

**MINUTES OF WORKSHOP MEETING
KINNELON BOROUGH MAYOR & COUNCIL
DECEMBER 7, 2021**

Meeting began at 7:00 p.m., held at the Kinnelon Library Building, 130 Kinnelon Road, Kinnelon NJ, 07405

Open Public Meeting Act was read by Borough Clerk.

Roll Call: Councilman William Yago, Councilman Robert Roy, Councilman Sean Mabey, Councilman Vincent Russo, Councilman Randall Charles and Councilman James Lorkowski.

ATTORNEY REPORT:

- Boonton Ave Recreation Field- Signed Contract, Closing in 2022
- Maple Lake Dam

MAYOR REPORT:

- Mayor Freda spoke on the Website and RAVE
- Lake Reality - Dam resolution was giving to attorney to review which was done by Fayson Lakes to see if we can use for Lake Reality
- Zip Code now being forward to the Federal Legislation
- Board of Education – Hall of Fame
- Santa was a great hit – over 400 children came to see Santa
- Glenn Sisco is doing well, spoke with him, he is hoping to return to the meetings
- Re-organization meeting is set for January 3, 2022 at 7:00 pm
- Meeting dates were reviewed for 2022

KINNELON VOLUNTEER FIRE DEPARTMENT:

- The Kinnelon Volunteer Fire Department was present at the meeting. The Borough Council review with them some items and questions that they had.

COUNCIL COMMITTEE REPORTS:

FINANCE, PERSONNEL, PUBLIC SAFETY – Councilman William Yago

- Council Yago stated that the only item he had was for closed session.

PUBLIC WORKS – Councilman Robert Roy

- DPW have the trucks ready for the winter and salt delivered to the garage

COORDINATING & RECREATION - Councilman Mabey

- Spoke on a long-time volunteer for the Recreation Committee is resigning

ORDINANCES – KINNELON LIBRARY - Councilman Russo

- Spoke on Ordinance 14-21 and 15-21, which will withdraw until January 2022
- Ordinance 18-21 “ByLaws” which will be adopted at the Mayor and Council meeting next week

UTILITIES & OPEN SPACE – Councilman Randal Charles

- Nothing on Utilities to report
- Open Space – Great News on the Boonton Ave Recreation Field

TECHNOLOGY – Councilman James Lorkowski

- Spoke on Fiber Optics coming to Kinnelon in 2022

P.O. Type: All Include Project Line Items: Yes Open: N Paid: Y Void: N
Range: First to Last Rcvd: Y Held: N Aprv: N
Format: Condensed Received Date Range: 11/19/21 to 12/31/21 Bid: Y State: Y Other: Y Exempt: Y
Include Non-Budgeted: Y

Vendor #	Name	Status	Amount	Void Amount	Contract	PO Type
AC	A.C. DAUGHTRY INC. 21-01638 12/01/21 MONITORING 12/21 THRU 2/22	Open	269.97	0.00		
ACT04	ACTION DATA SERVICES 21-01616 11/29/21 PAYROLL SERVICES THRU 11/19/21	Open	583.16	0.00		
ACU01	ACU-DATA BUSINESS PRODUCTS INC 21-01598 11/19/21 2022 BOOKLETS	Open	3,380.00	0.00		
AFF02	AFFILIATED TECHNOLOGY 21-00170 02/04/21 2021 TECH SERVICES FEB-JAN	Open	1,353.24	0.00		B
ALL04	ALLIED OIL COMPANY 21-01665 12/06/21 GASOLINE DPW	Open	4,002.68	0.00		
ANJ02	ANJR 21-01281 09/27/21 CLASSES FOR JOHN WHITEHEAD	Open	125.00	0.00		
ATL01	ATLANTIC SALT INC. 21-01518 11/08/21 258.71 TONS SALT	Open	13,517.63	0.00		
AUT05	THE AUTO PARTS SOURCE 21-01595 11/17/21 POLICE VEHICLE MAINTENANCE 21-01692 12/07/21 POLICE VEHICLE MAINTENANCE	Open Open	246.91 <u>73.75</u> 320.66	0.00 0.00		
BAC01	BERNARD BACCHETTA ESQ. 21-01687 12/07/21 1ST,2ND,3RD & 4TH QRT MEETINGS	Open	4,800.00	0.00		
BLA06	BLACK RIVER ATHLETICS LLC 21-01592 11/16/21 SOCCER CLINIC 2021 TRAINERS	Open	2,400.00	0.00		
BOR01	BOROUGH OF BUTLER ELECTRIC 21-01662 12/03/21 NOVEMBER ELECTRIC	Open	7,054.56	0.00		
BOR02	BOROUGH OF KINNELON 21-01596 11/17/21 4TH QUARTER SEWER	Open	2,986.43	0.00		
BOR11	BOROUGH OF BLOOMINGDALE 21-01618 11/29/21 INTERLOCAL CONSTRUCTION PERMIT	Open	32,239.75	0.00		
BUZ01	THE BUZAK LAW GROUP, LLC. 21-01694 12/07/21 PROF SERVICES 9/21-10/20/21	Open	9,045.00	0.00		
B02	OPTIMUM 21-01619 11/29/21 DECEMBER CABLE	Open	156.18	0.00		

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
CAB03	OPTIMUM	21-01620	11/29/21	DECEMBER CABLE	Open	116.18	0.00		
CAB04	OPTIMUM	21-01621	11/29/21	DECEMBER CABLE	Open	116.18	0.00		
CAB05	OPTIMUM	21-01622	11/29/21	DECEMBER CABLE	Open	116.18	0.00		
CAB06	OPTIMUM	21-01623	11/29/21	DECEMBER CABLE	Open	116.18	0.00		
CAB07	OPTIMUM	21-01624	11/29/21	DECEMBER CABLE	Open	116.18	0.00		
CAB08	OPTIMUM	21-01625	11/29/21	DECEMBER CABLE	Open	216.18	0.00		
CAB09	OPTIMUM	21-01626	11/29/21	DECEMBER CABLE	Open	116.18	0.00		
CAB10	OPTIMUM	21-01627	11/29/21	DECEMBER CABLE	Open	346.83	0.00		
101	CDM SMITH INC	21-01678	12/06/21	PROF. PLANNING & ENGINEERING	Open	2,053.20	0.00		
CIN05	CINTAS CORPORATION #111	21-01640	12/01/21	MONTHLY CLOTHING NOV 2021	Open	596.20	0.00		
CIT05	CIT FINANCE LLC	21-00174	02/04/21	MURATEC COPIER LEASES FEB-DEC	Open	456.50	0.00		B
		21-00175	02/04/21	MURATEC COPIER LEASE FEB-DEC	Open	135.00	0.00		B
						<u>591.50</u>			
COO03	COOPERATIVE COMMUNICATIONS INC	21-00176	02/04/21	TELEPHONE FEB-DEC	Open	3,128.94	0.00		B
COR12	CORE & MAIN LP	21-01642	12/01/21	PARTS	Open	377.00	0.00		
CQF01	CQFLUENCY	21-01605	11/22/21	PHONE INTERPRETATION SERVICES	Open	44.55	0.00		
CRO04	DAVID CROUTHAMEL	21-01681	12/06/21	ACFE MEMBERSHIP	Open	175.00	0.00		
DAN01	DAN COMO & SONS INC.	21-01487	11/04/21	LEAF CONTAINERS	Open	560.00	0.00		
		21-01569	11/09/21	LEAF CONTAINERS	Open	480.00	0.00		
		1-01576	11/12/21	LEAF CONTAINERS	Open	400.00	0.00		
						<u>1,440.00</u>			

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
DAN11	CHARLES DANIEL	21-01677	12/06/21	REIMBURSEMENT FOR PIZZA LUNCH	Open	169.17	0.00		
DAR01	DARMOFALSKI ENGINEERING ASSOC.	21-01664	12/03/21	FAYSON LAKES ROAD IMPROVEMENTS	Open	2,500.00	0.00		
DEB03	DE BLOCK ENVIRONMENTAL SERVICE	21-01480	11/04/21	MONTHLY MAINT OCT 2021	Open	6,000.00	0.00		
		21-01481	11/04/21	WATER TESTING	Open	3,081.24	0.00		
						<u>9,081.24</u>			
DMC01	DMC ASSOCIATES INC.	21-01114	08/12/21	BOONTON AVE FIELDS-SURVEYING	Open	4,900.00	0.00		
		21-01578	11/12/21	BOONTON AVE FIELDS-SURVEYING	Open	1,600.00	0.00		
						<u>6,500.00</u>			
DOR06	DORSEY & SEMRAU, LLC	21-01650	12/01/21	PROFESSIONAL SERVICES NOVEMBER	Open	611.00	0.00		
EMR	EMR Power Systems, LLC	21-01055	08/03/21	REPAIRS/GENERATOR	Open	463.65	0.00		
EVO01	EVOGOV, INC.	21-01610	11/22/21	WEBSITE HOSTING DECEMBER	Open	200.00	0.00		
EXT01	EXTRA SPACE STORAGE	21-00177	02/04/21	MONTHLY STORAGE 2021 MAR-JAN	Open	795.00	0.00		B
FED01	FED-EX/OMEGA CORPORATE CENTER	21-01601	11/19/21	SHIPPING	Open	39.89	0.00		
FRA13	FRANK SEMERARO CONSTRUCTION,CO	21-01577	11/12/21	WATER MAIN BREAK KIEL AVE	Open	15,658.74	0.00		
GAK01	LAURA GAKOS	21-01612	11/22/21	MILEAGE REIMBURSEMENT	Open	91.44	0.00		
GEN03	GENERAL CODE PUBLISHERS CORP.	21-01594	11/16/21	NJ MUNICIPAL CLERK PROGRAM	Open	170.00	0.00		
GIR01	GIRLS KLAX	21-01689	12/07/21	GIRLS LAX 2021 EXPENSES	Open	5,751.45	0.00		
HAI04	ELLEN HAID	21-01611	11/22/21	REIMBURSEMENT CELL PHONE DEC	Open	30.00	0.00		
HOM02	HOME DEPOT CREDIT SERVICE	21-01603	11/22/21	CHRISTMAS DECORATIONS	Open	1,242.36	0.00		
		21-01633	12/01/21	SUPPLIES	Open	188.22	0.00		
		21-01641	12/01/21	LIGHTS/SUPPLIES	Open	222.86	0.00		
		21-01671	12/06/21	LIGHTS	Open	115.20	0.00		
						<u>1,768.64</u>			

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
HOR04	HORIZON OFFICE EQUIPMENT								
		21-01653	12/02/21	SERVICE CONTRACT DECEMBER	Open	195.00	0.00		
		21-01654	12/02/21	SERVICE CONTRACT DECEMBER	Open	60.00	0.00		
						<u>255.00</u>			
INT15	INT'L INSTITUTE OF MUN. CLERKS								
		21-01609	11/22/21	2022 MUJNICIPAL CLERKS DUES	Open	175.00	0.00		
IUE01	KAREN IUELE								
		21-00182	02/05/21	REIMBURSEMENT CELL FEB-DEC	Open	110.00	0.00		B
		21-01656	12/02/21	REIMBURSEMENT-COOKIES FOR	Open	29.98	0.00		
						<u>139.98</u>			
JCP01	JCP&L								
		21-01613	11/23/21	DECEMBER ELECTRIC	Open	10.82	0.00		
JIM01	JIMMY THE SHOE DOCTOR								
		21-01579	11/12/21	WORK CLOTHES	Open	279.97	0.00		
KEL05	CHRISTOPHER KELLNER								
		21-01652	12/02/21	DRIVEWAY BOND	Open	200.00	0.00		
KIN09	KINNELON BOARD OF EDUCATION								
		21-00902	07/01/21	SCHOOL TAXES JULY-DEC 2021	Open	3,321,495.67	0.00		B
KOV01	DAVID KOVAL								
		21-01615	11/29/21	UNIFORM ACCESSORIES	Open	1,096.66	0.00		
KPEC001	KINNELON PARENTS/EXCEPT. CHILD								
		21-01648	12/01/21	FRIGHT NIGHT w/KHS TRUST CLUB	Open	199.67	0.00		
		21-01649	12/01/21	MOVIE NIGHT AT THEATER	Open	149.00	0.00		
						<u>348.67</u>			
LAK02	LAKELAND BANK EQUIP FINANCE								
		21-00186	02/05/21	2 DODGE CHARGERS #8108838	Open	1,588.55	0.00		B
		21-00187	02/05/21	2020 FORD EXPEDITION #8125248	Open	1,286.55	0.00		B
		21-00188	02/05/21	2021 FORD EXPLORER #8130983	Open	1,246.55	0.00		B
						<u>4,121.65</u>			
LAK13	LAKELAND AUTO PARTS								
		21-01482	11/04/21	PARTS	Open	89.48	0.00		
LAW01	LAWMEN SUPPLY COMPANY								
		21-01581	11/12/21	MASK/THROAT PROTECTOR/BLANKS	Open	1,206.20	0.00		
LAW07	LAWSOFT INC.								
		21-01680	12/06/21	DECEMBER IT SUPPORT	Open	695.00	0.00		
MAT04	MATTHIJSSSEN, INC.								
		21-00189	02/05/21	SERVICE CONTRACT FEB-DEC 2021	Open	2,300.00	0.00		B
MON14	MONMOUTH TELECOM								
		21-01647	12/01/21	TRANSPARENT LAND SERVICE SETUP	Open	400.00	0.00		

Vendor #	Name	Status	Amount	Void Amount	Contract	PO Type
PO #	PO Date	Description				
MOR07	MORRIS COUNTY DETECTIVE ASSOC.					
21-01682	12/06/21	MEMBERSHIP DUES 2022	Open	100.00	0.00	
MOR14	MORRIS CTY POLICE CHIEFS ASSOC					
21-01460	10/28/21	LUNCHEON/HONORING POLICE CHIEF	Open	200.00	0.00	
MOR21	MORRIS COUNTY M.U.A.					
21-01575	11/12/21	TIPPING FEES FOR OCT 2021	Open	38,488.79	0.00	
MOR42	THE LAND CONSERVANCY OF NJ					
21-01628	11/29/21	DEVELOP OPEN SPACE/RECREATION	Open	4,000.00	0.00	
MUN02	MUNICIPAL RECORD SERVICE INC.					
21-01604	11/22/21	ATS MAILERS	Open	947.00	0.00	
NES01	NESTLE PURE LIFE DIRECT					
21-00191	02/05/21	WATER, COFFEE, SUPPLIES	Open	301.16	0.00	B
NEW331	NEW JERSEY DEVILS					
21-01695	12/07/21	KINNELON NIGHT AT THE DEVILS	Open	7,725.00	0.00	
NJD07	NJ DEPT HEALTH & SENIOR SERV					
21-01661	12/03/21	DOG LICENSES-NOVEMBER	Open	3.60	0.00	
02	NORTH JERSEY MEDIA GROUP					
21-01600	11/19/21	LEGAL NOTICE-RABIES CLINIC	Open	48.16	0.00	
21-01614	11/24/21	TAX SALE LEGAL ADVERT 2021	Open	58.81	0.00	
21-01655	12/02/21	LEGAL NOTICE-LAKE REALITY	Open	84.40	0.00	
				<u>191.37</u>		
NOR13	NORTH JERSEY MUNICIPAL					
21-00192	02/05/21	DENTAL INSURANCE MAR-JAN '22	Open	3,766.00	0.00	B
ODB02	THE ODB CO					
21-01489	11/04/21	LEAF VAC REPAIRS	Open	508.86	0.00	
ONE03	ONE SOURCE OF NEW JERSEY LLC					
21-01429	10/20/21	SUPPLIES	Open	919.69	0.00	
PBM01	PBM SUPPLY COMPANY					
21-01580	11/12/21	SUPPLIES	Open	490.65	0.00	
PET07	JOSEPH PETOCZ					
21-01651	12/02/21	DRIVEBOND	Open	200.00	0.00	
PSE01	P.S.E. & G.					
21-01617	11/29/21	DECEMBER GAS	Open	2,111.50	0.00	
PVB01	PV BUSINESS SOLUTIONS					
21-01606	11/22/21	2022 OSHA COMPLIANCE JOURNAL	Open	298.50	0.00	
RAC02	RACHLES/MICHELE'S OIL CO., INC					
21-01666	12/06/21	DIESEL DPW	Open	1,585.47	0.00	

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
REI09	REINER GROUP INC.	21-01691	12/07/21		Open	7,390.00	0.00		
RIV03	RIVERDALE POWER MOWER INC.	21-01485	11/04/21	OIL	Open	23.95	0.00		
RUS03	VINCENT RUSSO	21-01632	11/30/21	EYEGLASS REIMBURSEMENT	Open	300.00	0.00		
SAF07	SAFE FLEET LAW ENFORCEMENT	21-01401	10/15/21	OUTDOOR AP KIT/INSTALLATION	Open	3,673.50	0.00		
SCH30	MELANIE SCHUCKERS	21-00196	02/05/21	REIMBURSEMENT CELL FEB-DEC	Open	60.24	0.00		B
SKY05	SKYTOP RECYCLING	21-01486	11/04/21	LEAF CONTAINER	Open	1,200.00	0.00		
SMO01	SMOKE RISE CLUB	21-01607	11/22/21	2ND/3RD QTR REIMBURSEMENT 2021	Open	6,888.27	0.00		
SOS01	GABRIELA SOSNIAK	21-01688	12/07/21	DRIVEWAY BOND REFUND	Open	200.00	0.00		
A	STAPLES ADVANTAGE, DEPT NY	21-01587	11/15/21	FINANCE SUPPLIES	Open	198.72	0.00		
		21-01591	11/15/21	OFFICE SUPPLIES CLERKS' OFFICE	Open	47.41	0.00		
		21-01608	11/22/21	7 CASES COPY PAPER	Open	279.93	0.00		
		21-01660	12/03/21	OFFICE SUPPLIES REC	Open	553.96	0.00		
		21-01674	12/06/21	TAX OFFICE SUPPLIES	Open	211.29	0.00		
		21-01675	12/06/21	FINANCE SUPPLIES	Open	41.28	0.00		
		21-01676	12/06/21	OFFICE SUPPLIES POLICE DEPT	Open	26.58	0.00		
		21-01685	12/07/21	BLACK TONER	Open	<u>50.19</u>	0.00		
						1,409.36			
STI02	JENNIFER L. STILLMAN	21-01672	12/06/21	EYEGLASS REIMBURSEMENT	Open	300.00	0.00		
		21-01673	12/06/21	MILEAGE REIMBURSEMENT	Open	<u>170.94</u>	0.00		
						470.94			
SUB03	SUBURBAN DISPOSAL INC.	21-01570	11/09/21	GARBAGE COLLECTION OCT 2021	Open	62,805.55	0.00		
TAR02	BARBARA TARTARILLA	21-01630	11/30/21	EYEGLASS REIMBURSEMENT	Open	300.00	0.00		
TRI21	TRI-STATE MATERIALS LLC	21-01690	12/07/21	FIELD MAINTENANCE MATERIALS	Open	244.02	0.00		
TRU02	TRUGREEN	21-01424	10/20/21	FIELD MAINT GRUB CONTROL	Open	510.00	0.00		

Vendor #	Name	Status	Amount	Void Amount	Contract	PO Type
TUR01	TURN-OUT UNIFORMS INC.					
21-01679	12/06/21 PANTS	Open	159.98	0.00		
TYR01	TYREX RESOURCES LLC					
21-01257	09/16/21 REMOVE 119 CAR/15TRUCK TIRES	Open	447.00	0.00		
USP02	U.S. POSTAL SERVICE					
21-01663	12/03/21 POSTAGE	Open	10,574.72	0.00		
VER06	VERIZON WIRELESS					
21-01631	11/30/21 MONTHLY BILL 10/10-11/09	Open	599.02	0.00		
VER11	VERIZON WIRELESS - KPD					
21-01693	12/07/21 MONTHLY BILL NOVEMBER	Open	152.04	0.00		
WAS04	WASH HOUNDS					
21-01629	11/29/21 MONTHLY CAR WASHES 10/21	Open	108.00	0.00		
ZUI	DAVID ZUIDEMA, INC.					
21-01639	12/01/21 SEPTIC MAINTENANCE	Open	585.00	0.00		

Total Purchase Orders: 123 Total P.O. Line Items: 0 Total List Amount: 3,628,484.24 Total Void Amount: 0.00

Totals by Year-Fund						
Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total	
CURRENT FUND	1-01	3,561,070.35	0.00	0.00	3,561,070.35	
WATER FUND	1-05	19,022.63	0.00	0.00	19,022.63	
SEWER FUND	1-07	7,042.64	0.00	0.00	7,042.64	
	Year Total:	3,587,135.62	0.00	0.00	3,587,135.62	
	C-04	2,500.00	0.00	0.00	2,500.00	
DOG TAX	D-13	12.36	0.00	0.00	12.36	
STATE AND FEDERAL GRANTS	G-02	2,053.20	0.00	0.00	2,053.20	
KAMELOT	K-17	348.67	0.00	0.00	348.67	
SNOW TRUST	N-35	5,337.44	0.00	0.00	5,337.44	
RECREATION SPECIAL	R-16	15,876.45	0.00	0.00	15,876.45	
	S-20	600.00	0.00	0.00	600.00	
	V-27	10,500.00	0.00	0.00	10,500.00	
Community Policing Donations	X-29	3,673.50	0.00	0.00	3,673.50	
RECYCLE FUND	Y-21	447.00	0.00	0.00	447.00	
Total of All Funds:		3,628,484.24	0.00	0.00	3,628,484.24	

RESOLUTION

TO REFUND DRIVEWAY BOND
1 DERRYGALLY CIRCLE

WHEREAS, Joseph Petocz was required to submit a \$200.00 Driveway bond for permit #1719 in order to install a driveway located at 1 Derrygally Circle, Kinnelon, New Jersey; and

WHEREAS, the driveway was installed, inspected and approved by the Public Works Foreman; and

WHEREAS, it is deemed appropriate to refund the driveway bond to Joseph Petocz, 1 Derrygally Circle, Kinnelon, New Jersey, in the amount of \$200.00

NOW THEREFORE, BE IT RESOLVED the chief Financial officer is hereby authorized to refund a check in the amount of \$200.00 payable to 1 Derrygally Circle.

Dated

Karen Iuele
Borough Clerk

RESOLUTION

TO REFUND DRIVEWAY BOND
15 WATERS EDGE

WHEREAS, Christopher Kellner was required to submit a \$200.00 Driveway bond for permit #1717 in order to install a driveway located at 15 Waters Edge, Kinnelon, New Jersey; and

WHEREAS, the driveway was installed, inspected and approved by the Public Works Foreman; and

WHEREAS, it is deemed appropriate to refund the driveway bond to Christopher Kellner, 154 Waters Edge, Kinnelon, New Jersey, in the amount of \$200.00

NOW THEREFORE, BE IT RESOLVED the chief Financial officer is hereby authorized to refund a check in the amount of \$200.00 payable to Christopher Kellner, 15 Waters Edge.

Dated

Karen luele
Borough Clerk

RESOLUTION

TO REFUND DRIVEWAY BOND
9 MIDLAND TRAIL

WHEREAS, Gabriela Sosniak was required to submit a \$200.00 Driveway bond for permit #1720 in order to install a driveway located at 9 Midland Trail, Kinnelon, New Jersey; and

WHEREAS, the driveway was installed, inspected and approved by the Public Works Foreman; and

WHEREAS, it is deemed appropriate to refund the driveway bond to Gabriela Sosniak, 9 Midland Trail, Kinnelon, New Jersey, in the amount of \$200.00

NOW THEREFORE, BE IT RESOLVED the chief Financial officer is hereby authorized to refund a check in the amount of \$200.00 payable to Gabriela Sosniak, 9 Midland Trail.

Dated

Karen luele
Borough Clerk

RESOLUTION NO. _____

RESOLUTION APPROVING STIPULATION OF SETTLEMENT OF TAX APPEAL BY HARRY LIU & MOLLY QI ON PROPERTY KNOWN AS BLOCK 22901, LOT 101 (10 SOUTH GLEN ROAD), BOROUGH OF KINNELON, MORRIS COUNTY, NEW JERSEY

WHEREAS, Harry Liu & Molly Qi filed tax appeals against the Borough of Kinnelon ("Borough") to the Tax Court of New Jersey for the Tax Years 2020 & 2021 challenging the assessment of real property known as Block 22901, Lot 101 (10 South Glen Road) as shown on the Official Tax Map of the Borough of Kinnelon; and

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

WHEREAS, the Governing Body desires to approve the same.

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

1. The settlement of the tax appeal for Block 22901, Lot 101 (10 South Glen Road) reducing the assessment of \$797,800 to \$715,000 for the 2021 tax year is hereby authorized and approved.

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

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

4. This Resolution shall take effect immediately.

CERTIFICATION

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

Karen M. Iuele, Borough Clerk

ORDINANCE NO. 14-21

AN ORDINANCE SUPPLEMENTING ARTICLE II, SECTION 207-4 "DEFINITIONS AND WORD USAGE", AMENDING ARTICLE X, SECTION 207-27 "SCHEDULE I: RESIDENTIAL ZONE", AND ADOPTING NEW ARTICLE XXII "ACCESSORY STRUCTURES AND USES" IN CHAPTER 207 "ZONING" OF THE CODE OF THE BOROUGH OF KINNELON TO PROVIDE FOR THE REGULATION OF ACCESSORY STRUCTURES AND USES IN RESIDENTIAL ZONES

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

WHEREAS, pursuant to N.J.S.A. 40:55D-1 et seq. the governing body of a municipality may adopt land use, land development and zoning ordinances; and

WHEREAS, the Borough of Kinnelon desires to supplement Article II, Section 207-4 "Definitions and word usage", amend Article X, Section 207-27 "Schedule I: Residential Zone" of Chapter 207 "Zoning" of the Code of the Borough of Kinnelon, and adopt new Article XXII entitled "Accessory Structures and Uses" in said Chapter, to provide for the regulation of accessory structures and uses in residential zones.

NOW, THEREFORE, BE IT ORDAINED, by the Governing Body of the Borough of Kinnelon, County of Morris, State of New Jersey, as follows:

SECTION 1. Article II, Section 207-4 “Definitions and word usage”, Paragraph B, shall be supplemented to include the following additional definitions:

TEMPORARY STORAGE STRUCTURE - A movable or portable storage container or self-storage container, or other movable structure that can be used for the storage of personal property and which is located for such purposes outside an enclosed building other than an accessory structure.

TEMPORARY STORAGE STRUCTURE UNIT - A single unit of a temporary storage structure such as a PODS (Portable on Demand Storage) or similar unit.

SECTION 2. Article X, Section 207-27 “Schedule I: Residential Zone” shall be amended such that the second paragraph of said section pertaining to “Accessory uses” is stricken and replaced with the following language and shall now read as follows:

Accessory structures and uses. Accessory structures and uses customarily incidental to the above uses (the term “accessory use,” however, not including a business) shall be regulated under Article XXII “Accessory Structures and Uses”, Sections 207-142 to 207-149, of this Chapter.

SECTION 3. Chapter 207, “Zoning”, of the Code of the Borough of Kinnelon, Morris County, New Jersey is hereby amended and supplemented to include new Article XXII, entitled “Accessory Structures and Uses”, Sections 207-142 to 207-149, which shall read as follows:

Article XXII “Accessory Structures and Uses”

§207-142 Purpose.

It is the intent of this Article is to regulate accessory structures and uses that are customarily incidental to the principal permitted uses delineated in Schedule I, Residential Zone, at Article X, Section 207-27.

§207-143 Survey Requirements for Accessory Structures, Walls, Fences, Generators, Air Conditioning Units and Temporary Storage Structures.

There shall be submitted to the Zoning Officer or other appropriate official a survey of any age, signed or unsigned, showing the proposed location of a proposed accessory structure, wall, fence, generator, air conditioning unit or temporary storage structure, along with an affidavit of “no change” from the property owner provided no changes were made since the date of the survey. If changes were made to the property after the survey was performed, those changes must be marked up on the submitted survey, along with an affidavit from the property owner indicating that the marked-up survey reflects the current

as-built condition. The survey, including any markups and dimensions, must be to scale, and cannot be a reduction or enlargement of the original survey.

§207-144 Permitted Accessory Structures and Uses in Residential Zones.

Accessory structures and uses shall not be permitted on any residential lot unless a primary structure exists. All utilities in an accessory structure may be installed only after obtaining the necessary zoning, building and fire permits, as applicable to the installation.

- A. Any structure on a property other than the primary residence may be considered an accessory structure;
- B. Shipping containers of any size cannot be considered as an accessory structure;
- C. All accessory structures will be considered in calculating the property's allowable impervious coverage;
- D. Sheds, detached garages and other accessory structures require a zoning permit prior to any construction;
- E. Fences and walls require a zoning permit prior to any construction per Section 207-147.

§207-145 Sheds.

- A. A zoning permit and a survey shall be required for all sheds, regardless of size;
- B. Sheds may not be greater than 200 sq. ft.;
- C. Sheds shall be located in either a side yard or a back yard;
- D. Sheds shall be prohibited to be located beyond the front wall of any primary dwelling structure;
- E. Sheds shall not be used for habitation or a commercial purpose;
- F. Sheds shall be prohibited in any front yard including those properties which have more than one front yard such as "corner lots" or "through lots";
- G. Sheds shall be for the exclusive use of the property's resident and shall not be rented or otherwise used by a third-party;
- H. Required setbacks:
 - (1) For properties having a lot frontage of 100 ft. or less:
 - (a) a minimum 10 ft. side-yard setback is required
 - (b) a minimum 5 ft. back-yard setback is required
 - (2) For properties having a lot frontage greater than 100 ft.:
 - (a) a minimum 15 ft. side-yard setback is required
 - (b) a minimum 5 ft. back-yard setback is required
- I. Sheds shall be located no less than 10 ft. from any building;

- J. The maximum permitted height of any shed shall be 15 ft. to the highest ridge, measured from the grade at the entrance of the shed.
- K. Maximum number of sheds:
 - (1) For properties having a lot area of less than 60,000 sq. ft., one (1) shed is permitted.
 - (2) For properties having a lot area of at least 60,000 sq. ft., a maximum of two (2) sheds are permitted.

§207-146 Detached Garages.

- A. Detached garages require a zoning and construction permit. A survey shall also be submitted with the permit application;
- B. Detached garages or other accessory structures cannot have an apartment or other living space built above the same;
- C. Detached garages shall be used only for parking or storing vehicles, tools, workbenches, landscaping equipment, snow removal equipment, pool equipment, and general storage associated with residential uses;
- D. Detached garages shall not be used for habitation or commercial purposes;
- E. Garages, whether attached or detached, are for the exclusive use of the property's resident, and shall not be rented or otherwise used by a third-party;
- F. Detached garages shall not extend beyond the front wall of the primary structure;
- G. Detached garages shall be located in a side yard or backyard;
- H. Detached garages shall be prohibited in any front yard including those properties which have more than one front yard such as "corner lots" or "through lots";
- I. Detached garages shall be located no less than 10 ft. from any building;
- J. The maximum permitted height of any detached garage shall be 18 ft. as measured from the average grade within 10 ft. of the proposed structure to the roof mean height;
- K. Only one detached garage is permitted on any lot;
- L. Detached garages shall meet the following requirements:
 - (1) For properties having a lot area of less than 60,000 sq. ft.:
 - (a) a minimum 15 ft. side-yard setback;
 - (b) a minimum 25 ft. back-yard setback;
 - (c) a maximum of 2 vehicle bays;
 - (d) a maximum 10 ft. overhead door height;
 - (e) a maximum 18 ft overhead door width;
 - (f) a maximum 600 sq. ft. foundation footprint.
 - (2) For properties having a lot area of 60,000 sq. ft. or more:
 - (a) a minimum 25 ft. side-yard setback;
 - (b) a minimum 50 ft. back-yard setback;
 - (c) a maximum of 3 vehicle bays;
 - (d) a maximum 10 ft. overhead door height;

- (e) a maximum 27 ft overhead door width;
- (f) a maximum 1,000 sq. ft. foundation footprint.

§207-147 Fences and Walls.

Fences and walls having an exposed height of 2 ft. or more shall constitute permitted accessory structures. Such fences and walls require a zoning permit prior to the construction of same. A survey must be submitted with the permit application. Any wall having an exposed height of 2 ft. or more shall require a Soil Disturbance Permit in accordance with Chapter 169. Any wall having a total height of 4 ft. or more, as measured from the bottom of the foundation, may require a Building Permit in accordance with UCC rules.

A. General requirements.

- (1) The finished side of every fence must face the property adjoining the lot on which the fence is erected.
- (2) No fence or wall shall be erected or maintained at a height or in a location that would limit or restrict sight distance for any street or driveway under the Residential Site Improvement Standards, N.J.A.C. 5:21-1.1 et seq., or any other regulation of the Borough of Kinnelon, the County of Morris, or the State of New Jersey.
- (3) No fence may contain razor ribbon or barbed wire.
- (4) Electrified fences are prohibited.
- (5) No fence shall be constructed or maintained in any manner which creates an unreasonable risk of harm to persons or animals.
- (6) No fence or wall shall be erected or maintained closer than 6 inches to any property line.
- (7) No Fence/Wall combination may exceed 6 ft. in combined height, measured from grade.
- (8) Fences constructed above or on top of retaining walls may be separated from the retaining wall below by a horizontal distance equal to the height of the retaining wall or the fence, whichever is greater. Fences and walls constructed in compliance with this spacing guideline shall be deemed to constitute separate structures for purposes of calculating height. Otherwise, such fences and walls shall be deemed to constitute one structure for purposes of height calculations. Fences less than 25% solid that do not exceed four feet in height shall be exempt from the requirements of this Subsection.

- (9) Any wall having an exposed height of 30 inches or more, shall have a permanent railing meeting the height and space opening requirements of railings required for decks per the IRC or shall have a permanent fence meeting the pool code requirements. Any wall having an exposed height of 10 ft. or more shall have a permanent fence meeting the pool code requirements.

B. Fences and walls located closer to the street than the principal building.

- (1) No wall except a retaining wall shall be erected or maintained closer to a street line than the closest point of the principal building. Such retaining walls shall not exceed 4 feet in height.
- (2) Fences erected or maintained closer to a right-of-way than the closest point of the principal building shall not exceed 4 feet in height.
- (3) No fence which is 25% solid or more shall be erected or maintained closer to any street line than the principal building except for a decorative fence such as a picket fence.

C. Fences and walls in side and rear yards.

- (1) No fence or wall erected or maintained in any side or rear yard shall have a height exceeding 6 feet.
- (2) Fences and walls erected in side and rear yards may be up to 100% solid.

D. Fences or walls for swimming pools, hot tubs, and similar facilities.

Swimming pools, hot tubs, and similar facilities shall be screened from all adjoining properties by a solid fence or wall in accordance with Appendix G, Swimming pools, Spas and Hot Tubs, of the 2009 International Residential Code as revised and updated from time to time.

E. Fencing for certain athletic facilities.

The provisions of this section shall not apply to fences for athletic fields or tennis courts on public property or public school property.

F. Zoning permit required.

No fence or wall regulated by this section shall be erected, constructed, installed, altered, modified, enlarged or extended except in accordance with a zoning permit issued by the Zoning Officer.

§207-148 Permanently Installed (Non-portable) Generators and Air Conditioner Units.

Permanently installed, non-portable generators and air conditioner units shall not be installed in a front yard; shall maintain a minimum side-yard setback of 25 ft.; and shall maintain a minimum back-yard setback of 25 ft.

When completely installed on the exterior wall of a primary dwelling, ductless air conditioning or heating units shall maintain a minimum side-yard and backyard setback of 15 ft.

§207-149 PODS, Storage & Shipping Containers, Temporary Truck Trailers

This Section shall apply to Temporary Storage Structures or Units as Defined in Article II, Section 207-4.

A. General Requirements. The following shall apply to a temporary storage structure or a temporary storage structure unit to be located upon residential private property:

- (1) The internal area shall be limited to a size of not less than 392 cubic feet (7 feet x 7 feet x 8 feet) and not greater than 1,024 cubic feet (16 feet x 8 feet x 8 feet).
- (2) The temporary storage structure or unit shall not contain advertising or other writing, except to identify the manufacturer or owner of the temporary storage structure or unit.
- (3) No more than one temporary storage structure or unit shall be located on a single parcel of private property.
- (4) At the time of application to the Zoning Officer for a zoning permit for a temporary storage structure or unit, the applicant shall provide a survey of the property. The Zoning Officer shall mark the survey with the location the temporary storage structure unit is to be placed.
- (5) A temporary storage structure or unit may be placed on private residential property only after a zoning permit is issued by the Zoning officer to the owner of such property.
- (6) An applicant may request a 30-day permit, a 60-day permit or a 90-day permit.
 - (a) 30 day and 60 day permits may be renewed up to a maximum total of 90 days.

A zoning permit extension application shall be submitted to the Zoning Officer prior to the expiration of the initial period.

- (b) The permitted temporary storage structure or unit shall not remain on such private property after the expiration of the initial permit period unless a further extension zoning permit shall be applied for and issued prior to the said expiration.
- (7) In no event shall a temporary storage structure or unit remain on private residential property for any period beyond 90 consecutive days from the date of issuance of the initial permit.
- (8) Permit and extension requests for temporary storage structures or units on properties not owned by the applicant shall be accompanied by an original, written consent of the owner, landlord or governing body of a tenant/condominium association. This consent shall specify a requested location on the property and the requested duration.

B. Location.

- (1) A temporary storage structure or unit is prohibited from being located within a public right-of-way. No temporary storage structure shall obstruct the visibility or free flow of pedestrian or vehicular traffic.
- (2) A temporary storage structure or unit shall be located in a driveway or other property location at the furthest point from the street.
- (3) The Zoning Officer shall determine the location on the private property where the temporary storage structure or unit shall be located. The Zoning Officer's determination shall be guided by due consideration for accessibility and safety.

C. Required Permit Fees.

- (1) 30-day permit: \$25
- (2) 60-day permit: \$50
- (3) 90-day permit: \$75

A zoning permit extension application for any period following the expiration of the initial period shall be accompanied by a permit fee of \$25 for each additional 30 days. No permit may exceed a total of 90 days.

D. Enforcement; violations and penalties.

The Zoning Officer or the Police Department shall be responsible for enforcing the provisions of this Section.

The owner of private property within the Borough of Kinnelon upon which any temporary storage structure or unit is located without the prior approval of the

Zoning Officer required pursuant to this Article shall be subject to the penalties set forth below:

- (1) Any temporary storage structure or unit not in compliance with this Section is and shall be declared to be a public nuisance and may be abated by the Borough at the expense of the owner of the private property, the owner of the temporary storage structure or unit, or other person or legal entity deemed responsible.
- (2) The owner of the private property, the owner of the temporary storage structure or unit, or other person or legal entity deemed responsible for a temporary storage unit not removed within five (5) days after the date of a written notice of violation issued under this Article shall be subject to a summons to the municipal court of the Borough and a fine.
- (3) Fines are to be determined as follows: Failure to obtain the necessary permit: Up to \$100.00 per day, per violation, beginning on the 6th day after issuance of a notice of violation.

SECTION 4. All ordinances, resolutions and regulations or parts of ordinances, resolutions and regulations inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 5. If any section, paragraph, article, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply to the section, paragraph, article, subdivision, clause or provision so adjudged and the remainder of this Ordinance shall be deemed valid and effective.

SECTION 6. This Ordinance shall take effect after approval and publication as required by law.

ATTEST:

BOROUGH OF KINNELON

Karen M. Iuele, RMC, Borough Clerk

James J. Freda, Mayor

CERTIFICATION

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

Karen M. Iuele, RMC, Borough Clerk

ORDINANCE NO. 15-21

AN ORDINANCE AMENDING PARAGRAPH "B" OF SECTION 47-20 "APPEALS AND APPLICATIONS" OF ARTICLE II, CHAPTER 47 OF THE CODE OF THE BOROUGH OF KINNELON TO CLARIFY THE PROPERTY SURVEY REQUIREMENT FOR APPLICATIONS FILED WITH THE ZONING BOARD OF ADJUSTMENT

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

WHEREAS, pursuant to N.J.S.A. 40:55D-1 *et seq.* the governing body of a municipality may adopt land use, land development and zoning ordinances; and

WHEREAS, the Borough of Kinnelon desires to amend Paragraph "B" of Section 47-20 "Appeals and Applications" of Article II, Chapter 47 of the Code of the Borough of Kinnelon to provide clarification of the property survey requirement for applications filed with the Zoning Board of Adjustment.

NOW, THEREFORE, BE IT ORDAINED, by the Governing Body of the Borough of Kinnelon, County of Morris, State of New Jersey, as follows:

SECTION 1. Paragraph "B" of Section 47-20 "Appeals and Applications" of Article II, Chapter 47 of the Code of the Borough of Kinnelon shall be amended such that said paragraph is

stricken in its entirety and replaced with the following language, and shall now read as follows:

B.

Applications addressed to the original jurisdiction of the Board of Adjustment without prior application to the Building Inspector shall be filed with the Secretary of the Zoning Board of Adjustment. Twelve copies of the application shall be filed. At the time of filing an appeal or application, but in no event less than 10 days prior to the date set for hearing, the applicant shall also file all plot plans, maps or other papers required by virtue of any provision of this chapter or any rule of the Board of Adjustment.

The applicant shall obtain all necessary forms from the Secretary of the Zoning Board of Adjustment. The Secretary shall inform the applicant of the steps to be taken to initiate proceedings and of the regular meeting dates of the Board.

A survey of the subject property shall be submitted with every application.

1. Survey Requirements for Accessory Structures, Walls, Fences, Generators, Air Conditioning Units and Temporary Storage Structures:

A survey of any age, signed or unsigned, showing the proposed location of a proposed accessory structure, wall, fence, generator, air conditioning unit or temporary storage structure, along with an affidavit of "no change" from the property owner, provided no changes have been made since the date the survey was performed.

If changes were made to the property after the survey was performed, those changes must be marked up on the submitted survey, along with an affidavit from the property owner indicating that the marked-up survey reflects the current as-built condition. The survey, including any mark-up, must be to scale, with dimensions, and cannot be a reduction or enlargement of the original survey.

2. Survey Requirements for all other applications:

If the survey was prepared not more than seven years from the date of submittal of the application, and no changes have been made since the date the survey was performed, it shall be accompanied by an "affidavit of no change" signed by the applicant or owner. If changes were made since the date of the survey, a new as-built survey is required.

If the survey was prepared more than seven years from the date of submittal of the application, and no changes have been made since the date the survey was performed, it must contain the signature and seal of a certified surveyor attesting that it is an accurate representation of the current conditions on the subject

property. If changes were made since the date of the survey, a new as-built survey is required.

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

SECTION 3. If any section, paragraph, article, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply to the section, paragraph, article, subdivision, clause or provision so adjudged and the remainder of this Ordinance shall be deemed valid and effective.

SECTION 4. This Ordinance shall take effect after approval and publication as required by law.

ATTEST:

BOROUGH OF KINNELON

Karen M. Iuele, RMC, Borough Clerk

James J. Freda, Mayor

CERTIFICATION

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

Karen M. Iuele, RMC, Borough Clerk

**ORDINANCE NO. 18-21 AN ORDINANCE AMENDING AND SUPPLEMENTING
VARIOUS SECTIONS OF CHAPTER 13 "BYLAWS" OF
THE CODE OF THE BOROUGH OF KINNELON**

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

WHEREAS, the Borough of Kinnelon desires to amend and supplement various sections of Chapter 13 "Bylaws" of the Code of the Borough of Kinnelon.

NOW, THEREFORE, BE IT ORDAINED, by the Governing Body of the Borough of Kinnelon, County of Morris, State of New Jersey, as follows:

SECTION 1. Section 13-2 "Mayor" shall be amended and supplemented such that Paragraph "D" therein is replaced with the following language, and Paragraph "H" added, and shall read as follows:

D. The Mayor shall decide all questions of order without debate subject to an appeal to the Council and shall call upon the Council for their opinion upon any appeal of a question of order. The opinion of the majority of the Council shall be final.

H. The Mayor shall be responsible for signing all contracts or agreements negotiated on behalf of the Borough as authorized by resolution passed by majority vote of the Borough Council.

SECTION 2. Section 13-4 "Meetings" shall be amended such that Paragraph "B" therein

shall now read as follows:

B. Time and place; notice. The Council, at its annual reorganization meeting, shall fix the time and place for holding regular meetings during the ensuing year, which time and place shall not be changed except in accordance with the Open Public Meetings Act. All regular meetings shall be held in the Borough. At least once each year, within 7 days of the annual reorganization meeting of the governing body but not later than January 10 of such year, the governing body shall give annual notice of the time, dates and location of its regular meetings and otherwise comply with the annual notice provisions of N.J.S.A. 10:4-18. All meetings of the governing body shall comply with the annual notice provisions of N.J.S.A. 10:4-6 et al., including the requirement that no meeting of the governing body shall be held unless adequate notice thereof, as is defined by the Open Public Meetings Act,¹ has been provided to the public. However, in such extraordinary circumstances that, due to the urgency and importance of a matter requiring consideration by the Borough at a special meeting, any delay in consideration of said matter for the purpose of providing adequate notice would be likely to result in substantial harm to the public interest, and the meeting is limited to discussion of and acting within respect to such matters of urgency and importance, therefore, adequate notice cannot be provided in accordance with requirements of the Act, the governing body may hold a meeting notwithstanding the failure to provide adequate notice if the specific requirements of N.J.S.A. 10:4-9 and N.J.S.A. 10:4-10 and any other applicable provision of the Open Public Meetings Act are met.

SECTION 3. Section 13-4 "Meetings" shall be amended such that Paragraph "E" therein is stricken in its entirety and the subsequent Subsections "F" through "I" re-designated as "E" through "H" respectively.

SECTION 4. Section 13-4 "Meetings" shall be amended such that newly re-designated Paragraph "G" shall now read as follows:

G. Order of business.

(1) The following order of business shall be observed:

(a) Statement of adequate notice of meeting as required by N.J.S.A. 10:4-6, the Open Public Meetings Act.

SECTION 5. Section 13-5 "Committees" shall be amended and supplemented such that Paragraphs "B", "C" and "D" therein shall now read as follows, respectively:

B. The Mayor shall appoint all members of the committees with the advice and consent of the Council and shall be a member, ex officio and nonvoting, of each such committee. In addition, the Mayor shall see that all matters referred to the committees are acted upon and reported promptly.

C. The following standing committees of the Council, consisting of one, two or three Council members each (other than the Mayor, ex officio), shall be appointed at the annual meeting.

- (1) Finance.
- (2) Public Safety.
- (3) Public Works.
- (4) Utilities.
- (5) Recreation.
- (6) Coordinating.
- (7) Ordinance and Legal Affairs.
- (8) Personnel.
- (9) Open Space.
- (10) Technology.
- (11) Library Liaison.

D. Each Council member shall be Chairperson of one of the eleven Standing Committees named in this section.

SECTION 6. Section 13-6 "Duties of standing committees of Council" shall be amended such that Paragraph "D", and subsection (1) therein, shall now read as follows:

D. Utility Committee. The Utility Committee shall have primary responsibility for the following described activities and matters:

(1) The Utilities Committee shall have primary responsibility for the following described activities and matters, subject to the regulation of the state:

- (a) The Borough Engineer and his/her office.
- (b) The Water and Sanitation Engineer.
- (c) The Construction Official and all subcode officials.
- (d) Electricity and natural gas.
- (e) Household waste collection and disposal.
- (f) Household and commercial recycling.
- (g) Sanitary sewers.
- (h) Water.

SECTION 7. Section 13-6 "Duties of standing committees of Council" shall be amended such that Paragraph "D", subsection (2)(a) therein, shall now read as follows:

(a) Negotiating contracts with suppliers on behalf of the Borough of said utility services subject to Borough approval, reporting the status of negotiations to the governing body, and submitting the proposed contract for discussion and approval by the Council.

SECTION 8. Section 13-6 “Duties of standing committees of Council” shall be amended and supplemented such that Paragraphs “E”, “F” and “J” therein shall now read as follows, respectively:

E. Recreation Committee. The Recreation Committee shall have primary responsibility for the supervision, administration, practices, procedures and records of all recreation activities conducted by the Borough.

F. Coordinating Committee. The Coordinating Committee shall be primarily responsible for serving as the liaison between the Council and any other boards, committees, agencies or bodies in the Borough which have not been assigned a liaison by these bylaws, including but not limited to:

- (1) The Board of Health.
- (2) The Board of Education.
- (3) The Historical Committee.
- (4) The Board of Adjustment.
- (5) The Environmental Committee.

J. Technology Committee. The Technology Committee shall have the primary responsibility for the following described activities and matters:

(1) Acting as liaison between the Borough and the various technology providers and being responsible for the supervision, administration, practices and procedures for the following:

(a) Municipal network, WIFI and email system, RAVE system and internet access, and any other technology system used anywhere by any Borough department.

(b) Municipal telephone system.

(c) Municipal computers and other related hardware and software.

(d) Municipal electronic communication – website, social media pages, electronic marquee.

(e) Various telephone, internet and cable television providers operating within the Borough.

(2) Negotiating contracts and/or agreements with suppliers of the aforesaid technology services on behalf of the Borough, reporting the status of negotiations to the Governing Body, and submitting the proposed contract or agreement for

discussion and approval by the Borough Council.

(3) Acting as liaison to all Borough departments and committees, and any other organization that wishes to utilize the various municipal technologies for communications and/or information distribution.

SECTION 9. Section 13-6 "Duties of standing committees of Council" shall be supplemented to include a new Paragraph "K", which shall read as follows:

K. Library Liaison. The Library Liaison shall have the primary responsibility for the following described activities and matters:

- (1) Acting as liaison between the Council and the Kinnelon Public Library.
- (2) Informing the Council about Library activities and events.
- (3) Coordinating any construction, capital improvements or repairs to the Library building and infrastructure.
- (4) Resolving any problems between the Library and the various departments within the Borough.

SECTION 10. Any provisions not amended by this Ordinance shall remain in full force and effect.

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

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

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

ATTEST:

BOROUGH OF KINNELON

Karen M. Iuele, RMC, Borough Clerk

James J. Freda, Mayor

CERTIFICATION

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

Karen M. Iuele, RMC, Borough Clerk

December 7, 2021

ADJOURNMENT:

This meeting adjourned at approximately 11:00 p.m. on motion by Councilperson W. Yago seconded by Councilperson S. Mabey and the unanimous affirmative voice vote of all present.

Respectfully submitted by:



Karen M. Iuele, RMC Municipal Clerk



Mayor James Freda