

REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KENILWORTH HELD ON WEDNESDAY EVENING, JANUARY 22, 2020. MAYOR LINDA KARLOVITCH PRESIDED.

Mayor Karlovitch read the requirements of the Open Public Meetings Act.

The Salute to the Flag was led by Mayor Karlovitch.

ROLL CALL

Roll Call at 8:00 P.M. showed the following Council Members present: Kaye Ceceri, Larry Clementi, Mark David, Daniel Lopez and Robert Schielke. Gerry Laudati was absent.

MINUTES

It was moved by Councilman Schielke, seconded by Councilwoman Ceceri and carried that the minutes of the Work/Executive Session and Regular Council Meetings of November 6, 2019, Dec. 11, 2019 and the Reorganization Meeting of Janu. 3, 2020 meeting be approved as submitted. (Copies furnished each Council Member prior to the meeting). All in favor.

COMMUNICATIONS AND PETITIONS

- NJSLOM Notices (emailed to all)
- KFD Chief Recommendations of Appointment for Firefighter & Probationary EMT
- UC St. Patrick's Day Committee – Celebrity Bartenders Fundraiser
- Mayors Council Rahway River Watershed Flood Control

It was moved by Councilman Schielke, seconded by Councilman Ceceri and carried that the above communications be received and filed and any money amounts indicated be spread over the minutes. All in favor.

MAYORS REPORT

Mayor Karlovitch reminded residents to send in photos for the "Showcase Kenilworth" . Residents are invited to send in their photos of Kenilworth, commercial businesses, areas, parks, borough hall and other projects. Entries will be posted on the Borough Web Site and Tap into Kenilworth and some may be featured in the marketing materials for our community events. A winner will be chosen and receive a gift certificate to a Kenilworth restaurant and have their submission entered into the New Jersey State League of Municipalities Show Off Your City contest. The deadline is January 31, 2020 and photos can be submitted to [projects@kenilworthnj.org](mailto:projects@kenilworthnj.org) or brought to Borough Hall.

REPORT OF COMMITTEES

FINANCE DEPARTMENT

Councilman Lopez reported that the Finance Committee met this evening to begin 2020 budget discussions and to schedule meeting dates with departments. The 1st Quarter property tax bills are due February 1st with a grace period to February 10<sup>th</sup> Any payments received after the 10<sup>th</sup> will begin to accrue interest back to February 1<sup>st</sup>. Residents can pay their tax bill in person, via mail, or on line through a credit card. Residents can also drop off their tax bill in our drop box located on the tax office door, located through the police entrance. Bills can be dropped off 24 hours a day, 7 days a week. And

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while speaking about the taxes, often residents ask what property tax programs are available to them. The Borough's Website has a link for the various Property Tax Relief Programs offered by the State. Visit Kenilworth's website at [www.kenilworthborough.com](http://www.kenilworthborough.com) under the tax and finance department.

DEPARTMENT OF PUBLIC WORKS

Councilman David reported the DPW is collecting leaves and brush every Wednesday, leaves must be put in 32 gallon trash cans or paper landscape bags. They are filling potholes when the weather is permitting.

PUBLIC SAFETY

Councilman Clementi reported he is in receipt of the December, 2019 Court Report and total revenue is \$30,088.42, \$11,998.53 dispersed to the Borough and the remaining balance to the County and State of New Jersey. He is also in receipt of the Monthly Police Report from Chief Zimmerman and there were 1,958 calls for service and 200 9/11 calls and 186 Motor Vehicle Summons's issued for December, 2019. On Sunday, January 11, 2020 at 10:45AM Kenilworth Detectives and patrol officers arrested John Temper, 29 yrs. Old of Clark, NJ for narcotics distribution. The arrest was in results of a brief two day investigation that began when hotel staff reported suspicious activity coming from the room Temper was staying in. When police apprehended Temper he was found with over 5,000 marijuana, cocaine and THC cartridges along with various narcotic packaging equipment. Chief Zimmerman praised the work of his officers by saying that the Kenilworth Police Department seeks to insure the safe and pleasant experience to our hotel, restaurants and businesses. The Chief commended the investigative work by our patrol officers and detectives for this case. After his arrest, John Temper was charged with second degree narcotic distribution along with numerous related drug charges. The Kenilworth Police Department is accepting applications for the position of a police officer, applicants must possess a valid NJ Police Training Commission PTC certificate from the State of New Jersey as a certified police officer. Applications are available on line at [www.kenilworthborough.com](http://www.kenilworthborough.com) and at the Kenilworth Police Department at 567 Boulevard, Kenilworth, NJ. Application and resume along with a copy of the Police Training Certificate must be returned to the Kenilworth Police Department in person. No phone, fax or emails will be accepted, application deadline is 4PM on Friday, February 14, 2020.

DEPARTMENT OF PLANNING, ZONING & ORDINANCES

Councilman Schielke said there are two projects he has been watching, the Commonwealth project where the sump pump was discharging into the street has been finished and inspected and all is well down there and he thanked the residents on Commonwealth for their patience. On South 18<sup>th</sup> Street, the flooding remediation.....what we want to down there has already been designed, we put it out to bid and did not receive anything back before the end of the year so we are going put it out to bid again and hopefully with the new year we can get busy on that and move forward. He said he reviewed the Construction and Zoning Report for December and all are in order. The Planning Board meets on February 13<sup>th</sup> and there is one minor case on the agenda. He said he will be out of town and so will the Chairman and Vice Chair Gregg David will be running the meeting on February 13, 2020.

DEPARTMENT OF RECREATION AND FIRE

Councilwoman Ceceri reported that there is not much going on other than basketball is in full swing and it will be until the middle of March. Other events will be announced. The Fire Department has some

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OSHA violations and the building has been completely fixed and has passed all tests with flying colors. Engine 63 will be going back for some final touch ups. She said there was a Facebook picture of the engine and there was a rainbow over Engine 63 and it was very touching. She received Chief Krueger's December report and there were 46 fire calls and 79 rescue squad calls.

DEPARTMENT OF HEALTH, EDUCATION & HUMAN SERVICES

Councilman Laudati was absent.

CONSENT AGENDA

Resolutions No. 1 thru 13 are listed on Consent Agenda and will be enacted by one motion in the form listed below. All items will be recorded individually in full in the minutes.

Councilwoman Ceceri moved that all items under the Consent Agenda be approved, seconded by Councilman Lopez. All in favor.

RESOLUTION NO. 14

Introduced by Clementi, adoption moved by same.

Seconded by David. Upon roll call, all in favor.

**WHEREAS**, the Borough of Kenilworth, County of Union, State of New Jersey finds it both necessary and appropriate to promote a certain police officer serving with the Kenilworth Police Department.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Kenilworth, County of Union, State of New Jersey hereby promotes **Edward Paster** to serve as **Sergeant with the Borough of Kenilworth Police Department** at the pay scale and in accordance with the Bargaining Agreement and the Rules and Regulations of the Kenilworth Police Department, effective February 1, 2020.

Chief Zimmerman said Ed has served as a police officer on our department, was promoted to Detective and did a great job and was instrumental on this most recent investigation of the Kenilworth Inn, along with our patrol division who did a great job and stepped up. The Chief said he knows he will do a great job.

OATH OF OFFICE

Mayor Karlovitch administered the Oath of Office to Sgt. Paster.

Eddie said he grew up in town, he was fortunate that he had a police job prior to coming to Kenilworth but ultimately Kenilworth was his goal and he is glad he is here. He is ecstatic that he had the opportunity to transition from an officer into a supervisor and to lead some of the younger guys. He said we are going to do great things together. He came here in 2007 with high goals for himself and here he is. He thanked the Mayor and Council, Chief Zimmerman, his colleagues, his wife, his family and friends, he appreciates all that came out to support him. He is excited, he has big shoes to fill of Anthony Giacalone and he wished him good luck in his retirement.

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RESOLUTION NO. 1

**BE IT THEREBY RESOLVED** that all bills be paid when properly audited and funds are available.

RESOLUTION NO. 2

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

**WHEREAS**, Resolution #5 was approved on January 3, 2020 for the 2020 Temporary Budget; and

**WHEREAS**, the date of this resolution is within the first thirty days of January 2020; and

**WHEREAS**, the total temporary budget attached does not in amount exceed 26.25% of the total appropriations in the 2019 Budget (exclusive of any appropriations made for Debt Service, Capital Improvement Fund and Public Assistance (Relief); now therefore,

**BE IT HEREBY RESOLVED**, that the appropriations below be amended and a certified copy of this resolution be transmitted to the Municipal Finance Officer for his records.

<b>Account</b>	<b>Amount</b>
Planning Board - O/E	\$ 5,000
Fire Prevention – S/W	\$ 40,000
Shade Tree – O/E	\$ 20,000
Maint. – Free Public Library	\$ 60,000
Insurance -	\$10,000
<b>Total this amendment</b>	<b>\$135,000</b>
Total Appropriations for the 2019 Temporary Budget	<b>\$3,961,350</b>

RESOLUTION NO. 3

**WHEREAS**, there exists in the Rahway River Basin, conditions of serious and repeated flood damage with resulting threat to life and property in areas within each municipality which is desirous of being party to this Agreement; and

**WHEREAS**, the municipalities, “Parties”, and their allocations are as follows: Cranford -\$20,000; Millburn - \$10,000; Maplewood - \$5,000; Springfield - \$10,000; Union - \$10,000; Rahway - \$10,000 and Kenilworth - \$5,000; and

**WHEREAS**, the Parties intend to act in a cooperative manner to engage in planning, engineering, legal and environmental assessment activities to commence a process to determine the most feasible and effective program for alleviation of these flooding events; and

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**WHEREAS**, the Parties simultaneous with the US Army Corps of Engineers and the New Jersey Environmental Protection (DEP) have been working to finalize the US Army Corp's Rahway River Flood Mitigation Study which included a 2012 INTERLOCAL COST SHARING AGREEMENT that is now replaced by this new agreement;

**WHEREAS**, Millburn Township is willing to act as LEAD Agency for the phase of work set forth in the attached Agreement .

**NOW THEREFORE BE IT RESOLVED**, that the Mayor and Clerk be authorized to enter into agreement with the Mayor's Council for Rahway Watershed Flood Control Municipal Cost Sharing Agreement FY 2020.

**RESOLUTION NO. 4**

**WHEREAS**, the Borough of Kenilworth held a tax sale on December 3, 2019 for delinquent 2018 taxes, and a tax lien was purchased by Realty Solutions JV LLC for the property located at 409 Roosevelt Lane, Kenilworth, NJ, and

**WHEREAS**, The Law Office of James M. Miner, LLC, has satisfied said lien, together with interest and costs by payment of amount due at the Office of the Collector of Taxes, and

**WHEREAS**, the Lienholder paid to the Collector of Taxes a premium in the amount of \$21,000.00 and since the statutory period of five years has not passed, these funds must also be returned.

Now therefore be it resolved, that the Treasurer be and is hereby authorized to draw a warrant to the named Lienholder as follows, **to be refunded upon receipt of the original Certificate of Sale #19-00003** by the Collector of Taxes:

Realty Solutions JV LLC  
c/o John Venutolo  
25 Hughes Place  
Summit, NJ 07901

REDEMPTION AMOUNT - \$15,483.85  
PREMIUM TRUST ACCOUNT - \$21,000.00  
Treasurer's Note: 1099 = \$477.08

**RESOLUTION NO. 5**

**WHEREAS**, Police Sergeant Anthony Giacalone has notified the Borough of Kenilworth of his intention to retire effective February 1, 2020; and

**WHEREAS**, Sergeant Anthony Giacalone is entitled to Terminal Leave pay as per his contract, as follows;

<u>Type</u>	<u># of days</u>	<u>Rate</u>	<u>Total</u>
Terminal Leave 20 Years x 1.5 days =	30	\$517.96	\$15,538.80
2020 Vacation	25	\$517.96	\$12,949.00
2021 Vacation Days	25	\$517.96	\$12,949.00
2020 Holidays Prorated	1.1	\$517.96	\$ 569.75

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**81.1**

**\$42,006.55**

**WHEREAS,** the Kenilworth Police Chief has certified that number of days and amounts due are correct; and

**WHEREAS,** the Borough's Labor Attorney, has reviewed the conditions above and has certified that the amounts due are consistent with the local PBA contract.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Kenilworth that the Payroll Department is authorized to make payments as indicated above based on a final calculation upon his retirement.

RESOLUTION NO. 6

**WHEREAS,** there is a vacancy in Kenilworth Police Department for Civilian Dispatcher; and

**WHEREAS,** Angela Lueddeke has resigned her position as Probationary Police Officer, effective January 14, 2020; and

**WHEREAS,** Angela Lueddeke has previously served the Borough as a dispatcher from August 1, 2016 through December 2019; and

**WHEREAS,** Police Chief Zimmerman recommends the re-appointment of Angela Lueddeke as Police Dispatcher, effective January 27, 2020.

**BE IT RESOLVED,** that **Angela Lueddeke** be reinstated as Civilian Dispatcher in the Kenilworth Police Department, at Dispatcher Step 3 (\$44,400.00 Per annum).

**BE IT FURTHER RESOLVED,** that per the Police Chief's recommendation, Angela Lueddeke is reinstated with her anniversary date to reflect the time lapse between borough positions; therefore Step 4 will commence on the adjusted date of August 17, 2020.

RESOLUTION NO. 7

**BE IT HEREBY RESOLVED,** that **Todd Patzwa** of 278 Berthold Ave. Rahway, NJ 07065, 732-796-4889, be employed as a Laborer in the Kenilworth Department of Public Works as of February 3, 2020 at a rate of \$17.00 per hour subject to a 90 day probationary period.

**BE IT FURTHER RESOLVED,** that this offer of employment is contingent upon successful completion of a NJ Dept. of Transportation Physical and Drug/Alcohol Screening and criminal background checks.

RESOLUTION NO. 8

**BE IT HEREBY RESOLVED,** that the following Mayor's appointment of **PATRICK HERBOLARIO** as Alternate #2 term ending 12/31/22 To the Planning Board; be and the same are hereby confirmed.

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**RESOLUTION NO. 9**

**BE IT HEREBY RESOLVED** that **UGO CAPRA, 10 South 22<sup>nd</sup> St., Kenilworth** be appointed Alternate Crossing Guard, effective January 22, 2020 at a rate of \$18.58.

**RESOLUTION NO. 10**

**BE IT RESOLVED**, that the following individual be appointed on the Kenilworth Fire Department;

<b><u>Name</u></b>	<b><u>Appointment</u></b>
Brian Soos	Firefighter
Louis Burdo	Probationary EMT

**BE IT FURTHER RESOLVED** that this appointment is contingent upon successful completion of medical release, criminal and background checks.

**RESOLUTION NO. 11**

**BE IT THEREBY RESOLVED:** that the following Council Committees are designated as follows:

**Dept. of Finance**

Chairman Daniel Lopez , Councilman Clementi, Councilman Laudati

**Dept. of Public Works**

Chairman Mark David, Councilwoman Ceceri, Councilman Schielke

**Dept. of Public Safety**

Chairman Lawrence Clementi, Councilman David, Councilman Schielke

**Dept. of Planning, Zoning & Ordinance**

Chairman Robert Schielke, Councilman Clementi, Councilman David

**Dept. of Recreation & Fire**

Chairman Kay Ceceri, Councilman Laudati, Councilman Lopez

**Dept. of Education, Health & Human Services**

Chairman Gerry Laudati, Councilwoman Ceceri, Councilman Lopez

**RESOLUTION NO. 12**

**WHEREAS**, the Collective Bargaining Agreement between the Borough of Kenilworth and the Kenilworth Teamsters Local #11, expired December 31, 2019; and

**WHEREAS**, the Borough of Kenilworth, in good faith, agrees to extend the executed contract until February 26, 2020.

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**NOW, THEREFORE, BE IT RESOLVED,** that the Mayor and Council of the Borough of Kenilworth, hereby authorized an extension of contract and further agree that wages and benefits ultimately agreed upon will be retroactive to January 1, 2020.

**RESOLUTION NO. 13**

**WHEREAS,** the Borough of Kenilworth has received a neighborhood request for a beautification of the Columbia Avenue barricade, and

**WHEREAS,** the neighborhood involved has requested the acquiesce of the Borough for their efforts to enhance the area, and

**WHEREAS,** the Borough of Kenilworth after consultation with Municipal officials finds the effort is in accord with Borough requirements and therefore can proceed, and

**WHEREAS,** the Borough of Kenilworth applauds those residents who take pride in their neighborhood with appropriate beautification efforts.

**NOW, THEREFORE BE IT RESOLVED,** that the Governing Body of Kenilworth acknowledges and approves the submitted beautification of the Columbia Avenue barricade project.

**PROCLAMATIONS: SCHOOL BOARD RECOGNITION MONTH - JANUARY**

**WHEREAS,** New Jersey's public schools serve approximately 1.4 million children from pre-kindergarten through 12<sup>th</sup> grade; and

**WHEREAS,** The direction of public education in New Jersey is charted locally by individual school boards, whose 5,000 members serve as advocates for public education as they work with administrators, teachers, parents and local residents; and

**WHEREAS,** Boards of education provide accountability to the public, they communicate the needs of the school district to the community, and they convey to school administrators the public's expectations for the school district; and

**WHEREAS,** School board members receive no remuneration for their services; and

**WHEREAS,** The Kenilworth Borough Council is justly proud of the academic, athletic and social achievements of the students in our community; and

**WHEREAS,** The New Jersey School Boards Association has declared January 2020 to be School Board Recognition Month, a time when all residents can acknowledge the contributions made by our local school board members. Now, therefore, be it

**RESOLVED,** That the Mayor and Council of the Borough of Council does hereby commend the service of the Kenilworth Board of Education and its members to our community and its children; and be it further

**RESOLVED,** That the Mayor and Council proclaims January 2020 as SCHOOL BOARD RECOGNITION MONTH in Kenilworth, and urges all citizens to join in recognizing the dedication of local



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school board members, past and present, as we work together to advance educational opportunities for our children.

**IN WITNESS WHEREOF**, I have hereunto set my hand this 22<sup>nd</sup> day of January, in the year of our Lord two thousand twenty.

**PROCLAMATION – YOUTH ART MONTH – MARCH**

**YOUTH ART MONTH 2020**

**WHEREAS**, art education contributes powerful educational benefits to all elementary, middle, and secondary students including the following:

- \* art education develops students' creative problem-solving and critical thinking abilities;
- \* art education teaches sensitivity to beauty, order, and other expressive qualities;
- \* art education gives students a deeper understanding of multi-cultural values and beliefs;
- \* art education reinforces and brings to life what students learn in other subjects; and
- \* art education interrelates student learning in art production, art history, art criticism, and aesthetics.

**WHEREAS**, our national leaders have acknowledged the necessity of including arts experiences in all students' education,

**AND WHEREAS MARCH** is officially recognized as **YOUTH ART MONTH**, I endorse the observance of Youth Art Month and encourage the support of quality school art programs for children and youth.

**IN WITNESS WHEREOF**, I have hereunto set my hand this 22<sup>nd</sup> day of January, in the year of our Lord two thousand twenty.

**PROCLAMATION – 100<sup>th</sup> ANNIVERSARY OF WOMEN'S SUFFRAGE**

**Support for the Celebration of the 100th Anniversary of Women's Suffrage**

**WHEREAS**, the year 2020 marks the 100th anniversary of the ratification of the 19th Amendment to the United States Constitution, guaranteeing and protecting women's right to vote; and

**WHEREAS**, this centennial offers an opportunity to commemorate a milestone of democracy; that the right of citizens of the United States to vote shall not be denied or abridged by the federal or state governments on account of gender; and

**WHEREAS**, New Jersey has had a long, storied history in the suffrage movement with New Jersey women playing a crucial role in pursuing the rights of women to vote; and

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**WHEREAS**, in 1776 women property owners were enfranchised under the New Jersey State Constitution, which was unique in the nation at the time. However, in 1807, the New Jersey Legislature eliminated the property requirement for voting rights and limited the ballot to white males; and

**WHEREAS**, in 1867 New Jersey residents Lucy Stone and Harry Blackwell organized the New Jersey Woman Suffrage Association (NJWSA), devoted to gaining women's suffrage; and

**WHEREAS**, in 1909 New Jersey's first open air suffrage rallies were held in Orange and Newark, led by Dr. Emma O. Gantz and Martha Klatshchken with NJWSA collecting 5,000 signatures for a petition in support of the federal amendment guaranteeing and protecting women's constitutional right to vote; and

**WHEREAS**, although the 1912 state referendum on woman's suffrage was soundly defeated in the New Jersey Legislature a corner was turned for the New Jersey suffrage movement; and

**WHEREAS**, in 1913 an automobile rally led by "General" Rosalie Jones traveled through New Jersey on the way to Washington, D.C., in a Suffrage Parade of over 8,000 marchers with many New Jersey women including event organizer Alice Paul; and

**WHEREAS**, in 1915 a second suffrage constitutional referendum was pursued in New Jersey, New York, Pennsylvania, and Massachusetts with active campaigns by many suffrage organizations, including the "Passing of the Torch of Liberty" via tug boats on the Hudson River from New York to New Jersey, but was defeated in all four states October 1915; and

**WHEREAS**, in 1917 New Jersey suffragists Allison Turnbull Hopkins, Julia Hulburt, Beatrice Reynolds Kinkead, and Minnie D. Abbott picketed in front of the White House as part of the Silent Sentinels and subsequently were arrested and imprisoned; and

**WHEREAS**, on June 4, 1919 Congress passed the 19th Amendment guaranteeing all American women the right to vote; and

**WHEREAS**, on February 9, 1920, New Jersey became the 29th state to ratify the 19th Amendment granting women the right to vote; and

**WHEREAS**, shortly after the ratification of the 19th Amendment Margaret Laird and Jennie Van Ness were the first two women elected to the New Jersey Assembly in 1921 and in 1925 Rebecca Estelle Bourgeois Winston of Estell Manor was New Jersey's first woman mayor;

**NOW, THEREFORE, BE IT RESOLVED**, in honor of the 100th Anniversary of the Ratification of the 19th Amendment the Borough of Kenilworth will light the municipal building in purple, one of the colors of the New Jersey Suffrage movement, for the week of February 10; and

**BE IT FURTHER RESOLVED**, that the the Borough of Kenilworth supports the efforts of New Jersey's Suffrage Centennial NJ Women Vote and strongly encourages local celebrations of this historic milestone; and

**IN WITNESS WHEREOF**, I have hereunto set my hand this 22<sup>nd</sup> day of January, in the year of our Lord two thousand twenty.

**POLICE ACCOMODATIONS:**

Chief Zimmerman called Officer Dilts and Officer Smith to the front of the room. He said this accommodation was submitted by Sgt. Giacalone back in 2018, it took a while to get the actual accommodation, it's not an easy one to find but they were able to get it. This accommodation is for delivering a child. He said in his 32<sup>nd</sup> years there is only one other child birth in our department. He said

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he wanted to take Sgt. Giacalone's nomination and full fill it. On Saturday, May 19, 2018 at 2:11AM patrol officers Valerie Smith and Travis Dilts responded to a medical call at 65 South 21<sup>st</sup> Street. The call was for a female in labor. When the officers arrived Setta Sivilia was not only pregnant but was in labor and ready to give birth. Both officers assisted and successfully delivered a baby girl. They used the pregnancy medical kit that is located in all patrol vehicles and clamped off the umbilical cord preventing any medical issues with the newborn. Both the Kenilworth First Aid Squad and medics arrived shortly thereafter and took over the scene and transported both mother and baby to Trinitas Hospital. The medics at the scene commented on what a good job our officers did with the delivery. Chief presented both officers with the accommodation. He also gave the citation bars and since it was a baby girl that they delivered, it is befitting that the bar is pink.

MEETING OPEN TO THE PUBLIC

Motion was made by Councilman David, seconded by Councilwoman Ceceri to open the meeting to the public. All in favor.

No one wished to speak.

Motion was made by Councilman David, seconded by Councilman Clementi to close the meeting to the public. All in favor.

GENERAL BUSINESS

ADJOURNMENT

There being no further business to come before the Council, it was moved by Councilwoman Ceceri, seconded by Councilman David and carried, that the meeting be adjourned to the call of the chair.

9:00 P.M.

Respectfully submitted

Kathleen Moschitta  
Deputy Borough Clerk