

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, Nick Mascaro. Mark David and Gerry Ladauti were absent.

MINUTES

It was moved by Councilman Clementi, seconded by Councilwoman Ceceri and carried that the minutes of the Regular Council Meeting, Work Session and Executive Session of June 14, 2017 be approved as submitted. (Copies furnished each Council Member prior to the meeting). All in favor.

COMMUNICATIONS AND PETITIONS

NJSLOM Notices (emailed to all)

It was moved by Councilman Mascaro, 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 reminded everyone about the Union County Arts Festival which begins on July 5th at Echo Lake Park with Pat Dinuzio and the Smitherines and on July 12th the group Tufts, a Fleetwood Mac tribute band. The free concerts begin at 7:30 PM, weather permitting. The Mayor said that Police Lt. Paul Campanelli's father passed away this week and his thoughts and prayers are with Paul and his family. The Mayor asked everyone to be careful driving during the summer months.

REPORT OF COMMITTEES

FINANCE DEPARTMENT

Councilman Mascaro said he is in receipt of the Finance Report from the CFO, Joe Delorio. The audit is complete and for the July 12th meeting a resolution will be presented as required by the State so that we will be in compliance, a corrective action plan will also be provided for the July 12th meeting. If anyone has any questions on the audit, call our CFO. We have had some issues with processing the tax bills and it has been a task that has been taking up way too much time for our employees and also costs a lot of money that we don't need to spend. Our CFO was proactive and diligent in hiring a company to handle that for us and it will save us about \$2500.00 per year. The CFO is working closely with the Police Department on cameras.

DEPARTMENT OF PUBLIC WORKS

Councilman David was absent. Councilman Clementi reported the he has the June report from Superintendent Ryan. The brush pick-up schedule for July will be Monday, July 3rd and Monday, July 17th. The next White Goods pick-up will be Friday, July 21st, and residents must go to Borough Hall and pay the \$35.00 disposal fee by Wednesday, July 19th. Tiffany from Giordano Company will be bulk mailing the recycling flyer with the remaining pick-up dates for 2017 and contact information to all residents. They will also be dropping off (2) 30 yard containers to the DPW yard on Monday, July 3rd. The first pick-up for the south side will be Saturday July 8th in place of July 4th. The schedule will return

to every other Tuesday starting on July 11th. Mr. Ryan will be meeting with Mr. Angelo Paperillo from the County Public Works on June 29th to look at the banner poles on the Boulevard in front of Borough Hall to see what kind of assistance they can provide. The poles are damaged and need to be replaced. Dan Ryan will be on vacation from July 3rd thru July 17th and Foreman Derick Defuria and Joe Kania will be in charge.

PUBLIC SAFETY

The Police Department has reached a tentative agreement and the contract is under attorney review and barring no curve balls it should be signed and will be read at the next meeting. Relay for Life was June 10th and there were no incidents at the high school. L.E.A.D. which is the old DARE Program had their pool party on June 13th and David Brearley had their graduation on June 22nd with no incidents to report. Per Chief Zimmerman, this is the season to be scammed and residents should be careful. We had a diversion scam in Kenilworth where an older gentleman answered the door and 2 individuals reported they were from the water company and took him down to the basement and while down there another individual stole money from upstairs. He said if anything looks fishy, call the police department.

DEPARTMENT OF PLANNING, ZONING & ORDINANCES

Councilman Clementi reported that his committee and the Borough Attorney are working on possible zoning ordinance changes. The next Planning Board Meeting is July 13th at 7:00 PM.

DEPARTMENT OF RECREATION AND FIRE

Councilwoman Ceceri reported that Summer Camp started on Monday, June 26th and is in full swing with 188 children signed up for camp which is bigger and better than last year. Anyone interested in soccer can start signing up now. The parade and fireworks are Sunday, July 2nd and the rain date will be July 9th. There will be a parade before the fireworks that will go down Washington Street at 5:30 and after the parade there will be entertainment, food and games leading up to the fireworks at around 9:30.

DEPARTMENT OF HEALTH, EDUCATION & HUMAN SERVICES

Councilman Ladauti was absent. Councilman Clementi reported the Friends of the Library had their end of the year party, the Health Department bills are all paid and the Senior Citizens picnic was a success. For the library, registration for Thursday's special events opens one week before each event for Kenilworth residents. Caring for Wildlife at the Library on June 29th is completely full, next weeks program featuring a miniature therapy horse will take place on July 6th. A musical celebration will take place on July 13th. The cartoon program on June 27th is totally full and the next cartoon program will be on July 11th and registration will open on July 3rd. The Kenilworth Makers Academy Program is completely full with a wait list of 20 people. Romeo and Juliet will be performed by the Hudson Shakespeare Company on July 11th at 7:00 PM. The Library Book Club will hold a book discussion of Juliet's Nurse by Lois Levine with refreshments for all at 6:00 PM. Yarnings, the craft club will meet on June 29th. Mark your calendars early for Library Fest on August 10th at 5:30 pm. Registration for story time for infants and toddlers remain open. Check out the calendar at www.kenilworthlibrary.org

CONSENT AGENDA

Resolutions No. 1 thru 7 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 Clementi. 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

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 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 2016 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. 3

WHEREAS, the Borough of Kenilworth requires the inspection of certain trailers as defined by Kenilworth Borough Code 182-1, et. al.; and

WHEREAS, Jerry Eger, 22 South 18th Street, Kenilworth, New Jersey 07033, Construction Code Official will provide these services at a rate of \$25 per trailer inspection beyond his duties as the Borough's Construction Code; and

WHEREAS, the \$25 per trailer inspection, will be added as an additional stipend, paid as inspections are requested and not part of his hourly rate or pension.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Kenilworth that it does hereby authorize the Chief Financial Officer to pay the amount of \$25/inspection to Jerry Eger for the inspection of trailers pursuant to Code 182-1.

RESOLUTION NO. 4

Whereas, the Borough of Kenilworth Police Department is desirous to construct improvements to the Detective Bureau located at 11 South 23rd Kenilworth NJ, and;

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

Whereas, under the recommendation of the Borough Engineer, the Police Department solicited three vendors for the following amounts and certifies proper receipt of the same:

REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KENILWORTH HELD ON WEDNESDAY EVENING, JUNE 28, 2017. MAYOR ANTHONY DELUCA PRESIDED.

The Scurzo Group LLC
DBA, Roof-It
P.O. Box 74
Kenilworth NJ 07033
Amount: \$21,400
Marion & Jacobson
20-B Holles Drive
Kenilworth NJ 07033
Amount: \$24,650

Percario General Contracting LLC
1259 St. George Ave.
Roselle NJ 07203
Amount: \$28,820

Whereas, all contracts over \$17,500 are 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 of Detective Bureau Improvements in the amount of \$21,400, subject to the vendor's compliance with the Laws of the State of New Jersey, final review of the Borough Engineer and Borough Policy to:

The Scurzo Group LLC
DBA, Roof-It
P.O. Box 74
Kenilworth NJ 07033

And be it further resolved that the Chief Financial Officer/Qualified Purchasing Agent is hereby authorized award such agreement through a purchase order to said vendor in compliance with the law.

CERTIFICATION OF FUNDS

Ordinance 2017-05 Police-New &
Replacement Equipment C-04-55-175-109

JOE DEIORIO, TREASURER

RESOLUTION NO. 5

WHEREAS, applications for renewal of Plenary Retail Consumption and Distributors and Club Licenses have been filed with the Borough Clerk with their proper fees.

NOW, THEREFORE, BE IT RESOLVED that the Plenary Retail Consumption Licenses, Distributors and Club Licenses be renewed and granted for the license year 2017-2018:

2008-31-015-001	American Legion Post No. 470 Kenilworth
2008-31-016-001	Columbian Club of Kenilworth, T/A Columbian Club
2008-33-010-006	Kenilworth Veterans Center Club, Inc.
2008-33-011-001	Lucky G, Inc.
2008-33-001-004	CJMK, Inc., T/A La Griglia
2008-33-007-008	C.Q.D.S. Inc., T/A Taormina Ristorante
2008-33-002-008	M&A Restaurant T/A La Campagnola
2008-33-008-008	Kenilworth Bar LLC
2008-33-013-011	Butternut Café LLC T/A Boulevard Five 72

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2008-36-004-008	Kenilworth Hospitality, LLC Kenilworth Inn
2008-44-012-006	R & S Beverages LLC
2008-44-009-004	Lehar Liquor Corp.

All of the above premises have been inspected by the Kenilworth Board of Health; all applicants have paid the municipal filing fee and received a tax clearance certificate from the NJ Division of Taxation.

RESOLUTION NO. 6

BE IT HEREBY RESOLVED: By the Governing Body of the Borough of Kenilworth that:

WHEREAS, BBKS HOUSE OF MUSIC, t/a 10TH STREET LIVE, applied for renewal of its Plenary Retail Consumption License No. 2008-33-003-009, for the one year period commencing July 1, 2017; and

WHEREAS, said applicant has tendered the proper license fees to the Borough Clerk and proof has been received that the applicant has paid the proper filing fee to the Division of Alcoholic Beverage Control;

WHEREAS, the Chief of Police and the Kenilworth A.B.C. Board have reviewed the application and approved of the same; and

WHEREAS, special conditions were annexed to the applicant's license when it was last renewed for a one year period commencing July 1, 2016; and

WHEREAS, the facts which led this Governing Body to impose such special conditions have continued; and

WHEREAS, by reason of the nature of the applicant's business and its clientele, patrons leaving the licensed premises have continued to create a nuisance on neighboring streets and properties by reason of loud and raucous noise and litter substantially interfering with the peace, quiet, and rights of those residing in the neighborhood and adjoining property owners; and

WHEREAS, said situation will continue to exist unless certain special conditions are maintained upon the applicant; and

WHEREAS, the Governing Body has heretofore notified the applicant of its intention to impose this additional condition and afforded the applicant an opportunity to be heard concerning the same;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Kenilworth that Plenary Retail Consumption License No. 2008-33-003-009 of BBK HOUSE OF MUSIC, t/a 10TH STREET LIVE, be renewed for a one year period commencing July 1, 2016, subject, however, to the following conditions:

1. That the licensee shall designate an employee to remove any rubbish related to its operation on both sides of North 10th Street every Friday, Saturday and Sunday morning;
2. The licensee shall employ personnel to maintain peace, quiet and good order within the licensed premises every Friday and Saturday from 8:00 P.M. to closing;
3. The licensee shall employ personnel to monitor and assist in maintaining peace, quiet and good order in its parking lot and adjacent street, at the discretion of the Police Chief or his designee, every Friday and Saturday from 8:00 P.M. to closing, provide that the duties of such individual shall be limited to supervising the patrons of "Tenth Street Live" act peaceably, quietly and in good order as they arrive and leave the licensed premises, provided, however, that the Chief of

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Police, for may waive the requirement set forth in this paragraph for such periods of time when he deems its application unnecessary;

4. The licensee shall maintain an accurate count of all persons while in the licensed premises on Thursday, Friday and Saturday nights and promptly provide such count, upon request, to the Mayor, Fire Chief, Police Chief, Fire Commissioner or their authorized representatives;
5. The licensee shall maintain and utilize an amplified speaker to inform patrons that their motor vehicle is illegally parked;
6. Packaged goods shall not be sold after 9:00 o'clock P.M.;
7. The licensee shall meet with the Governing Body upon the Mayor's request in order to discuss the operation of the licensed premises.

In the event that any conditions or portion thereof be held invalid or unenforceable, the invalidity or unenforceability of such condition or portion thereof shall in no way affect any other condition or portion thereof.

RESOLUTION NO. 7

A RESOLUTION AUTHORIZING THE MAYOR AND MUNICIPAL CLERK OF THE MUNICIPALITY OF KENILWORTH TO EXECUTE AN AGREEMENT WITH THE COUNTY OF UNION TO MODIFY THE COOPERATIVE AGREEMENT DATED MAY 28, 2014

WHEREAS, certain Federal funds are potentially available to the County of Union under Title I of the Housing and Community Development Block Grant Act of 1974, as amended, commonly known as the Community Development Block Grant program; and

WHEREAS, certain Federal funds are potentially available to the County of Union under Title II of the National Affordable Housing Act of 1990, commonly known as the HOME Investment Partnerships program; and

WHEREAS, substantial Federal funds provided through subtitle B of Title IV of the McKinney-Vento Homeless Assistance Act commonly known as the Emergency Solutions Grants program (ESG) are allocated to prevent homelessness and to enable homeless individuals and families to move toward independent living; and

WHEREAS, it is necessary to amend an existing Cooperative Agreement for the County of Union and its people to benefit from this program; and

WHEREAS, it is in the best interest of the Municipality of Kenilworth and the County of Union in cooperation with each other to enter into a modification of the existing Cooperative Agreement pursuant to N.J.S.A. 40A:65-1 et seq;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Governing Body of the Borough of Kenilworth that the agreement entitled "**COOPERATIVE AGREEMENT BETWEEN THE COUNTY OF UNION AND CERTAIN**

MUNICIPALITIES FOR CONDUCTING CERTAIN COMMUNITY DEVELOPMENT ACTIVITIES," dated May 28, 2014, for the Purpose of Inserting a Description of Activities for Fiscal Year 2017-2018 of the Union County Community Development Block Grant program, the HOME Investment Partnerships program, and the Emergency Solutions Grants program (ESG), a copy of which is attached hereto; be executed by the Mayor and Municipal Clerk in accordance with the provisions of law;

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BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon its adoption.

Proposed Ordinance No. 2017-06 was read for a first reading as follows: (Copy attached)

ORDINANCE TO AMEND RECREATIONAL PROGRAM FEES IN SECTION 91-6, ARTICLE III, ENTITLED "FEES FOR PARTICIPATION IN PROGRAMS"

Attorney Harvey Fruchter said we have to amend this ordinance because there is a revision for reduction for families with multiple children. The ordinance will be amended for the next reading.

RESOLUTION NO. 8

Introduced by Kay Ceceri, adoption moved by same.
Seconded by Peter Corvelli. Upon roll call all in favor.

BE IT HEREBY RESOLVED that the ordinance #2017-06, entitled:

**ORDINANCE NO. 2017-06
ORDINANCE TO AMEND RECREATIONAL PROGRAM
FEES IN SECTION 91-6, ARTICLE III, ENTITLED "FEES FOR
PARTICIPATION IN PROGRAMS"**

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 July 12, 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.

PRESENTATION – Boy Scouts from Troop #83 – Certificates of Appreciation

Mayor Deluca said the clock outside has beautiful plantings that were done by the diligence and hard work from Troop #83 and he is proud of those young men. He thanked the scouts, the scout leaders and the parents and he called each scout up to the front and presented them with a Certificate of Achievement.

MEETING OPEN TO THE PUBLIC

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

Darlene Candarella, 320 North 21st Street – Mrs. Candarella thanked the Mayor, Fire and Police for helping with her husband who could not walk and she presented them each with bags of candy and gift cards.

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ON WEDNESDAY EVENING, JUNE 28, 2017. MAYOR ANTHONY DELUCA PRESIDED.

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

GENERAL COMMENTS

ADJOURNMENT

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

8:50 P.M.

Respectfully submitted

Kathleen Moschitta
Deputy Borough Clerk