

REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KENILWORTH HELD ON WEDNESDAY EVENING, MARCH 8, 2017. MAYOR ANTHONY DELUCA PRESIDED.

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

The Salute to the Flag was led by Mayor Deluca.

ROLL CALL

Roll Call at 8:00 P.M. showed the following Council Members present: Kay Ceceri, Larry Clementi, Peter Corvelli, Mark David, Gerry Ladauti and Nick Mascaro.

MINUTES

It was moved by Councilman Ceceri, seconded by Councilman Mascaro and carried that the minutes of the Regular Council Meeting and Work Session of February 22, 2017 be approved as submitted. (Copies furnished each Council Member prior to the meeting). All in favor.

COMMUNICATIONS AND PETITIONS

NJSLOM Notices

- Union County – Black History Month Events
- Borough Engineer – Recommendation of Award for 2016 NJDOT Roadway Project
- Kenilworth Public Library – NJ Makers Day Invite
- Kenilworth Historical Society – Upcoming Events
- Relay for Life 2017 Kenilworth Kick Off Event - February 8th

- **February Dept. Reports:** Clerk's Office, Court, Finance Dept., Fire Dept. Planning & Zoning, Police Dept. & Public Works

It was moved by Councilman Clementi, seconded by Councilman David 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 Deluca reported the Historical Society is hosting a bus trip to Mohegan Sun on Saturday, March 11, 2017. For more information and reservations call 908-709-0434. David Brearley Middle/High School PTO Vendor and Craft show is Saturday, March 18, 2017, 9AM to 4PM, at David Brearley High School. Today is International Women's Day and women were supposed to wear red today. This day celebrates the social, economic and cultural achievements of women. He said he has a great amount of respect for women and our women up town deal with situations professionally with honor and integrity. They do things up there that he himself would not be able to do and he thanks God for the women in his life, like his wife Rose. He said this is a town that believes in gender equality, we treat our women with a great amount of respect, they are part of the team. He thanked women everywhere.

The Mayor said he knows that some of you are reading my column in the paper....and the reason he knows that is because you have called me up to remind me that I made a mistake. I said that during day light savings time you should turn your clocks back and everyone reminded me that I was wrong you should turn your clocks ahead. The Mayor said this was a test to see if you were reading my column. He

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advised everyone to be on guard because every month he will put something in there on purpose to see if you catch it and if you catch it there may be a prize.

REPORT OF COMMITTEES

FINANCE DEPARTMENT

Councilman Mascaro reported the Finance Committee met this past Saturday to go through our 3rd round of the assessment of the 2017 budget. We are looking at less of a tax increase than the previous round of looking at it and we will go through it one more time with a fine tooth comb to make sure we are providing the best and most efficient budget that we possibly can for this coming year. He thanked the committee members, Larry and Peter. We should be ready to introduce the budget on March 22nd and the second reading and public hearing will be April 19th. The on-line auction for the excess goods that the Town has accumulated over the past couple of years is almost ready to go live on line from March 23, 2017 to March 30, 2017 and you can view it at www.govdeals.com/kenilworthnewjersey.

DEPARTMENT OF PUBLIC WORKS

Councilman David reported there were no complaints this week as far as the recyclables are concerned so it seems like everything might be going well.

PUBLIC SAFETY

Councilman Corvelli said we are still in negotiations with rank and file for their contract. He said he will report back at a later date. He said we are hiring a dispatcher tonight to replace one dispatcher spot.

DEPARTMENT OF PLANNING, ZONING & ORDINANCES

Councilman Clementi said he received the Zoning Report for February from Robert Herbert our Zoning Officer. His tasks for the month were plan reviews, meeting with the public, violation inspections and working on re-registration of properties. He sent 20 violation notices, 9 zoning permits were received, 9 summonses issued and 7 complaints. He is also addressing property maintenance on foreclosures. Tomorrow night is the Planning Board Meeting at 7:30.

DEPARTMENT OF RECREATION AND FIRE

Councilwoman Ceceri reported the Kenilworth Fire Department received a letter of accommodation from Maplewood and she read the letter because our Department should be commended. "Dear Chief Giordano, as you are aware Maplewood experienced one of the most devastating fires in its history in the early morning hours of February 4, 2017. The fire occurred at the construction site of Avalon Bay Apartment Complex. The magnitude of the fire upon arrival, construction type, proximity of propane tanks to the fire and weather conditions were all operational challenges faced by those on scene. Given the scope of the operations, I am grateful that there was only one minor injury reported. I would like to extend a heartfelt thanks to your department and the members who responded to assist that day. Everyone played an integral role in mitigating the incident. The dedication and hard work of your ladder company along with others assigned to the fire ground under extremely adverse conditions were instrumental in preventing the fire from extending to the completed section of the complex. Please convey my thanks to all who were involved. Sincerely Michael R. Dingelstedt, Chief of Department.

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The Girls Softball has started and dates will be announced. The Recreation Department will be having Flag Football this year and it's \$25 registration fee and with that you get a jersey. The registration is on the web site and the date will be announced in April. They will be having divisions of 2nd and 3rd grade, 4th and 5th, 6th, and 7th & 8th will be middle and high school. They will be having a cheer clinic and you can register on line for \$20.00 and you get a tea shirt and a bow, the date will be announced but you can register now. There is adult volleyball which starts the 2nd week in April and you can contact Vicky Roman of the Rec. whether you have a team together or if you want to play individually you can be placed. On April 8th will be the Easter Egg Hunt at 9:00 AM at DiMario Park and the Little League Parade will also be that day at 1:00 PM.

DEPARTMENT OF HEALTH, EDUCATION & HUMAN SERVICES

Councilman Ladauti said the Health Department meeting will be tomorrow night at Dr. Forman's office. The Library also meets tomorrow night and they will be working on their grants. David Brearley and Harding Schools Finance Committees are working hard trying to get their schools to stay at 2%, even though they have too, there are different variances that can move it forward. We have a Handy Man Program for seniors and if there are any seniors who need help in their house, nothing too far out of the realm, they will come over and do it so just contact Borough Hall and they will help you.

CONSENT AGENDA

Resolutions No. 1 thru 7 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.

Councilman Ceceri moved that all items under the Consent Agenda be approved, seconded by Councilman Clementi. 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 2, 2017 for the 2017 Temporary Budget and amended on January 25, 2017 Resolution #2 and February 8 Resolution #4; and

WHEREAS, the date of the first resolution was within the first thirty days of January 2017; and

WHEREAS, the total temporary budget attached does not in amount exceed 26.25% of the total appropriations in the 2016 Budget (exclusive of any appropriations made for Debt Service, Capital Improvement Fund and Public Assistance (Relief);

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

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Account	Amount
Police – Other Expenses	\$ 30,000.00
Office of Emergency Management – Other Expenses	\$ 5,000.00
Shade Tree – Other Expenses	\$ 20,000.00
Board of Health – Other Expenses	\$ 21,000.00
Recreation – Other Expenses	\$ 1,500.00
Payroll – Other Expense	\$ 1,000.00
Engineering – Other Expense	\$ 5,000.00
Payment of Bond Principal	\$ 30,000.00
Public Employees Retirement System	\$ 281,453.00
Police Fire Retirement System	\$ 685,694.00
Municipal Alliance – Local Share	\$ 1,000.00
Total this amendment	\$1,181,647.00
Total Appropriations for the 2017 Temporary Budget	\$4,981,297.00

RESOLUTION NO.3

WHEREAS, the County of Union is continuing the Cooperative Pricing System with the County of Union as the “Lead Agency”; and

WHEREAS, this program effects substantial economies in the purchase of work, materials and supplies to the benefit of participants of the Cooperative; and

WHEREAS, this agreement has received approval from the Director of the Division of Local Government Services through July 2021.

BE IT HEREBY RESOLVED, that the Mayor and or Borough Clerk are authorized to execute the Union County Cooperative Pricing System Agreement.

RESOLUTION NO. 4

BE IT HEREBY RESOLVED: That the following list of Retirees be reimbursed for their payments for Medicare coverage from June 1, 2016 through December 31, 2016 inclusive, in accordance with Chapter 231, P.L. 1970 State of New Jersey.

<u>Retired Employee</u>	<u>Reimbursement Amount</u>
Richard Dopf – Carleen (Spouse)	\$852.60
TOTAL	\$852.60

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RESOLUTION NO. 5

WHEREAS, there are vacancies in Kenilworth Police Department for Civilian Dispatchers; and

BE IT RESOLVED, that the appointment of **Christine Castle, 4 Saxton Lane, Lebanon, NJ 08833** as Probationary Civilian Dispatcher in the Kenilworth Police Department is hereby approved; effective March 13, 2017 at a rate of \$30,000.00 per annum.

THEREFORE BE IT FURTHER RESOLVED, that this offer of employment is contingent upon successful completion of psychological, evaluation, medical release, criminal and background checks

RESOLUTION NO. 6

WHEREAS, Black Ops, LLC, DBA Blackthorn Restaurant & Irish Pub, 651 North Michigan Avenue, Kenilworth, NJ Plenary Retail Consumption License No. 2008-33-006-008, and

WHEREAS, Black Ops, LLC has requested the Borough to consider a limited extension of its operating hours for the exterior deck in recognition of St. Patrick's Day festivities that may commence on Friday, March 10, 2017 and culminating on Sunday, March 19, 2017; and

WHEREAS, said applicant's renewal resolution is subject to the following conditions:

1. Occupancy on the deck area shall not exceed 145 persons.
2. No permanent or portable service bars shall be allowed on the deck area. All alcoholic beverages shall be served by waiters or waitresses.
3. The deck area must be closed to patrons by 12:30 A.M., except on Thursday, Friday, and Saturday evenings when said closing shall be at 1:00 A.M., at which time the consumption of alcohol on the deck area shall be prohibited.
4. No music or other form of entertainment may be played, broadcast or conducted on or over the deck area after 12:30 A.M.
5. Operating months for the deck area shall be from April 15th through October 15th.
6. Deck area allowed to be open March 17th (St. Patrick's Day).

; and

WHEREAS, the sale of alcoholic beverages is subject to ABC regulations and New Jersey statutes for a NJ Plenary Retail Consumption License; therefore if any granted relief is in conflict with either, then that portion of the relief shall be deemed null and void; and

WHEREAS, if the licensee be found to be in material violation of any of the laws or regulations granted, the requested relief shall become null and void.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Kenilworth that Plenary Retail Consumption License No. 2008-33-006-008 is granted the extension of hours for the exterior deck as follows:

March 10, 2017 through March 19, 2017

During the hours of 12pm though 1AM

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RESOLUTION NO. 7

A RESOLUTION TO AMEND THE NEGOTIATED RECYCLING CONTRACT BASED UPON WEEKLY PICKUPS

PURPOSE OF THE RESOLUTION: To amend the negotiated recycling contract with Jersey Landscape & Garden Supply, LLC whereby the contractor will perform curbside collection of recyclable material, alternating weekly between the North and South side of the Borough.

WHEREAS, the Borough entered into a contract with Jersey Landscape & Garden Supply, LLC that provided that the contractor would biweekly perform collection of recyclable material for the entire municipality and be paid \$2,500.00 per collection; and

WHEREAS, it was determined that the Borough would be better served by weekly collections of recyclable materials with the contractor alternating between the North and South side of the Borough; and

WHEREAS, under the alternate mode of operation for collection, the contractor performs twice the number of collections, but for half of the number of locations each week; and

WHEREAS, the contractor and the Borough desire to clarify that they will now be compensated at the rate of \$1,250.00 per collection to reflect the new mode of performing the services

NOW THEREFORE BE IT RESOLVED, that the Mayor and Clerk are authorized to enter an amendment to the recycling contract with Jersey Landscape & Garden Supply, LLC reducing the rate per collection.

Proposed Ordinance No. 2017-02 was read for a first reading as follows: (Copy attached)

AN ORDINANCE AMENDING ORDINANCE NO. 2016-4 PROVIDING FOR COMPENSATION FOR BOROUGH EMPLOYEES OF THE BOROUGH OF KENILWORTH

Mayor Deluca said the ordinance is exactly what it says, we looked at two stipend positions, one of them will be a recording secretary for the Planning & Zoning, we really never had a position and we saw the need to have one to work at the Borough. This will provide Planning & Zoning with cohesion and consistency for when things need to get filed in a timely basis. There is also another position, you are going to see within a few months, we are trying to establish a Farmers Market and we formulated a position that would allow for an events coordinator who works uptown to do those events.

RESOLUTION NO 8

Introduced by Nick Mascaro, adoption moved by same.

Seconded by Gerry Ladauti. All in favor.

BE IT HEREBY RESOLVED that the ordinance #2017-02, entitled:

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AN ORDINANCE AMENDING ORDINANCE NO. 2016-4 PROVIDING FOR COMPENSATION FOR BOROUGH EMPLOYEES OF THE BOROUGH OF KENILWORTH

Heretofore introduced, does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the April 12, 2017 at 8:00PM or as soon as thereafter as the matter can be reached, at the regular meeting place of the Borough Council, and that at such time and place all persons interested be given an opportunity to be heard concerning said ordinance, and that the Borough Clerk is hereby authorized and directed to publish said ordinance according to law with a notice of its introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

PROCLAMATION

Whereas, American women of every race, class, and ethnic background have made historic contributions to the growth and strength of our Nation in countless recorded and unrecorded ways; and

Whereas, American women have played and continue to play critical economic, cultural, and social role in every sphere of the life of the Nation by constituting a significant portion of the labor force working inside and outside of the home; and

Whereas, American women have played a unique role throughout the history of the Nation by providing the majority of the volunteer labor force of the Nation; and

Whereas, American women were particularly important in the establishment of early charitable, philanthropic, and cultural institutions in our Nation; and

Whereas, American women of every race, class, and ethnic background served as early leaders in the forefront of every major progressive social change movement; and

Whereas, American women have served our country courageously in the military; and

Whereas, American women have been leaders, not only in securing their own rights of suffrage and equal opportunity, but also in the abolitionist movement, the emancipation movement, the industrial labor movement, the civil rights movement, and other movements, especially the peace movement, which create a more fair and just society for all; and

Whereas, despite these contributions, the role of American women in history has been consistently overlooked and undervalued, in the literature, teaching and study of American history.

Now, Therefore, Be It Resolved, by the Mayor and Council of the Borough of Kenilworth, that March is designated as "Women's History Month" and encourages the people of Kenilworth to observe March as Women's History Month with Appropriate Programs, Ceremonies, And Activities.

In Witness Hereof, I have hereunto set my hand and caused the Seal of the Borough of Kenilworth to be affixed this 8th day of March 2017.

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OATH OF OFFICE

Oath of Office was administered to by Mayor Deluca to Christine Castle, Dispatcher for the Kenilworth Police Department.

Mayor Deluca welcomed Christine to the Kenilworth family.

Chief Zimmerman thanked Mayor and Council for filling the Dispatcher spot so that now we are at full capacity. The Chief said Christine was a dispatcher for Somerset County, went out on maternity leave and now she has come back to Kenilworth. She brings experience and he looks forward to working with her starting Monday.

MEETING OPEN TO THE PUBLIC

Motion was made by Councilman Ladauti seconded by Councilman Clementi to open the meeting to the public. All in favor.

No one wished to speak.

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

GENERAL COMMENTS None

ADJOURNMENT

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

8:50 P.M.

Respectfully submitted

Kathleen Moschitta
Deputy Borough Clerk