

REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KENILWORTH HELD ON WEDNESDAY EVENING, MAY 9, 2018. COUNCIL PRESIDENT LARRY CLEMENTI 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, Mark David, Linda Karlovitch, Jerry Ladauti and Robert Schielke.

MINUTES

It was moved by Councilman Ladauti, seconded by Councilman David and carried that the minutes of the Regular Council Meeting, Work Session and Executive Session of April 25, 2018 be approved as submitted. (Copies furnished each Council Member prior to the meeting). All in favor.

COMMUNICATIONS AND PETITIONS

- NJSLOM Notices (emailed to all)
- Tax Assessor – 2018 Appeal Report
- NJ Transit Statewide Trailblazing Sign Program

REPORTS: Department reports for April 2018 were received from: Clerk's Office, Court, Finance Department, Fire Department, Planning & Zoning, Police Department and Public Works.

It was moved by Councilman Ladauti, 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 Deluca said the last day for Stamp Out Hunger that is being sponsored by the Post Office is May 12, 2018. You can leave non-perishable items out by your mailbox for the mail carriers. The Street Fair and Car Show will be May 20, 2018 and the Boulevard will be closed so plan accordingly. Restaurant Week is a new thing for Kenilworth and will be Monday, June 4 thru June 8. We hope to coordinate activities during the weeklong event such as Music Monday, Crafts on Tuesday, Wellness on Wednesday, Boogie on the Boulevard on Thursday. We will have participating restaurants and more details will follow. The Kenilworth Farmers Market is coming and will start on June 12<sup>th</sup> from 11:00 AM to 5PM through November 16<sup>th</sup> at the Municipal Parking lot on 21<sup>st</sup> Street across from the VFW. There was an article about Kenilworth in the magazine New Jersey Municipalities regarding Combat Wounded Parking, we were one of the few towns in the State that is participated in this. He said when you go to the Memorial Service on May 28<sup>th</sup> you will be able to see an example of the sign that allows for parking for disabled veterans, just like a handicapped parking spot. The Mayor thanked all veterans for their service. Mayor Deluca said tomorrow is his wedding anniversary and he has been married 15 years. He said Happy Anniversary to his wife thanked her for putting up with him.

REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KENILWORTH HELD ON WEDNESDAY EVENING, MAY 9, 2018. COUNCIL PRESIDENT LARRY CLEMENTI PRESIDED.

REPORT OF COMMITTEES

FINANCE DEPARTMENT

Councilwoman Karlovitch reported the public hearing on the Municipal Budget and final vote is scheduled for this evening. Extra Duty Solutions have officially transitioned to manage outside duty requests, vendors have been notified and companies who have outside duties escrow fund balances prior to the transition will be returned. When we began the budget process our initial budget impact was \$174.00 to the average homeowner. Through budget discussions and meetings with departments tonight's budget now represents \$69.31 increase for the average residential property tax payer. This does not include any increases from the school or the County. One of this year's major expense was the billing from Rahway Valley Sewerage Authority of \$201,373.00 more than last year, more precisely of the \$69.31 increase, \$44.61 is because of the RVSA increase. RVSA increased by 24.13% between 2016 and 2017 or \$137,549.00 more than last year, from 2016 to 2018 RVSA increased \$338,922.00 or 59% total. Without the RVSA increase this year's municipal portion of the property taxes would have been \$24.70 average increase or a 1% increase from last year. The taxpayers simply cannot absorb the rate of these increases each and every year. Be assured that we continue to pursue all options to address these increases and as always a copy of this and every other budget since 2008 is available on line on the Borough's web site [www.kenilworthborough.com](http://www.kenilworthborough.com)

Mayor Deluca said the Finance Committee, our Auditor and our CFO did a very good job. The RVSA slammed us with \$200,000.00 this year and we will continue with our inquires to them ... this is not over.

DEPARTMENT OF PUBLIC WORKS

Councilman David reported the DPW started painting the crosswalks and stop bars. The cost for April's Bulky Waste pick-up by the City of Rahway was \$39,275.00 and as usual they did a great job.

PUBLIC SAFETY

Councilman Clementi reported he has the April Police Report, there were 191 911 calls and 255 calls for service. On Saturday, April 28, 2018 Kenilworth Police Department participated in Drug Enforcement Administrators Operation Takeback 2018 and 5 full garbage cans were filled with drugs for destruction. The Every Fifteen Minute Program was held earlier this afternoon at the David Brearley Middle High School for 11<sup>th</sup> and 12<sup>th</sup> graders. The program offered real life experience without the real life risks. The emotionally charged program is an event designed to dramatically instill in teenagers the potentially dangerous consequences of drinking alcohol while driving. This powerful program teaches students to not drink or text while driving and personal safety and the responsibility of making mature decisions when lives are involved. The simulated traffic collision was viewable on the school grounds where rescue workers treated injured student participants. These students experienced firsthand the sensations of being involved in a tragic alcohol related and texting while driving collision. The injured students were extricated by the Jaw of Life manned by the fire fighters and paramedics. Police Officers arrested and booked the student drunk driver. Student participants were taken to the emergency room and to the police department jail for the purpose of being booked for drunk driving and a mock trial. At the end of today those students who participated in the staged accident as well as those made up of the living dead have been transported to the local hotel for an overnight student retreat. The retreat will simulate the separation from friends and family. The support staff of counselors and police offices will

REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KENILWORTH HELD ON WEDNESDAY EVENING, MAY 9, 2018. COUNCIL PRESIDENT LARRY CLEMENTI PRESIDED.

facilitate the retreat. One of the most powerful part of the programs is when the students participate in an assembly on Thursday morning at 7:30 AM in the high school auditorium where they will see a video of the previous day's events and be taken through the audio visualization of the death. Each student will write a letter to their parent starting out with Dear Mom and Dad every 15 minutes someone in the United States dies from an alcohol related traffic collision and today I died and I never had the chance to tell you..... (students will finish letter). Councilman Clementi said this is a very powerful event that is still going on. Officer Sean Kaverick was honored on Monday evening at Kean College by the Union County Union Relations Commission and received an award for special achievement for his participation in project pride in Puerto Rico during November of 2017 with the U.C. Emergency Response Team in response to hurricane's Maria and Erma. Councilman Clementi congratulated Officer Kaverick.

DEPARTMENT OF PLANNING, ZONING & ORDINANCES

Councilman Schielke reported he has received the Zoning Report for April 2018 and we continue to have income from the foreclosed properties which is a very good program, our Zoning Officers is doing a good job with that. The Planning Board will meet tomorrow we have 1 case pending that started last month and should conclude this month.

DEPARTMENT OF RECREATION AND FIRE

Councilwoman Ceceri reported all is well and good with Recreation. She received the April 2018 Fire Department Report from Chief Krueger, the FD responded to 53 calls and the Rescue Squad responded to 47 calls for a total of 100 calls. On May 17<sup>th</sup> the Fireman's Memorial Service will take place at 7:30.

DEPARTMENT OF HEALTH, EDUCATION & HUMAN SERVICES

Councilman Ladauti reported yesterday the Senior Citizens of Union County got together at the Westwood and they provided information about senior housing and senior transportation, he said he wished more of our people had gone but it was a last minute thing. He commended the Board of Education for staying in line and doing their job to continue the process of educating our students. The Library had a case where they found 2 gentleman hanging around the library and they called the police and the gentleman were arrested and there was some kind of drug charge and they were banned from the library. The Health Department helped out the town making sure all the vendors at the Street Fair have been checked.

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.

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

RESOLUTION NO. 1

BE IT HEREBY 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, MAY 9, 2018. COUNCIL PRESIDENT LARRY CLEMENTI PRESIDED.

RESOLUTION NO. 2

**BE IT HEREBY RESOLVED:** That the attached list of the Kenilworth Volunteer Fire Department/Rescue Squad members be granted an expense allowance in accordance with the report submitted by Deputy Fire Chief Lewis Giordino, in the aggregate amount of \$68,850.00.

CERTIFICATION OF FUNDS  
APPROPRIATION:

\_\_\_\_\_  
\_\_\_\_\_  
J. Delorio, Treasurer

RESOLUTION NO. 3

**WHEREAS,** the Division of Local Government Services requires that the Governing Body of any municipality which has Deferred School Taxes must authorize any increase in the deferral of any additional amounts, and

**WHEREAS,** the Governing Body has decided that an increase in Deferred School Taxes is in the best interest of the Borough of Kenilworth at this time,

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body that the following Deferred School Taxes hereby be increased for the year ended December 31, 2017 as follows:

|                            | <u>Deferred Local<br/>School Taxes</u> |
|----------------------------|--|
| Amount Deferred 12/31/2017 | \$10,286,862.50                        |
| Amount Deferred 12/31/2016 | <u>10,117,310.50</u>                   |
|                            | <u>\$169,552.00</u>                    |

**BE IT FURTHER RESOLVED** by the Governing Body that a certified copy of this resolution be filed with the Director of the Division of Local Government Services.

RESOLUTION NO. 4

**Whereas,** Ordinance 2016-06, An Ordinance Amending Chapter 150 of the Borough Code for Property Maintenance was adopted on July 13, 2016; and

**Whereas,** it has determined that certain registrations were charged incorrectly; and

**Whereas,** the Municipal Code Official provided a list of registrations which require a refund; and

**Whereas,** the Chief Financial Officer has determined that registration funds were received; and

**Now Be it Resolved,** that the following refunds are authorized:

| Block | Lot | Owner  | Property Address                  | Refund Amount |
|-------|-----|--|-----------------------------------|---------------|
| 80    | 13  | Deutsche Bank  | 42 North 20 <sup>th</sup> Street  | \$500.00      |
| 14    | 13  | Altisource Solutions Inc-Stern & Eisenberg PC<br>(for Procaccini, Marc & Danielle) | 334 North 18 <sup>th</sup> Street | \$500.00      |
| 79    | 7   | Altisource Solutions Inc-Stern & Eisenberg PC                                      | 35 North 18 <sup>th</sup> Street  | \$500.00      |

REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KENILWORTH HELD ON WEDNESDAY EVENING, MAY 9, 2018. COUNCIL PRESIDENT LARRY CLEMENTI PRESIDED.

|     |    |   |                                   |                    |
|-----|----|---|-----------------------------------|--------------------|
|     |    | (for May, Dudston & Mitzie)   |                                   |                    |
| 25  | 13 | Nationstar Mortgage DBA Mr. Cooper (1/2)                              | 324 Monroe Avenue                 | \$500.00           |
| 78  | 16 | The Corporation Trust Company<br>(for Da Silva, Jose Charlis)         | 40 North 14 <sup>th</sup> Street  | \$500.00           |
| 139 | 20 | Wells Fargo Bank  | 582 Passaic Avenue                | \$2,000.00         |
| 116 | 19 | Mohamed Ahmed c/o Wells Fargo Bank NA<br>(for Ahmed, Mohamed & Batta) | 21 South 22 <sup>nd</sup> Street  | \$500.00           |
| 42  | 13 | US Bank National Assoc.   | 210 North 21 <sup>st</sup> Street | \$500.00           |
| 25  | 13 | Nationstar Mortgage DBA Mr. Cooper (2/2)                              | 324 Monroe Avenue                 | \$500.00           |
|     |    |   | <b>TOTAL</b>                      | <b>\$ 6,000.00</b> |

**Now Be It Resolved** that the Governing Body authorize the Chief Financial Officer to issue refunds to the to the above registrants.

RESOLUTION NO. 5

**Whereas**, certain members of the Kenilworth Police Department were afforded the opportunity to be given cell phones; and

**Whereas**, several members of the Kenilworth Police Department did not take a cell phone; and

**Whereas**, in lieu of a cell phone, the Borough, through its managerial rights, gave an allotment of \$81 per quarter and their personal cell phone would be a point of contact for work related calls; and

**Whereas**, the annual allotment is non-contractual and non-binding and can be amended by management at will.

**Now Therefore Be It Resolved** that the Governing Body of the Borough of Kenilworth authorizes the Chief Financial Officer to issue an allotment of \$81 per quarter to the designated officers in accordance and compliance with all local, state, and federal laws and regulations.

RESOLUTION NO. 6

**WHEREAS**, the Borough of Kenilworth held a tax sale on October 17, 2017 for delinquent 2016 special assessment installment, and a tax lien was purchased by PPP New, LLC, for the property located at 376 Coolidge Drive, Kenilworth, NJ, and

**WHEREAS**, the mortgage holder of said property has satisfied said lien, together with interest and costs by payment of amount due at the Office of the Collector of Taxes, and

**WHEREAS**, the Lienholder paid to the Collector of Taxes a premium in the amount of \$1,100.00 and since the statutory period of five years has not passed, these funds must also be returned.

Now therefore be it resolved, that the Treasurer be and is hereby authorized to draw a warrant to the named Lienholder as follows, **to be refunded upon receipt of the original Certificate of Sale #17-00002** by the Collector of Taxes:

PPP New LLC  
675 South Springfield Avenue  
Springfield, NJ 07081

REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KENILWORTH HELD ON WEDNESDAY EVENING, MAY 9, 2018. COUNCIL PRESIDENT LARRY CLEMENTI PRESIDED.

REDEMPTION AMOUNT - \$791.07

PREMIUM TRUST ACCOUNT - \$1,100.00

Treasurer's Note: 1099 = \$21.15

Proposed Ordinance No. 2018-06 was read for a second reading as follows: (Copy appears in the April 11, 2018 minutes)

ORDINANCE NO. 2018-06  
**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 us to bank the difference for 3 years for a rainy day. For example, this RVSA increase, if we were unable to offset the costs we would be able to utilize the cap bank, we do not have to do that because of our budget.

Motion was made by Ladauti, seconded by Karlovitch, to open the hearing on Ordinance No. 2018-06. All in favor.

No one wished to speak.

Motion was made by Clementi, seconded by Ceceri, to close the hearing on Ordinance No. 2018-06. All in favor.

RESOLUTION NO. 7

Introduced by Karlovitch, adoption moved by same.

Seconded by Schielke. All in favor.

**BE IT HEREBY RESOLVED** that the ordinance #2018-06, entitled:

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

Was introduced and approved on first reading, at the regular meeting of the Borough Council on April 11, 2018 approved for final passage at the regular meeting of the Borough Council of May 9, 2018 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.

PUBLIC HEARING OF THE 2017 PROPOSED BUDGET

Mayor Deluca said the budget represents an increase of \$69.31 for the average assessed residential home.

Motion was made by David, seconded by Ceceri, to open the hearing on the Proposed 2018 Municipal Budget. All in favor.

REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KENILWORTH HELD ON WEDNESDAY EVENING, MAY 9, 2018. COUNCIL PRESIDENT LARRY CLEMENTI PRESIDED.

No one wished to speak.

Motion was made by Karlovitch, seconded by David, to close the hearing on the Proposed 2018 Municipal Budget. All in favor

RESOLUTION NO. 8

Introduced by Karlovitch, adoption moved by same.

Seconded by Clementi. 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 2018. The total appropriation is \$16,758,523.83.

Mayor DeLuca said the following proclamation is for Municipal Clerks week which is May 6<sup>th</sup> thru May 12<sup>th</sup> and he thanked Municipal Clerk Laura Reinertsen and Deputy Clerk Kathleen Moschitta for dealing with him...he said he knows he does not go by all the rules and he thanked Laura and Kathi for putting up with him. He said the clerks are on point and they know what they are doing and they make all our jobs up here easier with their knowledge and their ability to do things right away. They read our minds and get things done. He said this is a nice proclamation to let you know that we are grateful and happy to have them.

PROCLAMATION

**Whereas**, the Office of the Municipal Clerk, a time honored and vital part of local government exists throughout the world; and

**Whereas**, the Office of the Municipal Clerk is the oldest among public servants; and

**Whereas**, the Office of the Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels, and

**Whereas**, Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all.

**Whereas**, the Municipal Clerk serves as the information center on functions of local government and community.

**Whereas**, Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their state, provincial, county and international professional organizations.

**Whereas**, it is most appropriate that we recognize the accomplishments of the Office of the Municipal Clerk.

**Now, Therefore**, I, Anthony DeLuca Mayor of the Borough of Kenilworth, do recognize the week of May 6 through May 12, 2018, as Municipal Clerks Week, and further extend appreciation to our Municipal Clerk, Laura Reinertsen, and Deputy Clerk Kathi Moschitta as well as to all Municipal

REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KENILWORTH HELD ON WEDNESDAY EVENING, MAY 9, 2018. COUNCIL PRESIDENT LARRY CLEMENTI PRESIDED.

Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

Mayor Deluca read the following proclamation and presented it to Chief John Zimmerman.

PROCLAMATION

To recognize National Police Week 2018 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

**WHEREAS**, according to statistics collected by the FBI, 128 law enforcement officers were killed in line-of-duty incidents in 2017. Of these, 44 law enforcement officers died as a result of felonious acts, 47 officers died in accidents and 37 died from other causes. Sixteen of those deaths were attributed to job-related ailments, mostly heart attacks (10). Seven officers died as a result of being beaten. Five drowned while working during hurricanes Harvey, Irma and Maria. Four officers died as a result of an illness contracted during the 9/11 rescue and recovery efforts. Two officers died in a helicopter crash. Two died in boating accidents. One officer was stabbed to death; and

**WHEREAS**, nine of the fallen officers in 2017 were female, compared to seven in 2016. Among the officers who died this year, the average age was 42, and the average length of service was 13 years; 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 30<sup>th</sup> Annual Candlelight Vigil, on the evening of May 13, 2018; 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 13 - 19, 2018, 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 Councilwoman Karlovitch, seconded by Councilwoman Ceceri to open the meeting to the public. All in favor.

Mr. John DeCarlo, Columbia Avenue – Mr. Decarlo said he wrote a letter to Mayor and Council regarding the fields for our children for soccer. We don't have a designated soccer field, everything is either shared with either softball or baseball. There is a field at 16<sup>th</sup> Street Park but it is horrible, no offense to the town. He said there is a lot of interest in town for soccer but the children are getting discouraged and are leaving town to play in Union or Cranford, he would like to keep the kids here in Kenilworth. He talked to Mr. and Mrs. Boyle and they went over to DiMario and although he knows funds are an issue



REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KENILWORTH HELD ON WEDNESDAY EVENING, MAY 9, 2018. COUNCIL PRESIDENT LARRY CLEMENTI PRESIDED.

there are tennis courts in the back that are not being used. He said he knows we need a softball field and we should leave that alone but maybe we can take down the tennis courts and move the basketball courts to the back corner and make one big soccer field for U10 and U12 and the little kids as well. He said Garwood did a beautiful field there with turf, he is not asking for turf because it's expensive, but Garwood rents their field to other towns to make money and maybe that is something we can look into. He said he can get other people involved who definitely want this and he asked the Council to let him know what he can do ...maybe fundraisers or whatever ..he does not know the process. He said the kids are interested and he would like to keep them interested and not have them sitting with their Ipads or out doing bad things. He said it makes him upset to see that kids play in Union or Cranford and do not have the fields to play in Kenilworth. He said there is not enough room at 16<sup>th</sup> Street Park and he thought DiMario was the best option because if you can make one big field you can split it half way and have one long field for official and two rows down the middle for the younger kids so they have lines both ways on the field.

Mayor Deluca said we are always willing to listen to ideas, there is no such thing as problems only solutions. The Mayor asked Mr. Decarlo to sit down with our Recreation liaison Councilwoman Ceceri to discuss what we can or cannot do and how we can do it. He thanked Mr. Decarlo.

Councilman David asked if 16<sup>th</sup> Street Park was not big enough for a soccer field or is it because it's in poor shape, he said we are aware of the situation there and we are looking into filling in the potholes. Mr. Decarlo said the way it is right now it's rough and he said he is not sure if it's big enough for an official soccer field. He said when you have both fields it doesn't work, you need to have designated lines for soccer fields.

Mayor Deluca asked Mr. Decarlo to sit down with the Rec and Council Rep to work out a solution but we don't have a lot of fields.

Joe Grimaldi, 34 North 14<sup>th</sup> Street – Mr. Grimaldi asked if the land across from the Kenilworth Rescue Squad was available for a soccer field? Councilman David said that is private property. Mr. Grimaldi said if the private owner is not going to develop it maybe they can make some kind of rental agreement. Mr. Grimaldi asked where are all the towns people of Kenilworth, there are only 3 people here tonight...where are all the Kenilworth people who should be keeping in touch with their town?

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

GENERAL COMMENTS None

ADJOURNMENT

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

9:00 P.M.

Respectfully submitted

Kathleen Moschitta  
Deputy Borough Clerk