

MEETING TO ORDER.

The regular meeting of the Kinnelon Borough Governing Body was called to order by Mayor James Freda at 7:00 p.m., on Thursday, June 15 2023, at 130 Kinnelon Road, Kinnelon New Jersey.

There was a Salute to the Flag, after which the Borough Clerk stated this meeting is being held pursuant to the New Jersey Open Public Meeting Act. Adequate notice of this meeting was given by advertising in the December, 2022 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, Anthony Chirido, Sean Mabey, Vincent Russo, Randel Charles and Eric Harriz.

TREASURER'S REPORT:

The Treasurer's Report for June 15, 2023 indicated we started out with cash on hand as of April 30, 2023, in the amount of \$5,649,332.21. Receipts for the month of May totaled \$11,616,454.50, with disbursements amounting to \$6,113,729. The new balance on hand as of May 31, 2023 was \$11,152,056.89.

HEARING FROM THE PUBLIC:

Mayor Freda, asked if anyone from the public wishes to be heard.

Tammy spoke on the P.I.L.O.T program and the apartments.

Ed spoke about the P.I.L.O.T. program.

PAYMENT OF BILLS AS SUBMITTED BY THE TREASURER

A motion was offered by Councilman V. Russo and seconded by Councilman S. Mabey for the payment of bills dated June 15, 2023.

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Range of Checking Accts: First to Last Range of Check Dates: 05/19/23 to 12/31/23
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		
25765	06/15/23	ACT04 ACTION DATA SERVICES	945.24	4955
25766	06/15/23	ACU01 ACU-DATA BUSINESS PRODUCTS INC	485.00	4955
25767	06/15/23	AFF02 AFFILIATED TECHNOLOGY	190.82	4955
25768	06/15/23	ALL04 ALLIED OIL COMPANY	6,191.27	4955
25769	06/15/23	AMA02 DAVID A. AMADIO, ESQ.	750.00	4955
25770	06/15/23	ANY01 ANY EXCUSE FOR A PARTY, INC	1,125.00	4955
25771	06/15/23	AP001 APOLLO FLAGS, LLC	293.42	4955
25772	06/15/23	AUT05 THE AUTO PARTS SOURCE	1,407.20	4955
25773	06/15/23	BIS03 BISDIGITAL	7,990.65	4955
25774	06/15/23	BOR01 BOROUGH OF BUTLER ELECTRIC	5,736.10	4955
25775	06/15/23	BOR02 BOROUGH OF KINNELON	585.50	4955
25776	06/15/23	BOR11 BOROUGH OF BLOOMINGDALE	68,544.50	4955
25777	06/15/23	BOX01 BOXCAST INC	139.00	4955
25778	06/15/23	BSN01 BSN SPORTS LLC	4,384.50	4955
25779	06/15/23	BUZ01 SURENIAN, EDWARDS, BUZAK &	1,235.00	4955
25780	06/15/23	CAB01 OPTIMUM	59.11	4955
25781	06/15/23	CAB02 OPTIMUM	117.73	4955
25782	06/15/23	CAB03 OPTIMUM	116.18	4955
25783	06/15/23	CAB04 OPTIMUM	116.18	4955
25784	06/15/23	CAB05 OPTIMUM	116.18	4955
25785	06/15/23	CAB06 OPTIMUM	116.18	4955
25786	06/15/23	CAB07 OPTIMUM	116.18	4955
25787	06/15/23	CAB08 OPTIMUM	216.18	4955
25788	06/15/23	CAB09 OPTIMUM	116.18	4955
25789	06/15/23	CAB10 OPTIMUM	367.93	4955
25790	06/15/23	CAB11 OPTIMUM	132.73	4955
25791	06/15/23	CAB12 OPTIMUM	168.98	4955
25792	06/15/23	CHA10 CHALLENGER FENCE INC	5,280.00	4955
25793	06/15/23	CIF02 NICHOLAS CIFELLI	75.88	4955
25794	06/15/23	CIN05 CINTAS CORPORATION #111	1,121.96	4955
25795	06/15/23	CIT05 CIT FINANCE LLC	586.73	4955
25796	06/15/23	COO03 COOPERATIVE COMMUNICATIONS INC	3,947.30	4955
25797	06/15/23	COREL006 CORELOGIC TAX SERVICE	1,787.61	4955
25798	06/15/23	CRE01 CREW ENGINEERS INC.	28,166.90	4955
25799	06/15/23	CRO02 CROWN AWARDS	1,884.95	4955
25800	06/15/23	DAN01 DAN COMO & SONS INC.	8,491.93	4955
25801	06/15/23	DAR01 DARMOFALSKI ENGINEERING ASSOC.	2,970.00	4955
25802	06/15/23	DAV08 DAVID ANTHONY CARPETS	661.00	4955
25803	06/15/23	DAVIE005 DAVIES, BRUCE & CHRISTIANA	6,352.38	4955
25804	06/15/23	DIS03 DISPLAY SALES COMPANY	2,273.00	4955
25805	06/15/23	DOR06 DORSEY & SEMRAU, LLC	411.00	4955
25806	06/15/23	ENF01 ENFORSYS, INC.	1,900.00	4955
25807	06/15/23	EXT01 EXTRA SPACE STORAGE	367.00	4955
25808	06/15/23	FAS02 FASTSIGNS	707.62	4955
25809	06/15/23	FER11 RICKEY J. FERRIOLA	848.18	4955
25810	06/15/23	FIS05 FISHER TANK COMPANY	262,277.60	4955
25811	06/15/23	FRE05 JAMES FREDA	279.36	4955
25812	06/15/23	FRI06 FRISBEE GUY	400.00	4955
25813	06/15/23	GAK01 LAURA GAKOS	121.17	4955

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void Ref Num
GENERAL		General Account Account Payab Continued		
25814	06/15/23	GEN03 GENERAL CODE, LLC	2,871.00	4955
25815	06/15/23	GIB03 BRIAN T. GIBLIN, ESQ.	14,411.66	4955
25816	06/15/23	GRI05 JOSEPH GRIPPO	1,200.00	4955
25817	06/15/23	GRI06 THOMAS GRIPPO	1,200.00	4955
25818	06/15/23	GRI07 BRADY GRIPPO	300.00	4955
25819	06/15/23	HAI04 ELLEN HAID	119.54	4955
25820	06/15/23	HAMPT005 HAMPTON, ROBERT J & ERIKA t	1,004.85	4955
25821	06/15/23	HAR14 HARLEM WIZARDS ENTERTAINMENT	1,100.00	4955
25822	06/15/23	HEINZ005 HEINZE LAW, PA FBO GAMMA REALT	21,776.00	4955
25823	06/15/23	HER02 HERO'S SALUTE AWARDS COMPANY	247.89	4955
25824	06/15/23	HOLL01 HOLLYROCK ENTERTAINMENT	1,025.00	4955
25825	06/15/23	HOM02 HOME DEPOT CREDIT SERVICE	1,846.61	4955
25826	06/15/23	HOR04 HORIZON OFFICE EQUIPMENT	255.00	4955
25827	06/15/23	IUE01 KAREN IUELE	110.00	4955
25828	06/15/23	JCP01 JCP&L	18.69	4955
25829	06/15/23	KAS04 CAMILLE KASSAR	4,375.00	4955
25830	06/15/23	KIM03 Kimball-Midwest	119.74	4955
25831	06/15/23	KIN05 KINNELON PUBLIC LIBRARY	50,000.00	4955
25832	06/15/23	KIN08 KINNELON VOLUNTEER FIRE CO.	9,625.00	4955
25833	06/15/23	KIN09 KINNELON BOARD OF EDUCATION	3,383,387.50	4955
25834	06/15/23	KOU02 NATALIE KOUTSOKOUMNIS	210.50	4955
25835	06/15/23	KUEBL005 KUEBLER, ALLEN & SUSAN	1,158.00	4955
25836	06/15/23	KYB01 KYBA	1,033.50	4955
25837	06/15/23	LAB03 COLLEEN LA BANCA	2,500.00	4955
25838	06/15/23	LAK02 LAKELAND BANK EQUIP FINANCE	5,772.65	4955
25839	06/15/23	LAK13 LAKELAND AUTO PARTS	83.94	4955
25840	06/15/23	LAW07 LAWSOFT INC.	17,644.00	4955
25841	06/15/23	LEX01 LEXIPOL, LLC	8,446.00	4955
25842	06/15/23	MAT04 MATTHIJSSSEN, INC.	11,385.50	4955
25843	06/15/23	MCI01 MCI EASTERN SECURITY SYSTEMS	995.00	4955
25844	06/15/23	MIL09 MILITARY TRIBUTE BANNERS	1,539.00	4955
25845	06/15/23	MON14 MONMOUTH TELECOM	490.08	4955
25846	06/15/23	MOR17 MORRIS CTY TAX COLL/TREAS ASSC	40.00	4955
25847	06/15/23	MOR21 MORRIS COUNTY M.U.A.	56,972.95	4955
25848	06/15/23	NAP02 JOSEPH NAPOLETANO	528.86	4955
25849	06/15/23	NEO01 QUADIENT, INC.	1,015.85	4955
25850	06/15/23	NES01 NESTLE PURE LIFE DIRECT	175.92	4955
25851	06/15/23	NEW33 NEW JERSEY FIRE EQUIPMENT CO	16,265.20	4955
25852	06/15/23	NJD07 NJ DEPT HEALTH & SENIOR SERV	35.40	4955
25853	06/15/23	NJLM01 NEW JERSEY STATE LEAGUE	175.00	4955
25854	06/15/23	NJP07 NJ PEST, LLC	500.00	4955
25855	06/15/23	NOR02 NORTH JERSEY MEDIA GROUP	393.21	4955
25856	06/15/23	NOR13 NORTH JERSEY MUNICIPAL	3,560.00	4955
25857	06/15/23	NOR18 NORTHEAST COMMUNICATIONS, INC.	629.68	4955
25858	06/15/23	NOR23 NORTH JERSEY PARTY RENTAL	2,800.00	4955
25859	06/15/23	PEI01 PEIRCE/EAGLE EQUIPMENT CO	1,678.71	4955
25860	06/15/23	POW05 PowerDMS, INC.	550.00	4955
25861	06/15/23	POW06 POWER PLACE, INC	327.12	4955
25862	06/15/23	PSE01 P.S.E. & G.	1,974.49	4955
25863	06/15/23	RAC02 RACHLES/MICHELE'S OIL CO., INC	1,541.19	4955
25864	06/15/23	REI09 REINER GROUP INC.	582,203.30	4955
25865	06/15/23	RIV07 RIVALRY SPORTS MEDICINE	2,010.00	4955

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
GENERAL General Account Account Payab Continued					
25866	06/15/23	ROU01 ROUTE 23 AUTO MALL	417.22		4955
25867	06/15/23	SCH30 MELANIE SCHUCKERS	157.19		4955
25868	06/15/23	SHA03 THE SHADE TREE DEPARTMENT LLC	3,609.46		4955
25869	06/15/23	SHE12 THE SHERWIN WILLIAMS CO.	781.56		4955
25870	06/15/23	SIT01 SITEONE LANDSCAPE SUPPLY, LLC	1,087.00		4955
25871	06/15/23	SKY02 SKYLANDS AREA FIRE EQUIPMENT	11,723.94		4955
25872	06/15/23	STA STAPLES ADVANTAGE, DEPT NY	1,105.67		4955
25873	06/15/23	STO01 STORR TRACTOR COMPANY	126.00		4955
25874	06/15/23	SUM04 SUMMIT SOUNDZ ENTERTAINMENT	425.00		4955
25875	06/15/23	SUP05 SUPERLATIVE ALTERNATIVES, INC.	2,300.00		4955
25876	06/15/23	TIL01 TILCON NEW YORK INC.	803.67		4955
25877	06/15/23	TRI20 TRIONAID ASSOCIATES	30.00		4955
25878	06/15/23	VAN15 VAN RIPER ELECTRIC CO. INC.	2,480.00		4955
25879	06/15/23	VER11 VERIZON WIRELESS - KPD	152.04		4955
25880	06/15/23	VER15 VERIZON CONNECT NWF, INC	339.99		4955
25881	06/15/23	VER18 VERIZON CONNECT NWF, INC	158.48		4955
25882	06/15/23	WAL11 WALLINGTON PLUMBING & HEATING	275.86		4955
25883	06/15/23	WAL14 WALLABY TALES LLC	630.00		4955
25884	06/15/23	WAS04 WASH HOUNDS	189.21		4955
25885	06/15/23	WIT01 WITMER PUBLIC SAFETY GROUP INC	7,167.12		4955
25886	06/15/23	WOR04 WORLD INSURANCE ASSOCIATES LLC	2,130.00		4955
25887	06/15/23	ANY01 ANY EXCUSE FOR A PARTY, INC	1,125.00		4956
25888	06/15/23	HOLL01 HOLLYROCK ENTERTAINMENT	1,100.00		4956
Checking Account Totals		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
	Checks:	124	0	4,690,617.45	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	124	0	4,690,617.45	0.00
PLANNING 2 Columbia Bank					
1885	06/15/23	DAR01 DARMOFALSKI ENGINEERING ASSOC.	3,105.00		4957
1886	06/15/23	WEI07 WEINER LAW GROUP LLP	1,614.00		4957
Checking Account Totals		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
	Checks:	2	0	4,719.00	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	2	0	4,719.00	0.00
Report Totals		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
	Checks:	126	0	4,695,336.45	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	126	0	4,695,336.45	0.00

Totals by Year-Fund					
Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND	2-01	2,735.00	0.00	0.00	2,735.00
CURRENT FUND	3-01	3,756,927.94	0.00	0.00	3,756,927.94
WATER FUND	3-05	<u>1,521.22</u>	<u>0.00</u>	<u>0.00</u>	<u>1,521.22</u>
	Year Total:	3,758,449.16	0.00	0.00	3,758,449.16
	C-04	600,265.80	0.00	0.00	600,265.80
	C-06	<u>271,607.00</u>	<u>0.00</u>	<u>0.00</u>	<u>271,607.00</u>
	Year Total:	871,872.80	0.00	0.00	871,872.80
DOG TAX	D-13	35.40	0.00	0.00	35.40
STATE AND FEDERAL GRANTS	G-02	27,989.14	0.00	0.00	27,989.14
KAMELOT	K-17	210.50	0.00	0.00	210.50
RECREATION SPECIAL	R-16	26,845.45	0.00	0.00	26,845.45
	V-27	2,480.00	0.00	0.00	2,480.00
	Total of All Funds:	<u><u>4,690,617.45</u></u>	<u><u>0.00</u></u>	<u><u>0.00</u></u>	<u><u>4,690,617.45</u></u>

Project Description	Project No.	Project Total
136 LINCOLN ROAD	10201102	135.00
36 TOWER HILL ROTHMAN 12104106	12104106	135.00
#1524 KLEIN 1161 RT23 KINNELON	1524	205.00
PEREDO 8 POINSETTA 1534	1534	192.00
5 LOUIS LANE	1545	135.00
1167 RT 23 SOUTH ECHELON	1547	397.50
152 KIEL AVE 1550 ROMAN	1550	211.50
12 JUNIPER WALBRECHT 1552	1552	755.00
CARVAJAL 24 CUTLASS	1553	405.00
24 REALITY DRIVE	1557	945.00
236 SOUTH GLEN ROAD	23201130	1,068.00
10 DERRYGALLY HERTZ	33704116	135.00
Total Of All Projects:		<u>4,719.00</u>

Roll Call: Councilman W. Yago, Yes; Councilman V. Russo, Yes;
Councilman J.E. Harriz, Yes; Councilman R. Charles, Yes;
Councilman S. Mabey, Yes; Councilman A. Chirido, Yes.

CONSENT AGENDA:

- a. Resolution: 6.01.23 Overpayment 2023 Property Taxes Block 44901 Lot 104 - 126 Kiel Avenue - \$1,787.61
- b. Resolution: 6.02.23 Overpayment 2023 Property Taxes Block 33704 Lot 128 – 251 Kinnelon Road - \$1,004.85
- c. Resolution: 6.03.23 Renewal of Liquor License – Smoke Rise Club Inc. 2023/2024
- d. Resolution: 6.04.23 Renewal of Liquor License – Kinnelon Restaurant, 2023-2024
- e. Resolution: 6.05.23 Renewal of Liquor License – EKTA D H Corp. 2023-2024
- f. Resolution: 6.06.23 Tax Overpayment 43 Gravel Hill Road - \$6,352.30
- g. Resolution: 6.07.23 Tax Overpayment 135 Kinnelon Road - \$10,988.00
- h. Resolution: 6.08.23 Tax Overpayment 5 Chilhowie Drive - \$1,158.00
- i. Resolution: 6.09.23 Designating and Appointing Jennifer Stillman as the Acting CMFO of the Borough of Kinnelon
- j. Resolution: 6.10.23 Designating and Appointing Karen M. Iuele as the Acting Business Administrator of the Borough of Kinnelon
- k. Resolution: 6.11.23 Awarding a Contract for the purchase of Water Meters for the Borough of Kinnelon to Rio Supply, Inc.
- l. Resolution: 6.12.23 Authorizing the Digitization of Records for the Board of Health and the Kinnelon Clerk Files Through Foveonics Document Solutions
- m. Resolution: 6.13.23 Authorizing the Purchase of a Dispatch Console for the Kinnelon Police Department
- n. Resolution: 6.14.23 North Jersey Municipal Employee Benefits Fund
- o. Resolution: 6.15.23 Authorizing Disposal of Surplus Property through GovDeals Auction
- p. Resolution: 6.16.23 Authorization to Appoint Thomas F. Carroll as the Borough of Kinnelon QPA
- q. Resolution: 6.17.23 Renewal of Liquor License – Tullssee LLC – 2023/202
- r. Minute Approval, May 11, 2023, May 18, 2023

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RESOLUTION # 6.01.23


BE IT RESOLVED, BY THE Mayor and Council of the Borough of Kinnelon, that a warrant be drawn to CORELOGIC TAX SERVICE-REFUNDS DEPARTMENT in the amount of \$1,787.61 for overpayment of 2023 property taxes on Block 44901, Lot 104 known as 126 Kiel Avenue, due to a duplication of payment. Corelogic paid the Borough for this Block/Lot in Butler

ROLL CALL: Councilman Jago
Councilman Hariz
Councilman Mabey
Councilman Russo
Councilman Charlie
Councilman Chirko

June 15, 2023
Judith O'Brien, CTC
Tax Collector
Borough of Kinnelon

I, Karen M. Iuele, 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 June 15, 2023.

Date: 6/15/23



Karen M. Iuele, Borough Clerk

RESOLUTION # *6.02.23*

BE IT RESOLVED, BY THE Mayor and Council of the Borough of Kinnelon, that a warrant be drawn to ROBERT T & ERIKA T HAMPTON in the amount of \$1,004.85 for overpayment of 2023 property taxes on Block 33704, Lot 128 known as 251 KINNELON ROAD, due to a pro-rated refund for a 100% Disabled Veteran.

ROLL CALL:


Councilman Yago
Councilman Harris
Councilman Mabeey

Councilman Russo
Councilman Charles
Councilman Chido

June 15, 2023
Judith O'Brien, CTC
Tax Collector
Borough of Kinnelon

I, Karen M. Iuele, 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 June 15, 2023.

Date: 6/15/23



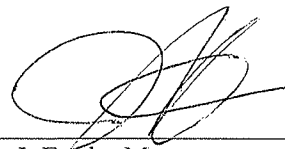
Karen M. Iuele, Borough Clerk

RESOLUTION 6.03.23

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Kinnelon, Morris County, New Jersey, that the application of SMOKE RISE CLUB, INC., T/A SMOKE RISE VILLAGE INN State Assigned License Number 1415-33-004-003, for Plenary Retail Consumption License for premises situated on 9 Perimeter Road, Kinnelon, New Jersey, at the fee of \$2,500.00.00 for the 2023/2024 license period beginning July 1, 2023, be and the same is hereby granted; and

NOW THEREFORE BE IT FURTHER RESOLVED, that Karen M. Iuele, Borough Clerk of the Borough of Kinnelon, be and she is hereby designated as the person to sign said license on behalf of the Mayor and Council.

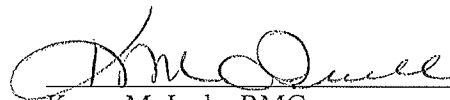
Dated: June 15, 2023



James J. Fréda, Mayor

CERTIFIED to be a true copy of a resolution, which was adopted at the regular Mayor and Council meeting of the Kinnelon Mayor and Council on June 15, 2023.

Date: June 15, 2023



Karen M. Iuele, RMC
Borough Clerk

RESOLUTION 6.04.23

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Kinnelon, Morris County, New Jersey, that the application of KINNELON RESTAURANT CORP. State Assigned License Number 1415-33-001-012, for Plenary Retail Consumption License for premises situated on 174 Kinnelon Road, Kinnelon, New Jersey, at the fee of \$2,500.00 for the 2023/2024 license period beginning July 1, 2023, be and the same is hereby granted; and

NOW THEREFORE BE IT FURTHER RESOLVED, that Karen M. Iuele, Borough Clerk of the Borough of Kinnelon, be and she is hereby designated as the person to sign said license on behalf of the Mayor and Council.

Dated: June 15, 2023



James J. Freda, Mayor

CERTIFIED to be a true copy of a resolution, which was adopted at the regular Mayor and Council meeting of the Kinnelon Mayor and Council on Jun 15, 2023.

Date: June 15, 2023



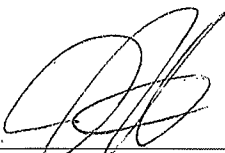
Karen M. Iuele, RMC
Borough Clerk

RESOLUTION 6. 06 23

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Kinnelon, Morris County, New Jersey, that the application of EKTA D H CORPORATION, T/A ROSERNE LIQUORS NORTHBOUND State Assigned License Number 1415-44-002-005, for Plenary Retail Distribution License for premises situated on 1150 Route 23 North, Kinnelon, New Jersey, at the fee of \$2,326.00 for the 2023/2024 license period beginning July 1, 2023, be and the same is hereby granted; and

NOW THEREFORE BE IT FURTHER RESOLVED, that Karen M. Iuele, Borough Clerk of the Borough of Kinnelon, be and she is hereby designated as the person to sign said license on behalf of the Mayor and Council.

Dated: June 15, 2023



James J. Fredda, Mayor

CERTIFIED to be a true copy of a resolution, which was adopted at the regular Mayor and Council meeting of the Kinnelon Mayor and Council on June 15, 2023.

Date: July 15, 2023



Karen M. Iuele, RMC
Borough Clerk

RESOLUTION # 6.06.23


BE IT RESOLVED, BY THE Mayor and Council of the Borough of Kinnelon, that a warrant be drawn to DAVIES, BRUCE & CHRISTIANA in the amount of \$6,352.38 for overpayment of 2023 property taxes on Block 11101, Lot 106 known as 43 Gravel Hill RD, due to a duplication of payment

ROLL CALL: Councilman Jago
Councilman Harry
Councilman Mabey
Councilman Russo
Councilman Charles
Councilman Chiodo

June 15, 2023
Judith O'Brien, CTC
Tax Collector
Borough of Kinnelon

I, Karen M. Iuele, 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 June 15, 2023.

Date: 6/15/23


Karen M. Iuele, Borough Clerk

RESOLUTION # 6.07.23


BE IT RESOLVED, BY THE Mayor and Council of the Borough of Kinnelon, that a warrant be drawn to HEINZE LAW, PA FBO GAMMA REALTY in the amount of \$21,776.00 for overpayment of property taxes on Block 44901, Lot 125 known as 135 Kinnelon Road, due to a successful State Tax Court appeal for 2021 in the amount of \$10,788.00 and 2022 in the amount of \$10,988.00.

ROLL CALL: *Councilman Yago* *Councilman Russo*
Councilman Harris *Councilman Charles*
Councilman Mabe *Councilman Chiodo*

June 15, 2023
Judith O'Brien, CTC
Tax Collector
Borough of Kinnelon

I, Karen M. Iuele, 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 June 15, 2023.

Date: 6/15/23


Karen M. Iuele, Borough Clerk

RESOLUTION # 6.08.23

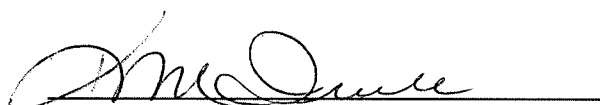
BE IT RESOLVED, BY THE Mayor and Council of the Borough of Kinnelon, that a warrant be drawn to ALLEN & SUSAN KUEBLER in the amount of \$1,158.00 for overpayment of 2023 property taxes on Block 56203, Lot 107 known as 5 CHILHOWIE DRIVE, due to a pro-rated refund for a 100% Disabled Veteran.

ROLL CALL: Councilman Yago
Councilman Harry
Councilman Mably
Councilman Russo
Councilman Clarke
Councilman Chiodo

June 15, 2023
Judith O'Brien, CTC
Tax Collector
Borough of Kinnelon

I, Karen M. Iuele, 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 June 15, 2023.

Date: 6/15/23


Karen M. Iuele, Borough Clerk

Resolution: 6. ⁰⁹.2023

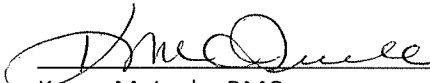
Resolution Designating and Appointing the
Acting CMFO of the Borough of Kinnelon

WHEREAS, the Kinnelon Borough Council wishes to appoint Jennifer Stillman as the Acting CMFO on a month to month bases; and

WHEREAS, Jennifer Stillman stipend will be \$5,000.00 a month.


BE IT RESLOVED that Jennifer Stillman be and is herby designated and appointed as Acting CMFO of the Borough of Kinnelon, Morris County, State of New Jersey with a stipend of \$5,000.00 on a month to month starting June 1, 2023.

Dated: June 15, 2023



Karen M. luele, RMC
Borough Clerk

I, Karen M. luele, Borough Clerk of the Borough of Kinnelon, do hereby certify this to be a true and correct version of a resolution adopted by the Kinnelon Council at the meeting of the body on June 15, 2023.



Karen M. luele, RMC
Borough Clerk

Resolution: 6.10.2023


Resolution Designating and Appointing the
Acting Business Administrator of the Borough of
Kinnelon

WHEREAS, the Kinnelon Borough Council wishes to appoint Karen M. Iuele as the Acting Business Administrator on a month to month bases; and

WHEREAS, Karen M. Iuele stipend will be \$4,000.00 a month.


BE IT RESLOVED that Karen M. Iuele be and is herby designated and appointed as Acting Business Administrator of the Borough of Kinnelon, Morris County, State of New Jersey with a stipend of \$4,000.00 on a month to month starting June 1, 2023.

Dated: June 15, 2023



James Freda
Mayor

I, Karen M. Iuele, Borough Clerk of the Borough of Kinnelon, do hereby certify this to be a true and correct version of a resolution adopted by the Kinnelon Council at the meeting of the body on June 15, 2023.



Karen M. Iuele, RMC
Borough Clerk

RESOLUTION: 6.// .2023

AWARDING A CONTRACT FOR THE PURCHASE
OF WATER METERS FOR THE BOROUGH OF
KINNELON TO RIO SUPPLY, INC

WHEREAS, the Borough of Kinnelon has a desire to purchase of Neptune Metes T-10 for the borough through Rio Supply, Inc, 100 Allied Parkway, Sicklerville, NJ, 08081. Morris County Co-op #47; and

WHEREAS, the Borough of Kinnelon wishes to purchase 651 Neptune Water Meters and RF MIU, Software and Meter Reading Hardware and fixed Network Data Collectors; and

WHEREAS, the Borough of Kinnelon bonded \$300,000.00 (Ordinance #11-2022) for the purchase of these water meters; and

NOW THEREFOR BE IT RESOLVED, by the Kinnelon Borough Council, hereby authorizes the purchase of 651 Neptune Water Meters and RF MIU, Software and Meter Reading Hardware and fixed Network Data Collectors through RIO Supply Inc. with a price not to exceed. \$281,225.00

Passed and Adopted this 15th day of June 2023.



Karen M. Luele, RMC
Borough Clerk

RESOLUTION: 6.12.2023

AUTHORIZING THE DIGITIZATION OF
RECORDS FOR THE BOARD OF HEALTH
AND THE KINNELON CLERK FILES THROUGH
FOVEONICS DOCUMENT SOLUTIONS

WHEREAS, the Kinnelon Council wishes have the Digitization of the records for the Board of Health and the Kinnelon Clerks Files; and

WHEREAS, Foveonics Document Solutions, 99 Gray Rock Rd, Suite 103, Clinton, N.J. 08809, would be performing the digitization of the records; and

WHEREAS, the Kinnelon Council passed a Resolution 05.08.23 on May 11, 2023 to appropriate American Rescue Plan Funds for a total of \$77,000.00; and

WHEREAS, Foveonics Document Solutions is in the NJ State Approved Co-op #65MCECCPS.

THEREFORE, BE IT RESOLVED the Mayor and Council of the Borough of Kinnelon hereby authorizes the Acting CFO to utilize the American Rescue Plan funding not to exceed \$77,000.00 to accomplish this digitization of records. This Resolution shall take effect upon its passage.

Passed and Adopted this 15th day of June 2023.

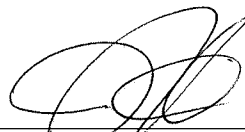

Karen M. Luele, RMC
Borough Clerk

RESOLUTION 6.17.23

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Kinnelon, Morris County, New Jersey, that the application of TULSEE LLC State Assigned License Number 1415-33-003-007, for Plenary Retail Consumption License for premises situated on 86 Boonton Ave, Kinnelon, New Jersey, at the fee of \$2,500.00 for the 2023/2024 license period beginning July 1, 2023, be and the same is hereby granted; and

NOW THEREFORE BE IT FURTHER RESOLVED, that Karen M. Iuele, Borough Clerk of the Borough of Kinnelon, be and she is hereby designated as the person to sign said license on behalf of the Mayor and Council.

Dated: June 15, 2023



James J. Freda, Mayor

CERTIFIED to be a true copy of a resolution, which was adopted at the regular Mayor and Council meeting of the Kinnelon Mayor and Council on Jun 15, 2023.

Date: June 15, 2023



Karen M. Iuele, RMC
Borough Clerk

RESOLUTION: 6.13.2023

AUTHORIZING THE PURCHASE OF A DISPATCH
CONSOLE FOR THE KINNELON POLICE
DEPARTMENT

WHEREAS, the Kinnelon Police Department wishes to purchase a new Dispatch Console from Zetron Inc, 6812 185th Ave, NE, Redmond WA, 98052. (State Contract, #A83924); and

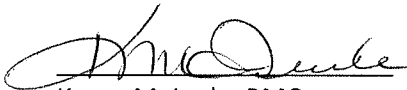
WHEREAS, Northeast Communications Inc. (State Contract #A83898) will be performing the installation of the Dispatch Console; and

WHEREAS, the Kinnelon Council passed a Resolution 05.09.23 on May 11, 2023 to appropriate American Rescue Plan Funds for a total of \$150,000.00; and

WHEREAS, the new Dispatch Console for the Kinnelon Police Department would total \$126,190.12 for the installation and purchase of the Dispatch Console.

THEREFORE, BE IT RESOLVED the Mayor and Council of the Borough of Kinnelon hereby authorizes the Acting CFO to utilize the American Rescue Plan funding not to exceed \$126,190.12 to accomplish this purchase. This Resolution shall take effect upon its passage.

Passed and Adopted this 15th day of June 2023.



Karen M. Luele, RMC
Borough Clerk

RESOLUTION NO. 6.14.23

NORTH JERSEY MUNICIPAL EMPLOYEE BENEFITS FUND

RESOLUTION to Expand Membership for Medical and Prescription

WHEREAS, a number of public entities in the State of New Jersey have joined together to form the **North Jersey Municipal Employee Benefits Fund**, hereafter referred to as "FUND", as permitted by N.J.S.A. 11:15-3, 17:1-8.1, and 40A:10-36 et seq., and;

WHEREAS, the FUND was approved to become operational by the Departments of Insurance and Community Affairs and has been operational since that date, and;

WHEREAS, the statutes and regulations governing the creation and operation of a joint insurance fund, contain certain elaborate restrictions and safeguards concerning the safe and efficient administration of the public interest entrusted to such a FUND;

WHEREAS, the governing body of Borough of Kinnelon, hereinafter referred to as "LOCAL UNIT" has determined that membership in the FUND is in the best interest of the LOCAL UNIT.

NOW, THEREFORE, BE IT RESOLVED that the governing body of the LOCAL UNIT hereby agrees as follows:

- i. Expand membership in the FUND to include Health and Prescription drug coverage for the period outlined in the LOCAL UNIT's Indemnity and Trust Agreements.
- ii. Will participate in the following type (s) of coverage (s):
 - a.) Health Insurance and/or Prescription Insurance and/or Dental Insurance as defined pursuant to N.J.S.A. 17B:17-4, the FUND's Bylaws, and Plan of Risk Management.
- iii. Adopts and approves the FUND's Bylaws.
- iv. Execute an application for membership and any accompanying certifications.

BE IT FURTHER RESOLVED that the governing body of the LOCAL UNIT is authorized and directed to execute the Indemnity and Trust Agreement and such other documents signifying membership in the FUND as required by the FUND's Bylaws, and to deliver these documents to the FUND's Executive Director with the express reservation that these documents shall become effective only upon:

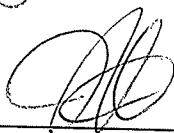
- i. Approval of the LOCAL UNIT by the FUND.
- ii. Receipt from the LOCAL UNIT of a Resolution accepting assessment.
- iii. Approval by the New Jersey Department of Insurance and Department of Community Affairs.

ADOPTED: _____

Date

June 15, 2023

BY: _____



Mayor J. Lueda

ATTEST: _____

Ann Duella, RMC
Borough Clerk

NORTH JERSEY MUNICIPAL EMPLOYEE BENEFITS FUND

INDEMNITY AND TRUST AGREEMENT

THIS AGREEMENT made this 15 day of June 2023, in the County of Morris , State of New Jersey, By and Between the **North Jersey Municipal Employee Benefits Fund** referred to as “FUND” and the governing body of the Borough of Kinnelon a duly constituted LOCAL UNIT OF GOVERNMENT, hereinafter referred to as “LOCAL UNIT”.

WITNESSETH:

WHEREAS, the governing bodies of various local units of government, as defined in N.J.A.C. 11:15-3.2, have collectively formed a Joint Insurance Fund as such an entity is authorized and described in N.J.S.A. 40A:10-36 et. seq. and the administrative regulations promulgated pursuant thereto; and

WHEREAS, the LOCAL UNIT has agreed to become a member of the FUND in accordance with and to the extent provided for in the Bylaws of the FUND and in consideration of such obligations and benefits to be shared by the membership of the FUND;

NOW THEREFORE, it is agreed as follows:

1. The LOCAL UNIT accepts the FUND’s Bylaws as approved and adopted and agrees to be bound by and to comply with each and every provision of said Bylaws and the pertinent statutes and administrative regulations pertaining to same.
2. The LOCAL UNIT agrees to participate in the FUND with respect to health insurance, as defined in N.J.S.A. 17B:17-4, and as authorized in the LOCAL UNIT’s resolution to join.
3. The LOCAL UNIT agrees to become a member of the FUND and for Health and Prescription drug coverage in addition to dental for which it already participates for an initial period, (subject to early release or termination pursuant to the Bylaws), such membership to commence on **September 1, 2023** and ending on **December 31, 2025** at 12:01 AM provided, however, that the LOCAL UNIT may withdraw at any time upon 90 day written notice to the FUND.
4. The LOCAL UNIT certifies that it has never defaulted on payment of any claims if self-insured and has not been cancelled for non-payment of insurance premiums for a period of at least two (2) years prior to the date of this Agreement.
5. In consideration of membership in the FUND, the LOCAL UNIT agrees that it shall jointly and severally assume and discharge the liability of each and every member of the FUND, for the periods during which the member is receiving coverage, all of whom as a condition of membership in the FUND shall execute an Indemnity and Trust Agreement similar to this Agreement and by execution hereto, the full faith and credit of the LOCAL UNIT is pledged to the punctual payments of any sums which shall become due to the FUND in accordance with the Bylaws thereof, this Agreement or any applicable Statute. However, nothing herein shall be construed as an obligation of the LOCAL UNIT for claims and expenses that are not covered by the FUND, or for that portion of any claim or liability within the LOCAL UNIT retained limit or in an amount which exceeds the FUND’s limit of coverage.
6. If the FUND in the enforcement of any part of this Agreement shall incur necessary expenses or become obligated to pay attorney’s fees and/or court costs, the LOCAL UNIT agrees to reimburse the FUND for all such reasonable expenses, fees, and costs on demand.

7. The LOCAL UNIT and the FUND agree that the FUND shall hold all moneys in excess of the LOCAL UNIT's retained loss fund paid by the LOCAL UNIT to the FUND as fiduciaries for the benefit of FUND claimants all in accordance with N.J.A.C. 11:15-3 et. seq.

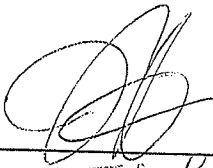
8. The FUND shall establish and maintain Claims Trust Accounts for the payment of health insurance claims in accordance with N.J.S.A. 40A:10-36 et. seq., N.J.S.A. 40A:5-1 and such other statutes and regulations as may be applicable. More specifically, the aforementioned Trust Accounts shall be utilized solely for the payment of claims, allocated claim expense and stop loss insurance or reinsurance premiums for each risk or liability as follows:


- a) Employer contributions to group health insurance
- b) Employee contributions to contributory group health insurance
- c) Employer contributions to contingency account
- d) Employee contributions to contingency account
- e) Other trust accounts as required by the Commissioner of Insurance

9. Notwithstanding 8 above, to the contrary, the FUND shall not be required to establish separate trust accounts for employee contributions provided the FUND provides a plan in its Bylaws for the recording and accounting of employee contributions of each member.

10. Each LOCAL UNIT of government who shall become a member of the FUND shall be obligated to execute an Indemnity and Trust Agreement similar to this Agreement.

ADOPTED: June 15, 2023
Date

BY: 
Mayor S. Freeda

ATTEST: 
Karen M. Tuel
Borough Clerk

RESOLUTION 6.15.23

RESOLUTION OF THE MAYOR AND COUNCIL OF
THE BOROUGH OF KINNELON, COUNTY OF
MORRIS, STATE OF NEW JERSEY, AUTHORIZING
DISPOSAL OF SURPLUS PROPERTY THROUGH
GOVEDEALS AUCTION

WHEREAS, the Borough of Kinnelon is the owner of certain surplus property which is no longer needed for public use; and

WHEREAS, the Mayor and Council are desirous of auctioning said surplus property in an "as is" condition without express or implied warranties.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Kinnelon as follows:

1. The sale of the surplus property shall be conducted through GovDeals pursuant to State contract A-70967/T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with GovDeals is available online at www.govdeals.com.

2. The sale will be conducted online and the address of the auction site is www.govdeals.com

3. The sale is being conducted pursuant to N.J.S.A. 40A:11-36 and NJ Department of Community Affairs, Local Finance Notice 2008-9.

4. A list of the surplus property to be sold is attached hereto and made a part hereof this resolution.

5. The surplus property as identified shall be sold in an "as-is" condition without express or implied warranties.

6. The successful bidder(s) shall be required to pay the full amount of the sale, execute a hold harmless and indemnification agreement in favor of the Borough of Kinnelon and shall be required to make arrangements for the pickup of said property from the Borough of Kinnelon within 10 days of the auction.

7. The Mayor and Council reserve the right to accept or reject any bid submitted.

8. The Municipal Clerk and Chief Financial Officer are hereby authorized and directed to take such ministerial actions as are necessary to effectuate this resolution including but not limited to the publishing of the required notice of auction per N.J.S.A. 40A:11-36(3)

I hereby certify this to be an accurate and true resolution as adopted by the Mayor and Council at a Meeting held on June 15, 2023.

Dated: June 15, 2023

Karen M. Iuele
Karen M. Iuele, Borough Clerk

VEHICLES AND EQUIPMENT TO BE AUCTIONED

Below is the equipment being auction off on GovDeals.com.
All information is on GovDeals, vehicles as described.

Year	Make	Model
2004	Isuzu Rodeo Wagon, Silver,	Vin # 4S2CK58W044311475
2009	Toyota Corolla Wagon, Tan,	Vin# 1NXBU40E89Z090158
2006	Jeep Wrangler, 2 Door, Black,	Vin# 1J4FA69S56P709547
2009	Infiniti G37, 4 Door, Gray,	Vin#JNKCV61F39M051954

Kinnelon Police Department

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



Joseph C. Napoletano
Chief of Police
juapoletano@kinneloboro.org

June 12, 2023

To: Karen Iuele
From: Joseph C. Napoletano
Ref: Resolution for vehicles to be sold on GovDeals

Karen, can you please create a resolution to sell the below listed surplus on GovDeals.com at next council meeting. thank you in advance.

- 2004 Isuzu Rodeo Wagon, Silver, Vin # 4S2CK58W044311475
- 2009 Toyota Corolla Wagon, Tan, Vin# 1NXBU40E89Z090158
- 2006 Jeep Wrangler, 2 Door, Black, Vin# 1J4FA69S56P709547
- 2009 Infiniti G37, 4 Door, Gray, Vin# JNKCV61F39M051954

Respectfully,

A handwritten signature in black ink, appearing to read "J. Napoletano", is written over the typed name.

Joseph C. Napoletano
Chief of Police
Borough of Kinnelon

RESOLUTION 6.16.23

AUTHORIZATION TO APPOINT
THOMAS F. CARROLL AS THE
BOROUGH OF KINNELON, QPA

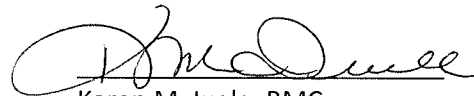
WHEREAS, the Mayor and Council wishes appoint Thomas F. Carroll as the Borough of Kinnelon's QPA; and

WHEREAS, Thomas Carroll would be appointed on a month to month bases at \$1,000.00 per month; and

WHEREAS, this agreement is executed pursuant to the Local Public Contracts Law, N.J.S.A. 40:8-1 et seq; and

NOW, THEREFORE BE IT RESOLVE, by the Mayor and Council of the Borough of Kinnelon is hereby authorized to appoint Thomas Carroll as the QPA for the Borough of Kinnelon on a month to month bases at \$1,000.00 per month.

Adopted: June 15, 2023



Karen M. Luele, RMC
Borough Clerk

ORDINANCE NO. 09-23

**AN ORDINANCE AMENDING ORDINANCE 18-22 TITLED
"AN ORDINANCE DISSOLVING THE OPEN SPACE COMMITTEE AND
ENVIRONMENTAL ADVISORY COMMITTEE AND CREATING A NEW
SUSTAINABILITY AND OPEN SPACE ADVISORY COMMITTEE"**

WHEREAS, the Mayor and Council of the Borough of Kinnelon ("Borough"), pursuant to Ordinance 18-22, created a new Sustainability and Open Space Advisory Committee as Chapter 51 of the Code of the Borough of Kinnelon; and

WHEREAS, the Mayor and Council of the Borough of Kinnelon now desire to amend the Ordinance to remove the requirement that the Committee include representatives from the Historical Commission, the Recreation Committee and the Planning Board.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Kinnelon as follows:

SECTION 1. Chapter 51 of the Code of the Borough of Kinnelon titled "Open Space Advisory Committee" shall be amended by repealing §51-2 titled "Members; Term; Qualifications; Council Liaison; Secretary" and replacing it with the following:

§51-2 Members; terms; qualifications; Council liaison; Secretary.

- A. The SOSAC shall be comprised of seven (7) regular members and two alternates:
- seven members from the public,
 - two alternates from the public designated as Alternate No.1 and Alternate No. 2 who may participate in all matters but may not vote except in the absence or disqualification of a regular member. Alternate No. 1 shall be the first to vote in the place of a regular member, then Alternate No. 2.

The Mayor shall appoint, with the advice and consent of the Council, all members of SOSAC. All members of SOSAC shall be residents of the Borough of Kinnelon.

- B. The terms of the members first appointed shall be as follows:

- a. Two alternates from the public shall be appointed for one-year term;
- b. Two members from the public shall be appointed for one year term; and
- c. Two members from the public shall be appointed for two-year terms; and
- d. Three members from the public shall be appointed for three-year terms.
- e. Thereafter, the term for each member of the public shall be for a period of three years.
- f. Any vacancy occurring during the term of any of the members of the public shall be filled for the balance of the unexpired term.

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. 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 _____, 2023.

Karen M. Iuele, RMC, Borough Clerk

ORDINANCE NO. 10-2023

AN ORDINANCE AMENDING CHAPTER 44 OF THE CODE OF THE BOROUGH OF KINNELON, TITLED "KINNELON ALLIANCE COMMITTEE" AND SPECIFICALLY SECTION 44-1 OF SAID CHAPTER TITLED "ESTABLISHMENT; MEMBERSHIP; TERMS; VACANCIES."

WHEREAS, the Mayor and Council of the Borough of Kinnelon ("Borough"), have previously established an Alliance Committee under Chapter 44 of the Code of the Borough of Kinnelon; and

WHEREAS, the Mayor and Council of the Borough of Kinnelon now desire to change the name of the Committee to "K-Cares";

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Kinnelon as follows:

SECTION 1. Section 44-1.A. of the Code of the Borough of Kinnelon titled "Establishment; membership; terms; vacancies" shall be amended by repealing the existing section and replacing it with the following:

§ 44-1. Establishment; membership; terms; vacancies.

A. An Alliance Committee for positive community service is hereby created in the Borough of Kinnelon and shall consist of seven persons, who shall be residents or employees of the Borough of Kinnelon or the Board of Education of the Borough of Kinnelon, said persons to be appointed by the Mayor with the advice and consent of the Council. The Kinnelon Alliance Committee shall be known as "K-CARES."

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. 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 _____, 2023.

Karen M. Iuele, RMC, Borough Clerk

ORDINANCE # 11-2023

BOND ORDINANCE APPROPRIATING \$1,350,850, AND AUTHORIZING THE ISSUANCE OF \$774,250 BONDS OR NOTES OF THE BOROUGH, FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE BOROUGH OF KINNELON, IN THE COUNTY OF MORRIS, NEW JERSEY.

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF KINNELON, IN THE COUNTY OF MORRIS, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), **AS FOLLOWS:**

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized as general improvements to be made or acquired by the Borough of Kinnelon, in the County of Morris, New Jersey. For the said several improvements or purposes stated in said Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriations made for said improvements or purposes, said sums, except as stated below, being inclusive of all appropriations heretofore made therefor and amounting in the aggregate to \$1,350,850 including the aggregate sum of \$198,841 as the several down payments for said improvements or purposes required by law and more particularly described in said Section 3 and now available therefor by virtue of provision in a previously adopted budget or budgets of the Borough for down payment or for capital improvement purposes and including in the case of the improvement or purpose described in Section 3(a) hereof for the improvement of Cutlass Road (i) the sum of \$23,512.71 from proceeds of the sale of obligations of the Borough heretofore issued and not necessary for financing the purposes for which issued, (ii) the sum of \$122,546.29 from funds available under ordinances of the Borough adopted and not necessary for the purposes for which appropriated and (iii) the sum of \$231,700

received or expected to be received by the Borough from the New Jersey Department of Transportation as a grant-in-aid of financing said improvement to Cutlass Road.

Section 2. For the financing of said improvements or purposes and to meet the part of said \$1,350,850 appropriations not provided for by application hereunder of said down payments, grant and said prior ordinances of the Borough, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$774,250 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Borough in a principal amount not exceeding \$774,250 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

Section 3. The improvements hereby authorized and the several purposes for the financing of which said obligations are to be issued, the appropriation made for and estimated cost of each such purpose, and the estimated maximum amount of bonds or notes to be issued for each such purpose, are respectively as follows:

<u>IMPROVEMENT OR PURPOSE</u>	<u>APPROPRIATION AND ESTIMATED COST</u>	<u>ESTIMATED MAXIMUM AMOUNT OF BONDS AND NOTES</u>
(a) Improvement of various roads in and by the Borough by the surfacing or resurfacing thereof to provide a roadway pavement at least equal in useful life or durability to a roadway pavement of Class B construction (as used or referred to in Section 40A:2-22 of said Local Bond Law), including, but not limited to, Cutlass Road, Foothill Road and Cabot Road, together with all engineering, drainage improvements, structures, 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, the \$1,210,850 appropriation hereby made therefor being inclusive of the sum of (i) \$231,700 received or expected to be received by the Borough from the New Jersey Department of Transportation as a grant-in-aid of financing said improvement to Cutlass Road and (ii) \$146,059 available under Ordinance Nos. 06-06, 17-12, 07-16,		

09-17, 06-18, 08-20, 11-20 and 13-20 for financing the improvement to Cutlass Road	\$1,210,850	\$641,250
(b) Acquisition by purchase of new and additional vehicular equipment for use by the Department of Public Works of the Borough including one (1) CV truck, together with all equipment, attachments and accessories necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved	<u>140,000</u>	<u>133,000</u>
Totals	\$1,350,850	\$774,250

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the said down payment for said purpose, the said \$231,700 grant and the said \$146,059 from prior ordinances of the Borough.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) The said purposes described in Section 3 of this bond ordinance are not current expenses and each is a property or improvement which the Borough may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said purposes within the limitations of said Local Bond Law and taking into consideration the respective amounts of the said obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 9.14 years.

(c) The supplemental debt statement required by said Local Bond Law has been duly made and filed in the office of the Borough Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows

that the gross debt of the Borough as defined in said Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$774,250, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) Amounts not exceeding \$135,000 in the aggregate for interest on said obligations, costs of issuing said obligations, engineering costs and other items of expense listed in and permitted under Section 40A:2-20 of said Local Bond Law may be included as part of the costs of said improvements and are included in the foregoing estimate thereof.

Section 5. The funds from time to time received by the Borough on account of the grant referred to in Section 1 of this bond ordinance shall be used for financing the improvement or purposes described in Section 3(a) of this bond ordinance by application thereof either to direct payment of the costs of said improvement or purpose, or to payment or reduction of the authorization of the obligations of the Borough authorized by this bond ordinance. Any such funds so received may, and all such funds so received which are not required for direct payment of such costs shall, be held and applied by the Borough as funds applicable only to the payment of obligations of the Borough authorized by this bond ordinance.

Section 6. It is the opinion of the Borough Council of the Borough, as the governing body thereof, that it is in the best interest of the Borough that \$146,059, to the extent of \$23,512.71, constituting proceeds of obligations of the Borough heretofore issued under Ordinance No. 17-12 and to the extent of \$122,546.29, constituting funds available under Ordinance Nos. 06-06 (\$12,345), 07-16 (\$16.96), 09-17 (\$17,705), 06-18 (\$52,253.18), 08-20 (\$1,342), 11-20 (\$1,719) and 13-20 (\$37,165.25) of the Borough, shall be appropriated to and

used to finance costs, including incidental expenses, of the improvements or purposes above described in Section 3(a) of this ordinance.


Section 7. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. §40A:2-8. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body of the Borough at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.


Section 8. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of said obligations and interest thereon without limitation of rate or amount.

Section 9. The capital budget or temporary 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 or temporary 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 10. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

Dated - 6-15-2023


Karen M. Iuele


Mayor S. Freda

**ORDINANCE NO. 12-23 AN ORDINANCE AMENDING ARTICLE V
“DEPARTMENTS, BOARDS AND COMMISSIONS” OF
CHAPTER 4 “ADMINISTRATIVE ORGANIZATION”,
AND CHAPTER 123 “FIRE PREVENTION” OF THE
BOROUGH OF KINNELON CODE**

WHEREAS, pursuant to N.J.S.A. 40:48-2, the governing body of a municipality may make, amend, repeal, and enforce such other ordinances, regulations, rules and by-laws not contrary to the laws of this state or of the United States, as it may deem necessary and proper for the good government, order and protection of person and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants, and as may be necessary to carry into effect the powers and duties conferred and imposed by this subtitle, or by any law; and

WHEREAS, the Borough of Kinnelon (“Borough”) desires to amend Article V “Departments, Boards and Commissions” of Chapter 4 “Administrative Organization”, and various provisions within Chapter 123 “Fire Prevention” of its municipal code, to more clearly set forth the organization of its Bureau of Fire Prevention and the appointment and term lengths of officials and officers therein.

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. Paragraph D within Section 4-40 of Article V “Departments, Boards and Commissions” of Chapter 4 “Administrative Organization” of the Code of the Borough of Kinnelon is hereby amended, and now reads as follows:

“D. Bureau of Fire Prevention. A Bureau of Fire Prevention has been established in the Borough of Kinnelon. The Bureau shall be under the direct supervision of the Borough Fire Official, who shall be appointed by the Mayor with the advice and consent of the Borough Council, for a term of three years.”

SECTION 2. Paragraph B within Section 123-1 “Establishment; control” of Chapter 123 “Fire Prevention” of the Code of the Borough of Kinnelon is hereby amended, and now reads as follows:

“B. The Bureau of Fire Prevention shall be under the administrative control of the Mayor and Council of the Borough of Kinnelon, through the Public Safety Committee thereof, and shall be under the direct supervision of the Fire Official of the Borough of Kinnelon. The Bureau of Fire Prevention shall be subject to the rules and regulations of the Mayor and Council of the Borough of Kinnelon, N.J.S.A. 52:27D-192 et al., and all applicable rules and regulations of the State of New Jersey.”

SECTION 3. Section 123-2 “Membership” of Chapter 123 “Fire Prevention” of the Code of the Borough of Kinnelon is hereby amended such that Paragraph C therein is deleted in its entirety and Paragraph B therein now reads as follows:

“B. Up to three (3) Fire Inspectors.”

SECTION 4. Section 123-3 “Nomination of members” of Chapter 123 “Fire Prevention” of the Code of the Borough of Kinnelon is hereby repealed in its entirety and replaced with the following, and now reads as follows:

§ 123-3 Nomination and Appointment of members.

A. The Fire Official shall be appointed by the Mayor with the advice and consent of the Council and must be certified by the New Jersey Commissioner of Community Affairs.

B. The Fire Official may recommend Fire Inspectors to serve on the Bureau of Fire Prevention, but such Inspectors shall be appointed by the Mayor with the advice and consent of the Council.

C. Each Fire Inspector must be certified by the New Jersey Commissioner of Community Affairs and such certification must be provided to the Kinnelon Borough Clerk by the Fire Official.

SECTION 5. Paragraphs A and B within Section 123-4 “Terms of office” of Chapter 123 “Fire Prevention” of the Code of the Borough of Kinnelon are hereby amended, and now read as follows:

“A. As soon as practicable, following the enactment of this article, the Fire Official shall be nominated and appointed for a term of three years. Fire Inspectors shall be appointed for a term of one year.

B. Each member of the Bureau of Fire Prevention shall hold office until their qualified successor shall have been appointed. Each member of the Bureau of Fire Prevention shall be eligible for reappointment thereto, subject to their complying with the qualifications as required for a Fire Inspector.”

SECTION 6. Section 123-5 “Vacancies” of Chapter 123 “Fire Prevention” of the Code of the Borough of Kinnelon is hereby repealed in its entirety and replaced with the following, and now reads as follows:

“If a member of the Bureau of Fire Prevention shall cease to meet the qualifications for a Fire Inspector, as determined by the Fire Official in accordance with New Jersey state guidelines, said individual shall thereupon cease to be a member of the Bureau of Fire Prevention, a vacancy therein shall be deemed to exist. A vacancy in the membership of the Bureau shall be filled in the same manner as the original appointment, but the appointment to fill the vacancy shall be only for the unexpired term then remaining.”

SECTION 7. Section 123-6 “Oath of office” of Chapter 123 “Fire Prevention” of the Code of the Borough of Kinnelon is hereby amended, and now reads as follows:

“The Fire Official and all Fire Inspectors shall, before assuming his/her duties in each term to which they are appointed, execute an oath of office before the Municipal Clerk of the Borough of Kinnelon.”

SECTION 8. Paragraphs A, B, C and D within Section 123-7 “Officers; inspectors” of Chapter 123 “Fire Prevention” of the Code of the Borough of Kinnelon are hereby amended, and now read as follows:

“A. The Fire Official shall be Chairman of the Bureau of Fire Prevention. In the absence or disability of the Fire Official or whenever he/she is unable to act for any reason, the duties of the Fire Official shall devolve upon a Chief Inspector, to be elected by the members of the Bureau from the ranks of the members of the Bureau. This determination shall be made yearly at the first organizational meeting. Vacancies or removals of the Chief Inspector by a majority

vote of the members of the Bureau shall be filled in the same manner as the original appointment.

B. The Fire Official and/or the Fire Official's designee on the Bureau of Fire Prevention shall be responsible for the duties associated with the maintenance of accurate records, collecting fees and performing all recordkeeping and general functions, as required by the Bureau of Fire Prevention through the Uniform Fire Code and the Uniform Fire Safety Act.

C. The Fire Inspectors shall faithfully comply with the requirements of the Uniform Fire Safety Act and Uniform Fire Code, as well as state statutes and Borough Ordinances.

D. Each member of the Bureau of Fire Prevention is hereby empowered to perform the duties of Fire Inspector and, in the absence of both the Fire Official and the Chief Inspector, the duties of Fire Official. In the absence of both the Fire Official and the Chief Inspector, a majority vote will permit a regular member to fill in for the required meeting or function."

SECTION 9. Paragraph E within Section 123-8 "Duties of members" of Chapter 123 "Fire Prevention" of the Code of the Borough of Kinnelon is hereby amended, and now reads as follows:

"E. The erection, maintenance and regulation of fire escapes or other means of emergency egress."

SECTION 10. Paragraph B within Section 123-9 "Meetings" of Chapter 123 "Fire Prevention" of the Code of the Borough of Kinnelon is hereby amended, and now reads as follows:

"B. The Fire Official or the Fire Official's designee shall keep an accurate record of the proceedings of all meetings of the Bureau of Fire Prevention."

SECTION 11. Paragraphs B and C within Section 123-13 "Duties" of Chapter 123 "Fire Prevention" of the Code of the Borough of Kinnelon are hereby amended, and now read as follows:

"B. The local enforcing agency shall be under the direct supervision of the Fire Official, who shall be appointed as set forth in §123-3 and who may also be the individual who is the Fire Sub-code Official of the Borough.

C. Such inspectors and other employees as may be necessary in the local enforcing agency shall be appointed as set forth in §123-3."

SECTION 12. The introductory paragraph of Section 123-14 "Life-hazard uses" of Chapter 123 "Fire Prevention" of the Code of the Borough of Kinnelon is hereby amended, and now reads as follows:

“The local enforcing agency established by §123-12 of this article shall carry out the periodic inspections of life-hazard uses required by the New Jersey Uniform Fire Code on behalf of the New Jersey Commissioner of Community Affairs.”

SECTION 13. Section 123-15 “Board of Appeals” of Chapter 123 “Fire Prevention” of the Code of the Borough of Kinnelon is hereby amended, and now reads as follows:

“A person aggrieved by any ruling, action, order or notice of the local enforcing agency pursuant to this article and N.J.S.A. 52:27D-192 et seq. may, within 15 days after the receipt of such ruling, action, order or notice, file an appeal to request a hearing before the Morris County Construction Board of Appeals”

SECTION 14. Section 123-16 “Modifications of provisions” of Chapter 123 “Fire Prevention” of the Code of the Borough of Kinnelon are hereby repealed in its entirety.

SECTION 15. Paragraph B within Section 123-19 “Inspection fee for non-life hazard uses” of Chapter 123 “Fire Prevention” of the Code of the Borough of Kinnelon is hereby amended, and now reads as follows:

“B. The annual registration fee for each non-life-hazard use shall be \$75, which shall be paid to the Borough of Kinnelon on or before February 28 of each calendar year. Failure to pay the registration fee by April 1 of the same calendar year shall result in a fine of \$150.”

SECTION 16. Section 123-35 “MSDS Storage cabinets” of Chapter 123 “Fire Prevention” of the Code of the Borough of Kinnelon is hereby amended, and now reads as follows:

§123-35 Safety Data Sheets (SDS) storage cabinets.

Where an activity is being conducted on certain premises within the Borough that under New Jersey law requires the owner or occupant of said premises to maintain on the premises a book containing Safety Data Sheets (SDS) (formerly known as Material Safety Data Sheets or MSDS) information for first-responding, emergency personnel and or all employees, said owner or occupant will be required to install a SDS book cabinet. This cabinet will be installed in an accessible area approved by the Fire Official. It shall contain all updated information for, and be accessible to, all emergency personnel responding to any fire or hazardous materials incident.

SECTION 17 Section 123-36 “Updating keys and MSDS information” of the Code of the Borough of Kinnelon is hereby amended, and now reads as follows:

§123-36 Updating keys and SDS information.

Whenever the contents of a key box or SDS storage cabinet must be updated, it shall be the responsibility of the owner or occupant of the building or structure to notify the Bureau of Fire Prevention. The Fire Official or their designate, within 24 hours of such notice, will meet with said owner or occupant in order to open the key box or SDS storage cabinet so it may be updated. If the Bureau of Fire Prevention is not notified of a change requiring an update of keys or SDS information, the Fire Official may assess a fine of \$100 for each such occurrence. Such changes include, but are not limited to, change of occupant, sale of building or structure, change of security locks and system, added storage and new material being stored or processed on the premises.

SECTION 18. All ordinances, resolutions and regulations or parts of ordinances, resolutions and regulations inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 19. 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

June 15, 2023

Mayor Freda asked the Borough Clerk to call the roll on the passage thereof, and the vote was as followed.

Roll Call: Councilman W. Yago, Yes; Councilman V. Russo, Yes;
Councilman J.E. Harriz, Yes; Councilman R. Charles, Yes;
Councilman S. Mabey, Yes; Councilman A. Chirido Yes.

WHEREAS, the above ordinance was introduced at this meeting held on June 15, 2023 and read by title, and passed on first reading:

NOW, THEREFORE, BE IT RESOLVED, that at the regular meeting to be held on July 20, 2023 at 7:00 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 A. Chirido offered a motion to publish the foregoing resolution. This was second by Councilman S. Mabey.

Roll Call: Councilman W. Yago, Yes; Councilman V. Russo, Yes;
Councilman J.E. Harriz, Yes; Councilman R. Charles, Yes;
Councilman S. Mabey, Yes; Councilman A. Chirido, Yes.

TAX COLLECTOR'S REPORT;

During the month of May 2023, the Tax Collector's Report indicated we collected \$10,824,379.30 in taxes.


INVESTMENT OFFICER'S REPORT;

A total of \$33,418.03 was collected in interest for the month of May 2023.

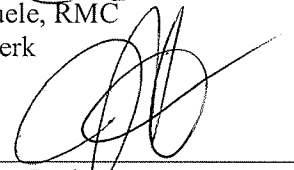
ADJOURNMENT:

This meeting adjourned at approximately 9:30 p.m. on motion by Councilman V. Russo with the unanimous affirmative voice vote of all present.

Respectfully submitted,



Karen M. Iuele, RMC
Borough Clerk



Mayor James Freda