

[illegible]

September 17, 2026
12:39 PM

BOROUGH OF KINNELON
Check Register By Check Date

Page No: 1

Range of Checking Accts: First to Last Range of Check Dates: 08/21/26 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			
30916	08/27/26	CAB12 OPTIMUM	45.01		5095
30917	09/10/26	CAB01 OPTIMUM	59.77		5097
30918	09/10/26	CAB02 OPTIMUM	197.94		5097
30919	09/10/26	CAB03 OPTIMUM	119.40		5097
30920	09/10/26	CAB04 OPTIMUM	151.89		5097
30921	09/10/26	CAB05 OPTIMUM	120.39		5097
30922	09/10/26	CAB06 OPTIMUM	131.89		5097
30923	09/10/26	CAB07 OPTIMUM	131.89		5097
30924	09/10/26	CAB08 OPTIMUM	215.89		5097
30925	09/10/26	CAB09 OPTIMUM	120.39		5097
30926	09/10/26	CAB10 OPTIMUM	344.83		5097
30927	09/10/26	CAB11 OPTIMUM	125.94		5097
30928	09/10/26	CAB12 OPTIMUM	305.00		5097
30929	09/10/26	MET07 METROPOLITAN LIFE INSURANCE CO	1,214.54		5097
30930	09/10/26	NOR13 NORTH JERSEY MUNICIPAL	119,799.00		5097
30931	09/17/26	ACT04 ACTION DATA SERVICES	1,486.36		5099
30932	09/17/26	AGL01 A.G.L. WELDING SUPPLY COMPANY	119.06		5099
30933	09/17/26	ALL04 ALLIED OIL COMPANY	8,036.57		5099
30934	09/17/26	AMA02 DAVID A. AMADIO, ESQ.	1,500.00		5099
30935	09/17/26	AMA03 AMAZON CAPITAL SERVICES	0.00	09/17/26 VOID	0
30936	09/17/26	AMA03 AMAZON CAPITAL SERVICES	2,347.44		5099
30937	09/17/26	AME07 AMERICAN SEWER SERVICE LLC	703.73		5099
30938	09/17/26	AME16 AMERICAN HOSE & HYDRAULIC CO.	242.30		5099
30939	09/17/26	ANY01 ANY EXCUSE FOR A PARTY, INC	3,295.00		5099
30940	09/17/26	AQU04 AQUA CHILL PARSIPPANY, INC	895.00		5099
30941	09/17/26	ASH03 ADAM ASHBY	141.50		5099
30942	09/17/26	ATL11 ATLANTIC COAST RECYCLING, LLC	5,097.02		5099
30943	09/17/26	BEP01 DANIEL BEPLER	150.38		5099
30944	09/17/26	BOR01 BOROUGH OF BUTLER ELECTRIC	8,805.93		5099
30945	09/17/26	BOR02 BOROUGH OF KINNELON	585.50		5099
30946	09/17/26	BOR11 BOROUGH OF BLOOMINGDALE	72,630.00		5099
30947	09/17/26	BOS03 BOSLAND'S FLORIST LLC	166.95		5099
30948	09/17/26	BOU02 BOUNDTREE MEDICAL PRODUCTS INC	140.14		5099
30949	09/17/26	BRA05 BRAEN SUPPLY	1,449.60		5099
30950	09/17/26	CIA01 JOHN CIARDI	1,000.00		5099
30951	09/17/26	CIN05 CINTAS CORPORATION #111	1,746.42		5099
30952	09/17/26	CIT05 FIRST-CITIZENS BANK & TRUST CO	619.33		5099
30953	09/17/26	COREL006 CORELOGIC CENTRALIZED REFUNDS	16,493.74		5099
30954	09/17/26	CRO02 CROWN AWARDS	118.87		5099
30955	09/17/26	CYN02 CYNNA ENTERPRISES LLC	5,222.05		5099
30956	09/17/26	DAR01 DARMOFALSKI ENGINEERING ASSOC.	6,355.00		5099
30957	09/17/26	DAV07 DAVE'S TIRE, LLC	846.00		5099
30958	09/17/26	DEB03 DE BLOCK ENVIRONMENTAL SERVICE	2,053.39		5099
30959	09/17/26	DEH01 BRIAN DEHASS	45.73		5099
30960	09/17/26	DEP04 TREASURER, STATE OF NEW JERSEY	25.00		5099
30961	09/17/26	DIL04 CHRIS M. DILORENZO	4,375.00		5099
30962	09/17/26	DKL01 DKL CONSULTING	625.00		5099
30963	09/17/26	DOV01 DOVER BRAKE & CLUTCH	538.46		5099
30964	09/17/26	DRA04 DRAGONFLY PRODUCTIONS INC	825.00		5099

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
GENERAL		General Account Account Payab Continued			
30965	09/17/26	EXT01 EXTRA SPACE STORAGE	367.00		5099
30966	09/17/26	FER02 BERNADINE FERRARI	400.00		5099
30967	09/17/26	FRA13 FSC LEAK DETECTION	5,220.72		5099
30968	09/17/26	GAM03 GAMETRUCK BERKELEY HEIGHTS	1,109.00		5099
30969	09/17/26	GIB03 BRIAN T. GIBLIN, ESQ.	7,500.00		5099
30970	09/17/26	GOV04 GOVCONNECTION, INC.	2,744.29		5099
30971	09/17/26	GRA01 GRAINGER INC.	896.19		5099
30972	09/17/26	GSB01 GLATFELTER SPECIALTY BENEFITS	524.00		5099
30973	09/17/26	HAI04 ELLEN HAID	41.00		5099
30974	09/17/26	HAL04 HALO	822.42		5099
30975	09/17/26	HAR18 HARBOR FREIGHT	2,571.52		5099
30976	09/17/26	HAW HAWKINS, DELAFIELD & WOOD	11,270.58		5099
30977	09/17/26	HIL04 CARLYN BALL	21.20		5099
30978	09/17/26	HOM02 HOME DEPOT CREDIT SERVICE	202.80		5099
30979	09/17/26	HOR04 HORIZON OFFICE EQUIPMENT	255.00		5099
30980	09/17/26	HOR06 HORIZON ENTERTAINMENT &	7,500.00		5099
30981	09/17/26	HOU01 HOUSING PARTNERSHIP	1,000.00		5099
30982	09/17/26	IND05 DOOR WORKS,LLC	1,245.00		5099
30983	09/17/26	IUE01 KAREN IUELE	110.00		5099
30984	09/17/26	JAC10 JACK'S PETTING FARM, INC.	2,550.00		5099
30985	09/17/26	JBH01 JB HUNTER SERVICE INC	1,694.59		5099
30986	09/17/26	JCALDWEL J CALDWELL & ASSOCIATES, LLC	465.00		5099
30987	09/17/26	JCP01 JCP&L	17.50		5099
30988	09/17/26	JES01 JESCO, INC.	40.10		5099
30989	09/17/26	JUD01 JUDE ANTHONY FLORIST	141.99		5099
30990	09/17/26	KIN08 KINNELON VOLUNTEER FIRE CO.	9,625.00		5099
30991	09/17/26	KIN09 KINNELON BOARD OF EDUCATION	3,707,896.00		5099
30992	09/17/26	KIN20 KINNELON JUNIOR FOOTBALL ASSN	143.99		5099
30993	09/17/26	KYBA01 KYBA	2,880.52		5099
30994	09/17/26	KYL01 KYLE MCMANUS ASSOCIATES LLC	487.50		5099
30995	09/17/26	LAW07 LAWSOFT INC.	20,303.00		5099
30996	09/17/26	LEN01 TANYA LENKOW	300.00		5099
30997	09/17/26	LEW04 LEW ENVIRONMENTAL SERVICES	112.20		5099
30998	09/17/26	LOE01 LOEFFEL'S WASTE OIL SERVICE	195.00		5099
30999	09/17/26	LUK01 LUKE AND KAYLEE OLSON	2,000.00		5099
31000	09/17/26	MAC03 MACOPIN PIZZA	320.00		5099
31001	09/17/26	MAG03 MAGLOCLIN, INC.	400.00		5099
31002	09/17/26	MON14 MONMOUTH TELECOM	1,059.20		5099
31003	09/17/26	MOR17 MORRIS CTY TAX COLL/TREAS ASSC	50.00		5099
31004	09/17/26	MOR21 MORRIS COUNTY M.U.A.	39,898.04		5099
31005	09/17/26	NEG01 NEGLIA ENGINEERING ASSOCIATES	15,462.00		5099
31006	09/17/26	NEO01 QUADIENT, INC.	1,731.20		5099
31007	09/17/26	NIO01 JOSEPH NIOSI	79.11		5099
31008	09/17/26	NJD04 NJ DEP BUREAU OF REVENUE	360.00		5099
31009	09/17/26	NJD07 NJ DEPT HEALTH & SENIOR SERV	2.40		5099
31010	09/17/26	NJLM01 NEW JERSEY STATE LEAGUE	160.00		5099
31011	09/17/26	NOR01 NORTH JERSEY COURT ADMIN ASSOC	65.00		5099
31012	09/17/26	NOR18 NORTHEAST COMMUNICATIONS, INC.	911.95		5099
31013	09/17/26	NOR23 NORTH JERSEY PARTY RENTAL	3,000.00		5099
31014	09/17/26	ORO01 MICHAEL OROZCO	682.21		5099
31015	09/17/26	PAL06 DENNIS PALMER	143.38		5099
31016	09/17/26	POW05 PowerDMS, INC.	10,573.78		5099

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GENERAL General Account Account Payab Continued					
31017	09/17/26	POW06 POWER PLACE, INC	981.93		5099
31018	09/17/26	PSE01 P.S.E. & G.	774.73		5099
31019	09/17/26	PVB01 PV BUSINESS SOLUTIONS	298.50		5099
31020	09/17/26	RAC02 RACHLES/MICHELE'S OIL CO.,INC	3,582.09		5099
31021	09/17/26	RIC06 RICCIARDI BROTHERS	295.19		5099
31022	09/17/26	RIV03 RIVERDALE POWER MOWER INC.	315.80		5099
31023	09/17/26	ROG01 ROGO FASTENER CO.,INC	781.71		5099
31024	09/17/26	ROU01 ROUTE 23 AUTO MALL	68,013.44		5099
31025	09/17/26	ROY04 ROYAL TRAIN RIDES, INC.	1,681.00		5099
31026	09/17/26	SAV01 JOSEPH SAVITTIERI	554.97		5099
31027	09/17/26	SCCA Somerset County Clerk Assoc	60.00		5099
31028	09/17/26	SCH30 MELANIE SCHUCKERS	500.04		5099
31029	09/17/26	SER07 SERPICO PYROTECHNICS, LLC	9,500.00		5099
31030	09/17/26	SHA03 THE SHADE TREE DEPARTMENT LLC	1,037.17		5099
31031	09/17/26	SHI03 SHI INTERNATIONAL CORP	7,086.27		5099
31032	09/17/26	SKP01 SK PETROLEUM SERVICES INC	825.00		5099
31033	09/17/26	SMO01 SMOKE RISE CLUB	67,962.84		5099
31034	09/17/26	SPA07 SPATIAL DATA LOGIC LLC	3,490.00		5099
31035	09/17/26	STA STAPLES ADVANTAGE, DEPT NY	1,272.98		5099
31036	09/17/26	STA30 STATE TOXICOLOGY LABORATORY	135.00		5099
31037	09/17/26	STA35 STANDARD INSURANCE COMPANY	401.72		5099
31038	09/17/26	STI02 JENNIFER L. STILLMAN	90.00		5099
31039	09/17/26	STO01 STORR TRACTOR COMPANY	249.56		5099
31040	09/17/26	SUB03 SUBURBAN DISPOSAL INC.	97,166.66		5099
31041	09/17/26	SUL05 JOZEF SULICH	300.00		5099
31042	09/17/26	SUM05 SUMMIT MEDICAL GROUP, P.A.	135.45		5099
31043	09/17/26	SWA03 EVAN SWALLING JR.	300.00		5099
31044	09/17/26	TAN07 DARA TANZOLA	300.00		5099
31045	09/17/26	TED02 ALAN TEDESCO	1,650.00		5099
31046	09/17/26	TRA10 TRAINING UNLIMITED, LLC	460.00		5099
31047	09/17/26	UNI22 UNIFIRST-FIRST AID + SAFETY	439.70		5099
31048	09/17/26	USP02 U.S. POSTAL SERVICE	2,000.00		5099
31049	09/17/26	VER11 VERIZON WIRELESS	304.10		5099
31050	09/17/26	VER18 VERIZON CONNECT FLEET USA	143.00		5099
31051	09/17/26	WAS04 WASH HOUNDS	103.48		5099
31052	09/17/26	WEI07 WEINER LAW GROUP LLP	10,782.00		5099
31053	09/17/26	WOR04 WORLD INSURANCE ASSOCIATES LLC	3,550.00		5099
31054	09/17/26	XTR01 XTREME GRAPHIX, LLC	2,665.00		5099
31055	09/17/26	ZIE01 ZIEBART RHINO LINING	2,000.00		5099

Checking Account Totals	<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
Checks:	139	1	4,431,505.95	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	139	1	4,431,505.95	0.00

PLANNING 2	Columbia Bank				
2001	09/17/26	DAR01	DARMOFALSKI ENGINEERING ASSOC.	6,200.00	5100
2002	09/17/26	KYL01	KYLE MCMANUS ASSOCIATES LLC	112.50	5100

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Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
Continued					
PLANNING 2		Columbia Bank			
Checking Account Totals			<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u> <u>Amount Void</u>
		Checks:	2	0	6,312.50 0.00
		Direct Deposit:	0	0	0.00 0.00
		Total:	2	0	6,312.50 0.00
POLICE		POLICE ESCROW			
2100	09/01/26	BOR15 BOROUGH OF KINNELON	533.53		5096
2101	09/01/26		0.00	09/01/26 VOID	0
2102	09/01/26	Alignment Check		VOID	
2103	09/01/26	BOR21 BOROUGH OF KINNELON	3,495.46		5096
2104	09/16/26	BOR15 BOROUGH OF KINNELON	661.75		5098
2105	09/16/26	BOR21 BOROUGH OF KINNELON	3,938.64		5098
Checking Account Totals			<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u> <u>Amount Void</u>
		Checks:	4	2	8,629.38 0.00
		Direct Deposit:	0	0	0.00 0.00
		Total:	4	2	8,629.38 0.00
Report Totals			<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u> <u>Amount Void</u>
		Checks:	145	3	4,446,447.83 0.00
		Direct Deposit:	0	0	0.00 0.00
		Total:	145	3	4,446,447.83 0.00

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Totals by Year-Fund Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND	5-01	3,045.00	0.00	0.00	3,045.00
CURRENT FUND	6-01	4,368,261.87	0.00	0.00	4,368,261.87
WATER FUND	6-05	7,071.32	0.00	0.00	7,071.32
SEWER FUND	6-07	2,289.12	0.00	0.00	2,289.12
Year Total:		4,377,622.31	0.00	0.00	4,377,622.31
GENERAL CAPITAL FUND	C-04	33,404.63	0.00	0.00	33,404.63
DOG TAX	D-13	2.40	0.00	0.00	2.40
	L-22	10,135.00	0.00	0.00	10,135.00
SNOW TRUST	N-35	2,000.00	0.00	0.00	2,000.00
RECREATION SPECIAL	R-16	4,996.61	0.00	0.00	4,996.61
	S-20	300.00	0.00	0.00	300.00
	T-23	8,629.38	0.00	0.00	8,629.38
Total of All Funds:		4,440,135.33	0.00	0.00	4,440,135.33

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BOROUGH OF KINNELON
Check Register By Check Date

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Project Description	Project No.	Project Total
6 CEDAR TRAIL	1516	155.00
160 BOONTON AVE/FAYSON LAKE WA	1583	1,550.00
236 SOUTH GLEN ROAD- RODRIGUES	23201130	155.00
1481 RT 23 S	45301102	112.50
14-17 KIEL AVENUE KMC 17	861	1,085.00
1194 ROUTE 23 G7B LLC	862	3,100.00
27 BROOK VALLEY ROAD TREACY	90-234	155.00
Total of All Projects:		<u>6,312.50</u>

September 17, 2026

Roll Call: Councilman S. Mabey, Yes;
Councilman Chirdo, Yes;
Councilman E. Harriz, Yes;

**Councilwomen C. Frank, Yes;
Councilman R. Reckler, Yes;
Councilman R. Lewis, Yes.**

CONSENT AGENDA:

A motion was offered by Councilman S. Mabey and seconded by Councilman e. Harriz, the following motions and resolutions were offered for approval.

- a. Resolution: 09.01.2026 Tax Refund 3rd quarter 2026 property tax payments-100% Disabled
- b. Resolution: 09.02.2026 Authorizing Salary Raise for Christopher DiLorenzo Municipal Prosecutor
- c. Resolution: 09.03.2026 Overpayment 2023 3rd qtr. water bill-55 Monarch Way
- d. Resolution: 09.04.2026 Refund Overpayment 2026 2nd qtr. water bill -72 Monarch Way
- e. Resolution: 09.05.2026 Authorize to Join North Jersey Wastewater Cooperative Pricing System
- f. Resolution: 09.06.2026 Removed
- g. Resolution: 09.07.2026 Authorizing Mayor to Submit Grant for Historical Preservation Committee
- h. Resolution: 09.08.2026 Tax Exemption 100%-10 Wood Chase Lane
- i. Raffle License KN-913-KB Smoke Rise Riding Club
- j. Minutes August 13, 2026, August 20,2026

[illegible]

RESOLUTION # 09.01.2026

BE IT RESOLVED, BY THE Mayor and Council of the Borough of Kinnelon, that the Tax Collector refund \$16,493.74 to CoreLogic due to 3rd quarter 2026 property tax payments that were made on behalf of 100% Disabled as follows:

BLOCK	LOT	AMOUNT
45205	104	\$2,999.00
34706	145	\$2,477.97
34003	107	\$4,518.95
10601	106	\$2,806.08
34605	108	\$3,691.74

September 17, 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 September 17, 2026.

Date: 09/17/26


Karen M. Iuele, Borough Clerk

Adopted 09/17/2026 on roll call vote as follows:

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

RESOLUTION 09.02.2026

AUTHORIZING SALARY RAISE FOR
CHRISTOPHER DILORENZO AS MUNICIPAL
PROSECUTOR FOR THE COURT SYSTEM
OF THE BOROUGH OF KINNELON

WHEREAS, the Borough Council wishes to have Christopher DiLorenzo as the Municipal Prosecutor for the Borough of Kinnelon to have his annual salary to be \$22,000.00 with a start date of May 1, 2026; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Kinnelon approves Christopher DiLorenzo as the Municipal Prosecutor for the Borough of Kinnelon to have his annual salary to be raised to \$22,000.00 with a start date of May 1, 2026.

CERTIFICATION

I, Karen M. Iuele, Borough Clerk, do hereby certify this to be a true copy of a resolution duly adopted at the regular meeting of the Kinnelon Mayor and Council held on September 17, 2026.

Dated: September 17, 2026


Karen M. Iuele, RMC
Borough Clerk

Adopted 09/17/2026 on roll call vote as follows:

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

RESOLUTION #09.03.2026

BE IT RESOLVED, by the Mayor and Council of the Borough of Kinnelon that a warrant be drawn to Margaret Bummara in the amount of \$80.65 representing refund for overpayment of the 2023 3rd qtr. Water bill on Account 3217-0, known as 55 Monarch Way, Kinnelon, NJ.

September 17, 2026

Leigh Irwin

Deputy Tax & Utilities Collector

Borough of Kinnelon

I, Karen M. Iuele, Borough Clerk, Borough of Kinnelon, hereby certify resolution to be a true copy of the resolution which was duly passed at the regular meeting of the Borough of Kinnelon Mayor and Council on September 17, 2026

DATE: 09/17/2026


Karen M. Iuele, Borough Clerk

Adopted 09/17/2026 on roll call vote as follows:

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

RESOLUTION #09.04.2026

BE IT RESOLVED, by the Mayor and Council of the Borough of Kinnelon that a warrant be drawn to Douglas Waller in the amount of \$58.61 representing refund for overpayment of the 2026 2nd qtr. Water bill on Account 3156-2, known as 72 Monarch Way, Kinnelon, NJ.

September 17, 2026
Carlyn Ball
Tax & Utilities Clerk
Borough of Kinnelon

I, Karen M. Iuele, Borough Clerk, Borough of Kinnelon, hereby certify resolution to be a true copy of the resolution which was duly passed at the regular meeting of the Borough of Kinnelon Mayor and Council on September 17, 2026

DATE: 09/17/2026


Karen M. Iuele, Borough Clerk

Adopted 09/17/2026 on roll call vote as follows:

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

RESOLUTION 09.05.2026

WHEREAS, the Borough of Kinnelon desires to become a member of the North Jersey Wastewater Cooperative Pricing System, NJWCPS, effective September 17, 2026 and, that such membership shall be for the period ending November 23, 2029, and each renewal, thereafter of the system, unless the Borough of Kinnelon elects to formally withdraw from the system;

Now, therefore, be it resolved, that the Eric Colvin, B.A. and Mayor J. Freda are hereby authorized to execute the attached agreement for such membership.

Dated: September 17, 2026

By: 
Mayor J. Freda

Attest: 
Karen M. Iuele, RMC
Kinnelon Borough Clerk

Adopted 09/17/2026 on roll call vote as follows:

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

RESOLUTION 09.07.2026

AUTHORIZING THE MAYOR TO SUBMIT A
DECLARATION OF INTENT AND GRANT
APPLICATION FOR THE BOROUGH
OF KINNELON TO APPLY FOR A RE-GRANT
AWARD TO PURCHASE BOOK SCANNER, LAPTOP
AND VIDEO CONFERENCING CAMERA

WHEREAS, the Borough of Kinnelon wishes to apply for a Re-Grant award to purchase a book scanner, laptop and video conferencing camera.

WHEREAS, the Historical Preservation Advisory Committee of the Borough of Kinnelon plans to expand public access by creating a local research facility at L'Ecole. The Committee is seeking to purchase a book scanner to digitize the over 360 books, binders, yearbooks, etc. of local, county and regional materials. The Committee also plans to purchase a video conferencing camera and laptop for hybrid meetings at L'Ecole and for remote access to lectures and special events.

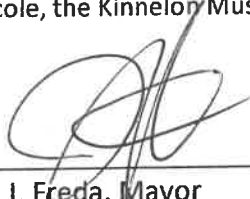
WHEREAS, the cost for the book scanner, video conferencing camera and laptop is expected to be approximately \$3,450.

WHEREAS, in addition the purchase of the book scanner, video conferencing camera and laptop will create a local research facility at L'Ecole and expand community education and outreach efforts for greater public access at L'Ecole, the Kinnelon Museum.

NOW, THEREFORE, BE IT RESOLVED, The Borough of Kinnelon authorizes the Mayor, and the Clerk to submit a "Declaration of Intent" and submit an application to the Morris County Heritage Commission County History Partnership program for a grant in the amount of \$3,450 for the purchase of a book scanner, video conferencing camera and laptop for L'Ecole, the Kinnelon Museum.

Dated:

September 17, 2026



James J. Freda, Mayor

RESOLUTION #09.08.2026

BE IT RESOLVED, BY THE Mayor and Council of the Borough of Kinnelon, that the Tax Collector be relieved of collecting \$8,215.92 in property taxes on Block 56201 Lot 108 also known as 10 Wood Chase Lane. due to an exemption as 100% Exempt Veteran granted by the Tax Assessor effective September 9, 2026 and warrant be drawn to the Property Owners in the amount of \$1,708.60 for taxes that have already been paid for 2026.

Adopted 09/17/2026 on roll call vote as follows:

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

September 17, 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 October 15, 2026.

Date: 09/17/26


Karen M. Iuele, Borough Clerk

*
*

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

TREASURER REPORT:

The Treasurer's Report for September 2026 indicates we started out with cash on hand as of July 31, 2026, in the amount of \$6,727,546.94.

Receipts for the month of August 2026 totaled \$15,167,576.02 with disbursements amounting to \$6,252,220.72.

The new balance on hand on August 31, 2026, was \$15,642,902.24

TAX COLLECTOR'S REPORT:

During the month of August 2026, the Tax Collector's office processed a total of \$14,793,305.97.

INVESTMENT OFFICER'S REPORT:

A total of \$38,494.21 was collected in interest for the month of August 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 S. Mabey

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

OLD BUSINESS:

Ordinance 13-2026

**MODEL HIGHLANDS PRESERVATION AREA
EXEMPTION ORDINANCE**

This ordinance was introduced and passed on first reading at a regular meeting of the Governing Body held on August 13, 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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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: September 17, 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.

MODEL HIGHLANDS PRESERVATION AREA EXEMPTION ORDINANCE

§ 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.

MODEL HIGHLANDS PRESERVATION AREA EXEMPTION ORDINANCE

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

MODEL HIGHLANDS PRESERVATION AREA EXEMPTION ORDINANCE

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.

MODEL HIGHLANDS PRESERVATION AREA EXEMPTION ORDINANCE

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).

MODEL HIGHLANDS PRESERVATION AREA EXEMPTION ORDINANCE

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.]*

MODEL HIGHLANDS PRESERVATION AREA EXEMPTION ORDINANCE

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.

MODEL HIGHLANDS PRESERVATION AREA EXEMPTION ORDINANCE

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 within 45 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.

MODEL HIGHLANDS PRESERVATION AREA EXEMPTION ORDINANCE

§ 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.

MODEL HIGHLANDS PRESERVATION AREA EXEMPTION ORDINANCE

§ 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;

MODEL HIGHLANDS PRESERVATION AREA EXEMPTION ORDINANCE

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.

MODEL HIGHLANDS PRESERVATION AREA EXEMPTION ORDINANCE

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.

Adopted 09/17/2026 on roll call vote as follows:

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

September 17, 2026

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 E. Harritz made a motion and second by Councilwomen C. Frank.

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

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**

This ordinance was introduced and passed on first reading at a regular meeting of the Governing Body held on August 13, 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.

[illegible]

**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 Committee shall 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.

§ 51-5

- 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 09/17/2026 on roll call vote as follows:

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

September 17, 2026

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 as follow.

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

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

NEW BUSINESS:

There was no New Business

ADJOURNMENT:

This meeting adjourned at approximately 7:30 p.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