

**REGULAR COUNCIL MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KENILWORTH HELD ON WEDNESDAY, SEPTEMBER 20, 2023. MAYOR LINDA KARLOVITCH PRESIDED.**

Time: 6:30

Mayor Karlovitch read the requirements of the Open Public Meetings Act.

The Salute to the Flag was led by Mayor Karlovitch.

**ROLL CALL:** The following Council members were present: Joseph Finistrella, William Mauro, Scott Pentz, Savino Scorese, John Zimmerman.

**MINUTES**

It was moved by Councilman Mauro, seconded by Councilman Pentz and carried that the minutes from Work Sessions of 9/6/23.

(Copies furnished each Council Member prior to the meeting).

Roll Call: Finistrella voted yes, Mauro voted yes, Pentz voted yes, Pugliese voted yes, Scorese voted yes, Zimmerman voted yes.

Mayor Karlovitch invited everyone to the 9/11 Ceremony on Monday at 6PM at Borough Hall.

**COMMITTEES**

**FINANCE REPORT**

Councilman Pugliese made a motion, seconded by Councilman Mauro to terminate the law firm of Decotiis and Fitzpatrick as Borough Attorney, contingent upon the renomination by the mayor within 30 days.

Roll Call: Finistrella voted yes, Mauro voted yes, Pentz voted yes, Pugliese voted yes, Scorese voted yes, Zimmerman voted yes.

Councilman Pugliese left the meeting.

**DEPARTMENT OF PUBLIC WORKS**

Councilman Finistrella reported on the following:

- DPW Monthly Report for September
- Shrubs and weeds behind Ava's will be addressed by DPW.
- Superintendent investigating purchasing a Barrel Grabber for Sanitation truck.
- Fences will go up in DiMario Park for safety reasons.
- Tree work will begin on September 14<sup>th</sup> and 15<sup>th</sup>.

**REGULAR COUNCIL MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KENILWORTH HELD ON WEDNESDAY, SEPTEMBER 20, 2023. MAYOR LINDA KARLOVITCH PRESIDED.**

DEPARTMENT OF PUBLIC SAFETY

Councilman Zimmerman provided updates on the following:

- Police Chief's Monthly Report for August.
- Reported on Chief Dante's passing.

Chief Soos spoke on the ARRIVE Program.

PLANNING AND ZONING AND ORDINANCES

Councilman Mauro provided updates on the following:

- Construction Monthly Report for August.
- Planning Board Report.
- Report on visit to the Onyx site (Merck).

RECREATION AND FIRE

Councilman Pentz provided updates on the following:

- Fire Monthly Report for August.
- Meeting with Fire Department on plaque for former Fire Chief Lou Giordino.

HEALTH, EDUCATION AND HUMAN SERVICES

Councilman Scorese provided updates on the following:

- Report on Monthly Library Activities.
- The Borough will take over cameras at the Senior Center. A meeting will be set up between the Senior Club and the Senior Director.

- 

Motion made by Zimmerman, seconded by Pentz to accept Committee Reports. All in favor.

**ORDINANCE 2023-15 FOR ADOPTION**

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 185, "TREES," SECTION 2, "ACTS PROHIBITED WITHOUT PERMISSION; EXCEPTIONS" AND SECTION 4, "CONTACT WITH BRINE, GAS OR INJURIOUS CHEMICAL PROHIBITED," OF THE CODE OF THE BOROUGH OF KENILWORTH

Motion made by Zimmerman, seconded by Scorese to open the hearing on Ordinance No. 2023-15. All in favor.

No one wished to speak.

**Motion made by Scorese, seconded by Mauro to close the hearing and adopt Ordinance 2023-15. Roll Call: Finistrella voted yes, Mauro voted yes, Pentz voted yes, Scorese voted yes, and Zimmerman voted yes.**

**REGULAR COUNCIL MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KENILWORTH HELD ON WEDNESDAY, SEPTEMBER 20, 2023. MAYOR LINDA KARLOVITCH PRESIDED.**

The Clerk noted Ordinance No. 2023-15 is adopted.

**ORDINANCE 2023-17 FOR ADOPTION**

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 120, "LAND USE," PART 1, "ADMINISTRATION," ARTICLE 6, "FEES, DEPOSITS, GUARANTEES AND OTHER PAYMENTS," SECTION 2, "SCHEDULE OF FEES," OF THE MUNICIPAL CODE OF THE BOROUGH OF KENILWORTH.

Motion made by Mauro, seconded by Scorese to open the hearing on Ordinance No. 2023-17. All in favor.

No one wished to speak.

**Motion made by Zimmerman, seconded by Mauro to close the hearing and adopt Ordinance 2023-17. Roll Call: Finistrella voted yes, Mauro voted yes, Pentz voted yes, Scorese voted yes, and Zimmerman voted yes.**

The Clerk noted Ordinance No. 2023-17 is adopted.

**ORDINANCE 2023-18 FOR ADOPTION**

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 91, "FEES AND LICENSES" ARTICLE I, "FEES GENERALLY" SECTION 1, "SCHEDULE OF FEES AND LICENSES," OF THE MUNICIPAL CODE OF THE BOROUGH OF KENILWORTH.

Motion made by Zimmerman, seconded by Pentz to open the hearing on Ordinance No. 2023-18. All in favor.

No one wished to speak.

**Motion made by Zimmerman, seconded by Scorese to close the hearing and adopt Ordinance 2023-18. Roll Call: Finistrella voted yes, Mauro voted yes, Pentz voted yes, Scorese voted yes, and Zimmerman voted yes.**

The Clerk noted Ordinance No. 2023-18 is adopted.

**ORDINANCE 2023-20 FOR ADOPTION**

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 94, "FIRE PREVENTION," TO AUTHORIZE RECOVERY OF COSTS AND EXPENSES ASSOCIATED WITH PROVISION OF FIRE SERVICES IN THE MUNICIPAL CODE OF THE BOROUGH OF KENILWORTH.

**REGULAR COUNCIL MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KENILWORTH HELD ON WEDNESDAY, SEPTEMBER 20, 2023. MAYOR LINDA KARLOVITCH PRESIDED.**

Motion made by Zimmerman, seconded by Pentz to open the hearing on Ordinance No. 2023-20. All in favor.

No one wished to speak.

**Motion made by Zimmerman, seconded by Finistrella to close the hearing and adopt Ordinance 2023-20. Roll Call: Finistrella voted yes, Mauro voted yes, Pentz voted yes, Scorese voted yes, and Zimmerman voted yes.**

The Clerk noted Ordinance No. 2023-20 is adopted.

**ORDINANCE 2023-21 FOR ADOPTION**

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 55, "ALARM DEVICES," OF THE CODE OF THE BOROUGH OF KENILWORTH**

Motion made by Mauro, seconded by Pentz to open the hearing on Ordinance No. 2023-21. All in favor.

No one wished to speak.

**Motion made by Mauro, seconded by Mauro to close the hearing and adopt Ordinance 2023-21. Roll Call: Finistrella voted yes, Mauro voted yes, Pentz voted yes, Scorese voted yes, and Zimmerman voted yes.**

The Clerk noted Ordinance No. 2023-21 is adopted.

**ORDINANCE 2023-21 FOR ADOPTION**

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 202, "FEES," SECTION 2, "FEES," AND CHAPTER 212, "SANITARY STANDARDS," ARTICLE XIII, "LICENSE AND FEE SCHEDULE," SECTION 26, "FEES ENUMERATED" OF THE MUNICIPAL CODE OF THE BOROUGH OF KENILWORTH.**

Motion made by Mauro, seconded by Zimmerman to open the hearing on Ordinance No. 2023-22. All in favor.

No one wished to speak.

**REGULAR COUNCIL MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KENILWORTH HELD ON WEDNESDAY, SEPTEMBER 20, 2023. MAYOR LINDA KARLOVITCH PRESIDED.**

**Motion made by Zimmerman, seconded by Scorese to close the hearing, and adopt Ordinance 2023-22. Roll Call: Finistrella voted yes, Mauro voted yes, Pentz voted yes, Scorese voted yes, and Zimmerman voted yes.**

The Clerk noted Ordinance No. 2023-22 is adopted.

**CONSENT AGENDA**

Motion made by Zimmerman, seconded by Finistrella to approve resolutions 2023-199 through 2023-208. Resolution No. 194 is amended as discussed previously. All items will be recorded individually in full in the minutes. Roll Call: Finistrella voted yes, Mauro voted yes, Pentz voted yes, Scorese voted yes, and Zimmerman voted yes.

**RESOLUTION NO. 2023-199**

**BE IT RESOLVED**, by the Borough of Kenilworth, County of Union, New Jersey, that the attached summary of bills in the total amount of \$2,612,439.46, having been duly audited and found to be correct, are hereby ordered paid and that warrants be drawn for the necessary obligations by the Chief Finance Officer (CFO) prior to the next regularly scheduled Council Meeting.

**BE IT FURTHER RESOLVED**, that in the event of the CFO's absence, the Governing Body authorizes Assistant Finance Officer Lisa Wood to carry out the duties and responsibilities of the CFO as outlined in Borough Code Chapter 5-4.

**BE IT FURTHER RESOLVED**, that the CFO has certified that sufficient uncommitted funds are available in the 2023 Borough of Kenilworth Temporary Budget to fund the payment of the following bills attached hereto and made a part of this resolution.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **September 6, 2023**.

**RESOLUTION NO. 2023-200**

**WHEREAS**, there appears on the tax records overpayment as shown below and the Collector of Taxes recommends the refund of such overpayment.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Kenilworth, after proper notation on the tax account records by the Tax Collector, that the proper officers be and they are hereby authorized and directed to issue checks refunding such overpayment as shown below:

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of Kenilworth, that the Treasurer after proper notation on the tax account records by the Tax Collector is authorized to refund and pay the

**REGULAR COUNCIL MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KENILWORTH HELD ON WEDNESDAY, SEPTEMBER 20, 2023. MAYOR LINDA KARLOVITCH PRESIDED.**

overpayment of taxes to the below stated of the specific property listed below:

- REASON:**
- |                      |                                       |
|----------------------|---------------------------------------|
| 1. Incorrect Payment | 6. Tax Appeal County Board            |
| 2. Duplicate Payment | 7. Tax Appeal State Tax Court         |
| 3. Senior Citizen    | 8. 100% Disabled Veteran              |
| 4. Veteran Deduction | 9. Replacement Check                  |
| 5. Homestead Rebate  | 10. Reduced Assessment                |
|                      | 11. Other-Erroneous Payment Old Owner |

Block/Lot	Property Address	Refund To	Refund Amount	Year	Reason
B 121, L 15	603 Kingston Ave. Kenilworth, NJ 07033	Attorney Title Services Attn: Dani Sall 6 South Avenue East Cranford, NJ 07016	2,586.48	2023	2
B 143, L 3	513 Quinton Ave. Kenilworth, NJ 07033	Angelica Perez 513 Quinton Ave. Kenilworth, NJ 07033	2,629.46	2023	2

**BE IT FURTHER RESOLVED**, that the Borough of Kenilworth's Chief Financial Officer has certified that sufficient uncommitted funds are available in the 2023 Borough of Kenilworth Budget for the purposes set forth herein.

**BE IT FURTHER RESOLVED**, that certified copies of this resolution be forwarded to the Tax Collector and the Assistant Finance Director and the Chief Financial Officer by the Borough Clerk.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **September 6, 2023**.

RESOLUTION NO. 2023-201

**WHEREAS**, registration fees were accepted for Kenilworth Recreation Summer Day Camp programs; and

**WHEREAS**, the Recreation Program Administrator certifies that due to extenuating circumstances the following families registered for the listed program(s) but were unable to participate and are entitled to a refund as follows.

<u>Family / Reimbursement to</u>	<u>Program</u>	<u>Refund Due</u>
Nicholas LaMonaco	Weeks 1,3,4,5,6,7,8	\$805.00
Domingas Mendes	Weeks 1,2,3,4,5,6	\$390.00
Amanda Naira	Weeks 1,2	\$60.00
Aida Palomino	Weeks 7,8	\$138.00
Lillia Rucki	Weeks 7,8	\$138.00
<b>TOTAL (5)</b>		<b>\$1,531.00</b>

**REGULAR COUNCIL MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KENILWORTH HELD ON WEDNESDAY, SEPTEMBER 20, 2023. MAYOR LINDA KARLOVITCH PRESIDED.**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Kenilworth, County of Union, State of New Jersey that the aforementioned individuals be reimbursed the registration fees paid as indicated above.

**BE IT FURTHER RESOLVED**, that the Mayor and Council authorize the Chief Finance Officer to issue the aforementioned refunds.

**BE IT FURTHER RESOLVED**, that the Borough of Kenilworth's Chief Financial Officer has certified that sufficient uncommitted funds are available in the 2023 Borough of Kenilworth Budget for the purposes set forth herein.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **September 6, 2023**.

RESOLUTION NO. 2023-202

**WHEREAS**, the Kenilworth Senior Café lunch program which provides lunch on Monday, Wednesday, and Friday at the Kenilworth Senior Center for senior citizens of Union County was temporarily closed; and

**WHEREAS**, various local businesses wished to donate food and/or money to the Borough of Kenilworth for the purpose of providing lunch for senior citizens while the Senior Café was temporarily closed; and

**WHEREAS**, a complete listing of the donors and the donation provided is attached; and

**WHEREAS**, pursuant to Local Public Contracts Law, N.J.S.A. 40A:5-29, a local unit is authorized and empowered to accept bequests, legacies and gifts made to it and is empowered to utilize such bequests, legacies and gifts in the manner set forth in the conditions of the bequest, legacy or gift provided, however, that such bequest, legacy, or gift shall not be put to any use which is inconsistent with the laws of the State of New Jersey and the United States of American; and

**WHEREAS**, each donors fully understands and agrees that it is not entitled to receive any direct benefit from the Borough in exchange for its gift; and

**WHEREAS**, the Borough has accepted these gifts pursuant to N.J.S.A. 40A:5-29.

**NOW THEREFORE BE IT RESOLVED**, that the Borough Council of the Borough of Kenilworth, in the County of Union, and State of New Jersey, does hereby authorize the acceptance of the donations - as set forth in the attached listing – for the purpose of providing lunch for senior citizens at the Kenilworth Senior Citizens Center. **No municipal funds will be expended in the acceptance of this gift.**

**BE IT FURTHER RESOLVED** that the Borough Council expresses its gratitude for this generous donation.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **August 16, 2023**.

**REGULAR COUNCIL MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KENILWORTH HELD ON WEDNESDAY, SEPTEMBER 20, 2023. MAYOR LINDA KARLOVITCH PRESIDED.**

RESOLUTION NO. 2023-203

**WHEREAS**, AA Berms LLC has been contracted by the Borough of Kenilworth to provide ADA curb and ramp improvements by way of the public bidding process set forth in the Local Public Contracts Law set forth in N.J.S.A. 40A:11-1 et. seq;

**WHEREAS**, the Borough Engineer, Harbor Consultants Inc., has certified that the services required for the 1<sup>st</sup> and Final Payment under said contract in the amount of \$31,600.00 have been performed to his satisfaction and he has authorized the Borough to make said payment.

**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 1<sup>st</sup> and Final Payment for the Contract listed below be and is hereby approved.

**BE IT FURTHER RESOLVED** that the payment authorized herein is conditioned upon compliance with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 et. seq.; and

TITLE OF JOB: CDBG Year 48 – ADA Curb and Ramp Improvements  
CONTRACTOR: AA Berms LLC  
P.O. Box 180  
Belleville, NJ 07109

Payment #1 and Final	
Original Contract Price (7 Ramps)	\$27,650.00
Extra Concrete Ramp	<u>\$3,950.00</u>
<b>TOTAL</b>	<b><u>\$31,600.00</u></b>
Balance	\$0.00

**BE IT FURTHER RESOLVED** that the Borough of Kenilworth's Chief Financial Officer has certified that sufficient uncommitted funds are available in the 2023 Borough of Kenilworth Budget for the purposes set forth herein. A portion of the funds have been appropriated by way of a \$28,000.00 CDBG grant awarded to the Borough by Union County.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **September 6, 2023**.

RESOLUTION NO. 2023-204

**WHEREAS**, AJM Contractors, Inc. has been contracted by the Borough of Kenilworth to perform certain public improvement projects by way of the public bidding process set forth in the Local Public Contracts Law set forth in N.J.S.A. 40A:11-1 et. seq;

**WHEREAS**, the Borough Engineer, Harbor Consultants Inc., has certified that the services required for the 5<sup>th</sup> and Final Payment under said contract in the amount of \$39,124.33 have been performed to his satisfaction and he has authorized the Borough to make said payment.



**REGULAR COUNCIL MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KENILWORTH HELD ON WEDNESDAY, SEPTEMBER 20, 2023. MAYOR LINDA KARLOVITCH PRESIDED.**

**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 5<sup>th</sup> and Final Payment for the Contract listed below be and is hereby approved.

**BE IT RESOLVED** that the payment authorized herein is conditioned upon compliance with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 et. seq.; and

TITLE OF JOB: 2021 NJDOT Roadway Improvements  
CONTRACTOR: AJM Contractors, Inc.  
300 Kuller Road  
Clifton, NJ 07011

Payment #5 and Final	
TOTAL ORIGINAL CONTRACT PRICE	\$390,211.00
Change Order Amount	\$52,715.88
Contract Sum to date:	\$442,926.88
Total Completed and Stored to Date	\$442,926.88
Less 5% retainage to date	\$0.00
Less previous payment	\$403,802.75
<b>Amount Due</b>	<b><u>\$39,124.33</u></b>
Balance to Finish including retainage	\$0.00

**BE IT FURTHER RESOLVED**, that the Borough of Kenilworth's Chief Financial Officer has certified that sufficient uncommitted funds are available in the 2023 Borough of Kenilworth Budget for the purposes set forth herein.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **September 6, 2023**.

RESOLUTION NO. 2023-205

**WHEREAS**, after the proper advertisement of same, pursuant to the Local Public Contracts Laws, N.J.S.A. 40A:11-1 et seq., the Borough of Kenilworth received five (5) sealed bids on July 13, 2023, for the construction and related activities associated with the provision of the **CDBG Year 49-ADA Curb and Ramp Improvements** project ("CDBG Year 49-ADA Curb and Ramp Improvements project"); and

**WHEREAS**, the Borough Engineer, Harbor Consultants, Inc., has provided the hereto attached summary of the bid results and has recommended that the lowest responsible bid be awarded to **AA Berms LLC**, P.O. Box 180, Belleville, NJ ("AA Berms"); and

**WHEREAS**, the Borough Council has determined that it is in the best interest to accept the bid proposal and execute a contract for the **CDBG Year 49-ADA Curb and Ramp Improvements** project, with the lowest responsible bidder, **AA Berms LLC**, in the amount not to exceed **\$26,400.00** for Base Bid and Alternative Bids #1, 2, 3 and 4; and

**WHEREAS**, the public advertisement, the receipt of public bids and the award of the contract to the lowest responsible bidder, pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq., for the **CDBG**

**REGULAR COUNCIL MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KENILWORTH HELD ON WEDNESDAY, SEPTEMBER 20, 2023. MAYOR LINDA KARLOVITCH PRESIDED.**

**Year 49-ADA Curb and Ramp Improvements** project, constitutes a Fair and Open Process pursuant to the Local Pay to Play Law, N.J.S.A. 19:44A:20.5, et seq.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough of Kenilworth, County of Union, New Jersey, that:

1. The Mayor and Council are hereby authorized to accept the bid submitted by the lowest responsible bidder, **AA Berms LLC**, P.O. Box 180, Belleville, NJ, for the **CDBG Year 49-ADA Curb and Ramp Improvements** project in the amount not to exceed **\$26,400.00** for Base Bid and Alternative Bids #1, 2, 3 and 4.
2. The Mayor is authorized to enter into and execute a contract with **AA Berms LLC** for the for the **CDBG Year 49-ADA Curb and Ramp Improvements** project, in the amount not to exceed **\$26,400.00** for Base Bid and Alternative Bids #1, 2, 3 and 4.
3. Pursuant to N.J.A.C. 5:34-5.1 et seq., the Borough's CFO has certified that sufficient uncommitted funds are available in the 2023 Borough of Kenilworth Budget to fund the payment to **AA Berms LLC** for the for the **CDBG Year 49-ADA Curb and Ramp Improvements** project to be charged to \_\_\_\_\_ line item.
4. This contract is being awarded pursuant to the Fair and Open Procedures of the Pay to Play Law, N.J.S.A. 19:44A-20.5, et seq. and in accordance with the public bid procedures pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.
5. No changes to this contract shall be allowed or authorized without prior Municipal Council approval.
6. There shall be no advance payments made against this contract in accordance with N.J.A.C. 40A:5-16.
7. A fully executed copy of the contract shall be filed in the Office of the Borough Clerk.
8. The contract shall commence upon the issuance of a notice to proceed by Harbor Consultants, Inc. and shall be completed within the agreed upon timeline.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **September 6, 2023**.

RESOLUTION NO. 2023-206

**WHEREAS**, there is currently pending a grievance filed by the Teamsters Local No. 11 against the Borough of Kenilworth; and

**WHEREAS**, the parties have reached an amicable agreement to resolve that charge in its entirety; and

**WHEREAS**, the Public Works Committee has reviewed and recommends the settlement agreement and believes that approval of this Agreement is in the best interest of the Borough.

**REGULAR COUNCIL MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KENILWORTH HELD ON WEDNESDAY, SEPTEMBER 20, 2023. MAYOR LINDA KARLOVITCH PRESIDED.**

**NOW THEREFORE BE IT RESOLVED** this 6<sup>th</sup> day of September 2023 that the Borough Administrative Officer is hereby authorized to execute the Settlement Agreement (attached hereto) on behalf of the Borough of Kenilworth.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **September 6, 2023**.

RESOLUTION NO. 2023-207

**WHEREAS**, the following two dispatchers reached maximum step in the year indicated next to their name:

Angela Lueddeke (reached maximum step 2020)  
Christine Castle (reached maximum step 2021)

**WHEREAS**, Angela Lueddeke did not receive any other increase in 2021 or 2022 and Christine Castle did not receive any other increase in 2022; and

**WHEREAS**, the Finance Committee is recommending that Angela Lueddeke receive a one-time, non-pensionable adjustment of \$2,000 and Christine Castle receive a one-time, non-pensionable adjustment of \$1,000 not be added nor increase their annual salary.

**NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Kenilworth that the above be authorized.**

**BE IT FURTHER RESOLVED**, that the Borough of Kenilworth's Chief Financial Officer has certified that sufficient uncommitted funds are available in the 2023 Borough of Kenilworth Budget for the purposes set forth herein.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **September 6, 2023**.

RESOLUTION NO. 2023-208

**WHEREAS**, the Borough of Kenilworth wishes to recover costs of fire-fighting materials used and expended in response to vehicular accidents and/or fires; and

**WHEREAS**, the Borough of Kenilworth desires to engage the services of a third-party billing agency and/or collection agency for the purpose of billing and collection of costs of fire-fighting materials used and expended in response to vehicular accidents and/or fires; and

**WHEREAS**, when the cost or price of any contract awarded by the Borough of Kenilworth in the aggregate does not exceed in a contract year the total sum of \$17,500, the contract may be awarded by the Borough of Kenilworth via resolution without public advertising of bids, pursuant to N.J.S.A. 40A:11-3 of the New Jersey Local Public Contracts Law; and

**WHEREAS**, Ambulance Billing Co. LLC has provided a proposal, dated April 20, 2023, to provide the above billing and collection services for the Borough of Kenilworth; and

**REGULAR COUNCIL MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KENILWORTH HELD ON WEDNESDAY, SEPTEMBER 20, 2023. MAYOR LINDA KARLOVITCH PRESIDED.**

**WHEREAS**, the proposal submitted by Ambulance Billing Co. LLC shall not result in any out-of-pocket costs to the Borough for providing the above billing and collection services as Ambulance Billing Co. proposed to retain an administrative processing fee equal to seven percent (7%) of the costs that they are able to collect.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Kenilworth, County of Union, State of New Jersey that the Mayor is hereby authorized to execute an agreement with **Ambulance Billing Co LLC**, in substantially the form attached hereto, for a term of one year from the issuance of a notice to proceed by the Borough to provide the billing and collection services needed to recover costs of fire-fighting materials used and expended in response to vehicular accidents and/or fires.

**BE IT FURTHER RESOLVED**, no certification of funding is necessary as this contract shall not result in any out-of-pocket costs to the Borough of Kenilworth.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **September 6, 2023**.

**ORDINANCE FOR INTRODUCTION – 2023-23**

**AN ORDINANCE AMENDING AND SUPPLEMENTING THE MUNICIPAL CODE OF THE BOROUGH OF KENILWORTH TO ADD A NEW CHAPTER 214, “BODY ART ESTABLISHMENTS”**

**Motion made by Scorese, seconded by Mauro to approve Ordinance No. 2023-23 for Introduction. Roll Call: Finistrella voted yes, Mauro voted yes, Pentz voted yes, Scorese voted yes, and Zimmerman voted yes.**

The Clerk read: “Be It Hereby Resolve that Ordinance 2023-23 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 October 4, 2023 at six o'clock P.M or as soon 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 the notice of its introduction and passage of first reading and of the time and place when and where said ordinance will be further considered for final passage”.

**MEETING OPENED TO THE PUBLIC**

Motion made by Zimmerman, seconded by Scorese to open the meeting to the public.  
All in favor.

No one wished to speak.

Motion made by Mauro, seconded by Finistrella to close the meeting to the public.  
All in favor.

**REGULAR COUNCIL MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF  
KENILWORTH HELD ON WEDNESDAY, SEPTEMBER 20, 2023. MAYOR LINDA KARLOVITCH  
PRESIDED.**

**ADJOURNMENT**

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

7:30 P.M.

Respectfully submitted.

Kathleen Moschitta  
Deputy Borough Clerk