

REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KENILWORTH HELD ON WEDNESDAY EVENING, MARCH 27, 2019. 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: Kaye Ceceri, Larry Clementi, Linda Karlovitch and Robert Schielke. Gerry Ladauti and Gregg David were absent.

MINUTES

It was moved by Councilwoman Ceceri, seconded by Councilwoman Karlovitch and carried that the minutes of the Executive Session, Regular Council Meeting, Work Session of March 13, 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)
- Engineer Recommendation for 16th St Ballfield Reconstruction
- Resident Request for Handicapped Parking Designation – 5454 Newark Ave.

It was moved by Councilman Clementi, seconded by Councilman Schielke 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 said in recognition of “Women’s History Month” the UC Board of Chosen Freeholders is presenting a free performance of the play “In Their Footsteps” on Saturday, March 30th at 1:30 PM at the UC Performing Arts Center, 360 Hamilton Street, Rahway, NJ. The performance honors 5 American women who served in the Vietnam War, using their own words to tell the story. In Their Footsteps covers the lost chapter of women’s history in vivid detail. Admission is free but seating is limited and pre-registration is required. The Union County Board of Elections is rolling out new voting machines. Kenilworth will be using these machines for the June primary and demonstrations for these machines will be held at the UC Court House in Elizabeth on Tuesdays from 11AM to 3PM and at the Coleen Frazier building in Westfield on Saturday’s from 9AM to 1PM. The Mayor said it was a bad week last week, we lost a few people...rather than say their names he said God Speed to them all. He said he has known some of them for a very very long time and it hurtful when you lose one of your own, especially when you have known them a long time and it never gets easier. He said count your blessings.

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There was a bad fire on Friday night, the Pentz family lost everything including some pets but thankfully no lives were lost. He said his heart goes out to the family and there is a Go Fund Me page.

REPORT OF COMMITTEES

FINANCE DEPARTMENT

Councilwoman Karlovitch reported the Finance Committee met with the CFO and auditors to discuss the 2019 Municipal budget and our target tax rate continues to be within 2%. The Borough is scheduled to introduce the Municipal Budget on April 10th. The Borough Clerk, the CFO and Superintendent of Public Works met with representatives from the Plainfield Municipal Utility Authority and discussed bulk waste recycling, grass pick-up and other public work services. The initial meeting resulted into possible cost saving measures. The Municipal Clerk and Public Works can go into more detail, both sides have agreed to provide information for each other to determine if shared service opportunities are feasible. The Finance Office received official notice from Union County Community Development Block Grant committee that the Senior Handyman Program will not be funded after August 31st of this year and as a result the Finance Department staff has completed a Senior Handyman Program review for all members of the Governing Body. The Finance staff will be present at the next work shop meeting of the Governing Body to discuss the continuation of this program. Tonight the Governing Body will be voting on the transfer of a new program grant, Healthy Kids and Community Grant for the Recreation Department. The grant program initially accepted by the Board of Education will allow the student community garden program to continue.

DEPARTMENT OF PUBLIC WORKS

Councilman David was absent. Councilman Schielke reported Straight Edge Striping completed the thermo plastic traffic stripes, directional arrows and graphics on Michigan Avenue. The DPW has blacktop crews out every day this week and will continue to do so, weather and manpower permitting. The DPW installed 2 parking ballisters at the Recreation Building, these are put in front of the air conditioning units so you don't drive into them. The DPW finished cleaning all the Borough's storm drains....555 drains, there were a few that need repair and have been noted and they will follow up on that. Bulk Waste pick up will begin on the North side of town on April 10th and continue until finished and the South side will begin on April 17th and continue until finished. Union County will have a hazardous waste collection event on Saturday, April 6th from 9AM to 2PM at the UC Vo Tech campus, for more information call 908-654-9889 or on the web at ucnj.org/recycle.

PUBLIC SAFETY

Councilman Clementi reported that on Saturday, March 23rd on the westbound lane on the Boulevard between 9th and 10th Streets experienced a sinkhole in the pavement which was due

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to a Borough sewer line that collapsed 15 ft. below the surface. The Kenilworth DPW, the Borough Engineer in conjunction with the contractor Mesercola have worked around the clock to repair the damaged sewer pipe. They are still working on it and hopefully it will be done in a day or so.

DEPARTMENT OF PLANNING, ZONING & ORDINANCES

Councilman Schielke reported the Planning Board started their Master Plan review one year ahead of schedule. He said the Planning Board is outstanding and is comprised of all volunteers from many different areas, some contractors, architectures, business professionals and it is a great mix of people and they are working hard for the Borough. There were a few errors found in the Zoning Ordinances, more or less typos or recording errors when it was introduced a couple of years ago and the Planning Board will be fixing that at the next meeting.

DEPARTMENT OF RECREATION AND FIRE

Councilwoman Ceceri reported the Recreation Department will have their Easter Egg Hunt on Saturday, April 13th with a rain date of April 20th beginning promptly at 10AM, please be there about 15 minutes earlier and candy donations will be accepted at the Recreation building up until April 5th. Softball season is starting and the Little League Parade is on Saturday, April 13th at 1PM, it starts from St. Theresa's and ends at the Little League Field. The 2019 Summer Camp registration is now open, sign up through Community Pass. The Councilwoman said there was a 3 alarm fire that engulfed a split level home on the west end of the Boulevard in Kenilworth late Friday evening, shortly after 9PM. A homeowner had just arrived home and called the Kenilworth Police to report the fire. Kenilworth Police and Fire and EMS responded as well as mutual aid from surrounding towns. No one was home at the time of the fire except for the residents pets, unfortunately some of the pets succumbed to fire and smoke conditions. One Kenilworth fire fighter was examined for as a precautionary measure at a local hospital and was released. Union County Arson Task Force responded and investigated the origin of the fire and it is still under investigation.

DEPARTMENT OF HEALTH, EDUCATION & HUMAN SERVICES

Councilman Ladauti was absent.

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

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RESOLUTION NO. 1

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

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 1, 2019 for the 2019 Temporary Budget; and

WHEREAS, the Resolution #3 was approved for an amendment to the 2019 Temporary Budget on January 23, 2019; and Resolution #2 on February 13, 2019, Resolution 2 on February 27, Resolution 2 on March 13, 2019;

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
9-01-20-706-020	Payroll HR Expenses	\$ 5,000.00
9-01-25-746-020	Traffic Police-OE	\$ 3,000.00
9-01-25-749-122	Fire Department-Day St.	\$ 20,000.00
9-01-25-749-129	Fire Department –WE	\$ 10,000.00
9-01-25-753-010	Fire Prevention-S/W	\$ 5,000.00
9-01-26-773-020	Sewers-OE	\$ 4,000.00
9-01-31-821-000	Utilities Street Light.	\$ 20,000.00
9-01-36-836-000	P.E.R.S	\$312,477.00
9-01-36-839-000	P.F.R.S	\$779,335.07
9-01-45-850-000	Principle on Bonds	\$145,000
	Total this amendment	\$1,303,812.07
	Total Appropriations for the 2019 Temporary Budget	\$5,602,251.07

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

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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

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 2018 Budget for the Borough of Kenilworth.

2018 APPROPRIATION RESERVES TRANSFER:

CURRENT FUND		
FROM:		
Finance –IT Services	\$2,500	8-01-20-705-101
Auditor	\$5,000	8-01-20-707-029
Assessor-Other Services	\$2,500	8-01-20-710-028
Building Insp.	\$2,500	8-01-22-726-010
Public Works – S/W	\$10,000	8-01-26-765-010
TOTAL	\$ 22,500	
TO:		
Engineering – Road Opening	\$ 5,000	8-01-25-715-022
Legal – O/E	\$12,500	8-01-20-712-030
Engineering - Additional	\$ 5,000	8-01-20-715-027
TOTAL:	\$22,500	

RESOLUTION NO. 3

WHEREAS, the Borough of Kenilworth received bids for **Ballfield Reconstruction at North 16th Street Park**, on March 14, 2019; and

WHEREAS, the Mayor and Council reserves reject all bids in accordance with the Notice to Bidders of the Request for Proposal; and

WHEREAS, the Municipal Engineer recommends rejecting all bids and rebidding the project with amendments to the specifications, as follows:

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It is our recommendation to reject all bids and rebid with the following changes:

1. The irrigation system included an upgrade of the existing water service. This has been determined to not be required so it can be removed from the scope of work.
2. Include irrigation system in base bid and remove alternate from bid proposal.
3. Reduce contingency from \$15,000 to \$5,000.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Kenilworth that Kenilworth hereby rejects all bids for **Ballfield Reconstruction at North 16th Street Park**, received on March 14, 2019.

RESOLUTION NO. 4

WHEREAS, Senate Bill No. 2256/Assembly Bill No. 1183 established the “Main Street Assistance Program” to encourage business development by providing financial and technical assistance to businesses located in Main Street areas within small municipalities; and

WHEREAS, it is in the long-term economic interest of the Borough of Kenilworth and the State of New Jersey to establish an economic development incentive program to encourage business growth in the commercial areas of smaller municipalities, so that the local economy of these municipalities may grow and thrive; and

WHEREAS, many municipalities having small population face considerable obstacles in fostering new jobs and business growth and do not qualify for assistance offered by the State’s municipal and business assistance programs.

NOW THEREFORE BE IT RESOLVED, by Mayor and Council of the Borough of Kenilworth, County of Union, State of New Jersey that it hereby supports Senate Bill No. 2256/Assembly Bill No. 1183 which will provide much needed resources to help revitalize small downtowns and thereby provide job opportunities for local residents.

RESOLUTION NO. 5

WHEREAS, the Police Chief John Zimmerman requested an extension of hours for Police Records Secretary Lisa Guarino.

WHEREAS, the Mayor and Council approves the request to increase Lisa Guarino’s weekly hours to twenty-seven (27) hours per week, effective April 1, 2019.

RESOLUTION NO. 6

Resolution Authorizing the transfer of unspent grant funds from the Kenilworth Board of Education for the New Jersey Collaborating Center for Nursing for the Kenilworth Healthy Kids Initiative

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Whereas, in 2018, the Kenilworth Board of Education was awarded a two year grant from the New Jersey Collaborating Center for Nursing (NJCCN) for the Kenilworth Healthy Kids Initiative; and

Whereas, gardens were created on school grounds to grow various fruits & vegetables to help teach kids about healthy living and the pride of nurturing and growing their own food; and

Whereas, the Kenilworth Schools have been unable to keep up with the NJCCN requirements and would like to offer the program to the Borough of Kenilworth's Recreation Department; and

Whereas, the Recreation Department is interested in continuing the program in compliance with the NJCCN's requirements; and

Now Therefore Be It Resolved, that the Governing Body of the Borough of Kenilworth accepts the transfer of unspent 2018 NJCCN grant funds from the Kenilworth Board of Education in the amount of \$3,285.84 under the condition that the Board of Education permits the Borough's Recreation Department to continue the program on school grounds and submits an affirming resolution to the Borough of Kenilworth; and

Be it Further Resolved, that the Borough appoints, Laurie Salfred-Ingham of 601 Cranford Ave., Kenilworth, 07033, to be the NJCCN's Healthy Kids Project Coordinator for the contracted amount of \$2,500 for calendar year 2019 to be responsible for the grant requirements, reporting, purchasing and working with the Recreation Department, teachers, students and schools, under the Kenilworth Recreation Department; and

Be it Future Resolved, that the acceptance of any additional grant funds for the Healthy Kids Initiative from the NJCCN will require a separate resolution for authorization.

Proposed Ordinance No. 2019-01 was read for a first reading as follows: (Copy attached)

AN ORDINANCE OF THE BOROUGH OF KENILWORTH AMENDING THE EXISTING CHAPTER 190-34 VEHICLES AND TRAFFIC, SCHEDULE II: NO PARKING CERTAIN HOURS BY SPECIFYING AN ADDITIONAL AREA TO THE CODE OF THE BOROUGH OF KENILWORTH, COUNTY OF UNION, STATE OF NEW JERSEY

Mayor Deluca said the purpose of this ordinance is to allow no parking in front of an Adult Day Care Center on Lexington Avenue to insure the safe transport of disabled persons to and from the facility. The public hearing for this ordinance is April 10, 2019.

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RESOLUTION NO. 7

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

BE IT HEREBY RESOLVED that the ordinance #2019-01, entitled:

AN ORDINANCE OF THE BOROUGH OF KENILWORTH AMENDING THE EXISTING CHAPTER 190-34 VEHICLES AND TRAFFIC, SCHEDULE II: NO PARKING CERTAIN HOURS BY SPECIFYING AN ADDITIONAL AREA TO THE CODE OF THE BOROUGH OF KENILWORTH, COUNTY OF UNION, STATE OF NEW JERSEY

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 10, 2019 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.

PRESENTATION – MUNICIPAL ALLIANCE - PROJECT GRADUATION - SAFE NIGHT

Mayor Deluca AND Paulette Drogan, Alliance Coordinator presented an \$1800 check to the Project Graduation Committee on behalf of the Municipal Alliance to help defray the cost of a safe night. Mrs. Drogan said they also do other programs such as they have Prevention Links come out to the parents and talk to them about the dangers of going off to college, drugs and alcohol and they also have an assembly in the school.

Mayor Deluca thanked the committee and said it is appreciated what they do. Paulette said the committee members are all volunteers and she thanked them for their time.

MEETING OPEN TO THE PUBLIC

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

Mr. Joseph Grimaldi, 34 North 14th Street – Mr. Grimaldi said yesterday, March 26th a small group of people had a march on Murphy to air their grievances with the Governor as far as over taxation and over regulation. There were people with signs about illegal immigration and how much it is costing New Jersey and other problems that the Governor is bringing to New Jersey with his bad policies, in his opinion. He said there was not many people but they were a voice

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and a size of what they could get together. He said there were 3 immigrants that came to this country legally and their stories were amazing and inspiring. They came here the right way, the hard way and they are proud Americans and they love this country.....possibly more than some home grown people. He said that Little Egg Harbor did a resolution to proclaim themselves a No Sanctuary Town and he thinks Kenilworth should declare Kenilworth a No Sanctuary town because our Governor wants to make New Jersey a sanctuary state. In his opinion a sanctuary state is not good because it promotes illegal immigration and no one wants illegal immigration we all want and accept proper, legal immigration. He said California is a sanctuary state, New Jersey is a now a sanctuary state and there are others and that is wrong.....how does an elected official say "I'm going to violate the law and my oath of my office and not follow the constitution.....the constitution does not say that people can come in here willy nilly whenever they want.....they have to come through the proper channels. He said the do nothing congress on both sides of the isle..... Attorney Capece advised that Mr. Grimaldi's 3 minutes were up.

Mr. Walter Sosnosky, 36 South 17th Street – Mr. Sosnosky said he has a petition from residents and store owners to have a police officer walk the beat of the Boulevard. The pickup in crime has been immense and he thinks having a police officer walk the beat from 8AM to 6PM will insure the store owners and residents of a safe condition. It should not be a problem for the officer to park the car and walk the beat and if he needs to go to a call he can go. He said he has 43 signatures who want this to happen. He said on 21st Street and the Boulevard they were refacing the building using large pieces of Styrofoam and they were careless and beads of Styrofoam were falling throughout the whole Borough collecting in gutters and causing a nuisance and it's a safety hazard. Styrofoam is composed of carcinogen's and this causes issues a variety of mutations to the central nervous system and are linked to Parkinson's disease and leukemia. He said to a police officer that this was a hazard and he said there was nothing to be done about it, Mr. Sosnosky said that is not the right answer. The health department got involved. Mr. Sosnosky had a Hazmat number and tried to give it to the chief and Board but the chief said he has the number. Mr. Sosnosky said if an officer comes upon something and does not know what the substance is they should contact these people.

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

GENERAL BUSINESS

Borough Clerk Laura Reinertsen said back to the Mayors point of counting your blessings, she pointed out that she has sat on the County Economic Development Board for roughly 20 years and of that 20 years, 10 were with the administrative committee. She said in that time she noted that a lot of the other towns that participate in this collective, can't get their representatives to attend the meetings. Not only do our representatives attend, they speak, they stand up for Kenilworth and they fight for every penny that we get and on behalf of the Borough she thanked and commended Mike Ceceri and Maria Anderson. She said those two

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people show up to every meeting, it's a volunteer position.... they don't accept anything for this except for the benefit of the town. She thanked them.

ADJOURNMENT

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

9:00 P.M.

Respectfully submitted

Kathleen Moschitta
Deputy Borough Clerk