

REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KENILWORTH HELD ON WEDNESDAY EVENING, APRIL 26, 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 Mascaro, seconded by Councilman David and carried that the minutes of the Regular Council Meeting, Work Session and Executive Session of April 12, 2017 be approved as submitted. (Copies furnished each Council Member prior to the meeting). All in favor.

COMMUNICATIONS AND PETITIONS

- NJSLOM Notices
- UC – Office of the County Manager – Requesting Support of federal Funding for CDBG Program
- Relay for Life Kick Off Event – June 10-11, 2017 , 6PM to 6AM

It was moved by Councilman Clementi, seconded by Councilwoman Ceceri 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 on Sunday, April 30th the County is hosting “Touch a Truck” at Trailside Nature Center, \$4 per person, under 6 years are free. Call 908-527-4900 for more information. On Friday, May 5th at the VFW, David Brearley Middle/High School Class of 2018 is hosting it’s “Gravy Not Sauce” pasta dinner from 5PM-8PM, take out is available. Kenilworth Silver Card Association presents “Casino Night” at the VFW on Saturday, May 6th from 5PM to 9PM at the VFW. A portion of the proceeds will benefit St. Theresa’s Food Pantry, for tickets call 908-419-6363 or get them at the Clerk’s Office.

REPORT OF COMMITTEES

Mayor Deluca said we have had 2 events recently that were overemphasized by social media, he said he is all for getting the right information out but when you get instant information you get misinformation. There were incidents where untrue facts got out quickly on social media and people reacted. When these things happen he is asking residents to use common sense and to refrain from adding your two cents worth if you don’t know the true story. The Mayor said today we had a situation where the Sheriff’s Office was issuing a warrant, the person was not from Kenilworth, he ran and the surrounding departments, Cranford, Kenilworth, etc. went on the search, the resulting event prompted the schools to Shelter in Place, which is not a lockdown but they had to stay in place. This steam rolled because of social media and it was exasperated to the point where people were calling him and information got out that it was a manhunt, the person was dangerous and this caused a lot of excitement to the point where

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News Channel 4 was in front of the school. He said he will get the correct information out as quickly as possible. He said please exercise common sense when using social medial. The Mayor wished his staff "Happy Administrative Day".

FINANCE DEPARTMENT

Councilman Mascaro reported that Q2 taxes are due May 1st, there is a grace period until May 10th however if you are late after that, interest is backdated until May 1st. Our CFO and Borough Clerk have been working very hard on bringing us up to the 21st Century on our infrastructure, we are upgrading our purchasing practices for all the departments to make things run a lot smoother and get rid of some of the paper, we are going green and he commended our CFO. They are having a new training for all department heads to come and learn this new system that we will be utilizing. This will make things a lot smoother between departments and cut some costs. Our auditors are working at full capacity and the audit is expected to be completed by the end of May. The Municipal Budget is scheduled for adoption for tonight and as per our CFO, our extensive work and going through the budget with a fine tooth comb, we started with \$120+ average rate increase per household, we came down to \$54.84 annual increase per household which breakdowns to \$13.71 per quarter which is just a fraction over 2%. They worked hard to get the budget down to bear bones while still making sure every department has all the funding it needs to operate. He said hats off to Larry, Pete and the rest of the Council for getting it down to where it is. There were some major increase worth mentioning, health insurance went up over \$60,000.00, our recycling pick-up went up almost \$50,000.00, the statutory expenditures were over \$50,000.00, RVSA was \$137,000.00 and our debt went up \$111,000.00. He said with all those factors working against us we were able to put together what we think is an extremely effective and useful budget.

DEPARTMENT OF PUBLIC WORKS

Councilman David said last week north side bulk pick up was done and no complaints were received, Rahway did a great job. South side bulk pick-up will be next week. The only complaint is that grass and brush and leaves are being mixed all together in one container which they are not supposed to do. He said what this does is when they go to dump the load at the recycling center, it causes a bigger fee. He asked residents to please separate your leaves, grass and brush. The DPW is starting to paint all the crosswalks and stop lines.

PUBLIC SAFETY

Councilman Corvelli said the Mayor will report on progress tonight.

DEPARTMENT OF PLANNING, ZONING & ORDINANCES

Councilman Clementi reported on the March monthly report from the Zoning Officer Bob Herbert, he had a busy month as usual reviewing plans, meeting with the public, violation inspections and court attendance. There were 4 violation notices sent, 12 zoning permits received, 3 summonses issued and 3 complaints received. The next planning Board Meeting is May 11, 2017 at 7:30.

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DEPARTMENT OF RECREATION AND FIRE

Councilwoman Ceceri had nothing to report on the Fire Department. The Recreation Department is taking registrations for Summer Camp. Last week she met with the engineer and committee on DiMario Park because we received a grant from the County to upgrade the playground by putting in new equipment and sprucing it up and it should be very nice. That park is the most used park and this will be good for the town.

DEPARTMENT OF HEALTH, EDUCATION & HUMAN SERVICES

Councilman Ladauti reported there are many fundraisers for this year's class and next year's class, he said he went to a Pocket book Bingo last week. He said the Superintendent is focused on making Brearley and Harding top notch schools and he thinks they have the right man for the job. He did a great job on the budget and held his ground on the 2%. The Board of Health lost the company that did the vaccines for the health fair so the Borough has to buy the vaccines and the price will be \$20 for people who are from out of town and free for our residents for the flu shot. The Library is sending out e-mails with pictures and write-ups about what is happening at the Library for the next couple of months.

CONSENT AGENDA

Resolutions No. 1 thru 8 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 Clementi moved that all items under the Consent Agenda be approved, seconded by Councilman David. All in favor.

RESOLUTION NO. 1

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

RESOLUTION NO. 2

WHEREAS, the Borough of Kenilworth, New Jersey, desires to amend the 2017 Capital Budget of said municipality by inserting therein:

Municipal Equipment

NOW, THEREFORE, BE IT RESOLVED that the Members of the Borough Council of the Borough of Kenilworth of the County of Union as follows:

Section 1 The 2017 Capital Budget of the Borough of Kenilworth is hereby amended by the addition of a schedule to read as follows:

AMENDMENT CAPITAL BUDGET OF THE
BOROUGH OF KENILWORTH
COUNTY OF UNION, NEW JERSEY
PROJECT SCHEDULE FOR 2017

METHOD OF FINANCING

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<u>PROJECT</u>	<u>ESTIMATED COST</u>	<u>IMPROVEMENT FUND</u>	<u>GENERAL BONDS</u>
Municipal Equipment	\$142,000.00	\$ 7,100.00	\$134,900.00

Section 2. The Clerk be and is authorized and directed to file a certified copy of this resolution with the Division of Local Government Services, Department of Community Affairs, State of New Jersey, within three days after the adoption of this project for 2017 Capital Budget.

RESOLUTION NO.3

WHEREAS, the State of New Jersey now requires Municipalities to provide their employees two Section 125 plan benefits: a "Premium Option Plan" (POP) and a Flexible Spending Account (FSA), and;

WHEREAS, the Mayor and Council of the Borough of Kenilworth desire to implement these plans for the year 2017, and;

WHEREAS, Clarity (formerly Beneflex) 77 Brant Avenue, Suite 206 Clark, NJ 07066, has provided these services since January 1, 2012, and.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Kenilworth that it does hereby reaffirm a its agreement with Clarity to administer the programs for the year 2017.

RESOLUTION NO. 4

WHEREAS, the BOROUGH OF KENILWORTH and THE TOWNSHIP OF SPRINGFIELD desire to enter into an Interlocal Services Agreement to jointly engage an Construction Code Official/Building Inspector to render services for them; and

WHEREAS, the Agreement for this Interlocal Services Agreement for a four (4) year period is attached.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Kenilworth that the Mayor and Borough Clerk be authorized to sign said Interlocal Services Agreement subject to approval by the Governing Body of the Township of Springfield.

RESOLUTION NO. 5

WHEREAS, Grass Collection and Disposal services were put out for bid on two (2) separate occasions, March 7, 2017 and April 6, 2017 and no bids were received by the Borough; and

WHEREAS, the Borough has was unable to entice shared services with other municipalities and has entered into negotiations with various qualified vendors received three (3) quotes from qualified contractors; and

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WHEREAS, the Local Public Contracts Law (NJSA 40A:11-1 et seq.) requires that the Mayor and Council pass a resolution authorizing the award of contracts.

NOW THEREFORE BE IT RESOLVED, as follows:

1. The Borough of Kenilworth hereby awards a contract to:

Gaeta Recycling – 278 West Railway, Paterson, NJ 07503 973-278-6625
Term: May 1 through October 31, 2017 Thursday Pick Up
Amount: \$68,000

Regional Industries, LLC – 800 E. Grand St., Elizabeth, NJ 07201 908-436-1966
Term: May 1 through October 31, 2017 Tuesday Pick Up
Amount: \$65,000

Pending the receipt of all required documentation

2. The Mayor and the Borough Clerk are hereby authorized to execute all documents to effectuate the purposes herein above expressed.

CERTIFICATION OF FUNDS

DATE: _____

APPROPRIATION:

JOE DEIORIO, TREASURER

RESOLUTION NO. 6

WHEREAS, Robert Herbert was appointed Zoning Officer for the Borough of Kenilworth, and

WHEREAS, the Personnel/Finance Committee have reviewed the performance and duties of the Zoning Officer and recommends an increase in the base salary.

BE IT HEREBY RESOLVED, that the Council approves the Zoning Officer salary of fourteen thousand dollars (\$14,000.00) per annum, effective May 1, 2017.

RESOLUTION NO. 7

WHEREAS, the Borough of Kenilworth is in need as needed electrical inspector to assist in the construction code office when the borough's appointed electrical inspector is not available, and;

WHEREAS, Richard Vigliotti Jr. 44 Stonehenge Terrace, Clark, New Jersey 07066 has provided for these services as a vendor for the Borough's Construction Code Department and,

WHEREAS, it has been the recommendation of the Construction Code Official and Construction Code Department to continue these services; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Kenilworth that it does hereby appoint the services of Richard Vigliotti Jr. of 44 Stonehenge Terrace, Clark NJ at the rate of \$35/hour for the purposes of as needed electrical inspector, based on the availability of funds.

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RESOLUTION NO. 8

WHEREAS, since 1974, the United States Congress, through the Community Development Block Grant Program supported the future welfare of the Nation and the well-being of its citizens through maintaining viable urban communities as social, economic and political entities; and

WHEREAS, said Program has been and continues to be a critical affordable housing, community and economic revitalization tool for families and communities across the nation; and

WHEREAS, the President's Fiscal Year 2017 budget proposes the total elimination of the Community Development Block Grant Program; and

WHEREAS, the broad spectrum of activities, including homeownership opportunities; elimination of slum and blight; housing rehabilitation; improvement to public facilities and infrastructure, such as roads, water and sewer systems, libraries, fire stations, and community centers; and public services, such as employment training, child care, transportation services, services for senior citizens, the disabled and youth; business development and job creation will no longer be able to be undertaken; and

WHEREAS, such action will no longer enable cities, counties and states to meet their community development, affordable housing and economic development needs; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Kenilworth hereby requests your help to fight to save the Community Development Block Grant Program and maintain this vital program within the U.S. Department of Housing and Urban Development at a funding level no less than formula funding in Fiscal Year 2016.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to the entire New Jersey Congressional Delegation, the United States Senate Committees on Appropriations and Budget and House Committees on Appropriations and Budget.

Proposed Ordinance No. 2017-03 was read for a second reading as follows: Copy can be found in 3/22/17 minutes.

ORDINANCE 2017-03

**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 we do this every year and it is what it says, in the event we need to exceed the municipal budget.

Motion made by Ladauti seconded by David to open the hearing on Ordinance No. 2017-03. All in favor.

No one wished to speak.

Motion made by Mascaro, seconded by Ceceri to close the hearing on Ordinance No. 2017-03. All in favor.

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RESOLUTION NO. 9

Introduced by Mascaro, adoption moved by same
Seconded by Clementi. All in favor.

BE IT HEREBY RESOLVED that the ordinance #2017-03, entitled:

An Ordinance To Exceed The Municipal Budget Appropriation Limits And To Establish A Cap Bank

Was introduced and approved on first reading, at the regular meeting of the Borough Council on March 22, 2017 and approved for final passage at the regular meeting of the Borough Council of April 26, 2017 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. 2017-05 was read for a first reading as follows: (Copy attached)

ORDINANCE NO. 2017-05

BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT, NEW INFORMATION TECHNOLOGY EQUIPMENT AND A NEW FIRE ENGINE (PARTIAL FUNDING) AND NEW AUTOMOTIVE VEHICLES, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT RECONSTRUCTION AND RESURFACING OF STREETS AND ROADS AND THEIR APPURTENANCES, IN, BY AND FOR THE BOROUGH OF KENILWORTH, IN THE COUNTY OF UNION, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,455,500 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

RESOLUTION NO. 10

Introduced by Corvelli, adoption moved by same.
Seconded by Mascaro. All in favor.

BE IT HEREBY RESOLVED that the ordinance #2017-05, entitled:

BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT, NEW INFORMATION TECHNOLOGY EQUIPMENT AND A NEW FIRE ENGINE (PARTIAL FUNDING) AND NEW AUTOMOTIVE VEHICLES, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT RECONSTRUCTION AND RESURFACING OF STREETS AND ROADS AND THEIR APPURTENANCES, , IN, BY AND FOR THE BOROUGH OF KENILWORTH, IN THE COUNTY OF UNION, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,455,500 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE

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OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

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 24, 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.

Mayor Deluca said this is our Capitol with all the big ticket items. The second reading will be on May 24, 2017.

PUBLIC HEARING & ADOPTION – 2017 MUNICIPAL BUDGET

Mayor Deluca said this Municipal Budget represents an increase of \$54.84 per the average assessed residential home.

Motion was made by Mascaro, seconded by Corvelli to open the meeting to the public on the 2017 Municipal Budget. All in favor.

No one wished to speak.

Motion was made by David, seconded by Ceceri to close the meeting to the public on the 2017 Municipal Budget. All in favor.

RESOLUTION NO. 11

Introduced by Mascaro, adoption moved by same.
Seconded Ladauti. All in favor.

BE IT HEREBY RESOLVED, that the Governing Body of the Borough of Kenilworth does hereby approve the following as the Budget for the year 2017. The total appropriation is \$15,859,426.93

Mayor Deluca thanked everyone who worked on the budget and he said they did a great job.

PROCLAMATION

To recognize National Police Week 2017 and to honor the service and sacrifice of those law enforcement officers killed in the line of duty while protecting our communities and safeguarding our democracy.

WHEREAS, there are approximately 900,000 law enforcement officers serving in communities across the United States, including the dedicated members of the Kenilworth Police Department; and

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WHEREAS, according to statistics collected by the FBI, 86 law enforcement officers were killed in line-of-duty incidents in 2015. Of these, 41 law enforcement officers died as a result of felonious acts, and 45 officers died in accidents. In addition, 50,212 officers were victims of line-of-duty assaults, approximately 28.4% resulted in injuries; and

WHEREAS, the names of these dedicated public servants are engraved on the walls of the National Law Enforcement Officers Memorial in Washington, D.C.; and

WHEREAS, the service and sacrifice of all officers killed in the line of duty will be honored during the National Law Enforcement Officers Memorial Fund's 29th Annual Candlelight Vigil, on the evening of May 13, 2017; and

WHEREAS, May 15 is designated as Peace Officers Memorial Day, in honor of all fallen officers and their families and U.S. flags should be flown at half-staff.

THEREFORE, BE IT RESOLVED that the Mayor and Council formally designates May 14 - 20, 2017, as Police Week in the Borough of Kenilworth, and publicly salutes the service of law enforcement officers in our community and in communities across the nation.

MEETING OPEN TO THE PUBLIC

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

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

GENERAL COMMENTS

Mayor thanked everyone who worked on the budget, CFO Deiorio, the Finance Committee.

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