

REGULAR COUNCIL MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KENILWORTH HELD ON WEDNESDAY, FEBRUARY 15, 2023. MAYOR LINDA KARLOVITCH PRESIDED.

Meeting Time: 6:50

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, Fred Pugliese, Savino Scorese, John Zimmerman.

FINANCE REPORT

Councilman Pugliese provided updates on the following:

- The Borough received a matching grant of \$327,000.00 from Union County as part of the Kids Recreation Grant Program to rebuild our playgrounds and soccer field.
- The Finance office filed the State Library Aid application.
- Senior Tax Freeze Program
- Anchor Program deadline to file is February 28th
- Finance Committee met last week to exchange ideas.
- CFO met with banks to negotiate better rates.

DEPARTMENT OF PUBLIC WORKS

Councilman Finistrella provided updates on the following:

- DPW report for the month of January
- Employee of the month Marcos Alvarado
- New hire at DPW, Administrator Christopher Burns

DEPARTMENT OF PUBLIC SAFETY

Councilman Zimmerman provided updates on the following:

- January Police Report for 2023
- Re-accreditation Process
- On February 16th the Union County Police Chiefs Association will hold an education session regarding use of force.
- Catalytic converter theft.
- The Safe Place Program

Councilman Zimmerman read public notice regarding collection of feedback for police department accreditation.

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PLANNING AND ZONING AND ORDINANCES

Councilman Mauro provided updates on the following:

- Building Report for January 2023
- Bldg. Dept. turn-around time for permits.
- The Planning Board is currently working on the Master Plan

RECREATION AND FIRE

Councilman Pentz provided updates on the following:

- Recreation Department current and upcoming activities.
- Fire Department Report for January, 2023.
- Fire Department needs a new fire truck and the need to update equipment.

HEALTH, EDUCATION AND HUMAN SERVICES

Councilman Scorese provided updates on the following:

- Senior Center report of activities
- Library report on activities.
- Reported on Kenilworth Board of Education Meeting.
- Board of Health Meeting will be February 16, 2023

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

ORDINANCE 2023-1

Clerk read:

“An ORDINANCE AMENDING THE 2021 REVISED AGREEMENT BETWEEN THE MEMBER MUNICIPALITIES OF THE RAHWAY VALLEY SEWERAGE AUTHORITY”

Motion made by Mauro, seconded by Zimmerman to open the hearing on Ordinance 2023-01. All in favor.

No one wished to speak.

Motion made by Finistrella, seconded by Mauro to close the hearing and adopt Ordinance 2023-01.

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

Clerk noted Ordinance was adopted.

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CONSENT AGENDA

Motion made by Pugliese, seconded by Mauro to approve resolutions 2023-70 through 2023-83 all items will be recorded individually in full in the minutes.

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

RESOLUTION NO. 2023- 70

BE IT RESOLVED, by the Borough of Kenilworth, County of Union, New Jersey, that the attached summary of bills in the total amount of \$2,424,429.84, 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 **February 15, 2023**.

RESOLUTION NO. 2023- 71

WHEREAS, February 3, 2023, on behalf of the Borough of Kenilworth, the Borough Clerk submitted an application to Union County CARE program requesting grant funding in the amount of \$250,000.00 from the Union County CARES Grants to install a 30' by 50' steel pavilion with concrete floor along with lighting and electrical receptacles to be constructed adjacent to existing recreation building and 18 folding picnic tables and hose bib for maintenance; and

WHEREAS, pursuant to the terms of the grant application the Borough of Kenilworth is required to submit a resolution from the Borough Council authorizing submission of the grant application; and

WHEREAS, upon notification of the receipt of a grant award in connection with this application, the Borough desires to accept the grant award and execute a grant agreement governing said award; and

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WHEREAS, upon notification of the receipt of a grant award in connection with this application, the Borough shall submit a copy of the grant agreement to the Borough's Administrative Agent for review, approval, and signature; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF KENILWORTH, NEW JERSEY, THAT:

1. The Mayor and/or her designee and the Borough Clerk, are hereby authorized to submit an application to Union County CARES grant program requesting grant funding in the amount of \$250,000.00 from the Union County CARES Grants to install a 30' by 50' steel pavilion with concrete floor along with lighting and electrical receptacles to be constructed adjacent to existing recreation building and 18 folding picnic tables and hose bib for maintenance.
2. The Borough Council hereby ratifies its authorization of this application from the date of application submission to the date of adoption of this authorizing resolution.
3. Upon notification of the receipt of a grant award in connection with this application, the grant is hereby accepted.
4. Upon notification of the receipt of a grant award in connection with this application, the Mayor and/or her designee and the Borough Clerk are hereby authorized to enter into and execute grant documents with Union County to receive and expend the grant award for improvements to the Kenilworth Senior Center.
5. Upon notification of the receipt of a grant award in connection with this application, the Borough Clerk shall submit a complete copy of the grant agreement and any associated documents as well as a copy of the Certification of Funds for any required matching funds to both the Borough's Administrative Agent for review, approval, and signature.
6. The Borough Clerk shall retain a fully-executed copy of the grant application, the grant award letter, the grant agreement, and a copy of the Certification of Funds for any required matching funds in the Office of Borough Clerk.

STATEMENT

This resolution ratifies and authorizes the Mayor and/or her designee, the Borough Clerk, to submit an application for, accept, and enter in an agreement for grant funding in the amount of \$250,000.00 from the Union County CARES Grants to install a 30' by 50' steel pavilion with concrete floor along with lighting and electrical receptacles to be constructed adjacent to existing recreation building and 18 folding picnic tables and hose bib for maintenance.

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I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **February 15, 2023**.

RESOLUTION NO. 2023- 72

WHEREAS, February 3, 2023, on behalf of the Borough of Kenilworth, the Borough Clerk submitted an application to Union County CARE program requesting grant funding in the amount of \$220,000.00 from the Union County CARES Grants to replace the paver sidewalk in front of Borough Hall with new concrete; and

WHEREAS, pursuant to the terms of the grant application the Borough of Kenilworth is required to submit a resolution from the Borough Council authorizing submission of the grant application; and

WHEREAS, upon notification of the receipt of a grant award in connection with this application, the Borough desires to accept the grant award and execute a grant agreement governing said award; and

WHEREAS, upon notification of the receipt of a grant award in connection with this application, the Borough shall submit a copy of the grant agreement to the Borough's Administrative Agent for review, approval, and signature; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF KENILWORTH, NEW JERSEY, THAT:

7. The Mayor and/or her designee and the Borough Clerk, are hereby authorized to submit an application to Union County CARES grant program requesting grant funding in the amount of \$220,000.00 from the Union County CARES Grants to replace the paver sidewalk in front of Borough Hall with new concrete.
8. The Borough Council hereby ratifies its authorization of this application from the date of application submission to the date of adoption of this authorizing resolution.
9. Upon notification of the receipt of a grant award in connection with this application, the grant is hereby accepted.
10. Upon notification of the receipt of a grant award in connection with this application, the Mayor and/or her designee and the Borough Clerk are hereby authorized to enter into and execute grant documents with Union County to receive and expend the grant award for improvements to the Kenilworth Senior Center.
11. Upon notification of the receipt of a grant award in connection with this application, the Borough Clerk shall submit a complete copy of the grant agreement and any associated

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documents as well as a copy of the Certification of Funds for any required matching funds to both the Borough's Administrative Agent for review, approval, and signature.

12. The Borough Clerk shall retain a fully-executed copy of the grant application, the grant award letter, the grant agreement, and a copy of the Certification of Funds for any required matching funds in the Office of Borough Clerk.

STATEMENT

This resolution ratifies and authorizes the Mayor and/or her designee, the Borough Clerk, to submit an application for, accept, and enter in an agreement for grant funding in the amount of \$220,000.00 from the Union County CARES Grants to replace the paver sidewalk in front of Borough Hall with new concrete.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **February 15, 2023**.

RESOLUTION NO. 2023- 73

WHEREAS, the Borough of Kenilworth has received a proposal from, North Jersey Friendship House on December 20, 2022, for a one (1) year period beginning January 1, 2023 for an annual cost of \$45,506.00 (forty-five thousand, five hundred six dollars) to be paid monthly at a rate of \$3,792.17.

WHEREAS, in accordance with N.J.S.A. 40A:11-1 et seq "Local Public Contract Law" any contract that exceeds the bid threshold may be negotiated and awarded by the Governing Body without public advertising for bids or bidding therefore and shall be awarded by resolution of the Governing Body if the work is performed by persons employed by a sheltered workshop; and

WHEREAS, the proposal was referred to the Qualified Purchasing Agent (QPA) for review and approved; and

WHEREAS, after review of the agreement it was determined that North Jersey Friendship House is qualified to perform the services based upon the following:

1. North Jersey Friendship House has been issued a "Sheltered Workshop Certificate" by the State of New Jersey Dept. of Labor; and
2. North Jersey Friendship House is performing similar work throughout the State of New Jersey in many communities; and
3. The proposed cost for providing these services reviewed by the Qualified Purchasing Agent and will remain unchanged throughout the duration of the contract; and
4. Entering into this agreement will ensure uninterrupted and satisfactory services are provided; and
5. North Jersey Friendship House has experience with other municipalities; and

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6. The Qualified Purchasing Agent has examined the proposal and determined that it is equal to what could have been obtained under the bidding process.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Kenilworth, County of Union, State of New Jersey, hereby authorizes execution of the aforementioned Agreement with North Jersey Friendship House for the duration and rates indicated herein.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **February 15, 2023**.

RESOLUTION NO. 2023- 74

WHEREAS, Matthew May, 633 Clinton Avenue, Kenilworth, NJ 07033 requested to have the Borough of Kenilworth pick up and dispose of bulk items from his property; and

WHEREAS, Matthew May paid the required fee of \$105.00 set forth in Article I Section 91-1(b) of the Borough Municipal Code; and

WHEREAS, the bulk items was taken from her property before the Borough was able to pick it up; and

WHEREAS, Matthew May made a request for a refund of her \$105.00 payment; and

WHEREAS, it is the determination of the Borough that the fee was found not to be used and that Matthew May should receive a refund of his \$105.00 payment.

NOW, THEREFORE BE IT RESOLVED by the Borough of Kenilworth that:

1. The Treasurer be authorized to issue a refund check in the amount of One Hundred Five Dollars and Zero Cents (\$105.00) made payable to the order of Matthew May, 633 Clinton Avenue, Kenilworth, NJ 07033.
2. The Treasurer is authorized to make the appropriate entries to reflect that the refund was issued.
3. The Chief Financial Officer has certified that sufficient uncommitted funds are available in the 2023 Borough of Kenilworth Temporary Budget to fund the payment of the refund and the fund to be charged shall be 3-01-53-936-002.

4.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **February 15, 2023**.

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RESOLUTION NO. 2023- 75

BE IT RESOLVED, by the Borough Council of the Borough of Kenilworth, County of Union, State of New Jersey, as follows:

1. The Borough of Kenilworth hereby resolves to terminate its participation in the State Employee Prescription Drug Plan thereby canceling prescription drug coverage provided by the SHBP (N.J.S.A. 52:14-17.25 et seq.) for all its retired employees because they are already covered by another plan.
2. The Borough of Kenilworth shall notify all retired employees of the date of their termination of coverage under the program.
3. The Borough of Kenilworth must notify all participants in the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA).
4. This Resolution shall take effect the first of the month following a 60-day period beginning with the receipt of the resolution by the Health Benefits Bureau.
5. This plan must be comparable in design, as determine by the Commission, to the State Employee Prescription Drug Plan. All Medicare Part D Plans must be Employer Group Wrap Plans (EGWP).

BE IT FURTHER RESOLVED, that this resolution authorizes the execution of the Retired RX Resolution and the Borough will take any and all action required to effectuate the purpose 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 **February 15, 2023**.

RESOLUTION NO. 2023- 76

WHEREAS, there exists the need for the appointment of a Tax Appeal Attorney for the Borough of Kenilworth (the “Borough”) for the year of 2023, and the Borough issued Requests for Proposals (“RFP”) for the position that were due December 8, 2022 at 10:00 A.M., pursuant to a fair and open process under N.J.S.A. 19:44A-20.5 and in accordance with Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, after responses were received and pursuant to Borough Code, the Mayor nominated a respondent to the RFP for appointment, which the Council subsequently struck down and did not confirm; and

WHEREAS, the governing body now wishes to appoint the firm Triarsi, Betancourt, Wukovits & Dugan, LLC, who submitted a proposal for the position in a timely manner and was deemed qualified, price and other factors considered, as Tax Appeal Attorney to the Borough for an amount not to exceed \$25,000.00; and

WHEREAS, N.J.S.A. 19:44A-20.5 provides that contracts awarded through fair and open process may be awarded based on price and other factors; and

WHEREAS, a Certification of availability of funds has been received from the Chief Financial Officer or that such funds will be encumbered by Purchase Order on an as-needed basis pursuant to the provisions of N.J.A.C. 5:30-5.4 et seq.; and

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WHEREAS, the firm Triarsi, Betancourt, Wukovits & Dugan, LLC shall perform all services as 2023 Tax Appeal Attorney of the Borough consistent with their response submitted to the Request for Proposals (“RFP”).

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 Triarsi, Betancourt, Wukovits & Dugan, LLC be and is hereby appointed to the position of Tax Appeal Attorney of the Borough, effective January 1, 2023, for a term of one (1) year set to expire December 31, 2023; and

BE IT FURTHER RESOLVED, that the Mayor and/or her designee shall be hereby authorized and directed to execute a professional services agreement for the services of Triarsi, Betancourt, Wukovits & Dugan, LLC with a total contract amount not to exceed \$25,000.00. Said agreement is awarded in compliance with rules and restrictions of N.J.S.A. 19:44A-20.5; and

BE IT FURTHER RESOLVED, that notice of this appointment shall 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; and

BE IT FURTHER RESOLVED, that this contract is hereby ratified from January 1, 2023 to the date of adoption 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 **February 15, 2023**.

RESOLUTION NO. 2023- 77

WHEREAS, a vacancy exists in the position of Administrative Assistant within the Department of Public Works; and

WHEREAS, to continue the efficient operation and management of the Department of Public Works, interviews were conducted for a qualified professional; and

WHEREAS, it is the recommendation of the interview panel, the Superintendent of Public Works, and the Administrative Officer that **Christopher Burns** be appointed Administrative Assistant; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Kenilworth, County of Union, State of New Jersey, as follows:

1. Effective February 21, 2023 **Christopher Burns** be appointed **Administrative Assistant** at a rate of \$45,000 per annum, scheduled to work thirty-five (35) hours per week, 7:30am to 3:30 pm Monday through Friday.
2. As a full-time employee, Christopher Burns be eligible for the Borough full-time employee benefits including medical, dental, vision and prescription plans with employee contributions subject to Chapter 78.
3. As a full-time employee, Christopher Burns will be entitled to two (2) weeks vacation, two (2) personal days, and five (5) sick days per year as well as the observed paid holidays of the Borough.

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4. That as of September 1, 2018, full time employees not otherwise covered by a collective bargaining agreement or under the auspices of an autonomous/quasi-autonomous are eligible to receive a \$1,000.00 per annum, prorata, deduction from their predetermined annual health care premium contribution and in accordance with New Jersey State Statute, Chapter 2, P.L. 2010 which sets minimum contribution of 1.5% of salary towards the health benefits costs.
5. This offer of employment is contingent upon successful completion of medical release, criminal and background checks. This position is also subject to a six (6) month probationary period which will begin on the first date of employment.

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 Temporary 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 **February 15, 2023**.

RESOLUTION NO. 2023- 78

WHEREAS, a vacancy exists in the position of Senior Clerk within the Clerk's Office; and

WHEREAS, to continue the efficient operation and management of the Clerk's Office, interviews were conducted for a qualified professional; and

WHEREAS, it is the recommendation of the interview panel and the Borough Clerk / Administrative Officer that **Mary M. Couzzi** be appointed Senior Clerk; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Kenilworth, County of Union, State of New Jersey, as follows:

1. Effective February 27, 2023 **Mary M. Couzzi** be appointed **Senior Clerk** at a rate of \$45,000 per annum, scheduled to work thirty-five (35) hours per week, 8:30am to 4:30 pm Monday through Friday.
2. As a full-time employee, Mary M. Couzzi will be eligible for the Borough full-time employee benefits including medical, dental, vision and prescription plans with employee contributions subject to Chapter 78.
3. As a full-time employee, Mary M. Couzzi will be entitled to two (2) weeks vacation, two (2) personal days, and five (5) sick days per year as well as the observed paid holidays of the Borough.
4. That as of September 1, 2018, full time employees not otherwise covered by a collective bargaining agreement or under the auspices of an autonomous/quasi-autonomous are eligible to receive a \$1,000.00 per annum, prorata, deduction from their predetermined annual health care premium contribution and in accordance with New Jersey State Statute, Chapter 2, P.L. 2010 which sets minimum contribution of 1.5% of salary towards the health benefits costs.
5. This offer of employment is contingent upon successful completion of medical release, criminal and background checks. This position is also subject to a six (6) month probationary period which will begin on the first date of employment.

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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 Temporary 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 **February 15, 2023**.

RESOLUTION NO. 2023- 79

WHEREAS, a vacancy exists in the position of Code Enforcement Officer within the Construction Department; and

WHEREAS, to continue the efficient operation and management of the Construction Department, interviews were conducted for a qualified professional; and

WHEREAS, it is the recommendation of the interview panel, the Construction Official, and the Administrative Officer that **Edward Grueber** be appointed Code Enforcement Officer; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Kenilworth, County of Union, State of New Jersey, as follows:

1. Effective February 21, 2023 **Edward Grueber** be appointed **Code Enforcement Officer** at a rate of \$12,000 per annum, scheduled to work a minimum of six (6) hours per week.
2. This offer of employment is contingent upon successful completion of medical release, criminal and background checks. This position is also subject to a six (6) month probationary period which will begin on the first date of employment.

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 Temporary 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 **February 15, 2023**.

RESOLUTION NO. 2023- 80

WHEREAS, a vacancy exists in the position of Part-Time Health Department Secretary; and

WHEREAS, it is the recommendation of Board of Health of the Borough of Kenilworth that **Li'Ani Miller** be appointed Part-Time Health Department Secretary; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Kenilworth, County of Union, State of New Jersey, as follows:

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1. Effective March 1, 2023 **Li'Ani Miller** be appointed **Part-Time Health Department Secretary** at a rate of \$16.00 per hour, scheduled to work twenty (20) hours per week, 8:30 am to 12:30 pm Monday through Friday.
2. In addition to the employment as Health Department Secretary and all the responsibilities that it entails, upon gaining the credential of Certified Municipal Registrar (CMR), Li'Ani Miller is to then receive a \$2.00 increase in wages per hour.
3. This offer of employment is contingent upon successful completion of medical release, criminal and background checks. This position is also subject to a six (6) month probationary period which will begin on the first date of employment.

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 Temporary 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 **February 15, 2023**.

RESOLUTION NO. 2023- 81

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; and

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

WHEREAS, reimbursements payments made to Scott Philips for the period January 1, 2022 through December 31, 2022 did not reflect the IRMAA portion of Medicare Part B paid by Scott Philips. The Borough wishes to make this correction.

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

1. Mr. Scott Philips be reimbursed for the remaining portion of Medicare Part B payments inclusive of the IRMAA portion, from January 1, 2022 through December 31, 2022 in the amount of \$3,717.20.

Total Medicare Part B payments made by Mr. Philips in 2022:	\$5,758.40
<u>Amount previous reimbursed to Mr. Philips for 2022:</u>	<u>\$2,041.20</u>
Remaining portion of the Medicare Part B Payments:	\$3,717.20

2. In accordance with N.J.S.A. § 52:14-17.38(b), and State of New Jersey having been duly audited and found to be correct, are hereby ordered paid, and that warrants be drawn for the necessary

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obligations by the Chief Finance Officer (CFO) prior to the next regularly scheduled Council Meeting.

3. 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.
4. 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 **February 15, 2023**.

RESOLUTION NO. 2023- 82

WHEREAS, Borough Ordinance 2021-16 addresses the salary range for Borough of Kenilworth Police Dispatchers; and

WHEREAS, the Borough wishes to increase the Dispatcher Salary Schedule effective January 1, 2023.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Kenilworth, County of Union, State of New Jersey, that effective January 1, 2023, the dispatcher salary schedule be updated as follows:

	<u>Salary</u>
Starting / Beginning Salary	\$ 34,272.00
Step 1 / at First Year Anniversary Date	\$ 37,944.00
Step 2 / at Year 2 Anniversary Date	\$ 41,616.00
Step 3 / at Year 3 Anniversary Date	\$ 45,288.00
Step 4 / at Year 4 or More Anniversary Date	\$ 48,960.00

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 Temporary 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 **February 15, 2023**.

RESOLUTION NO. 2023- 83

WHEREAS the Borough of Kenilworth is in need of an Electrical Subcode Official; and

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WHEREAS, the Construction Code Official has recommended that **Dave Greenhill** be appointed to the position of Electrical Subcode Official at a rate of \$50.00 per hour not to exceed six (6) hours per week; and

WHEREAS Dave Greenhill is qualified to hold that position; and

WHEREAS N.J.S.A 52:27D-126b requires the hiring of a subcode official for a term of four (4) years.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Kenilworth, County of Union, State of New Jersey, as follows:

1. Effective February 20, 2023, **Dave Greenhill** be appointed **Electrical Subcode Official** at a rate of \$50.00 per hour, not to exceed six (6) hours per week.
2. This appointment shall be for a four (4) year term, effective February 20, 2023.

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 Temporary 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 **February 15, 2023**.

ORDINANCES FOR INTRODUCTION

The Clerk read the following:

ORDINANCE 2023-03 - AN ORDINANCE RATIFYING AND AUTHORIZING A LEASE AGREEMENT BETWEEN THE BOROUGH OF KENILWORTH AND UNION BAPTIST CHURCH TO LEASE THE PAPER PORTION OF N. 13TH STREET NORTH OF ITS INTERSECTION WITH SHERIDAN AVENUE, AS A PARKING LOT, FOR A PERIOD OF 25 YEARS FROM JULY 1, 2022 THROUGH JUNE 30, 2047, PURSUANT TO N.J.S.A. 40A:12-14(C), FOR THE NOMINAL CONSIDERATION OF \$1.00.

Motion made by Mauro, seconded by Scorese to approve the introduction of Ordinance No. 2023-03. Roll Call: Finistrella voted yes, Mauro voted yes, Pentz voted yes, Pugliese voted yes, Scorese voted yes, and Zimmerman voted yes.

Mayor Karlovitch asked the Borough Attorney to explain the nature of the next four ordinances.

The Borough Attorney explained the ordinances and read a schedule outlining the process.

The Clerk read the following statement:

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 **March 15, 2023 at 6:00 PM** 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 a notice of its
02152023

REGULAR COUNCIL MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KENILWORTH HELD ON WEDNESDAY, FEBRUARY 15, 2023. MAYOR LINDA KARLOVITCH PRESIDED.

introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

ORDINANCE 2023-4 AN ORDINANCE AUTHORIZING THE SALE OF CERTAIN LAND IN THE BOROUGH OF KENILWORTH TO BE SOLD AT PRIVATE SALE IN ACCORDANCE WITH N.J.S.A. 40A:12-13(b)(5)

Motion made by Zimmerman, seconded by Pentz to approve the introduction of Ordinance No. 2023-04. Roll Call: Finistrella voted yes, Mauro voted yes, Pentz voted yes, Pugliese voted yes, Scorese voted yes, and Zimmerman voted yes.

The Clerk read the following statement:

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 **March 15, 2023 at 6:00 PM** 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 a notice of its introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

The Clerk read the following:

ORDINANCE 2023-5 AN ORDINANCE AUTHORIZING THE SALE OF CERTAIN LAND IN THE BOROUGH OF KENILWORTH TO BE SOLD AT PRIVATE SALE IN ACCORDANCE WITH N.J.S.A. 40A:12-13(b)(5)

Motion made by Pentz, seconded by Scorese to approve the introduction of Ordinance No. 2023-05. Roll Call: Finistrella voted yes, Mauro voted yes, Pentz voted yes, Pugliese voted yes, Scorese voted yes and Zimmerman voted yes.

The Clerk read the following statement:

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 **March 15, 2023 at 6:00 PM** 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 a notice of its introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

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The Clerk read the following:

ORDINANCE 2023-6 AN ORDINANCE AUTHORIZING THE SALE OF CERTAIN LAND IN THE BOROUGH OF KENILWORTH TO BE SOLD AT PRIVATE SALE IN ACCORDANCE WITH N.J.S.A. 40A:12-13(b)(5)

Motion made by Mauro, seconded by Pugliese to approve the introduction of Ordinance No. 2023-06. Roll Call: Finistrella voted yes, Mauro voted yes, Pentz voted yes, Pugliese voted yes, Scorese voted yes and Zimmerman voted yes.

The Clerk read the following statement:

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 **March 15, 2023 at 6:00 PM** 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 a notice of its introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

ORDINANCE 2023-7 AN ORDINANCE AUTHORIZING THE SALE OF CERTAIN LAND IN THE BOROUGH OF KENILWORTH TO BE SOLD AT PRIVATE SALE IN ACCORDANCE WITH N.J.S.A. 40A:12-13(b)(5)

Councilman Mauro said this lot is not land locked and asked the Borough Attorney if changes anything. The Borough Attorney responded.

Motion made by Mauro, seconded by Pugliese to approve the introduction of Ordinance No. 2023-07. Roll Call: Finistrella voted yes, Mauro voted yes, Pentz voted yes, Pugliese voted yes, Scorese voted yes and Zimmerman voted yes.

The Clerk read the following statement:

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 **March 15, 2023 at 6:00 PM** 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 a notice of its introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

MEETING OPENED TO THE PUBLIC

Motion made by Pugliese, seconded by Mauro to open the meeting to the public.
All in favor.

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PRESIDED.**

Lorraine Ruiz, Library Director read a list of all programs sponsored by the library and reported on the updated Code of Conduct for the library. Lorraine thanked the Police chief for his suggestion for police presence for the afternoon sessions which sometimes can be unruly and also for his assistance when employees are leaving the building at night. Chief Soos responded.

Nicole Bellino accompanied by her son Joseph Bellino – Spoke on behalf of the former Recreation Director and asked if the Council was going to address whether the clause in the handbook was going to affect all other department? The Borough Attorney and Councilman Pugliese responded and a discussion followed.

Roz Dreydopple - Ms. Dreydopple asked the council to stop with the he said, she said and try to work together.

Councilman Scorese said he will wait for the Labor Attorney to be present to discuss the nepotism clause.

Nancy Zimmerman – 35 North 7th Street – Mrs. Zimmerman spoke in support of Councilman Zimmerman and highlighted all the good that he has done over the years for the Borough.

Nina Vera, 739 Kingston Avenue – Mrs. Vera asked if the three-minute rule was still in affect? The Borough Attorney responded. Mrs. Vera asked the mayor if the appointments were discussed with her and the mayor responded no.

Motion made by Pugliese seconded by Pentz to close the meeting to the public. All in favor.

GENERAL BUSINESS

Mayor Karlovitch made a statement in response to the public comments regarding dispatchers and comments made by Mrs. Zimmerman.

Councilman Pugliese spoke about working together as a Governing Body.

Councilman Zimmerman agreed the Council should all work together.

ADJOURNMENT

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

8:35 P.M.

Respectfully submitted.

Kathleen Moschitta

REGULAR COUNCIL MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF
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PRESIDED.

Deputy Borough Clerk