MEETING TO ORDER.

The regular meeting of the Kinnelon Borough Governing Body was called to order by Mayor James Freda at 7:00 p.m., on Thursday, August 20, 2026, at 130 Kinnelon Road, Kinnelon New Jersey.

There was a Salute to the Flag, after which the Borough Clerk stated this meeting is being held pursuant to the New Jersey Open Public Meeting Act. Adequate notice of this meeting was given by advertising in the December 2025 edition of the Trends and was provided to the Daily Record and the North Jersey Herald News. Adequate notice was also posted on the Municipal Building Bulletin Board, filed with the Borough Clerk and provided to those persons or entities requesting notification.

ROLL CALL:

The roll was called, and present and answering were Mayor J. Freda, Councilpersons Sean Mabey, Anthony Chirdo, Cyndi Frank and Robert Lewis. Remote call-ins were Councilman Eric Harriz and Councilman Robert Reckler.

PAYMENT OF BILLS AS SUBMITTED BY THE TREASURER

A motion was offered by Councilwomen C. Frank and seconded by Councilman A. Chirdo for the payment of bills dated August 20, 2026.

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Range of Checking Accts: First to Last Range of Check Dates: 07/17/26 to 12/31/26
Report Type: All Checks Report Format: Super Condensed Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check #	Check Date	Vendor		Amount Paid	Reconciled/Void	Ref Num
GENERAL		General Account Account Payab				
30771	08/03/26	BRI04	BRICK MARKERS	100.00		5090
30772	08/13/26	NOR13	NORTH JERSEY MUNICIPAL	104,147.00		5091
30773	08/20/26	ACT04	ACTION DATA SERVICES	3,157.50		5093
30774	08/20/26	ACU01	ACU-DATA BUSINESS PRODUCTS INC	300.00		5093
30775	08/20/26	ADV07	ADVANCE AUTO PARTS	371.07		5093
30776	08/20/26	ALL02	ALL SERVICE INC.	315.00		5093
30777	08/20/26	ALL04	ALLIED OIL COMPANY	10,211.88		5093
30778	08/20/26	AMA03	AMAZON CAPITAL SERVICES	0.00	08/20/26 VOID	0
30779	08/20/26	AMA03	AMAZON CAPITAL SERVICES	1,856.78		5093
30780	08/20/26	APO01	APOLLO FLAGS, LLC	331.76		5093
30781	08/20/26	AQU04	AQUA CHILL PARSIPPANY,INC	136.00		5093
30782	08/20/26	ASCAP	ASCAP	464.50		5093
30783	08/20/26	BOC02	ANTHONY BOCCIO	200.00		5093
30784	08/20/26	BOC03	NICHOLAS BOCCIO	200.00		5093
30785	08/20/26	BON03	BONAFIDE TITLE AGENCY	1,526.54		5093
30786	08/20/26	BOR	BOROUGH OF BUTLER	68,479.16		5093
30787	08/20/26	BOR01	BOROUGH OF BUTLER ELECTRIC	7,966.30		5093
30788	08/20/26	BOR02	BOROUGH OF KINNELON	3,607.33		5093
30789	08/20/26	BOR20	BORTEK INDUSTRIES INC	4,493.99		5093
30790	08/20/26	BOS03	BOSLAND'S FLORIST LLC	516.93		5093
30791	08/20/26	BRA10	CHRIS BRANCATO	150.00		5093
30792	08/20/26	BSN01	BSN SPORTS LLC	340.16		5093
30793	08/20/26	BUSTO005	BUSTOS, JEREMIAH LEE	4,725.30		5093
30794	08/20/26	CAB01	OPTIMUM	59.77		5093
30795	08/20/26	CAB02	OPTIMUM	197.94		5093
30796	08/20/26	CAB03	OPTIMUM	119.40		5093
30797	08/20/26	CAB04	OPTIMUM	151.89		5093
30798	08/20/26	CAB05	OPTIMUM	120.39		5093
30799	08/20/26	CAB06	OPTIMUM	131.89		5093
30800	08/20/26	CAB07	OPTIMUM	131.89		5093
30801	08/20/26	CAB08	OPTIMUM	215.89		5093
30802	08/20/26	CAB09	OPTIMUM	120.39		5093
30803	08/20/26	CAB10	OPTIMUM	344.83		5093
30804	08/20/26	CAB11	OPTIMUM	125.94		5093
30805	08/20/26	CAB12	OPTIMUM	295.00		5093
30806	08/20/26	CAR24	ISABELLA CARVAJAL	200.00		5093
30807	08/20/26	CDW01	CDW GOVERNMENT, INC.	1,179.81		5093
30808	08/20/26	CIT05	FIRST-CITIZENS BANK & TRUST CO	619.33		5093
30809	08/20/26	COR12	CORE & MAIN LP	325.32		5093
30810	08/20/26	CRO02	CROWN AWARDS	741.98		5093
30811	08/20/26	CRO09	DOMINICK CROUSE	200.00		5093
30812	08/20/26	DAN01	DAN COMO & SONS INC.	170.00		5093
30813	08/20/26	DAR01	DARMOFALSKI ENGINEERING ASSOC.	3,410.00		5093
30814	08/20/26	DAV04	DAVID WEBER OIL CO.	764.78		5093
30815	08/20/26	DEB03	DE BLOCK ENVIRONMENTAL SERVICE	15,889.29		5093
30816	08/20/26	DIA03	DIAS LAW LLC	2,080.00		5093
30817	08/20/26	DIBEL005	DIBELLO, RICHARD & JACLYN	507.62		5093
30818	08/20/26	DKL01	DKL CONSULTING	500.00		5093
30819	08/20/26	DOV01	DOVER BRAKE & CLUTCH	63.75		5093

Check #	Check Date	Vendor		Amount Paid	Reconciled/Void	Ref Num
GENERAL		General Account Account Payab Continued				
30820	08/20/26	EAG01	EAGLE POINT GUN/TJ MORRIS	3,366.75		5093
30821	08/20/26	ELE03	ELECTRO BATTERY SYSTEMS INC.	134.75		5093
30822	08/20/26	EXT01	EXTRA SPACE STORAGE	367.00		5093
30823	08/20/26	FAS02	FASTSIGNS	170.60		5093
30824	08/20/26	FITZ	MIKE FITZPATRICK CONTRACTORS,	162,831.82		5093
30825	08/20/26	FUE01	THE FUEL OX, LLC	2,124.99		5093
30826	08/20/26	GAL11	ANDREW GALUS	150.00		5093
30827	08/20/26	GAT01	GATES FLAG COMPANY	4,250.00		5093
30828	08/20/26	GEN03	GENERAL CODE, LLC	185.00		5093
30829	08/20/26	GIB03	BRIAN T. GIBLIN, ESQ.	7,500.00		5093
30830	08/20/26	GLE03	GLENWILD GARDEN CENTER	112.80		5093
30831	08/20/26	GOV04	GOVCONNECTION, INC.	238.00		5093
30832	08/20/26	GRA01	GRAINGER INC.	3,054.58		5093
30833	08/20/26	GRO09	GROUNDWATER & ENVIRONMENTAL	3,620.50		5093
30834	08/20/26	GSB01	GLATFELTER SPECIALTY BENEFITS	524.00		5093
30835	08/20/26	HAI04	ELLEN HAID	41.00		5093
30836	08/20/26	HOM02	HOME DEPOT CREDIT SERVICE	1,465.42		5093
30837	08/20/26	HOR04	HORIZON OFFICE EQUIPMENT	255.00		5093
30838	08/20/26	INT17	INTERSTATE BATTERIES	482.47		5093
30839	08/20/26	IUE01	KAREN IUELE	110.00		5093
30840	08/20/26	JCP01	JCP&L	16.00		5093
30841	08/20/26	JIM01	JIMMY THE SHOE DOCTOR	527.99		5093
30842	08/20/26	JOR01	JORDAN TRANSPORTATION	1,525.00		5093
30843	08/20/26	JUD01	JUDE ANTHONY FLORIST	365.00		5093
30844	08/20/26	KIN08	KINNELON VOLUNTEER FIRE CO.	9,625.00		5093
30845	08/20/26	KIN09	KINNELON BOARD OF EDUCATION	3,707,896.00		5093
30846	08/20/26	KYL01	KYLE MCMANUS ASSOCIATES LLC	150.00		5093
30847	08/20/26	LAK15	LAKE MANAGEMENT SCIENCES INC	3,154.50		5093
30848	08/20/26	LAW07	LAWSOFT INC.	658.00		5093
30849	08/20/26	LEA04	L.E.A.D. INC.	275.00		5093
30850	08/20/26	LER01	LERCH, VINCI & BLISS, LLP	6,000.00		5093
30851	08/20/26	LEX02	LEXINGTON INSURANCE COMPANY	4,624.00		5093
30852	08/20/26	LOE01	LOEFFEL'S WASTE OIL SERVICE	588.00		5093
30853	08/20/26	LUK01	LUKE AND KAYLEE OLSON	500.00		5093
30854	08/20/26	MAR26	CHANNING MARKLEY	200.00		5093
30855	08/20/26	MCCLU005	MC CLURE, JASON/NICOLE	113.43		5093
30856	08/20/26	MET07	METROPOLITAN LIFE INSURANCE CO	1,046.98		5093
30857	08/20/26	MGL01	M.G.L. PRINTING SOLUTIONS	1,710.10		5093
30858	08/20/26	MON14	MONMOUTH TELECOM	1,048.62		5093
30859	08/20/26	MOR08	MORRIS COUNTY PUBLIC SAFETY	190.00		5093
30860	08/20/26	MOR21	MORRIS COUNTY M.U.A.	32,942.89		5093
30861	08/20/26	MUS01	MUSCO LIGHTING	475.00		5093
30862	08/20/26	NAP01	P&A AUTO & TRUCK PARTS	243.94		5093
30863	08/20/26	NEG01	NEGLIA ENGINEERING ASSOCIATES	9,057.50		5093
30864	08/20/26	NEW33	NEW JERSEY FIRE EQUIPMENT CO	29,110.00		5093
30865	08/20/26	NIO01	JOSEPH NIOSI	299.56		5093
30866	08/20/26	NJA06	NJ ASSOC. OF CHIEFS OF POLICE	1,400.00		5093
30867	08/20/26	NJD07	NJ DEPT HEALTH & SENIOR SERV	2.40		5093
30868	08/20/26	NJLM01	NEW JERSEY STATE LEAGUE	115.00		5093
30869	08/20/26	NJR01	NJ RECREATION & PARK ASSN.	275.00		5093
30870	08/20/26	ONE02	ONE CALL CONCEPTS, INC.	201.40		5093
30871	08/20/26	ONS01	ON SITE APPARATUS SERVICES INC	3,657.31		5093

Check #	Check Date	Vendor		Amount Paid	Reconciled/Void	Ref Num
GENERAL		General Account Account Payab Continued				
30872	08/20/26	ORI01	ORIENTAL TRADING COMPANY	212.54		5093
30873	08/20/26	PHO05	PHOENIX RUBBER LLC	531.00		5093
30874	08/20/26	PSE01	P.S.E. & G.	628.08		5093
30875	08/20/26	QUA12	CHASE QUANT	200.00		5093
30876	08/20/26	RAC02	RACHLES/MICHELE'S OIL CO.,INC	2,802.97		5093
30877	08/20/26	RIO01	RIO SUPPLY INC	5,500.00		5093
30878	08/20/26	RIV03	RIVERDALE POWER MOWER INC.	220.54		5093
30879	08/20/26	RIV06	R.E.R. SUPPLY, LLC	4,982.00		5093
30880	08/20/26	ROU01	ROUTE 23 AUTO MALL	153,794.48		5093
30881	08/20/26	RUT15	Rutgers, The State University	793.00		5093
30882	08/20/26	RUTGERS	RUTGERS, CENTER FOR GOVT SERV	2,625.00		5093
30883	08/20/26	SAL01	SBI MATERIALS, LLC	280.00		5093
30884	08/20/26	SCALA005	SCALA, DAMIEN	572.30		5093
30885	08/20/26	SCH30	MELANIE SCHUCKERS	60.24		5093
30886	08/20/26	SHA03	THE SHADE TREE DEPARTMENT LLC	709.10		5093
30887	08/20/26	SHE12	THE SHERWIN WILLIAMS CO.	625.25		5093
30888	08/20/26	SHI03	SHI INTERNATIONAL CORP	4,267.02		5093
30889	08/20/26	SIG03	SIGNAL CONTROL PRODUCTS, LLC	192.00		5093
30890	08/20/26	SIT01	SITEONE LANDSCAPE SUPPLY, LLC	712.55		5093
30891	08/20/26	SOC02	HANNAH SOCHA	200.00		5093
30892	08/20/26	SOULE005	SOULE, FREDRICK	3,304.66		5093
30893	08/20/26	STA	STAPLES ADVANTAGE, DEPT NY	996.08		5093
30894	08/20/26	STA04	DIVISION OF ALCOHOLIC BEVERAGE	12.00		5093
30895	08/20/26	STA35	STANDARD INSURANCE COMPANY	393.47		5093
30896	08/20/26	STAT2	STATE OF NEW JERSEY	831.96		5093
30897	08/20/26	STI02	JENNIFER L. STILLMAN	90.00		5093
30898	08/20/26	STO01	STORR TRACTOR COMPANY	682.61		5093
30899	08/20/26	SUB03	SUBURBAN DISPOSAL INC.	194,333.32		5093
30900	08/20/26	TAN07	DARA TANZOLA	276.41		5093
30901	08/20/26	TIL01	TILCON NEW YORK INC.	4,886.97		5093
30902	08/20/26	TRE02	TREASURER, STATE OF NEW JERSEY	325.00		5093
30903	08/20/26	TRE09	TREASURER, STATE OF NEW JERSEY	2,550.00		5093
30904	08/20/26	TRU05	EMILY TRUSKOWSKI	200.00		5093
30905	08/20/26	TUR01	TURN-OUT UNIFORMS INC.	522.98		5093
30906	08/20/26	UTT01	DYLAN UTTER	150.00		5093
30907	08/20/26	VAN06	VAN DINES	10,075.12		5093
30908	08/20/26	VAN17	VAN CLEEF ENGINEERING ASSOC.	3,469.00		5093
30909	08/20/26	VER01	VERIZON	1,595.37		5093
30910	08/20/26	VER11	VERIZON WIRELESS	304.08		5093
30911	08/20/26	VER18	VERIZON CONNECT FLEET USA	143.55		5093
30912	08/20/26	WAS04	WASH HOUNDS	119.40		5093
30913	08/20/26	WAY04	WAYNE ELECTRIC SUPPLY COMPANY	118.72		5093
30914	08/20/26	WEI07	WEINER LAW GROUP LLP	5,076.00		5093
30915	08/20/26	WIL16	EMMA WILSON	200.00		5093

Checking Account Totals	Paid	Void	Amount Paid	Amount Void
Checks:	144	1	4,661,807.37	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	144	1	4,661,807.37	0.00

PLANNING 2	Columbia Bank						
1998	08/20/26	DAR01	DARMOFALSKI ENGINEERING ASSOC.	0.00	08/20/26	VOID	0

Check #	Check Date	Vendor		Amount Paid	Reconciled/Void	Ref Num
PLANNING 2		Columbia Bank	Continued			
1999	08/20/26	DAR01	DARMOFALSKI ENGINEERING ASSOC.	4,495.00		5094
2000	08/20/26	KYL01	KYLE MCMANUS ASSOCIATES LLC	112.50		5094

Checking Account Totals	Paid	Void	Amount Paid	Amount Void
Checks:	2	1	4,607.50	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	2	1	4,607.50	0.00

POLICE		POLICE ESCROW				
2096	07/22/26	BOR15	BOROUGH OF KINNELON	203.36		5089
2097	07/22/26	BOR21	BOROUGH OF KINNELON	1,165.80		5089
2098	08/18/26	BOR15	BOROUGH OF KINNELON	68.49		5092
2099	08/18/26	BOR21	BOROUGH OF KINNELON	631.19		5092

Checking Account Totals	Paid	Void	Amount Paid	Amount Void
Checks:	4	0	2,068.84	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	4	0	2,068.84	0.00

Report Totals	Paid	Void	Amount Paid	Amount Void
Checks:	150	2	4,668,483.71	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	150	2	4,668,483.71	0.00

Totals by Year-Fund Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND	5-01	11,397.50	0.00	0.00	11,397.50
WATER FUND	5-05	92,054.00	0.00	0.00	92,054.00
Year Total:		103,451.50	0.00	0.00	103,451.50
CURRENT FUND	6-01	4,237,709.23	0.00	0.00	4,237,709.23
WATER FUND	6-05	73,157.95	0.00	0.00	73,157.95
SEWER FUND	6-07	18,980.37	0.00	0.00	18,980.37
Year Total:		4,329,847.55	0.00	0.00	4,329,847.55
GENERAL CAPITAL FUND	C-04	206,201.32	0.00	0.00	206,201.32
WATER CAPITAL FUND	C-06	325.32	0.00	0.00	325.32
Year Total:		206,526.64	0.00	0.00	206,526.64
DOG TAX	D-13	2.40	0.00	0.00	2.40
STATE AND FEDERAL GRANTS	G-02	4,493.99	0.00	0.00	4,493.99
	L-22	500.00	0.00	0.00	500.00
SNOW TRUST	N-35	10,075.12	0.00	0.00	10,075.12
RECREATION SPECIAL	R-16	5,749.19	0.00	0.00	5,749.19
	T-23	2,068.84	0.00	0.00	2,068.84
RECYCLE FUND	Y-21	1,160.98	0.00	0.00	1,160.98
Total Of All Funds:		4,663,876.21	0.00	0.00	4,663,876.21

Roll Call: Councilman S. Mabey, Yes; Councilwomen C. Frank, Yes;
Councilman Chirdo, Yes; Councilman R. Reckler, Yes;
Councilman E. Harriz, Yes; Councilman R. Lewis, Yes.

CONSENT AGENDA:

A motion was offered by Councilwomen C. Frank and seconded by Councilman S. Mabey, the following motions and resolutions were offered for approval.

PROCLAMATION-Ovarian Cancer Awareness Month

a. Resolution: 08.01.2026 Approving Change Orders 1, 2 and 3 – Fayson Lakes Drainage Project

b. Resolution: 08.02.2026 Urging a Comprehensive Independent Investigation and Performance Audit of New Jersey's Electric Utilities

c. Resolution: 08.03.2026 Authorizing Mayor to Sign-Amendment to Historic Preservation Easement Effective August 20, 2026

d. Resolution: 08.04.2026 Corrective Action Plan 2025 Audit Recommendations

e. Resolution: 08.05.2026 100% Disabled Veteran 17 Cliff Trail

f. Resolution: 08.06.2026 100% Disabled Veteran 12 White Birch Terrace

g. Resolution: 08.07.2026 100% Disabled Veteran 128 Miller Road

h. Resolution: 08.08.2026 100% Disabled Veteran 2 Sheep Rock Road

i. Resolution: 08.09.2026 100% Disabled Veteran 29 Lakeview Drive

j. Resolution: 08.10.2026 Duplicate payment of 3rd quarter property taxes 42 Breckenridge Terrace

k. Resolution: 08.11.2026 Authorizing Corrected Hourly Rates and Adjusted Payments for 2026 Summer Day Camp

l. Resolution: 08.12.2026 Certification of the Annual Audit, Borough of Kinnelon, Morris County, New Jersey

m. Resolution: 08.13.2026 Authorize to hire Brady Neuberger as F/T Dpw Maintainer

n. Resolution: 08.14.2026 Supporting Property Tax Exemptions for 100% Permanently & Totally Disabled Veterans and Requesting State and Federal Reimbursement

o. Resolution: 08.15.2026 Authorization for the Purchase of Firefighting Equipment and Rescue Tools

p. Resolution: 08.16.2026 Authorization for the Purchase of 2026 Ford F-150

q. Resolution 08.17.2026 Professional Surveying and GIS Services for Field Location and Mapping of Kinnelon

August 20, 2026

r. Approval of Minutes June 11, 2026, June 18, 2026, July 9, 2026 & July 16, 2026

s. Raffle License KN-910-KB & KN-911-KB & KN-912-KB

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PROCLAMATION
OVARIAN CANCER AWARENESS MONTH

WHEREAS, ovarian cancer is the **fifth leading cause of cancer-related death among women in the United States**, and the **American Cancer Society estimates that in 2026 approximately 21,010 women** will be diagnosed with ovarian cancer and **12,450 will die** from the disease nationwide—including an estimated **650 new cases and 340 deaths in New Jersey**; and

WHEREAS, a woman's lifetime risk of being diagnosed with ovarian cancer is approximately **1 in 91**, and her lifetime risk of dying from the disease is approximately **1 in 143**; and

WHEREAS, due to vague, nonspecific symptoms and the **absence of a reliable early detection test**, the majority of women are diagnosed at **Stage III or later**, when the cancer has already spread beyond the ovaries; and

WHEREAS, although the **five-year survival rate for Stage I ovarian cancer exceeds 90 percent**, only **15 percent of cases are diagnosed at this early stage**. For those diagnosed in later stages, the **five-year survival rate drops below 30 percent**; and

WHEREAS, while screening tools such as mammograms and Pap tests exist for breast and cervical cancers, **no equivalent screening test exists for ovarian cancer**, making **awareness of symptoms and risk factors essential** for early intervention; and

WHEREAS, increased public education about ovarian cancer can help save lives by promoting earlier diagnosis, supporting access to gynecologic oncology care, and encouraging research funding for better detection and treatment options; and

WHEREAS, during the month of September, the Borough of Kinnelon joins survivors, families, healthcare professionals, advocacy organizations, and all those committed to raising awareness, remembering lives lost, and offering hope for a future with better outcomes and ultimately, a cure.

NOW, THEREFORE, I, **Mayor James Freda**, do hereby proclaim **September 2026** as **OVARIAN CANCER AWARENESS MONTH** in the **Borough of Kinnelon**, New Jersey, and encourage all residents to participate in awareness activities, wear teal in support, and engage in conversations that help save lives and support the thousands of families affected by this devastating disease.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Borough of Kinnelon to be affixed this 20th, of August 2026.

Mayor James J. Freda
Borough of Kinnelon

RESOLUTION: 08.01.2026

APPROVING CHANGE ORDERS 1, 2, AND 3 - FAYSON LAKES DRAINAGE PROJECT

WHEREAS, the Borough of Kinnelon previously awarded a contract for the Fayson Lakes Drainage Project in the original contract amount of $469,411.00; and

WHEREAS, the Borough Engineer has recommended approval of Change Order No. 1 in the amount of $28,136.16 for test pits and exploratory excavation associated with the Fayson Lakes Drainage Project; and

WHEREAS, the Borough Engineer has recommended approval of Change Order No. 2 in the amount of $81,370.00 for 16-inch ductile iron pipe and related drainage work associated with the Fayson Lakes Drainage Project; and

WHEREAS, the Borough Engineer has recommended approval of Change Order No. 3 in the amount of $89,980.00 for headwall work associated with the Fayson Lakes Drainage Project; and

WHEREAS, Change Orders No. 1, No. 2, and No. 3 result in a combined gross contract increase of $199,486.16 and a gross revised contract amount, prior to deductions, of $668,897.16; and

WHEREAS, the Borough Engineer has advised that the project contractor has reported deductions totaling $222,140.60, which represents reductions in quantities for Bid Items: 1 through 5, 7, 8, 10, 12, 14, 16, 18 through 25, and 27; and

WHEREAS, the deduction total of $222,140.60 offsets the aggregate amount of the change orders and results in the final contract amount remaining below the original contract award amount of $469,411.00; and

WHEREAS, the Borough desires to formally approve Change Orders No. 1, No. 2, and No. 3 to document the revised scope and additional work recommended by the Borough Engineer.

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

1. The Mayor and Council hereby approve Change Order No. 1 in the amount of $28,136.16 for test pits and exploratory excavation associated with the Fayson Lakes Drainage Project.
2. The Mayor and Council hereby approve Change Order No. 2 in the amount of $81,370.00 for 16-inch ductile iron pipe and related drainage work associated with the Fayson Lakes Drainage Project.

3. The Mayor and Council hereby approve Change Order No. 3 in the amount of $89,980.00 for headwall work associated with the Fayson Lakes Drainage Project.
4. The combined gross increase authorized by Change Orders No. 1, No. 2, and No. 3 is $199,486.16, resulting in a gross revised contract amount, prior to deductions, of $668,897.16.
5. The Borough Engineer has advised that the project contractor has reported deductions totaling $222,140.60, which represents reductions in quantities for Bid Items: 1 through 5, 7, 8, 10, 12, 14, 16, 18 through 25, and 27.
6. The deduction total of $222,140.60 offsets the aggregate amount of the change orders and results in the final contract amount remaining below the original contract award amount of $469,411.00.
7. All appropriate Borough officials are hereby authorized to execute any documents and take any actions necessary to effectuate the intent of this Resolution.
8. This Resolution shall take effect immediately.

Dated: August 20, 2026

Karen M. Iuele, RMC

Kinnelon Borough Clerk

Adopted 08/20/2026 on roll call vote as follows:

	Introduced	Seconded	AYES	NAYES	ABSENT	ABSTAIN
Mabey	X		X			
Chirdo			X			
Frank		X	X			
Lewis			X			
Reckler						X
Harriz			X			

RESOLUTION NO. 08.02.2026

RESOLUTION URGING A COMPREHENSIVE INDEPENDENT INVESTIGATION AND PERFORMANCE AUDIT OF NEW JERSEY'S ELECTRIC UTILITIES

WHEREAS, reliable electric service is essential to protecting the public health, safety, welfare, economic security, and quality of life of New Jersey residents; and

WHEREAS, municipalities depend upon reliable electric service to operate police, fire, emergency medical services, emergency communications, traffic-control systems, water and wastewater infrastructure, schools, and other essential public services; and

WHEREAS, prolonged power outages jeopardize public safety, disrupt commerce, impair municipal operations, threaten vulnerable residents, and impose significant financial burdens upon families, businesses, and local governments; and

WHEREAS, New Jersey residents and businesses pay substantial electric rates, delivery charges, and infrastructure-related costs with the reasonable expectation of receiving safe, adequate, reliable, and resilient electric service; and

WHEREAS, New Jersey's electric distribution companies operate as regulated monopolies, leaving most customers without the ability to choose an alternative electric distribution provider based upon reliability or performance; and

WHEREAS, New Jersey residents, businesses, and municipalities pay substantial electric rates, delivery charges, and infrastructure-related costs with the reasonable expectation that those payments will produce safe, adequate, reliable, resilient, and modern electric service; and

WHEREAS, taxpayers and ratepayers are often the same people and are entitled to transparency, accountability, and measurable results for the rates, charges, and government-approved costs they are required to pay; and

WHEREAS, the New Jersey Board of Public Utilities is responsible for ensuring that regulated utilities provide safe, adequate, and proper service, while the New Jersey Division of Rate Counsel serves as the independent advocate for New Jersey ratepayers; and

WHEREAS, recent widespread and prolonged power outages affecting hundreds of thousands of New Jersey residents have raised legitimate concerns regarding utility infrastructure, maintenance, vegetation management, emergency preparedness, restoration performance, and regulatory oversight; and

WHEREAS, recurring electric outages over many years demonstrate the need for a comprehensive, transparent, and independent review of electric utility performance and regulatory accountability;

NOW, THEREFORE, BE IT RESOLVED, by the governing body of Borough of Kinnelon, County of Morris, State of New Jersey, that it respectfully urges the Governor, the New Jersey Legislature, the New Jersey Board of Public Utilities, the New Jersey Division of Rate Counsel, and the Office of the State Auditor to undertake a comprehensive and independent investigation and performance audit of New Jersey's electric utilities.

BE IT FURTHER RESOLVED, that the investigation should include, at a minimum:

1. An evaluation of electric system reliability, outage frequency, restoration times, and long-term performance trends throughout New Jersey.

2. A review of utility infrastructure investments, maintenance practices, vegetation management, emergency preparedness, staffing, customer communications, and restoration procedures to determine whether ratepayer-funded investments have produced measurable improvements in reliability and resiliency.

3. An assessment of utility compliance with applicable reliability, maintenance, customer service, reporting, and infrastructure investment requirements, together with a comparison of New Jersey's performance to nationally recognized utility standards and best practices.

4. An evaluation of the effectiveness of regulatory oversight exercised by the New Jersey Board of Public Utilities, including whether existing performance standards, enforcement mechanisms, penalties, and accountability measures adequately protect New Jersey residents and ratepayers.

5. An Action Plan, including compliance time frames, with recommendations for legislative, regulatory, operational, and infrastructure reforms necessary to improve electric reliability, modernize the electric grid, strengthen accountability, and better protect the public, together with the public release of findings and recommended corrective actions.

BE IT FURTHER RESOLVED, that the governing body respectfully requests the New Jersey Division of Rate Counsel to review whether New Jersey ratepayers have received the level of reliability reasonably expected in light of approved rates and infrastructure investments and, where appropriate, pursue available remedies to protect the interests of New Jersey utility customers.

BE IT FURTHER RESOLVED, that the governing body respectfully urges the Governor and the Legislature to review the findings of these investigations, conduct public oversight hearings, and implement appropriate legislative and regulatory reforms to improve electric reliability and accountability throughout New Jersey.

BE IT FURTHER RESOLVED, that the Municipal Clerk shall provide a certified copy of this Resolution to the New Jersey Property Taxpayers Coalition so that the Coalition may maintain a public record of municipalities supporting its effort and this statewide initiative and assist in communicating those actions to appropriate public officials.

BE IT FURTHER RESOLVED, that certified copies of this Resolution shall be transmitted to the Governor of the State of New Jersey; the President of the New Jersey Senate; the Speaker of the General Assembly; the President and Commissioners of the New Jersey Board of Public Utilities; the Director of the New Jersey Division of Rate Counsel; the New Jersey State Auditor; the chairs of the legislative committees having jurisdiction over energy and public utilities; each member of this municipality's legislative delegation; and such other public officials as the Municipal Clerk deems appropriate.

BE IT FURTHER RESOLVED, that the governing body encourages municipalities and counties throughout the State of New Jersey to adopt similar resolutions in support of reliable electric service, transparent regulation, meaningful oversight, and accountability to New Jersey's residents and ratepayers.

CERTIFICATION

I, Karen M. Iuele, Municipal Clerk of the Borough of Kinnelon, do hereby certify that the foregoing is a true copy of a Resolution adopted by the Governing Body at a meeting held on August 20, 2026.

_*Karen M. Iuele*_____
Municipal Clerk

Adopted 08/20/2026 on roll call vote as follows:

	Introduced	Seconded	AYES	NAYES	ABSENT	ABSTAIN
Mabey	x		x			
Chirdo			x			
Frank		x	x			
Lewis			x			
Reckler						x
Harriz			x			

RESOLUTION 08.03.2026

AUTHORIZING MAYOR TO SIGN-AMENDMENT
TO HISTORIC PRESERVATION EASEMENT
EFFECTIVE AUGUST 20, 2026

WHEREAS the Easement to the L 'Ecole Kinnelon Museum needs to be amended with the effective date as of August 20, 2026, and will remain in full force and effect for a period of thirty (30) years until July 21, 2056; and

WHEREAS the Easement amendment is to include the addition of specified portion of the site, and structure known as L' Ecole Kinnelon Museum covered by the 2015,2016, 2020 & 2024 grants.

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

Dated: August 20, 2026

Karen M. Iuele
Karen M. Iuele, Borough Clerk

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 a Resolution adopted at the regular Mayor and Council meeting held on August 20, 2026.

Karen M. Iuele
Karen M. Iuele, RMC, Borough Clerk

Adopted 08/20/2026 on roll call vote as follows:

	Introduced	Seconded	AYES	NAYES	ABSENT	ABSTAIN
Mabey	x		x			
Chirdo			x			
Frank		x	x			
Lewis			x			
Reckler						x
Harriz			x			

RESOLUTION 08.04.26
OF THE GOVERNING BODY
OF THE BOROUGH OF KINNELON

CORRECTIVE ACTION PLAN
2025 AUDIT RECOMMENDATIONS

Borough of Kinnelon
Morris County, NJ

1. **RECOMMENDATION** – Inactive grants receivables and capital ordinances be reviewed for validity and cancelled if necessary.

   ANALYSIS – There are old outstanding receivables pledged to inactive ordinances.

   CORRECTIVE ACTION – The finance office will work with auditor to review validity and cancel old receivables and capital ordinances.

   IMPLEMENTATION DATE – Immediately

Dated: August 20, 2026

_Karen M. Iuele_____
Karen M. Iuele, RMC
Kinnelon Borough Clerk

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 a Resolution adopted by the Mayor and Council at a regular meeting of the Borough held on August 20, 2026.

Dated: August 20, 2026

_Karen M. Iuele_____
Karen M. Iuele, RMC
Kinnelon Borough Clerk

Adopted 08/20/2026 on roll call vote as follows:

	Introduced	Seconded	AYES	NAYES	ABSENT	ABSTAIN
Mabey	x		x			
Chirdo			x			
Frank		x	x			
Lewis			x			
Reckler						x
Harriz			x			

RESOLUTION #08.05.2026

BE IT RESOLVED, BY THE Mayor and Council of the Borough of Kinnelon, that the Tax Collector be relieved of collecting $8,260.61 in property taxes on Block 34706 Lot 145 also known as 17 Cliff Trail due to an exemption as 100% Disabled Veteran granted by the Tax Assessor effective March 6, 2026 and warrant be drawn to the Property Owners in the amount of $3,304.66 for taxes that have already been paid for 2026.

ROLL CALL: Councilperson, Mabey, Yes;
Harriz, Yes;
Lewis, Yes;
Chirdo; Yes
Frank; Yes
Reckler: Abstain

August 20, 2026
Judith O'Brien, CTC
Tax Collector
Borough of Kinnelon

I, Karen M. Iuele, Borough Clerk, Borough of Kinnelon, hereby certify this resolution to be a true copy of the resolution which was duly passed at the regular meeting of the Borough of Kinnelon May and Council August 20, 2026.

Date: 08/20/26

Karen M. Iuele, Borough Clerk

Adopted 08/20/2026 on roll call vote as follows:

	Introduced	Seconded	AYES	NAYES	ABSENT	ABSTAIN
Mabey	x		x			
Chirdo			x			
Frank		x	x			
Lewis			x			
Reckler						x
Harriz			x			

RESOLUTION #08.06.2026

BE IT RESOLVED, BY THE Mayor and Council of the Borough of Kinnelon, that the Tax Collector be relieved of collecting $6,111.43 in property taxes on Block 45205 Lot 104 also known as 12 White Birch Terr. due to an exemption as 100% Disabled Veteran granted by the Tax Assessor effective July 1, 2026 and warrant be drawn to the Property Owners in the amount of $113.43 for taxes that have already been paid for 2026.

ROLL CALL: Councilperson, Mabey, Yes;
Harriz, Yes;
Lewis, Yes;
Chirdo; Yes
Frank; Yes
Reckler: Abstain

August 20, 2026
Judith O'Brien, CTC
Tax Collector
Borough of Kinnelon

I, Karen M. Iuele, Borough Clerk, Borough of Kinnelon, hereby certify this resolution to be a true copy of the resolution which was duly passed at the regular meeting of the Borough of Kinnelon May and Council August 20, 2026.

Date: 08/20/26

_Karen M. Iuele_____
Karen M. Iuele, Borough Clerk

Adopted 08/20/2026 on roll call vote as follows:

	Introduced	Seconded	AYES	NAYES	ABSENT	ABSTAIN
Mabey	x		x			
Chirdo			x			
Frank		x	x			
Lewis			x			
Reckler						x
Harriz						

RESOLUTION #08.07.2026

BE IT RESOLVED, BY THE Mayor and Council of the Borough of Kinnelon, that the Tax Collector be relieved of collecting $13,763.21 in property taxes on Block 34003 Lot 107 also known as 128 Miller Rd. due to an exemption as 100% Disabled Veteran granted by the Tax Assessor effective April 1, 2026 and warrant be drawn to the Property Owners in the amount of $4,725.30 for taxes that have already been paid for 2026.

ROLL CALL: Councilperson, Mabey, Yes;
Harriz, Yes;
Lewis, Yes;
Chirdo; Yes
Frank; Yes
Reckler: Abstain

August 20, 2026
Judith O'Brien, CTC
Tax Collector
Borough of Kinnelon

I, Karen M. Iuele, Borough Clerk, Borough of Kinnelon, hereby certify this resolution to be a true copy of the resolution which was duly passed at the regular meeting of the Borough of Kinnelon May and Council August 20, 2026.

Date: 08/20/26

_Karen M. Iuele_____
Karen M. Iuele, Borough Clerk

Adopted 08/20/2026 on roll call vote as follows:

	Introduced	Seconded	AYES	NAYES	ABSENT	ABSTAIN
Mabey	x		x			
Chirdo			x			
Frank		x	x			
Lewis			x			
Reckler						x
Harriz			x			

RESOLUTION #08.08.2026

BE IT RESOLVED, BY THE Mayor and Council of the Borough of Kinnelon, that the Tax Collector be relieved of collecting $6,184.46 in property taxes on Block 10601 Lot 106 also known as 2 Sheep Rock Rd. due to an exemption as 100% Disabled Veteran granted by the Tax Assessor effective June 16, 2026 and warrant be drawn to the Property Owners in the amount of $572.30 for taxes that have already been paid for 2026.

ROLL CALL: Councilperson, Mabey, Yes; Chirdo; Yes
Harriz, Yes; Frank; Yes
Lewis, Yes; Reckler: Abstain

August 20, 2026
Judith O'Brien, CTC
Tax Collector
Borough of Kinnelon

I, Karen M. Iuele, Borough Clerk, Borough of Kinnelon, hereby certify this resolution to be a true copy of the resolution which was duly passed at the regular meeting of the Borough of Kinnelon May and Council August 20, 2026.

Date: 08/20/26

_Karen M. Iuele_____
Karen M. Iuele, Borough Clerk

Adopted 08/20/2026 on roll call vote as follows:

	Introduced	Seconded	AYES	NAYES	ABSENT	ABSTAIN
Mabey	x		x			
Chirdo			x			
Frank		x	x			
Lewis			x			
Reckler						x
Harriz			x			

RESOLUTION #08.09.2026

BE IT RESOLVED, BY THE Mayor and Council of the Borough of Kinnelon, that the Tax Collector be relieved of collecting $7,891.11 in property taxes on Block 34605 Lot 108 also known as 29 Lakeview Dr. due to an exemption as 100% Disabled Veteran granted by the Tax Assessor effective June 22, 2026 and warrant be drawn to the Property Owners in the amount of $507.62 for taxes that have already been paid for 2026.

ROLL CALL: Councilperson, Mabey, Yes; Chirdo; Yes
Harriz, Yes; Frank; Yes
Lewis, Yes; Reckler: Abstain

August 20, 2026
Judith O'Brien, CTC
Tax Collector
Borough of Kinnelon

I, Karen M. Iuele, Borough Clerk, Borough of Kinnelon, hereby certify this resolution to be a true copy of the resolution which was duly passed at the regular meeting of the Borough of Kinnelon May and Council August 20, 2026.

Date: 08/20/26

_ *Karen M. Iuele*_____
Karen M. Iuele, Borough Clerk

Adopted 08/20/2026 on roll call vote as follows:

	Introduced	Seconded	AYES	NAYES	ABSENT	ABSTAIN
Mabey	x		x			
Chirdo			x			
Frank		x	x			
Lewis			x			
Reckler						x
Harriz			x			

RESOLUTION #08.10.2026

BE IT RESOLVED, BY THE Mayor and Council of the Borough of Kinnelon, that the Tax Collector be relieved of collecting $1,526.54 in property taxes on Block 10201.02 Lot 42 also known as 42 Breckenridge Terrace due to a duplicate payment of 3rd quarter property taxes and warrant be drawn to Bonafide Title Agency in the amount of $1,526.54 for taxes that have already been paid for 2026 3rd quarter.

ROLL CALL: Councilperson, Mabey, Yes; Chirdo; Yes
Harriz, Yes; Frank; Yes
Lewis, Yes; Reckler: Abstain

August 20, 2026
Judith O'Brien, CTC
Tax Collector
Borough of Kinnelon

I, Karen M. Iuele, Borough Clerk, Borough of Kinnelon, hereby certify this resolution to be a true copy of the resolution which was duly passed at the regular meeting of the Borough of Kinnelon May and Council August 20, 2026.

Date: 8/20/26

_Karen M. Iuele_____
Karen M. Iuele, Borough Clerk

Adopted 08/20/2026 on roll call vote as follows:

	Introduced	Seconded	AYES	NAYES	ABSENT	ABSTAIN
Mabey	x		x			
Chirdo			x			
Frank		x	x			
Lewis			x			
Reckler						x
Harriz			x			

RESOLUTION 08.11.2026

AUTHORIZING CORRECTED HOURLY RATES AND ADJUSTED PAYMENTS FOR 2026 SUMMER DAY CAMP AND SPECIALTY CAMP PERSONNEL

WHEREAS, the Borough of Kinnelon recognizes that quality recreation programming is an important public service that promotes community engagement, youth development, physical activity, social interaction, and the overall quality of life of Borough residents; and

WHEREAS, the Borough's summer recreation and camp programs provide valuable opportunities for children and families to participate in safe, structured, and enriching activities during the summer season; and

WHEREAS, the successful operation of such programs requires qualified coaches, assistants, counselors, directors, site managers, and other seasonal or specialty program personnel to provide instruction, supervision, coordination, and program support; and

WHEREAS, compensation for specialty summer camp personnel is generally tied to program participation and the program fee revenues generated by the applicable program; and

WHEREAS, following review of final staffing assignments, hours, program participation, and revenues, the Recreation Director has identified corrected hourly rates for certain Summer Day Camp personnel and payment adjustments for certain Specialty Camp personnel; and

WHEREAS, the Mayor and Council desire to authorize the corrected hourly rates and specific payment adjustments set forth herein, subject to certification of available funds and compliance with Borough payroll and payment procedures.

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

1. The following corrected hourly rates for 2026 Summer Day Camp personnel are hereby authorized:

EMPLOYEE	CORRECTED HOURLY RATE
Kelly Kispert	$16.25
Anthony Manna	$17.75
Lia Manna	$15.92
Christian Markley	$17.75
Natalie Miller	$32.00

2. The following 2026 Specialty Camp payment adjustments are hereby authorized:

EMPLOYEE	PROGRAM	PAYMENT ADJUSTMENT
Stephanie Manco	Volleyball	$6,800.00
Christian Markley	Boys Basketball	$800.00
Jeff Debell	Boys Basketball	$400.00
Sophia Labanca	Girls Lacrosse	$1,750.00
Laura Chegwidden	Track and Field	$750.00
Nicholas Gehardt	Track and Field	$750.00
Don Trifari	Girls Basketball	$915.00
Bernadine Ferrara	Head Art Teacher	$50.00

3. The payment adjustments to Sophia Labanca, Laura Chegwidden, Nicholas Gehardt, and Don Trifari are supplemental to compensation previously authorized and reflect increased program participation and revenues following the prior authorization.

4. The payment adjustment to Stephanie Manco reflects her service as the Volleyball Camp instructor in place of Stephanie Finke.

5. The payment adjustments to Christian Markley and Jeff Debell are authorized for their service with the Boys Basketball Camp.

6. The payment to Bernadine Ferrara reflects the balance owed.

7. The Recreation Director, Business Administrator, Chief Financial Officer, and other appropriate Borough officials are hereby authorized to take all necessary and appropriate action to implement this Resolution.

8. All compensation authorized by this Resolution is subject to certification of available funds by the Chief Financial Officer and all applicable payroll, personnel, and Borough requirements.

9. This Resolution authorizes only the corrected hourly rates and payment adjustments expressly set forth herein and shall not be construed as creating any entitlement to future employment, future compensation, or continued engagement beyond the 2026 summer recreation season.

10. The Borough further recognizes the need to review and formalize the summer recreation compensation and reporting process for future program years, including the establishment of program fees, wage rates, specialty program compensation, advertising or solicitation of positions, and periodic reporting to the governing body.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

Dated: August 20, 2026

Karen M. Iuele

Karen M. Iuele, RMC

Kinnelon Borough Clerk

Adopted 08/20/2026 on roll call vote as follows:

	Introduced	Seconded	AYES	NAYES	ABSENT	ABSTAIN
Mabey	x		x			
Chirdo			x			
Frank		x	x			
Lewis			x			
Reckler						x
Harriz			x			

GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT
BOROUGH OF KINNELON, MORRIS COUNTY, NJ
RESOLUTION 08.12.2026

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2025 has been filed by a Registered Municipal Accountant with the *Municipal Clerk* pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and,

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and,

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations, and,

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and,

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and,

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

> R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars ($1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, That the Mayor and Council of the Borough of Kinnelon, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF THE RESOLUTION PASSED AT THE REGULAR MEETING OF THE KINNELON MAYOR AND COUNCIL HELD ON AUGUST 20, 2026.

Karen M. Iuele

Karen M. Iuele, RMC, Borough Clerk

Resolution 08.12.2026

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 Resolution at the regular meeting of the Borough held on August 20, 2026 adopted by the Governing Body.

Karen M. Iuele

Karen M. Iuele, RMC, Borough Clerk

Adopted 08/20/2026 on roll call vote as follows:

	Introduced	Seconded	AYES	NAYES	ABSENT	ABSTAIN
Mabey	x		x			
Chirdo			x			
Frank		x	x			
Lewis			x			
Reckler						x
Harriz			x			

RESOLUTION 08.13.2026

AUTHORIZING HIRE OF
BRADY NEUBERGER AS A
FULL TIME DPW MAINTAINER

WHEREAS, the Kinnelon Department of Public Works wishes to hire Brady Neuberger as a Full Time Department of Public Works Maintainer; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough O f Kinnelon hire Brady Neuberger, as a Full-Time worker for the Department of Public Works, at Step 2 - $24.65. Pending result of background check.

CERTIFICATION

I, Karen M. Iuele, Borough Clerk, do hereby certify this to be a true copy of a resolution duly adopted at the Mayor and Council regular meeting of the Kinnelon Mayor and Council held on August 20, 2026.

Dated: August 20, 2026

Karen M. Iuele
Karen M. Iuele, RMC
Borough Clerk

Adopted 08/20/2026 on roll call vote as follows:

	Introduced	Seconded	AYES	NAYES	ABSENT	ABSTAIN
Chirdo			✓			
Mabey	✓		✓			
Frank		✓	✓			
Lewis			✓			
Reckler						X
Harriz			✓			

BOROUGH OF KINNELON COUNTY OF MORRIS, STATE OF NEW JERSEY

RESOLUTION NO. 08.14.2026

A RESOLUTION SUPPORTING PROPERTY TAX EXEMPTIONS FOR 100% PERMANENTLY AND TOTALLY DISABLED VETERANS AND REQUESTING STATE AND FEDERAL REIMBURSEMENT

WHEREAS, the Borough of Kinnelon deeply appreciates the sacrifices made by the men and women who have served our country; and

WHEREAS, the Borough fully supports the property tax exemption provided to qualifying 100% permanently and totally disabled veterans that cannot work and believes they have earned and deserve this benefit; and

WHEREAS, the number of properties receiving this exemption continues to increase, creating a growing financial burden on municipalities and local taxpayers; and WHEREAS, the Borough of Kinnelon currently provides more than $450,000 in property tax exemptions to qualifying disabled veterans, with no corresponding reimbursement from the State of New Jersey or the federal government; and

WHEREAS, municipalities must continue to provide essential services, including police, emergency services, roads, infrastructure, and other services expected by our residents;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Kinnelon strongly support the property tax exemption for 100% permanently and totally disabled veterans; and

BE IT FURTHER RESOLVED, that the Borough of Kinnelon respectfully calls upon the Governor, New Jersey Legislature, and the Federal Government to establish a reimbursement program to reimburse municipalities for property tax revenues lost through these exemptions; and

BE IT FURTHER RESOLVED, that copies of this Resolution be forwarded to the Governor, the New Jersey Legislature, the Borough's State Senator and Assembly Representatives, and other appropriate Federal officials.

BE IT FURTHER RESOLVED, that the Borough of Kinnelon remains committed to honoring our disabled veterans while ensuring that our residents continue to receive the essential municipal services they expect and deserve.

CERTIFICATION Adopted by the Mayor and Borough Council of the Borough of Kinnelon this 20th day of August, 2026.

Karen M. Iuele, RMC
Kinnelon Borough Clerk

Mayor, James J. Freda

BOROUGH OF KINNELON
RESOLUTION NO. 08.15.2026

AUTHORIZING THE PURCHASE OF FIREFIGHTING EQUIPMENT AND RESCUE TOOLS FROM NEW JERSEY FIRE EQUIPMENT CO. THROUGH THE BERGEN COUNTY COOPERATIVE PURCHASING PROGRAM

WHEREAS, the Borough of Kinnelon has a need to purchase firefighting equipment, fire hose, nozzles, adapters, fittings, tools and related equipment for use by the Kinnelon Volunteer Fire Company; and

WHEREAS, New Jersey Fire Equipment Co., 119-131 Route 22 East, Green Brook, New Jersey 08812, submitted Quote No. 35567, dated August 18, 2026, for the requested equipment in the total amount of $54,742.31; and

WHEREAS, the equipment is available through the Bergen County Cooperative Purchasing Program under Bergen County Bid No. BC-BID-26-16, "Firefighting Equipment and Rescue Tools," awarded pursuant to Bergen County Resolution No. 562-26, with a contract term of May 5, 2026 through May 4, 2028; and

WHEREAS, the Borough is authorized to make purchases through properly awarded cooperative purchasing agreements in accordance with applicable New Jersey public procurement laws and regulations; and

WHEREAS, the Borough's Qualified Purchasing Agent has reviewed the proposed purchase for compliance with applicable procurement requirements; and

WHEREAS, the Chief Financial Officer has certified, or shall certify prior to the issuance of a purchase order, that sufficient funds are available for this purchase.

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

1. The purchase of firefighting equipment and rescue tools from New Jersey Fire Equipment Co., pursuant to Quote No. 35567 dated August 18, 2026, in an amount not to exceed $54,742.31, is hereby authorized.

2. The purchase shall be made through Bergen County Cooperative Purchasing Program Bid No. BC-BID-26-16, "Firefighting Equipment and Rescue Tools."

3. The Mayor, Borough Administrator, Chief Financial Officer, Qualified Purchasing Agent, Borough Clerk and other appropriate Borough officials are hereby authorized to execute any documents and take any actions necessary to effectuate this purchase.

4. This Resolution shall take effect immediately.

CERTIFICATION OF AVAILABILITY OF FUNDS

I, Jennifer Stillman, Chief Financial Officer of the Borough of Kinnelon, hereby certify that funds are available for the purchases authorized herein in the total amount not to exceed $

Account No: C-04-55-879-900

Amount: $54,742.31

Chief Financial Officer

Adopted 08/20/2026 on roll call vote as follows:

	Introduced	Seconded	AYES	NAYES	ABSENT	ABSTAIN
Mabey	x		x			
Chirdo			x			
Frank		x	x			
Lewis			x			
Reckler						x
Harriz			x			

BOROUGH OF KINNELON
RESOLUTION NO. 08.16.2026

AUTHORIZING THE PURCHASE OF A 2026 FORD F-150 FOR THE DEPARTMENT OF PUBLIC WORKS FROM ROUTE 23 AUTOMALL LLC THROUGH THE BERGEN COUNTY COOPERATIVE PURCHASING PROGRAM

WHEREAS, the Borough of Kinnelon has a need to purchase a pickup truck for use by the Department of Public Works; and

WHEREAS, Route 23 Automall LLC, 1301 Route 23 South, Butler, New Jersey 07405, submitted a proposal dated August 12, 2026, Quote ID KINNW3L2, for one (1) 2026 Ford F-150 4x4 SuperCrew Cab XLT, including specified options and equipment, in the total amount of $67,383.40; and

WHEREAS, the proposed vehicle is available through the Bergen County Cooperative Purchasing Program under Bergen County Bid No. BC-Bid-24-43, "Car, Crossovers, Class 1-3 Pickup Trucks/Chassis, Sport Utility Vehicles & Vans – 1st Option"; and

WHEREAS, Route 23 Automall LLC is an awarded vendor under said cooperative contract, which is effective June 19, 2026 through June 18, 2027, pursuant to Bergen County Board of County Commissioners Resolution No. 572-26 dated May 5, 2026; and

WHEREAS, the Borough is authorized to make purchases through properly awarded cooperative purchasing agreements in accordance with applicable New Jersey public procurement laws and regulations; and

WHEREAS, the Chief Financial Officer has certified, or shall certify prior to the issuance of a purchase order, that sufficient funds are available for this purchase.

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

1. The purchase of one (1) 2026 Ford F-150 4x4 SuperCrew Cab XLT from Route 23 Automall LLC, pursuant to Quote ID KINNW3L2 dated August 12, 2026, is hereby authorized in an amount not to exceed $67,383.40.
2. The purchase shall be made through the Bergen County Cooperative Purchasing Program under Bergen County Bid No. BC-Bid-24-43.
3. The Mayor, Borough Administrator, Chief Financial Officer, Qualified Purchasing Agent, Borough Clerk and other appropriate Borough officials are hereby authorized to execute any documents and take any actions necessary to effectuate this purchase.
4. This Resolution shall take effect immediately.

CERTIFICATION OF AVAILABILITY OF FUNDS

I, Jennifer Stillman, Chief Financial Officer of the Borough of Kinnelon, hereby certify that funds are available for the purchases authorized herein in the total amount not to exceed $67,383.40.

Account No.: 6-01-44-903-909
Amount: $67,383.40

Chief Financial Officer

Adopted 08/20/2026 on roll call vote as follows:

	Introduced	Seconded	AYES	NAYES	ABSENT	ABSTAIN
Mabey	x		x			
Chirdo			x			
Frank		x	x			
Lewis			x			
Reckler						x
Harriz			x			

Resolution 08.17.2026

AUTHORIZING PROFESSIONAL SURVEYING AND GIS SERVICES TO NEGLIA GROUP FOR FIELD LOCATING AND MAPPING OF KINNELON SANITARY SEWER INFRASTRUCTURE

WHEREAS, the Borough of Kinnelon has a need for professional surveying and Geographic Information System (GIS) services related to the Borough's sanitary sewer infrastructure; and

WHEREAS, Neglia Group submitted a proposal for professional surveying and GIS services associated with GPS field collection and mapping of Borough infrastructure; and

WHEREAS, the Borough desires to authorize only the portion of the proposal identified as "Field Locating Kinnelon Sanitary Sewer Infrastructure with Elevations and Below Grade Measurements"; and

WHEREAS, the scope of services includes field and office tasks related to locating and mapping the Kinnelon sanitary sewer infrastructure, including the collection of at-grade and below-grade elevation and conveyance data for up to 100 sanitary sewer structures and up to 300 sanitary cleanouts, where visible, together with mapping of the system using existing documents and resources; and

WHEREAS, the proposal further provides for the collection of information including invert elevations, pipe sizes, pipe materials, pipe connections and related sanitary sewer network data, together with preparation of GIS mapping and database deliverables; and

WHEREAS, Neglia Group has proposed to perform these professional services on a lump-sum basis in the amount of Twenty-One Thousand Two Hundred Dollars ($21,200.00); and

WHEREAS, the Borough desires to authorize Neglia Group to perform said professional services in accordance with the applicable sanitary sewer portion of its April 8, 2025 proposal; and

WHEREAS, the Chief Financial Officer has certified, or shall certify prior to the issuance of a purchase order, that sufficient funds are available for the services authorized herein.

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

1. Neglia Group is hereby authorized to provide professional surveying and GIS services for the field locating and mapping of Kinnelon sanitary sewer infrastructure with elevations and below-grade measurements, as set forth in the applicable portion of its proposal.
2. The authorized scope shall include field and office services associated with locating and mapping the sanitary sewer system, including the collection of at-grade and below-grade elevation and conveyance data for up to 100 sanitary sewer structures and up to 300 sanitary cleanouts, where visible, together with related GIS mapping and database deliverables.
3. The total amount authorized for these professional services shall not exceed $21,200.00.
4. No authorization is granted by this Resolution for the separate water infrastructure locating, mapping, GIS setup, or other services identified elsewhere in Neglia Group's April 8, 2025 proposal.
5. The Mayor, Borough Administrator, Chief Financial Officer, Borough Clerk and other appropriate Borough officials are hereby authorized to execute any documents and take any actions necessary to effectuate the intent of this Resolution.
6. This Resolution shall take effect immediately.

Date: August 20, 2026

_Karen M. Iuele_____

Karen M. Iuele, RMC

Kinnelon Borough Clerk

Adopted 08/20/2026 on roll call vote as follows:

	Introduced	Seconded	AYES	NAYES	ABSENT	ABSTAIN
Mabey	x		x			
Chirdo			x			
Frank		x	x			
Lewis			x			
Reckler						x
Harriz			x			

Roll Call: Councilman S. Mabey, Yes; Councilwomen C. Frank, Yes;
Councilman Chirdo, Yes; Councilman R. Reckler, Abstain;
Councilman E. Harriz, Yes; Councilman R. Lewis, Yes.

TREASURER REPORT:

The Treasurer's Report for August 2026 indicates we started out with cash on hand as of June 30, 2026, in the amount of $11,107,248.61.
Receipts for the month of July totaled $741,932.70 with disbursements amounting to $5,121,634.37.
The new balance on hand on July 30, 2026, was $6,727,546.94

TAX COLLECTOR'S REPORT:

During the month of July 2026, the Tax Collector's office processed a total of $477,141.85.

INVESTMENT OFFICER'S REPORT:

A total of $37,338.34 was collected in interest for the month of July 2026.

PAYMENT OF SCHOOL TAX

A total of $3,707,896.00 was paid.

Mayor Freda asked for a motion; Councilwomen C. Frank made a motion and second by Councilman R. Lewis.

Roll Call: Councilman S. Mabey, Yes; Councilwomen C. Frank, Yes;
Councilman Chirdo, Yes; Councilman R. Reckler, Yes;
Councilman E. Harriz, Yes; Councilman R. Lewis, Yes.

OLD BUSINESS:

Ordinance 12-2026

AMEND THE CODE OF THE BOROUGH OF KINNELON CHAPTER 199, WATER, TO ESTABLISH A FEE FOR THE MANUAL READING OF WATER METERS

This ordinance was introduced and passed on first reading at a regular meeting of the Governing Body held on July 16, 2026.

Mayor Freda read the following notice and ordinance in full and stated that the notice has been published as required by law, a copy was posted on the Municipal Building Bulletin Board, and additional copies were made available to the public.

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BOROUGH OF KINNELON
ORDINANCE NO. 12-2026

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF KINNELON, CHAPTER 199, WATER, TO ESTABLISH A FEE FOR THE MANUAL READING OF WATER METERS

WHEREAS, the Borough of Kinnelon Water Utility has established a program of replacing manual read water meters with radio read meters, which greatly reduces staff time in recording water usage; and

WHEREAS, some property owners do not want to have radio read meters installed, which increases the workload for staff.

NOW, THEREFORE, BE IT ORDAINED AS FOLLOWS:

Section 1. That Section 199-25 Water rates, Fee and charges, Section B be amended to add the following:

(10) Manual Reading of Water Meter per quarter - $50

Section 2. Repealer.
All ordinances or parts of ordinances inconsistent or in conflict with this Ordinance are hereby repealed as to said inconsistencies and conflicts.

Section 3. Severability
If any section, part of any section, or clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the remaining provisions of this ordinance. The governing body of the Borough of Kinnelon declares that it would have passed the ordinance and each section thereof, irrespective of the fact that any one or more of the subsections, sentences, clauses or phrases may be declared unconstitutional or invalid.

Section 4. Effective Date.
This ordinance shall take immediate effect upon passage and publication according to law.

Adopted 8/20/26 on roll call vote as follows:

	Introduced	Seconded	AYES	NAYES	ABSENT	ABSTAIN
Chirdo			X			
Mabey	X		X			
Frank		X	X			
Lewis			X			
Reckler						✓
Harriz			X			

APPROVED:

JAMES FREDA, MAYOR

Attest:

KAREN IUELE, Borough Clerk

Mayor Freda announced the meeting was open to hearing any objections to this ordinance that may be presented by any taxpayer of the Borough of Kinnelon, and all parties in interest, and citizens. Hearing none. Mayor Freda brought it back to the dais, does anyone from the council wish to speak on this ordinance at this time. Hearing none, Mayor Freda asked the Borough Clerk to call the roll on the passage thereof, and the vote was a follow.

Mayor Freda asked for a motion; Councilman S. Mabey made a motion and second by Councilman R. Lewis.

Roll Call:	Councilman S. Mabey, Yes;	Councilwomen C. Frank, Yes;
	Councilman Chirdo, Yes;	Councilman R. Reckler, Yes;
	Councilman E. Harriz, Yes;	Councilman R. Lewis, Yes.

NEW BUSINESS:

Ordinance 13-2026

MODEL HIGHLANDS PRESERVATION AREA EXEMPTION ORDINANCE

Councilman S. Mabey introduced the following ordinance and moved the same be read by title and passed on first reading. This was seconded by Councilman A. Chirdo.

Mayor J. Freda read the following notice and ordinance in full and stated that the notice has been published as required by law, a copy was posted on the Municipal Building Bulletin Board, and additional copies were made available to the public.

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MODEL HIGHLANDS PRESERVATION AREA EXEMPTION ORDINANCE

ORD. 13-2026

A Supplement to the Land Use Ordinances of

BOROUGH OF KINNELON

MORRIS COUNTY, NEW JERSEY

DATE: August 20, 2026

This document is based on a model Highlands Area Exemption Ordinance prepared and provided to Highlands municipalities by the New Jersey Highlands Water Protection and Planning Council.

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ARTICLE 1. TITLE, PURPOSE, SCOPE

§ 1.1 TITLE

This Ordinance shall be known and cited as the "Borough of Kinnelon Highlands Preservation Area Exemption Ordinance."

§ 1.2 PURPOSE

The purpose of this Ordinance is to set forth the procedural and substantive requirements by which the municipality will issue Highlands Act Exemption Determinations. Such determinations pertain only to Highlands Act Exemptions 1, 2, 4, 5, 6, 7, and 8. Highlands Act Exemption Determinations indicate whether proposed activities, improvements or development projects affecting lands located within the Borough Highlands Area are exempt from the Highlands Water Protection and Planning Act ("Highlands Act," N.J.S.A. 13:20-1 et seq.), and are therefore exempt from the Highlands Water Protection and Planning Council's ("Highlands Council") Regional Master Plan, the New Jersey Department of Environmental Protection's (NJDEP) Highlands Water Protection and Planning Act Rules ("Preservation Area Rules," N.J.A.C. 7:38-1 et seq.), and from any amendments to the Borough's master plan, development regulations, or other regulations adopted pursuant to the approval of the Borough's Petition for Plan Conformance by the Highlands Council.

§ 1.3 SCOPE/APPLICABILITY

The provisions of this Ordinance pertain to activities, improvements and development projects involving lands located within the Borough's Highlands Preservation Area. The Highlands Preservation Area comprises that portion of the municipality for which the applicable provisions of the Borough Master Plan, land use ordinances and other pertinent regulations have been deemed by the Highlands Council to be in conformance with the Highlands Regional Master Plan (RMP) (see § 3.1.1). The provisions of this Ordinance shall not be construed to alleviate any person or entity from the provisions and requirements of any other applicable ordinances, rules, or regulations of the municipality, or from any other applicable law, regulation, or requirement of any county, state, or federal authority having jurisdiction. Nor shall the provisions of this Ordinance deprive any person or entity from seeking a Highlands exemption determination from the NJDEP.

§ 1.4 STATUTORY AUTHORITY

This Ordinance is adopted under the authority of the Highlands Act and the New Jersey Municipal Land Use Law ("MLUL", N.J.S.A. 40:55D-1 et seq.). In the Highlands Act, the Legislature identified numerous categories of activities that are exempt from the Act, the RMP, the Preservation Area Rules, and any amendments to a master plan, development regulations, or other regulations adopted by a local government to conform them with the RMP. See N.J.S.A. 13:20-28. The Legislature granted the Highlands Council the authority to administer the plan conformance process and to approve, reject, or approve with conditions municipal plan conformance petitions. See N.J.S.A. 13:20-14, -15. The Legislature, through the MLUL, granted authority to New Jersey municipalities to govern land use and development within their borders and, through the Highlands Act, established requirements for Highlands municipalities to conform their land use and development regulations with the RMP. In a July 19, 2012 Memorandum of Understanding (MOU) between the Highlands Council and the NJDEP, the Council and the NJDEP recognized the circumstances in which it would be appropriate for conforming, Highlands Council-certified municipalities to make determinations regarding specified Highlands Act exemptions.

§ 1.5 SEVERABILITY

If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, such holding shall in no way affect the validity of the ordinance as a whole, or of any other portion thereof.

§ 1.6 EFFECTIVE DATE

This Ordinance shall take effect after final passage and publication in the manner required by law.

ARTICLE 2. DEFINITIONS

§ 2.1 WORD USAGE

Terms used in the body of this Ordinance which are defined by the Highlands Act (N.J.S.A. 13:20-3) are intended to have the same definitions as provided in the Highlands Act. Unless expressly stated to the contrary or alternately defined herein, terms which are defined by the MLUL are intended to have the same meaning as set forth in the MLUL. For purposes of this Ordinance, the terms "shall" and "must" are indicative of a mandatory action or requirement while the word "may" is permissive.

§ 2.2 DEFINITIONS

For purposes of this Ordinance the following definitions shall apply:

Agricultural or Horticultural Development – Construction for the purposes of supporting common farmsite activities, including but not limited to, the production, harvesting, storage, grading, packaging, processing, and the wholesale and retail marketing of crops, plants, animals, and other related commodities and the use and application of techniques and methods of soil preparation and management, fertilization, weed, disease, and pest control, disposal of farm waste, irrigation, drainage and water management, and grazing. (N.J.S.A. 13:20-3.)

Agricultural or Horticultural Use – The use of land for common farmsite activities, including but not limited to, the production, harvesting, storage, grading, packaging, processing, and the wholesale and retail marketing of crops, plants, animals, and other related commodities and the use and application of techniques and methods of soil preparation and management, fertilization, weed, disease, and pest control, disposal of farm waste, irrigation, drainage and water management, and grazing. (N.J.S.A. 13:20-3.)

Agricultural Impervious Cover – Agricultural or horticultural buildings, structures or facilities with or without flooring, residential buildings and paved areas, but not meaning temporary coverings. (N.J.S.A. 13:20-3.)

Applicant – Any entity applying to the Board of Health, Planning Board, Zoning Board of Adjustment, Zoning Officer, Construction Official or other applicable authority of the municipality for permission or approval to engage in an activity that is regulated by the provisions of this Ordinance.

Application for Development – The application form and all accompanying documents required by ordinance for approval of a subdivision plat, site plan, planned development, conditional use, zoning variance, or direction of the issuance of a permit pursuant to section 25 or section 27 of P.L.1975, c.291 (C.40:55D-34 or C.40:55D-36).

Building Permit – Used interchangeably with the term "Construction Permit;" see definition below.

Construction Permit – A permit issued pursuant to the New Jersey Uniform Construction Code, Chapter 23 of Title 5 of the New Jersey Administrative Code (N.J.A.C. 5:23-1 et seq.), providing authorization to begin work subject to the conditions and requirements established under the provisions therein.

Development – The division of a parcel of land into two or more parcels, the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any building or other structure, or of any mining excavation or landfill, and any use or change in the use of any building or other structure, or land

or extension of use of land, for which permission may be required pursuant to the MLUL. (N.J.S.A. 13:20-3; N.J.S.A. 40:55D-4.)

Disturbance – The placement of impervious surface, the exposure or movement of soil or bedrock, or the clearing, cutting, or removing of vegetation. (N.J.S.A. 13:20-3.)

Disturbance, Ultimate – The total existing or proposed area of disturbance of a lot, parcel, or other legally designated (or otherwise legally recognized) tract or subdivision of land, for the purpose of, and in connection with, any human activity, property improvement, or development, including the surface area of all buildings and structures, all impervious surfaces, and all associated land disturbances such as excavated, filled, and graded areas, and all lawn and landscape areas. Ultimate disturbance shall not include areas of prior land disturbance which at the time of evaluation: a) contain no known man-made structures (whether above or below the surface of the ground) other than such features as old stone rows or farm field fencing; and b) consist of exposed rock outcroppings, or areas which, through exposure to natural processes (such as weathering, erosion, siltation, deposition, fire, flood, growth of trees or other vegetation) are no longer impervious or visually obvious, or ecologically restored areas which will henceforth be preserved as natural areas under conservation restrictions.

Environmental Land Use or Water Permit – A permit, approval, or other authorization issued by the Department of Environmental Protection pursuant to the "Freshwater Wetlands Protection Act," P.L.1987, c.156 (C.13:9B-1 et seq.), the "Water Supply Management Act," P.L.1981, c.262 (C.58:1A-1 et seq.), the "Water Pollution Control Act," P.L.1977, c.74 (C.58:10A-1 et seq.), "The Realty Improvement Sewerage and Facilities Act (1954)," P.L.1954, c.199 (C.58:11-23 et seq.), the "Water Quality Planning Act," P.L.1977, c.75 (C.58:11A-1 et seq.), the "Safe Drinking Water Act," P.L.1977, c.224 (C.58:12A-1 et seq.), or the "Flood Hazard Area Control Act," P.L.1962, c.19 (C.58:16A-50 et seq.). (N.J.S.A. 13:20-3.)

Farm Management Unit – A parcel or parcels of land, whether contiguous or noncontiguous, together with agricultural or horticultural buildings, structures and facilities, producing agricultural or horticultural products, and operated as a single enterprise. (N.J.S.A. 13:20-3.)

Forest Management Plan – A written guidance document describing the forest resources present on a property, the landowner's management goals and objectives, and the recommended practices or activities to be carried out over time on the land. This tool is used to evaluate a forest land's current state and provide a management process which, over time, meets the landowner's objectives, while maintaining health and vigor of the resource. Forest Management Plans are typically written for a ten year period. (RMP, Glossary.)

Farmsite – A Farm Management Unit as defined above.

Highlands Applicability Determination – A determination made by the NJDEP (pursuant to N.J.A.C. 7:38-2.4) indicating whether a project proposed for the Preservation Area is a major Highlands development, whether any such major Highlands development is exempt from the Highlands Act, and whether the project is consistent with the applicable Areawide Water Quality Management Plan

Highlands Area – That portion of the municipality for which the land use planning and regulation are in conformance with, or are intended or proposed to be in conformance with, the Highlands RMP.

Highlands Preservation Area Approval (HPAA) – An approval issued by the NJDEP pursuant to N.J.A.C. 7:38-6 pertinent to a regulated activity in the Highlands Preservation Area, and including an HPAA that contains a waiver pursuant to N.J.S.A. 13:20-33b.

Immediate Family Member – A spouse, child, parent, sibling, aunt, uncle, niece, nephew, first cousin, grandparent, grandchild, father-in-law, mother-in-law, son-in-law, daughter-in-law, stepparent, stepchild, stepbrother, stepsister, half brother, or half sister, whether the individual is related by blood, marriage, or adoption. (N.J.S.A. 13:20-3.)

Impervious Surface – Any structure, surface, or improvement that reduces or prevents absorption of stormwater into land, including, but not limited to, porous paving, paver blocks, gravel, crushed stone, decks, patios, elevated structures, and other similar structures, surfaces, or improvements. (N.J.S.A. 13:20-3.)

Impervious Surfaces, Cumulative – The total area of all existing or proposed impervious surfaces situated or proposed to be situated within the boundary lines of a lot, parcel, or other legally recognized subdivision of land, expressed either as a measure of land area such as acreage, or square feet, or as a percentage of the total lot or parcel area.

Major Highlands Development – Except as otherwise provided pursuant to subsection a. of section 30 of the Highlands Act ("Exemptions"): (1) any non-residential development in the Preservation Area; (2) any residential development in the Preservation Area that requires an environmental land use or water permit [from the NJDEP, *see definition above*], or that results in the ultimate disturbance of one acre or more of land or a cumulative increase in impervious surface by one-quarter acre or more; (3) any activity undertaken or engaged in the Preservation Area that is not a development but results in the ultimate disturbance of one-quarter acre or more of forested area or that results in a cumulative increase in impervious surface by one-quarter acre or more on a lot; or (4) any capital or other project of a state entity or local government unit in the Preservation Area that requires an environmental land use or water permit [from the NJDEP, *see definition above*], or that results in the ultimate disturbance of one acre or more of land or a cumulative increase in impervious surface by one-quarter acre or more. Major Highlands Development shall not include any agricultural or horticultural development or agricultural or horticultural use. Solar panels shall not be included in any calculation of impervious surface. (As defined by the Highlands Act, N.J.S.A. 13:20-1 et seq., as amended.)

Master Plan – For purposes of this Ordinance, all references to the "Borough's Master Plan," "master plan," or "Master Plan," refer to the municipal master plan, as defined in the MLUL (N.J.S.A. 40:55D-5), as adopted by the Borough's Planning Board.

Master Plan, Highlands Regional (RMP) – For purposes of this Ordinance, all references to the Highlands Regional Master Plan (RMP), shall be by use of the words "Highlands Regional Master Plan," "Highlands RMP," "Regional Master Plan," or "RMP."

Municipal Land Use Law (MLUL) – The New Jersey Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq.

NJDEP – New Jersey Department of Environmental Protection

NJDEP Preservation Area Rules – The regulations established by the NJDEP to implement requirements of the Highlands Act, titled "Highlands Water Protection and Planning Act Rules," and codified at N.J.A.C. 7:38-1 et seq.

Preservation Area – Lands within the Highlands Region that are located in that portion designated by the Highlands Act as the "Preservation Area" (see metes and bounds description at N.J.S.A. 13:20-7b).

Solar Panel – An elevated panel or plate, or a canopy or array thereof, that captures and converts solar radiation to produce power, and includes flat plate, focusing solar collectors, or photovoltaic solar cells and excludes the base or foundation of the panel, plate, canopy, or array. (N.J.S.A. 13:20-3.)

Structure – A combination of materials to form a construction for occupancy, use or ornamentation whether installed on, above, or below the surface of a parcel of land.

ARTICLE 3. GEOGRAPHIC AREA OF APPLICABILITY

§ 3.1 HIGHLANDS PLANNING AREA AND PRESERVATION AREA

The Highlands Act establishes the Preservation Area and Planning Area of the Highlands Region. It describes the varied attributes of each and sets forth the major land use planning goals that pertain to the lands located within each. The Act defines the geographic extent of the Highlands Region to include the aggregated land area making up its constituent municipalities (N.J.S.A. 13:20-7a). It provides a physical delineation of the Preservation Area by use of a specific metes and bounds description (N.J.S.A. 13:20-7b), designating all remaining lands within the Highlands Region as the Planning Area.

§ 3.1.1 Highlands Area

The Borough's Master Plan incorporates the Highlands Preservation Area, inclusive of the goals applicable to it, as an integral component of the planning and land use policies of the municipality. For purposes of this Ordinance, this Area is designated as the Borough's Highlands Area. A map of the Borough Highlands Preservation Area appears in Exhibit 1.

§ 3.1.2 Applicability Specified

This Ordinance applies specifically and solely to lands designated as the Borough's Highland Preservation Area, as delineated in Exhibit 1.

ARTICLE 4. HIGHLANDS ACT EXEMPTION DETERMINATIONS

§ 4.1 HIGHLANDS ACT EXEMPTIONS

Section 30 of the Highlands Act identifies as exempt, specific activities, improvements and development projects affecting lands within the Highlands Region. Such activities, improvements and projects may be proposed as a component of any type of land use application submitted to the municipality for approval, including but not limited to zoning permit applications, building permit applications, and Applications for Development (as defined at § 2.2). Any such qualifying activity, improvement or development project is exempt, with regard specifically to that activity, improvement or development project, from the requirements of the Highlands Act, the Highlands RMP, the NJDEP Preservation Area Rules, and any amendments to the Borough's master plan, development regulations, or other regulations adopted pursuant to the approval of Borough's Petition for Plan Conformance by the Highlands Council. Such an exemption specifically applies to any Highlands Area land use ordinance adopted by the Borough pursuant to the Highlands Council's approval of Borough's Petition for Plan Conformance.

Where any application submitted to the municipality for approval proposes to rely upon a Highlands Act Exemption, the applicant must, as a condition of application completeness, and prior to review or approval of the application by the applicable municipal authority, provide sufficient evidence that the proposed activity, improvement, or development project in fact qualifies as a Highlands Act Exemption. Such evidence shall consist of either a State Agency Exemption Determination or a Municipal Exemption Determination (see § 4.1.1 or § 4.1.2 below) indicating that the proposed activity, improvement, or development project qualifies for a Highlands Act Exemption.

§ 4.1.1 State Agency Exemption Determination

State Agency Exemption Determinations shall consist of a Highlands Applicability Determination issued by the NJDEP. State Agency Determinations may be requested with regard to any Highlands Act Exemption, however for applications involving any exemption not identified at § 4.2 below, a State Agency Exemption Determination is required. Any applicant seeking a formal exemption determination for a capital or other project of any State entity or local government unit, or for any other publicly-owned or controlled land or facility, also must request a State Agency Exemption Determination.

§ 4.1.2 Municipal Exemption Determination

For an application involving any of the specific exemptions listed in Section 4.2 below, the applicant may request a Municipal Exemption Determination. The applicant may rely upon the findings of a Municipal Exemption Determination to the same extent as would apply to an exemption determination issued by the NJDEP.

§ 4.2 HIGHLANDS ACT EXEMPTIONS ELIGIBLE FOR MUNICIPAL DETERMINATION

Effective as of the date on which the municipality receives written authorization from the Highlands Council to proceed, an applicant may seek a Municipal Exemption Determination for the Highlands Act Exemptions listed hereunder. [*This listing will be finalized in consultation with the municipality. The Highlands Council encourages municipalities to incorporate all exemptions authorized for municipal determination, as listed below. While municipalities may consider shortening this list, the Council encourages municipalities to assume responsibility for exemption determinations to the maximum extent feasible, to provide ease and efficiency in processing of municipal applications and to reduce costs to applicants. Training will be provided for municipal officials prior to adoption and effectuation of these provisions and on-going assistance will be available to all officials designated with review authority.*]

1. *Exemption 1.* The construction of a single family dwelling, for an individual's own use or the use of an immediate family member, on a lot owned by the individual on the date of enactment of the Highlands Act (August 10, 2004) or on a lot for which the individual entered into a binding contract of sale to purchase on or before May 17, 2004.

2. *Exemption 2.* The construction of a single family dwelling on a lot in existence on the date of enactment of the Highlands Act (August 10, 2004), provided that the construction does not result in the ultimate disturbance of one acre or more of land or a cumulative increase in impervious surface by one-quarter acre or more.

    a) A Municipal Exemption Determination indicating that an applicant qualifies under Highlands Act Exemption 2 shall require approval and filing of a Deed Notice along with a site plan delineating the total exempt area and the extent of the disturbance recognized in the Municipal Exemption Determination (see 4.4 below). Municipal Exemption Determinations in such instances shall not take effect until the applicant has provided proof of filing of the approved Deed Notice.

3. *Exemption 4.* The reconstruction of any building or structure for any reason within 125% of the footprint of the lawfully existing impervious surfaces on the site, provided that the reconstruction does not increase the lawfully existing impervious surface by one-quarter acre or more. This exemption shall not apply to the reconstruction of any agricultural or horticultural building or structure for a non-agricultural or non-horticultural use.

    a) For purposes of this Ordinance, this exemption shall not be construed to permit multiple 125% footprint expansions, but rather, to permit one or more reconstruction activities cumulatively resulting in a maximum 125% increase in the footprint of the impervious surfaces lawfully existing on the site, provided they do not cumulatively exceed the one-quarter acre limitation. Any determination of whether the expansion of impervious cover meets the statutory criteria for the exemption must account for the preexisting impervious cover, and such expansion must be contiguous to the location of the existing impervious cover. See In re August 16, 2007 Determination of NJDEP ex rel. Christ Church, 414 N.J. Super. 592 (App. Div. 2010), certif. denied, 205 N.J. 16 (2010).

    b) The applicable date of lawful existence shall be August 10, 2004, the date of enactment of the Highlands Act.

4. *Exemption 5.* Any improvement to a single family dwelling in existence on the date of enactment of the Highlands Act (August 10, 2004), including but not limited to an addition, garage, shed, driveway, porch, deck, patio, swimming pool or septic system.

5. *Exemption 6.* Any improvement, for non-residential purposes, to a place of worship owned by a nonprofit entity, society or association, or association organized primarily for religious purposes, or a public or private school, or a hospital, in existence on the date of enactment of the Highlands Act (August 10, 2004), including but not limited to new structures, an addition to an existing building or structure, a site improvement, or a sanitary facility.

6. *Exemption 7.* An activity conducted in accordance with an approved woodland management plan pursuant to section 3 of the "Farmland Assessment Act," P.L.1964, c.48 (C.54:4-23.3) or a forest stewardship plan approved pursuant to section 3 of P.L.2009, c. 256 (the "State Park and Forestry Resources Act," C.13:1L-31), or the normal harvesting of forest products in accordance with a forest management plan or forest stewardship plan approved by the State Forester.

7. *Exemption 8.* The construction or extension of trails with non-impervious surfaces on publicly owned lands or on privately owned lands where a conservation or recreational use easement has been established.

§ 4.3 EXEMPTION DESIGNEE(S)

Municipal Exemption Determinations regarding Highlands Act Exemptions shall be issued by the DPW Superintendent and Planning Board Secretary. The Exemption Designee(s) shall be authorized to issue Municipal Exemption Determinations on behalf of the municipality, and shall only begin to do so, after satisfactory completion of a Highlands Council training class for which the individual(s) has/have received formal certification from the Highlands Council.

§ 4.3.1 Updates to Training Certification

In the event of programmatic changes, updated information, or modifications to procedures, updated training certification may be required of Exemption Designees in order to maintain qualifications for providing Municipal Exemption Determinations. The Highlands Council will provide training modules on an as-needed basis, to provide base training to new employees, and/or to further the expertise of already-certified individuals. Exemption Designees and the municipalities they serve will be advised of any need for upgraded training, which will be provided and funded by the Highlands Council.

§ 4.3.2 Interim Determinations

For the duration of any period during which the municipality is without a qualified Exemption Designee(s) due to changes in personnel or other extenuating circumstances, applicants seeking Highlands Act Exemption Determinations shall be referred to the NJDEP for a State Agency Determination pursuant to § 4.1.1, above.

§ 4.4 APPLICATION PROCEDURES

§ 4.4.1 Municipal Exemption Applications

Requests for Municipal Exemption Determination shall be submitted on forms provided by the DPW Superintendent and Planning Board Secretary, and shall be accompanied by sufficient information and documentary evidence to demonstrate whether the proposed activity, improvement or development project qualifies for the applicable exemption. Required submission materials applicable to each exemption, appear at § 4.8, below.

§ 4.4.2 Completeness Determination

The Exemption Designee shall review the application and all accompanying materials to determine whether sufficient information has been submitted to make a determination on the application. In the event of a finding that the application is incomplete, the Exemption Designee shall, within 45 calendar days of receipt [*municipality to insert timing as appropriate*], issue such findings in writing to the applicant, indicating what information is required to properly consider the application.

§ 4.4.3 Time for Determination

The Exemption Designee shall issue Municipal Exemption Determinations within45 calendar days of receipt of a complete application. The Exemption Designee may consult with the NJDEP or the Executive Director (or applicable designee) of the Highlands Council as needed in making any exemption determination, however. In such circumstance, the Exemption Designee shall seek such assistance within the 45 day-period and shall issue the determination within at least ten (10) calendar days of receiving the requested guidance. In no case shall failure to meet this date constitute approval of the exemption.

§ 4.4.4 Determinations

All Municipal Exemption Determinations shall be provided in writing, shall certify to the applicability or inapplicability of the exemption, and shall include a statement of the rationale for the decision. Any Municipal Exemption Determination certifying to the applicability of Highlands Act Exemptions #2 shall be contingent upon submission of proof of filing of the required Deed Notice, as set forth at § 4.4.5, below.

§ 4.4.5 Notice of Determination Required

The Exemption Designee shall provide copies of all Municipal Exemption Determinations including a copy of the full application, to the Highlands Council and to the NJDEP within ten (10) business days of issuance.

§ 4.4.6 Deed Notice for Exemption #2

Any Municipal Exemption Determination that certifies to the applicability of Highlands Act Exemption #2 (§ 4.2 above), shall be issued conditionally, pending fulfillment of the requirement that a deed notice be recorded in the office of the County Clerk or Register, as applicable, indicating the extent of the exemption that has been consumed. The deed notice shall incorporate each of the components listed below and the applicant shall provide a copy of the filed Deed Notice to the Highlands Council within five (5) business days of filing.

A. Clear identification of the name(s) and address(es) of the owner(s) in fee of the property;

B. Designated tax block and lot number(s), street address(es), municipality and county of location of the property;

C. Reference to the Municipal Exemption Determination (by date, numbering if applicable) issued and under which the deed notice is being filed;

D. Description of the approved area of ultimate disturbance and the impervious surface area, with verification that these remain below the statutory limits;

E. For properties of one acre or more in area, metes and bounds delineation indicating the portion of the property for which the ultimate disturbance has been authorized;

F. Agreement to abide by the ultimate disturbance and impervious surface limits imposed, any furtherance thereof rendering the Municipal Exemption Determination null and void; and

G. Notice that the owner(s) and subsequent owner(s) and lessees shall cause all leases, grants, and other written transfers of interest in the property to contain provisions expressly requiring all holders thereof to take the property subject to the limitations therein set forth.

§ 4.5 APPEAL OF MUNICIPAL EXEMPTION DETERMINATION

A Municipal Exemption Determination may be appealed by any affected person/entity by filing a notice of appeal within twenty (20) calendar days of issuance or receipt of said determination, whichever is later, specifying the grounds therefor. Appeals must be filed with the NJDEP. All appeals shall be copied to the Exemption Designee, who shall immediately transmit to the NJDEP copies of the notice of appeal, the Municipal Exemption Determination Application, and all supplemental materials constituting the record that the Exemption Designee relied upon in issuing the Municipal Exemption Determination. Where the Municipal Exemption Determination deems an activity, improvement or development project exempt, the filing of an appeal to the NJDEP shall stay all proceedings in furtherance of its approval by the municipality.

§ 4.6 EFFECT OF CERTIFIED EXEMPTION

Issuance of a Municipal Exemption Determination that certifies to the applicability of a Highlands Act exemption shall recognize the applicant's exemption from the provisions of the RMP, NJDEP Preservation Area Rules, and any municipal ordinances and requirements adopted under the authority of the Highlands Act to achieve Highlands Plan Conformance. The exemption is restricted solely to the extent of the specified activity, improvement, or development project as described in the language of the Highlands Act exemption, or to any lesser activity, improvement, or development project as proposed and certified through a Municipal Exemption Determination Application. Any activity, improvement, or development project, or any part thereof, that is not specifically listed as an exemption or exceeds the limits of an exemption, remains subject to all of the above regulatory programs to the full extent of the respective applicability of each. Issuance of a Highlands Exemption Determination shall not relieve the applicant from securing all other required federal, state, or local approvals.

§ 4.7 APPLICATION FEES (OMITTED)

§ 4.8 SUBMISSION REQUIREMENTS

All applications shall be accompanied by the Municipal Exemption Determination Application Form, the applicable fees, and the information listed below, as applicable to the particular exemption or exemption(s) being sought by the applicant. All references to professional preparers indicated herein shall be construed to include any and all qualified individuals licensed, certified, or otherwise eligible and authorized to complete such work, in accordance with the applicable laws and legal requirements of the State of New Jersey including but not limited to the MLUL (N.J.S.A. 40:55D-1 et seq.) and Title 13 of the New Jersey Administrative Code, Law and Public Safety. Where the Exemption Designee finds that any submission item is not necessary to address the evidentiary requirements that must be satisfied for issuance of an Exemption Determination, either because alternate items have been provided by the applicant, or the relevant information is readily available through records, maps, or any other documents on file in the offices of the municipality, the Exemption Designee may waive the applicant's obligation to submit such information.

A. *Exemption 1.*

1. A copy of a deed, closing or settlement statement, title policy, tax record, mortgage statement or any other official document showing that the lot was legally owned by the applicant on or before August 10, 2004 and indicating the lot and block as designated by the municipal tax mapping, the municipality and county in which the lot is located, and the street address;

2. If the applicant did not own the lot, a copy of the binding contract of sale executed by the seller and the applicant on or before May 17, 2004 for the lot on which the house is to be constructed; and

3. A certification by the applicant stating that the single family dwelling proposed for construction on the lot specified and described therein by tax lot and block, municipality and county of location, and street address, is intended for the applicant's own use or the use of an immediate family member as identified therein by name and relationship to the applicant.

B. *Exemption 2.*

1. A copy of the recorded deed or plat showing that the lot was created on or before August 10, 2004 or proof of subdivision approval on or before August 10, 2004;

2. A property survey certified by a licensed New Jersey Professional Land Surveyor indicating the property boundary lines and overall lot size, and showing what structures currently exist on the lot, if any;

3. A parcel plan prepared by a licensed New Jersey Professional Engineer showing all existing and proposed development, including all structures, grading, clearing, impervious surface and disturbance, and including the calculations supporting the claim that impervious surfaces and areas of disturbance are within the limits necessary for Exemption 2; and

4. A metes and bounds description of the area of the lot to be disturbed, limited to less than one acre and a draft conservation restriction or deed notice (pursuant to § 4.4.6, above) to cover the balance of the lot.

C. *Exemption 4.*

1. A parcel plan certified by a licensed New Jersey Professional Engineer depicting:

   a) All existing property improvements, including all structures, grading, clearing, impervious surfaces and limits of disturbance, lawfully existing on the site as of August 10, 2004; and

   b) All proposed development including all structures, impervious surfaces, clearing limits, and limits of disturbance, including grading; and

2. A copy of any official documentation of the original date of construction of the building or otherwise establishing the lawfulness of existing impervious surfaces.

D. *Exemption 5.*

1. A copy of any official documentation proving the single family dwelling was in existence on August 10, 2004;

2. A description of the proposed improvement; and

3. A certification from the applicant that the property and all improvements will continue to be used for single family dwelling purposes.

E. *Exemption 6.*

1. A copy of any official documentation indicating that the place of worship, public or private school or hospital was in existence on August 10, 2004;

2. For improvements to a place of worship, documentation showing that the entity, society or association, or association organized primarily for religious purposes has non-profit status;

3. A site plan certified by a licensed New Jersey Professional Engineer depicting:

   a) All existing property improvements including all structures, grading, clearing, impervious surfaces and limits of disturbance, existing on the site on August 10, 2004; and

   b) All proposed development including all structures, impervious surfaces, clearing limits, and limits of disturbance, including grading.

F. *Exemption 7.*

1. For a private landowner with an approved woodland management plan or forest stewardship plan:

   a) A copy of the applicant's tax bill showing that the site has farmland assessment tax status under the New Jersey Farmland Assessment Act, N.J.S.A. 54:4-23.1 et seq., if applicable;

   b) A brief description of the total area of woodlands that is the subject of the approved woodland management plan or forest stewardship plan;

   c) A brief description of the length of time that the area to be managed has been in use for woodland management or forest stewardship plan; and

   d) A copy of the approved woodland management plan or forest stewardship plan.

2. For the normal harvesting of forest products in accordance with a forest management plan or forest stewardship plan approved by the State Forester:

   a) A brief description of the total area where the normal harvesting of forest products occurs;

   b) A brief description of the length of time that the area to be managed has been in use for normal harvesting of forest products; and

   c) A copy of a forest management plan or forest stewardship plan approved by the State Forester.

G. *Exemption 8.*

1. A site plan certified by a licensed New Jersey Professional Engineer showing the proposed trail construction with details including the location, and width of existing and proposed trails and those off-site trails to which they connect, if any;

2. A written description of the non-impervious materials to be used; and

3. For privately owned property, a copy of a deed for the property and the conservation or recreational use easement on the property.

There was no other desire to discuss this ordinance, Mayor J. Freda asked the Borough Clerk to call the roll on the passage thereof, and the vote was as followed.

Roll Call: Councilman S. Mabey, Yes; Councilwomen C. Frank, Yes;
Councilman Chirdo, Yes; Councilman R. Reckler, Yes;
Councilman E. Harriz, Yes; Councilman R. Lewis, Yes.

WHEREAS, the above ordinance was introduced at this meeting held on August 20, 2026, and read by title, and passed on first reading:

NOW, THEREFORE, BE IT RESOLVED, that at the regular meeting to be held on September 17, 2026, at 7:00 pm, prevailing time, at the Kinnelon Municipal Building, this Council further consider for second reading and final passage the said ordinance.

BE IT FURTHER RESOLVED that the Borough Clerk of this Borough be and she is hereby directed to publish the proper notice thereof.

Councilman S. Mabey offered a motion to publish the foregoing resolution. This was second by Councilman A. Chirdo.

Ordinance 14-2026

REPEAL CHAPTER 51 OF THE ORDINANCES OF THE BOROUGH OF KINNELON TITLED "SUSTAINABILITY AND OPEN SPACE ADVISORY COMMITTEE" AND REPLACE IT WITH A NEW CHAPTER 51 TITLED "KINNELON ENVIRONMENTAL AND OPEN SPACE COMMITTEE

Councilman S. Mabey introduced the following ordinance and moved the same be read by title and passed on first reading. This was seconded by Councilman A. Chirdo.

Mayor J. Freda read the following notice and ordinance in full and stated that the notice has been published as required by law, a copy was posted on the Municipal Building Bulletin Board, and additional copies were made available to the public.

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BOROUGH OF KINNELON
ORDINANCE NO. 14-2026

AN ORDINANCE TO REPEAL CHAPTER 51 OF THE ORDINANCES OF THE BOROUGH OF KINNELON TITLED "SUSTAINABILITY AND OPEN SPACE ADVISORY COMMITTEE" AND REPLACE IT WITH A NEW CHAPTER 51 TITLED "KINNELON ENVIRONMENTAL AND OPEN SPACE COMMITTEE"

WHEREAS, the Mayor and Council of the Borough of Kinnelon desire to adopt an Organizational Chart which establishes and depicts the official organizational structure for the Borough of Kinnelon.

Section I NOW THEREFORE BE IT ORDAINED by the Mayor and Council of the Borough of Kinnelon that the existing Chapter 51 is hereby repealed and replaced with the following:

§ 51-1. Establishment.

A Kinnelon Environmental and Open Space Committee is hereby established in and for the Borough of Kinnelon.

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

(1) The Kinnelon Environmental and Open Space Committee shall be comprised of seven regular members and two alternates:

(a) Seven members from the public;

(b) Two alternates from the public designated as Alternate No. 1 and Alternate No. 2 who may participate in all matters but may not vote except in the absence or disqualification of a regular member. Alternate No. 1 shall be the first to vote in the place of a regular member, then Alternate No. 2.

(2) The Mayor shall appoint, with the advice and consent of the Council, all members of Kinnelon Environmental and Open Space Committee. All members of Kinnelon Environmental and Open Space Committee shall be residents of the Borough of Kinnelon.

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

(1) Two alternates from the public shall be appointed for one-year term;

(2) Two members from the public shall be appointed for one-year term;

(3) Two members from the public shall be appointed for two-year terms; and

(4) Three members from the public shall be appointed for three-year terms.

(5) Thereafter, the term for each member of the public shall be for a period of three years.

(6) Any vacancy occurring during the term of any of the members of the public shall be

filled for the balance of the unexpired term.

§ 51-3. Purpose.

The Kinnelon Environmental and Open Space Committee is intended to serve in an advisory capacity to the Borough Council, its officials and boards, and shall provide information, advice and recommendations relating to sustainability, environmental and open space issues.

§ 51-4. Duties.

The Kinnelon Environmental and Open Space Committeeshall have the duties and responsibilities as follows:

A. Study and make reports and recommendations as may be directed by the Borough Council regarding environmental issues such as land use and development, solid waste management, toxic materials storage, air and water pollution, light pollution, noise control, open space preservation, water resources management, energy conservation and any other areas that are deemed relevant.

B. Serve as a repository for information relating to the above.

C. Recommend to the Borough Council, subject to funds being available, the hiring of experts to assist the Kinnelon Environmental and Open Space Committee in carrying out its duties.

D. Make recommendations to the Borough Council regarding parcels of land for acquisition.

E. Make recommendations to the Borough Council regarding the preservation, management and use of open space.

F. Provide input for the updating of the Open Space and Recreation Plan.

G. Assist the Borough in the development of an open space tracking system to catalogue the undeveloped or underdeveloped lands in the Borough and record the progress with respect to open space preservation.

H. Coordinate activities in cooperation with other committees entrusted with responsibilities related to various Kinnelon Environmental and Open Space Committee relevant issues.

I. Submit reports to the Borough Council of various Kinnelon Environmental and Open Space Committee activities.

J. Assist the Borough in the evaluation, establishment and implementation of sustainable and resource management initiatives.

K. Coordinate with the Recreation Committee and Historical Committee the recreation and historic sites information for the Open Space and Recreation Plan.

L. Make recommendations to the Planning Board to maintain the Borough's

(1) Environmental resource inventory: the basis for land use planning that protects natural resources.

(2) Critical habitat conservation and management plan: stewardship and monitoring of critical habitats in the Highlands Preservation Area if required by NJDEP.

(3) Open space and recreation plan: a guide for protection and preservation of open space in Kinnelon.

M. Establish subcommittees and delegate tasks as needed.

N. Periodically review its function and submit a recommendation to the Borough Council as to whether additional duties should be assigned or delegated to the Committee.

O. Recommend to the Borough Council grants of interest.

P. Develop a public education program with the goal of promoting sustainability, environmental and open space preservation in the Borough.

§ 51-5. Compensation.

The members of the Kinnelon Environmental and Open Space Committee shall receive no salary or other compensation for their services.

Section 2. Repealer.
All ordinances or parts of ordinances inconsistent or in conflict with this Ordinance are hereby repealed as to said inconsistencies and conflicts.

Section 3. Severability
If any section, part of any section, or clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the remaining provisions of this ordinance. The governing body of the Borough of Kinnelon declares that it would have passed the ordinance and each section thereof, irrespective of the fact that any one or more of the subsections, sentences, clauses or phrases may be declared unconstitutional or invalid.

Section 4. Effective Date.
This ordinance shall take immediate effect upon passage and publication according to law.

Adopted ___/___/___ on roll call vote as follows:

	Introduced	Seconded	AYES	NAYES	ABSENT	ABSTAIN
Chirdo						
Mabey						
Frank						
Lewis						
Reckler						
Harriz						

There was no other desire to discuss this ordinance, Mayor J. Freda asked the Borough Clerk to call the roll on the passage thereof, and the vote was as followed.

Roll Call:	Councilman S. Mabey, Yes;	Councilwomen C. Frank, Yes;
	Councilman Chirdo, Yes;	Councilman R. Reckler, Yes;
	Councilman E. Harriz, Yes;	Councilman R. Lewis, Yes.

WHEREAS, the above ordinance was introduced at this meeting held on August 20, 2026, and read by title, and passed on first reading:

NOW, THEREFORE, BE IT RESOLVED, that at the regular meeting to be held on September 17, 2026, at 7:00 pm, prevailing time, at the Kinnelon Municipal Building, this Council further consider for second reading and final passage the said ordinance.

BE IT FURTHER RESOLVED that the Borough Clerk of this Borough be and she is hereby directed to publish the proper notice thereof.

Councilman S. Mabey offered a motion to publish the foregoing resolution. This was second by Councilman A. Chirdo.

Roll Call:	Councilman S. Mabey, Yes;	Councilwomen C. Frank, Yes;
	Councilman Chirdo, Yes;	Councilman R. Reckler, Yes;
	Councilman E. Harriz, Yes;	Councilman R. Lewis, Yes.

ADJOURNMENT:

This meeting adjourned at approximately 8:00p.m. on motion by Councilman S. Mabey with the unanimous affirmative voice vote of all present.

Respectfully submitted,

Karen M. Iuele, RMC
Borough Clerk

Mayor James Freda