

REGULAR COUNCIL MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KENILWORTH HELD ON WEDNESDAY, JANUARY 18, 2023. MAYOR LINDA KARLOVITCH PRESIDED.

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

The Salute to the Flag was led by Mayor Karlovitch.

ROLL CALL: Joseph Finistrella, William Mauro, Scott Pentz, Fred Pugliese, Savino Scorese, John Zimmerman.

FINANCE REPORT

Councilman Pugliese provided updates on the following:

- Handyman Program, changed income requirements to make application process easier. Applications will be approved by Health, Education and Human Services committee.
- Meeting in February with Department Heads regarding 2023 Budget.

DEPARTMENT OF PUBLIC WORKS

Councilman Finistrella read the DPW report for January (report attached):

DEPARTMENT OF PUBLIC SAFETY

Councilman Zimmerman reported on the following:

- Advised that Use of Force Report for Kenilworth is on our website which compares Kenilworth with surrounding similar towns.
- Chief Soo's Monthly Report was read (attached), Flock Cameras installed at Blvd. and Michigan Ave.
- Chief Soos is working on Capital Requests for the 2023 budget for Police Department. Dispatch recorder has been updated.

PLANNING AND ZONING AND ORDINANCES

Councilman Mauro reported on the following:

- December Construction Report (attached)
- The Code Enforcement position has been posted and they have received quite a few resumes from qualified candidates, they will be interviewing shortly.

RECREATION AND FIRE

Councilman Pentz reported on the following:

- The Fire Department and Rescue Squad Report for December
- The Recreation Breakfast with Santa and Roller Skate events were successful.
- 16th Street Park and is done and they are still waiting for a few punch list items on DiMario Park

REGULAR COUNCIL MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KENILWORTH HELD ON WEDNESDAY, JANUARY 18, 2023. MAYOR LINDA KARLOVITCH PRESIDED.

HEALTH, EDUCATION AND HUMAN SERVICES

Councilman Scorese reported on the following:

- Library Re-Organization Meeting/changing the Library By Laws
- Library Programs are coming back after COVID19
- Senior Center is hosting many programs . They also have a lunch program for seniors

Councilman Zimmerman asked the DPW if they can move a donated pool table into the Senior Building and the Superintendent of DPW responded the table is very heavy and he does not have the skilled labor to take it apart and move it. Councilman Zimmerman asked if we can pay to have it done and Mayor Karlovitch that is a finance question. Councilman Pugliese asked Councilman Scorese to put in a request and get estimates, he said it sounds like a good thing. Councilman Zimmerman gave kudos to our Construction Official Officer Anthony Monguso and said he is doing a great job answering complaints.

MINUTES

It was moved by Councilman Pugliese, seconded by Councilman Pentz and carried that the minutes of the minutes of December 7, 2022 and Special Meeting on December 21, 2022 and Re-Organization Meeting of January 4, 2023 be approved as submitted. (Copies furnished each Council Member prior to the meeting). Roll Call, all in favor.

Motion was made by Zimmerman to remove Resolution No. 68 for the Recreation Director, and vote on it separately. No one seconded the motion

Motion made by Finistrella, seconded by Pugliese to remove Resolutions 56 and 67 from the Consent Agenda. **ROLL CALL:** Joseph Finistrella voted yes, William Mauro voted yes, Scott Pentz voted yes, Fred Pugliese voted yes, Savino Scorese voted yes, John Zimmerman voted yes.

Motion made by Mauro to appoint David La Gruth as Kenilworth's representative to the Union County Transportation Advisory Board for 2023.

Borough Attorney said we are still on the Consent Agenda and he does not have the updated agenda. He asked what Resolution was that and Pugliese said 56 and 67 and Attorneythe Attorney said the add on was not on the agenda, correct?? Attorney said let's go on to the Consent Agenda and we will need a motion to add to the agenda the resolution that you are considering and then we need a majority vote that it is added to the agenda and then vote separately.

Pugliese moved that all items under the Consent Agenda be approved, seconded by Finistrella with the exception of Resolution 56 and 67. Roll Call: Finistrella voted yes, Mauro voted yes, Pentz voted yes, Pugliese voted yes, Scorese voted yes, Zimmerman voted yes

REGULAR COUNCIL MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KENILWORTH HELD ON WEDNESDAY, JANUARY 18, 2023. MAYOR LINDA KARLOVITCH PRESIDED.

RESOLUTION NO. 53

BE IT RESOLVED, by the Borough of Kenilworth, County of Union, New Jersey, that the attached summary of bills in the total amount of \$3,099,299.19, 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 January 18, 2023.

RESOLUTION NO. 54

WHEREAS, the firm of Apruzzese, McDermott, Mastro & Murphy, PC was responsive to the Request for Proposals (hereinafter, "RFP") due December 8, 2022 at 10:00 a.m. for the position of 2023 Labor Attorney; and,

WHEREAS, Mayor Karlovitch has filed her appointment of Apruzzese, McDermott, Mastro & Murphy, PC as Labor Attorney of the Borough of Kenilworth (hereinafter, the "Borough") for the year 2023; and,

WHEREAS, the firm Apruzzese, McDermott, Mastro & Murphy, PC shall perform all services as Labor Attorney of the Borough consistent with the response submitted by said firm.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Kenilworth, County of Union, State of New Jersey that the firm Apruzzese, McDermott, Mastro & Murphy, PC is hereby appointed to the position of Labor Attorney of the Borough effective immediately for a term set to expire December 31, 2023 pursuant to a Fair and Open process under N.J.S.A. 19:44A-20.4 et seq.; and,

BE IT FURTHER RESOLVED that a professional service agreement is hereby authorized so as to include compensation in accordance with the RFP as submitted by the captioned firm for their services as for a maximum contract amount not to exceed \$20,000.00; and,

BE IT FURTHER RESOLVED that notice of this award be published in a newspaper authorized to receive legal advertisements on behalf of the Borough within ten (10) days of this date in accordance with New Jersey law.

REGULAR COUNCIL MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KENILWORTH HELD ON WEDNESDAY, JANUARY 18, 2023. MAYOR LINDA KARLOVITCH PRESIDED.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 18, 2023.

RESOLUTION NO. 55

WHEREAS, the firm Post Polak, PA was responsive to the Request for Proposals (hereinafter, "RFP") due December 8, 2022 at 10:00 a.m. for the position of 2023 Affordable Housing Attorney; and,

WHEREAS, Mayor Karlovitch has filed her appointment of Post Polak, PA as Affordable Housing Attorney of the Borough of Kenilworth (hereinafter, the "Borough") for the year 2023; and,

WHEREAS, the firm Post Polak, PA shall perform all services as 2023 Affordable Housing Attorney of the Borough consistent with the response submitted by said firm.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Kenilworth, County of Union, State of New Jersey that the firm Post Polak, PA be and is hereby appointed to the position of Affordable Housing Attorney of the Borough effective immediately for a term set to expire December 31, 2023 pursuant to a Fair and Open process under N.J.S.A. 19:44A-20.4 et seq.; and,

BE IT FURTHER RESOLVED that the professional service agreement shall set forth hourly rates as submitted by the firm for projects, assigned by the Borough, as follows:

Service	Hourly Rate
Attorneys	\$165.00
Paralegals	\$75.00
Support Service	\$20.00

BE IT FURTHER RESOLVED that notice of this award be published in a newspaper authorized to receive legal advertisements on behalf of the Borough within ten (10) days of this date in accordance with New Jersey law.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 18, 2023.

RESOLUTION NO. 56 PULLED

RESOLUTION NO. 57

WHEREAS, on January 4, 2023, the Borough of Kenilworth Municipal Council adopted Resolution 2023-7, appointing Jill Goode as Chief Finance Officer in accordance with N.J.S.A. 40A:9-140.10, effective January 1, 2023 for a four (4) year term at an annual salary of twenty thousand (\$20,000.) dollars, to be paid in accordance with the Borough payroll schedule; and

WHEREAS, Resolution 2023-7 incorrectly stated the annual salary for Jill Goode as the Chief Finance Officer as twenty thousand (\$20,000.) dollars; and

**REGULAR COUNCIL MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF
KENILWORTH HELD ON WEDNESDAY, JANUARY 18, 2023. MAYOR LINDA KARLOVITCH
PRESIDED.**

WHEREAS, the Borough wishes to amend Resolution 2023-7 to correct the annual salary to be paid to Jill Goode as the Chief Finance Officer.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Kenilworth County of Union, State of New Jersey that:

1. Resolution 2023-7 is hereby amended correct the annual salary for Jill Goode as the Chief Finance Officer as follows:

Jill Goode as Chief Finance Officer shall receive an annual salary of thirty thousand (30,000.) dollars, to be paid in accordance with the Borough payroll schedule.

2. A copy of this resolution shall be kept on file in the Borough Clerk's Office.
3. This resolution shall take effect immediately.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 18, 2023.

RESOLUTION NO. 58

WHEREAS, on January 4, 2023, the Borough of Kenilworth Municipal Council adopted Resolution 2023-7, appointing Jill Goode as Chief Finance Officer in accordance with N.J.S.A. 40A:9-140.10, effective January 1, 2023 for a four (4) year term at an annual salary of twenty thousand (\$20,000.) dollars, to be paid in accordance with the Borough payroll schedule; and

WHEREAS, Resolution 2023-7 incorrectly stated the annual salary for Jill Goode as the Chief Finance Officer as twenty thousand (\$20,000.) dollars; and

WHEREAS, the Borough wishes to amend Resolution 2023-7 to correct the annual salary to be paid to Jill Goode as the Chief Finance Officer.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Kenilworth County of Union, State of New Jersey that:

1. Resolution 2023-7 is hereby amended correct the annual salary for Jill Goode as the Chief Finance Officer as follows:

Jill Goode as Chief Finance Officer shall receive an annual salary of thirty thousand (30,000.) dollars, to be paid in accordance with the Borough payroll schedule.

2. A copy of this resolution shall be kept on file in the Borough Clerk's Office.
3. This resolution shall take effect immediately.

REGULAR COUNCIL MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KENILWORTH HELD ON WEDNESDAY, JANUARY 18, 2023. MAYOR LINDA KARLOVITCH PRESIDED.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 18, 2023.

RESOLUTION NO. 59

BE IT HEREBY RESOLVED That in accordance with NJSA 40:54-9, the Mayor's appointment of the following as member(s) of the Library Board of Trustees for a 5-year term, effective 1/1/2023, be and the same is hereby confirmed.

LIBRARY BOARD OF TRUSTEES

<u>NAME</u>	<u>TERM</u>	<u>EXPIRATION</u>
Diane DelCampo	5-year	12/31/2027

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 18, 2023.

RESOLUTION NO. 60

BE IT HEREBY RESOLVED, that the Mayor's appointments of **MARIA ANDERSON** and **JOSEPH J. HRDINA III** as Kenilworth's representatives to the Union County Community Development Revenue Sharing Committee be appointed for a 1 yr. term for the year 2023, be and the same is hereby confirmed.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 18, 2023.

RESOLUTION NO. 61

WHEREAS, it is the interest of the Borough of Kenilworth, County of Union, State of New Jersey, to reimburse retirees for their payments for Part B of Medicare coverage for the period of July 1, 2022 through December 31, 2022; and

WHEREAS, N.J.S.A. § 52:14-17.38(b) allows for the Borough, upon adoption of a resolution, to reimburse a retired employee and their spouse covered for the retiree's premium charges under Part B of Medicare who meet the specifications as set forth under the statute.

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

1. The attached list of Retirees be reimbursed for their payments for Medicare Part B coverage from July 1, 2022 through December 31, 2022 for the total inclusive amount of \$1,020.60, as set forth in the list below, in accordance with N.J.S.A. § 52:14-17.38(b), and State of New Jersey having been duly

REGULAR COUNCIL MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KENILWORTH HELD ON WEDNESDAY, JANUARY 18, 2023. MAYOR LINDA KARLOVITCH PRESIDED.

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.

Retirees	Premium	Months	Adjustments	Total
Mark David	170.10	6		\$1,020.60
				\$1,020.60

2. 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.

3. The CFO has certified that sufficient uncommitted funds are available in the 2022 Borough of Kenilworth 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 January 18, 2023.

RESOLUTION NO. 62

WHEREAS, the Borough of Kenilworth is desirous in obtaining services from the City of Elizabeth for Sexually Transmitted Disease (STD) Services; and

WHEREAS, said services are to include testing, reporting all cases to the Health Officer, and treatment, disease prevention, and counseling to all patients infected with STDs, at the Sexually Transmitted Disease Clinic; and

WHEREAS, the City of Elizabeth, Department of Health and Human Services, is ready, willing and able to furnish said services; and

WHEREAS, the City of Elizabeth, Department of Health and Human Services fee is \$200.00 per patient for services rendered at the Sexually Transmitted Disease (STD) clinic; and

WHEREAS, the Sexually Transmitted Disease Services will be for a period of January 1, 2023 through December 31, 2023.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Kenilworth, County of Union, State of New Jersey, that the Mayor and Township Clerk are hereby authorized and directed to execute an agreement between the Borough of Kenilworth and the City of Elizabeth to provide Sexually Transmitted Disease Services

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 18, 2023.

REGULAR COUNCIL MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KENILWORTH HELD ON WEDNESDAY, JANUARY 18, 2023. MAYOR LINDA KARLOVITCH PRESIDED.

RESOLUTION NO. 63

BE IT HEREBY RESOLVED, by the Borough of Kenilworth, County of Union, New Jersey, that the compensation rate for Court Security Officer be set at \$30.00 per hour, effective January 1, 2023.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 18, 2023.

RESOLUTION NO. 64

BE IT HEREBY RESOLVED, that the following individuals be appointed on the Kenilworth Volunteer Fire Department;

<u>Name</u>	<u>Appointment</u>
Christopher Hampala-Gorgoroso	Probationary Fire Fighter / EMT

BE IT FURTHER RESOLVED that this appointment is contingent upon successful completion of medical release, criminal and background checks.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 18, 2023.

RESOLUTION NO. 65

BE IT HEREBY RESOLVED, that the following individual be appointed as the Kenilworth representative to the Rahway Valley Sewerage Authority;

<u>Name</u>	<u>Term</u>	<u>Expiration</u>
Robert Beiner	5 years	2/1/2028

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 18, 2023.

RESOLUTION NO. 66

BE IT HEREBY RESOLVED, that the Governing Body of the Borough of Kenilworth refers the appointment of Camille Berardinelli to serve as the Board of Health Secretary and a resolution appointing Camille Berardinelli will be considered for adoption by the Governing Body after the Board of Health agrees with the appointment at their meeting on Thursday, January 19, 2023; subject to the CFO's certification of the availability of funds.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 18, 2023.

REGULAR COUNCIL MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KENILWORTH HELD ON WEDNESDAY, JANUARY 18, 2023. MAYOR LINDA KARLOVITCH PRESIDED.

RESOLUTION NO. 67

BE IT HEREBY RESOLVED, that the following individual be appointed as the Kenilworth representative to the Union County Transportation Advisory Board;

<u>Name</u>	<u>Term</u>	<u>Expiration</u>
David La Gruth	1 year	1/31/2023

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of

RESOLUTION NO. 68

WHEREAS, there is no statutory provision establishing a specific process to appoint the Recreation Director, and there is no reservation of this appointment authority in statute for the Mayor, it defaults to the Governing body by virtue of N.J.S.A. 40A:60-6; and

WHEREAS, the Governing Body by way of Ordinance has delegated it's appointment authority to the Mayor with its advice and consent by virtue of Borough Code Article I Subsection 41-3A.; and

WHEREAS, the Governing Body denied its advice and consent with respect to the same at the Reorganization Meeting held on January 4, 2023.

BE IT HEREBY RESOLVED, that the Governing Body hereby appoints **Joseph Kratzer** as Recreation Director for 2023 at a salary of \$6,000 per year, be and the same is hereby confirmed

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 18, 2023.

The Borough Clerk said Resolution # 2023-66 was revised to correct a typographical error and is available in the back of the room. The Consent Agenda consists of Resolutions 2023-53 to 2023-68, excluding Resolutions 56 and 67. All items will be recorded in full in the minutes. Roll Call: Finistrella voted yes, Mauro voted yes, Pentz voted yes, Pugliese voted yes, Scorese voted yes, Zimmerman voted no.

The Attorney asked Councilman Mauro if the position he was talking about was the UC Transportation Advisory Board and Mauro said yes. He said there is a resolution on for one individual and you want a motion for it to be someone else, correct? The Attorney said there would have to be a motion to amend the resolution.

Motion was made by Mauro, seconded by Pugliese to amend resolution No. 67 to replace the name with David La Gruth. Roll Call: Finistrella voted yes, Mauro voted yes, Pentz voted yes, Pugliese voted yes, Scorese voted yes, Zimmerman voted yes.

REGULAR COUNCIL MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KENILWORTH HELD ON WEDNESDAY, JANUARY 18, 2023. MAYOR LINDA KARLOVITCH PRESIDED.

The Attorney said Resolution No. 56 is an appointment by the Mayor with advice and consent of Council. Resolution No. 56 appointing Georgina Pallitto, Esq. was pulled from the Consent Agenda. Borough Attorney stated no need for a first or second motion, just a roll call vote. Roll Call: Finistrella voted no, Mauro voted no, Pentz voted no, Pugliese voted no, Scorese voted no, Zimmerman voted no.

Motion was made by Pugliese, seconded by Mauro to amend the consent agenda to include the appointment of Robert Rowbotham as 2023 Public Defender

BE IT HEREBY RESOLVED: That the Mayor’s appointment of **Robert Rowbotham, Esq.** as **PUBLIC DEFENDER** for the year 2023, be and the same is hereby confirmed.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 18, 2023.

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

Mayor Karlovitch commented that this is a surprise as Georgina is a Kenilworth resident as well as a Republican.

ORDINANCE FOR INTRODUCTION

Ordinance 2023-1 – ORDINANCE AMENDING THE 2021 REVISED AGREEMENT BETWEEN THE MEMBER MUNICIPALITIES OF THE RAHWAY VALLEY SEWERAGE AUTHORITY

Motion made by Pugliese, seconded by Zimmerman to approve Ordinance 2023-1 for introduction. Roll Call: Finistrella voted yes, Mauro voted yes, Pentz voted yes, Pugliese voted yes, Scorese voted yes, Zimmerman voted yes.

Councilman Pugliese said that Councilman Mauro noticed the notary provisions on the agreement have old dates and he asked the Clerk to notify the RVSA.

MEETING OPENED TO THE PUBLIC

Motion made by Pugliese, seconded by Scorese to open the meeting to the public.

Toni Sosnosky, 36 South 17th Street - Toni thanked the Mayor for what she did to help bring her husband home and said the Mayor is truly a woman of her word.

Andrew ??, 18 Epping Drive – He asked if Pat Boyle was already in the position when in 2021 the new handbook was adopted and why wasn’t the rule addressed for nepotism at that time and why now so far after the fact? He asked will there be a comprehensive audit of the rules within the handbook to see if anything else is not being adhered to properly and will there be moves to fix those problems? He asked the Mayor to read the rule in its entirety the rule that came into play here so everyone here and at home has the full understanding.

REGULAR COUNCIL MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KENILWORTH HELD ON WEDNESDAY, JANUARY 18, 2023. MAYOR LINDA KARLOVITCH PRESIDED.

The Mayor read the excerpt from the handbook " Employment of relatives in order to avoid potential conflicts of interest it is the Borough's policy to prohibit employment of close relatives or domestic partners in any supervisor /subordinate relationship. The Borough also discourages the employment of close relatives within the same department , unless there are extraordinary circumstances that may warrant it. A close relative is defined as a spouse, child, parent, parent-in-law, brother, sister, brother in law, sister in law, grandchild or grandparent. Close relative also means domestic partner as defined by the NJ Domestic Partnership Act. If two employees become relatives (whether by marriage or other legal action), both are eligible to keep their jobs if they do not work in the same department, one does not supervise the other, or one is not the supervisor of the others supervisor. In circumstances where such conflicts arise, efforts will be made to accommodate a transfer of one affected employee, subject to existing business considerations. Where such an accommodation cannot be reached, necessary steps will be taken, up to and including termination of one of the two affected individuals, if necessary, after offering the employees the opportunity for one of them to voluntarily discontinue his/her employment. The Borough retains the right to make the final decision in such case.

The Borough Attorney said he is instructing the Governing Body and Administration not to respond to the questions regarding a particular employee. We have Labor and employment Council here tonight who can expound upon what he is about to say a little bit further but there are confidential issues that are unique to an employee employer relationship and the law requires that certain confidences be maintained and it is based upon that that he is giving the advice to all elected officials here this evening not to respond to questions as they pertain to a particular individual. Their silence or failure to respond to the questions should not be construed to be favorable or disfavorable they are following Counsels advice. Labor Counsel agreed and spoke on the laws of nepotism.

Councilman Mauro said the question about the audit was a valid one and Council will review the clauses in the handbook. Pugliese said there is an ordinance that requires a review, and we will be doing that. He said the policy was drafted before he got here. Mayor Karlovitch said the Borough Attorney at the time said that anyone working for the Borough at that time was grandfathered and this is nothing but dirty handed politics .

Toni Giordano, 241 Faitoute Ave. - Toni said she reviewed the meetings of 2022 and four of the Council Members voted to reduce the stipend for the Recreation Director by 66% from \$6,000 to \$2,000 and four months after that Councilman Zimmerman voted to reinstate the stipend because he did not realize all that the job encompassed. Toni said the policy was in effect all of 21 and 22 and you are putting it into effect now?...why was it not put in effect at that time. Toni spoke further on behalf of the recreation director position. She said the term grandfathered is up to the discretion of the Governing Body and you are choosing to pull this for some unknown reason.

REGULAR COUNCIL MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KENILWORTH HELD ON WEDNESDAY, JANUARY 18, 2023. MAYOR LINDA KARLOVITCH PRESIDED.

Rich Picerno, 241 Faitoute Ave. – Rich said he glad to hear there will be fair play and they will abide by the laws. Rich asked Councilman Finistrella the name of the Public Defender and/or the firm that he voted in tonight and Councilman Finistrella said Bob??? Rich said it seems like there is a bit of a bandwagon going on here and when you vote on things that affect our community and you have no idea.....it tells me you did not vet the information that should have been presented in order to make that conscious decision. He said if you are going to vote on something you better know it, and we just clearly saw that we didn't know why we voted on something. He said fair play is not there.

Nina Vera, 739 Kingston Avenue – Nina asked if the Mayor was still the Mayor because people keep talking over her. Nina asked questions regarding the removal of the Recreation Director and the fact he was the Director for 12 years. The Borough Attorney cautioned the Council to not respond in regard to the appointment process. He said failure to appoint is different than removal. There was a conversation between Nina and Councilman Mauro regarding putting Kenilworth first. Nina questioned if the two new council members knew about the nepotism clause prior to the January 4th reorganization meeting and Councilman Mauro replied yes. Nina said there was a petition of over 1,000 people in support of the Recreation Director. Mayor Karlovitch said there seems to be selective enforcement. There was a conversation as to who was on Council when this clause was entered into the Handbook and the Mayor said she was and over the last two years there was 4 councilmembers on council who voted on the handbook and the handbook is voted on every year. The Mayor said the Council can use discretion for extraordinary circumstances and she feels that over 1,000 signatures is an extraordinary circumstance. The Labor Attorney explained the nepotism policy to Nina.

Kay Ceceri, 821 North 16th Street – Kay asked Councilman Mauro how long he has lived in town to witness all these events and he answered 2019 years. There was a discussion between Kay and Councilman Mauro regarding Mount Laurel. Kay said she had nothing to do with the decision to not reappoint the Recreation Director who has been with the Borough for 12 years.

Karen Goger, 67 South 18th Street - Karen is a teacher in town and raised her children in Kenilworth and said she knows children and the children in Kenilworth love Pat because he has made an impact on their lives in so many ways attending most town events, concerts, track meets as well as all Recreation events. She said she understands the nepotism clause but thinks there is definitely a way to keep him in the position by grandfathering him in. She said you should put politics aside and do what is best for the town and keep Pat as Rec Director because that is what is best for the town. She said you are here to serve us and that also means our children. She said she is sure there is a way to grandfather him in and the Mayor said we can amend the handbook.

**REGULAR COUNCIL MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF
KENILWORTH HELD ON WEDNESDAY, JANUARY 18, 2023. MAYOR LINDA KARLOVITCH
PRESIDED.**

Kelly Clementi, 400 Lincoln Drive - Kelly asked the new Council Members if they knew before they voted to not appoint the Recreation Director that there was a way to keep him in place by either changing the handbook or creating an ordinance to change the handbook. The Mayor said we do have desgression and it says in the handbook unless there are extraordinary circumstances that may warrant it.....and it says at the end that the Borough retains the right to make the final decision. Kelly asked again if the new council members were aware that they had descension to keep the Recreation Director.....the Borough Attorney cautioned the Council on this dialog. Kelly asked the new Council Members if they were aware that the policy in the handbook regarding nepotism could be changed at the Councils degression. Councilman Scorese said it opens up the town for lawsuits and if you make exceptions you can get sued, that is his understanding, he is not a lawyer and he did not want the town to be sued over this.....but he is still learning.....Kelly asked if the two new Councilmembers had knowledge that this policy could be changed because the Borough in the past changed ordinances for vacations, etc. Councilman Scorese said going forward.....we just got here. There was a discussion on when and if the new council members knew that they could change the policy on nepotism. Kelly asked why couldn't a resolution be made to supersede the handbook? She said she believes that you could have found a way to support and keep him and that is why most of us believe that this is political or personal. She does not believe it's nepotism and it's just council members following the leader and maybe the new members need to be more informed when they are voting. She said last year she was here, and you reduced his salary and then gave it back and she believes that you were looking for a way to get rid of him and you found it in the handbook. The Attorney commented that we are approaching six minutes. Mrs. Clementi said it's a horrible way to show appreciation for somebody that means so much to our small town with a big heart. She said you are showing your true colors by making this decision and there is time to change that decision and she hopes you will vote on this again and you will vote on your own and not go along with the crowd. People voted you in to do what is best for the town, not what some leader is telling you to do.

Nicole Belino, 544 Clinton Ave. – Ms. Belinno said she has two young children that were part of the Rec and now at Harding and Brearley. She said behind every decision there is a why, why did you take the Recreation Director position away from Pat after 12 wonderful years. Why did you do that to our children and our community.? Pat has done nothing but dedicate his life to this town. He is there to set up, take down tons of community events. He knows everyone in town, kids, parents and even grandparents. She said there is no one who could do a tenth of what he does. She asked if you are going to do this to Pat are you going to go after other dedicated people in the community and do the same thing to them? She has a petition with over 1,000 signatures and she asked again why did you take Pat away from us?

Jessica Cubrea, 30 North 14th Street - Jessica said she can't believe we are back here a year to date fighting for the person in this position. She said the Handbook has been in place since 2021 never once did this subject of nepotism come up last year when we talked about Pat's stipend.

REGULAR COUNCIL MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KENILWORTH HELD ON WEDNESDAY, JANUARY 18, 2023. MAYOR LINDA KARLOVITCH PRESIDED.

She said she works for a global company and every year they have to sign that they reviewed the handbook and a year later she said she can't believe we are still talking about this.. She does not know why the two new council members so haphazardly voted to not have Pat back. She said multimillion dollar companies grandfather people in and you can't tell me this can't be changed. She said a year after the stipend garbage we are still talking about this. She is super surprised at Councilman Pentz because he knows what they do and how hard they work. Councilman Pentz said Pat can apply to be on the Recreation Committee. Mayor Karlovitch said this is the dirty hand of politics, period. Jessica said this policy should be across the board and include all departments. She said this will affect many good people who do good jobs for the Borough and Pat should be grandfathered in.

Councilman Pugliese cautioned there is a three-minute limit for the public and Mayor Karlovitch said she does not agree with that.

Toni Giordano, 241 Faitoute Ave. – Toni apologized to Councilman Mauro as she was abrupt and out of line. She said Mayor Karlovitch is the mayor of this town... she was elected when I wasn't even a Democrat but she's the mayor, and I respect that position. She said a lot of what is happening here is follow the leader. The new councilmembers were not vetted and the decisions that were made were not really thought about before the January 4th Re-Organization Meeting. There was no way.....you just got here and you voted to take someone out. She said if it was such a big deal, the four of you would have used that last year because it was already in the handbook, but you didn't. Councilman Pugliese said she is making assumptions and Toni said she watched every Council Meeting a couple of times. Pugliese said he is upholding the ordinances. Toni said you contradict yourself and talk over the Mayor. Councilman Pugliese said there is a 3-minute limit. Toni said all six of you have your own mind and should make your own decisions.

Mike , 67 South 18th Street – Mike said he is in support of the Recreation Director and said clearly there was a mechanism to avoid all this but it was not used. This is clearly an extraordinary situation. He said you had a dedicated employee here for many many years and well-loved and apparently, he was just discarded for personal reasons, and He said he knows where his votes are going next time around. Mike said he was in support of the lady regarding the sidewalks and suggested the sidewalks be repaired by the Handyman Program. Mayor Karlovitch said she doesn't think the Handyman can lay concrete, but Mayor Karlovitch said maybe we can get someone to do that. Mike suggested maybe reaching out to seniors and get some estimates on sidewalk repairs. Councilman Pugliese said the Handyman Program is for things like leaky faucets. Mike suggested maybe some of the Handyman monies can be allotted to help senior citizens fix their sidewalks and the Mayor said that was a good suggestion and we should look into that and maybe we can get someone to help with a portion of the sidewalk.

Kelly Clementi, 400 Lincoln Drive. – Kelly asked if the Borough sends letters to the landlords and/or businesses uptown to upkeep their property? Mayor Karlovitch said that is the job for Code Enforcement. And said the Borough does not send letters. Kelly said maybe that would be

**REGULAR COUNCIL MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF
KENILWORTH HELD ON WEDNESDAY, JANUARY 18, 2023. MAYOR LINDA KARLOVITCH
PRESIDED.**

a good reminder to them to keep their establishments clean. Mayor Karlovitch said in Cranford they have a department for that and there are 3 or 4 full time people. Mayor Karlovitch said a few years ago she did send out letters, visited store owners, set up a Facebook page to try to get them to participate and she realized that it is a very time consuming task. Kelly asked if there is still a Beautification Committee, and the Mayor said the DPW has taken the lead on that like planting flowers.

Rich Picerno, 241 Faitoute Ave. – Mr. Picerno said the first go around with the Rec Director was to cut the budget, that was the premise. We all heard about the Merck Tax Appeal and how much our taxes will increase and yet no one has come to the meetings with that concern, they only talked about the Recreation Director and Laura Reinertsen. People are trying to get the fabric of our town back to the way it used to be. We all know we have to cut expenses especially with the Merck Tax Appeal which was not anyone's fault, they wanted to leave and we got a tax increase. We need to cut expenses but if you listen to the people, this is not the way to go about it. There are 1000 signatures on the petition, and you should start listening to the people.

Ms. Lapent - 215 South Michigan Ave., Ms. Lapent said she came from a large town where there is nepotism throughout. She came to Kenilworth because it was a small town with a heart and the heart is in the Recreation Department. She said she thought that \$6,000 for the Rec Director last year was a ridiculous way to cut costs and she is glad you voted that back. if you would have had a Go Fund Me you would have made that ten times over. The Mayor said we should revisit the salary of that position. Ms. Lapent said she is an Internal Auditor who goes into companies and tells them where they are not following the rules and works with the employers to put something in place to help employees keep their jobs and the company avoid lawsuits. FYI there is no way you would get a lawsuit on this, she doesn't care what your Counsel says, that is not what they are going to come knocking on the door for.

Paulette Drogan, 215 Faitoute Ave. – Paulette said the Handyman Program was started by her years ago to help seniors with little jobs like putting in air conditions for them when its 90 degrees out, changing light bulbs so they did not have to climb, secure doors and change locks so they feel secure in their homes. It was not meant for shoveling snow or putting in sidewalks. She said Kenilworth should be proud because when the County stopped the Handyman Program Kenilworth was one of the only towns that kept that program. She said what they heck are you doing regarding the Rec Director position? Are you going to find someone who lives and breaths the position, she doesn't think so. Pat helped out with most all senior events like their picnics and was there all the time. She believes its political and she hopes the Council will rethink their decision. Let's get him back.

Motion was made by Councilman Pugliese, seconded by Councilman Zimmerman 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, JANUARY 18, 2023. MAYOR LINDA KARLOVITCH
PRESIDED.**

GENERAL BUSINESS

Councilman Zimmerman said he would like to take another look at the Handbook regarding nepotism, he knows other towns have it, some don't but some have a clearer exception than what we are allowing. Mayor Karlovitch said she would have preferred to look at the clause before we made such drastic and drastic decisions at Re-Org but she is glad to hear that you are willing to look at it again. Councilman Pugliese said we will look at the handbook as it is mandated. He thanked everyone for reminding us why we are here. He said it was drafted when none of us were here, before we were here. Mayor Karlovitch said you knew this policy was in existence last year but you did not choose not to use it but this year its selective enforcement because it only involves one person who was targeted. You have changed the By Laws several times to specifically circumvent and neutralize me as Mayor, you have no problem doing that, you have no problem following the Borough Code because it's not statute yet this one specific thing you are hung up on and you have an out in that clause. She said you did not discuss this aspect last year, you cut the stipend hoping that he would leave, that was your first attack against this person and now this year is another one. She said You probably read the clause and thought great. And then you convinced the rest of the Council that this was a good move. This is not what the people of Kenilworth want, you tried this last year and now again. She said there are other people that will be affected by this clause.. Councilman Scorese wants to avoid a lawsuit well you may get one if you keep on this path. Let's keep people well, we have two more Borough employees leaving, good employees and let's talk about the 11 people who have left in the last 12 months. This person is the face of our community and if we must change the policy lets change the policy.

Councilman Pugliese said he has to follow the Ordinances and policies.

ADJOURNMENT

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

8:35 P.M.

Respectfully submitted



Kathleen Moschitta

Deputy Borough Clerk