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# THE SMOKE RISE CLUB MEMBER'S HANDBOOK

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## *Purpose*

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This booklet is designed to provide new, current and prospective Club Members with some pertinent information about The Smoke Rise Club. Further information may be found in the Club By-Laws, Schedule "A", the Schedule of Fees and Other Charges and the Rules for Membership, Fees, Dues and Assessments.

In addition, the staff at the Club Office and those in charge of the various activities and subclubs are available to answer questions. The Club is run by the Members, for the Members.

It is hoped that this handbook will prove to be a useful and applied reference for all Members of the Club. Accordingly, it provides the necessary information to ease Members into the Smoke Rise way of life.

**SMOKE RISE CLUB - "Created by nature, preserved by man"**

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*The "Community" of Smoke Rise*

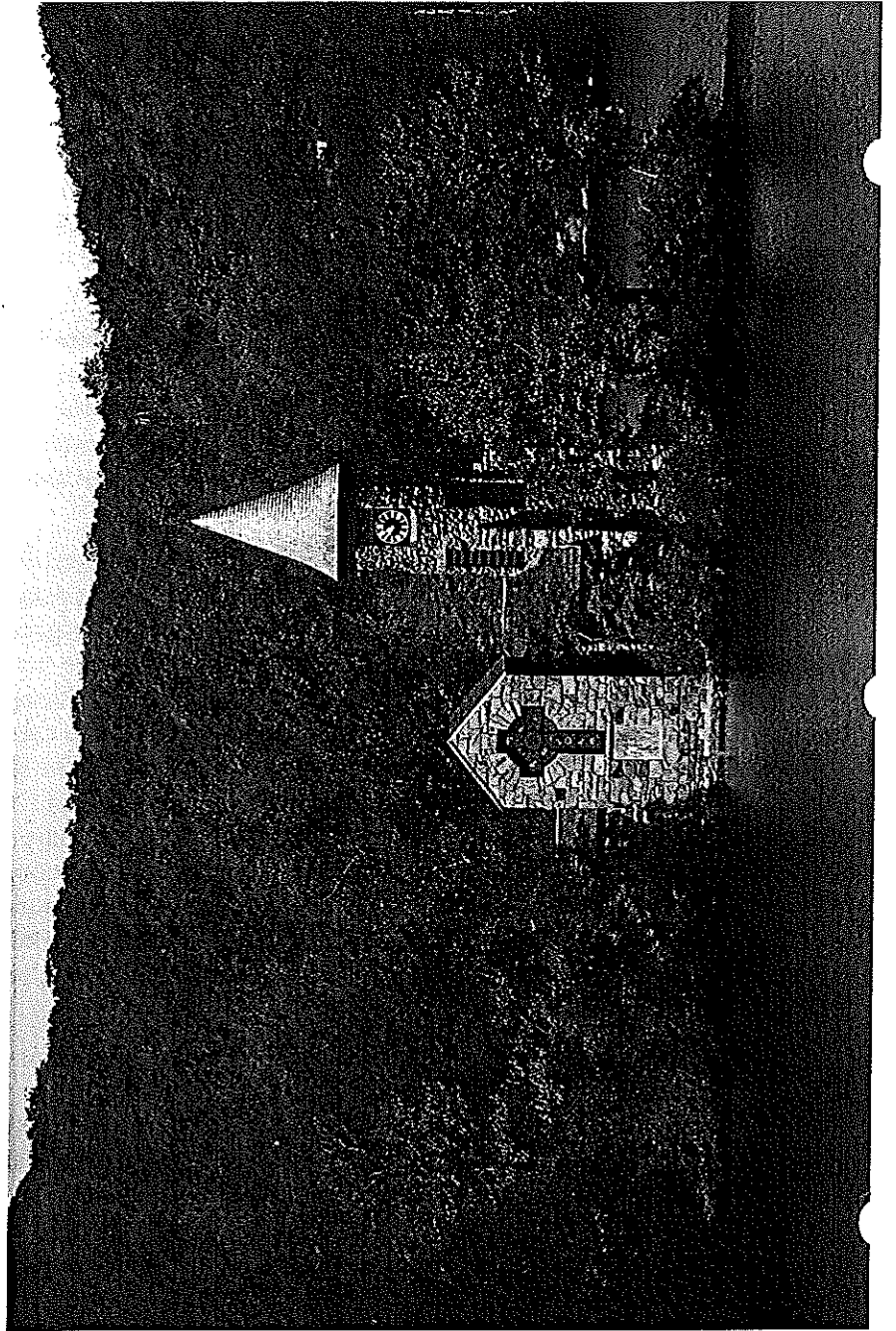
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The Smoke Rise Community is located in the Borough of Kinnelon, Morris County, New Jersey, just thirty-five miles from New York City. As a new Member of The Smoke Rise Club, you have bought not only a home, but also a "way of life" for yourself and your family.

According to legend, Smoke Rise was once the hunting grounds of the Lenni-Lenape Indians who gave it the name "The Land Where The Smoke Rises" from watching how the moisture steaming from the lake created the illusion of smoke. Appropriately, it was long the estate of Francis Kinney of the Kinney Brothers Tobacco Co., makers of Sweet Caporals.

The Kinney Family (after whom Kinnelon was named) enjoyed this property for many years as a self-contained country gentleman's estate, maintaining its own stables, blacksmith shops, greenhouses, piggery, firehouse and icehouse. Most of the buildings on the Perimeter Road were built from native rock before the turn of the century. The Village Inn was part of the original stables and barns where Brown Swiss cattle and carriages were kept. The Repair Shop was the piggery and the Smoke Rise Club Office was the firehouse. For his wife, Mr. Kinney built St. Hubert's Chapel, the exquisite small chapel located in the middle of Lake Kinnelon. Smoke Rise residents used it on many occasions as a house of worship before the erection of the Smoke Rise Community Church in 1956. The Community Church serves the residents as an interdenominational church offering a variety of religious, educational and recreational programs for all ages.

John Alden Talbot, Sr. had long been a friend of Francis Kinney's son, Morris. When Morris Kinney died in 1945, he left the estate to John Talbot, Sr. as a tribute to their lifetime friendship and mutually shared love of Smoke Rise. In 1946, when the need for suburban housing for discriminating people became evident, John Talbot, Sr., with great vision and foresight, founded The Smoke Rise Club, one of the earliest community club plans in the United States. Unlike so many developers, he insisted that the land be kept in its natural state as far as possible.



The Jerseyan sector of the Scanian or Sub Aftonian Glacier, according to geologists, encompassed the Smoke Rise area more than 25,000 years ago. It extended some seven hundred miles south of Smoke Rise and when it broke up and melted it determined the climate, dividing that of the Eastern Seaboard of the United States into two regions, the Northern and the Southern. Smoke Rise is just about in the Dead Center of these two regions, which accounts for the bi-regional variety and the unusually great numbers of species of its flora and fauna. Much of the vegetation and the bird and animal life is indigenous to both climatic regions. According to experts in forestry, horticulture and fauna, there exists in Smoke Rise an extraordinary variety of trees, 170 different kinds of birds and wild fowl, 300 varieties of plants, wildflowers, shrubs and 40 varieties of animals.

As to wild animals, there are chipmunks, squirrels, opossums, raccoons, deer, bobcats, muskrats, mink, otter, bears, coyotes, rabbits, woodchucks, beaver, foxes, etc. No shooting is allowed in the developed community, where most of the wild life is quite tame and domesticated.

## II.

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### *Principal Purposes of the Smoke Rise Club*

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The Smoke Rise Club is incorporated under the laws of the state of New Jersey. The principal purposes, as set forth in the By-Laws, are the following:

- A. To provide in perpetuity for the care and maintenance of all Club properties now or hereafter owned or otherwise acquired, such as roads, bridle paths, parks, dams, beaches, lakes and any streams connected therewith, docks, piers, clubhouses, buildings, other structures and other grounds used for recreation and sports at Smoke Rise;
- B. To formulate rules and regulations, and provide for the enforcement thereof, for the use of all Club properties and facilities, now owned and/or hereafter acquired;
- C. To preserve the natural beauty of the Reservation; to create and perpetuate a high social, civic and cultural standard within the community;

- D. To provide and maintain an adequate system of administration;
- E. To make available to Members of the Club facilities for the enjoyment of all properties mentioned herein and to promote health, welfare, pleasure, recreation, indoor and outdoor sports, entertainment and athletic contests;
- F. To preserve the Smoke Rise Reservation as private property by maintaining entrance gates and by taking over and maintaining all roads after they have been hard-surfaced by the developing company.

### III.

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## *Membership Requirements/ Membership Committee*

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#### **Membership Requirements**

An applicant for Membership in the Club shall meet with and be interviewed by the Membership Committee only after submitting to the Club Office a copy of the applicant's signed contract to purchase/lease Smoke Rise property together with an initialed copy of Schedule "A" indicating acceptance by the applicant of all covenants and restrictions contained therein, and a check for the Club's Initiation Fee.

Couples who are applying for Membership must each be present at the interview with the Committee. Only in extenuating circumstances will the Committee interview one partner/spouse and at least one Committee Member present must interview the other prior to a Committee decision.

Only after approval by the Committee may an applicant for Membership complete the purchase of Smoke Rise property.

#### **Membership Committee**

The Membership Committee meets, as required, to interview applicants for Membership. The Committee conducts a review with each applicant of the Club plan and functions. The Committee also covers the Club's method of financing its operations, including the initiation

and acquisition fees, dues, annual operating assessments and other special assessments, as well as individual fees for separate activities and subclubs.

The Committee reviews and acts on applications for Membership without discrimination, to ensure commitment to the Club Plan, compatibility with the Smoke Rise Community and financial responsibility by prospective Members. Applicants shall be approved for Membership by the affirmative vote of a majority of the Committee members.

#### IV.

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### *Architectural and Variance Committee*

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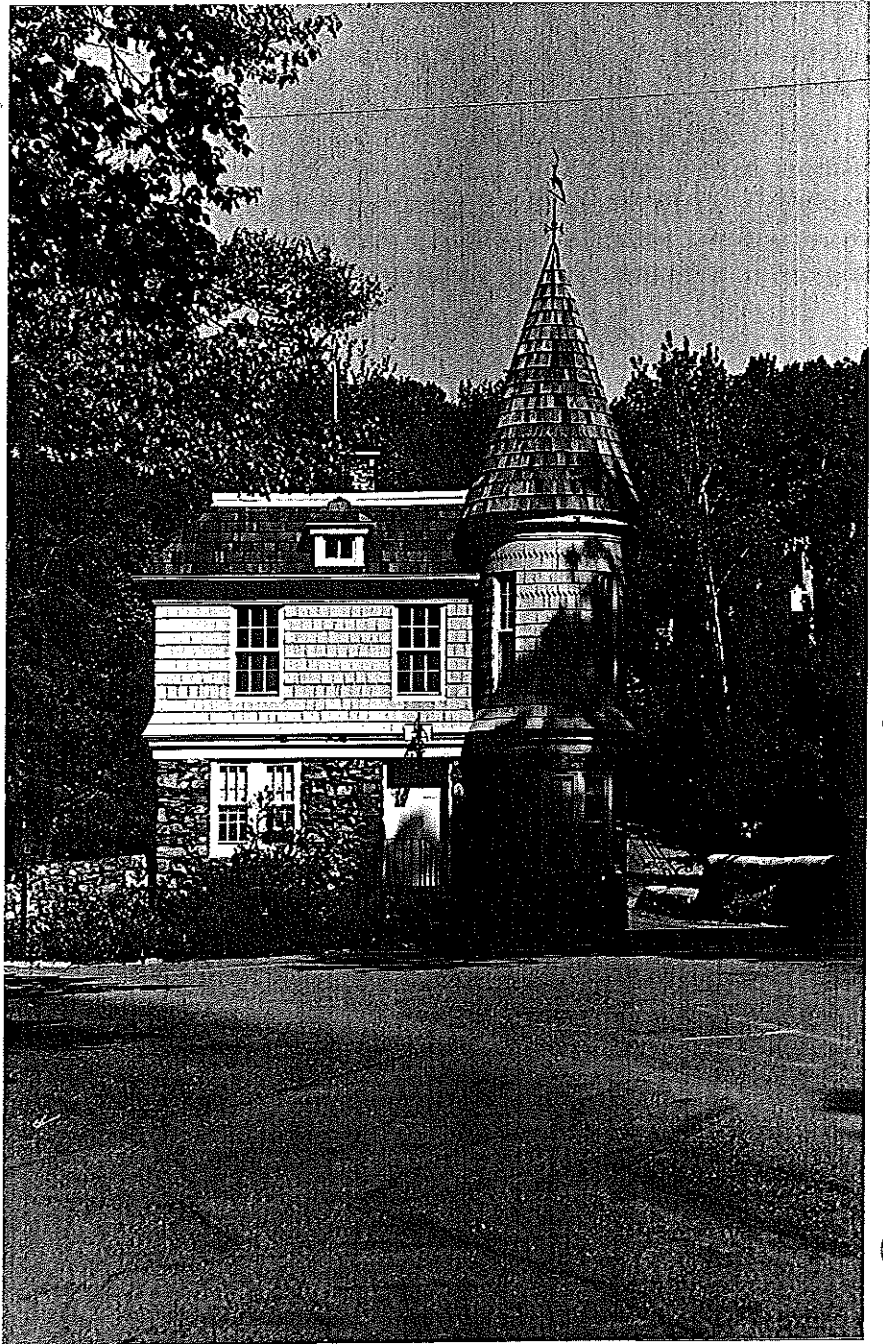
The Architectural & Variance Committee is responsible for the approval of all plans for original construction or structural modifications of residences. Its purposes are to ensure that the ambience and quality of homes in Smoke Rise are maintained and that plans are architecturally and aesthetically appropriate for the site involved.

Plans and specifications, signed by a Registered Architect, should be submitted to the Smoke Rise Club Office, including a lot plan showing proposed locations of the residence, existing and finished grades of the site, location of well, septic field, driveway, etc.

After examining the plans, the Committee either gives its approval or meets with the applicant to work out any changes necessary for approval. Of particular importance is the municipal ordinance pertaining to all Smoke Rise properties requiring a fifty (50) foot setback for all construction (including swimming pools, etc.)

Kinnelon requirements also apply and must be satisfied separately. Approval from the Smoke Rise Club should be obtained prior to any application to the Borough of Kinnelon. However, approval of both the Borough of Kinnelon and the Club Architectural & Variance Committee must be received before construction may begin.

This Committee is also responsible for the approval of any construction in Smoke Rise other than residences (i.e., pools, outbuildings, fences, etc.) and for variations from the Club Rules and Schedule "A". The Committee is not a substitute for any board or department of





the Borough of Kinnelon. Requests for variances from Borough ordinances must be made to the Kinnelon Board of Adjustment.

V.

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*Administration of Activities, Operation of Club and Maintenance of Club Properties*

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The Board of Governors is responsible for the administration of the Club and its various activities, including the maintenance of Club properties and facilities. The Board of Governors consists of twelve resident Members elected by the Club Membership. Four Members are elected at each Annual Meeting for a term of three years. The Board of Governors elects the Club's Officers - i.e., President, Vice President, Treasurer and Secretary.

To assist in carrying out the responsibilities of the Board of Governors, the President assigns specific areas of responsibility to each of the Board Members. The President also appoints Members of the Club to several committees that are necessary to carry out Club functions. All members of the Board of Governors and of Club committees serve without pay.

VI.

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*Club Functions and Their Funding by Club Fees, Dues and Assessments*

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In addition to providing many social and recreational programs and facilities for its Members, The Smoke Rise Club also performs some functions ordinarily provided by a municipality. The Club budget includes funds for resurfacing and maintaining the roads in Smoke Rise. The budget also provides for sanding and snowplowing of roads, general

community upkeep and maintaining and operating entrance gates and other security functions.

Social and recreational activities include publication of The Smoke Rise Club News, maintenance and operation of beach, boat docks, skating pond, ballfield, trails, fishing and other activities. Tennis, sailing and riding are also available to Members. These facilities are operated and maintained by their subclub members.

Participation in recreational and social activities organized by the Club and its subclubs is open to all Members in good standing. Specific fees are charged for certain activities.

The revenue for the Club's needs comes from four sources;

1. *Initiation and Acquisition Fees* - An Initiation Fee is paid by each Member at the time of his admittance to the Club. An Acquisition Fee is charged whenever a nonmember acquires a vacant lot or whenever a Member acquires further, separate property. These fees are used preferably for the purpose of creating new, improved and expanded facilities of the Club.
2. *Club Dues* - Annual dues are established by the By-Laws which provide that each Member must pay to the Club each year \$25 per acre, plus \$25 per house owned.
3. *Operating Assessment* - The income derived from dues is not sufficient to meet the Club's annual operating expenses. Therefore, the Board of Governors determines what additional income is needed each year and recommends the necessary assessment for this purpose to the Club Membership. Such assessment is levied following approval by a majority of Club Members who vote at the Annual Meeting or at a special meeting called for that purpose.
4. *Special Assessments* - The Board of Governors may make special assessments on the Membership for such capital projects, including property acquisition, as it deems desirable, subject to the approval of a majority of Club Members who vote at a meeting called for that purpose.

## VII.

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### *Relationship with Borough of Kinnelon*

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Smoke Rise is part of the municipality known as Kinnelon Borough. Residents of Smoke Rise are citizens of the Borough and, therefore, in addition to Club fees, dues and assessments, pay taxes as assessed by the Borough. Smoke Rise children, as residents of the Borough, are under the jurisdiction of the Kinnelon Public School System. Free bus service to and from school is provided. The Public Library is available to Smoke Rise residents as Borough taxpayers.

Refuse and garbage collection is provided by the Borough through contractual arrangements with a licensed hauler. This contract calls for twice weekly roadside pickups. Check Newsletter for recycling days.

All state, county and Borough laws, ordinances, and regulations are applicable in Smoke Rise and are enforceable by the respective governing bodies. The areas covered include traffic laws, safety regulations, health and sanitation, building permits, building inspection, franchises and licenses, as well as preservation of peace and order. Fishing permits are discussed under a separate section.

The Kinnelon Volunteer Fire Department and Tri-Boro First Aid Squad, Inc. cover the entire Borough, including Smoke Rise. Both are voluntary units and are partially financed by voluntary contributions from concerned citizens.

All Smoke Rise residents are eligible on the same basis as other residents of the Borough to hold public office in the Borough government and school system.

## VIII.

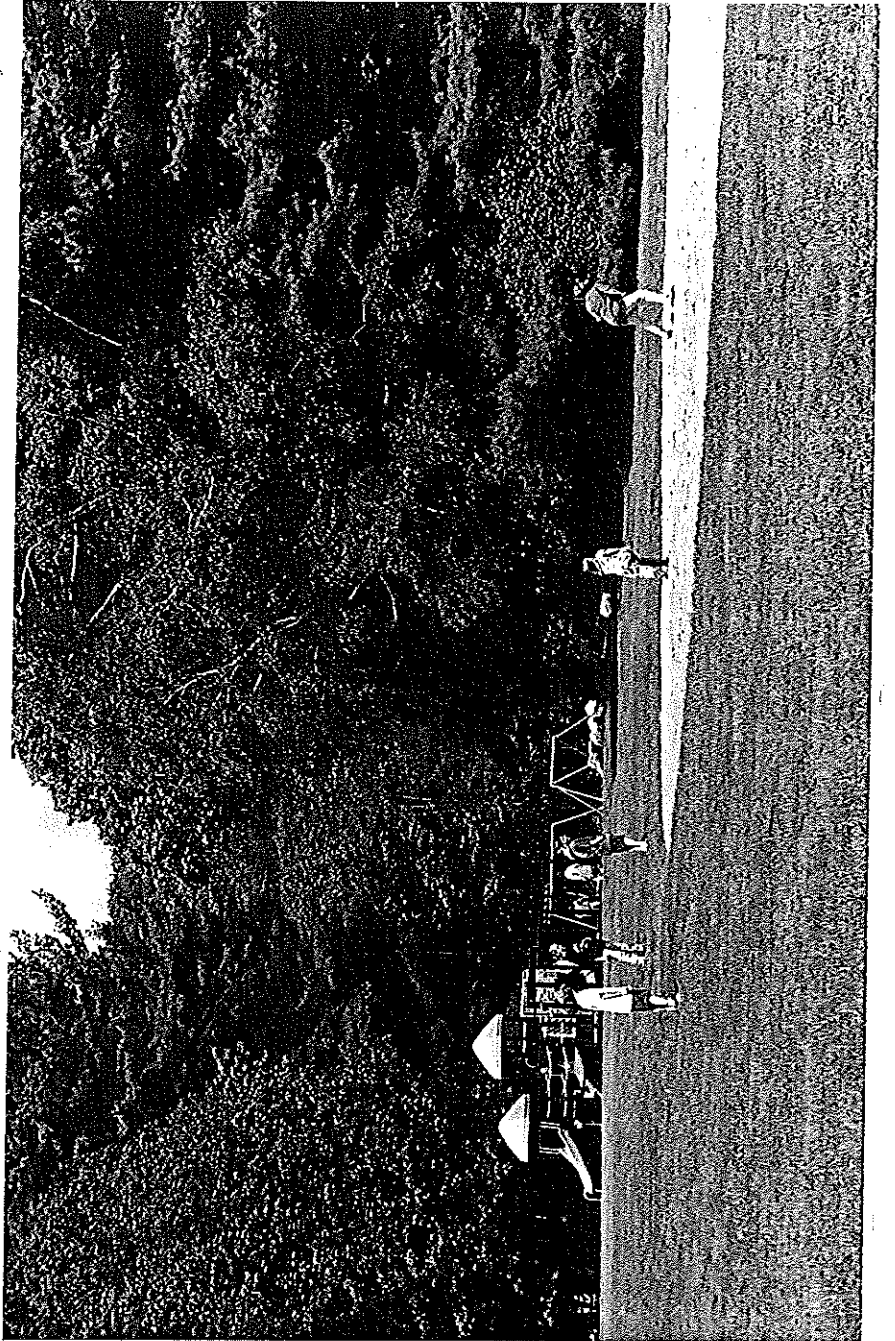
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### *Other Information as to General Services*

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Mail is delivered to the door by the Butler Post Office. United Parcel Service trucks make deliveries from metropolitan area stores.

A gas station with automotive/maintenance services is located at the intersection of Perimeter Road and North Road.



The Smoke Rise Club News is published twice monthly for the benefit of Members. In it may be found timely communications from the Board of Governors, announcements of various subclub activities, and a calendar of events. Articles slated for publication in the News must be received by the Smoke Rise Club Office by the dates specified in the News.

## IX.

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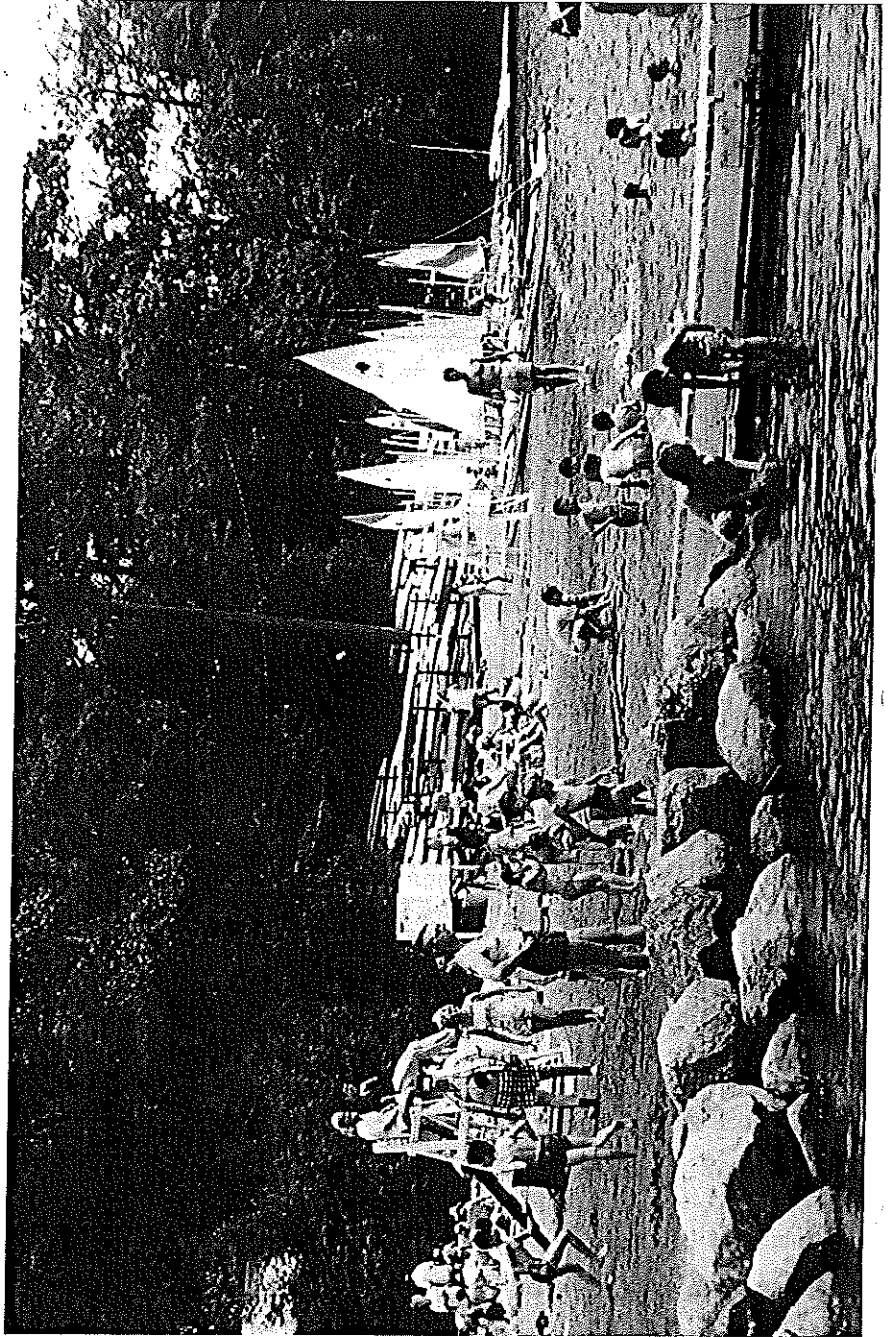
### *Club Activities Open to Members and Their Families*

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A wide spectrum of social and recreational opportunities is offered to Smoke Rise Members and their families. At the beginning of the fall season (and at various times during the winter and spring months), new women residents are invited to a coffee given by the Women of Smoke Rise, Inc. (The Women's Club). Questions as to Smoke Rise organizations, church groups, local schools, social and recreational activities, and the like are explored in detail. In order that new Members may have a general picture of subclub organizations and recreational opportunities, this section includes a brief outline stating the purpose of the organization or activity, the qualifications for Membership, meeting dates, and the benefits and programs sponsored by these subclubs. Members will find the "Telephone Numbers of Your Neighbors", sponsored each year by the Laurel Guild of The Community Church of Smoke Rise and available for a nominal fee at The Smoke Rise Club Office, an invaluable aid. It lists the names and telephone numbers of the current committee chairmen, as well as those of the Kinnelon Police, the Fire Department, Tri-Boro First Aid Squad, hospitals, churches and schools. Area service people also run their ads in this booklet. Here may also be found the names of the Officers of The Smoke Rise Club, and the Board of Governors, as well as the responsibilities of the individual Board Members.

*Baseball* - A ballfield is maintained for Members on Perimeter Road. For Members who would like to reserve the ballfield for a private party, permits may be obtained from the Club Office.

*Beach Program* - The beach and its programs are open to all Members in good standing and their families. The beach officially opens on Memorial Day Weekend, operating on a weekend schedule until summer



closing of Borough schools. After this date, the beach is staffed seven days a week from 10:00 a.m. to 6:00 p.m. until the official closing on Labor Day. The beach area also includes adequate parking, snack bar, picnic area with barbeque pits, and telephone. The swimming area is clearly marked and there are racing lanes for use by Members and the Swim Team.

The beach program consists of Red Cross swim lessons, arts and crafts, sports, swim team and sailing lessons. It provides wholesome activities for young people during the summer. The program also offers trips to nearby places of interest and special functions held at the beach.

*Playgrounds* - At the north end of Smoke Rise Beach, Members will find a playground. It is a multi-purpose jungle gym unit made from "natural material" blending in with the wooded area. This facility is available to all children. A playground is also located on the Village Green, adjacent to, but protected from, the ballfield. For safety purposes, certain restrictions must be observed in using these facilities. Please refer to Smoke Rise Club Rules, Section X of this book.

*Boating* - The Club provides docking areas for rowboats and racks for canoes, for a seasonal charge. Boating stickers and rack assignments must be obtained at the Smoke Rise Club Office. Only electric motors are permitted on Lake Kinnelon except for the lifeguards' safety boat.

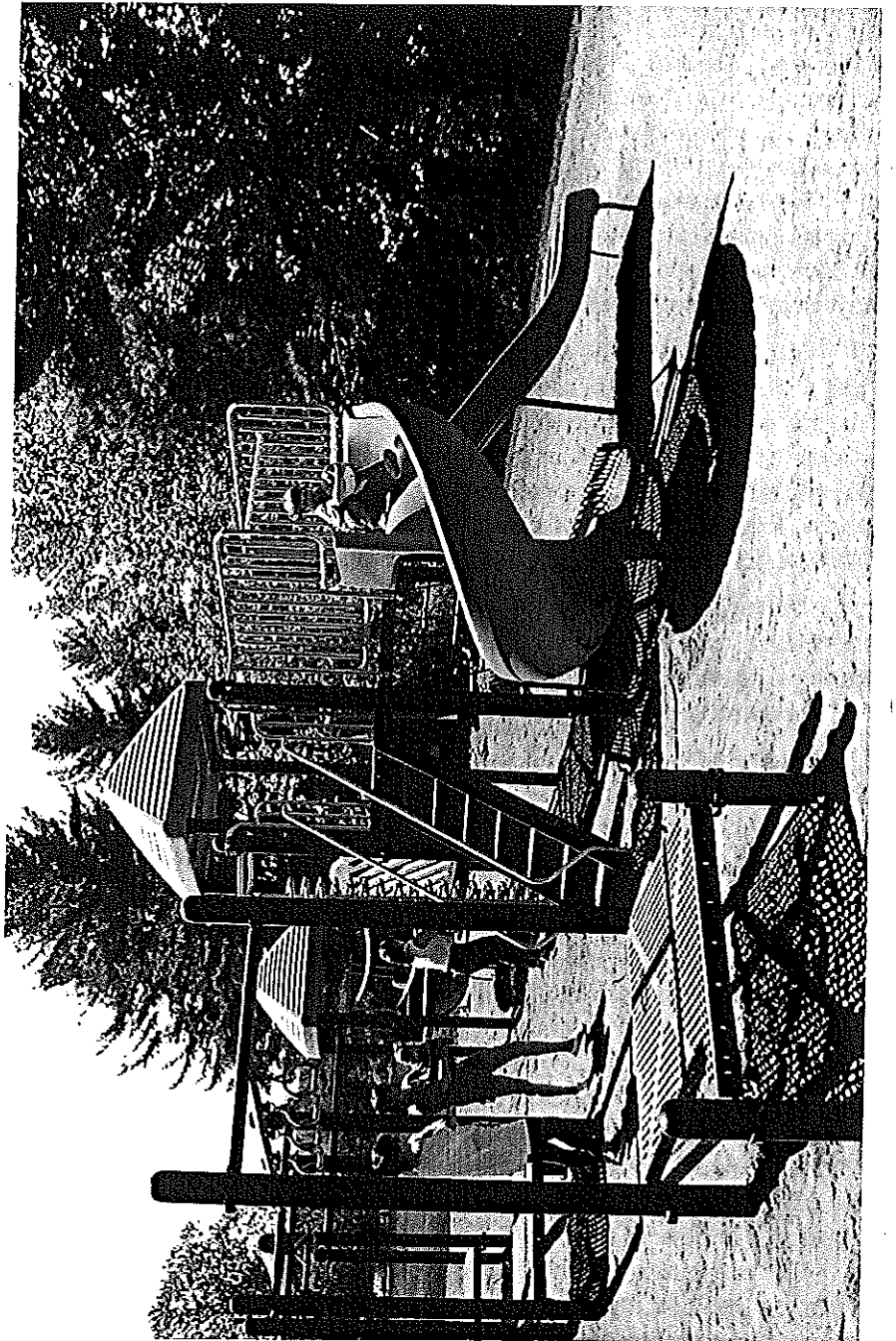
*Bowling* - Three informal groups meet weekly at a local bowling alley. Each group has its own president and is self-sustaining. The Men's Bowling League meets Wednesdays at 9:00 p.m. The Women's League meets Fridays at 9:15 a.m., the Couples League meets Fridays at 6:45 p.m.

*Bridge* - See Women of Smoke Rise.

*Smoke Rise Village Inn* - The Inn is the center of social activities in Smoke Rise. This fascinating building has its roots in the original Kinney estate. The formidable stone walls date back to 1892 and originally enclosed a dairy barn.

Today these walls enclose a place where Smoke Rise residents and their guests gather for cocktails, dinners, dances, parties, club meetings or a sociable stop on the way home. It's also a place for subclub meetings, for Members to host business meetings, catered affairs, receptions, banquets, fashion shows, art exhibits, auctions, fairs, etc.

The Inn offers a warm and inviting cocktail lounge and "Gazebo" dining room for dinners of up to 100 people. For larger groups or events the Inn provides an elegant yet charming facility for 300 people. A spacious dance floor is centered amidst three dining wings.





The Inn belongs to the Members of the Smoke Rise Club. It is for the use and enjoyment of Members and their guests. Membership patronage will ensure the financial and social vitality of the Smoke Rise Inn.

*Cooperative Nursery School* - The Smoke Rise Nursery School, organized in 1955, and located in the Community Church, began as a play school for three and four year-olds. Within the next three years, accredited teachers were hired and the school was granted a Certificate of Approval from the State Department of Education. By-Laws were adopted in 1970 and the school became incorporated in 1976.

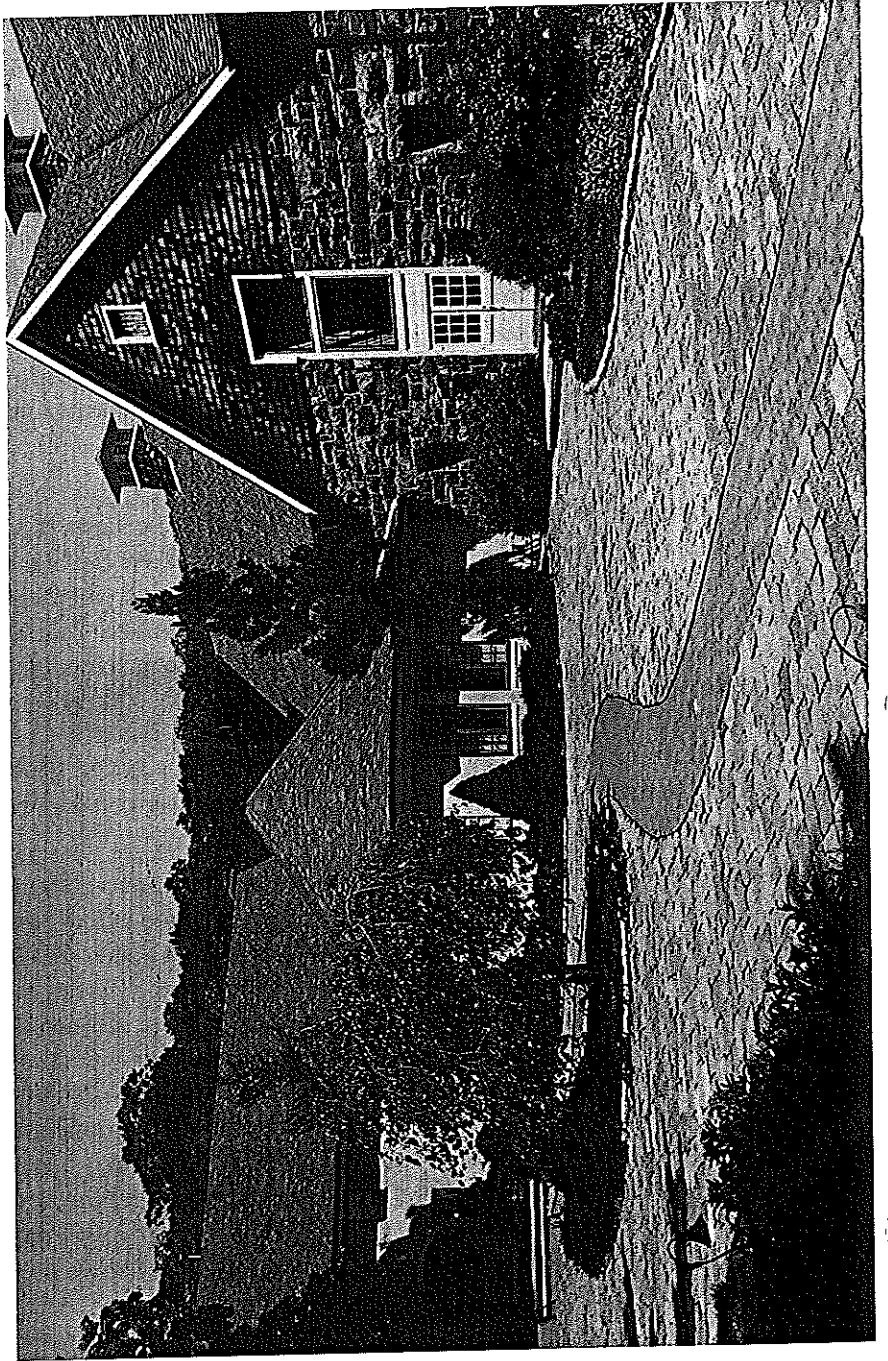
Classes are held from 9:00 - 11:45 a.m. and 12:15 - 3:00 p.m. on Tuesday and Thursday for three year-olds and on Monday, Wednesday and Friday for four year-olds. Enrollment is open to both residents and nonresidents. The staff consists of a Head Teacher who holds Certification in Early Childhood Education and an Assistant Teacher.

*Fishing/Ice Fishing* - The fishing in Lake Kinnelon is excellent. The Lake is stocked with large and small-mouth Bass, Pickerel, Perch, Black and White Crappie, Wall-eyed Pike, Blue-gill, Channel Catfish and Blue Catfish. Fishing is limited to Club Members and their families. Guests must be accompanied by a Club Member. Club fishing badges must be purchased at the Club Office for those 14 years or older. The fishing laws of the State of New Jersey apply, as well as those listed in the Smoke Rise Club Rules, Section X. Members should contact the Club Office or the Governor in charge of Recreation regarding conditions for ice fishing.

*Garden Club* - The Smoke Rise Garden Club was formed to coordinate interest in gardening and horticulture, to encourage efforts toward civic beautification, to develop an increased awareness of the need for conservation and to give an opportunity to its members to learn the basic elements of horticulture and flower arranging. It is an affiliate of the Garden Club of New Jersey. Any member transferring from any other federated garden club is accepted in the Smoke Rise Garden Club without having to serve a provisional term. All new applicants are required to serve as provisional members for a specified period of time.

Regular members are required to attend four meetings a year and participate in Club projects. Meetings are held on the fourth Wednesday of each month (September to May, inclusive, with the exception of December and January).

The Smoke Rise Garden Club landscaped the "triangle" at Long Meadow Road and Perimeter Road. In addition, a committee assists the



Aesthetics Committee of the Board of Governors in the planning of future beautification of Smoke Rise. Every other year either a standard flower show or a house and garden tour is held. A committee also serves on a garden therapy program. Donations are made to state, national and international projects as well as any project of merit within Smoke Rise. In December it is the co-sponsor with the Women of Smoke Rise, Inc. of the Annual Christmas Tea which is held at the Smoke Rise Village Inn.

*Gourmet Club* - Smoke Rise Couples Gourmet Club is composed of couples who enjoy investigating the cuisine and wines of foreign countries and different sections of the U.S.A. Monthly dinners for four to six couples are held using a preselected theme. Each group plans its own menu, and each couple is responsible for the preparation of part of a meal. Three times annually large parties are held which include all Members. It is a wonderful way to enjoy an interesting and delicious dinner while meeting friends and neighbors.

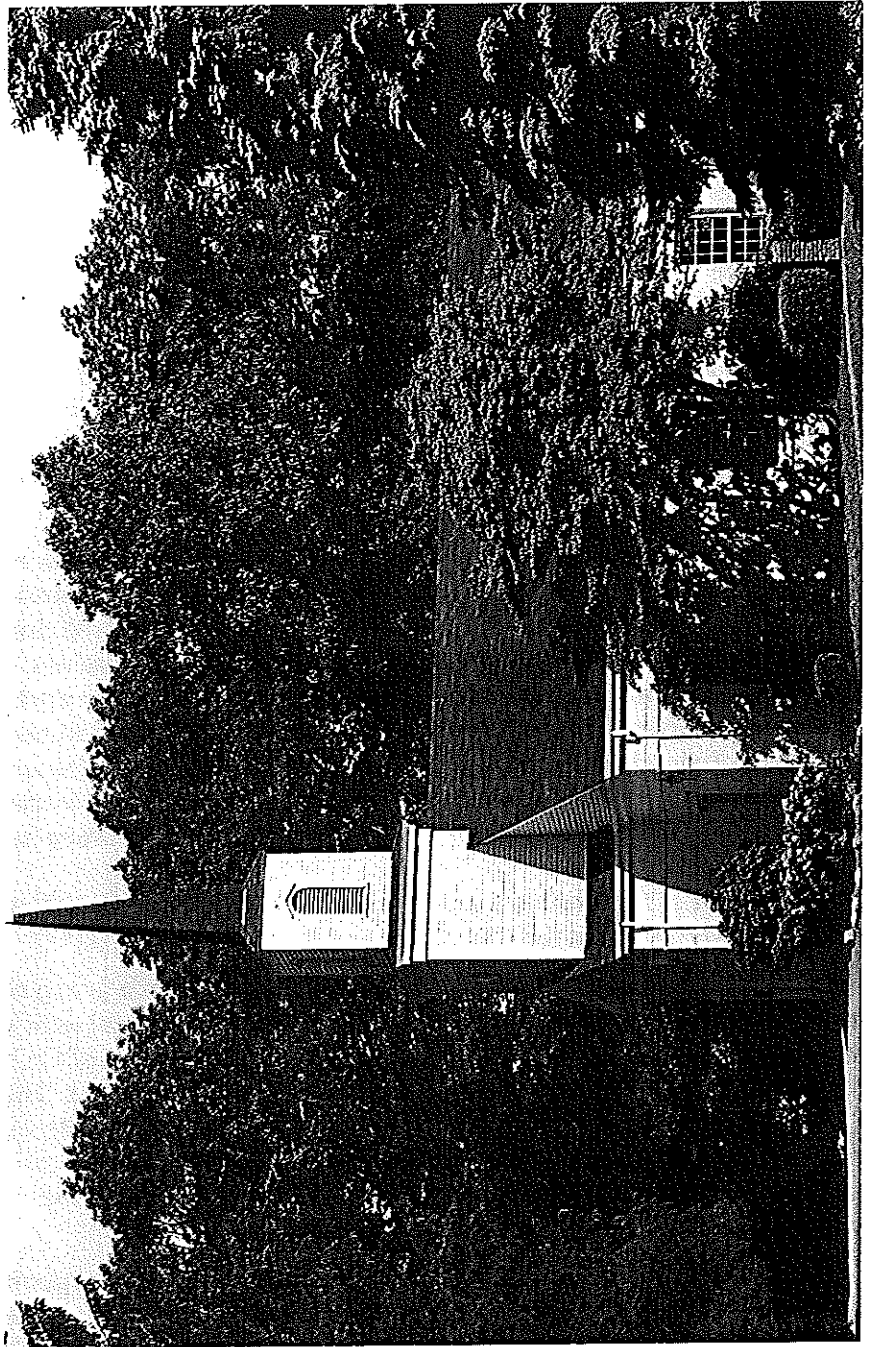
*The Laurel Guild* - The Laurel Guild of the Community Church of Smoke Rise is the women's organization of the Church. The objective of the Guild is to promote a spirit of Christian growth, goodwill and fellowship throughout the congregation and community, to raise funds for Guild and Church purposes and to assist in social and welfare work.

Membership in The Guild is open to all women of the community regardless of church affiliation. Meetings are held on the second Wednesday of the month at the Community Church beginning with a Welcome Coffee in September. Everyone is invited, particularly newcomers to Smoke Rise.

The Guild is responsible for the Smoke Rise Telephone Directory. Directories are on sale at the Club Office and the Church.

*Men's Luncheon Group* - Every Thursday at 12:30 p.m. a group of retired Gentlemen meet at the North Gate to have lunch together at a selected local restaurant. This is a congenial informal group of Club Members, known familiarly as "The O.B.'s" (loosely translated as "The Old Boys"). The group prides itself on having no by-laws, no officers, no dues, no rules or regulations and no diet restrictions. The objective is to enjoy each other's company and to broaden acquaintanceships within the Club community.

*Mother's Support Group* - The purpose of our group is to support mothers and children by helping them develop friendships. We try to bring together children of similar ages. We organize picnics and group



outings. We host an annual holiday party. We have monthly evening meetings for moms. We involve ourselves with community programs.

*Platform Tennis Club* - Organized in 1988 to provide an all season competitive sport. A fully equipped platform tennis facility is located across from the Smoke Rise Firehouse. Membership is open to all. No platform tennis experience is required.

*Riding Club* - The Smoke Rise Riding Club encourages and assists in equestrian activities, including riding in horse shows. It has organized and run the well-regarded Smoke Rise Horse Show since 1964. The members enjoy the privileges of the Smoke Rise Stables which are located on property owned by John Talbot, Jr., and which are under the management of an experienced riding master. Riding Club members and many other Smoke Rise residents have assisted in the past with the Horse Show, stable cleanup programs, and improvements of the grounds and facilities at the show ring area. There are no club initiation fees and dues are modest. Most members board their own horses at the stable, while others are consistent renters. Both children and adults participate. Group and individual lessons are available as well as trail rides.

*Sailing Club* - The Smoke Rise Sailing Club began informally in 1953 when Sailfish were launched in Smoke Rise. A year later Sunday afternoon racing was initiated, and in 1957 the Sailing Club was given official status when By-Laws were enacted and the first Commodore was elected.

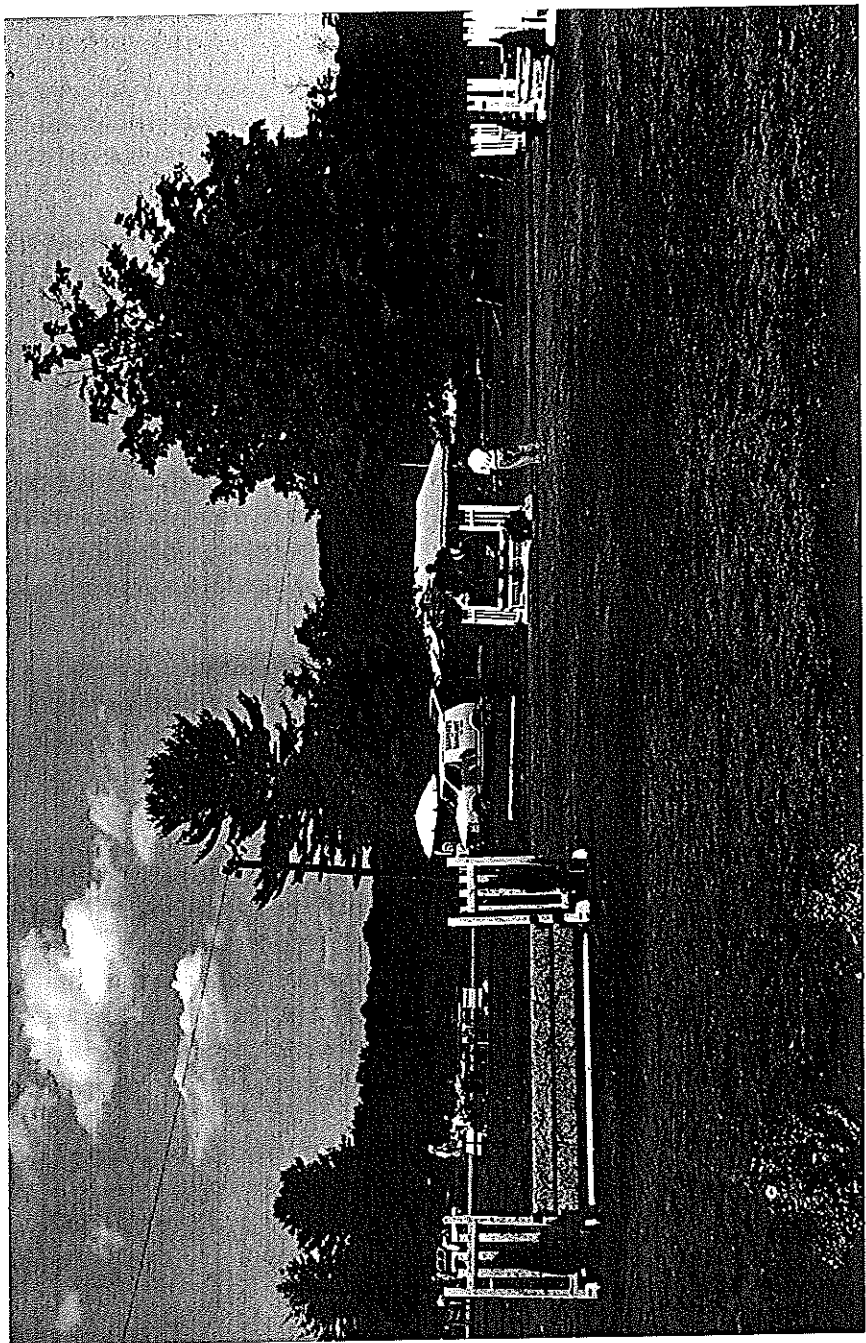
The Sailfish remained the mainstay of the Club for a long time, but in recent years the slightly heavier Sunfish has become more popular.

In 1969, the U.S. National Sailfish Championship was held in Smoke Rise, and two Sailing Club members became national champions.

Competitive racing for members of the Club starts on the Sunday preceding Memorial Day and concludes during the Labor Day weekend. Senior and Junior Class races are held each week at 12:30 and 2:00 p.m. respectively. Skippers must sail in at least seven races to qualify for trophies.

In addition to the regular Sunday competitions, open races are held on Memorial Day, the Fourth of July, and Labor Day. Popular with many members is the regularly scheduled interlake competition with sailing clubs from surrounding areas. Sailing Club members enjoy a proud record in various regattas in which they participate.

One of the Club's major efforts each year is the sponsorship of a junior sailing program. Sailing lessons by highly qualified instructors



are available to all young people in Smoke Rise during July and August. The success of this program is reflected in the number of fine sailors it has produced. Sailing instructors are on hand throughout the week to assist in the movement and setting up of boats.

*Scouting - Boy Scouts* - A Boy Scout Troop is sponsored by the Smoke Rise Community Church. The Boy Scouts meet at the church every Sunday evening from 7:45 to 9:00 p.m. Prospective new members may register at this time. The Scouts have an extraordinary opportunity for all phases of scouting. The Boy Scouts sponsor several programs and are honored with their leaders on Boy Scout Sunday held once a year.

*Cub Scouts* - Boys third through fifth grade (ages 8-10) are eligible to join Cub Scout Pack 212 sponsored by the Smoke Rise Community Church. Pack meetings are held monthly at the church. Weekly den meetings are generally held at the home of the den leaders or at the church. Parent participation and support make it possible to develop a fine program for the Cubs from Bobcat to Webelos. Trips and special events are highlighted each year. Registration is held each fall as announced in the Smoke Rise News or can be accomplished at Pack meetings. Since 1975 over thirty boys have participated each year in the Pack with many going on to join the Boy Scout Troop.

*Girl Scouts* - Kinnelon offers girls from ages of 7 through 18 an opportunity in Girl Scouting. Organized troops, meeting at different schools and churches throughout the community, are for girls in Brownies (grade 2 & 3), Juniors (grades 4, 5 & 6), Cadettes (grade 7 & 8), and Seniors (grade 9 and up). Troops are members of the Morris Area Girl Scout Council which makes available leader training and certified camping areas for day and resident camping.

*Skating* - Hoot Owl Pond, located on Brush Hill Road, offers Members an opportunity to participate in this winter sport. Due to safety considerations, skating is NOT permitted on Lake Kinnelon. The Pond is plowed by the Club, and a lighted shelter is maintained. There is no charge for the use of this facility. Each day during the season signs are posted at both gates and at the Pond, announcing "Skating" or "No Skating". Spotlights illuminating the skating area operate automatically from dusk to 11:00 p.m. daily.

*Smoke Rise Players* - Organized in 1956, the Smoke Rise Players produce amateur theatricals for their own and their neighbors' enjoyment. Their plays, musicals and workshops provide enjoyment for the entire community. The "name of the game" is entertainment, the by-

product is fun for the players and their audiences.

Members participate in many ways with the Smoke Rise Players, whether in actual stage appearances, backstage, lighting or business management. Meetings are announced in the Smoke Rise News. The proceeds from the major productions are shared with civic organizations such as Kinnelon Public Library, other charitable Kinnelon organizations and nearby hospitals.

*Swim Team* - The Smoke Rise Swim Team is a very active part of the beach program. Children ages 6-18 are eligible to participate. The meet season runs from early July through mid-August; practices begin in mid-June.

A Swim Team Coach, employed by the Club, works with all members of the team, building endurance and developing strokes. Parents assist in officiating at the meets and coordinating activities and functions. The team provides all swimmers with the opportunity to compete on their personal ability levels, and it encourages new swimmers to participate in team competition.

*Tennis Club* - Formed in the 1960's by residents who were interested in playing and promoting tennis, the Smoke Rise Tennis Club is completely self-supporting, growing from one original court to nine courts. An annual meeting is held in September and other meetings upon call of the President.

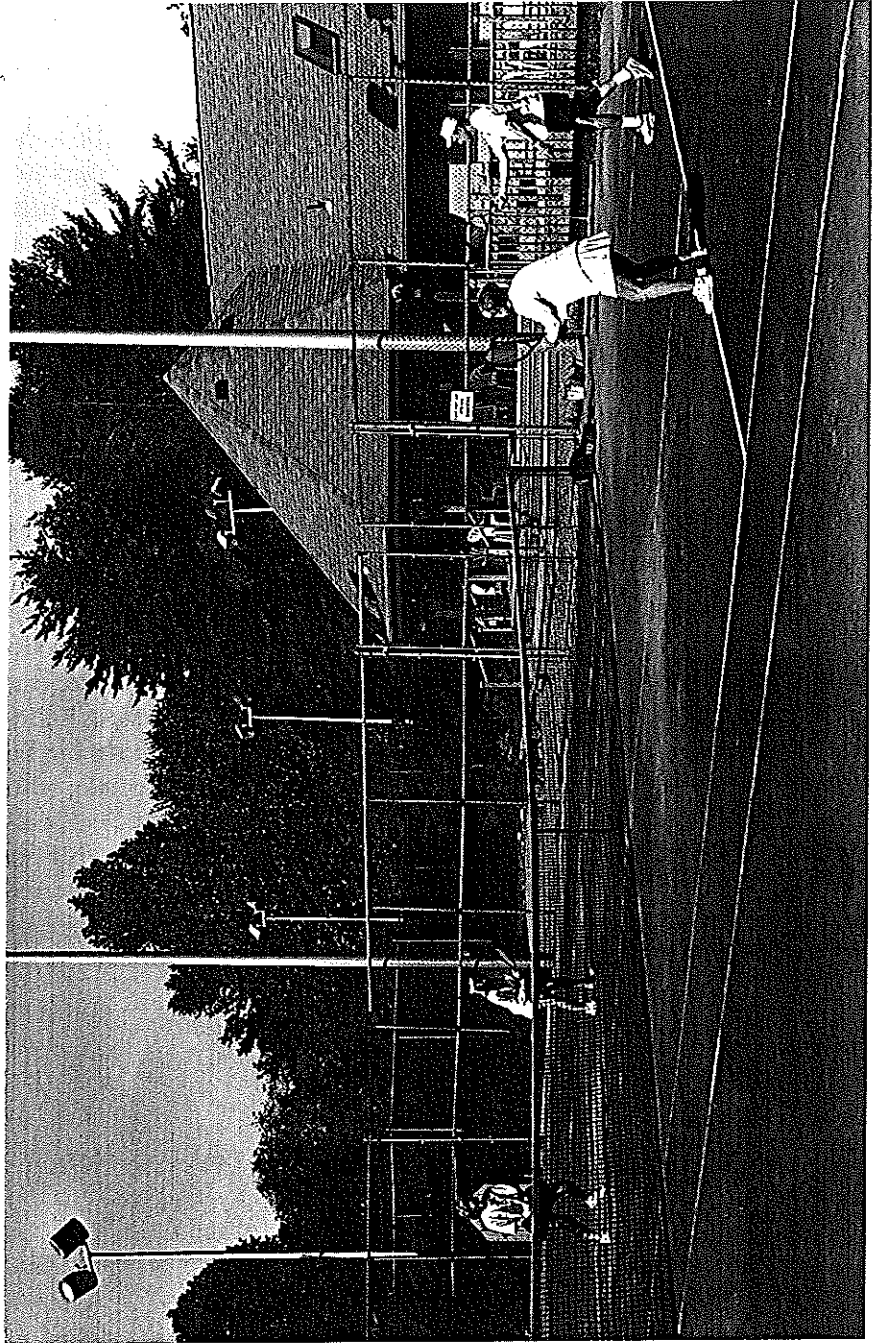
A Club professional is engaged by the Tennis Club for its members during June, July and August, with the added advantage of a full program of junior instruction. Play is continuous on all nine courts, weather permitting. "Fun Tournaments" are run for the members, and serious Club Tournaments are held in Men's and Women's Singles, Doubles and Mixed Doubles.

*The Women of Smoke Rise, Inc.* - This Club was organized in 1951 to bring together, at regular intervals, those women residents interested in community service, as well as social and cultural activities. All women of Smoke Rise who are members in good standing of the Smoke Rise Club are eligible for membership.

The meeting date for September varies yearly, but from October through June, meetings are usually held the first Wednesday of each month. There are no meetings in January, July or August. The location and program for each meeting is published in the Smoke Rise News.

The Women of Smoke Rise, Inc. sponsors many worthwhile activities:





the annual Blood Drive, the Women of Smoke Rise Scholarship Fund, the Christmas Shoppers Bus and Round Robin Bridge Tournaments.

The Welcome Committee calls on all new residents and answers any questions that newcomers may have about the community.

The Friendship Committee invites new residents to coffee periodically to assist them in matters pertaining to local services and programs. The Membership Committee introduces new members at their first women's club meeting. On the first Wednesday in December the Annual Christmas Tea is given by the Women of Smoke Rise and the Garden Club for all women who reside in Smoke Rise.

*Bridge* - Choose your partner or have the bridge chairman choose one for you. Contract bridge is played twice a month, September through May. A fee is charged. Ladies Daytime bridge is played, one table at a house. There are three levels of players - beginners, intermediate and advanced.

Couples Evening Bridge is played also, one table at a house. In June cash prizes are presented to the high scores in each group.

*Volunteer Fire Department* - Fire protection in Smoke Rise is provided by the Kinnelon Volunteer Fire Company comprised of a cross-section representative of volunteerism in America. Since many are out of town much of the time, additional members are always needed. Training drills are conducted twice each month and makeup sessions can be arranged. Membership is open to all residents, male and female, who would like to contribute to the safety of our community. The Fire Company provides an unusual exercise program and spontaneous visits to our neighbors' homes. If there is a fire in your home your ability to operate one of the fire trucks assures response. Application for membership is available through the Club Office.

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*Smoke Rise Club Rules*

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*Smoke Rise Club Rules*

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- I. Introduction
- II. Specific Regulations (incorporated in deed - Schedule "A")
- III. General Rules (applicable to living standards, general protection and safety)

**I. Introduction**

Certain rules have been established by the Smoke Rise Club to provide a wholesome and gracious way of life for people who wish maximum safety and privacy while maintaining respect and protection of the rights of all Members. These rules fall into two broad categories - Specific Regulations and General Rules.

**II. Specific Regulations**

Incorporated in the indenture or deed conveying property to the purchaser are certain Covenants and Restrictions. These conditions "run with the land" and are binding on all subsequent owners of the property. They are referred to as "Schedule A". All prospective members are required to submit an initialed copy of "Schedule A" indicating they have read, are conversant with and agree to abide by the conditions and restrictions contained therein.

**III. General Rules**

Included in this section are the rules of The Smoke Rise Club as adopted by the Board of Governors. These rules have been designed to assure the Members the type of Club community living they desire.

The basis for the rules and their enforcement is contained in Article

## VI and VII of the By-Laws of The Smoke Rise Club.

All Club Members and their families are urged to study these rules and to comply with them, so that all may enjoy to the fullest the advantages of the Club.

The prerogatives of the Board of Governors in taking action on a Club Member's status are neither limited by, nor related to, any action that may be taken by civil authorities in the enforcement of the law. Members, of course, recognize that local, state and federal laws continue to apply within Club properties. Rules are categorized as follows:

- |                        |                        |
|------------------------|------------------------|
| A. Beach               | F. Road                |
| B. Boats & Docks       | G. Skating             |
| C. Club Property       | H. Trails              |
| D. Fishing             | I. Traffic             |
| E. Gates & Gatekeeping | J. General Information |

### A. Beach

The beach officially opens on Memorial Day Weekend. It operates on a weekend schedule until Borough schools close. After opening it is staffed seven days a week from 10 a.m. until 6 p.m. Swimming outside of these protected hours is at the individual's own risk.

The beach and parking area are closed to children under 18 after 9 p.m. unless accompanied by an adult. Adults may be on the beach until 11 p.m.

Only Club Members and their guests, accompanied by their Member host, are permitted to use the beach facilities. Large private parties should not be scheduled at the beach during the summer months. Requests for use permits must go through the Club Office.

#### Rules Always in Effect:

1. All swimming must be done in roped-in areas only, unless permission is obtained from the Beach Director to swim in other areas.
2. Any person wishing to swim across the lake must request permission of the Beach Director and must be accompanied by a boat.
3. Bathing suits are the only acceptable attire for swimming.
4. Eating and drinking on the beach or in the boat dock area are prohibited. They are permitted only in the picnic area and at the Snack Bar.

5. Infants and nonswimmers must be supervised by an adult at all times. Any nonswimming child wearing a flotation device in the water must be accompanied by an adult. Nonswimmers are not allowed on the docks without life jackets.
6. Young children, particularly those who have not passed the Red Cross Intermediate Test, are not to be left unattended at the beach.
7. Infants wearing only diapers are not allowed in the lake.
8. Running on, or swimming under, the docks is not allowed.
9. Swimming, sailing or boating during a lightning storm must be discontinued without delay.
10. No profane language, fighting, horseplay or obstreperous behavior is permitted in the beach area.
11. The access road is only for emergency or other authorized use.
12. Pets are not permitted on the beach or in the picnic area.
13. Cigarette butts are not to be buried in the sand. Use ash trays available at the lifeguard stands.
14. Throwing of stones, sand or rocks is prohibited.
15. All land recreation, such as ball playing and frisbee throwing, must have approval of the Beach Director.
16. Swimming and boating in the areas of "King's Throne" and "Talbot's Cove" or disembarking on Chapel Island are not allowed.

**Peak Hour Regulations:**

When in the opinion of the Beach Director the beach is heavily attended, such as weekends or holidays, the following rules will be in effect:

1. Tubes and rafts will be curtailed when the water is congested.
2. Playing of radios, tape recorders, etc. will not be permitted.
3. Ball playing and similar activities will be discontinued.

**Enforcement of Rules:**

The Board of Governors has given full authority to the lifeguards to refuse beach and swimming privileges to those who conduct themselves in a manner which, in the opinion of the lifeguards, endangers or annoys other members. The lifeguards are present for everyone's protection. Please respect their authority.

The playground area, "Tot Lot", located at the north end of the beach is operated under the following regulations:

1. A child under the age of six must be accompanied by an adult or babysitter.
2. Food and beverages are not permitted in this area.
3. The facility is open only during the beach hours of 10 a.m. and 6 p.m.

#### **B. Boats and Docks**

1. Standing on, diving or swimming from a sailboat, rowboat or canoe are not permitted.
2. At the sound of thunder all boating must be discontinued at once. If unable to return quickly to shore drop sail and mast and wait for the storm to end. The lifeguards will signal "all clear".
3. No more than three people may board a sailfish/sunfish.
4. All boats are required to have safety belts or flotation devices equal to the number of occupants.
5. Nonswimmers may board a sailboat only after permission is secured from the Beach Director, Assistant Director or the Sailing Instructor. Nonswimmers must wear flotation devices at all times. Children boarding boats should have Intermediate swimming classification.
6. At all times every occupant of a sailboat must wear a safety belt or flotation device.
7. Swimming and boating in the areas of "King's Throne" and "Talbot's Cove" are not permitted. Disembarking on "Chapel Island" is not allowed.
8. Boats and canoes are to be moored (racked) in their proper spaces. Mooring is defined as bow and stern lines being secured.
9. No boat may be stored or moored on shore.
10. Boats and canoes must bear a sticker issued annually at the Club Office. Dock and rack spaces are assigned at the Club Office when sticker is obtained.
11. Sailboat rack space and lockers are available only through Sailing Club.
12. Sailboating must be terminated by 9 p.m.
13. All boats must be removed from the docks by November 1. There will be a \$25 removal fee plus a \$200 penalty fee if your boat is not removed. Your cooperation is necessary in order to ready the docks for winter.

### **C. Club Property**

A fifty foot perimeter surrounding the lake is Club property. Members shall not clear, cut or thin out trees, shrubs, plants on Club property.

A member who feels that it is desirable that such property be cleared or thinned out should contact the Club Office.

### **D. Fishing**

1. All fishing regulations issued by the State of New Jersey are applicable to Lake Kinnelon.
2. When fishing, all persons 14 years of age and over must wear a Smoke Rise Club fishing badge, which is obtained at the Club Office. Live bait is limited to worms, except during ice fishing season, when minnows are permitted. Artificial lures and artificial flies are allowed at all times.
3. Fishing on the lake is limited to Members and guests accompanied by their host or hostess. Guest badges are available at the Club Office.
4. Fishing is not permitted off the docks or the shore when it interferes with swimming and/or boating activities.
5. Baiting fish is permitted only with worms and artificial lures except during ice fishing season, December 31 through March 1, when minnows are permitted.
6. No fishing is allowed at Hoot Owl Pond.

### **E. Gates and Gatekeeping**

Gates shall be kept closed at all times except when admitting vehicles in accordance with the following rules:

1. Only vehicles with current Smoke Rise stickers are to be permitted to enter without being stopped.
2. Vehicles without current Smoke Rise stickers are to be stopped by a closed gate. The only vehicles without stickers to be admitted are the following:
  - A. Those cars for which an adult Club Member has called the gate that day and has left the name(s) of the visitor(s) expected.
  - B. Those cars for which advance notice has not been given but for which permission is obtained by a telephone call by the gateman to an adult Club Member. NOTE: only the permission of an adult Member will authorize the admittance of a visitor. If the gateman is in doubt as to whether the person giving the telephone permission is an adult, admittance is not



to be granted unless the adult Member personally comes to the gate and gives approval. Approval by a nonadult Smoke Rise Member of a car without Smoke Rise stickers will not be accepted either by telephone or in person.

C. Those vehicles with current passes.

3. Motorcycles and mopeds must have Smoke Rise stickers and are subject to the same entry rules as other motor vehicles.

4. Trucks may enter Monday thru Saturday 8 a.m. to 5 p.m. East Gate only. A record is kept of all visitors, i.e., name, license number and vehicle description.

Saturday after 5 p.m., Sundays and holidays only emergency vehicles will be permitted to enter Smoke Rise. Emergency vehicles are: fire, police, ambulance, tow trucks, Butler Power Company, Telephone Company and oil and pump service vehicles.

5. Absolutely no construction of any type is permitted on Sundays and before 8 a.m. Monday through Saturday.

6. The following are to be admitted to Smoke Rise at all times, with no approval necessary: Kinnelon Borough Police, Fire and Ambulance vehicles, New Jersey State Police, Sheriff's Deputy, FBI Agents, U.S. Marshall, Attorney General's Office, State of New Jersey Office (with proper identification card and photo).

Process servers may not be admitted without approval of a Club Member or a member of the Board of Governors unless accompanied by Kinnelon Police.

7. Gatemen are not to accept phone instructions, other than names of approved visitors. Lists of visitors (parties, etc.) and detailed instructions must be given to gatemen in writing (with copy to Club Office) so that the phone is not tied up for long periods of time.

8. Gatemen are not permitted to take responsibility for mail, packages, supplies, etc. These may not be left at the Gatehouse for pickup.

9. Moving Vans - the following policies are enforced at the gate for the protection of Members' homes and property:

A. Present residents are to notify the Club Office at least two days in advance of the date of their expected move out of Smoke Rise and the name of the moving company.

B. New Residents will likewise be required to notify the Club Office at least two days in advance of the date of their expected move into Smoke Rise and the name of the moving company.

C. The above information will be placed by the Club Office at the gates. If a moving van arrives at the gate and there is no record there supporting its entrance into Smoke Rise, it will not be admitted.

D. In no event will a commercial moving vehicle be permitted to enter Smoke Rise between the hours of 5 p.m. and 8 a.m.

E. No moving vans will be allowed on Sundays and holidays unless authorized by a Club Officer.

#### **F. Roads**

Road plowing and sanding will be conducted in this sequence:

1. Primary roads
2. Secondary roads
3. Dead-end roads and cul-de-sacs

In case of emergency (medical, fire, etc.) a truck is available to assist where plowing or sanding is required. Emergency telephone numbers are Day 838-7449; Night and Weekends 838-4660, East Gate.

Overnight parking is not allowed by the Borough of Kinnelon. Parking in the cul-de-sacs may cause serious problems especially in wintertime, since the plow trucks cannot completely remove snow and in certain cases may not even be able to turn around. The police will issue summonses for this infraction.

#### **G. Skating**

1. Hoot Owl Pond is the only designated skating area. Skating on Lake Kinnelon is NOT allowed.
2. "Skating" or "No Skating" signs are posted at the two gates and at the pond. Conditions are monitored daily.
3. Stones, sticks or debris shall not be thrown on the ice.
4. Skating hours shall be from 8 a.m. until 11 p.m.
5. Night skating is permitted only when the pond is illuminated and the "Skating" sign is posted.
6. No sleds or other devices are permitted on the pond.
7. Ice hockey shall be confined strictly to the hockey rink at the north end. There shall be no hockey playing in the general skating area.
8. Noisy and ill-mannered conduct is prohibited.
9. Residents may supply their own telephone for the jack at the shed at Hoot Owl Pond.

## **H. Trails**

The Club, through the Board of Governors, is responsible for the maintenance, improvements and rules on the use of the trails which are provided for the enjoyment of hikers and equestrians.

Motorbikes and mopeds are prohibited on the trails.

In winter, trails may be used by cross-country skiers and snowshoers.

Snowmobiles are prohibited on the trails and on the lake at all times.

## **I. Traffic**

The motor vehicle laws of the State of New Jersey and the Borough of Kinnelon apply on Smoke Rise roads, and violators are subject to legal penalties.

### *Motor Vehicles Regulations:*

1. Vehicles must not exceed the limit of 30 m.p.h.
2. Vehicles must stop, and remain stopped, when a school bus is taking on or discharging passengers.
3. When road and weather conditions require it, speed must be reduced. If it is necessary to park on the road, room should be left for two cars to pass. Entry and exit lanes at both gates must be respected.
4. All motor vehicles within Smoke Rise must be equipped with mufflers. State rules to combat noise pollution will be in effect at all times. Violators will be reported to the police.

### *Pedestrians, Bicyclists, Mopeds and Motorcycles:*

1. Pedestrians and joggers should stay on the left side, facing traffic, and should carry a flashlight or wear reflective material after dark.
2. Bicycle, moped and motorcycle riders should ride single file and always on the right side of the road.
3. Bicycle and moped riders must not carry passengers, must be equipped with lights and reflectors after dark, and when entering a road from a driveway must come to a stop.

## **J. General Information**

*Bulletin Boards* - Information of interest to residents is posted on the Bulletin Boards at the Gates. Residents may supply posters to the Club Office for mounting by the Club personnel. Such posters may not be in excess of 11" or 12" x 22" rectangular. Outdated posters will be removed automatically and discarded.

It is impossible for the Club to store any signs after removal from the Bulletin Board.

*Chainsaws* - Operation of chainsaws is not permitted on Sundays and holidays. Their use is permitted only on weekdays and Saturdays between 8 a.m. - 5 p.m.

*Dogs* - State and Borough laws pertaining to dogs apply in Smoke Rise. A dog license is required and dogs are not allowed to run at large. Owners not observing these laws may receive summonses and be subject to fines.

*Firearms* - Borough and state laws pertaining to the use of firearms apply in Smoke Rise.

*Flagpole* - The condition and the raising and lowering of the flag at the North Gate is the responsibility of the Club.

*Obituary Notice* - The Club Office will receive notices for inclusion in the Smoke Rise News.

*Town Dump* - Burning of leaves, brush and rubbish is prohibited in Kinnelon. This material may be disposed of at the town dump. Recycling is mandatory in Kinnelon. Information concerning this is available at the Boro Hall.

*Private Parties, Garage Sales, Etc.* - Residents may post temporary direction signs (not to exceed twelve (12) inches square) for private parties, garage sales or other functions under the following conditions:

1. Total of 6 signs permitted.
2. Preliminary approval must be obtained at the Club Office where printed permits are available. Residents are responsible for the removal of their signs within two days following the event.
3. Signs posted without the preliminary filing of the permit will be removed without notice.
4. Nonresidents who request entrance at the gate for the purpose of attending a garage sale will be allowed entry only if personally escorted by an individual representing the resident. Resident holding said sale shall escort nonresidents to the gate.
5. Do not place signs on telephone poles or electrical poles.
6. No free standing signs permitted.
7. For environmental reasons, please use pushpins, tacks, or tape whenever possible if attaching to trees.

**Note:** Illegal signs will be removed by Security.

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*Constitution & By-Laws  
of Smoke Rise Club*

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1995

*By-Laws*  
*of*  
*The Smoke Rise Club*

KINNELON BOROUGH  
Morris County  
New Jersey

FEBRUARY 1987

Revised in accordance with changes  
voted at special membership meetings held  
April 5, 1962; July 11, 1967; October 19, 1968;  
April 23, 1969; May 21, 1972; and May 23, 1982

## ARTICLE I

The name of this Club shall be "The Smoke Rise Club".

## ARTICLE II

The period of existence of the Club shall be forever.

## ARTICLE III

The purposes for which the Club is formed are:

(a) To provide in perpetuity for the care and maintenance of all Club properties now or hereafter owned or otherwise acquired, such as roads, bridle paths, parks, dams, beaches, lakes and water and any streams connected therewith, docks, piers, clubhouses, buildings, other structures and other grounds used for recreation and sports at Smoke Rise, Kinnelon Borough, Morris County, New Jersey, and including all the property lawfully used in common by Club Members on the shores of said lakes and all property adjacent thereto which may be purchased or otherwise acquired from The Smoke Rise Company, Inc., a corporation of the State of New Jersey, its successors and assigns, or from others;

(b) To formulate rules and regulations, and provide for the enforcement thereof, for the use of all Club properties and facilities, now owned and/or hereafter acquired;

(c) To preserve the natural beauty of the Reservation; to create and perpetuate a high social, civic and cultural standard within the community;

(d) To provide and maintain an adequate system of administration; to make available fire and police protection for all Club properties and for the properties of all Club Members; to provide and enforce all reasonable standards of safety;

(e) To make available to Members of the Club facilities for the enjoyment of all the properties mentioned herein and to promote health, welfare, pleasure, recreation, indoor and outdoor sports, entertainment and athletic contests;

(f) To preserve the Smoke Rise Reservation as private property by maintaining entrance gates and by taking over and maintaining all roads after they have been hard-surfaced by the Smoke Rise Company Inc.

## ARTICLE IV

**Section 1.** (a) Membership in The Smoke Rise Club shall be limited to those persons only who are acceptable to and who are elected by the Membership Committee.

**Section 2.** (a) There shall be a Membership Committee which shall consist of three (3) Active Members appointed by the Board of Trustees, and three (3) Active Members chosen annually by the Active Members of the Club.

A majority of the Membership Committee shall be sufficient to approve or reject any application for membership. In the event that there be a tie vote for approval or rejection of an applicant who acquires a contract to purchase property owned by a Club Member, other than that of an officer of The Smoke Rise Company, Inc., the decision will be made by the President of The Smoke Rise Club. In all other cases, the decision will be made by the Chairman of the Board of Trustees. When any application for Membership is approved, such applicant should be considered elected to Membership in the Club.

**Section 3.** There shall be three classes of Membership in the Club: (1) Active, (2) Special and (3) Honorary.

(a) Active Members shall consist of the Officers of the Smoke Rise Company, Inc. and those who have acquired ownership of property in the Smoke Rise Reservation and who have been approved and elected to Membership by the Membership Committee.

(b) Special Members shall be any persons over twenty-one (21) years of age living with an Active Member.

(c) Honorary Members shall be those persons who do not own property within the Smoke Rise Reservation and who, by unanimous vote of the Board of Trustees, shall be deemed to have rendered unusual service to the community of Smoke Rise or who are recognized as prominent in some walk of life.

The Board of Trustees shall be the sole judge of the qualifications for Honorary Membership. There shall be not more than ten (10) Honorary Members at any one time and such Membership shall be for one year, but may be continued from year to year by the Board of Trustees or may be terminated by it at any time. Honorary Members shall have no right to vote but shall have all other privileges of the Club, without payment of dues.



**Section 4.** The members of the immediate family of an Active Member in good standing shall be entitled to Membership privileges. Immediate family shall mean husband or wife, and sons and daughters under the age of twenty-one (21), living under the same roof.

**Section 5.** Persons occupying premises of Active Members in good standing may be granted such privileges, and upon terms and conditions, as the Board of Trustees in its discretion may determine.

**Section 6.** None but Active Members in good standing shall be entitled to vote or to hold office, except as in these By-Laws otherwise provided.

**Section 7.** Membership in the Club, other than Memberships held by Officers of The Smoke Rise Company, Inc. may be terminated:

(a) By the Board of Governors for failure to pay the charges and maintenance fees, sometimes referred to as "dues", herein provided;

(b) For cause, after notice and hearing before the Board of Governors;

The Board of Governors may prescribe (1) the form of notice to be given any Member against whom charges may be instituted; (2) by whom such charges may be made; (3) the rules governing the hearing thereof; and (4) the penalties to be imposed, which may include expulsion or suspension from the Club, except as otherwise provided in these By-Laws.

(c) When any active Member, other than an Officer of The Smoke Rise Company, Inc. ceases to be the owner of real property within the Smoke Rise Reservation, the Membership of such Member shall thereupon terminate.

**Section 8.** Upon the termination, for any reason, of Membership in this Club, all privileges shall thereupon cease. Termination of Membership, however, in any manner shall not release the right of lien of the Club against the property of the person whose Membership is terminated for annual dues or maintenance or other fees and charges. The payment of such lien or indebtedness owing shall not, however, give the owner of the property subject to such lien any rights in Club property, excepting the right of ingress and egress to the property of such person, except as hereinafter provided in these By-Laws.

**Section 9.** If any Member shall be charged, in writing addressed to the Board of Governors and signed by one or more Active Members, with misconduct, action shall be taken against such Member in accordance with the provisions of Article VIII of these By-Laws.

#### **Section 10.**

(a) Each Active Member shall pay to the Club each year the following amounts: For all property acquired or contracted to be purchased by such Member at the rate of Twenty-Five (\$25.00) Dollars per year per acre and an additional Twenty-Five (\$25.00) Dollars per year for building improvements thereon.

(b) Each Special Member shall pay to the Club a Membership fee of Twenty (\$20.00) Dollars per year.

The schedule of payments to be made to the Club by aforesaid Members acquiring or contracting to purchase any acres shall apply not only to all acres sold or contracted to be sold by The Smoke Rise Company, Inc., but also to any acres acquired from any other owner of an acre or acres, this provision being established for the purpose of regulating and controlling resale and transfers by deed, will, descent or otherwise of any acres originally acquired by any Member from The Smoke Rise Company, Inc.

The Board of Trustees shall determine from time to time the dates and the manner in which payments to be made pursuant to these By-Laws shall be payable.

**Section 11.** The Board of Trustees and the Board of Governors may fix and change from time to time an initiation fee as a requirement of admission to Membership, as provided in Article XI, Section 6.

#### **Section 12.**

(a) Where two or more persons are the owners of or have contracted to purchase an acre or acres, the Board of Trustees shall determine the terms and conditions under which said persons may enjoy the rights and privileges of the Club.

(b) Other Clubs, such as Tennis Clubs, Golf Clubs and the like, owning or leasing property within the Smoke Rise Reservation, whose memberships consist of the Members of The Smoke Rise Club, shall pay to the Club each year dues and/or maintenance fees equivalent to the rates stated above in Section 10. (a) of this Article IV, but based on only one acre regardless of the number of acres or size of the property so owned or leased, and such Clubs shall be exempt from the payment of initiation fees.

(c) Township, County, State or Federal Agencies, such as Fire and Police Departments, Post Office, etc., if owning or leasing property within

the Smoke Rise Reservation, shall be exempt from all initiation fees and all Club dues and/or maintenance fees.

(d) Utilities such as Transportation, Electric, Telephone, Water Companies, etc., operating under franchise, whether owning or leasing property within the Smoke Rise Reservation, shall be exempt from initiation fees and all Club dues and/or maintenance fees.

**Section 13.** In the event of a default in payment when due of the amount provided by these By-Laws to be paid, the Board of Governors may take action as it considers necessary for the collection thereof. The rights and privileges of Membership of a defaulting Member and of the members of his or her immediate family and of his guests or tenants shall be suspended so long as any sum or sums, provided by these By-Laws to be paid to the Club, shall remain unpaid and in default. The names of such defaulting Members shall be posted in the Clubhouse and in the Club Office. Such names may also be listed in the Smoke Rise Club News.

All delinquent accounts will bear interest at the maximum rate allowable by law per annum together with a reasonable attorney's collection fee not to exceed 33% of the amount due plus court costs, if any.

**Section 14.** In addition to all payments required to be made pursuant to these By-Laws, each Member shall pay such Government Tax as may be assessed or imposed upon such required payment.

**Section 15.** All Members in good standing shall be furnished with Membership cards. These cards must be produced for examination if requested by the Board of Trustees, the Board of Governors, by an Officer or any employee of the Club. No card shall be valid unless same bears the Seal of the Club and the signature of the Member and was issued for the current year. The card of any Member not in good standing, or one who has been suspended or expelled from the Club, may be taken from him by an Officer or employee of the Club.

## ARTICLE V

**Section 1.** Membership in the Smoke Rise Club is nontransferable.

**Section 2.** Before acquiring (by original purchase, inheritance or otherwise) or contracting to purchase land in The Smoke Rise Reservation, each person must submit application for Membership on forms to be obtained from the Club. The Board of Trustees shall prepare such forms of application for Membership.

**Section 3.** If any person, or any member of the immediate family of a Member or a deceased Member, shall acquire any property in the Smoke Rise Reservation, the Board of Governors shall have the power to, and may, determine from time to time, the terms and conditions under which such person or persons acquiring such property may enjoy the rights and privileges of the Club.

## **ARTICLE VI**

**Section 1.** The Board of Governors is hereby empowered to, and in its discretion may, from time to time formulate and prescribe Rules and Regulations, and the manner of enforcement thereof with respect to the use of all Club properties, facilities and activities.

**Section 2.** Each Member of the Club shall be bound by and shall conform to and abide by the By-Laws, amendments and supplements thereto, and all Rules and Regulations which may be adopted from time to time.

**Section 3.** The Board of Governors, from time to time, shall appoint from among the Club Membership such Committees as may be deemed advisable for administrative purposes or for the welfare of the Club, except the Nominating, Membership and Architectural and Variance Committees.

**Section 4.** Membership privileges shall be withheld from any property owner or his or her family, guests or tenants so long as any indebtedness or charges affecting the property or owing by him or her to the Club are due and unpaid.

**Section 5.** The Board of Trustees may in its discretion reinstate any suspended or expelled Member upon payment of all indebtedness and charges owing and may also, in its discretion, reinstate any Member whose Membership has for any other reason been suspended or terminated.

## **ARTICLE VII**

The Treasurer, or such other person as may be appointed by the Board of Trustees, shall keep a record of all Members who own or who have contracted to purchase property in the Smoke Rise Reservation, the number of acres so acquired by such Members, and of the payments to be made to the Club by such Members, pursuant to these By-Laws or by any deeds or agreements. The said records, subject to rules fixed by the Board

of Trustees, shall be open to inspection by any person having a lawful and proper interest therein. The Treasurer or person having charge of such records shall inform any person making inquiry and having a proper interest therein, the amount owing by any Member and the charges against any acre or acres, and shall advise the person making such inquiry that no Membership application will be accepted, or privileges of the Club be granted, unless and until all indebtedness to the Club and charges owing and affecting any acre or acres are paid in full.

## **ARTICLE VIII**

**Section 1.** If any Member shall be charged by any other Member with conduct deemed injurious or detrimental to the order, peace, interest or welfare of the Club, or conduct unbecoming to a Member, or with violation of the By-Laws, or the Rules and Regulations of the Club, such charges shall be put in writing and addressed to the Board of Governors. The Board of Governors shall consider such charges and if, in its opinion disciplinary action is warranted, it shall then hold a hearing giving the parties five (5) days of notice of such hearing and if in their opinion, they find the charges justified, the guilty Member may be suspended or expelled from Membership in the Club. The judgment of the Board of Governors will be final in accordance with ARTICLE IV, Section 7.

## **ARTICLE IX**

### **Section 1.**

(a) The Officers of The Smoke Rise Club shall be a President, a Vice President, a Secretary and a Treasurer, and such assistants as the Board of Trustees or the Board of Governors may deem necessary, each of whom shall be an Active Member, excepting that the Secretary and the aforesaid assistants need not be Members of the Club. Officers shall hold office for one year and until their successors are elected and qualify. A person may be elected or appointed to more than one office.

(b) No Officer, excepting the Secretary and Assistant Secretary, unless expressly provided by the Board of Trustees or the Board of Governors, shall receive any salary or remuneration. Salaries or other remuneration may be paid to employes of the Club, and to the Secretary and Assistant Secretary as the Board of Governors shall determine.

**Section 2.**

(a) The Board of Governors shall elect the President, the Vice President, the Secretary and the Treasurer from the active Members of the Club, excepting that the Secretary need not be a Member of the Club. They shall take office at the time of the Annual Meeting of the Board of Trustees. The President and the Vice President shall not be employees of The Smoke Rise Company, Inc. The President shall be an ex-officio member of the Board of Trustees.

The President, Vice President and Treasurer so elected shall also be the Officers of the Board of Governors and attend its meetings. The President, if not a member of the Board of Governors, shall have a vote in the event the members of the Board of Governors present and voting are equally divided.

(b) The Board of Governors at their first meeting after the Annual Meeting of the Active Members of the Club shall elect these Officers in accordance with ARTICLE IX, Section 2 (a).

**Section 3.** The President or Vice President shall, with the Secretary or Assistant Secretary, within the Budget as set up by the Board of Trustees and/or the Board of Governors, sign all written contracts, and all other written obligations of the Club, excepting checks and drafts of the Club which shall be signed as provided in Section 8 of this ARTICLE.

**Section 4.** The President with the approval of the Board of Governors shall appoint such committees from the Membership of the Club as shall be deemed necessary except the Nominating, Membership and Architectural and Variance Committees. The committees appointed by the President shall report to and be answerable to the President on behalf of the Board of Governors.

**Section 5.** In the absence or incapacity of the President, the Vice President shall perform his duties. In the absence or incapacity of both, the Board of Governors by majority vote may delegate one of the members of the Board to perform his duties.

**Section 6.** (a) The Secretary shall keep the Minutes and other official reports of the Club, and shall perform such other duties as the Board of Trustees or the Board of Governors may assign to him. He shall also have the custody of the Seal of the Club and shall affix same to any document whenever required by order of the Board of Trustees or the Board of Governors.

(b) The Board of Governors shall in consultation with the Officers of The Smoke Rise Company, Inc. obtain details of physical improvements within the Smoke Rise Reservation, either made or proposed to be made, and shall keep all Members of the Club informed of such details at least twice a year.

**Section 7.** The Treasurer shall have custody of all those funds of the Club which are under the jurisdiction of the Board of Trustees and the Board of Governors and shall disburse same according to the directions of the Board of Trustees or the Board of Governors as the case may be. He shall perform the usual duties required of and associated with the office of Treasurer, as well as the special duties outlined in ARTICLE VII of these By-Laws.

**Section 8.** All disbursements in behalf of the Club shall be made by check unless otherwise ordered by the Board of Trustees or Board of Governors. For the disbursement of funds under the control of the Board of Trustees, the checks shall be signed by any two officers authorized and designated by the Board of Trustees. For the disbursement of funds under the jurisdiction of the Board of Governors, checks may be signed by any two officers authorized and designated by the Board of Governors.

**Section 9.** The Board of Trustees shall authorize and designate such Officer or Officers as may be required or considered desirable and for the good of the Club to execute and deliver any documents, contracts, deeds, mortgages, certificates, bonds, notes or other instruments of title, or financial or other obligations of the Club.

**Section 10.** The Board of Trustees or the Board of Governors may employ, or authorize the President to employ Counsel and also an Accountant or Auditor, for such periods as may be considered for the best interests of the Club and to fix the compensation. The Board of Trustees or the Board of Governors may also authorize the Officers to employ such assistants as they consider necessary to carry on efficiently the activities and other functions of the Club and to designate their duties and fix their compensations.

**Section 11.** The Board of Governors, with the advice and consent of the Board of Trustees, and upon the approval of the active Membership of The Smoke Rise Club (in accordance with Article X, Sections 5 & 6) are empowered to borrow money from time to time as may be required to carry on the business of The Smoke Rise Club as they may deem necessary and proper. Such power shall include the right to mortgage, issue certifi-

cates, bonds, give notes or other obligations of The Smoke Rise Club and assign assessments or dues, in order to effectuate such borrowing.

The Officers designated under Section 9 of this article are hereby authorized and directed to execute, seal and deliver on behalf of the Club, and for the purpose of such borrowing, any and all documents, contracts, deeds, mortgages, certificates, bonds, notes or other instruments of title, or financial or other obligations of the Club.

## ARTICLE X

### Section 1.

(a) The Annual Meeting of the Active Members of the Club shall be held in Kinnelon, Morris County, New Jersey in October of each year at a time and place to be designated by the Board of Governors. Not less than ten (10) days written notice by mail shall be given of the meeting, such notice to be addressed to each Active Member of the Club at his or her address as it appears on the books of the Club.

(b) At such Annual Meetings, the following reports shall be presented and elections held as herein provided:

1. Reading of the Minutes of the previous Annual Meeting.
2. Report by the Board of Trustees of (a) the affairs, properties and administration of the Club and any problems arising incident thereto; (b) a statement of all physical improvements within the Smoke Rise Reservation, made or proposed to be made, together with a statement whether the Club has been or will be charged therefor and what the annual maintenance of any such improvement shall be.
3. Report by the Board of Governors of the affairs, operation and administration of the Club activities within their jurisdiction.
4. Report by the Treasurer of: The Auditor's certified statement of the fiscal operations of the Club for the fiscal year ended next preceding the end of the meeting.
5. Report by the Trustees of the Auditor's certified statement of the fiscal operations of the Club for the fiscal year next preceding the date of the meeting.
6. Report by the Board of Governors of the Auditor's certified statement covering the funds under their jurisdiction for the same fiscal year.



## Section 2. Election of the Board of Governors

(a) The Board of Governors shall consist of twelve (12) Members residing within the Smoke Rise Reservation. Such Board of Governors shall be of the rotating type so that four (4) Members shall be elected at each Annual Meeting for a term of three years, unless otherwise specified. Election at each Annual Meeting shall be by majority vote of the Active Members present in person or represented by written proxy.

Vacancies occurring in the Board of Governors shall be filled by the Board of Governors until the next Annual Meeting of the Club.

(b) Each Active Member shall have one vote for each acreage plot owned or under contract of purchase by such Member in the Smoke Rise Reservation.

(c) If ownership of any acreage plot is in the name of two or more persons, either of said persons may cast one vote, but not more than one vote may be cast for each acreage plot.

(d) The President of the Club shall appoint at least sixty (60) days prior to the Annual Meeting of the Members of the Club a Nominating Committee of five (5) Active Members of the Club, whose names shall be posted on the Bulletin Board in the Club House at least thirty (30) days prior to the Annual Meeting of the Members.

The Nominating Committee shall select and nominate candidates for all vacancies then existing or about to occur, in the Board of Governors. Such nominations shall be for a term of three years unless it is to fill an unexpired term.

The names of the candidates selected by the Nominating Committee shall be posted on the Bulletin Board in the Club House at least thirty (30) days before the Annual Meeting.

Any ten (10) or more Active Members of the Club may also nominate candidates for any vacancies existing or about to occur in the Board of Governors or the Membership Committee by making and signing a report of such nominations, posting same on the Bulletin Board of the Club and delivering a copy thereof to the Secretary of the Club at least ten (10) days prior to the Annual Meeting of the Club. No other nominations except as above provided shall be made at the Annual Meeting of the Members.

(e) No member of the Board of Governors shall be eligible for re-election until at least one intervening year shall have elapsed, unless he

is filling an unexpired term.

**Section 3.** All meetings of the Club shall be held in the State of New Jersey at a time and place designated by the Board of Trustees or the Board of Governors, the President or, in his absence, by the Vice President unless otherwise provided in these By-Laws.

All notices required to be given by these By-Laws shall be sent by the Secretary of the Club.

**Section 4.** All action at meetings of Active Members shall be by majority vote of all those present in person and entitled to vote and voting. Any number of Active Members in excess of fifty, entitled to vote and present at any meeting of which notice shall have been given to all Active Members, entitled thereto, shall constitute a quorum for all purposes.

**Section 5.** Votes of the Active Members at all meetings may be cast in person or by proxy, in writing.

**Section 6.** Any notice required by these By-Laws to be given to any Member of the Club may be waived by such Members, in writing.

**Section 7.** Upon ten (10) days written notice to each Active Member, Special Meetings of the Club may be called by the Board of Trustees or the Board of Governors or at the request of the President or the Vice President, the objects of the meeting to be specified in the notice.

## ARTICLE XI

**Section 1.** The Board of Trustees shall consist of not less than five (5) and not more than seven (7) Trustees, of whom at least three (3) shall be appointed by the Board of Directors of The Smoke Rise Company, Inc., and not more than two (2) shall be elected by the Board of Governors from their number as soon as possible after the Annual Meeting. The term of office of members of the Board of Trustees shall be for one year, or until their successors are elected and qualify, and shall commence at the Annual Meeting of the Board of Trustees.

**Section 2.** The Officers of the Board of Trustees shall be a Chairman, a Vice Chairman and a Secretary, to be elected each year at the Annual Meeting of the Board.

**Section 3.** Until such time as The Smoke Rise Club and the Active Members other than The Smoke Rise Company, Inc., and/or its Officers own 66-2/3% of the acreage of The Smoke Rise Reservation, not less than three (3) nor more than five (5) members of the Board of

Trustees shall be appointed by the Board of Directors of The Smoke Rise Company, Inc., and at and after that time they shall be elected by the Active Members.

**Section 4.** The Board of Trustees will have control and jurisdiction over the physical properties and facilities of the Club, either presently owned or later to be acquired. It will have no jurisdiction over the manner in which these properties and facilities will be used or operated, as this will be controlled by the Board of Governors.

**Section 5.** The Trustees shall be responsible to provide for the expansion and improvement of such facilities in order that they may be adequate for the present, as well as the future Membership. The Trustees must provide for a reasonable maintenance of the roads and all Club properties.

**Section 6.** The Board of Trustees with the assistance of the Treasurer shall from time to time make a careful appraisal of the properties and improvements paid for by the Club and a fair value placed on such properties. If these properties appreciate in value or are added to by acquisition of any kind, the initiation fees may be increased as agreed by the Board of Trustees and the Board of Governors to reflect these growing values.

All initiation fees shall be payable to the Club and preferably used for the purpose of creating new, improved and expanded facilities of the Club as agreed by the Board of Trustees and the Board of Governors. In the event of a difference of opinion as to the use of the funds, the full question with complete supporting information will be submitted to a vote of the active Members and will be decided in favor of the majority who cast votes either in person or by mail.

**Section 7.** The Board of Trustees and the Board of Governors shall meet prior to the end of September to prepare and approve the budget for the following calendar year in time for its distribution to the Members at or prior to the Annual Meeting in October. Subsequent to the Annual Meeting, a joint meeting will be held by the Trustees and Governors in which the annual dues will be allocated between the two bodies for their respective needs. In the event of a difference of opinion as to the allocation of the funds, the full question with complete supporting information will be submitted to a vote of the Active Members and will be decided in favor of the majority who cast votes either in person or by mail.

**Section 8.** The Board of Governors shall, with or without the recommendation of the Board of Trustees, have the power to make special assessment of the Membership to acquire additional Club properties as well as the maintenance of properties only, however, upon the approval of a majority of the Active Members of the Club, who cast votes either in person or by proxy, at a meeting called for that purpose upon ten (10) days written notice to each Active Member.

**Section 9.** The Board of Trustees shall also be responsible for the following:

(a) They shall appoint the Members of the Membership Committee (excepting those to be elected annually by the Active Members) and the Architectural Committee.

(b) They shall prepare the form of application for Membership in the Club.

(c) They shall elect the persons chosen for Honorary Membership.

(d) They shall determine the privileges to be granted to Members other than Active Members, to guests and/or tenants of the property of Active Members.

**Section 10.** The Board of Trustees and the Board of Governors shall mutually be responsible for determining the amounts of initiation fees to be paid by the different classes of Members of the Club.

**Section 11.** The Board of Governors shall be responsible for the following:

(a) They shall take action and conduct hearings on charges made against Members of the Club for defaults in payment called for under the By-Laws or for misconduct and they will determine the penalties therefor.

(b) They shall rule on the reinstatement of Members who have been suspended or expelled.

(c) They shall determine the amounts to be paid by the Active and Special Members of the Club as Membership dues and/or maintenance fees, and shall fix the dates of payment for same, subject to the provisions of Article XI, Section 8.

**Section 12.** The Annual Meeting of the Board of Trustees shall be held at Smoke Rise, Kinnelon Borough, Morris County, New Jersey on the last Saturday in October of each year at 2:30 o'clock p.m., but may be adjourned by a majority vote of those present.

The Board of Trustees shall be elected at the Annual Meeting, excepting the two (2) Active Members elected by the Board of Governors.

At each Annual Meeting, the order of business shall be:

1. Reading of the minutes of the previous Annual Meeting.
2. Reports of Officers and Board of Trustees.
3. New Business.
4. Election of Trustees and Officers of the Board of Trustees.

**Section 13.** The Board of Trustees shall hold regular meetings quarterly (or more often if they so determine) at such time and place as the Board may determine, but unless otherwise fixed, the said meetings shall be held in the Club House at Smoke Rise, Kinnelon Borough, Morris County, New Jersey.

**Section 14.** Special meetings of the Board of Trustees may be called by the Chairman or the Vice Chairman or by any two (2) of the Trustees on ten (10) days written notice to each Trustee, the object of such meetings to be specified in the notice.

**Section 15.** Unless herein otherwise provided, five (5) days notice of all meetings of the Board of Trustees shall be given by mail, addressed to each Trustee at his or her address as it appears on the books of the Club.

The Secretary of the Board shall send all notices required to be given by the By-Laws.

**Section 16.** A quorum of the Board of Trustees, shall consist of four (4) Trustees and a majority vote at any meeting of said Board shall be sufficient for all purposes.

**Section 17.** Votes of the Trustees at all meetings shall be cast only in person.

**Section 18.** Any notice required by these By-Laws to be given to any Trustee may be waived by such Trustees in writing.

**Section 19.** The Board of Governors shall hold regular monthly meetings (or more often if they so determine) at such time and place as they may determine.

The Board of Governors shall be responsible for the following:

- (a) It shall budget, control and direct all Club activities such as the Beach, Entertainment, Baseball, Hunting, Fishing, etc.

(b) It shall appoint all committees except the Membership Committee, Nominating Committee and Architectural Committee.

(c) It shall make all Club rules and regulations as well as be responsible for the observance of these regulations and take appropriate disciplinary action when in their judgment it seems to be in the interest of the Members.

(d) The Board of Governors portion of the annual dues shall be used to conduct the Activities of the Club. The income from dues and assessments as well as the income or deficits that may result from all Club activities and operations becomes credits or debits against a separate treasury to be maintained and controlled by the Board of Governors, through an Officer appointed by them. The Board of Governors shall be accountable directly to the Membership for these funds.

(e) In case of necessity or unusual circumstances, the Board of Governors may recommend special assessments and the basis for such assessments to the Membership for any sums needed for the support of the operations of the Club. Such assessments can only be levied, however, when approved by a majority of the votes of Active Members, who cast votes either in person or by proxy, at a meeting called for that purpose upon ten (10) days written notice to each Active Member.

## **ARTICLE XII**

Title to all property of the Club shall be held in the name of the Club. Any conveyance of property shall be made in the name of the Club by the President and attested by the Secretary or, in the absence of these Officers, by those delegated to perform their duties as elsewhere in these By-Laws provides.

## **ARTICLE XIII**

The Seal of this Corporation shall be a disk, circular in form, approximately one inch in diameter, around the outer edge of which, in a band  $\frac{3}{16}$ th of an inch wide shall appear the words, "The Smoke Rise Club", and in the center of which shall appear "1946,N.J."

#### **ARTICLE XIV**

Amendments to the By-Laws shall be submitted to the Board of Trustees or Board of Governors before action thereon, and if approved by the Board of Trustees or the Board of Governors, they shall give to Active Members ten (10) days notice in writing of a meeting of Active Members at which it is proposed that such amendment shall be acted upon including with such notice a copy of said proposed amendment and the adoption of an amendment shall require a majority vote of the Active Members present in person or by proxy. No amendment which increases or decreases the powers, duties, responsibilities, organization, or any other matter affecting the Board of Trustees shall be adopted until approved by the Board of Trustees.

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*Miscellaneous*

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MISCELLANEOUS



## **NOTE TO RESIDENTS**

Pages 52, 53 and 54 "Schedule A" are subject to change in the near future and the amended document will be delivered to each home when appropriate.





**SCHEDULE OF FEES AND OTHER CHARGES**  
**1994-1995**

**The Smoke Rise Club**

Initiation Fees	\$4000.00
Renter's Initiation Fee	\$1333.00
Annual Dues	\$25.00 per acre, plus \$25.00 per house
Operating Assessment:	
Resident	\$1177.00
Non-Resident	\$588.50
Road Assessment:	
Resident	\$207.00
Non-Resident	\$103.50
Land Acquisition:	
Resident	\$68.00
Non-Resident	\$34.00

**Village Inn**

One-Time Assessment:	
Resident Renovation	\$385.00
or	\$171.00 for 6 yrs.
Non-Resident Renovation	\$85.50 per year for 6 yrs.

**Beach Program (no charge for use of beach facilities)**

Swim Lessons/Swim Team	\$55.00 per session per child
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**Sailing**

With Boat	\$70.00 per season
Without Boat	\$90.00 per season

**Boating**

Canoe Racks	\$15.00 per season
Boat Dock Space	\$20.00 per season

**Bowling**

Contact Captains

**Co-Op Nursery School**

Application Fee	\$50.00
Annual Dues	
2 days/week	\$720.00 per year
3 days/week	\$1125.00 per year
(subject to change)	

**Fishing**

Resident Badge	\$15.00 per member/per season
Guest Badge	\$20.00 per guest/per season

**Garden Club**

Annual Dues	\$15.00 per member
Associate Member	\$30.00 per member

**Couples Gourmet Club**

Annual Dues	\$10.00 per couple
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**Laurel Guild**

No Charge

**Platform Tennis**

Lifetime Membership	\$1500.00
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**Riding Club**

Adults	\$25.00
Juniors Under 18	\$10.00
Families	\$50.00

**Sailing Club**

One-Time Assessment	\$50.00 per boat
Annual Dues	\$50.00 per boat
(including boat rack & sail storage space)	
Lockers	\$15.00 per season
Windsurfer Locker	\$60.00 each
Current Member	

**Scouting/Boy Scouts**

Annual Dues	\$30.00 per member
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(Boy's Life Subscription) \$7.50

**Scouting/Cub Scouts**

Annual Dues \$40.00 per member

(Boy's Life Subscription) \$7.50

**Smoke Rise Players**

No Fee

**Smoke Rise Telephone Directory (subject to change)**

\$6.00 per copy

**Tennis Club**

See Flyer

**Women of Smoke Rise**

Annual Dues \$15.00 per member

**Youth Club**

Tuition \$48.00 Grades 3-8

(subject to 4 month term change) \$38.00 Grade 2

ALL FEES SUBJECT TO CHANGE

## **RULES FOR MEMBERSHIP, DUES AND ASSESSMENTS**

### **A. GENERAL RULES**

1. Any party proposing to acquire a residence in Smoke Rise or a vacant lot in Smoke Rise on which he plans to construct a residence for his own use must apply to and be approved by the Membership Committee of the Club before completing such acquisition. One of the conditions of Membership is the payment of the current initiation fee to the Club.

2. Any party who plans to acquire a vacant lot in Smoke Rise but who does not plan to construct a residence on such lot for his own use should not apply for Membership in the Club. However, upon acquiring such lot, such party will have to pay an acquisition fee to the Club of the same amount as the current initiation fee.

3. Any party who wishes to occupy a residential property in Smoke Rise which he does not own, whether by way of lease arrangements or otherwise, must apply to and be approved by the Membership Committee of the Club before occupying such property.

4. Annual dues and operating assessments shall be paid by all property owners in Smoke Rise whether or not they are Club Members. Annual dues are \$25 per acre and an additional \$25 for building improvements. Annual operating assessments are as agreed upon at the Annual Meeting. An improved property (i.e. with a residence) is charged a full assessment. A vacant lot is charged one-half of the full assessment. These amounts are prorated in the event of ownership change or change of a vacant lot to a residential property.

5. Any property in Smoke Rise which is acquired by a corporation, partnership or other entity or device will be charged fees, dues, and assessments in the same manner as if owned by one or more individuals.

6. If the present or future employer of a resident Member, or another party acting on behalf of such employer, acquires the Member's Smoke Rise property as part of the arrangements for moving such employee to another location, such employer or party will not be required to apply for Membership in the Club. It will, however, have to pay an acquisition fee and be subject to the annual dues, full annual operating assessment and any applicable special assessments.

## B. SPECIAL RULES

1. Any resident Member of the Club who acquires one or more additional residential properties in Smoke Rise will have to pay a separate acquisition fee for each such property. Any resident Member of the Club who acquires one or more vacant lots in Smoke Rise will have to pay an acquisition fee for each such lot which is not contiguous to a residential property which he owns or is acquiring.

2. Any nonresident Member of the Club who acquires one or more additional residential properties in Smoke Rise will have to pay a separate acquisition fee for such property. Any nonresident Member of the Club who acquires one or more additional vacant lots in Smoke Rise will have to pay an acquisition for each such lot which is not contiguous to residential property which he owns or is acquiring.

3. Any nonmember of the Club who acquires one or more vacant lots in Smoke Rise will have to pay a separate acquisition fee for each such lot.

4. If any Member of the Club who owns a residential property in Smoke Rise acquires an additional residential property and makes lease or other arrangements for another party, approved by the Membership Committee of the Club, to occupy such additional property, the owning Member will have to pay a separate acquisition fee for such occupation, provided that no such fee shall be payable until three years shall have elapsed from any prior payment of the acquisition fee with respect to such property, either at the time of its acquisition or in connection with a prior lease.

5. Any Member of the Club who acquires one or more additional properties in Smoke Rise and sells one of the properties he owns to an unrelated party within two years of the date the earliest acquisition fee becomes payable on such additional properties will receive a refund from the Club of the earliest acquisition fee paid.

6. Any nonmember of the Club who acquires one or more additional properties in Smoke Rise and sells one of such lots, whether improved or not, to an unrelated party within two years of the date the earliest acquisition fee becomes payable on such lot will receive a refund from the Club of the earliest acquisition fee paid.

7. Each Member of the Club pays one annual full operating assessment on each residential property which he owns in Smoke Rise, which may include any number of vacant lots contiguous to such property.



8. Each Member of the Club who owns one or more vacant lots in Smoke Rise which are not contiguous to any residential property which he may own will have to pay one-half of the annual full operating assessment for each such vacant lot owned, regardless of whether any such lots are contiguous to each other.

9. Each nonmember of the Club who owns one or more vacant lots in Smoke Rise will have to pay one-half of the annual full operating assessment for each such vacant lot owned, regardless of whether any such lots are contiguous to each other.

10. If any party who has been a Member of the Club and owned property in Smoke Rise in the past is readmitted as a Club Member and again acquires property in Smoke Rise, then such party shall receive a credit against the current initiation fee of the amount established as the initiation fee at the time the party sold the original property and moved out of Smoke Rise.

11. If a Member or nonmember of the Club acquires a vacant lot in Smoke Rise which is classified by the Borough of Kinnelon as non-buildable for real estate tax purposes, then any acquisition fee paid on such lot will be refunded by the Club to such party. If such lot is subsequently reclassified by the Borough of Kinnelon as buildable for real estate tax purposes, such party will have to repay the acquisition fee to the Club.

12. If a Member or nonmember of the Club owns a vacant lot in Smoke Rise which is subject to the annual operating assessment in accordance with these Rules, and such lot is subsequently reclassified by the Borough of Kinnelon as nonbuildable for real estate tax purposes, then such assessment will not be applied to such lot, effective as of the date of such classification. If any such lot is subsequently reclassified by the Borough of Kinnelon as buildable for real estate tax purposes, the annual assessment will again be applied to such lot, effective as of the date of reclassification.

13. Additional rules for such assessments may be set at the time of such assessment. In the case of the 1980 special assessment for the acquisition and renovation of the Clubhouse, the following applies:

- a. An annual payment of \$171 will be due by each resident Member family and \$85.50 by each nonresident Member family for 20 years beginning on November 1, 1980.

- b. The amount of \$1100\* may be paid on November 1, 1980 by a resident Member family in lieu of the 20 annual payments of \$171 each. Upon sale of property a resident Member family may elect to obtain a proportionate refund from the Club. If they do so, the new owner will have to make the annual payments, prorated as of the date the property is transferred. However, the new owner will also have the option of making a single payment in lieu of the remaining payments, according to a schedule which will be maintained in the Club Office.
- c. Rule 12 above regarding nonbuildable property and the annual operating assessment will be applied in the same manner to the annual payments required under this assessment.

## **LAND USEAGE AND CONSTRUCTION STANDARDS FOR SMOKE RISE RESIDENTS**

Smoke Rise residents or owners are cautioned to use good judgment in considering any changes to the land or in building any new structure. These standards are put forth to set aside the Smoke Rise Reservation as a natural preserve, to maintain the aesthetic and architectural beauty of the Smoke Rise Community and to secure the value of your investment and that of your neighbors who have established a home here.

Before a Smoke Rise resident or owner may change land useage or initiate construction of a building or addition, the following requirements, based on SCHEDULE A, shall be adhered to:

1. All construction must be located a minimum of 50' away from any property line, known as the "building envelope". Any deviation from this requires a variance from the Borough and the Smoke Rise Board of Governors.
2. All pools, tennis or basketball courts must be constructed 50' back from any property line and any deviation requires a variance from the Smoke Rise Board of Governors.
3. No garages may be constructed separate from the residence.
4. No permanent fences (with concrete footings), free-standing walls, curbing, or structures of any sort may be built on Smoke

Rise Club property, including road right-of-ways (e.g. extending from the edge of macadam roadways to property lines, or approximately a twelve foot strip parallel to the roadway).

5. No utility sheds may be built where they are visible from the nearest roadway and, in all cases, if approved, must be located to the rear of the existing residence.
6. No tents, mobile homes, or temporary buildings shall be erected or maintained on any lot.

Any type fence, pool, ballcourt, shed or building to be constructed must be approved by the Smoke Rise Board of Governors' Architectural and Variance Committee before construction begins. An application must be obtained from the Club Office and written approval received prior to any work done. Smoke Rise Architectural and Variance approval permits must be immediately posted conspicuously at the work site and clearly visible from the street.

Residents or owners are expected to observe the following guidelines:

1. Clear cutting of trees and bushes/natural vegetation is repugnant to the natural setting of lots and good conservation principles. Extensive cutting of trees to create lawns, tennis courts, pools, etc. requires the approval of the Smoke Rise Board of Governors.
2. Diverting waterways, creating ponds, disturbing wetlands is contrary to the concept of the Smoke Rise preserve and any such considerations require review by the Smoke Rise Board, Borough and County agencies.
3. Residents/owners shall not disturb Club road right-of-way strips of land that parallel roadways; construction of curbing or permanent structures is prohibited in this area; where required, owners are responsible for the cost of installation of cement culverts (12" dia. min.).
4. Residents/owners shall keep their property and Club road right-of-ways clear of all debris, garbage, etc. and will be responsible for the disposal of the same from building sites.

**RESOLUTIONS PASSED AND ANNOUNCEMENTS MADE  
BY THE SMOKE RISE BOARD OF GOVERNORS  
INFORMING RESIDENTS OF ISSUES REQUIRING  
SUPPORT AND COMPLIANCE:**

**1. Newsletter announcement published 1/15/90 on obtaining building application approval before construction:**

"Residents are required to contact the Club Office to make application for the approval of all plans for property subdivision, original construction, structural modification of residences or whenever new fences, fence replacements, free standing walls, utility buildings, pools, basketball and tennis courts, etc. are anticipated to be built. It is very important for the Smoke Rise Architectural and Variance Committee to review and approve such construction before it is started. Residents are advised to refer to the requirements outlined in Schedule A and the procedure to be followed as described in the Club Handbook. (These resources are available in the Club Office.) In order to avoid situations that do not conform and to support the aesthetic values that enhance the community, you are urged to cooperate with the requirements and approval procedures in a timely manner before commencing with any construction. Your thoughtful concern in this regard will help to retain the natural beauty and architectural integrity of the Smoke Rise Community."

**2. Resolution against subdivisions:**

(A)-Excerpt from the letter sent to Kinnelon Planning Board from David Deinzer, Vice President of the Board, 3/11/87:

"The Smoke Rise Board of Governors must reiterate that we are distressed with the current trend toward subdivision in Smoke Rise. The original concept of strategically located, aesthetically appealing houses, combined with open spaces reserved as wildlife sanctuaries is under jeopardy. The natural beauty of our landscape was instrumental in our lot locations and lot sizes. We are opposed to continual subdivision of that plan."

(B)-Board Meeting December 18, 1989:

"It is the Board's feeling that we should reiterate our opposition to the subdivision of an existing acreage plot as stated in previous

correspondence to the Kinnelon Planning Board. D. Benedict will write the Planning Board on this matter affirming the Board's opposition to the subdivision of existing acreage plots within Smoke Rise. A motion to reiterate by letter the Board's opposition to subdivisions within Smoke Rise was made by M. Hammond, seconded by L. Cinquegrana. All in favor."

**3. Resolution against "compound" type fences passed at the 3/26/90 Board Meeting:**

"Because the concept of constructing a fence to create a "compound" is wholly inappropriate to the purpose of the Smoke Rise Reservation, where naturally wooded borders, boundaries and breaks are used to preserve the privacy and beauty of residential property, Be it resolved by the Smoke Rise Board of Governors that Smoke Rise Club Members/residents shall not build "stockade" or "institutional" type fence structures that are constructed parallel to front property lines of an acreage plot, requiring main gates across driveways for access, with the intent that the residence will be completely enclosed in a compound, totally isolated and separated from surrounding lots."

**YOUR COOPERATION WILL MAINTAIN THE SPECIAL BEAUTY  
OF OUR COMMUNITY**

Questions on these standards may be addressed to the A&V Committee at the Club Office.

## WHAT EVERYONE SHOULD KNOW ABOUT SEPTIC TANK SYSTEMS

If you are like most people, you know very little about your septic tank system. This is understandable. In urban and suburban areas there are sewers to carry household waste to municipal wastewater treatment plants. In more rural areas, however, septic tank systems provide the functions of both sewers and treatment plants.

All household waste is disposed of through the septic system. The proper operation of the septic system is essential to health, property value, and the ecology. To see if you know enough about your septic system, answer the following questions. If you cannot answer all the questions, your septic system could become a huge aggravation, public nuisance, health hazard and financial burden.

1. Do you know what a septic tank is and how it works?
2. Do you know what kind of soil absorption area you have and how it works?
3. Do you know what causes septic systems to fail?
4. Do you know what it costs to replace a faulty septic system?
5. Do you know that a faulty septic system creates health hazards and pollutes the ground water?

These are very serious questions. The health of your family and the value of your property rely heavily upon the answers to these questions.

*"An ounce of prevention is worth a pound of cure"* was never more true than it is with septic tank care. A small commitment to the care of your septic system will protect you indefinitely from the nightmare created by a failing system. We will try to give you a fairly clear picture of how household waste is treated from drain to soil.

The quantity and composition of waste generated in the home varies according to the number of residents, their personal water usage, and the water-using appliances in the home.

### **The Septic System:**

The septic system is a small, on-site sewage treatment and disposal system buried in the ground. The septic system is comprised of a *septic tank* and a *soil absorption area*.

The septic tank was patented in London around 1900. Webster's Dictionary defines the septic tank as "a tank in which waste matter is decomposed through bacterial action." The modern septic tank is a watertight box usually made of precast concrete, concrete blocks, or reinforced fiberglass. When household waste material enters this box, several things occur:

1. Organic solid material floats to the surface and forms a layer of what is commonly called "scum". Bacteria in the septic tank biologically convert this material to liquid.
2. Inorganic or inert solid materials and the by-products of bacterial digestion sink to the bottom of the tank and form a layer commonly called "sludge".
3. Only fairly clear water should exist between the scum and sludge layers. It is this clear water - and only this clear water - that should overflow into the soil absorption area.

Solid material overflowing into the soil absorption area should be avoided at all costs. It is this solids overflow that clogs soil pores and causes septic systems to fail. Two main factors cause solid material to build up enough to overflow: Bacterial deficiency and lack of sludge removal.

Bacteria must be present in the septic tank to digest the organic solids. Normal household waste provides enough bacteria to digest the solids UNLESS any harm is done to the bacteria. Bacteria are very sensitive to environmental changes. Many home-care products used in most homes every day will destroy bacteria. Check the labels of products you normally use. Labels carrying any of the following warnings will kill bacteria.

- Harmful or fatal if swallowed.
- Avoid contact with the skin.
- Do not get in open cuts or sores.
- If comes in contact with eyes, call a physician immediately.

Check the following list. These are commonly used home-care products that will kill bacteria necessary for proper septic tank operation. Many of these products are used in most homes on a daily basis:

detergents	bleach	polishes
disinfectants	sink & tub cleaners	acids
toilet cleaners	cleaning components	caustic drain openers

People do not think of the effect of these products on the septic system when the products go down the drain. What kind of effect do you think anti-septics have on your septic tank?

Bacteria must be present to digest and liquify the scum. If not digested, the scum will accumulate until it overflows, clogging the soil absorption area.

Drainage pits are precast or concrete block cylinders. They have closed tops, open bottoms, and holes in the sidewalls. Some older septic systems consist of only a drainage pit or cesspool.

### **Septic System Maintenance**

The U.S. Government Department of Health, Education, and Welfare Public Health Service says, "A septic tank system will serve a home satisfactorily only if it is properly designed, installed, and adequately maintained. Even a good system which does not have proper care and attention may become a nuisance and burdensome expense."

Septic system maintenance means two simple things. First, sludge that accumulates in the bottom of the tank must be pumped out periodically. How frequently depends on the size of the tank, the use it gets, and the condition of the system. There is no additive that you can put in the tank that will deal with the sludge. **IT MUST BE PUMPED OUT.** If not pumped out, it will eventually overflow into the soil absorption area. This will clog the system, and it will need to be replaced, at enormous expense and inconvenience.

The second part of septic system maintenance involves the bacteria necessary for solids digestion. If bacteria-killing products are used in the home - as they usually are - the bacteria must be replenished. If the bacteria are not replenished, the septic system will fill up with solid material and overflow into the soil absorption area. This will clog the system, and it will have to be replaced.

Your septic tank could be overflowing solid material into the soil right now, and you won't know it until it blocks the soil so badly that no more drainage is possible. This blockage takes varying periods of time depending on soil structure. **But this is fact: a neglected system will get blocked; it will overflow; it will have an obnoxious odor, it will contaminate and pollute. It will probably have to be replaced.** The first septic system "emergency" usually marks the beginning of the end. Replacement costs vary from \$1500 to \$3000 and up.



### **Some Commonly Asked Questions:**

**Q: What causes the thick crust in my septic tank?**

**A:** The crusting is organic material that has congealed into a solid mass. This condition is dangerous and indicates a bacterial deficiency. Your tank needs pumping to avoid future problems.

**Q: Will acid help my septic system?**

**A:** Acids and chemicals work only temporarily. They are extremely dangerous to use and are harmful to the environment. The Environmental Protection Agency has already banned the use of these hazardous materials in many areas.

**Q: What about yeast or baking soda?**

**A:** Yeast merely provides a fermentation environment. It does not provide bacteria. Baking soda raises the pH in the tank. Again no bacteria provided, and raising the pH too much can actually harm the septic process.

**Q: My system recently backed up for the first time in years. Why should I start maintaining it now?**

**A:** A back up is the first sign of septic system failure. You will be lucky to go another six months without another back up. If you don't start a maintenance program right away, you will be replacing your system soon.

### **Warning Signs of Septic System Failure**

- Sluggish drainage in the home
- Plumbing backups
- Gurgling sound in pipes and rains
- Outdoor odor
- Mushy ground or greener grass in area of septic system

### **Other Causes of Septic System Failure:**

1. Improper placement, in area of poor drainage
2. Improper installation, not according to septic codes

3. Overloading - use water sparingly. Do only full loads of wash at off-peak times if possible. Do not put kitchen grease down the drain.
4. Do not flush cigarette butts, sanitary napkins, or other inorganic materials down the toilet.
5. Garbage disposals - ground up food stuffs are especially hard on the septic system because they are not digested first by the human body.
6. Water softeners - salts and chemicals will damage the septic tank. Channel washing machine and waste from the water softeners into separate disposal area if possible, such as a drywell.
7. Tree roots clogging pipes - ask your septic contractor about this.