

REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KENILWORTH HELD ON WEDNESDAY EVENING, MAY 10, 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. Nick Mascaro was absent.

MINUTES

It was moved by Councilman Ladauti, seconded by Councilman Ceceri and carried that the minutes of the Regular Council Meeting, Work Session and Executive Session of April 26, 2017 be approved as submitted. (Copies furnished each Council Member prior to the meeting). All in favor.

COMMUNICATIONS AND PETITIONS

1. NJSLOM Notices
2. County to Union:
 - Notice of Award – Senior Focus Grant \$23,400
 - Community Development Block Grant Qualification Notice
3. Twshp. Of Cranford – Shared Service Agreement for Paving
4. Borough Engineer – Recommendations:
 - Payment #1 for Roadway Project –
 - Award for 20th Street Drainage Improvements
5. Jersey Landscaping – Resignation for Recycling Services
6. Kenilworth VFW – Quit Claim Deed Review Request
7. Rahway Valley Sewerage Authority – Proposal to Revise Local Limits

REPORTS: April reports for Clerk’s Office, Court, Finance, Fire, Planning & Zoning, Police & Public Works.

It was moved by Councilman Clementi, seconded by Councilman David 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 Union County’s Women Mean Business will meet on Wednesday, May 17th at the Galloping Hill Golf Course, from 11:30 AM to 5:00 PM. This event is designed to empower women business owners thru education, network and support. Meteorologist Janet Huff from NBC 4 is the key note speaker and to register go to www.ucnj.org. The 2017 L.E.A.D graduation ceremony (the old DARE program) is Thursday, May 18th at 2PM at Harding School. This celebrates our 5th Grade students who have pledged to make great decisions and remain drug free. The Kenilworth Street Fair and Car Show is Sunday, May 21st from 10-4, rain or shine. There will be a variety of vendors, delicious food, entertainment and cars and Mayor Deluca will be the judge. Union County will host “Rhythm and Blues

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by the Brook” at Cedar Brook Park, Plainfield on Saturday, June 3rd noon to 6 PM, rain or shine. This kicks off the summer season and is free. May 7th thru May 13th is National Municipal Clerk’s Week and the Mayor thanked his clerks, Laura Reinertsen and Kathi Moschitta for all that they do. Mayor Deluca said it is his 14th wedding anniversary tonight and he said that on March 15th he asked his bride to marry him. He said she is his best friend and also his harshest critic but she is his reason for breathing. He thanked her for everything and wished her Happy Anniversary. The Mayor wished everyone a Happy Mother’s Day. Mayor Deluca said sadly we have lost another Kenilworthians, Mr. Pascarella. He said the wake is tomorrow. He offered his condolences and heartfelt sorrow to the entire family. He said Mr. Pascarella was a good father, husband.

REPORT OF COMMITTEES

FINANCE DEPARTMENT

Council Mascaro was absent.

DEPARTMENT OF PUBLIC WORKS

Councilman David said on Thursday, May 4th the new recycling company that we hired picked up the grass throughout the Borough. They did the whole town by starting at 6:30 AM and were done by 11:00 AM and there were no complaints and they did a great job. The Superintendent asked him to remind residents that the next brush pickup will be May 22nd and White Goods pick-up will be on May 19th, residents must pay the disposal fee of \$35.00 one week before the pick-up date.

PUBLIC SAFETY

Councilman Corvelli said he attended the Casino Night fund raiser for the PBA Silver Card and it was well attended. He thanked everyone who pitched in. The Chief informed him they are doing ABC consumption license bar checks.

DEPARTMENT OF PLANNING, ZONING & ORDINANCES

Councilman Clementi reported the Planning Board Meeting will be tomorrow night at 7:00.

DEPARTMENT OF RECREATION AND FIRE

Councilwoman Ceceri reported the Fire Department will be holding a memorial on May 18th at 7:30 PM, at the Fire Department on Washington Avenue, all are welcome. The date for the Cupcake Contest for the Recreation Department is still to be determined. Sign-ups for Summer Camp are ongoing.

DEPARTMENT OF HEALTH, EDUCATION & HUMAN SERVICES

Councilman Ladauti said the Board of Health will meet next Thursday and the Library will meet tomorrow night. The Director is working with the Superintendent at David Brearley and Harding Schools to make sure they get kids registered, the want kids to read, not just take out books on video. The 5th Graders at Harding started a STEM program which is Science, Technology, Electronics and Mechanics. The students worked on building a bridge. The middle school had a spelling bee and they also some sciences to test caffeine and they also worked on what chemicals are used on oil spills and

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how to clean them up. They also have students working on a circuit program which is moving circuits around to make things operate.

CONSENT AGENDA

Resolutions No. 1 thru 9 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 Ceceri. 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

BE IT RESOLVED, by the Mayor and Council of the Borough of Kenilworth of Union County, New Jersey upon recommendation of the Borough Engineer that Payment #1 for the Contract listed below be and is hereby approved.

TITLE OF JOB: 2016 NJDOT Roadway Improvements

CONTRACTOR: Top Line Construction, Inc.

ENGINEER: Harbor Consultants, Inc.
320 North Avenue, East
Cranford, NJ 07016

Payment #1

TOTAL ORIGINAL CONTRACT PRICE	\$405,310.30
Total Completed and stored to date:	\$202,246.15
Less 5% Retainage	<u>\$10,112.31</u>
Payment #1 - Amount Due this period	<u>\$192,133.84</u>
<i>Balance to finish including retainage</i>	<i>\$213,176.46</i>

All bills on file in the Finance Office. This Resolution to take effect upon certification by the Borough Treasurer that sufficient funds are available.

CERTIFICATION OF FUNDS

DATE: _____

APPROPRIATION:

JOE DEIORIO, TREASURER

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RESOLUTION NO. 3

WHEREAS, the Borough Council has agreed with the Engineer’s recommendation to make much needed drainage improvements on North 20th Street ; and

WHEREAS, three (3) quotes were solicited and Top Line Construction Corp., 22 Fifth Street, Somerville, NJ 08876, 908-231-7570, having submitted the lowest responsible quote of \$8,874.31 (Eight thousand eight hundred seventy four dollars and thirty one cents):

NOW, THEREFORE, BE IT RESOLVED that **Top Line Construction Corporation** be awarded the North 20th Street Drainage Improvements at their quote of \$8,874.31 (Eight thousand eight hundred seventy four dollars and thirty one cents) .

BE IT FURTHER RESOLVED: That pursuant to N.J.A.C. 5:34-5.1 et seq. Local Public Contracts Law, the required Certificate of Availability of Funds has been obtained from the Chief Finance Officer of the Borough of Kenilworth

CERTIFICATION OF FUNDS

APPROPRIATION:

Joseph DeLorio, Treasurer

RESOLUTION NO. 4

WHEREAS, Grass Collection and Disposal services were awarded to **Gaeta Recycling** – 278 West Railway, Paterson, NJ 07503 973-278-6625 by resolution at a meeting held April 27, 2017; and

WHEREAS, the contractor was erroneously identified as Gaeta Recycling; and

WHEREAS, the legal business name as identified on the NJ Business Registration Certificate and NJ Public Works Contractor Registration is **Get-A-Can Recycling**.

NOW THEREFORE BE IT RESOLVED, as follows:

1. The Borough of Kenilworth hereby amends the contract to:

<u>Get-A-Can Recycling</u> – 278 West Railway, Paterson, NJ 07503	973-278-6625
Initial Term: May 1 through October 31, 2017 (Thursdays)	Amount: \$68,000
1 st Renewal Term: April 1, 2018 – October 31, 2018	Amount: \$68,000
<i>(Subject to 60 day opt out may be exercised by Borough or Gaeta Recycling)</i>	
2 nd Renewal Term: April 1, 2018 – October 31, 2018	Amount: \$68,000
<i>(Subject to 60 day opt out may be exercised by Borough or Gaeta Recycling)</i>	

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: _____

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APPROPRIATION:

JOE DEIORIO, TREASURER

RESOLUTION NO.5

Whereas, on January 11, 2017 Newark Glass Industries, paid a cash bond to the Borough of Kenilworth, for the pavement restoration for the installation of a sewer line at 515 North Michigan Avenue, Kenilworth, NJ and;

Whereas, the project has been completed, and;

Whereas, an inspection was conducted by Anthony Gallerano, P.E., Harbor Consultants and found that the work has been completed in accordance with the approved plans.

Now, Therefore, Be It Resolved that Richard Picerno, Planning Board Chairman, has approved the return of the cash bond, and the Treasurer be and is hereby authorized to draw a warrant to refund the following to:

Amount of \$5,712.00 to be refunded to:
John H. Schmidt, Jr., Esq.
Lindabury, McCormick, Estabrook & Cooper, P.C.
53 Cardinal Drive
P.O. Box 2369
Westfield, N.J. 07091-2369

T-03-56-852-001

RESOLUTION NO. 6

BE IT HEREBY RESOLVED, by the Borough of Kenilworth that the Mayor and Clerk are hereby authorized to enter into a shared services agreement for the paving of Orange Avenue/21st Street with the Township of Cranford.

RESOLUTION NO. 7

WHEREAS, the Borough of Kenilworth rejected the received bids for **RECYCLING SERVICES**, on July 7, 2016 and on August 16, 2016 and entered into negotiations with vendors that have submitted responses; and

WHEREAS, Jersey Landscape & Garden Supply, LLC entered into a contract for a six (6) month period with an option by the Borough to extend the contractual contract for an additional eighteen (18) months or opt out with thirty (30) day written notice by either party; and

WHEREAS, Jersey Landscape & Garden Supply, LLC has given notice to opt out upon completion of the six (6) month period in their letter dated April 27, 2017.

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NOW THEREFORE BE IT RESOLVED, that the Borough Clerk is authorized to solicit bids for **RECYCLING COLLECTION AND MARKETING** for the Borough of Kenilworth.

RESOLUTION NO. 8

WHEREAS, the residents' of the Borough of Kenilworth passed a referendum to fund program at the general election held in November 7, 2000, the Borough of Kenilworth established a Length of Service Awards Program (LOSAP) by Borough Ordinance #2000-17, and a resolution adopted January 10, 2001 pursuant to PL 1997 c.388 and section 457 € (11) (B) of the Internal Service Code; and

WHEREAS, in accordance with NJS 40A:14-191, emergency service organizations participating in LOSAP shall annually certify to the sponsoring agency a list of all volunteer members who have qualified for credit for the previous year; and

WHEREAS, Fire Department Chief Lewis Giordino has submitted a list of Fire Department and Rescue Squad members that qualify for the 2016 program year, and;

WHEREAS, regulations require that the governing body of the Borough of Kenilworth pass a resolution approving of the accuracy of the list as submitted.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Kenilworth that the 2016 list of qualifying members for the LOSAP program is approved and will be posted for 30 days for membership review in the Borough Clerk's office, the Firehouse, and the Rescue Squad Building.

BE IT FURTHER RESOLVED, that following the 30 day period for filing an appeal, and subject to holding the payment of any members being appealed, payment shall be made by the Chief Financial Officer to Lincoln Financial Advisory Group for the appropriate payment of \$1,150 per eligible volunteer.

RESOLUTION NO. 9

WHEREAS, the Borough of Kenilworth Police Department is desirous to purchase a Police vehicle and;

WHEREAS, the funds are available through the adoption of the 2017 capital budget bond ordinance and municipal budget, and;

WHEREAS, all contracts over \$17,500 is required to be approved by resolution in compliance with the Local Public Contracts Law and State of New Jersey Pay to Play Laws;

NOW, THEREFORE, BE IT RESOLVED the Borough of Kenilworth authorizes the award and purchase of a 2017 Police Interceptor SUV through the Cranford Cooperative Purchase Program via Contact #47-CPCPS, ITEM #2 in the amount of \$29,815.76 to:

Beyer Ford

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170 Ridgedale Avenue
Morristown, NJ 07960

AND BE IT FURTHER RESOLVED that the Chief Financial Officer is hereby authorized award such agreement through the issuance of a purchase to said vendor in compliance with the law.

CERTIFICATION OF FUNDS
APPROPRIATION:

Joseph DeLorio, Treasurer

RESOLUTION NO. 10

Introduced by Gerry Ladauti adoption by same.

Seconded by Mark David. Ceceri, Corvelli, David, Ladauti voted yes. Clementi abstained.

WHEREAS, there are responsibilities that exceed the job descriptions of certain employees that perform specified tasks; and

WHEREAS, the Mayor and Council wish to acknowledge and authorize the service provided by these employees.

BE IT HEREBY RESOLVED, that the following annual stipends be authorized, effective January 1, 2017, as listed below:

<u>Title</u>	<u>Name</u>	<u>Amount</u>
Recording Secretary to the Planning Board	Kathi Moschitta	\$3,000.00
Event Coordinator	Darlene Candarella	\$1,000.00

ORDINANCE NO. 2017-04

AN ORDINANCE TO REDUCE THE REQUIREMENTS IMPOSED UPON AN APPLICANT TAKING AN APPEAL FROM AN ACTION OF THE ZONING OFFICER WITHIN THE BOROUGH OF KENILWORTH BY AMENDING ARTICLES FOUR (4), FIVE (5) AND SIX (6) OF CHAPTER 225 OF THE MUNICIPAL CODE OF THE BOROUGH OF KENILWORTH

Mayor Deluca said that tonight we are going to table this ordinance for further consideration. He said when we first introduced this ordinance, it was not brought to the Planning Board until that night and the Planning Board expressed the need to further review it. To give them consideration we gave them until our next meeting to offer their comments.

Motion was made by Corvelli, seconded by Ladauti to table Ordinance No. 2017.04. All in favor.

MEETING OPEN TO THE PUBLIC

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

No one wished to speak.

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

GENERAL COMMENTS Borough Clerk Reinertsen thanked Deputy Clerk Kathleen Moschitta for all she does and wished her Happy Clerk's Day. Mayor Deluca said he is grateful for all the work they do, above and beyond to keep the wheels turning.

ADJOURNMENT

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

8:50 P.M.

Respectfully submitted

Kathleen Moschitta
Deputy Borough Clerk