

REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KENILWORTH HELD ON WEDNESDAY EVENING, NOVEMBER 8, 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, Mark David, Linda Karlovitch and Gerry Ladauti.

MINUTES

It was moved by Councilman Ladauti, seconded by Councilwoman Ceceri and carried that the minutes of the Regular Council Meeting and Work Session of October 25, 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)
- County of Union
  - Level the Playing Field 2017 Grant Program
  - 2019 Alliance Funding – Preliminary Award \$18,255
  - 2017 Greening Union County Grant Award \$3,000
  - 2017 Kids Recreation Trust Award \$45,000
- Kenilworth Zoning – Property Maintenance 21 N. 22<sup>nd</sup> Street
- R. Lueddeke – Letter re: Tree Concern
- Blackthorn – Request to extend deck area usage 11/22-26/17

Department Reports: Department reports for October 2017 were received from: The Clerk’s Office, Court, Finance Dept., Fire Dept., Planning & Zoning, Police Dept., and Public Works (e-mailed)

It was moved by Councilman David, 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 Union County celebrated the grand re-opening of Warinanco ice skating facility on November 4th. Bring your family and friends to visit the brand-new sports center, come skate in the brand-new historic ice rink, meet the Parks & Recreation department, check out the reptile exhibit, and watch the Union County Battle of the Badges hockey game! The Warinanco Café, located in the Sports Center, will be open for hungry citizens craving anything from hot pizza, fresh salads, to signature burgers, or specialty plates during the day.

Historical Society is hosting an Enchanted Holiday Sampler bus trip to Lancaster, PA Saturday, Dec. 2<sup>nd</sup>, for further details please call 908-709-0434 / 908-709-0391.

The Annual Old Fashioned Christmas at the Nitschke House will be Sunday, Dec. 2<sup>nd</sup> noon – 5pm don’t forget to visit the Christkindlemarket featuring unique handcrafted items.

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Nov. 25<sup>th</sup> is Small Business Saturday show you support of local small business and Shop Small.

Sunday, Dec. 3<sup>rd</sup> is the Borough tree lighting.

Cub Scouts are having a food drive for the pantry at St. Theresa's Church on Saturday and Sunday before mass. You can donate things like gravy, cranberry sauce, stuffing, canned hams, vegetables, cereal, coffee or tea. Troop 83 will have their 2<sup>nd</sup> Annual Pancake Breakfast thanking all the veterans, it is a breakfast fundraiser on Saturday, November 25, 2017 from 8AM to 11AM at the VFW on South 21<sup>st</sup> Street, tickets are \$7 and children under 5 are free. Tickets will be sold at St. Theresa's after mass on the 18<sup>th</sup> and 19<sup>th</sup> or you can e-mail [troop83mom@gmail.com](mailto:troop83mom@gmail.com).

The Mayor said November 10<sup>th</sup> is the 240<sup>th</sup> Birthday for the Marine Corp.....he said Semper Fi and goodnight to "Chesty". November 11<sup>th</sup> is Veterans Day and we should all remember to thank a veteran because they have sacrificed so that we have the freedoms that we have. Our hearts and prayers are with them.

Mayor Deluca congratulated Under 9 baseball team who won the championship, they did a great job. The Kenilworth Bears Football A team lost a heartbreaker to New Providence, they Mayor said he also coached that team. The boys did an outstanding job and he is proud of them. He congratulated Angela Devigili and Danny Ludekke on their wedding. Tap Into just put an article about Cha Cha Restaurant which is located in Kenilworth as part of Guy Fieri's Food Network and she is going to be one of the contestants. He congratulated them and said he looks forward to seeing what they are doing.

The Mayor said they had a discussion with Blackthorn and they are looking to have their deck open and they want to make a good commitment. At this time we are going to give them approval from the 22<sup>nd</sup> to the 26<sup>th</sup>. He said in order to move that forward he needs a motion from the floor.

Motion was made by Mark David, seconded by Larry Clementi that the licensee Black Ops LLC that trades as the Blackthorn and was approved on August 23, 2017 be permitted to use their deck during the dates of November 22<sup>nd</sup> thru November 26<sup>th</sup> under the same restrictions that were previously imposed. All in favor.

Mayor Deluca congratulated Councilman Corvelli on becoming Sheriff and also congratulations to Councilwoman Karlovitch and Councilman Clementi. He also congratulated our CFO Joe Deiorio on his victory in Roselle Park.

#### REPORT OF COMMITTEES

#### FINANCE DEPARTMENT

Councilwoman Karlovitch reported the 4<sup>th</sup> Quarter Property Tax bills are due November 1<sup>st</sup> with a grace period till November 13<sup>th</sup>, the grace period has been extended as a result of the Borough offices being closed on Friday, November 10<sup>th</sup> in recognition of Veterans Day. Any payments received after the 13<sup>th</sup> will begin to accrue interest back to November 1<sup>st</sup>.

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DEPARTMENT OF PUBLIC WORKS

Councilman David reported starting today November 8<sup>th</sup> the DPW will be collecting the leaves curbside. He reminded residents to not put brush, plants, garbage or rocks into their leaf piles because it breaks the machines.

PUBLIC SAFETY

Councilman Corvelli was absent. Chief Zimmerman reported that we had a safe Halloween without any incidents. We had a great turnout in the center of town with about 1,000 kids, the town did a great job and it was great.

DEPARTMENT OF PLANNING, ZONING & ORDINANCES

Councilman Clementi said he is in receipt of the monthly Zoning Report for October, Mr. Herbert completed multiple tasks for the month with 5 violation notices sent, 21 zoning permits received and 5 summonses issued and 10 complaints received. He also received the building report for October, total receipts of \$10,031.00 and that includes building fees of \$8,452.00. Tomorrow's Planning Board Meeting is cancelled due to no applications, the next meeting will be in December.

DEPARTMENT OF RECREATION AND FIRE

Councilman Ceceri said the deadline for Basketball sign-ups is November 10<sup>th</sup>. We are seeking volunteers for the DiMario Park project. The equipment is going to be delivered after Thanksgiving and weather permitting, we are looking at trying to get together and starting the project in the beginning of December. Volunteers can contact the Borough Clerk. Mayor Deluca said we are looking for skills, someone who can shovel stuff and has the ability to do some type of landscaping and/or small light construction. Councilman Ceceri said they are starting to make the bathrooms ADA compliant with the grant. Councilwoman Ceceri said she was asked by Mary Michitsch to remind everyone that pick-ups for the food baskets will be on November 18<sup>th</sup>, please call the Rectory before and let them know you are coming.

DEPARTMENT OF HEALTH, EDUCATION & HUMAN SERVICES

Councilman Ladauti reported that Paulette Drogan will be having sign-ups for people who would like to sign up for the Salvation Kettle Drive at the Acme on December 2, 9, 16 and 23. They need the most help on the 23<sup>rd</sup> which is the day before Christmas Eve. He said as far as the Library, in 2016 visitors borrowed 39,000 items, 943 digital items and they logged 44,805 visitors and over 6,000 people used the computers at the library. The schools are moving forward with a progressive agenda and they are looking at math and reading programs and trying to get the kids involved in our community. The Health Department is doing well and he will meet with them in 2 weeks. Tomorrow night he will meet with the Library and this is an important meeting because the Director is leaving by January 1<sup>st</sup> and moving to Cranford. The Borough will be looking for his replacement.

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PUBLIC HEARING FOR COMMUNITY DEVELOPMENT BLOCK GRANT PROPOSALS FOR YEAR 44

1. Senior Citizens Social Services & Health Program-\$19,000.00
2. Senior Citizen Handyman Program-\$5,000.00
3. ADA Curb & Ramp Improvements-\$75,000.00

Motion was made by Ladauti, seconded Karlovitch by to open the floor to the public for discussion for the CDBG Grant Proposals for Year 44. All in favor.

No comments from the public.

Motion was made by Ceceri, seconded Karlovitch by to close the floor to the public for discussion for the CDBG Grant Proposals for Year 44. All in favor.

CONSENT AGENDA

Resolutions No. 1 thru 16 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 Karlovitch 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.

RESOLUTION NO. 2

**BE IT HEREBY RESOLVED:** That the Chief Finance Officer be authorized to make payments for necessary obligations prior to the next regularly scheduled Council Meeting on December 13, 2017.

**BE IT FURTHER RESOLVED,** that the Governing Body authorizes, Assistant Finance Officer Lisa Wood to carry out the duties and responsibilities of the Chief Financial Officer as outlined in Borough Code Chapter 5-34, in the event of his absence.

RESOLUTION NO.3

**WHEREAS,** it shall become necessary to expend for some of the purposes specified in the budget appropriation of the respective sums appropriated, and

**WHEREAS,** there is an excess in one or more appropriations over and above the amount deemed necessary to fulfill the purpose of such appropriation, and

**WHEREAS,** N.J.S. 40A:4-58 provides for the transfer of such amounts deemed in excess to appropriation for the amount of which are deemed to be insufficient to fulfill purposes of such appropriation, and

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**WHEREAS**, the transfers about to be authorized do not affect any appropriations to which transfers are prohibited under statute,

**NOW, THEREFORE BE IT RESOLVED** that the attached transfers be approved and the Chief Financial Officer is hereby authorized to make the transfers in the 2017 Municipal Budget.

<b>FROM:</b>		
Other Expenses		
Public Works-Other Expenses	\$12,000	7-01-26-765-020
Police - Salary and Wages	<u>\$16,000</u>	7-01-25-7456-010
<b>Total</b>	<b><u>\$28,000</u></b>	
<b>TO:</b>		
Shade Tree – Other Expenses	\$12,000	7-01-26-776-020
Insurance -Liability	<u>\$16,000</u>	7-01-23-730-000

**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 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 2017 in the sum of ..... \$45,000.00

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:
- 2017 Kid’s Recreation Grant (Union County)

**BE IT FURTHER RESOLVED** that a like sum of ..... \$45,000.00 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
- 2017 Kid’s Recreation Grant (Union County)

**RESOLUTION NO. 5**

**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,

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**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 2017 in the sum of .....\$3,000.00

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:  
2017 Greening Union County (Union County)

**BE IT FURTHER RESOLVED** that a like sum of .....\$3,000.00 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  
2017 Greening Union County (Union County)

RESOLUTION NO. 6

**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 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 2017 in the sum of .....\$5,500.00

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:  
NJ – Div. of Highway Traffic Safety  
Distracted Driving Crackdown Fund - U Drive, U Text, U Pay

**BE IT FURTHER RESOLVED** that a like sum of .....\$5,500.00 be and the same is hereby appropriated under the caption of:

General Appropriations

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- (A) Operations - Excluded from CAPS
- Public and Private Revenues Off-Set with Appropriations:
- NJ – Div. of Highway Traffic Safety
- Distracted Driving Crackdown Fund - U Drive, U Text, U Pay

RESOLUTION NO. 7

**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 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 2017 in the sum of .....\$4,240.76

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 – Dept. of Justice, Bureau of Justice Assistance
- Bulletproof Vest Partnership (BVP) Program

**BE IT FURTHER RESOLVED** that a like sum of .....\$4,240.76 be and the same is hereby appropriated under the caption of:

- General Appropriations
- (A) Operations - Excluded from CAPS
- Public and Private Revenues Off-Set with Appropriations:
- US – Dept. of Justice, Bureau of Justice Assistance
- Bulletproof Vest Partnership (BVP) Program

RESOLUTION NO. 8

**WHEREAS**, the Borough of Kenilworth (hereinafter referred to as the “Employer”) by Resolution 13 previously adopted on April 26, 1995 the Deferred Compensation Plan (hereinafter referred to as the “Plan”) for the purpose of making available to eligible employees the accrual of tax benefits under a Section 457 Deferred Compensation Plan; and

**WHEREAS**, the Economic Growth and Tax Relief Reconciliation Act of 2001, the 2005 final regulations issued under the Uniformed Services Employment and Reemployment Rights Act of 1994, the Pension Protection Act of 2006, final Treasury Regulation §1.457-4, the Heroes Earnings Assistance and Relief Tax Act of 2008, the Worker, Retiree and Employer Recovery Act of 2008 and the Small Business Act of 2010 amended sections of the Internal Revenue Code (the “Code”) and the rules and/or regulations

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issued thereunder affecting Section 457 Deferred Compensation Plans (cumulatively referred to as the "Acts and Regulations");

**WHEREAS**, the Employer desires its Plan to conform with the changes in the Code and Treasury regulations brought about by the Acts and Regulations;

**WHEREAS**, the Employer desires to adopt a restated Plan that conforms with the changes in the Code and Treasury regulations resulting from the Acts and Regulations;

**WHEREAS**, such revised Plan shall supersede the previously adopted Plan;

**NOW, THEREFORE BE IT RESOLVED** that the Employer hereby adopts a revised Plan 92-PD-Lincoln-121316.

**BE IT FURTHER RESOLVED** that The Lincoln National Life Insurance Company and Lincoln Financial Group, it's agent, has agreed to continue to be the provider of the Deferred Compensation Program for employees and elected officials; and

**BE IT FURTHER RESOLVED** that the Lincoln National Life Insurance Company and Lincoln Financial Group it's agent, will continue to provide, for the benefit of the participants the Multi-Fund Variable Annuity contract; and

**BE IT FURTHER RESOLVED** that there has been no collusion, or evidence or appearance of collusion, between any local official and a representative of Lincoln National Life Insurance Company and Lincoln Financial Group, it's agent, in the selection of a provider pursuant to N.J.A.C. 5:37 - 5.7.

**BE IT FURTHER RESOLVED** that the Chief Financial Officer is authorized to execute an Administrative Services Agreement with the Lincoln National Life Insurance Company and Lincoln Financial Group, its agent, (12-SA-Lincoln-072595) and such other agreements as are necessary to implement the Deferred Compensation Program. It is implicitly understood that there is to be no cost or contribution by the Employer to the program; and

**BE IT FURTHER RESOLVED** that the Chief Financial Officer is authorized to serve as the plan "Administrator" of the plan, represent the Employer, and execute individual deferred compensation agreements with each said employee; and

**BE IT FURTHER RESOLVED** by the Employer that the Clerk forward a certified true copy of this resolution to the Chief Financial Officer; and

**BE IT FURTHER RESOLVED** that a certified copy of this resolution shall be forwarded to the Director of the Division of Local Government Services at P.O. Box 803; Trenton, NJ 08625-0803.

RESOLUTION NO. 9

**WHEREAS**, due to a miscalculation the Council authorized a resolution on October 25, 2017 awarding "HVAC Improvements at the DPW Offices and Recreation Building" to DuMont Mechanical, Inc., as having submitted the lowest responsible bid for the base bid and Alternate #2, as follows:

Base Bid	\$162,840.00
Alternate #2	<u>\$2,000.00</u>
Total Bid	<u>\$164,840.00</u>



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**WHEREAS**, the lowest responsible bidder for the base bid and Alternate #2 is as follows:

<b>WHL Enterprises Inc., t/a Bill Leary A/C &amp; HTG</b>	Base Bid	\$164,000.00
<b>6 Green Street</b>	Alternate #2	<u>      \$0.00</u>
<b>Metuchen, NJ 08840</b>	<b>Total Bid</b>	<b><u>\$164,000.00</u></b>

**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 **WHL Enterprises Inc., t/a Bill Leary A/C & HTG**, for their quote for the Kenilworth "HVAC Improvements at the DPW Offices and Recreation Building", for a sum of \$164,000.00
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:

C-04-55-175-101      \$90,000.00

Union County 2017 Infrastructure  
& Municipal Aid Grant \$75,000.00

JOSEPH DEIORIO, TREASURER

RESOLUTION NO. 10

**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 #3 and Final 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:	\$357,475.12
Less Previous Payments	\$339,601.36
Less 5% Retainage	<u>      \$0.00</u>
<b>Payment #2 - Amount Due this period</b>	<b><u>\$17,873.76</u></b>
<i>Balance to finish</i>	<i>\$0.00</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.

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CERTIFICATION OF FUNDS

APPROPRIATION: \_\_\_\_\_

\_\_\_\_\_  
JOE DEIORIO, TREASURER

RESOLUTION NO. 11

**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 Lewis Giordano, in the aggregate

CERTIFICATION OF FUNDS

APPROPRIATION: \_\_\_\_\_

\_\_\_\_\_  
J. DeLorio, Treasurer

RESOLUTION NO. 12

**WHEREAS,** the Borough of Kenilworth held a tax sale on October 17, 2017 for delinquent 2016 property taxes, and a tax lien was purchased by PPP New LLC for the property located at 214 No. 19<sup>th</sup> Street, Kenilworth, NJ, and

**WHEREAS,** the owner of said property has paid the Borough of Kenilworth all monies due in the amount of \$656.49 prior to the issuance of the tax sale certificate, and

**WHEREAS,** the Lienholder paid to the Collector of Taxes a premium in the amount of \$400.00 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 for the refund of Tax Certificate 17-00001

PPP New LLC  
675 So. Springfield Avenue  
Springfield, NJ 07081

REDEMPTION AMOUNT - \$656.49

PREMIUM TRUST ACCOUNT - \$400.00

Treasurer's Note: 1099 = none

RESOLUTION NO. 13

**WHEREAS,** the Borough of Kenilworth held a tax sale on October 17, 2017 for delinquent 2016 property taxes, and a tax lien was purchased by Phoenix Funding, Inc. for the property located at 201 So. Michigan Avenue, Kenilworth, NJ, and

**WHEREAS,** the owner of said property has paid the Borough of Kenilworth all monies due in the amount of \$6,179.53 prior to the issuance of the tax sale certificate, and

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**WHEREAS**, the Lienholder paid to the Collector of Taxes a premium in the amount of \$33,000.00 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 for the refund of Tax Certificate 17-00004

Phoenix Funding Inc.  
917 Mountain Avenue, Suite 1-A  
Mountainside, NJ 07092

REDEMPTION AMOUNT - \$6,179.53

PREMIUM TRUST ACCOUNT - \$33,000.00

Treasurer's Note: 1099 = none

RESOLUTION NO. 14

**BE IT HEREBY RESOLVED**, that **Henry Obiedzinski**, 19 N. 10<sup>th</sup> Street, Kenilworth, NJ be employed as a Part-Time Municipal Court Attendant at a rate of \$25.00 per hour, effective November 13, 2017.

RESOLUTION NO. 15

**BE IT HEREBY RESOLVED** that **RONALD FRIEDMAN**, 14 North 19<sup>th</sup> Street, Kenilworth, NJ 07033 appointed as a Permanent School Crossing Guard, at a rate of \$17.69, effective November 8, 2017.

RESOLUTION NO. 16

**WHEREAS**, certain Federal funding will potentially be available for Union County under Title I of the Housing and Community Development Act of 1974 as amended and supplemented, which Act is commonly known and referred to as the Community Development Block Grant; and

**WHEREAS**, the Borough of Kenilworth has a need and desire for assistance under the Act and Program as aforesaid in order to improve essential services to the residents of areas which qualify for assistance under the Act and Program as aforementioned.

**NOW, THEREFORE, BE IT RESOLVED** the Mayor and Council of the Borough of Kenilworth, County of Union, State of New Jersey authorizes, on behalf of the Borough of Kenilworth, the submission of applications for funding of the attached list, known as the Community Development Block Grant Program Year 44 list, in the priority order as shown.

Proposed Ordinance No. 2017-04 was read for a second reading as follows: Copy can be found in 9/13/17 minutes.

ORDINANCE 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**

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Mayor Deluca said the current code currently imposes a significant burden on our resident homeowners, it is the intent of the Governing Body to reduce the cost.

Motion made by Clementi seconded by David to open the hearing on Ordinance No. 2017-04. All in favor.

No one wished to speak.

Motion made by Ceceri, seconded by David to close the hearing on Ordinance No. 2017-04. All in favor.

### **RESOLUTION NO. 17**

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

**BE IT HEREBY RESOLVED** that the ordinance #2017-04, entitled:

**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**

Was introduced and approved on first reading, at the regular meeting of the Borough Council on September 13, 2017 approved for final passage at the regular meeting of the Borough Council of November 8, 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. 2017-13 was read for a second reading as follows: Copy can be found in 10/11/17 minutes.

Mayor Deluca said this provides the method of promoting our officers to superior rank.

Motion made by Clementi seconded by David to open the hearing on Ordinance No. 2017-13. All in favor.

No one wished to speak.

Motion made by Ceceri, seconded by David to close the hearing on Ordinance No. 2017-13. All in favor.

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RESOLUTION NO. 18

Introduced by Gerry Ladauti, adoption moved by same.

Seconded by Linda Karlovitch. All in favor.

**BE IT HEREBY RESOLVED** that the ordinance #2017-13, entitled:

**An Ordinance amending Chapter 39 section 9 "Entitled  
"Appointment and Promotions of Officers"**

Was introduced and approved on first reading, at the regular meeting of the Borough Council on October 11, 2017 approved for final passage at the regular meeting of the Borough Council of November 8, 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. 2017-14 was read for the first reading as follows. (Copy attached)

**An Ordinance adding Chapter 151 to the Borough Code entitled "Rental and Commercial Property"**

**MUNICIPAL CODE OF THE BOROUGH OF KENILWORTH**

Mayor Deluca said this ordinance needs further discussion and we are going to table this ordinance.

Motion was made by Clementi, seconded by Ladauti to table Ordinance No. 2017-14. All in favor.

Proposed ordinance No. 2017-15 was read for the first reading as follows. (Copy attached)

Ordinance No. 2017-15

**AN ORDINANCE ADOPTING THE LAND USE AND ZONING DISTRICT MAP OF THE BOROUGH OF  
KENILWORTH AS REVISED BY SHAMROCK ENTERPRISES, LTD., DATED SEPTEMBER 2015**

Mayor Deluca said we realized that we never formally adopted our Land Use Map. In order to correct some things of the past we need to approve it so that we can move forward.

RESOLUTION NO. 19

Introduced by David, adoption moved by same

Seconded by Ladauti. All in favor.

**BE IT HEREBY RESOLVED** that the ordinance #2017-15, entitled:

**AN ORDINANCE ADOPTING THE LAND USE AND ZONING DISTRICT MAP OF THE  
BOROUGH OF KENILWORTH AS REVISED BY SHAMROCK ENTERPRISES, LTD.,  
DATED SEPTEMBER 2015**

REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KENILWORTH HELD ON WEDNESDAY EVENING, NOVEMBER 8, 2017. MAYOR ANTHONY DELUCA PRESIDED.

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 December 13, 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.

PROCLAMATION

**WHEREAS** it has long been our custom to commemorate November 11<sup>th</sup>, the anniversary of the ending of World War I, by paying tribute to the heroes of that tragic struggle and by rededicating ourselves to the cause of peace; and

**WHEREAS** the example our Nation's veterans set throughout their lives is a testament to the drive and perseverance that define the American character. Let us uphold our obligations to these heroic individuals and never forget those who paid the ultimate price for our liberty. On this day and throughout the year, may we sustain their lasting contributions to our Nation's progress and carry forward their legacy by building a future that is stronger, safer, and freer for all; and

**WHEREAS** we salute the women and men who have proudly worn the uniform of the United States of America and the families who have served alongside them, and we affirm our sacred duty as citizens to express our enduring gratitude, both in words and in actions, for their service.

**NOW, THEREFORE**, I, Anthony DeLuca, Mayor of the Borough of Kenilworth, County of Union, State of New Jersey, do hereby call upon all of our citizens to observe Saturday, November 11, 2017, as Veterans Day. On that day let us solemnly remember the sacrifices of all those who fought so valiantly, on the seas, in the air, on foreign and domestic shores, to preserve our heritage of freedom, and let us re-commit ourselves to the task of promoting and enduring peace so that their efforts shall not have been in vain.

Mayor DeLuca presented the Proclamation to Robert Jeans, a veteran of Vietnam and he thanked him for his service.

Mr. Jeans thanked everyone and said he appreciates this very very much. He extended an invitation to everyone to come to the VFW at 11:00 AM on Saturday for brief services and refreshments. The service will be held inside due to the weather.

MEETING OPEN TO THE PUBLIC

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

No one wished to speak.

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

REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KENILWORTH HELD  
ON WEDNESDAY EVENING, NOVEMBER 8, 2017. MAYOR ANTHONY DELUCA PRESIDED.

GENERAL COMMENTS

Mayor Deluca wished everyone a Happy Thanksgiving.

Councilman Clementi said there is an upcoming event being run by Kenilworth School District called "Red's Run" in honor of Dave Curtain. Dave was one of his best friends who passed away untimely at a young age. Dave had a big impact on both Kenilworth and many other communities, he was an educator, a coach here at Kenilworth for many years, also a head coach for a couple of years, he was a track coach in different districts and most importantly a great mentor. The school is honoring him and raising money for Kenilworth School education foundation. You can go on the web site and sign up for the event which is November 25<sup>th</sup> at 8:30 AM at the Harding School parking lot. It is a 5K run or 1 mile fun run. He said it is a great cause for Red's memory.

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.

8:50 P.M.

Respectfully submitted

Kathleen Moschitta  
Deputy Borough Clerk