

REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KENILWORTH HELD ON WEDNESDAY EVENING, OCTOBER 24, 2018. MAYOR 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, Mark David, Linda Karlovitch, Jerry Laudati and Robert Schielke.

MINUTES

It was moved by Councilman Laudati, seconded by Councilwoman Karlovitch and carried that the minutes of the Regular Council Meeting, Work Session and Executive Session of October 10, 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)

- KFD Chief – Clothing Allowance #2
- Kenilworth Historical Society – Events Calendar
- UC – Notice of Award: Kids Recreational Trust & Greening Union County

It was moved by Councilman Clementi, seconded by Councilman Laudati 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 Kenilworth Farmers Market is every Tuesday now through mid-November, 11AM to 5PM at the Municipal lot across from the VFW. Kenilworth Historical Society is hosting a “Love the Wine You are With” wine tasting on Saturday, November 10th at the Nitschke House. Reservations are required, call 908-709-0434. Union County is hosting a Haunted Hayride at the deserted village on October 26 thru October 28, from 6:30 to 10:00PM, call 908-654-9805 for tickets and more information. This program is for adults and children age 6 and up, strollers cannot be accommodated. The program includes a hayride and a walk through dark forest. Union Public Library is hosting a free jazz concert November 3rd at 3PM, the Florian Schance Jazz Combo will perform. The program theme is popular music of the World War I Era to commemorate the centennial of the WWI armistice.

The Mayor said we recently had a fire with one of our families in Kenilworth, thank God no one was hurt and the home was not so damaged that its unlivable. He said the Kenilworth people have had an outpouring of love and donations to the family in their time of need and it brings his faith in humanity back.

REPORT OF COMMITTEES

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FINANCE DEPARTMENT

Property taxes are due November 1st, as a result of Veterans Day holiday the grace period to pay taxes is Tuesday, November 13th by 4:30 PM. Postmarks are not acceptable however residents are encouraged to pay on line at www.kenilworthborough.com, we also have a drop box located on the Tax Department door that is accessible 24 hours a day, 7 days a week. The State has released its Best Practices Work Sheet and the CFO will be preparing the responses for the work sheet which are due November 12th. The State increased the number of questions from 30 to 61 based on the number of positive responses will depend on the amount of State Aid Kenilworth we will receive. The resolution authorizing our bond sale will appear at our next Mayor and Council Meeting in November 7th.

DEPARTMENT OF PUBLIC WORKS

Councilman David reminded residents that October 25th is the last curbside grass collection of the year and October 29th is the last brush collection until next January. The DPW will begin curbside leaf collection on or about November 1st. Residents are reminded not to put any brush or twigs mixed in with the leaves and do not put the leaves in any kind of plastic or brown bags. Over the last two weeks Rahway did an excellent job of collecting all the bulky waste throughout the town. The fence project at 16th Street Park is almost complete, the fence company needs to come back and put the privacy slats in the fence. Councilman David commended Fox Intermodel for an outstanding job with assisting and installing the fence and helping the town with access to the park.

PUBLIC SAFETY

Councilman Clementi reported that the Police Department had 1 motor vehicle burglary between October 1st to the 23rd and that was on the North side of town. He read a press release that states "Kenilworth Police captured a man suspected of stealing \$15,000 worth of equipment. The Kenilworth Police Department announced the arrest of Annastacios Acropolos after a lengthy investigation into the theft of \$15,000 worth of sprinkler equipment from a local business. The incident was reported in September of 2017 where Acropolos used a stolen credit card to make the purchase. After receiving the equipment it was possibly transported across state lines into New York. Detective Ed Paster was able to work closely with NYPD investigators to help identify Acropolos and bring forth the charges against him. Once an arrest warrant was issued, Union County Sheriff's Office was brought into the investigation to assist with the extradition and detention of the suspect until the detention hearing in Union County Superior Court. Chief Zimmerman feels that today's arrest is an example of how this Borough seeks to meet the needs of both its business owners and residents alike. Anastopolos Acropolos was charged with theft by deception, fraudulent use of a credit card and theft in the third degree. Councilman Clementi congratulated Detective Office Paster on his hard work on this case....he did a great job.

DEPARTMENT OF PLANNING, ZONING & ORDINANCES

Councilman Schielke reported the Planning Board met the other week and had 2 minor site plan applications. He received the Zoning and Construction Reports and everything is in order. He said he helped out with "Carve It Out for Kenilworth" and it was a very nice event, he was glad to be asked to help out.

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DEPARTMENT OF RECREATION AND FIRE

Councilwoman Ceceri reported that on Tuesday, October 16, 2018 she was invited by Chief Krueger to attend a training session for the Fire Department and Rescue Squad. She observed firsthand how these brave men and women do their job.....it was a humbling experience to see how they tackle fires. The Rescue Squad will host "Motown Rhythm and Blues" on Friday, November 16, tickets are \$25 at the VFW and beer, wine and soda are included. There will be a Tricky Tray and a 50/50 drawing. Tomorrow night she will be attending a Council Meeting in Summit to pick-up the Kids Recreation Trust Grant check. The funding will go toward the much needed continuation of rehabilitation of the Recreation Building which also houses the Board of Health. The Spooktacular will be at DiMario Park on October 27, 2018, 6PM to 8PM. Boo on the Boulevard will be on Wednesday, October 31, 2018 from 12:30 to 4:00PM. Basketball registration is now open.

DEPARTMENT OF HEALTH, EDUCATION & HUMAN SERVICES

Councilman Laudati reported the Kenilworth Public School District is on their last steps toward hiring a new Superintendent, the interim has no problems and people like her but they are still going ahead. The Health Department worked on personnel tonight and there were some personnel issues that were taken care of by people within the Towns group. The Library has their new sign up and he hopes everyone goes by to check it out. The Library was open for 23 days and library attendance was 3,114 which is a pretty large number, reference transactions were 411 and library cards issued was 23 in September. The Library needs to get the elementary students to get cards, they have to publicize it more and he thinks they need to get the Library to go over to the public schools and get everybody signed up for books. The library is an exciting place and they have many programs. He said he is hoping Mary will come up tonight with details on the food pantry.

The Borough Clerk said Resolution No. 11 has been pulled for further consideration and the Consent Agenda has been adjusted accordingly.

CONSENT AGENDA

Resolutions No. 1 thru 14 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 Schielke. 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, Reduction in assessments were made due to demolition and fire for 2018 for the following properties located in Kenilworth, NJ, and;

WHEREAS, this resulted in the overpayment of taxes for 2018, and;

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NOW, THEREFORE BE IT RESOLVED that the Treasurer, after proper notation on the tax account records by the Collector of Taxes, be and is hereby authorized to issue a warrant as follows.

Corelogic Tax Services

Attn: Centralized Refunds

P. O. Box 9202, Coppell, TX 75019

BL 24.02/Lot 5

223 No. 9th Street

\$1,313.95

John Appicie

1 Milltown Ct., Union, NJ 07083

BL 162/Lot 12

283 So. Michigan Avenue

\$ 480.20

RESOLUTION NO. 3

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget and,

WHEREAS, the Director may also approve the insertion of any item of appropriation for an equal amount,

WHEREAS, the Borough of Kenilworth wishes to amend its 2018 Budget to include an amount as revenue,

NOW THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Kenilworth hereby requests the Director of the Division of Local Government Services to approve the insertion of an item in the budget of the year 2018 in the sum of\$2,655.00 which is now available as a revenue from:

Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services:

Public and Private Revenues Off-Set with Appropriations:

US Bureau of Justice Assistance 2018 Bulletproof Vest Partnership Award

BE IT FURTHER RESOLVED that a like sum of\$2,655.00 be and the same is hereby appropriated under the caption of:

General Appropriations

(A) Operations - Excluded from CAPS

Public and Private Programs Offset by Revenue

US Bureau of Justice Assistance 2018 Bulletproof Vest Partnership Award

RESOLUTION NO. 4

WHEREAS N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the

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adoption of the budget and,

WHEREAS, the Director may also approve the insertion of any item of appropriation for an equal amount,

WHEREAS, the Borough of Kenilworth wishes to amend its 2017 Budget to include an amount as revenue,

NOW THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Kenilworth hereby requests the Director of the Division of Local Government Services to approve the insertion of an item in the budget of the year 2018 in the sum of \$20,000.00

which is now available as a revenue from:

Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services:

Public and Private Revenues Off-Set with Appropriations:

Year 44 CDBG Program #018-128 (Union County)

ADA Curb/Ramp Rehabilitation

BE IT FURTHER RESOLVED that a like sum of \$20,000.00 be and the same is hereby appropriated under the caption of:

General Appropriations

(A) Operations - Excluded from CAPS

Year 44 CDBG Program #018-128 (Union County)

ADA Curb/Ramp Rehabilitation

RESOLUTION NO. 5

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 Fire Chief William Krueger, in the aggregate amount of \$67,475.00.

CERTIFICATION OF FUNDS

APPROPRIATION:

J. DeIorio, Treasurer

RESOLUTION NO. 6

WHEREAS, two (2) quotes were received for **Repair/Replacement of Brick Facade at the Recreation Center** and **BDS Builders**, 2200 Urbanowitz Avenue, Linden, NJ 07036 having submitted the lowest responsible quote of \$25,000.00 (twenty five thousand dollars); and

NOW, THEREFORE, BE IT RESOLVED that the engineer’s recommendation of award to **BDS Builders** be awarded a contract for **Repair/Replacement of Brick Facade at the Recreation Center** at their quote of \$25,000.00.

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

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CERTIFICATION OF FUNDS
APPROPRIATION:

J. Delorio, Treasurer

RESOLUTION NO. 7

BE IT HEREBY RESOLVED that **ANTONIA LAVERSA**, 30 North 18th Street, Kenilworth, NJ be appointed as Alternate Crossing Guards, at a rate of \$18.04, effective September November 1, 2018.

RESOLUTION NO. 8

BE IT HEREBY RESOLVED: That **BRYAN C. RUBAN**, employed part-time as Senior Citizen Handyman for the Community Development Senior Citizen Handyman Program, be paid at a rate of \$17.00 per hour effective October 29, 2018.

RESOLUTION NO. 9

WHEREAS, the Kenilworth Board of Health has determined the need exists to appoint a part time secretary; and

BE IT HEREBY RESOLVED, that the Board of Health's recommendation of **Nicole Vacula**, of 56 Arthur Terrace, Kenilworth, NJ 07033 as part time secretary to the Kenilworth Health Department and Board of Health Secretary, effective October 22, 2018 at a rate of \$13.00 per hour is hereby confirmed.

BE IT FURTHER RESOLVED, that this offer of employment is contingent upon successful completion of the requisite background checks.

RESOLUTION NO. 10

WHEREAS, the Borough of Kenilworth has entered into an Agreement with the Kenilworth Board of Education to provide a Class III Special Law Enforcement Officer (SLEO) within the Kenilworth school system for a period of one (1) year; and

WHEREAS, the Kenilworth Board of Education agrees reimburse the Borough of Kenilworth for all costs associated with the compensation and salary of SLEO, Class III as provided in the SLEO agreement, section XIV.

THEREFORE BE IT RESOLVED, that pursuant to P.L. 2016 Chapter 68-S86 and N.J.S.A. 40A:14-146.14 et. seq the following individual is appointed Class III Special Law Enforcement Officers, effective October 29, 2018 through June 30, 2019 at a rate of \$25.00 per hour:

Richard Pinto
629 Quinton Avenue
Kenilworth, NJ 07033

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BE IT FURTHER RESOLVED, that the aforementioned appointment is subject to the rules as set forth by the Police Training Commission (PTC).

RESOLUTION NO. 11

WHEREAS, the Borough understands that it is beneficial to have in place an Employee Assistance Program, which is a third-party professional agency providing counseling and referral services for employees and their dependents; consultation and training for supervisors; human resources consultation and cost containment services; and

WHEREAS, while the Local Public Contracts Law does not require competitive bidding for contracts anticipated to be below \$17,500, or which are specialized and qualitative in nature requiring expertise, extensive training and proven reputation in the field of endeavor; and

WHEREAS, subject to the certification of availability of funds by the Chief Financial Officer, **Intervention Strategies International, Inc.** is qualified and has agreed to provide professional services in relation to the provision of employee assistance pursuant to the rate schedules provided for in its proposal for 2019.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Kenilworth in the County of Union, State of New Jersey that **Intervention Strategies International, Inc., 351 Evelyn St., Paramus, NJ 07652** is hereby awarded a contract for the provision of the Borough's employee assistance program as needed during 2019, pursuant to the non-fair and open process for at a rate of \$500.00 per month.

BE IT FURTHER RESOLVED that the Mayor and the Clerk are hereby authorized and directed to execute an Agreement for the provision of such professional services, a copy of which shall be maintained by the Clerk and advertised in the Borough's official newspaper pursuant to law.

RESOLUTION NO. 12

WHEREAS, the Borough of Kenilworth has been awarded funding from Union County 2018 Infrastructure Grant; and

WHEREAS, the Borough Engineer is in receipt of quotes for "Ballistic Film Installation" at certain Borough of Kenilworth facilities and is recommending award to **Tekcon Construction, Inc.,** ., 262 Bennets Lane, Somerset, NJ 08873, having submitted the lowest responsible quote as follows:

Total Quote	<u>\$29,687.00</u>
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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 authorizes the Mayor and Clerk to enter into an agreement with **Tekcon Construction, Inc.**, for their quote for the Kenilworth "Ballistic Film Installation" at certain Borough of Kenilworth facilities, for a sum of **\$29,687.00**
2. The Mayor, Borough Clerk and the Borough Attorney are hereby authorized to negotiate and finalize terms of the agreement and execute all necessary documents to effectuate the purposes herein above expressed.

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CERTIFICATION OF FUNDS

APPROPRIATION:

Union County 2018 Infrastructure
& Municipal Aid Grant

JOSEPH DEIORIO, TREASURER

RESOLUTION NO. 13

WHEREAS, the Borough of Kenilworth has been awarded funding from Union County 2018 Infrastructure Grant; and

WHEREAS, the Borough Engineer is in receipt of quotes for Phase I, "Cabinetry Installation" in preparation for Phase II of the Security Barrier Installation in Borough Hall and is recommending award to **Sycamore Wood Working Design**, 45B North Avenue, Garwood, NJ 07027 having submitted the lowest responsible quote as follows:

Total Quote	<u>\$19,600.0</u>
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WHEREAS, the Local Public Contracts Law (NJS 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 authorizes the Mayor and Clerk to enter into an agreement with **Sycamore Wood Working Design**, for their quote for the Phase I, "Cabinetry Installation" in preparation for Phase II of the Security Barrier Installation in Borough Hall, for a sum of \$19,600.00
2. The Mayor, Borough Clerk and the Borough Attorney are hereby authorized to negotiate and finalize terms of the agreement and execute all necessary documents to effectuate the purposes herein above expressed.

CERTIFICATION OF FUNDS

APPROPRIATION:

Union County 2018 Infrastructure
& Municipal Aid Grant

JOSEPH DEIORIO, TREASURER

RESOLUTION NO. 14

WHEREAS, the Borough of Kenilworth has been awarded funding from Union County 2018 Infrastructure Grant; and

WHEREAS, the Borough Engineer is in receipt of quotes for "Safety and Security Door Installations" in Borough Hall and is recommending award to **Tekcon Construction, Inc.**, 262 Bennets Lane, Somerset, NJ 08873, having submitted the lowest responsible quote as follows:

Total Quote	<u>\$39,900.00</u>
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WHEREAS, the Local Public Contracts Law (NJS 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:

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1. The Borough of Kenilworth hereby authorizes the Mayor and Clerk to enter into an agreement with **Tekcon Construction, Inc**, for their quote for the "Safety and Security Door Installations" in Borough Hall, for a sum of \$39,900.00
2. The Mayor, Borough Clerk and the Borough Attorney are hereby authorized to negotiate and finalize terms of the agreement and execute all necessary documents to effectuate the purposes herein above expressed.

CERTIFICATION OF FUNDS

APPROPRIATION:

Union County 2018 Infrastructure
& Municipal Aid Grant

JOSEPH DEIORIO, TREASURER

MEETING OPEN TO THE PUBLIC

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

Mary Michitsch, 725 Monmouth Avenue – Ms. Michitsch asked if anyone found out about the house behind her.....how high it was? Mayor Deluca said the height is adequate.....it just looks big. Mary said she believes the Mayor. She asked about impervious coverage...they are putting a porch on the back? The Mayor said a free standing porch that is open is not part of impervious coverage because water permeates through. If the porch is covered, meaning it has a tressel where water can still go through it...it still is not part of impervious coverage. Ms. Michitsch said the pantry is getting ready for Thanksgiving and they were very fortunate last night because they got 7 new members on Social Concerns. She said now the pantry will be open more days during the week, people can call the rectory and make an appointment someone will come and give them food during the day. They are collecting the food and putting the baskets together on November 17th and on November 19th they will be giving it out which is the Saturday before Thanksgiving. You have to let them know in advance, you can't come that day and say you need a basket. She has numbers from Harding and Brearley Middle/High School and other groups have let her know. If anyone in Union County wants a basket they should call the Rectory and give their name. Last year they had many people from East Orange about 100 and we can't take that many from other towns, they have to be able to go to their own churches, synagogues and whatever food bank is in their town. She said they will be putting up the giving tree on Thanksgiving Day for gifts for children.

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

GENERAL BUSINESS

None

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ADJOURNMENT

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

9:00 P.M.

Respectfully submitted

Kathleen Moschitta
Deputy Borough Clerk