

REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KENILWORTH HELD ON WEDNESDAY EVENING, MARCH 25, 2020. MAYOR LINDA KARLOVITCH PRESIDED.

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

Mayor Karlovitch said in response to the COVID-19 outbreak the Borough is operating under the NJDCA Local Operational Guidelines for remote public meetings.

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, Gerry Laudati, Daniel Lopez and Robert Schielke.

MINUTES – None Presented

COMMUNICATIONS AND PETITIONS

- NJSLOM Notices (emailed to all)

It was moved by Councilman Laudati, seconded by Councilman Clementi 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 said the situation we face is fast moving and uncertain. She understands how challenging it is and the major disruption to how we lead our lives. Sacrifices, lost jobs and wages, social gatherings and family celebration to mention a few. Please take your responsibility to respond to this virus seriously and stay home and follow the rules and guidelines set by our Governor. We have to make every effort to try and limit the spread of bacteria and viruses. While Borough offices remain closed, we have prepared to pay outstanding bills and the necessary functions of municipal government will continue to take place. We continue to conform to all requirements. She took a moment to sincerely thank the remarkable actions of our Borough Clerk, Public Works Department, Police Department, Chief of Police, the Kenilworth Recreation and Council President Clementi who have worked so hard to keep Borough functions operating. She has and will continue to participate in a series of conference's with County and local officials staying on top of the latest developments and information available. The true hero's in our community are our first responders, please remember them, they are out there selfishly doing what they do, putting themselves at risk to continue to serve our community during this pandemic, many without pay. We are blessed and fortunate to have so many outstanding men and women in our circle dedicating their lives to helping others. On behalf of the Borough, she thanked them for their daily dedication, we are grateful to you and we recognize your extraordinary commitment and strength. The Mayor said she continues to be inspired by your example. It is up to every single one of us to honor their service and their sacrifice. Kenilworth currently has 9 cases of COVID-19 and we are monitoring this very closely and she asked the community to please be kind to one another, we are all in this together and we will get through it together. Please stay safe, stay strong, stay healthy and stay home.

REPORT OF COMMITTEES

REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KENILWORTH HELD ON WEDNESDAY EVENING, MARCH 25, 2020. MAYOR LINDA KARLOVITCH PRESIDED.

FINANCE DEPARTMENT

With the Governor's state of emergency declaration and executive orders, the Finance and Tax Department is not open for the general public but is fully operational. The Chief Financial Officer has instructed departments that they are operating under the Finance And Taxation Emergency Response plan which allows its staff to continue operations outside Borough Hall. Because of the emergency, the State has frozen homestead rebate credits to eligible homeowners. Additionally, the state is developing rules regards to the payment of property taxes. It is expected that rules will be sent out to the CFO and Tax collectors any day now. In the meantime, the State strongly suggests preparing sending out Estimated Tax Bills by the statutory June 30th deadline. The state has also postponed the introduction of municipal budgets to April 28th . This will allow municipalities the opportunity to consider additional expenses as well as anticipated losses in revenue in their municipal budgets as a result of COVID-19. CFOs and Tax Collectors in Union County and surrounding towns have been in constant communications via email about these and other financial matters. As new information arises, our CFO will let us know.

DEPARTMENT OF PUBLIC WORKS

Councilman David reported that the Bulk pickup previously scheduled for April has been cancelled.

PUBLIC SAFETY

Councilman Clementi said he has the Police Report for the end of March. He said the Police Chief was able to purchase a disinfectant system that's called ASEPTIC and it is a great tool to disinfect vehicles in a quick manner and also the jail area. It works so well that Mike Scuderi from the Fire Department also purchased one so they could use it on fire trucks and ambulances. He said it is a very good cost saver instead of having someone come in and charge us for the cleaning. There were a couple of stolen motor vehicles in the month of March. On March 16th a vehicle was stolen from 236 North 10th Street and on March 20th a tractor trailer was reported stolen from 221 South 31st Street. On March 16th the Police were dispatched to go to a local address, there was an alarm going off, the police conducted an investigation and found 4 juveniles were using marijuana which set off the alarm, one of the juveniles was charged with possession of CDS. On March 24th Detective Pickton notified headquarters that he had an erratic driver on the Boulevard near Shady Lane, he stated that the driver failed to maintain his lane. Officer Pickton went up to the side of the vehicle and honked his horn to try and get his attention, the driver pulled out a bat in a threatening way toward Detective Pickton and was banging on the side of his truck. They observed him on South 24th Street driving at a high rate of speed toward Michigan Avenue, the police attempted to stop it and he sped up and started weaving through traffic and nearly had an accident at the intersection and continued at a high speed down the Boulevard to the Parkway south, the pursuit was terminated prior to Exit 136 due to the manner and speed he was driving. The Kenilworth police were later informed that the New Jersey State Police Holmdel Barracks continued the pursuit and the vehicle crashed at Exit 72. Emmanuel Amenda, 78 Chamber Street, Manchester, CT was taken into custody by the State Police. Mr. Amenda was turned over to the Kenilworth Police and charged with alluding the police and was issued numerous traffic citations.

REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KENILWORTH HELD ON WEDNESDAY EVENING, MARCH 25, 2020. MAYOR LINDA KARLOVITCH PRESIDED.

DEPARTMENT OF PLANNING, ZONING & ORDINANCES

Councilman Schielke said the Construction Department are doing the best they can with the current state of the building being closed. The Zoning Officer is staying on top of all permits that are being dropped off. He was able to chat with a resident yesterday who is selling his house and had a couple of specific Zoning Questions and he took care of that.

DEPARTMENT OF RECREATION AND FIRE

Councilwoman Ceceri reported all the parks in town are closed, basketball hoops have been taken down and all playground equipment has been roped off. She said please take this seriously as the virus can live on plastic and metal services for days. We do have an exception to DiMario Park which is open for passive recreation only. The Easter Egg Hunt will be held and done from home, the eggs will be filled with candy and be delivered the night before Easter and left on the family doorsteps and/or porches. A poster and flyers are being created for registration purposes. Engine #63 is now in service after it's anticipated wait. Our EMT's are on the front lines as well as the police and fire and the supplies to help keep them safe from this virus is depleting. If anyone can donate masks and gloves it would help our dwindling supplies.

DEPARTMENT OF HEALTH, EDUCATION & HUMAN SERVICES

Councilman Laudati said remote lessons are being done in the schools. Nursery Schools and daycare centers must be closed, there was a loophole that some did not have to close, we had one in Kenilworth that did not close but as of today, they have to close. He said he worked out a deal with the Library where we do, for their new rules in the grant, 50% of the grant, 25% of our money and 25% from the Library. We also voted on not having solar panels at the Library because it seems like a waste of money for them so they had a resolution not to do the solar panels. He said the deadline for the grant was April 6th but it got moved to June which means it won't be voted on by the legislative until September at the earliest so that money will arrive later on. He had a conference call with all 9 members of the Board and it went well. He said the Library and Health Department are closed. The Health Department is taking food donations, drop it off at the front and they will bring it somewhere. St. Theresa's will be collecting, they do not want anyone in the school or the church. He said the Senior Center is closed, he got a request from our old attorney and Bob Taylor to do a donation to the seniors and maybe Kaye can explain that a little bit more, it was just a ploy to have one of those members take over the club and wanted the job.

CONSENT AGENDA

Resolutions No. 1 thru 5 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 Laudati moved that all items under the Consent Agenda be approved, seconded by Councilman Ceceri. All in favor.

RESOLUTION NO. 1

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

REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KENILWORTH HELD ON WEDNESDAY EVENING, MARCH 25, 2020. MAYOR LINDA KARLOVITCH PRESIDED.

RESOLUTION NO. 2

BE IT HEREBY RESOLVED:

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 Resolution #2 (Jan. 22, 2020), Resolution #2 (Feb. 12, 2020), Resolution #2 (Feb. 26, 2020), and Resolution #2 (March 11, 2020), was approved for an amendment to the 2020 Temporary Budget; 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.

Account#	Account	Amount
TO:		
0-01-25-745-020	Police Department – Other Expenses	\$50,000
0-01-20-701-020	Clerk – O/E	\$5,000
0-01-20-705-010	Finance S/W	\$5,000
0-01-20-710-020	Assessor O/E	\$1,000
0-01-20-712-019	Legal Other	\$20,000
0-01-29-800-000	Library	\$5,000
0-01-31-774-000	Utilities – RVSA	\$321,678
0-01-36-836-000	PERS	\$307,598
0-01-36-839-000	PFRS	\$803,933
	Total this amendment	\$1,519,209.00
Total Appropriations for the 2020 Temporary Budget As of 3/11/2020		\$2,477,487

AND 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 2019 Appropriation Reserve Budget providing for appropriations to fulfill the obligations chargeable to the 2019 Budget; and

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 Union, 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 2019 Budget for the Borough of Kenilworth.

REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KENILWORTH HELD ON WEDNESDAY EVENING, MARCH 25, 2020. MAYOR LINDA KARLOVITCH PRESIDED.

2019 APPROPRIATION RESERVES TRANSFER:

CURRENT FUND		
FROM:		
9-01-33-833-010	Court S/W	\$15,000
9-01-31-821-000	Street Lighting	\$20,300
9-01-31-430-020	Utilities – Other	\$10,000
9-01-36-837-000	Social Security	\$5,000
TOTAL		\$50,300
TO:-		
9-01-20-715-019	<i>Legal Other</i>	20,000
9-01-23-735-001	State Temporary Disability	300
9-01-20-715-020	Engineering	30,000
TOTAL:		\$50,300

RESOLUTION NO. 3

WHEREAS, the Borough of Kenilworth has reviewed the Flow Rights Utilization data provided by the Rahway Valley Sewerage Authority “Authority” and

WHEREAS, after consultation between the Borough Engineer and the Authority a plan of enhanced Inflow and Infiltration “I & I” improvement has been developed and

WHEREAS, the aforementioned plan has been approved by the Authority (attached hereto),

NOW THEREFORE BE IT RESOLVED, by the Borough of Kenilworth as following:

1. The Borough commits funds not to exceed \$58,000.00 for the enhanced “I & I” improvements which has been approved by the parties

RESOLUTION NO. 4

BE IT RESOLVED, that the Borough “Event Coordinator” position is vacated effective March 31, 2020.

BE IT FURTHER RESOLVED, that position will remain vacant until such time the Governing Body authorizes the appointment of same.

RESOLUTION NO. 5

WHEREAS, In an effort to contain the growing spread of COVID-19 NJ Governor Murphy has declared a State of Emergency by Executive Order #103; and

REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KENILWORTH HELD ON WEDNESDAY EVENING, MARCH 25, 2020. MAYOR LINDA KARLOVITCH PRESIDED.

WHEREAS, NJSA 26:13-3 allows for the temporary reassignment by waiver of a SLEO III Law Enforcement Officer to serve as a SLEO II Law Enforcement Officer during a Public Health Emergency; and

WHEREAS, the officer shall automatically revert to their previous status on the first business day after the expiration of the declared Public Health Emergency under NJSA 26:13-3.

THEREFORE BE IT RESOLVED, that William Hannon, SLEO III and Richard Pinto, SLEO III be temporary reassigned as *Special Law Enforcement Officers, SLEO II* effective immediately.

Proposed Ordinance No. 2020-03 was read for a second reading as follows: Copy can be found in 2/26/20)

ORDINANCE NO. 2020-03

AN ORDINANCE TO AMEND GUIDELINES FOR CERTIFICATION OF THE KENILWORTH POLICE DEPARTMENT SECTION 39-9 (3) CANDIDATE REVIEW AND SELECTION THE BOROUGH OF KENILWORTH, COUNTY OF UNION, STATE OF NEW JERSEY

Mayor Karlovitch said purpose of this ordinance is to follow recommendations relating to police officer promotions, readdress specifically setting protocol for candidates review of results.

Motion made by Laudati, seconded by Schielke to open the hearing on Ordinance No. 2020-03. All in favor.

No one wished to speak.

Motion made by Ceceri, seconded by Laudati to close the hearing on Ordinance No. 2020-02. All in favor.

RESOLUTION NO. 6

Introduced by Schielke, adoption moved by same
Seconded by Clementi. Upon roll call all in favor.

BE IT HEREBY RESOLVED that the ordinance #2020-03 entitled:

AN ORDINANCE TO AMEND GUIDELINES FOR CERTIFICATION OF THE KENILWORTH POLICE DEPARTMENT SECTION 39-9 (3) CANDIDATE REVIEW AND SELECTION THE BOROUGH OF KENILWORTH, COUNTY OF UNION, STATE OF NEW JERSEY

Was introduced and approved on first reading, at the regular meeting of the Borough Council on February 26, 2020 approved for final passage at the regular meeting of the Borough Council of March 25, 2020 after all persons interested were given an opportunity to be heard concerning said ordinance.

BE IT FURTHER RESOLVED that the Borough Clerk is hereby authorized and directed to publish said ordinance according to law with a notice of its final adoption.

REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KENILWORTH HELD
ON WEDNESDAY EVENING, MARCH 25, 2020. MAYOR LINDA KARLOVITCH PRESIDED.

MEETING OPEN TO THE PUBLIC

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

No one wished to speak.

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

GENERAL BUSINESS

Councilwoman Ceceri asked if they have scheduled another date for the bulk pick-up. Mayor Karlovitch said it is on the back burner and there are no new dates scheduled.

ADJOURNMENT

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

9:00 P.M.

Respectfully submitted

Kathleen Moschitta
Deputy Borough Clerk