

**MEETING TO ORDER.**

The regular meeting of the Kinnelon Borough Governing Body was called to order by Mayor Robert W. Collins at 8:00 p.m., on Thursday, August 17, 2017 in the Kinnelon Municipal Building.

There was a Salute to the Flag, after which the Borough Clerk Karen 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 11, 2017 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 Clifford Giantonio, Carol Sventy, Glenn Sisco, William Yago and James Freda. Absent was Councilperson William Neely.

**TREASURER'S REPORT**

The Treasurer's Report for August 17, 2017, indicated we started out with cash on hand as of June 30, 2017, in the amount of \$3,314,019.59. Receipts for the month of July 2017 totaled \$1,142,330.98 with disbursements amounting to \$2,335,487.16. The balance on hand as of July 31, 2017 was \$2,120,863.41.

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

Roll Call:	C. Giantonio, Yes	G. Sisco, Yes;
	Carol Sventy, Yes;	W. Yago, Yes;
		J. Freda, Yes.

**MAYOR'S REPORT:**

Mayor Robert Collins stated that the Kinnelon Community Center & Shelter is moving forward, the council will be introducing an ordinance to acquire the 10.67 acres that is connected to the Kinnelon Community Center. This has been an ongoing discussion with the Pompton Plains Reformed Church. Currently the ordinance stated that the acquisition cost will be \$1,041,414.10, 50% of that cost will be covered by Green Acres Dollars and \$520,000 will be out of Open Space Trust Fund.

Zip Code: On the United States Postal Service, we were to have a decision 90 days ago. At this point in time we have not received a definitive answer from the postal service. Councilman Sisco will be reporting on Ordinance 7-17, To Create a New Class Three Officer, which is moving forward for adoption.

The Badanco acquisition was completed last month and once again it was acquired for passive recreation.

Mayor Collins stated that he is concerned with the emails that the Mayor and Council have been receiving about the assess value. There was a process in place, three meetings were held, which were not very well attended, at these meeting the public was fully informed of the process. The council does not determine property assess value. There is an appeal process, please speak to the Borough Assessor.

## UTILITIES

Chairman Clifford Giantonio spoke on state funding for road work, and the State is still looking into taking some of the permits away for building new homes and existing homes.

## COORDINATING

Chairwoman Carol Sventy stated the Board of Education is holding their regular meeting next Thursday, Board of Health meeting was cancelled and the Environmental Advisory Committee continue to research refillable water bottle stations.

On the Historical Advisory Committee, L'Ecole Pathways Tour is scheduled for October 7<sup>th</sup> and 8<sup>th</sup>, Phase II Restoration should be completed by September 1<sup>st</sup> and Phase III Interior Renovation is on the agenda to be authorized. Kamelot County Alliance meeting is scheduled for August 29<sup>th</sup> in Morristown.

Library Board of Trustees will meet on September 13<sup>th</sup> at 7:30 pm, Friends of the Library Annual Book Sale is scheduled for August 24<sup>th</sup> thru the 28<sup>th</sup>. Also Shredding Event will be held on October 7<sup>th</sup>.

## PUBLIC WORKS

In absent of Councilman Neely, Mayor Collins stated the borough clerk will be advertising the animal shelter in the newspaper and we should be awarding in 45- 60 days.

Paving has been completed on the upper parking lot and aprons have been paved at the DPW garage along with Kakeout Road.

## ORDINANCE & OPEN SPACE

Chairman Glenn Sisco spoke on the adoption of ordinance 7-17 "To Create a New Class Three Category of Special Law Enforcement Officers"

On Open Space Advisory Committee, they are looking into available property for purchase for passive recreation or active recreation.

## FINANCE, PERSONNEL, PUBLIC SAFETY

Council President W. Yago read into the record the Tax Rate Analysis 2016-2017:

**Borough of Kinnelon  
Tax Rate Analysis 2016-2017  
Comparison of an Average Assessed Home**

Talking points regarding taxes:

- 1) Average Assessed Home Comparison – The average assessed home value in 2016 (based on the prior residence valuation) is \$438,800. The current assessed value is \$584,070, an increase of \$145,270 or 33%.
  
- 2) The assessed value increase is offset by a decreased tax rate. However, since the municipal (local), school, county, open space and library budgets typically increase, the amount to be raised by taxes will increase.

- 3) The municipal, county and school budgets are the primary tax drivers. Comparing the 2016 vs. 2017 tax rate for an average assessed home, the following occurred, based on the average assessed value:
- Municipal (Local) – Increased by 1.14%, a \$30 increase.
  - County – Increased by 2.00%, a \$30 increase.
  - School – Increased by 2.13%, a \$211 increase.
- 4) For the average assessed home, the increase in taxes is \$278.
- 5) The revaluation may cause a home to increase, decrease or stay relatively the same in value. Typically, a revaluation results in the following tax implications for a municipality:
- a. 1/3 of the residence taxes decrease - Homes that experience a decrease in taxes were most likely assessed too high in prior years and are experiencing a correction in assessment.
  - b. 1/3 of the residence taxes stay the same - Homes that experience a relatively small increase (above the \$278 increase already mentioned) or decrease in taxes were assessed according to the 'true' value in prior years.

1/3 of the residence taxes increase – Homes that experience an increase in taxes (far greater than the \$278 increase mentioned above) were most likely under-assessed in prior years and are experiencing a correction in assessment.

On the Kinnelon Volunteer Fire Company: In July there were 10 fire calls and 4 training drills. Kinnelon Volunteer Fire Company assisted with the Kinnelon Police Academy, Fireworks in Boonton Township and July 4<sup>th</sup> weekend events in Smoke Rise. A very big sincere thank you to Rout 23 Car wash for over 25 years of support. Kinnelon Volunteer Fire Company deeply appreciates their generous donations.

Kinnelon Police Department responded to 1473 calls for service, responded to 34 medical assistance calls, investigated 16 motor vehicle accidents, 9 arrest and conducted 272 motor vehicle stops so far for this year. All officers completed Spring Use of Force Training and will be attending Community Law Enforcement Affirmative Relations over the next six months and review Path of the Guardian Training Series. Chief Schwartz participated in Kamelot's education program Opiate Epidemic From Addiction to Recovery.

## **RECREATION & TECHNOLOGY**

Chairman James Freda stated that he meet with the boroughs IT company and assures us that the borough is protected, and also reviewing the contract for next year.

On Recreation, we are out of summer programs and moving into fall programs, football has started.

K-Fest is moving forward and will be held on October 13<sup>th</sup> & 14<sup>th</sup>, with a rain date of October 15<sup>th</sup>.

August 17, 2017

## HEARING FROM THE PUBLIC

Mayor Collins asked if anyone from the public wished to be heard, to please step forward.

Joe Sippy Gora, 4 Dog Wood Trail, Kinnelon stated that she is concerned with Washington's and Trenton's Environmental regulation. She would also like the council to review the Solar Panel Ordinance.

Elizabeth Koch, 3 Cliff Trail, Kinnelon spoke on the tax increase and asked how can a home in Fayson Lakes with a small piece property taxes be raised when a homes in other parts of town either stayed the same or went down with larger piece of property.

Mayor Collins asked Mrs. Koch to call the Borough Assessor so that he could explain this to her.

Mayor Collins asked if anyone else from the public wishes to be heard. Hearing none Mayor Collins closed this portion of the meeting.

## OEM REPORT: Randall Charles

Date: August 17, 2017

To: Bill Yago

Borough of Kinnelon

OEM Deputy Coordinator- Councilman (Police & Safety)

Subject: OEM Report – July/August 2017

From: Randall I. Charles – Kinnelon Borough OEM Coordinator

### **Activities:**

#### On Going...

1- Morris County Park Comm. – "Silas County Park - Cauty Lake Dam"

Confirmed Status with MC Park Commission Executive Director

- Phase I & Phase II – To date the contractor has accomplished these Major Tasks:

1. Lowered and maintained lake level for construction;
2. Cleared and stripped the downstream embankment;
3. Excavated unsuitable materials around the new wall;
4. Completed initial embankment fill for crest wall;
5. Formed and poured reinforced crest wall footing.

- Phase III –

- \* Construction of Walls & Slabs
- \* Spillway, Head Walls
- \* Pre-Cast Bridge-Walkway

Completion Timeline –

**August 17, 2017**

For the next 2 weeks, they will be placing rebar and forms then placing concrete for the crest wall. It is anticipated that the contractor will be on site through the first week November.

## **2- Morris County Park Commission – “Utermeyer Lake & Badanco 180 Acres Acquisition”**

No new information to report. Will continue to maintain contact with the Morris County Park Commission on the Status and Impact to the Borough. Borough was advised by MC Park Commissioner the Borough can proceed with installation of appropriate signs.

**3 - July 25, 2017 – Morris County/NJOHSP “First Net Broadband” Training and Deployment – Participated with MCOEM Workshop at Morris County Fire & Police Training Academy in preparation for the 2022 National Implementation of the new Public Safety Intraoperable Network for Emergency – First Responders.**

**Subject: OEM Report – July/August 2017**

Continuing:

## **3- Morris County/NJOHSP “First Net Broadband” Training and Deployment**

Met with NJOHSP, US Dept. of Commerce and AT&T officials/Technicians directly involved in the New Jersey design – installation - implementation of the new Nationwide Public Safety Intraoperable Network for Emergency – for First Responders.

Discussed the potential for NJOHSP/AT&T to install a Communication Antenna Array/Equipment within the Borough of Kinnelon as currently AT&T which will be the single provider of this new Emergency Network **acknowledged AT&T has very poor signal/access** to subscribers Vs Verizon.

**ACTION:** NJOHSP/AT&T First Net will schedule an On-Site visit during the Fall 2017 to Kinnelon/North Jersey to evaluate. Will continue to maintain dialogue with all 3 First Net Officials to ensure the Date/Time/Location of this work session in order for appropriate Kinnelon Officials to participate.

Was assured that “Grants” will be available for local Municipalities to fund the purchase/lease and maintain this new Nationwide “FirstNet” Emergency Communication System for First Responders.

**UPCOMING Programs –**

**1 - Sept. 13, 2017 – “Morris County OEM” Quarterly Meeting.”**



August 17, 2017

Range of Checking Accts: First to Last Range of Check Dates: 07/21/17 to 12/31/17  
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		
16987	08/03/17	KIN09 KINNELON BOARD OF EDUCATION	2,126,301.25	4705
16988	08/17/17	AC001 ACORN PEST CONTROL	175.00	4706
16989	08/17/17	ACC07 ACCURATE WASTE SYSTEMS, INC	325.00	4706
16990	08/17/17	ACT04 ACTION DATA SERVICES	2,351.50	4706
16991	08/17/17	AFF02 AFFILIATED TECHNOLOGY	1,097.97	4706
16992	08/17/17	AIR03 AIR GROUP	1,638.22	4706
16993	08/17/17	AJ01 AJ'S PIZZA	315.00	4706
16994	08/17/17	ALL02 ALL SERVICE INC.	280.00	4706
16995	08/17/17	AME16 AMERICAN HOSE & HYDRAULIC CO.	25.97	4706
16996	08/17/17	ANJ01 ANJEC	300.00	4706
16997	08/17/17	ASS03 ASSOCIATED FIRE PROTECTION INC	1,354.00	4706
16998	08/17/17	ATL07 ATLANTIC ENVIRONMENTAL	4,800.00	4706
16999	08/17/17	BAR21 BARTLETT TREE EXPERTS	256.00	4706
17000	08/17/17	BES02 BEST11 SOCCER	1,440.00	4706
17001	08/17/17	BOR01 BOROUGH OF BUTLER ELECTRIC	5,884.46	4706
17002	08/17/17	BOR02 BOROUGH OF KINNELON	8,409.19	4706
17003	08/17/17	BOR11 BOROUGH OF BLOOMINGDALE	3,412.82	4706
17004	08/17/17	BRA05 Braen Supply, Inc	1,632.56	4706
17005	08/17/17	BUR08 BURGIS ASSOCIATES, INC	3,652.50	4706
17006	08/17/17	BUS01 BUSINESS GRAPHICS	338.00	4706
17007	08/17/17	BUZ01 THE BUZAK LAW GROUP, LLC.	28,925.77	4706
17008	08/17/17	CAB01 CABLEVISION	979.04	4706
17009	08/17/17	CAI01 CAIN & SON	217.00	4706
17010	08/17/17	CAM05 CAMPBELL FOUNDRY COMPANY	536.00	4706
17011	08/17/17	CER04 CERTIFIED LABORATORIES	715.65	4706
17012	08/17/17	CEU01 CEUnion	178.00	4706
17013	08/17/17	CIN05 CINTAS CORPORATION #111	1,066.71	4706
17014	08/17/17	CIT05 CIT FINANCE LLC	456.50	4706
17015	08/17/17	COO03 COOPERATIVE COMMUNICATIONS INC	1,396.46	4706
17016	08/17/17	COW01 GABRIELLA COWLAN	100.00	4706
17017	08/17/17	CUS01 CUSTOM BANDAG INC.	280.22	4706
17018	08/17/17	DAN01 DAN COMO & SONS INC.	594.00	4706
17019	08/17/17	DAN08 DANA M D'ANGELO	2,250.00	4706
17020	08/17/17	DAR01 DARMOFALSKI ENGINEERING ASSOC.	1,275.00	4706
17021	08/17/17	DEB03 DE BLOCK ENVIRONMENTAL SERVICE	8,635.40	4706
17022	08/17/17	DEL08 DELTA DENTAL OF NEW JERSEY INC	4,418.30	4706
17023	08/17/17	DEL18 DANIELLE DELLANNO	1,700.00	4706
17024	08/17/17	DIA02 MARYELLEN DIACO	300.00	4706
17025	08/17/17	DOR06 Dorsey & Semrau, LLC	2,212.50	4706
17026	08/17/17	DYK02 DYKSTRA ASSOCIATES PC	4,900.00	4706
17027	08/17/17	EDM01 EDMUNDS AND ASSOCIATES	42.00	4706
17028	08/17/17	EJG01 EJG SPORTS	1,053.40	4706
17029	08/17/17	ELE03 ELECTRO BATTERY SYSTEMS INC.	80.23	4706
17030	08/17/17	EMR EMR Power Systems, LLC	640.00	4706
17031	08/17/17	EXT01 EXTRA SPACE STORAGE	405.00	4706
17032	08/17/17	FAV01 RALPH M. FAVA, ATTORNEY AT LAW	4,000.00	4706
17033	08/17/17	FER11 RICKEY J. FERRIOLA	320.99	4706
17034	08/17/17	FLA02 FLAGHOUSE	435.83	4706
17035	08/17/17	FOR04 FORD MOTOR CREDIT COMPANY	898.23	4706

August 17, 20 7

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17036	08/17/17	GAM01 GAME DAY SPORTS	1,848.48	4706
17037	08/17/17	GAR01 GARDEN STATE HIGHWAY PROD.,INC	763.54	4706
17038	08/17/17	GOF01 GOFFCO INDUSTRIES INC.	615.00	4706
17039	08/17/17	GRA02 GRAMCO	54.00	4706
17040	08/17/17	GRA15 GRASS ROOTS TURF PRODUCTS INC.	352.00	4706
17041	08/17/17	HOM02 HOME DEPOT CREDIT SERVICE	1,061.94	4706
17042	08/17/17	HOR04 HORIZON OFFICE EQUIPMENT	427.00	4706
17043	08/17/17	ING02 INGLESE ARCHITECTURE &	3,000.00	4706
17044	08/17/17	IUE01 KAREN IUELE	126.38	4706
17045	08/17/17	JCP01 JCP&L	21.76	4706
17046	08/17/17	JDA01 J DAVID ALREDGE LLC	2,925.00	4706
17047	08/17/17	JER03 JERSEY PAPER PLUS	673.16	4706
17048	08/17/17	JIM01 JIMMY THE SHOE DOCTOR	384.47	4706
17049	08/17/17	JOR01 JORDAN TRANSPORTATION	360.00	4706
17050	08/17/17	KIN06 KINNELON SENIOR CITIZENS	1,912.49	4706
17051	08/17/17	KIN08 KINNELON VOLUNTEER FIRE CO.	6,000.00	4706
17052	08/17/17	KIN09 KINNELON BOARD OF EDUCATION	3,126,301.25	4706
17053	08/17/17	KIN36 KINNELON CINEMAS	1,295.00	4706
17054	08/17/17	LAK02 LAKELAND BANK	3,648.65	4706
17055	08/17/17	LAK04 Lakeland Septic Co., Inc.	1,080.00	4706
17056	08/17/17	LAK13 LAKELAND AUTO PARTS	54.41	4706
17057	08/17/17	LAN06 LANGUAGE LINE SERVICES	22.19	4706
17058	08/17/17	LEW02 CYNTHIA LEWIS	2,835.14	4706
17059	08/17/17	LOE01 LOEFFELS WASTE OIL SERVICE	85.00	4706
17060	08/17/17	MB02 M&B TRUCKING INC.	3,685.00	4706
17061	08/17/17	MESERLIA BRIAN MESERLIAN	4,686.75	4706
17062	08/17/17	MGL01 M.G.L. FORMS SYSTEM	1,650.00	4706
17063	08/17/17	MON13 LINDA MONTGOMERY	286.91	4706
17064	08/17/17	MOR02 MORRIS CO LEAGUE OF MUNICIPAL.	100.00	4706
17065	08/17/17	MOR08 MORRIS COUNTY FIRE FIGHTERS &	250.00	4706
17066	08/17/17	MOR21 MORRIS COUNTY M.U.A.	35,725.02	4706
17067	08/17/17	MOR41 MORRIS COUNTY PARK COMMISSION	1,146.00	4706
17068	08/17/17	MOR42 THE LAND CONSERVANCY OF NJ	70.00	4706
17069	08/17/17	MOR49 MORRIS COUNTY LEAGUE OF MUNIC	50.00	4706
17070	08/17/17	NAF01 NAFTA	300.00	4706
17071	08/17/17	NAP01 P&A AUTO & TRUCK PARTS	242.62	4706
17072	08/17/17	NAT02 NATIONAL FIRE PROTECTION ASSOC	1,495.00	4706
17073	08/17/17	NES01 NESTLE PURE LIFE DIRECT	256.22	4706
17074	08/17/17	NJ02 NJ DIV. OF ALCOHOLIC BEVERAGE	12.00	4706
17075	08/17/17	NJA08 NJACTB, PATTY MARSH, REGISTRAR	475.00	4706
17076	08/17/17	NJA09 NJ ASSOCIATION OF SCHOOL	350.00	4706
17077	08/17/17	NJC05 NJ CRIMINAL INTERDICTION LLC	95.00	4706
17078	08/17/17	NJD05 NJ DEPARTMENT OF TREASURY	360.00	4706
17079	08/17/17	NJD07 NJ DEPT HEALTH & SENIOR SERV	21.00	4706
17080	08/17/17	NOR02 NORTH JERSEY MEDIA GROUP	525.17	4706
17081	08/17/17	NOR18 NORTHEAST COMMUNICATIONS, INC.	1,917.06	4706
17082	08/17/17	NOR20 Northeastern Arborist Supply	480.12	4706
17083	08/17/17	ONE02 ONE CALL CONCEPTS, INC.	91.25	4706
17084	08/17/17	PEE01 PEERLESS CONCRETE PRODUCTS CO.	40.00	4706
17085	08/17/17	PER07 PERIWINKLE INN	944.04	4706
17086	08/17/17	PIT02 PITNEY BOWES, INC.	1,152.00	4706
17087	08/17/17	PK01 P & K OFFICIATING	4,090.00	4706

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
GENERAL		General Account			Continued
17088	08/17/17	POW05 PowerDMS, INC.	3,247.00		4706
17089	08/17/17	PSE01 P.S.E. & G.	128.05		4706
17090	08/17/17	RAC02 RACHLES/MICHELE'S OIL CO., INC	1,611.52		4706
17091	08/17/17	RIV03 RIVERDALE POWER MOWER INC.	760.00		4706
17092	08/17/17	RIV06 RIVERDALE ENVIRONMENTAL	1,200.00		4706
17093	08/17/17	SCH05 JOHN SCHWARTZ	275.88		4706
17094	08/17/17	SCH30 MELANIE SCHUCKERS	505.51		4706
17095	08/17/17	SPO05 SPOT-A-WAY	225.00		4706
17096	08/17/17	SS01 S & S WORLDWIDE, INC.	1,222.97		4706
17097	08/17/17	STA STAPLES ADVANTAGE, DEPT NY	239.25		4706
17098	08/17/17	STA22 STADIUM SYSTEM	2,739.00		4706
17099	08/17/17	STAT2 STATE OF NEW JERSEY	798.50		4706
17100	08/17/17	STO01 STORR TRACTOR COMPANY	3,079.56		4706
17101	08/17/17	SUB03 SUBURBAN DISPOSAL INC.	54,583.33		4706
17102	08/17/17	TAL02 NATALIE TALAMO	200.00		4706
17103	08/17/17	THY01 THYSSENKRUPP ELEVATOR	1,517.83		4706
17104	08/17/17	TIL01 TILCON NEW YORK INC.	1,456.42		4706
17105	08/17/17	TUR01 TURN-OUT FIRE AND SAFETY	580.91		4706
17106	08/17/17	VER11 VERIZON WIRELESS - KPD	195.04		4706
17107	08/17/17	VFI01 VFIS BENEFITS DIVISION	679.27		4706
17108	08/17/17	WAL11 WALLINGTON PLUMBING & HEATING	358.12		4706
17109	08/17/17	XTR01 XTREME GRAPHIX, LLC	540.00		4706
17110	08/17/17	ZAP01 ZAPHYR LLC	3,180.00		4706

Checking Account Totals	Paid	Void	Amount Paid	Amount Void
Checks:	124	0	5,528,667.85	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	124	0	5,528,667.85	0.00

PLANNING 2	Columbia Bank				
1731	08/17/17	DAR01 DARMOFALSKI ENGINEERING ASSOC.	0.00	08/17/17 VOID	0
1732	08/17/17	DAR01 DARMOFALSKI ENGINEERING ASSOC.	5,125.00		4707
1733	08/17/17	LOC02 LISA LOCARNO	500.00		4707

Checking Account Totals	Paid	Void	Amount Paid	Amount Void
Checks:	2	1	5,625.00	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	2	1	5,625.00	0.00

Report Totals	Paid	Void	Amount Paid	Amount Void
Checks:	126	1	5,534,292.85	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	126	1	5,534,292.85	0.00

Totals by Year-Fund					
Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND APPROPRIATIONS	6-01	245.79	0.00	0.00	245.79
CURRENT FUND APPROPRIATIONS	7-01	5,459,635.96	0.00	0.00	5,459,635.96
WATER FUND	7-05	8,113.47	0.00	0.00	8,113.47
SEWER FUND	7-07	8,139.40	0.00	0.00	8,139.40
Year Total:		5,475,888.83	0.00	0.00	5,475,888.83
	C-04	11,919.54	0.00	0.00	11,919.54
DOG TAX	D-13	640.31	0.00	0.00	640.31
STATE AND FEDERAL GRANTS	G-02	594.00	0.00	0.00	594.00
	I-14	2,250.00	0.00	0.00	2,250.00
RECREATION SPECIAL	R-16	19,046.04	0.00	0.00	19,046.04
	V-27	17,577.25	0.00	0.00	17,577.25
RECYCLE FUND	Y-21	506.09	0.00	0.00	506.09
Total of All Funds:		5,528,667.85	0.00	0.00	5,528,667.85

Project Description	Project No.	Project Total
6 FOOTHILL ZOLTEK 10504108	10504108	500.00
5 PEPPERIDGE TREE/1362/MANOOGI	1362	375.00
26 Wateres Edge	1439	250.00
LOCARNO 1462 11 DECKER TERR	1462	500.00
DRISCOLL #1464 13 CARL PLACE	1464	500.00
6 HARRISON BOA#1465 PEREZ, D	1465	375.00
1468 61 GREEN HILL RD MSF	1468	625.00
797 WEST SHORE DRIVE	30152	375.00
44 ROUND HILL ROAD	56403117	125.00
63 BOONTON AVENUE	57301134	250.00
KINNELON RT 23 LLC 817	817	500.00
JCP&L/ GRACEVIEW DR/ #821	821	1,250.00
Total Of All Projects:		<u>5,625.00</u>

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

Roll Call:	C. Giantonio, Yes	G. Sisco, Yes;
	Carol Sventy, Yes;	W. Yago, Yes;
		J. Freda, Yes.

**CONSENT AGENDA:**

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

- a. Resolution: 8.01.17 Authorization to hire Corrine Dapuzzo – Kinnelon Court Administrator (Memorialized 8/10/17)
- b. Resolution: 8.02.17 Authorize Mayor to Sign Contract of Sale – Pompton Plains Reformed Church
- c. Resolution: 8.03.17 Soil Disturbance Permit – 6 Harrison Road
- d. Resolution: 8.04.17 Authorize Mayor to Sign Morris County Historic Preservation Trust Fund Grant Agreement L’Ecole Museum
- e. Resolution: 8.05.17 Grant funding Recommendation, Highlands Water Use and Conservation Plan
- f. Resolution: 8.06.17 Overpayment Property Taxes, Block 45702 Lot 103- 55 Daniel Lane-\$4,686.75
- g. Resolution: 8.07.17 Alcoholic Beverage Resolution Person to Person, Kinnelon Restaurant Corporation
- h. Resolution: 8.08.17 Authorize Mayor to Sign Comcast Entertainment Productions Contract
- i. Resolution: 8.09.17 Tax Court to Correct Real Property Assessment
- j. Resolution: 8.10.17 Approving Settlement of Tax Appeal, John and Gina Vandereems-116 Fayson Lakes Road
- k. Raffle License: OLM KN-810-KB
- l. Approval of Minutes: June 15, 2007, July 20, 2017

Roll Call:	C. Giantonio, Yes	G. Sisco, Yes;
	Carol Sventy, Yes;	W. Yago, Yes;
		J. Freda, Yes.

\*  
\*  
\*  
\*  
\*

August 17, 2017

RESOLUTION 8. 01 .17

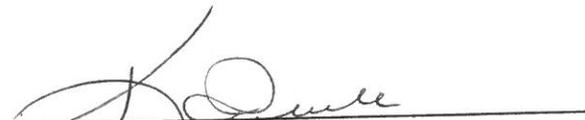
AUTHORIZATION TO HIRE  
CORRINE DAPUZZO  
KINNELON COURT ADMINISTRATOR

WHEREAS, Kinnelon Mayor and Council wishes to hire Corrine Dapuzzo as the Kinnelon Court Administrator; and

WHEREAS Corrine Dapuzzo start date is July 31, 2017, with a salary of \$57,000.00

NOW THEREFOR BE IT RESOLVED BY, the Mayor and Council of the Borough of Kinnelon do hereby authorize the hiring of Corrine Dapuzzo as the Kinnelon Court Administrator.

Dated: August 10, 2017



Karen M. Luele, Borough Clerk

August 17, 2017

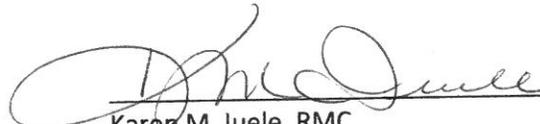
RESOLUTION 8.02.17

AUTHORIZATION FOR MAYOR TO  
SIGN CONTRACT OF SALE-  
POMPTON PLAINS REFORMED CHURCH

WHEREAS, the Council of the Borough of Kinnelon Authorize the Mayor of the Borough of Kinnelon to sign Sale of Contract-Pompton Plains Reformed Church.

NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of Kinnelon due hereby authorize the Mayor of the Borough of Kinnelon to sign the Contract of Sale-Pompton Plains Reformed Church.

Dated: August 17, 2017

  
\_\_\_\_\_  
Karen M. Luele, RMC  
Municipal Clerk, Borough of Kinnelon

August 17, 2017

RESOLUTION 8. 03 .17

AUTHORIZING OF A SOIL  
DISTURBANCE PERMIT  
6 HARRISON ROAD  
BLOCK 45002, LOT 111

WHEREAS, the Mayor and Council of the Borough of Kinnelon approved a Soil Disturbance Permit for 6 Harrison Road, Block 45002, Lot 111 ; and

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

NOW, THEREFOR, BE IT RESOLVED, that the Mayor and Council of the Borough of Kinnelon does hereby approve a Soil Disturbance Permit for 6 Harrison Road.

Dated: August 17, 2017

A handwritten signature in black ink, appearing to read 'K. M. Luele', is written over a horizontal line.

Karen M. Luele, RMC  
Municipal Clerk

August 17, 2017

**MORRIS COUNTY  
HISTORIC PRESERVATION TRUST FUND  
GRANT AGREEMENT**

**L'Ecole Kinnelon Museum - Construction Documents  
2017 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 Regulations 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."

Dated: August 17, 2017

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

August 17, 2017

RESOLUTION: 8.05.17

GRANT FUNDING RECOMMENDATION  
HIGHLANDS WATER USE AND CONSERVATION  
PLAN

WHEREAS, CDM Smith has reviewed and completed a draft Scope of Work (SOW) for the Highlands Region Water Use and Conservation Management Plan (WUCMP) for consideration by the Borough of Kinnelon; and

WHEREAS, SOW also serves as a grant application and includes budgets. CDM Smith has inserted a proposed budget for Kinnelon in the SOW that would enable Crew Engineers, Inc. to work on behalf of the Borough for coordinating and reviewing the WUCMP.

WHEREAS, CDM Smith recommends that the Borough request grant funding in the amount of \$66,000 for the WUCMP.

NOW THEREFORE BE IT RESOLBED BY the Mayor and Council of the Borough of Kinnelon do hereby approve CDM Smith Proposal and recommendation for the Borough of Kinnelon request grant funding in the amount of \$66,000 for the WUCMP.

Date: 8/17/17



Karen M. Iuele  
Kinnelon Borough Clerk

August 17, 2017

RESOLUTION # 8.06.17

**BE IT RESOLVED**, BY THE Mayor and Council of the Borough of Kinnelon, that a warrant be drawn to BRIAN MESERLIAN in the amount of \$4,686.75 for overpayment of property taxes on Block 45702, Lot 103 known as 55 Daniel Lane. This overpayment is due to a property value reduction during the revaluation process. The property owner overpaid 2017 based on billing for the old property value that was processed in July 2016.

ROLL CALL:

August 17, 2017  
Judith O'Brien, CTC  
Tax Collector  
Borough of Kinnelon

I, Karen M. Luele, Borough Clerk, Borough of Kinnelon, hereby certify this resolution to be a true copy of the resolution which was duly passed at the regular meeting of the Borough of Kinnelon Mayor and Council August 17, 2017.

Date: 8/17/17

  
Karen M. Luele, Borough Clerk

August 17, 2017

RESOLUTION 8.07.17

ALCOHOLIC BEVERAGE RESOLUTION  
PERSON TO PERSON

WHEREAS, an application has been filed for a person-to-person transfer of Plenary Retail Consumption License #1415-33-001-010, heretofore issued to George Stylianou, for premises located at Kinnelon Road, Kinnelon New Jersey; and

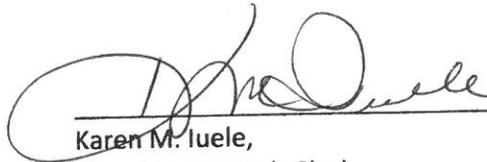
WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinance and conditions consistent with Title 33; and

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the licensed business;

NOW, THEREFORE, BE IT RESOLVED that the Borough of Kinnelon does hereby approve, effective August 17, 2017 the transfer of the aforesaid Plenary Retail Consumption License to George Stylianou, and does hereby direct the Municipal Clerk to endorse the license certificate to the new ownership as follows: "This license, subject to all its terms and conditions, is hereby transferred to George Stylianou, effective August 17, 2017.

Dated: August 17, 2017

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

August 17, 2017

Tiena (SCC-7)  
SCC Dev Agr Resolution  
051116

**RESOLUTION NO. 8.08.17**

**AUTHORIZING THE EXECUTION OF A LOCATION CONTRACT BETWEEN THE BOROUGH OF KINNELON AND COMCAST ENTERTAINMENT PRODUCTIONS LLC D/B/A/ WILSHIRE STUDIOS DATED AUGUST 17, 2017 AND APPROVING ITS TERMS AND CONDITIONS**

**WHEREAS**, Comcast Entertainment Productions LLC D/B/A Wilshire Studios ("Wilshire") has applied for a permit to use Boonton Avenue Fields, 174 Boonton Avenue, Kinnelon, on Sunday August 27, 2017 (and Monday, August 28, 2017 or Tuesday, August 29, 2017 if necessary); and

**WHEREAS**, in connection with this application, Wilshire has provided the Borough of Kinnelon ("Borough") with a Location Contract addressing the rights, duties and obligations of the parties in order to secure this site at which Wilshire will be filming for a television program currently entitled "The Cromarties"; and

**WHEREAS**, the Borough desires to authorize the execution of the Location Contract.

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

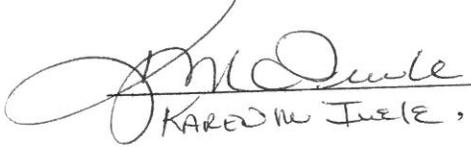
1. All the terms and conditions of the Location Contract dated August 17, 2017 by August 17, 2017 and between the Borough of Kinnelon and Comcast Entertainment Productions LLC D/B/A Wilshire Studios are hereby approved, ratified and confirmed.

2. The Mayor and Clerk are hereby authorized to execute said Location Contract subsequent to the execution of Wilshire and together with other appropriate officers and employees of the Borough are hereby authorized to take all steps necessary to effectuate the purposes of this Resolution.

3. This Resolution shall take effect immediately.

### CERTIFICATION

I, Karen M. Iuele, Borough Clerk of the Borough of Kinnelon hereby certify the foregoing to be a true copy of a Resolution adopted by the Borough Council of the Borough of Kinnelon at a duly convened meeting held on August 17, 2017.

  
KAREN M. IUELE, Borough Clerk

August 17, 2017

Jackie (KN-4000)  
Tax Court Complaint Resolution  
081617  
081717

**RESOLUTION NO. 8.09.17**

**RESOLUTION AUTHORIZING A COMPLAINT  
TO THE TAX COURT TO CORRECT AN  
ERRONEOUS REAL PROPERTY ASSESSMENT**

**WHEREAS**, the Borough Tax Assessor has informed the Borough that a typographical error was made in calculating the total 2017 revaluation assessment of Block 34606, Lot 105, 16 Reality Drive (“the assessment”) when a partial assessment of the Property was inputted in the computer as \$500,000.00 when it should have been \$50,000.00; and

**WHEREAS**, the Correction of Errors Statute at N.J.S.A. 54:51A-7 authorizes the correction of indisputable tax assessment mistakes as has happened in this case; and

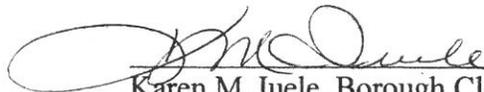
**WHEREAS**, the Council wishes to authorize the Borough Attorney to file a complaint to the Tax Court to correct the erroneous assessment.

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

1. The filing of a complaint to the Tax Court to correct the erroneous assessment of Block 34606. Lot 105 is hereby approved and authorized.
2. This Resolution shall take effect immediately.

**CERTIFICATION**

I, Karen M. Iuele, Borough Clerk of the Borough of Kinnelon hereby certify the foregoing to be a true copy of a Resolution adopted by the Governing Body of the Borough of Kinnelon at a duly convened meeting held on August 17, 2017.

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

August 17, 2017

Jackie (KN-4103)  
Vandereems Settlement Resolution  
080717

**RESOLUTION NO. 8.10.17**

**RESOLUTION APPROVING SETTLEMENT OF  
TAX APPEAL BY JOHN AND GINA  
VANDEREEMS, BLOCK 44903, LOT 111 (116  
FAYSON LAKES ROAD), BOROUGH OF  
KINNELON, MORRIS COUNTY, NEW JERSEY**

**WHEREAS**, John and Gina Vandereems ("Taxpayer") filed a tax appeal against the Borough of Kinnelon (hereinafter "Borough") to the Tax Court of New Jersey for the Tax Year 2017 challenging the assessment of real property known as Block 44903, Lot 111 (116 Fayson Lakes Road) as shown on the Official Tax Map of the Borough of Kinnelon; and

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

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

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

1. The settlement of the tax appeal for Block 44903, Lot 111 (116 Fayson Lakes Road) reducing the assessment of \$1,999,400 to \$1,038,000 for Tax Year 2017 is hereby authorized and approved.
2. Plaintiffs agree to waive prejudgment interest on any tax overpayment that may be due provided that the refund is paid within sixty days of the date of the Tax Court Judgment.

August 17, 2017

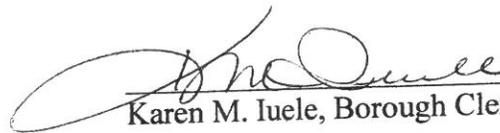
3. The Borough Attorney is hereby authorized to sign the Stipulation of Settlement incorporating the complete agreement between the parties.

4. The Borough Assessor, Borough Attorney, Borough Tax Collector, employees, agents or representatives of the Borough are hereby authorized to do whatever is necessary to effectuate the purpose of this Resolution.

5. This Resolution shall take effect immediately.

### CERTIFICATION

I, Karen M. Iuele, Borough Clerk of the Borough of Kinnelon hereby certify the foregoing to be a true copy of a Resolution adopted by the governing body of the Borough of Kinnelon at a duly convened meeting held on August 17, 2017.

  
Karen M. Iuele, Borough Clerk

LICENSE FOR: Raffles License No. KN- 810 -KB

(Insert Bingo or Raffles)

Identification No. 238-1-10979

Insert Name (Display this license conspicuously)  
Of Municipality BOROUGH OF KINNELON During the conduct of the games)

Insert Name of Licensee Our Lady of the Magnificat RC Church

Address 2 Miller Rd, Kinnelon, New Jersey 07405

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

Kind of Game	Date	Place	During hours
Amusement Rides			
Games of Chance	10/28/17	2 Miller Rd Kinnelon, NJ	6:00pm
	11/25/17	12/30/17	1/27/18
	2/24/18	3/31/18	4/28/18
	5/26/18		
	6/30/18	7/28/18	8/25/18
		9/29/18	

2. The value and character of the prizes authorized to be offered and given on each date are:  
1<sup>st</sup> prize \$400.00    2<sup>nd</sup> prize \$300.00    3<sup>rd</sup> prize \$200.00    4<sup>th</sup> prize \$100.00

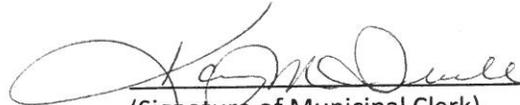
3. This license is valid only if the entire net proceeds are devoted to the following specific purpose:  
General Fund – Our Lady of the Magnificat Ladies Guild charitable works, Women’s Shelters, Food Banks, Homeless Shelters, Cancer Support Groups, Nursing Homes, activities including nursing home residents luncheon, Christmas toy drive.

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

Names	Addresses
Diane Lattanzio	31 Forestdale Rd. Dr. Kinnelon, NJ 07405
Lynn Drazin	254 Kinnelon Rd. Kinnelon, NJ 07405
Maureen Galligan	19 McKinley Dr. Kinnelon, NJ 07405
Marilyn Koziol	98 Miller Rd. Kinnelon, NJ 07405

Issued by order of MAYOR AND COUNCIL ON August 17, 2017

(SEAL)

  
(Signature of Municipal Clerk)

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



August 17, 2017

ejb:fd (KN-1037)  
(Kinn Ord Amending Code)-CLEAN  
071717

**ORDINANCE NO.:** AN ORDINANCE AMENDING THE CODE OF THE  
7-17 **BOROUGH OF KINNELON TO CREATE A NEW CLASS  
THREE CATEGORY OF SPECIAL LAW ENFORCEMENT  
OFFICERS PURSUANT TO P.L. 2016 c 68 AND SETTING  
FORTH THE TERMS, CONDITIONS AND SCOPE OF  
AUTHORITY APPLICABLE TO SAID CLASS THREE  
OFFICERS.**

**WHEREAS**, the Mayor and Council of the Borough of Kinnelon (“Borough”) have authorized the appointment of special law enforcement officers pursuant to N.J.S.A. 40A:14-146.10; and

**WHEREAS**, in P.L. 2016 c 68, approved November 30, 2016 and effective June 1, 2017 a new category of Class Three special law enforcement officers was created; and

**WHEREAS**, the Borough desires to amend the Code of the Borough of Kinnelon to provide for the appointment of such Class Three special law enforcement officers as set forth in P.L. 2016 c 68.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Borough of Kinnelon, County of Morris, State of Jersey as follows:

**SECTION ONE.** Section 56-22 of the Code of the Borough of Kinnelon is hereby amended to read as follows:

**“§ 56-22. Appointment qualifications.**

A. No person shall be appointed a special law enforcement officer unless the person is a resident of the State of New Jersey during the term of the appointment and a resident of the Borough of Kinnelon for two years next preceding the appointment, is sound in body and mind, is able to read, write and speak the English

August 17, 2017

language well and intelligently and has a high school diploma or its equivalent, is of good moral character, has not been convicted of any offense involving dishonesty or would have him unfit to perform the duties of his office and has successfully undergone the same psychological testing that is required for all full-time police officers in the Borough of Kinnelon. Every applicant for the position of special law enforcement officer shall have fingerprints taken, which shall be filed with the Division of State Police and the Federal Bureau of Investigation. Before any special law enforcement officer is appointed, the Chief of Police or, in the Chief's absence, another chief law enforcement officer of Kinnelon Borough shall ascertain the eligibility and qualification of the applicant and report these determinations, in writing, to the Mayor and Council.

B. In addition to the qualifications established in subsection A of this section, a person shall not be appointed as a Class Three special law enforcement officer unless the person:

(1) is a retired law enforcement officer who is less than 65 years of age; for the purposes of this section, a law enforcement officer shall not be considered retired if the officer's return to employment violates any federal or State law or regulation which would deem the officer's retirement as not being bona fide;

(2) had served as a duly qualified, fully-trained, full-time officer in any municipality or county in this State or as a member of the State Police and was separated from that prior service in good standing, within three years of appointment, except during the period ending May 31, 2018, was separated from that prior service within five years of appointment;

August 17, 2017

(3) is physically capable of performing the functions of the position, determined in accordance with police training commission guidelines;

(4) possesses a New Jersey Police Training Commission Basic Police Officer Certification or New Jersey State Police Academy Certification;

(5) has completed the training course for safe schools resource officers developed pursuant to subsection a of section 2 of P.L. 2005, c. 276(C. 52:17B-71.8); and

(6) is hired in a part-time capacity.

For the purposes of this subsection, "good standing" shall exclude a retirement resulting from injury or incapacity."

**SECTION TWO.** Section 56-24 of the Code of the Borough of Kinnelon is hereby amended to read as follows:

**"§ 56-24 Classifications; Limitations on Numbers.** There shall be three classifications for special law enforcement officers. The classifications shall be based upon the duties to be performed by the special law enforcement officer as follows:

A. Class One. Class One officers shall be authorized to perform routine traffic detail, spectator control and similar duties. Class One officers shall have the power to issue summonses for disorderly persons and petty disorderly persons, violations of municipal ordinances and violations of Title 39 of the Revised Statutes, Class One officers are prohibited from using a firearm, and no Class One officer shall be assigned any duties which may require the carrying or use of a firearm. The number

August 17, 20

of Class One officers appointed shall be determined by the Mayor and Council in conjunction with the Chief of Police.

B. Class Two. Class Two officers shall exercise full powers and duties similar to those of a permanent regularly appointed full-time police officer. Class Two Officers may be authorized to use a firearm, but only after the officer has been certified as successfully completing a training program as prescribed by the Police Training Commission in the Department of Law and Public Safety. The number of Class Two officers shall not exceed 25% of the total number of regular police officers, except that the Borough of Kinnelon need not reduce the number of Class Two officers or the equivalent thereof in the employ of the Borough of Kinnelon as of March 1, 1985.

C. Class Three. Class Three Officers shall be authorized to exercise full powers and duties similar to those of a permanent regularly appointed full-time police officer while providing security at a public or non-public school or a county college on the school or college premises during hours when the public or non public school or a county college is normally in session or when it is occupied by public or non public school or county college students or their teachers or professors. While on duty in the jurisdiction of employment, an officer may respond to offenses or emergencies off school or college grounds if they occur in the officer's presence while travelling to a school facility or county college, but an officer shall not otherwise be dispatched or dedicated to any assignment off school or college property.

The use of a fire arm by an officer of this class o shall be authorized pursuant to the provisions of subsection b. of section 7 of P.L. 1985, c. 439

August 17, 2017

(C.40A:14-146.14). An officer of this class shall not be authorized to carry a fire arm while off duty unless the officer complies with the requirements set forth in subsection 1. of N.J.S. 2C:39-6 authorizing a retired law enforcement officer to carry a hand gun.

**SECTION THREE.** Section 56-28 of the Code of the Borough of Kinnelon is amended to read as follows:

**“§ 56-28 Terms and conditions of appointment.**

A. Special law enforcement officers may be appointed for terms not to exceed one year, and the appointments may be revoked by the Borough of Kinnelon for cause after adequate hearing, unless the appointment is for four months or less, in which case the appointment may be revoked without cause or hearing. The powers and duties of the special law enforcement officer shall cease at the expiration of the term for which appointed.

B. A Class Three special law enforcement officer may be employed only to assist the local law enforcement unit with security duties and shall not supplant a law enforcement officer employed pursuant to the provisions of N.J.S. 18A:17-43 or a safe schools resource officer employed pursuant to the provisions of section three of P.L. 2005, c 276 (C. 18A:17-43.1).

C. A Class Three special law enforcement officer appointed pursuant to the provisions of P.L. 1985, c 439 (C. 40A:14-146.8, et seq.) shall not, based on this appointment, be eligible for health care benefits or enrollment in any State-administered retirement system.”

**SECTION FOUR.** Section 56-29 of the Code of the Borough of Kinnelon is hereby amended to read as follows:

**“§ 56-29 Hours of duty.**

A. No special law enforcement officer may be employed for more than 20 hours a week by the Borough of Kinnelon, except during periods of emergency, when a special law enforcement officer may be employed by the Borough of Kinnelon for those hours the Mayor and Council of the Borough of Kinnelon may determine necessary. For purposes of this article, “emergency” shall mean any sudden, unexpected or unforeseeable event requiring immediate use and deployment of law enforcement personnel as determined by the Mayor and Council in conjunction with the Chief of Police.

B. In addition to not more than 20 hours per week, including those duties specified in § 56-21 of this article, a special law enforcement officer may be assigned up to 20 hours per week to provide public safety and law enforcement services to a public entity.

C. A Class Three special law enforcement officer may be employed without limitation as to hours.

D. The Borough of Kinnelon may designate one special law enforcement officer to whom the limitations on hours as set forth in this article shall not be applicable.”

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

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independent provision and such holding shall not affect the validity of the remaining portions hereof.

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

**SECTION SEVEN.** This Ordinance shall take effect upon passage and publication according to law.

ATTEST:



Karen M. Iuele, Borough Clerk

BOROUGH OF KINNELON



Robert Collins, Mayor



August 17, 2017

EJB (KN-1008)  
PPRBC Ordinance  
081517  
081717

**ORDINANCE NO. 8-17**

**AN ORDINANCE AUTHORIZING THE ACQUISITION OF REAL PROPERTY CURRENTLY KNOWN AND DESCRIBED AS BLOCK 45502 (FORMERLY BLOCK 34), LOT 119 (FORMERLY LOT 392) ON THE OFFICIAL TAX MAP OF THE BOROUGH OF KINNELON COMMONLY KNOWN AS 46 BOONTON AVENUE, KINNELON, NEW JERSEY FOR PUBLIC OPEN SPACE AND PARK PURPOSES, RECREATION, COMMUNITY AND OTHER PUBLIC USES AND AUTHORIZING ALL ACTIONS NECESSARY TO IMPLEMENT AND EFFECT THE ACQUISITION OF THE PROPERTY**

**WHEREAS**, N.J.S.A. 40A:12-5 and N.J.S.A. 20:3-1, *et seq.* authorize public entities to acquire real property or interests in real property; and

**WHEREAS**, the Governing Body of the Borough of Kinnelon ("Borough Council" or "Borough") has deemed it necessary to acquire certain real property and interests in real property in the Borough currently known as Block 45502 (formerly Block 34), Lot 119 (formerly Lot 392) on the Official Tax Map of the Borough of Kinnelon (the "Property"); and

**WHEREAS**, the current owner of the Property is the Pompton Plains Reformed Bible Church ("PPRBC"); and

**WHEREAS**, negotiations have ensued between the Borough and PPRBC and have resulted in an Agreement for the Borough to acquire the Property and certain interests in the Property in consideration of the payment of \$1,041,414.10 plus all real property taxes paid by PPRBC to the Borough from July 1, 2017 to the date of closing; and

**WHEREAS**, there has been prepared a certain "Contract for Sale of Real Estate" Between PPRBC, as Seller, and the Borough, as Buyer, dated as of August 17, 2017, setting

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forth the rights, duties and obligations of the parties in connection with the sale and purchase of the Property; and

**WHEREAS**, the Borough desires to approve the terms and conditions of said Contract for Sale of Real Estate, authorize its execution and authorize the acquisition of the Property in substantial accordance with the terms and conditions of said Contract for Sale of Real Estate; and

**WHEREAS**, the Borough further desires to authorize the execution of additional related Agreements and documents, including, without limitation, Escrow Agreements, Affidavits, Post-Closing Documents, Closing Statements, Internal Revenue Service and Code Forms and all other documents and Agreements necessary to effectuate the purposes of this Ordinance and the acquisition of the Property and various interests 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.** All the terms and conditions of a certain Contract for Sale of Real Estate by and between Pompton Plains Reformed Bible Church ("PPRBC") as Seller and the Borough of Kinnelon ("Borough"), as Buyer, dated as of August 17, 2017, for the acquisition of certain real property and interests in real property in the Borough currently known as Block 45502 (formerly Block 34), Lot 119 (formerly Lot 392) on the Official Tax Map of the Borough (the "Property"), in and for the consideration of \$1,041,414.10 plus all real property taxes paid or to be paid by PPRBC to the Borough from July 1, 2017 to the date of closing ("Purchase Price"), be and the same are hereby approved, ratified and confirmed by the Borough, subject to any non-material, minor and insubstantial changes that may be made in the final form of the Contract for Sale of Real Estate and other attached documents, as approved by the Mayor on the advice of counsel and/or other professionals of the Borough, **PROVIDED, HOWEVER**, that the Purchase

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Price of \$1,041,414.10, and the interests in the Property to be acquired by the Borough, shall not be modified.

**SECTION 2.** By virtue of the introduction and adoption of this Ordinance and the taking of other actions, the Borough hereby authorizes the expenditure of the purchase price of \$1,041,414.10 and any appropriate ancillary costs related to the acquisition, together with the expenditure of the requisite costs and disbursements related to the consummation of the transaction of the acquisition of the Property.

**SECTION 3.** The Mayor and Borough Clerk, be and are hereby authorized to execute the Contract for Sale of Real Estate in substantially the same form as approved herein and the Mayor, Borough Council, Clerk and such other officials, consultants, agents, professionals and employees of the Borough as may be necessary and appropriate shall be, and are hereby authorized to pursue the implementation of the Contract for Sale of Real Estate and to take all steps necessary to effectuate and implement the same and the ultimate acquisition of the Property, including, without limitation, the purchase of Title Insurance and Environmental Insurance as may be appropriate, and the execution of additional related Agreements and documents, including, without limitation, appropriate related Escrow Agreements, Affidavits, Post-Closing Documents, Closing Statements, Internal Revenue Service and Code forms and all other documents and Agreements necessary to effectuate the purposes of this Ordinance and the acquisition of the Property.

**SECTION 4.** Subject to the terms and conditions of the Contract for Sale of Real Estate, in conjunction with such acquisition, the Borough hereby reserves and shall reserve any and all rights it has, or may have, or shall in the future have in connection with the acquisition and ownership of the Property.

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**SECTION 5.** All Ordinances previously adopted in connection with this acquisition shall remain in full force and effect, except to the extent that the same are inconsistent with the terms and conditions of this Ordinance.

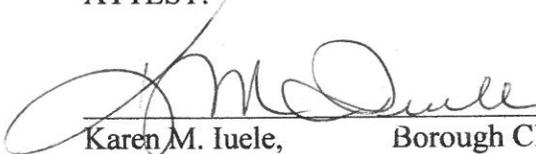
**SECTION 6.** All ordinances, resolutions and regulations or parts of ordinances, resolutions and regulations inconsistent herewith are hereby repealed to the extent of such inconsistency.

**SECTION 7.** 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 8.** This Ordinance shall take effect after approval and publication as required by law.

ATTEST:

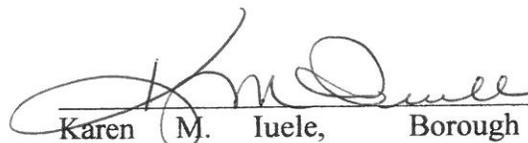
BOROUGH OF KINNELON

  
Karen M. Iuele, Borough Clerk

  
Robert W. Collins, 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 August 17, 2017 and adopted by the Governing Body at a regular meeting of the Borough held on September 21, 2017.

  
Karen M. Iuele, Borough Clerk

August 17, 2017

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:	C. Giantonio, Yes	G. Sisco, Yes;
	Carol Sventy, Yes;	W. Yago, Yes;
		J. Freda, Yes.

WHEREAS, the above ordinance was introduced at this meeting held on August 17, 2017 and read by title, and passed on first reading:

NOW, THEREFORE, BE IT RESOLVED, that at the regular meeting to be held on September 21, 2017 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 W. Yago.

Roll Call:	C. Giantonio, Yes	G. Sisco, Yes;
	Carol Sventy, Yes;	W. Yago, Yes;
		J. Freda, Yes.

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

During the month of July 2017 the Tax Collector's Report indicated we collected \$523,055.67 in taxes.

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

A total of \$4,018.30 was collected in interest for the month of July 2017.

#### **DISTRICT SCHOOL**

On motion of Councilman J. Freda and seconded by Councilman C. Giantonio, followed by the "yes" roll call vote of all Council Members present the payment of \$3,126,301.25 to the District School when funds become available was approved for payment.

Roll Call:	C. Giantonio, Yes	G. Sisco, Yes;
	Carol Sventy, Yes;	W. Yago, Yes;
		J. Freda, Yes.

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**RESIGNATION:**

Upon motion by Councilman G. Sisco and seconded by Councilwoman C. Sventy, followed by the "yes" roll call vote of all Council Members present, the resignation of Ashely Fritz as the Kinnelon Court Administrator, was accepted with the councils regrets.

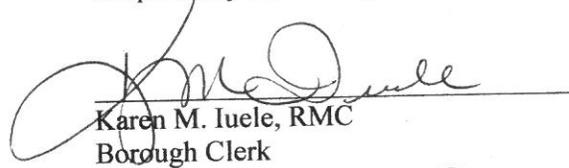
Roll Call:	C. Giantonio, Yes	G. Sisco, Yes;
	Carol Sventy, Yes;	W. Yago, Yes;
		J. Freda, Yes.

Mayor Collins stated that under new business he would like to add: That he was concerned that our Public Assist office had made a determination, and stated that he does not know from who, to stop the food pantry services for the borough. That discussion was made away from the Mayor's office. This is so inappropriate when we have people that are in need, we have an obligation to insure that they have the opportunity to receive support from the borough. Mayor Collins stated that this has been corrected, but will ascertain why this decision was made, and why this was done without any input from the Mayor's office.

**ADJOURNMENT**

This meeting adjourned at approximately 9:15 p.m. on motion by Councilman G. Sisco with the unanimous affirmative voice vote of all present.

Respectfully submitted,

  
Karen M. Iuele, RMC  
Borough Clerk

  
Robert W. Collins, Mayor

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