RECYCLE FUND	Y-21	150.60	0.00	0.00	150.60
Total of All Funds:		3,558,277.28	0.00	0.00	3,558,277.28

Project Description	Project No.	Project Total
144 Kinneelon Rd #111509 Aflani	111509	375.00
SIENICKI 1508 6 LYONS	1508	125.00
43 SAMWORTH RD	45403	1,125.00
4 ELIZABETH DR	56703122	125.00
18 WOODLAND CRT-STANSFIELD	57501153	375.00
Total of All Projects:		<u>2,125.00</u>

*Office of the Mayor
Borough of Kinnelon*

Proclamation

WHEREAS, childhood cancer is the leading cause of death by disease in children, and;

WHEREAS, 1 in 285 children in the United States will be diagnosed by their 20th birthday, and;

WHEREAS, 43 children per day or 15,780 children are diagnosed with cancer annually in the U.S., and;

WHEREAS, there are approximately 40,000 children on active treatment at any given time, and;

WHEREAS, the average age of diagnosis is 6 years old, compared to 66 years for adult's cancer diagnosis, and;

WHEREAS, 80% of childhood cancer patients are diagnosed late and with metastatic disease, and;

WHEREAS, on average there's been a 0.6 percent increase in incidence per year since the mid 1970's resulting in an overall incidence increase of 24 percent over the last 40 years, and;

WHEREAS, two-thirds of childhood cancer patients will have chronic health conditions as a result of their treatment toxicity, with one quarter being classified as severe to life-threatening, and;

WHEREAS, approximately one half of childhood cancer families rate the associated financial toxicity due to out-of-pocket expenses as considerable to severe, and;

WHEREAS, in the last 20 years only four new drugs have been approved by the FDA to specifically treat childhood cancer, and;

WHEREAS, The National Cancer Institute recognizes the unique research needs of childhood cancer and the associated need for increased funding to carry this out; and

WHEREAS, hundreds of non-profit organizations at the local and national level including the American Childhood Cancer Organization are helping children with cancer and their families cope through educational, emotional and financial support, and;

WHEREAS, researchers and healthcare professionals work diligently dedicating their expertise to treat and cure children with cancer, and;

WHEREAS, too many children are affected by this deadly disease and more must be done to raise awareness and find a cure.

NOW, THEREFORE, I, James J. Freda, Mayor of Kinnelon Borough, do hereby proclaim September 2020 as Childhood Cancer Awareness Month in the Borough of Kinnelon.

I encourage all residents of the Borough of Kinnelon to observe Childhood Cancer Awareness Month and support this cause that so deeply impacts families in every community across our country.

DATED the 17th day of September, 2020

James J. Freda
James J. Freda, Mayor

RESOLUTION 09.01.2020

AUTHORIZING MAYOR TO SIGN-AMENDMENT
TO HISTORIC PRESERVATION EASEMENT
EFFECTIVE SEPTEMBER 10, 2020

WHEREAS the Easement to the L'Ecole Kinnelon Museum need to be amended with the effective date as of April 25, 2018 and will remain in full force and effect for a period of thirty (30) years until April 25, 2050; and

WHEREAS the Easement amendment is to include the addition of specified portion of the site, and structure know as L' Ecole Kinnelon Museum covered by the 2018 grant.

NOW THEREFORE BE IT RESOLVED by the Council of the Borough of Kinnelon hereby do authorize the Mayor of the Borough of Kinnelon to sign the Amendment to Historic Preservation Easement.

Dated: September 10, 2020



Karen M. Luele, Borough Clerk

MORRIS COUNTY
HISTORIC PRESERVATION TRUST FUND
GRANT AGREEMENT

L'Ecole Kinnelon Museum-Interior Restoration
2020 Grant Award

BETWEEN Kinnelon Borough having its offices at 130 Kinnelon Road, Kinnelon, NJ 07405, hereinafter "Grantee", and the Morris County Board of Chosen Freeholders, P.O. Box 900, Morristown, NJ 07963-0900, hereinafter "County."

WITNESSETH:

WHEREAS, Grantee has made application (Exhibit 1) to the County for financial Assistance under the County Historic Preservation Trust Fund Program hereinafter "Program"; And

WHEREAS, the County has reviewed said application and has found it to be in Conformance with the scope and intent of the Program's Rules and Regulation and has Approved Grantee's request for funding; and

WHEREAS, The Grantee is an eligible applicant in accordance with the guidelines; and


WHEREAS, the project, located on property known as Block 45205, Lot 137 on the Tax map of the Kinnelon Boro., is on or has been deemed eligible for listing on the New Jersey Register of Historic Places; and

WHEREAS, the Grantee owns, leases the property, or has shown significant Involvement with the property's preservation, and has the owner's permission to submit the Application; and

WHEREAS, the project application has been reviewed and recommended for an Award by the Morris County Historic Preservation Trust Fund Review Board.

NOW, THEREFORE, in consideration of the award for funding, and in accordance with the application heretofore filed, the County and Grantee agree to perform in accordance with the terms and conditions set forth in this Grant Agreement, hereinafter referred to as "Agreement."

I, Karen M. Luele, Borough Clerk of the Borough of Kinnelon hereby certify the forgoing 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 September 10, 2020.


Karen M. Luele, RMC
Borough Clerk

RESOLUTION 9.03.2020

AUTHORIZING OF A SOIL
DISTURBANCE PERMIT EXTENSION
144 KINNELON ROAD, Block 10902, LOT 111

WHEREAS, the Mayor and Council of the Borough of Kinnelon approved a Soil Disturbance Permit Extension for 144 Kinnelon Road, Block 10902, Lot 111; and

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

NOW, THEREFOR, BE IT RESOLVED, that the Mayor and Council of the Borough of Kinnelon does hereby approve a Soil Disturbance Permit Extension for 144 Kinnelon Road Block 111, Kinnelon NJ.

Dated: September 17, 2020


Karen M. Tuele, Borough Clerk

RESOLUTION 9. *04* .2020

AUTHORIZING APPOINTMENT OF
DANA TANZOLA AS COURT
ADMINISTRATOR EMPLOYEE
FOR THE BOROUGH OF
KINNELON

WHEREAS, the Borough Council wishes to appoint Dana Tanzola as the Court Administrator employee for the Borough of Kinnelon with a start date of September 28, 2020; and


WHEREAS, Dana Tanzola Salary will be \$64,000.00.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Kinnelon approve appointing Dana Tanzola as the Court Administrator employee for the Borough of Kinnelon as of September 28, 2020.

CERTIFICATION

I, Karen M. luele, Borough Clerk, do hereby certify this to be a true copy of a resolution duly adopted at the regular meeting of the Kinnelon Mayor and Council held on September *17*, 2020.

Dated: September 17, 2020


Karen M. luele, RMC
Borough Clerk

RESOLUTION 09.05 .2020

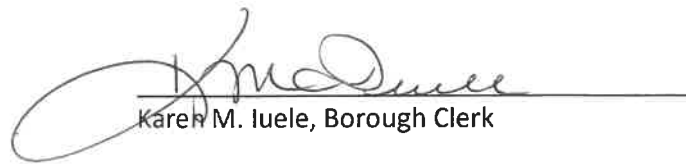
AUTHORIZING SOIL DISTURBANCE PERMIT
84 CHAPEL HILL TERRACE, BLOCK 11105, LOT 105

WHEREAS, the Mayor and Council of the Borough of Kinnelon approves the Soil Disturbance Permit for 84 Chapel Hill Terrace, Block 11105 Lot 105; and

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

NOW, THEREFOR, BE IT RESOLVED, that the Mayor and Council of the Borough of Kinnelon does hereby approve the Soil Disturbance Permit, 84 Chapel Hill Terrace, Block 11105, Lot 105, Kinnelon NJ.

Dated: September 17, 2020


Karen M. Iuele, Borough Clerk

**BOROUGH OF KINNELON
COUNTY OF MORRIS
STATE OF NEW JERSEY**

RESOLUTION 9. *do* .20

**AUTHORIZATION FOR THE USE OF AN
ELECTRONIC TAX SALE FOR MUNICIPAL TAX
SALE PURPOSES**

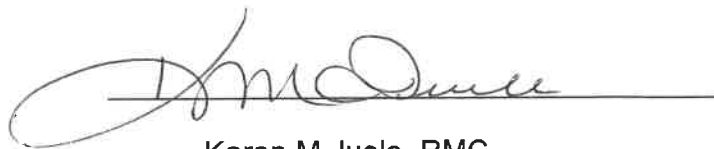
WHEREAS, NJSA 54:5-19.1 authorizes electronic tax sales pursuant to rules and regulations promulgated by the Director of the Division of Government Services, and

WHEREAS, an electronic tax sale is innovative and provides a greater pool of potential lien buyers, thus creating the environment for a more complete tax sale process, and

WHEREAS, the municipality of the Borough of Kinnelon wishes to participate in an electronic tax sale.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the municipality of the Borough of Kinnelon, New Jersey, that the Tax Collector is hereby authorized to participate in an electronic tax sale and submit same to the Director of the Division of Local Government Services if necessary.

Dated: September 17, 2020



Karen M. Iuele, RMC
Municipal Clerk, Borough of Kinnelon

**BOROUGH OF KINNELON
COUNTY OF MORRIS
STATE OF NEW JERSEY**

RESOLUTION 9,07 .20

**AUTHORIZATION FOR A CHARGE OF \$25.00 FEE
PER NOTICE TO DELINQUENT ACCOUNTS
IDENTIFIED IN THE 2020 ELECTRONIC TAX SALE**

WHEREAS, NJSA 54:5-19.1 authorizes electronic tax sales pursuant to rules and regulations to be promulgated by the Director of the Division of Local Government Services, and

WHEREAS, the rules and regulations require a municipality to send two (2) notices of tax sale to all properties included in said sale; and

WHEREAS, the rules and regulations allow said municipality to charge a fee of \$25.00 per notice for the creation, printing and mailing of said notice; and

WHEREAS, in an effort to more fairly assign greater fiscal responsibility to delinquent taxpayers, the Borough of Kinnelon wishes to charge \$25.00 per notice mailed which will be assessed specifically to the delinquent accounts that are causing the need for a tax sale and not to the general tax base.

BE IT RESOLVED by the Council of the Borough of Kinnelon that a fee of \$25.00 per notice be established and is hereby authorized and directed to be charged for each notice of tax sale that is sent in conjunction with the 2020 electronic tax sale.

Dated: September 17, 2020



Karen M. Iuele, RMC
Municipal Clerk, Borough of Kinnelon

RESOLUTION 09. .2020

AUTHORIZATION TO SIGN INTERLOCAL SERVICES
AGREEMENT WITH THE BOROUGH OF
BLOOMINGDALE, FIRE INSPECTION SERVICES

WHEREAS, the Mayor and Council of the Borough of Kinnelon desires to contract with the Borough of Bloomingdale for the furnishing of the services of Fire Inspection Services; and


WHEREAS, this Interlocal Service Agreement which is established in accordance with act, shall be effective from September 1, 2020 through December 31, 2023; and

NOW, THEREFORE BE IT RESOLVE, by Council of the Borough of Kinnelon hereby authorizes the Mayor of Kinnelon to sign the agreement with the Borough of Bloomingdale for the services of Fire Inspection Services.

Adopted: September 17, 2020

James J. Freda, Mayor

Attest:



Karen M. Luele, RMC
Borough Clerk

Dated: September 17, 2020

**ORDINANCE NO. 12-2020 AN ORDINANCE AMENDING CHAPTER 151, THE
PEDDLERS AND SOLICITORS ORDINANCE, OF THE
CODE OF THE BOROUGH OF KINNELON TO AMEND
THE PERMIT SUSPENSION PROCESS**

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 151-13 “Revocation or Suspension of Permit; hearing” of Chapter 151 of the Code of the Borough of Kinnelon (the “Peddlers and Solicitors Ordinance”) in order to amend the permit suspension process so that the permittee is entitled to a hearing prior to being ordered to suspend operations.

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 151-13 “Revocation or Suspension of Permit; hearing” shall be amended such that the first paragraph of said section is stricken and replaced with the following language and shall now read as follows:

Any permit issued under the provisions of this article may be suspended or 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 notify the permittee that a suspension hearing on the permit will be held before him the following day. The notice shall be personally served upon the permittee, and contain a statement of facts upon which the Chief of Police will act in suspending the permit, and the date, time and place of the hearing. If at such hearing, or in the event the permittee fails to appear at such hearing, the Chief of Police finds that this Chapter has

been violated or other good cause exists, he may immediately order the permittee to suspend further operations.

Thereafter, within five (5) days of such suspension, the Chief of Police shall give the permittee written notice of a hearing to be held by him to determine whether or not the permit should be revoked. The notice shall contain a statement of facts upon which the Chief of Police may act to revoke the permit and the date, time and place of the hearing on the revocation. Said notice shall be served by mailing a copy to the permit holder at the address shown on the application form or at his/her last known address by certified mail, return receipt requested. 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; said notice shall be served in the same manner as that of the initial revocation hearing notice. Or in the absence of such finding, the permit holder shall within five (5) days of the hearing be given written notice of the termination of the suspension of the permit; said notice shall be served in the same manner as that of the initial revocation hearing notice.

SECTION 2. All ordinances, resolutions and regulations or parts of ordinances, resolutions and regulations inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 3. 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 4. 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

CERTIFICATION

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

September 17, 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 September 17, 2020 and read by title, and passed on first reading:

NOW, THEREFORE, BE IT RESOLVED, that at the regular meeting to be held on October 15, 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.

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.

Ordinance 13-2020

**AN ORDINANCE PROVIDING FOR VARIOUS ROAD IMPROVEMENTS
IN THE VICINITY OF UPPER AND LOWER WEST LAKE DRIVE
TO BE UNDERTAKEN BY THE BOROUGH OF KINNELON,
IN THE COUNTY OF MORRIS, AND APPROPRIATING
\$320,000.00 FROM THE GENERAL CAPITAL IMPROVEMENT
FUND TO DO SO.**

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.

ORDINANCE NO. 13-2020

AN ORDINANCE PROVIDING FOR VARIOUS ROAD IMPROVEMENTS IN THE VICINITY OF UPPER AND LOWER WEST LAKE DRIVE TO BE UNDERTAKEN BY THE BOROUGH OF KINNELON, IN THE COUNTY OF MORRIS, AND APPROPRIATING \$320,000.00 FROM THE GENERAL 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 improvements described in Section 2 of this ordinance are hereby authorized to be made or acquired by the Borough of Kinnelon, in the County of Morris, New Jersey, as general improvements, and there is hereby appropriated therefore the sum of \$320,000.00, hereby appropriated from the General Capital Improvement Fund for various road improvements in the vicinity of upper and lower West Lake Drive.

SECTION 2: The improvements or purposes for the financing of which the appropriation is made as provided in Section 1 of this ordinance is the reconstruction, rehabilitation and resurfacing of various roads and locations in the Borough, including without limitation upper and lower West Lake Drive, together with for all the aforesaid all structures, site work, accessories, appurtenances, equipment, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved.

SECTION 3: The General Capital Budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Borough Clerk and are available for public inspection.

SECTION 4: This ordinance shall take effect upon final passage and publication according to law.

This Ordinance was submitted in writing at a regular meeting of the Mayor and Council of the Borough of Kinnelon, County of Morris, State of New Jersey, held on September 17, 2020 and was introduced, read by title and passed on first reading. The governing body of the Borough of Kinnelon will further consider the ordinance for second reading and final passage thereof at their regular meeting to be held on October 15, 2020 at 8:00 p.m. prevailing time, at the Municipal Building in said Borough, at which time and place a public hearing will be held thereon by the governing body and all parties in interest and citizens shall have an opportunity to be heard concerning said ordinance.

ATTEST:

BOROUGH OF KINNELON

Karen M. Iuele, RMC

James Freda, Mayor

Kinnelon Borough Clerk

CERTIFICATION

I, Karen Iuele, 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 September 17, 2020 and adopted by the Governing Body at a regular meeting of the Borough held on October 15, 2020.

Karen M. Iuele, 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 September 17, 2020 and read by title, and passed on first reading:

NOW, THEREFORE, BE IT RESOLVED, that at the regular meeting to be held on October 15, 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.

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.

TAX COLLECTOR'S REPORT:

During the month of August 2020, the Tax Collector's Report indicated we collected \$9,449,743.01 in taxes.

INVESTMENT OFFICER'S REPORT:

A total of \$1,641.90 was collected in interest for the month of August 2020.


DISTRICT SCHOOL PAYMENT: \$3,202,880.67

September 17, 2020

ADJOURNMENT:

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

Respectfully submitted,



A handwritten signature in cursive script, appearing to read 'Karen M. Iuele', is written over a horizontal line.

Karen M. Iuele, RMC
Borough Clerk



A handwritten signature in cursive script, appearing to read 'James J. Freda', is written over a horizontal line.

James J. Freda, Mayor

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