

REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KENILWORTH HELD ON WEDNESDAY EVENING, FEBRUARY 13, 2019. COUNCILPRESIDENT LINDA KARLOVITCH PRESIDED.

Council President Linda Karlovitch read the requirements of the Open Public Meetings Act.

The Salute to the Flag was led by Council President Karlovitch.

ROLL CALL

Roll Call at 8:00 P.M. showed the following Council Members present: Kay Ceceri, Larry Clementi, Mark David, Linda Karlovitch, Gerry Laudati and Robert Schielke.

MINUTES

It was moved by Councilwoman Ceceri, seconded by Councilman Schielke and carried that the minutes of the Regular Council Meeting, Work Session and Executive Session of January 23, 2019 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 Recommendation for Firefighter/EMT Appointment
- Blackthorn – St. Patrick’s Day Request
- Comcast – Right of Way fee for 2018
- **Department reports for January 2019** were received from: The Clerk’s Office, Court, Finance Department, Fire Department, Planning & Zoning, Police Department and Public Works (emailed)

It was moved by Councilman Clementi, seconded by Councilman Ladauti 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

REPORT OF COMMITTEES

FINANCE DEPARTMENT

Councilwoman Karlovitch reported the Finance Committee had a budget meeting on January 30, 2019 with various departments. Residents in need of information on property taxes for filing their income tax can look up the amount of property taxes paid for in 2018 by accessing the Kenilworth web site, look on the left hand side and click on property taxes and enter your property information, it is easy and simple and accessible 7/24. The annual debt statement has been filed with the State. The first quarter property tax collection has concluded and delinquent tax notices are scheduled to be mailed out next week.

REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KENILWORTH HELD ON WEDNESDAY EVENING, FEBRUARY 13, 2019. COUNCILPRESIDENT LINDA KARLOVITCH PRESIDED.

DEPARTMENT OF PUBLIC WORKS

Councilman David reported the next brush and leave pick-up will be February 25th and must be put in a 32 gallon containers. The DPW crews are out doing potholes, weather and manpower permitting. Lafayette pump station is taking on an enormous amount of storm water infiltration which may affect the RVSA problems. They are in the process of getting a price to get that rectified and if they do it can give us a significant credit with the RVSA. This could be one of the reasons our RVSA bill is so high. February 18th is curb side collection for recycling.

PUBLIC SAFETY

Councilman Clementi reported he has the Chief of Police reports for January, there were 228 calls for service and 166 9/11 calls and 112 hours of training. The February 12th the snow and ice contributed to motor vehicle accidents within the Borough. On February 12th at 2PM Kenilworth Liquors was robbed at gunpoint by 2 Hispanic males a black gun was shown. The first suspect was 5'11 with a dark colored jacket and fur lined hood, blue jeans and tan boots, the second suspect was 5'8 with a dark colored jacket and blue jeans. The suspects exited the back door and fled down 21st Street toward Washington Avenue, Kenilworth detectives are investigating. On February 20th Axon body wearing camera training will commence for the Kenilworth Police Department. On Tuesday, February 26th at Union County College the Union County Prosecutors Office will hold a seminar on Bias Crimes Investigated in Union County and it is open to the public and anyone can attend.

DEPARTMENT OF PLANNING, ZONING & ORDINANCES

Councilman Schielke reported that he has been involved with DPW sub-committee. He reviewed the Zoning and Construction Reports for the month of January. The Planning Board has 2 applications and no resolutions for tomorrow night's meeting.

DEPARTMENT OF RECREATION AND FIRE

Councilwoman Ceceri reported recreation signups for soft ball K through 8 have begun and you can sign up through Community pass.

DEPARTMENT OF HEALTH, EDUCATION & HUMAN SERVICES

Councilman Ladauti reported the new school superintendent, Mr. Arlington will be starting in March. He has a Library meeting tomorrow night and he will attend the Board of Health meeting next week. He said Governor Murphy signed 2 bills last week, one bill was the silent alarm in each classroom which will put a burden on our district and our town and he hopes it is not just another band aid but he will look into it. The other bill is the LGBT training and Councilman Ladauti is wondering who is going to pay for this mandate.

REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KENILWORTH HELD ON WEDNESDAY EVENING, FEBRUARY 13, 2019. COUNCILPRESIDENT LINDA KARLOVITCH PRESIDED.

CONSENT AGENDA

Resolutions No. 1 thru 10 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 Schielke moved that all items under the Consent Agenda be approved, seconded by Councilman David. All in favor.

RESOLUTION NO. 1

BE IT HEREBY 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 1, 2019 for the 2019 Temporary Budget; and

WHEREAS, the date of this resolution is within the first thirty days of January 2019; and

WHEREAS, the total temporary budget attached does not in amount exceed 26.25% of the total appropriations in the 2018 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.

Account#	Account	Amount
9-01-23-729-999	Insurance - General	\$50,000.00
9-01-23-734-001	Insurance – Health Benefit Waiver	\$ 2,000.00
9-01-29-800-000	Maint. Free Public Library	\$20,000.00
9-01-26-773-020	Sewer – O/E	\$10,000.00
9-01-26-772-000	Recycling – O/E	\$10,000.00
	Total this amendment	\$92,000.00
	Total Appropriations for the 2019 Temporary Budget	\$4,003,950.00

RESOLUTION NO. 3

WHEREAS, N.J.S.A. 40A:4-59 provides for municipalities to transfer within the appropriation reserves of the preceding budget during the first three months of the fiscal year; and

WHEREAS, it is necessary to transfer the following funds within the 2018 Appropriation Reserve Budget providing for appropriations to fulfill the obligations chargeable to the 2018 Budget; and

REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KENILWORTH HELD ON WEDNESDAY EVENING, FEBRUARY 13, 2019. COUNCILPRESIDENT LINDA KARLOVITCH PRESIDED.

WHEREAS, the transfer is adopted by not less than 2/3 vote of full membership of the governing body of the Borough of Kenilworth.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Kenilworth, County of Middlesex, State of New Jersey that the Chief Financial Officer is hereby authorized in accordance with N.J.S.A. 40A:4-59 to make the following appropriation reserve transfers within the 2018 Budget for the Borough of Kenilworth.

2018 Appropriation Reserves Transfer:

CURRENT FUND		
FROM:		
Police S/W	\$3,000	8-01-25-745-018
Police O/E	\$2,000	8-1-25-745-026
Public Works – S/W	\$10,000	8-02-26-765-011
Solid Waste – S/W	\$10,000	8-01-26-770-011
Public Works – S/W	\$1,000	8-01-26-765-150
TOTAL	\$ 26,000	
TO:		
Traffic Police – O/E	\$25,000	8-01-25-745-026
Legal – O/E	\$1,000	8-01-20-712-019
TOTAL:	\$26,000	

RESOLUTION NO. 4

BE IT RESOLVED, by the Mayor and Council of the Borough of Kenilworth of Union County, New Jersey upon recommendation of the Borough Engineer that Payment #1 for the Contract listed below be and is hereby approved.

BE IT RESOLVED that the payment authorized herein is conditioned upon compliance with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 et. seq.; and

TITLE OF JOB: Cabinetry Installation – 2018 Infrastructure Phase I

CONTRACTOR: Sycamore Wood Working Design
45B North Ave., Garwood, NJ 07027

ENGINEER: Harbor Consultants, Inc.
320 North Avenue, East
Cranford, NJ 07016

Payment #1

TOTAL ORIGINAL CONTRACT PRICE	\$19,600.00
Change Order Amount	\$0.00
Total Completed and stored to date:	\$18,620.00
Amount Due	\$18,620.00
<i>Balance to Finish</i>	<i>\$980.00</i>

REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KENILWORTH HELD ON WEDNESDAY EVENING, FEBRUARY 13, 2019. COUNCILPRESIDENT LINDA KARLOVITCH PRESIDED.

All bills on file in the Finance Office. This Resolution to take effect upon certification by the Borough Treasurer that sufficient funds are available.

CERTIFICATION OF FUNDS
APPROPRIATION:

JOE DEIORIO, TREASURER

RESOLUTION NO. 5

WHEREAS, Atlantic Federal Credit Union, paid for police outside duty and fees were received by the Borough Finance Department, and

WHEREAS, the Borough has retained an outside service to manage its police outside duty and now a refund is due from outstanding funds it the Borough's Trust Account,

NOW, THEREFORE BE IT RESOLVED that the Treasurer be and is hereby authorized to issue a warrant to refund the following amount to:

Amount of \$2,028.85 be refunded to Atlantic Federal Credit Union.

Atlantic FCU
37 Market Street.
Kenilworth, NJ 07033

RESOLUTION NO. 6

BE IT HEREBY RESOLVED, that pursuant to NJSA App A:9-40.1, **Michael Scuderi** be appointed as the OEM Coordinator for a three (3) year term, effective January 1, 2019 and ending December 31, 2021.

BE IT FURTHER RESOLVED, that that pursuant to NJSA App A:9-40.1, **James Hannon** be appointed as the Deputy OEM Coordinator for a three (3) year term, effective January 1, 2019 and ending December 31, 2021.

RESOLUTION NO. 7

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

<u>Name</u>	<u>Appointment</u>
Arminio Loffa	Probationary Firefighter/EMT

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

REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KENILWORTH HELD ON WEDNESDAY EVENING, FEBRUARY 13, 2019. COUNCILPRESIDENT LINDA KARLOVITCH PRESIDED.

RESOLUTION NO. 8

BE IT HEREBY RESOLVED, that the following individual be employed as a Per Diem dispatcher at a rate of \$20.00 per hour, effective February 18, 2019.

David P. Zimmerman
2398 Mountain Avenue, Scotch Plains, NJ 07076

BE IT FURTHER RESOLVED, that this offer of employment is contingent upon successful completion of the requisite medical and background checks.

RESOLUTION NO. 9

WHEREAS, the Borough Council for the municipality is responsible for managing the effective use of Borough assets both real and personal assets, as well as the disposal of real property that is no longer critical to the municipality; and

WHEREAS, the Borough has identified two (2) light towers/generator trailers and three (3) sign boards as having no reasonable, intrinsic value.

BE IT RESOLVED, that the Borough clerk be authorized to effectuate the disposal of the following vehicles for scrap value:

KPD Sign Board: ADDCO ID#4SEPA09119M4SE196

KPD Sign Board: VER-MAC Ser#2S9US11121S132046

KPD Sign Board: VER-MAC Ser# 02-06088RS

KPD Sign Board: American Signal Vin# 1A9AS232562228116

KPD Light Tower: Mod#RL400 Ser# RL411-2906

KPD Light Tower: Magnum Products Vin#5AJS16196B001318

RESOLUTION NO. 10

WHEREAS, BLAK OPS, LLC d/b/a Blackthorn Restaurant, ABC Licensee #2008-33-006-008, has requested permission to utilize the premises exterior deck with a tent for St. Patrick's Day festivities; March 13, 2019 through March 19, 2019; and

WHEREAS, the Borough Council agreed to the request for **March 13 – 19, 2019** with the following conditions:

REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KENILWORTH HELD ON WEDNESDAY EVENING, FEBRUARY 13, 2019. COUNCILPRESIDENT LINDA KARLOVITCH PRESIDED.

1. There will be a daily fire inspection and a fire permit issued by the Kenilworth Fire Official daily beginning on March 13, 2019 and concluding on March 19, 2019.
2. The Kenilworth Construction Official will issue a building permit for the tent on the deck. The tent will be inspected for installation and for method it is secured to the deck and/or posts. No propane heaters will be allowed to heat the tent on the deck. This inspection shall take place on March 13, 2019 prior to the tent / deck being occupied by patrons.
3. Weather - Any inclement weather deemed to be a possible hazard by the Kenilworth Fire Department or Kenilworth Police Department will be just cause for the deck/tent to be closed to patrons. Including but not limited to: high winds, snow, extreme cold temperatures, and any unforeseen weather event or condition.
4. Two Kenilworth Firefighters in uniform with radios will be hired by the Blackthorn at the rate of \$40.00 per hour to monitor occupancy on the deck (145 patrons) and in the main bar/restaurant on March 15th, 16th, and 17th. Hours to be determined will be based on occupancy and scheduled events with a Kenilworth Fire Official. One Firefighter will be at the main entrance area and the other near the bathrooms near the entranceway to the deck from the main building.
5. Spot checks may be performed by the Kenilworth Police and Fire Departments regarding any and all safety issues or concerns.
6. Music on the deck will be allowed until 10 P.M. with the exception of Friday, March 15th, Saturday March 16th and Sunday March 17th 2019 where music can be played until midnight. Music shall be played at a reasonable level as determined and enforced by the Kenilworth Police Department.
7. There shall be absolutely no smoking on the deck while enclosed by the tent.
8. Illuminated Exit signs shall be placed above all exits.

MEETING OPEN TO THE PUBLIC

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

Joe Grimaldi, 14th Street – Mr. Grimaldi read a letter from Governor Murphy on sports betting and legalizing marijuana. He asked who will benefit from these policies, the citizens or those that promoted the legislation and said we all know the answer. Our taxes are too high and never get to the proper destination. Our firearms laws are nearly unconstitutional and they rarely address the situation they were intended to correct. He said to Mayor and Councilwill you continue the current trend or opt for societal sanity. He said he loves New Jersey and said let's all make New Jersey livable and affordable AKA great again.

Karen Kolbeck, 682 Fairfield Avenue - Ms. Kolbeck said that a lot of things are still happening at the Gavelstone Bar, she was told there would be a cop but there are still fights and drunks coming out. She has photographs of empty liquor bottles that are thrown on her property when they are drinking in their cars. She said people are doing u-turns in the middle of Michigan Avenue after going down the one way street of Fairfield and she hopes someone will do something because someone is going to get killed. She called the cops about 11:30 one night because of screaming and yelling and after waiting 20minutes she called dispatch and they said they were really busy that night...she waited another hour and not one cop

REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KENILWORTH HELD ON WEDNESDAY EVENING, FEBRUARY 13, 2019. COUNCILPRESIDENT LINDA KARLOVITCH PRESIDED.

showed up. She had to go out and buy a ring doorbell because she is scared that someone is going to come up to her door. She said she is a single mother and she does not need that.

Mario Rossi, 685 Fairfield Avenue - Mr. Rossi said there was an attempted burglary on January 12th on the house next door. The individual circled the house twice, looked in the mailbox, looked in the windows and they called the police. The next week there was an intruder on the side of his house who was shouting, they came on his steps, the police came and he went back in the bar. On January 24th there was a dope deal in front of his house someone had a fist full of money and they argued about quantities, he went out to take a picture and when they saw the flash the said "uptown" and they ran. On February 11 on Fairfield Avenue there was someone selling shirts out of his trunk and they ran when they were observed. He knows the police are understaffed and he asked if he should call after the fact because some things happen so quick. Councilman David said you should always call the police and said he explained as far as the noise, if you hear the noise report it, by the time the police get there the noise is gone so you as citizens have to come down to the court and file a noise complaint. Councilman David asked Mr. Rossi if there are certain days and/or hours when things are worse and he said Thursday, Friday, Saturday and Sunday between 11PM and 2AM. Councilman David said since he is on the police committee he will sit down with the Chief and try and work something out.

Mr. Capece said in June the liquor licenses are up for renewal and they will be submitting their application and he said he thinks the Mayor and Council will consider putting more conditions on the license based upon the communities feelings. He said he suspects the residents will be notified of the meeting that approves the license. He said he was impressed that the Council President made a surprise visit to the site and he suggested that she visit between 1AM and 2AM.

Natali, 683 Fairfield Ave. – Mr. Natale said he agrees with his neighbors and a couple of days ago There were two men peeinghe said maybe you can stop them from parking on our street to fix the situation. He said it is not safe there.

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

GENERAL BUSINESS

None.

ADJOURNMENT

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

9:00 P.M.

Respectfully submitted

Kathleen Moschitta
Deputy Borough Clerk