

REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KENILWORTH HELD ON WEDNESDAY EVENING, DECEMBER 13, 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, Linda Karlovitch and Gerry Ladauti.

MINUTES

It was moved by Councilman David, seconded by Councilman Ladauti and carried that the minutes of the Regular Council Meeting, Work Session and Executive Session of November 8, 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)
- CFO Delorio – BANS Certificate of Determination
- Gaeta Recycling – consent to continue Grass Collection and Disposal Services
- Ms. Dorethea Krihak – 350th Anniversary of the establishment of Connecticut Farms
- Mr. Kiriakatis – 364 Coolidge Dr. - Tree concern

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 Clementi, 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 that 2017 was the 350th Anniversary since the 1667 establishment of the New Jersey British Colonial Settlement of Connecticut Farms. Dorethea Krihak has done a lot to have Kenilworth be placed in our Revolutionary War History and he thanked her for that. Our Re-Organization Meeting of the Borough Council is going to be Wednesday, January 3, 2018 at 6:30. Borough Hall will be closed on December 26th. The Mayor wished everyone a Happy Hanukkah, Happy Festivis, Happy Winter Soltis, Happy Quanza and Merry Christmas. He said it is very cold and he asked everyone to check their furnaces and also remember to dress appropriately and make sure you bring extra gloves if you go out sleigh riding. The Mayor thanked Rich Picerno and Toni Giordano, Lt. Fred Soos, Officer Fillipe, Charlie Olivera, and all those who came out for the Community Build, the park is relatively complete. It is a beautiful park and he thanked Toni and Rich and all their employees who did not take a paycheck throughout the entire thing. He asked everyone to check out the beautiful state of the art playground.

REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KENILWORTH HELD
ON WEDNESDAY EVENING, DECEMBER 13, 2017. MAYOR ANTHONY DELUCA PRESIDED.

REPORT OF COMMITTEES

FINANCE DEPARTMENT

Councilwoman Karlovitch reported the Finance and Tax Office is currently reconciling accounts and preparing for the close out of the calendar year end and as a result the Borough Departments have been informed to cease spending as of December 15th in order to properly review accounts. Emergencies are permitted but any anticipated spending should be encumbered by the 15th. Budget workshops have been distributed for the 2018 municipal budget. The Chief Financial Officer will be meeting with various Department Heads to discuss their budgets and the new worksheets being used for this year. The Finance Committee will meet in early 2018 to discuss the budget process for 2018 and scheduling meetings with various departments. For 2017 you are eligible for a \$3,000 exemption on your Income Tax return if you are a military veteran who was honorably discharged or released under honorable circumstances from active duty in the armed forces of the United States on or any time before the last day of the tax year. Your spouse or civil union partner is also eligible for an exemption if he or she is a veteran who was honorably discharged or released under honorable circumstances and you are filing a joint return. This exemption is in addition to any other exemptions you are entitled to claim and is available on both the resident and nonresident return. You cannot claim this exemption for domestic partner or for your dependents.

The Mayor said you need your DD214 and he has the web site if anyone needs to get their DD214 quickly.

DEPARTMENT OF PUBLIC WORKS

Councilman David said we had a little snow storm a couple of days ago and it seems like everything cleared up pretty well. He reminded the residents that there is a Borough Ordinance as far as parking on the streets. When we park on the streets we hamper the DPW in their efforts to clean our streets properly. If it snows on an odd number day, you cannot park on the side of the street with odd number houses. If it snows on an even number day, you cannot park on the side of the street with even number houses. Vehicles will be summoned and there is a \$100 fine. If you leave your car out there where with 2 ft. of snow on top of it and you don't move it within 2 days we tow it and there is a \$150 fine plus costs. He urged all residents to start honoring the Borough Ordinance so that you don't get a summons and it will definitely help us in our cleaning up the streets. He said he knows that a lot of people will call and complain because the streets are never plowed properly and because of that it is hard for Fire trucks and ambulances to get down the street. He urged all residents to do their best to get their cars off the street when it starts to snow. Councilman David said because of a shortage of manpower at the DPW due to injuries and people leaving, Kenilworth is going to be looking for temporary laborers and he read the following add that will be going in the paper for anyone who is interested in making some extra cash.. "The Borough of Kenilworth is looking to hire seasonal laborers on an on-call basis to remove snow from places like sidewalks, crosswalks and other Borough properties. It may also include leaves and brush collection, park maintenance, building maintenance and other DPW related projects. Applicants must have a valid N.J. driver's license and be willing to work on weekdays, weekends and holidays. The hourly wage is \$16.00 per hour and interested persons can obtain an application at the Borough Clerk's Office, 567 Boulevard, Kenilworth, NJ 07033 or from the Borough web site www.kenilworthborough.com. Applications can be submitted in person or emailed to Boroughclerk@kenilworthnj.org. " Councilman David said that due to manpower shortage the DPW is only sending out one crew a day to pick up leaves, there are still a lot of leaves on the street and it is

REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KENILWORTH HELD ON WEDNESDAY EVENING, DECEMBER 13, 2017. MAYOR ANTHONY DELUCA PRESIDED.

going to create a major hazard if it snows with the leaves underneath it. The DPW will go out every day, weather permitting and they will continue to pick up the leaves until they are done.

PUBLIC SAFETY

Councilman Corvelli reported on a couple of housekeeping items, they discussed contract problems, position for an existing employee and dispatcher compensation will be added to the 2018 agenda, no action taken tonight. He said this will be his last public meeting, he will resign as of 12/31/17 to take on the duties of Union County Sheriff. He thanked everyone and said he enjoyed his time here...as everyone should know we don't do this for the money. He tried to do the best for the Borough, his heart is here and he will be here for quite some time and he will miss everyone.

The Mayor thanked Peter for his service and said he is going to miss him and he knows he will do well up top and said remember the little people.

DEPARTMENT OF PLANNING, ZONING & ORDINANCES

Councilman Clementi reported he is in receipt of the November monthly zoning report from Robert Herbert, our Zoning Officer. He completed multiple tasks with 6 violation notices sent, 14 building permits received, 2 summon's issued and 1 complaint received. He has the construction report from Jerry Eger, our Construction Official, building fees collected are \$14,416.00, trust State fees of \$1,254.00, miscellaneous fees of \$540.00 for a total of \$18,763.00. Tomorrow night is the Planning Board Meeting at 7:00.

DEPARTMENT OF RECREATION AND FIRE

Councilwoman Celeri reported the Tree Lighting on Sunday December 3rd had a great turnout with probably the most people we have had in a while. Breakfast with Santa will be Sunday, December 17th from 9AM to 12 noon at The Kenilworth. The winner of the House Decorating Contest will be selected on Thursday, December 21st and roller skate night for Kenilworth school children and residents will be Thursday, December 28, 2017 at 7PM at the Woodbridge Community Center. Rec basketball practice is going on and so far 216 children have joined which is the most ever and the games will be scheduled after the winter break. For the Fire Departments Santa Express, the drop off for gifts will be December 16th and 17th from 10AM to 4PM at the Kenilworth Fire Department. The deliveries will be made on December 18th, 19th and 20th with December 22nd as a rain date. For Toys for Tots, please bring unwrapped presents to the Kenilworth Fire Department this weekend, December 16th and 17th.

DEPARTMENT OF HEALTH, EDUCATION & HUMAN SERVICES

Councilman Ladauti reported the Kenilworth School had their Winter Concert which was a success, they had the chorus and the band playing, the band in Harding grew to 99 students. The Superintendent sent out a letter to all parents regarding parking in the loop in front of the school telling parents not to double park and advised parents to be careful when dropping off their children. He said he will be with the Board of Health tomorrow at their monthly meeting. The Library had a grant issued to them from the Freeholders a couple of weeks ago to buy kits for science and math projects, woodworking projects and all the arts and sciences projects. The children can take the kits out as a loan and work with it.

REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KENILWORTH HELD ON WEDNESDAY EVENING, DECEMBER 13, 2017. MAYOR ANTHONY DELUCA PRESIDED.

CONSENT AGENDA

Resolutions No. 1 thru 27 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 Corvelli moved that all items under the Consent Agenda be approved, seconded by Councilwoman Karlovitch. 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, that the Chief Finance Officer be authorized to make payments and transfers for necessary obligations prior to the next regularly scheduled Council Meeting.

BE IT HEREBY RESOLVED, that the 2018 Council Meeting Schedule will be approved at the January 3, 2018 Reorganization meeting.

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 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\$2,000.00

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:

REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KENILWORTH HELD ON WEDNESDAY EVENING, DECEMBER 13, 2017. MAYOR ANTHONY DELUCA PRESIDED.

Public and Private Revenues Off-Set with Appropriations:
 Drunk Driving Enforcement Grant

BE IT FURTHER RESOLVED that a like sum of\$2,000.00
 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:
 Drunk Driving Enforcement Grant

RESOLUTION NO.4

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: New Emergency Generators
 CONTRACTOR: Advanced Control Systems
 ENGINEER: Harbor Consultants, Inc.
 320 North Avenue, East
 Cranford, NJ 07016

Payment #1

TOTAL ORIGINAL CONTRACT PRICE	\$189,500.00
Total Completed and stored to date:	\$ 36,750.00
Less 5% Retainage	<u>\$ 1,837.50</u>
Payment #1 - Amount Due this period	<u>\$ 34,912.50</u>
<i>Balance to finish including retainage</i>	<i>\$154,587.50</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

RESOLUTION NO. 5

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.

WHEREAS, quotes were received for the repair and painting of borough sanitation vehicles from:

Valtek, Inc.	Sanitation Equipment Corp.
Paterson, NJ	Totowa, NJ

REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KENILWORTH HELD ON WEDNESDAY EVENING, DECEMBER 13, 2017. MAYOR ANTHONY DELUCA PRESIDED.

\$20,972.72

\$24,202.90

BE IT HEREBY RESOLVED, that Valtek, Inc., 752 20th Avenue, Paterson NJ 07504 973-278-1444, be authorized to repair and paint borough sanitation vehicles #24 & #25 for a total price of \$20,972.72.

NOW THEREFORE BE IT RESOLVED, that the Mayor, and Borough Clerk 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:

JOSEPH DEIORIO, TREASURER

RESOLUTION NO. 6

RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES FOR NJ COUNCIL ON AFFORDABLE HOUSING (COAH) LEGAL SERVICES FOR 2018

WHEREAS, the Borough of Kenilworth has a need to acquire such professional legal services to assist the Borough in compliance with the State of NJ COAH rules and regulations in a Non-Fair and Open Contract pursuant to NJSA 19:44A-20.5; and

WHEREAS, the purchasing agent has determined and certified in writing that the value of said services will exceed \$17,500.00; and

WHEREAS, the **JEFFREY R. SURENIAN & ASSOCIATES, LLC, BRIELLE, NEW JERSEY** is a Law Firm that specializes in **NJ COUNCIL ON AFFORDABLE HOUSING (COAH)** law and litigation, and has submitted a proposal indicating they will provide the professional services as indicated on attached proposal; and

WHEREAS, the Local Public Contract Law (N.J.S.A. 40 A: 11 – 1, et seq.) requires that the Resolution authorizing the award of contract for Professional Services without competitive bidding and the contract itself must be available for public inspection.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Kenilworth as follows:

1. That the Mayor and Clerk are hereby authorized and directed to execute a Non-Fair and Open Agreement pursuant to N.J.S.A. 19:44A – 20.5 with JEFFREY R. SURENIAN & ASSOCIATES, LLC, BRIELLE, NEW JERSEY for Professional Services for “COAH” law and litigation Legal Services for the Borough of Kenilworth in an amount not to exceed **\$30,000.00**, for specified services.
2. That this Professional Services Agreement is awarded without competitive bidding in accordance with NJSA 40 A: 11 – 5 (1)(a) of the Local Public Contracts Law because said services to be rendered or performed require knowledge of an advanced type in a field of learning acquired by a prolonged formal course of specialized instruction distinguished from general academic instruction or apprenticeship and training.
3. That a notice of this action shall be printed once in accordance with law.

RESOLUTION NO. 7

WHEREAS, the Superintendent of the Kenilworth Public Works Department is in receipt of proposals for “Sewerage Lift Station Inspection & Maintenance Program at Lafayette Station services” and upon

REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KENILWORTH HELD ON WEDNESDAY EVENING, DECEMBER 13, 2017. MAYOR ANTHONY DELUCA PRESIDED.

review is recommending award to MGC Unlimited, LLC, 18 Cottler Avenue, Springfield, NJ 07081 at their quote of \$ 250.00 per month.

THEREFORE BE IT HEREBY RESOLVED, that the **Sewerage Lift Station Inspection & Maintenance Program at Lafayette Station** services be awarded to:

MGC Unlimited, LLC
18 Cottler Avenue
Springfield, NJ 07081
908-248-4642 (w) 908-202-0903 (c)
MGCUnlimited@gmail.com

for a one year period, January 1, 2018 through December 31, 2018, at a cost of \$250.00 per month.

RESOLUTION NO. 8

WHEREAS, there exists in the Rahway River Basin, conditions of serious and repeated flood damage with resulting threat to life and property in areas within each municipality which is desirous of being party to this Agreement; and

WHEREAS, the municipalities, "Parties", and their allocations are as follows: Cranford -\$20,000; Millburn - \$10,000; Maplewood - \$5,000; Springfield - \$10,000; Union - \$10,000; Rahway - \$10,000 and Kenilworth - \$5,000; and

WHEREAS, the Parties intend to act in a cooperative manner to engage in planning, engineering, legal and environmental assessment activities to commence a process to determine the most feasible and effective program for alleviation of these flooding events; and

WHEREAS, the Parties simultaneous with the US Army Corps of Engineers and the New Jersey Environmental Protection (DEP) have been working to finalize the US Army Corp's Rahway River Flood Mitigation Study which included a 2012 INTERLOCAL COST SHARING AGREEMENT that is now replaced by this new agreement;

WHEREAS, Millburn Township is willing to act as LEAD Agency for the phase of work set forth in the attached Agreement .

NOW THEREFORE BE IT RESOLVED, that the Mayor and Clerk be authorized to enter into agreement with the Mayor's Council for Rahway Watershed Flood Control Municipal Cost Sharing Agreement FY 2018.

RESOLUTION NO. 9

Whereas, the following property was issued a permit and fees were received by the Building Department; and

Whereas, it has been determined that the permit was filled out incorrectly and entitled to a refund for work that was not done.

Now, Therefore, Be It Resolved, that the Treasurer be and is hereby authorized to draw a warrant to refund the following to:

REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KENILWORTH HELD ON WEDNESDAY EVENING, DECEMBER 13, 2017. MAYOR ANTHONY DELUCA PRESIDED.

Amount of \$212.00 to be refunded to the owner of the property:

Frank Abrusci
740 Monmouth Avenue, Kenilworth, NJ 07033

For Permit #17-000345 Block 82, Lo 13
39 North 21st Street, Kenilworth, NJ 07033

RESOLUTION NO. 10

WHEREAS, the Mayor and Council of the Borough of Kenilworth, are desirous of granting annual salary increases to the unrepresented employees; and

WHEREAS, after due deliberation with the Personnel Supervisor, the Personnel/Finance Committee has determined that it is appropriate for the Council to approve these increases.

THEREFORE BE IT RESOLVED, that the following non-contractual Borough Employee receive a salary increase of 2% retroactive to January 1, 2017, as follows:

<u>Employee</u>	<u>Title</u>	<u>Base Salary</u>	<u>With 2% Increase</u>
Paulette Drogon	Welfare Director	\$15,793.54	\$16,109.41

RESOLUTION NO. 11

WHEREAS, after due deliberation the Kenilworth Board of Health, has granted a \$1.00 per hour increase for Eileen Egan pursuant to their resolution approved at the regular meeting of the Board of Health, October 19, 2017.

THEREFORE BE IT RESOLVED, that the Mayor and Council authorize the \$1.00 hourly rate increase for Eileen Egan, effective January 1, 2018.

Eileen Egan
2017 base hourly rate = \$14.28
\$1.00 increase **Total = \$15.28**

RESOLUTION NO. 12

WHEREAS, after due deliberation the Kenilworth Board of Health, has granted a 2% base salary increase to Justin Panzarella; and

WHEREAS, this increase is contingent upon the successful licensure as Lead Inspector/Risk Assessor by the State of New Jersey;

Justin Panzarella
2017 base salary = \$42,330.00
2% increase of \$846.60.00
Total = \$43,176.60

REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KENILWORTH HELD ON WEDNESDAY EVENING, DECEMBER 13, 2017. MAYOR ANTHONY DELUCA PRESIDED.

BE IT FURTHER RESOLVED, that the increase will be effective upon the certification of the Kenilworth Board of Health of the successful completion of Lead Inspector/Risk Assessor by the State of New Jersey.

RESOLUTION NO. 13

BE IT HEREBY RESOLVED: That the attached list of Retirees be reimbursed for their payments for Medicare coverage from July 1, 2017 through December 31, 2017 inclusive, in accordance with Chapter 231, P.L. 1970 State of New Jersey.

RESOLUTION NO. 14

WHEREAS, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, The Kenilworth Council of the Township of Kenilworth, County of Union, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the Borough of Kenilworth Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Borough of Kenilworth Council has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Union;

NOW, THEREFORE, BE IT RESOLVED by the Township of Kenilworth, County of Union, State of New Jersey hereby recognizes the following:

1. The Borough of Kenilworth Council does hereby authorize submission of a strategic plan for the Kenilworth Municipal Alliance grant for fiscal year ***July 1, 2018 – June 30, 2019*** in the amount of:

DEDR	\$ 15,809	In-Kind	\$ 13,691
Hold Harmless Funds	\$ 2,446	Cash Match	\$ 4,564
Total Award	\$ 18,255		\$ 18,255

2. The Borough of Kenilworth Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

RESOLUTION NO. 15

BE IT HEREBY RESOLVED, that **Kevin Ardente** of 426 Codding Road, Westfield, NJ 07090 732-522-5480, be employed as a Driver/Laborer in the Kenilworth Department of Public Works as of December 18, 2017 at a rate of \$16.00 per hour subject to a 90 day probationary period.

REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KENILWORTH HELD ON WEDNESDAY EVENING, DECEMBER 13, 2017. MAYOR ANTHONY DELUCA PRESIDED.

BE IT FURTHER RESOLVED, that this offer of employment is contingent upon successful completion of a NJ Dept. of Transportation Physical and Drug/Alcohol Screening and criminal background checks.

RESOLUTION NO. 16

WHEREAS, the Union County Board of Chosen Freeholders has announced the 2017 “Level the Playing Field Grant”; and,

WHEREAS, the above mentioned grant focuses on creation, enhancement, and/or replacement of recreational facilities in the borough that will specifically address the needs of people with special needs; and

WHEREAS, the Borough of Kenilworth agrees that this is an outstanding grant opportunity being offered by the County of Union Open Space, Recreation and Historic Preservation Trust Fund; and

NOW THEREFORE BE IT RESOLVED, that the Mayor and Clerk be authorized to submit grant applications with the County of Union on behalf of the Borough of Kenilworth.

RESOLUTION NO. 17

Whereas, the Borough of Kenilworth is in need as needed emergency inspections to assist in the construction code office when the borough’s appointed inspectors are not available, and;

Whereas, the Construction Code official has recommended the use of emergency inspections as needed and,

Whereas, it is the responsibility of the Construction Code Official and Construction Code Department to determine and certify emergency inspections; and

Now, Therefore, Be It Resolved, by the Mayor and Council of the Borough of Kenilworth that it does hereby authorize emergency inspections at the rate of \$35/hour for the emergency purposes of as needed, based on the availability of funds.

RESOLUTION NO. 18

BOROUGH OF KENILWORTH - COUNTY OF UNION

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 \$34,419.91

REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KENILWORTH HELD ON WEDNESDAY EVENING, DECEMBER 13, 2017. MAYOR ANTHONY DELUCA PRESIDED.

which is now available as a revenue from:

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

Public and Private Revenues Off-Set with Appropriations:
2014 & 2015 Hazardous Waste Recycling Tonnage - Recycling

BE IT FURTHER RESOLVED that a like sum of \$34,419.91
be and the same is hereby appropriated under the caption of:

Capital Appropriations
(A) Operations - Excluded from CAPS
Public and Private Programs Offset by Revenue
2014 & 2015 Hazardous Waste Recycling Tonnage – Recycling

RESOLUTION NO. 19

BOROUGH OF KENILWORTH - COUNTY OF UNION

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 2016 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 2016 in the sum of \$225,000.00
which is now available as a revenue from:

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

Public and Private Revenues Off-Set with Appropriations:
N.J. Transportation Trust Fund Authority Act

BE IT FURTHER RESOLVED that a like sum of \$225,000.00
be and the same is hereby appropriated under the caption of:

Capital Appropriations
(A) Operations - Excluded from CAPS
Public and Private Programs Offset by Revenue
N.J. Transportation Trust Fund Authority Act

REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KENILWORTH HELD ON WEDNESDAY EVENING, DECEMBER 13, 2017. MAYOR ANTHONY DELUCA PRESIDED.

RESOLUTION NO. 20

WHEREAS, the Borough of Kenilworth Public Works Department is in need of part-time temporary (seasonal) maintenance employees at this point in time; and

WHEREAS, the Borough of Kenilworth is looking to hire seasonal laborers on an “on call” basis to remove snow from places like sidewalks, crosswalks, and other Borough properties. Work may also include leaf/brush collection, parks maintenance, building maintenance and other DPW related projects.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Kenilworth, County of Union, State of New Jersey at their regular meeting held on December 13, 2017 at Borough Hall hereby authorizes the hiring of part time seasonal public works employees at the rate of \$16.00 per hour, with guaranteed four (4) hour call in pay, no benefits or holidays, and not to exceed sixteen (16) hours per shift.

RESOLUTION NO. 21

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 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

REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KENILWORTH HELD ON WEDNESDAY EVENING, DECEMBER 13, 2017. MAYOR ANTHONY DELUCA PRESIDED.

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, (94-SA-Lincoln-110217) 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. 22

WHEREAS, proposals were requested for a Fireworks Display to be held on Sunday, July 1, 2018; and

WHEREAS, three proposals were received and after review it was determined to award the fireworks display event to be held on Sunday, July 1, 2018 (rain date, Sunday, July 8, 2018) to **D&M Fireworks, LLC**, after the receipt of an executed Hold Harmless Agreement, proper proof of insurance coverage is provided and upon issuance of the required permit from the Fire Official.

NOW, THEREFORE, BE IT RESOLVED that the contract for a Fireworks Display be awarded to **D&M Fireworks, LLC**, PO Box 503, Bally, PA 19503 610-656-1575 at a cost not to exceed \$10,000.00 with payment of total contract within ten (10) days of performance of display.

BE IT FURTHER RESOLVED that the Mayor and or Clerk be authorized to sign and contract.

RESOLUTION NO. 23

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 the Change Order for the Contract listed below be and is hereby approved.

TITLE OF JOB: Senior Citizen Building Fire Alarm Upgrades

CONTRACTOR: Drill Construction
80 Main St., W. Orange, NJ 07052

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

REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KENILWORTH HELD ON WEDNESDAY EVENING, DECEMBER 13, 2017. MAYOR ANTHONY DELUCA PRESIDED.

Change Order No. 1 & Final

AMOUNT OF CHANGE FOR THIS RESOLUTION:	\$3,900.00
TOTAL AMOUNT OF CHANGE:	\$3,900.00
TOTAL ORIGINAL CONTRACT PRICE	\$19,500.00
REVISED CONTRACT PRICE	\$23,400.00

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

RESOLUTION NO. 24

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR THE PURPOSE OF TRAFFIC SIGNAL REPAIRS AND MAINTENANCE

WHEREAS, the Borough of Kenilworth Police Department has a need to acquire traffic signal maintenance and repair services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4; and,

WHEREAS, the Police Department had not anticipated that the amount procured by year end to exceed the requirements of the law; and,

WHEREAS, the Purchasing Agent has determined and certified in writing that the value of the acquisition has exceeded \$17,500; and,

WHEREAS, the anticipated term of this contract is for 2017; and

WHEREAS, Jenn Electric Inc. has submitted a proposal December 13, 2017 indicating they will provide the traffic signal maintenance and repairs the proposal based on unit price and type of service; and

WHEREAS, Jenn Electric Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that Jenn Electric Inc. has not made any reportable contributions to a political or candidate committee in the Borough of Kenilworth in the previous one year, and that the contract will prohibit the Jenn Electric Inc. from making any reportable contributions through the term of the contract, and

WHEREAS, the costs associated for the contract is based on certification of funds by the Chief Financial Officer

NOW THEREFORE, BE IT RESOLVED that the Borough of the Kenilworth authorizes the Police Department to enter into a contract with ***Jenn Electric Inc. 631 Morris Avenue, Springfield NJ 07081*** as described herein; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

RESOLUTION NO. 25

WHEREAS, sealed bids were received on October 17, 2017 for “**Tree and Arboreal Maintenance Services**” and Dave’s Landscaping D/B/A Astone Tree Service, 112 North 21st Street, Kenilworth, NJ 07033 908-403-8034; having submitted the only responsible bid ; and

REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KENILWORTH HELD ON WEDNESDAY EVENING, DECEMBER 13, 2017. MAYOR ANTHONY DELUCA PRESIDED.

THEREFORE BE IT HEREBY RESOLVED, that the “Tree and Arboreal Maintenance Services” be awarded to:

Dave’s Landscaping D/B/A Astone Tree Service
 112 North 21st Street, Kenilworth, NJ 07033
 908-272-7263 (O) 908-272-5891 (F) 908-403-8034 (C)
 dkkokai76@comcast.net

for a three (3) year term, beginning December 1, 2017 through December 1, 2020; with an optional two (2) year renewal by mutual consent.

RESOLUTION NO. 26

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

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.

FROM:		
Other Expenses		
Police - Salary and Wages	\$78,600	7-01-25-745-010
Total	<u>\$78,600</u>	
TO:		
Insurance – Other Expenses	\$ 1,000	7-01-23-729-999
Senior Citizen Programs –OE	\$ 500	7-01-27-762-019
Social Security	\$20,000	7-01-36-837-000
Employee Health Insurance	\$40,000	7-01-23-733-175
Clerk – Salary & Wages	\$ 1,500	7-01-20-701-011
Finance – Other Expenses	\$ 5,000	7-01-20-705-021
Fire Subcode – O/E	\$ 300	7-01-22-729-015
Electrical Subcode – O/E	\$ 100	7-01-22-728-015
Plumbing Subcode – O/E	\$ 100	7-01-22-727-015
Building Subcode – O/E	\$ 100	7-01-22-726-020
Shade Tree Expenses – OE	<u>\$10,000</u>	7-01-26-776-000
Total	<u>\$78,600</u>	

REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KENILWORTH HELD ON WEDNESDAY EVENING, DECEMBER 13, 2017. MAYOR ANTHONY DELUCA PRESIDED.

RESOLUTION NO. 26

WHEREAS, the Borough of Kenilworth rejected the received bids for **Pickup and Disposal of Leaves For a Three Year Contract with a Two Year Renewal Option**, on December 12, 2017; and

WHEREAS, inconsistencies with the submitted surety and the method of cost calculation exist; and

WHEREAS, the Mayor and Council reserves reject all bids in accordance with the Instructions to Bidders, item 2.K of the Request for Proposal; and

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Kenilworth that Kenilworth hereby rejects all bids for **Pickup and Disposal of Leaves For a Three Year Contract with a Two Year Renewal Option**, received on December 12, 2017.

PRESENTATION

2017 EMPLOYEE OF THE YEAR – Kathleen Czarnecki – Mayor Deluca said this employee of the year works at the Library and if you have ever had the good fortune to meet her you would realize that she is one of the nicest human beings, she is always pleasant and professional and has always put her best foot forward when it comes to anything. She always has a good word and has a positive outlook on life and he is happy to know her.

Kathleen said it is a great honor and said she is really blessed and she loves Kenilworth and the library. She asked everyone to look to the back of the room and see all the library trustees and co-workers, her director and she would like to share the award with everyone because her library is awesome.

2017 VOLUNTEER OF THE YEAR – John Gasper – This is a person who day in and day out gives of himself without a thought of monetary value or anything else other than doing what is good for Kenilworth. John is a person who instead of talking the talk, he walks the walk, when you ask something of him, he comes out and does it. You see his personality in his family and his sons. John is a quiet guy who doesn't say much but he does what he has to do when he needs to do it. He is very proud to know him and his family and he cannot say enough about somebody who again when something is asked of him he is there.

Mr. Gasper said he is speechless and said the thing that inspires him, and he says this to all his scouts, this is what he hopes they step up to do. He thanked the Mayor.

Mayor Deluca thanked the scouts for showing up to support their Scout Master.

Mayor Deluca called Library Director Michael Maziekien up to the front of the room and presented the following proclamation:

REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KENILWORTH HELD ON WEDNESDAY EVENING, DECEMBER 13, 2017. MAYOR ANTHONY DELUCA PRESIDED.

PROCLAMATION

WHEREAS libraries and librarians bring together community members to enrich and shape the community, address local issues and help lives change in their communities, campuses and schools; and

WHEREAS librarians work to meet the changing needs of their communities, including providing programming and resources for everyone and bringing services outside of library walls; and

WHEREAS librarians are trained tech-savvy professionals, providing access and training to technology and offer programs to meet community needs, providing residents with resume writing, homework help, and planning services to the college bound; and

WHEREAS under the stewardship of Library Director Michael Maziekien along with the enthusiastic support of the library staff, the Kenilworth Library has grown and evolved in how they provide for the needs of the residents of Kenilworth.

WHEREAS, the I, Anthony DeLuca, Mayor of the Borough of Kenilworth takes great pride and pleasure in drawing special public attention to Library Director Michael Maziekien, for his accomplishments, initiatives, and service.

NOW, THEREFORE, on behalf of the Council and the Borough of Kenilworth, I extend to him sincere best wishes for continued success in all future endeavors.

Mayor Deluca wished Michael continued success in all future endeavors and said Kenilworth will miss him.

Michael thanked everyone and said he has been at this library for 4 ½ years and works with wonderful people, a tremendously supportive Board, the wonderful people at the Borough across the street and all of the volunteers and all the people that use the library. He said we work to enrich people's lives and he can't imagine a better group of people to work with and it has been an honor and a pleasure and a privilege to work with you all. He thanked everyone for making this a wonderful time.

Mayor Deluca thanked Michael for his years of service and said his son Jon will miss the robotics class which was amazing.

MEETING OPEN TO THE PUBLIC

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

Paulette Drogan, Welfare Director – Paulette asked if anyone could possibly help out ringing the bell for the Salvation Army on Saturday, December 23rd. She could use all the help she can get if anyone can

REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KENILWORTH HELD ON WEDNESDAY EVENING, DECEMBER 13, 2017. MAYOR ANTHONY DELUCA PRESIDED.

spare an hour. The Municipal Welfare Association of New Jersey had conference at the League of Municipalities and she wanted to thank 2 people that are here at our Borough, Peter Corvelli and John Zimmerman who spoke and they used their own time to come and speak at our conference and they did our sessions.

John Zimmerman, Kenilworth Police Chief – Chief Zimmerman said they received a traffic safety accommodation presented by Triple A. The Chief presented the plaque to the Mayor and Council. This recognition was for zero traffic fatalities for 2016 and their continued efforts to protect and serve the citizens of the Borough. The Chief said 2017 is almost over and hopefully we will be on tract for another great year.

He congratulated the volunteer of the year and the employee of the year on their hard work and dedication to the town, it is much appreciated.

Councilman Corvelli said this is why the men in uniform, headed by the Chief and the guys under his command do the walk across the Boulevard and the DUI's and this is why we get a zero and thank God for zero fatalities. He thanked the Chief for his leadership and to the guys out there.

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

GENERAL COMMENTS

Mayor Deluca congratulated Councilman Corvelli and wished him well in all his future endeavors and he also wished good luck to Michael Maziekien. He congratulated John and Kathleen on their well deserved awards. He wished the Borough of Kenilworth a healthy and safe holiday and he looks forward to the New Year.

Councilman Clementi wished Councilman Corvelli good luck in his new position at the Sheriff's office and said he will miss him up here.

Councilman Corvelli said you are all in good hands, we try not to do Democrat/Republicans and it is always for the betterment of the Borough. He said he will miss everyone.

The Mayor thanked the Borough Clerk and Deputy Borough Clerk and all his municipal employees for all that they have done and said he would not be able to do what he does.

ADJOURNMENT

There being no further business to come before the Council, it was moved by Councilwoman Ceceri, 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