

MEETING TO ORDER

The annual reorganization meeting was called to order by James Freda at 7:00 p.m. on Thursday, January 3, 2023

After a moment of silence to remember the many men and women serving in our armed forces, there was a salute to the flag. The Borough Clerk read the Open Public Meetings Act Statement that adequate notice of this meeting was advertised in the December 4, 2022 edition of the Trends and was provided to the Star Ledger, Daily Record and North Jersey Herald News on December 4, 2022. A notice of this meeting was also posted on the municipal building bulletin board, filed with the Borough Clerk and provided to those persons or entities requesting notification.

OATHS OF OFFICE ADMINISTERED

Glenn Sisco asked James Freda to come forward and was administered the oath of office of Mayor.

Glenn Sisco asked Eric Harriz to come forward and was administered the oath of office of Councilman.

Glenn Sisco asked Anthony Chirido to come forward and was administered the oath of office of Councilman.

ROLL CALL

The roll was called and present and answering were:

Roll Call:	Councilman W. Yago, Yes;	Councilman V. Russo, Yes;
	Councilman A. Chirido, Yes;	Councilman R. Charles, Yes.
	Councilman S. Mabey, Yes;	Councilman J. E. Harriz, Yes

ADMINISTRATION OF OATHS FOR 2023 FIRE CHIEFS

Glenn Sisco administer the oath of office to Jeffery Bresett as Kinnelon Fire Chief.

Mayor Freda administer the oath of office to Andrew Heilman as 1st Assistant Chief.

HEARING FROM THE PUBLIC

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

Hearing none, Mayor Freda closed this portion of the meeting

**RESOLUTION 1.03.23 - COUNCIL PLANNING BOARD REPRESENTATIVE
CLASS III MEMBER (1 YEAR)**

Councilman Sean Mabey made a motion to appoint Councilman Anthony Chirido as the Planning Board Representative.

Motion: Councilperson Sean Mabey
Second: Councilperson Eric Harriz

Roll Call: Councilman W. Yago, No; Councilman V. Russo, No;
Councilman A. Chirido, Yes; Councilman R. Charles, No;
Councilman S. Mabey, Yes; Councilman J. E. Harriz, Yes.

Mayor James Freda broke the tie and appointed Councilman Anthony Chirido as the Planning Board Representative.

**ANNUAL APPOINTMENTS AND DESIGNATIONS TO VARIOUS MUNICIPAL
OFFICES, BOARDS AND COMMISSIONS: Resolution 1.04.2023**

**RESOLUTION 1.04.23
2023 APPOINTMENTS**

	TERM EXPIRATION
BUSINESS ADMINISTRATOR CHARLES DANIEL	12/31/23
QUALIFIED PURCHASING AGENT CHARLES DANIEL	12/31/23
TREASURER (1 YEAR) JENNIFER STILLMAN	12/31/23
MUNICIPAL IMPROVEMENT SEARCH OFFICER & SUB-DIVISION SEARCH OFFICER (1 YEAR) KAREN M. IUELE, RMC	12/31/23
AGENT OF CENTRAL PURCHASE, INVESTMENT OFFICER (1 YEAR) JENNIFER STILLMAN	12/31/23
PUBLIC AGENCY COMPLIANCE OFFICER (1 YEAR) KAREN M. IUELE, RMC	12/31/23
TAX COLLECTOR JUDITH O'BRIEN	12/31/23
TAX SEARCH OFFICER (1 YEAR) JUDITH O'BRIEN	12/31/23

Roll Call: Councilman W. Yago, No; Councilman V. Russo, No;
 Councilman A. Chirido, Yes; Councilman R. Charles, No;
 Councilman S. Mabey, Yes; Councilman J. E. Harriz, Yes.

Mayor James Freda broke the tie and appointed the above members to the Planning Board.

RECREATION COMMITTEE

CHERYL GRANDE 12/31/24
 JESSICA GRAUSO 12/31/25
 STEVE HERTZBERG 12/31/25
 ADRIANNE FERRETTI 12/31/24
 GREG BRANCELEONE (ALT #1) 12/31/25
 AMANDO MANNA 12/31/24

SUSTAINABILITY & OPEN SPACE ADVISORY COMMITTEE

THOMAS OTT 12/31/25
 SCOT SIMPTER 12/31/25
 STEVE SPINELLI 12/31/24
 JESSICA ZELENAK 12/31/24
 SCOTT KRUGER ALT #1 12/31/23
 KATHERN GALAZA ALT #2 12/31/23
 LAURA GAKOS, SECRETARY 12/31/23

PUBLIC ASSISTANT DIRECTOR

KAREN IUELE 12/31/23

BOARD OF HEALTH

KAREN IUELE 12/31/23

LOCAL ASSISTANCE BOARD

COUNCILMAN VICENT RUSSO 12/31/23
 KAREN IUELE (RMC) 12/31/23
 JOSEPH NAPOLETANO 12/31/23
 LOUISE COURTER 12/31/23

LOCAL HISTORIAN

THOMAS KLINE 12/31/23

KINNELON BOROUGH FORESTER

JOHN LINSON 12/31/23

KINNELON VOLUNTEER FIRE COMPANY (1 YEAR)

FIRE CHAPLAIN:

REV. BEVERLY SULLIVANT 12/31/23

FIRE SURGEON: (1 YEAR)

DR. FRANK KIELAR 12/31/23

KINNELON DIAL-A-RIDE REPRESENTATIVE (1 YEAR)

VINCE RUSSO 12/31/23

REPRESENTATIVE TO MORRIS COUNTY MUNICIPAL JOINT INS. FUND

MAYOR JAMES J. FREDA 12/31/23
 CHARLES DANIEL 12/31/23

RESOLUTION 1.05.23 - TEMPORARY BUDGET

WHEREAS, 40A:4-19 Local Budget Act provides that (where any contracts, commitments or payments are to be made prior to the final adoption of the 2023 budget), temporary appropriations be made for the purposes and amounts required in the manner and time therein provided:

WHEREAS, the date of this resolution is within the first thirty days of 2023, and

WHEREAS, the total appropriations in the 2022 Budget, less appropriations made for the capital improvement fund, debt services and relief of the poor (public assistance) are as follows:

General	\$13,366,302.00
Water Utility	\$ 554,206.00
Sewer Utility	\$ 478,069.00

WHEREAS, 26.25 percent of the total appropriations in the 2022 Budget less appropriations for capital improvement fund, debt service and relief of the poor (public assistance) in the said 2022 Budget is as follows:

General	\$ 3,508,654.00
Water Utility	\$ 145,479.00
Sewer Utility	\$ 125,493.00

WHEREAS, payments for the principal and interest are not included within the calculation for the temporary budget; and

WHEREAS, the Borough has a debt service payment due prior to the adoption of the 2023 budget in the amount of \$1,103,207.00 (General Principal and Interest) and \$33,520.00 (Water Principal and Interest).

BE IT RESOLVED that the following temporary appropriation are hereby made for 2023 and for debt service:

General	\$3,508,654.00
Water Utility	\$ 145,479.00
Sewer Utility	\$ 125,493.00
Debt Payment- General	\$1,103,207.00
Debt Payment - Water	\$ 33,520.00

I, Karen M. Iuele, Municipal Clerk of the Borough of Kinnelon state that this is a true resolution adopted at the Borough of Kinnelon Reorganization meeting, held on January 3, 2023.

Karen M. Iuele, RMC
Municipal Clerk

RESOLUTION 1.06.23 DELINQUENT TAXES AND WATER AND SEWER UTILITIES

BE IT RESOLVED by the Governing Body of the Borough of Kinnelon that the rate of interest charged on delinquent taxes in the Borough of Kinnelon shall be as follows:

“On all delinquents to and including December 31, 2022, at the rate or rates heretofore governing, and on all delinquents on and after January 1, 2023, at the rate of 8% per annum on the first \$1,500.00 of the delinquency and 18% per annum on any account in excess of \$1,500.00.

BE IT FURTHER RESOLVED that the Collector of Taxes be and she is hereby directed to collect interest on all taxes accordingly; provided, however, that small items of interest may be waived during the first ten (10) days of the current quarterly tax period.

WHEREAS, taxes are payable in quarterly installments on February 1, May 1, August 1 and November 1 in each year and installments become delinquent if not paid on or before these dates; and

WHEREAS, New Jersey State Statute N.J.S.A. 54:4-67 has been amended to define the new tax delinquency;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Kinnelon, that the interest to be charged a delinquent taxpayer for the non-payment of real property taxes shall be an additional penalty of six percent (6%) of the amount of delinquency in excess of \$10,000 at the end of a calendar year;

BE IT FURTHER RESOLVED that this delinquency now is to be calculated on the sum of all taxes from year to year and not to be calculated on an individual yearly basis.

* * *

RESOLUTION 1.07.23 CANCELLATION OF CERTAIN TAX REFUNDS AND/OR DELINQUENCIES

WHEREAS, the Governing Body (“Governing Body”) of the Borough of Kinnelon (“Borough”) finds and declares that N.J.S.A. 40A:5-17.1 empowers authorized municipal employees to process the cancellation of tax refunds and/or delinquencies of less than ten dollars (\$10.00) in amount without further action of the Governing Body; and

WHEREAS, the Governing Body further finds and declares that Municipal Tax Collector is qualified to process the cancellation of tax refunds and/or delinquencies of less than \$10.00 in amount in accordance with N.J.S.A. 40A:5-17.1; and

WHEREAS, the Governing Body further finds and declares that it is in the best interests of the citizens of the Borough for the Municipal Tax Collector to be authorized to process the cancellation of tax refunds or delinquencies of less than \$10.00 in amount in accordance with N.J.S.A. 40A:5-17.1;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Kinnelon that Municipal Tax Collector be and is hereby authorized to process the cancellation of tax refunds or delinquencies of less than \$10.00 in amount during calendar year 2020 in accordance with N.J.S.A. 40A:5-17.1.

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RESOLUTION 1.08.23 CASH MANAGEMENT PLAN

PURPOSE:

It is in the best interest of the Borough of Kinnelon to earn additional revenue through the investment and prudent management of its cash receipts. Public Law 1983, Chapter 8, approved January 18, 1983, is an Act concerning the Local Fiscal Affairs Law and amends N.J.S.A. 40A:5-2 and N.J.S.A. 40A:5-14 and this law, requires that each local unit shall adopt a cash management plan.

The following shall constitute the Cash Management Plan for the Borough of Kinnelon, which shall deposit and manage its funds pursuant to this Plan.

DEFINITIONS:

1. Treasurer shall mean the Treasurer of the Borough of Kinnelon.
2. Fiscal Year shall mean the twelve-month period ending December thirty-one.
3. Cash Management Plan shall mean that plan as approved by resolution by the Governing Body of the Borough of Kinnelon as follows:

**AUTHORIZING THE ACCEPTANCE AND
ADOPTION OF A CASH MANAGEMENT
PLAN FOR THE BOROUGH OF KINNELON**

WHEREAS, in accordance with Public Laws 1983, Chapter 8, approved on January 18, 1983, is an Act concerning the Local Fiscal Affairs Law and amends N.J.S.A. 40A:5-2 and N.J.S.A. 40A:5-14 requiring each local unit adopt a cash management plan; and

WHEREAS, in keeping with said law, the Borough of Kinnelon Governing Body desires to adopt and accept their own Cash Management Plan; and

DESIGNATION OF DEPOSITORIES:

1. At least once each fiscal year at its organization meeting, the Governing Body shall by resolution, designate the depositories for the Borough in accordance with N.J.S.A. 40A:5-14.

AUDIT REQUIREMENT:

1. The Cash Management Plan shall be subject to the annual audit conducted pursuant to N.J.S.A. 40A:5-14.

AUTHORITY TO INVEST:

1. The Governing Body, at its Organization meeting shall pass a resolution designating the Borough's official(s) who shall make and be responsible for municipal deposits and investments.

INVESTMENT INSTRUMENT:

1. The Treasurer shall report all investments in accordance with N.J.S.A. 40a:5-15.2.
2. At a minimum, the Treasurer shall:
 - a. Keep a record of all investments.
 - b. Keep a cash position record, which reveals, on a daily basis, the status of the Borough's cash in its bank accounts.
 - c. Report investments to the Governing Body at regularly scheduled meetings.
 - d. Report monthly to the Governing Body as to the status of cash balances in bank accounts, revenue collection, interest rates earned.

CASH FLOW:

1. The CMFO shall ensure that the Borough's accounting system provides regular information concerning the Borough's cash position and investment performance.
2. All moneys shall be turned over to the Treasurer and deposited in accordance with N.J.S.A. 40A:5-15.
3. The CMFO is authorized and directed to invest surplus funds of the Borough as the availability of the funds permit. In addition, it shall be the responsibility of the CMFO to minimize the possibility of idle cash by depositing the Borough's moneys in interest bearing accounts wherever practical and in the best interest of the Borough of Kinnelon.

NOW, THEREFORE, BE IT RESOLVED by the Kinnelon Mayor and Council the above Cash Management Plan be hereby adopted and shall, by resolution, be adopted each year at the annual reorganization meeting.

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RESOLUTION 1.09.23 DEPOSITORIES

WHEREAS, N.J.S.A. 40A: 5-14 provides that the Governing Body shall, by resolution, designate a depository or depositories for its money a bank or trust company having its place of business in the State and organized under the laws of the United States or this State; and

WHEREAS, N.J.S.A. 17:12B-241 (Chapter 144 P.L. 1963) provides that the Governing Body may invest funds in any federally insured association; and

WHEREAS, N.J.S.A. 40A: 4-63 provides that monies held in any separate fund shall be treated as monies held in trust and no banking institution accepting these monies shall divert them to any other purpose;

NOW, THEREFORE, BE IT RESOLVED that the following institutions shall serve as depositories for the following Borough of Kinnelon funds; and the Custodian shall be Jennifer Stillman, Treasurer:

Columbia Bank
Lakeland Bank

Funds: Current, General Accounts (Accounts Payable), Dog Tax, Capital, Water Capital, Water Utility, Sewer Utility, Public Assistance Trust, Recreation Special Account, Planning Board Inspection Fee Escrow, Developer's Performance and Maintenance Bond Trust, Clerk's Special Deposit, Payroll, Historical Trust Fund, Special Fortified Assets Law Enforcement, Uniform Fire Safety Account, Alliance on Alcoholism & Drug Abuse (KAMELOT), Recycling Fund and Police Escrow, Parking Offense Adjudication Acct (POAA), Open Space, Accumulated Absence, Community Police Donations, Snow Removal Cost Fund, Municipal Court Bail, Municipal Court Magistrate, Public Defender, Planning Board Inspection I, Tax Sale Premiums, Flexible Spending & K-Fest.

RESOLVED that the Lakeland Bank, be authorized to continue the existing payroll accounts known as "Kinnelon Borough – Payroll Account", and

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RESOLUTION 1.10.23 AUTHORIZATION OF PAYMENT SIGNATORIES FOR 2021

BE IT FURTHER RESOLVED that all disbursements, direct deposits and checks shall be signed and/or authorized by:

James J. Freda, Mayor
Karen M. Iuele, Municipal Clerk
Jennifer Stillman, Treasurer
Charles Daniel, Certified Finance Officer

* * *

RESOLUTION 1.11.23 MUNICIPAL COURT

RESOLVED that the Judge of the Municipal Court and/or Court Administrator be authorized and they are hereby directed to deposit all fines and costs collected in the Municipal Court to the credit of the Borough of Kinnelon Municipal Court Account and all bail money collected to the credit of the Borough of Kinnelon Municipal Court Bail Account, c/o Andrew Wubbenhorst, Judge, at the Lakeland Bank, Butler, New Jersey; and

BE IT FURTHER RESOLVED that Andrew Wubbenhorst, Judge of the Municipal Court, or Dara Tanzola, Court Administrator, be authorized to sign all checks and drafts of said Borough drawn on the Lakeland Bank, on the aforementioned accounts for the year 2023, in accordance with the signature cards on file in said bank.

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RESOLUTION 1.12.23 ESTABLISH 2023 MONTHLY WORKSHOP AND MEETING DATES

RESOLVED that the Kinnelon Borough Governing Body shall meet on the prior week's Tuesday from their regular meeting held on the third Thursday of every month during 2023 at 7:00 p.m. prevailing time in the Kinnelon Municipal Building to conduct "workshop" or "agenda" meetings. Regular meetings shall be held the third Thursday of each and every month at 7:00 p.m.

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RESOLUTION 1.13.23 ESTABLISH FEE FOR MEETING NOTIFICATION

RESOLVED that the sum of \$5.00 be fixed as the fee for calendar year 2023 to be paid in advance by those people or organizations wishing to be notified of any and all meetings of the Governing Body other than the regular monthly meetings and scheduled workshop meetings.

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RESOLUTION 1.14.23 APPOINTMENT OF CERTIFYING OFFICER AND SUPERVISING CERTIFYING OFFICER

RESOLVED that the Certified Municipal Financial Officer, Charlies Daniel, serve as Kinnelon Borough Certifying Officer. Karen Iuele to the Public Employees Retirement System of New Jersey and the Police and Firemen's Retirement System of New Jersey for the year 2023.

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RESOLUTION 1.15.23 ESTABLISHMENT OF PAYROLL WAGE PAYMENTS

RESOLVED that all wages be paid bi-weekly to all salaried and hourly rated employees.

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RESOLUTION 1.16.23 ESTABLISH \$100 CHANGE FUND FOR TAX COLLECTOR

RESOLVED that the \$100.00 change fund established for the use of the Tax Collector, be continued for the year 2023.

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RESOLUTION 1.17.23 ESTABLISH \$200 CHANGE FUND FOR MUNICIPAL COURT ADMINISTRATOR

RESOLVED that a \$200.00 change fund established for the use of the Court Administrator be continued for the year 2023.

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RESOLUTION 1.18.23 ESTABLISH \$200 CHANGE FUND FOR POLICE DEPARTMENT

RESOLVED that a \$200.00 change fund established for the use of the Police Department be continued for the year 2023.

RESOLUTION 1.22.23 ESTABLISH \$250.00 CHANGE FUND FOR CLERK'S OFFICE

**RESOLUTION 1.22.23 AUTHORIZING THE ESTABLISHMENT OF A
\$250.00 PETTY CASH FUND FOR THE BOROUGH
CLERK'S OFFICE FOR THE YEAR 2023**

WHEREAS, N.J.S.A. 40A:5-21 authorizes the establishment of a Petty Cash Fund in any municipality by application and resolution; and

WHEREAS, the Borough of Kinnelon (the "Borough"), County of Morris, has previously established a \$100 petty cash fund for use by the Borough Clerk's Office; and

WHEREAS, it is the desire of the Borough that the petty cash fund for the Borough Clerk's Office be increased from \$100 to \$250 for the year 2023.

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

1. A \$250 petty cash fund is authorized to be established for use by the Borough Clerk's Office for the year 2023.

2. The Borough Clerk, together with all other officers, professionals and employees of the Borough are hereby authorized and directed to take any and all steps necessary to effectuate the purposes of this Resolution.

3. Two copies of this Resolution shall be filed with the Division of Local Government Services, New Jersey Department of Community Affairs for approval.

CERTIFICATION

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

Karen M. Iuele, Borough Clerk

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RESOLUTION 1.23.23 CELL PHONE REIMBURSEMENT FOR PUBLIC WORKS

RESOLVED that the base rate and toll call charges for Borough business only, involving the cell phones of John Whitehead, Certified Public Works Manager and Joseph Niosi, Working Foreman, be paid by the Borough of Kinnelon for the year 2023.

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RESOLUTION 1.24.23 CELL PHONE REIMBURSEMENT FOR POLICE CHIEF & LIEUTENANT

RESOLVED that the base rate and toll call charges for Borough business only, involving the cell phone of Police Chief Joseph Napoletano and Police Lieutenant be paid by the Borough of Kinnelon for the year 2023

RESOLUTION 1.25.23 CELL PHONE REIMBURSEMENT FOR BOROUGH CLERK

RESOLVED that the base rate and toll call charges for Borough business only, involving the cell phone of Borough Clerk be paid by the Borough of Kinnelon for the year 2023.

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RESOLUTION 1.26.23 CELL PHONE REIMBURSEMENT FOR RECREATION DIRECTOR

RESOLVED that the base rate and toll call charges for Borough business only, involving the cell phone of Recreation Director be paid by the Borough of Kinnelon for the year 2023.

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RESOLUTION 1.27.23 CELL PHONE REIMBURSEMENT FOR CERTIFIED MUNICIPAL FINANCE OFFICER

RESOLVED that the base rate and toll call charges for Borough business only, involving the cell phone of Certified Municipal Finance Officer be paid by the Borough of Kinnelon for the year 2023.

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RESOLUTION 1.28.23 DESIGNATE MUNICIPAL NEWSPAPERS

RESOLVED that the Trends, North Jersey Herald & News, The Record, Star Ledger and the Morris County Daily Record be designated as the official legal media of advertising for any and all Borough matters, the last four to be used at the discretion of the Mayor and Council.

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**RESOLUTION 1.29.23 AUTHORIZE GROUP LIFE INS. FOR KINNELON
VOLUNTEER FIRE COMPANY MEMBERS IN AMOUNT OF \$10,000 EACH FOR THE
YEAR 2021**

RESOLVED that all members of the Kinnelon Volunteer Fire Company be covered by group life insurance in accordance with N.J.R.S. 40:47-30.1 in the amount of \$10,000 each for the year 2023.

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RESOLUTION 1.30.23

**AWARD OF A NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL SERVICES
UNDER \$17,500 FOR THE YEAR 2023**

WHEREAS, the Borough of Kinnelon has a need to acquire professional services pursuant to N.J.S.A. 40A:11-5 (1)(a)(i) utilizing a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5 as appropriate; and

WHEREAS, the CMFO has determined and certified in writing that the value of the services will not exceed \$17,500; and

WHEREAS, the anticipated term of this contract is one year; and

WHEREAS, the governing body of the Borough of Kinnelon has certified that the professional services for the Kinnelon Mayor & Council provided by the below listed professionals will not exceed \$17,500.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Kinnelon authorizes the Borough of Kinnelon to enter into professional contracts with the below listed professional services as described herein:

DMC Associates – Tax Assessment Mapping Engineers
Crew Engineers, Inc. Utility Water/Wastewater Engineers
Allstate ORC – Oil Spill Recovery
Dorsey & Semrau – Labor Attorney
De Block Environmental Services – Water & Wastewater Operator
Benefit Foundation – Health and Dental Insurance Broker

BE IT FURTHER RESOLVED this resolution shall take effect immediately.

I, Karen M. Iuele, Municipal Clerk of the Borough of Kinnelon state that this is a true resolution adopted at the Borough of Kinnelon Reorganization meeting, held on January 3, 2023.

*Karen M. Iuele, RMC
Municipal Clerk*

RESOLUTION 1.31.23

AWARD OF A NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL SERVICES OVER \$17,500 FOR THE YEAR 2023.

WHEREAS, the Borough of Kinnelon has a need to acquire professional services from a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5 as appropriate; and

WHEREAS, the CMFO has determined and certified in writing that the value of the services will exceed \$17,500; and,

WHEREAS, the anticipated term of this contract is one year; and,

WHEREAS, the governing body of the Borough of Kinnelon has certified that the professional services for the Kinnelon Mayor & Council provided by the below listed professionals will exceed \$17,500; and

WHEREAS, the below listed professionals have completed and submitted a Business Entity Disclosure Certification which certifies that neither they, nor their professional firms have made any reportable contributions to a political or candidate committee in the Borough of Kinnelon in the previous one year, and that the contract will prohibit the professional services of the firms from making any reportable contributions through the term of the contract; and,

WHEREAS, said below listed individuals have completed and submitted a Political Contribution Disclosure Certification and a Business Registration Certificate.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Kinnelon authorizes the Borough of Kinnelon to enter into professional contracts with the below listed professional services as described herein:

Nisivoccia, LLP - Auditors
Robert Beinfeld - Hawkins, Delafield & Wood – Bond Counsel
Darmofalski Engineering Associates, Inc – Borough Engineer.
Jessica Caldwell – Professional Planner

This contract was not awarded through a “fair and open process” pursuant to N.J.S.A. 19:44A-20.4 et seq.

The Business Entity Disclosure Certification, the Determination of Value Certification, the Political Contribution Disclosure Certification and the Business Registration Certificate shall be placed on file with this resolution.

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

I, Karen M. Iuele, Municipal Clerk of the Borough of Kinnelon state that this is a true resolution adopted at the Borough of Kinnelon Reorganization meeting, held on January 3, 2023.

Karen M. Iuele, RMC
Municipal Clerk

RESOLUTION 1.32.23 - RISK MANAGEMENT

WHEREAS, the Borough of Kinnelon has resolved to join the Morris County Municipal Joint Insurance Fund, following a detailed analysis; and

WHEREAS, the bylaws of said Funds require that each Governing Body appoint a Risk Management Consultant to perform various professional services as detailed in the bylaws; and

WHEREAS, the Board of Fund Commissioners established a fee equal to five percent (5%) of the Municipal Assessment which expenditure represents reasonable compensation for the services required and was included in the cost considered by the Governing Body; and

WHEREAS, the judgmental nature of the Risk Management Consultant's duties renders comparative bidding impractical;

NOW, THEREFORE BE IT RESOLVED, the Borough of Kinnelon does hereby appoint Professional Insurance Associates as its Risk Management Consultant for Fund Year 2023, in accordance with the Fund's bylaws; and

BE IT FURTHER RESOLVED, that PIA has offered to perform these services for an annual fee of five percent (5%) of the Municipal assessment; and

BE IT FURTHER RESOLVED, that the Governing Body is hereby authorized and directed to execute a Risk Management Consultant's Agreement annexed hereto and to cause a notice of this decision to be published according to NJSA 40A:11-5 (1) (a) (i).

I, Karen M. Iuele, Municipal Clerk of the Borough of Kinnelon state that this is a true resolution adopted at the Borough of Kinnelon Reorganization meeting, held on January 3, 2023.

Karen M. Iuele, RMC
Municipal Clerk
January 3, 2023

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RESOLUTION 1.33.23

**A RESOLUTION TO AFFIRM THE BOROUGH OF
KINNEON CIVIL RIGHTS POLICY WITH RESPECT
TO ALL OFFICIAL APPOINTEES, EMPLOYEES,
PROSPECTIVE EMPLOYEES, VOLUNTERS,
INDEPENDENT CONTRACTORS AND MEMBERS
OF THE PUBLIC THAT COME INTO CONTACT
WITH MUNICIPAL EMPLOYEES, OFFICIALS AND
VOLUNTEERS**

WHEREAS, it is the policy of the Borough of Kinnelon to treat the public, employees, prospective employees, appointees, volunteers and contractor in a manner consistent with all applicable civil rights laws and regulations including, but not limited to the Federal Civil Rights Act of 1964 as subsequently amended, the New Jersey Law against Discrimination, the Americans with Disabilities Act and the Conscientious Employee Protection Act, and

WHEREAS, the governing body of the Borough of Kinnelon has determined that certain procedures need to be established to accomplish this policy

NOW, THEREFORE BE IT ADOPTED by the Borough of Kinnelon that:

Section 1: No official, employee, appointee or volunteer of the borough by whatever title know,
or any entity that is in any way a part of the borough shall engage, either directly or indirectly in
any act including the failure to act that constitutes discrimination, harassment or a violation of
any person's constitutional rights while such official, employee, appointee volunteer, or entity is engaged in or acting on behalf of the borough business or using the facilities or property of the borough.

Section 2: The prohibitions and requirements of this resolution shall extend to any person or entity,
including but not limited to any volunteer organization or inter-local organization, whether structured as a governmental entity or a private entity, that receives authorization or support in any way from the borough to provide services that otherwise could be performed by the borough.

Section 3: Discrimination, harassment and civil rights shall be defined for purposes of this resolution using the latest definitions contained in the applicable Federal and State laws concerning discrimination, harassment and civil rights.

Section 4: The Mayor shall establish written procedures for any person to report alleged discrimination, harassment and violations of civil rights prohibited by this resolution. Such procedures shall include alternate ways to report a complaint so that the person

making the complaint need not communicate with the alleged violator in the event the alleged violator would by the normal contact for such complaints.

Section 5: No person shall retaliate against any person who reports any alleged discrimination, harassment or violation of civil rights, provided however, that any person who reports alleged violations in bad faith shall be subject to appropriate discipline.

Section 6: The Mayor shall establish written procedures that require all officials, employees, appointed and volunteers of the borough as well as all other entities subject to this resolution to periodically complete training concerning their duties, responsibilities and rights pursuant to this resolution.

Section 7: The Mayor shall establish a system to monitor compliance and shall report at least annually to the governing body the results of the monitoring.

Section 8: At least annually, the Mayor shall cause a summary of this resolution and the procedures established pursuant to this resolution to communicate within the Borough. This communication shall include a statement from the governing body expressing its unequivocal commitment to enforce this resolution. This summary shall also be posted on the Borough's web site.

Section 9: This resolution shall take effect immediately.

Section 10: A Copy of this resolution shall be published in the official newspaper of the Borough's in order for the public to be made aware of this policy and the Boroughs commitment to the implementation and enforcement of this policy.

I, Karen M. luele, 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 January 3, 2023.

Dated: January 3, 2023

Karen M. luele, Borough Clerk

