

REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KENILWORTH HELD ON WEDNESDAY EVENING, APRIL 10, 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, Mark David, Linda Karlovitch and Robert Schielke. Gerry Ladauti 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 27, 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)
- Kenilworth Planning Board – Chap 120-22.16 Amendment and New Ordinance Request
- Kenilworth VFD – Annual Memorial Service Invitation, May 16 7:30pm
- NJ DOT 2019 Roadway Improvement Municipal Aid Award Notice
- UC –Dept of Economic Development, Preliminary Award Approval: Senior Citizen Services, ADA Facility Improvements and ADA Curb Ramps.
- RVSA – Facility Tour Invitation

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 reported that Union County is sponsoring the annual “Touch a Truck” event at the loop at the Watchung Reservation on Sunday, April 28th from 11AM to 5PM. Youngsters can climb aboard dump trucks, bull dozers, police cars, hazmat response units and the BEAR used by the Union County Swat Team for serious emergencies. Admission is \$5 per person and children age 6 and under are free. It is also good for the Wild Earth Fest at the Trailside Nature and Science Center, an entertaining family event to celebrate the earth. Learn ways to become eco-friendly and increase your awareness of wild life conservation. The Union County Board of Elections is rolling out new voting machines. Kenilworth will be using these new machines for the June Primary. Demonstrations on the machines will be held at the Union County Courthouse in Elizabeth on Tuesdays from 11AM to 3PM and at the Coleen Frazier Building in Westfield, 9AM to 1PM. On April 26th at 6PM the Pentz family will be having a fund raiser. They Pentz family had a horrible fire on March 22 and they lost everything including 4 rescue dogs, 3 rescue cats and a African Gray Parrot. The fundraiser will be on April 26th at 6PM at the Kenilworth VFW, Peerless Beverages will donate beer, Ava’s Kitchen and Bar will donate the food, 50/50 raffles and they will be accepting donations. The Mayor said we lost a few good people in town this last month and we should all be grateful for what we have.

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REPORT OF COMMITTEES

FINANCE DEPARTMENT

Councilwoman Karlovitch reported the New Jersey Homestead Rebates have been received and credited. Revised tax bills have been mailed for the second quarter tax payments. Residents who did not receive a revised tax bill but believe that they should have received their homestead rebate should contact the state at 1-888-238-1233. Tonight the Governing Body will be voting on an additional grant award of \$10,000 from the 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. The budget is presented for introduction is as follows....the budget represents a \$65.65 increase or 2.46%, the major increase was attributed to the Rahway Valley Sewerage Authority, \$144,056 of additional assessment over the last year. To demonstrate the impact that this has on the Kenilworth Budget, without this additional increase the property tax increase would have been \$33.72 or 1.26% more than last year. Almost half of this year's property tax increase is attributed to RVSA. Kenilworth's tax collection rate is a strong 98.99% which helps to offset increases. Additionally the Borough is using \$130.00 in additional surplus to offset appropriations to maintain a reasonable tax rate. The Borough has been awarded a \$500,000 Department of Transportation grant for street reconstruction and resurfacing which is helping the Borough maintain a stable debt service. The public hearing and adoption of the Municipal Budget is scheduled for May 8th at 8PM.

DEPARTMENT OF PUBLIC WORKS

Councilman reported that this past Saturday was the first day that the DPW yard was open from 8AM to 12 noon and approximately 70 residents came into the yard and dropped off electronics, motor oil waste or recyclables. This is new and the next one will be May 4th and will continue to be open the first Saturday of every month from 8AM to 12 noon and residents can bring small electronics, motor oil, and recyclables. Today started the north side bulk cleanup and he said he noticed some tv's being put out and residents are not allowed to put electronics out for bulk waste, you can bring your small electronics to the DPW yard Monday thru Friday from 7AM to 2PM or you can bring them on May 4th. He said the bulk pick up guys will not pick up electronics. The bulk pick up for the south side is April 17th. Starting now, every Thursday you can put your grass to the curb and it will be picked up every Thursday until October.

PUBLIC SAFETY

Councilman Clementi said he is in receipt of the March Report from the Police Department and the Court. There were 2100 calls for service, 204 9/11 calls. Chief Zimmerman was the guest speaker at the Kenilworth Library Read Program on March 28th where he met with residents to discuss authors. The Police Department has 2 radar trailers on the Boulevard near 18th Street for traffic control to make drivers aware of their speed and to slow them down in a school zone. The average volume of traffic at this location is 6,000 or 7,000 vehicles per day.

DEPARTMENT OF PLANNING, ZONING & ORDINANCES

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Councilman Schielke said he received the construction and zoning reports. He continues to follow up with FEMA regarding their Community rating system for flood insurance to reduce the rates for residents. He said he sat in on a couple of DPW meetings with the committee. The Planning Board will meet tomorrow night and has a full agenda.

DEPARTMENT OF RECREATION AND FIRE

Councilwoman Ceceri reported the Easter Egg Hunt is Saturday at Dimario for residents of Kenilworth, they should arrive at the park at 9:45 to receive their Easter Egg Hunt bags, the hunt starts promptly at 10AM. The Little League parade is also on Saturday starting at 1PM and will start at St. Theresa's parking lot and ends at the Little League Field. The Kenilworth Fire Department cordially invites you and your family to attend the annual Memorial Service to be held on May 16th at 7:30PM at the Kenilworth Fire House.

DEPARTMENT OF HEALTH, EDUCATION & HUMAN SERVICES

Councilman Ladauti was absent.

Mayor Deluca read the following Proclamation and he thanked all the first responders in the audience. On behalf of the Council and the residents of Kenilworth he thanked them for their efforts. He said you leave your home and families and spend hours out there doing the job and people don't see all the things that you guys do. He said he is fortunate to be part of that. He said going days without sleep and out in the rain, being sick and getting up at 2AM. He thanked them all from the bottom of his heart.

PROCLAMATION

WHEREAS, individuals, both career and volunteer, from public safety dispatchers, law enforcement, fire, emergency medical services, emergency management, national guard, transportation, search and rescue, dive, and other organizations in the public safety sector, come together as first responders to protect and aid the public in the event of an emergency; and

WHEREAS, first responders risk their own safety in the performance of their duties to protect our citizens and are our first and best defense against all emergencies that threaten our communities; and

WHEREAS, the Borough wishes to recognize our first responders and what they represent.

WHEREAS, the "*Thin Blue Line*" stands for law enforcement's separation of order from chaos, or maintaining order during unrest. It has become a symbol of that line we must stand fast to and hold onto in order to protect each other from harm's way. Standing shoulder-to-shoulder on this line, we demonstrate the commitment to all those who we protect from those that may want to inflict harm. The thin blue line describes law enforcement officers, in essence, as the sheepdogs. The Sheepdogs live to protect the flock and confront the wolves; and

WHEREAS, the "*Thin Red Line*" is a symbol used by fire departments to show respect for firefighters injured and killed in the line of duty. As firefighters are periled, they place their lives second to those they protect. They are forced to face their own fears and grasp for every ounce of courage to perform

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the necessary task. "The Thin Red Line of Courage" represents the last ounce of courage firefighters find deep in their blood to conquer their darkest fears in order to save and protect life and property; and

WHEREAS, the "*Thin White Line*" represents EMS. This line of hope honors all those members of emergency medical services teams, whether career or volunteer that provide lifesaving care to those in need 24 hours a day, seven days a week. The emergency medical services system consists of first responders, emergency medical technicians, paramedics, emergency medical dispatchers, firefighters, police officers, educators, administrators, pre-hospital nurses, emergency nurses, emergency physicians, trained members of the public, and other out of hospital medical care providers; and

WHEREAS, the "*Thin Gold Line*" represents Dispatchers. These are the unsung heroes of public safety. Dispatchers are the behind the scene players who ensure the safety of our men and women in blue, callout the response for fire and emergency medical response. They are the bridge that connects people in need to the help, care and protection they need in the most challenging moments. They are that kind voice in the middle of the night during an emergency call. They are the key that unlocks every emergency service in the country but few know who they are.

WHEREAS, the members of first responder organizations undergo significant education, training, and personal sacrifice in order to achieve the expertise required to respond to emergency situations for the public good and often for no pay; and

WHEREAS, the Borough of Kenilworth thanks each and every first responder for their incredible and selfless contributions.

NOW THEREFORE, I, Anthony DeLuca, Mayor of the Borough of Kenilworth, County of Union, State of New Jersey, do hereby proclaim that the dates of **April 14, 2019** to and including **April 20, 2019** be known and celebrated as **First Responder Week in the Borough of Kenilworth** and do urge and encourage all residents to join in recognizing and honoring those who have safeguarded our community in the past and those, who willingly carrying on this tradition today.

The Mayor said we have a hidden artist in our group, our Borough Clerk Laura Reinertsen. Laura presented two painted two works of art, one to Police Chief Zimmerman and one to Fire Chief Kruger. The Mayor thanked Laura.

Sheriff Peter Corvelli, 40 North 6th Street – Sheriff Corvelli thanked the Mayor and Council for recognizing police, fire and dispatchers. He said in this day and age it is a tough profession and we appreciate the proclamation. He thanked Laura for the painting and said it will go on the wall.

CONSENT AGENDA

Resolutions No. 1 thru 6 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 David. 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 and Resolution 2 on March 27, 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
9-01-20-705-020	Finance S/W	\$ 20,000.00
9-01-20-712-019	Legal – O/E	\$ 20,000.00
9-01-22-725-010	Construction Code S/W	\$ 20,000.00
9-01-23-733-020	Insurance - Employees	\$ 70,000.00
9-01-25-749-010	Fire Department – S/W	\$ 5,000.00
9-01-25-753-010	Fire Prevention – S/W	\$ 20,000.00
9-01-27-762-019	Senior Cit. Prgms –O/E	\$ 2,000.00
9-01-29-800-000	Maint. Free Library	\$ 15,000.00
9-01-36-837-000	Social Security	\$ 30,000.00
9-01-25-745-025	Police Vehicle Maint.	\$ 10,000.00
	TOTAL THIS AMENDMENT	\$ 212,000.00
	TOTAL APPROPRIATIONS FOR THE 2019 TEMPORARY BUDGET	\$5,814,251.07

RESOLUTION NO. 3

Self-Examination of Budget Resolution

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination, and

WHEREAS N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997, and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 THRU 7.5 the Borough of Kenilworth has been declared eligible

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to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the Borough of Kenilworth meets the necessary conditions to participate in the program for the 2017 budget year, so now therefore.

BE IT RESOLVED, by the Borough Council of the Borough of Kenilworth that in accordance with N.J.A.C. 5:30-7.6a & b and based upon the Chief Financial Officer's certification. The governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at 40A:4-45.3 et seq. are fully met (complies with the "CAP" law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate, and correctly stated.
 - b. Items of appropriation are properly set forth
 - c. In itemization, form, arrangement, and content the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced, publicly advertised, and in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED, THAT A COPY OF THIS RESOLUTION BE FORWARDED TO THE Director of the Division of Local Government Services.

RESOLUTION NO. 4

Resolution Authorizing the Phase II 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

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 transferred the program to the Borough of Kenilworth's Recreation Department, under the administration of Laurie Salfred-Ingham the NJCCN's Healthy Kids Project Coordinator, via Resolution #6 on March 27,2019 ; and

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Whereas, the New Jersey Collaborating Center for Nursing (NJCCN) Kenilworth Healthy Kids Initiative has offered the Borough year 2 of this grant; and

Now Therefore Be It Resolved, that the Governing Body of the Borough of Kenilworth accepts the 2018 NJCCN year 2 grant funds from the Kenilworth Board of Education in the amount of \$10,000 to be expended within a 12 month period beginning January 31st and authorizes the Mayor to sign an agreement with the Atlantic Health Systems for the acceptance and implementation of the grant.

RESOLUTION NO. 5

BE IT RESOLVED, that the following individuals be appointed temporary part-time seasonal employees at the Department of Public Works at \$12.00 per hour, not to exceed twenty-five (25) hours per week paid through the Clean Communities Grant, effective April 29, 2019; and

Frank Di Fabio
243 N. 13th St.
Kenilworth, NJ 07033

Vincent Senica
102B South 23rd St.
Kenilworth, NJ 07033

BE IT FURTHER RESOLVED, that these appointments are contingent upon successful completion of medical release, criminal and background checks.

RESOLUTION NO. 6

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

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 2019.

Proposed Ordinance No. 2019-01 was read for a second reading as follows: Copy can be found in 3/27/19 minutes.

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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.

Motion was made by Karlovitch, seconded by Schielke to open the hearing on Ordinance No. 2019-01. All in favor.

No one wished to speak.

Motion was made by David, seconded by Ceceri to close the hearing on Ordinance No. 2019-01. All in favor.

RESOLUTION NO. 7

Introduced by Schielke, adoption moved by same.

Seconded by Ceceri. 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

Was introduced and approved on first reading, at the regular meeting of the Borough Council on March 27, 2019 approved for final passage at the regular meeting of the Borough Council of April 10, 2019 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.

Proposed Ordinance No. 2019-02 was read for a first reading as follows: (Copy attached)

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

Mayor Deluca said if you spend less than the State permits, this ordinance allows you to bank the difference for three years for a rainy day. An example of that is with the RVSA increase, if we were not able to offset the increase, we would be able to utilize the cap bank, fortunately it was addressed through the proposed municipal budget.

RESOLUTION NO. 8

Introduced by Karlovitch, adoption moved by same.

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

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BE IT HEREBY RESOLVED that the ordinance #2019-02 entitled:

**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)**

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 May 8, 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.

Introduction of the 2019 Proposed Municipal Budget

Mayor Deluca said the public hearing and second reading will be on May 8, 2019 at 8PM. The Municipal Budget represents the increase of \$65.65 for the average assessed residential home.

RESOLUTION NO. 9

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

BE IT RESOLVED, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2019.

BE IT FURTHER RESOLVED that said budget be published in the Local Source in the issue of April 18, 2019.

The Governing body of the Borough of Kenilworth does hereby approve the following as the Budget for the year 2019. The public hearing and second reading will be on May 8, 2019.

Mayor Deluca asked CFO, Joseph Deiorio, without the RVSA increase....how much would our increase be? Mr. Deiorio said the amount of the RVSA amounted to about \$144,000.00 more than last year, putting that aside, if we did not have that increase, the increase would have been only \$33.72 which amounts to only 1.28% more than last year. He said literally its almost half of this year's tax increase is attributable to RVSA.

MEETING OPEN TO THE PUBLIC

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

Joe Grimaldi, 34 North 14th Street – Mr. Grimaldi said that Mayor Deluca missed 2 dates for the voting machine classes, he said on his postcard it says Kenilworth Public Library, April 15th, 3PM to 7PM and May 6th 3PM to 7:30PM.

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Mr. Edson Parra, 629 Washington Avenue – Mr. Parra said he is having a problem with the mechanic on Federal Avenue. From the first of the month to now which is 10 days they did their engine brakes 166 times. They are renting the parking lot for 41 tractor trailers, the police officers all know about it... he has called 47 times in 2 months. They work there 24/7 and are less than 200 meters from his house, they are using air guns which go over 100 decibels. He has spoken to zoning and they know the situation. He needs to find something so that he can sleep at night.....they work 24/7 without stopping. He said everything is recorded and he showed the police. He said they left 41 trucks running from Friday night into Sunday. They have straight pipes on the truck, they remove the muffler, they have engine brakes and as soon as they get in front of his house they do that. He called the police and they went there and told them to stop, they stopped around 11:30 and at 1:00AM they started again, they move trucks and change tires all night long. The guy just told him he was going to get sued for harassment because he is putting in so many complaints. Mayor Deluca asked Chief Zimmerman if Mr. Parra was filing the proper complaints? Chief Zimmerman said he has not signed a noise ordinance. Mr. Parra said the officer told him it was #134-2 but every time he tries to put something through the court...its missing some paperwork, every time he gets a report from the police its blacked out so he has been calling the police department for the records and they don't call back, they say they only work till 1:30, he left a couple of messages and no one called him back. He is trying to deal with all this, it's not only 1 truck and the person said they were going to file a restraining order so that he cannot pass on Federal Avenue. The person told him to move back where he came from in front of the police, there were 4 police officers there. He said they knocked on his door and asked why he was complaining. He said he has a license reader on his house that reads license plates; he cannot prove it was them that smashed it with a baseball bat. He said he does not know what to do with this anymore. Mayor Deluca said there is a noise ordinance where they are not supposed to be working 24/7. Mr. Parra said he spoke with Mr. Herbert and the ordinance only goes for residential and they are across the street in industrial and they do not have an ordinance that prohibits them from work. Mr. Deluca said the noise ordinance crosses all zones and Mr. Parra said that is what he needed to know. Chief Zimmerman said it does apply to commercial. Mayor Deluca said there are all different laws, he doesn't know all of them, but he knows that they blocked Federal Avenue a couple of times when they tried to get down the street with emergency vehicles. Mr. Parra said everyone thinks it's strange that he has a lot of cameras in his house but he said there are certain things happening there....for instance the owner was riding a dirt bike in the middle of the street and was doing all kinds of stuff with the dirt bike and they pass in front of the shop at 2AM and they blow there air horn which is also a violation of the noise ordinance. He said 256 times that he wrote down license plates to issue them a ticket but every time I came to the police or the violation he could not do it because it was always....he doesn't know if it was a communication between the police and the court because all the paperwork he got from the police..... Mayor Deluca said we will try and figure something out. Mr. Parra said he tried to talk to them....10PM or 11PM is fine but now they have 41 trucks and they have mechanics working 24/7. Mayor Deluca said he thinks the time for having a conversation with the owner is probably not going to produce any results, he thinks the process should be that you should file a complaint. The Mayor asked Chief Zimmerman if you can have action on a complaint? Chief Zimmerman said yes, he will take a look at it on his end but he suggested that anytime they are in violation and you report it to the police, certain things are redacted that we have to redact but once you file that complaint with the court they can get an un-redacted to get the information off of that incident. He said he called and spoke with Officer Tanc and he said the Kenilworth Police do not have the manpower to keep going over there every time that he calls. He said its right next to his house and he said it's a Federal law and they keep running for hours, he is not complaining about one truck, he said there are a lot of trucks and what they do is they park in front of the mechanic. He said he asked the guy what he was doing, it was 12 midnight and he said he was going

REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KENILWORTH HELD ON WEDNESDAY EVENING, APRIL 10, 2019. MAYOR ANTHONY DELUCA PRESIDED.

to wait for the mechanic to come in and the truck kept running. He does not know why the other neighbors are not complaining, he thinks they are afraid. He said he spoke with some of the neighbors and it looks like he is the youngest one out there even though he is 40, everyone else is 70 or 80 and they are afraid of them. Mayor Deluca said they should not have to be in fear, he understands. He said you should sit with the Chief and try to come up with something to find a resolution for you, it has to stop, they can't have trucks out all hours of the night. Chief Zimmerman said he knows the County has been down there and they issued violations. Mr. Parra said the police and the County and DEP which he already called said they have to have someone actually see it for themselves, he tried to bring the cameras and they said that doesn't work. He said he proved to some officers that they have a scanner because he called and they pass on the radio and then the whole thing gets closed down. He said early this morning there were 60 trucks using engine brakes. Engine brakes are only used to slow down the truck and at 25 miles per hour you don't need to use the engine brake, they use the engine brake going up the hill on Federal Avenue until you get to my house which doesn't make sense at all, doesn't make sense to use it going up the hill. Mayor Deluca said he agrees with Mr. Parra and he is going to try and resolve the situation. Mr. David said Mr. Parra approached him last week and voiced his complaints and he told him they would look into it. He went by there the other day and parked by Two Ton Brewery and there were at least 3 or 4 trucks in the lot everywhere and the guys are sitting in them and just running so the exhaust is definitely going over 3 minutes, if the County is coming in with a marked unit they are not going to catch anyone. Councilman David said maybe we can get the County to get in there and actually try to do something, because they are the ones that will oversee this anyway, maybe we can get a joint thing with the County.

Chief Zimmerman thanked Laura for the art and said it is greatly appreciated. He thanked the Sheriff and the sheriff's department and he said we have a great relationship with them, whenever we need their help they come out and do everything they can to make our jobs easier. He said the Police have an extraordinary relationship with the Fire Department, we work great together. He thanked the Fire Department and the dispatchers for their service. He said a lot of towns don't have relationships like we do and it allows us to get things done in a more efficient manner. He thanked the Mayor and Council for their support and for recognizing us this evening.

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 Karlovitch, 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