

**REGULAR COUNCIL MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF  
KENILWORTH HELD ON WEDNESDAY, MAY 17, 2023. MAYOR LINDA KARLOVITCH PRESIDED.**

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.

Motion made by Mauro, seconded by Pentz to go into Executive Session to discuss the personnel DPW position. All in favor.

Mayor Karlovitch read the following proclamation honoring National Police Week 2023 and presented the Proclamation to Police Chief Soos. Chief Soos stated he appreciates the support from the Mayor and Council and said it is an honor and a privilege.

# Proclamation

To recognize National Police Week 2023 and to honor the service and sacrifice of those law enforcement officers killed in the line of duty while protecting our communities and safeguarding our democracy.

**WHEREAS** there are more than 800,000 law enforcement officers serving in communities across the United States, including the dedicated members of the Kenilworth Police Department; and

**WHEREAS**, since the first recorded death in 1786, more than 23,785 law enforcement officers in the United States have made the ultimate sacrifice and been killed in the line of duty; and

**WHEREAS**, the names of these dedicated public servants are engraved on the walls of the National Law Enforcement Officers Memorial in Washington, DC and 556 new names of fallen heroes are being added to the National Law Enforcement Officers Memorial this spring, including 224 officers killed in 2022 and 332 officers killed in previous years.

**WHEREAS** the service and sacrifice of all officers killed in the line of duty will be honored during the virtual National Law Enforcement Officers Memorial Fund's 35<sup>th</sup> Annual Candlelight Vigil, on the evening of May 13, 2023. The Candlelight Vigil is part of National Police Week, which takes place this year on May 9<sup>th</sup> through 20<sup>th</sup> ; and

**WHEREAS** May 15 is designated as Peace Officers Memorial Day, in honor of all fallen officers and their families and U.S. flags should be flown at half-staff;

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**THEREFORE, BE IT RESOLVED** that the Kenilworth Borough Council formally designates May 9 - 20, 2021, as Police Week in the Borough of Kenilworth, and publicly salutes the service of law enforcement officers in our community and in communities across the nation.

**IN WITNESS WHEREOF,** I have hereunto set my hand this 17th day of May 2023.

Mayor Karlovitch said On June 3<sup>rd</sup> at 10:15 we will be raising the pride flag which will be right after the Fishing Derby. There will be refreshments, and everyone is welcome. t

**REPORT OF COMMITTEES**

**FINANCE REPORT**

Councilman Pugliese provided updates on the following:

- The 2023 budget will be introduced tonight. The two main hurdles we had to deal with are the increase in group health insurance and the Merck Tax Appeal. We will provide more information in a month when the budget will be scheduled for hearing and adoption.

**DEPARTMENT OF PUBLIC WORKS**

Councilman Finistrella provided updates on the following:

- DPW report for the Month of April
- The DPW is open the first Saturday of each month from 7AM to noon, the next Saturday is June 3<sup>rd</sup>. Bulk pick-up for north side will be June 5<sup>th</sup> to June 9<sup>th</sup> and for south side from June 12<sup>th</sup> to June 16<sup>th</sup>.
- The DPW will set up for the Street Fair this Sunday May 21<sup>st</sup>.

**DEPARTMENT OF PUBLIC SAFETY**

Councilman Zimmerman provided updates on the following:

- The Street Fair is this Sunday, 10 to 4PM. The Boulevard will be shut down between 14<sup>th</sup> Street and 23<sup>rd</sup> Street.
- Chief Soos and two officers participated in the Law Enforcement bike ride from Kenilworth to Washington DC which raised money for the Fallen.
- Kenilworth PD will participate in the Torch Run for Special Olympics on June 9<sup>th</sup>.
- The PBA will sponsor the Fishing Derby on June 3<sup>rd</sup> at Blackbrook Park.
- Police Monthly Report
- Chief Soos and the Public Safety Committee will interview candidates on May 22<sup>nd</sup> to fill the vacancy left by the retirement of Officer Devlin.
- The Every Fifteen Minutes Program will be held on May 23<sup>rd</sup>.

**PLANNING AND ZONING AND ORDINANCES**

Councilman Mauro provided updates on the following:

- Complaints have gone up and violations have gone down in the Building Department.

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- The Planning Board had a marathon meeting, residents voiced their concerns and applications were approved.

RECREATION AND FIRE

Councilman Pentz provided updates on the following:

- Fire Department report for April
- Recreation: Mother's Day craft, Summer Camp has 839 registrants over an 8-week period, Middle School track and Field had its first meet.
- There have been a lot of complaints of littering in both parks.

HEALTH, EDUCATION AND HUMAN SERVICES

Councilman Scorese provided updates on the following:

- The Board of Health has a Shared Service Agreement with the Township of Union for a Registered Environmental Health Services. The term ends December 31, 2023. The Board approved 26 vendors for this week's Street Fair.
- Report of Library events. All information on the website or call 908-276-2451. The library still has phone issues.
- The Board of Education rejected 7 bids for the HVAC at the schools because they exceeded the referendum funds and cost estimates of their construction manager. The BOE approved the use of the loop for the Borough's Street Fair. The Board entered a shared member agreement to try and recruit educators to add diversity to the faculty. There is a national shortage of bus drivers and the BOE is supporting a bill to allow people to drive a school bus without a commercial driver's license.
- The Senior policies and procedures are still being reviewed. Report on Senior Center activities. The Senior Center kitchen is being redone.

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

**ORDINANCE 2023-11 – PUBLIC HEARING AND FINAL ADOPTION**

**Clerk read "AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 120, "LAND USE, PART 3 "ZONING" OF THE CODE OF THE BOROUGH OF KENILWORTH"**

Motion made by Zimmerman, seconded by Scorese to open the hearing on Ordinance 2023-11. All in favor.

No one wished to speak.

Motion made by Zimmerman, seconded by Scorese to close the hearing and adopt Ordinance 2023-11. All in favor. Roll Call: Councilman Finistrella voted yes, Councilman Mauro voted yes, Councilman Pentz voted yes, Councilman Pugliese voted yes, Councilman Scorese voted yes, Councilman Zimmerman voted yes.

Clerk noted Ordinance 2023-11 is adopted.

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ORDINANCE 2023-12

Clerk read "CALENDAR YEAR 2023 ORDINANCE TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)"

**Motion made by Pugliese, seconded by Pentz to approve Ordinance 2023-12 for introduction.**

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

Clerk noted Ordinance 2023-12 is adopted.

INTRODUCTION OF THE 2023 MUNICIPAL BUDGET

RESOLUTION #2023-140

Approval of the 2023 Municipal budget for introduction and establishing June 21, 2023 as date of public hearing and final adoption.

**Motion made by Pugliese, seconded by Mauro to approve the 2023 proposed Municipal Budget for introduction.**

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

A copy of this resolution will be published in the May 25, 2023, edition of the Local Source. The second reading and adoption will take place at the Council meeting on June 21, 2023, at which time the public may comment.

Motion made by Mauro, seconded by Scorese to pull resolution 2023-145 from the agenda. All in favor.

CONSENT AGENDA

Motion made by Mauro, seconded by Zimmerman to approve resolutions 2023-141 through 2023-146, excluding resolution 2023-145. 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. 2023-141

**BE IT RESOLVED**, by the Borough of Kenilworth, County of Union, New Jersey, that the attached summary of bills in the total amount of \$2,407,909.07, 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.

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**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 **May 17, 2023**.

**RESOLUTION NO. 2023-142**

**BE IT RESOLVED** that the following individual be appointed on the Kenilworth Volunteer Fire Department;

<b><u>Name</u></b>	<b><u>Appointment</u></b>
Jack Toledo	Probationary Firefighter/EMT
Sara Rivera	Probationary Firefighter/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 **May 17, 2023**.

**RESOLUTION NO. 2023-143**

**WHEREAS**, on January 18, 2023, the Borough of Kenilworth Municipal Council adopted Resolution 2023-54, appointing Apruzzese, McDermott, Mastro & Murphy, PC as Labor Attorney for the Borough; and

**WHEREAS** Resolution 2023-54 contained a Not to Exceed amount of \$20,000.00; and

**WHEREAS** the Borough wishes to amend Resolution 2023-54 to increase the Not to Exceed amount to \$75,000.00.

**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 2023-54 is hereby amended to increase the maximum contract amount to \$75,000.00.
2. A copy of this resolution shall be kept on file in the Borough Clerk's Office.
3. This resolution shall be ratified back to January 18, 2023.

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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 **May 17, 2023**.

**RESOLUTION NO. 2023-144**

**WHEREAS**, on April 5, 2023, the Borough of Kenilworth Municipal Council adopted Resolution 2023-103, appointing Mary Ann Gasper to the Library Board of Trustees; and

**WHEREAS** Resolution 2023-103 contained a typographical error which referenced the appointment as the mayor's designee; and

**WHEREAS** the Borough wishes to amend Resolution 2023-103 to replace any reference to the "Mayor's designee" with "regular member".

**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 2023-103 is hereby amended to correct the error as follows:

**Mary Ann Gasper** be appointed to fill the unexpired vacancy as a Regular Member of the Library Board of Trustees for a term expiring 12/31/25, be and the same is hereby confirmed.

2. A copy of this resolution shall be kept on file in the Borough Clerk's Office.

3. This resolution shall be ratified back to April 5, 2023.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **May 17, 2023**.

**RESOLUTION NO. 2023-146**

**WHEREAS** Ordinance 2019-04 established the Senior Handyman Program ("Program") for the Borough of Kenilworth; and

**WHEREAS** the Senior Handyman Oversight Committee shall annually review the Program and provide updated guidelines including eligible services and/or repairs which must be adopted by the governing body prior to dissemination.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Kenilworth, County of Union, State of New Jersey, that the Mayor and the Municipal Council approve and hereby adopt the updated guidelines and application for the Senior Handyman Program, a copy of which is attached hereto.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **May 17, 2023**.

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**Motion made by Mauro, seconded by Zimmerman to pull Ordinance 2023-13 for introduction.**

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

**Mayor Karlovitch nominated Gregory Budesheim for Superintendent of Public Works.**

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

**MEETING OPENED TO THE PUBLIC**

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

Darlene Candarella, 320 North 21<sup>st</sup> St. – Darlene reported on the renovation of the kitchen at the Senior Center and senior center activities. June 9<sup>th</sup> will be free lunch at the Senior Center.

Paulette Drogon – Paulette asked about the senior situation regarding insurance. The Borough Attorney stated the Borough received communication from the insurance fund which the Borough needs to address. He said they will have something more substantial at the next meeting that is going to address and accommodate what our insurance carriers require. He said there are certain issues that need to be addressed from a liability standpoint.

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

**GENERAL BUSINESS**

Councilman Zimmerman said the weather will be nice on Sunday and gave information on the Street Fair and Car Show. Councilman Finistrella wished everyone a Happy Memorial Day. The mayor reminded everyone about pride flag ceremony on June 3, 2023 at 10:15.

**ADJOURNMENT**

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

7:30 P.M.

Respectfully submitted.

Kathleen Moschitta  
Deputy Borough Clerk