

RESOLUTION

No. 1

KENILWORTH, N.J.

JANUARY 3, 2022

Introduced by: _____

Seconded by: _____

CONSENT AGENDA

BE IT THEREBY RESOLVED: that the following Council Committees are designated as follows:

Dept. of Finance

Chairman Pugliese, Councilman David, Councilman Finistrella

Dept. of Public Works

Chairman David, Councilman Pugliese, Councilman Zimmerman

Dept. of Public Safety

Chairman Zimmerman, Councilman Pentz, Councilman Pugliese

Dept. of Planning, Zoning & Ordinance

Chairman Finistrella, Councilwoman Ceceri, Councilman Pentz

Dept. of Recreation & Fire

Chairman Pentz, Councilwoman Ceceri, Councilman Zimmerman

Dept. of Education, Health & Human Services

Chairwoman Ceceri, Councilman David, Councilman Finistrella

Approved: _____

Linda Karlovitch
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David			✓			
Councilman Joseph Finistrella			✓			
Councilman Scott Pentz			✓			
Councilman Fred Pugliese	✓		✓			
Councilman John Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes	✓	No			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 3, 2022.

Laura Reinertsen
Laura Reinertsen, Borough Clerk

RESOLUTION

No. 4

KENILWORTH, N.J.

JANUARY 3, 2022

Introduced by: _____

Seconded by: _____

CONSENT AGENDA

WHEREAS, the firm Rogut McCarthy, LLC was responsive to the Request for Proposals (hereinafter, "RFP") due December 1, 2021 at 10:00 a.m. for the position of 2022 Bond Counsel; and,

WHEREAS, Mayor Karlovitch has filed her appointment of Rogut McCarthy, LLC as Bond Counsel of the Borough of Kenilworth (hereinafter, the "Borough") for the year 2022; and,

WHEREAS, Rogut McCarthy, LLC shall perform all services as Bond Counsel of the Borough consistent with the response submitted by said firm.

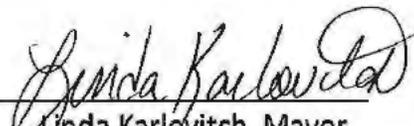
NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Kenilworth, County of Union, State of New Jersey that the firm Rogut McCarthy, LLC be and is hereby appointed to the position of Bond Counsel of the Borough of Kenilworth effective immediately for a term set to expire December 31, 2022 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.

BE IT FURTHER RESOLVED that the professional service agreement shall set forth hourly rates as submitted by the firm for other services rendered not otherwise contractually specified:

Service	Hourly Rate
Partners	\$150
Of Counsels	\$125
Associates	\$100

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.

Approved: 
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			/			
Councilman Mark David			/			
Councilman Joseph Finistrella			/			
Councilman Scott Pentz			/			
Councilman Fred Pugliese	/		/			
Councilman John Zimmerman			/			
Mayor Linda Karlovitch			/			
ON CONSENT AGENDA		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 3, 2022.


Laura Reinertsen, Borough Clerk

RESOLUTION

No. 5

KENILWORTH, N.J.

JANUARY 3, 2022

Introduced by: _____

Seconded by: _____

CONSENT AGENDA

WHEREAS, N.J.S.A. 40A:5-4 requires the Borough of Kenilworth (hereinafter, the "Borough") to cause to have an annual audit of its books, accounts and financial transactions be made for the fiscal (calendar) year ending December 31, 2022; and,

WHEREAS, the above captioned statute requires the Borough to employ a Registered Municipal Accountant of New Jersey to perform said annual audit; and,

WHEREAS, the funds for the purpose of performing said audit are available; and,

WHEREAS, the firm Suplee, Clooney & Company CPAs was responsive to the Request for Proposals (RFP) due December 1, 2021 at 10:00 a.m. for the position of 2022 Auditor; and,

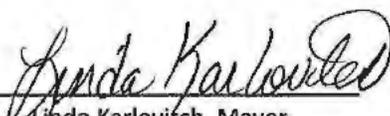
WHEREAS, Mayor Karlovitch has filed her appointment of Suplee, Clooney & Company CPAs as Auditor of the Borough for the year 2022; and,

WHEREAS, Suplee, Clooney & Company CPAs shall perform all services as Auditor 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 Suplee, Clooney & Company CPAs be and is hereby appointed to the position of Auditor of the Borough of Kenilworth effective immediately for a term set to expire December 31, 2022 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

BE IT FURTHER RESOLVED that a 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.

Approved: 
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri				✓		
Councilman Mark David				✓		
Councilman Joseph Finistrella				✓		
Councilman Scott Pentz				✓		
Councilman Fred Pugliese				✓		
Councilman John Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes	✓	No			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 3, 2022.


Laura Reinertsen, Borough Clerk

RESOLUTION

No. 6

KENILWORTH, N.J.

JANUARY 3, 2022

Introduced by: _____

Seconded by: _____

ON CONSENT AGENDA

WHEREAS, the firm Harbor Consultants, Inc. was responsive to the Request for Proposals (hereinafter, "RFP") due December 1, 2021 at 10:00 a.m. for the position of 2022 Borough Engineer

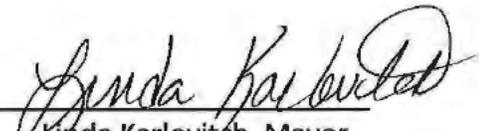
WHEREAS, Mayor Karlovitch has filed her appointment of Harbor Consultants, Inc as Borough Engineer of the Borough of Kenilworth (hereinafter, the "Borough") for the year 2022; and,

WHEREAS, the firm Harbor Consultants, Inc shall perform all services as 2022 Borough Engineer 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 Harbor Consultants, Inc be and is hereby appointed to the position of Borough Engineer effective immediately for a term set to expire December 31, 2022 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.

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.

Approved: 
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			/			
Councilman Mark David			/			
Councilman Joseph Finistrella			/			
Councilman Scott Pentz			/			
Councilman Fred Pugliese	/		/			
Councilman John Zimmerman		/	/			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes	/	No			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 3, 2022.


Laura Reinertsen, Borough Clerk

RESOLUTION

No. 7

KENILWORTH, N.J.

JANUARY 3, 2022

Introduced by: _____

Seconded by: _____

CONSENT AGENDA

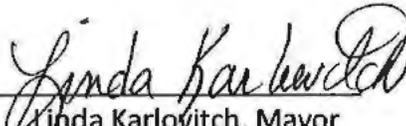
Whereas, the Planning Board is an autonomous statutory board that is coordinated under the Division of Planning and Zoning in the Department of Planning and Engineering; and

Whereas, the Borough of Kenilworth has identified a need for planning board attorney for 2022 as required by NJSA 40:55D-25; and

Whereas, the Mayor and Council of the Borough of Kenilworth set the Planning Board Attorney rates for the Year 2022 at \$12,000.00 per annum and an hourly rate of \$145.00 for litigation, or any other matter directed by the Planning Board, be and the same is hereby confirmed.

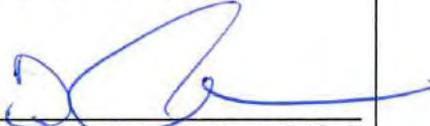
Now Therefore Be It Resolved, that upon confirmation of appointment by the Planning Board, the Planning Board Chairman is authorized to execute an agreement with the Planning Board Attorney on behalf of the Planning Board.

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

Approved: 
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Celeri			/			
Councilman Mark David			/			
Councilman Joseph Finistrella			/			
Councilman Scott Pentz			/			
Councilman Fred Pugliese	/		/			
Councilman John Zimmerman		/	/			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>				

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 3, 2022.


Laura Reinertsen, Borough Clerk

RESOLUTION

No. 8

KENILWORTH, N.J.

JANUARY 3, 2022

Introduced by: _____

Seconded by: _____

Whereas, the Planning Board is an autonomous statutory board that is coordinated under the Division of Planning and Zoning in the Department of Planning and Engineering; and

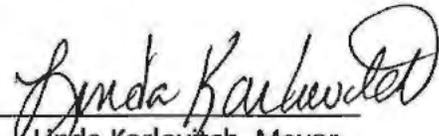
Whereas, the Borough of Kenilworth has identified a need for planning board planner for 2022 as required by NJSA 40:55D-25; and

Whereas, the Mayor and Council of the Borough of Kenilworth set the Planning Board Planner rates for the Year 2022 at an hourly rate of \$150.00, be and the same is hereby confirmed.

Be It Further Resolved, that the forgoing terms of compensation shall be billed within a total contract amount not to exceed \$12,000.00; and,

Now Therefore Be It Resolved, that upon confirmation of appointment by the Planning Board, the Planning Board Chairman is authorized to execute an agreement with the Planning Board Planner on behalf of the Planning Board.

Be It Further Resolved that notice of this award be published in a newspaper authorized to receive legal advertisements on behalf of the Borough Planning Board within ten (10) days of the award in accordance with New Jersey law.

Approved: 
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			/			
Councilman Mark David			/			
Councilman Joseph Finistrella			/			
Councilman Scott Pentz			/			
Councilman Fred Pugliese	/		/			
Councilman John Zimmerman			/			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes <u> </u>	No <u> </u>				

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 3, 2022.


Laura Reinertsen, Borough Clerk

RESOLUTION

No. 15

KENILWORTH, N.J.

JANUARY 3, 2022

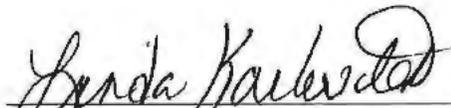
Introduced by: _____

Seconded by: _____

COMMITTEE REPORT

BE IT HEREBY RESOLVED That the Mayor's appointment of **LAURA REINERTSEN** as ADA Coordinator, Supervising Certifying Officer, Local Improvement Search Office and Public Agency Compliance Officer (P.A.C.O.) for the year 2022, be and the same is hereby confirmed.

Approved:


Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri				✓		
Councilman Mark David				✓		
Councilman Joseph Finistrella				✓		
Councilman Scott Pentz				✓		
Councilman Fred Pugliese	✓			✓		
Councilman John Zimmerman			✓	✓		
Mayor Linda Karlovitch						
ON CONSENT AGENDA		Yes <u>✓</u>		No <u> </u>		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 3, 2022.


Laura Reinertsen, Borough Clerk

RESOLUTION

No. 16

KENILWORTH, N.J.

JANUARY 3, 2022

Introduced by: _____

Seconded by: _____

KENILWORTH

BE IT HEREBY RESOLVED That the Mayor's appointment of **KATHLEEN MOSCHITTA** as Deputy Borough Clerk, Deputy Records Custodian, and Certifying Officer for the year 2022, be and the same is hereby confirmed

Approved:


Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			/			
Councilman Mark David			/			
Councilman Joseph Finistrella			/			
Councilman Scott Pentz			/			
Councilman Fred Pugliese	/		/			
Councilman John Zimmerman		/	/			
Mayor Linda Karlovitch			/			
ON CONSENT AGENDA			Ycs <u> </u>	No <u> </u>		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 3, 2022.


Laura Reinertsen, Borough Clerk

RESOLUTION

No. 17

KENILWORTH, N.J.

JANUARY 3, 2022

Introduced by: _____

Seconded by: _____

BE IT HEREBY RESOLVED: That the Mayor's appointment of **LAURA REINERTSEN** as Garden State Municipal Joint Insurance Fund Commissioner and **KATHLEEN MOSCHITTA** as Alternate for the year 2022, be and the same is hereby confirmed.

Approved: _____

Linda Karlovitch
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri				/		
Councilman Mark David				/		
Councilman Joseph Finistrella				/		
Councilman Scott Pentz				/		
Councilman Fred Pugliese	/			/		
Councilman John Zimmerman		/		/		
Mayor Linda Karlovitch				/		
ON CONSENT AGENDA	Yes <input checked="" type="checkbox"/>		No <input type="checkbox"/>			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 3, 2022.

Laura Reinertsen
Laura Reinertsen, Borough Clerk

RESOLUTION

No. 186

KENILWORTH, N.J.

JANUARY 3, 2022

Introduced by: _____

Seconded by: _____

ON CONSENT AGENDA

WHEREAS, the Borough of Kenilworth is in need for payroll services, and;

WHEREAS, Casa Payroll Services has provided for these services in the past, and;

WHEREAS, the Mayor and Council of the Borough of Kenilworth desires to continue payroll services with Casa Payroll Services for the year 2022; and

WHEREAS, on March 23, 2010, the Affordable Care Act was signed into law, and;

WHEREAS, employers with fifty (50) or more employees are required to report to the federal government on health coverage they provide as well as ongoing tracking to maintain compliance, and;

WHEREAS, CASA Payroll Services, our current payroll service provider, offers tracking and reporting of the required data to comply with the law.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Kenilworth that it does hereby authorize Casa Payroll Services for payroll services and ACA reporting services and HR Administration and compliance under the provisions of Federal and State laws for the year 2022.

Approved: _____


Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			/			
Councilman Mark David			/			
Councilman Joseph Finistrella			/			
Councilman Scott Pentz			/			
Councilman Fred Pugliese	/		/			
Councilman John Zimmerman		/	/			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes <input checked="" type="checkbox"/>		No <input type="checkbox"/>			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 3, 2022.


Laura Reinertsen, Borough Clerk

RESOLUTION

No. 19

KENILWORTH, N.J.

JANUARY 3, 2022

Introduced by: _____

Seconded by: _____

WHEREAS, N.J.S.A. 40A:4-19 provides that the Governing Body may, and if any contracts, commitments or payments are to be made prior to the adoption of the Budget shall by resolution adopt prior to January 31st of the fiscal year, make appropriations to provide for the period between the beginning of the fiscal year and the adoption of the Budget.

NOW, THEREFORE BE IT RESOLVED that the following temporary appropriations be made for the year 2022:

<u>APPROPRIATIONS</u>	<u>SALARIES AND WAGES</u>	<u>OTHER EXPENSES</u>
Mayor and Council	\$ 984.38	\$ 2,887.50
Municipal Clerk's Office	\$ 55,062.00	\$ 14,148.75
Tax and Finance Office	\$ 47,551.35	\$ 27,444.38
Payroll and Human Resources	\$ -	\$ 11,025.00
Audit Services		\$ 8,400.00
Assessment of Taxes	\$ 7,511.44	\$ 1,837.50
Legal Services and Costs - Retainer		\$ 9,447.38
Legal Services and Costs		\$ 37,734.38
Engineering Services and Costs		\$ 39,375.00
Municipal Land Use - Planning Board	\$ 1,575.00	\$ 14,437.50
Other Insurance - Premiums		\$ 131,250.00
Employee Group Health Insurance		\$ 643,125.00
Health Benefits Waiver		\$ 3,937.50
Unemployment Compensation Insurance		\$ 26.25
Municipal Court	\$ 44,589.56	\$ 4,620.00
Public Defender		\$ 1,181.25
Police	\$ 922,373.29	\$ 61,884.38
Traffic Control & School Guards	\$ 50,400.00	\$ 13,046.25
Emergency Management	\$ 1,126.13	\$ 4,725.00
First Aid Organization Contribution		\$ 6,562.50
Fire	\$ 2,557.28	\$ 93,579.68
Fire Prevention Bureau	\$ 23,715.56	\$ 2,625.00
Municipal Prosecutor		\$ 4,725.00
Roads Repairs and Maintenance	\$ 236,440.31	\$ 34,125.00
Garbage and Trash Removal	\$ 62,179.69	\$ 17,062.50
Recycling		\$ 49,638.75
Buildings and Grounds		\$ 32,812.50
Sewer System		\$ 8,400.00
Shade Trees		\$ 18,375.00
Parks		\$ 47,250.00
Board of Health	\$ 20,057.63	\$ 7,477.31
Dog and Cat Regulation		\$ 3,483.38
Senior Citizen Transportation	\$ 5,578.13	\$ 525.00

<u>APPROPRIATIONS</u>	<u>SALARIES AND WAGES</u>	<u>OTHER EXPENSES</u>
Senior Citizen Director	\$ 1,870.31	\$ 2,231.25
Parks and Playgrounds	\$ 10,387.13	\$ 8,163.75
Construction Official	\$ 29,400.00	\$ 1,791.56
Building Inspector	\$ 8,925.00	\$ 131.25
Plumbing Inspector	\$ 4,462.50	\$ 52.50
Electrical Inspector	\$ 4,462.50	\$ 52.50
Fire Protection Official	\$ 4,462.50	\$ 52.50
Zoning Enforcement Officer	\$ 3,483.38	\$ 5,315.63
Celebration of Public Events		\$ 5,250.00
Beautification		\$ 525.00
Utilities:		\$ 80,325.00
Street Lighting		\$ 39,112.50
Fire Hydrant Services		\$ 37,275.00
Solid Waste Disposal Costs		\$ 94,500.00
Accumulated Leave	\$ 26.25	
Public Employees Retirement System		\$ 88,891.95
Social Security System		\$ 67,646.25
Police and Firemen's Retirement System		\$ 245,030.10
Unemployment Compensation Insurance		\$ 5,250.00
Defined Contribution Retirement Program		\$ 2,100.00
Maintenance of Free Public Library		\$ 142,620.26
Rahway Valley Sewerage Authority		\$ 345,548.44
Length of Service Award Program		\$ 17,062.50
Reserve for Tax Appeals		\$ 7,875.00
Interlocal Agreement - Borough of Roselle Park		\$ 14,437.50
Capital Improvement Fund		\$ 15,750.00
Payment of Bond Principal		\$ 915,000.00
Interest on Bonds		\$ 138,937.50
Interest on Notes		\$ 37,700.00
Deferred Charges - Special Emergency 5 Years		\$ -
Reserve for Uncollected Taxes		\$ 223,990.99
Total	\$ 1,549,181.34	\$ 3,899,793.57

Approved:


Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			/			
Councilman Mark David			/			
Councilman Joseph Finistrella			/			
Councilman Scott Pentz			/			
Councilman Fred Pugliese	/		/			
Councilman John Zimmerman			/			
Mayor Linda Karlovitch			/			
ON CONSENT AGENDA	Yes		No			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 3, 2022.


Laura Reinertsen, Borough Clerk

RESOLUTION

No. 20

KENILWORTH, N.J.

JANUARY 3, 2022

Introduced by: _____

Seconded by: _____

CONSENT AGENDA

WHEREAS, the approval of the Petty Cash funds listed below has been given by the Division of Local Government Services, and

WHEREAS, these funds for 2021 have been returned to the Finance Officer according to R.S. 40A5-21;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Borough of Kenilworth that the Treasurer be authorized to draw and deliver said warrants to the following Petty Cash Custodians for the year 2022:

<u>Police Department</u>	<u>Total Fund</u>
Fred Soos, Police Chief	\$150.00
<u>Tax & Finance</u>	
Lisa Woods Tax & Finance	\$100.00

Approved: _____

Linda Karlovitch
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri				✓		
Councilman Mark David				✓		
Councilman Joseph Finistrella				✓		
Councilman Scott Pentz				✓		
Councilman Fred Pugliese	✓			✓		
Councilman John Zimmerman		✓		✓		
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>				

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 3, 2022.

Laura Reinertsen
Laura Reinertsen, Borough Clerk

RESOLUTION

No. 21

KENILWORTH, N.J.

JANUARY 3, 2022

Introduced by: _____

Seconded by: _____

CONSENT AGENDA

WHEREAS, Chapter 75 of the Public Laws of 1991 of the State of New Jersey authorizes the governing body of each municipality by resolution to fix the rate of interest to be charged for nonpayment of taxes or assessments on or before the date when they would become delinquent, and

WHEREAS, the provisions of said statute provides that the rate of interest to be so charged may be fixed at a rate not to exceed 8% per annum on the first \$1,500.00 of delinquency and a rate of 18% per annum on any amount in excess of \$1,500.00, and

WHEREAS, the statute further provides that the governing body may provide that no interest shall be charged if payment is made within the tenth calendar day following the date which the same became payable, and

WHEREAS, (N.J.S.A. 54:4-67 AS AMENDED) also provides that the governing body may fix a penalty to be charged to a taxpayer with a delinquency in excess of \$10,000, who fails to pay that delinquency prior to the end of the (calendar) fiscal year which shall not exceed (6%) six percent; and

WHEREAS, the Governing Body of the Borough of Kenilworth deems that implementation of Chapter 75 of the P.L. of 1991 (N.J.S.A. 54:4-67) the same is desirable and appropriate.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Kenilworth that pursuant to the authority granted to it by N.J.S.A. 54:4-67, AS AMENDED that the rate of interest be set in the amount of 8% on the first \$1,500.00 of the delinquency and at the rate of 18% on any amount in excess of \$1,500.00, provided payment is not made within the grace period of ten days from the date payable and that the penalty on amounts due in excess of \$10,000.00 at the close of the (calendar) fiscal year be set at 6% of the amount of the delinquency.

Approved:


Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			/			
Councilman Mark David			/			
Councilman Joseph Finistrella			/			
Councilman Scott Pentz			/			
Councilman Fred Pugliese	/		/			
Councilman John Zimmerman		/	/			
Mayor Linda Karlovitch						
ON CONSENT AGENDA		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 3, 2022.


Laura Reinertsen, Borough Clerk

RESOLUTION

No. 22

KENILWORTH, N.J.

JANUARY 3, 2022

Introduced by: _____

Seconded by: _____

CONSENT AGENDA

BE IT HEREBY RESOLVED, by the Mayor and Council of the Borough of Kenilworth that the Chief Financial Officer, is hereby authorized to perform all matters necessary to enable the following:

- Issuance of payroll checks in 52 installments throughout the year as authorized by ordinances and resolutions currently in effect
- Issuance of Borough Social Security payments in 52 installments throughout the year
- Issuance of all debt payments throughout the year
- Issuance of the Unemployment/Disability payments on a quarterly basis throughout the year
- Issuance of all medical insurance premiums throughout the year

Without the need of further resolution or action by the Mayor and Council of the Borough of Kenilworth.

Approved:

Linda Karlovitch
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David			✓			
Councilman Joseph Finistrella			✓			
Councilman Scott Pentz			✓			
Councilman Fred Pugliese	✓		✓			
Councilman John Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA		Yes ✓		No		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 3, 2022.

Laura Reinertsen
Laura Reinertsen, Borough Clerk

RESOLUTION

No. 23

KENILWORTH, N.J.

JANUARY 3, 2022

Introduced by: _____

Seconded by: _____

CONSENT AGENDA

WHEREAS, the owners of real estate in the Borough of Kenilworth paid their real estate taxes by way of check in an incorrect amount; and

WHEREAS, in many of such instances the error involved amounts of \$5.00 and under.

NOW THEREFORE BE IT HEREBY RESOLVED, by the Mayor and Council of the Borough of Kenilworth that the proper Borough Officials be and hereby are authorized to cancel all such amounts on tax accounts, whether owed to the Borough or owed by the Borough, of \$5.00 and under for the year 2022.

Approved:

Linda Karlovitch

 Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			/			
Councilman Mark David			/			
Councilman Joseph Finistrella			/			
Councilman Scott Pentz			/			
Councilman Fred Pugliese	/		/			
Councilman John Zimmerman			/			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes		/		No	

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 3, 2022.

Laura Reinertsen

 Laura Reinertsen, Borough Clerk

RESOLUTION

No. 24

KENILWORTH, N.J.

JANUARY 3, 2022

Introduced by: _____

Seconded by: _____

CONSENT AGENDA

BE IT HEREBY RESOLVED: That the Mayor's designation of the **WELLS FARGO BANK, N.J. CASH MANAGEMENT FUND, TD BANK, PNC BANK, VALLEY NATIONAL, SANTANDER BANK, ENTERPRISE NATIONAL BANK, ATLANTIC FEDERAL CREDIT UNION** as Official Depositories for the Borough of Kenilworth for the year 2022, be and the same is hereby confirmed.

Approved:

Linda Karlovitch

Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			/			
Councilman Mark David			/			
Councilman Joseph Finistrella			/			
Councilman Scott Pentz			/			
Councilman Fred Pugliese	/		/			
Councilman John Zimmerman		/	/			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes	/	No			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 3, 2022.

Laura Reinertsen

Laura Reinertsen, Borough Clerk

RESOLUTION

No. 25

KENILWORTH, N.J.

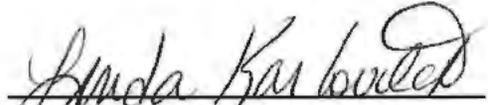
JANUARY 3, 2022

Introduced by: _____

Seconded by: _____

BE IT HEREBY RESOLVED that the official signers for the Borough of Kenilworth for banking purposes for 2021 are: Mayor Linda Karlovitch, Finance Officer Ken Blum, Assistant Finance Officer Lisa Wood, Assistant Treasurer Justyna Zagorska and Administrator/Borough Clerk Laura Reinertsen.

BE IT FURTHER RESOLVED that the official signers for the Borough of Kenilworth Police Department account at PNC Bank, National Association for banking purposes are: Finance Officer Ken Blum, Assistant Finance Officer Lisa Wood, and Police Chief Fred Soos.

Approved: 
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			/			
Councilman Mark David			/			
Councilman Joseph Finistrella			/			
Councilman Scott Pentz			/			
Councilman Fred Pugliese	/		/			
Councilman John Zimmerman		/	/			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes	/	No			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 3, 2022.


Laura Reinertsen, Borough Clerk

RESOLUTION

No. 26

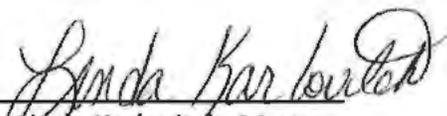
KENILWORTH, N.J.

JANUARY 3, 2022

Introduced by: _____

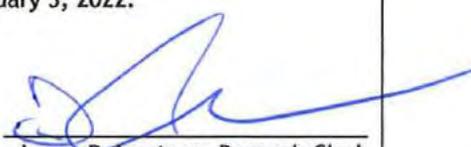
Seconded by: _____

BE IT HEREBY RESOLVED: That the Mayor's designation of the **THE LOCAL SOURCE, STAR LEDGER, HOME NEWS TRIBUNE/COURIER NEWS, KENILWORTH LIFE, and TAP INTO KENILWORTH** as the Official Newspapers and Media Outlets of the Borough of Kenilworth for the year 2021, be and the same is hereby confirmed.

Approved: 
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			/			
Councilman Mark David			/			
Councilman Joseph Finistrella			/			
Councilman Scott Pentz			/			
Councilman Fred Pugliese	/		/			
Councilman John Zimmerman			/			
Mayor Linda Karlovitch						
ON CONSENT AGENDA			Yes <u> </u>	No <u> </u>		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 3, 2022.


Laura Reinertsen, Borough Clerk

RESOLUTION

No. 27

KENILWORTH, N.J.

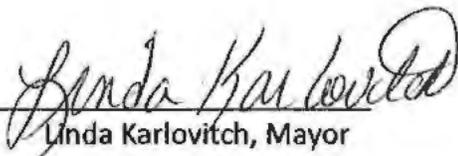
JANUARY 3, 2022

Introduced by: _____

Seconded by: _____

BE IT HEREBY RESOLVED That the appointment of Regular School Crossing Guards, as follows: Robert Wolters, Ugo Capra, John Martins, Kimberly Montiero, Ronald Freidman, Donald Gerardo, Mike Moran, Jo Mandaglio-Tomasso, Maryann Stiles, Sara Fernandez, Rose Piccinnini.

BE IT FURTHER RESOLVED that the following be appointed as Alternate School Crossing Guards for the year 2022: Antonia Laversa, Charles Zignauskas, Marianne Ehmann, Pat Boyle, Elio Berardinelli, Lynn Zorich.

Approved: 
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			/			
Councilman Mark David			/			
Councilman Joseph Finistrella			/			
Councilman Scott Pentz			/			
Councilman Fred Pugliese	/		/			
Councilman John Zimmerman			/			
Mayor Linda Karlovitch			/			
ON CONSENT AGENDA	Yes <input checked="" type="checkbox"/>		No <input type="checkbox"/>			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 3, 2022.


Laura Reinertsen, Borough Clerk

RESOLUTION

No. 28

KENILWORTH, N.J.

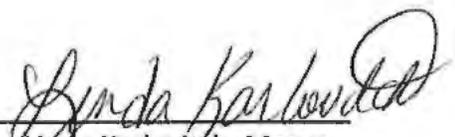
JANUARY 3, 2022

Introduced by: _____

Seconded by: _____

CONSENT AGENDA

BE IT HEREBY RESOLVED: That the Mayor and Borough Clerk be authorized to sign an Indemnity and Hold Harmless Agreement with Union Township for the use of their Police Firing/Gun Range by the Kenilworth Police Department for the year 2022.

Approved: 
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			/			
Councilman Mark David			/			
Councilman Joseph Finistrella			/			
Councilman Scott Pentz			/			
Councilman Fred Pugliese	/		/			
Councilman John Zimmerman		/	/			
Mayor Linda Karlovitch			/			
ON CONSENT AGENDA	Yes	/	No			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 3, 2022.


Laura Reinertsen, Borough Clerk

RESOLUTION

No. 29

KENILWORTH, N.J.

JANUARY 3, 2022

Introduced by: _____

Seconded by: _____

BE IT HEREBY RESOLVED, that the Mayor's appointments of **MARIA ANDERSON** and **MICHAEL CECERI** as Kenilworth's representatives to the Union County Community Development Revenue Sharing Committee be appointed for a 1 yr. term for the year 2022, be and the same is hereby confirmed.

Approved: _____

Linda Karlovitch
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			/			
Councilman Mark David			/			
Councilman Joseph Finistrella			/			
Councilman Scott Pentz			/			
Councilman Fred Pugliese	/		/			
Councilman John Zimmerman		/	/			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes	/	No			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 3, 2022.

Laura Reinertsen
Laura Reinertsen, Borough Clerk

RESOLUTION

No. 32

KENILWORTH, N.J.

JANUARY 3, 2022

Introduced by: _____

Seconded by: _____

Consent Finistrella

BE IT HEREBY RESOLVED: That the Mayors appointment of **LEWIS GIORDINO, CARMEN GIORDINO** and **JAMES HANNON, III** be appointed Smoke Detector Inspectors for the year 2022, be and the same is hereby confirmed.

Approved:

Linda Karlovitch

 Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			/			
Councilman Mark David			/			
Councilman Joseph Finistrella			/			
Councilman Scott Pentz			/			
Councilman Fred Pugliese	/		/			
Councilman John Zimmerman		/	/			
Mayor Linda Karlovitch			/			
ON CONSENT AGENDA	Yes		No			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 3, 2022.

Laura Reinertsen

 Laura Reinertsen, Borough Clerk

RESOLUTION

No. 33

KENILWORTH, N.J.

JANUARY 3, 2022

Introduced by: _____

Seconded by: _____

BE IT HEREBY RESOLVED: That **CARMEN GIORDINO AND JAMES HANNON, III** be and are hereby appointed Fire Prevention Inspectors for the year 2022: and

Approved:

Linda Karlovitch
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Celeri			/			
Councilman Mark David			/			
Councilman Joseph Finistrella			/			
Councilman Scott Pentz			/			
Councilman Fred Pugliese	/		/			
Councilman John Zimmerman	/	/	/			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes <u> </u>	No <u> </u>				

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 3, 2022.

Laura Reinertsen
Laura Reinertsen, Borough Clerk

RESOLUTION

No. 35

KENILWORTH, N.J.

JANUARY 3, 2022

Introduced by: _____

Seconded by: _____

BE IT HEREBY RESOLVED: That in accordance with Borough Code 41-2 (B) the Mayor's appointments of Jennifer Koleserich, Michael Koleserich and Richard Lauer as Regular Members to the Kenilworth Recreation Committee for 3 year terms, are effective 1/1/2022 through 12/31/24, be and the same is hereby confirmed.

Approved: 
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			/			
Councilman Mark David			/			
Councilman Joseph Finistrella			/			
Councilman Scott Pentz			/			
Councilman Fred Pugliese	/		/			
Councilman John Zimmerman			/			
Mayor Linda Karlovitch			/			
ON CONSENT AGENDA	Yes	/	No			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 3, 2022.


Laura Keinertsen, Borough Clerk

RESOLUTION

No. 36

KENILWORTH, N.J.

JANUARY 3, 2022

Introduced by: _____

Seconded by: _____

CONSENT AGENDA

BE IT HEREBY RESOLVED: That the appointment of **MARCONI GAPAS** as Public Health Officer and Right to Know Coordinator for the year 2022 be and the same is hereby confirmed.

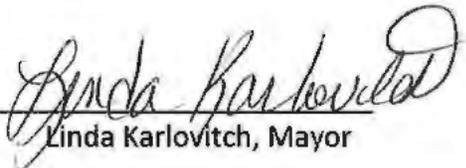
Approved: 
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			/			
Councilman Mark David			/			
Councilman Joseph Finistrella			/			
Councilman Scott Pentz			/			
Councilman Fred Pugliese	/		/			
Councilman John Zimmerman		/	/			
Mayor Linda Karlovitch						
ON CONSENT AGENDA		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 3, 2022.


Laura Reinertsen, Borough Clerk

BE IT HEREBY RESOLVED: that pursuant to NJSA 26:3-5, the Mayor's appointment of SCOTT KLINDER and JEROME FORMAN to the Board of Health as Regular Members for 3-year terms, are effective January 1, 2022 through December 31, 2024, be and the same is hereby confirmed.

Approved: 
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			/			
Councilman Mark David			/			
Councilman Joseph Finistrella			/			
Councilman Scott Pentz			/			
Councilman Fred Pugliese	/		/			
Councilman John Zimmerman		/	/			
Mayor Linda Karlovitch						
ON CONSENT AGENDA		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 3, 2022.


Laura Reinertsen, Borough Clerk

BOH Members

RESOLUTION

No. 39

KENILWORTH, N.J.

JANUARY 3, 2022

Introduced by: _____

Seconded by: _____

CONSENT AGENDA

IT HEREBY RESOLVED: That the following AD HOC COMMITTEES be continued for 2022:

- BEAUTIFICATION COMMITTEE
- DRUG ALLIANCE COMMITTEE
- PRIDE IN KENILWORTH COMMITTEE
- TECHNOLOGY COMMITTEE
- FACILITIES COMMITTEE
- VETERAN AFFAIRS
- RAILS TO TRAILS

BE IT FURTHER RESOLVED that Committee's may be added and/or deleted as the need arises.

Approved: *Linda Karlovitch*
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			/			
Councilman Mark David			/			
Councilman Joseph Finistrella			/			
Councilman Scott Pentz			/			
Councilman Fred Pugliese	/		/			
Councilman John Zimmerman		/	/			
Mayor Linda Karlovitch						
ON CONSENT AGENDA		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 3, 2022.

Laura Reinertsen
Laura Reinertsen, Borough Clerk

RESOLUTION

No. 40

KENILWORTH, N.J.

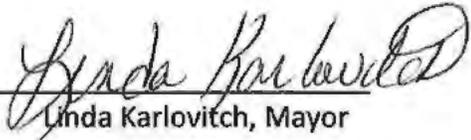
JANUARY 3, 2022

Introduced by: _____

Seconded by: _____

ON CONSENT AGENDA

BE IT HEREBY RESOLVED, that the Mayor's appointment of **STEVEN DUNN** as Kenilworth's representative to the Union County Transportation Advisory Board be appointed for a 1yr. term beginning January 1, 2022 and ending December 31, 2022, be and the same is hereby confirmed.

Approved: 
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Celeri			/			
Councilman Mark David			/			
Councilman Joseph Finistrella			/			
Councilman Scott Pentz			/			
Councilman Fred Pugliese	/		/			
Councilman John Zimmerman		/	/			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes <input checked="" type="checkbox"/>		No <input type="checkbox"/>			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 3, 2022.


Laura Reinertsen, Borough Clerk

RESOLUTION

No. 441

KENILWORTH, N.J.

JANUARY 3, 2022

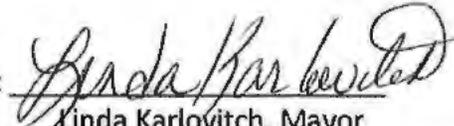
Introduced by: _____

Seconded by: _____

CONSENT AGENDA

BE IT HEREBY RESOLVED: That the Mayor's appointment of **JOHN ZIMMERMAN** as Municipal Drug Alliance Committee Chairman for the year 2022, be and the same is hereby confirmed.

BE IT FURTHER RESOLVED: That the Mayor's appointment of **MICHAEL BALKA** as Municipal Drug Alliance Coordinator for the year 2022, be and the same is hereby confirmed.

Approved: 
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			/			
Councilman Mark David			/			
Councilman Joseph Finistrella			/			
Councilman Scott Pentz			/			
Councilman Fred Pugliese	/		/			
Councilman John Zimmerman		/	/			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes	/	No			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 3, 2022.


Laura Reinertsen, Borough Clerk

RESOLUTION

No. 42

KENILWORTH, N.J.

JANUARY 3, 2022

Introduced by: _____

Seconded by: _____

WHEREAS, the Superintendent of the Kenilworth Public Works Department is in receipt of proposals for **"C-2 Operator Services"** and upon review is recommending award to Central Jersey Pump, PO Box 541, Springfield, NJ 07081-0541 at their quote of \$ 500.00 per month.

THEREFORE BE IT HEREBY RESOLVED, that the **C-2 Operator Services** be awarded to:

Central Jersey Pump
PO Box 541
Springfield, NJ 07081
 908-248-4642 (w) 908-202-0903 (c)
CentralJerseyPump@gmail.com

UST A/B Operator #8899766 C-3 Collection System Operator #608002 Backflow Certification Inspector #13536

for a one-year period, January 1, 2022 through December 31, 2022, at a cost of \$500.00 per month.

Approved: _____

Linda Karlovitch
 Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			/			
Councilman Mark David			/			
Councilman Joseph Finistrella			/			
Councilman Scott Pentz			/			
Councilman Fred Pugliese	/		/			
Councilman John Zimmerman			/			
Mayor Linda Karlovitch			/			
ON CONSENT AGENDA	Yes	/	No			

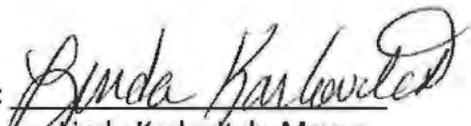
I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 3, 2022.

Laura Reinertsen
 Laura Reinertsen, Borough Clerk

WHEREAS, the Borough of Kenilworth has a policy of reimbursing mileage to all officials and employees while on official Borough business; and

WHEREAS, the mileage reimbursement rate will be equivalent to the standard business rate as permitted by the Internal Revenue Service effective January 1, 2022.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Kenilworth, County of Union State of New Jersey that authorization is hereby given for all officials and employees a mileage reimbursement rate of **58.5 cents** per mile of business travel driven, equivalent to the standard business rate as permitted by the Internal Revenue Service, effective January 1, 2022.

Approved: 
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David			✓			
Councilman Joseph Finistrella			✓			
Councilman Scott Pentz			✓			
Councilman Fred Pugliese	✓		✓			
Councilman John Zimmerman		✓	✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes	✓	No	—		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 3, 2022.


Laura Reinertsen, Borough Clerk

RESOLUTION

No. 44

KENILWORTH, N.J.

JANUARY 3, 2022

Introduced by: _____

Seconded by: _____

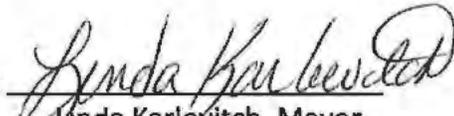
CONSENT AGENDA

WHEREAS, a proposal for services was received from Phoenix Advisors, LLC to Serve as Continuing Disclosure Agent & Municipal Advisor of Record for a fee of \$1,150 per filing year (All-Inclusive fee for up to three (3) outstanding issues), plus \$100 for each additional issue for which filings are required; and

WHEREAS, the Local Public Contracts Law (NJSA 40A:11-1 et seq.) requires that the Mayor and Council pass a resolution authorizing the award of contracts.

NOW THEREFORE BE IT RESOLVED, as follows:

1. The Borough of Kenilworth hereby awards a contract to **Phoenix Advisors, LLC, 4 West Park Street, Bordentown, NJ 08505 609-291-0130**, whose proposal amounted to \$1,150 per filing year (All-Inclusive fee for up to three (3) outstanding issues), plus \$100 for each additional issue for which filings are required and \$200 for each new bond issue set up during the year.
2. The Mayor and the Borough Clerk are hereby authorized to execute all documents to effectuate the purposes herein above expressed.

Approved: 
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Cecerl			/			
Councilman Mark David			/			
Councilman Joseph Finistrella			/			
Councilman Scott Pentz			/			
Councilman Fred Pugliese	/		/			
Councilman John Zimmerman		/	/			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes	Yes	No	No		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 3, 2022.


Laura Reinertsen, Borough Clerk

RESOLUTION

No. 45

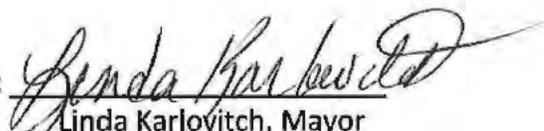
KENILWORTH, N.J.

JANUARY 3, 2022

Introduced by: _____

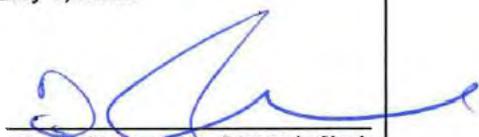
Seconded by: _____

BE IT HEREBY RESOLVED: That **MARCO ANTONIO STUDIO**, 401 Scott Mobus Place, Harrison, NJ 07029, be contracted to videotape and edit two DVD's of the Borough of Kenilworth Council Meetings for the year 2022 at a rate of \$125 per hour (editing fee of \$55 per meeting/event), not to exceed \$5,000 for the year.

Approved: 
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			/			
Councilman Mark David			/			
Councilman Joseph Finistrella			/			
Councilman Scott Pentz			/			
Councilman Fred Pugliese	/		/			
Councilman John Zimmerman		/	/			
Mayor Linda Karlovitch			/			
ON CONSENT AGENDA		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 3, 2022.


Laura Reinertsen, Borough Clerk

RESOLUTION

No. 47

KENILWORTH, N.J.

JANUARY 3, 2022

Introduced by: _____

Seconded by: _____

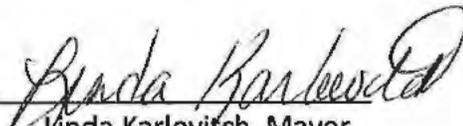
WHEREAS, the Borough understands that it is beneficial to have in place an Employee Assistance Program, which is a third-party professional agency providing counseling and referral services for employees and their dependents; consultation and training for supervisors; human resources consultation and cost containment services; and

WHEREAS, while the Local Public Contracts Law does not require competitive bidding for contracts anticipated to be below \$17,500, or which are specialized and qualitative in nature requiring expertise, extensive training and proven reputation in the field of endeavor; and

WHEREAS, subject to the certification of availability of funds by the Chief Financial Officer, **Intervention Strategies International, Inc.** is qualified and has agreed to provide professional services in relation to the provision of employee assistance pursuant to the rate schedules provided for in its proposal for 2020.

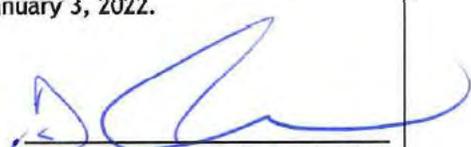
NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Kenilworth in the County of Union, State of New Jersey that **Intervention Strategies International, Inc., 351 Evelyn St., Paramus, NJ 07652** is hereby awarded a contract for the provision of the Borough's employee assistance program as needed during 2022, pursuant to the non-fair and open process for at a rate of \$500.00 per month.

BE IT FURTHER RESOLVED that the Mayor and the Clerk are hereby authorized and directed to execute an Agreement for the provision of such professional services, a copy of which shall be maintained by the Clerk and advertised in the Borough's official newspaper pursuant to law.

Approved: 
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			/			
Councilman Mark David			/			
Councilman Joseph Finistrella			/			
Councilman Scott Pentz			/			
Councilman Fred Pugliese	/		/			
Councilman John Zimmerman		/	/			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes	/		No		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 3, 2022.


Laura Reinertsen, Borough Clerk

RESOLUTION

No. 48

KENILWORTH, N.J.

JANUARY 3, 2022

Introduced by: _____

Seconded by: _____

RESOLUTION AUTHORIZING THE BOROUGH OF KENILWORTH POLICE DEPARTMENT TO PARTICIPATE IN THE DEFENSE LOGISTICS AGENCY, LAW ENFORCEMENT SUPPORT OFFICE, 1033 PROGRAM TO ENABLE THE KENILWORTH POLICE DEPARTMENT TO REQUEST AND ACQUIRE EXCESS DEPARTMENT OF DEFENSE EQUIPMENT

WHEREAS, the United States Congress authorized the Defense Logistics Agency (DLA) Law Enforcement Support Office (LESO) 1033 Program to make use of excess Department of Defense personal property by making that personal property available to municipal, county and State law enforcement agencies (LEA's); and

WHEREAS, DLA rules mandate that all equipment acquired through the 1033 Program remain under the control of the requesting LEA; and

WHEREAS, participation in the 1033 Program allows municipal and county LEA's to obtain property they might not otherwise be able to afford in order to enhance community preparedness, response, and resiliency; and

WHEREAS, although property is provided through the 1033 Program at no cost to municipal and county LEAs, these entities are responsible for the costs associated with delivery, maintenance, fueling, and upkeep of the property, and for specialized training on the operation of any acquired property; and

WHEREAS, N.J.S.A. 40A:5-30.2 requires that the governing body of the municipality or county approve, by a majority of the full membership, both enrollment in, and the acquisition of any property through, the 1033 Program.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Kenilworth that the Kenilworth Police Department, is hereby authorized for enrollment in the Department of Defense 1033 Program for no more than a one (1) year period, with authorization to participate terminating in the December 31st of the current calendar year; and

NOW, THEREFORE BE IT FURTHER RESOLVED, that the Kenilworth Police Department is hereby authorized to acquire items of non-controlled property designated "**DEMIL A**," which may include office supplies, office furniture, computers, electronic equipment, generators, field packs, non-military vehicles, clothing, traffic signal systems, exercise equipment, moving equipment, storage devices and containers, tools, medical and first aid equipment and supplies, personal protection equipment and supplies, construction materials, lighting supplies, beds and sleeping mats, wet and cold weather equipment and supplies, respirators, binoculars and any other supplies or equipment of a non-military nature identified by the LEA, if it shall become available in the period of time for which this resolution authorized, based on the needs of the Kenilworth Police Department, without restriction; and

BE IT FURTHER RESOLVED, that the Kenilworth Police Department is hereby authorized to acquire "**DEMIL B through Q**" property, if it shall become available in the period of time for which this resolution authorizes in the attached list; and

BE IT FURTHER RESOLVED, that the Kenilworth Police Department shall develop and implement a full training plan and policy for the maintenance and use of the acquired property; and

BE IT FURTHER RESOLVED, that the Kenilworth Police Department shall provide a quarterly accounting of all property obtained through the 1033 Program which shall be available to the public upon request; and

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately and shall be valid to authorize requests to acquire (1) "DEMIL A" property and (2) "DEMIL B through Q" property that may be made available through the 1033 Program during the period of time for which this resolution authorizes, with 1033 Program participation and all property request authorization terminating on December 31st of the current calendar year.

DEMIL B- Q ITEM NAME

ARMORED SECURITY VEHICLE
ARMORED SECURITY VEHICLE 2
AUTOMOBILE, SEDAN
AUTOMOBILE, WAGON
BATON, KINETIC ENERGY
BODY SHIELD
BOAT, ZODIAC
BOAT, AVON
BOAT, INFLATABLE
CAPABILITIES SET NON-LETHAL
CAR ARMORED
CAR ARMORED MINE DISPOSAL
CARRIER AMBULANCE
CARRIER CARGO
CARRIER, COMMAND POST
CARTRIDGE, 12 GAGE SHOTGUN
CARTRIDGE, 12 GAGE SHOTGUN, NON-LETHAL
CLUB, SELF-PROTECTION
COMMUN, EQUIP, SOMS-B
CUTTER HEAD, HYDRAULIC BREACHING AND EXTRICATION TOOL
DOOR OPENER, HYDRAULIC BREACHING AND EXTRICATION TOOL
FACESHIELD, MILITARY, RIOT CONTROL
FACESHIELD, RIOT CONTROL
FACESHIELD, RIOT CONTROL
FORCED ENTRY AND RESCUE EQUIPMENT, AIRCRAFT CRASH
GENERATOR, POWER EQUIPMENT
CARRIER, TRAILER
GOGGLES, PROTECTION, RIOT CONTROL
GUN, PORTABLE RIOT CONTROL
HATBOX, RIOT CROWD
SEARCH AND RESCUE EQUIP
MUNITION, CROWD CONTROL MODULAR, NON-LETHAL
HELMET, POLICE
HELMET, SAFETY

KIT, MECHANICAL BREA
KIT, RIOT PROTECTION
LIGHT ARMORED VEHICLE
MINE CLEARING VEHICLE, MINE RESISTANT VEHICLE
MISCELLANEOUS WEAPONS - LOGSA LSN
MODIFICATION KIT.GUN.WEAPON
NON-BALLISTIC BODY SHIELD
NON-LETHAL WEAPONS CAPABILITIES SET
COMPLETE COMBAT/ASSAULT Tactical WHEELED VEHICLES
PERSONELL CARRIERS
PROTECTIVE SHIELD, T
RAM.BATTERING
RAM.DOOR. MINI
RIOT CONTROL SHIELD
SEARCH AND RESCUE VEHICLE
SECURITY VEHICLE
SHIELD.PERSONAL PROTECTIVE
SHIELD.SELF-PROTECTION
SHOP EQUIPMENT.CONTACT MAINTENANCE
SHOP SET.CONTACT MAINTENANCE, TRUCK MOUNTED (ENGINEER)
SHOP SET, CONTACT MAINTENANCE, TRUCK MOUNTED (ORDNANCE)
SIGHT, THERMAL
SLEDGE HAMMER
TACTICAL VEHICLE
TOOL.BREAKER, HINGE
TRAINING KIT, DEMOLITION
TRUCK, HMMWV, MRAP
TRUCK TRACTOR
TRUCK, AMBULANCE
TRUCK.ARMORED
TRUCK.BOLSTER
TRUCK, BOMB SERVICE
TRUCK.CARGO
TRUCK, CARRYALL
TRUCK.COMMAND RECONNAISSANCE
TRUCK, DUMP
TRUCK.MAINTENANCE
TRUCK.MATERIALS HANDLING-CONTAINER HOISTING
TRUCK.PALLETIZED LOADING
TRUCK.PANEL
TRUCK, STAKE
TRUCK, TANK
TRUCK, UTILITY
TRUCK.VAN
TRUCK.WRECKER
TRUCKS AND TRUCK TRACTORS, DEMIL C

UP ARMORED NTVS
UTILITY VEHICLE, OFF ROAD
WATER RESCUE EQUIP
WATER RESCUE VEHICLE
WATER RESCUE

Approved:


Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			/			
Councilman Mark David			/			
Councilman Joseph Finistrella			/			
Councilman Scott Pentz			/			
Councilman Fred Pugliese	/		/			
Councilman John Zimmerman			/			
Mayor Linda Karlovitch			/			
ON CONSENT AGENDA			Yes <u> </u>	No <u> </u>		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 3, 2022.


Laura Reinertsen, Borough Clerk

RESOLUTION

No. 49

KENILWORTH, N.J.

JANUARY 3, 2022

Introduced by: _____

Seconded by: _____

CONSENT AGENDA

RESOLUTION AUTHORIZING THE BOROUGH OF KENILWORTH POLICE DEPARTMENT POINT OF CONTACT(S) FOR LAW ENFORCEMENT SUPPORT OFFICE, 1033 PROGRAM TO ENABLE THE KENILWORTH POLICE DEPARTMENT TO REQUEST AND ACQUIRE EXCESS DEPARTMENT OF DEFENSE EQUIPMENT

WHEREAS, the Borough of Kenilworth participates in the State Department of Defense excess personal property program which allows approved municipalities to receive excess property at no cost; and

WHEREAS, LESO Operations will be coordinating with the Borough to identify and receive property; and

WHEREAS, the Borough of Kenilworth has agreed to abide by the provisions of the agreement for any property received.

BE IT HEREBY RESOLVED, that the Mayor and Council of the Borough of Kenilworth hereby authorizes the continued participation in the program.

BE IT FURTHER RESOLVED, that the following Kenilworth Police Officers be designated as POC's for the LESO Operations Program:

Michael Devlin is designated the Chief Officer and Point of Contact

- | | |
|---------------------------|------------------------------------|
| Captain Dan Sims | Chief Officer and Point of Contact |
| Detective Ryan Kernan | Point of Contact |
| Officer Michael P. Devlin | Point of Contact |
| Officer Raymond Fuschino | Point of Contact |

Approved: 
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			/			
Councilman Mark David			/			
Councilman Joseph Finistrella			/			
Councilman Scott Pentz			/			
Councilman Fred Pugliese	/		/			
Councilman John Zimmerman		/	/			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes	/	No	/		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 3, 2022.


Laura Reinertsen, Borough Clerk

RESOLUTION

No. 50

KENILWORTH, N.J.

JANUARY 3, 2022

Introduced by: _____

Seconded by: _____

BE IT RESOLVED by the Mayor and Council of the Borough of Kenilworth, County of Union, State of New Jersey that the following individuals be engaged as Kenilworth Recreation 2022 Fall Soccer Referees at a rate of \$60 (sixty dollars) per game with two (2) referees or \$90 (ninety dollars) per game with one (1) referee.

BE IT FURTHER RESOLVED by the Mayor and Council of the Borough of Kenilworth, County of Union, State of New Jersey that the following individuals be engaged as Kenilworth Recreation 2022 Basketball Referees at a rate of \$50 (fifty dollars) per game:

John Primavera 37 South 17th Street Kenilworth, NJ 07033	Anthony Primavera 37 South 17th St Kenilworth, NJ 07033	Joe Primavera 37 South 17th Street Kenilworth, NJ 07033	Mike Palmadessa 18 Commonwealth Road Kenilworth, NJ 07033	Rick Pinto 629 Quinton Avenue Kenilworth, NJ 07033
Angelo Maltese 1141 Erhardt Street Union, NJ 07083	Nick DiPetrillo 1246 Wildwood Terrace Union, NJ 07083	Jerry Kirshenbaum 10 Bryan Lane Fanwood, NJ 07203	Greg Czajkowski 34 E. Munsell Avenue Linden, NJ 07036	James M. Ulaky 15 Osage Drive Cranford, NJ 07016
Lew Satulsky 1120 Sylvan Lane Mountainside, NJ 07092	Chris Parkhill 221 Faitoute Avenue Kenilworth, NJ 07033	Joe Iscaro 29 North 12th Street Kenilworth, NJ 07033	Bob Smith 701 Greenbrook Rd N. Plainfield, NJ 07063	Mike Foster 11 Schaeffer Road Maplewood, NJ 07040
Bob Koweleski 140 Belmar Terrace Westfield, NJ 07090	Darryl Brown 111 Runnyon Ave Middlesex, NJ 08846	Frank Conde 332 Raccoon Hollow Mountainside, NJ 07062	Tristan Cox 2881 St Mary's Avenue Plainfield, NJ 07062	Ron Tantilo 310 North 12th Street Kenilworth, NJ 07033
Ed Fodale 1025 Robin Court Green Brook, NJ 08812	Luke Ong 523 Victor Street Scotch Plains, NJ 07076	Jeff Pereira 1164 Tice Place Westfield, NJ 07090	Bob Brinkman 5 Crestwood La Summit, NJ 07901	Frank Reale 223 W. St. Georges Ave Linden, NJ 07036

Approved: 
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			/			
Councilman Mark David			/			
Councilman Joseph Finistrella			/			
Councilman Scott Pentz			/			
Councilman Fred Pugliese	/		/			
Councilman John Zimmerman			/			
Mayor Linda Karlovitch			/			
ON CONSENT AGENDA	Yes	/	No			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 3, 2022.


Laura Reinertsen, Borough Clerk

RESOLUTION

No. 51

KENILWORTH, N.J.

JANUARY 3, 2022

Introduced by: _____

Seconded by: CONSENT LINDA

BE IT HEREBY RESOLVED: That the Mayor's appointment of **Kathleen Wierzbinski**, 86 Broadway, Clark, NJ 07066, as:

Senior Director

for the year 2022, at a rate of \$500.00 per month; effective January 1, 2022.

Approved: *Linda Karlovitch*
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			/			
Councilman Mark David			/			
Councilman Joseph Finistrella			/			
Councilman Scott Pentz			/			
Councilman Fred Pugliese	/		/			
Councilman John Zimmerman		/	/			
Mayor Linda Karlovitch			/			
ON CONSENT AGENDA	Yes		No			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 3, 2022.

Laura Reinertsen
Laura Reinertsen, Borough Clerk

RESOLUTION

No. 52

KENILWORTH, N.J.

JANUARY 3, 2022

Introduced by: _____

Seconded by: _____

CONSENT RESOLVED

Mayors Council for Rahway River Watershed Flood Control Municipal Cost Sharing Agreement - FY - 2022

Agreement entered into this _____ day of _____, 2022 by and between and among the following municipalities-FY2022:

Cranford Township, 8 Springfield Avenue, Cranford NJ. 07016 Kenilworth Borough, 567 Kenilworth Blvd., Kenilworth, NJ 07033 Maplewood Township, 574 Valley Street, Maplewood, NJ 07040 Millburn Township, 375 Millburn Avenue, Millburn, NJ 07041 City of Rahway, 1 City Hall Plaza, Rahway, NJ 07065 Springfield Township, 100 Mountain Ave., Springfield, NJ 07081 Union Township, 1976 Morris Avenue, Union NJ 07083, Borough of Garwood, 403 South Avenue, Garwood, NJ 07027

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

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

WHEREAS the Parties, simultaneous with the US Army Corps of Engineers and the New Jersey Environmental Protection Agency

(DEP), have been working to finalize the US Army Corps Rahway River Flood Mitigation Study which included a 2012 interlocal cost sharing agreement that has been annually updated and is now replaced by the new agreement;

WHEREAS Millburn Township is willing to continue to act as lead agency for the phase of work set forth in this agreement as herein, the Parties agree as follows:

1. Purpose

The Parties shall collaborate to implement engineering, environmental, federal and state lobbying and legal activities and to fund the cost thereof for:

- a) Development and approval of this Agreement
- b) Negotiate and contract development for access agreements with County of Essex and City of Orange for the performance of surveys, studies, tests, soundings, including sonar, borings, appraisals and all other engineering and environmental analyses as shall be necessary to determine the suitability of a flood control project;
- c) Develop, consistent with applicable law, a mechanism for the receipt and disbursement of federal and/state loan or grant funds
- d) Assist in the preparation of grant/loan applications for federal and/or state governments including if necessary, the Local Finance Board
- e) Explore, outline and make due consideration toward the formation of a Joint Flood Commission of participating municipalities to further the actions of the Rahway River Mayors Council.

- f) Hiring of professionals, such engineering firm Mott MacDonald, lobbyists Winning Strategies or any mutually agreed upon firm that can advance the goals and objectives of the Mayors Council, inclusive of obtaining federal/state funding, study of a consensus plan and/or project authorization.

2. Cost

In order to fund the performance of services enumerated, the Parties agree to each authorize and contribute the sum listed in Appendix A.

A new appendix will be incorporated into this agreement each new fiscal year such services are required by the adoption of a Resolution by all Parties approving the same. The Township of Millburn shall receive \$1,500 as reimbursement for the cost of the administration of the escrow fund and associated activities.

Checks by the Parties for their share of budget shall be made by the Parties payable to Millburn Township-Joint Municipal Escrow Fund, mailed in care of Millburn CFO.

3. Lead Agency

- a) As lead Agency, Millburn Township shall establish an escrow account for the receipt of funds from the Parties. Following receipt of itemized bills for any such services, Millburn Township is authorized to pay the same only to the extent funds are available for the purpose in the escrow account. If it is determined during the performance of the work to be performed, pursuant to paragraph 1, that additional contributions are required, the Parties shall agree as to the appropriate cumulative amounts to be deposited in the escrow account. The Parties shall deposit the same in accordance with agreed upon allocation. If the work authorized under Paragraph 1 is completed with a balance remaining in the escrow account, said sum shall be distributed to the Parties in accordance with the allocation formula agreed to.
- b) Copies of all maps, engineering data, agreements, correspondence, and documents created as a result of this Agreement shall be provided to each of the Parties by Millburn, with reproduction costs paid by any party requesting the same.

4. Joint Action by Parties

- a) Each Party shall adopt an enactment to authorize the execution of this Agreement and the payment of the sum shown in Appendix A.
- b) No activities as outlined above, shall be undertaken unless and until this Agreement shall be fully executed.
- c) Future phases of work associated with the alleviation of flooding, shall require a new Agreement or Agreements among the Parties and /or any additional municipalities which shall join in such collaborative joint efforts and projects.
- d) In any case, where the consent of one of the Parties is required, the same must be delivered in writing and the Parties are entitled to rely upon a consent executed by the Mayor of said municipality as authorized by and binding upon that municipality.

5. One agreement

This agreement may be executed in counterparts, each of which shall be deemed an original and which together, shall constitute one and the same agreement.

6. Notices

All notices pertaining to this Agreement shall be in writing delivered to the Parties personally or by private courier or overnight service (such as Federal Express), or by registered or certified mail, return receipt requested and postage paid, at the addresses set forth above and shall be deemed delivered and effective upon actual receipt in the event of personal or private courier delivery or three (3)

business days after deposit with the US Postal Service properly addressed and with postage thereon fully paid in the event of mail delivery.

7. Entire Agreement; Modification; Waiver

This Agreement constitutes the entire Agreement between and among the Parties pertaining to the subject matter contained in the Agreement and supersedes all prior and contemporaneous agreements, representations, and understandings. This Agreement shall be construed without regard to any presumptions or other rules requiring construction against any party causing this Agreement to be drafted. No supplement, modification, or amendment of this Agreement shall be binding unless executed in writing by all the Parties. No waiver of any of the provisions of this Agreement shall be deemed or shall constitute a waiver of any provisions, whether similar, nor shall any waiver constitute a continuing waiver. No waiver shall be binding unless executed in writing by or on behalf of all Parties.

8. Severability

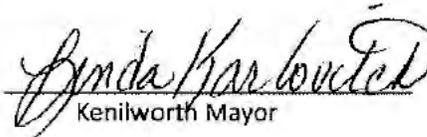
Each provision of this Agreement is severable from any and all provisions of this Agreement. Should any provision of this Agreement be for any reason unenforceable, the balance shall nonetheless be of full force and effect.

9. Governing Law

The Agreement shall be governed and construed according to the laws of the State of New Jersey.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be signed by their duly authorized officials effective as of the day and year first above written:

Kenilworth Borough Clerk



Kenilworth Mayor

Cranford Township Clerk

Cranford Mayor

Garwood Borough Clerk

Garwood Mayor

Maplewood Township Clerk

Maplewood Mayor

Millburn Township Clerk

Millburn Mayor

Rahway City Clerk

Rahway Mayor

Springfield Township Clerk

Springfield Mayor

Union Township Clerk

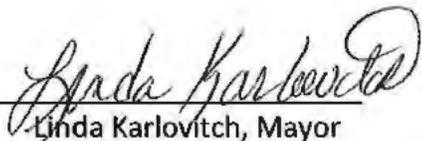
Union Mayor

APPENDIX A

FY 2021 Mayors Council Rahway River Watershed Flood Control Budget Revenue \$71,000 (1)
 Expenses \$71,000-2022

Mott MacDonald –Engineering Study Contribution by municipalities allocation:

Cranford - \$20,000; Millburn- \$10,000; Springfield-\$10,000; Union-\$10,000; Rahway -\$10,000;
 Kenilworth- \$5,000; Maplewood- \$5,000; Garwood - \$1,000

Approved: 
 Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			/			
Councilman Mark David			/			
Councilman Joseph Finistrella			/			
Councilman Scott Pentz			/			
Councilman Fred Pugliese	/		/			
Councilman John Zimmerman			/			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes <input checked="" type="checkbox"/>		No <input type="checkbox"/>			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 3, 2022.


 Laura Reinertsen, Borough Clerk

RESOLUTION

No. 2

KENILWORTH, N.J.

JANUARY 3, 2022

Introduced by: CECERI

Seconded by: DAVID

WHEREAS, the firm Garrubbo & Capece, PC was responsive to the Request for Proposals (hereinafter, "RFP") due December 1, 2021 at 10:00 a.m. for the position of 2022 Borough Attorney; and,

WHEREAS, Mayor Karlovitch has filed her appointment of Garrubbo & Capece, PC as Borough Attorney of the Borough of Kenilworth (hereinafter, the "Borough") for the year 2022; and,

WHEREAS, the firm Garrubbo & Capece, PC shall perform all services as Borough 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 Garrubbo & Capece, PC be and is hereby appointed to the position of Borough Attorney of the Borough effective immediately for a term set to expire December 31, 2022 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 Borough Attorney; 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.

Approved: _____
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Celeri	✓		✓			
Councilman Mark David		✓	✓			
Councilman Joseph Finistrella				✓		
Councilman Scott Pentz				✓		
Councilman Fred Pugliese				✓		
Councilman John Zimmerman				✓		
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes			No		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 3, 2022.

Laura Reinertsen, Borough Clerk

RESOLUTION

No. 3

KENILWORTH, N.J.

JANUARY 3, 2022

Introduced by: DAVID

Seconded by: CECERI

WHEREAS, the firm Garrubbo & Capece, PC was responsive to the Request for Proposals (hereinafter, "RFP") due December 1, 2021 at 10:00 a.m. for the position of 2022 Labor Attorney; and,

WHEREAS, Mayor Karlovitch has filed her appointment Garrubbo & Capece, PC as Labor Attorney of the Borough of Kenilworth (hereinafter, the "Borough") for the year 2022; and,

WHEREAS, the firm Garrubbo & Capece, 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 Garrubbo & Capece, PC be and is hereby appointed to the position of Labor Attorney of the Borough effective immediately for a term set to expire December 31, 2022 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.

Approved: _____

Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Celeri			/	/		
Councilman Mark David	/		/	/		
Councilman Joseph Finistrella			/	/		
Councilman Scott Pentz			/	/		
Councilman Fred Pugliese			/	/		
Councilman John Zimmerman			/	/		
Mayor Linda Karlovitch			/	/		
ON CONSENT AGENDA		Yes <u> </u>		No <u> </u>		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 3, 2022.

Laura Reinertsen, Borough Clerk

RESOLUTION

No. 9

KENILWORTH, N.J.

JANUARY 3, 2022

Introduced by: DAVID

Seconded by: CECERI

WHEREAS, the firm Renaud DeAppolonio, LLC was responsive to the Request for Proposals (hereinafter, "RFP") due December 1, 2021 at 10:00 a.m. for the position of 2022 Tax Appeal Attorney; and,

WHEREAS, Mayor Karlovitch has filed her appointment of Renaud DeAppolonio, LLC as Tax Appeal Attorney of the Borough of Kenilworth (hereinafter, the "Borough") for the year 2022; and,

WHEREAS, the firm Renaud DeAppolonio, LLC shall perform all services as 2022 Tax Appeal 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 Renaud DeAppolonio, LLC be and is hereby appointed to the position of Tax Appeal Attorney of the Borough effective immediately for a term set to expire December 31, 2022 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 with a total contract amount not to exceed \$25,000.00; 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.

Approved: _____
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri		✓	✓			
Councilman Mark David	✓		✓			
Councilman Joseph Finistrella				✓		
Councilman Scott Pentz				✓		
Councilman Fred Pugliese				✓		
Councilman John Zimmerman				✓		
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes		No			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 3, 2022.

Laura Reinertsen, Borough Clerk

RESOLUTION

No. 10

KENILWORTH, N.J.

JANUARY 3, 2022

Introduced by: DAVID

Seconded by: CECERI

WHEREAS, the firm Inglesino Webster Wyciskala & Taylor, LLC was responsive to the Request for Proposals (hereinafter, "RFP") due December 1, 2021 at 10:00 a.m. for the position of 2022 Redevelopment Attorney; and,

WHEREAS, Mayor Karlovitch has filed her appointment of Inglesino Webster Wyciskala & Taylor, LLC as Redevelopment Attorney of the Borough of Kenilworth (hereinafter, the "Borough") for the year 2022; and,

WHEREAS, the firm Inglesino Webster Wyciskala & Taylor, LLC shall perform all services as 2022 Redevelopment 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 Inglesino Webster Wyciskala & Taylor, LLC be and is hereby appointed to the position of Redevelopment Attorney of the Borough effective immediately for a term set to expire December 31, 2022 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 (when billing Borough)	\$175
Attorneys (when billing Developer Escrow)	\$250
Legal Assistants (when billing Borough)	\$75

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.

Approved: _____

Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri		✓	✓			
Councilman Mark David	✓		✓			
Councilman Joseph Finistrella				✓		
Councilman Scott Pentz				✓		
Councilman Fred Pugliese				✓		
Councilman John Zimmerman				✓		
Mayor Linda Karlovitch						
ON CONSENT AGENDA		Yes	No			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 3, 2022.

Laura Reinertsen, Borough Clerk

RESOLUTION

No. 11

KENILWORTH, N.J.

JANUARY 3, 2022

Introduced by: DAVID

Seconded by: CECERI

WHEREAS, the firm Surenian, Edwards & Nolan. LLC was responsive to the Request for Proposals (hereinafter, "RFP") due December 1, 2021 at 10:00 a.m. for the position of 2022 Affordable Housing Attorney; and,

WHEREAS, Mayor Karlovitch has filed her appointment of Surenian, Edwards & Nolan. LLC as Affordable Housing Attorney of the Borough of Kenilworth (hereinafter, the "Borough") for the year 2022; and,

WHEREAS, the firm Surenian, Edwards & Nolan. LLC shall perform all services as 2022 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 Surenian, Edwards & Nolan. LLC 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, 2022 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 - Partners	\$185-\$200
Attorneys - Associates	\$175

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.

Approved: _____

Linda Karlovitch, Mayor

	Moved	Seconded	Ayes	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri		✓	✓			
Councilman Mark David	✓		✓			
Councilman Joseph Finistrella				✓		
Councilman Scott Pentz				✓		
Councilman Fred Pugliese				✓		
Councilman John Zimmerman				✓		
Mayor Linda Karlovitch				✓		
ON CONSENT AGENDA	Yes	Yes	No	No		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 3, 2022.

Laura Reinertsen, Borough Clerk

RESOLUTION

No. 12

KENILWORTH, N.J.

JANUARY 3, 2022

Introduced by: PUGLIESE

Seconded by: Zimmerman

WHEREAS, in order to facilitate the Borough's efforts to comply voluntarily with its Mount Laurel obligations and to enable the Borough to make informed decisions, the Borough Council finds it prudent to create a Mount Laurel Subcommittee which will meet, as needed, and will provide informed recommendations to the Borough Council and Planning Board.

NOW, THEREFORE BE IT RESOLVED as follows:

1. The Borough hereby creates a "Mount Laurel Subcommittee" to work with the Borough's professionals to facilitate the production of affordable housing and to address the ever-changing laws that determine what the Borough's responsibilities are and how the Borough may address them.
2. In particular, the Mount Laurel subcommittee shall assist the professionals in (a) investigating the facts and all the issues relevant to the Borough's affordable housing obligations; (b) reviewing and discussing all draft ordinances, resolutions, and other relevant documents associated with the Borough's affordable housing compliance plan and all related planning documents; (c) discussing any issues relevant to the Borough's efforts to address affordable housing obligations as defined by the courts, the legislature, and/or various state agencies and (e) making recommendations to the Borough Council.
3. The initial chairman of the Mount Laurel Subcommittee shall be Borough Clerk Laura Reinertsen.
4. The Borough hereby designates the following persons to the Mount Laurel Subcommittee: (i) Borough Clerk, Chief Municipal Finance Officer; (ii) Borough Attorney; (iii) Special Mount Laurel Counsel; (iv) Mount Laurel Planner, Mike Mistretta of Harbor Consultants; (v) PZO Committee Chairman; Finance Committee Chairman, Councilman John Zimmerman and Alternate Council member *(in the event a governing body member cannot attend)*.
5. The Mount Laurel Subcommittee shall meet periodically to discuss the current status of the law and to take such steps as may assist the Borough in meeting its objective of creating affordable housing.

Approved: _____

Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri					/	
Councilman Mark David					/	
Councilman Joseph Finistrella				/		
Councilman Scott Pentz				/		
Councilman Fred Pugliese	/		/			
Councilman John Zimmerman			/	/		
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes				No	/

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 3, 2022.



 Laura Reinertsen, Borough Clerk

RESOLUTION

No. 13

KENILWORTH, N.J.

JANUARY 3, 2022

Introduced by: PUGLIESE

Seconded by: FINISTRELLA

BE IT HEREBY RESOLVED: That the annexed By-Laws shall constitute the By-Laws of the Governing Body for the year 2022 or until amended.

Approved: _____

Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			/			
Councilman Mark David			/			
Councilman Joseph Finistrella		/	/			
Councilman Scott Pentz			/			
Councilman Fred Pugliese	/		/			
Councilman John Zimmerman			/			
Mayor Linda Karlovitch						
ON CONSENT AGENDA		Yes		No		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 3, 2022.


 Laura Reinertsen, Borough Clerk



BOROUGH COUNCIL BYLAWS

**Borough of Kenilworth
567 Boulevard
Kenilworth, New Jersey
07033**

By-law: a law or regulation or rule of a local government adopted by the municipal corporation. The function of a by-law is to prescribe the rights and duties of the members with reference to the internal government of the municipal corporation, the management of its affairs, and the rights and duties existing between the members.

**Adopted:
January 3, 2022**

ARTICLE 1 – MEETINGS

SECTION 1 – ANNUAL RE-ORGANIZATION MEETING

The Annual Re-organization Meeting of the Mayor and Council shall be held within the first seven (7) days of January in the Council Chambers of the Kenilworth Municipal Building. The actual date and time of each meeting shall be determined by Council by resolution.

SECTION 2 – REGULAR MEETINGS

The Regular Meetings of the Mayor and Council shall be held within the Borough at such time and place as the Council may direct by resolution but no less frequently than once a month. Seating at the dais shall have the Mayor in the middle with the Borough Clerk to the immediate right and the Council President to be seated to the immediate left of the Mayor with the remaining members of Council to be seated in alphabetical order by last name left to right.

SECTION 3 – SPECIAL MEETINGS

Special Meetings may be called by the Mayor or any four (4) members of the Council. When any Special Meeting is called, it shall be the duty of the Borough Clerk to notify the Mayor and all members of Council in writing, leaving said notice at each member's residence at least two (2) days in advance of the time fixed for holding same.

SECTION 4 – ORDER OF BUSINESS

Except at the Annual Reorganization Meeting, the order of business shall be as follows:

1. Open Public Meetings Act Notice
2. Salute to the Flag
3. Roll Call
4. Reading of unapproved minutes
5. Presentation/hearings/etc.
6. Report of Mayor and Committees
7. Payment of Bills and Resolutions
8. Introduction and passage of Ordinances
9. Meeting Open to the Public
10. General Business
11. Adjournment

SECTION 5 – RESOLUTIONS

Resolutions should be offered in writing and presented to the Mayor and Council for preliminary review on the day preceding the Regular Meeting. Such preliminary review may be waived on

motion of any member of Council, approved by a majority of the Council present at any meeting of the governing body.

SECTION 6 – GOVERNING OF MEETINGS

The meetings of the Mayor and Council shall be governed by Robert's Rules of Order, revised, except as otherwise provided herein. A copy of Robert's Rules of Order, Revised, shall be kept at each meeting by the Borough Attorney.

SECTION 7 – QUORUM

Three council members and the Mayor shall constitute a quorum. In the absence of the Mayor, four (4) council members shall constitute a quorum.

ARTICLE II – MAYOR

SECTION 8 – DUTIES OF MAYOR AND PRESIDENT DURING MEETINGS

The Mayor shall preside at meetings of the council and may vote to break a tie. In the absence of the Mayor, the Council President shall preside. In the absence of both the Mayor and President, the member of the Council with the most seniority at that particular meeting shall act in their absence. The person duly presiding over the meeting shall maintain order and decorum, may speak on points of order, subject to the appeal of any member of the Council.

SECTION 9 – GENERAL POWERS AND DUTIES

The Mayor shall be the head of the municipal government and shall have all those powers specifically designated under N.J.S.A 40A:60-5.

The Mayor shall see that the laws of the State and the Ordinances of the Borough are faithfully executed and shall recommend to the Council such measures deemed necessary or expedient for the welfare of the Borough. He/She shall maintain peace and good order and shall have the power to suppress all riots and tumultuous assemblies in the Borough.

SECTION 10 – PRECEDENCE OF SPEAKERS

When two or more Council members seek recognition at the same time, the Mayor or presiding person shall name the one entitled to the floor.

SECTION 11 – 40A:60-5 APPROVAL OR VETO OF ORDINANCES

No ordinance shall be passed, or appointment of any subordinate officer of the Borough be confirmed, except by a vote of a majority of the members of the council present at the meeting, provided that at least three affirmative votes shall be required for such purpose, the Mayor voting only in the case of a tie. Every ordinance passed by the Council shall within five (5) days

after its passage, Sundays excepted, be presented to the Mayor by the Borough Clerk. The Mayor shall, within (10) days after receiving the ordinance, Sundays excepted, either approve the ordinance by affixing his/her signature thereto or return it to the council by delivering it to the Borough Clerk together with a statement setting forth the objections thereto or any item part of thereof. No ordinance or any item or part thereof shall take effect without the Mayor's approval, unless the Mayor fails to return the ordinance to the council, as prescribed above, or unless the council, upon consideration of the ordinance following its return shall, by a vote of two-thirds of all members of council, resolve the override of the veto.

If any ordinance contains more than one distinct section, clause or item, the mayor may approve one or more thereof and veto the rest.

ARTICLE III – COUNCIL PRESIDENT

SECTION 12 – ELECTION OF COUNCIL PRESIDENT

A President of the Borough Council shall be elected by a Majority vote of the Members of the Council at the annual reorganization meeting. If the Council fails to elect a president at the annual reorganization meeting, the Mayor shall appoint the President from the council and, in that case, no confirmation by the Council shall be necessary. The Council President with the assistance of the Borough Clerk shall create all agendas for all meetings of the Governing Body.

SECTION 13 – TERM OF COUNCIL PRESIDENT

The term of the President of the Council shall be for a period of one year without limit to the number of years that may be served.

SECTION 14 – DUTIES

In addition to the regular committee assignments the Council President shall preside at regular meetings of the Mayor and Council in the event of the Mayor's absence. The Council President shall have the right to debate and vote on all questions before the council. Where the absence of the Mayor is intended, the Council President shall become the acting mayor until the mayor's return. If the Council President is unable to perform the duties of the acting mayor, then the member of the council with the longest term of service may act temporarily for the president of the council as Acting Mayor until the Mayor or Council President shall return.

SECTION 15 – MATTERS REQUIRING COMMITTEE CONSIDERATION

All matters requiring consideration by a committee shall upon instruction, be referred by the Council President to the appropriate committee subject to the right of the Council to make any other reference or disposition of the same which they deem best.

SECTION 16 – FILLING OF VACANCIES/APPOINTMENTS

The Council President shall fill all vacancies in all committees, departments and offices with the advice and consent of the Council, except as otherwise provided by Statute or ordinance, not including subordinate officers of the Borough which shall be appointed in the manner described below.

The Mayor shall nominate and, with the advice and consent of council, appoint all subordinate officers of the borough, unless the specific terms of the general law clearly require a different appointment procedure. He shall make his nomination to any such office within thirty days of that office becoming vacant.

ARTICLE IV – BOROUGH CLERK

SECTION 17 – DUTIES

In addition to the duties imposed upon her by law, the Borough clerk shall record the proceedings of the Mayor and Council, furnishing the Mayor and each member of the Council and the Borough Attorney, a copy of the minutes of each session. The pages shall be numbered commencing with the report of the first meeting and ending with the last meeting of the calendar year. One copy of all such minutes shall be retained by the Borough Clerk as the Official Record of the Mayor and Council and at the end of the calendar year shall be permanently bound and retained with the Borough Records.

The Borough Clerk shall also keep an Ordinance Book containing the signed copy of all ordinances, an appointment book containing a record of all appointments to the office, the term of which each is appointed. She shall collect fees at her office as may be required and to submit a monthly report on all licenses issued by her.

The Borough Clerk shall send one copy of the official minutes of all meetings of the Mayor and Council to the Kenilworth Free Public Library for permanent retention and for use and access by the residents of Kenilworth.

SECTION 18 – CUSTODY OF SEAL

The Borough Clerk shall have the custody of the Official Seal of the Borough of Kenilworth.

ARTICLE V – COMMITTEES

SECTION 19 - APPOINTMENT AND COMPOSITION OF STANDING COMMITTEES: PRESENTATION OF REPORTS

The Council shall appoint six Standing Committees, each known as a "DEPARTMENT" and each Committee shall consist of three members of the Council, with the Chairman designated by the Council. Each of the Committees may elect one of its members as Secretary and said Committees shall submit their reports at the meetings of the Mayor and Council. If the Borough

Attorney or Borough Engineer or any other official has been consulted, a written opinion on the subject shall be submitted to the Committee and shall be presented by the Committee at the Council Meeting.

A refusal by a member of the governing body to serve on any committee or act as Chairman, after being duly appointed, shall be deemed as creating a vacancy of that office pursuant to N.J.S.A. 40A:16-3(d). A refusal may be either by act or omission and includes, but is not limited to, failure to attend and participate in any meetings of the committees, as committeeman, or Chairman, to which the member of the governing body is appointed for a period of five (5) consecutive meetings without excuse due to legitimate illness.

SECTION 20 – ENUMERATION OF STANDING COMMITTEES: DUTIES

A. DEPARTMENT OF FINANCE

- 1) It shall be the duty of this Committee to prepare the Annual Budget and also the Annual Borough Report. This Committee shall have general charge of all matters relating to the financial affairs of the Borough. All claims and bills Against the Borough shall be referred to this Committee. It shall not be required to approve for payment at Regular Meetings any invoice not in its hands by the preceding Monday.. This Committee shall recommend to the Mayor and Council the depositories for the Borough monies and the proportion allotted each depository, but the Governing Body, as such, shall decide upon the depositories and the amounts of deposit.
- 2) This Committee shall be responsible for the recommendation to Council for the Terms and conditions of employment for all employees of the borough of Kenilworth not represented by a Collective Bargaining Agreement.
- 3) This Committee shall exercise a general charge and supervision of the ordering of all printed materials and supplies of the Borough of Kenilworth.
- 4) This Committee shall exercise general supervision of all personnel of the Borough of Kenilworth.
- 5) This Committee shall constitute the committee on transportation and shall have general supervision of all transportation throughout the Borough and all matters pertaining thereto.
- 6) It shall be the duty of the Chairperson of this Committee to chair all meetings relating to the budget of the Borough of Kenilworth.
- 7) The Chairperson of the Department of Finance shall call for the first meeting of the Budget with all members of the Governing Body during December, except where changes in Council composition, or changes in State Law and requirements, which directly affect budget deliberations, preclude such actions.

B. DEPARTMENT OF PUBLIC WORKS

- 1) This Committee shall have a general charge of all matters relating to streets, highways, sidewalks, sewers, drainage problems and all public utilities (excepting water and street lighting) and all matters and applications relating to same, their improvement, maintenance, alteration or use.
- 2) This Committee shall have charge of the cleaning of the streets and shall supervise the method adopted by the Mayor and Council for the removal of leaves, snow, debris, grass, garbage and recycling. This Committee shall also constitute the committee on streets and sewers or as contemplated by all ordinances or as contemplated by all ordinances supplemental thereto. This Committee shall also supervise the removal and planting of all shade trees in the Borough of Kenilworth.
- 3) This Committee shall have charge of the maintenance of all public equipment pertaining to Civil Defense use and equipment pertaining to Police use.

C. DEPARTMENT OF PUBLIC SAFETY

- 1) This Committee shall constitute the Board of Police Commissioners and it shall have general charge of all matters relating to the Police Department or as contemplated by all ordinances or parts of ordinances supplemental, thereto. They shall examine the report on the qualifications of all applications for membership in the Police Department.
- 2) This Committee shall constitute the Committee of the Office of Emergency Management and shall have general supervision of all matters relating to the Office of Emergency Management.
- 3) This Committee shall have charge of the maintenance of all public equipment pertaining to Police and Office of Emergency Management.
- 4) This Committee shall have general charge of all street lighting in the Borough of Kenilworth

D. DEPARTMENT OF PLANNING, ZONING AND ORDINANCES

- 1) This Committee shall constitute the Committee with respect to all buildings contemplated to be built or maintained by all ordinances of the Borough of Kenilworth.
- 2) This Committee shall have general charge of the Building Inspector, the building codes and all matters pertaining to the operation of the Building Department.

- 3) This Committee shall have general charge and supervision of all matters pertaining to the Zoning Ordinances of the Borough of Kenilworth in connection with all matters concerning zoning and shall have general supervision over the Zoning Enforcement Officer.
- 4) This Committee shall have general charge of the preparation and submission of all general ordinances as required by the Borough of Kenilworth. The Chairman shall submit all general ordinances to the Mayor and Council at least one week in advance of its introduction.
- 5) The Chairman of this Committee shall be a member of the Planning Board of the Borough of Kenilworth.

E. DEPARTMENT OF EDUCATION, HEALTH & HUMAN SERVICES

- 1) This Committee shall have general charge of all matters pertaining to the Health Department and the Board of Health, the operation of an efficient Dog Control Program, and shall work in conjunction with the Board of Health, in the relief of any and all matters detrimental to the health and well-being of the Borough of Kenilworth. The Chairman of the Committee shall be the Representative of the Mayor and Council at meetings of the Board of Health.
- 2) This Committee, working through the Board of Health shall have general charge of all matters pertaining to the water and supply thereof, to the Borough of Kenilworth.
- 3) The Chairman of this Committee shall serve as the Representative of the Mayor and Council at meetings of the Kenilworth Library Board of Trustees, and this Committee shall act in conjunction with the Library Board of Trustees in matters under the jurisdiction of the Library Board of Trustees.
- 4) This Committee shall have general charge of all matters pertaining to the poor and indigent in the Borough of Kenilworth. The Chairman of this Committee shall be a member of the Local Assistance Board of the Borough of Kenilworth. It also shall cooperate with the Director of Welfare, subject to the laws of the State of New Jersey and ordinances of the Borough of Kenilworth.

F. DEPARTMENT OF FIRE AND RECREATION

- 1) This Committee shall have general charge of the operation and supervision of the Recreation Committee and shall work with the Recreation Committee in establishing a recreation program for the Borough of Kenilworth.
- 2) This Committee shall have general charge of all Public Buildings and equipment pertaining to recreational use, the public parks, playgrounds and other recreational facilities.

- 3) The Chairman of this Committee shall serve as the Representative of the Mayor and Council at the meetings of the Recreation Committee of the Borough of Kenilworth.
- 4) This Committee shall constitute the Board of Fire Commissioners and it shall have general charge of all matters relating to the Fire Department or as contemplated by all ordinances or parts of ordinances supplemental, thereto. They shall examine the report on the qualifications of all applications for membership in the Fire Department.
- 5) This Committee shall have charge of the maintenance of all fire department equipment pertaining to Fire use.

ARTICLE V- NEGOTIATIONS COMMITTEE

SECTION 21 – APPOINTMENT OF NEGOTIATIONS COMMITTEE

- 1) At the Annual Reorganization Meeting in any year during which a Collective Bargaining Agreement shall be subject to negotiation, the Council President shall appoint a Negotiations Committee. The Members of such Committee shall include one (1) Member of the Finance Committee and (1) member of the Committee overseeing the department comprising the Collective Bargaining Unit, i.e. Police Department, Department of Public Works, etc. In the event that the Collective Bargaining Agreements of two (2) units shall be subject to negotiation in any one (1) calendar year the Council President shall appoint as the third member of the Negotiations Committee a member of the Committee overseeing the Bargaining Agreement.
- 2) This Committee shall have responsibility for negotiating the Collective Bargaining Agreements for all employees of the Borough subject to a Collective Bargaining Agreement.

ARTICLE VI – ROLL CALL

SECTION 22 – PROCEDURE

Roll Call of members of the Council shall be in Alphabetical order and no member of the Council shall be excused from voting on any question submitted to it except because of a personal interest in the matter involved. Failure to vote or refusal to vote should be taken as a vote in the negative.

A member of the Council may pass on a vote and upon completion of the roll call shall be asked for their vote on the question. Upon completion of the roll call, Council shall be asked if any

member desires to change their vote. Any member who abstains must state their reason for such abstention.

ARTICLE VII – AMENDMENTS

SECTION 23 – PROCEDURE

After the By-Laws of the Governing Body of the Borough of Kenilworth have been adopted each year, these By-Laws may be altered or amended provided the alteration or amendment be proposed at a Regular Meeting and considered and adopted by a majority of the Council members at the next succeeding Regular Meeting; but any of them may be suspended temporarily with the concurrence of four members of the Council, or with the concurrence of members, in case of a tie-vote, with the Mayor casting the affirmative vote to suspend same.

Incumbent and new members of the Borough Council, if any, shall meet and discuss the By-Laws for the next year at least once before the annual re-organization meeting; to make changes if warranted and to select the Council President and Council Committees for the following year. A copy of the By-Laws shall be provided to all members of the Governing Body and should be available to the public upon request.

RESOLUTION

No. 14

KENILWORTH, N.J.

JANUARY 3, 2022

Introduced by: PUGLIESE

Seconded by: FINISTRELLA

WHEREAS, the Borough Clerk has prepared a schedule of meetings of the Governing Body of the Borough of Kenilworth for the year 2022, a true copy of which is annexed hereto and made a part hereof in accordance with the Open Public Meetings Act being Chapter 231, Public Law 1975.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Kenilworth that the Borough Clerk on or before January 10, 2022, mail true copies of this Resolution, including aforesaid schedule, to the Home News Tribune, the Local Source, Union, New Jersey; and the Star Ledger, Newark, New Jersey, said newspapers being designated because they have the greatest likelihood of informing the public as to the time and place of meetings set forth in the aforesaid schedule.

FURTHER RESOLVED that the Borough Clerk, acting for the Governing Body of the Borough of Kenilworth, furnish a true copy of the aforesaid schedule and any revisions thereof and any advance written notice required by Sub-section 3 (d) of the Open Public Meetings Act or any regular, special or rescheduled meetings of the Governing Body of the Borough of Kenilworth to any persons who request same.

Work Session to start, unless otherwise noted, at 6:00 P.M. at the conference room, Second Floor, Borough Hall; and Regular Meetings to start at 8:00 P.M.* at the Council Chambers, Borough Hall, Boulevard, Kenilworth, New Jersey.

* Due to the public health emergency caused by Coronavirus, the Regular Council Meeting will commence as soon as possible after the Work Session.

Approved: _____

Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri					✓	
Councilman Mark David			✓			
Councilman Joseph Finistrella			✓			
Councilman Scott Pentz			✓			
Councilman Fred Pugliese	✓		✓			
Councilman John Zimmerman			✓			
Mayor: Linda Karlovitch						
ON CONSENT AGENDA	Yes	Yes	No	No	✓	

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 3, 2022.



 Laura Reinertsen, Borough Clerk

**SCHEDULE OF MEETINGS
GOVERNING BODY OF THE BOROUGH OF KENILWORTH
FOR THE YEAR 2022**

The following schedule of meetings will be in effect for the duration of the COVID-19 Pandemic

WORK SESSIONS to start at 6:00 P.M. in the Council Chamber, Borough Hall, 567 Boulevard, Kenilworth, New Jersey.

COUNCIL MEETINGS will commence as soon as possible after the Work Session in the Council Chamber, Borough Hall, 567 Boulevard, Kenilworth, New Jersey.

Reorganization of the Borough of Kenilworth is scheduled for Monday, January 3, 2022 at 8pm

January	12 th	26 th
February	9 th	23 rd
March	9 th	23 rd
April	13 th	27 th
May	11 th	25 th
June	8 th	22 nd
July	13 th	.....
August	.....	24 th
September	14 th	28 th
October	12 th	26 th
November	9 th	.....
December	14 th	.....

Upon the lifting of all COVID-19 Pandemic related restrictions by the Governor of the State of New Jersey, the Borough of Kenilworth may return to the regular meeting times noted below.

WORK SESSIONS to start at 6:00 P.M. in the Conference Room, Second Floor, Borough Hall, 567 Boulevard, Kenilworth, New Jersey.

COUNCIL MEETINGS to start at 8:00 P.M. in the Council Chamber, Borough Hall, 567 Boulevard, Kenilworth, New Jersey.

At the 2022 Reorganization Meeting, the regular meeting schedule was approved for January and February of 2022. The remaining months are being considered for modification via Borough Ordinance to be determined.

RESOLUTION

No. 30

KENILWORTH, N.J.

JANUARY 3, 2022

Introduced by: PUGLIESE

Seconded by: FINISTRELLA

BE IT HEREBY RESOLVED: That the Mayor's appointment of **Anthony Miguel Prieto, Esq.** as Municipal Prosecutor for the year 2022, be and the same is hereby confirmed.

Approved: _____

Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri					✓	
Councilman Mark David				✓		
Councilman Joseph Finistrella		✓	✓			
Councilman Scott Pentz			✓			
Councilman Fred Pugliese	✓		✓			
Councilman John Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes	No				✓

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 3, 2022.



Laura Reinertsen, Borough Clerk

RESOLUTION

No. 31

KENILWORTH, N.J.

JANUARY 3, 2022

Introduced by: PUGLIESE

Seconded by: FINISTRELLA

BE IT HEREBY RESOLVED: That the Mayor's appointment of **Jared Weiss** as Assistant Public Defender for the year 2022, be and the same is hereby confirmed.

Approved: _____

Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			/			
Councilman Mark David			/			
Councilman Joseph Finistrella		/	/			
Councilman Scott Pentz			/			
Councilman Fred Pugliese	/		/			
Councilman John Zimmerman			/			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes		No			<input checked="" type="checkbox"/>

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 3, 2022.



 Laura Reinertsen, Borough Clerk

RESOLUTION

No. 34

KENILWORTH, N.J.

JANUARY 3, 2022

Introduced by: POGLIESE

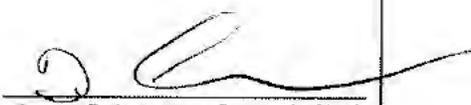
Seconded by: PENTZ

BE IT HEREBY RESOLVED: That the Mayor's appointment of **PATRICK BOYLE** as Recreation Director for 2022 at a salary of \$2,000 per year, be and the same is hereby confirmed.

Approved: _____
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri				✓		
Councilman Mark David				✓		
Councilman Joseph Finistrella			✓			
Councilman Scott Pentz		✓	✓			
Councilman Fred Pugliese	✓		✓			
Councilman John Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes			No		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 3, 2022.



Laura Reinertsen, Borough Clerk

RESOLUTION

No. 38

KENILWORTH, N.J.

JANUARY 3, 2022

Introduced by: PUGLIESE

Seconded by: ZIMMERMAN

BE IT HEREBY RESOLVED: that in accordance with NJSA 40:54-9, the Mayor's appointment of *Sally Scheuerer* as a member of the Library Board of Trustees for a 5-year term, effective 1/1/2022 through 12/31/26, be and the same is hereby confirmed.

Approved: _____

Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri				✓		
Councilman Mark David				✓		
Councilman Joseph Finistrella				✓		
Councilman Scott Pentz				✓		
Councilman Fred Pugliese	✓			✓		
Councilman John Zimmerman		✓		✓		
Mayor Linda Karlovitch						
ON CONSENT AGENDA						
Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>						

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 3, 2022.


 Laura Reinertsen, Borough Clerk

RESOLUTION

No. 46

KENILWORTH, N.J.

JANUARY 3, 2022

Introduced by: PUGLIESE

Seconded by: FINISTRELLA

BE IT HEREBY RESOLVED: That the following be designated as Official Insurance Agent/Risk Manager for the Borough of Kenilworth for the year 2022: **Pinnacle Risk Solutions**, 4 Becker Farm Rd., Roseland, NJ 07068 973-284-0100, Rich Duthie.

Approved: _____
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri				✓		
Councilman Mark David				✓		
Councilman Joseph Finistrella		✓		✓		
Councilman Scott Pentz				✓		
Councilman Fred Pugliese	✓			✓		
Councilman John Zimmerman				✓		
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes			No	✓	

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 3, 2022.



 Laura Refhertsen, Borough Clerk

RESOLUTION

No. 53

KENILWORTH, N.J.

JANUARY 3, 2022

Introduced by: PUGLIESE

Seconded by: FINISTRELLA

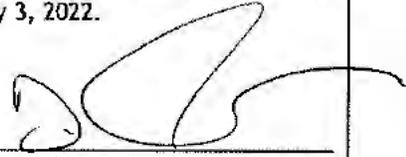
BE IT HEREBY RESOLVED: That the Mayor's appointment of **Gavin Handwerker, Esq.** as **PUBLIC DEFENDER** for the year 2022, be and the same is hereby confirmed.

Approved: _____

Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri				/		
Councilman Mark David				/		
Councilman Joseph Finistrella		/		/		
Councilman Scott Pentz				/		
Councilman Fred Pugliese	/			/		
Councilman John Zimmerman				/		
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes	No				/

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 3, 2022.



Laura Reinertsen, Borough Clerk

RESOLUTION

No. 55

KENILWORTH, N.J.

JANUARY 12, 2022

Introduced by: _____

Seconded by: _____

CONSENT AGENDA

BE IT RESOLVED, by the Mayor and Council of the Borough of Kenilworth of Union County, New Jersey upon recommendation of the Borough Engineer that Payment for the Emergency Repairs listed below be and is hereby approved.

<u>REPAIR TYPE</u>	<u>LOCATION</u>	<u>AMOUNT</u>
Inlet Repair	Columbus Ave. / Sydney Rd.	\$2,000
Sink Hole/Inlet Repairs	Mark/Arbor/Lexington	\$20,445
TOTAL		\$22,445

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

TITLE OF JOB: Emergency Repairs – Various Locations
 CONTRACTOR: Messercola Excavating
 549 E. 3rd St
 Plainfield, NJ 07060

Amount Due \$22,445.00

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

CERTIFICATION OF FUNDS

APPROPRIATION: 1-01-26-773-094 \$2,000.00 C-04-55-154-109 \$20,445.00

Kenneth P. Blum
 Ken Blum, CFO/Treasurer

Approved: _____

Linda Karlovitch
 Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT	I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 12, 2022. <u>Laura Reinertsen</u> Laura Reinertsen, Borough Clerk
Councilwoman Kay Ceceri			/				
Councilman Mark David			/				
Councilman Joseph Finistrella	/		/				
Councilman Scott Pentz		/	/				
Councilman Fred Pugliese			/				
Councilman John Zimmerman			/				
Mayor Linda Karlovitch			/				
ON CONSENT AGENDA		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>				

BOROUGH OF KENILWORTH
COUNCIL MEETING - JANUARY 12, 2022
CONSENT AGENDA

The following resolutions, listed on a Consent Agenda, are offered by Council Member Finistrella and seconded by Council Member Pentz

Resolution No.

- 54. That all bills be paid when properly audited and funds are available
- 55. Approve Emergency Repairs – Messercola Excavating \$22,445.00
- 56. Municipal Alliance FY 2023 Strategic Plan
- 57. Affirmation of Bd. Of Health 2021 COLA Raise
- 58. KPD Crossing Guard 2022 Appointments - Update
- 59. Appointment of OEM Coordinator & Deputy Coordinator

Approved:


 Linda Karlovitch, Mayor

	M O V E D	S E C O N D E D	A Y E S	N A Y S	A B S T A I N	A B S E N T	
Councilwoman Kay Ceceri			/				I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 3, 2022.  Laura Reinertsen, Borough Clerk
Councilman Mark David			/				
Councilman Joseph Finistrella	/		/				
Councilman Scott Pentz			/				
Councilman Fred Pugliese			/				
Councilman John Zimmerman			/				
ON CONSENT AGENDA		Yes <input checked="" type="checkbox"/>		No <input type="checkbox"/>			

RESOLUTION

No. 54

KENILWORTH, N.J.

JANUARY 12, 2022

Introduced by: _____

Seconded by: CONSENT AGENDA

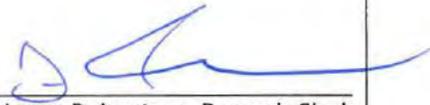
BE IT RESOLVED, that the Chief Finance Officer be authorized to make payments and transfers for necessary obligations prior to the next regularly scheduled Council Meeting.

BE IT 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 Chief Financial Officer as outlined in Borough Code Chapter 5-34.

Approved: _____
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			/			
Councilman Mark David			/			
Councilman Joseph Finistrella	/		/			
Councilman Scott Pentz		/	/			
Councilman Fred Pugliese			/			
Councilman John Zimmerman			/			
Mayor Linda Karlovitch						
ON-CONSENT AGENDA		Yes	/	No		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 12, 2022.



Laura Reinertsen, Borough Clerk



December 30, 2021
Revised January 04, 2022

Ms. Laura Reinertsen, Borough Clerk Administrator
Borough of Kenilworth
567 Boulevard
Kenilworth, NJ 07033

Re: Emergency Repairs - Various Locations

Dear Ms. Reinertsen:

Attached are invoices received from Messercola Excavating Co. Inc. for emergency repair work as follows:

1. Invoice 8449, repair inlet at corner of Columbus Avenue and Sydney Road in the amount of \$2,000.00.
2. Invoice 8820, repair of sink hole on Mark Road, repair of sink hole on Arbor Street and repair of inlet on Lexington Avenue in the amount of \$20,445.00.

Total - \$22,445.00

If you should have any questions, please give us a call.

Very truly yours,


Anthony G. Gallerano, PE, PP
Harbor Consultants, Inc.

RESOLUTION

No. 56

KENILWORTH, N.J.

JANUARY 12, 2022

Introduced by: _____

Seconded by: _____

CONSENT AGENDA

FORM 1B

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

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

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

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

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

1. The Borough Council does hereby authorize submission of a strategic plan for the Kenilworth Municipal Alliance grant for fiscal year 2023 in the amount of:

DEDR	\$8,068.00
Cash Match	\$2,017.00
In-Kind	\$6,051.00

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

Approved: 
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri						
Councilman Mark David						
Councilman Joseph Finistrella						
Councilman Scott Pentz						
Councilman Fred Pugliese						
Councilman John Zimmerman						
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes <input checked="" type="checkbox"/>		No <input type="checkbox"/>			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 12, 2022.


Laura Reinertsen, Borough Clerk

FORM 1A

FOR COUNTY USE ONLY	
Approved:	_____ YES _____ NO
Date:	_____ / _____ / _____

STRATEGIC PLAN FOR FUNDING MUNICIPAL ALLIANCES

Grant Year: 2023 Alliance Tier 1

APPLICANT MUNICIPALITY(IES): Borough of Kenilworth	COUNTY: Union
ALLIANCE NAME: Kenilworth Municipal Alliance	ALLIANCE WEBSITE: n/a
ALLIANCE STREET ADDRESS: 567 Boulevard	
TOWN: Kenilworth STATE: NJ ZIP: 07033	
TELEPHONE: (908) 276-9090	FAX: (908) 276-7688
ALLIANCE CHAIRPERSON: John Zimmerman	ALLIANCE COORDINATOR: Michael Belka
STREET ADDRESS: 567 Boulevard	STREET ADDRESS: 576 Boulevard
TOWN: Kenilworth STATE: NJ ZIP: 07033	TOWN: Kenilworth STATE: NJ ZIP: 07033
EMAIL: Johnzimmerman22@verizon.net	EMAIL: BoardofHealth@kenilworthnj.org
DATE OF RESOLUTION AUTHORIZING THE STRATEGIC PLAN (MMDDYYYY): 01/12/2022	

A) Alliance DEDR Allocation	\$ 8,068.00
B) Cash Match (must be 25% of DEDR Allocation)	\$ 2,017.00
C) In-Kind Match (must be 75% of the DEDR Allocation)	\$ 6,051.00
TOTAL ALLIANCE BUDGET (add A+ B+C)	\$ 16,136.00

Kenilworth	Linda Karlovitch	
*MUNICIPALITY	NAME/ MAYOR/Head of Governing Body	SIGNATURE
Kenilworth	Laura Reinertsen / Administrator, Borough Clerk	
*MUNICIPALITY	NAME/TITLE OF GOVERNING BODY REPRESENTATIVE	SIGNATURE
Kenilworth	Ken Blum / CMFO	
*MUNICIPALITY	NAME/TITLE OF GOVERNING BODY REPRESENTATIVE	SIGNATURE
John Zimmerman		
ALLIANCE CHAIRPERSON	SIGNATURE	DATE

*** If a municipality is part of a consortium, a signature and resolution is required from all participating municipalities entering into the agreement. Signatures hereby accept all components of this grant including membership terms, Statement of Assurances and Fiscal Requirements.**

RESOLUTION

No. 57

KENILWORTH, N.J.

JANUARY 12, 2022

Introduced by: _____

Seconded by: _____

CONSENT AGENDA

WHEREAS, at their regular meeting of November 18, 2021, after due deliberation the Kenilworth Board of Health, has granted a 2% cost of living salary increases to the following employees; and

Name	Hire Date	Current Hrly Rate	Current Annual	Hrly w/2% incr. eff 1/1/21	2020 with 2% inc. eff 1/1/21	Stipend \$/Added comp.	2021 Salary w/2% Inc.+ stip.+ long. eff 1/1/21
iviarconi Gapas	1/1/2012		\$ 10,328.18		\$	\$ -	\$ 10,534.74
Karen Kizelevich *	2/4/2019	\$ 15.30		\$ 15.60		\$ -	\$
Michael Balka *	3/11/2019		\$ 44,860.00		\$ -	\$ 1,000.00	\$ 45,737.20

THEREFORE BE IT RESOLVED, that the Mayor and Council affirm the salary increase of 2% for the above mentioned Kenilworth Board of Health Employees, retroactive to January 1, 2021.

Approved: _____

Linda Karlovitch
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			/			
Councilman Mark David			/			
Councilman Joseph Finistrella			/			
Councilman Scott Pentz			/			
Councilman Fred Pugliese			/			
Councilman John Zimmerman			/			
Mayor Linda Karlovitch			/			
ON CONSENT AGENDA						
	Yes <input checked="" type="checkbox"/>		No <input type="checkbox"/>			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 12, 2022.

Laura Reinertsen
Laura Reinertsen, Borough Clerk

RESOLUTION

No. 58

KENILWORTH, N.J.

JANUARY 12, 2022

Introduced by: _____

Seconded by: _____

CONSENT AGENDA

BE IT HEREBY RESOLVED That the appointment of Regular School Crossing Guards, as follows: Robert Wolters, Ugo Capra, John Martins, Kimberly Montiero, Ronald Freidman, Donald Gerardo, Antonia Laversa, Mike Moran, Jo Mandagliio-Tomasso, Maryann Stiles, Sara Fernandez, Rose Piccinnini and Charles Zignauskas

BE IT FURTHER RESOLVED that the following be appointed as Alternate School Crossing Guards for the year 2022: Marianne Ehmann, Pat Boyle, Lynn Zorich, Romeo Capra, Bibi Shahabudeen, and Gail Gross.

Approved: 
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			/			
Councilman Mark David			/			
Councilman Joseph Finistrella	/		/			
Councilman Scott Pentz		/	/			
Councilman Fred Pugliese			/			
Councilman John Zimmerman			/			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes <input checked="" type="checkbox"/>		No <input type="checkbox"/>			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 12, 2022.


Laura Reinertsen, Borough Clerk

RESOLUTION

No. 59

KENILWORTH, N.J.

JANUARY 12, 2022

Introduced by: _____

Seconded by: _____

CONSENT AGENDA

BE IT HEREBY RESOLVED, that pursuant to NJSA App A:9-40.1, Michael Scuderi be appointed as the OEM Coordinator for a three (3) year term, effective January 1, 2021 and ending December 31, 2023.

BE IT FURTHER RESOLVED, that that pursuant to NJSA App A:9-40.1, James Hannon be appointed as the Deputy OEM Coordinator for a three (3) year term, effective January 1, 2021 and ending December 31, 2023.

Approved:


Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri						
Councilman Mark David						
Councilman Joseph Finistrella						
Councilman Scott Pentz						
Councilman Fred Pugliese						
Councilman John Zimmerman						
Mayor Linda Karlovitch						
ON CONSENT AGENDA		Yes <u> </u>	No <u> </u>			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 12, 2022.


Laura Reinertsen, Borough Clerk

RESOLUTION

No. 60

KENILWORTH, N.J.

JANUARY 12, 2022

Introduced by: Zimmerman

Seconded by: Pugliese

Whereas on January 3, 2022, the borough council for the borough of Kenilworth, duly adopted new bylaws; and

Whereas, said bylaws, properly designated a new process to set the agenda among other things; and

Whereas the municipal clerk's duties as set forth in N.J.S.A. 40A: 9-133(e) Clearly and unequivocally notes that the clerk acts as a secretary to the governing body, prepares meeting agendas at the discretion of the governing body; and

Whereas, Roberts Rules of order even notes that agendas are set by the meeting assembly or in this case the council, section 41PP. 371-373; and

Whereas, even the existing bylaws for the borough council of the Borough Kenilworth, do not vest any power in the mayor to set the agenda and in fact implicitly infer the contrary, by providing "resolution should be offered in writing and presented to the mayor and council for preliminary review on the day preceding the regular meeting. Such a preliminary review may be waived on motion of any member of council, approved by the majority of council present at any meeting of the governing body."; and

Whereas for these reasons as well as others, there is no power vested in the mayor to set agendas. In fact, N.J.S.A. 40 A: 60-6 c expressly vests all the executive responsibilities of the municipality not placed, by general law in the mayor, to the council; and

Whereas the entire statutory construct for the borough form of government set forth in NJSA 40A: 60- 1 et seq. Is intended to limit and not expand the power of the office of mayor. and

Whereas, any attempt to challenge or invalidate these bylaws by the borough attorney or borough administrator is contrary to the desire of the governing body of the borough of Kenilworth and in fact, contrary to all reasonable interpretations of law.

It is hereby Resolved that the borough attorney and administrator be and are hereby directed and instructed not to pursue any action for declaratory judgment or to legally challenge the aforementioned bylaws in any fashion or to encumber or expend any monies to do so.

Approved: _____

Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri				x		
Councilman Mark David				x		
Councilman Joseph Finistrella			x			
Councilman Scott Pentz			x			
Councilman Fred Pugliese		x	x			
Councilman John Zimmerman	x		x			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes _				No _x	

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 12, 2022.



Laura Reinertsen, Borough Clerk

RESOLUTION

No. 61

KENILWORTH, N.J.

JANUARY 12, 2022

Introduced by: Pugliese

Seconded by: Zimmerman

BE IT HEREBY RESOLVED that the ordinance #2022-01 entitled:

**AN ORDINANCE AMENDING AND SUPPLEMENTING THE CHAPTER 5
'ADMINISTRATION OF GOVERNMENT' SECTION 5-14 TITLED 'MEETINGS AND
CONFERENCES' OF THE CODE FOR THE BOROUGH OF KENILWORTH,
COUNTY OF UNION, STATE OF NEW JERSEY**

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 the February 9, 2022 at 6:30PM or as soon as 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.

Approved: _____

Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri					/	
Councilman Mark David					/	
Councilman Joseph Finistrella					/	
Councilman Scott Pentz					/	
Councilman Fred Pugliese		/	/			
Councilman John Zimmerman	/		/			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes		No		/	

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 12, 2022.



 Laura Reinertsen, Borough Clerk

BOROUGH OF KENILWORTH

ORDINANCE NO. 2022-01

AN ORDINANCE AMENDING AND SUPPLEMENTING THE CHAPTER 5 'ADMINISTRATION OF GOVERNMENT' SECTION 5-14 TITLED 'MEETINGS AND CONFERENCES' OF THE CODE FOR THE BOROUGH OF KENILWORTH, COUNTY OF UNION, STATE OF NEW JERSEY

PURPOSE: The purpose of this ordinance is to amend the rules of order and schedule of meetings for the smooth, orderly, and fairly conduction of meetings for the Borough of Kenilworth. The customs for carrying on the business of the legislative body shall continue to be deliberative assemblies where free expression will continue to allow governing body to systematically and efficiently transact business.

Section § 5-14 of the Borough Code is amended superseded by the following:

Section § 5-14 Meetings and Public Participation

B. Regular Meetings. The Council shall conduct an annual meeting during the first seven days of each year. All Council meetings shall be held within the borough, with preference to the Borough Hall. Thereafter, the Council shall meet regularly at 8 PM or shortly thereafter on the ~~second~~ **first** and ~~fourth~~ **third** Wednesday of each month with the exception of the months of July, August, November & December when the meetings will only occur on the ~~second~~ **first** Wednesday of the month. If the regular meeting of the Council is also a legal holiday, such meeting shall then be held on the next succeeding business day which is not a legal holiday or at such other date and time as the Council may designate.

C. Work Sessions. In recognition that an initial presentation for each subcommittee may facilitate a better understanding of a matter prior to a formal vote, the Council shall hold a meeting for said purpose at ~~6:30~~ **6:00** PM just prior to the Regular meeting. In addition to the foregoing, the Borough Engineer, Attorney, Clerk and advisory group or person may provide a brief report of their concerns and/or activities at the Work Session.

Linda Karlovitch , Mayor

INTRODUCTION						COUNCILPERSON	FINAL ADOPTION					
Moved	Sec.	Aye	Nay	Abs.	NP		Moved	Sec.	Aye	Nay	Abs.	NP
			/			KAY CECERI						
			/			MARK DAVID						
		/				JOSEPH FINISTRELLA						
		/				SCOTT PENTZ						
	/	/				FRED PUGLIESE						
/		/				JOHN ZIMMERMAN						
Introduced: January 12, 2022						I hereby certify the above ordinance was adopted by the Borough Council of the Borough of Kenilworth, County of Union, State of New Jersey on the aforementioned date. <div style="text-align: right; margin-top: 20px;">  _____ Laura Reinertsen, Borough Clerk </div>						
Final Adoption: February 9, 2022												

RESOLUTION

No. 55

KENILWORTH, N.J.

JANUARY 12, 2022

Introduced by: _____

Seconded by: _____

CONSENT AGENDA

BE IT RESOLVED, by the Mayor and Council of the Borough of Kenilworth of Union County, New Jersey upon recommendation of the Borough Engineer that Payment for the Emergency Repairs listed below be and is hereby approved.

REPAIR TYPE	LOCATION	AMOUNT
Inlet Repair	Columbus Ave. / Sydney Rd.	\$2,000
Sink Hole/Inlet Repairs	Mark/Arbor/Lexington	\$20,445
TOTAL		\$22,445

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

TITLE OF JOB: Emergency Repairs – Various Locations
 CONTRACTOR: Messercola Excavating
 549 E. 3rd St
 Plainfield, NJ 07060

Amount Due \$22,445.00

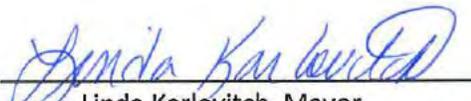
All bills on file in the Finance Office. This Resolution to take effect upon certification by the Borough Treasurer that sufficient funds are available.

CERTIFICATION OF FUNDS

APPROPRIATION: 1-01-26-773-094 \$2,000.00 C-04-55-154-109 \$20,445.00

Kenneth P. Blum
 Ken Blum, CFO/Treasurer

Approved: _____


 Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT	I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 12, 2022.  Laura Reinertsen, Borough Clerk
Councilwoman Kay Ceceri			/				
Councilman Mark David			/				
Councilman Joseph Finistrella	/		/				
Councilman Scott Pentz		/	/				
Councilman Fred Pugliese			/				
Councilman John Zimmerman			/				
Mayor Linda Karlovitch			/				
ON CONSENT AGENDA		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>				

BOROUGH OF KENILWORTH
COUNCIL MEETING - JANUARY 12, 2022
CONSENT AGENDA

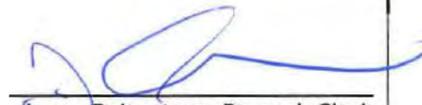
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Resolution No.

- 54. That all bills be paid when properly audited and funds are available
- 55. Approve Emergency Repairs – Messercola Excavating \$22,445.00
- 56. Municipal Alliance FY 2023 Strategic Plan
- 57. Affirmation of Bd. Of Health 2021 COLA Raise
- 58. KPD Crossing Guard 2022 Appointments - Update
- 59. Appointment of OEM Coordinator & Deputy Coordinator

Approved:


 Linda Karlovitch, Mayor

	M O V E D	S E C O N D E D	A Y E S	N A Y S	A B S T A I N	A B S E N T	
Councilwoman Kay Ceceri			/				I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 3, 2022.  Laura Reinertsen, Borough Clerk
Councilman Mark David			/				
Councilman Joseph Finistrella	/		/				
Councilman Scott Pentz			/				
Councilman Fred Pugliese			/				
Councilman John Zimmerman			/				
ON CONSENT AGENDA		Yes <input checked="" type="checkbox"/>		No <input type="checkbox"/>			

RESOLUTION

No. 54

KENILWORTH, N.J.

JANUARY 12, 2022

Introduced by: _____

Seconded by: CONSENT AGENDA

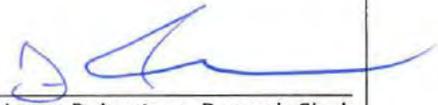
BE IT RESOLVED, that the Chief Finance Officer be authorized to make payments and transfers for necessary obligations prior to the next regularly scheduled Council Meeting.

BE IT 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 Chief Financial Officer as outlined in Borough Code Chapter 5-34.

Approved: _____
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			/			
Councilman Mark David			/			
Councilman Joseph Finistrella	/		/			
Councilman Scott Pentz		/	/			
Councilman Fred Pugliese			/			
Councilman John Zimmerman			/			
Mayor Linda Karlovitch						
ON-CONSENT AGENDA		Yes	/	No		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 12, 2022.



Laura Reinertsen, Borough Clerk



December 30, 2021
Revised January 04, 2022

Ms. Laura Reinertsen, Borough Clerk Administrator
Borough of Kenilworth
567 Boulevard
Kenilworth, NJ 07033

Re: Emergency Repairs - Various Locations

Dear Ms. Reinertsen:

Attached are invoices received from Messercola Excavating Co. Inc. for emergency repair work as follows:

1. Invoice 8449, repair inlet at corner of Columbus Avenue and Sydney Road in the amount of \$2,000.00.
2. Invoice 8820, repair of sink hole on Mark Road, repair of sink hole on Arbor Street and repair of inlet on Lexington Avenue in the amount of \$20,445.00.

Total - \$22,445.00

If you should have any questions, please give us a call.

Very truly yours,


Anthony G. Gallerano, PE, PP
Harbor Consultants, Inc.

RESOLUTION

No. 56

KENILWORTH, N.J.

JANUARY 12, 2022

Introduced by: _____

Seconded by: _____

CONSENT AGENDA

FORM 1B

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

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

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

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

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

1. The Borough Council does hereby authorize submission of a strategic plan for the Kenilworth Municipal Alliance grant for fiscal year 2023 in the amount of:

DEDR	\$8,068.00
Cash Match	\$2,017.00
In-Kind	\$6,051.00

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

Approved: 
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri						
Councilman Mark David						
Councilman Joseph Finistrella						
Councilman Scott Pentz						
Councilman Fred Pugliese						
Councilman John Zimmerman						
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes	No	Yes	No	Yes	No

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 12, 2022.


Laura Reinertsen, Borough Clerk

FORM 1A

FOR COUNTY USE ONLY	
Approved:	_____ YES _____ NO
Date:	_____ / _____ / _____

STRATEGIC PLAN FOR FUNDING MUNICIPAL ALLIANCES

Grant Year: 2023 Alliance Tier 1

APPLICANT MUNICIPALITY(IES): Borough of Kenilworth	COUNTY: Union
ALLIANCE NAME: Kenilworth Municipal Alliance	ALLIANCE WEBSITE: n/a
ALLIANCE STREET ADDRESS: 567 Boulevard	
TOWN: Kenilworth STATE: NJ ZIP: 07033	
TELEPHONE: (908) 276-9090	FAX: (908) 276-7688
ALLIANCE CHAIRPERSON: John Zimmerman	ALLIANCE COORDINATOR: Michael Belka
STREET ADDRESS: 567 Boulevard	STREET ADDRESS: 576 Boulevard
TOWN: Kenilworth STATE: NJ ZIP: 07033	TOWN: Kenilworth STATE: NJ ZIP: 07033
EMAIL: Johnzimmerman22@verizon.net	EMAIL: BoardofHealth@kenilworthnj.org
DATE OF RESOLUTION AUTHORIZING THE STRATEGIC PLAN (MMDDYYYY): 01/12/2022	

A) Alliance DEDR Allocation	\$ 8,068.00
B) Cash Match (must be 25% of DEDR Allocation)	\$ 2,017.00
C) In-Kind Match (must be 75% of the DEDR Allocation)	\$ 6,051.00
TOTAL ALLIANCE BUDGET (add A+ B+C)	\$ 16,136.00

Kenilworth	Linda Karlovitch	
*MUNICIPALITY	NAME/ MAYOR/Head of Governing Body	SIGNATURE
Kenilworth	Laura Reinertsen / Administrator, Borough Clerk	
*MUNICIPALITY	NAME/TITLE OF GOVERNING BODY REPRESENTATIVE	SIGNATURE
Kenilworth	Ken Blum / CMFO	
*MUNICIPALITY	NAME/TITLE OF GOVERNING BODY REPRESENTATIVE	SIGNATURE
John Zimmerman		
ALLIANCE CHAIRPERSON	SIGNATURE	DATE

*** If a municipality is part of a consortium, a signature and resolution is required from all participating municipalities entering into the agreement. Signatures hereby accept all components of this grant including membership terms, Statement of Assurances and Fiscal Requirements.**

RESOLUTION

No. 57

KENILWORTH, N.J.

JANUARY 12, 2022

Introduced by: _____

Seconded by: _____

CONSENT AGENDA

WHEREAS, at their regular meeting of November 18, 2021, after due deliberation the Kenilworth Board of Health, has granted a 2% cost of living salary increases to the following employees; and

Name	Hire Date	Current Hrly Rate	Current Annual	Hrly w/2% incr. eff 1/1/21	2020 with 2% inc. eff 1/1/21	Stipend \$/Added comp.	2021 Salary w/2% Inc.+ stip.+ long. eff 1/1/21
iviarconi Gapas	1/1/2012		\$ 10,328.18		\$	\$ -	\$ 10,534.74
Karen Kizelevich *	2/4/2019	\$ 15.30		\$ 15.60		\$ -	\$
Michael Balka *	3/11/2019		\$ 44,860.00		\$ -	\$ 1,000.00	\$ 45,737.20

THEREFORE BE IT RESOLVED, that the Mayor and Council affirm the salary increase of 2% for the above mentioned Kenilworth Board of Health Employees, retroactive to January 1, 2021.

Approved: 
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			<input checked="" type="checkbox"/>			
Councilman Mark David			<input checked="" type="checkbox"/>			
Councilman Joseph Finistrella			<input checked="" type="checkbox"/>			
Councilman Scott Pentz			<input checked="" type="checkbox"/>			
Councilman Fred Pugliese			<input checked="" type="checkbox"/>			
Councilman John Zimmerman			<input checked="" type="checkbox"/>			
Mayor Linda Karlovitch			<input checked="" type="checkbox"/>			
ON CONSENT AGENDA						
	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>				

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 12, 2022.


Laura Reinertsen, Borough Clerk

RESOLUTION

No. 58

KENILWORTH, N.J.

JANUARY 12, 2022

Introduced by: _____

Seconded by: _____

CONSENT AGENDA

BE IT HEREBY RESOLVED That the appointment of Regular School Crossing Guards, as follows: Robert Wolters, Ugo Capra, John Martins, Kimberly Montiero, Ronald Freidman, Donald Gerardo, Antonia Laversa, Mike Moran, Jo Mandaglio-Tomasso, Maryann Stiles, Sara Fernandez, Rose Piccinnini and Charles Zignauskas

BE IT FURTHER RESOLVED that the following be appointed as Alternate School Crossing Guards for the year 2022: Marianne Ehmann, Pat Boyle, Lynn Zorich, Romeo Capra, Bibi Shahabudeen, and Gail Gross.

Approved: _____

Linda Karlovitch
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			/			
Councilman Mark David			/			
Councilman Joseph Finistrella	/		/			
Councilman Scott Pentz		/	/			
Councilman Fred Pugliese			/			
Councilman John Zimmerman			/			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes <input checked="" type="checkbox"/>			No <input type="checkbox"/>		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 12, 2022.

Laura Reinertsen
Laura Reinertsen, Borough Clerk

RESOLUTION

No. 59

KENILWORTH, N.J.

JANUARY 12, 2022

Introduced by: _____

Seconded by: _____

CONSENT AGENDA

BE IT HEREBY RESOLVED, that pursuant to NJSA App A:9-40.1, Michael Scuderi be appointed as the OEM Coordinator for a three (3) year term, effective January 1, 2021 and ending December 31, 2023.

BE IT FURTHER RESOLVED, that that pursuant to NJSA App A:9-40.1, James Hannon be appointed as the Deputy OEM Coordinator for a three (3) year term, effective January 1, 2021 and ending December 31, 2023.

Approved:


Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri						
Councilman Mark David						
Councilman Joseph Finistrella						
Councilman Scott Pentz						
Councilman Fred Pugliese						
Councilman John Zimmerman						
Mayor Linda Karlovitch						
ON CONSENT AGENDA		Yes <u> </u>	No <u> </u>			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 12, 2022.


Laura Reinertsen, Borough Clerk

RESOLUTION

No. 60

KENILWORTH, N.J.

JANUARY 12, 2022

Introduced by: Zimmerman

Seconded by: Pugliese

Whereas on January 3, 2022, the borough council for the borough of Kenilworth, duly adopted new bylaws; and

Whereas, said bylaws, properly designated a new process to set the agenda among other things; and

Whereas the municipal clerk's duties as set forth in N.J.S.A. 40A: 9-133(e) Clearly and unequivocally notes that the clerk acts as a secretary to the governing body, prepares meeting agendas at the discretion of the governing body; and

Whereas, Roberts Rules of order even notes that agendas are set by the meeting assembly or in this case the council, section 41PP. 371-373; and

Whereas, even the existing bylaws for the borough council of the Borough Kenilworth, do not vest any power in the mayor to set the agenda and in fact implicitly infer the contrary, by providing "resolution should be offered in writing and presented to the mayor and council for preliminary review on the day preceding the regular meeting. Such a preliminary review may be waived on motion of any member of council, approved by the majority of council present at any meeting of the governing body."; and

Whereas for these reasons as well as others, there is no power vested in the mayor to set agendas. In fact, N.J.S.A. 40 A: 60-6 c expressly vests all the executive responsibilities of the municipality not placed, by general law in the mayor, to the council; and

Whereas the entire statutory construct for the borough form of government set forth in NJSA 40A: 60- 1 et seq. Is intended to limit and not expand the power of the office of mayor. and

Whereas, any attempt to challenge or invalidate these bylaws by the borough attorney or borough administrator is contrary to the desire of the governing body of the borough of Kenilworth and in fact, contrary to all reasonable interpretations of law.

It is hereby Resolved that the borough attorney and administrator be and are hereby directed and instructed not to pursue any action for declaratory judgment or to legally challenge the aforementioned bylaws in any fashion or to encumber or expend any monies to do so.

Approved: _____

Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri				x		
Councilman Mark David				x		
Councilman Joseph Finistrella			x			
Councilman Scott Pentz			x			
Councilman Fred Pugliese		x	x			
Councilman John Zimmerman	x		x			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes	_		No	_	x

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 12, 2022.



Laura Reinertsen, Borough Clerk

RESOLUTION

No. 61

KENILWORTH, N.J.

JANUARY 12, 2022

Introduced by: Pugliese

Seconded by: Zimmerman

BE IT HEREBY RESOLVED that the ordinance #2022-01 entitled:

**AN ORDINANCE AMENDING AND SUPPLEMENTING THE CHAPTER 5
'ADMINISTRATION OF GOVERNMENT' SECTION 5-14 TITLED 'MEETINGS AND
CONFERENCES' OF THE CODE FOR THE BOROUGH OF KENILWORTH,
COUNTY OF UNION, STATE OF NEW JERSEY**

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 the February 9, 2022 at 6:30PM or as soon as 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.

Approved: _____

Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri					/	
Councilman Mark David					/	
Councilman Joseph Finistrella					/	
Councilman Scott Pentz					/	
Councilman Fred Pugliese		/	/			
Councilman John Zimmerman	/		/			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes		No		/	

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 12, 2022.



 Laura Reinertsen, Borough Clerk

BOROUGH OF KENILWORTH

ORDINANCE NO. 2022-01

AN ORDINANCE AMENDING AND SUPPLEMENTING THE CHAPTER 5 'ADMINISTRATION OF GOVERNMENT' SECTION 5-14 TITLED 'MEETINGS AND CONFERENCES' OF THE CODE FOR THE BOROUGH OF KENILWORTH, COUNTY OF UNION, STATE OF NEW JERSEY

PURPOSE: The purpose of this ordinance is to amend the rules of order and schedule of meetings for the smooth, orderly, and fairly conduction of meetings for the Borough of Kenilworth. The customs for carrying on the business of the legislative body shall continue to be deliberative assemblies were free expression will continue to allow governing body to systematically and efficiently transact business.

Section § 5-14 of the Borough Code is amended superseded by the following:

Section § 5-14 Meetings and Public Participation

B. Regular Meetings. The Council shall conduct an annual meeting during the first seven days of each year. All Council meetings shall be held within the borough, with preference to the Borough Hall. Thereafter, the Council shall meet regularly at 8 PM or shortly thereafter on the ~~second~~ **first** and ~~fourth~~ **third** Wednesday of each month with the exception of the months of July, August, November & December when the meetings will only occur on the ~~second~~ **first** Wednesday of the month. If the regular meeting of the Council is also a legal holiday, such meeting shall then be held on the next succeeding business day which is not a legal holiday or at such other date and time as the Council may designate.

C. Work Sessions. In recognition that an initial presentation for each subcommittee may facilitate a better understanding of a matter prior to a formal vote, the Council shall hold a meeting for said purpose at ~~6:30~~ **6:00** PM just prior to the Regular meeting. In addition to the foregoing, the Borough Engineer, Attorney, Clerk and advisory group or person may provide a brief report of their concerns and/or activities at the Work Session.

Linda Karlovitch , Mayor

INTRODUCTION						COUNCILPERSON	FINAL ADOPTION					
Moved	Sec.	Aye	Nay	Abs.	NP		Moved	Sec.	Aye	Nay	Abs.	NP
			/			KAY CECERI						
			/			MARK DAVID						
		/				JOSEPH FINISTRELLA						
		/				SCOTT PENTZ						
	/	/				FRED PUGLIESE						
/		/				JOHN ZIMMERMAN						
Introduced: January 12, 2022						I hereby certify the above ordinance was adopted by the Borough Council of the Borough of Kenilworth, County of Union, State of New Jersey on the aforementioned date.						
Final Adoption: February 9, 2022												
						 _____ Laura Reinertsen, Borough Clerk						



BOROUGH OF KENILWORTH

JANUARY 26, 2022

WORK SESSION 6PM COUNCIL MEETING

COUNCIL MEETING COMMENCES UPON CONCLUSION OF THE WORK SESSION

DUE TO THE NEW COVID 19 HEALTH EMERGENCY THIS MEETING WILL BE CONDUCTED VIRTUALLY

PUBLIC ACCESS TO ZOOM MEETING: To Access the ZOOM meeting, you will need access to a computer with internet access and/or dial in through a mobile or land line phone to log into the meeting. To join the ZOOM meeting, click on the link below and type in the Meeting ID and Password

ZOOM.US

WEBINAR ID 872 4818 9226

PASSCODE 900884

Minutes: Reading of unapproved minutes of the Jan. 3, 2022 Reorganization Meeting (emailed to all)

Communications:

- NJSLOM Notices (emailed to all)
- NJ – DEP FY 2022 Annual Fee Report
- RVSA – Annual Reminder - Sewer Application Fee Policy
- KFD – Chief Krueger recommendation for EMT Appointment

Borough Resolutions:

Consent Agenda:

- | | |
|--|-------------|
| 62. That all bills be paid when properly audited and funds are available | |
| 63. Approve Terminal Leave for KPD Retirement – JG | \$28,401.19 |
| 64. Approve Terminal Leave for KPD Retirement – VS | \$37,195.40 |
| 65. Appoint UC Mutual Aid Deputy Fire Coordinator – LG | |
| 66. Appoint KFD | |

Ordinances:

Introduction 2022-01 An Ordinance Amending and Supplementing the Chapter 5 “Administration of Government” Section 5-14 Titled “Meetings and Conferences” of the Code for the Borough of Kenilworth, County of Union, State of New Jersey Res. # _____

Proclamations: Honoring the Retirements of Kenilworth Police Department
Lt. James Grady and Officer Valerie Smith

Reports of Mayor, Council and Borough Attorney:

Meeting Open to the Public:

Executive Session:

Council reserves the right to go into Closed Session if needed. (Closed Session Meeting Resolution)

Adjournment

Time: _____

BOROUGH OF KENILWORTH
COUNCIL MEETING - JANUARY 26, 2022
CONSENT AGENDA

The following resolutions, listed on a Consent Agenda, are offered by Council Member PUGLIESE and seconded by Council Member FINISTRELLA

Resolution No.

- 62. That all bills be paid when properly audited and funds are available
- 63. Approve Terminal Leave for KPD Retirement – JG \$28,401.19
- 64. Approve Terminal Leave for KPD Retirement – VS \$37,195.40
- 65. Appoint UC Mutual Aid Deputy Fire Coordinator – LG
- 66. Appoint KFD Probationary EMT - NT

Approved:


 Linda Karlovitch, Mayor

	M O V E D	S E C O N D E D	A Y E S	N A Y S	A B S T A I N	A B S E N T
Councilwoman Kay Ceceri			/			
Councilman Mark David			/			
Councilman Joseph Finistrella		/	/			
Councilman Scott Pentz			/			
Councilman Fred Pugliese	/		/			
Councilman John Zimmerman			/			
ON CONSENT AGENDA			Yes <u> </u>	No <u> </u>		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 26, 2022.


 Laura Reinertsen, Borough Clerk

RESOLUTION

No. 62

KENILWORTH, N.J.

JANUARY 26, 2022

Introduced by: _____

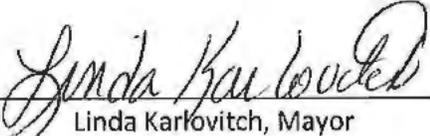
Seconded by: _____

CONSENT AGENDA

BE IT RESOLVED, that the Chief Finance Officer be authorized to make payments and transfers for necessary obligations prior to the next regularly scheduled Council Meeting.

BE IT 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 Chief Financial Officer as outlined in Borough Code Chapter 5-34.

Approved:


Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			/			
Councilman Mark David			/			
Councilman Joseph Finistrella		/	/			
Councilman Scott Pentz			/			
Councilman Fred Pugliese	/		/			
Councilman John Zimmerman			/			
Mayor Linda Karlovitch						
ON CONSENT AGENDA		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 26, 2022.


Laura Reinertsen, Borough Clerk

RESOLUTION

No. 63

KENILWORTH, N.J.

JANUARY 26, 2022

Introduced by: _____

Seconded by: _____

CONSENT AGENDA

WHEREAS, Police Lieutenant James Grady has notified the Borough of Kenilworth of his intention to retire effective February 1, 2022; and

WHEREAS, the governing body the Borough of Kenilworth hereby accepts the retirement of Police Lt. Grady, with a terminal leave date of February 1, 2022; and

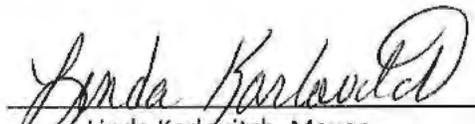
WHEREAS, Police Lt. Grady entitled to Terminal Leave pay as per his contract, as follows;

Type	# of days	Rate	Total
Terminal Leave 24 Years x 2 days =	48	\$566.89	\$27,210.72
2023 Vacation Days	1	\$566.89	\$ 566.89
2022 Holidays (pro-rated)	1.1	\$566.89	\$ 623.58
	50.1		\$28,401.19

WHEREAS, the Kenilworth Police Chief has certified that number of days and amounts due are correct; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Kenilworth that the Payroll Department is authorized to make payments as indicated above based on a final calculation upon his retirement.

Approved:


Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT	I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 26, 2022.  Laura Reinertsen, Borough Clerk
Councilwoman Kay Ceceri			/				
Councilman Mark David			/				
Councilman Joseph Finistrella		/	/				
Councilman Scott Pentz			/				
Councilman Fred Pugliese	/		/				
Councilman John Zimmerman			/				
Mayor Linda Karlovitch							
ON CONSENT AGENDA	Yes	/	No	/			

RESOLUTION

No. 64

KENILWORTH, N.J.

JANUARY 26, 2022

Introduced by: _____

Seconded by: _____

CONSENT AGENDA

WHEREAS, Police Officer Valerie Smith has notified the Borough of Kenilworth of her intention to retire effective February 1, 2022; and

WHEREAS, the governing body the Borough of Kenilworth hereby accepts the retirement of Police Officer Smith, with a terminal leave date of February 1, 2022; and

WHEREAS, Police Officer Smith entitled to Terminal Leave pay as per her contract, as follows:

Type	# of days	Rate	Total
Terminal Leave 20 Years x 2 days =	40	\$488.77	\$19,550.80
2023 Vacation Days	25	\$488.77	\$12,219.25
2022 Vacation Days	10	\$488.77	\$ 4,887.70
2022 Holidays (pro-rated)	1.1	\$488.77	\$ 537.65
	76.1		\$37,195.40

WHEREAS, the Kenilworth Police Chief has certified that number of days and amounts due are correct; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Kenilworth that the Payroll Department is authorized to make payments as indicated above based on a final calculation upon her retirement.

Approved: _____

Linda Karlovitch
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT	I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 26, 2022.  Laura Reinertsen, Borough Clerk
Councilwoman Kay Ceceri			/				
Councilman Mark David			/				
Councilman Joseph Finistrella		/	/				
Councilman Scott Pentz			/				
Councilman Fred Pugliese	/		/				
Councilman John Zimmerman			/				
Mayor Linda Karlovitch			/				
ON CONSENT AGENDA	Yes	/	No	___			

RESOLUTION

No. 65

KENILWORTH, N.J.

JANUARY 26, 2022

Introduced by: _____

Seconded by: _____

CONSENT AGENDA

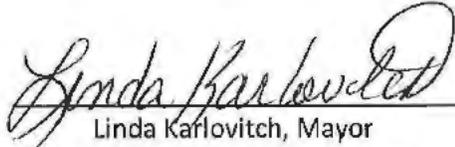
WHEREAS, the Borough of Kenilworth has participated in the Union County Fire Service Mutual Aid System; and

WHEREAS, Fire Chief William Krueger has recommended to the governing body that Deputy Fire Chief Lewis J. Giordino serve as Deputy Fire Coordinator for the Union County Fire Mutual Aid System; and

WHEREAS, while serving in the capacity of the Deputy Fire Coordinator, Deputy Fire Chief Giordino would be covered by the Borough of Kenilworth Worker's Compensation and other appropriate insurance.;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Kenilworth County of Union State of New Jersey that it does hereby approve Deputy Fire Chief Giordino's appointment as a Deputy Fire Coordinator for the Union County Fire Mutual Aid.

Approved:


Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT	
Councilwoman Kay Ceceri			/				I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 26, 2022.  Laura Reinertsen, Borough Clerk
Councilman Mark David			/				
Councilman Joseph Finistrella		/	/				
Councilman Scott Pentz			/				
Councilman Fred Pugliese	/		/				
Councilman John Zimmerman			/				
Mayor Linda Karlovitch							
ON CONSENT AGENDA		Yes /	No _				

RESOLUTION

No. 66

KENILWORTH, N.J.

JANUARY 26, 2022

Introduced by: _____

Seconded by: _____

CONSENT AGENDA

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

<u>Name</u>	<u>Appointment</u>
Nicole Tancs	Probationary EMT

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

Approved:


Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			/			
Councilman Mark David			/			
Councilman Joseph Finistrella		/	/			
Councilman Scott Pentz			/			
Councilman Fred Pugliese	/		/			
Councilman John Zimmerman			/			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes <input checked="" type="checkbox"/>			No <input type="checkbox"/>		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 26, 2022.


Laura Reinertsen, Borough Clerk



BOROUGH OF KENILWORTH

AGENDA ♦ FEBRUARY 9, 2022

WORK SESSION 6PM COUNCIL MEETING

COUNCIL MEETING COMMENCES UPON CONCLUSION OF THE WORK SESSION

In light of the public health emergency caused by Coronavirus, the Mayor and Borough Council Meetings the Council will continue to meet on their regularly scheduled meeting dates. The Regular Council Meeting will commence as soon as possible upon conclusion of the 6PM Work Session.

Open Public Meetings Notice

Salute to the Flag

Roll Call

Minutes: Reading of unapproved minutes of the Work Sessions and Council Meetings of January 12 & 26, 2022 (emailed to all)

Communications:

- NJSLOM Notices (emailed to all)
- Department Reports for January 2022 Clerk's Office, Court, Finance Department, Fire Department, Planning & Zoning, Police Department and Public Works (emailed)

Presentation: None Presented

Report of Mayor, and Committees:

Borough Resolutions:

Consent Agenda:

72. That all bills be paid when properly audited and funds are available
73. Appoint of KPD Police Officer – DR
74. Appoint KPD Alternate Crossing Guard – CS
75. Appoint Recreation Committee Members
76. Authorize Buyout Accumulated Time - JZ

Ordinances: **Public Hearing and Adoption 2022-01** An Ordinance Amending and Supplementing the Chapter 5 "Administration of Government" Section 5-14 Titled "Meetings and Conferences" of the Code for the Borough of Kenilworth, County of Union, State of New Jersey Res. # ____

Introduction 2022-02 An Ordinance To Amend Recreational Program Fees In Section 91-6, Article III Entitled "Fees For Participation In Programs" Res. # ____

Proclamations: None Presented

Meeting Open to the Public:

General Business:

Council reserves the right to go into Closed Session if needed. (Closed Session Meeting Resolution)

Adjournment

Time: _____

BOROUGH OF KENILWORTH
COUNCIL MEETING - FEBRUARY 9, 2022
CONSENT AGENDA

The following resolutions, listed on a Consent Agenda, are offered by Council Member Zimmerman and seconded by Council Member Pentz

Resolution No.

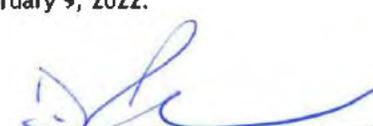
- 72. That all bills be paid when properly audited and funds are available
- 73. Appoint of KPD Police Officer – DR
- 74. Appoint KPD Alternate Crossing Guard – CS
- 75. Appoint Recreation Committee Members
- 76. Authorize Buyout Accumulated Time - JZ

Approved:


Linda Karlovitch, Mayor

	M O V E D	S E C O N D E D	A Y E S	N A Y S	A B S T A I N	A B S E N T
Councilwoman Kay Ceceri			/			
Councilman Mark David						/
Councilman Joseph Finistrella						/
Councilman Scott Pentz		/	/			
Councilman Fred Pugliese			/			
Councilman John Zimmerman	/		/			
ON CONSENT AGENDA	Yes		No			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on February 9, 2022.


Laura Reinertsen, Borough Clerk

RESOLUTION

No. 72

KENILWORTH, N.J.

February 9, 2022

Introduced by: _____

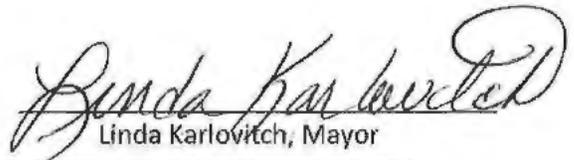
Seconded by: _____

CONSENT AGENDA

BE IT RESOLVED, that the Chief Finance Officer be authorized to make payments and transfers for necessary obligations prior to the next regularly scheduled Council Meeting.

BE IT 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 Chief Financial Officer as outlined in Borough Code Chapter 5-34.

Approved:


Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri						
Councilman Mark David						
Councilman Joseph Finistrella						
Councilman Scott Pentz						
Councilman Fred Pugliese						
Councilman John Zimmerman						
Mayor Linda Karlovitch						
ON CONSENT AGENDA		Yes <u> </u>	No <u> </u>			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on February 9, 2022.


Laura Reinertsen, Borough Clerk

RESOLUTION

No. 73

KENILWORTH, N.J.

February 9, 2022

Introduced by: _____

Seconded by: _____

CONSENT AGENDA

WHEREAS, that Public Safety Committee and Police Chief met to discuss the transfer of an officer to fill a vacancy in the Kenilworth Police Department; and

WHEREAS, the Chief Soos and the Public Safety Committee, after a thorough interview process and successful completion of psychological exam/evaluation, medical exam, criminal and background investigation recommend Dominick Riccelli for appointment

NOW THEREFORE, BE IT RESOLVED, that Dominick Riccelli of 35 Rose Terrace Cedar Grove NJ 07009 be and is hereby appointed as Police Officer in the Kenilworth Police Department, effective February 10, 2022 and subject to a one-year probationary period; and

BE IT FURTHER RESOLVED, that Dominick Riccelli shall start at the 2nd Year of the Borough's Collective Bargaining Agreement with PBA Local #135 salary guide for Officers (\$53,467.89); and

BE IT FURTHER RESOLVED, that the hiring of said officer is subject to the terms and conditions of the Borough's Collective Bargaining Agreement with PBA Local #135 and any memorandums of understanding thereunder.

Approved: _____

Linda Karlovitch
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri						
Councilman Mark David						
Councilman Joseph Finistrella						
Councilman Scott Pentz						
Councilman Fred Pugliese						
Councilman John Zimmerman						
Mayor Linda Karlovitch						
ON CONSENT AGENDA			Yes _	No _		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on February 9, 2022.

Laura Reinertsen
Laura Reinertsen, Borough Clerk

RESOLUTION

No. 74

KENILWORTH, N.J.

February 9, 2022

Introduced by: *Charles Santiago*

Seconded by: _____

BE IT HEREBY RESOLVED that **Charles Santiago**, of 564 Newark Ave. Apt. #2, Kenilworth be appointed an Alternate Crossing Guard effective February 10, 2022 at the rate of \$18.58.

Approved:

Linda Karlovitch
Linda Karlovitch, Mayor

	MAYED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri						
Councilman Mark David						
Councilman Joseph Finistrella						
Councilman Scott Pentz						
Councilman Fred Pugliese						
Councilman John Zimmerman						
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes	Yes	No	No		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on February 9, 2022.

Laura Reinertsen
Laura Reinertsen, Borough Clerk

RESOLUTION

No. 75

KENILWORTH, N.J.

February 9, 2022

Introduced by: _____

Seconded by: _____

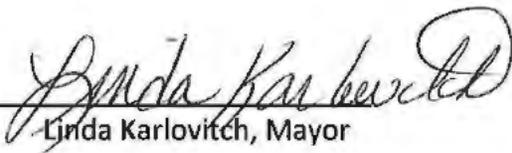
CONSENT AGENDA

WHEREAS, the Recreation Committee has vacancies to be filled and the Recreation Committee has made the following recommendations of appointment.

BE IT HEREBY RESOLVED: That in accordance with Borough Code 41-2 (B) the Mayor's appointments of Sarah Raber and Yessenia Oquendo as Regular Members to the Kenilworth Recreation Committee for 3 year terms, are effective 1/1/2022 through 12/31/24, be and the same is hereby confirmed.

BE IT FURTHER RESOLVED, that three members no longer reside in the Borough and the Recreation Committee recommends the appointments below to fill the vacancies for the unexpired terms:

<u>Name</u>	<u>Term Expiration</u>
Dani Mauro	12/31/2022
Amanda Piotrowicz	12/31/2022
Tom Piotrowicz	12/31/2022

Approved: 
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT	I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on February 9, 2022.  Laura Reinertsen, Borough Clerk
Councilwoman Kay Celeri							
Councilman Mark David							
Councilman Joseph Finistrella							
Councilman Scott Pentz							
Councilman Fred Pugliese							
Councilman John Zimmerman							
Mayor Linda Karlovitch							
ON CONSENT AGENDA	Yes	___	No	___			

RESOLUTION

No. 74

KENILWORTH, N.J.

February 9, 2022

Introduced by: _____

Seconded by: _____

CONSENT AGENDA

WHEREAS, Justyna Zagorska has notified the Borough of Kenilworth of her intention to resign from the Borough Kenilworth Tax/Finance Department effective **February 4, 2022**; and

WHEREAS, the Administrator has certified that Justyna Zagorska is entitled to buyout pay as per the Kenilworth Personnel Policy, as follows;

Type	# of days	Daily Rate	Total
Personal Day	2	\$200.08	\$400.16
Accumulated	10	\$200.08	\$2,000.80
Vacation Days	1.25	\$200.08	\$250.10
Total Due	13.25		\$2,651.06

WHEREAS, Justyna Zagorska has requested to receive this payment in one installment.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Kenilworth that the Finance Department is authorized to make payment as indicated above based on a final calculation upon her last day.

Approved: _____

Linda Karlovitch
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT	I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on February 9, 2022.  Laura Reinertsen, Borough Clerk
Councilwoman Kay Ceceri							
Councilman Mark David							
Councilman Joseph Finistrella							
Councilman Scott Pentz							
Councilman Fred Pugliese							
Councilman John Zimmerman							
Mayor Linda Karlovitch							
ON CONSENT AGENDA	Yes	_____	No	_____			

RESOLUTION

No. 77

KENILWORTH, N.J.

February 9, 2022

Introduced by: PUGLIESE

Seconded by: ZIMMERMAN

BE IT HEREBY RESOLVED that the ordinance #2022-01 entitled:

**AN ORDINANCE AMENDING AND SUPPLEMENTING THE CHAPTER 5
'ADMINISTRATION OF GOVERNMENT' SECTION 5-14 TITLED 'MEETINGS AND
CONFERENCES' OF THE CODE FOR THE BOROUGH OF KENILWORTH,
COUNTY OF UNION, STATE OF NEW JERSEY**

Was introduced and approved on first reading, at the regular meeting of the Borough Council on January 12, 2022 approved for final passage at the regular meeting of the Borough Council of February 9, 2022 after all persons interested were given an opportunity to be heard concerning said ordinance.

BE IT FURTHER RESOLVED that the Borough Clerk is hereby authorized and directed to publish said ordinance according to law with a notice of its final adoption.

Approved: _____

Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri				✓		
Councilman Mark David						✓
Councilman Joseph Finistrella						✓
Councilman Scott Pentz			✓	✓		
Councilman Fred Pugliese	✓		✓	✓		
Councilman John Zimmerman		✓	✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes	___	No	___		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on February 9, 2022.



 Laura Reinertsen, Borough Clerk

BOROUGH OF KENILWORTH

ORDINANCE NO. 2022-01

AN ORDINANCE AMENDING AND SUPPLEMENTING THE CHAPTER 5 'ADMINISTRATION OF GOVERNMENT' SECTION 5-14 TITLED 'MEETINGS AND CONFERENCES' OF THE CODE FOR THE BOROUGH OF KENILWORTH, COUNTY OF UNION, STATE OF NEW JERSEY

PURPOSE: The purpose of this ordinance is to amend the rules of order and schedule of meetings for the smooth, orderly, and fairly conduction of meetings for the Borough of Kenilworth. The customs for carrying on the business of the legislative body shall continue to be deliberative assemblies where free expression will continue to allow governing body to systematically and efficiently transact business.

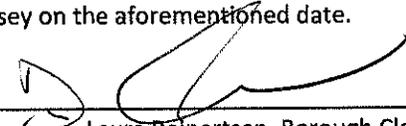
Section § 5-14 of the Borough Code is amended superseded by the following:

Section § 5-14 Meetings and Public Participation

B. Regular Meetings. The Council shall conduct an annual meeting during the first seven days of each year. All Council meetings shall be held within the borough, with preference to the Borough Hall. Thereafter, the Council shall meet regularly at 8 PM or shortly thereafter on the ~~second~~ **first** and ~~fourth~~ **third** Wednesday of each month with the exception of the months of July, August, November & December when the meetings will only occur on the ~~second~~ **first** Wednesday of the month; August may be first or third Wednesday upon Council approval. If the regular meeting of the Council is also a legal holiday, such meeting shall then be held on the next succeeding business day which is not a legal holiday or at such other date and time as the Council may designate.

C. Work Sessions. In recognition that an initial presentation for each subcommittee may facilitate a better understanding of a matter prior to a formal vote, the Council shall hold a meeting for said purpose at ~~6:30~~ **6:00** PM just prior to the Regular meeting. In addition to the foregoing, the Borough Engineer, Attorney, Clerk and advisory group or person may provide a brief report of their concerns and/or activities at the Work Session.

Linda Karlovitch , Mayor

INTRODUCTION						COUNCILPERSON	FINAL ADOPTION					
Moved	Sec.	Aye	Nay	Abs.	NP		Moved	Sec.	Aye	Nay	Abs.	NP
			X			KAY CECERI				/		
			X			MARK DAVID						/
		X				JOSEPH FINISTRELLA						/
		X				SCOTT PENTZ			/			
X		X				FRED PUGLIESE	/		/			
	X	X				JOHN ZIMMERMAN		/	/			
Introduced: January 12, 2022						I hereby certify the above ordinance was adopted by the Borough Council of the Borough of Kenilworth, County of Union, State of New Jersey on the aforementioned date.						
Final Adoption: February 9, 2022												
						 _____ Laura Reinertsen, Borough Clerk						

RESOLUTION

No. 78

KENILWORTH, N.J.

February 9, 2022

Introduced by: PENTZ

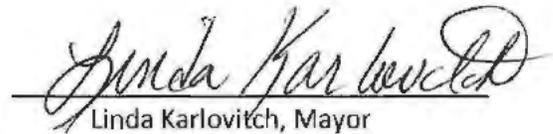
Seconded by: CECERI

BE IT HEREBY RESOLVED that the ordinance #2022-02 entitled:

**ORDINANCE TO AMEND RECREATIONAL PROGRAM FEES IN SECTION 91-6, ARTICLE III,
ENTITLED "FEES FOR PARTICIPATION IN PROGRAMS"**

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 the March 2, 2022 at 6:30PM or as soon as 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.

Approved:


Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri		✓	✓			
Councilman Mark David						✓
Councilman Joseph Finistrella						✓
Councilman Scott Pentz	✓		✓			
Councilman Fred Pugliese			✓	✓		
Councilman John Zimmerman			✓	✓		
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes		No			✓

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on February 9, 2022.


Laura Reinertsen, Borough Clerk

BOROUGH OF KENILWORTH

ORDINANCE NO. 2022-02

ORDINANCE TO AMEND RECREATIONAL PROGRAM FEES IN SECTION 91-6, ARTICLE III, ENTITLED "FEES FOR PARTICIPATION IN PROGRAMS"

PURPOSE: The purpose of this Amendment is to update the schedule of fees charged by the Borough to offset the costs for participation in recreational programs.

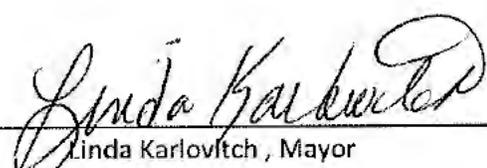
NOW, THEREFORE, BE IT ORDAINED, by the Council of the Borough of Kenilworth, County of Union, and the State of New Jersey as follows that Section 91-6 is amended as follows:

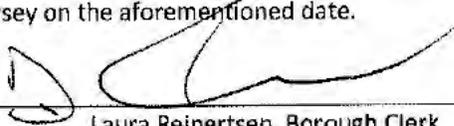
The Recreation Committee of the Borough of Kenilworth shall charge fees per season for each participant in the following program(s).

- K. Soccer Program Middle School Sports: Soccer, Baseball, Softball, Basketball
6th grade to 8th grade instruction: \$200 per person per season

Any Ordinance inconsistent with the foregoing is repealed to the extent of any inconsistency.

This Ordinance shall take effect upon adoption and publication according to law.


Linda Karlovitch, Mayor

INTRODUCTION						COUNCILPERSON	FINAL ADOPTION					
Moved	Sec.	Aye	Nay	Abs.	NP		Moved	Sec.	Aye	Nay	Abs.	NP
	✓	/				KAY CECERI						
					/	MARK DAVID						
					/	JOSEPH FINISTRELLA						
✓		/				SCOTT PENTZ						
		/				FRED PUGLIESE						
		/				JOHN ZIMMERMAN						
Introduced: February 9, 2022						I hereby certify the above ordinance was adopted by the Borough Council of the Borough of Kenilworth, County of Union, State of New Jersey on the aforementioned date.						
Final Adoption: March 2, 2022												
						 Laura Reinertsen, Borough Clerk						

RESOLUTION

No. 79

Kenilworth, N.J.

2/9, 2022

Introduced by: Zimmerman

Seconded by: Pugliese

WHEREAS, the members of the Borough Council are mindful of the right of the public to attend and witness meetings of the governmental bodies at which public business is discussed, and to be involved in all phases of governmental action, and

WHEREAS, the Open Public Meetings Act nonetheless recognizes the authority of a public body to exclude the public from meetings in certain enumerated instances in which disclosure of matters discussed could endanger public safety, property or other public interest, or invade individual privacy, and

WHEREAS, as authorized by the Open Public Meetings Act, NJSA 10:4-12 (b), the Borough Council has a need to meet in private session to discuss:

- 1) Matters expressly rendered confidential by law;
- 2) Matters the disclosure of which would jeopardize the receipt of federal funds;
- 3) Matters threatening unwarranted invasion of individual privacy;
- 4) Matters affecting collective bargaining of public employees;
- 5) Matters involving acquisition of real property with public funds, or investment of public funds, where disclosure would jeopardize such acquisition or investment.
- 6) Tactics and techniques utilized in protection of public safety or property, matters concerning investigations of violations of the law;
- 7) Matters affecting pending or anticipated litigation to which the public body may be party, matters within the attorney client privilege.
- 8) Personnel matters concerning the employment, appointment, evaluation, promotion or termination of a public officer or employee;
- 9) Deliberations which may result in the imposition of civil penalty or the suspension or loss of license or permit;

BE IT RESOLVED, that the Borough Council will meet in private session at 7:01 PM on 2/9/22 to discuss the following specific items:

Item # 7 As enumerated above.

BE IT FURTHER RESOLVED, that the matters so discussed will be disclosed to the public as determined during closed session.

Motion to go into Exec. Sess. SZ S FP Time: 7:01 PM

Motion to close Exec. Sess. SZ S KC Time: 7:23 PM

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Celeri						
Councilman David						
Councilman Finistrella						
Councilwoman Pentz						
Councilman Pugliese						
Councilman Zimmerman						
ON CONSENT AGENDA	Yes	No				

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on 2/9, 2022.


Laura Reinertsen, Borough Clerk



BOROUGH OF KENILWORTH

AGENDA ♦ FEBRUARY 23, 2022

WORK SESSION 6PM COUNCIL MEETING

COUNCIL MEETING COMMENCES UPON CONCLUSION OF THE WORK SESSION

In light of the public health emergency caused by Coronavirus, the Mayor and Borough Council Meetings the Council will continue to meet on their regularly scheduled meeting dates. The Regular Council Meeting will commence as soon as possible upon conclusion of the 6PM Work Session.

Open Public Meetings Notice

Salute to the Flag

Roll Call

Minutes: None Presented

Communications:

- NJSLOM Notices (emailed to all)
- UC – 2022 Infrastructure Grant Opportunity
- KVFD – Request for Use of Fleet Vehicle for Training and Recommendations for Appointment

Presentation: Proclamations Honoring Eagle Scouts Joseph Grimaldi & Andrew Gasper

Report of Mayor, and Committees:

Borough Resolutions:

Consent Agenda:

80. That all bills be paid when properly audited and funds are available
81. Reinstate Recreation Director Salary
82. Authorize Refund of Recreation Registration Fees
83. Appoint KFD Probationary EMTs – MT KC NK
84. Authorize Fleet Vehicle for Scrap and KFD Training Exercise

Ordinances: Introduction 2022-03 An Ordinance Amending Ordinance #2018-10 Providing For Compensation For The Department Of Public Works Of The Borough Of Kenilworth Res. # _____

Meeting Open to the Public:

General Business:

Council reserves the right to go into Closed Session if needed. *(Closed Session Meeting Resolution)*

Adjournment

Time: _____

BOROUGH OF KENILWORTH
COUNCIL MEETING - FEBRUARY 23, 2022
CONSENT AGENDA

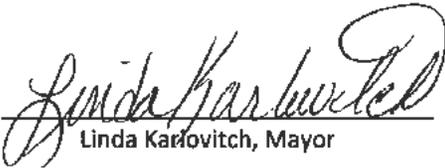
The following resolutions, listed on a Consent Agenda, are offered by Council Member

Zimmerman and seconded by Council Member Finistrella

Resolution No.

- 80. That all bills be paid when properly audited and funds are available
- 81. Reinstate Recreation Director Salary
- 82. Authorize Refund of Recreation Registration Fees
- 83. Appoint KFD Probationary EMTs – MT KC NK
- 84. Authorize Fleet Vehicle for Scrap and KFD Training Exercise

Approved:


 Linda Karlovitch, Mayor

	M O V E D	S E C O N D E D	A Y E S	N A Y S	A B S T A I N	A B S E N T
Councilwoman Kay Celeri			✓			
Councilman Mark David			✓			
Councilman Joseph Finistrella			✓			
Councilman Scott Pentz						✓
Councilman Fred Pugliese			✓			
Councilman John Zimmerman			✓			
ON CONSENT AGENDA			Yes		No	

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on February 9, 2022.


 Laura Reinertsen, Borough Clerk

RESOLUTION

No. 80

KENILWORTH, N.J.

February 23, 2022

Introduced by: _____

CONSENT AGENDA

Seconded by: _____

BE IT RESOLVED, that the Chief Finance Officer be authorized to make payments and transfers for necessary obligations prior to the next regularly scheduled Council Meeting.

BE IT 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 Chief Financial Officer as outlined in Borough Code Chapter 5-34.

Approved: _____

Linda Karlovitch
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri						
Councilman Mark David						
Councilman Joseph Finistrella						
Councilman Scott Pentz						
Councilman Fred Pugliese						
Councilman John Zimmerman						
Mayor Linda Karlovitch						
ON CONSENT AGENDA		Yes <u> </u>		No <u> </u>		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on February 23, 2022.

Laura Reinertsen
Laura Reinertsen, Borough Clerk

RESOLUTION

No. 81

KENILWORTH, N.J.

February 23, 2022

Introduced by: _____

Seconded by: _____

CONSENT AGENDA

WHEREAS, That the Mayor's appointment of **PATRICK BOYLE** as Recreation Director for 2022 at a salary of \$2,000 per year, was confirmed at the Borough Reorganization meeting of January 3, 2022; and

WHEREAS, at the Regular Council meeting of February 9, 2022, a motion was made and unanimously passed by those present to reinstate the reduction made to the Recreation director's at the Reorganization meeting.

THEREFORE BE IT RESOLVED, that the Mayor's appointment of **PATRICK BOYLE** as Recreation Director for 2022 at a salary of \$6,000 per year is confirmed

Approved: _____

Linda Karlovitch
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri						
Councilman Mark David						
Councilman Joseph Finistrella						
Councilman Scott Pentz						
Councilman Fred Pugliese						
Councilman John Zimmerman						
Mayor Linda Karlovitch						
ON CONSENT AGENDA			Yes <u> </u>	No <u> </u>		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on February 23, 2022.

Laura Reinertsen
Laura Reinertsen, Borough Clerk

RESOLUTION

No. 82

KENILWORTH, N.J.

February 23, 2022

Introduced by: _____

Seconded by: _____

CONSENT AGENDA

WHEREAS, registration fees were erroneously accepted for Kenilworth Recreation programs; and

WHEREAS, the Recreation Program Administrator certifies the registrants were unable to attend and are entitled to a refund.

BE IT RESOLVED, by the Mayor and Council of the Borough of Kenilworth, County of Union, State of New Jersey that the following individuals be reimbursed the registration fee(s) as follows:

<u>Family</u>	<u>Address</u>	<u>Program</u>	<u>Refund Due</u>
J. De Rosa	204 N 21 st Street	Basketball	\$75.00
S. Murphy	525 Quinton Ave.	Basketball	\$75.00
TOTAL (2)			\$150.00

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

Approved: _____

Linda Karlovitch
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT	I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on February 23, 2022. <i>Laura Reinertsen</i> Laura Reinertsen, Borough Clerk
Councilwoman Kay Ceceri							
Councilman Mark David							
Councilman Joseph Finistrella							
Councilman Scott Pentz							
Councilman Fred Pugliese							
Councilman John Zimmerman							
Mayor Linda Karlovitch							
ON CONSENT AGENDA		Yes	___	No	___		

RESOLUTION

No. 83

KENILWORTH, N.J.

February 23, 2022

Introduced by: _____

Seconded by: _____

CONSENT AGENDA

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

<u>Name</u>	<u>Appointment</u>
Michael Turco	Probationary EMT
Kylie Contreras	Probationary EMT
Nimrat Kaur	Probationary EMT

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

Approved:

Linda Karlovitch
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri						
Councilman Mark David						
Councilman Joseph Finistrella						
Councilman Scott Pentz						
Councilman Fred Pugliese						
Councilman John Zimmerman						
Mayor Linda Karlovitch						
ON CONSENT AGENDA			Yes _	No _		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on February 23, 2022.

Laura Reinertsen
Laura Reinertsen, Borough Clerk

RESOLUTION

No. 84

KENILWORTH, N.J.

MARCH 2, 2022

Introduced by: _____

Seconded by: _____

CONSENT AGENDA

WHEREAS, the following Borough fleet vehicle is inoperable and deemed as having no intrinsic value by the borough mechanic and the Kenilworth Volunteer Fire Department Chief is requesting use of the vehicle for extrication training for the department:

2001 Dodge Durango KFD fleet Vin #1B4HS28N21F644622

WHEREAS, the governing body hereby approves the use of the above mentioned vehicle for this valuable training experience.

BE IT RESOLVED, that this vehicle be scrapped and removed from the borough's fleet insurance coverage upon confirmation from the Fire Chief that the vehicle was utilized for training purposes and properly disposed of.

Approved:

Linda Karlovitch
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri						
Councilman Mark David						
Councilman Joseph Finistrella						
Councilman Scott Pentz						
Councilman Fred Pugliese						
Councilman John Zimmerman						
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes <u> </u>	No <u> </u>				

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on March 2, 2022.

Laura Reinertsen
Laura Reinertsen, Borough Clerk

RESOLUTION

No. 85

KENILWORTH, N.J.

February 23, 2022

Introduced by: David

Seconded by: Zimmerman

BE IT HEREBY RESOLVED that the ordinance #2022-03 entitled:

**AN ORDINANCE AMENDING ORDINANCE #2018-10 PROVIDING FOR
COMPENSATION FOR THE DEPARTMENT OF PUBLIC WORKS OF THE BOROUGH OF
KENILWORTH**

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 the March 16, 2022 at 6:30PM or as soon as 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.

Approved: Linda Karlovitch
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David	✓		✓			
Councilman Joseph Finistrella			✓			
Councilman Scott Pentz					✓	
Councilman Fred Pugliese			✓			
Councilman John Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes	✓	No			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on February 23, 2022.

Laura Reinertsen
Laura Reinertsen, Borough Clerk

ORDINANCE NO. 2022-03
AN ORDINANCE AMENDING ORDINANCE #2018-10 PROVIDING FOR
COMPENSATION FOR THE DEPARTMENT OF PUBLIC WORKS OF THE BOROUGH OF
KENILWORTH

Purpose: To fix and determine the salaries, wages or compensation to be paid to the officers and employees of the Department of Public Works, who by law are entitled to salaries, wages, or compensation pursuant to NJSA 40A:9-165

BE IT ORDAINED by the Governing Body of the Borough of Kenilworth in the County of Union, New Jersey as follows:

SECTION 1. That the first paragraph and pay range for same Ordinance No. 2018-10 entitled "AN ORDINANCE PROVIDING FOR COMPENSATION FOR THE DEPARTMENT OF PUBLIC WORKS OF THE BOROUGH OF KENILWORTH", Per Hour rates is hereby amended to read as follows:

BE IT ORDAINED, by the Governing Body of the Borough of Kenilworth in the County of Union, New Jersey the rates of pay for the Department of Public Works is as follows:

	<u>PER HOUR</u>		
LABORER	\$17.00	\$25.00	\$30.00
DRIVER CDL "A"	\$25.00 -	\$30.00	\$35.00
DRIVER CDL "B"	\$20.00 -	\$28.00	\$35.00
MECHANIC	\$20.00 -	\$38.00	\$45.00

On Call - \$130.00 per week for 2016, \$135.00 for years 2017, 2018, 2019
 – Minimum 4 Hours Paid at one and one-half times pay when called out.

<u>SANITATION</u>	<u>PER HOUR</u>
LABORER	\$17.00 - \$30.00
DRIVER	\$25.00 - \$35.00

The Borough agrees to pay two dollars (\$2.00) per hour to the fill-in driver for the sanitation truck provided it is not above the sanitation driver's rate of pay.

Any Ordinance inconsistent with the foregoing is repealed to the extent of any inconsistency. This Ordinance shall take effect upon adoption and publication according to law.

Linda Karlovitch, Mayor

ORDINANCE NO. 2022-03
AN ORDINANCE AMENDING ORDINANCE #2018-10 PROVIDING FOR
COMPENSATION FOR THE DEPARTMENT OF PUBLIC WORKS OF THE BOROUGH OF
KENILWORTH

INTRODUCTION						COUNCILPERSON	FINAL ADOPTION					
Moved	Sec.	Aye	Nay	Abs.	NP		Moved	Sec.	Aye	Nay	Abs.	NP
		✓				KAY CECERI			✓			
✓		✓				MARK DAVID	✓		✓			
		✓				JOSEPH FINISTRELLA			✓			
				✓		SCOTT PENTZ					✓	
		✓				FRED PUGLIESE			✓			
✓		✓				JOHN ZIMMERMAN		✓	✓			
Introduced: February 23, 2022						I hereby certify the above ordinance was adopted by the Borough Council of the Borough of Kenilworth, County of Union, State of New Jersey on the aforementioned date.						
Final Adoption: March 16, 2022												
						 Laura Reinertsen, Borough Clerk						



BOROUGH OF KENILWORTH

AGENDA ♦ MARCH 2, 2022

WORK SESSION 6PM COUNCIL MEETING

COUNCIL MEETING COMMENCES UPON CONCLUSION OF THE WORK SESSION

In light of the public health emergency caused by Coronavirus, the Mayor and Borough Council Meetings the Council will continue to meet on their regularly scheduled meeting dates. The Regular Council Meeting will commence as soon as possible upon conclusion of the 6PM Work Session.

Work Session

- Real Estate Appraiser Proposals Review

Open Public Meetings Notice

Salute to the Flag

Roll Call

Minutes: None Presented

Communications:

- NJSLOM Notices (emailed to all)
- RVSA – Year 2022 Assessment

Presentation:

Report of Mayor, and Committees:

Borough Resolutions:

Consent Agenda:

86. That all bills be paid when properly audited and funds are available
 87. Refund Duplicate Tax Payments 1st Qtr. – B77 L10, B135 L7
 88. Cancellation of Municipal Lien – B73 L26 Certificate #21-00002
 89. Appoint Per Diem Court Clerical – EL
 90. Authorize Disposal of Surplus Property – On-line Auction GovDeals – Copiers
 91. Authorize Submittal of UC Infrastructure Grant Applications
 92. Appoint Real Estate Appraiser
-
93. Appoint KPD Sergeant – Kenneth Grady, Jr.

Ordinances: **Public Hearing and Adoption 2022-02** An Ordinance To Amend Recreational Program Fees In Section 91-6, Article III Entitled "Fees For Participation In Programs" Res. # _____

Meeting Open to the Public:

General Business:

Council reserves the right to go into Closed Session if needed. (*Closed Session Meeting Resolution*)

Adjournment

Time: _____

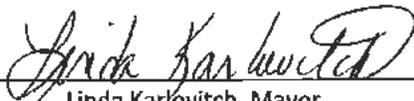
BOROUGH OF KENILWORTH
COUNCIL MEETING - MARCH 2, 2022
CONSENT AGENDA

The following resolutions, listed on a Consent Agenda, are offered by Council Member Finistrella and seconded by Council Member Zimmerman

Resolution No.

- 86. That all bills be paid when properly audited and funds are available
- 87. Refund Duplicate Tax Payments 1st Qtr. – B77 L10, B135 L7
- 88. Cancellation of Municipal Lien – B73 L26 Certificate #21-00002
- 89. Appoint Per Diem Court Clerical – EL
- 90. Authorize Disposal of Surplus Property – On-line Auction GovDeals – Copiers
- 91. Authorize Submittal of UC Infrastructure Grant Applications
- 92. Appoint Real Estate Appraiser

Approved:


 Linda Karlovitch, Mayor

	M O V E D	S E C O N D E D	A Y E S	N A Y S	A B S T A I N	A B S E N T
Councilwoman Kay Ceceri						
Councilman Mark David						
Councilman Joseph Finistrella						
Councilman Scott Pentz						
Councilman Fred Pugliese						
Councilman John Zimmerman						
ON CONSENT AGENDA	Yes	No				

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on March 2, 2022.


 Laura Reinertsen, Borough Clerk

RESOLUTION

No. 86

KENILWORTH, N.J.

MARCH 2, 2022

Introduced by: _____

Seconded by: _____

CONSENT AGENDA

BE IT RESOLVED, that the Chief Finance Officer be authorized to make payments and transfers for necessary obligations prior to the next regularly scheduled Council Meeting.

BE IT 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 Chief Financial Officer as outlined in Borough Code Chapter 5-34.

Approved:


Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri						
Councilman Mark David						
Councilman Joseph Finistrella						
Councilman Scott Pentz						
Councilman Fred Pugliese						
Councilman John Zimmerman						
Mayor Linda Karlovitch						
ON CONSENT AGENDA		Yes <input checked="" type="checkbox"/>				No <input type="checkbox"/>

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on March 2, 2022.


Laura Reinertsen, Borough Clerk

RESOLUTION

No. 87

KENILWORTH, N.J.

MARCH 2, 2022

Introduced by: CO-SENT AGENDA

Seconded by: _____

WHEREAS: Duplicate tax payments were made for the 1st Q quarter of 2022 for the following properties located in Kenilworth, NJ, and;

WHEREAS, this resulted in the overpayment of taxes for the 1st quarter of 2022, and;

NOW, THEREFORE BE IT RESOLVED that the Treasurer, after proper notation on the tax account records by the Collector of Taxes, be and is hereby authorized to issue a warrant as follows.

Refund:

Corelogic Tax Services, Attn: Centralized Refunds, P.O.Box 9202, Coppell, TX 75019

B 77 L 10	43 No. 12th St.	\$ 2,028.39
B 135 L 7	645 Passaic Ave.	\$ 3,952.55

Approved: 
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri						
Councilman Mark David						
Councilman Joseph Finistrella						
Councilman Scott Pentz						
Councilman Fred Pugliese						
Councilman John Zimmerman						
Mayor Linda Karlovitch						
ON CONSENT AGENDA		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on March 2, 2022.


Laura Reinertsen, Borough Clerk

RESOLUTION

No. 88

KENILWORTH, N.J.

MARCH 2, 2022

Introduced by: _____

Seconded by: _____

CONSENT AGENDA

WHEREAS: NJSA 46:18-6 & 54:5-55 grants the cancellation of a municipal tax sale certificate for a lien held by the municipality; and

WHEREAS, the mortgage company for the owner of record redeemed the lien in full for Block 73, Lot 26, property location 14 No. 9th Street, Certificate #21-00002.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Kenilworth, County of Union, that Certificate #21-00002 be cancelled.

Approved: _____

Linda Karlovitch
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri						
Councilman Mark David						
Councilman Joseph Finistrella	/		/			
Councilman Scott Pentz						
Councilman Fred Pugliese			/			
Councilman John Zimmerman			/			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on March 2, 2022.

Laura Reinertsen
Laura Reinertsen, Borough Clerk

RESOLUTION

No. 89

KENILWORTH, N.J.

MARCH 2, 2022

Introduced by: CONSENT AGENDA

Seconded by: _____

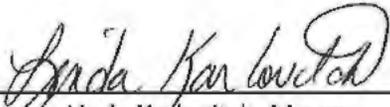
WHEREAS, the Borough of Kenilworth appointed Eda Lanzano for per diem assistance in the municipal court office through February 28, 2022; and

WHEREAS, the governing body approved the continued assistance for the Municipal Court at the regular meeting of February 23, 2022 by motion.

THEREFORE BE IT RESOLVED, that Eda Lanzano be appointed as per diem Court Clerical employee be authorized to work up to twenty (20) hours per week, effective March 1, 2022 at a rate of \$19.00 per hour.

BE IT FURTHER RESOLVED, that this position is entitled to paid sick leave pursuant to the NJ Sick Leave Law NJSA 34:11D-1 but is not eligible for paid holiday or vacation days.

Approved:


Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri						
Councilman Mark David						✓
Councilman Joseph Finistrella	✓			✓		
Councilman Scott Pentz				✓		
Councilman Fred Pugliese				✓		
Councilman John Zimmerman		✓		✓		
Mayor Linda Karlovitch						
ON CONSENT AGENDA		Yes <input checked="" type="checkbox"/>		No <input type="checkbox"/>		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on March 2, 2022.


Laura Reinertsen, Borough Clerk

RESOLUTION

No. 90

KENILWORTH, N.J.

MARCH 2, 2022

Introduced by: _____

Seconded by: _____

WHEREAS, the Kenilworth Borough is the owner of certain surplus property which it no longer needs for public use; and

WHEREAS, the Kenilworth Borough is desirous of selling said surplus property in an "as is" condition without express or implied warranties.

WHEREAS, the sales are being conducted pursuant to N.J.S.A. 40A:11-36 and the guidance set forth in the Division of Local Government Services' Local Finance Notice 2019-15

NOW, THEREFORE, BE IT RESOLVED by the *Borough Council* of the *Borough of Kenilworth* in the County of Union, State of New Jersey, that the *Borough* is hereby authorized to sell the surplus personal property as indicated on Schedule A on an online auction website entitled *GovDeals.com* and be it further

RESOLVED, that the terms and conditions of the agreement entered into between *GovDeals* and the *Borough of Kenilworth* are available at *GovDeals.com* and in the *Borough Clerk's* office.

NOW THEREFORE BE IT RESOLVED by the Kenilworth Borough (membership #28058) as follows:

- (1) The sale of the surplus property shall be conducted through GovDeals pursuant to State Contract #R190601 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with GovDeals is available online at govdeals.com and also available from the Kenilworth Borough Website.
- (2) The sale will be conducted online, March 11 – 22, 2022 and advertised in an official newspaper of the Borough, the address of the auction site is www.govdeals.com
- (3) A list of the surplus property to be sold is as follows:

<u>Dept.</u>	<u>Model</u>	<u>VIN/SN</u>	<u>Minimum Bid</u>
Various	SHARP MX-M363N Digital Multifunctional System	05003276	\$200.00
Various	SHARP MX-M363N Digital Multifunctional System	05028168	\$200.00
Various	SHARP MX-M363N Digital Multifunctional System	05005081	\$200.00
Various	SHARP MX-M363N Digital Multifunctional System	0505213X	\$200.00
Various	SHARP MX-M363N Digital Multifunctional System	95017435	\$200.00

The surplus property shall be sold in an "as is" condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.

- (4) The Kenilworth Borough reserves the right to accept or reject any bid submitted.

Approved: 
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			/			
Councilman Mark David						/
Councilman Joseph Finistrella	/		/			
Councilman Scott Pentz			/			
Councilman Fred Pugliese			/			
Councilman John Zimmerman		/	/			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes	/			No	—

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on March 2, 2022.

Laura Reinertsen, Borough Clerk

RESOLUTION

No. 91

KENILWORTH, N.J.

MARCH 2, 2022

Introduced by: _____

CONSENT AGENDA

Seconded by: _____

WHEREAS, the Union County Board of Chosen Freeholders has announced the Union County Infrastructure and Municipal Aid Grant Program for 2022; and,

WHEREAS, this grant is designed to stimulate the development of local projects of economic, social, transport and governmental importance to local municipalities; and

WHEREAS, the Borough of Kenilworth agrees to conform the with the terms and conditions of this important matching grant opportunity; and

WHEREAS, the Mayor and Council of the Borough of Kenilworth County of Union State of New Jersey do hereby authorize the following grant applications, prioritized in the order listed below:

<u>Project</u>	<u>Match Request amount</u>
1. Records Management Scanning	\$70,000.00
2. Meeting Streaming Equipment	\$25,000.00
3. Repair & Replacement of Borough Sidewalks	\$50,000.00
Total Request	\$145,000.00

NOW THEREFORE, BE IT RESOLVED THAT, the Mayor and Clerk are authorized to submit this grant on behalf of the Borough of Kenilworth; and

BE IT FURTHER RESOLVED, that the Mayor and Council find this project to be in the public interest by serving a much needed public purpose and therefore worthy of funding by the Union County Infrastructure and Municipal Aid grant program for 2022; and

Approved:

Linda Karlovitch
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri						
Councilman Mark David						✓
Councilman Joseph Finistrella	✓					
Councilman Scott Pentz				✓		
Councilman Fred Pugliese				✓		
Councilman John Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes	✓		No		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on MARCH 2, 2022.

Laura Reinertsen
Laura Reinertsen, Borough Clerk

RESOLUTION

No. 92

KENILWORTH, N.J.

MARCH 2, 2022

Introduced by: COUNCIL

Seconded by: _____

WHEREAS, the Borough of Kenilworth, has a need to acquire the goods or services to be provided hereunder as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A20.4 or 20.5, as applicable; and,

WHEREAS, it has determined and certified in writing that the value of the acquisition will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is one year; and

WHEREAS, the Borough of Kenilworth requires the services of Real Estate Appraisers for the purpose of advertising the Borough of Kenilworth and for the provision of expert reports and testimony on matters relating to the valuation of commercial and industrial real estate, including tax appeals and any other matter where such professional services are required, and

WHEREAS, BBG, INC. is/are qualified to serve as Real Estate Appraisers for the Borough of Kenilworth and have been recommended by the Tax Assessor and the Borough Finance Committee, and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq., requires that a resolution authorizing the award of a contract for professional services without competitive bids and the contract itself must be available for public inspection.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Kenilworth, assembled in public session on March 2, 2022, that BBG, INC. be and hereby is appointed as Real Estate Appraisers for the Borough of Kenilworth in accordance with the proposal letters attached hereto, and

BE IT FURTHER RESOLVED, that the Mayor and Borough Clerk are hereby authorized to execute the attached Professional Services Agreement with BBG, INC., 205 Main St. Chatham NJ 07928

BE IT FURTHER RESOLVED, that notice of this appointment and Professional Services Agreement shall be published as required by law, and

BE IT FURTHER RESOLVED, that certified copies of this Resolution shall be provided to the Borough Administrator, the Treasurer, the Tax Assessor and the Borough Attorney of the Borough of Kenilworth and to BBG, Inc. for their information and attention.

Approved: 
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			/			
Councilman Mark David						/
Councilman Joseph Finistrella	/		/			
Councilman Scott Pentz			/			
Councilman Fred Pugliese			/			
Councilman John Zimmerman		/	/			
Mayor Linda Karlovitch						
ON CONSENT AGENDA		Yes <u>/</u>		No <u>—</u>		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on March 2, 2022.

Laura Reinertsen, Borough Clerk



January 17, 2022

Borough of Kenilworth c/o
William J. Ward, Esq.
Carlin, Ward, Ash & Heiart
25B Vreeland Avenue
Florham Park, NJ 07932

Valuation of **Merck & Co. v. Kenilworth**

2000 Galloping Hill Road, Kenilworth, NJ
Block 181, Lot 1 Block 180, Lot 11
Block 180, Lot 12 Block 180, Lot 18

Dear Mr. Ward,

Pursuant to your request, we respectfully submit this fee proposal for valuation services. We are prepared to complete a RESTRICTED APPRAISAL REPORT and/ or an APPRAISAL REPORT for the above captioned property. The report will develop an opinion as to the Fee Simple market value of the above property as of October 1, 2020 and October 1, 2021. The Restricted Use Appraisal is Intended for Use as the basis of settlement negotiations with the taxpayer. The Appraisal Report is Intended for Use as the basis of evidence and testimony before the New Jersey Tax Court.

The reports will be prepared by **Louis S. Izenberg, MAI, SRA** and office support staff in accordance with the Uniform Standards of Appraisal Practice (USPAP – 2-2(a or b) of the Appraisal Foundation and the Standards of Professional Practice (SPP) of the Appraisal Institute and the Code of Professional Ethics (CPE) of the Appraisal Institute.

RESTRICTED APPRAISAL REPORT FEE: \$8,500.00

And/or

APPRAISAL REPORT FEE: \$15,000.00

NEW JERSEY
P + 973.515.4700
205 MAIN STREET
+ PO BOX 255
CHATHAM, NJ 07928

BBGRES.COM

VALUATION + ADVISORY + ASSESSMENT + ZONING

January 17, 2022

Page 2 of 2 – Appraisal Report Fee Proposal

Delivery:

The reports can be completed within four weeks upon receipt of Taxpayer Answers to Interrogatories for all open Tax Years, three years of income and expense statements (2018, 2019 & 2020), the signed fee proposal and payment of the retainer fee. Additional information may be requested upon execution of the contract.

Payment Schedule:

A 50% retainer (\$4,250 for the Restricted Report or \$7,500 for the Appraisal Report) is required for each type of Appraisal Reports. All retainers are non-refundable. Final payments are due to BBG within 30 days of delivery of the appraisal reports to you. **Please make your checks payable to BBG, POB 255, Chatham, NJ 07928.**

Additional Fees:

The Restricted Report can be *upgraded* to an Appraisal Report for an additional fee of \$6,500. Conferences, depositions, report modifications, additional properties, report updates, report upgrades to a full Appraisal Report, legal support, mutually agreed upon revisions, additional valuation dates, valuation scenarios and/or Court testimony will be billed at \$550.00 per hour for Louis S. Izenberg, MAI after submission of the finalized appraisal reports.

For your review, I have attached my professional qualifications and partial client listings. Additional information concerning my firm is also available at www.BBGres.com . Thank you for the opportunity to be of service to you. Please feel free to contact me if you have any questions.

Sincerely,

Louis S. Izenberg, MAI, SRA

State of New Jersey (License No. 42RG-22400)

State of New York (License No. 46000026825)

AUTHORIZED TO PROCEED in accordance with this proposal.

By: _____
Signature

By: _____
Print Name

Date



Louis S. Izenberg, MAI, SRPA, SRA
Managing Director – Lead Litigation Support
Office: 973-515-4700
Cell: 201-400-6365
lizenberg@bbgres.com

PROFILE

Louis Izenberg is Managing Director at BBG Inc. in the New Jersey office, formerly known as Izenberg Appraisal Associates. He has been providing appraising and consulting services since 1977 with a concentration in litigation. His practice is diversified encompassing the valuation and evaluation of commercial, industrial, special purpose and large complex residential projects.

Mr. Izenberg's experience includes subdivision analysis, feasibility studies, regional and community shopping centers, malls, office buildings, manufacturing and warehouse properties, apartment complexes, cooperative buildings, mobile home parks, adult health care facilities, quarries, hotels/motels, casinos and golf & country clubs.

PROFESSIONAL AFFILIATIONS

Appraisal Institute Designations:

- MAI
- SRPA
- SRA
- Past Board of Directors- Metro NJ of the Appraisal Institute
- Past Regional Member- Review and Council Committee, Region VI- Appraisal Institute

General Certified Appraiser:

State of New Jersey (License No. 42RG-22400)

State of New York (License No. 46000026825)

Licensed Real Estate Salesman, New Jersey

COURSEWORK

Appraisal Institute:

- Standards of Professional Practice
- Real Estate Appraisal Principles
- Basic Valuation Procedures
- Capitalization Theory & Techniques (A)
- Capitalization Theory & Techniques (B)
- Case Studies in Real Estate Valuation
- Valuation Analysis & Report Writing
- Course 101 - Intro. to Appraising Real Property
- Course 102 - Applied Residential Valuation
- Course 201 - Income Property Valuation
- Course 202 - Applied Income Property Valuation

EDUCATION

- Fairleigh Dickinson University, Bachelor of Arts
- Wroxton College, Oxford, England

Qualified Expert Witness:

- Tax Court of New Jersey
- Superior Courts of New Jersey and Pennsylvania
- U.S. Bankruptcy Courts
- Various County Tax Boards
- Various Condemning Authorities

BBG



Third-party reports by a true third party.

BBG OVERVIEW

BBG is one of the nation's largest real estate due diligence firms with more than 35 offices across the country serving more than 2,700 clients. We deliver best-in-class valuation, advisory and assessment services with a singular focus of meeting our clients' needs.

Our professional team offers broad industry expertise and deep market knowledge to help clients meet their objectives throughout the real estate life cycle.

BBG clients include commercial real estate professionals, investors, lenders, attorneys, accountants and corporations.

THE BBG DIFFERENCE

National Footprint. BBG is one of only two national firms offering in-house valuation and environmental and property condition assessment services for all commercial property types.

Customer-focused Growth. BBG is one of the largest national due diligence firms because we deliver best-in-class work product and provide excellent customer care.

Qualified Team. Over 50 percent of BBG appraisers are MAI designated and offer deep industry expertise gained through real-world experience.

Unbiased Independence. By focusing exclusively on due diligence services, BBG guarantees an independent perspective free from potential conflicts of interest.

Innovative Technology. BBG has made significant analytics and IT investments to continually improve our data and report quality.

SERVICES

Valuation

- ◆ Single Asset Valuation
- ◆ Portfolio Valuation
- ◆ Institutional Asset Valuation
- ◆ Appraisal Review
- ◆ Appraisal Management
- ◆ Lease and Cost Analysis
- ◆ Insurance Valuation
- ◆ Arbitration & Consulting
- ◆ Feasibility Studies
- ◆ Highest and Best Use Studies
- ◆ Evaluation
- ◆ Investment analysis
- ◆ Tax appeals
- ◆ Litigation Support

Advisory

- ◆ ASC 805 Business combinations
- ◆ ASC 840 Leases
- ◆ Purchase Price Allocations
- ◆ Portfolio Valuations for reporting net asset values (NAV)
- ◆ Public and non-traded REIT valuations
- ◆ Valuations for litigation and litigation support
- ◆ Sale-leaseback valuation analysis
- ◆ Valuations for bankruptcy/fresh start accounting
- ◆ Cost segregation analysis

Assessment

- ◆ Environmental due diligence
- ◆ Property condition consulting
- ◆ Small loan services
- ◆ Energy consulting
- ◆ Environmental consulting
- ◆ Zoning
- ◆ ALTA Surveys



VALUATION



ADVISORY



ASSESSMENT



ZONING

PARTIAL LIST OF CLIENTS

BANKS AND FIDUCIARY AGENCIES

•Available Upon

•LAW FIRMS

- Waters, McPherson & McNeill
- Chiesa Shahinian & Giantmasi
- Weiner Lesniak
- Epstein & Gioia
- DeCotiis & Pinto
- Cole Schotz
- Budd Lerner

McElroy, Deutsch
Lavery, Selvaggi, Abromitis & Cohen
Stern, Lavinthal, Norgaard
Chasen Leyner & Lamparello
Einhorn Harris, Asher
Inglesino, Webster, Wyciskala
Garippa, Lotz & Giannuario

Skoloff & Wolfe
Carlin, Ward, Ash & Heiart
Brach, Eichler
Greenbaum, Rowe, Smith & Ravin
McCarter & English
Wells, Jaworski & Lieberman
Price Meese

•MAJOR ASSIGNMENTS

- Garden State Plaza Mall
- Bernardsville Quarry
- Allendale Industrial Park
- Hilton Hotel - Parsippany
- Merrill Creek Reservoir
- Short Hills Village Apartments
- Toresco's Autoland Dealership
- The Hills Development
- Novartis Pharmaceuticals
- Lanidex Office Park
- Port Liberte' Development
- Trump Plaza Casino & Hotel
- Mediterranean Towers West
- GAF Chemical Plant - Linden
- Parsippany Hilton Hotel
- Gill St. Bernards School
- Princeton Forrestal Village
- Twin Brooks G&CC
- Chilton Towers - Elizabeth
- Hamburg Quarry
- Phillipsburg Mall

Palmer Square - Princeton
AT&T World Headquarters
Glenpointe Hotel & Office Complex
Crestmont Golf & CC
Forest Hills Condominiums
Maplewood Golf and CC
Garrett Mountain Office Park
Madison Hotel-Morris Twp
Rockaway Valley Country Club
Cedar Hill Country Club
Mayfair Farms Catering Facility
Claridge Casino & Hotel
Sands Hotel & Casino
Carolier Bowling Center
Dwight Englewood School
St.Barnabas Hospital
Freehold Raceway Mall
Copper Hill G&CC
Hudson Mall - Jersey City
Prospect Heights Nursing Home
Rockaway Square Mall

DEVELOPERS & CORPORATIONS

Mack-Cali Company
Bukiet Properties
Six Flags Great Adventure
Prudential Realty Corp
Verizon Corp
Siemens Corporation
Shackamaxon Country Club
Cronheim Companies
Laurel Hill Cemetery
Exxon-Mobil Corporation
Vornado Corporation
Midas Realty Corporation
U-Haul Real Estate Company
Bell Atlantic Mobile System
The Heller Group
Kushner Companies
Verizon Headquarters - Basking Ridge
Sanzari Companies
Garden Homes
Legow Management
Embassy Suites - Secaucus

•MUNICIPALITIES & GOVERNMENT AGENCIES

- Borough of Ramsey
- Borough of Morris Plains
- Borough of Allendale
- Borough of Bernardsville
- Borough of Closter
- Borough of Ridgefield
- Borough of HoHoKus
- Borough of Mendham
- Borough of Carlstadt
- Borough of Midland Park
- Borough of Lopatcong
- NJ-Green Acres
- Borough of Mansfield
- N.J. D.E.P.
- N.J. H.M.F.A
- Morris Cty. Bd. of Freeholders
- NJ Transit
- Internal Revenue Service (IRS)
- NJ DOT

Borough of Kinnelon
Borough of Netcong
Borough of Saddle River
Borough of Upper Saddle River
Township of East Hanover
Township of Rockaway
Township of Boonton
Township of Millburn
Township of Freehold
Township of Lyndhurst
Township of Chester
Township of Fredon
Township of Little Falls
Township of Mount Olive
Township of Wantage
Sussex County Bd of Free.
Freddie Mac
Federal Deposit Insurance Corp
NJ Meadowlands

Twp. of Parsippany Troy Hills
Township of Denville
Township of Jefferson
Township of Rockaway
Township of Hanover
Township of Montville
Township of Bridgewater
Township of Long Hill
Borough of Teterboro
Township of Montvale
Township of Harmony
Township of Secaucus
Township of Wyckoff
Township of Roxbury
Township of Wayne
Hunterdon Cty Bd of Freeholders
Warren Cty Bd of Freeholders
General Services Administration
Morris County Board of Freeholders

The Terms and Conditions of the Engagement are deemed part of the attached Proposal Specifications and Appraisal Services Agreement and are incorporated fully therein, and shall apply to any appraisal reports, contract or orders into which they are incorporated.

A) Definitions. In the Terms and Conditions of the Engagement:

1. "BBG, Inc." means BBG, Inc. and its agents, successors, assigns, servants, employees, principals, affiliated companies and all those in privity with them.
2. "Appraiser" means the appraiser(s) performing part or all of the appraisal services and/or signing an appraisal report.
3. "Appraisal Services Agreement" means any written agreement with Client for performance of the appraisal services by Appraiser, including any agreement entered into electronically.
4. "Client" means any party identified expressly as a client in an Appraisal Services Agreement and also any party identified expressly as a client by the Appraiser in an appraisal report.
5. "Appraisal" means the appraisal or consulting report(s) prepared by BBG, Inc.

B) Venue and Jurisdiction

THIS APPRAISAL SERVICES AGREEMENT WILL BE GOVERNED BY AND CONSTRUED IN ACCORDANCE WITH THE DOMESTIC SUBSTANTIVE LAWS OF THE STATE OF TEXAS, WITHOUT GIVING EFFECT TO ANY CHOICE OR CONFLICT OF LAW PROVISION. IF ANY ACTION RELATING TO THIS APPRAISAL SERVICES AGREEMENT OR THE CONTEMPLATED TRANSACTIONS IS BROUGHT BY A PARTY HERETO AGAINST ANY OTHER PARTY HERETO, THE PREVAILING PARTY IN SUCH ACTION WILL BE ENTITLED TO RECOVER ALL REASONABLE EXPENSES RELATING THERETO (INCLUDING ATTORNEYS' FEES AND EXPENSES) FROM THE NON-PREVAILING PARTY.

Each party to this Appraisal Services Agreement (a) hereby irrevocably submits to the exclusive jurisdiction and venue of the state courts located in Dallas County, Texas (or, if but only if such court lacks jurisdiction, the United States District Court for the Northern District of Texas) for the purpose of any Action between any of the parties hereto arising in whole or in part under or in connection with this Appraisal Services Agreement, any Ancillary Agreement, or the Contemplated Transactions, (b) hereby waives and agrees not to assert any claim that he, she or it is not subject personally to the jurisdiction of the above-named courts or that any such Action brought in the above-named courts should be dismissed on grounds of forum non conveniens. Notwithstanding the foregoing, a party hereto may commence any Action in a court other than the above-named courts solely for the purpose of enforcing an order or judgment issued by the above-named courts.

C) Limitations of Liability

It is expressly agreed that in any action which may be brought against BBG, Inc., arising out of, relating to, or in any way pertaining to this engagement, this Appraisal Services Agreement, this Appraisal, or any information or opinions contained therein, BBG, Inc. shall not be responsible or liable for any incidental or consequential losses, unless the Appraisal was fraudulent or prepared with gross negligence. It is further agreed that the collective liability of BBG, Inc. in any such action shall not exceed the fees paid for the preparation of the respective Appraisal unless the Appraisal was fraudulent or prepared with gross negligence. Finally, it is agreed that the fees charged herein are in reliance upon the foregoing limitations of liability.

Client hereby agrees to indemnify, defend, protect and hold BBG, Inc. harmless from and against all claims, damages, losses and expenses, including attorneys' fees, expenses and costs, incurred upon investigating and defending any claim, action or proceeding arising from, or in any way connected to, relating to, or in any way pertaining to this engagement, this Appraisal Services Agreement, the Appraisal, or any information or opinions contained therein.

Further, you acknowledge that any opinions and conclusions expressed by professionals employed by BBG, Inc. related to the Appraisal are representations made by them as employees and not as individuals. BBG, Inc.'s responsibility is limited to you a Client, and use of BBG, Inc.'s product by third parties shall be solely at the risk of you and/or third parties. BBG, Inc. acknowledges that Client will be the end-user of, and can rely upon, the opinion and conclusions of BBG, Inc. for this Appraisal.

D) Confidentiality

The parties agree that (i) this Appraisal Services Agreement and the terms contained herein, (ii) valuation conclusions, (iii) the identity of the analyst or the firm and any reference to the professional organization of which the appraiser is affiliated or to the designations thereof, and (iv) all information regarding the Site of whatever nature made available to either party by the other (including BBG, Inc.'s final report and all prior drafts of same) and methods of each party revealed during the performance of the Services (altogether, collectively, the "Confidential Information") shall be treated as strictly confidential. Accordingly, neither party nor any employee, agent or affiliate thereof shall disclose the same to any third party without the written consent of

other party and approval of Appraiser; provided, however, that, a party shall not hereby be precluded from disclosure of Confidential Information that may be compelled by legal requirements, or from disclosing this Appraisal Services Agreement (and the terms contained herein) to its attorneys, accountants, auditors, lenders, and other professionals who may be bound to that party by duties of confidence.

Do not provide Personally Identifiable Information (PII) to BBG, Inc. or any of its agents. PII is any piece of information meant to identify a specific individual. This includes data such as a Social Security number, driver's license number and financial account numbers.

E) General Assumptions and Limiting Conditions

This appraisal report has been made with the following general assumptions:

- 1) Notwithstanding that Appraiser may comment on, analyze or assume certain conditions in the appraisal, BBG, Inc. shall have no monetary liability or responsibility for alleged claims or damages pertaining to: (a) title defects, liens or encumbrances affecting the property; (b) the property's compliance with local, state or federal zoning, planning, building, disability access and environmental laws, regulations and standards; (c) building permits and planning approvals for improvements on the property; (d) structural or mechanical soundness or safety; (e) contamination, mold, pollution, storage tanks, animal infestations or other hazardous conditions affecting the property; and (f) other conditions and matters for which licensed real estate appraisers are not customarily deemed to have professional expertise. Accordingly:
 - a) The Appraiser has not conducted any engineering or architectural surveys in connection with this appraisal assignment. Information reported pertaining to dimensions, sizes, and areas is either based on measurements taken by the Appraiser or the Appraiser's staff or was obtained or taken from referenced sources and is considered reliable. The Appraiser and BBG, Inc. shall not be monetarily liable or responsible for or assume the costs of preparation or arrangement of geotechnical engineering, architectural, or other types of studies, surveys, or inspections that require the expertise of a qualified professional.
 - b) Unless otherwise stated in the report, only the real property is considered, so no consideration is given to the value of personal property or equipment located on the premises or the costs of moving or relocating such personal property or equipment. Further, unless otherwise stated, it is assumed that there are no subsurface oil, gas or other mineral deposits or subsurface rights of value involved in this appraisal, whether they are gas, liquid, or solid. Further, unless otherwise stated, it is assumed that there are no rights associated with extraction or exploration of such elements considered. Unless otherwise stated it is also assumed that there are no air or development rights of value that may be transferred.
 - c) Any legal description or plats reported in the appraisal are assumed to be accurate. Any sketches, surveys, plats, photographs, drawings or other exhibits are included only to assist the intended user to better understand and visualize the subject property, the environs, and the competitive data. BBG, Inc. has made no survey of the property and assumes no monetary liability or responsibility in connection with such matters.
 - d) Title is assumed to be good and marketable, and in fee simple, unless otherwise stated in the report. The property is considered to be free and clear of existing liens, easements, restrictions, and encumbrances, except as stated. Further, BBG, Inc. assumes there are no private deed restrictions affecting the property which would limit the use of the subject property in any way.
 - e) The appraisal report is based on the premise that there is full compliance with all applicable federal, state, and local environmental regulations and laws unless otherwise stated in the appraisal report; additionally, that all applicable zoning, building, and use regulations and restrictions of all types have been complied with unless otherwise stated in the appraisal report. Further, it is assumed that all required licenses, consents, permits, or other legislative or administrative authority, local, state, federal and/or private entity or organization have been or can be obtained or renewed for any use considered in the value opinion. Moreover, unless otherwise stated herein, it is assumed that there are no encroachments or violations of any zoning or other regulations affecting the subject property, that the utilization of the land and improvements is within the boundaries or property lines of the property described, and that there are no trespasses or encroachments.
 - f) The American Disabilities Act (ADA) became effective January 26, 1992. The Appraiser has not made a specific compliance survey or analysis of the property to determine whether or not it is in conformity with the various detailed requirements of ADA. It is possible that a compliance survey of the property

and a detailed analysis of the requirements of the ADA would reveal that the property is not in compliance with one or more of the requirements of the Act. If so, this fact could have a negative impact upon the value of the property. Since the Appraiser has no direct evidence relating to this issue, possible noncompliance with the requirements of ADA was not considered in estimating the value of the property.

- g) No monetary liability or responsibility is assumed for conformity to specific governmental requirements, such as fire, building, safety, earthquake, or occupancy codes, except where specific professional or governmental inspections have been completed and reported in the appraisal report.
 - h) It is assumed the subject property is not adversely affected by the potential of floods; unless otherwise stated herein. Further, it is assumed all water and sewer facilities (existing and proposed) are or will be in good working order and are or will be of sufficient size to adequately serve any proposed buildings.
 - i) Unless otherwise stated within the appraisal report, the depiction of the physical condition of the improvements described therein is based on visual inspection. No monetary liability or responsibility is assumed for (a) the soundness of structural members since no engineering tests were conducted; (b) the condition of mechanical equipment, plumbing, or electrical components, as complete tests were not made; and (c) hidden, unapparent or masked property conditions or characteristics that were not clearly apparent during the Appraiser's inspection.
 - j) If building improvements are present on the site, it is assumed that no significant evidence of termite damage or infestation was observed during physical inspection, unless so stated in the appraisal report. Further, unless so stated in the appraisal report, no termite inspection report was available. No monetary liability or responsibility is assumed for hidden damages or infestation.
 - k) Unless subsoil opinions based upon engineering core borings were furnished, it is assumed there are no subsoil defects present, which would impair development of the land to its maximum permitted use or would render it more or less valuable. No monetary liability or responsibility is assumed for such conditions or for engineering which may be required to discover them.
 - l) BBG, Inc. is not an expert in determining the presence or absence of hazardous substances, defined as all hazardous or toxic materials, wastes, pollutants or contaminants (including, but not limited to, asbestos, PCB, UFFI, or other raw materials or chemicals) used in construction or otherwise present on the property. BBG, Inc. assumes no monetary liability or responsibility for the studies or analyses which would be required to determine the presence or absence of such substances or for loss as a result of the presence of such substances. Appraiser is not qualified to detect such substances. The Client is urged to retain an expert in this field; however, Client retains such expert at Client's own discretion, and any costs and/or expenses associated with such retention are the responsibility of Client.
 - m) BBG, Inc. is not an expert in determining the habitat for protected or endangered species, including, but not limited to, animal or plant life (such as bald eagles, gophers, tortoises, etc.) that may be present on the property. BBG, Inc. assumes no monetary liability or responsibility for the studies or analyses which would be required to determine the presence or absence of such species or for loss as a result of the presence of such species. The Appraiser hereby reserves the right to alter, amend, revise, or rescind any of the value opinions contained within the appraisal report based upon any subsequent endangered species impact studies, research, and investigation that may be provided. However, it is assumed that no environmental impact studies were either requested or made in conjunction with this analysis, unless otherwise stated within the appraisal report.
- 2) If the Client instructions to the Appraiser were to inspect only the exterior of the improvements in the appraisal process, the physical attributes of the property were observed from the street(s) as of the inspection date of the appraisal. Physical characteristics of the property were obtained from tax assessment records, available plans, if any, descriptive information, and interviewing the client and other knowledgeable persons. It is assumed the interior of the subject property is consistent with the exterior conditions as observed and that other information relied upon is accurate.
- 3) If provided, the estimated insurable value is included at the request of the Client and has not been performed by a qualified insurance agent or risk management underwriter. This cost estimate should not be solely relied upon for insurable value purposes. The Appraiser is not familiar with the definition of insurable value from the insurance provider, the local governmental underwriting regulations, or the types of insurance coverage available. These factors can impact cost estimates and are beyond the scope of the intended use of this appraisal. The Appraiser is not a cost expert in cost estimating for insurance purposes.

- 4) The dollar amount of any value opinion herein rendered is based upon the purchasing power and price of the United States Dollar as of the effective date of value. This appraisal is based on market conditions existing as of the date of this appraisal.
- 5) The value opinions reported herein apply to the entire property. Any proration or division of the total into fractional interests will invalidate the value opinions, unless such proration or division of interests is set forth in the report. Any division of the land and improvement values stated herein is applicable only under the program of utilization shown. These separate valuations are invalidated by any other application.
- 6) Any projections of income and expenses, including the reversion at time of resale, are not predictions of the future. Rather, they are BBG, Inc.'s best estimate of current market thinking of what future trends will be. No warranty or representation is made that such projections will materialize. The real estate market is constantly fluctuating and changing. It is not the task of an appraiser to estimate the conditions of a future real estate market, but rather to reflect what the investment community envisions for the future in terms of expectations of growth in rental rates, expenses, and supply and demand. The forecasts, projections, or operating estimates contained herein are based on current market conditions, anticipated short-term supply and demand factors, and a continued stable economy. These forecasts are, therefore, subject to changes with future conditions.
- 7) The Appraiser assumes no monetary liability or responsibility for any changes in economic or physical conditions which occur following the effective date of value within this report that would influence or potentially affect the analyses, opinions, or conclusions in the report. Any subsequent changes are beyond the scope of the report.
- 8) Any proposed or incomplete improvements included in the appraisal report are assumed to be satisfactorily completed in a workmanlike manner or will be thus completed within a reasonable length of time according to plans and specifications submitted.
- 9) If the appraisal report has been prepared in a so-called "public non-disclosure" state, real estate sales prices and other data, such as rents, prices, and financing, are not a matter of public record. If this is such a "non-disclosure" state, although extensive effort has been expended to verify pertinent data with buyers, sellers, brokers, lenders, lessors, lessees, and other sources considered reliable, it has not always been possible to independently verify all significant facts. In these instances, the Appraiser may have relied on verification obtained and reported by appraisers outside of our office. Also, as necessary, assumptions and adjustments have been made based on comparisons and analyses using data in the report and on interviews with market participants. The information furnished by others is believed to be reliable, but no warranty is given for its accuracy.
- 10) Although the Appraiser has made, insofar as is practical, every effort to verify as factual and true all information and data set forth in this report, no responsibility is assumed for the accuracy of any information furnished the Appraiser either by the Client or others. If for any reason, future investigations should prove any data to be in substantial variance with that presented in this report, the Appraiser reserves the right to alter or change any or all analyses, opinions, or conclusions and/or opinions of value.
- 11) The right is reserved by the Appraiser to make adjustments to the analyses, opinions, and conclusions set forth in the appraisal report as may be required by consideration of additional or more reliable data that may become available. No change of this report shall be made by anyone other than the Appraiser. The Appraiser shall have no monetary liability or responsibility for any unauthorized change(s) to the report.
- 12) The submission of the appraisal report constitutes completion of the services authorized and agreed upon. Such appraisal report is submitted on the condition the Client will provide reasonable notice and customary compensation, including expert witness fees, relating to any subsequent required attendance at conferences, depositions, or judicial or administrative proceedings. In the event the Appraiser is subpoenaed for either an appearance or a request to produce documents, a best effort will be made to notify the Client immediately. The Client has the sole responsibility for obtaining a protective order, providing legal instruction not to appear with the appraisal report and related work files, and will answer all questions pertaining to the assignment, the preparation of the report, and the reasoning used to formulate the opinion of value. Unless paid in whole or in part by the party issuing the subpoena or by another party of interest in the matter, the Client is responsible for all unpaid fees resulting from the appearance or production of documents regardless of who orders the work.

RESOLUTION

No. 93

KENILWORTH, N.J.

MARCH 2, 2022

Introduced by: Zimmerman

Seconded by: Pugliese

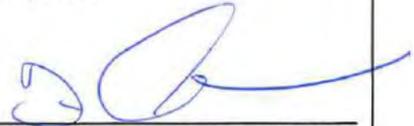
WHEREAS, the Borough of Kenilworth, County of Union, State of New Jersey finds it both necessary and appropriate to promote a certain police officer serving with the Kenilworth Police Department.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Kenilworth, County of Union, State of New Jersey hereby promotes **KENNETH GRADY, JR.** to serve as **Sergeant with the Borough of Kenilworth Police Department** at the pay scale and in accordance with the Bargaining Agreement and the Rules and Regulations of the Kenilworth Police Department, effective immediately.

Approved: 
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			/			
Councilman Mark David						/
Councilman Joseph Finistrella			/			
Councilman Scott Pentz			/			
Councilman Fred Pugliese		/	/			
Councilman John Zimmerman	/		/			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes				No	X

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on March 2, 2022.


Laura Reinertsen, Borough Clerk

RESOLUTION

No. 94

KENILWORTH, N.J.

March 2, 2022

Introduced by: Pentz

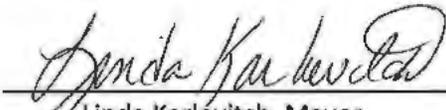
Seconded by: Zimmerman

BE IT HEREBY RESOLVED that the ordinance #2022-02 entitled:

**ORDINANCE TO AMEND RECREATIONAL PROGRAM FEES IN SECTION 91-6, ARTICLE III,
ENTITLED "FEES FOR PARTICIPATION IN PROGRAMS"**

Was introduced and approved on first reading, at the regular meeting of the Borough Council on February 9, 2022 approved for final passage at the regular meeting of the Borough Council of March 2, 2022 after all persons interested were given an opportunity to be heard concerning said ordinance.

BE IT FURTHER RESOLVED that the Borough Clerk is hereby authorized and directed to publish said ordinance according to law with a notice of its final adoption.

Approved: 
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			/			
Councilman Mark David						/
Councilman Joseph Finistrella			/			
Councilman Scott Pentz	/		/			
Councilman Fred Pugliese			/			
Councilman John Zimmerman		/	/			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes		No			X

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on March 2, 2022.


Laura Reinertsen, Borough Clerk

BOROUGH OF KENILWORTH

ORDINANCE NO. 2022-02

ORDINANCE TO AMEND RECREATIONAL PROGRAM FEES IN SECTION 91-6, ARTICLE III, ENTITLED "FEES FOR PARTICIPATION IN PROGRAMS"

PURPOSE: The purpose of this Amendment is to update the schedule of fees charged by the Borough to offset the costs for participation in recreational programs.

NOW, THEREFORE, BE IT ORDAINED, by the Council of the Borough of Kenilworth, County of Union, and the State of New Jersey as follows that Section 91-6 is amended as follows:

The Recreation Committee of the Borough of Kenilworth shall charge fees per season for each participant in the following program(s).

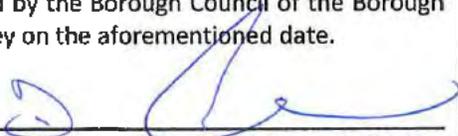
- K. ~~Soccer Program~~ **Middle School Sports: Soccer, Baseball, Softball, Basketball**
6th grade to 8th grade instruction: \$200 per person per season

Any Ordinance inconsistent with the foregoing is repealed to the extent of any inconsistency.

This Ordinance shall take effect upon adoption and publication according to law.



 Linda Karlovitch, Mayor

INTRODUCTION						COUNCILPERSON	FINAL ADOPTION					
Moved	Sec.	Aye	Nay	Abs.	NP		Moved	Sec.	Aye	Nay	Abs.	NP
	X	X				KAY CECERI			/			
					X	MARK DAVID						/
					X	JOSEPH FINISTRELLA			/			
		X				SCOTT PENTZ	/		/			
X		X				FRED PUGLIESE			/			
		X				JOHN ZIMMERMAN			/			
Introduced: February 9, 2022						I hereby certify the above ordinance was adopted by the Borough Council of the Borough of Kenilworth, County of Union, State of New Jersey on the aforementioned date.						
Final Adoption: March 2, 2022												
						 _____ Laura Reinertsen, Borough Clerk						



BOROUGH OF KENILWORTH

AGENDA ♦ MARCH 16, 2022

WORK SESSION 6PM COUNCIL MEETING

COUNCIL MEETING COMMENCES UPON CONCLUSION OF THE WORK SESSION

In light of the public health emergency caused by Coronavirus, the Mayor and Borough Council Meetings the Council will continue to meet on their regularly scheduled meeting dates. The Regular Council Meeting will commence as soon as possible upon conclusion of the 6PM Work Session.

Work Session

Open Public Meetings Notice

Salute to the Flag

Roll Call

Minutes: Reading of unapproved minutes of the Work Sessions and Council Meetings of February 9 & 23, 2022 : March 2, 2022 and the Special Meeting of February 3, 2022 (emailed to all)

Communications:

- NJSLOM Notices (emailed to all)
- Letter of Resignation – Administrator/Borough Clerk
- KFD – LOSAP Chief Krueger Certification
- Little League – Request for Lease Renewal
- Historical Society – Request for Continued Support
- Department reports for February 2022 (emailed)

Presentation:

CPR Save Certificates:

Cpt. Mauro, Lt. Levchuk, FF/EMT Davies, EMT Fuquay, FF/EMT Richardson, FF Scheper

Report of Mayor, and Committees:

Borough Resolutions:

Consent Agenda:

95. That all bills be paid when properly audited and funds are available
96. Appropriations Reserves Transfer
97. Deferment of School Taxes
98. Authorization of Settlement – MNC Concrete, LLC \$22,000.00
99. Authorize 1st Payment – AJM Contractors – NJDOT 2021 Roadways \$24,659.88
100. Authorize White Goods Refund – 429 N 14th \$35.00
101. Tax Lien Redemption #20-00001
102. LOSAP Certification for 2021
103. Authorize Interim Payroll Administrator Compensation – LW
104. Corrective – Videographer Services 2022 Rate
105. Appoint Alternate Electrical Subcode Inspector – DG
106. Rec Baseball Umpire and Coach Rates
107. Appoint Dog Warden – RL

Council reserves the right to go into Closed Session if needed. *(Closed Session Meeting Resolution)*

Adjournment

Time: _____

**BOROUGH OF KENILWORTH
COUNCIL MEETING - MARCH 16, 2022
CONSENT AGENDA**

The following resolutions, listed on a Consent Agenda, are offered by Council Member

Pugliese and seconded by Council Member Zimmerman

Resolution No.

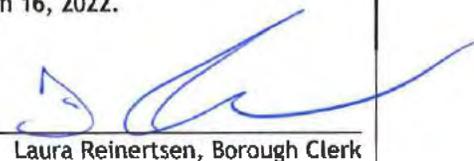
- 95. That all bills be paid when properly audited and funds are available
- 96. Appropriations Reserves Transfer
- 97. Deferment of School Taxes
- ~~98. Authorization of Settlement – MNC Concrete, LLC \$22,000.00~~
- 99. Authorize 1st Payment – AJM Contractors – NJDOT 2021 Roadways \$24,659.88
- 100. Authorize White Goods Refund – 429 N 14th \$35.00
- 101. Tax Lien Redemption #20-00001
- 102. LOSAP Certification for 2021
- 103. Authorize Interim Payroll Administrator Compensation – LW
- 104. Corrective – Videographer Services 2022 Rate
- 105. Appoint Alternate Electrical Subcode Inspector – DG
- 106. Rec Baseball Umpire and Coach Rates
- ~~107. Appoint Dog Warden – RL~~
- 108. Appoint Alternate Crossing Guard – MO
- ~~109. Approve Lease Renewal with Kenilworth Little League~~
- 110. Designating May as “BAG UP NJ” Month
- 111. Appoint Civilian Dispatcher -QC
- 112. Appoint Payroll Administrator - AR

Approved:


Linda Karlovitch, Mayor

	M O V E D	S E C O N D E D	A Y E S	N A Y S	A B S T A I N	A B S E N T
Councilwoman Kay Ceceri			/			
Councilman Mark David			/			
Councilman Joseph Finistrella			/			
Councilman Scott Pentz			/			
Councilman Fred Pugliese	/		/			
Councilman John Zimmerman		/	/			
ON CONSENT AGENDA		Yes		No		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on March 16, 2022.


Laura Reinertsen, Borough Clerk

RESOLUTION

No. 95

KENILWORTH, N.J.

MARCH 16, 2022

Introduced by: _____

Seconded by: _____

CONSENT AGENDA

BE IT RESOLVED, that the Chief Finance Officer be authorized to make payments and transfers for necessary obligations prior to the next regularly scheduled Council Meeting.

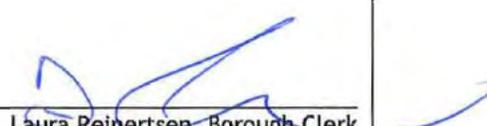
BE IT FURTHER RESOLVED, that in the event of the CFO's absence, the Governing Body authorizes, Assistant Finance Officer Lisa Wood to carry out the duties and responsibilities of the Chief Financial Officer as outlined in Borough Code Chapter 5-34.

Approved:


Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David			✓			
Councilman Joseph Finistrella			✓			
Councilman Scott Pentz			✓			
Councilman Fred Pugliese	✓		✓			
Councilman John Zimmerman		✓	✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA		Yes ✓		No		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on March 16, 2022.


Laura Reinertsen, Borough Clerk

RESOLUTION

No. 96

KENILWORTH, N.J.

MARCH 16, 2022

Introduced by: _____

Seconded by: _____

CONSENT AGENDA

WHEREAS, it shall become necessary to expend for some of the purposes specified in the budget, an excess of the respective sums appropriated, and

WHEREAS, there is an excess in one or more appropriation reserve over and above the amount deemed necessary to fulfill the purposes of such appropriations, and

WHEREAS, N.J.S.A. 40A:4-59 provides for the transfer of such amounts deemed in excess, to appropriations the amount of which are deemed to be insufficient to fulfill the purpose of such appropriations, and

WHEREAS, the transfers about to be authorized do not affect any appropriation reserves to which or from which transfers are prohibited under the statutes, and

NOW, THEREFORE BE IT RESOLVED, that the following transfers between appropriation reserves to be authorized pursuant to N.J.S.A. 40A:4-59:

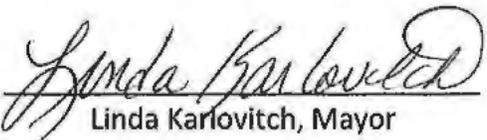
TRANSFERS TO:

<u>ACCOUNT #</u>	<u>ACCOUNT NAME</u>	<u>AMOUNT</u>
1-01-20-712-040	Legal OE - COAH	\$ 6,000.00
1-01-20-712-050	Legal OE - Tax Appeals	\$ 50,000.00
1-01-20-715-027	Engineering OE - Additional Fees	\$ 1,000.00
1-01-25-746-058	Traffic Police OE - Other Equipment and Supplies	\$ 100.00
1-01-26-772-026	Building & Grounds OE - Maintenance of Other Equipment	\$ 1,000.00
1-01-31-430-072	Utilities OE - Water	\$ 1,000.00
1-01-31-430-076	Utilities OE - Telephone	\$ 1,000.00
1-01-32-750-175	Accumulated Leave OE - Accumulated Leave	\$ 250,000.00
1-01-44-840-000	Capital Improvement Fund OE - Capital Improvement Fund	\$ 100,000.00
Total		<u>\$ 410,100.00</u>

TRANSFERS FROM:

<u>ACCOUNT #</u>	<u>ACCOUNT NAME</u>	<u>AMOUNT</u>
1-01-20-701-022	Clerk OE - Postage and Printing	\$ 1,000.00
1-01-20-701-028	Clerk OE - Other Professional Fees	\$ 7,000.00
1-01-20-710-028	Assessor OE - Other Professional Services	\$ 4,000.00
1-01-20-715-023	Engineering OE - Grading Permits	\$ 3,000.00
1-01-20-715-025	Engineering OE - Outside Firm - Meetings	\$ 12,000.00
1-01-20-715-026	Engineering OE - Emergency Call Outs	\$ 3,000.00
1-01-20-715-040	Engineering OE - COAH	\$ 3,000.00
1-01-20-715-050	Engineering OE - Sewer	\$ 6,000.00
1-01-22-726-010	Building Inspector S&W - Part Time	\$ 9,000.00
1-01-22-727-012	Plumbing Inspector S&W - Part Time	\$ 1,500.00
1-01-22-728-010	Electrical Inspector S&W - Part Time	\$ 2,000.00
1-01-22-729-010	Fire Subcode S&W - Part Time	\$ 2,500.00
1-01-23-733-171	Insurance OE - Prescription	\$ 24,000.00
1-01-23-733-175	Insurance OE - Health - Active Employees	\$ 18,000.00
1-01-25-745-011	Police Department S&W - Full Time	\$ 2,000.00
1-01-25-745-015	Police Department S&W - Other Salaries	\$ 1,000.00
1-01-25-749-122	Fire Department OE - Day Stipend - Fire	\$ 10,000.00
1-01-25-749-123	Fire Department OE - Day Stipend - Rescue	\$ 15,000.00
1-01-25-749-124	Fire Department OE - Weekend Stipend - Fire	\$ 4,000.00
1-01-25-749-140	Fire Department OE - Volunteers	\$ 20,000.00
1-01-26-765-011	Public Works S&W - Full Time	\$ 12,000.00
1-01-26-765-026	Public Works OE - Maintenance of Other Equipment	\$ 2,000.00
1-01-26-770-011	Solid Waste S&W - Full Time	\$ 12,000.00
1-01-26-770-014	Solid Waste S&W - Overtime	\$ 1,000.00
1-01-26-772-030	Buildings & Grounds OE - Materials and Supplies	\$ 1,000.00
1-01-26-773-030	Sewers OE - Materials and Supplies	\$ 2,000.00
1-01-26-773-094	Sewers OE - Repairs and Maintenance	\$ 4,000.00
1-01-26-775-001	Recycling OE - Cans and Bottles	\$ 45,000.00
1-01-26-775-002	Recycling OE - Leaves and Brush	\$ 35,000.00
1-01-27-761-012	Senior Citizen Transportation S&W - Part Time	\$ 20,000.00
1-01-27-785-012	Board of Health S&W - Part Time	\$ 5,000.00
1-01-30-420-202	Beautification OE - Beautification	\$ 1,000.00
1-01-30-420-203	Celebration of Public Events OE - Events	\$ 5,000.00
1-01-31-430-070	Utilities OE - Heating Oil/Natural Gas	\$ 3,000.00
1-01-31-430-071	Utilities OE - Electricity	\$ 16,000.00
1-01-31-430-074	Utilities OE - Gasoline and Diesel Fuel	\$ 43,100.00
1-01-31-777-000	Utilities OE - Fire Hydrant Service	\$ 10,000.00
1-01-31-821-000	Utilities OE - Street Lighting	\$ 25,000.00
1-01-33-833-012	Court S&W - Part Time	\$ 10,000.00
1-01-33-833-152	Court OE - Court Per Diem Help	\$ 3,000.00
1-01-36-837-000	Statutory OE - Social Security	\$ 8,000.00
Total		\$ 410,100.00

BE IT FURTHER RESOLVED, that a copy of this resolution be filed forthwith with the Chief Financial Officer.

Approved: 
 Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			/			
Councilman Mark David			/			
Councilman Joseph Finistrella			/			
Councilman John Zimmerman		/	/			
Councilman Scott Pentz			/			
Councilman Fred Pugliese	/		/			
Mayor Linda Karlovitch						
ON CONSENT AGENDA		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on MARCH 16, 2022.


 Laura Reinertsen, Borough Clerk

RESOLUTION

No. 97

KENILWORTH, N.J.

MARCH 16, 2022

Introduced by: _____

Seconded by: _____

CONSENT AGENDA

WHEREAS, the Governing Body of a municipality is permitted to defer school taxes amounting to not more than 50% of the total school tax levy; and

WHEREAS, it is the desire of the Borough Council of the Borough of Kenilworth to defer local district school tax amounting to \$10,944,669.50 representing 50% of the 2021-2022 local school district tax levy; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Kenilworth in the County of Union and State of New Jersey that the 2021-2022 local district school tax levy be deferred in the amount of \$10,944,669.50.

BE IT FURTHER RESOLVED by the Governing Body that a certified copy of this resolution be filed with the Director of the Division of Local Government Services.

Approved: _____

Linda Karlovitch
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			/			
Councilman Mark David			/			
Councilman Joseph Finistrella			/			
Councilman Scott Pentz			/			
Councilman Fred Pugliese	/		/			
Councilman John Zimmerman		/	/			
Mayor Linda Karlovitch						
ON CONSENT AGENDA		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on March 16, 2022.

Laura Reinertsen
Laura Reinertsen, Borough Clerk

RESOLUTION

No. 99

KENILWORTH, N.J.

MARCH 16, 2022

Introduced by: _____

Seconded by: CONSENT AGENDA

WHEREAS, AJM has been contracted by the Borough of Kenilworth to perform certain public improvement projects by way of the public bidding process set forth in the Local Public Contracts Law set forth in NJSA 40A:11-2 et. Seq;

WHEREAS, sufficient monies have been appropriated for the same by way of bond ordinance 2021-17 and the CFO of the Borough has certified sufficient funds are available for the payment contemplated in the resolution;

WHEREAS, the Borough Engineer has certified that the services required for the first payment under said contract in the amount of \$24,659.88 have been performed to his satisfaction and he has authorized the Borough to make said payment:

BE IT RESOLVED, by the Mayor and Council of the Borough of Kenilworth of Union County, New Jersey upon recommendation of the Borough Engineer that 1st Payment for the Contract listed below be and is hereby approved.

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

TITLE OF JOB: 2021 NJDOT Roadway Improvements
CONTRACTOR: **AJM Contractors**
300 Kuller Rd
Clifton, NJ 07011

Payment #2

TOTAL ORIGINAL CONTRACT PRICE	\$390,211.00
Change Order Amount	\$0.00
Contract Sum to date:	\$390,211.00
Total Completed and Stored to Date	\$390,211.00
Less 5% retainage to date	\$1,380.12
Less previous payment	<u>\$0.00</u>
Amount Due	<u>\$24,659.88</u>
Balance to Finish	\$365,551.12

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

CERTIFICATION OF FUNDS
APPROPRIATION:
C-04-55-204-112
Kenneth P. Blum

Approved: Linda Karlovitch
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			/			
Councilman Mark David			/			
Councilman Joseph Finistrella			/			
Councilman Scott Pentz			/			
Councilman Fred Pugliese	/		/			
Councilman John Zimmerman		/	/			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes	/	No			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on March 16, 2022.


 Laura Reinertsen, Borough Clerk



March 7, 2022

Ms. Laura Reinertsen, Clerk
 Borough of Kenilworth
 567 Boulevard
 Kenilworth, NJ 07033

Re: Payment No.1
 2021 NJDOT Roadway Improvements
 Borough of Kenilworth

Dear Ms. Reinertsen,

Enclosed is Application for Payment No. 1, received from AJM Contractors, Inc., for work completed through December 23, 2021 for the above referenced project. Harbor Consultants, Inc. has reviewed this request and recommends that payment in the amount of \$24,659.88 be approved at the next Council Meeting.

The current state of the contract is as follows:

Contract amount:	\$390,211.00
Change orders amount:	\$ 0.00
Contract sum to date:	\$390,211.00
Total completed and stored to date:	\$390,211.00
Less 5% retainage to date:	\$ 1,380.12
Less previous payments:	\$ 0.00
Amount due this period:	\$ 24,659.88
Balance to finish including retainage:	\$365,551.12

RESOLUTION

No. 100

KENILWORTH, N.J.

MARCH 16, 2022

Introduced by: _____

Seconded by: _____

CONSENT AGENDA

BE IT RESOLVED, a fee has been collected for a white goods (refrigerator) in the amount of \$35.00 and;

WHEREAS, the fee was found not to be used;

NOW, THEREFORE, BE IT RESOLVED that the Treasurer be authorized to draw a warrant in the amount of \$35.00 payable to the order of:

Mr. Rich Casale
429 North 14th Street
Kenilworth, NJ 07033

Approved:


Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			/			
Councilman Mark David			/			
Councilman Joseph Finistrella			/			
Councilman Scott Pentz			/			
Councilman Fred Pugliese	/		/			
Councilman John Zimmerman		/	/			
Mayor Linda Karlovitch						
ON CONSENT AGENDA		Yes <input checked="" type="checkbox"/>		No <input type="checkbox"/>		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on March 16, 2022.


Laura Reinertsen, Borough Clerk

RESOLUTION

No. 101

KENILWORTH, N.J.

MARCH 16, 2022

Introduced by: _____

Seconded by: _____

CONSENT AGENDA

WHEREAS, the Borough of Kenilworth held a tax sale on December 8, 2020, for delinquent 2019 property taxes, and a tax lien was purchased by Christiana T C/F CE1/Firsttrust for the property located at 327 Maplewood Avenue, Kenilworth, NJ, and

WHEREAS, the owner of said property has satisfied said lien, together with interest and costs by payment of amount due at the Office of the Collector of Taxes, and

WHEREAS, the Lienholder paid to the Collector of Taxes a premium in the amount of \$45,700.00 and since the statutory period of five years has not passed, these funds must also be returned.

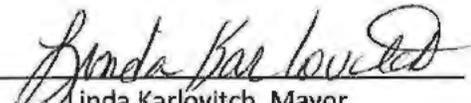
NOW THEREFORE BE IT RESOLVED, that the Treasurer be and is hereby authorized to draw a warrant to the named Lienholder as follows, to be refunded upon receipt of the original Certificate of Sale #20-00001 by the Collector of Taxes: Christiana T C/F CE1/Firsttrust, P. O. Box 5021, Philadelphia, PA 19111-5021

REDEMPTION AMOUNT - \$26,520.53

PREMIUM TRUST ACCOUNT - \$45,700.00

Treasurer's Note: 1099 = \$3,337.20

Approved:


Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri				/		
Councilman Mark David				/		
Councilman Joseph Finistrella				/		
Councilman Scott Pentz				/		
Councilman Fred Pugliese	/		/	/		
Councilman John Zimmerman			/	/		
Mayor Linda Karlovitch						
ON CONSENT AGENDA		Yes <input checked="" type="checkbox"/>		No <input type="checkbox"/>		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on March 16, 2022.


Laura Reinertsen, Borough Clerk

RESOLUTION

No. 102

KENILWORTH, N.J.

MARCH 16, 2022

Introduced by: _____

Seconded by: _____

CONSENT AGENDA

WHEREAS, the residents' of the Borough of Kenilworth passed a referendum to fund program at the general election held in November 7, 2000, the Borough of Kenilworth established a Length of Service Awards Program (LOSAP) by Borough Ordinance #2000-17, and a resolution adopted January 10, 2001 pursuant to PL 1997 c.388 and section 457 € (11) (B) of the Internal Service Code; and

WHEREAS, in accordance with NJSA 40A:14-191, emergency service organizations participating in LOSAP shall annually certify to the sponsoring agency a list of all volunteer members who have qualified for credit for the previous year; and

WHEREAS, Fire Department Chief William Krueger has submitted a list of Fire Department and Rescue Squad members that qualify for the 2021 program year, and;

WHEREAS, regulations require that the governing body of the Borough of Kenilworth pass a resolution approving of the accuracy of the list as submitted.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Kenilworth that the 2021 list of qualifying members for the LOSAP program is approved and will be posted for 30 days for membership review in the Borough Clerk's office, the Firehouse, and the Rescue Squad Building.

BE IT FURTHER RESOLVED, that following the 30 day period for filing an appeal, and subject to holding the payment of any members being appealed, payment shall be made by the Chief Financial Officer to Lincoln Financial Advisory Group for the appropriate payment of \$1,150 per eligible volunteer.

Approved: 
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			/			
Councilman Mark David			/			
Councilman Joseph Finistrella			/			
Councilman Scott Pentz			/			
Councilman Fred Pugliese	/		/			
Councilman John Zimmerman		/	/			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes	/	No			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on March 16, 2022.


Laura Reinertsen, Borough Clerk

Kenilworth Volunteer Fire Department

491 Washington Ave.
Kenilworth, NJ 07033

Police, Fire, First Aid
Dial 911

Business Number
(908) 276-3791
Fax: (908) 276-1771

March 3, 2022

Lisa Wood, Assistant Finance Officer
Borough of Kenilworth
567 Boulevard
Kenilworth, NJ 07033

Listed below are the names of the Fire Department and Rescue Squad members who qualify for the LOSAP Program for the year 2021:

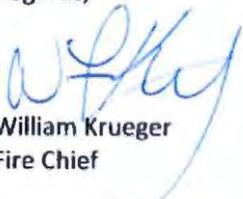
Adorno, K
Alvarez, B
Alexander, M
Cantalupo, J
Corveleyn, L
Davies, A*
Deluca, A
Fugett, J
Fuquay, C
Giordino, C
Giordino, L
Hannon, Jr. J
Hannon, III J

Howarth, B
Jean, J
Kopyta, C
Krill, D
Kukla, R*
Krueger, W
LaVecchia, R
Levchuk, R
Loffa, A*
Lotfy, A
Mauro, D
Mauro, J
Mauro, R*

McHale, J
O'Brien J
Ott, R
Richardson, P
Scuderi, M
Sesselman, C
Soos, B*
Spranger, D
Tiemann, R
Toro, E
Toro, J
Yosurak, J

*Needs to be registered

Regards,


William Krueger
Fire Chief

Cc: Ken Blum, CFO
Laura Reinertsen, Boro Clerk ✓



RESOLUTION

No. 103

KENILWORTH, N.J.

MARCH 16, 2022

Introduced by: _____

Seconded by: _____

CONSENT AGENDA

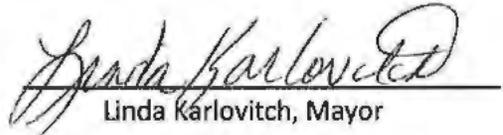
WHEREAS, the role of Payroll Administrator has been vacant since February 7, 2022;
and

WHEREAS, Lisa Wood has taken on this required function, adding significantly to her responsibilities.

BE IT RESOLVED, that **Lisa Wood** be appointed interim payroll administrator until such time a new payroll administrator is hired and trained.

BE IT FURTHER RESOLVED, that the Asst. Finance Officer Lisa Wood be compensated at a rate of \$500.00 per week, retroactive to February 7, 2022.

Approved:


Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			/			
Councilman Mark David			/			
Councilman Joseph Finistrella			/			
Councilman Scott Pentz			/			
Councilman Fred Pugliese	/		/			
Councilman John Zimmerman		/	/			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes	/	No			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on March 16, 2022.


Laura Reinertsen, Borough Clerk

RESOLUTION

No. 104

KENILWORTH, N.J.

MARCH 16, 2022

Introduced by: _____

Seconded by: _____

CONSENT AGENDA

WHEREAS, at the Kenilworth Reorganization meeting of January 3, 2022, MARCO ANTONIO STUDIO, was contracted for videographer services for the year 2022 to videotape and edit two DVD's of the Borough of Kenilworth Council Meetings for the year 2022 at a rate of \$125 per hour (editing fee of \$55 per meeting/event), not to exceed \$5,000 for the year; and

WHEREAS, the correct rate is \$150 per hour (editing fee of \$55 per meeting/event), not to exceed \$5,000 for the year.

THEREFORE BE IT RESOLVED, that MARCO ANTONIO STUDIO, 401 Scott Mobus Place, Harrison, NJ 07029, contracted to videotape and edit the Borough of Kenilworth Council Meetings for the year 2022 at a rate of \$150 per hour (editing fee of \$55 per meeting/event), not to exceed \$5,000 for the year, effective January 1, 2022 through December 31, 2022.

Approved:


Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			/			
Councilman Mark David			/			
Councilman Joseph Finistrella			/			
Councilman Scott Pentz			/			
Councilman Fred Pugliese	/		/			
Councilman John Zimmerman		/	/			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes	/	No			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on March 16, 2022.


Laura Reinertsen, Borough Clerk

RESOLUTION

No. 105

KENILWORTH, N.J.

MARCH 16, 2022

Introduced by: _____

CONSENT AGENDA

Seconded by: _____

WHEREAS, the Borough of Kenilworth is in need as needed electrical inspector to assist in the construction code office when the borough's appointed electrical inspector is not available, and;

WHEREAS, it has been the recommendation of the Construction Code Official and Construction Code Department to continue these services; and

WHEREAS, pursuant to NJ Administrative Code 5:23-5.7, **Dave Greenhill** is qualified to perform the function of alternate electrical inspector.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Kenilworth that it does hereby appoint the services of **Dave Greenhill** at the rate of \$40/hour, effective March 7, 2022 for the purposes of as needed electrical inspector, based on the availability of funds.

Approved: 
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			/			
Councilman Mark David			/			
Councilman Joseph Finistrella			/			
Councilman Scott Pentz			/			
Councilman Fred Pugliese	/		/			
Councilman John Zimmerman		/	/			
Mayor Linda Karlovitch			/			
ON CONSENT AGENDA	Yes	/	No			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on March 16, 2022.


Laura Reinertsen, Borough Clerk

RESOLUTION

No. 104

KENILWORTH, N.J.

March 16, 2022

Introduced by: _____

Seconded by: _____

CONSENT AGENDA

BE IT RESOLVED by the Mayor and Council of the Borough of Kenilworth, County of Union, State of New Jersey that individuals engaged as Kenilworth Recreation 2022 Middle School Baseball Umpires will be compensated at rate of \$60 (sixty dollars) per.

BE IT FURTHER RESOLVED by the Mayor and Council of the Borough of Kenilworth, County of Union, State of New Jersey that individuals be engaged as Kenilworth Recreation 2022 Middle School Baseball Coaches be compensated at a rate of \$1,500.00 (One thousand five hundred dollars) and Assistant Coaches at \$900.00 (Nine hundred dollars) per season.

THEREFORE BE IT RESOLVED: that these appointments will be authorized by borough resolution and are contingent upon successful completion of criminal and background checks.

Approved:

Linda Karlovitch
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			/			
Councilman Mark David			/			
Councilman Joseph Finistrella			/			
Councilman Scott Pentz			/			
Councilman Fred Pugliese	/		/			
Councilman John Zimmerman		/	/			
Mayor Linda Karlovitch						
ON CONSENT AGENDA		Yes <u>/</u>	No <u> </u>			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on March 16, 2022.

Laura Reinertsen
Laura Reinertsen, Borough Clerk

RESOLUTION

No. 107

KENILWORTH, N.J.

MARCH 16, 2022

Introduced by: Pugliese

Seconded by: Finistrella

WHEREAS, §83-18 of the Borough Code authorizes the appointment of a Dog Warden to enforce the provisions of Chapter §83 and the statutory provisions of N.J.S.A. 4:19-15.1 et seq.

BE IT RESOLVED, that **Robert Loneker** of 710 Richfield Ave. be appointed Dog Warden in the Borough of Kenilworth for the year 2022 is hereby confirmed.

BE IT FURTHER RESOLVED, that the DOG WARDEN be compensated \$750 per annum.

Approved: _____
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri				/		
Councilman Mark David				/		
Councilman Joseph Finistrella		/	/	/		
Councilman Scott Pentz			/	/		
Councilman Fred Pugliese	/		/	/		
Councilman John Zimmerman			/	/		
Mayor Linda Karlovitch						
ON CONSENT AGENDA			Yes <u> </u>	No <u> </u>		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on March 16, 2022.



Laura Reinertsen, Borough Clerk

RESOLUTION

No. 108

KENILWORTH, N.J.

March 16, 2022

Introduced by: _____

Seconded by: _____

CONSENT AGENDA

BE IT HEREBY RESOLVED that **Michael Otchy**, of 728 Cleveland Ave. Elizabeth, NJ 07208, Kenilworth be appointed an Alternate Crossing Guard effective March 21, 2022 at the rate of \$18.58.

Approved:


Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Celeri			/			
Councilman Mark David			/			
Councilman Joseph Finistrella			/			
Councilman Scott Pentz			/			
Councilman Fred Pugliese	/		/			
Councilman John Zimmerman		/	/			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes	/	No			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on March 16, 2022.


Laura Reinertsen, Borough Clerk

RESOLUTION

No. 109

KENILWORTH, N.J.

MARCH 16, 2022

Introduced by: _____

Seconded by: _____

WHEREAS, the Borough of Kenilworth has leased the property known as the unpaved portion of Halsey Street between 13th Street and 14th Street to the Kenilworth Little League since 1990; and

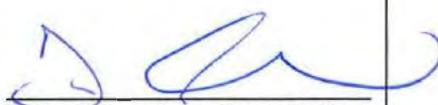
WHEREAS, the current lease has expired and the Kenilworth Little League is desirous of continuing the utilization of the property that benefits the children of Kenilworth.

BE IT HEREBY RESOLVED, that the Mayor and Clerk are authorized to sign the attached lease agreement with the Kenilworth Little League.

Approved: 
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri						
Councilman Mark David						
Councilman Joseph Finistrella						
Councilman Scott Pentz						
Councilman Fred Pugliese						
Councilman John Zimmerman						
Mayor Linda Karlovitch						
ON CONSENT AGENDA			Yes <u> </u>	No <u> </u>		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on March 16, 2022.


Laura Reinertsen, Borough Clerk

LEASE AGREEMENT

THIS LEASE AGREEMENT made the 16 day of March, 2022 between the BOROUGH OF KENILWORTH, a municipal corporation, and the KENILWORTH LITTLE LEAGUE.

ARTICLE 1

Premises and Term. The premises to be leased is known as the unpaved portion of Halsey Street (paper street) between 14th Street and 13th Street in the Borough of Kenilworth. The term of this lease shall coincide with a lease previously executed by the parties hereto for premises as shown between Block 30 Lot 8.01, Block 29 Lot 1 and Block 28 Lot 1 on the official tax map of the Borough of Kenilworth between. Said lease being for a term of 25 years with a commencement date of 3-16-22, 2022 .

ARTICLE 2

Rent. The consideration for said lease is the sum of One (\$1.00) Dollar for the full term.

ARTICLE 3

Use. Said premises shall be used solely for the purpose parking accommodations for Little League baseball games and events sponsored by the Kenilworth Little League.

ARTICLE 4

Restriction of Use. Should said premises be used for any other purpose than for parking to accommodate Little League baseball games and related events, than and in that event, the Governing Body of Kenilworth may by resolution, cancel said lease and declare the same of no further force or effect.

ARTICLE 5

Improvements. Tenant shall neither make or install any improvements on the demised premises above or below ground without the prior written consent of the Landlord, which consent shall not be unreasonably withheld. If and when such improvements are made, Tenant shall comply with all local zoning regulations and shall obtain all necessary prior approval and permits from local, county and/or state boards or agencies having jurisdiction thereof.

ARTICLE 6

Cancellation Option. In the event the Borough of Kenilworth shall require the land for other public purposes or for sale, the Borough may terminate this lease upon 60 days notice to

the Tenant. However, in that event Tenant may remove any improvements or equipment on the demised premises which would not otherwise be considered permanent fixtures or improvements.

ARTICLE 7

Maintenance of Premises. The Kenilworth Little League shall maintain said premises in good repair and a safe condition and shall otherwise comply with all local, county and state traffic and signaling requirements. Tenant shall also maintain the premises free of grass, weeds and other debris and shall comply with all local ordinances pertaining thereto, If Tenant fails to comply with the terms of this Article Landlord shall give notice to the Tenant of said failure to comply. Tenant shall then have 10 days from the date of said written notice to comply. If Tenant fails to comply within said 10-day period Landlord may cancel this agreement by giving written notice to the Tenant. The cancellation notice shall take effect 30 days of the date thereof at which time the Landlord may re-enter and take control of the premises and all equipment and appurtenances thereon shall belong to the Landlord.

ARTICLE 8

Insurance/Hold Harmless/Indemnification. The Kenilworth Little League, at its own cost and expense, shall obtain or provide and keep in full force for the benefit of the Borough of Kenilworth, during the term hereof, general public liability insurance, insuring the Borough against any and all liability or claims of liability arising out of, occasioned by or resulting from any accident in or about the leased premises for injuries to any person or persons, for limits of not less than \$100,000 for injuries to one person and \$300,000 for injuries to more than one person, in any one accident or occurrence, and for loss or damage to the property of any person or persons, for not less than \$50,000. The policy or policies of insurance shall be of a company or companies authorized to do business in this State and shall be delivered to the Clerk of the Borough of Kenilworth, together with evidence of payment of the premiums therefore on the date of the signing of the Agreement. At least fifteen (15) days prior to the expiration or termination date of any policy, the Little League shall deliver a renewal or replacement policy with proof of the payment of the premium therefor. The Kenilworth Little League also agrees to, and shall save, hold and keep harmless and indemnify the Borough of Kenilworth from any and all payments, Expenses, costs, attorneys fees and from and for any and all claims and liability for losses or damage to property or injuries to persons occasioned wholly or in part by or resulting from any acts or omissions by the Little League or the Little League's agents, employees, guests, licensees, invitees, subtenants, assignees or successors, or for any cause or reason whatsoever arising out of or by reason of the use or occupancy of the premises by the Kenilworth Little League.

ARTICLE 9

No Waiver. The various rights, remedies, options and elections of the Borough of Kenilworth, expressed herein, are cumulative, and the failure of the Borough of Kenilworth to enforce strict performance by the Kenilworth Little League of the conditions and covenants of

this Lease or to exercise any election or option or to resort or to have recourse to any remedy herein contained shall not be construed or deemed to be a waiver or a relinquishment for the future by the Borough of Kenilworth of any such conditions and covenants, options elections or remedies, but the same shall continue in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Lease Agreement the day and year first above written.

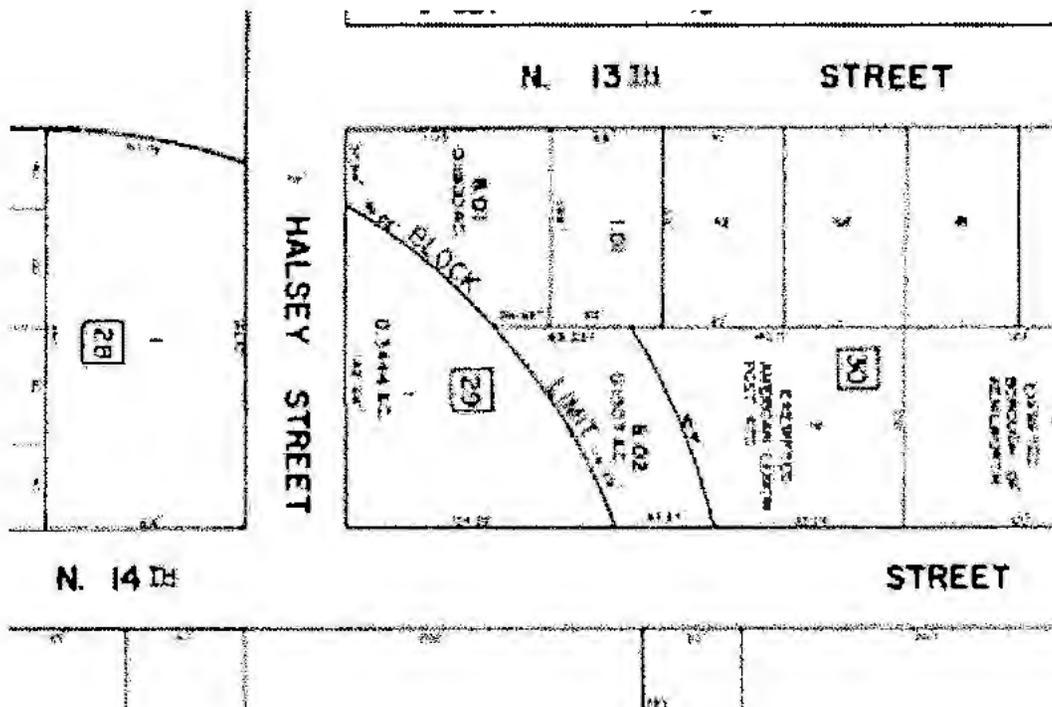
ATTEST

BOROUGH OF KENILWORTH

Karen Moschetti
Acting Borough Clerk

Linda Karlovitch
LINDA KARLOVITCH, MAYOR

KENILWORTH LITTLE LEAGUE



RESOLUTION

No. 110

KENILWORTH, N.J.

MARCH 16, 2022

Introduced by: _____

Seconded by: _____

CONSENT AGENDA

WHEREAS, P.L.2020, c.117, signed into law on November 4, 2020 is the most progressive disposable bag law in the country, with the goal of phasing out single-use plastic and paper bags and encouraging the use of reusable bags throughout New Jersey; and

WHEREAS, New Jersey is working to reduce reliance on single-use products to ensure that future generations have a clean and healthy environment to live, work, and recreate in; and

WHEREAS, banning or limiting the use of single-use plastic and paper carryout bags is a significant step in this effort; and

WHEREAS, the New Jersey Clean Communities Council, the New Jersey Department of Environmental Protection, the New Jersey Department of State, policymakers, environmental and business groups, as well as other stakeholders, are working together to educate consumers, businesses, and communities about the new law and encouraging residents to "Bag Up" before the ban on single-use plastic bags goes into effect on May 4, 2022; and

WHEREAS, the comprehensive "Bag Up NJ" campaign will include educational programs, public and media engagement and reusable bag distribution programs throughout the state, with an emphasis on underserved communities; and

WHEREAS, this statewide public education campaign will provide residents, businesses and visitors with information about the types of reusable and sustainable bags and containers that they may use and where to access these products.

NOW, THEREFORE, BE IT RESOLVED, by the Borough of Kenilworth that it is critical to begin educating the public about this new law; and

BE IT FURTHER RESOLVED, that one way to gain important recognition is to deem the month of May each year as "Bag Up NJ" month in the Borough of Kenilworth, as a further reminder that all residents should bring their own reusable bags to the store; and

BE IT FURTHER RESOLVED, that a copy of this resolution shall be transmitted to the NJ Clean Communities Council, and the New Jersey State League of Municipalities.

Approved:


Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			/			
Councilman Mark David			/			
Councilman Joseph Finistrella			/			
Councilman Scott Pentz			/			
Councilman Fred Pugliese	/		/			
Councilman John Zimmerman		/	/			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes	/		No		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on March 16, 2022.


Laura Reinertsen, Borough Clerk

Borough of Kenilworth

Department of Public Works
401 Sheridan Avenue
Kenilworth, NJ 07033

Kerry Senica
Administrative Assistant
Recycling Coordinator
Clean Communities Coordinator

Phone: 908-276-3105
Fax: 908-272-4901

March 7, 2022

To: Laura Reinertsen, RMC, CMR, AHP

RE: BAG UP NJ MONTH

Dear Laura,

As the Borough's NJ Clean Communities Coordinator, I am requesting that the Borough of Kenilworth formally recognize that the month of May is "BAG UP NJ" month. I have attached, herein, a sample resolution, created by NJ Clean Communities.

On November 4, 2020, the State of NJ passed P.L. 202, c. 117, as the most progressive disposable bag law in the country. The NJCC, and NJDEP, want to educate the public about the new law, to ban or limit the use of single-use plastic and paper carryout bags, before it goes into effect on May 4, 2022.

One way to educate the Borough is to deem the month of May, each year, as "Bag Up NJ" month, in Kenilworth, as a further reminder to our residents to bring their own reusable bags to the store.

Thank you for your consideration.

Regards,



Kerry Senica, CRP, CCCC
Administrative Assistant

RESOLUTION

No. 111

KENILWORTH, N.J.

MARCH 16, 2022

Introduced by: _____

Seconded by: _____

CONSENT AGENDA

WHEREAS, there is a vacancy in Kenilworth Police Department for Civilian Dispatcher; and

WHEREAS, the Police Chief and Public Safety Committee conducted interviews and recommend the appoint of Quinn Constabile, 59 Birch St. Kenilworth, NJ 07033; and

BE IT RESOLVED, that the appointment of

QUINN CONSTABILE

as Probationary Civilian Dispatchers in the Kenilworth Police Department hereby approved; effective March 21, 2022 at a starting salary of \$33,600 in accordance with the approved Dispatcher Salary Schedule of Steps.

THEREFORE BE IT FURTHER RESOLVED, that this offer of employment is contingent upon successful completion of psychological, evaluation, medical release, criminal and background checks.

Approved:

Linda Karlovitch

Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Celeri			/			
Councilman Mark David			/			
Councilman Joseph Finistrella			/			
Councilman Scott Pentz			/			
Councilman Fred Pugliese	/		/			
Councilman John Zimmerman		/	/			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes	Yes	No	No	No	No

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on March 16, 2022.

Laura Reinertsen

Laura Reinertsen, Borough Clerk

RESOLUTION

No. 112

KENILWORTH, N.J.

MARCH 16, 2022

Introduced by: _____

Seconded by: _____

CONSENT AGENDA

WHEREAS, a vacancy exists in the position of Payroll Administrator in the Finance Department; and

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

WHEREAS, based on the recommendation of the interview panel, the Chief Finance Officer recommends that Amy Rivera be appointed Payroll Administrator; 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. To ensure a proper audit trail for salary and wage payments, **Amy Rivera** be appointed **Payroll Administrator** at a rate of \$57,000.00 per annum, effective 4/11, 2022
2. Amy Rivera, is to receive fifteen (15) days of vacation, prorate for the first year.
3. 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.
4. This offer of employment is contingent upon successful completion of medical release, criminal and background checks

Approved: 
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			/			
Councilman Mark David			/			
Councilman Joseph Finistrella			/			
Councilman Scott Pentz			/			
Councilman Fred Pugliese	/		/			
Councilman John Zimmerman		/	/			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes	/	No			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on March 16, 2022.


Laura Reinertsen, Borough Clerk

RESOLUTION

No. 113

KENILWORTH, N.J.

March 16, 2022

Introduced by: David

Seconded by: Zimmerman

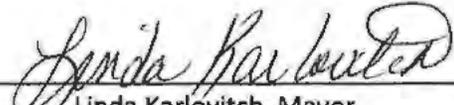
BE IT HEREBY RESOLVED that the ordinance #2022-03 entitled:

**AN ORDINANCE AMENDING ORDINANCE #2018-10 PROVIDING FOR
COMPENSATION FOR THE DEPARTMENT OF PUBLIC WORKS OF THE BOROUGH OF
KENILWORTH**

Was introduced and approved on first reading, at the regular meeting of the Borough Council on February 23, 2022 approved for final passage at the regular meeting of the Borough Council of March 16, 2022 after all persons interested were given an opportunity to be heard concerning said ordinance.

BE IT FURTHER RESOLVED that the Borough Clerk is hereby authorized and directed to publish said ordinance according to law with a notice of its final adoption.

Approved:


Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri						
Councilman Mark David	✓					
Councilman Joseph Finistrella						
Councilman Scott Pentz						
Councilman Fred Pugliese						
Councilman John Zimmerman						
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes			No		✓

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on March 16, 2022.


Laura Reinertsen, Borough Clerk

ORDINANCE NO. 2022-03
AN ORDINANCE AMENDING ORDINANCE #2018-10 PROVIDING FOR
COMPENSATION FOR THE DEPARTMENT OF PUBLIC WORKS OF THE BOROUGH OF
KENILWORTH

Purpose: To fix and determine the salaries, wages or compensation to be paid to the officers and employees of the Department of Public Works, who by law are entitled to salaries, wages, or compensation pursuant to NISA 40A:9-165

BE IT ORDAINED by the Governing Body of the Borough of Kenilworth in the County of Union, New Jersey as follows:

SECTION 1. That the first paragraph and pay range for same Ordinance No. 2018-10 entitled "AN ORDINANCE PROVIDING FOR COMPENSATION FOR THE DEPARTMENT OF PUBLIC WORKS OF THE BOROUGH OF KENILWORTH", Per Hour rates is hereby amended to read as follows:

BE IT ORDAINED, by the Governing Body of the Borough of Kenilworth in the County of Union, New Jersey the rates of pay for the Department of Public Works is as follows:

	<u>PER HOUR</u>		
LABORER	\$17.00	\$25.00	\$30.00
DRIVER CDL "A"	\$25.00 -	\$30.00	\$35.00
DRIVER CDL "B"	\$20.00 -	\$28.00	\$35.00
MECHANIC	\$20.00 -	\$38.00	\$45.00

On Call - \$130.00 per week for 2016, \$135.00 for years 2017, 2018, 2019
 – Minimum 4 Hours Paid at one and one-half times pay when called out.

<u>SANITATION</u>	<u>PER HOUR</u>
LABORER	\$17.00 - \$30.00
DRIVER	\$25.00 - \$35.00

The Borough agrees to pay two dollars (\$2.00) per hour to the fill-in driver for the sanitation truck provided it is not above the sanitation driver's rate of pay.

Any Ordinance inconsistent with the foregoing is repealed to the extent of any inconsistency. This Ordinance shall take effect upon adoption and publication according to law.


 Linda Karlovitch, Mayor

ORDINANCE NO. 2022-03
AN ORDINANCE AMENDING ORDINANCE #2018-10 PROVIDING FOR
COMPENSATION FOR THE DEPARTMENT OF PUBLIC WORKS OF THE BOROUGH OF
KENILWORTH

INTRODUCTION						COUNCILPERSON	FINAL ADOPTION					
Moved	Sec.	Aye	Nay	Abs.	NP		Moved	Sec.	Aye	Nay	Abs.	NP
		X				KAY CECERI						
X		X				MARK DAVID						
		X				JOSEPH FINISTRELLA						
					X	SCOTT PENTZ						
		X				FRED PUGLIESE						
	X	X				JOHN ZIMMERMAN						
Introduced: February 23, 2022						I hereby certify the above ordinance was adopted by the Borough Council of the Borough of Kenilworth, County of Union, State of New Jersey on the aforementioned date.						
Final Adoption: March 16, 2022												
						 Laura Reinertsen, Borough Clerk						

RESOLUTION

No. 114

Kenilworth, N.J.

3/16, 2022

Introduced by: Pentz

Seconded by: Zimmerman

WHEREAS, the members of the Borough Council are mindful of the right of the public to attend and witness meetings of the governmental bodies at which public business is discussed, and to be involved in all phases of governmental action, and

WHEREAS, the Open Public Meetings Act nonetheless recognizes the authority of a public body to exclude the public from meetings in certain enumerated instances in which disclosure of matters discussed could endanger public safety, property or other public interest, or invade individual privacy, and

WHEREAS, as authorized by the Open Public Meetings Act, NJSA 10:4-12 (b), the Borough Council has a need to meet in private session to discuss:

- 1) Matters expressly rendered confidential by law;
- 2) Matters the disclosure of which would jeopardize the receipt of federal funds;
- 3) Matters threatening unwarranted invasion of individual privacy;
- 4) Matters affecting collective bargaining of public employaes;
- 5) Matters involving acquisition of real property with public funds, or investment of public funds, where disclosure would jeopardize such acquisition or investment.
- 6) Tactics and techniques utilized in protection of public safety or property, matters concerning investigations of violations of the law;
- 7) Matters affecting pending or anticipated litigation to which the public body may be party, matters within the attorney client privilege.
- 8) Personnel matters concerning the employment, appointment, evaluation, promotion or termination of a public officer or employee;
- 9) Deliberations which may result in the imposition of civil penalty or the suspension or loss of license or permit;

BE IT RESOLVED, that the Borough Council will meet in private session at 8:55 PM on 3/16/22 to discuss the following specific items:

Item # 7-8 As enumerated above.

BE IT FURTHER RESOLVED, that the matters so discussed will be disclosed to the public as determined during closed session.

Motion to go into Exec. Sess. SP S 32 Time: 8:55 PM__

Motion to close Exec. Sess. SP S KC Time: 9:33 PM__

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Ceceri						
Councilman David				/		
Councilman Finistrella				/		
Councilwoman Pentz	/			/		
Councilman Pugliese			/	/		
Councilman Zimmerman			/	/		
ON CONSENT AGENDA		Yes _	No _			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on 3/16, 2022.


 Laura Reinertsen, Borough Clerk



BOROUGH OF KENILWORTH

AGENDA ♦ APRIL 6, 2022

WORK SESSION 6PM COUNCIL MEETING

COUNCIL MEETING COMMENCES UPON CONCLUSION OF THE WORK SESSION

In light of the public health emergency caused by Coronavirus, the Mayor and Borough Council Meetings the Council will continue to meet on their regularly scheduled meeting dates. The Regular Council Meeting will commence as soon as possible upon conclusion of the 6PM Work Session.

Open Public Meetings Notice

Salute to the Flag

Roll Call

Minutes: Reading of unapproved minutes of the Council Meetings of March 16, 2022.
(emailed to all)

Communications:

- NJSLOM Notices (emailed to all)
- RVSA – Year 2022 Assessment

Presentations:

Report of Mayor, and Committees:

Borough Resolutions: - Consent Agenda

- 113. That all bills be paid when properly audited and funds are available
- 114. Appoint Construction Clerk
- 115. Appoint permanent Crossing Guard RC *pulled by atty*
- 116. Award Fireworks Display – D&M Fireworks, LLC *Pulled by atty*
- 117. Addendum to Collective Negotiation Agreement – Teamsters
- 118. Authorize White Goods reimbursement *Pulled by atty*
- 119. Agreement with United Methodist Church for 2022 Farmers Market *Pulled by atty*
- 120. Authorize Buy Out Accumulated Time - LR *Pulled by atty*

Ordinances: None

Meeting Open to the Public:

General Business:

Council reserves the right to go into Closed Session if needed (Closed Session Meeting Resolution)

Adjournment

Council reserves the right to go into Closed Session if needed. *(Closed Session Meeting Resolution)*

Adjournment

Time: _____

**BOROUGH OF KENILWORTH
COUNCIL MEETING - APRIL 6, 2022
CONSENT AGENDA**

The following resolutions, listed on a Consent Agenda, are offered by Council Member

Finistrella and seconded by Council Member Zimmerman

Resolution No.

- 113. That all bills be paid when properly audited and funds are available
- 114. Appoint Construction Clerk
- 115. Appoint permanent Crossing Guard RC *pulled by atty*
- 116. Award Fireworks Display – D&M Fireworks, LLC *pulled by atty*
- 117. Addendum to Collective Negotiation Agreement – Teamsters
- 118. Authorize White Goods reimbursement *pulled by atty*
- 119. Agreement with United Methodist Church for 2022 Farmers Market *pulled by atty*
- 120. Authorize Buy Out Accumulated Time - LR *pulled by atty*

Linda Karlovitch

Approved:

Linda Karlovitch, Mayor

	M O V E D	S E C O N D E D	A Y E S	N A Y S	A B S T A I N	A B S E N T
Councilwoman Kay Ceceri						
Councilman Mark David						
Councilman Joseph Finistrella	✓					
Councilman Scott Pentz				✓		
Councilman Fred Pugliese				✓		
Councilman John Zimmerman		✓	✓			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on April 6, 2022.

Kathleen Moschitta
Kathleen Moschitta,
Deputy Borough Clerk

RESOLUTION

No. 113

KENILWORTH, N.J.

APRIL 6, 2022

Introduced by: _____

Seconded by: _____

CONSENT AGENDA

BE IT RESOLVED, by the Borough of Kenilworth, County of Union, New Jersey, that the summary of bills in the total amount of \$2,162,598.54, 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 5-34.

BE IT FURTHER RESOLVED, that 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.

April 6, 2022
02:51 PM

BOROUGH OF KENILWORTH
Bill List By Vendor Id

Page No: 23

Totals by Year-Fund Fund Description	Fund	Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND	1-01	27,832.47	0.00	27,832.47	0.00	0.00	27,832.47
CURRENT FUND	2-01	1,907,863.48	0.00	1,907,863.48	0.00	0.00	1,907,863.48
GENERAL CAPITAL	C-04	75,803.05	0.00	75,803.05	0.00	0.00	75,803.05
GRANTS	G-02	870.64	0.00	870.64	0.00	0.00	870.64
GENERAL TRUST	T-03	1,325.00	0.00	1,325.00	0.00	0.00	1,325.00
COMMUNITY DEVELOPMENT	T-06	239.00	0.00	239.00	0.00	0.00	239.00
Year Total:		1,564.00	0.00	1,564.00	0.00	0.00	1,564.00
Total of All Funds:		2,013,933.64	0.00	2,013,933.64	0.00	0.00	2,013,933.64

Batch Id: LMW Batch Type: M Batch Date: 04/14/22 Checking Account: WIRE CURRENT G/L Credit: Budget G/L Credit
Generate Direct Deposit: N

Check No. PO #	Check Date Enc Date	Vendor # Name	Payment Amt	Street 1 of Address to be printed on check Charge Account Description	Account Type	Status	Seq	Acct
37 22-00539	04/14/22 04/05/22	04060 STATE OF NJ PENSIONS & BENEFIT 1 APRIL GRP HLTH ACTIVE EMPLOYEE	90,429.67	P.O. BOX 19519 2-01-23-733-175 INSURANCE - HEALTH - ACTIVE EMPLOYEES	Budget	APRV	1	1
			90,429.67					
36 22-00538	04/14/22 04/05/22	04061 STATE OF NJ PENSIONS & BENEFIT 1 APRIL GRP HLTH RETIREES	58,235.23	HEALTH BENEFITS BUREAU 2-01-23-733-176 INSURANCE - HEALTH RETIRED EMPLOYEES	Budget	APRV	2	1
			58,235.23					
Checks:		<u>COUNT</u> 2	<u>Line Items</u> 2	<u>Amount</u> 148,664.90				

There are NO errors or warnings in this listing.

wires

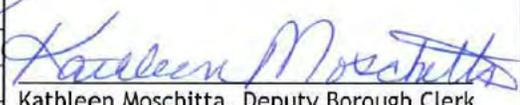


Approved:

Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri						
Councilman Mark David						
Councilman Joseph Finistrella						
Councilman Scott Pentz						
Councilman Fred Pugliese						
Councilman John Zimmerman						
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>				

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on April 6, 2022.



Kathleen Moschitta, Deputy Borough Clerk

RESOLUTION

No. 114

KENILWORTH, N.J.

APRIL 6, 2022

Introduced by: _____

Seconded by: _____

CONSENT AGENDA

WHEREAS, a vacancy exists in the position of Construction Clerk in the Construction Department; and

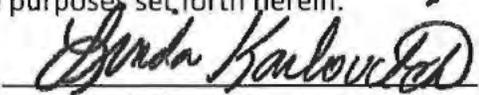
WHEREAS, to continue the efficient operation and management of the Construction Office, interviews were conducted for a qualified professional; and

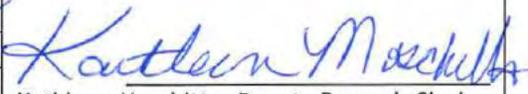
WHEREAS, based on the recommendation of the interview panel, the Borough Administrator and Construction Official recommend that Cindy Valente be appointed Construction Clerk; and

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

1. To ensure a proper audit trail for salary and wage payments, **Cindy Valente** be appointed **Construction Clerk** at a rate of \$40,000.00 per annum, effective April 11, 2022
2. Cindy Valente, is to receive fifteen (15) days of vacation, prorate for the first year.
3. 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.
4. This offer of employment is contingent upon successful completion of medical release, criminal and background checks

BE IT FURTHER RESOLVED, that the CFO has certified that sufficient uncommitted funds are available in the 2022 Borough of Kenilworth Budget for the purposes set forth herein.

Approved: 
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT	
Councilwoman Kay Ceceri			✓				I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on April 6, 2022.  Kathleen Moschitta, Deputy Borough Clerk
Councilman Mark David						✓	
Councilman Joseph Finistrella	✓		✓				
Councilman Scott Pentz			✓				
Councilman Fred Pugliese			✓				
Councilman John Zimmerman			✓				
Mayor Linda Karlovitch							
ON CONSENT AGENDA		Yes	✓	No			

MACHINERY, SCRAP IRON, METAL AND STEEL CHAUFFEURS, WAREHOUSEMEN, HANDERS AND HELPERS,
ALLOY FABRICATORS AND MISCELLANEOUS WORKERS AND REMOVAL,
DISPOSAL OF AMBUSTON DEBRIS

TEAMSTERS LOCAL UNION NO. 11

AFFILIATED WITH THE INTERNATIONAL BROTHERHOOD OF TEAMSTERS & JOINT COUNCIL, No. 73

810 BELMONT AVENUE, SUITE 200 • NORTH HALESDON • NEW JERSEY 07035 • PHONE: (973) 636-1893 • FAX: (973) 636-6028
TEAMSTERSLOCAL11@GMAIL.COM



MICHAEL CURCHU, President/Principal Officer

CHARLES ROBINSON, Vice President

MARYANN HITTLE, Secretary/Treasurer

ANITA CLARK, Recording Secretary

QAMAR EMMERICH, Trustee

MICHAEL MAZZONE, Trustee

WILLIAM ERIC WEBB, Trustee

March 21, 2022

ADDENDUM OF AGREEMENT

ADDENDUM OF AGREEMENT by and between **TEAMSTERS LOCAL UNION NO. 11**, affiliated with the International Brotherhood of Teamsters, located at 810 Belmont Avenue, Suite 200, North Haledon, New Jersey and **BOROUGH OF KENILWORTH DPW** located at 567 Boulevard, Kenilworth, New Jersey.

IT IS HEREBY agreed that the following items shall constitute the changes negotiated and agreed to between the parties:

The parties agree as follows:

1. Article 22 - Uniforms

Section 1: Each employee shall receive an annual clothing allowance of \$599.99 for calendar years 2022 and 2023 for the purchase of work-related attire. There is no requirement that the employee provide a receipt for such purchases.

MACHINERY, SCRAP IRON, METAL AND STEEL CHAUFFERS, WAREHOUSEMEN, HANDLERS AND HELPERS,
ALLOY FABRICATORS AND MISCELLANEOUS WORKERS AND REMOVAL,
DISPOSAL OF AARLSTON DEBRIS

TEAMSTERS LOCAL UNION NO. 11

AFFILIATED WITH THE INTERNATIONAL BROTHERHOOD OF TEAMSTERS & JOINT COUNCIL NO. 73

810 BELMONT AVENUE, SUITE 200 • NORTH HALEDON • NEW JERSEY 07508 • PHONE: (973) 636-0093 • FAX: (973) 636-6706
TEAMSTERLOCAL11@GMAIL.COM



MICHAEL CURCIO, President/Principal Officer
CHARLES ROBINSON, Vice President
MARYANN HITTLE, Secretary/Treasurer
ANITA CLARK, Recording Secretary

QAMAR KIMBERGRIFF, Trustee
MICHAEL MAZZONE, Trustee
WILLIAM LOCKWOOD, Trustee

March 21, 2022

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Section 1: Each employee shall receive an annual clothing allowance of \$599.99 for calendar years 2022 and 2023 for the purchase of work-related attire. There is no requirement that the employee provide a receipt for such purchases.



BOROUGH OF KENILWORTH

AGENDA ♦ APRIL 20, 2022

WORK SESSION 6PM COUNCIL MEETING

COUNCIL MEETING COMMENCES UPON CONCLUSION OF THE WORK SESSION

In light of the public health emergency caused by Coronavirus, the Mayor and Borough Council Meetings the Council will continue to meet on their regularly scheduled meeting dates. The Regular Council Meeting will commence as soon as possible upon conclusion of the 6PM Work Session.

Open Public Meetings Notice

Salute to the Flag

Roll Call

Minutes: Council Meeting and Work Session Minutes of March 18, 2022

Communications:

- NJSLOM Notices (emailed to all)
- Kenilworth Historical Society Letter of Appreciation
- NJDOT Award – Highway Safety Fund
- Letter from UC Kids Recreation Grant requesting status update

Presentations: Proclamation – Recognizing Court Appointed Special Advocates (CASA)
Proclamation – Youth Week Honoring America's Junior Citizens

Report of Mayor, and Committees:

Borough Resolutions: - Consent Agenda

121. That all bills be paid when properly audited and funds are available
122. Appoint Acting Borough Clerk – KM
123. Authorize White Goods reimbursement
124. Authorizing Buy Out Accumulated Tin – LR
125. Appointment of Permanent Crossing Guard – RC
126. Fire Department LOSAP Amendment
127. Resolution for Emergency Temp. Budget Appropriation
128. Resolution for Merck Tax Appeal
129. Appoint Payroll Administrator – TD
130. Authorize fees for Recreation Referees
131. ~~Appoint part-time Violation Clerk~~ *pulled by atty*

ORDINANCES:

Introduction 2022-04 – An Ordinance Supplementing Chapter 170, Streets & Sidewalks and Sidewalk Maintenance for residential and non-residential sidewalks by owners

Council reserves the right to go into Closed Session if needed. *(Closed Session Meeting Resolution)*

Adjournment

Time: _____



BOROUGH OF KENILWORTH

AGENDA ♦ APRIL 20, 2022

WORK SESSION 6PM COUNCIL MEETING

COUNCIL MEETING COMMENCES UPON CONCLUSION OF THE WORK SESSION

Introduction 2022-05 – An Ordinance Supplementing General Provisions, General Penalties and Violations of the Borough Municipal Code

Introduction 2022-06 – An Ordinance Authorizing a Lease Agreement with Kenilworth Little League

Meeting Open to the Public

General Business:

Adjournment

Council reserves the right to go into Closed Session if needed. *(Closed Session Meeting Resolution)*

Adjournment

Time: _____

BOROUGH OF KENILWORTH
COUNCIL MEETING - APRIL 20, 2022
CONSENT AGENDA

The following resolutions, listed on a Consent Agenda, are offered by Council Member Pugliese and seconded by Council Member Finistrella

Resolution No.

- 121. That all bills be paid when properly audited and funds are available
- 122. Appoint Acting Borough Clerk - KM
- 123. Authorize White Goods reimbursement
- 124. Authorizing Buy Out Accumulated Time - LR
- 125. Appointment of Permanent Crossing Guard - RC
- 126. Fire Department LOSAP Amendment
- 127. Resolution for Temporary Budget Appropriations
- 128. Resolution for Merck Tax Appeal
- 129. Appoint Payroll Administrator - TD
- 130. Authorize Fees for Recreation Referees
- 131. ~~Appointment of Part-Time Violation Clerk - MD~~ *pulled*

Approved: _____

Linda Karlovitch
 Linda Karlovitch, Mayor

	M O V E D	S E C O N D E D	A Y E S	N A Y S	A B S T A I N	A B S E N T
Councilwoman Kay Ceceri			✓			
Councilman Mark David			✓			
Councilman Joseph Finistrella		✓	✓			
Councilman Scott Pentz			✓			
Councilman Fred Pugliese	✓		✓			
Councilman John Zimmerman			✓			
ON CONSENT AGENDA	Yes	✓	No			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on April 20, 2022.

Kathleen Moschitta
 Kathleen Moschitta
 Deputy borough Clerk

RESOLUTION

No. 121

KENILWORTH, N.J.

APRIL 20, 2022

Introduced by: _____

CONSENT AGENDA

Seconded by: _____

BE IT RESOLVED, by the Borough of Kenilworth,, County of Union, New Jersey, that the summary of bills in the total amount of \$311,334.10, 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 2022 Borough of Kenilworth Budget to fund the payment of the following bills attached hereto and made a part of this resolution.

April 18, 2022
04:08 PM

BOROUGH OF KENILWORTH
Bill List By Vendor Id

Totals by Year-Fund Fund Description	Fund	Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND	1-01	44,937.50	0.00	44,937.50	0.00	0.00	44,937.50
CURRENT FUND	2-01	103,270.73	0.00	103,270.73	0.00	0.00	103,270.73
GENERAL CAPITAL	C-04	154,816.23	0.00	154,816.23	0.00	0.00	154,816.23
GRANTS	G-02	6,146.04	0.00	6,146.04	0.00	0.00	6,146.04
GENERAL TRUST	T-03	1,688.00	0.00	1,688.00	0.00	0.00	1,688.00
COMMUNITY DEVELOPMENT	T-06	427.00	0.00	427.00	0.00	0.00	427.00
ANIMAL CONTROL TRUST	T-15	48.60	0.00	48.60	0.00	0.00	48.60
Year Total:		2,163.60	0.00	2,163.60	0.00	0.00	2,163.60
Total of All Funds:		311,334.10	0.00	311,334.10	0.00	0.00	311,334.10

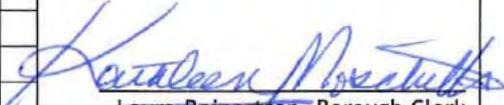
Approved:

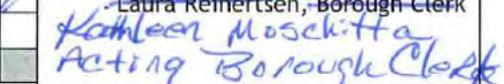


Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David			✓			
Councilman Joseph Finistrella			✓			
Councilman Scott Pentz			✓			
Councilman Fred Pugliese	✓		✓			
Councilman John Zimmerman			✓			
Mayor Linda Karlovitch			✓			
ON CONSENT AGENDA	Yes	✓	No	—		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on April 20, 2022.


Kathleen Moschetti, Borough Clerk


Kathleen Moschetti, Acting Borough Clerk

RESOLUTION

No. 122

KENILWORTH, N.J.

APRIL 20, 2022

Introduced by: _____
Seconded by: _____

CONSENT AGENDA

WHEREAS, a vacancy exists in the position of Municipal Clerk for the Borough of Kenilworth due to the resignation of Laura Reinertsen on March 25, 2022; and

WHEREAS, the Borough of Kenilworth is required to have a Municipal Clerk pursuant to N.J.S.A. 40A:9-133 et seq.; and

WHEREAS, the New Jersey Laws and Regulations governing the position of Municipal Clerk establishes that the Governing Body may appoint someone to serve as the Acting Municipal Clerk; and

WHEREAS, Kathi Moschitta, has been serving as the Deputy Municipal Clerk for Borough of Kenilworth and because of the vacancy of the position of Municipal Clerk, Ms. Moschitta has taken on more work and responsibilities and her current position is exempt from receiving any overtime; and

WHEREAS, the Borough Council is desirous of appointing a person familiar with the function of the Municipal Clerk's Office to provide for a smooth transition as they seek applicants to fill the position permanently; and

WHEREAS, the Governing Body feels that Ms. Moschitta's additional work warrants an additional weekly stipend of \$500.00.

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

1. Effective March 28, 2022, Kathleen Moschitta is hereby appointed Acting Municipal Clerk while the Borough of Kenilworth seeks applicants to fill the position permanently.
2. Kathi Moschitta, as Acting Municipal Clerk, shall perform all of the duties of the Borough Municipal Clerk as set forth in N.J.S.A. 40A:9-133.
3. Kathi Moschitta's annual salary of \$49,868.00 shall remain the same, however she shall receive a temporary weekly stipend in the amount of \$500.00 only during the time that she serves in the Acting Municipal Clerk's position and performs the additional duties appurtenant thereto.
4. The Borough of Kenilworth's Chief Financial Officer has certified that sufficient uncommitted funds are available in the 2022 Borough of Kenilworth Budget to fund the payment of the additional weekly stipend of \$500.00 to Kathi Moschitta.

5. This resolution is ratified from March 28, 2022, until the date of adoption of this resolution.
6. This resolution shall take effect immediately upon adoption by the Municipal Council.

Approved:



Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓	✓		
Councilman Mark David			✓	✓		
Councilman Joseph Finistrella			✓	✓		
Councilman Scott Pentz			✓	✓		
Councilman Fred Pugliese	✓		✓	✓		
Councilman John Zimmerman			✓	✓		
Mayor Linda Karlovitch						
ON CONSENT AGENDA			Yes ✓	No ___		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on April 20, 2022.


Kathleen Moschitta, Deputy Borough Clerk

RESOLUTION

No. 123

KENILWORTH, N.J.

APRIL 20, 2022

Introduced by: _____

CONSENT AGENDA

Seconded by: _____

WHEREAS, Barbara Rapczynski, 339 Roosevelt Lane, Kenilworth, NJ 07033 requested to have the Borough of Kenilworth pick up and dispose of an air conditioner from her property; and

WHEREAS, Barbara Rapczynski paid the required fee of \$35.00 set forth in Article I Section 91-1(b) of the Borough Municipal Code; and

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

WHEREAS, Barbara Rapczynski made a request for a refund of her \$35.00 payment; and

WHEREAS, it is the determination of the Borough that the fee was found not to be used and that Barbara Rapczynski should receive a refund of her \$35.00 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 Thirty-five Dollars and Zero Cents (\$35.00) made payable to the order of Barbara Rapczynski, 339 Roosevelt Lane, 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 2022 Borough of Kenilworth Budget to fund the payment of the refund.

Approved: _____

Linda Karlovitch
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David			✓			
Councilman Joseph Finistrella			✓	✓		
Councilman Scott Pentz			✓			
Councilman Fred Pugliese		✓	✓			
Councilman John Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA		Yes <input checked="" type="checkbox"/>		No <input type="checkbox"/>		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on April 20, 2022.

Kathleen Moschitta
Kathleen Moschitta
Deputy Borough Clerk

RESOLUTION

No. 124

KENILWORTH, N.J.

APRIL 20, 2022

Introduced by: _____

Seconded by: _____

CONSENT AGENDA

WHEREAS, the former Borough Administrator/Clerk, Laura Reinertsen, notified the Borough of Kenilworth of her intention to resign from the Borough of Kenilworth effective **March 31, 2022**; and

WHEREAS, Laura Reinertsen, a non-contractual employee, requested to receive her buyout pay, pursuant to Article V of the Borough Code, the Employee Handbook, and Resolution 11 adopted on June 24, 2020 establishing a non-contractual employee bank time policy, (the "Kenilworth Personnel Policy"); and

WHEREAS, Laura Reinertsen has requested to receive this payment in one installment; and

WHEREAS, the Chief Finance Officer has certified that Laura Reinertsen is entitled to buyout pay as per the Kenilworth Personnel Policy, as follows:

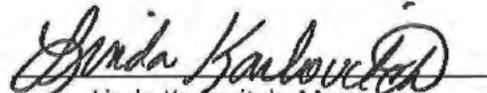
Type	# of Days	Daily Rate	Total
Personal Day	2	\$477.56	\$955.12
Non-Contractual Employee Bank Time	10	\$477.56	\$4,775.60
Vacation Days (pro-rated)	1	\$477.56	\$477.56
Total Due	13		\$6,208.28

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

1. The Finance Department is authorized to make payment to Laura Reinertsen in the amount of **\$6,208.28** for the above-referenced buyout pay as permitted under the Kenilworth Personnel Policy.
2. The Borough of Kenilworth's Chief Financial Officer has certified that sufficient uncommitted funds are available in the 2022 Borough of Kenilworth Budget for the purposes set forth herein.

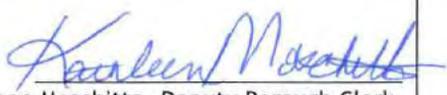
3. This resolution shall take effect immediately upon adoption by the Municipal Council.

Approved:


Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			<input checked="" type="checkbox"/>			
Councilman Mark David			<input checked="" type="checkbox"/>			
Councilman Joseph Finistrella		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			
Councilman Scott Pentz			<input checked="" type="checkbox"/>			
Councilman Fred Pugliese	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>			
Councilman John Zimmerman			<input checked="" type="checkbox"/>			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes <input checked="" type="checkbox"/>		No <input type="checkbox"/>			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on April 20, 2022.


Kathleen Moschitta, Deputy Borough Clerk

RESOLUTION

No. 125

KENILWORTH, N.J.

APRIL 20, 2022

CONSENT AGENDA

Introduced by: _____

Seconded by: _____

WHEREAS, there exists a need within the Borough of Kenilworth Police Department to appoint a School Crossing Guard; and

WHEREAS, it is the recommendation of the Sergeant Ken Grady, Jr. that Romeo Capra be appointed a School Crossing Guard; and

WHEREAS, the Borough of Kenilworth Police Department successfully completed a background investigation on Romeo Capra.

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Kenilworth hereby appoints Romeo Capra as a school crossing guard effective April 11, 2022.

BE IT FURTHER RESOLVED, that said appointment be compensated at an hourly rate of \$18.58 per hour.

BE IT FURTHER RESOLVED, that the Borough of Kenilworth's Chief Financial Officer has certified that sufficient uncommitted funds are available in the 2022 Borough of Kenilworth Budget for the purposes set forth herein.

Linda Karlovitch

Approved: _____

Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David			✓			
Councilman Joseph Finistrella			✓			
Councilman Scott Pentz			✓			
Councilman Fred Pugliese	✓		✓			
Councilman John Zimmerman			✓			
Mayor Linda Karlovitch			✓			
ON CONSENT AGENDA	Yes	Yes	No	No		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on April 20, 2022.

Kathleen Moschitta
Kathleen Moschitta, Deputy Borough Clerk

RESOLUTION

No. 126

KENILWORTH, N.J.

APRIL 20, 2022

Introduced by: _____

Seconded by: _____

CONSENT AGENDA

WHEREAS, on March 16, 2022, in accordance with N.J.S.A. 40A:14-191, the Borough of Kenilworth Mayor and Municipal Council adopted Resolution 102 certifying to the sponsoring agency its annual certified list of all volunteer members, identifying those active volunteer members who have qualified for credit under the Borough of Kenilworth’s Length of Service Awards Program (LOSAP), funded through a referendum passed at the general election held in November 7, 2000 and established pursuant to Borough Ordinance #2000-17, and a resolution adopted January 10, 2001 pursuant to PL 1997 c.388 and section 457 € (11) (B) of the Internal Service Code; and

WHEREAS, Fire Department Chief William Krueger had previously submitted a list of Fire Department and Rescue Squad members that qualify for the 2021 program year; and

WHEREAS, two members of the Kenilworth Volunteer Fire Department and Rescue, Timothy Howarth and Joseph Padula were inadvertently excluded from the list of members that qualify for the 2021 program year; and

WHEREAS, regulations require that the governing body of the Borough of Kenilworth pass a resolution approving of the accuracy of the list as submitted; and

WHEREAS, the Borough wishes to amend its list of Fire Department and Rescue Squad members that qualify for the 2021 program year to include Kenilworth Volunteer Fire Department and Rescue, Timothy Howarth and Joseph Padula.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Kenilworth that the revised 2021 list of qualifying members for the LOSAP program is approved and will be posted for 30 days for membership review in the Borough Clerk’s office, the Firehouse, and the Rescue Squad Building.

BE IT FURTHER RESOLVED, that following the 30 day period for filing an appeal, and subject to holding the payment of any members being appealed, payment shall be made by the Chief Financial Officer to Lincoln Financial Advisory Group for the appropriate payment of \$1,150 per eligible volunteer.

Approved:

Linda Karlovitch

Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David			✓			
Councilman Joseph Finistrella			✓			
Councilman Scott Pentz			✓			
Councilman Fred Pugliese	✓		✓			
Councilman John Zimmerman			✓			
Mayor Linda Karlovitch			✓			
ON CONSENT AGENDA	Yes	✓	No			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on April 20, 2022.

Kathleen Moschitta

Kathleen Moschitta, Deputy Borough Clerk

Kenilworth Volunteer Fire Department

491 Washington Ave.
Kenilworth, NJ 07033

Police, Fire, First Aid
Dial 911

Business Number
(908) 276-3791
Fax: (908) 276-1771

April 4, 2022

Lisa Wood, Assistant Finance Officer
Borough of Kenilworth
567 Boulevard
Kenilworth, NJ 07033

Re: LOSAP

Dear Governing Body,

Last month a LOSAP list was submitted and voted on successfully by the Governing Body. Due to an oversight, two members were left off that list.

Please add the following names to the LOSAP list for 2021 at the next Council Meeting:

Timothy Howarth*
Joseph Padula

Sorry for any confusion this may have caused.

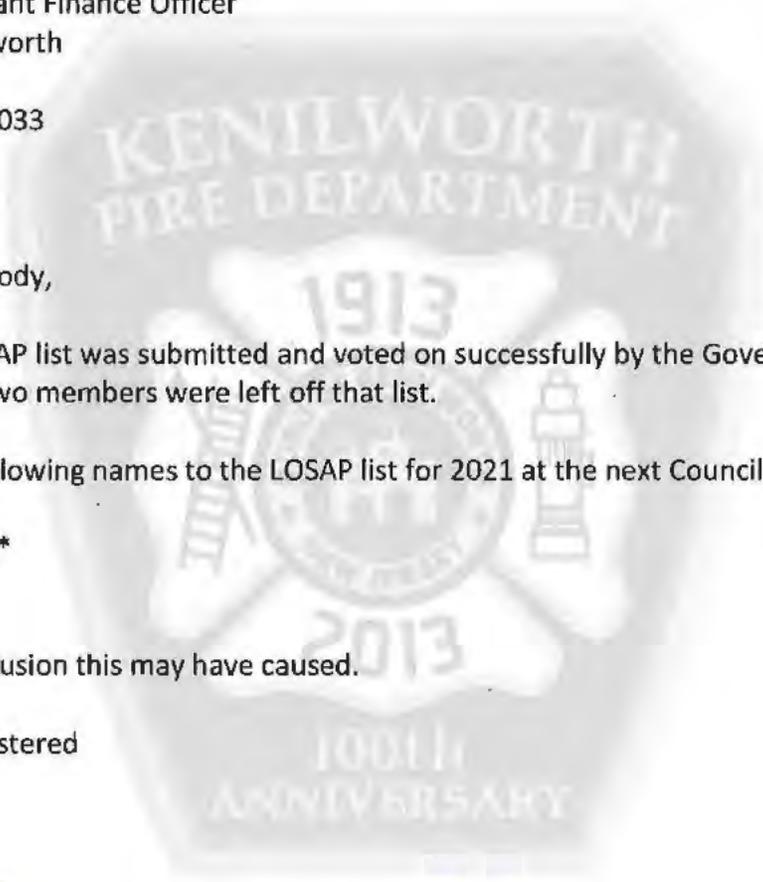
*Needs to be registered

Regards,



William Krueger
Fire Chief

Cc: Ken Blum, CFO



RESOLUTION

No. 127

KENILWORTH, N.J.

APRIL 20, 2022

Introduced by: _____

CONSENT AGENDA

Seconded by: _____

WHEREAS, an emergent condition has arisen wherein the appropriations set forth in the 2022 temporary budget are insufficient to meet the financial obligations as set forth below and the payroll for municipal officers and employees, and

WHEREAS, the permanent budget for the year 2022 has not yet been adopted, and

WHEREAS, N.J.S.A. 40A:4-20 provides for the creation of an Emergency Temporary Appropriation for the above mentioned, and

WHEREAS, the total emergency temporary resolutions adopted in the year 2022 pursuant to the provisions of N.J.S.A.40A:4-20 including this resolution total \$9,715,487.29 and

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Kenilworth (not less than two-thirds (2/3) of all the members thereof affirmatively concurring) that in accordance with the provision of N.J.S.A. 40A:4-20

1. The 2022 temporary budget be and the same is hereby amended to provide for the following emergency temporary appropriation in the amount of \$4,266,512.38.
2. A certified copy of this resolution shall be transmitted to the Borough's Chief Financial Officer for his records.
3. A certified copy of this resolution shall be filed by the Borough with the Director of Local Government.

<u>APPROPRIATIONS</u>	<u>SALARIES AND WAGES</u>	<u>OTHER EXPENSES</u>
Mayor and Council	\$ 984.38	\$ 2,887.50
Municipal Clerk's Office	\$ 55,062.00	\$ 14,148.75
Tax and Finance Office	\$ 47,551.35	\$ 27,444.38
Payroll and Human Resources	\$ -	\$ 11,025.00
Audit Services		\$ 8,400.00
Assessment of Taxes	\$ 7,511.44	\$ 1,837.50
Legal Services and Costs - Retainer		\$ 9,447.38
Legal Services and Costs		\$ 37,734.38
Engineering Services and Costs		\$ 39,375.00
Municipal Land Use - Planning Board	\$ 1,575.00	\$ 14,437.50
Other Insurance - Premiums		\$ 131,250.00
Employee Group Health Insurance		\$ 643,125.00
Health Benefits Waiver		\$ 3,937.50
Unemployment Compensation Insurance		\$ 26.25
Municipal Court	\$ 44,589.56	\$ 4,620.00
Public Defender		\$ 1,181.25
Police	\$ 922,373.29	\$ 61,884.38
Traffic Control & School Guards	\$ 50,400.00	\$ 13,046.25
Emergency Management	\$ 1,126.13	\$ 4,725.00
First Aid Organization Contribution		\$ 6,562.50
Fire	\$ 2,557.28	\$ 93,579.68
Fire Prevention Bureau	\$ 23,715.56	\$ 2,625.00
Municipal Prosecutor		\$ 4,725.00
Roads Repairs and Maintenance	\$ 236,440.31	\$ 34,125.00
Garbage and Trash Removal	\$ 62,179.69	\$ 17,062.50
Recycling		\$ 49,638.75
Buildings and Grounds		\$ 32,812.50
Sewer System		\$ 8,400.00
Shade Trees		\$ 18,375.00
Parks		\$ (43,575.00)
Board of Health	\$ 20,057.63	\$ 7,477.31
Dog and Cat Regulation		\$ 3,483.38
Senior Citizen Transportation	\$ 5,578.13	\$ 525.00

Emergency Temp Appropriatio

<u>APPROPRIATIONS</u>	<u>SALARIES AND WAGES</u>	<u>OTHER EXPENSES</u>
Senior Citizen Director	\$ 1,870.31	\$ 2,231.25
Parks and Playgrounds	\$ 10,387.13	\$ 8,163.75
Construction Official	\$ 29,400.00	\$ 1,791.56
Building Inspector	\$ 8,925.00	\$ 131.25
Plumbing Inspector	\$ 4,462.50	\$ 52.50
Electrical Inspector	\$ 4,462.50	\$ 52.50
Fire Protection Official	\$ 4,462.50	\$ 52.50
Zoning Enforcement Officer	\$ 3,483.38	\$ 5,315.63
Celebration of Public Events		\$ 5,250.00
Beautification		\$ 525.00
Utilities		\$ 80,325.00
Street Lighting		\$ 39,112.50
Fire Hydrant Services		\$ 37,275.00
Solid Waste Disposal Costs		\$ 94,500.00
Accumulated Leave	\$ 26.25	
Public Employees Retirement System		\$ 88,891.95
Social Security System		\$ 67,646.25
Police and Firemen's Retirement System		\$ 245,030.10
Unemployment Compensation Insurance		\$ 5,250.00
Defined Contribution Retirement Program		\$ 2,100.00
Maintenance of Free Public Library		\$ 142,620.26
Rahway Valley Sewerage Authority		\$ 345,548.44
Length of Service Award Program		\$ 17,062.50
Reserve for Tax Appeals		\$ 7,875.00
Interlocal Agreement - Borough of Roselle Park		\$ 14,437.50
Capital Improvement Fund		\$ 15,750.00
Payment of Bond Principal		\$ -
Interest on Bonds		\$ -
Interest on Notes		\$ (0.01)
Deferred Charges - Special Emergency 5 Years		\$ -
Reserve for Uncollected Taxes		\$ 223,990.99
	<hr/>	
Total	\$ 1,549,181.32	\$ 2,717,331.06
	<hr/>	

Emergency Temp Appropriatio

Linda Karlovitch

Approved:

Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			<input checked="" type="checkbox"/>			
Councilman Mark David			<input checked="" type="checkbox"/>			
Councilman Joseph Finistrella			<input checked="" type="checkbox"/>			
Councilman Scott Pentz			<input checked="" type="checkbox"/>			
Councilman Fred Pugliese	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>			
Councilman John Zimmerman			<input checked="" type="checkbox"/>			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes <input checked="" type="checkbox"/>		No <input type="checkbox"/>			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on April 20, 2022.

Kathleen Moschitta
Kathleen Moschitta, Deputy Borough Clerk

RESOLUTION

No. 128

KENILWORTH, N.J.

APRIL 20, 2022

Introduced by: Pugliese

Seconded by: Finstrella

WHEREAS, the property owner, Merk, Sharp & Dohme, Corp. has appealed to the Tax Court of the State of New Jersey, Docket No. 006725-2021 pertaining to 2021 tax assessment and Docket No. 001462-2022 pertaining to the 2022 assessment, including an appeal to Union County Appeal Number – 08-220003L, on the property designated on the municipal tax records as: Block 181, Lot 1 and commonly known as 2000 Galloping Hill Rd., Kenilworth, New Jersey, 08889; and

WHEREAS, the Borough Assessor, Kevin Palumbo and Special Counsel William J. Ward, Esq. have advised the Governing Body that they have carefully considered the three appeals and upon reviewing all the facts including assessment ratio issues, and based upon appropriate adjustments of fair market value that they recommend settlement of the appeals as follows:

FOR THE YEAR 2022:

BLOCK	LOT	2022 ASSESSMENT	PROPOSED AMOUNT OF REDUCTION	PROPOSED NEW 2022 ASSESSMENT This settlement is without prejudice to either party.
181	1	\$156,648,900	\$25,000,000	\$131,648,900

; and

WHEREAS, for the year 2021 these professionals further advise that the pending Tax Court appeal, Docket No. 006725-2021, being a 2021 assessment of \$156,648,900, shall be dismissed with prejudice with no adjustment or reduction in assessment; and

WHEREAS, the Governing Body deems it appropriate and in the best interest of the Borough to settle these tax appeals as set forth herein.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Kenilworth that the recommended settlement of the above-mentioned Tax Court appeals is hereby authorized and approved and Special Counsel William J. Ward, Esq. is authorized and directed to take appropriate steps to implement this resolution toward dismissal of the three lawsuits.

BE IT FURTHER RESOLVED that the Clerk forward a certified true copy of this resolution to the Borough Tax Assessor, Kevin Palumbo and to the Tax Collector.

Approved:



Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David				✓		
Councilman Joseph Finistrella		✓	✓			
Councilman Scott Pentz			✓			
Councilman Fred Pugliese	✓		✓			
Councilman John Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA		Yes _	No	✓		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on April 20, 2022.



Kathleen Moschitta, Deputy Borough Clerk

RESOLUTION

No. 129

KENILWORTH, N.J.

APRIL 20, 2022

Introduced by: _____
 Seconded by: _____

CONSENT AGENDA

WHEREAS, a vacancy exists in the position of Payroll Administrator in the Finance Department; and

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

WHEREAS, based on the recommendation of the interview panel, the Chief Finance Officer recommends that Tina DeFuria be appointed Payroll Administrator.

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

1. To ensure a proper audit trail for salary and wage payments, Tina DeFuria is appointed as the Payroll Administrator at a rate of \$52,000.00 per annum, effective April 20, 2022.
2. As per Article V, Section 37-38, Tina DeFuria, who is a full-time employee, hired on November 26, 2019, is entitled to receive two (2) weeks' vacation time, prorated for the first year.
3. Tina DeFuria's health care premium contributions shall be calculated in the same manner as all other non-contractual full-time employees not otherwise covered by a collective bargaining agreement or otherwise governed by the Borough's Municipal Council, and shall be 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.
4. 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.

Approved: _____

Linda Karlovitch

Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David			✓			
Councilman Joseph Finistrella			✓			
Councilman Scott Pentz			✓			
Councilman Fred Pugliese	✓					
Councilman John Zimmerman			✓			
Mayor Linda Karlovitch			✓			
ON CONSENT AGENDA	Yes	Yes	No	No	No	No

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on April 20, 2022.

Kathleen Moschitta
 Kathleen Moschitta,
 Deputy Borough Clerk

RESOLUTION

No. 130

KENILWORTH, N.J.

APRIL 20, 2022

Introduced by: _____

Seconded by: _____

CONSENT AGENDA

WHEREAS, on January 3, 2022, the Mayor and Council of the Borough of Kenilworth adopted Resolution 50 engaging 25 individuals to serve as Soccer and Basketball Referees for the 2022 Kenilworth Recreation Program; and

WHEREAS, it is necessary to amend Resolution 50 to engage the same 25 individuals for the 2022 Kenilworth Recreation Program to serve as Referees for Baseball, which was added as a new program in March of 2022, as well for Softball, which was inadvertently excluded from Resolution 50; and

WHEREAS, Spring Baseball Umpires are paid at a rate of \$90 (ninety dollars) per game; and

WHEREAS, Softball Umpires are paid at a rate of \$50 (fifty dollars) per game.

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

1. The following individuals are engaged as Spring Baseball Umpires for the 2022 Kenilworth Recreation Program and are to be paid at a rate of \$90 (ninety dollars) per game.
2. The following individuals are engaged as Softball Umpires for the 2022 Kenilworth Recreation Program and are to be paid at a rate of \$50 (fifty dollars) per game.
3. The Borough of Kenilworth's Chief Financial Officer has certified that sufficient uncommitted funds are available in the 2022 Borough of Kenilworth Budget for the purposes set forth herein.
4. This Resolution is ratified from January 3, 2022 until the date of adoption of this Resolution.
5. This resolution shall take effect immediately upon adoption by the Municipal Council.

John Primavera 37 South 17th Street Kenilworth, NJ 07033	Anthony Primavera 37 South 17th St Kenilworth, NJ 07033	Joe Primavera 37 South 17th Street Kenilworth, NJ 07033	Mike Palmadessa 18 Commonwealth Road Kenilworth, NJ 07033	Rick Pinto 629 Quinton Avenue Kenilworth, NJ 07033
Angelo Maltese 1141 Erhardt Street Union, NJ 07083	Nick DiPetrillo 1246 Wildwood Terrace Union, NJ 07083	Jerry Kirshenbaum 10 Bryan Lane Fanwood, NJ 07203	Greg Czajkowski 34 E. Munsell Avenue Linden, NJ 07036	James M. Ulaky 15 Osage Drive Cranford, NJ 07016
Lew Satulsky 1120 Sylvan Lane Mountainside, NJ 07092	Chris Parkhill 221 Faitoute Avenue Kenilworth, NJ 07033	Joe Iscaro 29 North 12th Street Kenilworth, NJ 07033	Bob Smith 701 Greenbrook Rd N. Plainfield, NJ 07063	Mike Foster 11 Schaeffer Road Maplewood, NJ 07040
Bob Koweleski 140 Belmar Terrace Westfield, NJ 07090	Darryl Brown 111 Runnyon Ave Middlesex, NJ 08846	Frank Conde 332 Raccoon Hollow Mountainside, NJ 07062	Tristan Cox 2881 St Mary's Avenue Plainfield, NJ 07062	Ron Tantilo 310 North 12th Street Kenilworth, NJ 07033
Ed Fodale 1025 Robin Court Green Brook, NJ 08812	Luke Ong 523 Victor Street Scotch Plains, NJ 07076	Jeff Pereira 1164 Tice Place Westfield, NJ 07090	Bob Brinkman 5 Crestwood La Summit, NJ 07901	Frank Reale 223 W. St. Georges Ave Linden, NJ 07036

Linda Karlovitch

Approved:

Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David			✓			
Councilman Joseph Finistrella		✓	✓			
Councilman Scott Pentz			✓			
Councilman Fred Pugliese	✓		✓			
Councilman John Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes	—	No	—		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on April 20, 2022.

Kathleen Moschitta
Kathleen Moschitta, Deputy Borough Clerk

ORDINANCE NO. 2022-04

**ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER 170, "STREETS AND SIDEWALKS," ARTICLE VII, "SIDEWALK
MAINTENANCE," SECTION 170-27 THROUGH 170-30, TO PROVIDE FOR
MAINTENANCE AND REPAIR OF RESIDENTIAL AND NONRESIDENTIAL
SIDEWALKS BY OWNERS OF ABUTTING LAND OF THE BOROUGH OF
KENILWORTH MUNICIPAL CODE.**

WHEREAS, it is critical to the health, safety and welfare of residents and visitors to the Borough of Kenilworth (the "Borough") that all sidewalks be properly maintained and repaired; and

WHEREAS, N.J.S.A. 40:65-14 authorizes municipalities throughout the State to adopt a sidewalk maintenance ordinance that requires property owners whose properties abut public sidewalks to maintain and repair those abutting sidewalks; and

WHEREAS, the Mayor and the Borough Municipal Council have determined that it would be in the best interest of the Borough to amend its current ordinance addressing sidewalk maintenance to take full advantage of the current law for the repair of sidewalks for residential and non-residential properties by abutting property owners in order to protect the health, safety and welfare of the residents and taxpayers of the Borough.

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

SECTION 1. RECITALS. The foregoing whereas clause is incorporated herein by reference and made a part hereof.

SECTION 2. Chapter 170, "Streets and Sidewalks," Article VII "Sidewalk Maintenance," Sections 170-27 through 170-30 of the Revised Ordinances of the Borough of Kenilworth, Union County, New Jersey, is hereby replaced in its entirety with the following:

VII SIDEWALK MAINTENANCE.

§ 170-27 Purpose.

Pursuant to N.J.S.A. 40:65-14, the purpose of this Article is to set forth requirements standards and requirements for the construction, reconstruction, replacement, repair, alteration and maintenance of sidewalks and curbs within the Borough of Kenilworth.

§ 170-28 Necessity of Permit

- A. No person shall undertake any construction, reconstruction, replacement, repair, alteration or maintenance of a public curb or sidewalk, or any portion thereof, in the Borough without a proper permit from the Borough Construction/Building Department.

ORDINANCE NO. 2022-04

**ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER 170, "STREETS AND SIDEWALKS," ARTICLE VII, "SIDEWALK
MAINTENANCE," SECTION 170-27 THROUGH 170-30, TO PROVIDE FOR
MAINTENANCE AND REPAIR OF RESIDENTIAL AND NONRESIDENTIAL
SIDEWALKS BY OWNERS OF ABUTTING LAND OF THE BOROUGH OF
KENILWORTH MUNICIPAL CODE.**

§ 170-29 Construction and maintenance standards.

- A. It shall be the duty and responsibility of the owner of any land abutting a public sidewalk or curb in the Borough to construct, reconstruct, replace, repair and maintain any curbs and sidewalks or any portions thereof abutting the land of the property owner at the sole cost and expense of such owner.
- B. Such upkeep shall include keeping abutting sidewalks in a proper condition of maintenance and good repair, including but not limited to, keeping such sidewalks free of obstruction, debris, cracks and crevices or other unsafe conditions.
- C. Sidewalks shall be constructed and maintained in conformity with the specifications in Residential Site Improvement Standards (N.J.A.C. 5:21-4.3; 5:21-4.5; 5:21-4.17 and 5:21-4.18 and Title 5, Chapter 21, of the New Jersey Administrative Code, as amended and supplemented).
- D. All sidewalks, curbing and other related improvements and appurtenances, including driveway aprons, ramps, cross walks, drainage structures or facilities, gutters, sewers, signs, markings, graded areas, pavement, streets and roads, must be in strict accordance with the Americans with Disabilities Act, the Barrier Free Subcode of the New Jersey Uniform Construction Code and all other applicable Federal, State, local or Borough design or construction standards. Any and all such work and materials furnished shall be subject to review and approval by the Borough Construction/Building Department.
- E. If any portion of the sidewalk or curb abutting or adjacent to the property for which a permit application is made is located on or along a County road or street under the control of the County, the property owner shall be required to seek and obtain approval from the County and comply with any and all County rules and regulations prior to applying for any concurrent or additional permit from the Borough Construction/Building Department.

§ 170-30 Restoration of site; cleanup.

Upon completion of sidewalk or curb construction, reconstruction, replacement, repair or maintenance, all equipment, unused materials and refuse shall be removed from the site of the work, and all public and private properties, appurtenances, signs, markings, ramps and related improvements damaged, disturbed or altered during the course of construction shall be replaced or repaired in accordance with all applicable Federal, State, local and Borough standards. The site shall be put as nearly as possible into conditions corresponding to that which existed prior to construction, all to the satisfaction of the Borough Construction/Building Department or his authorized representative.

ORDINANCE NO. 2022-04

**ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER 170, "STREETS AND SIDEWALKS," ARTICLE VII, "SIDEWALK
MAINTENANCE," SECTION 170-27 THROUGH 170-30, TO PROVIDE FOR
MAINTENANCE AND REPAIR OF RESIDENTIAL AND NONRESIDENTIAL
SIDEWALKS BY OWNERS OF ABUTTING LAND OF THE BOROUGH OF
KENILWORTH MUNICIPAL CODE.**

§ 170-31 Sidewalk repair and maintenance; costs to become lien.

- A. Whenever an abutting or adjacent property owner fails to construct, reconstruct, replace, repair or maintain any curb or sidewalk abutting said property pursuant to this Article, the Borough may, by resolution, cause written notice to be served upon the owner or occupant of said lands requiring the necessary specified work to said curb or sidewalk to be done by said owner or occupant within a period of not less than 30 days from the date of service of such notice. Whenever such lands are unoccupied and the owner cannot be found within the Borough, or in such case as the owner is a nonresident of the Borough or his or her post address cannot be ascertained, then as provided by N.J.S.A. 40:65-14 the same may be mailed, postage prepaid, to his or her post-office address, if the same can be ascertained. In case such owner is a nonresident of the municipality or his or her post-office address cannot be ascertained, then the notice may be inserted for 4 weeks, once a week in some newspaper of such municipality or if none be published therein, then in some newspaper published in the State and circulating in said municipality.
- B. If the owner or occupant does not comply with the requirements of such notice as described in subsection A of this Section, then the Borough, upon filing due proof of service or publication of the aforesaid notice with the Borough Clerk, cause the required work to be done, and paid for out of the Borough funds available for that purpose, at the owner's expense.
- C. The cost of such work shall be certified by the Borough or such other person having charge thereof, to the Tax Collector of the Borough. Upon the filing of the certificate, the amount of the cost of such work shall be and become a lien upon the abutting lands in front of which such work was done to the same extent that assessments for local improvements are liens in the Borough, and shall be collected in the manner provided by law for the collection of such other assessments, and shall bear interest at the same rate.
- D. In addition thereto, the Borough may have an action to recover the same amount against the owner of the lands, in any court having competent jurisdiction thereof.
- E. The imposition and collection of a fine imposed for a violation of this Article shall be in addition to any other financial, legal or other recourse or remedy as may otherwise be available pursuant to Borough Ordinance or by law, and shall not anyway be construed to bar or limit any right of the Borough to collect the cost for construction, reconstruction,

ORDINANCE NO. 2022-04

**ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER 170, "STREETS AND SIDEWALKS," ARTICLE VII, "SIDEWALK
MAINTENANCE," SECTION 170-27 THROUGH 170-30, TO PROVIDE FOR
MAINTENANCE AND REPAIR OF RESIDENTIAL AND NONRESIDENTIAL
SIDEWALKS BY OWNERS OF ABUTTING LAND OF THE BOROUGH OF
KENILWORTH MUNICIPAL CODE.**

replacement, repair or maintenance of any sidewalk, curb or other related improvements or appurtenances in the manner herein authorized as provided by N.J.S.A. 40:65-14.

§ 170-32 Enforcement

This article shall be enforced by the Police Department and/or Borough Construction/Building Department of the Borough of Kenilworth.

§ 170-33 Violations and Penalties

Any person who shall violate or fail to comply with any provision of this Article shall, upon conviction, be subject to fine of not less than \$50.00 per day, nor in excess of \$200.00 per day.

The continuation of such violation of each successive day shall constitute a separate offense, and the person or persons allowing or permitting the continuation of the violation may be punished as provided above for each separate offense.

SECTION 3. All ordinances or parts of ordinances inconsistent with or in conflict with this ordinance are hereby repealed to the extent of such inconsistency.

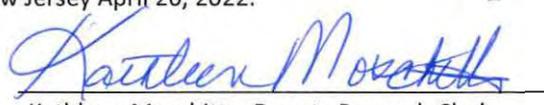
SECTION 4. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of this Ordinance shall remain valid and effective.

SECTION 5. This Ordinance shall take effect upon final passage and publication according to law.

INTRODUCTION						COUNCILPERSON	FINAL ADOPTION					
Moved	Sec.	Aye	Nay	Abs.	NP		Moved	Sec.	Aye	Nay	Abs.	NP
						KAY CECERI						
						MARK DAVID						
						JOSEPH FINISTRELLA						
						SCOTT PENTZ						
						FRED PUGLIESE						
						JOHN ZIMMERMAN						

ORDINANCE NO. 2022-04

**ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER 170, "STREETS AND SIDEWALKS," ARTICLE VII, "SIDEWALK
MAINTENANCE," SECTION 170-27 THROUGH 170-30, TO PROVIDE FOR
MAINTENANCE AND REPAIR OF RESIDENTIAL AND NONRESIDENTIAL
SIDEWALKS BY OWNERS OF ABUTTING LAND OF THE BOROUGH OF
KENILWORTH MUNICIPAL CODE.**

Introduced: April 20, 2022	I hereby certify the above ordinance was adopted by the Borough Council of the Borough of Kenilworth, County of Union, State of New Jersey April 20, 2022.  Kathleen Moschitta, Deputy Borough Clerk
Final Adoption: May 18, 2022	

RESOLUTION

No. 132

KENILWORTH, N.J.

APRIL 20, 2022

Introduced by: Finistrella

Seconded by: Zimmerman

BE IT HEREBY RESOLVED that the ordinance #2022-04 entitled:

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 170, "STREETS AND SIDEWALKS," ARTICLE VII, "SIDEWALK MAINTENANCE," SECTION 170-27 THROUGH 170-30, TO PROVIDE FOR MAINTENANCE AND REPAIR OF RESIDENTIAL AND NONRESIDENTIAL SIDEWALKS BY OWNERS OF ABUTTING LAND OF THE BOROUGH OF KENILWORTH MUNICIPAL CODE

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 the May 18, 2022 at 6:30PM or as soon as 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.

Approved: *Linda Karlovitch*
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David			✓			
Councilman Joseph Finistrella	✓		✓			
Councilman Scott Pentz			✓			
Councilman Fred Pugliese			✓			
Councilman John Zimmerman			✓			
Mayor Linda Karlovitch						✓
ON CONSENT AGENDA		Yes		No		✓

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on April 20, 2022.

Kathleen Moschitta
Kathleen Moschitta
Deputy Borough Clerk

**ORDINANCE NO. 2022-05
BOROUGH OF KENILWORTH**

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 1, "GENERAL PROVISIONS," ARTICLE 1, "GENERAL PENALTY," SECTION 1-1 "VIOLATIONS AND PENALTIES" OF THE BOROUGH OF KENILWORTH MUNICIPAL CODE.

WHEREAS, the purpose of this Ordinance is to amend the general penalty provision in the Code of the Borough of Kenilworth so that it is in accordance with N.J.S.A. 40:49-5, which sets for the penalties for violations of municipal ordinances.

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

SECTION 1. RECITALS. The foregoing whereas clause is incorporated herein by reference and made a part hereof.

SECTION 2. Section 1-1 "Violations and Penalties" of Chapter 1, "General Provisions," Article 1, "General Penalty," of the Revised Ordinances of the Borough of Kenilworth, Union County, New Jersey, is hereby replaced in its entirety with the following:

ARTICLE I GENERAL PENALTY.

§ 1-1 Violations and penalties.

For violation of any provision of this Code or other ordinance of the Borough of Kenilworth unless a specific penalty is otherwise provided in connection with the provision violated, the maximum penalty upon conviction of the violation shall, at the discretion of the Borough, be by one or more of the following: imprisonment in the County Jail or in any place provided by the Borough for the detention of prisoners for any term not exceeding 90 days; or by a fine not exceeding \$2,000; or by a period of community service not exceeding 90 days.

§ 1-2 Separate Violations.

Except as otherwise provided, each and every day in which a violation of any provision of this Code or any other ordinance of the Borough of Kenilworth exists shall constitute a separate violation.

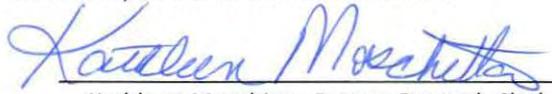
SECTION 3. All ordinances or parts of ordinances inconsistent with or in conflict with this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 4. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of this Ordinance shall remain valid and effective.

**ORDINANCE NO. 2022-05
BOROUGH OF KENILWORTH**

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 1, "GENERAL PROVISIONS," ARTICLE 1, "GENERAL PENALTY," SECTION 1-1 "VIOLATIONS AND PENALTIES" OF THE BOROUGH OF KENILWORTH MUNICIPAL CODE.

SECTION 5. This Ordinance shall take effect upon final passage and publication according to law.

INTRODUCTION						COUNCILPERSON	FINAL ADOPTION					
Moved	Sec.	Aye	Nay	Abs.	NP		Moved	Sec.	Aye	Nay	Abs.	NP
		✓				KAY CECERI						
		✓				MARK DAVID						
✓		✓				JOSEPH FINISTRELLA						
	✓	✓				SCOTT PENTZ						
		✓				FRED PUGLIESE						
		✓				JOHN ZIMMERMAN						
Introduced: April 20, 2022						I hereby certify the above ordinance was adopted by the Borough Council of the Borough of Kenilworth, County of Union, State of New Jersey on the aforementioned date.						
Final Adoption: May 18, 2022												
						 Kathleen Moschitta, Deputy Borough Clerk						

RESOLUTION

No. 133

KENILWORTH, N.J.

APRIL 20, 2022

Introduced by: Finistrella

Seconded by: Ponty

BE IT HEREBY RESOLVED that the ordinance #2022-05 entitled:

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 1, "GENERAL PROVISIONS" ARTICLE 1, "GENERAL PENALTY," SECTION 1-1 "VIOLATIONS AND PENALTIES" OF THE BOROUGH OF KENILWORTH MUNICIPAL CODE.

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 the May 18, 2022 at 6:30PM or as soon as 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.

Approved:



Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David			✓			
Councilman Joseph Finistrella	✓		✓			
Councilman Scott Pentz			✓			
Councilman Fred Pugliese			✓			
Councilman John Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes	No				✓

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on April 20, 2022.



Kathleen Moschitta
Deputy Borough Clerk

BOROUGH OF KENILWORTH

ORDINANCE NO. 2022-06

ORDINANCE AUTHORIZING THE BOROUGH OF KENILWORTH TO ENTER INTO A LEASE AGREEMENT WITH KENILWORTH LITTLE LEAGUE FOR THE USE OF THE UNPAVED PORTION OF HALSEY STREET BETWEEN 14th STREET AND 13th STREET, BETWEEN BLOCK 30, LOT 8.01, BLOCK 29, LOT 1 AND BLOCK 28, LOT 1 (MORE COMMONLY KNOWN AS THE KENILWORTH LITTLE LEAGUE PARKING LOT) FOR YOUTH RECREATION BASEBALL AND SOFTBALL PURPOSES.

WHEREAS, the Borough of Kenilworth (the "Borough") is a Municipal Corporation of the State of New Jersey, with offices located at 567 Boulevard, Kenilworth, NJ 07033; and

WHEREAS, the Borough of Kenilworth is authorized to enter into lease agreements for nominal consideration with non-profit corporations or associations for the use of vacant lots and open spaces for gardening or recreation purposes pursuant to N.J.S.A. 40 A: 12-14(c) and N.J.S.A. 40 A:12-15(j); and

WHEREAS, the Borough of Kenilworth has long had a fruitful and symbiotic relationship with the Kenilworth Little League; and

WHEREAS, since 1995, the Kenilworth Little League has leased the unpaved portion of Halsey Street between 14th Street and 13th Street, between Block 30, Lot 8.01, Block 29, Lot 1, and Block 28, Lot 1 for parking accommodations for Little League baseball games and events of the Kenilworth Little League; and

WHEREAS, N.J.S.A. 40A:12-14 of the Local Lands and Buildings Law provides, in relevant part, that any municipality may lease any real property, capital improvement or personal property other than real property otherwise dedicated or restricted pursuant to law; and

WHEREAS, specifically, N.J.S.A. 40A:12-14(c) provides that in the case of a lease to a nonprofit corporation or association for a public purpose, the lease shall be authorized by ordinance and may be for nominal or other consideration and that said authorization shall include the following:

1. nominal or other consideration for the lease;
2. the name of the corporation or corporations who shall be the lessees;
3. the public purpose served by the lessee;
4. the number of persons benefiting from the public purpose served by the lessee, whether within or without the municipality in which the leasehold is located; and
5. the term of the lease, and the officer, employee or agency responsible for enforcement of the conditions of the lease; and

WHEREAS, N.J.S.A. 40A:12-14(c) further provides that the ordinance shall also require any nonprofit corporation holding a lease for a public purpose to annually submit a report to the officer, employee or agency designated by the governing body, setting out the use to which the leasehold

BOROUGH OF KENILWORTH

ORDINANCE NO. 2022-06

ORDINANCE AUTHORIZING THE BOROUGH OF KENILWORTH TO ENTER INTO A LEASE AGREEMENT WITH KENILWORTH LITTLE LEAGUE FOR THE USE OF THE UNPAVED PORTION OF HALSEY STREET BETWEEN 14th STREET AND 13th STREET, BETWEEN BLOCK 30, LOT 8.01, BLOCK 29, LOT 1 AND BLOCK 28, LOT 1 (MORE COMMONLY KNOWN AS THE KENILWORTH LITTLE LEAGUE PARKING LOT) FOR YOUTH RECREATION BASEBALL AND SOFTBALL PURPOSES.

was put during each year, the activities of the lessee undertaken in furtherance of the public purpose for which the leasehold was granted; the approximate value or cost, if any, of such activities in furtherance of such purpose; and an affirmation of the continued tax-exempt status of the nonprofit corporation pursuant to both State and federal law; and

WHEREAS, N.J.S.A. 40A:12-15(j) provides that a leasehold may be made for a term not in excess of 50 years and extended for an additional 25 years by ordinance thereafter for any county or municipal public purpose, including, but not limited to the use of vacant lots for recreational activity; and

WHEREAS, the Borough of Kenilworth (the "Lessor") is of the opinion that it is in the best interest of all concerned, especially our borough's children, that Kenilworth Little League continue to utilize Borough-owned property to for the purpose of parking accommodations for Little League baseball games and events of the Kenilworth Little League, by way of a new formal lease consistent with the mandates of both N.J.S.A. 40A:12-14(c) and N.J.S.A. 40 A:12-15(j); and

WHEREAS, Kenilworth Little League ("the Lessee") understand that the properties leased to non-profit corporations or associations are to be used for recreational purposes only; and

WHEREAS, the lease shall be for a term of twenty-five (25) beginning on March 16, 2022 and ending March 15, 2047, subject to the City's right to terminate the lease at its convenience without cause by providing thirty (30) days prior notice; and

WHEREAS, the consideration for the lease shall be one dollar (\$1.00) a year and other good and valuable considerations.

NOW, THEREFORE, BE IT ORDAINED, by the Municipal Council of the Borough of Kenilworth that:

SECTION 1. The Mayor is hereby authorized to enter into and execute a Lease Agreement, in the form attached hereto, on behalf of the Borough of Kenilworth with the Kenilworth Little League, for the leasing of the property known as the unpaved portion of Halsey Street between 14th Street and 13th Street, between Block 30, Lot 8.01, Block 29, Lot 1, and Block 28, Lot 1, pursuant to N.J.S.A. 40 A: 12-14(c) and N.J.S.A. 40 A:12-15(j), for the period of twenty-five (25) years beginning on March 16, 2022 and ending on March 15, 2047, for the consideration of \$1.00 and other good and valuable consideration.

BOROUGH OF KENILWORTH

ORDINANCE NO. 2022-06

ORDINANCE AUTHORIZING THE BOROUGH OF KENILWORTH TO ENTER INTO A LEASE AGREEMENT WITH KENILWORTH LITTLE LEAGUE FOR THE USE OF THE UNPAVED PORTION OF HALSEY STREET BETWEEN 14th STREET AND 13th STREET, BETWEEN BLOCK 30, LOT 8.01, BLOCK 29, LOT 1 AND BLOCK 28, LOT 1 (MORE COMMONLY KNOWN AS THE KENILWORTH LITTLE LEAGUE PARKING LOT) FOR YOUTH RECREATION BASEBALL AND SOFTBALL PURPOSES.

SECTION 2. The Mayor is authorized to extend the term of the lease for an additional twenty-five years subject to the approval by the Municipal Council.

SECTION 3. The Municipal Council hereby ratifies the Lease Agreement from March 16, 2022, until the final passage and publication of this ordinance.

SECTION 4. A copy of the Lease Agreement is attached hereto and made part hereof.

SECTION 5. A copy of the Lease Agreement and this ordinance shall be permanently filed in the Office of the City Clerk.

SECTION 6. All ordinances or parts of ordinances inconsistent with or in conflict with this ordinance are hereby repealed to the extent of such inconsistency.

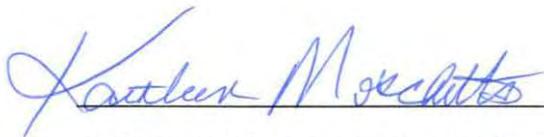
SECTION 7. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of this Ordinance shall remain valid and effective.

BOROUGH OF KENILWORTH

ORDINANCE NO. 2022-06

ORDINANCE AUTHORIZING THE BOROUGH OF KENILWORTH TO ENTER INTO A LEASE AGREEMENT WITH KENILWORTH LITTLE LEAGUE FOR THE USE OF THE UNPAVED PORTION OF HALSEY STREET BETWEEN 14th STREET AND 13th STREET, BETWEEN BLOCK 30, LOT 8.01, BLOCK 29, LOT 1 AND BLOCK 28, LOT 1 (MORE COMMONLY KNOWN AS THE KENILWORTH LITTLE LEAGUE PARKING LOT) FOR YOUTH RECREATION BASEBALL AND SOFTBALL PURPOSES.

SECTION 8. This Ordinance shall take effect upon final passage and publication according to law.

INTRODUCTION						COUNCILPERSON	FINAL ADOPTION					
Moved	Sec.	Aye	Nay	Abs.	NP		Moved	Sec.	Aye	Nay	Abs.	NP
		✓				KAY CECERI						
		✓				MARK DAVID						
✓		✓				JOSEPH FINISTRELLA						
		✓				SCOTT PENTZ						
		✓				FRED PUGLIESE						
	✓	✓				JOHN ZIMMERMAN						
Introduced: April 20, 2022						I hereby certify the above ordinance was adopted by the Borough Council of the Borough of Kenilworth, County of Union, State of New Jersey at a meeting held on April 20, 2022.						
Final Adoption: May 18, 2022												
						 Kathleen Moschitta, Deputy Borough Clerk						

RESOLUTION

No. 134

KENILWORTH, N.J.

APRIL 20, 2022

Introduced by: Finistrella

Seconded by: Zimmerman

BE IT HEREBY RESOLVED that the ordinance #2022-06 entitled:

AN ORDINANCE AUTHORIZING THE BOROUGH OF KENILWORTH TO ENTER INTO A LEASE AGREEMENT WITH KENILWORTH LITTLE LEAGUE FOR THE USE OF THE UNPAVED PORTION OF HALSEY STREET BETWEEN 14TH STREET AND 13TH STREET, BETWEEN BLOCK 30, LOT 8.01, BLOCK 29, LOT 1 AND BLOCK 28, LOT 1 (MORE COMMONLY KNOWN AS THE KENILWORTH LITTLE LEAGUE PARKING LOT) FOR YOUTH RECREATION BASEBALL AND SOFTBALL PURPOSES

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 the May 18, 2022 at 6:30PM or as soon as 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.



Approved:

Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			/			
Councilman Mark David			/			
Councilman Joseph Finistrella	/		/			
Councilman Scott Pentz			/			
Councilman Fred Pugliese			/			
Councilman John Zimmerman			/			
Mayor Linda Karlovitch						/
ON CONSENT AGENDA	Yes				No	/

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on April 20, 2022.



Kathleen Moschitta
Deputy Borough Clerk



BOROUGH OF KENILWORTH

AGENDA ♦ MAY 4, 2022

WORK SESSION 6PM COUNCIL MEETING

COUNCIL MEETING COMMENCES UPON CONCLUSION OF THE WORK SESSION

In light of the public health emergency caused by Coronavirus, the Mayor and Borough Council Meetings the Council will continue to meet on their regularly scheduled meeting dates. The Regular Council Meeting will commence as soon as possible upon conclusion of the 6PM Work Session.

Open Public Meetings Notice

Salute to the Flag

Roll Call

Minutes: Reading of unapproved minutes of the Council Meeting of April 6, 2022 and April 20, 2022. (emailed to all)

Communications:

- NJSLOM Notices (emailed to all)
- Department Reports for April, 2022 Fire Department, Planning & Zoning, Police Department

Proclamation: Public Works Week May 15 thru May 21, 2022

Report of Mayor, and Committees:

Borough Resolutions: - Consent Agenda

135. That all bills be paid when properly audited and funds are available
136. Volunteer Fire Department Clothing Allowance
137. Resolution authorizing Use Agreement for Farmers Market
138. Resolution authorizing DPW Superintendent to negotiate for Bulk Waste Collection
139. Resolution authorizing settlement agreement between Borough and MNC Concrete
140. Resolution appointing Event Coordinator - MB
141. Award Contract for Bulk Collection - Direct Waste Service, Inc.
142. Award Park Equipment - Picerno-Giordano Construction
143. Appoint EMT - AG
144. Resolution Revising Paid and Unpaid Time Off Policies & Vacation Leave

Ordinances:

Introduction Ordinance 2022-07 AN ORDINANCE RESCINDING ORDINANCE 2021-18 AND APPROVING THE APPLICATION AND AUTHORIZING A FINANCIAL AGREEMENT FOR A LONG TERM TAX EXEMPTION BY AND BETWEEN THE BOROUGH OF KENILWORTH AND KENILWORTH REDEVELOPERS URBAN RENEWAL, LLC

Introduction Ordinance 2022-08 - AN ORDINANCE AMENDING ARTICLE V, PAID AND UNPAID TIME OFF POLICIES, SECTION 37-38, VACATION LEAVE, OF THE

Council reserves the right to go into Closed Session if needed. *(Closed Session Meeting Resolution)*

Adjournment

Time: _____



BOROUGH OF KENILWORTH

AGENDA ♦ MAY 4, 2022

WORK SESSION 6PM COUNCIL MEETING

COUNCIL MEETING COMMENCES UPON CONCLUSION OF THE WORK SESSION

CODE OF THE BOROUGH OF KENILWORTH COUNTY OF UNION, STATE OF NEW JERSEY

Meeting Open to the Public

General Business

Adjournment

Council reserves the right to go into Closed Session if needed. *(Closed Session Meeting Resolution)*

Adjournment

Time: _____

**BOROUGH OF KENILWORTH
COUNCIL MEETING – MAY 5, 2022
CONSENT AGENDA**

The following resolutions, listed on a Consent Agenda, are offered by Council Member David and seconded by Council Member Finistrella

Resolution No.

- 135. That all bills be paid when properly audited and funds are available
- 136. Volunteer Fire Department Clothing Allowance
- 137. Resolution authorizing Use Agreement for Farmers Market
- 138. Resolution authorizing DPW Superintendent to negotiate for Bulk Waste Collection
- 139. Resolution authorizing settlement agreement between Borough and MNC Concrete
- 140. Resolution appointing Event Coordinator – MB
- 141. Award Contract for Bulk Collection – Direct Waste Service, Inc.
- 142. Award Park Equipment – Picerno-Giordano Construction
- 143. Appoint EMT – AG
- 144. Resolution Revising Paid and Unpaid Time Off Policies & Vacation leave

Linda Karlovitch

Approved:

Linda Karlovitch, Mayor

	M O V E D	S E C O N D E D	A Y E S	N A Y S	A B S T A I N	A B S E N T
Councilwoman Kay Ceceri			✓			
Councilman Mark David	✓					
Councilman Joseph Finistrella			✓			
Councilman Scott Pentz			✓			
Councilman Fred Pugliese			✓			
Councilman John Zimmerman			✓			
ON CONSENT AGENDA	Yes	✓	No			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on March 16, 2022.

Kathleen Moschitta
Kathleen Moschitta,
Deputy Borough Clerk

RESOLUTION

No. 135

KENILWORTH, N.J.

May 4, 2022

Introduced by: CONSENT AGENDA

Seconded by: _____

BE IT RESOLVED, by the Borough of Kenilworth, County of Union, New Jersey, that the summary of bills in the total amount of \$1,896,386.28, 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 2022 Borough of Kenilworth Budget to fund the payment of the following bills attached hereto and made a part of this resolution.

April 29, 2022
03:10 PM

BOROUGH OF KENILWORTH
Bill List By Vendor Id

Totals by Year-Fund Fund Description	Fund	Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND	1-01	4,600.00	0.00	4,600.00	0.00	0.00	4,600.00
CURRENT FUND	2-01	1,872,931.07	0.00	1,872,931.07	0.00	0.00	1,872,931.07
GENERAL CAPITAL	C-04	14,609.25	0.00	14,609.25	0.00	0.00	14,609.25
GRANTS	G-02	899.62	0.00	899.62	0.00	0.00	899.62
GENERAL TRUST	T-03	500.00	0.00	500.00	0.00	0.00	500.00
COMMUNITY DEVELOPMENT	T-06	250.00	0.00	250.00	0.00	0.00	250.00
ANIMAL CONTROL TRUST	T-15	2,596.34	0.00	2,596.34	0.00	0.00	2,596.34
Year Total:		3,346.34	0.00	3,346.34	0.00	0.00	3,346.34
Total of All Funds:		1,896,386.28	0.00	1,896,386.28	0.00	0.00	1,896,386.28

Approved:

Linda Karlovitch

Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David	✓		✓			
Councilman Joseph Finistrella		✓	✓			
Councilman Scott Pentz			✓			
Councilman Fred Pugliese			✓			
Councilman John Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes	✓	No			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on May 4, 2022.

Kathleen Moschitta

Kathleen Moschitta,
Deputy Borough Clerk

RESOLUTION

No. 136

KENILWORTH, N.J.

MAY 4, 2022

Introduced by: _____

CONSENT AGENDA

Seconded by: _____

BE IT HEREBY RESOLVED: That the attached list of the Kenilworth Volunteer Fire Department/Rescue Squad members be granted an expense allowance in accordance with the report submitted by Fire Chief William Krueger, in the aggregate amount of \$62,415.00.

BE IT FURTHER RESOLVED, that 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.

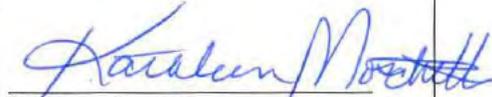
Approved:



Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David	✓		✓			
Councilman Joseph Finistrella			✓			
Councilman Scott Pentz			✓			
Councilman Fred Pugliese			✓			
Councilman John Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA		Yes <u> </u>	No <u> </u>			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on May 4, 2022.



Kathleen Moschitta,
Deputy Borough Clerk

RESOLUTION

No. 137

KENILWORTH, N.J.

May 4, 2022

Introduced by: _____

Seconded by: _____

CONSENT AGENDA

WHEREAS, the Mayor and the Municipal Council of the Borough of Kenilworth, through its Department of Health, is desirous of operating their 2022 producer-based community Farmer’s Market for the benefit of the community and the Citizens of the Borough; and

WHEREAS, the Kenilworth United Methodist Church is willing to allow the Borough of Kenilworth to use the front lawn of the Kenilworth United Methodist Church, located at 455 Boulevard, Kenilworth, New Jersey 07033 to operate its Farmer’s Market; and

WHEREAS, the Kenilworth United Methodist Church is willing to allow the Borough of Kenilworth to use its property without any charge to the Borough to operate the Famer’s Market and expects nothing in return and will receive nothing in return for making this generous gift; and

WHEREAS, the Borough of Kenilworth wishes to accept this gift pursuant to N.J.S.A. 40A:5-29; and

WHEREAS, the Kenilworth United Methodist Church and the Borough wish to enter into a use agreement to permit the Borough to use Kenilworth United Methodist Church’s Property to operate its Farmer’s Market; and

WHEREAS, the Mayor and the Borough of Kenilworth are in support of the 2022 Farmer’s Market by approving the execution of the use agreement and the acceptance of the gift described herein.

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

1. The Mayor is authorized to execute a Use Agreement, in the form attached thereto, for the use of the Kenilworth United Methodist Church’s Property to operate the Borough Farmer’s Market for the 2022 season between the months of June through November.
2. Pursuant to N.J.S.A. 40A:5-29, the Mayor is authorized to accept the gift of the use the Kenilworth United Methodist Church’s Property to operate the Farmer’s Market and Kenilworth United Methodist Church expects nothing in return.
3. No Borough funds will be expended for the acceptance of this gift.

4. The Mayor shall file a copy of the fully executed Use Agreement in the Office of the Borough Clerk.

Approved:



Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David	✓					
Councilman Joseph Finistrella		✓				
Councilman Scott Pentz			✓			
Councilman Fred Pugliese			✓			
Councilman John Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes	✓	No			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on May 4, 2022.



Kathleen Moschitta, Deputy Borough Clerk

RESOLUTION

No. 138

KENILWORTH, N.J.

MAY 4, 2022

Introduced by: _____

Seconded by: _____

CONSENT AGENDA

ACKNOWLEDGING THE RECEIPT OF NO BIDS FOR BULK WASTE COLLECTION SERVICES FOR THE SECOND TIME AND AUTHORIZING CONTRACT NEGOTIATION

WHEREAS, the Qualified Purchasing Agent of the Borough of Kenilworth (hereinafter, the "Borough") solicited sealed bids for "Bulk Waste Collection Services;" and,

WHEREAS, no bids were received on or before Tuesday, April 5, 2022 at 10:00 a.m., the first date and time specified for the formal receipt and opening of sealed bids; and,

WHEREAS, no bids were received on or before Tuesday, April 26, 2022 at 10:00 a.m., the second date and time specified for the formal receipt and opening of sealed bids; and

WHEREAS, in accordance with the provisions of the Local Public Contracts Law of the State of New Jersey, *N.J.S.A. 40A:11-1 et seq.*, with specific reference to *N.J.S.A. 40A:11-5*, the Qualified Purchasing Agent of the Borough recommends that the Governing Body of the Borough acknowledge that no bids were received on two (2) occasions; and,

WHEREAS, the Qualified Purchasing Agent further recommends that the Mayor and Council of the Borough formally authorize the negotiation of a contract for "Bulk Waste Collection Services."

NOW, THEREFORE, BE IT RESOLVED that upon the recommendation of the Qualified Purchasing Agent, the Mayor and Council of the Borough of Kenilworth, County of Union, State of New Jersey hereby acknowledge that no bids for "Bulk Waste Collection Services" were received in a "responsive" manner for a second time on or before Tuesday, April 26, 2022 at 10:00 a.m., the date and time specified for the second formal receipt and opening of sealed bids; and,

BE IT FURTHER RESOLVED that the Superintendent of Public Works is hereby authorized and directed to negotiate a contract for "Bulk Waste Collection Services" which shall be presented to and considered for award by the Governing Body pursuant to the provisions of *N.J.S.A. 40A:11-5(3)*.

Approved:



Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David	✓		✓			
Councilman Joseph Finistrella		✓	✓			
Councilman Scott Pentz			✓			
Councilman Fred Pugliese			✓			
Councilman John Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes	✓	No	___		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on May 4, 2022.

Kathleen Moschitta

Kathleen Moschitta,
Acting Borough Clerk

RESOLUTION

No. 139

KENILWORTH, N.J.

May 4, 2022

Introduced by: _____

Seconded by: _____

CONSENT AGENDA

**RESOLUTION AUTHORIZING SETTLEMENT BETWEEN
MNC CONCRETE, LLC.AND THE BOROUGH OF KENILWORTH**

WHEREAS: MNC has been contracted by the Borough of Kenilworth to perform certain public improvement projects by way of the public bidding process set forth in the Local Public Contracts Law set forth in NJSA 40A:11-2 et. Seq;

WHEREAS, sufficient monies have been appropriated for the same and the CFO of the Borough has certified sufficient funds are available for the payment contemplated in the resolution;

WHEREAS, on October 14, 2020 the Mayor and the Municipal Council of the Borough of Kenilworth adopted Resolution 14 awarding a contract to MNC for the total base bid in the amount of \$59,444.44 to carry out the Sidewalk Replacement – Phase 2 located on the north side of the Boulevard from N 21st Street to N 22nd Street in Kenilworth (“Project”).

WHEREAS, the Borough subsequently entered into a contract (“Contract”), effective on October 16, 2020, with MNC to carry out the Project.

WHEREAS, upon the completion of the work by MNC, Harbor Consultants, Inc., the Borough Engineer, evaluated the work performed by MNC and discovered that MNC failed to properly color and install the scored concrete sidewalk as per the specifications contained in the public bid and as agreed to by MNC in the Contract.

WHEREAS, Borough Engineer has advised that the deficiencies with the color and scored concrete are cosmetic in nature and do not currently affect the functionality of sidewalk.

WHEREAS, the Borough has brought these deficiencies to the attention of MNC and MNC did not dispute them and has instead agreed to accept \$22,000.00 in full and final payment for the services performed on the Project instead of \$59,444.44 as originally awarded, resulting in a cost savings to the Borough in the amount of \$37,444.00.

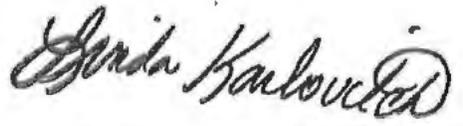
WHEREAS, the Parties desire enter into this Settlement Agreement and Release to resolve this matter to avoid the cost, expense, delay and uncertainty of litigation.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Kenilworth that the Settlement Agreement and Release, in the form as annexed hereto as **Exhibit A**, be and hereby is approved.

BE IT FURTHER RESOLVED that the Mayor and the Borough Clerk are hereby authorized and directed to execute the Settlement Agreement and Release, in the form as annexed hereto as **Exhibit A**, be and hereby is approved.

BE IT FURTHER RESOLVED, that the Chief Finance Officer be authorized to make the necessary settlement payment to MNC in the amount of \$22,000.00 in full and final payment for the services performed on the Project instead of \$59,444.44 as originally awarded 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 Chief Financial Officer as outlined in Borough Code Chapter 5-34.

Approved: 

 Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David	✓		✓			
Councilman Joseph Finistrella		✓	✓			
Councilman Scott Pentz			✓			
Councilman Fred Pugliese			✓			
Councilman John Zimmerman			✓			
Mayor Linda Karlovitch			✓			
ON CONSENT AGENDA	Yes	✓	No	_____		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on May 4, 2022.


 Laura Reinertsen, Borough Clerk

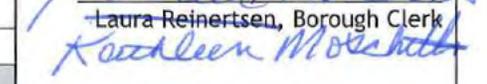


EXHIBIT A
SETTLEMENT AGREEMENT AND RELEASE

RESOLUTION

No. 140

KENILWORTH, N.J.

MAY 4, 2022

Introduced by: _____

Seconded by: _____

CONSENT AGENDA

WHEREAS, there are responsibilities that exceed the job descriptions of certain employees that perform specified tasks; and

WHEREAS, the Mayor and Council wish to acknowledge and authorize the service provided by these employees.

BE IT HEREBY RESOLVED, that the following annual stipends be authorized, effective immediately, as listed below:

Title	Name	Amount
Farmers Market	Michael Balka	\$1,000.00
Event Coordinator		

BE IT FURTHER RESOLVED, that 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.

Approved:

Linda Karlovitch
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT	
Councilwoman Kay Ceceri			✓				I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on May 4, 2022. <div style="text-align: right; margin-top: 20px;"><i>Kathleen Moschitta</i> Kathleen Moschitta, Acting Borough Clerk</div>
Councilman Mark David	✓		✓				
Councilman Joseph Finistrella		✓	✓				
Councilman Scott Pentz			✓				
Councilman Fred Pugliese			✓				
Councilman John Zimmerman			✓				
Mayor Linda Karlovitch							
ON CONSENT AGENDA	Yes	✓		No	___		

Farmers Mkt Stipend 050422

RESOLUTION

No. 141

KENILWORTH, N.J.

May 4, 2022

Introduced by: _____

CONSENT AGENDA

Seconded by: _____

AWARDING A CONTRACT TO DIRECT WASTE SERVICE, INC. PURSUANT TO NEGOTIATIONS AS PERMITTED AND SET FORTH IN N.J.S.A. 40A:11-5(3) FOR 2022 BULK WASTE COLLECTION SERVICES IN AN AMOUNT NOT TO EXCEED \$81,000.00

WHEREAS, the Qualified Purchasing Agent of the Borough of Kenilworth (hereinafter, the "Borough") solicited sealed bids for "2022 Bulk Waste Collection Services;" and,

WHEREAS, no bids were received on or before Tuesday, April 5, 2022 at 10:00 a.m., the first date and time specified for the formal receipt and opening of sealed bids; and,

WHEREAS, no bids were received on or before Tuesday, April 26, 2022 at 10:00 a.m., the second date and time specified for the formal receipt and opening of sealed bids; and

WHEREAS, the Superintendent of Public Works, as duly authorized and directed, negotiated a contract framework for "2022 Bulk Waste Collection Services" which is now being presented to and considered for award by the Governing Body pursuant to the provisions of *N.J.S.A. 40A:11-5(3)*.

NOW, THEREFORE, BE IT RESOLVED that Mayor and Council of the Borough of Kenilworth, County of Union, State of New Jersey, with two-thirds of the authorized membership concurring, pursuant to *N.J.S.A. 40A:11-5(3)*, hereby award a contract to Direct Waste Service, Inc. of 50 Park Place, Suite 1401, Newark, New Jersey 07102 pursuant to the duly authorized negotiations between the Superintendent of Public Works and said vendor for "2022 Bulk Waste Collection Services," in an amount not to exceed eighty-one thousand dollars and zero cents (\$81,000.00); and,

BE IT FURTHER RESOLVED that, pursuant to *N.J.S.A. 40A:11-5(3)(i)*, the Borough of Kenilworth hereby certifies that a reasonable effort has been made to determine that the same or equivalent goods or services, at a cost which is lower than the negotiated price, are not available from an agency or authority of the United States, the State of New Jersey or of the County of Union, or any municipality in close proximity to the contracting unit; and,

BE IT FURTHER RESOLVED that, pursuant to *N.J.S.A. 40A:11-5(3)(ii)*, the Borough of Kenilworth hereby certifies that the terms, conditions, restrictions and specifications set forth in the negotiated contract are and will not be substantially different from those which were the subject of competitive bidding; and,

BE IT FURTHER RESOLVED that, pursuant to *N.J.S.A. 40A:11-5(3)(iii)*, the Borough of Kenilworth hereby certifies minor amendments or modifications to the terms, conditions, restrictions and specifications that were the subject of competitive bidding are as follows: (1) each zone shall be collected over the course of five days as opposed to two days; and, (2) the frequency of collection has been amended so as to add flexibility from May and October collection dates, to May/June and September/October collection dates; and,

BE IT FURTHER RESOLVED that the term of said contract shall be understood as to expire no later than December 31, 2022; and,

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon adoption and certification on this Resolution by the Borough Treasurer that sufficient funds are available.

Approved: 
 Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David	✓					
Councilman Joseph Finistrella		✓				
Councilman Scott Pentz			✓			
Councilman Fred Pugliese			✓			
Councilman John Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes	✓	No			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on May 4, 2022.


 Kathleen Moschitta,
 Deputy Borough Clerk

RESOLUTION

No. 142

KENILWORTH, N.J.

MAY 4, 2022

Introduced by: _____

CONSENT AGENDA

Seconded by: _____

AWARDING A GOODS AND SERVICES CONTRACT TO PICERNO

GIORDANO CONSTRUCTION, LLC FOR THE PURCHASE AND INSTALLATION OF PARK AND PLAYGROUND EQUIPMENT FOR LOUIS WOOD MEMORIAL PARK IN AN AMOUNT NOT TO EXCEED \$77,740.40 PURSUANT TO NEW JERSEY

STATE CONTRACT NO. 16-FLEET-00126

WHEREAS, the Borough of Kenilworth ("Borough") pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c), may, by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, the Mayor and Council of the Borough desires and requires the purchase of goods and services necessary for the acquisition and installation of parks and playground equipment in Louis Wood Memorial Park from Picerno Giordano Construction, LLC through New Jersey State Contract No. 16-FLEET-00126; and

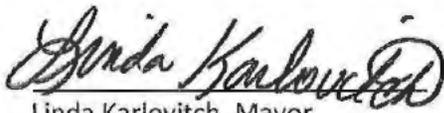
WHEREAS, the Mayor and Council of the Borough anticipates entering into a contract in excess of \$17,500 with Picerno Giordano Construction, LLC through this resolution and properly executed purchase orders/contracts, which shall be subject to all the conditions applicable to the current State contracts.

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

1. The Borough's Qualified Purchasing Agent is authorized to purchase goods and services necessary for the acquisition and installation of park and playground equipment for Louis Wood Memorial Park be and is hereby authorized from Picerno Giordano Construction, LLC of P200 Market Street, Kenilworth, New Jersey 07033 pursuant to New Jersey State Contract No. 16-FLEET-00126, which shall be subject to all the conditions applicable to the current State contracts, in an amount not to exceed Seventy-Seven Thousand Seven-Hundred Forty Dollars and Forty Cents (\$77,740.40).

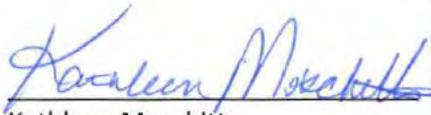
2. Pursuant to N.J.A.C. 5:30-5.5(b) regarding the certification of available funds, the Borough's Chief Financial Officer shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Financial Officer via an authorized Purchase Order.

3. This Resolution shall take effect immediately upon adoption and certification on this Resolution by the Chief Financial Officer that sufficient funds are available in one of the manners as set forth in section two of this resolution.

Approved: 
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David	✓		✓			
Councilman Joseph Finistrella		✓	✓			
Councilman Scott Pentz			✓			
Councilman Fred Pugliese			✓			
Councilman John Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA			Yes <u>✓</u>	No <u> </u>		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on May 4, 2022.


Kathleen Moschitta,
Acting Borough Clerk

RESOLUTION

No. 143

KENILWORTH, N.J.

MAY 4, 2022

Introduced by: _____
 Seconded by: _____

CONSENT AGENDA

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

Name	Appointment
Amber Ghigliotty	Probationary Volunteer EMT

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

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT	
Councilwoman Kay Ceceri			✓				I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on May 4, 2022. <div style="text-align: right; margin-top: 20px;">  Kathleen Moschitta, Acting Borough Clerk </div>
Councilman Mark David	✓						
Councilman Joseph Finistrella			✓				
Councilman Scott Pentz			✓				
Councilman Fred Pugliese			✓				
Councilman John Zimmerman			✓				
Mayor Linda Karlovitch							
ON CONSENT AGENDA	Yes	No	✓	_	_	_	

Linda Karlovitch

 Linda Karlovitch, Mayor

EMT APPT 050422

RESOLUTION

No. 144

KENILWORTH, N.J.

MAY 4, 2022

Introduced by: _____

CONSENT AGENDA

Seconded by: _____

WHEREAS, the Mayor and Council are pursuing an ordinance revision to Article V, Paid and Unpaid Time Off Policies, Section 37-38, Vacation Leave, of the Borough's municipal code to position the Borough to better compete to hire qualified individuals with prior experience working for other employers by recognizing prior professional experience in some circumstances; and

WHEREAS, the Mayor and Council wish to recognize the value of the Borough's existing employees by ensuring that such employees receive a minimum of three weeks of vacation leave regardless of their years of service; and

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

1. Any full-time employee appointed on or before May 4, 2022 shall be entitled to a minimum of three weeks of vacation leave regardless of their years of service for the Borough.

Approved:

Linda Karlovitch
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David	✓		✓			
Councilman Joseph Finistrella		✓	✓			
Councilman Scott Pentz			✓			
Councilman Fred Pugliese			✓			
Councilman John Zimmerman			✓			
Mayor Linda Karlovitch			✓			
ON CONSENT AGENDA	Yes	✓	No	_____		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on May 4, 2022.

Kathleen Moschitta
Kathleen Moschitta,
Deputy Borough Clerk

RESOLUTION

No. 145

KENILWORTH, N.J.

MAY 4, 2022

Introduced by: David

Seconded by: Pentz

BE IT HEREBY RESOLVED that the ordinance #2022-07 entitled:

AN ORDINANCE RESCINDING ORDINANCE 2021-18 AND APPROVING THE APPLICATION AND AUTHORIZING A FINANCIAL AGREEMENT FOR A LONG TERM TAX EXEMPTION BY AND BETWEEN THE BOROUGH OF KENILWORTH AND KENILWORTH REDEVELOPERS URBAN RENEWAL, LLC

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 the June 1, 2022 at 6:30PM or as soon as 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.

Approved: Linda Karlovitch
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David	✓		✓			
Councilman Joseph Finistrella			✓			
Councilman Scott Pentz			✓			
Councilman Fred Pugliese			✓			
Councilman John Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes	No				

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on May 4, 2022.

Kathleen Moschitta
Kathleen Moschitta
Deputy Borough Clerk

ORDINANCE 2022-07
BOROUGH OF KENILWORTH

**AN ORDINANCE RESCINDING ORDINANCE 2021-18 AND APPROVING
THE APPLICATION AND AUTHORIZING A FINANCIAL AGREEMENT
FOR A LONG TERM TAX EXEMPTION
BY AND BETWEEN THE BOROUGH OF KENILWORTH AND
KENILWORTH REDEVELOPERS URBAN RENEWAL, LLC**

WHEREAS, the governing body of the Borough of Kenilworth (the "Borough Council") is responsible for implementing redevelopment plans and carrying out redevelopment projects pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "Redevelopment Law"); and

WHEREAS, Kenilworth Redevelopers Urban Renewal, LLC (the "Redeveloper") is the contract purchaser of Block 183 Lot 9, located entirely within the Redevelopment Area; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-6, on February 26, 2020, pursuant to Resolution No. 8, the governing body of the Borough of Kenilworth (the "**Borough**") authorized and requested the Planning Board to undertake a preliminary investigation (the "**Investigation**") to determine whether the privately owned property Block 183, Lot 9 (the "**Area of Investigation**"), constitutes an area in need of redevelopment for non-condemnation purposes according to the criteria set forth under the Local Redevelopment and Housing Law ("**LRHL**"), specifically N.J.S.A. 40A:12A-5 and N.J.S.A. 40A:12A-3; and

WHEREAS, consistent with the requirements set forth in N.J.S.A. 40A:12A-6, the Planning Board specified and gave notice that on June 11, 2020 a hearing would be held for the purpose of hearing persons who are interested in or would be affected by a determination that the properties in the Area of Investigation constitute an area in need of redevelopment as that term is defined under the LRHL for non-condemnation purposes; and

WHEREAS, Kevin O'Brien, PP, AICP, Shamrock Enterprises, Ltd. publicly presented a Preliminary Investigation Report entitled "Planning Report Concerning the Determination of the Proposed Block 183, Lot 9 Study Area As a Non-Condemnation Area in Need of Redevelopment" for the designated Area of Investigation, including Block 183, Lot 9, dated December 10, 2020 (the "Investigation Report"); and

WHEREAS, on December 17, 2020, the Planning Board unanimously recommended that the governing body of the Borough designate the Area of Investigation, including Block 183, Lot 9, as a non-condemnation area in need of redevelopment due to the substantial evidence that the Area of Investigation meets the criteria enumerated in the Investigation Report, pursuant to N.J.S.A. 40A:12A-5; and

WHEREAS, on February 10, 2021, pursuant to Resolution No. 5, the Borough's governing body agreed with the Planning Board's findings that the properties within the Area of Investigation, including Block 183, Lot 9, met numerous criteria under N.J.S.A. 40A:12A-5, and therefore, determined and declared the properties as being in need of redevelopment for non-condemnation purposes; and

ORDINANCE 2022-07
BOROUGH OF KENILWORTH

WHEREAS, at the direction of the Borough's governing body, Michael J. Mistretta, PP, LLA of Harbor Consultants Inc., has prepared a Redevelopment Plan entitled the "25 North 26th Street Redevelopment Plan" ("the Redevelopment Plan") dated March 2021 covering Block 183, Lot 9 to be in need of redevelopment for non-condemnation purposes; and

WHEREAS, the Borough Council on June 9, 2021, adopted Ordinance No. 2021-07 approving and adopting a redevelopment plan for the Redevelopment Area entitled the "25 North 26th Street Redevelopment Plan" (the "Redevelopment Plan") in accordance with the Redevelopment Law; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-4, the Borough is acting as the "redevelopment entity" (as such term is defined at N.J.S.A. 40A:12A-3 of the Redevelopment Law) for the Redevelopment Area; and

WHEREAS, pursuant to the executed Redevelopment Agreement dated December 8, 2021, the Redeveloper proposes to acquire the Redevelopment Area, and to develop, finance, and construct a four-story, inclusionary multi-family building containing a total of 165 units, 25 of which will be units affordable to very-low, low- and moderate-income households with a veteran's preference, garage and surface parking spaces, as well as certain other on-site and off-site improvements (the "Project"); and

WHEREAS, the Redeveloper is a limited-dividend, urban renewal entity created under the New Jersey Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 et seq. (the "LTTE Law"), to own and undertake, or cause to be undertaken, the Project and related on-site and off-site infrastructure and related improvements to be more particularly set forth in the Redevelopment Agreement; and

WHEREAS, the Redeveloper submitted to the Borough Administrator an application for a long term tax exemption for the Project, pursuant to the LTTE Law, dated October 20, 2021 (the "PILOT Application"); and

WHEREAS, the Governing Body has reviewed the information provided in the PILOT Application and finds that the Project represents an undertaking permitted by the LTTE Law and constitutes improvements made for the purposes of clearance, re-planning, development or redevelopment of an area in need of redevelopment within the Borough, as authorized by the Redevelopment Law and the LTTE Law; and

WHEREAS, the filed application has been submitted to the Borough of Kenilworth by Kenilworth Redevelopers Urban Renewal, LLC on October 20, 2021; and

WHEREAS, on November 10, 2021, the Governing Body passed Resolution No. 7 entitled "Resolution Designating Kenilworth Redevelopers Urban Renewal, LLC as Redeveloper of the Property Known as Lot 9, Block 183 in the Borough of Kenilworth and Authorizing the Execution of a Redevelopment Agreement with Kenilworth Redevelopers Urban Renewal, LLC; and

WHEREAS, said PILOT application was approved by the Governing Body of the

ORDINANCE 2022-07
BOROUGH OF KENILWORTH

Borough of Kenilworth by way of Ordinance 2021-18 that was introduced on November 10, 2021, and adopted on December 8, 2021; and

WHEREAS, a Financial Agreement concerning Kenilworth Redevelopers Urban Renewal, LLC was attached to the PILOT application for a long-term tax exemption for the project, under the Long-Term Tax Exemption Law (LTTE) and was approved by the Governing Body, which authorized the Mayor to execute said Agreement, subject to minor modifications thereto; and

WHEREAS, a Financial Agreement was signed by the Mayor and Redeveloper, on or about, December 15, 2021; and

WHEREAS, both parties to said PILOT Agreement have agreed to renegotiate certain terms and conditions to said Financial Agreement; and

WHEREAS, the Governing Body now wishes to repeal Ordinance 2021-18 and adopt a new Financial Agreement consistent with the terms and conditions of the first Agreement, except for:

1. A modified Annual Service Charge schedule;
2. An acknowledgment that the redeveloper is not entitled to any offset, credit, or contribution from the Borough of Kenilworth for solid waste removal/pickup or recycling waste removal and pickup; and
3. The addition of a provision wherein the redeveloper shall reimburse the Borough for the Borough's prorated expenses associated with sanitary sewer services for the project during the life of the Financial Agreement.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Kenilworth in the County of Union, New Jersey, as follows:

ORDINANCE 2022-07

BOROUGH OF KENILWORTH

Section 1. Ordinance 2021-18 is hereby repealed.

Section 2. The PILOT Application of Kenilworth Redevelopers Urban Renewal, LLC submitted on October 20, 2021, be and hereby is approved.

Section 3. The Financial Agreement concerning Kenilworth Redevelopers Urban Renewal, LLC, attached to the PILOT Application, for a long term tax exemption for the Project, under the LTTE Law, be and is hereby approved, and the Mayor is hereby authorized to execute such Financial Agreement, subject to minor modification or revision, as deemed necessary, advisable and appropriate after consultation with counsel.

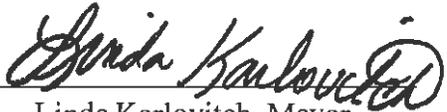
Section 4. The Borough Clerk be and is hereby authorized and directed, upon execution of the Financial Agreement by the Mayor, to attest to the signature of the Mayor and to affix the corporate seal of the Borough upon such document.

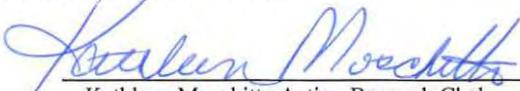
Section 5. The executed copy of the Financial Agreement shall be certified by and be filed with the Office of the Borough Clerk. Further, the Borough Clerk shall file certified copies of this ordinance and the Financial Agreement with the Tax Assessor of the Borough and the Director of the Division of Local Government Services with the Department of Community Affairs, in accordance with Section 12 of the LTTE Law.

Section 6. If any part(s) of this ordinance shall be deemed invalid, such part(s) shall be severed and the invalidity thereby shall not affect the remaining parts of this ordinance.

Section 7. All ordinances and resolutions or parts thereof inconsistent with this Ordinance are hereby rescinded.

Section 8. This ordinance shall take effect in accordance with applicable law.


Linda Karlovitch, Mayor

INTRODUCTION						COUNCILPERSON	FINAL ADOPTION					
Moved	Sec.	Aye	Nay	Abs.	NP		Moved	Sec.	Aye	Nay	Abs.	NP
		✓				KAY CECERI						
✓		✓				MARK DAVID						
		✓				JOSEPH FINISTRELLA						
		✓				JOHN ZIMMERMAN						
	✓	✓				SCOTT PENTZ						
		✓				FRED PUGLIESE						
						MAYOR KARLOVITCH						
Introduced: May 5, 2022						I hereby certify the above ordinance was adopted by the Borough Council of the Borough of Kenilworth, County of Union, State of New Jersey on the aforementioned date.  Kathleen Moschitta Acting Borough Clerk						
Final Adoption: June 1, 2022												

RESOLUTION

No. 146

KENILWORTH, N.J.

MAY 4, 2022

Introduced by: Finistrella

Seconded by: Pugliese

BE IT HEREBY RESOLVED that the ordinance #2022-08 entitled:

**AN ORDINANCE AMENDING ARTICLE V, PAID AND UNPAID TIME OFF POLICIES,
SECTION 37-38, VACATION LEAVE OF THE CODE OF THE BOROUGH OF
KENILWORTH, COUNTY OF UNION, STATE OF NEW JERSEY**

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 the June 1, 2022 at 6:30PM or as soon as 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.

Approved: _____

Linda Karlovitch

Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			/			
Councilman Mark David			/			
Councilman Joseph Finistrella	/		/			
Councilman Scott Pentz			/			
Councilman Fred Pugliese		/	/			
Councilman John Zimmerman			/			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes	_	No	_		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on May 4, 2022.

Kathleen Moschitta
Kathleen Moschitta
Deputy Borough Clerk

**ORDINANCE NO. 2022-08
BOROUGH OF KENILWORTH**

AN ORDINANCE OF THE BOROUGH OF KENILWORTH AMENDING ARTICLE V, PAID AND UNPAID TIME OFF POLICIES, SECTION 37-38, VACATION LEAVE, OF THE CODE OF THE BOROUGH OF KENILWORTH COUNTY OF UNION, STATE OF NEW JERSEY

BE IT HEREBY ORDAINED by the Borough Council of the Borough in the County of Union and the State of New Jersey as follows:

Purpose:

The purpose of this Ordinance is to update Article V, Paid and Unpaid Time Off Policies, Section 37-38, Vacation Leave, establishing the vacation leave available to Borough employees whose employment is not governed by a collective negotiations agreement and to position the Borough to better compete to hire qualified individuals with prior experience working for other employers.

Repeal and replace Article 5, § 37-38 in its entirety and replace with the following:

A. Full-time employees.

- (1) Vacation is an accrued benefit based on the following schedule:

One through seven years of service: two weeks;

After completion of seven years of service through 14 years: three weeks;

After the completion of 14 years of service through 19 years: four weeks; and

After the completion of 19 years: five weeks.

- (2) Except as may be otherwise agreed by the department head, during the months of July and August vacations must be taken in one-week increments and with as far advance notice to the department head as is practical and must be approved by the department head. In all other events, employees must receive their department head's approval at least two weeks in advance of the first vacation day.
- (3) A full-time employee appointed on or before May 4, 2022 shall be entitled to a minimum of three weeks of vacation leave regardless of their years of service.
- (4) At the time of appointment, the Mayor and Council may credit a person being appointed with one or more years of service based upon that person's prior related professional experience solely for purposes of calculating his or her vacation leave accrued while employed with the Borough under this Section. No such credit shall be guaranteed to a new appointment, and any credit provided to a new employee shall be in the sole discretion of the Mayor and Council based on the hiring needs of the Borough.

B. Part-time employees.

- (1) All part-time hourly employees hired prior to January 1, 2009, shall be entitled to vacation based on the same schedule as full-time employees.
 - (2) All part-time hourly employees hired after December 31, 2008, shall be entitled to five paid vacation days after the completion of one year of service based on their straight-time hourly rate.
 - (3) Employees compensated on an hourly rate basis shall be entitled to vacation pay based on their straight-time hourly rate. A vacation week for an hourly employee shall be based on the average number of hours worked by such employee during the immediately preceding 90 days.
- C. The vacation leave provided in this Section does not apply to any employee whose employment is governed by a collective negotiations agreement providing alternative vacation leave benefits.
- D. Any vacation leave accrued in the first or final year of employment shall be on a pro-rated basis calculated by the full months worked during that calendar year.
- E. All employees who qualify for vacation leave and who resign or are released by the Borough for reasons other than cause shall be entitled to receive vacation pay (pro-rated) due with the employee's final paycheck. The amount payable shall be determined pro rata based on the number of complete months worked. Employees dismissed for cause shall not be entitled to such vacation pay.
- F. Any vacation days not used at the end of a year shall be forfeited and the employee shall not be entitled to payment for any such day, except that carryover may be permitted in limited circumstances where authorized by the Mayor and Council if such leave time is not utilized in a given year due to a recognized state of emergency at that time.

This Ordinance shall be in full force and effect from and after its adoption and any publication as required by law.

Approved: 
 Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			/			
Councilman Mark David			/			
Councilman Joseph Finistrella	/		/			
Councilman Scott Pentz			/			
Councilman Fred Pugliese			/			
Councilman John Zimmerman			/			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes	No				

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on April 20, 2022.


 Kathleen Moschitta,
 Deputy Borough Clerk

RESOLUTION

No. 147

KENILWORTH, N.J.

MAY 4, 2022

Introduced by: Finistrella

Seconded by: David

BE IT HEREBY RESOLVED that the ordinance #2022-09 entitled:

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

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 the June 1, 2022 at 6:30PM or as soon as 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.

Approved:

Linda Karlovitch

Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David			✓			
Councilman Joseph Finistrella	✓		✓			
Councilman Scott Pentz			✓			
Councilman Fred Pugliese			✓			
Councilman John Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes	Yes	No	No		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on May 4, 2022.

Kathleen Moschitta
Kathleen Moschitta
Deputy Borough Clerk

ORDINANCE NO. 2022-09

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

WHEREAS, the Municipal Land Use Law ("MLUL") (N.J.S.A. §§ 40:55D-1 et seq.) enables municipalities to adopt, and subsequently amend, zoning ordinances relating to the nature and extent of the uses of land, buildings and structures within a municipality; and

WHEREAS, pursuant to N.J.S.A. 40:55D-62, all provisions of such zoning ordinance or amendment or revision shall either be substantially consistent with the land use plan element and housing element of the municipality's Master Plan or designed to effectuate such plan elements; and

WHEREAS, pursuant to N.J.S.A. 40:55D-89, a municipality shall provide for a general reexamination of their Master Plan at least every ten years; and

WHEREAS, Borough of Kenilworth (the "Borough") conducted a general reexamination of the Master Plan, and prepared a Master Plan Reexamination Report (the "Reexamination Report"), which was adopted by the Planning Board¹ on May 2, 2022; and

WHEREAS, the Reexamination Report reevaluated the Borough's land uses and zoning ordinance and determined that there have been significant changes in conditions and circumstances in traffic congestion, pedestrian access, and creation of "dead" spaces along the boulevard to the detriment of existing retail and restaurants since the zoning ordinance was last amended; and

WHEREAS, the Reexamination Report recommends amendments to certain aspects of the Borough's zoning ordinance to address the above concerns; and

WHEREAS, Chapter 120 "Land Use", Part 3, "Zoning" of the Code of the Borough of Kenilworth (the "Code") regulates zoning and establishes permissible and conditional uses within the Borough.

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

SECTION 1. The foregoing whereas clause is incorporated herein by reference and made a part hereof.

¹ N.J.S.A. § 40:55D-89 ("the planning board, which shall prepare and adopt by resolution a report on the findings of such reexamination").

Note: Additions are shown in **bold and underlined** and deletions are shown as ~~strikethrough~~.

SECTION 2. Chapter 120, Land Use, Part 3, Zoning, is hereby amended in the following manner:

§ 120-23.4. BD Boulevard Downtown Zone District.

A. Purpose of the district. The downtown should be a place with many diverse retail shops and restaurants where the community can gather on nights and weekends, conduct business, buy personal and household needs and be a part of Borough life. The Boulevard Downtown District has been created to replace the current Local Commercial Zone along the Boulevard between 18th Street and near Market Street. The BD Zone District is intended to encourage retail sales and personal services oriented to pedestrian shopping on the ground floor and other commercial activity on the upper floors.

B. Principal uses and structures. The following principal uses and structures shall be permitted in the BD Zone District. Principal uses which are substantially similar to the listed principal uses shall be permitted uses.

(1) Business establishments devoted primarily to the retail sales of goods and personal services on the premises, including restaurants and food establishments intended for food consumption on the premises or for takeout of food, and taverns.

(2) Banks and other financial institutions engaged in the business of accepting deposits from the public and/or extending credit to the public in the form of loans. Such business must be conducted on the premises and must be the principal activity of the use on the premises.

(3) General, administrative, executive and professional offices.

(4) Medical offices.

(5) Veterinary offices.

(6) Museums, art galleries and indoor motion-picture theaters, and theaters for conducting live entertainment or cultural performances.

(7) Municipal parking facilities.

(8) Offices on the second or third floor of a building.

(9) Child-care centers.

~~(10) Funeral homes.~~

(11) Indoor commercial recreational facilities and schools of martial arts, yoga, and dance instruction.

(12) Any other use, in the opinion of the approving authority, substantially similar to those identified in this subsection.

C. Accessory uses and structures. The following accessory uses and structures shall be permitted in the BD Zone District:

(1) Parking and parking facilities as regulated in Article 27.

(2) Signs, pursuant to the provisions of Article 31, for the uses for which signs are permitted.

(3) Antennas, as regulated in Article 28.

(4) Outdoor seating in conjunction with a permitted restaurant or eating and drinking establishment, subject to the following:

(a) The consumption of food by the public at tables located within that portion of the sidewalk which lies between the public street and the building's principal facade, excepting therefrom an unobstructed area at least four feet in width to permit the passage of pedestrians.

(b) Containing readily removable tables, chairs and other such temporary railings, furniture and structures.

(c) Unenclosed by fixed walls, ceilings or fences, except for retractable awnings, removable barriers, umbrellas or other nonpermanent enclosures.

(5) Other accessory uses and structures customarily subordinate and incidental to permitted principal uses and permitted conditional uses.

(6) Reference is made to Article 24 as it relates to accessory uses and structures in nonresidential zones.

D. Conditional uses and structures. The following conditional uses and structures shall be permitted only if they comply with the appropriate regulations for such uses or structures in Article 30:

(1) Nonprofit chartered membership organizations.

(2) Residential-type public utility facilities.

(3) Certain telecommunications antennas, as set forth in Article 28.

(4) Gasoline and automotive service stations presently existing.

(5) Private commercial parking lots as a principal use.

(6) Public utility facilities.

E. Prohibited uses and structures:

(1) Any uses and structures other than those uses or structures permitted in Subsection B, C, or D above are prohibited.

(2) The operation of cultivation facilities, product manufacturing facilities and/or testing facilities for marijuana, hashish and/or cannabis, and/or products containing same, and/or paraphernalia that facilitates the use of marijuana, hashish and/or cannabis.

[Added 6-9-2021 by Ord. No. 2021-06]

F. Bulk and lot regulations. The following bulk and lot regulations shall apply to all uses permitted in the BD Zone District, unless more stringent requirements are provided by this chapter:

(1) Minimum lot area. Every lot shall contain a minimum lot area of 2,500 square feet.

(2) Minimum lot width. Every lot shall have a minimum lot width of 25 feet.

(3) Minimum lot frontage. There shall be a minimum lot frontage of 25 feet for all lots.

(4) Minimum lot depth. There shall be a minimum of 100 feet of depth.

(5) Setbacks.

(a) Front. No front yard setback is required.

(b) Rear. Ten feet or 10% of the lot depth, whichever is greater.

(c) Side. No side yard will be required unless the side property line is adjacent to a residential zone, where a minimum side yard of five feet, which is to be heavily landscaped, is required.

(6) Maximum building height. No principal building shall exceed the maximum of three habitable floors, exclusive of basement, but not more than 35 feet in height.

(7) Maximum building coverage shall not exceed 80%.

(8) Maximum impervious cover shall not exceed 90%.

(9) Minimum open space ratio. The minimum area of the lot that shall be provided as landscaped open space shall be 10% of the total lot area. Such landscaped area shall be planted with lawn, shrubs, hedges

(10) Maximum floor area ratio. The total habitable floor area of all buildings or structures on any lot shall not be more than 250% of the total lot area.

G. Other regulations. In addition to the above requirements, any development in the BD Zone District must comply with all applicable regulations of this chapter.

§ 120-23.5. AC Area Commercial Zone District.

A. Purpose of district. The purpose of the AC Area Commercial District is to encourage retail and wholesale sales, personal and business services, as well as business, administrative and professional offices. Well-planned, larger-scale commercial developments designed in a comprehensive manner, integrating the needs of pedestrians, employees and vehicles, are also encouraged.

B. Permitted uses. In the AC District, only the following uses shall be permitted, except as provided in Subsections C and D. Principal uses which are substantially similar to the listed principal uses shall be permitted uses.

(1) Retail establishments.

(2) Personal and consumer service uses.

(3) Supermarkets.

(4) Restaurants and eating and drinking establishments.

(5) Taverns.

(6) Banks and financial institutions, including drive-through banks.

(7) Art, music and dance studios.

(8) Motor inns and hotels.

(9) Banquet and catering facilities.

(10) General, administrative, executive and professional offices.

(11) Medical offices.

(12) Veterinary offices.

(13) Computer and data processing centers.

(14) Indoor commercial recreational facilities.

(15) Museums, art galleries and indoor motion-picture theaters, and theaters for conducting live entertainment or cultural performances.

(16) Child-care centers.

(17) Municipal parking facilities.

- (18) Wholesale commercial establishments.
- (19) Dry cleaner.
- (20) Fine arts schools.
- (21) Automobile gasoline and service stations.
- (22) Car wash.
- ~~(23) Funeral homes.~~
- (24) Any other use, in the opinion of the approving authority, substantially similar to those identified in this subsection.

C. Accessory uses and structures. Accessory uses and structures in the AC Zone District shall be subject to the following requirements:

- (1) Parking and parking facilities as regulated in Article 27.
- (2) Signs as regulated in Article 31.
- (3) Antennas as regulated in Article 28.
- (4) Mobile storage structures are prohibited, except to the extent they are regulated by the definition of "mobile storage structures" in Article 1.
- (5) Outdoor seating in conjunction with a permitted restaurant or eating and drinking establishment, subject to the following:
 - (a) The consumption of food by the public at tables located within that portion of the sidewalk which lies between the public street and the building's principal facade, excepting therefrom an unobstructed area at least four feet in width to permit the passage of pedestrians.
 - (b) Containing readily removable tables, chairs and other such temporary railings, furniture and structures.
 - (c) Unenclosed by fixed walls, ceilings or fences, except for retractable awnings, removable barriers, umbrellas or other nonpermanent enclosures.
- (6) Day-care center.
- (7) Storage areas.
- (8) Other accessory uses and structures customarily subordinate and incidental to permitted principal and/or permitted conditional uses.
- (9) Reference is made to Article 24 as it relates to accessory uses and structures in nonresidential zones.

D. Conditional uses and structures. The following uses and structures shall be permitted in the AC Zone District only if they comply with the appropriate regulations for such uses or structures in this chapter:

- (1) Public utility facilities.
- (2) Nonprofit chartered membership organizations.
- (3) Certain telecommunications antennas as set forth in Article 28.
- (4) Private commercial parking lots as a principal use.

E. Prohibited uses and structures:

(1) Any use or structure other than those uses or structures permitted in Subsection A, B, C or D above is prohibited.

(2) The operation of cultivation facilities, product manufacturing facilities and/or testing facilities for marijuana, hashish and/or cannabis, and/or products containing same, and/or paraphernalia that facilitates the use of marijuana, hashish and/or cannabis.

[Added 6-9-2021 by Ord. No. 2021-06]

(F) Bulk and lot regulations. The following bulk and lot regulations shall apply to all uses permitted in the AC Zone District, unless more stringent requirements are provided by this chapter:

(1) Minimum lot area. Every lot shall contain a minimum lot area of 40,000 square feet.

(2) Minimum lot width. Every lot shall have a minimum lot width of 100 feet.

(3) Minimum lot frontage. There shall be a minimum lot frontage of 100 feet for all lots.

(4) Minimum lot depth. There shall be a minimum of 200 feet of lot depth.

(5) Setbacks.

(a) Front. A fifty-foot front yard setback is required. A corner lot shall have a fifty-foot front yard which is parallel to the street with the larger right-of-way. The front yard on a street with a lesser right-of-way may be reduced to 30 feet. For corner lots facing two streets with equal rights-of-way, a fifty-foot front yard setback is required.

(b) Rear. A thirty-foot rear setback is required.

(c) Side. Minimum side yard shall be 15 feet with a total of 40 feet for both side yards. If the side property line is adjacent to a residential zone, a minimum of five feet is required to be heavily landscaped.

(6) Maximum building height. No principal building shall exceed the maximum of three habitable floors, exclusive of basement, but not more than 40 feet in height.

(7) Maximum building coverage shall not exceed 40%.

(8) Maximum impervious cover shall not exceed 80%.

(9) Minimum open space ratio. The minimum area of the lot that shall be provided as landscaped open space shall be 20% of the total lot area. Such landscaped area shall be planted with lawn, shrubs, hedges, flowering plants or trees. Walkways provided in such a landscaped area may be included in the minimum open space area, provided they do not exceed 5% of the total lot area.

(10) Maximum floor area ratio. The total habitable floor area of all buildings or structures on any lot shall not be more than 100% of the total lot area.

§ 120-23.6. C Commercial Zone District.

A. Purpose of district. The purpose of the C Commercial District is to encourage retail and wholesale sales, personal and business services, as well as business, administrative and professional offices. Well-planned, larger-scale commercial developments designed in a comprehensive manner, integrating the needs of pedestrians, employees and vehicles, are also encouraged. Multifamily residential buildings are also encouraged as a transitional use. This zone is intended to function as a transition zone between residential and industrial zones.

B. Permitted uses. In the C District, only the following uses shall be permitted, except as provided in Subsections C and D. Principal uses which are substantially similar to the listed principal uses shall be permitted uses.

- (1) Retail establishments.
- (2) Personal and consumer service uses.
- (3) Restaurants and eating and drinking establishments.
- (4) Taverns.
- (5) Banks and financial institutions, including drive-through banks.
- (6) Art, music and dance studios.
- (7) Motor inns and hotels.
- (8) Banquet and catering facilities.
- (9) General, administrative, executive and professional offices.
- (10) Medical offices.
- (11) Veterinary offices.
- (12) Computer and data processing centers.
- (13) Indoor commercial recreational facilities.
- (14) Museums, art galleries and indoor motion-picture theaters, and theaters for conducting live entertainment or cultural performances.
- (15) Child-care centers.
- (16) Municipal parking facilities.
- (17) Wholesale commercial establishments.
- (18) Dry cleaner.
- (19) Fine arts schools.
- (20) Private schools.
- (21) Automobile gasoline and service stations.
- (22) Car wash.
- ~~(23) Funeral homes.~~
- (24) Storage warehouse.
- (25) Any other use, in the opinion of the approving authority, substantially similar to those identified in this subsection.

C. Accessory uses and structures. Accessory uses and structures in the C Zone District shall be subject to the following requirements:

- (1) Parking and parking facilities as regulated in Article 27.
- (2) Signs as regulated in Article 31.
- (3) Antennas as regulated in Article 28.
- (4) Mobile storage structures are prohibited, except to the extent they are regulated by the definition of "mobile storage structures" in Article 1.
- (5) Outdoor seating in conjunction with a permitted restaurant or eating and drinking establishment.
- (6) Day-care center.
- (7) Storage areas.
- (8) Other accessory uses and structures customarily subordinate and incidental to permitted principal and/or permitted conditional uses.

(9) Reference is made to Article 24 as it relates to accessory uses and structures in nonresidential zones.

D. Conditional uses and structures. The following uses and structures shall be permitted in the C Zone District only if they comply with the appropriate regulations for such uses or structures in this chapter:

- (1) Public utility facilities.
- (2) Nonprofit chartered membership organizations.
- (3) Certain telecommunications antennas as set forth in Article 28.
- (4) Private commercial parking lots as a principal use.
- (5) Multifamily apartment buildings with a density of less than 26 units per acre.

E. Prohibited uses and structures:

- (1) Any use or structure other than those uses or structures permitted in Subsection A, B, C or D above is prohibited.
- (2) The operation of cultivation facilities, product manufacturing facilities and/or testing facilities for marijuana, hashish and/or cannabis, and/or products containing same, and/or paraphernalia that facilitates the use of marijuana, hashish and/or cannabis.

[Added 6-9-2021 by Ord. No. 2021-06]

F. Bulk and lot regulations. The following bulk and lot regulations shall apply to all uses permitted in the C Zone District, unless more stringent requirements are provided by this chapter:

- (1) Minimum lot area. Every lot shall contain a minimum lot area of 20,000 square feet.
- (2) Minimum lot width. Every lot shall have a minimum lot width of 100 feet.
- (3) Minimum lot frontage. There shall be a minimum lot frontage of 100 feet.
- (4) Minimum lot depth. There shall be a minimum of 100 feet of lot depth.
- (5) Setbacks.
 - (a) Front. A ten-foot front yard setback is required. A corner lot shall have a twenty-five-foot front yard which is parallel to the street with the larger right-of-way. The front yard on a street with a lesser right-of-way may be reduced to 15 feet. For corner lots facing two streets with equal rights-of-way, a twenty-five-foot front yard setback is required.
 - (b) Rear. A ten-foot rear setback is required.
 - (c) Side. Minimum side yard shall be five feet with a total of 15 feet for both side yards. If the side property line is adjacent to a residential zone, a minimum of five feet is required to be heavily landscaped.
- (6) Maximum building height. No principal building shall exceed the maximum of three habitable floors, exclusive of basement, but not more than 35 feet in height.
- (7) Maximum building coverage shall not exceed 50%.
- (8) Maximum impervious cover shall not exceed 80%.

(9) Minimum open space ratio. The minimum area of the lot that shall be provided as landscaped open space shall be 20% of the total lot area. Such landscaped area shall be planted with lawn, shrubs, hedges, flowering plants or trees. Walkways provided in such a landscaped area may be included in the minimum open space area, provided they do not exceed 5% of the total lot area.

(10) Maximum floor area ratio. The total habitable floor area of all buildings or structures on any lot shall not be more than 125% of the total lot area.

§ 120-23.8. I Industrial Zone District.

A. Purpose. This zone is designed to protect and concentrate those commercial and industrial/manufacturing uses that are currently viable and those sites for which industrial/commercial reuse is feasible and probable. It is also designed for those industrial and commercial uses which have a minimum of environmental impacts but have vehicular traffic or utilitarian or operational requirements that make them more appropriately located adjacent to major arterials and compatible land uses, rather than residential uses.

B. Permitted uses. In the I District, only the following uses shall be permitted, under the performance standards in § 120-22.14, except as provided in Subsections C and D. Principal uses which are substantially similar to the listed principal uses shall be permitted uses.

(1) Activities of an industrial nature and associated office and clerical activities, provided that they do not cause a nuisance or hazard due to fire, toxic or corrosive fumes, gas, smoke, odors, flashes or objectionable effluent.

(2) Public utility and public service activities of an industrial character.

(3) Public garages, automotive repair shops, and new motor vehicle sales and used motor vehicle sales in conjunction therewith, all fully enclosed in a building.

(4) Storage warehouses, lumber and building material sales and storage and contractor storage yards.

(5) Processing, assembling, finishing, packaging and storing of goods and materials.

(6) Packaging and bottling establishment.

(7) Metalworking and welding activities, excluding the use of heavy machinery of a nuisance-producing character.

(8) Household appliance repairs, reupholstering and furniture repairs.

(9) Research laboratories.

(10) Animal hospitals and kennels.

(11) Automotive service stations at which motor fuel and oil are dispensed; lubrication, maintenance and minor repair services are performed; tires, batteries and other automobile accessories are sold; and vehicles are washed, provided that they are not within 500 feet of another station, whether said station is inside or outside the Borough limits.

(12) Telecommunications towers, antennas and appurtenant facilities; all such uses shall comply with the provisions of Article 28. Clustering or grouping of multiple towers is disfavored in the Borough; co-location of antennas on existing towers is encouraged.

(13) Retail establishments.

(14) Personal and consumer service uses.

(15) Restaurants and eating and drinking establishments.

(16) Taverns.

- (17) Banks and financial institutions, including drive-through banks.
- (18) Art, music and dance studios.
- (19) General, administrative, executive and professional offices.
- (20) Medical offices.
- (21) Veterinary offices.
- (22) Computer and data processing centers.
- (23) Indoor commercial recreational facilities.
- (24) Child-care centers.
- (25) Wholesale commercial establishments.
- (26) Dry cleaner.
- (27) Fine arts schools.
- (28) Private schools.
- (29) Automobile gasoline and service stations.
- (30) Car wash.

(31) Funeral Homes

C. Accessory uses and structures. Accessory uses and structures in the I Zone District shall be subject to the following requirements:

- (1) Parking and parking facilities as regulated in Article 27.
- (2) Signs as regulated in Article 31.
- (3) Antennas as regulated in Article 28.
- (4) Mobile storage structures are prohibited, except to the extent they are regulated by the definition of "mobile storage structures" in Article 1.
- (5) Outdoor seating in conjunction with a permitted restaurant or eating and drinking establishment.
- (6) Storage areas and buildings as accessory uses shall preferably be confined to enclosed buildings, but may be permitted in outdoor areas or compounds, provided that such an area or compound shall be screened on all sides by a solid masonry wall, solid fence or dense evergreen planting not less than six feet in height. Such accessory storage shall not exceed 10% of the lot area and shall be so arranged at the rear of the building as to be minimally visible from a street. No unscreened outdoor storage areas shall be permitted.
- (7) Other accessory uses and structures customarily subordinate and incidental to permitted principal and/or permitted conditional uses.
- (8) Reference is made to Article 24 as it relates to accessory uses and structures in nonresidential zones.

D. Prohibited uses and structures:

- (1) Any use or structure other than those uses or structures permitted in Subsection A, B, or C above is prohibited.
- (2) The operation of cultivation facilities, product manufacturing facilities and/or testing facilities for marijuana, hashish and/or cannabis, and/or products containing same, and/or paraphernalia that facilitates the use of marijuana, hashish and/or cannabis.

[Added 6-9-2021 by Ord. No. 2021-06]

E. Bulk and lot regulations. The following bulk and lot regulations shall apply to all uses permitted in the I Zone District, unless more stringent requirements are provided by this chapter:

- (1) Minimum lot area. Every lot shall contain a minimum lot area of 20,000 square feet.
- (2) Minimum lot width. Every lot shall have a minimum lot width of 100 feet.
- (3) Minimum lot frontage. There shall be a minimum lot frontage of 100 feet.
- (4) Minimum lot depth. There shall be a minimum of 100 feet of lot depth.
- (5) Setbacks.

(a) Front. A ten-foot front yard setback is required. A corner lot shall have a fifteen-foot front yard which is parallel to the street with the larger right-of-way. The front yard on a street with a lesser right-of-way may be reduced to 10 feet. For corner lots facing two streets with equal rights-of way, a fifteen-foot front yard setback is required.

(b) Rear. A ten-foot rear setback is required.

(c) Side. Minimum side yard shall be five feet with a total of 15 feet for both side yards. If the side property line is adjacent to a residential zone, a minimum of five feet is required to be heavily landscaped.

(6) Maximum building height. No principal building shall exceed three stories and 40 feet in height.

(7) Maximum building coverage shall not exceed 50%.

(8) Maximum impervious cover shall not exceed 80%.

(9) Minimum open space ratio. The minimum area of the lot that shall be provided as landscaped open space shall be 20% of the total lot area. Such landscaped area shall be planted with lawn, shrubs, hedges, flowering plants or trees.

(10) Maximum floor area ratio. The total habitable floor area of all buildings or structures on any lot shall not be more than 125% of the total lot area.

F. Design and site requirements.

(1) Landscaping.

(a) All portions of a lot not covered by buildings and outdoor storage enclosures and pedestrian and vehicular surfaces shall be landscaped and thereafter maintained in good condition. "Landscaping" shall mean the planting of grass, shrubs, trees and other comparable ground cover. Appropriate foundation plantings along the front building line shall be provided.

(b) When the lot, or portion thereof, on which parking or loading spaces are located abuts the rear line or side line of, or is across the street from, any land in a residential district, a solid wall, solid fence or compact evergreen planting no less than four feet in height shall be provided and maintained in good condition. Such screen shall be located adjacent to parking or loading areas rather than on the periphery of the lot.

(c) Luminaries on off-street parking areas shall not be more than 15 feet above ground level and shall be arranged and designed so as not to cause offensive light or glare in abutting or nearby residential properties.

[Amended 9-12-2018 by Ord. No. 2018-14]

(2) Architectural appearance. No permit shall be granted in an I District for a building or use if the design or construction of the building is so markedly incongruous with the character of the neighborhood as to be seriously detrimental to the value of adjacent or nearby property. For this purpose, the Planning Board shall review all plans.

§ 120-23.12. CS Community Serving Zone District.

A. Purpose of district. The purpose of the Community Serving (CS) Zone District is to establish and preserve areas for community services which are needed to serve the residents of the Borough. The Community Serving District shall include those lands currently occupied by uses that serve the community while owned by nongovernmental organizations, such as the following:

- (1) Churches, synagogues and mosques.
- (2) Public and private educational institutions and services (other than state education facilities), including public, private and religious schools.
- (3) Veterans organizations.
- (4) Community groups.

B. Principal uses and structures: houses of worship; parochial schools; nonprofit chartered membership organizations; religious, recreational, social, educational and cultural purposes, subject to the performance standards in § 120-22.14.

C. Accessory uses and structures: off-street parking and signs.

D. Bulk and lot regulations: none. Reasonable standards shall be applied by the approving authority during site plan review.

E. Prohibited uses and structures:
[Added 6-9-2021 by Ord. No. 2021-06]

(1) The operation of cultivation facilities, product manufacturing facilities and/or testing facilities for marijuana, hashish and/or cannabis, and/or products containing same, and/or paraphernalia that facilitates the use of marijuana, hashish and/or cannabis.

(2) No new Community Serving uses shall be allowed with any frontage on the Boulevard.

SECTION 3. A copy of this Ordinance after adoption by the Municipal Council on first reading shall be submitted to the Planning Board for a Consistency Hearing, pursuant to N.J.S.A 40:55D-26a.

SECTION 4. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of this Ordinance shall remain valid and effective.

SECTION 5. This Ordinance shall take effect upon final passage and publication according to law.



Linda Karlovitch, Mayor

INTRODUCTION						COUNCILPERSON	FINAL ADOPTION					
Moved	Sec.	Aye	Nay	Abs.	NP		Moved	Sec.	Aye	Nay	Abs.	NP
		X				KAY CECERI						
	X	X				MARK DAVID						
X		X				JOSEPH FINISTRELLA						
		X				SCOTT PENTZ						
		X				FRED PUGLIESE						
		X				JOHN ZIMMERMAN						
Introduced: May 4, 2022						I hereby certify the above ordinance was adopted by the Borough Council of the Borough of Kenilworth, County of Union, State of New Jersey on the aforementioned date.						
Final Adoption: June 1, 2022												
						 Kathleen Moschitta, Deputy Borough Clerk						



BOROUGH OF KENILWORTH

AGENDA ♦ MAY 18, 2022

WORK SESSION 6PM COUNCIL MEETING

COUNCIL MEETING COMMENCES UPON CONCLUSION OF THE WORK SESSION

In light of the public health emergency caused by Coronavirus, the Mayor and Borough Council Meetings the Council will continue to meet on their regularly scheduled meeting dates. The Regular Council Meeting will commence as soon as possible upon conclusion of the 6PM Work Session.

Open Public Meetings Notice

Salute to the Flag

Roll Call

Minutes: Reading of unapproved minutes of the Council Meeting of May 4, 2022 (emailed to all)

Communications:

- NJSLOM Notices (emailed to all)
- Clerk's, DPW Reports for April, 2022

CERTIFICATE OF APPRECIATION: Brian Pickton

PROMOTIONS: Sergeant Christopher Bryson
Detective Sean Kaverick

ADMINISTER OATH OF OFFICE

Report of Mayor, and Committees:

Borough Resolutions: - Consent Agenda

148. That all bills be paid when properly audited and funds are available
149. Resolution authorizing Municipal Alliance Grant submission
150. Award Park Equipment – 9th Street Park
151. Police Promotions – Chris Bryson & Sean Kaverick
152. Farmers Mkt. Use Agreement Amendment

Ordinances:

Adoption Ordinance 2022-04 AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 170, "STREETS AND SIDEWALKS," ARTICLE VII, "SIDEWALK MAINTENANCE," SECTION 170-27 THROUGH 170-30, TO PROVIDE FOR MAINTENANCE AND REPAIR OF RESIDENTIAL AND NONRESIDENTIAL SIDEWALKS BY OWNERS OF ABUTTING LAND OF THE BOROUGH OF KENILWORTH MUNICIPAL CODE.

Council reserves the right to go into Closed Session if needed. *(Closed Session Meeting Resolution)*

Adjournment

Time: _____



BOROUGH OF KENILWORTH

AGENDA ♦ MAY 18, 2022

WORK SESSION 6PM COUNCIL MEETING

COUNCIL MEETING COMMENCES UPON CONCLUSION OF THE WORK SESSION

Adoption Ordinance 2022-05 AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 1, "GENERAL PROVISIONS," ARTICLE 1, "GENERAL PENALTY," SECTION 1-1 "VIOLATIONS AND PENALTIES" OF THE BOROUGH OF KENILWORTH MUNICIPAL CODE.

Adoption Ordinance 2022-06 AN ORDINANCE AUTHORIZING THE BOROUGH OF KENILWORTH TO ENTER INTO A LEASE AGREEMENT WITH KENILWORTH LITTLE LEAGUE FOR THE USE OF THE UNPAVED PORTION OF HALSEY STREET BETWEEN 14TH STREET AND 13TH STREET, BETWEEN BLOCK 30, LOT 8.01, BLOCK 29, LOT 1 AND BLOCK 28, LOT 1 (MORE COMMONLY KNOWN AS THE KENILWORTH LITTLE LEAGUE PARKING LOT) FOR YOUTH RECREATION BASEBALL AND SOFTBALL PURPOSES

Meeting Open to the Public

General Business

Adjournment

Council reserves the right to go into Closed Session if needed. *(Closed Session Meeting Resolution)*

Adjournment

Time: _____

BOROUGH OF KENILWORTH
COUNCIL MEETING – MAY 18, 2022
CONSENT AGENDA

The following resolutions, listed on a Consent Agenda, are offered by Council Member

Finistrella and seconded by Council Member Zimmerman

Resolution No.

- 148. That all bills be paid when properly audited and funds are available
- 149. Resolution authorizing Municipal Alliance Grant submission
- 150. Award Park Equipment – 9th Street Park
- 151. Police Promotions – Chris Bryson & Sean Kaverick
- 152. Farmers Mkt. Use Agreement Amendment

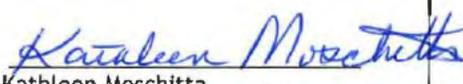
Approved:



Linda Karlovitch, Mayor

	M O V E D	S E C O N D E D	A Y E S	N A Y S	A B S T A I N	A B S E N T
Councilwoman Kay Ceceri			/			
Councilman Mark David			/			
Councilman Joseph Finistrella	/		/			
Councilman Scott Pentz			/			
Councilman Fred Pugliese			/			
Councilman John Zimmerman		/	/			
ON CONSENT AGENDA	Yes =		No =			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on May 18, 2022.



Kathleen Moschitta,
Deputy Borough Clerk

**BOROUGH OF KENILWORTH
COUNCIL MEETING – MAY 18, 2022
CONSENT AGENDA**

The following resolutions, listed on a Consent Agenda, are offered by Council Member

Finistrella and seconded by Council Member Zimmerman

Resolution No.

- 148. That all bills be paid when properly audited and funds are available
- 149. Resolution authorizing Municipal Alliance Grant submission
- 150. Award Park Equipment – 9th Street Park
- 151. Police Promotions – Chris Bryson & Sean Kaverick
- 152. Farmers Mkt. Use Agreement Amendment

Linda Karlovitch

Approved:

Linda Karlovitch, Mayor

	M O V E D	S E C O N D E D	A Y E S	N A Y S	A B S T A I N	A B S E N T
Councilwoman Kay Ceceri						
Councilman Mark David						
Councilman Joseph Finistrella						
Councilman Scott Pentz						
Councilman Fred Pugliese						
Councilman John Zimmerman						
ON CONSENT AGENDA	Yes	No				

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on May 18, 2022.

Kathleen Moschitta
Kathleen Moschitta,
Deputy Borough Clerk

RESOLUTION

No. 148

KENILWORTH, N.J.

May 18, 2022

Introduced by: _____

Seconded by: _____

BE IT RESOLVED, by the Borough of Kenilworth, County of Union, New Jersey, that the summary of bills in the total amount of \$202,195.13, 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 2022 Borough of Kenilworth Budget to fund the payment of the following bills attached hereto and made a part of this resolution.

Wire Payments

Range of Checking Accts: WIRE CURRENT TO WIRE CURRENT Range of Check Dates: 05/05/22 to 12/31/22
Report Type: All Checks Report Format: Detail Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check #	Check Date	Vendor	Amount Paid	Charge Account	Account Type	Reconciled/Void	Ref Num
PO #	Item	Description				Contract	Ref Seq Acct
39	05/12/22	04061 STATE OF NJ PENSIONS & BENEFIT					2162
22-00670	1	MAY RETIREE HLTH BENEFITS	57,467.85	2-01-23-733-176	Budget		1 1
				INSURANCE - HEALTH RETIRED EMPLOYEES			
40	05/12/22	04060 STATE OF NJ PENSIONS & BENEFIT					2162
22-00671	1	MAY ACTIVE EMPLOYEE HLTH BENEFIT	89,276.09	2-01-23-733-175	Budget		2 1
				INSURANCE - HEALTH - ACTIVE EMPLOYEES			
41	05/12/22	00621 COUNTY OF UNION OPEN SPACE					2169
22-00710	1	2022 OPEN SPACE TAXES	61,767.82	2-01-55-901-003	Budget		1 1
				COUNTY OPEN SPACE TAX			
42	05/12/22	00636 COUNTY OF UNION					2169
22-00711	1	2022 COUNTY PURPOSE TAX	1,950,032.18	2-01-55-901-001	Budget		2 1
				COUNTY TAXES PAYABLE			

Checking Account Totals	Paid	Void	Amount Paid	Amount Void
Checks:	4	0	2,158,543.94	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	4	0	2,158,543.94	0.00

Report Totals	Paid	Void	Amount Paid	Amount Void
Checks:	4	0	2,158,543.94	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	4	0	2,158,543.94	0.00

Totals by Year-Fund	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUNDS	2-01	2,158,543.94	0.00	0.00	2,158,543.94
Total of All Funds:		2,158,543.94	0.00	0.00	2,158,543.94

Totals by Year-Fund	Fund	Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUNDS	1-01	12,691.27	0.00	12,691.27	0.00	0.00	12,691.27
CURRENT FUNDS	2-01	167,488.35	0.00	167,488.35	0.00	0.00	167,488.35
GENERAL CAPITAL	C-04	12,828.43	0.00	12,828.43	0.00	0.00	12,828.43
GRANTS	G-02	7,908.13	0.00	7,908.13	0.00	0.00	7,908.13
GENERAL TRUST	T-03	593.95	0.00	593.95	0.00	0.00	593.95
COMMUNITY DEVELOPMENT	T-06	685.00	0.00	685.00	0.00	0.00	685.00
Year Total:		1,278.95	0.00	1,278.95	0.00	0.00	1,278.95
Total of All Funds:		202,195.13	0.00	202,195.13	0.00	0.00	202,195.13

Approved:

Linda Karlovitch

Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			/			
Councilman Mark David			/			
Councilman Joseph Finistrella	/		/			
Councilman Scott Pentz			/			
Councilman Fred Pugliese			/			
Councilman John Zimmerman			/	/		
Mayor Linda Karlovitch						
ON CONSENT AGENDA			Yes _	No _		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on May 18, 2022.

Kathleen Moschitta

Kathleen Moschitta,
Deputy Borough Clerk

RESOLUTION

No. 149

KENILWORTH, N.J.

May 18, 2022

Introduced by: _____

CONSENT AGENDA

Seconded by: _____

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse (GCADA) established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey. In coordination with GCADA, the New Jersey Department of Human Services/Division on Mental Health and Addiction Services (DMHAS) has awarded a Youth Leadership Grant to the GCADA Municipal Alliance Program.

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

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

WHEREAS, the Borough of Kenilworth Council has applied for DMHAS Youth Leadership funding through the Governor's Council on Alcoholism and Drug Abuse through the County of Union;

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

1. The Borough of Kenilworth Council does hereby authorize the submission of the application document forms on or about May 6, 2022 for DMHAS Grant funding for the Kenilworth Municipal Alliance for Year One Grant Term 7/1/22 – 3/14/23 in the amount of:

DMHAS Grant Funding \$3,646.00

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

CERTIFICATION

I, Linda Karlovitch, Mayor of the Borough of Kenilworth, County of Union, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Borough of Kenilworth Council on this 18th day of May, 2022

Approved: _____

Linda Karlovitch
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David			✓			
Councilman Joseph Finistrella	✓		✓			
Councilman Scott Pentz			✓			
Councilman Fred Pugliese			✓			
Councilman John Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes _	No _				

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on May 18, 2022.


 Kathleen Moschitta, Deputy Borough Clerk

RESOLUTION

No. 150

KENILWORTH, N.J.

MAY 18, 2022

Introduced by: _____

CONSENT AGENDA

Seconded by: _____

AWARDING A GOODS AND SERVICES CONTRACT TO PICERNO

GIORDANO CONSTRUCTION, LLC FOR THE PURCHASE AND INSTALLATION OF PARK AND PLAYGROUND EQUIPMENT FOR 9TH STREE PARK IN AN AMOUNT NOT TO EXCEED \$81,324.75 PURSUANT TO NEW JERSEY

STATE CONTRACT NO. 16-FLEET-00126

WHEREAS, the Borough of Kenilworth ("Borough") pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c), may, by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, the Mayor and Council of the Borough desires and requires the purchase of goods and services necessary for the acquisition and installation of parks and playground equipment in 9TH Street Park from Picerno Giordano Construction, LLC through New Jersey State Contract No. 16-FLEET-00126; and

WHEREAS, the Mayor and Council of the Borough anticipates entering into a contract in excess of \$17,500 with Picerno Giordano Construction, LLC through this resolution and properly executed purchase orders/contracts, which shall be subject to all the conditions applicable to the current State contracts.

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

1. The Borough's Qualified Purchasing Agent is authorized to purchase goods and services necessary for the acquisition and installation of park and playground equipment for 9th Street Park be and is hereby authorized from Picerno Giordano Construction, LLC of P200 Market Street, Kenilworth, New Jersey 07033 pursuant to New Jersey State Contract No. 16-FLEET-00126, which shall be subject to all the conditions applicable to the current State contracts, in an amount not to exceed Eighty One Thousand Three Hundred Twenty Four Dollars and Seventy Five Cents (\$81,324.75).

2. Pursuant to N.J.A.C. 5:30-5.5(b) regarding the certification of available funds, the Borough's Chief Financial Officer shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Financial Officer via an authorized Purchase Order.

3. This Resolution shall take effect immediately upon adoption and certification on this Resolution by the Chief Financial Officer that sufficient funds are available in one of the manners as set forth in section two of this resolution.

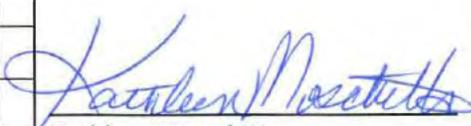
C-04-55-204-110

Approved:


Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			/			
Councilman Mark David			/			
Councilman Joseph Finistrella	/		/			
Councilman Scott Pentz			/			
Councilman Fred Pugliese			/			
Councilman John Zimmerman			/			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes	No				

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on May 18, 2022.


Kathleen Moschitta,
Acting Borough Clerk

RESOLUTION

No. 151

KENILWORTH, N.J.

May 18, 2022

Introduced by: _____

CONSENT AGENDA

Seconded by: _____

WHEREAS, the Borough of Kenilworth, County of Union, State of New Jersey finds it both necessary and appropriate to promote certain police officers serving with the Kenilworth Police Department in accordance with Borough Code Chapter 39-9.

WHEREAS, the Public Safety Committee and the Police Chief conducted interviews and made its recommendations.

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

CHRISTOPHER BRYSON to serve as *Lieutenant with the Borough of Kenilworth Police Department*

SEAN KAVERICK to serve as *Sergeant with the Borough of Kenilworth Police Department*

at the pay scale and in accordance with the Collective Bargaining Agreement and the Rules and Regulations of the Kenilworth Police Department, effective May 19, 2022.

Approved: _____

Linda Karlovitch

Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			/			
Councilman Mark David			/			
Councilman Joseph Finistrella	/		/			
Councilman Scott Pentz			/			
Councilman Fred Pugliese			/			
Councilman John Zimmerman			/			
Mayor Linda Karlovitch			/			
ON CONSENT AGENDA	Yes	No				

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on May 18, 2022.

Kathleen Moschitta
Kathleen Moschitta,
Acting Borough Clerk

RESOLUTION

No. 152

KENILWORTH, N.J.

May 18, 2022

Introduced by: _____

Seconded by: _____

WHEREAS, on May 4, 2022, the Municipal Council adopted Resolution No. 137 which authorized the Mayor to enter into and execute a Use Agreement for the use of the Kenilworth United Methodist Church's Property to operate the Borough Farmer's Market for the 2022 season between the months of June through November; and

WHEREAS, the Mayor and the Municipal Council wish to clarify that the Department of Health is not operating the Farmer's Market and that the Farmer's Market will be operated by the Borough itself and that the Kenilworth Health Department's involvement comes by way of the authority to require licensing fees and sanitation inspection of the retail food vendors through Kenilworth's autonomous Board of Health; and

WHEREAS, the Mayor and the Municipal Council wish to further clarify that the Farmer's Market is not a "producer-based community Farmer's Market" as set forth in Resolution No. 137, but rather a Community Farmer's Market; and

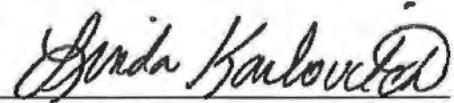
WHEREAS, the Mayor and the Municipal Council also wish to amend the use agreement so that it is consistent with the intent of this amending resolution.

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

1. The above recitals are incorporated herein and made a part of this resolution.
2. Resolution No. 137 is hereby amended to remove any implication of responsibilities placed upon the Department of Health to run the Farmer's Market other than the authority to require licensing fees and sanitation inspection of the retail food vendors through Kenilworth's autonomous Board of Health.
3. The Mayor is hereby authorized to execute a First Amended Use Agreement to address the above concerns regarding the operation of the Farmer's Market, in the form attached thereto, for the use of the Kenilworth United Methodist Church's Property to operate the Borough Farmer's Market for the 2022 season between the months of June through November.
4. Resolution No. 137 shall remain in full force and effect, except to the extent otherwise amended herein.

5. A copy of the fully executed First Amended Use Agreement and this resolution shall be kept on file in the Office of the Borough Clerk.

Approved:



Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			/			
Councilman Mark David			/			
Councilman Joseph Finistrella	/		/			
Councilman Scott Pentz			/			
Councilman Fred Pugliese			/			
Councilman John Zimmerman			/			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes	No				

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on May 18, 2022.



Kathleen Moschitta, Deputy Borough Clerk

RESOLUTION

No. 153

KENILWORTH, N.J.

May 18, 2022

Introduced by: Finistrella

Seconded by: Zimmerman

BE IT HEREBY RESOLVED that the ordinance #2022-04 entitled:

**ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER 170, "STREETS AND SIDEWALKS," ARTICLE VII, "SIDEWALK
MAINTENANCE," SECTION 170-27 THROUGH 170-30, TO PROVIDE FOR
MAINTENANCE AND REPAIR OF RESIDENTIAL AND NONRESIDENTIAL
SIDEWALKS BY OWNERS OF ABUTTING LAND OF THE BOROUGH OF
KENILWORTH MUNICIPAL CODE.**

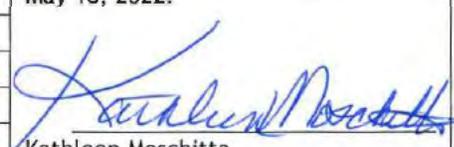
Was introduced and approved on first reading, at the regular meeting of the Borough Council on April 20, 2022 approved for final passage at the regular meeting of the Borough Council of May 18, 2022 after all persons interested were given an opportunity to be heard concerning said ordinance.

BE IT FURTHER RESOLVED that the Borough Clerk is hereby authorized and directed to publish said ordinance according to law with a notice of its final adoption.

Approved: 
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri				✓		
Councilman Mark David			✓	✓		
Councilman Joseph Finistrella	✓		✓	✓		
Councilman Scott Pentz			✓	✓		
Councilman Fred Pugliese			✓	✓		
Councilman John Zimmerman			✓	✓		
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes	No				

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on May 18, 2022.


Kathleen Moschitta
Acting Borough Clerk

ORDINANCE NO. 2022-04

**ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER 170, "STREETS AND SIDEWALKS," ARTICLE VII, "SIDEWALK
MAINTENANCE," SECTION 170-27 THROUGH 170-30, TO PROVIDE FOR
MAINTENANCE AND REPAIR OF RESIDENTIAL AND NONRESIDENTIAL
SIDEWALKS BY OWNERS OF ABUTTING LAND OF THE BOROUGH OF
KENILWORTH MUNICIPAL CODE.**

WHEREAS, it is critical to the health, safety and welfare of residents and visitors to the Borough of Kenilworth (the "Borough") that all sidewalks be properly maintained and repaired; and

WHEREAS, N.J.S.A. 40:65-14 authorizes municipalities throughout the State to adopt a sidewalk maintenance ordinance that requires property owners whose properties abut public sidewalks to maintain and repair those abutting sidewalks; and

WHEREAS, the Mayor and the Borough Municipal Council have determined that it would be in the best interest of the Borough to amend its current ordinance addressing sidewalk maintenance to take full advantage of the current law for the repair of sidewalks for residential and non-residential properties by abutting property owners in order to protect the health, safety and welfare of the residents and taxpayers of the Borough.

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

SECTION 1. RECITALS. The foregoing whereas clause is incorporated herein by reference and made a part hereof.

SECTION 2. Chapter 170, "Streets and Sidewalks," Article VII "Sidewalk Maintenance," Sections 170-27 through 170-30 of the Revised Ordinances of the Borough of Kenilworth, Union County, New Jersey, is hereby replaced in its entirety with the following:

VII SIDEWALK MAINTENANCE.

§ 170-27 Purpose.

Pursuant to N.J.S.A. 40:65-14, the purpose of this Article is to set forth requirements standards and requirements for the construction, reconstruction, replacement, repair, alteration and maintenance of sidewalks and curbs within the Borough of Kenilworth.

§ 170-28 Necessity of Permit

- A. No person shall undertake any construction, reconstruction, replacement, repair, alteration or maintenance of a public curb or sidewalk, or any portion thereof, in the Borough without a proper permit from the Borough Construction/Building Department.

ORDINANCE NO. 2022-04

**ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER 170, "STREETS AND SIDEWALKS," ARTICLE VII, "SIDEWALK
MAINTENANCE," SECTION 170-27 THROUGH 170-30, TO PROVIDE FOR
MAINTENANCE AND REPAIR OF RESIDENTIAL AND NONRESIDENTIAL
SIDEWALKS BY OWNERS OF ABUTTING LAND OF THE BOROUGH OF
KENILWORTH MUNICIPAL CODE.**

§ 170-29 Construction and maintenance standards.

- A. It shall be the duty and responsibility of the owner of any land abutting a public sidewalk or curb in the Borough to construct, reconstruct, replace, repair and maintain any curbs and sidewalks or any portions thereof abutting the land of the property owner at the sole cost and expense of such owner.
- B. Such upkeep shall include keeping abutting sidewalks in a proper condition of maintenance and good repair, including but not limited to, keeping such sidewalks free of obstruction, debris, cracks and crevices or other unsafe conditions.
- C. Sidewalks shall be constructed and maintained in conformity with the specifications in Residential Site Improvement Standards (N.J.A.C. 5:21-4.3; 5:21-4.5; 5:21-4.17 and 5:21-4.18 and Title 5, Chapter 21, of the New Jersey Administrative Code, as amended and supplemented).
- D. All sidewalks, curbing and other related improvements and appurtenances, including driveway aprons, ramps, cross walks, drainage structures or facilities, gutters, sewers, signs, markings, graded areas, pavement, streets and roads, must be in strict accordance with the Americans with Disabilities Act, the Barrier Free Subcode of the New Jersey Uniform Construction Code and all other applicable Federal, State, local or Borough design or construction standards. Any and all such work and materials furnished shall be subject to review and approval by the Borough Construction/Building Department.
- E. If any portion of the sidewalk or curb abutting or adjacent to the property for which a permit application is made is located on or along a County road or street under the control of the County, the property owner shall be required to seek and obtain approval from the County and comply with any and all County rules and regulations prior to applying for any concurrent or additional permit from the Borough Construction/Building Department.

§ 170-30 Restoration of site; cleanup.

Upon completion of sidewalk or curb construction, reconstruction, replacement, repair or maintenance, all equipment, unused materials and refuse shall be removed from the site of the work, and all public and private properties, appurtenances, signs, markings, ramps and related improvements damaged, disturbed or altered during the course of construction shall be replaced or repaired in accordance with all applicable Federal, State, local and Borough standards. The site shall be put as nearly as possible into conditions corresponding to that which existed prior to construction, all to the satisfaction of the Borough Construction/Building Department or his authorized representative.

ORDINANCE NO. 2022-04

**ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER 170, "STREETS AND SIDEWALKS," ARTICLE VII, "SIDEWALK
MAINTENANCE," SECTION 170-27 THROUGH 170-30, TO PROVIDE FOR
MAINTENANCE AND REPAIR OF RESIDENTIAL AND NONRESIDENTIAL
SIDEWALKS BY OWNERS OF ABUTTING LAND OF THE BOROUGH OF
KENILWORTH MUNICIPAL CODE.**

§ 170-31 Sidewalk repair and maintenance; costs to become lien.

- A. Whenever an abutting or adjacent property owner fails to construct, reconstruct, replace, repair or maintain any curb or sidewalk abutting said property pursuant to this Article, the Borough may, by resolution, cause written notice to be served upon the owner or occupant of said lands requiring the necessary specified work to said curb or sidewalk to be done by said owner or occupant within a period of not less than 30 days from the date of service of such notice. Whenever such lands are unoccupied and the owner cannot be found within the Borough, or in such case as the owner is a nonresident of the Borough or his or her post address cannot be ascertained, then as provided by N.J.S.A. 40:65-14 the same may be mailed, postage prepaid, to his or her post-office address, if the same can be ascertained. In case such owner is a nonresident of the municipality or his or her post-office address cannot be ascertained, then the notice may be inserted for 4 weeks, once a week in some newspaper of such municipality or if none be published therein, then in some newspaper published in the State and circulating in said municipality.
- B. If the owner or occupant does not comply with the requirements of such notice as described in subsection A of this Section, then the Borough, upon filing due proof of service or publication of the aforesaid notice with the Borough Clerk, cause the required work to be done, and paid for out of the Borough funds available for that purpose, at the owner's expense.
- C. The cost of such work shall be certified by the Borough or such other person having charge thereof, to the Tax Collector of the Borough. Upon the filing of the certificate, the amount of the cost of such work shall be and become a lien upon the abutting lands in front of which such work was done to the same extent that assessments for local improvements are liens in the Borough, and shall be collected in the manner provided by law for the collection of such other assessments, and shall bear interest at the same rate.
- D. In addition thereto, the Borough may have an action to recover the same amount against the owner of the lands, in any court having competent jurisdiction thereof.
- E. The imposition and collection of a fine imposed for a violation of this Article shall be in addition to any other financial, legal or other recourse or remedy as may otherwise be available pursuant to Borough Ordinance or by law, and shall not anyway be construed to bar or limit any right of the Borough to collect the cost for construction, reconstruction,

ORDINANCE NO. 2022-04

**ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER 170, "STREETS AND SIDEWALKS," ARTICLE VII, "SIDEWALK
MAINTENANCE," SECTION 170-27 THROUGH 170-30, TO PROVIDE FOR
MAINTENANCE AND REPAIR OF RESIDENTIAL AND NONRESIDENTIAL
SIDEWALKS BY OWNERS OF ABUTTING LAND OF THE BOROUGH OF
KENILWORTH MUNICIPAL CODE.**

replacement, repair or maintenance of any sidewalk, curb or other related improvements or appurtenances in the manner herein authorized as provided by N.J.S.A. 40:65-14.

§ 170-32 Enforcement

This article shall be enforced by the Police Department and/or Borough Construction/Building Department of the Borough of Kenilworth.

§ 170-33 Violations and Penalties

Any person who shall violate or fail to comply with any provision of this Article shall, upon conviction, be subject to fine of not less than \$50.00 per day, nor in excess of \$200.00 per day.

The continuation of such violation of each successive day shall constitute a separate offense, and the person or persons allowing or permitting the continuation of the violation may be punished as provided above for each separate offense.

SECTION 3. All ordinances or parts of ordinances inconsistent with or in conflict with this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 4. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of this Ordinance shall remain valid and effective.

SECTION 5. This Ordinance shall take effect upon final passage and publication according to law.

INTRODUCTION						COUNCILPERSON	FINAL ADOPTION					
Moved	Sec.	Aye	Nay	Abs.	NP		Moved	Sec.	Aye	Nay	Abs.	NP
		X				KAY CECERI			✓			
		X				MARK DAVID			✓			
X		X				JOSEPH FINISTRELLA	✓		✓			
		X				SCOTT PENTZ			✓			
		X				FRED PUGLIESE			✓			
	X	X				JOHN ZIMMERMAN		✓	✓			

ORDINANCE NO. 2022-04

**ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER 170, "STREETS AND SIDEWALKS," ARTICLE VII, "SIDEWALK
MAINTENANCE," SECTION 170-27 THROUGH 170-30, TO PROVIDE FOR
MAINTENANCE AND REPAIR OF RESIDENTIAL AND NONRESIDENTIAL
SIDEWALKS BY OWNERS OF ABUTTING LAND OF THE BOROUGH OF
KENILWORTH MUNICIPAL CODE.**

Introduced: April 20, 2022	I hereby certify the above ordinance was adopted by the Borough Council of the Borough of Kenilworth, County of Union, State of New Jersey on the aforementioned date.
Final Adoption: May 18, 2022		Kathleen Moschitta, Deputy Borough Clerk

RESOLUTION

No. 154

KENILWORTH, N.J.

May 18, 2022

Introduced by: Finistrella

Seconded by: Zimmerman

BE IT HEREBY RESOLVED that the ordinance #2022-05 entitled:

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 1, "GENERAL PROVISIONS," ARTICLE 1, "GENERAL PENALTY," SECTION 1-1 "VIOLATIONS AND PENALTIES" OF THE BOROUGH OF KENILWORTH MUNICIPAL CODE.

Was introduced and approved on first reading, at the regular meeting of the Borough Council on April 20, 2022 and approved for final passage at the regular meeting of the Borough Council of May 18, 2022 after all persons interested were given an opportunity to be heard concerning said ordinance.

BE IT FURTHER RESOLVED that the Borough Clerk is hereby authorized and directed to publish said ordinance according to law with a notice of its final adoption.

Approved:



Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David			✓			
Councilman Joseph Finistrella		✓	✓			
Councilman Scott Pentz			✓			
Councilman Fred Pugliese			✓			
Councilman John Zimmerman	✓		✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes	Yes	No	No		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on May 18, 2022.



Kathleen Moschitta
Acting Borough Clerk

**ORDINANCE NO. 2022-05
BOROUGH OF KENILWORTH**

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 1, "GENERAL PROVISIONS," ARTICLE 1, "GENERAL PENALTY," SECTION 1-1 "VIOLATIONS AND PENALTIES" OF THE BOROUGH OF KENILWORTH MUNICIPAL CODE.

SECTION 5. This Ordinance shall take effect upon final passage and publication according to law.

INTRODUCTION						COUNCILPERSON	FINAL ADOPTION					
Moved	Sec.	Aye	Nay	Abs.	NP		Moved	Sec.	Aye	Nay	Abs.	NP
		X				KAY CECERI			✓			
		X				MARK DAVID			✓			
X		X				JOSEPH FINISTRELLA		✓	✓			
	X	X				SCOTT PENTZ			✓			
		X				FRED PUGLIESE			✓			
		X				JOHN ZIMMERMAN	✓		✓			
Introduced: April 20, 2022						I hereby certify the above ordinance was adopted by the Borough Council of the Borough of Kenilworth, County of Union, State of New Jersey on the aforementioned date.						
Final Adoption: May 18, 2022												
						 Kathleen Moschitta, Deputy Borough Clerk						

**ORDINANCE NO. 2022-05
BOROUGH OF KENILWORTH**

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 1, “GENERAL PROVISIONS,” ARTICLE 1, “GENERAL PENALTY,” SECTION 1-1 “VIOLATIONS AND PENALTIES” OF THE BOROUGH OF KENILWORTH MUNICIPAL CODE.

WHEREAS, the purpose of this Ordinance is to amend the general penalty provision in the Code of the Borough of Kenilworth so that it is in accordance with N.J.S.A. 40:49-5, which sets for the penalties for violations of municipal ordinances.

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

SECTION 1. RECITALS. The foregoing whereas clause is incorporated herein by reference and made a part hereof.

SECTION 2. Section 1-1 “Violations and Penalties” of Chapter 1, “General Provisions,” Article 1, “General Penalty,” of the Revised Ordinances of the Borough of Kenilworth, Union County, New Jersey, is hereby replaced in its entirety with the following:

ARTICLE I GENERAL PENALTY.

§ 1-1 Violations and penalties.

For violation of any provision of this Code or other ordinance of the Borough of Kenilworth unless a specific penalty is otherwise provided in connection with the provision violated, the maximum penalty upon conviction of the violation shall, at the discretion of the Borough, be by one or more of the following: imprisonment in the County Jail or in any place provided by the Borough for the detention of prisoners for any term not exceeding 90 days; or by a fine not exceeding \$2,000; or by a period of community service not exceeding 90 days.

§ 1-2 Separate Violations.

Except as otherwise provided, each and every day in which a violation of any provision of this Code or any other ordinance of the Borough of Kenilworth exists shall constitute a separate violation.

SECTION 3. All ordinances or parts of ordinances inconsistent with or in conflict with this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 4. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of this Ordinance shall remain valid and effective.

RESOLUTION

No. 155

KENILWORTH, N.J.

May 18, 2022

Introduced by: Finistrella

Seconded by: Zimmerman

BE IT HEREBY RESOLVED that the ordinance #2022-06 entitled:

ORDINANCE AUTHORIZING THE BOROUGH OF KENILWORTH TO ENTER INTO A LEASE AGREEMENT WITH KENILWORTH LITTLE LEAGUE FOR THE USE OF THE UNPAVED PORTION OF HALSEY STREET BETWEEN 14th STREET AND 13th STREET, BETWEEN BLOCK 30, LOT 8.01, BLOCK 29, LOT 1 AND BLOCK 28, LOT 1 (MORE COMMONLY KNOWN AS THE KENILWORTH LITTLE LEAGUE PARKING LOT) FOR YOUTH RECREATION BASEBALL AND SOFTBALL PURPOSES.

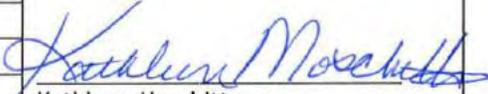
Was introduced and approved on first reading, at the regular meeting of the Borough Council on April 20, 2022 and approved for final passage at the regular meeting of the Borough Council of May 18, 2022 after all persons interested were given an opportunity to be heard concerning said ordinance.

BE IT FURTHER RESOLVED that the Borough Clerk is hereby authorized and directed to publish said ordinance according to law with a notice of its final adoption.

Approved: 
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri				✓		
Councilman Mark David				✓		
Councilman Joseph Finistrella	✓			✓		
Councilman Scott Pentz				✓		
Councilman Fred Pugliese				✓		
Councilman John Zimmerman				✓		
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes	___	No	___		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on May 18, 2022.


Kathleen Moschitta
Acting Borough Clerk

ORDINANCE NO. 2022-06

ORDINANCE AUTHORIZING THE BOROUGH OF KENILWORTH TO ENTER INTO A LEASE AGREEMENT WITH KENILWORTH LITTLE LEAGUE FOR THE USE OF THE UNPAVED PORTION OF HALSEY STREET BETWEEN 14th STREET AND 13th STREET, BETWEEN BLOCK 30, LOT 8.01, BLOCK 29, LOT 1 AND BLOCK 28, LOT 1 (MORE COMMONLY KNOWN AS THE KENILWORTH LITTLE LEAGUE PARKING LOT) FOR YOUTH RECREATION BASEBALL AND SOFTBALL PURPOSES.

WHEREAS, the Borough of Kenilworth (the "Borough") is a Municipal Corporation of the State of New Jersey, with offices located at 567 Boulevard, Kenilworth, NJ 07033; and

WHEREAS, the Borough of Kenilworth is authorized to enter into lease agreements for nominal consideration with non-profit corporations or associations for the use of vacant lots and open spaces for gardening or recreation purposes pursuant to N.J.S.A. 40 A: 12-14(c) and N.J.S.A. 40 A:12-15(j); and

WHEREAS, the Borough of Kenilworth has long had a fruitful and symbiotic relationship with the Kenilworth Little League; and

WHEREAS, since 1995, the Kenilworth Little League has leased the unpaved portion of Halsey Street between 14th Street and 13th Street, between Block 30, Lot 8.01, Block 29, Lot 1, and Block 28, Lot 1 for parking accommodations for Little League baseball games and events of the Kenilworth Little League; and

WHEREAS, N.J.S.A. 40A:12-14 of the Local Lands and Buildings Law provides, in relevant part, that any municipality may lease any real property, capital improvement or personal property other than real property otherwise dedicated or restricted pursuant to law; and

WHEREAS, specifically, N.J.S.A. 40A:12-14(c) provides that in the case of a lease to a nonprofit corporation or association for a public purpose, the lease shall be authorized by ordinance and may be for nominal or other consideration and that said authorization shall include the following:

1. nominal or other consideration for the lease;
2. the name of the corporation or corporations who shall be the lessees;
3. the public purpose served by the lessee;
4. the number of persons benefiting from the public purpose served by the lessee, whether within or without the municipality in which the leasehold is located; and
5. the term of the lease, and the officer, employee or agency responsible for enforcement of the conditions of the lease; and

WHEREAS, N.J.S.A. 40A:12-14(c) further provides that the ordinance shall also require any nonprofit corporation holding a lease for a public purpose to annually submit a report to the officer, employee or agency designated by the governing body, setting out the use to which the

ORDINANCE NO. 2022-06

ORDINANCE AUTHORIZING THE BOROUGH OF KENILWORTH TO ENTER INTO A LEASE AGREEMENT WITH KENILWORTH LITTLE LEAGUE FOR THE USE OF THE UNPAVED PORTION OF HALSEY STREET BETWEEN 14th STREET AND 13th STREET, BETWEEN BLOCK 30, LOT 8.01, BLOCK 29, LOT 1 AND BLOCK 28, LOT 1 (MORE COMMONLY KNOWN AS THE KENILWORTH LITTLE LEAGUE PARKING LOT) FOR YOUTH RECREATION BASEBALL AND SOFTBALL PURPOSES.

leasehold was put during each year, the activities of the lessee undertaken in furtherance of the public purpose for which the leasehold was granted; the approximate value or cost, if any, of such activities in furtherance of such purpose; and an affirmation of the continued tax-exempt status of the nonprofit corporation pursuant to both State and federal law; and

WHEREAS, N.J.S.A. 40A:12-15(j) provides that a leasehold may be made for a term not in excess of 50 years and extended for an additional 25 years by ordinance thereafter for any county or municipal public purpose, including, but not limited to the use of vacant lots for recreational activity; and

WHEREAS, the Borough of Kenilworth (the "Lessor") is of the opinion that it is in the best interest of all concerned, especially our borough's children, that Kenilworth Little League continue to utilize Borough-owned property to for the purpose of parking accommodations for Little League baseball games and events of the Kenilworth Little League, by way of a new formal lease consistent with the mandates of both N.J.S.A. 40A:12-14(c) and N.J.S.A. 40 A:12-15(j); and

WHEREAS, Kenilworth Little League ("the Lessee") understand that the properties leased to non-profit corporations or associations are to be used for recreational purposes only; and

WHEREAS, the lease shall be for a term of twenty-five (25) beginning on March 16, 2022 and ending March 15, 2047, subject to the City's right to terminate the lease at its convenience without cause by providing thirty (30) days prior notice; and

WHEREAS, the consideration for the lease shall be one dollar (\$1.00) a year and other good and valuable considerations.

NOW, THEREFORE, BE IT ORDAINED, by the Municipal Council of the Borough of Kenilworth that:

SECTION 1. The Mayor is hereby authorized to enter into and execute a Lease Agreement, in the form attached hereto, on behalf of the Borough of Kenilworth with the Kenilworth Little League, for the leasing of the property known as the unpaved portion of Halsey Street between 14th Street and 13th Street, between Block 30, Lot 8.01, Block 29, Lot 1, and Block 28, Lot 1, pursuant to N.J.S.A, 40 A: 12-14(c) and N.J.S.A. 40 A:12-15(j), for the period of twenty-five (25) years beginning on March 16, 2022 and ending on March 15, 2047, for the consideration of \$1.00 and other good and valuable consideration.

ORDINANCE NO. 2022-06

ORDINANCE AUTHORIZING THE BOROUGH OF KENILWORTH TO ENTER INTO A LEASE AGREEMENT WITH KENILWORTH LITTLE LEAGUE FOR THE USE OF THE UNPAVED PORTION OF HALSEY STREET BETWEEN 14th STREET AND 13th STREET, BETWEEN BLOCK 30, LOT 8.01, BLOCK 29, LOT 1 AND BLOCK 28, LOT 1 (MORE COMMONLY KNOWN AS THE KENILWORTH LITTLE LEAGUE PARKING LOT) FOR YOUTH RECREATION BASEBALL AND SOFTBALL PURPOSES.

SECTION 2. The Mayor is authorized to extend the term of the lease for an additional twenty-five years subject to the approval by the Municipal Council.

SECTION 3. The Municipal Council hereby ratifies the Lease Agreement from March 16, 2022, until the final passage and publication of this ordinance.

SECTION 4. A copy of the Lease Agreement is attached hereto and made part hereof.

SECTION 5. A copy of the Lease Agreement and this ordinance shall be permanently filed in the Office of the City Clerk.

SECTION 6. All ordinances or parts of ordinances inconsistent with or in conflict with this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 7. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of this Ordinance shall remain valid and effective.

SECTION 8. This Ordinance shall take effect upon final passage and publication according to law.

ORDINANCE NO. 2022-06

ORDINANCE AUTHORIZING THE BOROUGH OF KENILWORTH TO ENTER INTO A LEASE AGREEMENT WITH KENILWORTH LITTLE LEAGUE FOR THE USE OF THE UNPAVED PORTION OF HALSEY STREET BETWEEN 14th STREET AND 13th STREET, BETWEEN BLOCK 30, LOT 8.01, BLOCK 29, LOT 1 AND BLOCK 28, LOT 1 (MORE COMMONLY KNOWN AS THE KENILWORTH LITTLE LEAGUE PARKING LOT) FOR YOUTH RECREATION BASEBALL AND SOFTBALL PURPOSES.

INTRODUCTION						COUNCILPERSON	FINAL ADOPTION					
Moved	Sec.	Aye	Nay	Abs.	NP		Moved	Sec.	Aye	Nay	Abs.	NP
		X				KAY CECERI			✓			
		X				MARK DAVID			✓			
X		X				JOSEPH FINISTRELLA	✓		✓			
		X				SCOTT PENTZ			✓			
		X				FRED PUGLIESE			✓			
	X	X				JOHN ZIMMERMAN		✓	✓			
Introduced: April 20, 2022						I hereby certify the above ordinance was adopted by the Borough Council of the Borough of Kenilworth, County of Union, State of New Jersey on the aforementioned date.						
Final Adoption: May 18, 2022												
						 Kathleen Moschitta, Deputy Borough Clerk						



BOROUGH OF KENILWORTH

AGENDA ♦ JUNE 1, 2022

WORK SESSION 6PM COUNCIL MEETING

COUNCIL MEETING COMMENCES UPON CONCLUSION OF THE WORK SESSION

In light of the public health emergency caused by Coronavirus, the Mayor and Borough Council Meetings the Council will continue to meet on their regularly scheduled meeting dates. The Regular Council Meeting will commence as soon as possible upon conclusion of the 6PM Work Session.

Open Public Meetings Notice

Salute to the Flag

Roll Call

Minutes: None Presented

Communications:

Rahway Valley Sewerage Authority Minutes – April, 2022
Block Party Request – 500 Block on Passaic Avenue

PROCLAMATION: Pride Month

Borough Resolutions: - Consent Agenda

156. That all bills be paid when properly audited and funds are available
157. Appointment of Alternate Crossing Guard - JC
158. Authorize refund 2nd Quarter Taxes - \$2,700.60
159. Authorize 2nd Payment – AJM Contractors - NJDOT 2021 Roadway \$32,620.93
160. Authorize ADA Curb & Ramp Improvements – AA Berms - \$24,352.00
161. Appoint Part Time Violation Clerk – AD
162. Resolution for treatment Works Approval – Kenilworth Redevelopers Urban Renewal

Ordinances:

Adoption Ordinance 2022-07

AN ORDINANCE RESCINDING ORDINANCE 2021-18 AND APPROVING THE APPLICATION AND AUTHORIZING A FINANCIAL AGREEMENT FOR A LONG TERM TAX EXEMPTION BY AND BETWEEN THE BOROUGH OF KENILWORTH AND KENILWORTH REDEVELOPERS URBAN RENEWAL, LLC

Adoption Ordinance 2022-08

AN ORDINANCE OF THE BOROUGH OF KENILWORTH AMENDING ARTICLE V, PAID AND UNPAID TIME OFF POLICIES, SECTION 37-38, VACATION LEAVE, OF THE CODE OF THE BOROUGH OF KENILWORTH COUNTY OF UNION, STATE OF NEW JERSEY

Council reserves the right to go into Closed Session if needed. *(Closed Session Meeting Resolution)*

Adjournment

Time: _____



BOROUGH OF KENILWORTH

AGENDA ♦ JUNE 1, 2022

WORK SESSION 6PM COUNCIL MEETING

COUNCIL MEETING COMMENCES UPON CONCLUSION OF THE WORK SESSION

Adoption Ordinance 2022-09

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

Meeting Open to the Public

General Business

Adjournment

Council reserves the right to go into Closed Session if needed. *(Closed Session Meeting Resolution)*

Adjournment

Time: _____

BOROUGH OF KENILWORTH
COUNCIL MEETING – JUNE 1, 2022
CONSENT AGENDA

The following resolutions, listed on a Consent Agenda, are offered by Council Member *Pugliese* and seconded by Council Member *Finistrella*

Resolution No.

- 156. That all bills be paid when properly audited and funds are available
- 157. Appointment of Alternate Crossing Guard - JC
- 158. Authorize refund 2nd Quarter Taxes - \$2,700.60
- 159. Authorize 2nd Payment – AJM Contractors - NJDOT 2021 Roadway \$32,620.93
- 160. Authorize ADA Curb & Ramp Improvements – AA Berms - \$24,352.00
- 161. Appoint Part Time Violation Clerk – AD
- 162. Resolution for treatment Works Approval – Kenilworth Redevelopers Urban Renewal

Approved:

Linda Karlovitch

Linda Karlovitch, Mayor

	M O V E D	S E C O N D E D	A Y E S	N A Y S	A B S T A I N	A B S E N T
Councilwoman Kay Ceceri			<input checked="" type="checkbox"/>			
Councilman Mark David			<input checked="" type="checkbox"/>			
Councilman Joseph Finistrella		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			
Councilman Scott Pentz			<input checked="" type="checkbox"/>			
Councilman Fred Pugliese	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>			
Councilman John Zimmerman			<input checked="" type="checkbox"/>			
ON CONSENT AGENDA			Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on June 1, 2022.

Kathleen Moschitta

Kathleen Moschitta,
Deputy Borough Clerk

RESOLUTION

No. 156

KENILWORTH, N.J.

June 1, 2022

Introduced by: _____

CONSENT AGENDA

Seconded by: _____

BE IT RESOLVED, by the Borough of Kenilworth, County of Union, New Jersey, that the summary of bills in the total amount of \$2,059,352.51 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 2022 Borough of Kenilworth Budget to fund the payment of the following bills attached hereto and made a part of this resolution.

May 27, 2022
11:58 AM

BOROUGH OF KENILWORTH
Bill List By Vendor Id

Totals by Year-Fund Fund Description	Fund	Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND	1-01	46,915.56	0.00	46,915.56	0.00	0.00	46,915.56
CURRENT FUND	2-01	1,878,486.46	0.00	1,878,486.46	0.00	0.00	1,878,486.46
GENERAL CAPITAL	C-04	102,255.49	0.00	102,255.49	0.00	0.00	102,255.49
GRANTS	G-02	6,560.00	0.00	6,560.00	0.00	0.00	6,560.00
GENERAL TRUST	T-03	250.00	0.00	250.00	0.00	0.00	250.00
COMMUNITY DEVELOPMENT	T-06	24,404.00	0.00	24,404.00	0.00	0.00	24,404.00
Year Total:		24,654.00	0.00	24,654.00	0.00	0.00	24,654.00
Total of All Funds:		2,058,871.51	0.00	2,058,871.51	0.00	0.00	2,058,871.51

May 18, 2022
02:10 PM

BOROUGH OF KENILWORTH
Check Register By Check Id

Range of Checking Accts: CURRENT to CURRENT Range of Check Ids: 101624 to 101624
Report Type: All Checks Report Format: Condensed Check Type: Computer; Y Manual: Y

Check #	Check Date	Vendor	Reconciled/Void	Ref Num
PO #	Description	Amount Paid	Contract	
101624	05/18/22	03041 RUTGERS, THE STATE UNIVERSITY		2170
	22-00548 PW CONT EDUC CONF N. CALIXTO	481.00		

Report Totals	Paid	Void	Amount Paid	Amount Void
Checks:	1	0	481.00	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	1	0	481.00	0.00

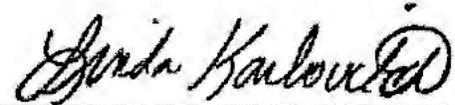
Manual CK 5-18-22

May 18, 2022
02:10 PM

BOROUGH OF KENILWORTH
Check Register By Check Id

Totals by Year-Fund	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND	2-01	481.00	0.00	0.00	481.00
Total of All Funds:		481.00	0.00	0.00	481.00

Approved:



Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David						✓
Councilman Joseph Finistrella		✓	✓			
Councilman Scott Pentz			✓			
Councilman Fred Pugliese	✓		✓			
Councilman John Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA		Yes	✓	No		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on June 1, 2022.

Kathleen Moschitta

Kathleen Moschitta,
Deputy Borough Clerk

RESOLUTION

No. 157

KENILWORTH, N.J.

June 1, 2022

Introduced by: _____

Seconded by: _____

CONSENT AGENDA

WHEREAS, there exists a need within the Borough of Kenilworth Police Department to appoint an Alternate School Crossing Guard; and

WHEREAS, it is the recommendation of the Sergeant Ken Grady, Jr. that James Costabile be appointed an Alternate School Crossing Guard; and

WHEREAS, the Borough of Kenilworth Police Department successful completed a background investigation on James Costabile.

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Kenilworth hereby appoints James Costabile an Alternate School Crossing guard effective May 18, 2022.

BE IT FURTHER RESOLVED, that said appointment be compensated at an hourly rate of \$18.58 per hour.

BE IT FURTHER RESOLVED, that the Borough of Kenilworth's Chief Financial Officer has certified that sufficient uncommitted funds are available in the 2022 Borough of Kenilworth Budget for the purposes set forth herein.



Approved: _____

Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri				✓		
Councilman Mark David						✓
Councilman Joseph Finistrella			✓			
Councilman Scott Pentz				✓		
Councilman Fred Pugliese			✓			
Councilman John Zimmerman				✓		
Mayor Linda Karlovitch						
ON CONSENT AGENDA		Yes	No			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on June 1, 2022.



Kathleen Moschitta,
Deputy Borough Clerk

RESOLUTION

No. 158

KENILWORTH, N.J.

June 1, 2022

Introduced by: _____
 Seconded by: _____

CONSENT AGENDA

WHEREAS, the Tax Collector of the Borough of Kenilworth has reviewed the tax rolls and determined that certain monies are due and payable by the Borough of Kenilworth to Corelogic Tax Services, because of a duplicate tax payment made in the 2nd Quarter of the 2022 for the following property located in the Borough of Kenilworth as set forth below, and

WHEREAS, the Tax Collector recommends the immediate reimbursement of the excess funds currently collected by the Borough of Kenilworth to Corelogic Tax Services.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of, that the Treasurer after proper notation on the tax account records by the Tax Collector is authorized to refund and pay the overpayment of taxes to the Corelogic Tax Services of the specific property listed below:

<u>BLOCK</u>	<u>LOT</u>	<u>ADDRESS</u>	<u>YEAR</u>	<u>TOTAL REFUND</u>	<u>REFUND TO</u>
12	9	415 Lafayette Avenue	2022	\$2,700.60	Corelogic Tax Services Attn: Centralized Refunds, P.O. Box 9202 Coppell, TX 75019

BE IT FURTHER RESOLVED, that the Borough of Kenilworth's Chief Financial Officer has certified that sufficient uncommitted funds are available in the 2022 Borough of Kenilworth Budget for the purposes set forth herein.

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

Linda Karlovitch

Approved: _____

Linda Karlovitch, Mayor

	<u>MOVED</u>	<u>SECONDED</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>	
Councilwoman Kay Ceceri			✓				I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on June 1, 2022. <i>Kathleen Moschitta</i> Kathleen Moschitta, Deputy Borough Clerk
Councilman Mark David						✓	
Councilman Joseph Finistrella		✓	✓				
Councilman Scott Pentz			✓				
Councilman Fred Pugliese		✓	✓				
Councilman John Zimmerman			✓				
Mayor Linda Karlovitch							

RESOLUTION

No. 159

KENILWORTH, N.J.

JUNE 1, 2022

Introduced by: _____

CONSENT AGENDA

Seconded by: _____

WHEREAS, AJM has been contracted by the Borough of Kenilworth to perform certain public improvement projects by way of the public bidding process set forth in the Local Public Contracts Law set forth in N.J.S.A. 40A:11-2 et. Seq;

WHEREAS, the Borough Engineer has certified that the services required for the second payment under said contract in the amount of \$32,620.93 have been performed to his satisfaction and he has authorized the Borough to make said payment:

BE IT RESOLVED, by the Mayor and Council of the Borough of Kenilworth of Union County, New Jersey upon recommendation of the Borough Engineer that 2nd Payment for the Contract listed below be and is hereby approved.

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

BE IT FURTHER RESOLVED sufficient monies have been appropriated for the same by way of bond ordinance 2021-17 and the CFO of the Borough has certified sufficient funds are available for the payment contemplated in the resolution;

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

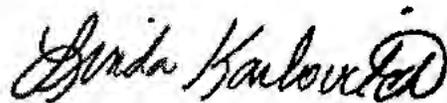
Payment #2

TOTAL ORIGINAL CONTRACT PRICE	\$390,211.00
Change Order Amount	\$0.00
Contract Sum to date:	\$390,211.00
Total Completed and Stored to Date	\$60,295.58
Less 5% retainage to date	\$3,014.78
Less previous payment	\$24,659.88
Amount Due	<u>\$32,620.93</u>
Balance to Finish	\$341,205.67

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

CERTIFICATION OF FUNDS
APPROPRIATION:

Approved:



Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David						✓
Councilman Joseph Finistrella		✓	✓			
Councilman Scott Pentz			✓	✓		
Councilman Fred Pugliese	✓		✓	✓		
Councilman John Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes	✓	No			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on June 1, 2022.


 Kathleen Moschitta, Acting n,
 Borough Clerk

RESOLUTION

No. 160

KENILWORTH, N.J.

JUNE 1, 2022

Introduced by: _____

CONSENT AGENDA

Seconded by: _____

WHEREAS, AA Berns has been contracted by the Borough of Kenilworth to perform the construction of 5 ADA ramps along various locations in the Borough of Kenilworth and the reconstruction of ADA access sidewalk on North 22nd Street by way of the public bidding process set forth in the Local Public Contracts Law set forth in N.J.S.A. 40A:11-2 *et. seq.*; and

WHEREAS, the Borough Engineer has certified that the services required for the first payment under said contract in the amount of \$23,800.00 have been performed to his satisfaction and he has authorized the Borough to make said payment.

BE IT RESOLVED, by the Mayor and Council of the Borough of Kenilworth of Union County, New Jersey upon recommendation of the Borough Engineer that the 1st Payment for the Contract listed below be and is hereby approved.

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

BE IT FURTHER RESOLVED sufficient monies have been appropriated for the same by way of a \$25,000.00 CDBG grant awarded to the Borough by Union County and the CFO of the Borough has certified sufficient funds are available for the payment contemplated in the resolution;

TITLE OF JOB: ADA Curb and Ramp Improvements
CONTRACTOR: AA Beans
P.O. Box
Belleville, NJ 07109

Payment #1

TOTAL ORIGINAL CONTRACT PRICE	\$23,800.00
Change Order Amount	\$552.00
Contract Sum to date:	\$24,352.00
Total Completed and Stored to Date	\$23,800.00
Less 5% retainage to date	\$0.00
Amount Due	<u>\$23,800.00</u>
Balance to Finish	\$552.00

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

CERTIFICATION OF FUNDS
APPROPRIATION:

Approved:

Linda Karlovitch

Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David						✓
Councilman Joseph Finistrella			✓			
Councilman Scott Pentz			✓			
Councilman Fred Pugliese	✓		✓			
Councilman John Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes	✓	No	—		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on June 1, 2022.

Kathleen Moschitta
 Kathleen Moschitta, Acting n,
 Borough Clerk

RESOLUTION

No. 161

KENILWORTH, N.J.

June 1, 2022

Introduced by: _____
 Seconded by: _____

CONSENT AGENDA

WHEREAS, the Borough of Kenilworth is in need for a part-time Violations Clerk in the Municipal Court office; and

WHEREAS, the Court Administrator was authorized to advertise and hire a part-time Violations Clerk, not to exceed twenty (20) hours per week; and

WHEREAS, applications have been received and interviews conducted; and

WHEREAS, it has been determined that April Doyle, 877 Springfield Avenue, New Providence NJ 07974, is qualified to fill all the requirements of the position

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

1. April Doyle, 877 Springfield Avenue, New Providence, NJ 07974 be appointed Violation Clerk, effective June 1, 2022, not to exceed twenty (20) hours per week.
2. April Doyle shall receive an hourly rate Nineteen Dollars and Zero Cents (\$19.00).
3. This appointment is contingent upon successful completion of criminal background check.
4. This part-time position is entitled to paid sick leave pursuant to the NJ Sick Leave Law NJSA 34:11-d-1. This part-time position will be entitled to five paid vacation days after the completion of one year of service and paid holidays after 180 days of service pursuant to the Kenilworth Municipal Code.

Approved: _____



Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAVES	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David			✓			
Councilman Joseph Finistrella			✓			
Councilman Scott Pentz			✓			
Councilman Fred Pugliese			✓			
Councilman John Zimmerman			✓			
Mayor Linda Karlovitch			✓			
ON CONSENT AGENDA		Yes	✓	No		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on June 1, 2022.



Kathleen Moschitta,
Deputy Borough Clerk

RESOLUTION

No. 162

KENILWORTH, N.J.

June 1, 2022

Introduced by: CONSENT AGENDA

Seconded by: _____

WHEREAS, Kenilworth Redevelopers Urban Renewal LLC ("Redeveloper") received preliminary and final major site plan approval from the Kenilworth Planning Board ("Board") to permit the construction of an inclusionary multi-family redevelopment project consisting of 165 residential units and related site improvements ("Project") on the property located at 25 North 26th Street, Block 183, Lot 9 on the Borough tax map ("Property") which approval was memorialized in a resolution adopted by the Board on April 14, 2022; and

WHEREAS, in order to provide sanitary sewer service to the Project, certain sanitary sewer facilities and improvements need to be constructed; and

WHEREAS, pursuant to the regulations adopted by the New Jersey Department of Environmental Protection ("NJDEP"), a Treatment Works Approval permit is required for the necessary sanitary sewer facilities; and

WHEREAS, in accordance with Section 3.6(a) of the Redevelopment Agreement between the Borough and Redeveloper dated December 8, 2021, the Borough has an obligation to support all applications for governmental approvals required for the Project and to execute and deliver any documents required to obtain such approvals; and

WHEREAS, the Project plans and accompanying documents have been reviewed by the Borough Engineer as part of the Project approval.

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

1. The Borough hereby endorses the Treatment Works Approval permit application submitted by Kenilworth Redevelopers Urban Renewal LLC for the Project to be constructed on the Property.
2. The Mayor, Borough Clerk and/or their designee are hereby authorized and directed to execute the Treatment Works Approval permit application which has been reviewed by the Borough Engineer.
3. This Resolution shall take effect immediately.

Approved: 

Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			<input checked="" type="checkbox"/>			
Councilman Mark David						<input checked="" type="checkbox"/>
Councilman Joseph Finistrella			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		
Councilman Scott Pentz				<input checked="" type="checkbox"/>		
Councilman Fred Pugliese	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>			
Councilman John Zimmerman				<input checked="" type="checkbox"/>		
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes <input checked="" type="checkbox"/>				No <input type="checkbox"/>	Kathleen Moschitta, Deputy Borough Clerk

**ORDINANCE 2022-07
BOROUGH OF KENILWORTH**

**AN ORDINANCE RESCINDING ORDINANCE 2021-18 AND APPROVING
THE APPLICATION AND AUTHORIZING A FINANCIAL AGREEMENT
FOR A LONG TERM TAX EXEMPTION
BY AND BETWEEN THE BOROUGH OF KENILWORTH AND
KENILWORTH REDEVELOPERS URBAN RENEWAL, LLC**

WHEREAS, the governing body of the Borough of Kenilworth (the "Borough Council") is responsible for implementing redevelopment plans and carrying out redevelopment projects pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "Redevelopment Law"); and

WHEREAS, Kenilworth Redevelopers Urban Renewal, LLC (the "Redeveloper") is the contract purchaser of Block 183 Lot 9, located entirely within the Redevelopment Area; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-6, on February 26, 2020, pursuant to Resolution No. 8, the governing body of the Borough of Kenilworth (the "Borough") authorized and requested the Planning Board to undertake a preliminary investigation (the "Investigation") to determine whether the privately owned property Block 183, Lot 9 (the "Area of Investigation"), constitutes an area in need of redevelopment for non-condemnation purposes according to the criteria set forth under the Local Redevelopment and Housing Law ("LRHL"), specifically N.J.S.A. 40A:12A-5 and N.J.S.A. 40A:12A-3; and

WHEREAS, consistent with the requirements set forth in N.J.S.A. 40A:12A-6, the Planning Board specified and gave notice that on June 11, 2020 a hearing would be held for the purpose of hearing persons who are interested in or would be affected by a determination that the properties in the Area of Investigation constitute an area in need of redevelopment as that term is defined under the LRHL for non-condemnation purposes; and

WHEREAS, Kevin O'Brien, PP, AICP, Shamrock Enterprises, Ltd. publicly presented a Preliminary Investigation Report entitled "Planning Report Concerning the Determination of the Proposed Block 183, Lot 9 Study Area As a Non-Condensation Area in Need of Redevelopment" for the designated Area of Investigation, including Block 183, Lot 9, dated December 10, 2020 (the "Investigation Report"); and

WHEREAS, on December 17, 2020, the Planning Board unanimously recommended that the governing body of the Borough designate the Area of Investigation, including Block 183, Lot 9, as a non-condemnation area in need of redevelopment due to the substantial evidence that the Area of Investigation meets the criteria enumerated in the Investigation Report, pursuant to N.J.S.A. 40A:12A-5; and

WHEREAS, on February 10, 2021, pursuant to Resolution No. 5, the Borough's governing body agreed with the Planning Board's findings that the properties within the Area of Investigation, including Block 183, Lot 9, met numerous criteria under N.J.S.A. 40A:12A-5, and therefore, determined and declared the properties as being in need of redevelopment for non-condemnation purposes; and

ORDINANCE 2022-07
BOROUGH OF KENILWORTH

WHEREAS, at the direction of the Borough's governing body, Michael J. Mistretta, PP, LLA of Harbor Consultants Inc., has prepared a Redevelopment Plan entitled the "25 North 26th Street Redevelopment Plan" ("the Redevelopment Plan") dated March 2021 covering Block 183, Lot 9 to be in need of redevelopment for non-condemnation purposes; and

WHEREAS, the Borough Council on June 9, 2021, adopted Ordinance No. 2021-07 approving and adopting a redevelopment plan for the Redevelopment Area entitled the "25 North 26th Street Redevelopment Plan" (the "Redevelopment Plan") in accordance with the Redevelopment Law; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-4, the Borough is acting as the "redevelopment entity" (as such term is defined at N.J.S.A. 40A:12A-3 of the Redevelopment Law) for the Redevelopment Area; and

WHEREAS, pursuant to the executed Redevelopment Agreement dated December 8, 2021, the Redeveloper proposes to acquire the Redevelopment Area, and to develop, finance, and construct a four-story, inclusionary multi-family building containing a total of 165 units, 25 of which will be units affordable to very-low, low- and moderate-income households with a veteran's preference, garage and surface parking spaces, as well as certain other on-site and off-site improvements (the "Project"); and

WHEREAS, the Redeveloper is a limited-dividend, urban renewal entity created under the New Jersey Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 et seq. (the "LTTE Law"), to own and undertake, or cause to be undertaken, the Project and related on-site and off-site infrastructure and related improvements to be more particularly set forth in the Redevelopment Agreement; and

WHEREAS, the Redeveloper submitted to the Borough Administrator an application for a long term tax exemption for the Project, pursuant to the LTTE Law, dated October 20, 2021 (the "PILOT Application"); and

WHEREAS, the Governing Body has reviewed the information provided in the PILOT Application and finds that the Project represents an undertaking permitted by the LTTE Law and constitutes improvements made for the purposes of clearance, re-planning, development or redevelopment of an area in need of redevelopment within the Borough, as authorized by the Redevelopment Law and the LTTE Law; and

WHEREAS, the filed application has been submitted to the Borough of Kenilworth by Kenilworth Redevelopers Urban Renewal, LLC on October 20, 2021; and

WHEREAS, on November 10, 2021, the Governing Body passed Resolution No. 7 entitled "Resolution Designating Kenilworth Redevelopers Urban Renewal, LLC as Redeveloper of the Property Known as Lot 9, Block 183 in the Borough of Kenilworth and Authorizing the Execution of a Redevelopment Agreement with Kenilworth Redevelopers Urban Renewal, LLC; and

WHEREAS, said PILOT application was approved by the Governing Body of the

ORDINANCE 2022-07
BOROUGH OF KENILWORTH

Borough of Kenilworth by way of Ordinance 2021-18 that was introduced on November 10, 2021, and adopted on December 8, 2021; and

WHEREAS, a Financial Agreement concerning Kenilworth Redevelopers Urban Renewal, LLC was attached to the PILOT application for a long-term tax exemption for the project, under the Long-Term Tax Exemption Law (LTTE) and was approved by the Governing Body, which authorized the Mayor to execute said Agreement, subject to minor modifications thereto; and

WHEREAS, a Financial Agreement was signed by the Mayor and Redeveloper, on or about, December 15, 2021; and

WHEREAS, both parties to said PILOT Agreement have agreed to renegotiate certain terms and conditions to said Financial Agreement; and

WHEREAS, the Governing Body now wishes to repeal Ordinance 2021-18 and adopt a new Financial Agreement consistent with the terms and conditions of the first Agreement, except for:

1. A modified Annual Service Charge schedule;
2. An acknowledgment that the redeveloper is not entitled to any offset, credit, or contribution from the Borough of Kenilworth for solid waste removal/pickup or recycling waste removal and pickup; and
3. The addition of a provision wherein the redeveloper shall reimburse the Borough for the Borough's prorated expenses associated with sanitary sewer services for the project during the life of the Financial Agreement.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Kenilworth in the County of Union, New Jersey, as follows:

ORDINANCE 2022-07 BOROUGH OF KENILWORTH

Section 1. Ordinance 2021-18 is hereby repealed.

Section 2. The PILOT Application of Kenilworth Redevelopers Urban Renewal, LLC submitted on October 20, 2021, be and hereby is approved.

Section 3. The Financial Agreement concerning Kenilworth Redevelopers Urban Renewal, LLC, attached to the PILOT Application, for a long term tax exemption for the Project, under the LTTE Law, be and is hereby approved, and the Mayor is hereby authorized to execute such Financial Agreement, subject to minor modification or revision, as deemed necessary, advisable and appropriate after consultation with counsel.

Section 4. The Borough Clerk be and is hereby authorized and directed, upon execution of the Financial Agreement by the Mayor, to attest to the signature of the Mayor and to affix the corporate seal of the Borough upon such document.

Section 5. The executed copy of the Financial Agreement shall be certified by and be filed with the Office of the Borough Clerk. Further, the Borough Clerk shall file certified copies of this ordinance and the Financial Agreement with the Tax Assessor of the Borough and the Director of the Division of Local Government Services with the Department of Community Affairs, in accordance with Section 12 of the LTTE Law.

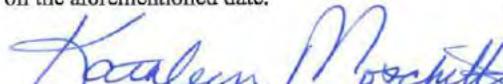
Section 6. If any part(s) of this ordinance shall be deemed invalid, such part(s) shall be severed and the invalidity thereby shall not affect the remaining parts of this ordinance.

Section 7. All ordinances and resolutions or parts thereof inconsistent with this Ordinance are hereby rescinded.

Section 8. This ordinance shall take effect in accordance with applicable law.



Linda Karlovitch, Mayor

INTRODUCTION						COUNCILPERSON	FINAL ADOPTION					
Moved	Sec.	Aye	Nay	Abst.	NP		Moved	Sec.	Aye	Nay	Abst.	NP
		X				KAY CECERI			✓			
x		X				MARK DAVID					✓	
		X				JOSEPH FINISTRELLA	✓		✓			
		X				JOHN ZIMMERMAN		✓	✓			
	x	X				SCOTT PENTZ			✓			
		X				FRED PUGLIESE			✓			
MAYOR KARLOVITCH												
Introduced: May 4, 2022						I hereby certify the above ordinance was adopted by the Borough Council of the Borough of Kenilworth, County of Union, State of New Jersey on the aforementioned date.						
Final Adoption: June 1, 2022												
						 Kathleen Moschitta Acting Borough Clerk						

**ORDINANCE NO. 2022-08
BOROUGH OF KENILWORTH**

AN ORDINANCE OF THE BOROUGH OF KENILWORTH AMENDING ARTICLE V, PAID AND UNPAID TIME OFF POLICIES, SECTION 37-38, VACATION LEAVE, OF THE CODE OF THE BOROUGH OF KENILWORTH COUNTY OF UNION, STATE OF NEW JERSEY

BE IT HEREBY ORDAINED by the Borough Council of the Borough in the County of Union and the State of New Jersey as follows:

Purpose:

The purpose of this Ordinance is to update Article V, Paid and Unpaid Time Off Policies, Section 37-38, Vacation Leave, establishing the vacation leave available to Borough employees whose employment is not governed by a collective negotiations agreement and to position the Borough to better compete to hire qualified individuals with prior experience working for other employers.

Repeal and replace Article 5, § 37-38 in its entirety and replace with the following:

A. Full-time employees.

- (1) Vacation is an accrued benefit based on the following schedule:

One through seven years of service: two weeks;

After completion of seven years of service through 14 years: three weeks;

After the completion of 14 years of service through 19 years: four weeks; and

After the completion of 19 years: five weeks.

- (2) Except as may be otherwise agreed by the department head, during the months of July and August vacations must be taken in one-week increments and with as far advance notice to the department head as is practical and must be approved by the department head. In all other events, employees must receive their department head's approval at least two weeks in advance of the first vacation day.
- (3) A full-time employee appointed on or before May 4, 2022 shall be entitled to a minimum of three weeks of vacation leave regardless of their years of service.
- (4) At the time of appointment, the Mayor and Council may credit a person being appointed with one or more years of service based upon that person's prior related professional experience solely for purposes of calculating his or her vacation leave accrued while employed with the Borough under this Section. No such credit shall be guaranteed to a new appointment, and any credit provided to a new employee shall be in the sole discretion of the Mayor and Council based on the hiring needs of the Borough.

B. Part-time employees.

- (1) All part-time hourly employees hired prior to January 1, 2009, shall be entitled to vacation based on the same schedule as full-time employees.
- (2) All part-time hourly employees hired after December 31, 2008, shall be entitled to five paid vacation days after the completion of one year of service based on their straight-time hourly rate.
- (3) Employees compensated on an hourly rate basis shall be entitled to vacation pay based on their straight-time hourly rate. A vacation week for an hourly employee shall be based on the average number of hours worked by such employee during the immediately preceding 90 days.

C. The vacation leave provided in this Section does not apply to any employee whose employment is governed by a collective negotiations agreement providing alternative vacation leave benefits.

D. Any vacation leave accrued in the first or final year of employment shall be on a pro-rated basis calculated by the full months worked during that calendar year.

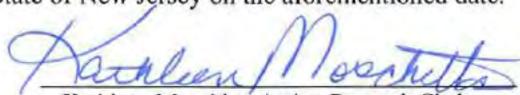
E. All employees who qualify for vacation leave and who resign or are released by the Borough for reasons other than cause shall be entitled to receive vacation pay (pro-rated) due with the employee's final paycheck. The amount payable shall be determined pro rata based on the number of complete months worked. Employees dismissed for cause shall not be entitled to such vacation pay.

F. Any vacation days not used at the end of a year shall be forfeited and the employee shall not be entitled to payment for any such day, except that carryover may be permitted in limited circumstances where authorized by the Mayor and Council if such leave time is not utilized in a given year due to a recognized state of emergency at that time.

This Ordinance shall be in full force and effect from and after its adoption and any publication as required by law.

Linda Karlovitch

Approved: _____
Linda Karlovitch, Mayor

INTRODUCTION						COUNCILPERSON	FINAL ADOPTION					
Moved	Sec.	Aye	Nay	Abs.	NP		Moved	Sec.	Aye	Nay	Abs.	NP
		X				KAY CECERI			✓			
x		X				MARK DAVID					✓	
		X				JOSEPH FINISTRELLA	✓		✓			
		X				JOHN ZIMMERMAN			✓			
	x	X				SCOTT PENTZ		✓	✓			
		X				FRED PUGLIESE			✓			
						MAYOR KARLOVITCH						
Introduced: May 4, 2022						I hereby certify the above ordinance was adopted by the Borough Council of the Borough of Kenilworth, County of Union, State of New Jersey on the aforementioned date.						
Final Adoption: June 1, 2022												
						 Kathleen Moschitta Acting Borough Clerk						

ORDINANCE NO. 2022-09

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

WHEREAS, the Municipal Land Use Law ("MLUL") (N.J.S.A. §§ 40:55D-1 et seq.) enables municipalities to adopt, and subsequently amend, zoning ordinances relating to the nature and extent of the uses of land, buildings and structures within a municipality; and

WHEREAS, pursuant to N.J.S.A. 40:55D-62, all provisions of such zoning ordinance or amendment or revision shall either be substantially consistent with the land use plan element and housing element of the municipality's Master Plan or designed to effectuate such plan elements; and

WHEREAS, pursuant to N.J.S.A. 40:55D-89, a municipality shall provide for a general reexamination of their Master Plan at least every ten years; and

WHEREAS, Borough of Kenilworth (the "Borough") conducted a general reexamination of the Master Plan, and prepared a Master Plan Reexamination Report (the "Reexamination Report"), which was adopted by the Planning Board¹ on May 2, 2022; and

WHEREAS, the Reexamination Report reevaluated the Borough's land uses and zoning ordinance and determined that there have been significant changes in conditions and circumstances in traffic congestion, pedestrian access, and creation of "dead" spaces along the boulevard to the detriment of existing retail and restaurants since the zoning ordinance was last amended; and

WHEREAS, the Reexamination Report recommends amendments to certain aspects of the Borough's zoning ordinance to address the above concerns; and

WHEREAS, Chapter 120 "Land Use", Part 3, "Zoning" of the Code of the Borough of Kenilworth (the "Code") regulates zoning and establishes permissible and conditional uses within the Borough.

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

SECTION 1. The foregoing whereas clause is incorporated herein by reference and made a part hereof.

¹ N.J.S.A. § 40:55D-89 ("the planning board, which shall prepare and adopt by resolution a report on the findings of such reexamination ").

Note: Additions are shown in **bold and underlined** and deletions are shown as ~~strikethrough~~.

SECTION 2. Chapter 120, Land Use, Part 3, Zoning, is hereby amended in the following manner:

§ 120-23.4. BD Boulevard Downtown Zone District.

A. Purpose of the district. The downtown should be a place with many diverse retail shops and restaurants where the community can gather on nights and weekends, conduct business, buy personal and household needs and be a part of Borough life. The Boulevard Downtown District has been created to replace the current Local Commercial Zone along the Boulevard between 18th Street and near Market Street. The BD Zone District is intended to encourage retail sales and personal services oriented to pedestrian shopping on the ground floor and other commercial activity on the upper floors.

B. Principal uses and structures. The following principal uses and structures shall be permitted in the BD Zone District. Principal uses which are substantially similar to the listed principal uses shall be permitted uses.

(1) Business establishments devoted primarily to the retail sales of goods and personal services on the premises, including restaurants and food establishments intended for food consumption on the premises or for takeout of food, and taverns.

(2) Banks and other financial institutions engaged in the business of accepting deposits from the public and/or extending credit to the public in the form of loans. Such business must be conducted on the premises and must be the principal activity of the use on the premises.

(3) General, administrative, executive and professional offices.

(4) Medical offices.

(5) Veterinary offices.

(6) Museums, art galleries and indoor motion-picture theaters, and theaters for conducting live entertainment or cultural performances.

(7) Municipal parking facilities.

(8) Offices on the second or third floor of a building.

(9) Child-care centers.

~~(10) Funeral homes.~~

(11) Indoor commercial recreational facilities and schools of martial arts, yoga, and dance instruction.

(12) Any other use, in the opinion of the approving authority, substantially similar to those identified in this subsection.

C. Accessory uses and structures. The following accessory uses and structures shall be permitted in the BD Zone District:

(1) Parking and parking facilities as regulated in Article 27.

(2) Signs, pursuant to the provisions of Article 31, for the uses for which signs are permitted.

(3) Antennas, as regulated in Article 28.

(4) Outdoor seating in conjunction with a permitted restaurant or eating and drinking establishment, subject to the following:

(a) The consumption of food by the public at tables located within that portion of the sidewalk which lies between the public street and the building's principal facade, excepting therefrom an unobstructed area at least four feet in width to permit the passage of pedestrians.

(b) Containing readily removable tables, chairs and other such temporary railings, furniture and structures.

(c) Unenclosed by fixed walls, ceilings or fences, except for retractable awnings, removable barriers, umbrellas or other nonpermanent enclosures.

(5) Other accessory uses and structures customarily subordinate and incidental to permitted principal uses and permitted conditional uses.

(6) Reference is made to Article 24 as it relates to accessory uses and structures in nonresidential zones.

D. Conditional uses and structures. The following conditional uses and structures shall be permitted only if they comply with the appropriate regulations for such uses or structures in Article 30:

(1) Nonprofit chartered membership organizations.

(2) Residential-type public utility facilities.

(3) Certain telecommunications antennas, as set forth in Article 28.

(4) Gasoline and automotive service stations presently existing.

(5) Private commercial parking lots as a principal use.

(6) Public utility facilities.

E. Prohibited uses and structures:

(1) Any uses and structures other than those uses or structures permitted in Subsection B, C, or D above are prohibited.

(2) The operation of cultivation facilities, product manufacturing facilities and/or testing facilities for marijuana, hashish and/or cannabis, and/or products containing same, and/or paraphernalia that facilitates the use of marijuana, hashish and/or cannabis.

[Added 6-9-2021 by Ord. No. 2021-06]

F. Bulk and lot regulations. The following bulk and lot regulations shall apply to all uses permitted in the BD Zone District, unless more stringent requirements are provided by this chapter:

(1) Minimum lot area. Every lot shall contain a minimum lot area of 2,500 square feet.

(2) Minimum lot width. Every lot shall have a minimum lot width of 25 feet.

(3) Minimum lot frontage. There shall be a minimum lot frontage of 25 feet for all lots.

(4) Minimum lot depth. There shall be a minimum of 100 feet of depth.

(5) Setbacks.

(a) Front. No front yard setback is required.

(b) Rear. Ten feet or 10% of the lot depth, whichever is greater.

(c) Side. No side yard will be required unless the side property line is adjacent to a residential zone, where a minimum side yard of five feet, which is to be heavily landscaped, is required.

(6) Maximum building height. No principal building shall exceed the maximum of three habitable floors, exclusive of basement, but not more than 35 feet in height.

(7) Maximum building coverage shall not exceed 80%.

(8) Maximum impervious cover shall not exceed 90%.

(9) Minimum open space ratio. The minimum area of the lot that shall be provided as landscaped open space shall be 10% of the total lot area. Such landscaped area shall be planted with lawn, shrubs, hedges

(10) Maximum floor area ratio. The total habitable floor area of all buildings or structures on any lot shall not be more than 250% of the total lot area.

G. Other regulations. In addition to the above requirements, any development in the BD Zone District must comply with all applicable regulations of this chapter.

§ 120-23.5. AC Area Commercial Zone District.

A. Purpose of district. The purpose of the AC Area Commercial District is to encourage retail and wholesale sales, personal and business services, as well as business, administrative and professional offices. Well-planned, larger-scale commercial developments designed in a comprehensive manner, integrating the needs of pedestrians, employees and vehicles, are also encouraged.

B. Permitted uses. In the AC District, only the following uses shall be permitted, except as provided in Subsections C and D. Principal uses which are substantially similar to the listed principal uses shall be permitted uses.

(1) Retail establishments.

(2) Personal and consumer service uses.

(3) Supermarkets.

(4) Restaurants and eating and drinking establishments.

(5) Taverns.

(6) Banks and financial institutions, including drive-through banks.

(7) Art, music and dance studios.

(8) Motor inns and hotels.

(9) Banquet and catering facilities.

(10) General, administrative, executive and professional offices.

(11) Medical offices.

(12) Veterinary offices.

(13) Computer and data processing centers.

(14) Indoor commercial recreational facilities.

(15) Museums, art galleries and indoor motion-picture theaters, and theaters for conducting live entertainment or cultural performances.

(16) Child-care centers.

(17) Municipal parking facilities.

- (18) Wholesale commercial establishments.
- (19) Dry cleaner.
- (20) Fine arts schools.
- (21) Automobile gasoline and service stations.
- (22) Car wash.
- ~~(23) Funeral homes.~~
- (24) Any other use, in the opinion of the approving authority, substantially similar to those identified in this subsection.

C. Accessory uses and structures. Accessory uses and structures in the AC Zone District shall be subject to the following requirements:

- (1) Parking and parking facilities as regulated in Article 27.
- (2) Signs as regulated in Article 31.
- (3) Antennas as regulated in Article 28.
- (4) Mobile storage structures are prohibited, except to the extent they are regulated by the definition of "mobile storage structures" in Article 1.
- (5) Outdoor seating in conjunction with a permitted restaurant or eating and drinking establishment, subject to the following:

- (a) The consumption of food by the public at tables located within that portion of the sidewalk which lies between the public street and the building's principal facade, excepting therefrom an unobstructed area at least four feet in width to permit the passage of pedestrians.
- (b) Containing readily removable tables, chairs and other such temporary railings, furniture and structures.
- (c) Unenclosed by fixed walls, ceilings or fences, except for retractable awnings, removable barriers, umbrellas or other nonpermanent enclosures.

- (6) Day-care center.
- (7) Storage areas.
- (8) Other accessory uses and structures customarily subordinate and incidental to permitted principal and/or permitted conditional uses.
- (9) Reference is made to Article 24 as it relates to accessory uses and structures in nonresidential zones.

D. Conditional uses and structures. The following uses and structures shall be permitted in the AC Zone District only if they comply with the appropriate regulations for such uses or structures in this chapter:

- (1) Public utility facilities.
- (2) Nonprofit chartered membership organizations.
- (3) Certain telecommunications antennas as set forth in Article 28.
- (4) Private commercial parking lots as a principal use.

E. Prohibited uses and structures:

(1) Any use or structure other than those uses or structures permitted in Subsection A, B, C or D above is prohibited.

(2) The operation of cultivation facilities, product manufacturing facilities and/or testing facilities for marijuana, hashish and/or cannabis, and/or products containing same, and/or paraphernalia that facilitates the use of marijuana, hashish and/or cannabis.

[Added 6-9-2021 by Ord. No. 2021-06]

(F) Bulk and lot regulations. The following bulk and lot regulations shall apply to all uses permitted in the AC Zone District, unless more stringent requirements are provided by this chapter:

(1) Minimum lot area. Every lot shall contain a minimum lot area of 40,000 square feet.

(2) Minimum lot width. Every lot shall have a minimum lot width of 100 feet.

(3) Minimum lot frontage. There shall be a minimum lot frontage of 100 feet for all lots.

(4) Minimum lot depth. There shall be a minimum of 200 feet of lot depth.

(5) Setbacks.

(a) Front. A fifty-foot front yard setback is required. A corner lot shall have a fifty-foot front yard which is parallel to the street with the larger right-of-way. The front yard on a street with a lesser right-of-way may be reduced to 30 feet. For corner lots facing two streets with equal rights-of-way, a fifty-foot front yard setback is required.

(b) Rear. A thirty-foot rear setback is required.

(c) Side. Minimum side yard shall be 15 feet with a total of 40 feet for both side yards. If the side property line is adjacent to a residential zone, a minimum of five feet is required to be heavily landscaped.

(6) Maximum building height. No principal building shall exceed the maximum of three habitable floors, exclusive of basement, but not more than 40 feet in height.

(7) Maximum building coverage shall not exceed 40%.

(8) Maximum impervious cover shall not exceed 80%.

(9) Minimum open space ratio. The minimum area of the lot that shall be provided as landscaped open space shall be 20% of the total lot area. Such landscaped area shall be planted with lawn, shrubs, hedges, flowering plants or trees. Walkways provided in such a landscaped area may be included in the minimum open space area, provided they do not exceed 5% of the total lot area.

(10) Maximum floor area ratio. The total habitable floor area of all buildings or structures on any lot shall not be more than 100% of the total lot area.

§ 120-23.6. C Commercial Zone District.

A. Purpose of district. The purpose of the C Commercial District is to encourage retail and wholesale sales, personal and business services, as well as business, administrative and professional offices. Well-planned, larger-scale commercial developments designed in a comprehensive manner, integrating the needs of pedestrians, employees and vehicles, are also encouraged. Multifamily residential buildings are also encouraged as a transitional use. This zone is intended to function as a transition zone between residential and industrial zones.

B. Permitted uses. In the C District, only the following uses shall be permitted, except as provided in Subsections C and D. Principal uses which are substantially similar to the listed principal uses shall be permitted uses.

- (1) Retail establishments.
- (2) Personal and consumer service uses.
- (3) Restaurants and eating and drinking establishments.
- (4) Taverns.
- (5) Banks and financial institutions, including drive-through banks.
- (6) Art, music and dance studios.
- (7) Motor inns and hotels.
- (8) Banquet and catering facilities.
- (9) General, administrative, executive and professional offices.
- (10) Medical offices.
- (11) Veterinary offices.
- (12) Computer and data processing centers.
- (13) Indoor commercial recreational facilities.
- (14) Museums, art galleries and indoor motion-picture theaters, and theaters for conducting live entertainment or cultural performances.
- (15) Child-care centers.
- (16) Municipal parking facilities.
- (17) Wholesale commercial establishments.
- (18) Dry cleaner.
- (19) Fine arts schools.
- (20) Private schools.
- (21) Automobile gasoline and service stations.
- (22) Car wash.
- ~~(23) Funeral homes.~~
- (24) Storage warehouse.
- (25) Any other use, in the opinion of the approving authority, substantially similar to those identified in this subsection.

C. Accessory uses and structures. Accessory uses and structures in the C Zone District shall be subject to the following requirements:

- (1) Parking and parking facilities as regulated in Article 27.
- (2) Signs as regulated in Article 31.
- (3) Antennas as regulated in Article 28.
- (4) Mobile storage structures are prohibited, except to the extent they are regulated by the definition of "mobile storage structures" in Article 1.
- (5) Outdoor seating in conjunction with a permitted restaurant or eating and drinking establishment.
- (6) Day-care center.
- (7) Storage areas.
- (8) Other accessory uses and structures customarily subordinate and incidental to permitted principal and/or permitted conditional uses.

(9) Reference is made to Article 24 as it relates to accessory uses and structures in nonresidential zones.

D. Conditional uses and structures. The following uses and structures shall be permitted in the C Zone District only if they comply with the appropriate regulations for such uses or structures in this chapter:

- (1) Public utility facilities.
- (2) Nonprofit chartered membership organizations.
- (3) Certain telecommunications antennas as set forth in Article 28.
- (4) Private commercial parking lots as a principal use.
- (5) Multifamily apartment buildings with a density of less than 26 units per acre.

E. Prohibited uses and structures:

- (1) Any use or structure other than those uses or structures permitted in Subsection A, B, C or D above is prohibited.
- (2) The operation of cultivation facilities, product manufacturing facilities and/or testing facilities for marijuana, hashish and/or cannabis, and/or products containing same, and/or paraphernalia that facilitates the use of marijuana, hashish and/or cannabis.

[Added 6-9-2021 by Ord. No. 2021-06]

F. Bulk and lot regulations. The following bulk and lot regulations shall apply to all uses permitted in the C Zone District, unless more stringent requirements are provided by this chapter:

- (1) Minimum lot area. Every lot shall contain a minimum lot area of 20,000 square feet.
- (2) Minimum lot width. Every lot shall have a minimum lot width of 100 feet.
- (3) Minimum lot frontage. There shall be a minimum lot frontage of 100 feet.
- (4) Minimum lot depth. There shall be a minimum of 100 feet of lot depth.
- (5) Setbacks.

(a) Front. A ten-foot front yard setback is required. A corner lot shall have a twenty-five-foot front yard which is parallel to the street with the larger right-of-way. The front yard on a street with a lesser right-of-way may be reduced to 15 feet. For corner lots facing two streets with equal rights-of-way, a twenty-five-foot front yard setback is required.

(b) Rear. A ten-foot rear setback is required.

(c) Side. Minimum side yard shall be five feet with a total of 15 feet for both side yards. If the side property line is adjacent to a residential zone, a minimum of five feet is required to be heavily landscaped.

- (6) Maximum building height. No principal building shall exceed the maximum of three habitable floors, exclusive of basement, but not more than 35 feet in height.
- (7) Maximum building coverage shall not exceed 50%.
- (8) Maximum impervious cover shall not exceed 80%.

(9) Minimum open space ratio. The minimum area of the lot that shall be provided as landscaped open space shall be 20% of the total lot area. Such landscaped area shall be planted with lawn, shrubs, hedges, flowering plants or trees. Walkways provided in such a landscaped area may be included in the minimum open space area, provided they do not exceed 5% of the total lot area.

(10) Maximum floor area ratio. The total habitable floor area of all buildings or structures on any lot shall not be more than 125% of the total lot area.

§ 120-23.8. I Industrial Zone District.

A. Purpose. This zone is designed to protect and concentrate those commercial and industrial/manufacturing uses that are currently viable and those sites for which industrial/commercial reuse is feasible and probable. It is also designed for those industrial and commercial uses which have a minimum of environmental impacts but have vehicular traffic or utilitarian or operational requirements that make them more appropriately located adjacent to major arterials and compatible land uses, rather than residential uses.

B. Permitted uses. In the I District, only the following uses shall be permitted, under the performance standards in § 120-22.14, except as provided in Subsections C and D. Principal uses which are substantially similar to the listed principal uses shall be permitted uses.

(1) Activities of an industrial nature and associated office and clerical activities, provided that they do not cause a nuisance or hazard due to fire, toxic or corrosive fumes, gas, smoke, odors, flashes or objectionable effluent.

(2) Public utility and public service activities of an industrial character.

(3) Public garages, automotive repair shops, and new motor vehicle sales and used motor vehicle sales in conjunction therewith, all fully enclosed in a building.

(4) Storage warehouses, lumber and building material sales and storage and contractor storage yards.

(5) Processing, assembling, finishing, packaging and storing of goods and materials.

(6) Packaging and bottling establishment.

(7) Metalworking and welding activities, excluding the use of heavy machinery of a nuisance-producing character.

(8) Household appliance repairs, reupholstering and furniture repairs.

(9) Research laboratories.

(10) Animal hospitals and kennels.

(11) Automotive service stations at which motor fuel and oil are dispensed; lubrication, maintenance and minor repair services are performed; tires, batteries and other automobile accessories are sold; and vehicles are washed, provided that they are not within 500 feet of another station, whether said station is inside or outside the Borough limits.

(12) Telecommunications towers, antennas and appurtenant facilities; all such uses shall comply with the provisions of Article 28. Clustering or grouping of multiple towers is disfavored in the Borough; co-location of antennas on existing towers is encouraged.

(13) Retail establishments.

(14) Personal and consumer service uses.

(15) Restaurants and eating and drinking establishments.

(16) Taverns.

- (17) Banks and financial institutions, including drive-through banks.
- (18) Art, music and dance studios.
- (19) General, administrative, executive and professional offices.
- (20) Medical offices.
- (21) Veterinary offices.
- (22) Computer and data processing centers.
- (23) Indoor commercial recreational facilities.
- (24) Child-care centers.
- (25) Wholesale commercial establishments.
- (26) Dry cleaner.
- (27) Fine arts schools.
- (28) Private schools.
- (29) Automobile gasoline and service stations.
- (30) Car wash.
- (31) Funeral Homes**

C. Accessory uses and structures. Accessory uses and structures in the I Zone District shall be subject to the following requirements:

- (1) Parking and parking facilities as regulated in Article 27.
- (2) Signs as regulated in Article 31.
- (3) Antennas as regulated in Article 28.
- (4) Mobile storage structures are prohibited, except to the extent they are regulated by the definition of "mobile storage structures" in Article 1.
- (5) Outdoor seating in conjunction with a permitted restaurant or eating and drinking establishment.
- (6) Storage areas and buildings as accessory uses shall preferably be confined to enclosed buildings, but may be permitted in outdoor areas or compounds, provided that such an area or compound shall be screened on all sides by a solid masonry wall, solid fence or dense evergreen planting not less than six feet in height. Such accessory storage shall not exceed 10% of the lot area and shall be so arranged at the rear of the building as to be minimally visible from a street. No unscreened outdoor storage areas shall be permitted.
- (7) Other accessory uses and structures customarily subordinate and incidental to permitted principal and/or permitted conditional uses.
- (8) Reference is made to Article 24 as it relates to accessory uses and structures in nonresidential zones.

D. Prohibited uses and structures:

- (1) Any use or structure other than those uses or structures permitted in Subsection A, B, or C above is prohibited.
 - (2) The operation of cultivation facilities, product manufacturing facilities and/or testing facilities for marijuana, hashish and/or cannabis, and/or products containing same, and/or paraphernalia that facilitates the use of marijuana, hashish and/or cannabis.
- [Added 6-9-2021 by Ord. No. 2021-06]**

E. Bulk and lot regulations. The following bulk and lot regulations shall apply to all uses permitted in the I Zone District, unless more stringent requirements are provided by this chapter:

- (1) Minimum lot area. Every lot shall contain a minimum lot area of 20,000 square feet.
- (2) Minimum lot width. Every lot shall have a minimum lot width of 100 feet.
- (3) Minimum lot frontage. There shall be a minimum lot frontage of 100 feet.
- (4) Minimum lot depth. There shall be a minimum of 100 feet of lot depth.
- (5) Setbacks.

(a) Front. A ten-foot front yard setback is required. A corner lot shall have a fifteen-foot front yard which is parallel to the street with the larger right of-way. The front yard on a street with a lesser right-of-way may be reduced to 10 feet. For corner lots facing two streets with equal rights-of way, a fifteen-foot front yard setback is required.

(b) Rear. A ten-foot rear setback is required.

(c) Side. Minimum side yard shall be five feet with a total of 15 feet for both side yards. If the side property line is adjacent to a residential zone, a minimum of five feet is required to be heavily landscaped.

(6) Maximum building height. No principal building shall exceed three stories and 40 feet in height.

(7) Maximum building coverage shall not exceed 50%.

(8) Maximum impervious cover shall not exceed 80%.

(9) Minimum open space ratio. The minimum area of the lot that shall be provided as landscaped open space shall be 20% of the total lot area. Such landscaped area shall be planted with lawn, shrubs, hedges, flowering plants or trees.

(10) Maximum floor area ratio. The total habitable floor area of all buildings or structures on any lot shall not be more than 125% of the total lot area.

F. Design and site requirements.

(1) Landscaping.

(a) All portions of a lot not covered by buildings and outdoor storage enclosures and pedestrian and vehicular surfaces shall be landscaped and thereafter maintained in good condition. "Landscaping" shall mean the planting of grass, shrubs, trees and other comparable ground cover. Appropriate foundation plantings along the front building line shall be provided.

(b) When the lot, or portion thereof, on which parking or loading spaces are located abuts the rear line or side line of, or is across the street from, any land in a residential district, a solid wall, solid fence or compact evergreen planting no less than four feet in height shall be provided and maintained in good condition. Such screen shall be located adjacent to parking or loading areas rather than on the periphery of the lot.

(c) Luminaries on off-street parking areas shall not be more than 15 feet above ground level and shall be arranged and designed so as not to cause offensive light or glare in abutting or nearby residential properties.

[Amended 9-12-2018 by Ord. No. 2018-14]

(2) Architectural appearance. No permit shall be granted in an I District for a building or use if the design or construction of the building is so markedly incongruous with the character of the neighborhood as to be seriously detrimental to the value of adjacent or nearby property. For this purpose, the Planning Board shall review all plans.

§ 120-23.12. CS Community Serving Zone District.

A. Purpose of district. The purpose of the Community Serving (CS) Zone District is to establish and preserve areas for community services which are needed to serve the residents of the Borough. The Community Serving District shall include those lands currently occupied by uses that serve the community while owned by nongovernmental organizations, such as the following:

- (1) Churches, synagogues and mosques.
- (2) Public and private educational institutions and services (other than state education facilities), including public, private and religious schools.
- (3) Veterans organizations.
- (4) Community groups.

B. Principal uses and structures: houses of worship; parochial schools; nonprofit chartered membership organizations; religious, recreational, social, educational and cultural purposes, subject to the performance standards in § 120-22.14.

C. Accessory uses and structures: off-street parking and signs.

D. Bulk and lot regulations: none. Reasonable standards shall be applied by the approving authority during site plan review.

E. Prohibited uses and structures:
[Added 6-9-2021 by Ord. No. 2021-06]

(1) The operation of cultivation facilities, product manufacturing facilities and/or testing facilities for marijuana, hashish and/or cannabis, and/or products containing same, and/or paraphernalia that facilitates the use of marijuana, hashish and/or cannabis.

(2) No new Community Serving uses shall be allowed with any frontage on the Boulevard.

SECTION 3. A copy of this Ordinance after adoption by the Municipal Council on first reading shall be submitted to the Planning Board for a Consistency Hearing, pursuant to N.J.S.A 40:55D-26a.

SECTION 4. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of this Ordinance shall remain valid and effective.

SECTION 5. This Ordinance shall take effect upon final passage and publication according to law.

Linda Karlovitch

Linda Karlovitch, Mayor

INTRODUCTION						COUNCILPERSON	FINAL ADOPTION					
Moved	Sec.	Aye	Nay	Abs.	NP		Moved	Sec.	Aye	Nay	Abs.	NP
		X				KAY CECERI			✓			
	X	X				MARK DAVID					✓	
X		X				JOSEPH FINISTRELLA	✓		✓			
		X				SCOTT PENTZ			✓			
		X				FRED PUGLIESE			✓			
		X				JOHN ZIMMERMAN		✓	✓			
Introduced: May 4, 2022						I hereby certify the above ordinance was adopted by the Borough Council of the Borough of Kenilworth, County of Union, State of New Jersey on the aforementioned date.						
Final Adoption: June 1, 2022												
						 Kathleen Moschitta, Deputy Borough Clerk						



BOROUGH OF KENILWORTH

AGENDA ♦ JUNE 15, 2022

WORK SESSION 6PM COUNCIL MEETING

COUNCIL MEETING COMMENCES UPON CONCLUSION OF THE WORK SESSION

In light of the public health emergency caused by Coronavirus, the Mayor and Borough Council Meetings the Council will continue to meet on their regularly scheduled meeting dates. The Regular Council Meeting will commence as soon as possible upon conclusion of the 6PM Work Session.

Open Public Meetings Notice

Salute to the Flag

Roll Call

Presentation: Kenilworth Municipal Drug Alliance Volunteer of the Year 2022 – Brian Pickton

Minutes: Reading of unapproved minutes of the Council Meeting of May 4, 2022 and May 18, 2022 and the Work Session minutes for April 20, May 4 and May 18, 2022. (emailed to all).

Communications:

Letter from Kenilworth Historical Society requesting approval for Town wide Garage Sale.

- Resignation letter from Library Board Member – GL
- Letter from RVSA regarding sale of flow rights for 2022

Borough Resolutions: - Consent Agenda

163. That all bills be paid when properly audited and funds are available
164. Medicare Reimbursement #1
165. Appoint DPW Laborer - KF
166. Appoint 2022 Recreation Summer Counselors
167. Resolution Authorizing a limited license and agreement to Kenilworth Bar, LLC
168. Liquor License Renewals for 2022-2023
169. Authorizing Settlement Agreement for Government Records Council for OPRA
170. Resolution authorizing preparation and issuance of Estimated Tax bill
171. Bid award to Messicola Excavating Co. for DiMario Park Soccer Field
172. Resolution accepting additional Municipal Alliance Grant Funds - \$1,884.00

Ordinances: None

Meeting Open to the Public

General Business

Adjournment

Council reserves the right to go into Closed Session if needed. (*Closed Session Meeting Resolution*)

Adjournment

Time: _____

BOROUGH OF KENILWORTH
COUNCIL MEETING – JUNE 15, 2022
CONSENT AGENDA

The following resolutions, listed on a Consent Agenda, are offered by Council Member Pugliese and seconded by Council Member Zimmerman

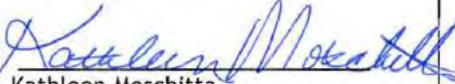
Resolution No.

- 173. That all bills be paid when properly audited and funds are available
- 174. Resolution Appointing Probationary Firefighter and Probationary EMT
- 175. Recommendation letter from Borough Engineer for Sidewalk Replacement Phase 4
- 176. Authorize 3rd Payment – AIM Contractors – NJDOT 2021 Roadway \$213,603.01
- 177. Resolution supporting Historical Society Town-wide Garage Sale and Waive Fees
- 178. Resolution authorizing submittal of the 2022 Kids Recreation and Greening Grant
- 179. Resolution authorizing grant application and contract for DOT Highway Safety Fund
- 180. Resolution for Tax Lien 108 North Michigan Ave.
- 181. Resolution for Tax Lien 231 North 8th Street
- 182. Appointment of Senior Director - DC

Approved: 
 Linda Karlovitch, Mayor

	M O V E D	S E C O N D E D	A Y E S	N A Y S	A B S T A I N	A B S E N T
Councilwoman Kay Ceceri			✓			
Councilman Mark David			✓			
Councilman Joseph Finistrella						✓
Councilman Scott Pentz			✓			
Councilman Fred Pugliese	✓		✓			
Councilman John Zimmerman		✓	✓			
ON CONSENT AGENDA			Yes <u> </u>	No <u> </u>		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on June 15 2022.


 Kathleen Moschitta,
 Deputy Borough Clerk

RESOLUTION

No. 163

KENILWORTH, N.J.

JUNE 15, 2022

Introduced by: CONSENT AGENDA
Seconded by: _____

BE IT RESOLVED, by the Borough of Kenilworth, County of Union, New Jersey, that the summary of bills in the total amount of \$1,236,050.54 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 2022 Borough of Kenilworth Budget to fund the payment of the following bills attached hereto and made a part of this resolution.

June 13, 2022
01:37 PM

BOROUGH OF KENILWORTH
Purchase Order Listing By Vendor Id

Totals by Year-Fund Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND	1-01	4,837.61	0.00	0.00	4,837.61
CURRENT FUND	2-01	1,017,248.85	0.00	0.00	1,017,248.85
GENERAL CAPITAL	C-04	59,000.00	0.00	0.00	59,000.00
GRANTS	G-02	3,738.09	0.00	0.00	3,738.09
COMMUNITY DEVELOPMENT	T-06	300.00	0.00	0.00	300.00
Total of All Funds:		1,085,124.55	0.00	0.00	1,085,124.55

June 9, 2022
02:38 PM

BOROUGH OF KENILWORTH
Check Payment Batch Verification Listing

Page No: 1

Batch Id: LMR Batch Type: M Batch Date: 06/13/22 Checking Account: WIRE CURRENT G/L Credit: Budget G/L Credit
Generate Direct Deposit: N

Check No. PO #	Check Date Ent Date	Vendor # Name Item Description	Payment Amt	Street 1 of Address to be printed on check Charge Account	Account Type	Status	Seq	Acct
43 22-00819	06/13/22 06/08/22	04061 STATE OF NJ PENSIONS & BENEFIT 1 RETIREES HLTH BENEFITS JUNE	57,851.54	HEALTH BENEFITS BUREAU 2-01-23-713-176	Budget	Aprv	1	1
			57,851.54	INSURANCE - HEALTH RETIRED EMPLOYEES				
44 22-00818	06/13/22 06/08/22	04060 STATE OF NJ PENSIONS & BENEFIT 1 JUNE ACTIVE EMPLOYEE HLTH BENEF	93,074.45	P.O. BOX 19519 2-01-23-733-175	Budget	Aprv	2	1
			93,074.45	INSURANCE - HEALTH - ACTIVE EMPLOYEES				

checks: Count 2 Line Items 2 AMOUNT 150,925.99

there are NO errors or warnings in this listing.

Wire payments

June 9, 2022
02:38 PM

BOROUGH OF KENILWORTH
Check Payment Batch Verification Listing

Page No: 2

Totals by Year-Fund Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUNDS	2-01	150,925.99	0.00	0.00	150,925.99
Total of All Funds:		150,925.99	0.00	0.00	150,925.99

G/L Posting Summary

Account	Description	Debits	Credits
2-01-101-01-000-001	CASH - CURRENT FUND	0.00	150,925.99
2-01-201-20-700-010	CURRENT YEAR APPROPRIATIONS	150,925.99	0.00
	Grand Total:	150,925.99	150,925.99

Approved:



Linda Karlovitch, Mayor

	MOVED	SECONDE	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David			✓			
Councilman Joseph Finistrella						✓
Councilman Scott Pentz			✓			
Councilman Fred Pugliese	✓		✓			
Councilman John Zimmerman		✓	✓			
Mayor Linda Karlovitch						

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on June 15, 2022.



Kathleen Moschitta,
Deputy Borough Clerk

RESOLUTION

No. 164

KENILWORTH, N.J.

June 15, 2022

Introduced by: _____
Seconded by: _____

CONSENT AGENDA

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 January 1, 2022 through June 30, 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 January 1, 2022 through June 30, 2022 for the total inclusive amount of \$32,171.70, 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 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.
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.

Retirees	Premium	Months	Adjustments	Total
Michael Ciravolo	148.5	6		\$891.00
Mary Ciravolo - Spouse	148.5	6		\$891.00
Brent David	170.1	6		\$1,020.60
Carol David (spouse)	170.1	6		\$1,020.60
Marie (spouse) - Charles David (Deceased)x	170.1	6		\$1,020.60
Richard Dopf -	169.1	6		\$1,014.60
Carleen Dopf - Spouse	170.1	6		\$1,020.60
William Dowd -	170.1	6		\$1,020.60
Bonnie Dowd	170	3	April, May, June	\$510.30
Kristine Fennes - Spouse	170.1	6		\$1,020.60
Jeffery Ferguson	148.1	6		\$888.60
Kenneth Grady -	170.1	6		\$1,020.60
Susan Grady - spouse	170.1	6		\$1,020.60
Patricia Howarth -	170.1	6		\$1,020.60
Robert E. Jeans - Jan & Feb 2022	148.5	2		\$297.00
Robert Jeans - March thru May 2022	184.5	3		\$553.50
Robert Jeans June	170.1	1		\$170.10
Lenore Jeans	170.1	6		\$1,020.60
Nancy Moll	170.1	6		\$1,020.60
			IRMAA adjustment	
William OMalley	442.3	6		\$2,653.80
Karen Pavone	170.1	6		\$1,020.60
Joseph Pavone	170.1	6		\$1,020.60
Scott Phillips	170	6		\$1,020.00
Joseph Rego	170.1	6		\$1,020.60
Rose Rego - Spouse	138.1	6		\$828.60
Victor Smith (Deceased) - Margaret (spouse)	170.1	6		\$1,020.60
Frank Szelinggiewicz - (spouse)	170.1	6		\$1,020.60
Joanne Szelinggiewicz	170.1	6		\$1,020.60
			IRMAA adjustment	
Donald Tisch -	340.2	6		\$2,041.20
			2021 Documentation Not Submitted	
Louis Vitale -	0	6		\$0.00
Debra Weiss	170.1	6		\$1,020.60
Robert Weiss - spouse	170.1	6		\$1,020.60
Richard Wood	170.1	6		\$1,020.60
				\$32,171.70

Approved:

Linda Karlovitch

Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David			✓			
Councilman Joseph Finistrella						✓
Councilman Scott Pentz			✓			
Councilman Fred Pugliese	✓		✓			
Councilman John Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA		Yes <input checked="" type="checkbox"/>		No <input type="checkbox"/>		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on June 15, 2022.

Kathleen Moschitta

Kathleen Moschitta, Acting Borough Clerk

RESOLUTION

KENILWORTH, N.J.

June 15, 2022

No. 165

CONSENT AGENDA

Introduced by: _____

Seconded by: _____

BE IT HEREBY RESOLVED, that **Kevin Filipe** of 305 North 16th Street, Kenilworth, NJ 07033 be employed as a Laborer in the Kenilworth Department of Public Works as of July 5, 2022 at a rate of \$18.50 per hour subject to a 90-day probationary period. The hourly rate will increase to \$20.00 per hour upon a successful 90-day evaluation.

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

BE IT FURTHER RESOLVED that the CFO has certified that sufficient uncommitted funds are available in the 2022 Borough of Kenilworth Budget.

Linda Karlovitch

Approved: _____
Linda Karlovitch, Mayor

	MOVED	SECONDE	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David			✓			
Councilman Joseph Finistrella					✓	
Councilman Scott Pentz			✓			
Councilman Fred Pugliese	✓		✓			
Councilman John Zimmerman		✓	✓			
Mayor Linda Karlovitch						

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on June 15, 2022.

Kathleen Moschitta

Kathleen Moschitta,
Deputy Borough Clerk

RESOLUTION

No. 166

KENILWORTH, N.J.

JUNE 15, 2022

Introduced by: _____

Seconded by: _____

CONSENT AGENDA

BE IT HEREBY RESOLVED that the Borough of Kenilworth, County of Union will sponsor a youth Summer Camp program beginning June 27, 2022 and ending August 19, 2022; and that the following be employed as Recreation Summer Staff pending successful completion of a criminal background check for adults and internal juvenile records check and submission of required payroll documents. The hours of operation are 9AM to 3PM, Monday to Friday.

WHEREAS the program will require 13 Summer Camp Counselors and 1 Camp Director; Counselors will also work After Care at their normal rate of pay if and when needed. Minors will not work more than 8 hrs. per day, 40 hours per week in accordance with the New Jersey Child Labor Laws. After care hours are 3PM to 6:30 PM Monday through Friday.

	<u>Name</u>	<u>Title</u>		<u>Pay Rate</u>		<u>Est. # Hrs/Wk</u>
1	Dani Mauro	Camp Director	Teacher-Salary	\$ 590.00	Weekly	8
2	Rae Mauro	Counselor	College Student	\$ 13.50	hour	8
3	Jessica Skwarek	Counselor	College Student	\$ 13.50	hour	8
4	Joe Galati	Counselor	Student	\$ 13.50	hour	8
5	Aiden Samila	Counselor	College Student	\$ 13.00	hour	8
6	Mikey Graham	Counselor	College Student	\$ 13.00	hour	8
7	Amalia Perez	Counselor	Student	\$ 13.00	Hour	8
8	Brianna Bowles	Counselor	Student	\$ 13.00	Hour	8
9	Amber Fernandes	Counselor	Student	\$ 13.00	Hour	8
10	Jake Zawacki	Counselor	Student	\$ 13.00	Hour	8
11	Casey Willis	Counselor	Student	\$ 13.00	Hour	8
12	Shannon Willis	Counselor	Student	\$ 13.00	Hour	8
13	Joseph Mattos	Counselor	Student	\$ 13.00	Hour	8
14	Nim Kaur	After Care Counselor	Student	\$ 13.00	Hour	8

BE IT FUTHER RESOLVED, that the above appointments are not eligible holiday, sick, or vacation pay, And that the Borough of Kenilworth's Chief Financial Officer has certified that sufficient uncommitted funds are available in the 2022 Borough of Kenilworth Budget for the purposes set forth herein.

Linda Karlovitch

Approved:

Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David			✓			
Councilman Joseph Finistrella						✓
Councilman Scott Pentz			✓			
Councilman Fred Pugliese	✓		✓			
Councilman John Zimmerman		✓	✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes	✓	No			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on June 15, 2022.

Kathleen Moschitta

Kathleen Moschitta,
Acting Borough Clerk

RESOLUTION

No. 167

KENILWORTH, N.J.

June 15, 2022

Introduced by: _____
Seconded by: _____

CONSENT AGENDA

WHEREAS, Kenilworth Bar, LLC doing business as Ava's Kitchen & Bar, LLC, located at 1 North 21st Street, requested the use of the Borough Parking Lot located between North 21st and North 22nd Streets on June 14, 2022 between the hours of 5:30 PM and 9:30 PM to host a whisky dispensing cement truck and serve patrons food and alcohol, for a special whiskey event; and

WHEREAS, the Governing Body of the Borough of Kenilworth is interested in facilitating this event and allowing Kenilworth Bar, LLC doing business as Ava's Kitchen & Bar, LLC to enter onto and use the Borough's Parking Lot subject to the terms and conditions of an limited license, indemnification and hold harmless agreement, consisting of other terms required by the Borough Attorney; and

WHEREAS, the Kenilworth Bar, LLC doing business as Ava's Kitchen & Bar, LLC agrees to execute the limited license, indemnification and hold harmless agreement.

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

1. Mayor Karlovitch is hereby authorized to execute a limited license, indemnification and hold harmless agreement, in the form attached hereto, with Kenilworth Bar, LLC doing business as Ava's Kitchen & Bar, LLC authorizing their use of the Borough Parking Lot, situated between North 21st and North 22nd Streets within the Borough of Kenilworth, on June 14, 2022 between the hours of 5:30 PM and 9:30 PM.
2. A fully executed copy of the limited license, indemnification and hold harmless agreement shall be kept on file in the Clerk's Office.
3. This indemnification and hold harmless agreement is ratified from June 14, 2022 until the date of adoption of this resolution by the Municipal Council.

Approved: *Linda Karlovitch*
 Linda Karlovitch, Mayor

	MOVED	SECONDE	AYES	NAYS	ABSTAIN	ABSENT
						I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on June 15, 2022. <i>Kathleen Moschitta</i> Kathleen Moschitta, Deputy Borough Clerk
Councilwoman Kay Ceceri			✓			
Councilman Mark David			✓			
Councilman Joseph Finistrella					✓	
Councilman Scott Pentz			✓			
Councilman Fred Pugliese	✓		✓			
Councilman John Zimmerman		✓	✓			
Mayor Linda Karlovitch						

RESOLUTION

No. 168

KENILWORTH, N.J.

June 15, 2022

Introduced by: CONSENT AGENDA

Seconded by: _____

WHEREAS, 2022-2023 applications for renewal of liquor licenses have been submitted electronically to the Division of Alcoholic Beverages; and

WHEREAS, the appropriate municipal fees have been received and Alcoholic Beverage Retail Licensee Tax Clearance Certificates issued; and

WHEREAS, the Police Department and Health Department have found no cause to object to this renewal, nor have any protests been filed with the Clerk's office.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Kenilworth that the renewal of the Alcoholic Beverage Licenses for the following are hereby approved:

- 2008-31-015-001 American Legion Post No. 470 Kenilworth, t/a American Legion Kenilworth 470
- 2008-31-016-001 Columbian Club of Kenilworth, t/a Columbian Club
- 2008-33-010-006 Kenilworth Veterans Center Club, Inc.
- 2008-33-011-001 Lucky G, Inc. t/a Buffys
- 2008-36-004-008 Kenilworth Hospitality, LLC t/a The Kenilworth
- 2008-44-012-006 R & S Beverage LLC
- 2008-33-001-004 CJMK, Inc., t/a La Griglia
- 2008-44-009-004 Lehar Liquor Corp.
- 2008-33-008-008 Kenilworth Bar LLC
- 2008-33-005-008 Gavelstone Bar & Grill LLC
- 2008-33-013-011 Butternut Café LLC t/a Boulevard Five 72
- 2008-33-002-008 M & A Restaurant LLC t/a LaCampanola
- 2008-33-007-009 CQD S INC t/a Taormina Ristorante
- 2008-33-003-010 Angelo's Restaurant and Steak House LLC

Approved: 
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David			✓			
Councilman Joseph Finistrella			✓			✓
Councilman Scott Pentz			✓			
Councilman Fred Pugliese	✓		✓			
Councilman John Zimmerman		✓	✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA		Yes <u>✓</u>	No <u> </u>			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on June 15, 2022.


Kathleen Moschitta,
Acting Borough Clerk

RESOLUTION

No. 169

KENILWORTH, N.J.

JUNE 15, 2022

Introduced by: _____

CONSENT AGENDA

Seconded by: _____

WHEREAS, on or about December 30, 2019, the African American Data & Research Institute requested certain records from the Borough of Kenilworth pursuant to the Open Public Records Act, N.J.S.A. 47:1A-1 et seq. ("OPRA") consisting of six (6) categories of records; and

WHEREAS, on or about January 2, 2020, the Borough sought a special service charge prior to the production of the requested records; and

WHEREAS, on or about March 18, 2020, Complainant filed a Complaint with the Government Records Counsel ("GRC"), entitled Rotimi Owoh, Esq. (On Behalf of African American Data & Research Institute v. Borough of Kenilworth (Union)), under GRC Complaint No.: 2020-67, challenging the Borough's denial of the requested records and special service charge; and

WHEREAS, in an Interim Order dated February 22, 2022, the GRC made a finding that the Borough was required to provide the responsive records to the OPRA request without imposing a special service charge; and

WHEREAS, the Borough complied with the Interim Order of the GRC dated February 22, 2022, and supplied the records requested by Complainant within the allotted time frame; and

WHEREAS, in an Interim Order dated April 19, 2022, the GRC made a conclusion and recommendation that Complainant was a prevailing party entitled to an award of reasonable attorney's fees pursuant to N.J.S.A. 47:1A-6; and

WHEREAS, in order to avoid further expense and uncertainty of the further prosecution and defense of this action related to reasonable attorney's fees, Complainant and the Borough have reached an agreement as to attorney's fees, and the desire to amicably settle and resolve their dispute as stated hereinabove; and

WHEREAS, the Complainant has agreed to accept \$6,000.00 in full and final payment for the attorneys' fees at issue, instead of \$7,215.68 incurred by Complainant, resulting in a cost savings to the Borough in the amount of \$1,215.68; and

WHEREAS, based upon all the facts and circumstances and the applicable law surrounding this matter, Borough Counsel deems it is in the best interests of the Borough to enter into such a settlement.

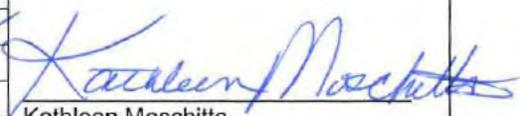
NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Kenilworth, County of Union, State of New Jersey, that:

- 1) The Settlement Agreement and Release, in the form as annexed hereto as **Exhibit A**, be and hereby is approved for the payment of Complainant's attorney's fees in an amount not to exceed \$6,000.00 to "Law Office of Rotimi Owoh" 100 Overlook Drive, 2nd Floor, Princeton, New Jersey 08540, upon receipt of all executed settlement documents deemed necessary in this matter; and
- 2) The Mayor is hereby authorized and directed to execute the Settlement Agreement and Release, in the form as annexed hereto as **Exhibit A**; and
- 3) A copy of this Resolution and the executed Settlement Agreement and Release shall be filed in the Office of the Borough of Kenilworth's Municipal Clerk; and
- 4) Warrants shall be drawn for the necessary obligations by the Chief Finance Officer ("CFO") prior to the next regularly scheduled Council Meeting; and
- 5) 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; and
- 6) The CFO has certified that sufficient uncommitted funds are available in the 2022 Borough of Kenilworth Budget to fund the payment of this settlement.

Approved: 
Linda Karlovitch, Mayor

	MOVED	SECONDE	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri				✓		
Councilman Mark David				✓		
Councilman Joseph Finistrella				✓		✓
Councilman Scott Pentz				✓		
Councilman Fred Pugliese	✓			✓		
Councilman John Zimmerman		✓		✓		
Mayor Linda Karlovitch						

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on June 15, 2022.


Kathleen Moschitta,
Deputy Borough Clerk

RESOLUTION

No. 170

KENILWORTH, N.J.

June 15, 2022

Introduced by: _____
 Seconded by: _____

CONSENT AGENDA

WHEREAS, in accordance with Chapter 72, P.L. 1994, the Borough of Kenilworth (hereinafter, the "Borough") has the authority to prepare and issue estimated tax bills; and,

WHEREAS, in order for the Borough to meet its financial obligations, maintain the tax collection rate, provide uniformity for tax payments, and save the unnecessary cost of interest expenses on borrowing, the Mayor and Council (hereinafter, the "Governing Body") of the Borough find it to be within the best interests of the Borough to issue estimated tax bills; and,

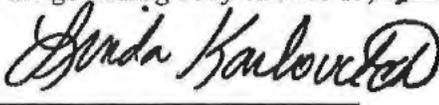
WHEREAS, the Tax Collector and Chief Financial Officer of the Borough have reviewed and computed an estimated levy in accordance with N.J.S.A. 54:4-66.3 and recommend formal authorizing action by the Governing Body.

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

1. The Tax Collector of the Borough is hereby authorized and directed to prepare and issue estimated property tax bills for third-quarter 2022 in accordance with the provisions of N.J.S.A. 54:4-66.2 et seq. in the event a tax rate is not certified timely; and,
2. The entire estimated tax levy for 2022 is hereby set at \$44,445,322.07.

ADOPTED: June 15, 2022

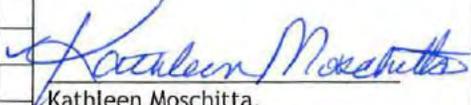
I hereby certify that the foregoing Resolution was acted upon by the governing body on June 15, 2022 with the below captioned results on a motion to adopt.

Approved: 

Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAVS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David			✓			
Councilman Joseph Finistrella			✓			
Councilman Scott Pentz			✓			
Councilman Fred Pugliese	✓		✓			
Councilman John Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA		Yes	✓	No		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on June 15, 2022.


 Kathleen Moschitta,
 Deputy Borough Clerk

RESOLUTION

No. 171

KENILWORTH, N.J.

JUNE 15, 2022

Introduced by: _____

CONSENT AGENDA

Seconded by: _____

WHEREAS, on May 26, 2022, the Borough of Kenilworth's Engineer, Harbor Consultants, Inc. advertised for the receipt of bids for the construction of a new soccer field at DiMario Park. The work generally consists of a new soccer field including site demolition, grading, drainage, relocation of softball field, topsoil, seeding, new irrigation system, relocation of existing score board, and relocation of existing shed, and other incidental and/or related construction items as set forth in the bid specifications (the "New Soccer Field"), pursuant to the Local Public Contracts Laws, N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, on June 9, 2022, the scheduled date for the public opening of bids, two (2) bids were received for the construction of the New Soccer Field; and

WHEREAS, on June 9, 2022, Harbor Consultants, Inc., recommend to the Borough that the contract be awarded to Messercola Excavating Co., Inc., 549 E 3rd St, Plainfield, NJ 07060 the lowest responsible bidder, for the construction of the New Soccer Field, in the total bid amount of \$386,000.00, which includes \$3,000.00 for Alternate Bid 1; and

WHEREAS, the Borough Council has determined that it is in the best interest to accept the bid proposal and execute a contract with Messercola Excavating Co., Inc. for the construction of the New Soccer Field, with the lowest responsible bidder, Messercola Excavating Co., Inc., in the total bid amount of \$386,000.00, which includes \$3,000.00 for Alternate Bid 1; and

WHEREAS, the public advertisement, the receipt of public bids and the award of the contract to the lowest responsible bidder, pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq., constitutes a Fair and Open Process pursuant to the Local Pay to Play Law, N.J.S.A. 19:44A:20.5, et seq.

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

1. The Mayor and Council are hereby authorized to accept the bid submitted by the lowest responsible bidder, Messercola Excavating Co., Inc., 549 E 3rd St, Plainfield, NJ 07060, for the construction of the New Soccer Field at Dimario Park, which included other incidental and/or related construction items as set forth in the advertisement for bids (the "New Soccer Field").

2. The Mayor is authorized to enter into and execute a contract with Messercola Excavating Co., Inc., 549 E 3rd St, Plainfield, NJ 07060 for the construction of the "New Soccer Field, for the total bid amount of \$386,000.00, which includes \$3,000.00 for Alternate Bid 1.
3. The Borough's CFO has certified that sufficient uncommitted funds are available in the 2022 Borough of Kenilworth Budget to fund the payment to Messercola Excavating Co., Inc., 549 E 3rd St, Plainfield, NJ 07060 for the construction of the "New Soccer Field.
4. This contract is being awarded pursuant to the Fair and Open Procedures of the Pay to Play Law, N.J.S.A. 19:44A-20.5, et seq. and in accordance with the public bid procedures pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.
5. No changes to this contract shall be allowed or authorized without prior Municipal Council approval.
6. There shall be no advance payments made against this contract in accordance with N.J.A.C. 40A:5-16.
7. A fully executed copy of the contract shall be filed in the Office of the Borough Clerk.
8. The contract shall commence upon the issuance of a notice to proceed by Harbor Consultants, Inc. and shall be completed no later than October 1, 2022.

Approved:



Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David			✓			
Councilman Joseph Finistrella						✓
Councilman Scott Pentz			✓			
Councilman Fred Pugliese	✓		✓			
Councilman John Zimmerman		✓	✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA		Yes <u>✓</u>	No <u> </u>			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on June 15, 2022.



Kathleen Moschitta, Acting Borough Clerk

RESOLUTION

No. 172

KENILWORTH, N.J.

JUNE 15, 2022

Introduced by: _____
CONSENT AGENDA

Seconded by: _____

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

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

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

WHEREAS, the Borough Council applied for and received Drug Enforcement Demand Reduction (DEDR) Grant Funds from the Governor's Council on Alcoholism and Drug Abuse through the County of Union in the amount of \$8,068.00 for the FY 2023, with a Borough cash match of 25% of the DEDR allocation (\$2,017.00) and an in-kind match of 75% of the DEDR allocation (\$6,051.00) required; and

WHEREAS, the County of Union notified the Borough that it received additional DEDR Grant Funds in the amount of \$1,884.00 for FY 2023, with a Borough cash match of 25% of the DEDR allocation (\$471.00) and an in-kind match of 75% of the DEDR allocation (\$1,413.00) required; and

WHEREAS, the County of Union has requested that the Borough submit an amended application Form 1A, strategic plan for the Kenilworth Municipal Alliance, attached hereto and made a part of this resolution, which includes both grant funds awarded for the FY 2023.

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

1. The Mayor and Council is hereby authorized to accept the additional DEDR Grant Funds in the amount of \$1,884.00 for FY 2023 for the Kenilworth Municipal Alliance, with a Borough cash match of 25% of the DEDR allocation

(\$471.00) and an in-kind match of 75% of the DEDR allocation (\$1,413.00) required.

2. The Mayor and/or her designee are hereby authorized to submit an amended application Form 1A, strategic plan for the Kenilworth Municipal Alliance, for Drug Enforcement Demand Reduction (DEDR) Grant Funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Union, with a Borough cash match of 25% of the DEDR allocation (\$471.00) and an in-kind match of 75% of the DEDR allocation (\$1,413.00) required.
3. Upon receipt of a grant agreement from the County of Union in connection with this application and these grant awards, the Mayor and/or her designee are hereby authorized to enter into and execute grant documents with Governor's Council on Alcoholism and Drug Abuse through the County of Union to receive and expend the grant awards for the Kenilworth Municipal Alliance.
4. The Borough Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.
5. The Borough's CFO has certified that sufficient uncommitted funds are available in the 2022 Borough of Kenilworth Budget to fund the payment of the cash match portion of the grants.
6. The Mayor and/or her designee shall file a fully-executed copy of the amended grant application Form 1A, strategic plan for the Kenilworth Municipal Alliance, the grant award letters, the grant agreement, and a copy of the Certification of Funds for any required matching funds in the Office of City Clerk

Approved:



Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David			✓			
Councilman Joseph Finistrella			✓			
Councilman Scott Pentz			✓			
Councilman Fred Pugliese	✓		✓			
Councilman John Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes	✓	No			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on June 15, 2022.



Kathleen Moschitta, Acting Borough Clerk

CERTIFICATION

I, Kathleen Moschitta, Acting Municipal Clerk of the Borough of Kenilworth, County of Union, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Borough Council on this 15 day of June, 2022.



BOROUGH OF KENILWORTH

AGENDA ♦ JULY 13, 2022

WORK SESSION 6:30PM COUNCIL MEETING

COUNCIL MEETING COMMENCES UPON CONCLUSION OF THE WORK SESSION

In light of the public health emergency caused by Coronavirus, the Mayor and Borough Council Meetings the Council will continue to meet on their regularly scheduled meeting dates. The Regular Council Meeting will commence as soon as possible upon conclusion of the 6PM Work Session.

Open Public Meetings Notice

Salute to the Flag

Roll Call

Minutes: Reading of unapproved minutes of the Council Meeting and Work Session of June 1, 2022. (emailed to all).

Communications:

- Letter from Dept. of Community Affairs – Notice of Late Introduction of Budget
- Letter from William Krueger, Fire Chief appointing Probationary Firefighter and EMT

Department Reports for June 2022: Clerk's Office, Police Department, Finance Department, Fire Department, Finance Department and Building Department.

Ordinance: 2022-10 AN ORDINANCE OF THE MUNICIPAL COUNCIL OF THE BOROUGH OF KENILWORTH PROVIDING FOR A "CAP" ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK 2022 (N.J.S.A. 40a:4-45.14).

Borough Resolutions: - Consent Agenda

173. That all bills be paid when properly audited and funds are available
174. Resolution Appointing Probationary Firefighter and Probationary EMT
175. Recommendation letter from Borough Engineer for Sidewalk Replacement Phase 4
176. Authorize 3rd Payment – AIM Contractors – NJDOT 2021 Roadway \$213,603.01
177. Resolution supporting Historical Society Town-wide Garage Sale and Waive Fees
178. Resolution authorizing submittal of the 2022 Kids Recreation and Greening Grant
179. Resolution authorizing grant application and contract for DOT Highway Safety Fund
180. Resolution for Tax Lien 108 North Michigan Ave.
181. Resolution for Tax Lien 231 North 8th Street
182. Appointment of Senior Director - DC

183. Budget

Introduction of 2022 Municipal Budget – Resolution #183

Meeting Open to the Public

General Business

Council reserves the right to go into Closed Session if needed. (*Closed Session Meeting Resolution*)

Adjournment

Time: _____



BOROUGH OF KENILWORTH

AGENDA ♦ JULY 13, 2022

WORK SESSION 6:30PM COUNCIL MEETING

COUNCIL MEETING COMMENCES UPON CONCLUSION OF THE WORK SESSION

Adjournment

Council reserves the right to go into Closed Session if needed. *(Closed Session Meeting Resolution)*

Adjournment

Time:

BOROUGH OF KENILWORTH
COUNCIL MEETING – JULY 13, 2022
CONSENT AGENDA

The following resolutions, listed on a Consent Agenda, are offered by Council Member Finistrella and seconded by Council Member Pentz

Resolution No.

- 173. That all bills be paid when properly audited and funds are available
- 174. Resolution Appointing Probationary Firefighter and Probationary EMT
- 175. Recommendation letter from Borough Engineer for Sidewalk Replacement Phase 4
- 176. Authorize 3rd Payment – AIM Contractors – NJDOT 2021 Roadway \$213,603.01
- 177. Resolution supporting Historical Society Town-wide Garage Sale and Waive Fees
- 178. Resolution authorizing submittal of the 2022 Kids Recreation and Greening Grant
- 179. Resolution authorizing grant application and contract for DOT Highway Safety Fund
- 180. Resolution for Tax Lien 108 North Michigan Ave.
- 181. Resolution for Tax Lien 231 North 8th Street

Approved:



Linda Karlovitch, Mayor

	M O V E D	S E C O N D E D	A Y E S	N A Y S	A B S T A I N	A B S E N T
Councilwoman Kay Ceceri			✓			
Councilman Mark David			✓			
Councilman Joseph Finistrella	✓		✓			
Councilman Scott Pentz		✓	✓			
Councilman Fred Pugliese						✓
Councilman John Zimmerman			✓			
ON CONSENT AGENDA			Yes <u>✓</u>	No <u> </u>		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on July 13, 2022.



Kathleen Moschitta,
Deputy Borough Clerk

RESOLUTION

No. 173

KENILWORTH, N.J.

July 13, 2022

Introduced by: _____
 Seconded by: _____

CONSENT AGENDA

BE IT RESOLVED, by the Borough of Kenilworth, County of Union, New Jersey, that the summary of bills in the total amount of \$1,920,237.27 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 2022 Borough of Kenilworth Budget to fund the payment of the following bills attached hereto and made a part of this resolution.

July 13, 2022
02:22 PM

BOROUGH OF KENILWORTH
Check Register by Check #

Page No: 1

Range of Checking Account: NONE CURRENT to NONE CURRENT
 Report Types: All Checks Report Format: Condensed

Range of Check Ids: 45 to 45
 Check Type: Computer: Manual: Deposit:

Check #	Check Date	Vendor	Description	Amount Paid	Reconciled/Avoid Ref Num	Contract
45	07/12/22	04060	STATE OF NJ PENSIONS & BENEFIT		2167	
22-00964	JULY GRP HLTH ACTIVE EMPLOYEES			77,227.15		
46	07/12/22	04063	STATE OF NJ PENSIONS & BENEFIT		2167	
22-00963	JULY GRP HLTH EXTENDES			45,703.00		

Report Totals:

	Paid	Void	Amount Paid	Amount Void
checks:	2	0	122,930.15	0.00
direct deposits:	0	0	0.00	0.00
Total:	2	0	122,930.15	0.00

July 13, 2022
07:12 PM

BOROUGH OF KENILWORTH
Check Register by Check #

Page No: 2

Totals by Year-Range & Description	Fund	Budget Total	Revenue Total	Q/L Total	Total
CURRENT FUND	2-21	157,428.15	0.00	0.00	157,428.15
Total of All Funds:		157,428.15	0.00	0.00	157,428.15

GRANTS	G-02	14,995.93	0.00	0.00	14,995.93
GENERAL TRUST	T-03	8,070.08	0.00	0.00	8,070.08
COMMUNITY DEVELOPMENT	T-05	1,262.00	0.00	0.00	1,262.00
AYDHAL CONTROL TRUST	T-15	2,644.34	0.00	0.00	2,644.34
Year Total:		31,976.42	0.00	0.00	31,976.42
Total of All Funds:		1,762,809.12	0.00	0.00	1,762,809.12

Linda Karlovitch

Approved:

Linda Karlovitch, Mayor

	MOVED	SECONDED	AVES	ABSTAIN	ABSENT	
Councilwoman Kay Celeri						I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on July 13, 2022. <i>Kathleen Moschitta</i> Kathleen Moschitta, Acting Borough Clerk
Councilman Mark David						
Councilman Joseph Pinistrella						
Councilman Scott Pentz						
Councilman Fred Pugliese						
Councilman John Zimmerman						
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes	✓	No			

RESOLUTION

No. 175

KENILWORTH, N.J.

JULY 13, 2022

Introduced by: CONSENT AGENDA

Seconded by: _____

WHEREAS, on June 9, 2022, the Borough of Kenilworth's Engineer, Harbor Consultants, Inc. advertised for the receipt of bids for Sidewalk Replacement Phase 4, Boulevard from North 19th Street to North 20th Street, Kenilworth, NJ. The work generally consists of removing concrete paver sidewalks, removal of street trees, installation of colored scored concrete sidewalk and street trees, as set forth in greater detail in the bid specifications, pursuant to the Local Public Contracts Laws, N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, on June 23, 2022, the scheduled date for the public opening (4) bids were received; and

WHEREAS, on June 23, 2022, Harbor Consultants, Inc., recommend to the Borough that the contract be awarded to AA Berms, PO Box 180, Belleville, NJ 07109 as the lowest responsible bidder for Sidewalk Replacement - Phase 4, Boulevard from North 19th Street to North 20th Street, total bid amount not to exceed \$89,999.00; and

WHEREAS, the Borough Council has determined that it is in the best interest to accept the bid proposal and execute a contract with AA Berms, PO Box 180, Belleville, NJ 07109 for the Sidewalk Replacement with the lowest responsible bidder, AA Berms, PO Box 180, Belleville, NJ 07109, for the total bid amount not to exceed \$89,999.00.

WHEREAS, the public advertisement, the receipt of public bids and the award of the contract to the lowest responsible bidder, pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq., constitutes a Fair and Open Process pursuant to the Local Pay to Play Law, N.J.S.A. 19:44A:20.5, et seq.

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

1. The Mayor and Council are hereby authorized to accept the bid submitted by the lowest responsible bidder, AA Berms, PO Box 180, Belleville, NJ 07109 for Sidewalk Replacement Phase 4, Boulevard from North 19th Street to North 20th Street, which must be completed within 90 days of the Notice of Award. Completion date may be extended to accommodate undesirable weather conditions as set forth in the advertisement for bids.
2. The Mayor is authorized to enter into and execute a contract with AA Berms, PO Box 180, Belleville, NJ 07109 to carry out the improvements for Sidewalk Replacement Phase 4,

Tulip Ct. Drainage Swale & Pedestrian Path 071322

Boulevard from North 19th Street to North 20th Street in the total bid amount not to exceed \$89,999.00.

3. The Borough's CFO has certified that sufficient uncommitted funds are available in the 2022 Borough of Kenilworth Budget to fund the payment to AA Berns, PO Box 180, Belleville, NJ 07109 for Sidewalk Replacement Phase 4, Boulevard from North 19th Street to North 20th Street, Kenilworth, NJ.
4. This contract is being awarded pursuant to the Fair and Open Procedures of the Pay to Play Law, N.J.S.A. 19:44A-20.5, et seq. and in accordance with the public bid procedures pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.
5. No changes to this contract shall be allowed or authorized without prior Municipal Council approval.
6. There shall be no advance payments made against this contract in accordance with N.J.A.C. 40A:5-16.
7. A fully executed copy of the contract shall be filed in the Office of the Borough Clerk.
8. The contract shall commence upon the issuance of a notice to proceed by Harbor Consultants, Inc. and shall be completed no later than 60 days thereafter.

Approved:



Linda Karlovitch, Mayor

	PRESENT	ABSENT	ABSTAIN	NAWS	AYES	RECORDED	AGEND
Councilwoman Kay Celeri					✓		
Councilman Mark David					✓		
Councilman Joseph Finistrella					✓		
Councilman Scott Pentz					✓		
Councilman Fred Pugliese					✓		
Councilman John Zimmerman					✓		
Mayor Linda Karlovitch							
ON CONSENT AGENDA Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>							

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on July 13, 2022.



Kathleen Moschitta, Acting Borough Clerk

RESOLUTION

No. 176

KENILWORTH, N.J.

JULY 13, 2022

Introduced by: _____

Seconded by: CONSENT AGENDA

WHEREAS, AJM has been contracted by the Borough of Kenilworth to perform certain public improvement projects by way of the public bidding process set forth in the Local Public Contracts Law set forth in NJSA 40A:11-2 et. Seq;

WHEREAS, the Borough Engineer has certified that the services required for the third payment under said contract in the amount of \$213,603.01 have been performed to his satisfaction and he has authorized the Borough to make said payment:

BE IT RESOLVED, by the Mayor and Council of the Borough of Kenilworth of Union County, New Jersey upon recommendation of the Borough Engineer that 3rd Payment for the Contract listed below be and is hereby approved.

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

BE IT FURTHER RESOLVED sufficient monies have been appropriated for the same by way of bond ordinance 2021-17 and the CFO of the Borough has certified sufficient funds are available for the payment contemplated in the resolution;

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

Payment #3	
TOTAL ORIGINAL CONTRACT PRICE	\$390,211.00
Change Order Amount	\$0.00
Contract Sum to date:	\$390,211.00
Total Completed and Stored to Date	\$285,140.86
Less 5% retainage to date	\$14,257.04
Less previous payment	<u>\$57,280.81</u>
Amount Due	<u>\$213,603.01</u>
Balance to Finish	\$105,070.14

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

CERTIFICATION OF FUNDS
APPROPRIATION:

Approved:


Linda Karlovitch, Mayor

RESOLUTION

No. 177

KENILWORTH, N.J.

July 13, 2022

Introduced by: _____

Seconded by: _____ **CONSENT AGENDA**

WHEREAS, the Mayor and Council continue to be committed to preserving and promoting the history of Kenilworth which is highlighted by the 19th century Oswald Nitschke home and the stewardship of the Kenilworth Historical Society; and

WHEREAS, the Mayor and Council authorize and support the annual Town Wide Garage Sale, organized and promoted by the Kenilworth Historical Society waiving any borough fees.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough Kenilworth commend the Kenilworth Historical Society the preservation of the history of the Borough of Kenilworth.

Linda Karlovitch
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David			✓			
Councilman Joseph Finistrella	✓		✓			
Councilman Scott Pentz		✓	✓			
Councilman Fred Pugliese						✓
Councilman John Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓	No				

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on July 13, 2022.

Kathleen Moschitta
Kathleen Moschitta,
Acting Borough Clerk

RESOLUTION

No. 178

KENILWORTH, N.J.

JULY 13, 2022

Introduced by: _____

Seconded by: _____ **CONSENT AGENDA**

WHEREAS, Union County Commissioners have announced the 2022 Kids Recreation Trust Fund Grant and the 2022 Greening Union County Grant; and

WHEREAS, the above-mentioned grant programs focus on summer recreational programs for the youth of Union County, and the overall recreational improvements within each municipality as well as improvement of the environment; and

WHEREAS, the Borough of Kenilworth desires to further the public interest by obtaining funding from both above grant programs to assist with the costs of the planting of trees and to assist with the rehabilitation and improvements of the Borough's parks and facilities; and

WHEREAS, on July 6, 2022, on behalf of the Borough of Kenilworth, the Superintendent of the Department of Public Works submitted an application to the County of Union requesting grant funding in the amount of (\$3,000.00) from the 2022 Greening Union County Grant Program for the planting of trees in the spring of 2023, with \$3,000.00 Borough matching funds required; and

WHEREAS, on July 6, 2022, on behalf of the Borough of Kenilworth, the Superintendent of the Department of Public Works submitted an application to the County of Union requesting grant funding in the amount of (\$50,000.00) from the 2022 Kids Recreation Trust Fund Grant for the continued rehabilitation and improvements of the Borough's parks and facilities, with \$50,000.00 Borough matching funds required; and

WHEREAS, upon notification of the receipt of grant awards in connection with these applications, the Superintendent of the Department of Public Works desires to accept the grant awards and execute grant agreements governing said awards.

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

1. The Superintendent of the Department of Public Works, on behalf of the Borough of Kenilworth is hereby authorized to submit an application to the County of Union requesting grant funding in the amount of (\$3,000.00) from the 2022 Greening Union County Grant Program for the planting of 30 trees in the spring of 2023 with \$3,000.00 Borough matching funds required (a copy of the application is attached hereto and made a part hereof).

2. The Superintendent of the Department of Public Works, on behalf of the Borough of Kenilworth is hereby authorized to submit an application to the County of Union requesting grant funding in the amount of (\$50,000.00) from the 2022 Kids Recreation Trust Fund Grant for the continued rehabilitation and improvements of the Borough's parks and facilities with \$50,000.00 Borough matching funds required (a copy of the application is attached hereto and made a part hereof).
3. The Municipal Council hereby ratifies its authorization of these applications from the July 6, 2022 application submission to the date of adoption of this authorizing resolution.
4. Upon notification of the receipt of the grant awards in connection with these applications, the grants are hereby accepted.
5. Upon notification of the receipt of the grant awards in connection with these applications, the Mayor is hereby authorized to enter into and execute grant documents with the County of Union to receive and expend the grant awards for the above-referenced purposes.
6. Matching funds based upon the amount of the grant awards shall be provided from the official municipal budget.
7. A copy of the fully-executed copy of the grant applications, the grant award letters, the grant agreements, and a funding certifications for any required matching funds shall be placed on filed in the Office of City Clerk.

Approved:



Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David			✓			
Councilman Joseph Finistrella	✓		✓			
Councilman Scott Pentz		✓	✓			
Councilman Fred Pugliese						✓
Councilman John Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes	✓	No	___		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on July 13, 2022.



Kathleen Moschitta, Acting Borough Clerk

RESOLUTION

No. 179

KENILWORTH, N.J.

JULY 13, 2022

Introduced by: CONSENT AGENDA

Seconded by: _____

WHEREAS, the State of New Jersey Department of Transportation makes funds available to municipalities through its Highway Safety Fund Grant Program for 2022 (the "Highway Safety Fund Grant Funds"); and

WHEREAS, the Highway Safety Fund Grants are intended to promote public safety including procurement of enforcement equipment such as police vehicles, radar, communication and surveillance equipment, crash data hardware and software systems and salaries; and

WHEREAS, the Borough of Kenilworth desires to further the public interest by obtaining Highway Safety Fund Grant Funds from the State of New Jersey Department of Transportation to promote public safety for vehicular and pedestrian traffic along the Borough's safe corridors; and

WHEREAS, on June 7, 2022, on behalf of the Borough of Kenilworth ("Borough"), Lieutenant Christopher Bryson of the Kenilworth Police Department submitted a Highway Safety Fund Grant application to the State of New Jersey Department of Transportation requesting grant funding to promote public safety for vehicular and pedestrian traffic along the Borough's safe corridors to enhance vehicular safety by targeting speeding or actions that constitute aggressive driving, red light running, failing to yield to pedestrians, etc... by using specialized enforcement techniques in an effort to offset the cost of hiring additional officers to cover these details; and

WHEREAS, as a result of this application, the Borough has been awarded a grant in the amount of \$2,533.00 from the State of New Jersey Department of Transportation Highway Safety Fund Grant Program for 2022; and

WHEREAS, the Borough must execute a grant agreement with State of New Jersey Department of Transportation Highway Funds in order to obtain the Highway Safety Fund Grant Funds, with no Borough funds required.

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

1. The Mayor and/or her designee, Lieutenant Christopher Bryson of the Kenilworth Police Department, on Behalf of the Borough of Kenilworth, are hereby authorized to submit an electronic application identified as HSF-2022 Kenilworth Borough-00062 to the State of New Jersey Department of Transportation requesting Highway Safety Fund Grant Funds in the amount of \$2,533.00 with no Borough funds required (a copy of the application is attached hereto and made a part hereof).
2. The Municipal Council hereby ratifies its authorization of this application from the date of application submission to the date of adoption of this authorizing resolution.
3. The grant award in the amount of \$2,533.00 from the State of New Jersey Department of Transportation is hereby accepted (a copy of the award letter is attached hereto and made a part hereof).
4. The Mayor and/or her designee, Lieutenant Christopher Bryson of the Kenilworth Police Department, are hereby authorized to enter into and execute grant documents with State of New Jersey Department of Transportation to receive and expend the grant award in the amount of \$2,533.00 and their signature constitutes acceptance of the terms and conditions of the grant agreement.
5. No Borough funds are required for receipt or acceptance of this grant award.

6. A fully-executed copy of the grant application, the grant award letter, and the grant agreement shall be placed on file in the Office of Borough Clerk.

Approved:

Linda Karlovitch
Linda Karlovitch, Mayor

	MOVED	SECONDED	MAJORITY	ABSTAIN	ABSENT	
Councilwoman Kay Ceceri						I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on July 13, 2022. <i>Kathleen Moschitta</i> Kathleen Moschitta, Deputy Borough Clerk
Councilman Mark David						
Councilman Joseph Finistrella						
Councilman Scott Pentz						
Councilman Fred Pugliese						
Councilman John Zimmerman						
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes				No	

RESOLUTION

No. 180

KENILWORTH, N.J.

July 13, 2022

Introduced by: _____ **CONSENT AGENDA**
 Seconded by: _____

Whereas, pursuant to Borough of Kenilworth Ordinance 150-36 the Borough of Kenilworth caused the following property to have grass and debris removal completed; and

Whereas, N.J.S.A. 40:65-12 and N.J.S.A. 40:48-2.14 authorizes the Borough of Kenilworth to place a lien on the subject property for the work completed upon review of certification of the officer in charge thereof; and

Whereas, further maintenance has deemed necessary by the public works department shall be conducted.

Now, Therefore, Be It Resolved, by the Council of the Borough of Kenilworth, in the County of Union, That the Borough have reviewed the Certification of the Borough Code Enforcement Officer for the Borough of Kenilworth; and

Be it Further Resolved, that the Tax Collector be directed to place liens on the properties located at:

108 North Michigan Avenue
 Kenilworth, NJ 07033
 Block 47, Lot 26

In the amount indicated on attached certification as a lien and tax upon the real estate and to be added to be part of the taxes next to be levied and assessed thereon, and enforced and collected with interest by the same offices and in the same manner as other taxes,

Approved: 
 Lind Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri						
Councilman Mark David						
Councilman Joseph Finistrella						
Councilman Scott Pentz						
Councilman Fred Pugliese						
Councilman John Zimmerman						
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes	No				

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on July 13, 2022.


 Kathleen Moschitta,
 Acting Borough Clerk

Lien 108 North Michigan Ave.

RESOLUTION

No. 181

KENILWORTH, N.J.

July 11, 2022

Introduced by: CONSENT AGENDA
 Seconded by: _____

Whereas, pursuant to Borough of Kenilworth Ordinance 150-36 the Borough of Kenilworth caused the following property to have grass and debris removal completed; and

Whereas, N.J.S.A. 40:65-12 and N.J.S.A. 40:48-2.14 authorizes the Borough of Kenilworth to place a lien on the subject property for the work completed upon review of certification of the officer in charge thereof; and

Whereas, further maintenance has deemed necessary by the public works department shall be conducted.

Now, Therefore, Be It Resolved, by the Council of the Borough of Kenilworth, in the County of Union, That the Borough have reviewed the Certification of the Borough Code Enforcement Officer for the Borough of Kenilworth; and

Be if Further Resolved, that the Tax Collector be directed to place liens on the properties located at:

231 North 8 Street
 Kenilworth, NJ 07033
 Block 24.01, Lot 6

In the amount indicated on attached certification as a lien and tax upon the real estate and to be added to be part of the taxes next to be levied and assessed thereon, and enforced and collected with interest by the same offices and in the same manner as other taxes,

Approved: *Linda Karlovitch*

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David			✓			
Councilman Joseph Finistrella	✓		✓			
Councilman Scott Pentz			✓			
Councilman Fred Pugliese			✓			
Councilman John Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes	✓	No			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on July 13, 2022.

Kathleen Moschitta
 Kathleen Moschitta,
 Acting Borough Clerk

Lien 231 North 8th Street

Handwritten signature or stamp, possibly containing the name "S. S. S." or similar characters.

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Faint, illegible text or markings.

Faint, illegible text or markings.

**RESOLUTION
KENILWORTH, NJ**

No. 182

July 13, 2022

Introduced by _____

Seconded by _____

WHEREAS, the Borough of Kenilworth is in need of a part-time Senior Program Director in the Senior Center; and

WHEREAS, it has been determined that Darlene Candarella, is qualified to fill all the requirements of the position;

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

1. Darlene Candarella be appointed Senior Program Director, part-time, not to exceed twenty (20) hours per week, effective July 13, 2022.
2. Darlene Candarella shall receive an annual salary of Fifteen Thousand (\$15,000.00) dollars.
3. This appointment is contingent upon successful completion of criminal background check.
4. This part-time position is entitled to paid sick leave pursuant to the NJ Sick Leave Law NJSA 34:11-d-1. This part-time position will be entitled to five paid vacation days after the completion of one year of service and paid holidays after 180 days of service pursuant to the Kenilworth Municipal Code.

Approved:



Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri				✓		
Councilman Mark David				✓		
Councilman Joseph Finistrella			✓			
Councilman Scott Pentz			✓			
Councilman Fred Pugliese						✓
Councilman John Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA			Yes _	No	✓	

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on July 13, 2022.



Kathleen Moschitta, Acting Borough Clerk

RESOLUTION

No. 183

KENILWORTH, N.J.

JULY 13, 2022

Introduced by: ~~CONSENT AGENDA~~

Secarded by: _____

WHEREAS, It is necessary for the Borough of Kenilworth to prepare an annual budget identifying all of the anticipated appropriations and revenues to support government operations for the Calendar Year 2022; and

WHEREAS, N.J.S.A. 40A:4-5 provides for the introduction and approval of the annual Municipal Budget; and

WHEREAS, upon approval of the introduction, a public hearing will be scheduled for comments.

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

1. The Municipal Council approves the introduction of the attached following statements of revenues and appropriations for the Borough of Kenilworth Municipal Budget for the year 2022.
2. The Governing body of the Borough of Kenilworth's approval of the introduction of the attached Budget for the year 2022 shall constitute a first reading, pursuant to N.J.S.A. 40A:4-5(a).
3. The public hearing and second reading for the Borough of Kenilworth Municipal Budget for the year 2022 will be held on August 17, 2022, at 6:30PM at 567 Boulevard, Kenilworth, New Jersey.
4. The introduction and approval of the attached following statements of revenues and appropriations for the Borough of Kenilworth Municipal Budget for the year 2022 shall be published in the Local Source in the issue of July 28, 2022, which constitutes ten days prior to second hearing on August 17, 2022, pursuant to N.J.S.A. 40A:4-6.
5. Three certified copies of the approved budget shall be transmitted to the Director of the Division of Local Government Services within three days after approval, pursuant to N.J.S.A. 40A:4-5(b).

2022 Municipal Budget
BOROUGH OF KENILWORTH, COUNTY OF UNION
FOR THE CALENDAR YEAR ENDED DECEMBER 31, 2022

Revenue and Appropriation Summaries

Summary of Revenues - Current Fund	Anticipated	
	2022	2021
1. Surplus	2,000,000.00	2,000,000.00
2. Total Miscellaneous Revenues	2,298,857.39	2,638,403.71
3. Receipts from Delinquent Taxes	250,000.00	250,000.00
4. a) Local Tax for Municipal Purposes	13,070,165.00	12,618,040.52
4. b) Minimum Library Tax	592,003.00	543,315.26
Total General Revenues	18,211,025.39	18,047,759.49

Summary of Appropriations - Current Fund	2022 Budget	Final 2021 Budget
1. Operating Expenses: Salaries & Wages	5,899,075.00	5,901,643.00
Other Expenses	8,555,940.50	8,425,800.62
2. Deferred Charges & Other Appropriations	1,726,100.40	1,572,784.00
3. Capital Improvements	60,000.00	60,000.00
4. Debt Service	1,091,637.49	1,234,232.87
5. Judgments		
6. Reserve for Uncollected Taxes	878,272.00	853,299.00
Total General Appropriations	18,211,025.39	18,047,759.49
Total Number of Employees - Full & Part Time	125	125

Balance of Outstanding Debt	
	General
Bond Principal	5,550,000.00
Bond Interest	505,906.25
Outstanding Balance	6,055,906.25

Notice is hereby given that the budget and tax resolution was approved by the Borough Council of the Borough of Kenilworth, County of Union on July 13, 2022.

A hearing on the Budget and tax resolution will be held at the Municipal Building on August 17, 2022 at 6:30 (PM) at which time and place objections to the Budget and Tax Resolution for the year 2022 may be presented by taxpayers or other interested persons.

Copies of the detailed budget are available in the office of Borough Clerk, at the Municipal Building, 567 Boulevard, Kenilworth, New Jersey 07033, (908) 276-9090, during the hours of 9:00(A.M.) to 4:30(P.M.).

Linda Karlovitch

Approved:

Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David			✓			
Councilman Joseph Finistrella	✓		✓			
Councilman Scott Pentz			✓			
Councilman Fred Pugliese			✓			
Councilman John Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes	✓	No			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on July 13, 2022.

Kathleen Moschitta
Kathleen Moschitta, Acting Borough Clerk

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ORDINANCE NO. 2022-10

AN ORDINANCE OF THE MUNICIPAL COUNCIL OF THE BOROUGH OF KENILWORTH PROVIDING FOR A "CAP" ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK 2022 (N.J.S.A. 40A:4-45.14).

WHEREAS, the Local Government Law, N.J.S.A. 40A:4-45.1 through 45.47, provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget appropriations to 2.5%, unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two (2) succeeding years; and

WHEREAS, the Municipal Council of the Borough of Kenilworth, in the County of Union, finds it advisable and necessary to increase its CY 2022 budget up to 3.5% over the previous year's final appropriations in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS, the Municipal Council of the Borough of Kenilworth hereby determines that a 1% increase in the budget for said year, amounting to \$135,033.91 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

WHEREAS, the Municipal Council of the Borough of Kenilworth hereby determines that any amount authorized hereinabove that is not appropriated as part of the budget shall be retained as an exception to final appropriation in either of the next two (2) succeeding years.

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

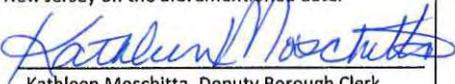
SECTION 1. The Borough of Kenilworth Municipal Council, by a majority of the full authorized membership of this Governing Body affirmatively concurring, that, in the CY 2022 budget year, the final appropriations of the Borough of Kenilworth shall in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5%, amounting to \$13,638,424,.91, and that the CY 2022 Municipal Budget for the Borough of Kenilworth be approved and adopted in accordance with the ordinance.

SECTION 2. That any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two (2) succeeding years.

SECTION 3. A certified copy of this ordinance as introduced, shall be filed with the Director of the Division of Local Government Services, New Jersey Department of Community Affairs within five (5) days of introduction.

SECTION 4. A certified copy of this ordinance upon adoption, with the recorded vote included thereon, shall be filed with the Director of the Division of Local Government Services, New Jersey Department of Community Affairs within five (5) days after such adoption.

SECTION 5. This ordinance shall take effect upon final passage and publication in accordance with the laws of the State of New Jersey.

INTRODUCTION						COUNCILPERSON	FINAL ADOPTION					
Moved	Sec.	Aye	Nay	Abs.	NP		Moved	Sec.	Aye	Nay	Abs.	NP
		✓				KAY CECERI						
		✓				MARK DAVID						
✓		✓				JOSEPH FINISTRELLA						
		✓				SCOTT PENTZ						
					✓	FRED PUGLIESE						
	✓	✓				JOHN ZIMMERMAN						
Introduced: July 13, 2022						I hereby certify the above ordinance was adopted by the Borough Council of the Borough of Kenilworth, County of Union, State of New Jersey on the aforementioned date.						
Final Adoption: August 17, 2022												
						 Kathleen Moschitta, Deputy Borough Clerk						



BOROUGH OF KENILWORTH

AGENDA ♦ AUGUST 17, 2022

WORK SESSION 6:00PM COUNCIL MEETING

COUNCIL MEETING COMMENCES UPON CONCLUSION OF THE WORK SESSION

In light of the public health emergency caused by Coronavirus, the Mayor and Borough Council Meetings the Council will continue to meet on their regularly scheduled meeting dates. The Regular Council Meeting will commence as soon as possible upon conclusion of the 6PM Work Session.

Open Public Meetings Notice

Salute to the Flag

Roll Call

Minutes: Reading of unapproved minutes of the Council Meeting and Work Session of June 15, 2022. (emailed to all).

Communications:

Department Reports for July 2022: Clerk's Office, Police Department, Finance Department, Fire Department, Finance Department and Building Department.

Borough Resolutions: - Consent Agenda

183. That all bills be paid when properly audited and funds are available
184. Resolution Authorizing Agreement with Bd of Education for SLEO Services 2022-2023
185. Resolution adding Umpires to Recreation Softball Program
186. Authorize application for NJDOT Roadway Improvement Project 2023
187. Authorizing UC Shared Service Agreement
188. Resolution Appointing Borough Clerk and Administrative Officer
189. Resolution for Deputy Clerk Stipend
190. Consolidated Fence (pulled)
191. Resolution Approving Budget

PUBLIC HEARING AND ADOPTION OF 2022 MUNICIPAL BUDGET

ORDINANCES:

Adoption: 2022-10 AN ORDINANCE OF THE MUNICIPAL COUNCIL OF THE BOROUGH OF KENILWORTH PROVIDING FOR A "CAP" ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK 2022

Introduction: 2022-11 – AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 5, "ADMINISTRATION OF GOVERNMENT," ARTICLE V., "APPOINTIVE OFFICIALS," SUBSECTION 42, "PERSONNEL SUPERVISOR" & SUBSECTION 43, "ADMINISTRATIVE OFFICER" OF THE CODE OF THE BOROUGH OF KENILWORTH.

Council reserves the right to go into Closed Session if needed. *(Closed Session Meeting Resolution)*

Adjournment

Time: _____

RESOLUTION

No. 183

KENILWORTH, N.J.

August 17, 2022

Introduced by: _____ **CONSENT AGENDA**

Seconded by: _____

BE IT RESOLVED, by the Borough of Kenilworth, County of Union, New Jersey, that the summary of bills in the total amount of \$2,536,889.68 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 2022 Borough of Kenilworth Budget to fund the payment of the following bills attached hereto and made a part of this resolution.

RESOLUTION

No. 184

KENILWORTH, N.J.

AUGUST 17, 2022

Introduced by: CONSENT AGENDA

Seconded by: _____

WHEREAS, N.J.S.A. 40:65-1, et seq., known as the “Uniform Shared Services and Consolidation Act,” authorizes two or more local units to enter into an agreement for shared services known as a Shared Services Agreement for the provision of municipal services (the “Agreement”); and

WHEREAS, the Borough of Kenilworth and the Kenilworth Board of Education wish to enter into a Shared Services Agreement for the Borough to provide Class III Special Law Enforcement Officers (SLEO) within the Kenilworth school system for the 2022/2023 school year to enhance school security for the Borough’s students and staff throughout the District during the school day and during extracurricular activities held at the schools, such as PTO meetings, athletic events, dances, plays and concerts; and

WHEREAS, the Kenilworth Board of Education agrees reimburse the Borough of Kenilworth for all costs associated with the compensation and salary of Class III SLEOs, as provided in the SLEO agreement, section XIV; and

WHEREAS, the Kenilworth Board of Health and the Borough entered into a similar shared services agreement for the 2021/2022 school year and that agreement has since expired; and

WHEREAS, the Parties now wish to enter into a new Shared Services Agreement with each other; and

WHEREAS, the Board of Education and Borough agree that their mutual public purposes and best interests will be promoted by the execution and delivery of this Shared Services Agreement pursuant to the powers conferred by the Uniform Shared Services and Consolidation Act.

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

1. The Borough endorses undertaking a shared services agreement with the Board of Education to provide Class III Special Law Enforcement Officers (SLEO) within the Kenilworth school system for the 2022/2023 school year.
2. The Mayor and/or her designee Police Chief, Fred Soos, Jr., is hereby authorized to take necessary actions to facilitate the Borough’s participation in this Agreement including the appointment of the following Class III Special Law Enforcement Officers effective September 1, 2022 through August 31, 2023 at a rate of \$27.05 per hour, with any overtime beyond 40 hours per week being compensated at a rate of time and a half, pursuant to N.J.S.A. 40A:14-

RESOLUTION

No. 185

KENILWORTH, N.J.

AUGUST 17, 2022

Introduced by: CONSENT AGENDA

Seconded by: _____

WHEREAS, on January 3, 2022, the Mayor and Council of the Borough of Kenilworth adopted Resolution 50 engaging 25 individuals to serve as Soccer and Basketball Referees for the 2022 Kenilworth Recreation Program; and

WHEREAS, on January 20, 2022, the Mayor and Council adopted Resolution 50 amending Resolution 50 to engage the same 25 individuals for the 2022 Kenilworth Recreation Program to serve as Referees for Baseball, which was added as a new program in March of 2022, as well for Softball, which was inadvertently excluded from Resolution 50; and

WHEREAS, three individuals were inadvertently excluded from Resolution 50 and 130 and the Borough wishes to amend Resolutions 50 and 130 to include three additional individuals as referees for the 2022 Kenilworth Recreation Program;

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

1. Resolution 50, as amended by Resolution 120 shall be further amended to include the following additional individual Umpires for Baseball, Soccer, Basketball and Softball for the 2022 Kenilworth Recreation Program, at those rates of pay as set forth in Resolutions 50 and 130.

Marc Kaplan, 56 Longview Avenue, Lake Hiawatha, NJ 07034
 Jonathan Zimmerman, 15 Brasser Lane, Kenilworth, NJ 07033
 Peyton Hopeck, 96 Wentworth Drive, Berkley Heights, NJ 07922

2. The Borough of Kenilworth's Chief Financial Officer has certified that sufficient uncommitted funds are available in the 2022 Borough of Kenilworth Budget for the purposes set forth herein.
3. This Resolution is ratified from January 3, 2022 until the date of adoption of this Resolution.
4. This resolution shall take effect immediately upon adoption by the Municipal Council.

Approved:

Linda Karlovitch

Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David			✓			
Councilman Joseph Finstrella	✓		✓			
Councilman Scott Pentz			✓			
Councilman Fred Pugliese			✓			
Councilman John Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes		No			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on August 17, 2022.

Kathleen Moschitta
Kathleen Moschitta, Deputy Borough Clerk

RESOLUTION

No. 186

KENILWORTH, N.J.

August 17, 2022

Introduced by: CONSENT AGENDA

Seconded by: _____

WHEREAS, the State of New Jersey Department of Transportation (NJDOT), Municipal Aid Grant Program Application for the 2023 NJDOT Roadway Improvement Project, provides grant funding for roadway improvements; and

WHEREAS, the Borough of Kenilworth (the "Borough") has a need for said grant funding to improve various streets and sidewalks throughout the Borough of Kenilworth; and

WHEREAS, the Borough desires to further the public interest by obtaining NJDOT funding from the 2023 Municipal Aid Grant Program; and

WHEREAS, on or about June 27, 2022, on behalf of the Borough, the Mayor, the Clerk or the Mayor's designee submitted an application to NJDOT requesting grant funding in the amount of \$979,164.00 from the 2023 Municipal Aid Grant Program Application to construct roadway improvements along Monroe Avenue, Ashwood Avenue & Maplewood Avenue; and

WHEREAS, pursuant to the terms of the grant application, a copy of which is attached hereto, the Borough is required to submit a resolution from the Municipal Council authorizing submission of the grant application.

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

1. The Mayor of the Borough of Kenilworth and/or her designee or the Borough Clerk, are hereby authorized to submit an electronic grant application to the NJDOT, requesting grant funding in the amount of \$979,164.00 from the 2023 Municipal Aid Grant Program, with no Borough funds required (a copy of the application is attached hereto and made a part hereof including a map of the street locations for the construction of roadway improvements).

2. The Municipal Council hereby ratifies its authorization of this application from the date of the 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 in the amount applied for and/or any increase or decrease thereto.

4. Upon notification of the receipt of a grant award in connection with this application, the Mayor of the Borough of Kenilworth and/or his designee, the Borough Clerk, are hereby

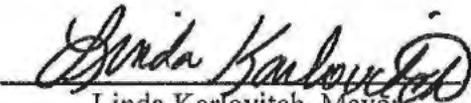
authorized to enter into and execute grant documents with NJDOT for the 2023 Municipal Aid Grant Program, to receive and expend the grant award to construct roadway improvements along Monroe Avenue, Ashwood Avenue & Maplewood Avenue.

5. Upon notification of receipt of grant award in connection with this application, the Mayor of the Borough of Kenilworth and/or her designee, the Borough Clerk shall submit a complete copy of the grant agreement and any associated documents to the Borough Council for review, approval, and signature.

6. No municipal funds are required for receipt or acceptance of this grant award.

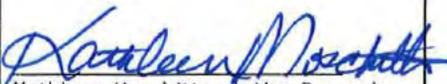
7. The Mayor of the Borough of Kenilworth's designee, shall file a fully-executed copy of the grant application, grant award letter, and grant agreement in the Office of the Borough Clerk.

Approved:


Linda Karlovitch, Mayor

	APPROVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri				✓		
Councilman Mark David				✓		
Councilman Joseph Finistrella	✓			✓		
Councilman Scott Pentz				✓		
Councilman Fred Pugliese				✓		
Councilman John Zimmerman				✓		
Mayor Linda Karlovitch						
ON CONSENT AGENDA Yes <input type="checkbox"/> No <input type="checkbox"/>						

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on August 17, 2022.


Kathleen Moschitta, Acting Borough Clerk

RESOLUTION

No. 187

KENILWORTH, N.J.

AUGUST 17, 2022

Introduced by: _____

CONSENT AGENDA

Seconded by: _____

A RESOLUTION AUTHORIZING THE MAYOR AND MUNICIPAL CLERK OF THE BOROUGH OF KENILWORTH TO EXECUTE AN AGREEMENT WITH THE COUNTY OF UNION TO MODIFY THE SHARED SERVICES AGREEMENT DATES JUNE 2014, AS AMENDED JUNE 28, 2017

WHEREAS, N.J.S.A. 40:65-1, et seq., known as the “Uniform Shared Services and Consolidation Act,” authorizes two or more local units to enter into an agreement for shared services known as a Shared Services Agreement for the provision of municipal services (the “Agreement”); and

WHEREAS, certain Federal funds are potentially available to the County of Union under Title I of the Housing and Community Development Act of 1974, as amended, commonly known as the Community Development Block Grant Program (“CDBG”); and

WHEREAS, certain Federal funds are potentially available to the County of Union under Title II of the Cranston-Gonzalez National Affordable Housing Act of 1990, commonly known as the HOME Investment Partnership Program, which provides substantial Federal Funds to qualified local jurisdictions, including the County and its participating Municipalities; and

WHEREAS, substantial Federal Funds provided through Subtitle B of Title IV of the McKinney-Vento Homeless Assistance Act provides for the Emergency Solutions Grants program (“ESG”) are allocated to prevent homelessness and to enable homeless individuals and families to move toward independent living; and

WHEREAS, it is necessary to amend an existing Cooperative Agreement for the County and Union and its people to benefit from these programs; and

WHEREAS, the Borough of Kenilworth and the County of Union entered into a modification of the existing Cooperative Agreement for the 2021/2022 fiscal year; and

WHEREAS, it is in the best interest of the Borough of Kenilworth and the County of Union, in cooperation with each other, to enter into a modification of the existing Cooperative Agreement for the 2021/2022 fiscal year, pursuant to N.J.S.A. 40:65-1, et seq.;

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

1. The Mayor and the Municipal Council approve the Agreement entitled “Cooperative Agreement between the County of Union and Certain Municipalities for Conducting Certain Community Development Activities,” dated June 2014, as amended July 28, 2017, for the Purpose of Inserting a Description of Activities for Fiscal Year 2022-2023 of the Union County

RESOLUTION

No. 188

KENILWORTH, N.J.

August 17, 2022

Introduced by: **CONSENT AGENDA**

Seconded by: _____

WHEREAS, the Borough of Kenilworth is in need of a Borough Clerk; and

WHEREAS, it has been determined that Angela Lazzari, is qualified to fill all the requirements of the position; and

WHEREAS, the Borough of Kenilworth is in need of an Administrative Officer; and

WHEREAS, it has been determined that Angela Lazzari, is qualified to fill all the requirements of the position;

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

1. Angela Lazzari be appointed Borough Clerk for the Borough of Kenilworth on a full time basis effective September 7, 2022 for a three-year term as provided by State Statute.
2. Ms. Lazzari shall receive an annual salary of Ninety-five Thousand (\$95,000.00) dollars; prorated for calendar year 2022.
3. This appointment is contingent upon successful completion of criminal background check.
4. This full time position will include benefits in accordance with Municipal Code, which include, but are not limited to, two (2) Personal Days, three (3) Weeks' Vacation, five (5) Sick Days, as well as holidays, group health insurance, participation in any applicable retirement plans now in effect; and

NOW THEREFORE BE IT FURTHER RESOLVED, by the Mayor and Borough Council of the Borough of Kenilworth, that:

1. Angela Lazzari be appointed to perform the additional duties of Administrative Officer, as set forth in Municipal Code, effective on her start date of September 7, 2022.
2. Ms. Lazzari shall receive an annual salary of Ten Thousand Five Hundred (\$10,500.00) dollars for performing the duties of Administrative Officer, prorated for calendar year 2022.

RESOLUTION

No. 189

KENILWORTH, N.J.

August 17, 2022

Introduced by: Cocori

Seconded by: David

WHEREAS, a vacancy existed in the position of Municipal Clerk for the Borough of Kenilworth due to the resignation of Laura Reinertsen on March 25, 2022; and

WHEREAS, Kathi Moschitta, has been serving as the Deputy Municipal Clerk for Borough of Kenilworth and because of the vacancy of the position of Municipal Clerk, Ms. Moschitta has taken on more work and responsibilities; and

WHEREAS, on April 20, 2022, the Mayor and Council adopted Resolution 122 appointing Kathi Moschitta to serve as Acting Borough Clerk for an additional stipend of \$500.00 per week; and

WHEREAS, on August 17, 2022, the Municipal Council adopted Resolution 188 appointing a Borough Clerk and Administrative Officer; and

WHEREAS, it is anticipated that the newly appointed Borough Clerk and Administrative Officer will commence her employment in early September 2022; and

WHEREAS, the Governing Body has determined that Ms. Moschitta's additional work for the past five months warrants an additional stipend of \$200.00 per week, commencing on August 15, 2022 and continuing until such time as the newly appointed Borough Clerk and Administrative Officer commences her employment.

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

1. Kathi Moschitta, as Acting Municipal Clerk, shall perform all of the duties of the Borough Municipal Clerk as set forth in N.J.S.A. 40A:9-133 until such time as the newly appointed Borough Clerk and Administrative Officer commences her employment.
2. Kathi Moschitta's annual salary of \$49,868.00 shall remain the same, however she shall receive a total stipend not to exceed \$700.00, which is inclusive of the stipend that Kathi Moschitta was given through Resolution 122, adopted on April 20, 2022, per week for the additional work that she has provided to the Borough for the past five months.
3. This stipend shall commence on August 15, 2022 and shall continue until such time as the newly appointed Borough Clerk and Administrative Officer commences her employment, which is anticipated to be in early September 2022.

RESOLUTION

No. 191

KENILWORTH, N.J.

August 17, 2022

Introduced by: *Professori*

Seconded by: *Fumistrella*

ADOPTING THE 2022 MUNICIPAL BUDGET

BE IT RESOLVED by the Mayor and Council of the Borough of Kenilworth, County of Union, State of New Jersey (hereinafter, the "Governing Body") that the budget set forth and heard publicly at their Regular Meeting of August 17, 2022 is hereby adopted and shall constitute an appropriation for the purposes stated in the sums therein set forth as appropriations, and authorization of the amount of:

- (a) \$13,070,165.00 _____ (Item 2 of Sheet 41 below) for municipal purposes; and
- (b) \$0.00 _____ (Item 3 of Sheet 41 below) for school purposes in Type I School Districts only (N.J.S.A. 18A:9-2) to be raised by taxations; and
- (c) \$0.00 _____ (Item 4 of Sheet 41 below) to be added to the certificate of amount to be raised by taxation for local school purposes in Type II School Districts only (N.J.S.A. 18A:9-3) and certification to the County Board of Taxation of the following summary of general revenues and appropriations; and
- (d) \$0.00 _____ (Budget Sheet 43) Open Space, Recreation, Farmland and Historic Preservation Trust Fund Levy); and
- (e) \$0.00 _____ (Sheet 43 below) Ars and Culture Trust Fund Levy; and
- (f) \$592,003.00 _____ (Items 5 of Sheet 41, below) for the Minimum Library Tax

EXCERPT FROM BUDGET SHEET 41

1. Gross Revenues		SUMMARY OF REVENUES	
	Surplus Anticipated	08-100	\$2,000,000.00
	Miscellaneous Revenues Anticipated	13-099	\$2,298,857.39
	Receipts from Delinquent Taxes	15-499	\$250,000.00
2.	Amount to be raised by Taxes for Municipal Purposes (Item 6(a), Sheet 11)	07-190	\$13,070,165.00
3.	Amount to be raised by Taxation for Schools in Type I School Districts Only:		
	Item 6, Sheet 42	07-195	\$ -
	Item 6(b), Sheet 11 (N.J.S.A. 40A:4-14)	07-191	\$ -
	Total Amount to be Raised by Taxation for Schools in Type I School Districts Only		\$
4.	To be added to the Certificate for the Amount to be Raised by Taxation for Schools in Type II School Districts Only		
	Item 6(b), Sheet 11 (N.J.S.A. 40A:4-14)	07-191	
5.	Amount to be Raised by Taxation Minimum Library Tax	07-192	\$592,003.00
	TOTAL REVENUES	13-299	\$18,211,025.39



BOROUGH OF KENILWORTH

AMENDED AGENDA ♦ SEPTEMBER 7, 2022

WORK SESSION 6:00PM COUNCIL MEETING

COUNCIL MEETING COMMENCES UPON CONCLUSION OF THE WORK SESSION

In light of the public health emergency caused by Coronavirus, the Mayor and Borough Council Meetings the Council will continue to meet on their regularly scheduled meeting dates. The Regular Council Meeting will commence as soon as possible upon conclusion of the 6PM Work Session.

Open Public Meetings Notice

Salute to the Flag

Roll Call

Minutes: Reading of unapproved minutes of the Council Meeting and Work Session of July 13, 2022. (emailed to all).

Communications:

Department Reports for July 2022: Clerk's Office, Police Department, Finance Department, Fire Department, Finance Department and Building Department.

Borough Resolutions: - Consent Agenda

192. That all bills be paid when properly audited and funds are available
193. Resolution Appointing Fire Fighters and EMT's
194. Resolution Authorizing Tax Overpayments
195. Resolution Awarding Contract to Rachles/Michaels Oil Company
196. Resolution Awarding Contract to Consolidated Fence Company
197. Resolution Waiving Waiting Period for Ordinance 2022-11
198. Resolution Waiving Waiting Period for Ordinance 2022-12
199. Resolution Stating Governing Body Reviewed the Annual Audit
200. Resolution for Annual Audit Corrective Action Plan
201. Resolution Appointing Alternate Crossing Guard – VS
202. Resolution Refunding Edison Heating & Cooling

ORDINANCES:

Adoption: 2022-11 – AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 5, "ADMINISTRATION OF GOVERNMENT," ARTICLE V., "APPOINTIVE OFFICIALS," SUBSECTION 42, "PERSONNEL SUPERVISOR" & SUBSECTION 43, "ADMINISTRATIVE OFFICER" OF THE CODE OF THE BOROUGH OF KENILWORTH.

Adoption: Ordinance 2022-12 – ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 37, "PERSONNEL POLICIES" PART 1, "GENERAL PERSONNEL PRACTICES" ARTICLE 1, "PROCEDURES TO ADOPT PERSONNEL PRACTICES" & PART II "POLICIES AND PROCEDURES" ARTICLES II THROUGH VII OF THE CODE OF THE BOROUGH OF KENILWORTH.

Council reserves the right to go into Closed Session if needed. *(Closed Session Meeting Resolution)*

Adjournment

Time: _____



BOROUGH OF KENILWORTH

AMENDED AGENDA ♦ SEPTEMBER 7, 2022

WORK SESSION 6:00PM COUNCIL MEETING

COUNCIL MEETING COMMENCES UPON CONCLUSION OF THE WORK SESSION

INTRODUCTION: ORDINANCE NO. 2022-13 - AN ORDINANCE AUTHORIZING THE SALE OF CERTAIN LAND IN THE BOROUGH OF KENILWORTH (Block 101, Lot 27) TO BE SOLD AT PRIVATE SALE IN ACCORDANCE WITH N.J.S.A. 40A:12-13(b)(5)

INTRODUCTION: ORDINANCE NO. 2022-14 - AN ORDINANCE AUTHORIZING THE SALE OF CERTAIN LAND IN THE BOROUGH OF KENILWORTH (Block 101, Lot 28) TO BE SOLD AT PRIVATE SALE IN ACCORDANCE WITH N.J.S.A. 40A:12-13(b)(5)

INTRODUCTION: ORDINANCE NO. 2022-15 - AN ORDINANCE AUTHORIZING THE SALE OF CERTAIN LAND IN THE BOROUGH OF KENILWORTH (Block 101, Lot 29) TO BE SOLD AT PRIVATE SALE IN ACCORDANCE WITH N.J.S.A. 40A:12-13(b)(5)

INTRODUCTION: ORDINANCE 2022-16 - AN ORDINANCE AUTHORIZING THE SALE OF CERTAIN LAND IN THE BOROUGH OF KENILWORTH (Block 19, Lot 10) TO BE SOLD AT PRIVATE SALE IN ACCORDANCE WITH N.J.S.A. 40A:12-13(b)(5)

Meeting Open to the Public

General Business

Adjournment

Council reserves the right to go into Closed Session if needed. *(Closed Session Meeting Resolution)*

Adjournment

Time: _____

RESOLUTION

No. 192

KENILWORTH, N.J.

September 7, 2022

Introduced by: _____
 Seconded by: _____

CONSENT AGENDA

BE IT RESOLVED, by the Borough of Kenilworth, County of Union, New Jersey, that the summary of bills in the total amount of \$2,708,467.43 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 2022 Borough of Kenilworth Budget to fund the payment of the following bills attached hereto and made a part of this resolution.

September 6, 2022
01:25 PM

BOROUGH OF KENILWORTH
Purchase Order Listing By Vendor Id

Page No: 191

Totals by Year-Fund Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND	2-01	2,258,039.15	0.00	0.00	2,258,039.15
GENERAL CAPITAL	C-04	443,131.03	0.00	0.00	443,131.03
GRANTS	G-02	1,922.25	0.00	0.00	1,922.25
GENERAL TRUST	T-03	5,375.00	0.00	0.00	5,375.00
Total of All Funds:		<u>2,708,467.43</u>	<u>0.00</u>	<u>0.00</u>	<u>2,708,467.43</u>

Approved:

Linda Karlovitch

Linda Karlovitch, Mayor

	MOVED	SECONDE	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David						✓
Councilman Joseph Finistrella			✓			
Councilman Scott Pentz		✓	✓			
Councilman Fred Pugliese	✓		✓			
Councilman John Zimmerman			✓			
Mayor Linda Karlovitch						

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on September 7, 2022.

Kathleen Moschitta
Kathleen Moschitta,
Deputy Borough Clerk

RESOLUTION

No. 193

KENILWORTH, N.J.

September 7, 2022

Introduced by: _____
CONSENT AGENDA

Seconded by: _____

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

Name	Appointment
Francis Okemezie	Probationary Fire Fighter
Amber Ghigliotti	Probationary Fire Fighter
Dani Mauro	Probationary Fire Fighter
Michael Turco	Probationary Fire Fighter
Toritseju Oyen	Probationary EMT
Toriana Sandull	Probationary EMT

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

	ADOPTED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT	
Councilwoman Kay Ceceri			✓				I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on September 7, 2022.  Kathleen Moschitta, Acting Borough Clerk
Councilman Mark David						✓	
Councilman Joseph Finistrella			✓				
Councilman Scott Pentz		✓	✓				
Councilman Fred Pugliese	✓		✓				
Councilman John Zimmerman			✓				
Mayor Linda Karlovitch							
ON CONSENT AGENDA		Yes ✓				No ___	


 Linda Karlovitch, Mayor

RESOLUTION

No. 194

KENILWORTH, N.J.

September 7, 2022

Introduced by: Finistrella

Seconded by: Pugliese

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

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

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of, that the Treasurer after proper notation on the tax account records by the Tax Collector is authorized to refund and pay the overpayment of taxes to the below stated of the specific property listed below:

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

Block/Lot	Property Address	Refund To	Refund Amount	Year	Reason
BL 40 L 6	221 No. 18 th Street	Corelogic Tax Services	\$ 2,351.62	2022	2
BL 47 L 14	137 No. 24 th Street	Attn: Centralized Refunds	\$ 2,257.83	2022	2
BL 122 L 18	633 Clinton Avenue	P. O. Box 9202	\$ 2,330.93	2022	2
BL 138 L 20	568 Quinton Avenue	Coppell, TX 75019	\$ 2,226.11	2022	2
BL 69 L 6	186 Boulevard	Scott & Jeanine Pentz 186 Boulevard Kenilworth, NJ 07033	\$ 700.00	2022	2

BE IT FURTHER RESOLVED, that the Borough of Kenilworth's Chief Financial Officer has certified that sufficient uncommitted funds are available in the 2022 Borough of Kenilworth Budget for the purposes set forth herein.

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

Approved: Linda Karlovitch
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David						✓
Councilman Joseph Finistrella	✓		✓			
Councilman Scott Pentz						✓
Councilman Fred Pugliese		✓	✓			
Councilman John Zimmerman						✓
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes <u> </u>	No <u> </u>				

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on September 7, 2022.

Kathleen Moschitta

Kathleen Moschitta,
Deputy Borough Clerk

RESOLUTION

No. 195

KENILWORTH, N.J.

September 7, 2022

Introduced by: ~~_____~~ **CONSENT AGENDA**

Seconded by: _____

RESOLUTION AWARDING A GOODS AND SERVICES CONTRACT TO RACHLES/MICHAELS OIL CO., FOR THE PURCHASE OF GASOLINE FOR THE BOROUGH IN AN AMOUNT NOT TO EXCEED \$95,000.00 PURSUANT TO NEW JERSEY STATE CONTRACT NO. 19-FLEET-00973, T0083, FOR THE PERIOD OF JANUARY 1, 2022 THROUGH DECEMBER 31, 2022.

WHEREAS, the Borough of Kenilworth ("Borough") pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c), may, by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, the Mayor and Council of the Borough desires and requires the purchase of goods and services necessary for the purchase of gasoline for the Borough from Rachles / Michaels Oil Co., 116 Kuller Road, Clifton, NJ 07011 through New Jersey State Contract No. 19-Fleet-00973, T0083; and

WHEREAS, the Mayor and Council of the Borough anticipates entering into a contract in excess of \$17,500 with Consolidated Fence through this resolution and properly executed purchase orders/contracts, which shall be subject to all the conditions applicable to the current State contracts.

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

1. The Borough's Qualified Purchasing Agent is authorized to purchase goods and services necessary for the purchase of gasoline for the Borough from Rachles / Michaels Oil Co., 116 Kuller Road, Clifton, NJ 07011 through New Jersey State Contract No. 19-Fleet-00973, T0083, which shall be subject to all the conditions applicable to the current State contracts, in an amount not to exceed Ninety-Five Thousand Dollars and Zero Cents (\$95,000.00), , for the period of January 1, 2022 through October 22, 2022.

2. Pursuant to N.J.A.C. 5:30-5.5(b) regarding the certification of available funds, the Borough's Chief Financial Officer shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Financial Officer via an authorized Purchase Order.

3. This Resolution shall take effect immediately upon adoption and certification on this Resolution by the Chief Financial Officer that sufficient funds are available in one of the manners as set forth in section two of this resolution.

4. This contract is ratified from January 1, 2022 until the date of adoption of this authorizing resolution.

5. The within Resolution shall be maintained on file and available for public inspection in the office of the Borough Clerk.

Approved: 
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri				✓		
Councilman Mark David						✓
Councilman Joseph Finistrella			✓			
Councilman Scott Pentz		✓	✓			
Councilman Fred Pugliese	✓		✓			
Councilman John Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes	✓	No			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on September 7, 2022.


Kathleen Moschitta
Acting Borough Clerk

RESOLUTION

No. 196

KENILWORTH, N.J.

September 7, 2022

Introduced by: CONSENT AGENDA

Seconded by: _____

RESOLUTION AWARDING A GOODS AND SERVICES CONTRACT TO CONSOLIDATED FENCE COMPANY, INC. FOR THE PURCHASE AND INSTALLATION OF FENCE AND RELATED FENCE MATERIAL THROUGHOUT THE BOROUGH IN AN AMOUNT NOT TO EXCEED \$85,000.00 PURSUANT TO NEW JERSEY STATE CONTRACT NO. A88680, T0640.

WHEREAS, the Borough of Kenilworth ("Borough") pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c), may, by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, the Mayor and Council of the Borough desires and requires the purchase of goods and services necessary for the acquisition and installation of fence and related fence materials throughout the Borough from Consolidated Fence Company, Inc., 316 North 12th Street, P.O. Box 643, Kenilworth, NJ 07033, ("Consolidated Fence") through New Jersey State Contract No. A88680, T0640; and

WHEREAS, the Mayor and Council of the Borough anticipates entering into a contract in excess of \$17,500 with Consolidated Fence through this resolution and properly executed purchase orders/contracts, which shall be subject to all the conditions applicable to the current State contracts.

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

1. The Borough's Qualified Purchasing Agent is authorized to purchase goods and services necessary for the acquisition and installation of fence and related fence materials throughout the Borough from Consolidated Fence pursuant to New Jersey State Contract No. A88680, T0640, which shall be subject to all the conditions applicable to the current State contracts, in an amount not to exceed Eighty-Five Thousand Dollars and Zero Cents (\$85,000.00).

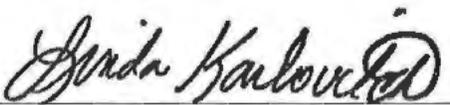
2. Pursuant to N.J.A.C. 5:30-5.5(b) regarding the certification of available funds, the Borough's Chief Financial Officer shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Financial Officer via an authorized Purchase Order.

3. This Resolution shall take effect immediately upon adoption and certification on this Resolution by the Chief Financial Officer that sufficient funds are available in one of the manners as set forth in section two of this resolution.

4. This contract is ratified from January 1, 2022 until the date of adoption of this authorizing resolution.

5. The within Resolution shall be maintained on file and available for public inspection in the office of the Borough Clerk.

6. This Resolution shall take effect immediately upon passage and publication in accordance with the law, if required.

Approved: 
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT	
Councilwoman Kay Ceceri			✓				
Councilman Mark David						✓	
Councilman Joseph Finistrella			✓				
Councilman Scott Pentz		✓	✓				
Councilman Fred Pugliese	✓		✓				
Councilman John Zimmerman			✓				
Mayor Linda Karlovitch				✓			
ON CONSENT AGENDA		Yes ✓	No				

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on September 7, 2022.


Kathleen Moschitta
Acting Borough Clerk

RESOLUTION

No. 197

KENILWORTH, N.J.

September 7, 2022

Introduced by: _____

CONSENT AGENDA

Seconded by: _____

WHEREAS, on August 17, 2022, the Municipal Council introduced and adopted on first reading Ordinance 2022-11 entitled "Ordinance Amending and Supplementing Chapter 5, "Administration of Government", Article V., "Appointive Officials", Subsection 42, "Personnel Supervisor" & Subsection 43, "Administrative Officer" of the Code of Kenilworth; and

WHEREAS, the purpose of Ordinance 2022-11 was, among other things, to transfer many of the responsibilities of the position of Personnel Supervisor to the Administrative Officer, a position that is vacant, but recently filled with the hiring of an Administrative Officer who is commencing employment on September 6, 2022; and

WHEREAS, Ordinance 2022-11 is scheduled to be adopted on second reading and final passage at the September 7, 2022 meeting of the Municipal Council; and

WHEREAS, N.J.S.A. 40:69A-181(b) mandates that there be a twenty (20) day waiting period after an ordinance is adopted and prior to it taking effect unless the Municipal Council, by resolution invoking N.J.S.A. 40:69A-181(b), declares an emergency waiving the twenty (20) day period; and

WHEREAS, it is necessary that Ordinance 2022-11 take effect immediately so that the Municipal Code can be updated as soon as possible to transfer many of the responsibilities of the position of Personnel Supervisor to the Administrative Officer; and

WHEREAS, it is therefore necessary and appropriate for the Municipal Council to adopt this resolution pursuant to N.J.S.A. 40:69A- 181(b) declaring an emergency and determining that Ordinance 2022-11, if adopted after public hearing on second reading and final passage at the September 7, 2022 meeting of the Municipal Council, shall take immediate effect upon the Mayor's signature.

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

- (1) An emergency is hereby declared for the reasons set forth herein; and
- (2) Pursuant to N.J.S.A. 40:69A-181(b) the twenty (20) day waiting period prior to the effective date of Ordinance 2022-11 is hereby waived so that Ordinance 2022-11 shall become effective immediately upon adoption by the Municipal Council at the September 7, 2022 meeting after Pubic Hearing, Second Reading and Final Passage, and upon the Mayor's signature.

Approved:



Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David						✓
Councilman Joseph Finistrella			✓			
Councilman Scott Pentz		✓	✓			
Councilman Fred Pugliese	✓		✓			
Councilman John Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA		Yes ✓		No		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on September 7, 2022.



Kathleen Moschitta, Deputy Borough Clerk

RESOLUTION

No. 198

KENILWORTH, N.J.

September 7, 2022

Introduced by: CONSENT AGENDA

Seconded by: _____

WHEREAS, on August 17, 2022, the Municipal Council introduced and adopted on first reading Ordinance 2022-12 entitled "Ordinance Amending and Supplementing Chapter 37, "Personnel Policies" Part I, "General Personnel Practices" Article I, "Procedures to Adopt Personnel Practices" and Part II "Policies and Procedures" Articles II through VII of the Code of Kenilworth; and

WHEREAS, the purpose of Ordinance 2022-12 was to revise the Borough's Code as it pertains to the responsibilities of the position of Personnel Supervisor, a position that is vacant and through the above amendment of the Code, the Borough intends to have its Administrative Officer handle many of the associated responsibilities. The Administrative Officer is commencing employment on September 6, 2022; and

WHEREAS, Ordinance 2022-12 is scheduled to be adopted on second reading and final passage at the September 7, 2022 meeting of the Municipal Council; and

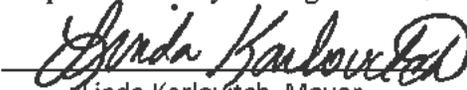
WHEREAS, N.J.S.A. 40:69A-181(b) mandates that there be a twenty (20) day waiting period after an ordinance is adopted and prior to it taking effect unless the Municipal Council, by resolution invoking N.J.S.A. 40:69A-181(b), declares an emergency waiving the twenty (20) day period; and

WHEREAS, it is necessary that Ordinance 2022-12 take effect immediately so that the Municipal Code can be updated as soon as possible to include the responsibilities of the position of Personnel Supervisor, which as referenced above, many of which will be performed by Borough's newly hired Administrative Officer; and

WHEREAS, it is therefore necessary and appropriate for the Municipal Council to adopt this resolution pursuant to N.J.S.A. 40:69A- 181(b) declaring an emergency and determining that Ordinance 2022-11, if adopted after public hearing on second reading and final passage at the September 7, 2022 meeting of the Municipal Council, shall take immediate effect upon the Mayor's signature.

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

- (1) An emergency is hereby declared for the reasons set forth herein; and
- (2) Pursuant to N.J.S.A. 40:69A-181(b) the twenty (20) day waiting period prior to the effective date of Ordinance 2022-11 is hereby waived so that Ordinance 2022-11 shall become effective immediately upon adoption by the Municipal Council at the September 7, 2022 meeting after Public Hearing, Second Reading and Final Passage, and upon the Mayor's signature.

Approved: 
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David						✓
Councilman Joseph Finistrella			✓			
Councilman Scott Pentz			✓			
Councilman Fred Pugliese	✓		✓			
Councilman John Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes	✓	No	___		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on September 7, 2022.

Kathleen Moschitta
 Kathleen Moschitta, Deputy Borough Clerk

RESOLUTION

No. 199

KENILWORTH, N.J.

September 7, 2022

Introduced by: _____

CONSENT AGENDA

Seconded by: _____

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2021 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations"; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations", as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, that the Council of the Borough of Kenilworth, County of Union, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

Kathleen Moschitta
 Clerk

Approved: *Linda Karlovitch*
 Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David						✓
Councilman Joseph Finistrella			✓	✓		
Councilman Scott Pentz			✓	✓		
Councilman Fred Pugliese	✓		✓			
Councilman John Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes	✓	No			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on September 7, 2022.

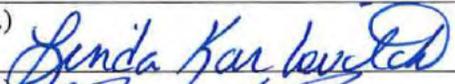
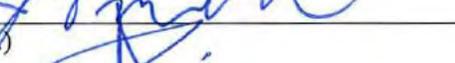
Kathleen Moschitta
 Kathleen Moschitta
 Acting Borough Clerk

CERTIFICATION OF GOVERNING BODY OF THE ANNUAL AUDIT GROUP AFFIDAVIT FORM

STATE OF NEW JERSEY
COUNTY OF UNION

We, members of the governing body of the Borough of Kenilworth, in the County of Union, being duly sworn according to law, upon our oath depose and say:

1. We are duly elected members of the Borough Council of the Borough of Kenilworth in the county of Union;
2. In the performance of our duties, and pursuant to N.J.A.C. 5:30-6.5, we have familiarized ourselves with the contents of the Annual Municipal Audit filed with the Clerk pursuant to N.J.S.A. 40A:5-6 for the year 2021;
3. We certify that we have personally reviewed and are familiar with, as a minimum, the sections of the Annual Report of Audit entitled "Comments and Recommendations."

(L.S.) Linda Karlovitch, Mayor	(L.S.) 
(L.S.) Fred Pugliese, Council President	(L.S.) 
(L.S.) Kay Anne Ceceri	(L.S.) 
(L.S.) Mark David	(L.S.) 
(L.S.) Joseph Finistrella	(L.S.) 
(L.S.) John Zimmerman	(L.S.) 
(L.S.) Scott Pentz	(L.S.) 

Sworn to and subscribed before me this
7 day of September 2022
Notary Public of New Jersey


Clerk

The Municipal Clerk (or Clerk of the Board of Chosen Freeholders as the case may be) shall set forth the reason for the absence of signature of any members of the governing body.

IMPORTANT: This certificate must be sent to the Bureau of Financial Regulation and Assistance, Division of Local Government Services, P.O. Box 803, Trenton, New Jersey 08625.

RESOLUTION

No. 200

KENILWORTH, N.J.

SEPTEMBER 7, 2022

Introduced by: CONSENT AGENDA

Seconded by: _____

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to cause an annual audit of its books, accounts and financial transactions to be made and completed within six months after the close of its fiscal year; and

WHEREAS, the auditing firm of Suplee, Clooney & Company, P.A. has completed their audit of the Financial Statements and Supplementary Data of the Borough of Kenilworth for the year ended December 31, 2021; and

WHEREAS, the audit for calendar year ending December 31, 2021 was presented to the governing body; and

WHEREAS, the auditing firm of Suplee, Clooney & Company, P.A. has made recommendations as a result of that audit; and

WHEREAS, the Corrective Action Plan shall cover all findings and recommendations, including state, federal, and general or financial statement findings in the audit report; and

WHEREAS, the Chief Financial Officer shall prepare said Corrective Action Plan with the assistance from other officials affected by the audit recommendations; and

WHEREAS, the Corrective Action Plan must be approved by the governing body of the local unit and is to be submitted to the Division of Local Government Services no later than sixty days from the receipt of the audit report.

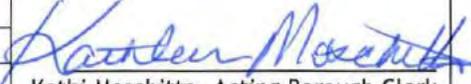
NOW THEREFORE, BE IT RESOLVED, by the Council of the Borough of Kenilworth, County of Union, that the 2021 Annual Audit Corrective Action Plan submitted by the Chief Finance Officer is hereby approved; and

BE IT FURTHER RESOLVED, that a certified copy of the 2021 Corrective Action Plan be sent to the Borough Clerk and the Division of Local Government Services.

Approved: 
 Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David				✓		✓
Councilman Joseph Finistrella			✓			
Councilman Scott Pentz		✓	✓			
Councilman Fred Pugliese	✓		✓			
Councilman John Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes	✓	No			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on September 7, 2022.


 Kathi Moschitta, Acting Borough Clerk

CORRECTIVE ACTION PLAN – 2021 AUDIT

Recommendation: That the practice of issuing confirming purchase orders be discontinued.

Analysis: We noted that several purchase orders were processed as confirming orders. This is where goods have been received or services have been rendered prior to the issuance of a purchase order.

Corrective Action: Municipal staff have been trained in the processes of encumbering funds through a purchase order before placing an order with a vender. The CFO will notify departments of this audit comment and their deficiencies. Vendors will be notified that they should not accept Borough requests without an approved purchase order first.

RESOLUTION

No. 201

KENILWORTH, N.J.

September 7, 2022

Introduced by: CONSENT AGENDA

Seconded by: _____

WHEREAS, there exists a need within the Borough of Kenilworth Police Department to appoint an Alternate School Crossing Guard; and

WHEREAS, it is the recommendation of the Sergeant Ken Grady, Jr. that Victor Smith be appointed an Alternate School Crossing Guard; and

WHEREAS, the Borough of Kenilworth Police Department successful completed a background investigation on Victor Smith.

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Kenilworth hereby appoints Victor Smith an Alternate School Crossing guard effective September 7, 2022.

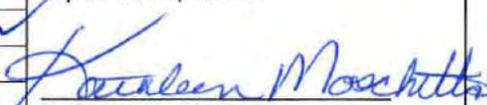
BE IT FURTHER RESOLVED, that said appointment be compensated at an hourly rate of \$18.58 per hour.

BE IT FURTHER RESOLVED, that the Borough of Kenilworth's Chief Financial Officer has certified that sufficient uncommitted funds are available in the 2022 Borough of Kenilworth Budget for the purposes set forth herein.

Approved: 
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David						✓
Councilman Joseph Finistrella			✓			
Councilman Scott Pentz			✓			
Councilman Fred Pugliese	✓		✓			
Councilman John Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA		Yes _	No _			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on September 7, 2022.


Kathleen Moschitta,
Deputy Borough Clerk

RESOLUTION

No. 202

KENILWORTH, N.J.

September 7, 2022

Introduced by: CONSENT AGENDA

Seconded by: _____

WHEREAS, Edison Heating & Cooling, 191 Vineyard Road, Edison, NJ 08817 was hired by the Borough of Kenilworth to replace air conditioning units at a Borough owned property – Kenilworth Senior Center, located at 526 Boulevard, Kenilworth, NJ (Block 82 Lot 28); and

WHEREAS, Edison Heating & Cooling applied to the Building Department for a zoning permit needed for the replacement of units; and

WHEREAS, the Building Department mistakenly charged Edison Heating & Cooling \$25.00 for the zoning permit fee despite this project being exempt for fees because the work was being performed on Borough’s own property; and

WHEREAS, on August 8, 2022, the Building Department collected the \$25.00 from Edison Heating & Cooling; and

WHEREAS, it has been determined, the above zoning application fee was erroneously charged to Edison Heating & Cooling for this project and

WHEREAS, the Borough wishes to issue a refund to Edison Heating & Cooling.

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

1. The Chief Operating Officer (CFO) is hereby authorized to draw a warrant to refund the following to:

Amount of \$25.00 be refunded to the Contractor:
 Edison Heating & Cooling
 191 Vineyard Road
 Edison, NJ 08817

Service at: Kenilworth Senior Center
 526 Boulevard
 Kenilworth, NJ 07033

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 for the above purposes and the fund to be charged shall be **2-01-53-936-000**.

**RESOLUTION
KENILWORTH, N.J.**

No. 204

SEPTEBER 21, 2022

Introduced by: _____
CONSENT AGENDA

Seconded by: _____

WHEREAS, the STALWART PRODUCTIONS LLC heretofore received a filming permit within the Borough of Kenilworth to film ISLE OF THE DEAD on the property located at 2480 Route 22, Kenilworth, NJ; and

WHEREAS, the property owner has attested that there are no damages to their premise.

NOW, THREFORE, BE IT RESOLVED the Cash Bond of \$2,500.00 be refunded to STALWART PRODUCTIONS LLC, ISLE OF THE DEAD, 2425 Olympic Blvd, STE 400, Santa Monica, CA 98404.

BE IT FURTHER RESOLVED, that the Borough of Kenilworth's Chief Financial Officer has certified that sufficient uncommitted funds are available in the 2022 Borough of Kenilworth Budget for the purposes set forth herein and the fund to be charged shall be 2-01-53-936-007.

Linda Karlovitch

Approved: _____

Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David	✓		✓	✓		
Councilman Joseph Finistrella			✓	✓		
Councilman Scott Pentz						✓
Councilman Fred Pugliese			✓	✓		
Councilman John Zimmerman		✓	✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes	✓	No			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on September 21, 2022.

Angela Lazzari
Angela Lazzari, Borough Clerk

RESOLUTION

No. 205

KENILWORTH, N.J.

SEPTEMBER 21, 2022

Introduced by: _____

CONSENT AGENDA

Seconded by: _____

WHEREAS, a vacancy exists in the position of Senior Clerk in 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, based on the recommendation of the interview panel, the Borough Administrator and Borough Clerk recommend that Jacqueline Schulz 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. To ensure a proper audit trail for salary and wage payments, **Jacqueline Schulz** be appointed **Senior Clerk** at a rate of \$48,000.00 per annum, effective October 13, 2022.
2. 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.
3. This offer of employment is contingent upon successful completion of medical release, criminal and background checks.

BE IT FURTHER RESOLVED, that the Borough of Kenilworth's Chief Financial Officer has certified that sufficient uncommitted funds are available in the 2022 Borough of Kenilworth Budget for the purposes set forth herein and the fund to be charged shall be **2-01-20-701-011**.

Approved: _____

Linda Karlovitch

Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David	✓		✓	✓		
Councilman Joseph Finistrella			✓	✓		
Councilman Scott Pentz						✓
Councilman Fred Pugliese			✓	✓		
Councilman John Zimmerman			✓	✓		
Mayor Linda Karlovitch						
ON CONSENT AGENDA		Yes <u>1</u>	No <u> </u>			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on September 21, 2022.

Angela Lazzari
Angela Lazzari, Borough Clerk

**RESOLUTION
KENILWORTH, N.J.**

No. 206

SEPTEMBER 21, 2022

Introduced by: _____ **CONSENT AGENDA**

Seconded by: _____

WHEREAS, a vacancy exists in the position of Accounts Payable/Tax Clerk in the Finance Office; and

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

WHEREAS, based on the recommendation of the interview panel, the Borough Administrator and Chief Finance Officer recommend that Jennifer Zeballos be appointed Accounts Payable/Tax 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:

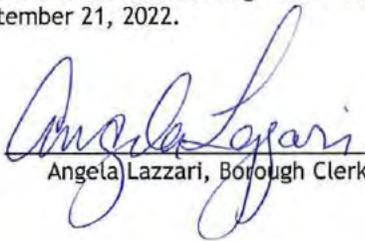
1. To ensure a proper audit trail for salary and wage payments, **Jennifer Zeballos** be appointed **Accounts Payable/Tax Clerk** at a rate of \$36,400.00 per annum, effective October 11, 2022.
2. That as of September 1, 2018, full time employees not otherwise covered by a collective bargaining agreement 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.
3. This offer of employment is contingent upon successful completion of medical release, criminal and background checks.

BE IT FURTHER RESOLVED, that the Borough of Kenilworth's Chief Financial Officer has certified that sufficient uncommitted funds are available in the 2022 Borough of Kenilworth Budget for the purposes set forth herein and the fund to be charged shall be **2-01-20-705-011**.

Approved: 
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Celeri			✓			
Councilman Mark David	✓		✓			
Councilman Joseph Finistrella			✓			
Councilman Scott Pentz						✓
Councilman Fred Pugliese			✓			
Councilman John Zimmerman		✓	✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes	✓	No			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on September 21, 2022.


Angela Lazzari, Borough Clerk

**RESOLUTION
KENILWORTH, N.J.**

No. 207

SEPTEMBER 21, 2022

Introduced by: _____
CONSENT AGENDA

Seconded by: _____

WHEREAS, Sara Fernandez was previously appointed as a Permanent School Crossing Guard; and

WHEREAS, Sara Fernandez wished to be removed from the list of Permanent School Crossing Guards and be added to the list of Alternate School Crossing Guards.

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Kenilworth hereby removes **Sara Fernandez** from the list of Permanent School Crossing Guards and adds **Sara Fernandez** to the list of Alternate School Crossing Guards.

BE IT FURTHER RESOLVED, that the Borough of Kenilworth's Chief Financial Officer has certified that sufficient uncommitted funds are available in the 2022 Borough of Kenilworth Budget for the purposes set forth herein.

Approved: *Linda Karlovitch*
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David	✓		✓			
Councilman Joseph Finistrella			✓			
Councilman Scott Pentz						✓
Councilman Fred Pugliese			✓			
Councilman John Zimmerman		✓	✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes	✓			No	_

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on September 21, 2022.

Angela Lazzari
Angela Lazzari, Borough Clerk

**RESOLUTION
KENILWORTH, N.J.**

No. 208

SEPTEMBER 21, 2022

Introduced by: _____

CONSENT AGENDA

Seconded by: _____

WHEREAS, on March 16, 2022, the Borough of Kenilworth Municipal Council adopted Resolution 106, which authorized the compensation rates for the Kenilworth Recreation 2022 Middle School Baseball Umpires, Coaches, and Assistant Coaches; and

WHEREAS, Resolution 106 incorrectly stated the compensation rate for Kenilworth Recreation 2022 Middle School Baseball Coaches at a rate of \$1,500.00 and compensation rate for Assistant Coaches at a rate of \$900.00; and

WHEREAS, the Borough wishes to amend Resolution 106 to correct compensation rates that would be paid to Middle School Baseball Coaches and Assistant Coaches.

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

- Resolution 106 is hereby amended to correct the compensation rates to Kenilworth Recreation 2022 Middle School Baseball Coaches and Assistant Coaches as follows:

Middle School Baseball Coaches shall receive compensation at a rate of \$1,000.00 (One Thousand Dollars and Zero Cents).

Middle School Baseball Assistant Coaches shall receive compensation at a rate of \$800.00 (Eight Hundred Dollars and Zero Cents).

- The CFO has certified that sufficient uncommitted funds are available in the 2022 Borough of Kenilworth Budget for the above purposes to be charged to T-03-56-860-025 line item.
- A copy of this resolution shall be kept on file in the Borough Clerk's Office.
- This resolution shall take effect immediately.

Approved: _____

Linda Karlovitch

Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓	✓		
Councilman Mark David	✓		✓	✓		
Councilman Joseph Finistrella			✓	✓		
Councilman Scott Pentz						✓
Councilman Fred Pugliese			✓	✓		
Councilman John Zimmerman			✓	✓		
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes	✓	No	___		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on September 21, 2022.

Angela Lazzari
Angela Lazzari, Borough Clerk

**RESOLUTION
KENILWORTH, N.J.**

No. 209

SEPTEMBER 21, 2022

Introduced by: CLARENCE ACQUADA

Seconded by: _____

WHEREAS, N.J. A.C. 5:30-4.4B provides that the Capital Budget of a governing body shall be amended to reflect any provisions, changes or inconsistencies with said Capital Budget, and

WHEREAS, the Borough of Kenilworth desires to amend the 2022 Capital Budget of said municipality by inserting thereon the items therein shown in such budget for:

Acquisition of new additional or replacement equipment and machinery and new automotive vehicles, including original apparatus and equipment, for the use of the Department of Public Works consisting of a mason dump truck, a pickup truck, a front end loader, snow removal equipment, a tire machine/balancer and asphalt hot box equipment; and

Acquisition of new automotive vehicle including original apparatus and equipment, and new communication and signal systems equipment for the use of the Police Department consisting of an SUV and 9-1-1 system equipment; and

Acquisition of new information technology equipment consisting of computer equipment for the use of various Borough Departments, offices and agencies; and

Acquisition of new additional or replacement equipment and machinery consisting of light towers for the use of the Emergency Management Department; and

Partial funding for the acquisition of a new ladder fire truck, including original apparatus and equipment; and

Acquisition of new additional or replacement equipment and machinery for the use of the Fire Department consisting of turnout gear, self-contained breathing apparatus equipment and various firefighting tools and other equipment; and

Undertaking of sidewalk improvements at Boulevard and other locations; and

Undertaking of various improvements to public buildings and property; and

Undertaking of the Tree Planting Program; and

Resurfacing of various municipal parking lots; and

Undertaking of sanitary and storm sewer system improvements at various locations; and

Undertaking of the following road improvements: evaluation of roads for future road improvements and the 2022 Capital Road Improvement Program (including roadway reconstruction and resurfacing, and the undertaking of the following, where necessary: repair of the storm drainage system, construction or reconstruction of curbs, sidewalks and driveway aprons and the making of landscaping improvements), as set forth on a list prepared by the Borough Engineer on file or to be placed on file with the Borough Clerk, and hereby approved as if set forth herein in full. Depending upon the contract price and other exigent circumstances, and upon approval by the Borough Council, there may be additions to or deletions from the aforesaid list.

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

**AMENDMENT
CAPITAL BUDGET OF THE
BOROUGH OF KENILWORTH
COUNTY OF UNION, NEW JERSEY**

PROJECTS SCHEDULE FOR 2022

METHOD OF FINANCING

<u>PROJECT</u>	<u>ESTIMATED COSTS</u>	<u>BONDS OR NOTES AUTHORIZED</u>	<u>CAPITAL IMPROVEMENT FUND</u>	<u>GRANTS</u>	<u>CAPITAL SURPLUS</u>
Vehicles and Equipment for the Department of Public Works	\$330,000.00	\$310,000.00	\$20,000.00		
Vehicle and Equipment for the Police Department	\$190,000.00	\$180,000.00	\$10,000.00		
Acquisition of new information technology Equipment for Borough Departments	\$25,000.00	\$23,000.00	\$2,000.00		
Light towers for OEM Department	\$15,000.00	\$14,000.00	\$1,000.00		
Partial funding for new ladder truck for Fire Department	\$150,000.00	\$142,850.00	\$7,150.00		
Acquisition of Equipment and machinery For the Fire Department	\$75,000.00	\$67,150.00	\$7,850.00		
Sidewalk Improvements	\$220,000.00	\$209,000.00	\$11,000.00		
Various Improvements to Public Buildings and Grounds	\$290,000.00	\$273,000.00	\$17,000.00		
Tree Planting Program	\$10,000.00	\$6,500.00	\$500.00	\$3,000.00	
Resurfacing of various Municipal Parking Lots	\$125,000.00	\$70,000.00	\$5,000.00	\$50,000.00	
Undertaking of Sanitary and Storm Sewer System Improvements	\$100,000.00	\$95,000.00	\$5,000.00		
Evaluation of Roads for future road Improvements and 2022 Capital Road Improvements Program	\$330,000.00	\$94,500.00	\$6,500.00	\$229,000.00	
TOTAL	\$1,860,000.00	\$1,485,000.00	\$93,000.00	\$282,000.00	

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the office of the Director of Local Government Services.

ADOPTED: September 21, 2022

I hereby certify that the foregoing resolution was adopted by the Council on September 21, 2022.

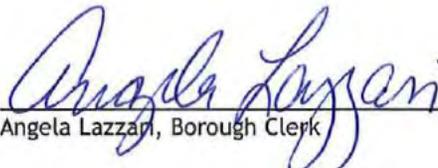


Approved:

Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓	✓		
Councilman Mark David	✓		✓	✓		
Councilman Joseph Finistrella			✓	✓		
Councilman Scott Pentz						✓
Councilman Fred Pugliese			✓	✓		
Councilman John Zimmerman		✓	✓	✓		
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes	✓	No	___		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on September 21, 2022.



Angela Lazzari, Borough Clerk

RESOLUTION

No. 210

KENILWORTH, N.J.

SEPTEMBER 21, 2022

Introduced by: _____
CONSENT AGENDA

Seconded by: _____

WHEREAS, funding in the amount of \$880,000.00 was received through the New Jersey Department of Transportation (NJDOT) Municipal Aid program from the New Jersey Transportation Trust Fund Authority Act; and

WHEREAS, on September 23, 2020, the Municipal Council adopted Resolution 5 awarding a publicly bid contract to the lowest responsible bidder, S. Brothers General Contractors, P.O. Box 317, South River, NJ 08882 to carry out the following roadway improvement projects approved by the NJDOT for the 2020 NJDOT Roadway Improvement Program, for an amount of \$850,202.97:

WHEREAS, the contractor and Borough of Kenilworth have encountered unanticipated circumstances that require minor modifications to effectuate economies, which could not be effectuated through a separate bid and as a result require a change order (N.J.A.C. 5:34-11-8(c)(1); and

WHEREAS, the amount of the change order is less than the aggregate maximum increase of 20% as required by N.J.A.C 5:34-11-3(a)(9); and

WHEREAS, the Borough of Kenilworth sought and received approval from the NJDOT to supplement additional work items within the location limits of North 20th Street, which was part of the original public bid; and

WHEREAS, the borough wishes to authorize a Change Order No. 1 for the supplemental work items within the location limits of North 20th Street, as approved by the NJDOT.

NOW, THEREFORE, BE IT RESOLVED, by the Borough of Kenilworth, County of Union, New Jersey, that Change Order No. 1 for the for the supplemental work items within the location limits of the original bid, in the form attached hereto, as approved by the NJDOT, with an increase in the amount of \$29,797.03 be authorized to be executed by the appropriate officials.

BE IT FURTHER RESOLVED, that the CFO has certified that sufficient uncommitted funds are available in the 2022 Borough of Kenilworth Budget for the above purposes to be charged to _____ line item.

Councilwoman Kay Ceceri		✓			
Councilman Mark David	✓	✓			
Councilman Joseph Finistrella		✓			
Councilman Scott Pentz					✓
Councilman Fred Pugliese		✓	✓		
Councilman John Zimmerman		✓	✓		
Mayor Linda Karlovitch					
ON CONSENT AGENDA	Yes	✓	No	—	

Angela Lazzari
 Angela Lazzari, Borough Clerk

RESOLUTION

No. 211

KENILWORTH, N.J.

September 21, 2022

Introduced by: _____
CONSENT AGENDA

Seconded by: _____

WHEREAS, funding in the amount of \$415,000.00 was received through the New Jersey Department of Transportation (NJDOT) Municipal Aid program from the New Jersey Transportation Trust Fund Authority Act; and

WHEREAS, on September 8, 2020, the Municipal Council adopted Resolution 5 awarding a publicly bid contract to the lowest responsible bidder, AJM Contractors, 300 Kuller Rd., Clifton, NJ 07011 to carry out roadway improvement projects approved by the NJDOT for the 2021 NJDOT Roadway Improvement Program, for an amount of \$390,211.00:

WHEREAS, the contractor and the Borough of Kenilworth have encountered unanticipated circumstances that require minor modifications to effectuate economies, which could not be effectuated through a separate bid and as a result requires the Borough to enter into Change Order No. 1, (N.J.A.C. 5:34-11-8(c)(1); and

WHEREAS, the amount of the change order is less than the aggregate maximum increase of 20% as required by N.J.A.C 5:34-11-3(a)(9); and

WHEREAS, the Borough of Kenilworth sought and received approval from the NJDOT to supplement additional work items within the location limits of one of the streets that was part of the original public bid; and

WHEREAS, the borough wishes to authorize Change Order No. 1 for the supplemental work items within the location limits of one of the streets that was part of the original public bid, as approved by the NJDOT.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Kenilworth, County of Union, New Jersey, that Change Order No. 1 for the supplemental work items within the location limits of the original bid, in the form attached hereto, as approved by the NJDOT, with an increase in the amount of \$45,421.50, inclusive of a cash contribution of \$20,632.50 from Elizabeth Gas Company towards their financial responsibilities for road improvements, be authorized to be executed by the appropriate officials.

BE IT FURTHER RESOLVED, that the CFO has certified that sufficient uncommitted funds in the amount not of \$435,632.50 are available in the 2022 Borough of Kenilworth Budget for the above purposes to be charged to _____ line item.

Linda Karlovitch

Approved:

Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David	✓		✓			
Councilman Joseph Finistrella			✓			
Councilman Scott Pentz						✓
Councilman Fred Pugliese			✓	✓		
Councilman John Zimmerman		✓	✓			
Mayor Linda Karlovitch			✓			
ON CONSENT AGENDA	Yes	✓	No	—		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on September 21, 2022.

Angela Lazzari
Angela Lazzari, Borough Clerk

RESOLUTION

No. 212

KENILWORTH, N.J.

SEPTEMBER 21, 2022

Introduced by: _____

CONSOLIDATED FENCE

Seconded by: _____

WHEREAS, on September 7, 2022, the Municipal Council adopted Resolution 196 authorizing the Borough's Qualified Purchasing Agent to purchase goods and services necessary for the acquisition and installation of fence and related fence materials throughout the Borough from Consolidated Fence pursuant to New Jersey State Contract No. A88680, T0640, in an amount not to exceed Eighty-Five Thousand Dollars and Zero Cents (\$85,000.00); and

WHEREAS, the Borough wishes to amend Resolution 196 to increase the contract with Consolidated Fence from \$85,000.00 to \$100,000.00 to allow the Borough to allow the Borough to acquire and install additional fence or related fence materials throughout the Borough.

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 196, adopted by the Municipal Council on September 7, 2022, is hereby amended to increase the amount of the contract with Consolidated Fence, pursuant to New Jersey State Contract No. A88680, T0640, from \$85,000.00 to \$100,000.00 to allow the Borough to acquire and install additional fence or related fence materials throughout the Borough.

2. Pursuant to N.J.A.C. 5:30-5.5(b) regarding the certification of available funds, the Borough's Chief Financial Officer shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Financial Officer via an authorized Purchase Order.

3. This amended resolution shall take effect immediately upon adoption and certification on this Resolution by the Chief Financial Officer that sufficient funds are available in one of the manners as set forth in section two of this resolution.

4. This contract is ratified from January 1, 2022, until the date of adoption of this authorizing resolution.

5. The within amended resolution shall be maintained on file and available for public inspection in the office of the Borough Clerk.

6. This resolution shall take effect immediately upon passage and publication in accordance with the law, if required.

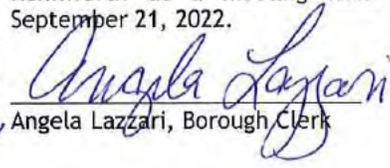
Approved:



Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David	✓		✓			
Councilman Joseph Finistrella			✓			
Councilman Scott Pentz						✓
Councilman Fred Pugliese			✓			
Councilman John Zimmerman		✓	✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes	✓	No	—		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on September 21, 2022.



Angela Lazzari, Borough Clerk



BOROUGH OF KENILWORTH

October 5, 2022

WORK SESSION 6:00PM COUNCIL MEETING

COUNCIL MEETING COMMENCES UPON CONCLUSION OF THE WORK SESSION

In light of the public health emergency caused by Coronavirus, the Mayor and Borough Council Meetings the Council will continue to meet on their regularly scheduled meeting dates. The Regular Council Meeting will commence as soon as possible upon conclusion of the 6PM Work Session.

Open Public Meetings Notice

Salute to the Flag

Roll Call

Minutes: Work Session – 9/7/2022 and 9/21/2022
Council Meeting – 9/7/2022 and 9/21/2022

Communications:

Public Hearing and Final Adoption of Ordinances:

Ordinances Introduced on September 7, 2021

Ordinance 2022-13

"AN ORDINANCE AUTHORIZING THE SALE OF CERTAIN LAND IN THE BOROUGH OF KENILWORTH (Block 101, Lot 27) TO BE SOLD AT PRIVATE SALE IN ACCORDANCE WITH N.J.S.A. 40A:12-13(b)(5)"

Ordinance 2022-14

"AN ORDINANCE AUTHORIZING THE SALE OF CERTAIN LAND IN THE BOROUGH OF KENILWORTH (Block 101, Lot 28) TO BE SOLD AT PRIVATE SALE IN ACCORDANCE WITH N.J.S.A. 40A:12-13(b)(5)"

Ordinance 2022-15

"AN ORDINANCE AUTHORIZING THE SALE OF CERTAIN LAND IN THE BOROUGH OF KENILWORTH (Block 101, Lot 29) TO BE SOLD AT PRIVATE SALE IN ACCORDANCE WITH N.J.S.A. 40A:12-13(b)(5)"

Ordinance 2022-16

"AN ORDINANCE AUTHORIZING THE SALE OF CERTAIN LAND IN THE BOROUGH OF KENILWORTH (Block 19, Lot 10) TO BE SOLD AT PRIVATE SALE IN ACCORDANCE WITH N.J.S.A. 40A:12-13(b)(5)"

Ordinances Introduced on September 21, 2021

ADOPTION: Ordinance 2022-18

“ORDINANCE AMENDING CHAPTER 37, “PERSONNEL POLICIES,” ARTICLE V, “PAID AND UNPAID TIME OFF POLICIES,” SUBSECTION 37, “PAID HOLIDAYS” OF THE CODE OF THE BOROUGH OF KENILWORTH”

Borough Resolutions: - Consent Agenda

213. Authorizing that all bills be paid when properly audited and funds are available
214. Authorizing the refund for tax overpayments in the amount of \$1,541.40 for the property located at 467 Boulevard (Block 113 Lot 15)
215. Authorizing a full tax exemption from taxes billed to 612 Washington Ave. (Block 47, Lot 4) based on a determination of 100% disabled veteran status and a refund for tax overpayments paid in the amount of \$3,640.33
216. Authorizing the Grant application to NJDEP Division of Watershed Protection and Restoration for improvements to the existing stormwater system
217. Resolution waiving the waiting period for Ordinance 2022-18 (PAID HOLIDAYS)
218. Authorizing an award of contract to Messercola Excavating in an amount of \$97,760.00 for the Tulip Court Drainage Swale & Pedestrian Path, Commonwealth Drive Pedestrian Path and Wilshire Drive & Brassier Lane Drainage Improvements project
219. Authorizing an award of contract to AA Berms in an amount of \$ 23,700.00 for CDBG Year 48- ADA Curb and Ramp Improvements project
220. Authorizing an award of contract to Picerno Giordano Construction LLC in an amount of \$88,150.00 for Parking Lot Improvements (Senior Center)
221. Amending Reso 201 appointing Victor Smith as an Alternate Crossing Guard to correct the compensation rate to be \$18.95 per hour

Meeting Open to the Public

General Business

Adjournment

Council reserves the right to go into Closed Session if needed. *(Closed Session Meeting Resolution)*

Adjournment

Time: _____

RESOLUTION

No. 213

KENILWORTH, N.J.

October 5, 2022

Introduced by: _____

CONSENT AGENDA

Seconded by: _____

BE IT RESOLVED, by the Borough of Kenilworth, County of Union, New Jersey, that the attached summary of bills in the total amount of \$2,069,091.98, 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 2022 Borough of Kenilworth Budget to fund the payment of the following bills attached hereto and made a part of this resolution.

Approved: _____

Linda Karlovitch

Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David						✓
Councilman Joseph Finistrella						✓
Councilman Scott Pentz		✓	✓			
Councilman Fred Pugliese			✓			
Councilman John Zimmerman	✓		✓			
Mayor Linda Karlovitch			✓			
ON CONSENT AGENDA		Yes	✓	No		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on October 5, 2022.

Angela Lazzari

Angela Lazzari,
Borough Clerk

Range of Checking Accts: CURRENT to CURRENT Range of Check Ids: 102122 to 102122
Report Type: All Checks Report Format: Condensed Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check #	Check Date	Vendor	Reconciled/Void	Ref Num
PO #	Description	Amount Paid	Contract	
102122	09/23/22	02031 PUBLIC SERVICE ELEC. & GAS. CO		2215
22-01309 A#1301217204		31,725.67		

Report Totals	Paid	Void	Amount Paid	Amount Void
Checks:	1	0	31,725.67	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	1	0	31,725.67	0.00

9/23/22 manual check

Totals by Year-Fund					
Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND	2-01	2,006,750.21	0.00	0.00	2,006,750.21
GENERAL CAPITAL	C-04	20,700.00	0.00	0.00	20,700.00
GRANTS	G-02	4,802.26	0.00	0.00	4,802.26
GENERAL TRUST	T-03	2,517.50	0.00	0.00	2,517.50
ANIMAL CONTROL TRUST	T-15	<u>2,596.34</u>	<u>0.00</u>	<u>0.00</u>	<u>2,596.34</u>
	Year Total:	<u>5,113.84</u>	<u>0.00</u>	<u>0.00</u>	<u>5,113.84</u>
	Total of All Funds:	<u><u>2,037,366.31</u></u>	<u><u>0.00</u></u>	<u><u>0.00</u></u>	<u><u>2,037,366.31</u></u>

RESOLUTION

No. 214

KENILWORTH, N.J.

October 5, 2022

Introduced by: _____

CONSENT AGENDA

Seconded by: _____

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

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

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of, that the Treasurer after proper notation on the tax account records by the Tax Collector is authorized to refund and pay the overpayment of taxes to the below stated of the specific property listed below:

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

Block/Lot	Property Address	Refund To	Refund Amount	Year	Reason
BL 113 L 15	467 Boulevard	Jacobus & Associates, LLC and FND Real Estate, LLC 201 Littleton Rd., 1 st Floor Morris Plains, NJ 07950 Attn: Jennifer Jacobus	\$ 1,541.40	2022	6

BE IT FURTHER RESOLVED, that the Borough of Kenilworth's Chief Financial Officer has certified that sufficient uncommitted funds are available in the 2022 Borough of Kenilworth Budget for the purposes set forth herein.

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

Approved:



Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David						✓
Councilman Joseph Finistrella						✓
Councilman Scott Pentz		✓	✓	✓		
Councilman Fred Pugliese		✓	✓	✓		
Councilman John Zimmerman	✓		✓	✓		
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes	✓		No		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on October 5, 2022.


 Angela Lazzari,
 Borough Clerk

RESOLUTION

No. 215

KENILWORTH, N.J.

October 5, 2022

Introduced by: _____
 Seconded by: _____

CONSENT AGENDA

WHEREAS, the State of New Jersey Department of Military and Veterans Affairs has confirmed that Megan Tripodi, a resident of Kenilworth who resides at 612 Washington Ave. (Block 47, Lot 4) was granted a determination of 100% total disability by the United States Department of Veterans Affairs, and

WHEREAS, Ms. Tripodi has made an application to the Tax Assessor for an exemption from property taxes on the above address based on her disabled veteran's status under N.J.S.A. 54:4-3.30; and

WHEREAS, it is recommended by the tax assessor, Kevin Palumbo, in a letter dated June 28th, 2022 to the tax collector that Ms. Tripodi be granted full tax exemption from billed property taxes as of June 1, 2022, and this has resulted in an overpayment of 2022 taxes due;

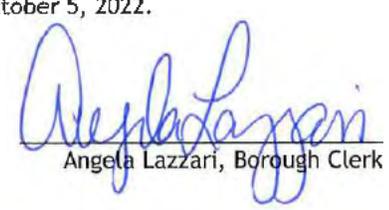
NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Kenilworth, County of Union, State of New Jersey that Ms. Tripodi be granted a full tax exemption from taxes billed to 612 Washington Ave., Kenilworth, NJ, as of June 1, 2022, and that Corelogic Tax Services be refunded the amount of \$3,640.33 which represents the overpayment of taxes paid.

Refund: Corelogic Tax Services, Attn: Centralized Refunds, P. O. Box 9202,
 Coppell, TX 75019


 Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			✓
Councilman Mark David						✓
Councilman Joseph Finistrella						✓
Councilman Scott Penz		✓	✓			
Councilman Fred Pugliese		✓	✓			
Councilman John Zimmerman	✓		✓			
Mayor Linda Karlovitch			✓			
ON CONSENT AGENDA	Yes	✓	No			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on October 5, 2022.


 Angela Lazzari, Borough Clerk

RESOLUTION

No. 216

KENILWORTH, N.J.

October 5, 2022

Introduced by: _____

Seconded by: _____

CONSENT AGENDA

WHEREAS, September 13, 2022, on behalf of the Borough of Kenilworth, the Borough Engineer submitted an application to New Jersey Department of Environmental Protection (NJDEP) Division of Watershed Protection and Restoration requesting grant funding in the amount of \$1,000,000.00 from the NJDEP Federal American Rescue Plan Act Stormwater Grants for Water Quality and Quantity Improvements for improvements to the existing stormwater system along North 16th Street Park and Woodland Avenue at the intersection of Market Street with a commitment from the Borough to provide in kind staff members to complete the design and oversee construction of the stormwater quality improvements; 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:

1. The Mayor and/or her designee, the Borough Engineer, are hereby authorized to submit an application to NJDEP Division of Watershed Protection and Restoration requesting grant funding in the amount of \$1,000,000.00 from the NJDEP Federal American Rescue Plan Act Stormwater Grants for Water Quality and Quantity Improvements for improvements to the existing stormwater system along North 16th Street Park and Woodland Avenue at the intersection of Market Street with a commitment from the Borough to provide in kind staff members to complete the design and oversee construction of the stormwater quality improvements.
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 Engineer, are hereby authorized to enter into and execute grant documents with NJDEP Division of Watershed Protection and Restoration to receive and expend the grant award for improvements to the existing stormwater system along North 16th Street Park and Woodland Avenue at the intersection of Market Street.
5. Upon notification of the receipt of a grant award in connection with this application, the Borough Engineer 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. In kind staff members necessary to complete the design and oversee construction of the stormwater quality improvements shall be provided by the Borough of Kenilworth.
7. The Borough Engineer shall file 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 Engineer, to submit an application for, accept, and enter in an agreement for grant funding in the amount of \$1,000,000.00 from NJDEP Division of Watershed Protection and Restoration for improvements to the existing stormwater system along North 16th Street Park and Woodland Avenue at the intersection of Market Street. In kind staff members shall be provided by the Borough to complete the design and oversee construction of the stormwater quality improvements.

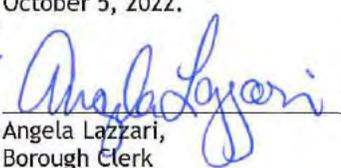
Approved:



Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David						✓
Councilman Joseph Finistrella						✓
Councilman Scott Pentz		✓	✓			
Councilman Fred Pugliese			✓			
Councilman John Zimmerman	✓		✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes	✓	No			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on October 5, 2022.



Angela Lazzari,
Borough Clerk

No. 217

RESOLUTION
KENILWORTH, N.J.

October 5, 2022

Introduced by: _____

Seconded by: _____

CONSENT AGENDA

WHEREAS, on September 21, 2022, the Municipal Council introduced on first reading Ordinance 2022-18 entitled "Ordinance Amending Chapter 37, "Personnel Policies" Article V, "Paid and Unpaid Time Off Policies" Subsection 37, "Paid Holidays" of the Code of Kenilworth; and

WHEREAS, on October 5, 2022, after the second reading, the Municipal Council adopted Ordinance 2022-18; and

WHEREAS, the purpose of Ordinance 2022-18 was to revise the Borough's Code as it pertains to holiday time for new employees, specifically amending when paid holiday time becomes effective; and

WHEREAS, N.J.S.A. 40:69A-181(b) mandates that there be a twenty (20) day waiting period after an ordinance is adopted and prior to it taking effect unless the Municipal Council, by resolution invoking N.J.S.A. 40:69A-181(b), declares an emergency waiving the twenty (20) day period; and

WHEREAS, it is necessary that Ordinance 2022-18 take effect immediately so that the Municipal Code can be updated as soon as possible to allow for paid holiday time to commence immediately upon commencement of employment, as the Borough of Kenilworth has recently employed employees whom will be adversely impacted if this does not occur; and

WHEREAS, it is therefore necessary and appropriate for the Municipal Council to adopt this resolution pursuant to N.J.S.A. 40:69A-181(b) declaring an emergency and determining that Ordinance 2022-18, if adopted after public hearing on second reading and final passage at the October 5, 2022 meeting of the Municipal Council, shall take immediate effect upon the Mayor's signature.

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

- (1) An emergency is hereby declared for the reasons set forth herein; and
- (2) Pursuant to N.J.S.A. 40:69A-181(b), the twenty (20) day waiting period prior to the effective date of Ordinance 2022-18 is hereby waived so that Ordinance 2022-18 shall become effective immediately upon adoption by the Municipal Council at the October 5, 2022 meeting after Public Hearing, Second Reading and Final Passage, and upon the Mayor's signature.

Approved:

Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David						✓
Councilman Joseph Finistrella			✓			✓
Councilman Scott Pentz		✓	✓			
Councilman Fred Pugliese			✓	✓		
Councilman John Zimmerman	✓		✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes	✓	No			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on October 5, 2022.

Angela Lazzari, Borough Clerk

RESOLUTION

No. 218

KENILWORTH, N.J.

OCTOBER 5, 2022

Introduced by: _____
CONSENT AGENDA

Seconded by: _____

WHEREAS, after the proper advertisement of same, pursuant to the Local Public Contracts Laws, N.J.S.A. 40A:11-1 et seq., the Borough of Kenilworth received sealed bid on September 22, 2022, for the construction and related activities associated with the provision of the **Tulip Court Drainage Swale & Pedestrian Path, Commonwealth Drive Pedestrian Path and Wilshire Drive & Brasser Lane Drainage Improvements** project (“**Tulip Court Drainage Swale & Pedestrian Path, Commonwealth Drive Pedestrian Path and Wilshire Drive & Brasser Lane Drainage Improvements** project”); and

WHEREAS, the Borough Engineer, Harbor Consultants, Inc., has provided the hereto attached summary of the bid results and has recommended that the lowest responsible bid be awarded to **Messercola Excavating Co. Inc**, 549 East Third Street, Plainfield, NJ (“**Messercola Excavating Co. Inc**”); and

WHEREAS, the Borough Council has determined that it is in the best interest to accept the bid proposal and execute a contract for the **Tulip Court Drainage Swale & Pedestrian Path, Commonwealth Drive Pedestrian Path and Wilshire Drive & Brasser Lane Drainage Improvements** project, with the lowest responsible bidder, **Messercola Excavating Co. Inc**, in an amount not to exceed **\$97,760.00** for Base bid #1, 2, 3, 4, 5, 6, 7, 8 & 9 and alternative bids #1, 3, 4 & 6; and

WHEREAS, the public advertisement, the receipt of public bids and the award of the contract to the lowest responsible bidder, pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq., for the **Tulip Court Drainage Swale & Pedestrian Path, Commonwealth Drive Pedestrian Path and Wilshire Drive & Brasser Lane Drainage Improvements** project, constitutes a Fair and Open Process pursuant to the Local Pay to Play Law, N.J.S.A. 19:44A:20.5, et seq.

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

1. The Mayor and Council are hereby authorized to accept the bid submitted by the lowest responsible bidder, **Messercola Excavating Co. Inc**, 549 East Third Street, Plainfield, NJ, for the **Tulip Court Drainage Swale & Pedestrian Path, Commonwealth Drive Pedestrian Path and Wilshire Drive & Brasser Lane Drainage Improvements** project in the amount not to exceed **\$97,760.00** for Base bid #1, 2, 3, 4, 5, 6, 7, 8 & 9 and alternative bids #1, 3, 4 & 6.

2. The Mayor is authorized to enter into and execute a contract with **Messercola Excavating Co. Inc** for the for the **Tulip Court Drainage Swale & Pedestrian Path, Commonwealth Drive Pedestrian Path and Wilshire Drive & Brassier Lane Drainage Improvements** project, in an amount not to exceed **\$97,760.00** for Base bid #1, 2, 3, 4, 5, 6, 7, 8 & 9 and alternative bids #1, 3, 4 & 6.
3. Pursuant to N.J.A.C. 5:34-5.1 et seq., the Borough's CFO has certified that sufficient uncommitted funds are available in the 2022 Borough of Kenilworth Budget to fund the payment to **Messercola Excavating Co. Inc** for the for the **Tulip Court Drainage Swale & Pedestrian Path, Commonwealth Drive Pedestrian Path and Wilshire Drive & Brassier Lane Drainage Improvements** project to be charged to C-04-55-204-107 line item.
4. This contract is being awarded pursuant to the Fair and Open Procedures of the Pay to Play Law, N.J.S.A. 19:44A-20.5, et seq. and in accordance with the public bid procedures pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.
5. No changes to this contract shall be allowed or authorized without prior Municipal Council approval.
6. There shall be no advance payments made against this contract in accordance with N.J.A.C. 40A:5-16.
7. A fully executed copy of the contract shall be filed in the Office of the Borough Clerk.
8. The contract shall commence upon the issuance of a notice to proceed by Harbor Consultants, Inc. and shall be completed within ninety (90) calendar days.

Approved:



Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David						✓
Councilman Joseph Finistrella			✓			✓
Councilman Scott Pentz		✓	✓			
Councilman Fred Pugliese			✓			
Councilman John Zimmerman	✓		✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes	✓	No			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on October 5, 2022.



Angela Lazzari, Borough Clerk

HARBOR



CONSULTANTS INC.

September 28, 2022

Ms. Angela Lazzari, Borough Clerk
Borough of Kenilworth
567 Boulevard
Kenilworth, NJ 07033

Re: Recommendation of Award
Commonwealth Drive Pedestrian Path
Tulip Court Drainage Swale & Pedestrian Path
Wilshire Drive & Brassier Lane Drainage Improvements
Borough Kenilworth, Union County

Dear Ms. Lazzari,

On Thursday, September 22, 2022, the Borough of Kenilworth received three (3) bids for the above referenced project. Attached please find a summary of the bid results. It is recommended that a contract be awarded to the lowest bidder Messercola Excavating Co. Inc, 549 East Third Street, Plainfield, NJ in the amount of \$97,760.00 for the Base Bids 1, 2, 3, 4, 5, 6, 7, 8 & 9 and Alternate Bids I, 3, 4 & 6 This recommendation is made subject to the availability of funds by the Borough Finance Officer.

If you have any questions or comments, feel free to contact me.

Very Truly Yours,
Harbor Consultants, Inc.

Christian Cueto, P.E., C.M.E.

cc: Kenneth P. Blum, Jr., Borough Finance Officer

**VARIOUS IMPROVEMENTS - TULIP COURT/COMMONWEALTH PATH & BRASSER LANE
BOROUGH OF KENILWORTH
SEPTEMBER 22, 11:00 PM**

BID RESULTS

			Messercola Excavating Inc.	Dumor Contracting, Inc.	Diamond Construction
1	Base Bid 1	Commonwealth & Tulip Path Removal	\$5,000.00	\$15,400.00	\$12,000.00
2	Base Bid 2	Commonweath & Tulip Restoration	\$2,500.00	\$5,250.00	\$4,000.00
3	Alternate Bid 1	Concrete Drainage Path & Swale	\$14,000.00	\$16,240.00	\$24,500.00
4	Alternate Bid 2	Asphalt Drainage Path & Swale	\$15,300.00	\$15,400.00	\$18,900.00
5	Alternate Bid 3	Seepage Pit Removal	\$2,500.00	\$3,600.00	\$20,000.00
6	Base Bid 3	Commonwealth & Park Path Removal	\$5,000.00	\$26,950.00	\$9,000.00
7	Base Bid 4	Commonwealth & Park Restoration	\$2,500.00	\$9,020.00	\$3,000.00
8	Alternate Bid 4	Concrete Path	\$9,360.00	\$12,064.00	\$18,200.00
9	Alternate Bid 5	Asphalt Path	\$10,920.00	\$11,440.00	\$14,040.00
10	Base Bid 5	Park & Boulevard Path Removal	\$5,000.00	\$9,020.00	\$10,000.00
11	Base Bid 6	Park & Boulevard Restoration	\$2,500.00	\$8,100.00	\$4,000.00
12	Alternate Bid 6	Concrete Path	\$9,900.00	\$12,760.00	\$19,250.00
13	Alternate Bid 7	Asphalt Path	\$10,450.00	\$12,100.00	\$14,850.00
14	Base Bid 7	Site Removal	\$6,000.00	\$28,650.00	\$30,000.00
15	Base Bid 8	Drainage Installation	\$27,500.00	\$56,980.00	\$65,000.00
16	Base Bid 9	Site Restoration	\$6,000.00	\$27,200.00	\$35,000.00
(Base Bids 1-9, Alt. Bids 1, 3, 4 & 6) Three Project Total			\$97,760.00	\$231,234.00	\$253,950.00

Christian Cueto, P.E. Borough Engineer

RESOLUTION

No. 219

KENILWORTH, N.J.

OCTOBER 5, 2022

Introduced by: _____

Seconded by: _____

CONSENT AGENDA

WHEREAS, after the proper advertisement of same, pursuant to the Local Public Contracts Laws, N.J.S.A. 40A:11-1 et seq., the Borough of Kenilworth received sealed bid on September 22, 2022, for the construction and related activities associated with the provision of the **CDBG Year 48-ADA Curb and Ramp Improvements** project (“CDBG Year 48-ADA Curb and Ramp Improvements project”); and

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

WHEREAS, the Borough Council has determined that it is in the best interest to accept the bid proposal and execute a contract for the **CDBG Year 48-ADA Curb and Ramp Improvements** project, with the lowest responsible bidder, **AA Berms**, in the amount not to exceed **\$23,700.00** for Base Bid and Alternative Bids #2 and 3; and

WHEREAS, the public advertisement, the receipt of public bids and the award of the contract to the lowest responsible bidder, pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq., for the **CDBG Year 48-ADA Curb and Ramp Improvements** project, constitutes a Fair and Open Process pursuant to the Local Pay to Play Law, N.J.S.A. 19:44A:20.5, et seq.

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

1. The Mayor and Council are hereby authorized to accept the bid submitted by the lowest responsible bidder, **AA Berms**, P.O. Box 180, Belleville, NJ, for the **CDBG Year 48-ADA Curb and Ramp Improvements** project in the amount not to exceed **\$23,700.00** for Base Bid and Alternative Bids #2 and 3.
2. The Mayor is authorized to enter into and execute a contract with **AA Berms** for the for the **CDBG Year 48-ADA Curb and Ramp Improvements** project, in the amount not to exceed **\$23,700.00** for Base Bid and Alternative Bids #2 and 3.
3. Pursuant to N.J.A.C. 5:34-5.1 et seq., the Borough’s CFO has certified that sufficient uncommitted funds are available in the 2022 Borough of Kenilworth Budget to fund the payment to **AA Berms** for the for the **CDBG Year 48-ADA Curb and Ramp Improvements** project to be charged to T-06-56-850-011 line item.

4. This contract is being awarded pursuant to the Fair and Open Procedures of the Pay to Play Law, N.J.S.A. 19:44A-20.5, et seq. and in accordance with the public bid procedures pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.
5. No changes to this contract shall be allowed or authorized without prior Municipal Council approval.
6. There shall be no advance payments made against this contract in accordance with N.J.A.C. 40A:5-16.
7. A fully executed copy of the contract shall be filed in the Office of the Borough Clerk.
8. The contract shall commence upon the issuance of a notice to proceed by Harbor Consultants, Inc. and shall be completed within ninety (90) calendar days.

Approved:



Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David						✓
Councilman Joseph Finistrella						✓
Councilman Scott Pentz		✓	✓			
Councilman Fred Pugliese			✓			
Councilman John Zimmerman	✓		✓			
Mayor Linda Karlovitch			✓			
ON CONSENT AGENDA	Yes	✓	No			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on October 5, 2022.



Angela Lazzari, Borough Clerk

HARBOR



CONSULTANTS INC.

September 28, 2022

Ms. Angela Lazzari, Borough Clerk
Borough of Kenilworth
567 Boulevard
Kenilworth, NJ 07033

Re: Recommendation of Award
CDBG Year 48– ADA Curb and Ramp Improvements
Borough Kenilworth, Union County

Dear Ms. Lazzari,

On Thursday, September 22, 2022, the Borough of Kenilworth received four (4) bids for the above referenced project. Attached please find a summary of the bid results. It is recommended that a contract be awarded to the lowest bidder AA Berms, P.O. Box 180, Belleville, NJ in the amount of \$23,700.00 for the Base Bid and Alternate Bids 2 & 3. This recommendation is made subject to the availability of funds by the Borough Finance Officer.

If you have any questions or comments, feel free to contact me.

Very Truly Yours,
Harbor Consultants, Inc.

Christian Cueto, P.E., C.M.E.

cc: Kenneth P. Blum, Jr., Borough Finance Officer

**CDBG Year 48 ADA Ramps
BOROUGH OF KENILWORTH
SEPTEMBER 22, 11:00 PM**

BID RESULTS

			AA Berms	S Brothers, Inc	Diamond Construction	Berto Construction, Inc.
1	Base Bid 1	Bloomingtondale & Union	\$7,900.00	\$9,600.00	\$9,000.00	\$19,980.00
2	Alternate Bid 1	Colfax & Beachwood	\$3,950.00	\$4,800.00	\$4,500.00	\$9,990.00
3	Alternate Bid 2	Colfax and Oakwood	\$7,900.00	\$9,600.00	\$9,000.00	\$19,980.00
4	Alternate Bid 3	Colfax & Maplewood	\$7,900.00	\$8,400.00	\$9,000.00	\$19,980.00
5	Alternate Bid 4	Bloomfield & Fairmount	\$7,900.00	\$8,400.00	\$12,000.00	\$19,980.00
6	Alternate Bid 5	Bloomfield & Ashwood	\$3,950.00	\$4,200.00	\$4,500.00	\$9,990.00
Total			\$39,500.00	\$45,000.00	\$48,000.00	\$99,900.00
Base Bid 1, Alternate Bids 2 & 3			\$7,900.00	\$27,600.00	\$27,000.00	\$59,940.00

Christian Cueto, P.E. Borough Engineer

RESOLUTION

No. 220

KENILWORTH, N.J.

OCTOBER 5, 2022

Introduced by: _____

CONSENT AGENDA

Seconded by: _____

WHEREAS, after the proper advertisement of same, pursuant to the Local Public Contracts Laws, N.J.S.A. 40A:11-1 et seq., the Borough of Kenilworth received sealed bid on September 22, 2022, for the construction and related activities associated with the provision of the Parking Lot Improvements project ("Parking Lot Improvements project"); and

WHEREAS, the Borough Engineer, Harbor Consultants, Inc., has provided the hereto attached summary of the bid results and has recommended that the lowest responsible bid be awarded to Picerno Giordano Construction LLC, 200 Market Street, Kenilworth, NJ ("Picerno Giordano Construction LLC"); and

WHEREAS, the Borough Council has determined that it is in the best interest to accept the bid proposal and execute a contract for the **Parking Lot Improvements** project, with the lowest responsible bidder, **Picerno Giordano Construction LLC**, for the total base bid 2 amount not to exceed **\$85,150.00**; and

WHEREAS, the public advertisement, the receipt of public bids and the award of the contract to the lowest responsible bidder, pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq., for the **Parking Lot Improvements** project, constitutes a Fair and Open Process pursuant to the Local Pay to Play Law, N.J.S.A. 19:44A:20.5, et seq.

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

1. The Mayor and Council are hereby authorized to accept the bid submitted by the lowest responsible bidder, **Picerno Giordano Construction LLC**, 200 Market Street, Kenilworth, NJ, for the **Parking Lot Improvements** project in the amount not to exceed **\$88,150.00** for Base Bid 2.
2. The Mayor is authorized to enter into and execute a contract with **Picerno Giordano Construction LLC** for the for the **Parking Lot Improvements** project, for the total Base Bid 2 amount not to exceed **\$88,150.00**.
3. Pursuant to N.J.A.C. 5:34-5.1 et seq., the Borough's CFO has certified that sufficient uncommitted funds are available in the 2022 Borough of Kenilworth Budget to fund the payment to **Picerno Giordano Construction LLC** for the for the **Parking Lot Improvements** project to be charged to _____ line item.

4. This contract is being awarded pursuant to the Fair and Open Procedures of the Pay to Play Law, N.J.S.A. 19:44A-20.5, et seq. and in accordance with the public bid procedures pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.
5. No changes to this contract shall be allowed or authorized without prior Municipal Council approval.
6. There shall be no advance payments made against this contract in accordance with N.J.A.C. 40A:5-16.
7. A fully executed copy of the contract shall be filed in the Office of the Borough Clerk.
8. The contract shall commence upon the issuance of a notice to proceed by Harbor Consultants, Inc. and shall be completed within ninety (90) calendar days.

Approved:



Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David						✓
Councilman Joseph Finistrella						✓
Councilman Scott Pentz		✓	✓			
Councilman Fred Pugliese			✓			
Councilman John Zimmerman	✓		✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA		Yes	✓	No		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on October 5, 2022.


Angela Lazzari, Borough Clerk

HARBOR



CONSULTANTS INC.

September 28, 2022

Ms. Angela Lazzari, Borough Clerk
Borough of Kenilworth
567 Boulevard
Kenilworth, NJ 07033

Re: Recommendation of Award
Parking Lot Improvements
Borough Kenilworth, Union County

Dear Ms. Lazzari,

On Thursday, September 22, 2022, the Borough of Kenilworth received five (5) bids for the above referenced project. Attached please find a summary of the bid results. It is recommended that a contract be awarded to the lowest bidder Picerno Giordano Construction. LLC, 200 Market Street, Kenilworth, NJ in the amount of \$88,150.00 for the Base Bid 2. This recommendation is made subject to the availability of funds by the Borough Finance Officer.

If you have any questions or comments, feel free to contact me.

Very Truly Yours,
Harbor Consultants, Inc.

Christian Cueto, P.E., C.M.E.

cc: Kenneth P. Blum, Jr., Borough Finance Officer

**PARKING LOT IMPROVEMENTS
BOROUGH OF KENILWORTH
SEPTEMBER 22, 11:00 PM**

BID RESULTS

			Crossroads Pavement Maintenance LLC	Picerno Giordano Construction	S Brothers, Inc	AJM Contractors Inc.	Berto Construction, Inc.
1	Base Bid 1	Veterans of Foreign Wars Parking Lot	\$127,970.00	\$140,770.00	\$139,770.00	\$177,000.00	\$273,275.00
2	Base Bid 2	Senior Center Parking Lot	\$89,970.00	\$88,150.00	\$101,824.00	\$131,000.00	\$218,423.00
Total			\$217,940.00	\$228,920.00	\$241,594.00	\$308,000.00	\$491,698.00

Christian Cueto, P.E. Borough Engineer

**RESOLUTION
KENILWORTH, N.J.**

No. 221

OCTOBER 5, 2022

Introduced by: _____

CONSENT AGENDA

Seconded by: _____

WHEREAS, on September 7, 2022, Borough Council of the Borough of Kenilworth adopted Resolution 201, appointing Victor Smith an Alternate School Crossing Guard; and

WHEREAS, Resolution 201 incorrectly stated the compensation rate for an Alternate School Crossing Guard; and

WHEREAS, the Borough wishes to amend Resolution 201 to correct the compensation rate that would be paid to an Alternate School Crossing Guard.

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 201 is hereby amended to correct the compensation rate such that appointment of Alternate School Crossing Guard shall be compensated at an hourly rate of \$18.95 per hour.
2. The CFO has certified that sufficient uncommitted funds are available in the 2022 Borough of Kenilworth Budget for the above purposes to be charged to 2-01-25-746-012 line item.
3. A copy of this resolution shall be kept on file in the Borough Clerk's Office.
4. This resolution shall take effect immediately.

Approved: _____



Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David						✓
Councilman Joseph Finistrella						✓
Councilman Scott Pentz		✓	✓			
Councilman Fred Pugliese		✓	✓			
Councilman John Zimmerman	✓		✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA		Yes	✓	No		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on October 5, 2022.



Angela Lazzari, Borough Clerk

RESOLUTION

No. 213

KENILWORTH, N.J.

October 19, 2022

Introduced by: _____

Seconded by: _____

CONSENT AGENDA

BE IT RESOLVED, by the Borough of Kenilworth, County of Union, New Jersey, that the attached summary of bills in the total amount of \$427,728.21, 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 2022 Borough of Kenilworth Budget to fund the payment of the following bills attached hereto and made a part of this resolution.

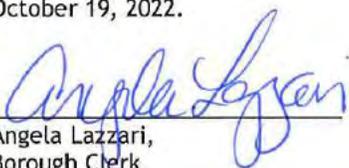
Approved: _____



Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David						✓
Councilman Joseph Finistrella		✓	✓			
Councilman Scott Pentz						✓
Councilman Fred Pugliese	✓		✓			
Councilman John Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes	✓	No			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on October 19, 2022.



Angela Lazzari,
Borough Clerk

Totals by Year-Fund Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND	1-01	2,131.42	0.00	0.00	2,131.42
CURRENT FUND	2-01	222,640.82	0.00	0.00	222,640.82
GENERAL CAPITAL	C-04	43,780.00	0.00	0.00	43,780.00
GRANTS	G-02	7,637.00	0.00	0.00	7,637.00
GENERAL TRUST	T-03	140.00	0.00	0.00	140.00
Total of All Funds:		<u>276,329.24</u>	<u>0.00</u>	<u>0.00</u>	<u>276,329.24</u>

Total \$ 427,728.21
received, manual checks
+
wires

**RESOLUTION
KENILWORTH, N.J.**

No. 214

OCTOBER 19, 2022

Introduced by: _____

Seconded by: _____

CONSENT AGENDA

Whereas, the 2023 NJDOT Transportation Alternatives Set-Aside Program provides federal funds for community based "non-traditional" surface transportation projects designed to strengthen the cultural, aesthetic, and environmental aspects of the nation's intermodal system; and

Whereas, Union County will apply as the lead agency to convert sections of the NJDOT controlled Rahway Valley Railroad Right of Way that traverses the Borough of Kenilworth and the Borough of Roselle Park into a Rails-to-Trails off road pedestrian and bicycle greenway with connections to the East Coast Greenway; and

Whereas, the project will help to continue and improve the promotion and encouragement of pedestrian and bicycle access and safety for residents, school children, and visitors to the business district; and

Whereas, the Borough of Kenilworth and the Borough of Roselle Park will be active partners in the project; and

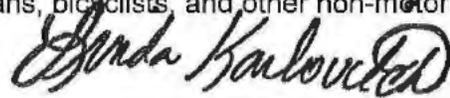
Whereas, Union County, Borough of Kenilworth, and Borough of Roselle Park will enter into a shared services agreement for the routine maintenance of the Rails-to-Trails project, which includes but is not limited to grass cutting, ploughing, and cleanup; and

Whereas, the County will assume the maintenance of the trail surface including repair and replacement; and

Whereas, the County of Union will provide for a full-time employee to be in responsible charge of the project.

Now, Therefore, Be It Resolved by the Governing Body of the Borough of Kenilworth, that the Borough of Kenilworth does hereby supports the County of Union application for the NJDOT Transportation Alternatives Set-Aside Program Grant for the conversion of sections of the abandoned Rahway Valley Railroad that traverses the Borough of Kenilworth and the Borough of Roselle Park into a Rails-to-Trails that will include off road trails for pedestrians, bicyclists, and other non-motorized forms of transportation.

Approved:



Linda Karlovitch, Mayor

	MOVED	SECONDE	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David						✓
Councilman Joseph Finistrella		✓	✓			
Councilman Scott Pentz						✓
Councilman Fred Pugliese	✓		✓			
Councilman John Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA		Yes	✓	No	___	

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on October 19, 2022.


Angela Lazzari, Borough Clerk

RESOLUTION

No. 215

KENILWORTH, N.J.

OCTOBER 19, 2022

Introduced by: _____

Seconded by: _____

CONSENT AGENDA

BE IT HEREBY RESOLVED: That the attached list of the Kenilworth Volunteer Fire Department/Rescue Squad members be granted an expense allowance in accordance with the report submitted by Fire Chief William Krueger, in the aggregate amount of \$64,265.00.

BE IT FURTHER RESOLVED, that the Borough of Kenilworth's Chief Financial Officer has certified that sufficient uncommitted funds are available in the 2022 Borough of Kenilworth Budget for the purposes set forth herein and the fund to be charged shall be **2-01-25-749-140**.

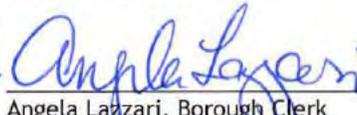
Approved:



Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David						✓
Councilman Joseph Finistrella		✓	✓			
Councilman Scott Pentz						✓
Councilman Fred Pugliese	✓		✓			
Councilman John Zimmerman			✓			
Mayor Linda Karlovitch				✓		
ON CONSENT AGENDA		Yes	✓	No		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on October 19, 2022.



Angela Lazzari, Borough Clerk

FD#	NAME	RANK	ADDRESS	TOTAL
4	KRILL, D	FF		\$ 465.00
7	GIORDINO, L	DAC	10 DORSET DR. KENILWORTH, NJ 07033	\$ 3,500.00
8	ALVAREZ, B	FF	54 S 18TH ST KENILWORTH, NJ 07033	\$ 620.00
9	TORO	LT	180 BALTIMORE AVE CRANFORD NJ 07016	\$ 1,250.00
10	COX, B	FF	52 N 14TH ST KENILWORTH NJ 07033	\$ 465.00
13	HOWARTH, T	LT	815 FILBERT ST ROSELLE PARK NJ 07204	\$ 1,250.00
14	MAURO, J	DC	39 N 13TH ST. KENILWORTH, NJ 07033	\$ 3,500.00
15	OTT, R	FF	261 FAITOUTE AVE KENILWORTH, NJ 07033	\$ 930.00
16	SOOS, B	FF	625 KINGSTON AVE KENILWORTH NJ 07033	\$ 465.00
17	MCHALE, J	FF	223 N 15TH ST. KENILWORTH, NJ 07033	\$ 1,600.00
20	HANNON JR, J	DC	308 LINCOLN DR. KENILWORTH, NJ 07033	\$ 3,500.00
22	STEITZ	FF	1533 RIDGEWAY ST. UNION, NJ 07083	\$ 930.00
23	PADULA, J	FF	65 S 20TH ST. KENILWORTH, NJ 07033	\$ 930.00
25	HOWARTH, B	FF	815 FILBERT ST ROSELLE PARK NJ 07204	\$ 930.00
28	FUGETT, J	FF	21 N 6TH ST. KENILWORTH, NJ 07033	\$ 930.00
30	KLUTKOWSKI	FF	317 RETFORD AVE CRANFORD NJ 07016	\$ 465.00
31	JEAN	FF	40 REINHOLD TERR. UNION, NJ 07083	\$ 775.00
32	PETERS, A	FF	531 MONROE AVE. KENILWORTH, NJ 07033	\$ 1,180.00
36	DELUCA, A	CAPT	36 N 13TH ST. KENILWORTH, NJ 07033	\$ 1,600.00
37	O'BRIEN, J	FF	550 NEWARK AVE. KENILWORTH, NJ 07033	\$ 930.00
39	KUKLA, R	FF	34 N. 9TH ST KENILWORTH, NJ 07033	\$ 465.00
42	LEVCHUK, R	LT	79 PARK DR. KENILWORTH, NJ 07033	\$ 1,250.00
44	YOSURACK, J	FF	141 CROSS ST KENILWORTH, NJ 07033	\$ 775.00
46	SCUDERI, M	DC	6 DORSET DR KENILWORTH NJ 07033	\$ 3,500.00
47	SPRANGER, D	CAPT	331 COOLIDGE DR KENILWORTH, NJ 07033	\$ 1,600.00
48	KRUEGER, W	CHIEF	68 S MICHIGAN AVE. KENILWORTH, NJ 07033	\$ 4,000.00
49	SMITH	FF	618 MYRTLE ST ROSELLE PARK NJ 07204	\$ 1,600.00
51	HANNON III, J	FF	308 LINCOLN DR. KENILWORTH, NJ 07033	\$ 930.00
52	SCHEPER	FF	337 LINCOLN DR KENILWORTH NJ 07033	\$ 1,250.00
53	LOFFA, A	FF	145 S 25TH ST KENILWORTH, NJ 07033	\$ 930.00
54	RICHARDSON, P	FF	33 BURCHFIELD AVE. CRANFORD, NJ 07086	\$ 930.00
57	GIORDINO, C	FF	10 DORSET DR. KENILWORTH, NJ 07033	\$ 930.00
59	MASSENBURG	FF	48-50 RIVHELIEU PL NEWARK, NJ 07106	\$ 930.00
60	DAVIES, A	FF	5 EDWARD PL CRANFORD, NJ 07016	\$ 1,250.00
62	WORST	FF	2418 SEYMOUR AVE UNION NJ 07083	\$ 1,250.00
61	PETERS, J	FF	24 BROOK ST SPRINGFIELD NJ 07081	\$ 930.00
66	ALEXANDER, M	FF	270 DELAWARE AVE UNION NJ 07083	\$ 930.00
94	KOPYTA, C	ADM	PO BOX 21 KENILWORTH, NJ 07033	\$ 930.00
96	CANTALUPO, J	FF	730 CLINTON AVE. KENILWORTH, NJ 07033	\$ 930.00
103	KRUEGER, D	EMT	68 S MICHIGAN AVE. KENILWORTH, NJ 07033	\$ 620.00
104	TORO, L	EMT	180 BALTIMORE AVE CRANFORD NJ 07016	\$ 310.00
105	LOTFY, A	EMT	724 CLINTON AVE. KENILWORTH, NJ 07033	\$ 1,250.00
108	ADORNO	EMT	143 CROSS ST. KENILWORTH, NJ 07033	\$ 620.00
109	TANCS, N	EMT	621 PASSAIC AVE KENILWORTH NJ 07033	\$ 930.00
110	SESSELMAN	LT	665 PASSAIC AVE. KENILWORTH, NJ 07033	\$ 1,250.00
112	TURCO, M	EMT	448 COOLIDGE DR KENILWORTH, NJ 07033	\$ 1,250.00
113	KAUR, N	EMT	310 MONROE AVE KENILWORTH, NJ 07033	\$ 930.00
114	MAURO, D	ACAP	39 N 13TH ST. KENILWORTH, NJ 07033	\$ 1,850.00
115	FUQUAY, C	EMT	570 MONROE AVE KENILWORTH, NJ 07033	\$ 930.00
116	CONTRERAS	EMT	510 RIVERSIDE DR CRANFORD NJ 07016	\$ 620.00
119	GHIgliOTTI	EMT	15 EPPING DR KENILWORTH NJ 07033	\$ 930.00
140	MAURO, R	EMT	39 N 13TH ST. KENILWORTH, NJ 07033	\$ 1,250.00
				\$ 64,265.00

RESOLUTION

No. 216

KENILWORTH, N.J.

October 19, 2022

Introduced by: _____

CONSENT AGENDA

Seconded by: _____

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

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

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of, that the Treasurer after proper notation on the tax account records by the Tax Collector is authorized to refund and pay the overpayment of taxes to the below stated of the specific property listed below:

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

Block/Lot	Property Address	Refund To	Refund Amount	Year	Reason
BL 118 L 22	21 S. 24 th Street	Jacqueline Marabella 950 Belvidere Avenue Plainfield, NJ 07060	\$ 600.00	2022	11

BE IT FURTHER RESOLVED, that the Borough of Kenilworth's Chief Financial Officer has certified that sufficient uncommitted funds are available in the 2022 Borough of Kenilworth Budget for the purposes set forth herein.

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

Approved: 

Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David						✓
Councilman Joseph Finistrella		✓	✓			
Councilman Scott Pentz						✓
Councilman Fred Pugliese	✓		✓	✓		
Councilman John Zimmerman			✓			
Mayor Linda Karlovitch			✓			
ON CONSENT AGENDA	Yes	✓	No			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on October 19, 2022.

Angela Lazzari
 Angela Lazzari,
 Borough Clerk

**RESOLUTION
KENILWORTH, N.J.**

No. 217

OCTOBER 19, 2022

Introduced by: _____

Seconded by: _____

CONSENT AGENDA

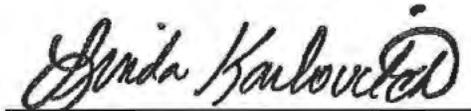
WHEREAS, the Borough of Kenilworth is a member of the Garden State Municipal Joint Insurance Fund ("GSMJIF"); and

WHEREAS, it is required by the GSMJIF bylaws for the Borough of Kenilworth to have representation on the Board of Commissioners; and

WHEREAS, a vacancy exists in the position of GSMJIF Commissioner.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Kenilworth, County of Union, State of New Jersey, that **Angela Lazzari** be appointed to fill the term as Garden State Municipal Joint Insurance Fund Commissioner for the year 2022.

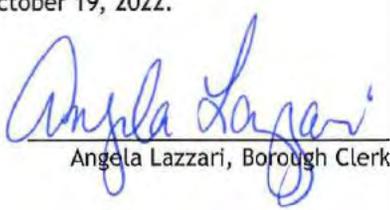
Approved:



Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David						✓
Councilman Joseph Finistrella		✓	✓			
Councilman Scott Pentz		✓	✓			✓
Councilman Fred Pugliese	✓		✓			
Councilman John Zimmerman			✓			
Mayor Linda Karlovitch			✓			
ON CONSENT AGENDA	Yes	✓	No	_____		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on October 19, 2022.



Angela Lazzari, Borough Clerk

RESOLUTION

No. 218

KENILWORTH, N.J.

OCTOBER 19, 2022

Introduced by: _____

Seconded by: _____

CONSENT AGENDA

WHEREAS, pursuant to N.J.S.A. 40A:5-29, the Borough of Kenilworth is authorized to accept gifts and to utilize such donations subject to any conditions set forth by the donor; and

WHEREAS, a private party, Merck & Co Inc., located at 2000 Galloping Hill Road, Kenilworth, NJ has offered equipment to the Township for use by the Borough of Kenilworth Fire Department; and

WHEREAS, the equipment being donated includes a 1991 GMC TopKick Hazmat Truck (VIN# 1GDM7H1J1MJ516835) and a 1996 Firetruck (VIN# 4P1CTD2U3TA000746); and

WHEREAS, Borough Council has determined that it is in the best interests of the Borough to accept this donation.

NOW THEREFORE BE IT RESOLVED, that the Borough Council of the Borough of Kenilworth, in the County of Union, and State of New Jersey, does hereby authorize the acceptance of this equipment donation - as set forth above - which shall be used by the Kenilworth Fire Department.

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

BE IT FURTHER RESOLVED that the Mayor and/or her designee is hereby authorized to execute a donation agreement with Merck.

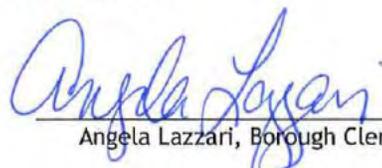
Approved: _____



Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David						✓
Councilman Joseph Finistrella		✓	✓			
Councilman Scott Pentz						✓
Councilman Fred Pugliese	✓		✓	✓		
Councilman John Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes	✓	No			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on October 19, 2022.



Angela Lazzari, Borough Clerk

Merck Donation Agreement

All Donation Recipients (Recipient) of Merck owned equipment agree to the following terms. All assets will be donated as is, where as as outlined in EquipNets Buyers Terms and Conditions, as published on their website at www.equipnet.com.

Additional Recipient Terms: All Donation Recipients of Merck owned equipment agree to the following terms. All assets will be donated as is, where as as outlined in EquipNets Buyers Terms and Conditions, as published on their website at www.equipnet.com. Furthermore, While the commercial terms of an donation may have been accepted the final approval is contingent upon confirmation by Merck that the asset has been cleaned according to Merck standards. If the asset has not been cleaned then Merck may cancel the donation or the recipient may pay the additional cost to have the item cleaned to Merck standards before the asset is released.

RECIPIENTS removal aforesaid will be coordinated by the Recipient with EQUIPNET and the respective MERCK Project Engineer, and this coordination shall include, without limitation, directing and monitoring progress all of all aspects of the REMOVAL, sequencing of the REMOVAL, and the review and approval of any changes to the REMOVAL or to the schedules. The RECIPIENT shall be responsible for preparing the areas around the EQUIPMENT and will be responsible to coordinate with EQUIPNET and the MERCK Project Engineer to move any items that may interfere with the REMOVAL of the subject EQUIPMENT.

The RECIPIENT shall provide, without limitation, all trucks, fork trucks, pallet jacks, slings, shackles, dollies, beam clamps, chains, packing, cradles, rigging, cranes, lulls, flagman, personnel, operating engineers, and other similar equipment and personnel as may be required to remove the EQUIPMENT from the REMOVAL AREA and onto trucks for shipment offsite (the REMOVAL).

RECIPIENT shall take any and all precautions necessary to protect MERCKs facility, including, without limitation, areas surrounding the REMOVAL AREA, roadways and sidewalks. The PURCHASER shall be responsible for the repair of any and all damage to MERCK property resulting from the REMOVAL. Any and all debris created by the PURCHASER in performance of the REMOVAL, shall be removed daily, leaving the area in good housekeeping condition.

In the event any MERCK permits are required in the course of the REMOVAL, PURCHASER shall initiate and coordinate with EQUIPNET, and MERCK will execute, subject to MERCK approval thereof, any permits required to safely perform the work, including without limitation, the following:

Approvals: Permits will be issued by the MERCK Facility Project Engineers in accordance with the provisions of the MERCK Site Contractor Safety Policies. Permits for the following day MUST be requested prior to the completion of each preceding work day. Class A Hot Work: Any open flame, welding, burning or grinding will require a Class A Hot Work permit in all areas associated with the REMOVAL. Such permits will not be issued for work within 35 feet of flammable storage areas. Class B Hot Work: Portable tools or other Class B hot work will be required for work within 35 feet of any flammable storage area or other operational equipment. Confined Space Permits: Any vessel entries to inspect check or install internal vessel cribbing or glass integrity must be handled with appropriate safety guidelines and will require a Class A Confined Space permit per attached SP#32. RECIPIENT will be responsible for providing its own equipment such as LEL meters, entry kits, etc., and Site Security must be contacted prior to and following the entry.

The RECIPIENT shall coordinate with EQUIPNET and MERCK Project Engineers the location of any lifting

equipment (cranes, forklifts etc.) required by this RECIPIENT to facilitate the safe REMOVAL of any EQUIPMENT from the REMOVAL AREA at least 48 hours prior to commencement of REMOVAL. Additionally any road closures required to facilitate the REMOVAL must be coordinated by EQUIPNET and the MERCK Project Engineer at least 48 hours prior to any REMOVAL. EQUIPNET shall coordinate and RECIPIENT shall provide all supervision as RECIPIENT deems fit to facilitate the REMOVAL. The RECIPIENT shall coordinate with EQUIPNET and provide proper traffic barricades around the REMOVAL, and a flagman as necessary to direct traffic and facilitate REMOVAL. Safety barricades may remain in place for the duration of the REMOVAL contingent upon MERCK approval, provided the street is left passable by vehicular and foot traffic at all times. THE RECIPIENT is responsible to provide, maintain and remove all temporary utilities required to facilitate the REMOVAL including without limitation, any requirements for temporary light, power, water, telephone, and heat. RECIPIENT acknowledges that during the bidding process it received and reviewed all applicable MERCK procedures, including without limitation, MERCK Site Safety Procedures, and MERCK Drug and Alcohol procedures. RECIPIENT further acknowledges and agrees that all REMOVAL performed by this RECIPIENT or any its subcontractors will be executed under these terms. Failure to comply with this requirement will result in EQUIPNET and MERCK cancelling this donation.

RECIPIENT acknowledges that all descriptions of the EQUIPMENT are a good faith attempt to accurately reflect the specifications of the EQUIPMENT being offered for sale. The RECIPIENT is responsible for verifying the truth and accuracy of all EQUIPMENT listing information.

All items are donated as is, where is, and with all faults. MERCK makes no warranty, expressed or implied as to the nature, quality, value or condition of any piece of EQUIPMENT. MERCK expressly disclaims any warranty of merchantability, fitness for a particular purpose or non-infringement. EQUIPMENT is being donated without software, if any is applicable. In the event that software is included in the EQUIPMENT donation, notwithstanding the disclaimer set forth above, MERCK makes no representation or warranties regarding the RECIPIENTS right to use such software, as to the performance of the software, its non-infringement or otherwise. RECIPIENT is to assume no piece of EQUIPMENT carries a manufacturer's warranty at the time this item is offered for sale.

MERCK shall not be liable for any damages of any type or nature (whether in contract, tort or otherwise) sustained or claimed by RECIPIENT or any other person or entity in connection with the sales of assets hereunder.

Collection of all applicable taxes shall be in accordance with federal, state and local tax laws.

If the RECIPIENT does not remove the purchased piece of EQUIPMENT during the stated removal period, MERCK, in conjunction with EQUIPNET's Terms, may deem the item to have been abandoned by the RECIPIENT and thereupon the RECIPIENT shall have no further rights with respect to the piece of EQUIPMENT

It is the RECIPIENTS sole responsibility to meet all government safety and environmental standards in removing, shipping and using any donated EQUIPMENT. Certain items of EQUIPMENT may contain hazardous substances as that term is defined under federal, state or local environmental laws and regulations. EQUIPMENT may also include "asbestos containing materials" as defined by USEPA, OSHA or other federal, state or location laws or regulations. All EQUIPMENT will be cleaned in accordance with MERCK Safety Procedure SEGDL 4.6.4.2.1. At the time of EQUIPMENT donation, MERCK will provide PURCHASER a summary memo stating the specific method of cleaning employed pursuant to MERCK Safety Procedure SEGDL 4.6.4.2.1.

RECIPIENT agrees to comply with all US export control and related laws, and acknowledges that MERCK

is not the exporter of any donated piece of EQUIPMENT. Certain pieces of EQUIPMENT may constitute Restricted Technology. Under federal law, such items may not be shipped outside of the United States. MERCK makes no representation or warranty concerning, and has conducted no investigation to ascertain which items, if any, constitute Restricted Technology. MERCK reserves the right to cancel any donation at any time in the event it determined, in its sole discretion, that the donation does or may violate applicable U.S. export control or similar laws.

Donations are made free and clear with no promise or implied recompense by RECIPIENT.

Equipment to be donated –

EquipNet Listing 902390

1991 GMC TopKick Hazmat Truck

VIN# 1GDM7H1J1MJ516835

EquipNet Listing 902388

1996 Firetruck

VIN# 4P1CTD2U3TA000746

RECIPIENT Information –

Name

Title

Position

Signature

Date

RESOLUTION

No. 219

KENILWORTH, N.J.

October 19, 2022

Introduced by: _____

Seconded by: _____

CONSENT AGENDA

WHEREAS, Kenilworth Police Officer Domenick Riccelli was appointed Probationary Police Officer by the Kenilworth governing body effective February 9, 2022; and

WHEREAS, Domenick Riccelli has served in another Police Department successfully within the State of New Jersey for a period of no less than one year and has already been certified as a PTC officer when he transferred to the Kenilworth Police Department and pursuant to Chapter 39-5 of the Borough Code Chief Soos certifies that Domenick Riccelli has satisfactorily completed the probationary period requirement.

NOW THEREFORE BE IT RESOLVED, that Police Officer Domenick Riccelli, having completed his probationary period and upon the recommendation of Police Chief Soos, be appointed a permanent police officer in the Kenilworth Police Department.

Approved: _____

Linda Karlovitch

Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David						✓
Councilman Joseph Finistrella		✓	✓			
Councilman Scott Pentz						✓
Councilman Fred Pugliese	✓		✓			
Councilman John Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes	✓	No	___		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on October 19, 2022.

Angela Lazzari
Angela Lazzari, Borough Clerk

RESOLUTION

No. 220

KENILWORTH, N.J.

OCTOBER 19, 2022

Introduced by: _____
 Seconded by: _____

CONSENT AGENDA

WHEREAS, the Borough of Kenilworth entered into a contract with Messercola Excavating Co. Inc for the construction of the New Soccer Field, for a total bid amount of \$386,000.00, which includes \$3,000 for Alternate Bid 1 on June 15, 2022; and

WHEREAS, the Borough Engineer, Harbor Consultants, has advised the Borough, that Change Order No. 1 is required, and increases the original contract amount by 19.04% for an adjusted contract amount of \$459,500.00.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council, of the Borough of Kenilworth, County of Union, that it hereby approves Change Order No. 1 which increases the contract amount by \$73,500.00.

Approved: 
 Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David						✓
Councilman Joseph Finistrella		✓	✓			
Councilman Scott Pentz			✓			✓
Councilman Fred Pugliese	✓		✓			
Councilman John Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA		Yes	✓	No		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on October 19, 2022.


 Angela Lazzari, Borough Clerk

CHANGE ORDER

No. 1

PROJECT: New Soccer Field at DiMario Park DATE OF

ISSUANCE: 10/02/22 EFFECTIVE DATE: _____

OWNER: Borough of Kenilworth

OWNER's Contract No. _____

CONTRACTOR: Messereola Excavating ENGINEER: Harbor Consultants, Inc.

You are directed to make the following changes in the Contract Documents.

Description: Change of contract price

Reason for Change Order: Additional work needed based on unforeseen site conditions including asphalt removal, select fill, underdrains, storm drains, catch basins, sod, softball back stop and chain link fence.

Attachments: Letter from Messereola Excavating, dated November 2, 2022

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES:
Original Contract Price \$ <u>386,000.00</u>	Original Contract Times: Substantial Completion: _____ Ready for final payment: _____ days or dates
Net changes from previous Change Orders \$ _____	Net change from previous Change Orders _____ days
Contract Price prior to this Change Order \$ <u>386,000.00</u>	Contract Times prior to this Change Order Substantial Completion: _____ Ready for final payment: _____ days or dates
Net increase (decrease) of this Change Order \$ <u>73,500.00</u>	Net increase (decrease) of this Change Order _____ days
Contract Price with all approved Change Orders \$ <u>459,500.00</u>	Contract Times with all approved Change Orders Substantial Completion: _____ Ready for final payment: _____ days or dates

RECOMMENDED:
By: [Signature]
Engineer (Authorized Signature)
Date: 10/2/22

APPROVED:
By: _____
Owner (Authorized Signature)
Date: _____

ACCEPTED:
By: [Signature]
Contractor (Authorized Signature)
Date: 10/2/22

MESSERCOLA INC. EXCAVATING

549 E. 3RD ST., PLAINFIELD, NJ 07060 (MAIN OFFICE)
127 BLOOMFIELD RD., BARNEGAT, NJ 08005 (SOUTH OFFICE)
908-561-4243 (MAIN OFFICE) 908-205-5249 (FAX)
609-549-5704 (SOUTH OFFICE BARNEGAT)

SITE WORK ✦ LAND CLEARING ✦ DEMOLITION ✦ TRUCKING ✦ DGA ✦ FILL ✦ GRAVEL ✦ MULCH ✦

October 02, 2022

Mr. Anthony Gallerano, Borough Engineer
Harbor Consultants, Inc.
320 North Avenue East
Cranford, NJ 07803

RE: Change Order No. 1
New Soccer Field at Dimario Park
Kenilworth, NJ

Dear Mr. Gallerano:

We are submitting the attached Change Ordre No. 1 for additional items required due to unforeseen site conditions. These items are required to properly complete the project and are described as follows:

- The thickness of asphalt of the tennis courts and basketball courts was 14", which is in excess of 4", that is customary for these types of facilities. This requires additional labor, equipment time, trucking, and disposal fees.
- Removal of the tennis courts and basketball courts uncovered exceptionally saturated and unstable subsurface conditions. This requires the installation of under-drains, select backfill, sod, catch basins, and storm piping.
- The softball field backstop and foul line fencing is poor condition and cannot be relocated with being damaged, therefore new materials will be required.

The cost and breakdown of the additional work is as follows:

NO.	ITEM	UNIT	QUANTITY	UNIT PRICE	EXTENDED PRICE
1	Asphalt Removal	TN	600	\$10.00	\$6,000.00
2	Select Fill	CY	900	\$5.00	\$4,500.00
3	Underdrains	LF	150	\$18.00	\$2,700.00
4	15" HDPE Pipe	LF	360	\$25.00	\$9,000.00
5	Catch Basins	EA	3	\$3,000.00	\$9,000.00
6	Sod	SY	10,000	\$3.75	\$37,500.00
7	Back Stop	EA	1	\$2,550.00	\$2,550.00
8	Chain Link Fence, 10' High	LF	150	\$15.00	\$2,250.00
	Total				\$73,500.00

Above proposal valid for 30 days and includes items specifically detailed in the Scope of Work only.

We thank you for considering our firm for this work and hope to be of service to you regarding same, should you have any questions, please do not hesitate to contact me.

Very truly yours,

MESSERCOLA EXCAVATING CO., INC.
Fernando Messercola, President

FM/ds

The above stated scope of work, prices, payment terms, notes and exclusions are satisfactory and are by this means accepted. By signing this proposal or by issuing a deposit payment we hereby authorize Messercola Excavating Co., Inc. to do the work as specified in the above.

Accepted By: _____
Authorized Signature & Title

_____ Date

RESOLUTION

No. 221

KENILWORTH, N.J.

OCTOBER 19, 2022

Introduced by: _____

Seconded by: _____

CONSENT AGENDA

WHEREAS, the Borough of Kenilworth Police Department wishes to purchase Flock cameras and have said cameras installed on the Borough owned light poles at the intersection of the Boulevard and Michigan Avenue; and

WHEREAS, the Kenilworth Police Department wishes to purchase the Flock cameras from Flock Safety Group at a cost of \$23,400 for the first two years to be prepaid from the Kenilworth Police Department traffic maintenance of equipment account; and

WHEREAS, the Kenilworth Police Department wishes to have the Flock cameras installed by Jen Electric at a cost of \$6,143.41 which will also be paid from the KPD traffic maintenance of equipment account; and

WHEREAS, Flock Safety Group will work directly with Jen Electric to have the cameras installed; and

WHEREAS, Flock Safety Group requires authorization from the Borough Council to have the Flock cameras installed on Borough owed property.

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

1. The Borough Council authorizes the purchase and installation of Flock cameras from Flock Safety Group at a cost of \$23,400, which is below the Borough's bid threshold.
2. The Borough Council authorizes the installation of the Flock cameras by Jen Electric for a cost of \$6,143.41, which is below the Borough's bid threshold.
3. The Borough Council authorizes Flock Safety Group to work with Jen Electric and to install the Flock cameras on Borough owned light poles at the intersection of the Boulevard and Michigan Avenue.

BE IT FURTHER RESOLVED, that the Borough of Kenilworth's Chief Financial Officer has certified that sufficient uncommitted funds are available in the 2022 Borough of Kenilworth Budget.

Approved: _____

Linda Karlovitch

Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			✓
Councilman Mark David						✓
Councilman Joseph Finistrella		✓	✓			
Councilman Scott Pentz						✓
Councilman Fred Pugliese	✓		✓			
Councilman John Zimmerman			✓			
Mayor Linda Karlovitch			✓			
ON CONSENT AGENDA		Yes	✓	No		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on October 19, 2022.

Angela Lazzari

Angela Lazzari, Borough Clerk

RESOLUTION

No. 222

KENILWORTH, N.J.

OCTOBER 19, 2022

Introduced by: Councilman Zimmerman

Seconded by: Councilman Finistrella

WHEREAS, the Borough of Kenilworth is in need of a part-time seasonal driver/laborers and laborers on a temporary basis to remove snow from roadways, sidewalks, and crosswalks throughout the Borough. Duties may also include leaf/brush collection, buildings/grounds maintenance, and sanitation/recycling detail; and

WHEREAS, the Superintendent of Public Works has recommended that Marcos Alvarado of 1592 Union Avenue, Union, NJ 07083 be employed as a part-time Seasonal Driver/Laborer in the Kenilworth Department of Public Works at a rate of \$25.00 per hour not to exceed a 5-month term; and

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

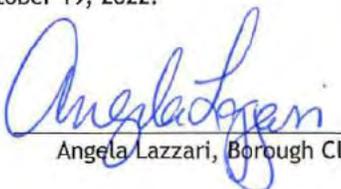
1. Marcos Alvarado of 1592 Union Avenue, Union, NJ 07083 be hired as a part-time seasonal employee as a Driver/Laborer at a rate of \$25.00 per hour.
2. Marcos Alvarado shall be employed as a Seasonal employee for a 5-month term, effective October 24, 2022.
3. This offer of employment is contingent upon successful completion of NJDOT physical, medical release, criminal and background checks.

BE IT FURTHER RESOLVED, that the Borough of Kenilworth's Chief Financial Officer has certified that sufficient uncommitted funds are available in the 2022 Borough of Kenilworth Budget for the purposes set forth herein and the fund to be charged shall be 2-01-026-765-0.11

Approved: 
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David						✓
Councilman Joseph Finistrella		✓	✓			
Councilman Scott Pentz						✓
Councilman Fred Pugliese			✓	✓		
Councilman John Zimmerman	✓		✓			
Mayor Linda Karlovitch						✓
ON CONSENT AGENDA		Yes		No		✓

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on October 19, 2022.


Angela Lazzari, Borough Clerk

RESOLUTION

No. 223

KENILWORTH, N.J.

OCTOBER 19, 2022

Introduced by: _____

CONSENT AGENDA

Seconded by: _____

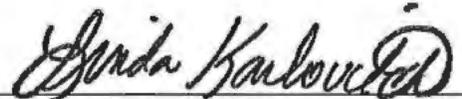
WHEREAS, Matthew Jankunas is currently employed as a Laborer with the Borough of Kenilworth Department of Public Works; and

WHEREAS, Matthew Jankunas has obtained his Class B Commercial Driver's License.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Kenilworth, County of Union, State of New Jersey, that Matthew Jankunas be appointed as a LABORER / DRIVER CDL "B" at a rate of \$25.00 per hour.

BE IT FURTHER RESOLVED, that the Borough of Kenilworth's Chief Financial Officer has certified that sufficient uncommitted funds are available in the 2022 Borough of Kenilworth Budget.

Approved:



Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David						✓
Councilman Joseph Finistrella		✓	✓			
Councilman Scott Pentz						✓
Councilman Fred Pugliese	✓		✓			
Councilman John Zimmerman			✓			
Mayor Linda Karlovitch			✓			
ON CONSENT AGENDA		Yes ✓		No		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on October 19, 2022.



Angela Lazzari, Borough Clerk

RESOLUTION

No. 224

KENILWORTH, N.J.

October 19, 2022

Introduced by: Councilman Pugliese

Seconded by: Councilman Finistrella

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Kenilworth support the Carve It Out Kenilworth pumpkin carving contest to be held in the Borough Parking Lot located on North 23rd Street on Saturday, October 22, 2022, between the hours of 7:00 pm and 9:00 pm., with a rain date scheduled for October 23, 2022.

BE IT FURTHER RESOLVED, that the Division of Alcoholic Beverage Control is in the process of issuing a social affair permit to the VFW authorizing the sale of alcoholic beverages for consumption on the above-referenced Borough property and the VFW has submitted the appropriate application and paid the required fee of \$100 as set forth in Chapter 91 of the Borough Code and has provided the Borough with a certificate of insurance and a fully executed harmless agreement.

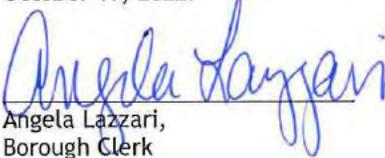
Approved:



Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David				✓		✓
Councilman Joseph Finistrella		✓	✓			
Councilman Scott Pentz				✓		✓
Councilman Fred Pugliese	✓		✓	✓		
Councilman John Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA		Yes		No	✓	

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on October 19, 2022.



Angela Lazzari,
Borough Clerk

RESOLUTION

No. 234

KENILWORTH, N.J.

November 2, 2022

Introduced by: Removed from Agenda

Seconded by: _____

RESOLUTION OF THE BOROUGH OF KENILWORTH, COUNTY OF UNION, AND STATE OF NEW JERSEY ACCEPTING THE BID FOR THE SALE OF CERTAIN MUNICIPAL LAND AND PROPERTY FROM THE BOROUGH AUCTION OF NOVEMBER 2, 2022

WHEREAS on November 2, 2022, the Borough of Kenilworth ("Borough") conducted the sale of municipal property no longer needed by the Township in accordance with Ordinance 2022-13.;

WHEREAS the Borough Clerk reports that the schedule below outlines the bidders and their respective proposals to purchase said lands and the Township Clerk, Township Tax Assessor, and Township Tax Collector recommends that the Borough of Kenilworth accept these bids.

BLOCK AND LOTS BIDDER NAME & ADDRESS BID AMOUNT

Block 101, Lot 27

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Kenilworth, County of Union, State of New Jersey, that the proposals set forth in the above Schedule are hereby accepted and incorporated herein.

BE IT FURTHER RESOLVED that the terms of such acceptance will be set forth in the Contracts of Sale to be prepared by the Borough Attorney.

BE IT FURTHER RESOLVED as follows:

1. All municipal officials are hereby authorized to take whatever actions may be necessary to implement the terms and conditions of this Resolution.
2. The resolution shall take effect immediately.

Approved: _____

Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri						
Councilman Mark David						
Councilman Joseph Finistrella						
Councilman Scott Pentz						
Councilman Fred Pugliese						
Councilman John Zimmerman						
Mayor Linda Karlovitch						
ON CONSENT AGENDA		Yes _				No _

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on November 2, 2022.

 Angela Lazzari, Borough Clerk

RESOLUTION

No. 235

KENILWORTH, N.J.

November 2, 2022

Introduced by: Removed from Agenda

Seconded by: _____

RESOLUTION OF THE BOROUGH OF KENILWORTH, COUNTY OF UNION, AND STATE OF NEW JERSEY ACCEPTING THE BID FOR THE SALE OF CERTAIN MUNICIPAL LAND AND PROPERTY FROM THE BOROUGH AUCTION OF NOVEMBER 2, 2022

WHEREAS on November 2, 2022, the Borough of Kenilworth ("Borough") conducted the sale of municipal property no longer needed by the Township in accordance with Ordinance 2022-15.;

WHEREAS the Borough Clerk reports that the schedule below outlines the bidders and their respective proposals to purchase said lands and the Township Clerk, Township Tax Assessor, and Township Tax Collector recommends that the Borough of Kenilworth accept these bids.

BLOCK AND LOTS BIDDER NAME & ADDRESS BID AMOUNT

Block 101, Lot 29

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Kenilworth, County of Union, State of New Jersey, that the proposals set forth in the above Schedule are hereby accepted and incorporated herein.

BE IT FURTHER RESOLVED that the terms of such acceptance will be set forth in the Contracts of Sale to be prepared by the Borough Attorney.

BE IT FURTHER RESOLVED as follows:

1. All municipal officials are hereby authorized to take whatever actions may be necessary to implement the terms and conditions of this Resolution.
2. The resolution shall take effect immediately.

Approved: _____

Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri						
Councilman Mark David						
Councilman Joseph Finistrella						
Councilman Scott Pentz						
Councilman Fred Pugliese						
Councilman John Zimmerman						
Mayor Linda Kartovitch						
ON CONSENT AGENDA			Yes _	No _		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on November 2, 2022.

 Angela Lazzari, Borough Clerk

RESOLUTION

No. 236

KENILWORTH, N.J.

November 2, 2022

Introduced by: Removed from Agenda

Seconded by: _____

RESOLUTION OF THE BOROUGH OF KENILWORTH, COUNTY OF UNION, AND STATE OF NEW JERSEY ACCEPTING THE BID FOR THE SALE OF CERTAIN MUNICIPAL LAND AND PROPERTY FROM THE BOROUGH AUCTION OF NOVEMBER 2, 2022

WHEREAS on November 2, 2022, the Borough of Kenilworth (“Borough”) conducted the sale of municipal property no longer needed by the Township in accordance with Ordinance 2022-14.;

WHEREAS the Borough Clerk reports that the schedule below outlines the bidders and their respective proposals to purchase said lands and the Township Clerk, Township Tax Assessor, and Township Tax Collector recommends that the Borough of Kenilworth accept these bids.

BLOCK AND LOTS BIDDER NAME & ADDRESS BID AMOUNT

Block 101, Lot 28

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Kenilworth, County of Union, State of New Jersey, that the proposals set forth in the above Schedule are hereby accepted and incorporated herein.

BE IT FURTHER RESOLVED that the terms of such acceptance will be set forth in the Contracts of Sale to be prepared by the Borough Attorney.

BE IT FURTHER RESOLVED as follows:

1. All municipal officials are hereby authorized to take whatever actions may be necessary to implement the terms and conditions of this Resolution.
2. The resolution shall take effect immediately.

Approved: _____

Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri						
Councilman Mark David						
Councilman Joseph Finistrella						
Councilman Scott Pentz						
Councilman Fred Pugliese						
Councilman John Zimmerman						
Mayor Linda Karlovitch						
ON CONSENT AGENDA		Yes <input type="checkbox"/>	No <input type="checkbox"/>			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on November 2, 2022.

 Angela Lazzari, Borough Clerk

RESOLUTION

No. 237

KENILWORTH, N.J.

November 2, 2022

Introduced by: Removed from Agenda

Seconded by: _____

RESOLUTION OF THE BOROUGH OF KENILWORTH, COUNTY OF UNION, AND STATE OF NEW JERSEY ACCEPTING THE BID FOR THE SALE OF CERTAIN MUNICIPAL LAND AND PROPERTY FROM THE BOROUGH AUCTION OF NOVEMBER 2, 2022

WHEREAS on November 2, 2022, the Borough of Kenilworth ("Borough") conducted the sale of municipal property no longer needed by the Township in accordance with Ordinance 2022-16.;

WHEREAS the Borough Clerk reports that the schedule below outlines the bidders and their respective proposals to purchase said lands and the Township Clerk, Township Tax Assessor, and Township Tax Collector recommends that the Borough of Kenilworth accept these bids.

BLOCK AND LOTS BIDDER NAME & ADDRESS BID AMOUNT

Block 19, Lot 10

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Kenilworth, County of Union, State of New Jersey, that the proposals set forth in the above Schedule are hereby accepted and incorporated herein.

BE IT FURTHER RESOLVED that the terms of such acceptance will be set forth in the Contracts of Sale to be prepared by the Borough Attorney.

BE IT FURTHER RESOLVED as follows:

1. All municipal officials are hereby authorized to take whatever actions may be necessary to implement the terms and conditions of this Resolution.
2. The resolution shall take effect immediately.

Approved: _____

Linda Karlovitch, Mayor

Councilman Fred Fogliosi				
Councilman John Zimmerman				
Mayor Linda Karlovitch				
ON CONSENT AGENDA	Yes ..	No ..		

Angela Lazzari, Borough Clerk

RESOLUTION

No. 238

KENILWORTH, N.J.

November 2, 2022

Introduced by: _____

Seconded by: _____

CONSENT AGENDA

BE IT RESOLVED, by the Borough of Kenilworth, County of Union, New Jersey, that the attached summary of bills in the total amount of \$2,393,866.31, 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.

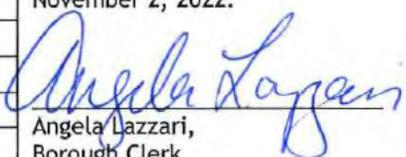
BE IT FURTHER RESOLVED, that in the event of the CFO's absence, the Governing Body authorizes Assistant Finance Officer Lisa Wood to carry out the duties and responsibilities of the CFO as outlined in Borough Code Chapter 5-4.

BE IT FURTHER RESOLVED, that the CFO has certified that sufficient uncommitted funds are available in the 2022 Borough of Kenilworth Budget to fund the payment of the following bills attached hereto and made a part of this resolution.

Approved: 
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David			✓			
Councilman Joseph Finistrella		✓	✓			
Councilman Scott Pentz			✓			
Councilman Fred Pugliese	✓		✓			
Councilman John Zimmerman			✓			
Mayor Linda Karlovitch			✓			
ON CONSENT AGENDA		Yes	✓	No		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on November 2, 2022.


Angela Lazzari,
Borough Clerk

Totals by Year-Fund					
Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND	2-01	1,982,630.11	0.00	0.00	1,982,630.11
GENERAL CAPITAL	C-04	284,924.16	0.00	0.00	284,924.16
GRANTS	G-02	126,001.64	0.00	0.00	126,001.64
GENERAL TRUST	T-03	250.00	0.00	0.00	250.00
ANIMAL CONTROL TRUST	T-15	60.40	0.00	0.00	60.40
	Year Total:	310.40	0.00	0.00	310.40
	Total of All Funds:	2,393,866.31	0.00	0.00	2,393,866.31

RESOLUTION

No. 239

KENILWORTH, N.J.

NOVEMBER 2, 2022

Introduced by: _____

Seconded by: _____

CONSENT AGENDA

NOW THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Kenilworth, County of Union, State of New Jersey acknowledges that they discussed the 2022 Best Practices Inventory as prepared by the Chief Financial Officer at their regular meeting of November 2, 2022.

Approved: *Linda Karlovitch*
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David			✓			
Councilman Joseph Finistrella		✓	✓			
Councilman Scott Pentz			✓			
Councilman Fred Pugliese	✓		✓			
Councilman John Zimmerman			✓			
Mayor Linda Karlovitch				✓		
ON CONSENT AGENDA	Yes	No				

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on November 2, 2022.

Angela Lazzari
Angela Lazzari,
Borough Clerk

RESOLUTION

No. 240

KENILWORTH, N.J.

November 2, 2022

Introduced by: _____

CONSENT AGENDA

Seconded by: _____

WHEREAS, N.J.S.40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget, and

WHEREAS, the Director may also approve the insertion of any item of appropriation for equal amount, and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Kenilworth, County of Union, State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2022 in the sum of \$1,798.00 which item is now available as a revenue from the 2022 Bulletproof Vest Partnership Grant pursuant to the provisions of statute, and

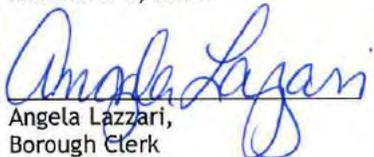
BE IT FURTHER RESOLVED, that the like sum of \$1,798.00 is hereby appropriated under the caption of the 2022 Bulletproof Vest Partnership Grant, and

BE IT FURTHER RESOLVED, that the Borough Clerk forward a certified copy of this resolution with enclosures to the Chief Financial Officer to submit the resolution electronically to the Director of the Division of Local Government Services.

Approved: 
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David			✓			
Councilman Joseph Finistrella			✓			
Councilman Scott Pentz			✓			
Councilman Fred Pugliese	✓		✓			
Councilman John Zimmerman			✓			
Mayor Linda Karlovitch			✓			
ON CONSENT AGENDA	Yes	✓	No			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on November 2, 2022.


Angela Lazzari,
Borough Clerk

RESOLUTION

No. 241

KENILWORTH, N.J.

November 2, 2022

Introduced by: _____
CONSENT AGENDA

Seconded by: _____

RESOLUTION AWARDING A GOODS AND SERVICES CONTRACT TO NATIONAL FUEL OIL INC., FOR THE PURCHASE OF DIESEL FUEL FOR THE BOROUGH IN AN AMOUNT NOT TO EXCEED \$60,000.00 PURSUANT TO NEW JERSEY STATE CONTRACT NO. 19-FOOD-01100, FOR THE PERIOD OF JANUARY 1, 2022 THROUGH DECEMBER 31, 2022.

WHEREAS, the Borough of Kenilworth (“Borough”) pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c), may, by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, the Mayor and Council of the Borough desires and requires the purchase of goods and services necessary for the purchase of diesel fuel for the Borough from National Fuel Oil Inc., 175 Orange St, Newark, NJ 07103 through New Jersey State Contract No. 19-FOOD-01100; and

WHEREAS, the Mayor and Council of the Borough anticipates entering into a contract in excess of \$17,500 with National Fuel Oil through this resolution and properly executed purchase orders/contracts, which shall be subject to all the conditions applicable to the current State contracts.

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

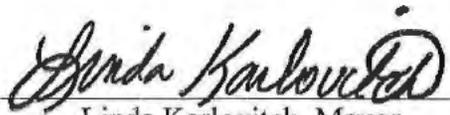
1. The Borough’s Qualified Purchasing Agent is authorized to purchase goods and services necessary for the purchase of gasoline for the Borough from National Fuel Oil Inc., 175 Orange St, Newark, NJ 07103 through New Jersey State Contract No. 19-FOOD-01100, which shall be subject to all the conditions applicable to the current State contracts, in an amount not to exceed Sixty Thousand Dollars and Zero Cents (\$60,000.00), for the period of January 1, 2022 through December 31, 2022.

2. Pursuant to N.J.A.C. 5:30-5.5(b) regarding the certification of available funds, the Borough’s Chief Financial Officer shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Financial Officer via an authorized Purchase Order.

3. This Resolution shall take effect immediately upon adoption and certification on this Resolution by the Chief Financial Officer that sufficient funds are available in one of the manners as set forth in section two of this resolution.

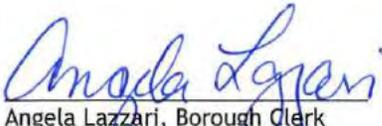
4. This contract is ratified from January 1, 2022 until the date of adoption of this authorizing resolution.

5. The within Resolution shall be maintained on file and available for public inspection in the office of the Borough Clerk.

Approved: 
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David			✓			
Councilman Joseph Finistrella		✓	✓			
Councilman Scott Pentz			✓			
Councilman Fred Pugliese	✓		✓			
Councilman John Zimmerman			✓			
Mayor Linda Karlovitch			✓			
ON CONSENT AGENDA	Yes	✓	No			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on November 2, 2022.


Angela Lazzari, Borough Clerk

RESOLUTION

No. 242

KENILWORTH, N.J.

November 2, 2022

Introduced by: _____

Seconded by: _____

CONSENT AGENDA

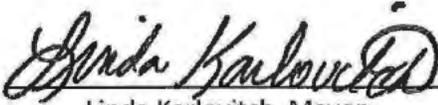
WHEREAS, an application has been filed for a place-to-place transfer of Plenary Retail Consumption License 2003-003-005-008, for the purposes of transferring the premises under license wherein the sale, service and storage of alcoholic beverages are authorized;

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funding used in the purchase of the licensed business and all additional financing obtained in connection with the licensed business

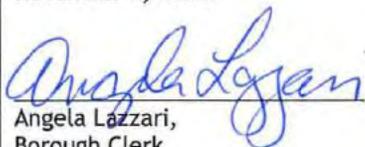
NOW, THEREFORE BE IT RESOLVED that the Borough of Kenilworth Governing Body does hereby approve, effective November 2, 2022, the transfer of the aforesaid Plenary Retail Consumption license to **THE BACKYARD GRILL, LLC, 500 BOULEVARD, KENILWORTH, NJ** and does hereby direct the Borough Clerk to endorse the license certificate to the new ownership as follows:

“This license, subject to all its terms and conditions, is hereby transferred to The Backyard Grill, LLC, 500 Boulevard, Kenilworth, NJ, effective November 2, 2022.”

Approved: 
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David			✓			
Councilman Joseph Finistrella		✓	✓			
Councilman Scott Pentz			✓			
Councilman Fred Pugliese	✓		✓			
Councilman John Zimmerman			✓			
Mayor Linda Karlovitch			✓			
ON CONSENT AGENDA	Yes	✓	No			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on November 2, 2022.


Angela Lazzari,
Borough Clerk

RESOLUTION

No. 243

KENILWORTH, N.J.

November 2, 2022

Introduced by: _____

Seconded by: _____

CONSENT AGENDA

WHEREAS, Messercola Excavating Co., Inc. has been contracted by the Borough of Kenilworth to perform certain public improvement projects by way of the public bidding process set forth in the Local Public Contracts Law set forth in NJSA 40A:11-2 et. Seq;

WHEREAS, the Borough Engineer has certified that the services required for the first payment under said contract in the amount of \$244,350.00 have been performed to his satisfaction and he has authorized the Borough to make said payment.

BE IT RESOLVED, by the Mayor and Council of the Borough of Kenilworth of Union County, New Jersey upon recommendation of the Borough Engineer that 1st Payment for the Contract listed below be and is hereby approved.

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

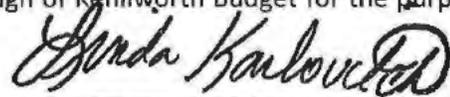
TITLE OF JOB: New Soccer Field at DiMario Park
 CONTRACTOR: Messercola Excavating Co., Inc.
 549 E. 3rd Street
 Plainfield, NJ 07060

Payment #1

TOTAL ORIGINAL CONTRACT PRICE	\$386,000.00
Change Order Amount	\$0.00
Contract Sum to date:	\$386,000.00
Total Completed and Stored to Date	\$271,500.00
Less 10% retainage to date	\$27,150.00
Less previous payment	<u>\$0.00</u>
Amount Due	<u>\$244,350.00</u>
Balance to Finish	\$141,650.00

BE IT FURTHER RESOLVED, that the Borough of Kenilworth's Chief Financial Officer has certified that sufficient uncommitted funds are available in the 2022 Borough of Kenilworth Budget for the purposes set forth herein.

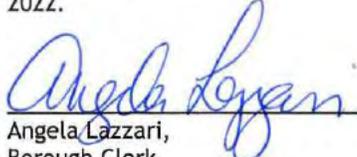
Approved: _____



Linda Karlovitch, Mayor

	MOVED	AYES SECONDE	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓		
Councilman Mark David			✓		
Councilman Joseph Finistrella		✓	✓		
Councilman Scott Pentz			✓		
Councilman Fred Pugliese	✓		✓		
Councilman John Zimmerman			✓		
Mayor Linda Karlovitch			✓		
ON CONSENT AGENDA	Yes	✓	No		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on November 2, 2022.



Angela Lazzari,
Borough Clerk

HARBOR



CONSULTANTS INC.

November 17, 2022

Ms. Angela Lazzari, RMC, CMR
Borough Clerk/Administrative Officer
Borough of Kenilworth
567 Boulevard
Kenilworth, NJ 07033

**RE: Request for Payment No. 1
New Soccer Field at DiMario Park
Messercola Excavating Co., Inc.**

Dear Ms. Lazzari:

Enclosed is Application for Payment No. 1 received from Messercola Excavating Co., Inc. for work completed on the above referenced project. Harbor Consultants, Inc. has reviewed this application and recommends payment in the amount of **\$244,350.00**.

The current status of the contract is as follows:

Contract amount:	\$386,000.00
Change orders amount:	\$ 0.00
Contract sum to date:	\$386,000.00
Total completed and stored to date:	\$271,500.00
Less 10% retainage to date:	\$ 27,150.00
Total Earned less retainage:	\$244,350.00
Less previous payments:	\$ 0.00
 Amount due :	 \$244,350.00
 Balance to finish including retainage:	 \$141,650.00

If you should have any questions, please give us a call.

Very truly yours,

Anthony G. Gallerano, PE, PP
Harbor Consultants, Inc.

RESOLUTION

No. 244

KENILWORTH, N.J.

November 2, 2022

Introduced by: _____

CONSENT AGENDA

Seconded by: _____

WHEREAS, after the proper advertisement of same, pursuant to the Local Public Contracts Laws, N.J.S.A. 40A:11-1 et seq., the Borough of Kenilworth received sealed bid on October 13, 2022, for the construction and related activities associated with the provision of the **Various Streets 2022 Kenilworth (North 7th Street Ashwood Avenue & Maplewood Avenue)** project ("**Various Streets 2022 Kenilworth project**"); and

WHEREAS, the Borough Engineer, Harbor Consultants, Inc., has provided the hereto attached summary of the bid results and has recommended that the lowest responsible bid be awarded to **S. Brothers Inc.**, 16 Sobechko Road, Manalapan, NJ ("**S. Brothers Inc.**"); and

WHEREAS, the Borough Council has determined that it is in the best interest to accept the bid proposal and execute a contract for the **Various Streets 2022 Kenilworth** project, with the lowest responsible bidder, **S. Brothers Inc.**, in an amount not to exceed **\$222,582.87** for Base Bid 1; and

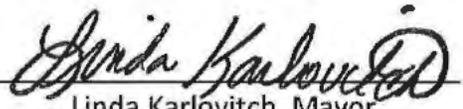
WHEREAS, the public advertisement, the receipt of public bids and the award of the contract to the lowest responsible bidder, pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq., for the **Various Streets 2022 Kenilworth** project, constitutes a Fair and Open Process pursuant to the Local Pay to Play Law, N.J.S.A. 19:44A:20.5, et seq.

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

1. The Mayor and Council are hereby authorized to accept the bid submitted by the lowest responsible bidder, **S. Brothers Inc.**, 16 Sobechko Road, Manalapan, NJ, for the **Various Streets 2022 Kenilworth** project in the amount not to exceed **\$222,582.87** for Base Bid 1.
2. The Mayor is authorized to enter into and execute a contract with **S. Brothers Inc.** for the for the **Various Streets 2022 Kenilworth** project, in an amount not to exceed **\$222,582.87** for Base Bid 1.
3. Pursuant to N.J.A.C. 5:34-5.1 et seq., the Borough's CFO has certified that sufficient uncommitted funds are available in the 2022 Borough of Kenilworth Budget to fund the payment to **S. Brothers Inc.** for the for the **Various Streets 2022 Kenilworth** project to be charged to _____ line item.

4. This contract is being awarded pursuant to the Fair and Open Procedures of the Pay to Play Law, N.J.S.A. 19:44A-20.5, et seq. and in accordance with the public bid procedures pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.
5. No changes to this contract shall be allowed or authorized without prior Municipal Council approval.
6. There shall be no advance payments made against this contract in accordance with N.J.A.C. 40A:5-16.
7. A fully executed copy of the contract shall be filed in the Office of the Borough Clerk.
8. The contract shall commence upon the issuance of a notice to proceed by Harbor Consultants, Inc. and shall be completed according to the terms of the contract.

Approved:


Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David			✓			
Councilman Joseph Finistrella		✓	✓			
Councilman Scott Pentz			✓			
Councilman Fred Pugliese	✓		✓			
Councilman John Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA		Yes	✓	No		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on November 2, 2022.


Angela Lazzari, Borough Clerk

HARBOR



CONSULTANTS INC.

October 20, 2022

Ms. Angela Lazzari, Borough Clerk
Borough of Kenilworth
567 Boulevard
Kenilworth, NJ 07033

Re: Recommendation of Award
2022 NJDOT Roadway Improvements
Borough Kenilworth, Union County

Dear Ms. Lazzari,

On Thursday, October 13, 2022, the Borough of Kenilworth received eight (8) bids for the above referenced project. Attached please find a summary of the bid results. It is recommended that a contract be awarded to the lowest bidder S. Brothers Inc, P.O. Box 317, South River, NJ in the amount of \$222,582.87 for the Base Bid 1. This recommendation is made subject to the availability of funds by the Borough Finance Officer.

If you have any questions or comments, feel free to contact me.

Very Truly Yours,
Harbor Consultants, Inc.

Christian Cueto, P.E., C.M.E.

cc: Kenneth P. Blum, Jr., Borough Finance Officer

**2022 NJDOT ROADWAY IMPROVEMENTS
BOROUGH OF KENILWORTH
OCTOBER 13, 10:30 AM**

BID RESULTS

		Black Rock Enterprises, LLC	AJM Contractors Inc.	S Brothers, Inc	Top Line Construction Corp.	Stilo Exacvation Inc.	DLS Contracting, Inc.	KM Construction Corp	Reivax Contracting Corp
1	Base Bid 1 North 7th Street	\$248,686.38	\$250,059.96	\$222,582.87	\$288,210.78	\$328,721.63	\$315,805.96	\$297,976.96	\$370,964.46
2	Alternate Bid 1 Ashwood Avenue	\$74,919.98	\$65,327.48	\$91,158.32	\$65,654.88	\$72,749.48	\$97,081.48	\$109,694.48	\$152,924.48
3	Alternate Bid 2 Maplewood Avenue	\$85,016.22	71172.72*	\$93,026.48	\$69,399.24	\$79,747.14	\$93,594.72	\$123,665.72	144905.72*
4	Alternate Bid 3 Maplewood Avenue Curb	\$41,250.00	\$50,000.00	\$46,250.00	\$48,300.00	\$52,500.00	\$46,250.00	\$50,000.00	\$50,000.00
5	Alternate Bid 4 Maplewood Avenue Drainage	\$35,127.42	\$51,295.00	\$43,320.00	\$32,744.07	\$30,149.50	\$27,975.00	\$42,820.00	\$71,895.00
Total		\$485,000.00	\$487,855.16	\$496,337.67	\$504,308.97	\$563,867.75	\$580,707.16	\$624,157.16	\$790,689.66

* Math error

Christian Cueto, P.E. Borough Engineer

RESOLUTION

No. 245

KENILWORTH, N.J.

November 2, 2022

Introduced by: _____

CONSENT AGENDA

Seconded by: _____

WHEREAS, the Borough of Kenilworth wishes to participate in Operation Green Light in an effort to show support for veterans by lighting our buildings green from November 7th to November 13th as a reminder and commitment in ensuring that veterans know they are seen, appreciated and supported by their government; and

WHEREAS, the residents of the Borough of Kenilworth have great respect, admiration, and the utmost gratitude for all of the men and women who have selflessly served our country and this community in the Armed Forces; and

WHEREAS, the contributions and sacrifices of the men and women who served in the Armed Forces have been vital in maintaining the freedoms and way of life enjoyed by our citizens; and

WHEREAS, the Borough of Kenilworth seeks to honor these individuals who have paid the high price for freedom by placing themselves in harm's way for the good of all; and

WHEREAS, Veterans continue to serve our community in the American Legion, Veterans of Foreign Wars, religious groups, civil service, and by functioning as County Veteran Service Officers in 29 states to help fellow former service members access more than \$52 billion in federal health, disability and compensation benefits each year; and

WHEREAS, Approximately 200,000 service members transition to civilian communities annually; and

WHEREAS, an estimated 20 percent increase of service members will transition to civilian life in the near future; and

WHEREAS, studies indicate that 44-72 percent of service members experience high levels of stress during transition from military to civilian life; and

WHEREAS, Active Military Service Members transitioning from military service are at a high risk for suicide during their first year after military service; and

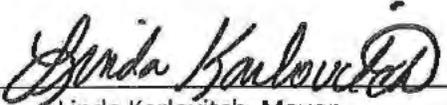
WHEREAS, the National Association of Counties encourages all counties, parishes and boroughs to recognize Operation Green Light for Veterans; and

WHEREAS, the Borough of Kenilworth appreciates the sacrifices of our United State Military Personnel and believes specific recognition should be granted.

NOW, THEREFORE, BE IT RESOLVED, that in observance of Operation Green Light, the Borough of Kenilworth encourages its citizens in patriotic tradition to recognize the importance of honoring all those who made immeasurable sacrifices to preserve freedom by displaying a green light in a window of their place of business or residence.

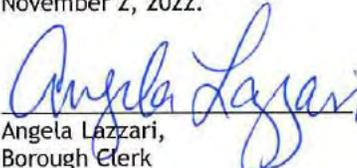
BE IT FURTHER RESOLVED, that the Borough of Kenilworth joins NACo and NACVSO in participating in Operation Green Light from November 7th to November 13th to honor our service men and women within the Borough of Kenilworth.

Approved:


Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David			✓			
Councilman Joseph Finistrella			✓			
Councilman Scott Pentz			✓			
Councilman Fred Pugliese	✓		✓			
Councilman John Zimmerman			✓			
Mayor Linda Karlovitch			✓			
ON CONSENT AGENDA	Yes	✓	No			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on November 2, 2022.


Angela Lazzari,
Borough Clerk



BOROUGH OF KENILWORTH

December 21, 2022
SPECIAL COUNCIL MEETING – VIA ZOOM
6:30 PM

This meeting will be held via ZOOM.

Please join the meeting using the following link.

<https://us06web.zoom.us/j/88441898185?pwd=dFZ5bWtIUURHaWdqOWk4Z2ZVIRVxUT09>

Open Public Meetings Notice

Salute to the Flag

Roll Call

Minutes: Council Meeting – 11/2/2022

Ordinance for Public Hearing and Final Adoption:

Ordinance Introduced on December 7, 2022

Ordinance 2022-20

ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 91, "FEES AND LICENSES" ARTICLE 1, "FEES GENERALLY" SECTION 1, "SCHEDULE OF FEES," AND SUBSECTION 3 "UNIFORM COMMERCIAL CODE FEES" OF THE MUNICIPAL CODE OF THE BOROUGH OF KENILWORTH.

Resolutions: - Consent Agenda

274. Authorizing that all bills be paid when properly audited and funds are available.
275. Authorizing the refund for tax overpayments in the amount of \$ 1,481.24 for the property located at 108 No. Michigan (Block 47 Lot 26).
276. Authorizing the 4th Payment of the contract with AJM Contractors, Inc. for the 2021 NJDOT Roadway Improvements in the amount of \$132,918.93.
277. Authorizing the purchase of Radio Communications Zetron 9-1-1 System, equipment, and accessories by approved New Jersey State Cooperative Purchasing Contract #T-0109 in an amount not to exceed \$123,247.00.

292. Authorizing the transfer of ownership for the 2011 Freightliner which is part of the NEPTUNE Fire system back to the NJ Division of Fire Safety.
293. Resolution setting the salary for the Deputy Borough Clerk effective January 1, 2023.
294. Resolution carrying the 2022 Borough professional service appointments until new professionals are new appointments are made for 2023.

Meeting Open to the Public

General Business

Adjournment

Council reserves the right to go into Closed Session if needed. *(Closed Session Meeting Resolution)*

Adjournment

Time: _____

**RESOLUTION
KENILWORTH, NJ**

No. 274

December 21, 2022

Introduced by: _____

Seconded by: _____

CONSENT AGENDA

BE IT RESOLVED, by the Borough of Kenilworth, County of Union, New Jersey, that the attached summary of bills in the total amount of \$529,221.68, 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 2022 Borough of Kenilworth Budget to fund the payment of the following bills attached hereto and made a part of this resolution.

Approved: _____

Linda Karlovitch

Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David			✓			
Councilman Joseph Finistrella			✓			
Councilman Scott Pentz			✓			
Councilman Fred Pugliese	✓	✓	✓			
Councilman John Zimmerman	✓		✓			
Mayor Linda Karlovitch			✓			
ON CONSENT AGENDA	Yes	✓	No	___		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on December 21, 2022.

Angela Lazzari

Angela Lazzari,
Borough Clerk

Totals by Year-Fund Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND	2-01	216,770.31	0.00	0.00	216,770.31
GENERAL CAPITAL	C-04	149,066.43	0.00	0.00	149,066.43
GRANTS	G-02	5,687.29	0.00	0.00	5,687.29
GENERAL TRUST	T-03	5,019.18	0.00	0.00	5,019.18
COMMUNITY DEVELOPMENT	T-06	518.00	0.00	0.00	518.00
Year Total:		5,537.18	0.00	0.00	5,537.18
Total of All Funds:		377,061.21	0.00	0.00	377,061.21

95.64+
152,064.83+
002
152,160.47*
0**
152,160.47+
377,061.21+
002
529,221.68*
0**

Manual checks & wires
\$152,160.47
Bill list \$377,061.21
Total \$529,221.68

RESOLUTION

No. 275

KENILWORTH, N.J.

December 21, 2022

Introduced by: _____

Seconded by: _____

CONSENT AGENDA

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

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

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of, that the Treasurer after proper notation by the Tax Collector is authorized to refund and pay the overpayment to the below stated of the specific property listed below:

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

Block/Lot	Property Address	Refund To	Refund Amount	Year	Reason
BL 47 L 26	108 No. Michigan	Phoenix Funding, Inc. 1148 Springfield Ave. Mountainside, NJ 07092	\$ 1,481.24	2022	1

BE IT FURTHER RESOLVED, that the Borough of Kenilworth's Chief Financial Officer has certified that sufficient uncommitted funds are available in the 2022 Borough of Kenilworth Budget for the purposes set forth herein.

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

Approved:

Linda Karlovitch
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT	I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on December 21, 2022.
Councilwoman Kay Ceceri			✓				
Councilman Mark David			✓				
Councilman Joseph Finistrella			✓				
Councilman Scott Pentz			✓				
Councilman Fred Pugliese			✓				
Councilman John Zimmerman	✓		✓				
Mayor Linda Karlovitch			✓				
ON CONSENT AGENDA		Yes <input checked="" type="checkbox"/>		No <input type="checkbox"/>			<i>Angela Lazzari</i> Angela Lazzari, Borough Clerk

**RESOLUTION
KENILWORTH, NJ**

No. 276

December 21, 2022

Introduced by: _____

CONSENT AGENDA

Seconded by: _____

WHEREAS, AJM Contractors, Inc. has been contracted by the Borough of Kenilworth to perform certain public improvement projects by way of the public bidding process set forth in the Local Public Contracts Law set forth in NJSA 40A:11-2 et. Seq;

WHEREAS, the Borough Engineer, Harbor Consultants Inc., has certified that the services required for the 4th Payment under said contract in the amount of \$132,918.93 have been performed to his satisfaction and he has authorized the Borough to make said payment.

BE IT RESOLVED, by the Mayor and Council of the Borough of Kenilworth of Union County, New Jersey upon recommendation of the Borough Engineer that 4th Payment for the Contract listed below be and is hereby approved.

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

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

Payment #4

TOTAL ORIGINAL CONTRACT PRICE	\$390,211.00
Change Order Amount	\$45,421.50
Contract Sum to date:	\$435,632.50
Total Completed and Stored to Date	\$425,055.53
Less 5% retainage to date	\$21,252.78
Less previous payment	<u>\$270,883.82</u>
Amount Due	<u>\$132,918.93</u>
Balance to Finish including retainage	\$10,576.97

BE IT FURTHER RESOLVED, that the Borough of Kenilworth's Chief Financial Officer has certified that sufficient uncommitted funds are available in the 2022 Borough of Kenilworth Budget for the purposes set forth herein.

Approved: _____

Linda Karlovitch

Linda Karlovitch, Mayor

	MOVED	AYES	SECONDE	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri				✓		
Councilman Mark David				✓		
Councilman Joseph Finistrella					✓	
Councilman Scott Pentz					✓	
Councilman Fred Pugliese		✓		✓		
Councilman John Zimmerman	✓			✓		
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes	✓		No	___	

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on December 21, 2022.

Angela Lazzari
 Angela Lazzari,
 Borough Clerk

**RESOLUTION
KENILWORTH, NJ**

No. 277

December 21, 2022

Introduced by: _____

Seconded by: _____

CONSENT AGENDA

WHEREAS, the Borough of Kenilworth, pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, upon the recommendation of the Kenilworth Police Department, the Borough of Kenilworth has the need on a timely basis to purchase goods or services utilizing State contracts for the purpose of the acquisition of Radio Communications Zetron 9-1-1 System, equipment, and accessories; and

WHEREAS, the Borough of Kenilworth intends to enter into contracts with: Mobile Techtronics Inc. 1127 Lake Ave, Clark, NJ 07066 through this resolution and properly executed contract, which shall be subject to all the conditions applicable to the current State Cooperative Purchasing contracts;

NOW THEREFORE BE IT RESOLVED, that the Borough of Kenilworth authorizes the award and purchase of Radio Communications Zetron 9-1-1 System, equipment, and accessories through New Jersey State Cooperative Purchasing Contract #T-0109 for the total amount of \$123,247.00 pursuant to all conditions of the individual State contracts; and

BE IT FURTHER RESOLVED, that the governing body of the Borough of Kenilworth pursuant to N.J.A.C. 5:30-5.5(b), the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Finance Officer.

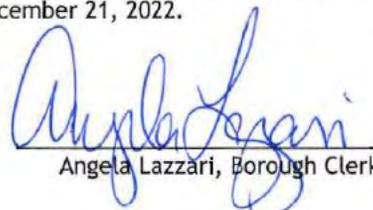
Approved:



Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David			✓			
Councilman Joseph Finistrella						✓
Councilman Scott Pentz						✓
Councilman Fred Pugliese		✓	✓			
Councilman John Zimmerman	✓	✓	✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA		Yes	✓	No		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on December 21, 2022.



Angela Lazzari, Borough Clerk

HARBOR



CONSULTANTS INC.

December 14, 2022

Ms. Angela Lazzari, RMC, CMR, Borough Clerk
Borough of Kenilworth
567 Boulevard
Kenilworth, NJ 07033

Re: Payment No.4
2021 NJDOT Roadway Improvements
Borough of Kenilworth

Dear Ms. Lazzari,

Enclosed is Application for Payment No. 4, received from AJM Contractors, Inc., (Requisitions 10 & 11) for work completed through November 21, 2022 for the above referenced project. Harbor Consultants, Inc. has reviewed this request and recommends that payment in the amount of \$132,918.93 be approved at the next Council Meeting.

The current state of the contract is as follows:

Contract amount:	\$390,211.00
Change orders amount:	\$ 45,421.50
Contract sum to date:	\$435,632.50
Total completed and stored to date:	\$ 425,055.53
Less 5% retainage to date:	\$ 21,252.78
Less previous payments:	\$ 270,883.82
Amount due this period:	\$ 132,918.93
Balance to finish including retainage:	\$ 10,576.97

Attached, please find a copy of the Contractor's payment request, certified payroll and Kenilworth Voucher. If you have any questions, feel free to contact me.

Very Truly Yours,

Harbor Consultants, Inc.

Christian Cueto, P.E., C.M.E.

cc: Kenneth P. Blum, Jr., Borough Chief Financial Officer w/ attachments

**RESOLUTION
KENILWORTH, NJ**

No. 278

December 21, 2022

Introduced by: _____

Seconded by: _____

CONSENT AGENDA

WHEREAS, the Borough of Kenilworth, pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, upon the recommendation of the Kenilworth Fire Department, the Borough of Kenilworth has the need on a timely basis to purchase goods or services utilizing State contracts for the purpose of replacing the boiler, pumps, and unit heaters; and

WHEREAS, the Borough of Kenilworth intends to enter into contracts with: IN-LINE Heating & Air-Conditioning, 85 East 21st Street, Bayonne, NJ 07002 through this resolution and properly executed contract, which shall be subject to all the conditions applicable to the current State Cooperative Purchasing contracts;

NOW THEREFORE BE IT RESOLVED, that the Borough of Kenilworth authorizes the award and purchase to replace the boiler, pumps, and unit heaters through New Jersey State Cooperative Purchasing Contract #65MCESCCPS for the total amount of \$69,947.00 pursuant to all conditions of the individual State contracts; and

BE IT FURTHER RESOLVED, that the governing body of the Borough of Kenilworth pursuant to N.J.A.C. 5:30-5.5(b), the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Finance Officer.

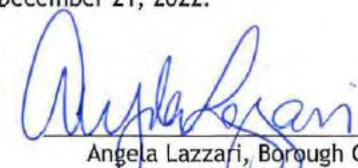
Approved:



Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David			✓			
Councilman Joseph Finistrella						✓
Councilman Scott Pentz						✓
Councilman Fred Pugliese		✓	✓			
Councilman John Zimmerman	✓		✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA		Yes ✓		No		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on December 21, 2022.



Angela Lazzari, Borough Clerk

**RESOLUTION
KENILWORTH, N.J.**

No. 279

DECEMBER 21, 2022

Introduced by: _____

Seconded by: _____

CONSENT AGENDA

WHEREAS, on December 7, 2022, the Borough of Kenilworth Municipal Council adopted Resolution 265, which authorized the appointment of Wanda Grimaldi as Planning Board Administrative Assistant/Department Administrator/Technical Assistant; and

WHEREAS, Resolution 265 incorrectly stated the scheduled work hours per week as 8:30am to 4:00 pm Monday through Friday; and

WHEREAS, the Borough wishes to amend Resolution 265 to correct the scheduled work hours per week.

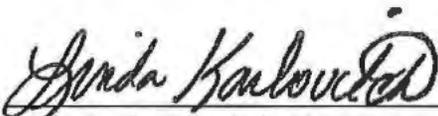
NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Kenilworth County of Union, State of New Jersey that:

- Resolution 265 is hereby amended to correct the scheduled work hours per week as follows:

Effective January 3, 2023, Wanda Grimaldi be appointed Full-Time Planning Board Administrative Assistant/Department Administrator/Technical Assistant at a rate of \$53,000 per annum, scheduled to work thirty-five (35) hours per week, 8:30am to 4:30 pm Monday through Friday.

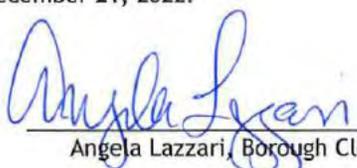
- A copy of this resolution shall be kept on file in the Borough Clerk's Office.
- This resolution shall take effect immediately.

Approved:


Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David			✓			
Councilman Joseph Finistrella						✓
Councilman Scott Pentz						✓
Councilman Fred Pugliese	✓	✓	✓			
Councilman John Zimmerman	✓	✓	✓			
Mayor Linda Karlovitch			✓			
ON CONSENT AGENDA	Yes	✓	No			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on December 21, 2022.


Angela Lazzari, Borough Clerk

**RESOLUTION
KENILWORTH, NJ**

No. 280

December 21, 2022

Introduced by: _____

Seconded by: _____

CONSENT AGENDA

WHEREAS, on December 7, 2022, the Borough of Kenilworth Municipal Council adopted Resolution 271, which authorized the reimbursement to retirees for their payments for Medicare Part B coverage from July 1, 2022 through December 31, 2022; and

WHEREAS, Resolution 271 was missing the reimbursement of a new Retiree, Ellen Johns; and

WHEREAS, the Borough wishes to amend Resolution 271 to include this new Retiree.

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

- Resolution 271 is hereby amended to include the additional line item for the reimbursement as follows:

Retirees	Premium	Months	Adjustments	Total
Ellen Johns	170.10	6		\$1,020.60

- The total amended reimbursement with the additional line item is \$33,702.60.
- A copy of this resolution shall be kept on file in the Borough Clerk's Office.
- This resolution shall take effect immediately.

Approved: _____

Linda Karlovitch

Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David			✓			
Councilman Joseph Finistrella			✓			✓
Councilman Scott Pentz			✓			✓
Councilman Fred Pugliese		✓	✓			
Councilman John Zimmerman	✓	✓	✓			
Mayor Linda Karlovitch			✓			
ON CONSENT AGENDA		Yes ✓	No			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on December 21, 2022.

Angela Lazzari
Angela Lazzari, Borough Clerk

**RESOLUTION
KENILWORTH, NJ**

No. 281

December 21, 2022

Introduced by: _____

Seconded by: _____

CONSENT AGENDA

WHEREAS, the Borough of Kenilworth operates a Department of Public Works "DPW" serving the citizens of Kenilworth for the provision of public services; and

WHEREAS, the position of Lead Foreman and Working Foreman retain the quality of benefits provided to employees of the Department's collective bargaining unit covered by a negotiated contract with the knowledge and approval of the Borough.

THEREFORE BE IT RESOLVED, that the enclosed list of non-contractual Borough Employees, including Lead Foreman and Working Foreman, receive a salary/rate increase of 3% effective January 1, 2023, as follows.

2023 Non-Contractual Raises – 3%

TITLE/CLASSIFICATION	CURRENT 2022	PERCENTAGE	DOLLAR AMOUNT	SALARY/HOURLY WAGE
	SALARY/HOURLY WAGE	INCREASE	INCREASE	EFFECTIVE 1/1/2023
Lead Foreman	\$ 71,966.00	3%	\$ 2,159.00	\$ 74,125.00
Working Foreman	\$ 77,219.00	3%	\$ 2,317.00	\$ 79,536.00



Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David			✓			
Councilman Joseph Finistrella						✓
Councilman Scott Pentz						✓
Councilman Fred Pugliese		✓	✓			
Councilman John Zimmerman	✓	✓	✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA		Yes <u>✓</u>		No <u> </u>		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on December 21, 2022.



Angela Lazzari, Borough Clerk

RESOLUTION
KENILWORTH, NJ

No. 282

December 21, 2022

Introduced by: _____

Seconded by: _____

CONSENT AGENDA

WHEREAS, November 3, 2022, 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 \$260,000.00 from the Union County CARES Grants for Senior Center Building Repairs for the purchase and installation of a water fountain/bottle filling station, the replacement of a Compromised Flat Roof, the replacement of damaged air conditioning units, and the replacement of deteriorating hydronic heating system; 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:

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 \$260,000.00 from the Union County CARES Grants for Senior Center Building Repairs for the purchase and installation of a water fountain/bottle filling station, the replacement of a Compromised Flat Roof, the replacement of damaged air conditioning units, and the replacement of deteriorating hydronic heating system.
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 \$260,000.00 from the Union County CARES Grants for Senior Center Building Repairs for the purchase and installation of a water fountain/bottle filling station, the replacement of a Compromised Flat Roof, the replacement of damaged air conditioning units, and the replacement of deteriorating hydronic heating system.

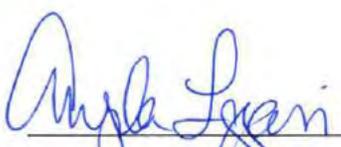
Approved:



Linda Karlovitch, Mayor

	MOVED	SECONDE	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David			✓			
Councilman Joseph Finistrella						✓
Councilman Scott Pentz						✓
Councilman Fred Pugliese		✓	✓	✓		
Councilman John Zimmerman	✓		✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA			Yes ✓	No	___	

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on December 21, 2022.



Angela Lazzari, Borough Clerk

**RESOLUTION
KENILWORTH, NJ**

No. 283

December 21, 2022

Introduced by: _____

CONSENT AGENDA

Seconded by: _____

WHEREAS, the Borough of Kenilworth has completed several capital projects; and

WHEREAS, the Borough of Kenilworth has determined that the remaining balances maybe canceled.

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

1. That the Chief Financial Officer be and is hereby directed to take all necessary steps to cancel the following capital appropriation balances:

<u>ORDINANCE #</u>	<u>ACCOUNT #</u>	<u>AMOUNT</u>
2020-11	C-04-55-203-100	\$ <u>225,000.00</u>
TOTAL		\$ <u><u>225,000.00</u></u>

Linda Karlovitch

Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David			✓			
Councilman Joseph Finistrella						✓
Councilman Scott Pentz						✓
Councilman Fred Pugliese		✓	✓			
Councilman John Zimmerman	✓		✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes	✓		No		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on December 21, 2022.

Angela Lazzari
Angela Lazzari, Borough Clerk

**RESOLUTION
KENILWORTH, NJ**

No. 284

December 21, 2022

Introduced by: _____

Seconded by: _____

CONSENT AGENDA

WHEREAS, the Borough of Kenilworth has grants that are completed or expired; and

WHEREAS, the Borough of Kenilworth has determined that the grant receivable and reserve balances must be canceled.

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

1. That the Chief Financial Officer be and is hereby directed to take all necessary steps to cancel the following CDBG Grant Receivable and Reserve balances.

<u>CDBG GRANT NAME</u>	<u>RECEIVABLE AMOUNT</u>	<u>RESERVE AMOUNT</u>
YEAR 47:		
SOCIAL SERVICES	\$ -	\$ -
ADA CURBS AND RAMPS	\$ 648.00	\$ 648.00
Total	\$ 648.00	\$ 648.00


Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David			✓			
Councilman Joseph Finistrella						✓
Councilman Scott Pentz						✓
Councilman Fred Pugliese		✓	✓			
Councilman John Zimmerman	✓		✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA		Yes <u>✓</u>		No <u> </u>		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on December 21, 2022.


Angela Lazzari, Borough Clerk

**RESOLUTION
KENILWORTH, NJ**

No. 285

December 21, 2022

Introduced by: _____

CONSENT AGENDA

Seconded by: _____

BE IT RESOLVED, that the Chief Finance Officer be authorized to make payments and transfers for necessary obligations prior to the next regularly scheduled Council Meeting.

BE IT 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 Chief Financial Officer as outlined in Borough Code Chapter 5-34.

Approved: _____

Linda Karlovitch

Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓	✓		
Councilman Mark David			✓			
Councilman Joseph Finistrella						✓
Councilman Scott Pentz						✓
Councilman Fred Pugliese		✓	✓	✓		
Councilman John Zimmerman	✓		✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA		Yes ✓	No			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on December 21, 2022.

Angela Lazzari
Angela Lazzari, Borough Clerk

**RESOLUTION
KENILWORTH, NJ**

No. 286

December 21, 2022

Introduced by: _____

CONSENT AGENDA

Seconded by: _____

**AUTHORIZING THE PURCHASE OF A KUBOTA KX033-4R3A EXCAVATOR FROM
POWERCO, INC. PURSUANT TO N SOURCEWELL NATIONAL COOPERATIVE
PURCHASING SYSTEM CONTRACT NO. 031121-KBA IN AN AMOUNT NOT TO EXCEED
\$47,185.16**

WHEREAS, the Borough of Kenilworth desires and requires to purchase equipment necessary for the acquisition of a Kubota KX033-4R3A Excavator; and,

WHEREAS, in furtherance of such purchase, the Qualified Purchasing Agent has researched and recommended the procurement of a Kubota KX033-4R3A Excavator from an authorized vendor under the National Cooperative Purchasing Alliance pursuant to statute and Local Finance Notice 2012-10; and,

WHEREAS, POWERCO, Inc., has been awarded Contract No. 031121-KBA as part of the Sourcewell National Cooperative Purchasing System for the provision of certain goods and services inclusive of a Kubota KX033-4R3A Excavator.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Kenilworth, County of Union, State of New Jersey that the purchase of a Kubota KX033-4R3A Excavator be and is hereby authorized from POWERCO, Inc. of 12 State Route 173, Clinton, New Jersey 08809, pursuant to Sourcewell National Cooperative Purchasing System Contract No. 031121-KBA in an amount not to exceed forty-seven thousand one-hundred eighty-five dollars and sixteen cents (\$47,185.16).

BE IT FURTHER RESOLVED, that the governing body of the Borough of Kenilworth pursuant to N.J.A.C. 5:30-5.5(b), the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Finance Officer.

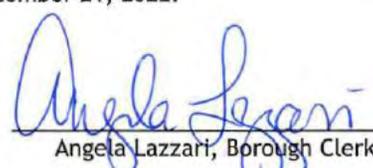
Approved:



Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David			✓			
Councilman Joseph Finistrella						✓
Councilman Scott Pentz						✓
Councilman Fred Pugliese		✓	✓			
Councilman John Zimmerman	✓		✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA		Yes	✓	No		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on December 21, 2022.



Angela Lazzari, Borough Clerk

**RESOLUTION
KENILWORTH, NJ**

No. 287

December 21, 2022

Introduced by: _____

CONSENT AGENDA

Seconded by: _____

AUTHORIZING THE PURCHASE OF A 2023 FORD SUPER DUTY F-450 FROM NATIONAL AUTO FLEET GROUP PURSUANT TO N SOURCEWELL NATIONAL COOPERATIVE PURCHASING SYSTEM CONTRACT NO. 091521-NAF IN AN AMOUNT NOT TO EXCEED \$90,175.84

WHEREAS, the Borough of Kenilworth desires and requires to purchase equipment necessary for the acquisition of a 2023 Ford Super Duty F-450; and,

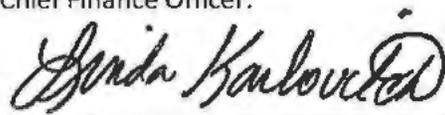
WHEREAS, in furtherance of such purchase, the Qualified Purchasing Agent has researched and recommended the procurement of a 2023 Ford Super Duty F-450 from an authorized vendor under the National Cooperative Purchasing Alliance pursuant to statute and Local Finance Notice 2012-10; and,

WHEREAS, National Auto Fleet Group has been awarded Contract No. 091521-NAF as part of the Sourcewell National Cooperative Purchasing System for the provision of certain goods and services inclusive of a 2023 Ford Super Duty F-450.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Kenilworth, County of Union, State of New Jersey that the purchase of a 2023 Ford Super Duty F-450 be and is hereby authorized from National Auto Fleet Group of 490 Auto Center Drive, Watsonville, California 95076, pursuant to Sourcewell National Cooperative Purchasing System Contract No. 091521-NAF in an amount not to exceed ninety thousand one-hundred seventy-five dollars and eighty-four cents (\$90,175.84).

BE IT FURTHER RESOLVED, that the governing body of the Borough of Kenilworth pursuant to N.J.A.C. 5:30-5.5(b), the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Finance Officer.

Approved:



Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David			✓			
Councilman Joseph Finistrella						✓
Councilman Scott Pentz						✓
Councilman Fred Pugliese		✓	✓			
Councilman John Zimmerman	✓		✓			
Mayor Linda Karlovitch						
ON CDNSENT AGENDA		Yes	✓	No		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on December 21, 2022.



Angela Lazzari, Borough Clerk

**RESOLUTION
KENILWORTH, NJ**

No. 288

December 21, 2022

Introduced by: _____

Seconded by: _____

CONSENT AGENDA

**AUTHORIZING THE PURCHASE OF A KUBOTA R640R43 FRONT END LOADER FROM POWERCO, INC.
PURSUANT TO N SOURCEWELL NATIONAL COOPERATIVE PURCHASING SYSTEM CONTRACT NO.
031121-KBA IN AN AMOUNT NOT TO EXCEED \$81,716.14**

WHEREAS, the Borough of Kenilworth desires and requires to purchase equipment necessary for the acquisition of a Kubota R640R43 Front End Loader; and,

WHEREAS, in furtherance of such purchase, the Qualified Purchasing Agent has researched and recommended the procurement of a Kubota R640R43 Front End Loader from an authorized vendor under the National Cooperative Purchasing Alliance pursuant to statute and Local Finance Notice 2012-10; and,

WHEREAS, POWERCO, Inc., has been awarded Contract No. 031121-KBA as part of the Sourcewell National Cooperative Purchasing System for the provision of certain goods and services inclusive of a Kubota R640R43 Front End Loader.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Kenilworth, County of Union, State of New Jersey that the purchase of a Kubota R640R43 Front End Loader be and is hereby authorized from POWERCO, Inc. of 12 State Route 173, Clinton, New Jersey 08809, pursuant to Sourcewell National Cooperative Purchasing System Contract No. 031121-KBA in an amount not to exceed eighty-one thousand seven-hundred sixteen dollars and fourteen cents (\$81,716.14).

BE IT FURTHER RESOLVED, that the governing body of the Borough of Kenilworth pursuant to N.J.A.C. 5:30-5.5(b), the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Finance Officer.

Approved: 
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David			✓			
Councilman Joseph Finistrella						✓
Councilman Scott Pentz						✓
Councilman Fred Pugliese		✓	✓			
Councilman John Zimmerman	✓		✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA		Yes <input checked="" type="checkbox"/>		No <input type="checkbox"/>		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on December 21, 2022.


Angela Lazzari, Borough Clerk

**RESOLUTION
KENILWORTH, NJ**

No. 289

December 21, 2022

Introduced by: Pulled

Seconded by: _____

WHEREAS, the Borough Clerk has prepared a schedule of meetings of the Governing Body of the Borough of Kenilworth for the year 2023, a true copy of which is annexed hereto and made a part hereof in accordance with the Open Public Meetings Act being Chapter 231, Public Law 1975.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Kenilworth that the Borough Clerk on or before January 10, 2023, mail true copies of this Resolution, including aforesaid schedule, to the Home News Tribune, the Local Source, Union, New Jersey; and the Star Ledger, Newark, New Jersey, said newspapers being designated because they have the greatest likelihood of informing the public as to the time and place of meetings set forth in the aforesaid schedule.

BE IT FURTHER RESOLVED that the Borough Clerk, acting for the Governing Body of the Borough of Kenilworth, furnish a true copy of the aforesaid schedule and any revisions thereof and any advance written notice required by Sub-section 3 (d) of the Open Public Meetings Act or any regular, special or rescheduled meetings of the Governing Body of the Borough of Kenilworth to any persons who request same.

Work Session to start, unless otherwise noted, at 6:00 P.M. and Regular Meetings to begin immediately following. All meetings to be held in the Council Chamber, Second Floor, Borough Hall, 567 Boulevard, Kenilworth, New Jersey.

Approved: _____

Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri						
Councilman Mark David						
Councilman Joseph Finistrella						
Councilman Scott Pentz						
Councilman Fred Pugliese						
Councilman John Zimmerman						
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes <u> </u>	No <u> </u>				

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on December 21, 2022.

Angela Lazzari, Borough Clerk

**SCHEDULE OF MEETINGS
GOVERNING BODY OF THE BOROUGH OF KENILWORTH
FOR THE YEAR 2023**

WORK SESSIONS to start at 6:00 P.M. in the Council Chamber, Borough Hall, 567 Boulevard, Kenilworth, New Jersey.

COUNCIL MEETINGS will commence as soon as possible after the Work Session in the Council Chamber, Borough Hall, 567 Boulevard, Kenilworth, New Jersey.

Reorganization of the Borough of Kenilworth is scheduled for Wednesday, January 4, 2023 at 6:00 p.m.

January	4 th	18 th
February	1 st	15 th
March	1 st	15 th
April	5 th	19 th
May	3 rd	17 th
June	7 th	21 st
July	.....	12 th
August	.....	16 th
September	6 th	20 th
October	4 th	18 th
November	1 st	.....
December	6 th	.....

**RESOLUTION
KENILWORTH, NJ**

No. 290

December 21, 2022

Introduced by: _____

Seconded by: _____

CONSENT AGENDA

**RESOLUTION APPROVING THE TERMS OF AN EMPLOYMENT AGREEMENT BETWEEN THE
BOROUGH OF KENILWORTH AND THE ACTING SUPERINTENDENT OF PUBLIC WORKS,
MICHAEL CALIXTO**

WHEREAS, Michael Calixto serves as the Acting Superintendent of Public Works for the Borough of Kenilworth; and

WHEREAS, representatives of the Borough and the Acting Superintendent have reached an agreement on the terms and conditions of employment for the Acting Superintendent for calendar year 2023 and have recommended those terms to the governing body of the Borough of Kenilworth for approval; and

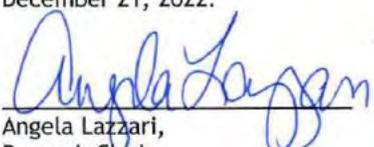
WHEREAS, it has been determined by the Mayor and Borough Council that the terms agreed to by the parties, which are contained in a written employment agreement for the period from January 1, 2023 through December 31, 2023, will provide a fair and reasonable level of benefits and compensation for the Acting Superintendent; now therefore

IT IS HEREBY RESOLVED this 21st day of December 2022 that the Mayor and Borough Council hereby approve the terms of the Employment Agreement negotiated between the Borough of Kenilworth and the Acting Superintendent of Public Works and authorize the Mayor to sign the employment agreement on behalf of the Borough.

Approved: 
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David			✓			
Councilman Joseph Finistrella			✓			
Councilman Scott Pentz			✓			
Councilman Fred Pugliese			✓			
Councilman John Zimmerman	✓		✓			
Mayor Linda Karlovitch			✓			
ON CONSENT AGENDA	Yes	✓	No			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on December 21, 2022.


Angela Lazzari,
Borough Clerk

**RESOLUTION
KENILWORTH, NJ**

No. 291

December 21, 2022

Introduced by: _____

CONSENT AGENDA

Seconded by: _____

WHEREAS, while the Borough Engineer, Harbor Consultants, Inc., was investigating a complaint from residents on N 7th Street regarding the back-up of the sewer main, it was found that approximately 200 feet of the 8" sewer main had areas of partial collapse, areas that were back pitched and excessive root intrusion. The sewer main needed to be replaced immediately or half of the homes on the street would have been without sewer service; and

WHEREAS, to address the emergency, the Borough Engineer contracted for services with Messercola Excavating Co., Inc., located at 549 E 3rd St, Plainfield NJ 07060, for the repair of the sewer on N 7th Street. Not doing so would have negatively affected the public health, safety, and welfare of the affected property owners of the Borough of Kenilworth; and

WHEREAS, pursuant to N.J.S.A. 40A:11-6 and N.J.A.C. 5:34-6.1, in the case of emergencies that affect the public health, safety and welfare, any contract may be negotiated or awarded for the Borough of Kenilworth without public advertising of for bids.

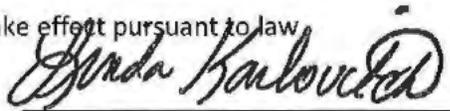
NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Kenilworth, in the County of Union, in the State of New Jersey that the emergency contract with Messercola Excavating Co., Inc., located at 549 E 3rd St, Plainfield NJ 07060, in the amount of \$154,402.63, relating to the sewer main repair for N 7th Street is authorized pursuant to N.J.S.A. 40A:11-6 and N.J.A.C. 5:34-6.1.

BE IT FURTHER RESOLVED, that the Mayor, Borough Clerk, and other appropriate Borough officials are hereby authorized to take any and all required actions to carry out this contract as set forth herein.

BE IT FURTHER RESOLVED, that Chief Financial Officer has certified that the funds are available in the budget in the amount of \$154,402.63 for the payment of this emergency contract and the line item appropriations number to be charged is _____.

BE IT FURTHER RESOLVED, that the emergency contract with Messercola Excavating Co. relating to the sewer main repair for N 7th Street is ratified from the date of commencement of the emergency until the date of adoption of this authorizing resolution.

BE IT FURTHER RESOLVED, that this Resolution shall take effect pursuant to law

Approved: 
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David			✓			
Councilman Joseph Finistrella						✓
Councilman Scott Pentz						✓
Councilman Fred Pugliese		✓	✓	✓		
Councilman John Zimmerman	✓		✓			
Mayor Linda Karlovitch				✓		
ON CONSENT AGENDA		Yes	✓	No		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on December 21, 2022.


Angela Lazzari, Borough Clerk

HARBOR



CONSULTANTS INC.

December 15, 2022

Ms. Angela Lazzari, RMC, CMR
Borough Clerk/Administrative Officer
Borough of Kenilworth
567 Boulevard
Kenilworth, NJ 07033

**RE: Emergency Sewer Repair
N 7th Street**

Dear Ms. Lazzari:

While investigating a complaint from residents on the subject street regarding back-up of the sewer main, it was found that approximately 200 feet of the 8" sewer main had areas of partial collapse, areas that were back pitched and excessive root intrusion. The pipe needed to be replaced immediately or half of the homes on the street would have been without sewer service.

If you should have any questions, please give us a call.

Very truly yours,

Anthony G. Gallerano, PE, PP
Harbor Consultants, Inc.

RESOLUTION

No. 292

KENILWORTH, N.J.

December 21, 2022

Introduced by: _____

CONSENT AGENDA

Seconded by: _____

A RESOLUTION AUTHORIZING THE TRAFNER OF OWNERSHIP FOR THE HOUSE REEL TRUCK #2 WITH HOSE WHICH IS PART OF THE NEPTUNE FIRE SYSTEM BACK TO THE NEW JERSEY DIVISION OF FIRE SAFETY.

WHEREAS, certain fire equipment intended to assist the ability to respond to emergencies, acts of terrorism and/or natural disasters was purchased with federal grant funds from the U.S. Department of Homeland Security and approved by the New Jersey Office of Homeland Security and Preparedness and the Urban Area Security Initiative grant program, for the State of New Jersey Urban Area Security Initiative and was released to the County of Union and various municipalities within; and

WHEREAS, on or about April 11, 2011, the Borough of Kenilworth (the "Borough") received from the State of New Jersey, certain fire equipment and/or apparatuses that are a part of the "Neptune System", which was given to the County of Union. Specifically, the Borough received a C, also known as "Hose Reel Truck #2 with hose". (The attached title to this equipment is attached hereto and made a part of this resolution); and

WHEREAS, the Hose Reel Truck #2 with hose is in a state of disrepair and the Borough does not have the funding to repair it because the State of New Jersey pulled the funding for maintenance; and

WHEREAS, the Borough has been working with New Jersey Division of Fire Safety and they agreed to take possession and ownership of the Hose Reel Truck #2 with hose; and

WHEREAS, the Borough intends transfer the title of the Hose Reel Truck #2 with hose to the to the New Jersey Division of Fire Safety; and

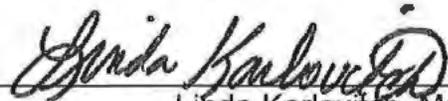
WHEREAS, on or about December 19, 2022, the New Jersey Division of Fire Safety picked up the Hose Reel Truck #2 with hose from the Borough's Fire Department.

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

1. The Mayor and the Municipal Council approve the transfer of the fire equipment and/or apparatuses, specifically a Hose Reel Truck #2 with hose from the Borough's Fire Department to the New Jersey Division of Fire Safety.

2. The Mayor and/or her designee is hereby authorized to take necessary actions to facilitate the Borough's transfer of the equipment and/or apparatuses including, but not limited to, the execution of a transfer of the Title to the Hose Reel Truck #2 with hose, which is attached hereto as Exhibit A, to the New Jersey Division of Fire Safety, as well as execution of this resolution and any further documents required by the State of New Jersey to effectuate the transfer.
3. The within Resolution shall be maintained on file and available for public inspection in the office of the Borough Clerk.
4. The New Jersey Division of Fire Safety's physical pick up of the Hose Reel Truck #2 is ratified from December 19, 2022, until the date of adoption of this Resolution.
5. This Resolution shall take effect immediately upon passage and publication in accordance with the law, if required.

Approved: _____



Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David			✓			
Councilman Joseph Finistrella						✓
Councilman Scott Pentz						✓
Councilman John Zimmerman	✓	✓	✓			
Councilman Fred Pugliese		✓	✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes	✓	No			

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on December 21, 2022.



Angela Lazzari, Borough Clerk

**MEMORANDUM OF AGREEMENT
RECEIPT ACKNOWLEDGMENT FOR UASI EQUIPMENT**

New Jersey Division of Fire Safety, which is part of the New Jersey Urban Area Security Initiative area, is receiving equipment purchased by the County of Union and New Jersey State Police, as approved by the New Jersey Office of Homeland Security and Preparedness and the Urban Area Security Initiative grant program. The equipment has been purchased with federal grant funds for the U.S. Department of Homeland Security to the State of New Jersey, for the New Jersey UASI. This equipment may be used to enhance the response capabilities of your agency. This equipment is intended to assist your agency's ability to respond to emergencies, acts of terrorism or other natural disasters. As a condition of the grant, and subject to an audit, this equipment must be used to solely support your agency's emergency preparedness efforts and response. The equipment must be maintained by your agency and all further updates, upgrades etc. are the responsibility of your agency. You understand that you are releasing the County of Union and New Jersey State Police from any and all liability and agree to hold harmless the County of Union and New Jersey State Police, including its employees and agents, from any and all liability and claims for damages or injury arising out of this Agreement or any of the obligations assumed hereunder.

The equipment you are receiving is:

Neptune Pump (from City of Elizabeth Fire Department), Roll of truck (from City of Elizabeth Fire Department)

Iron Man Nozzle 4K-9K GPM (from City of Elizabeth Fire Department), Hose Reel Truck #1 with 3,000 (three thousand) feet of super aqueduct, 12-inch diameter flexible pipeline (from City of Elizabeth FD)

Manifold (from City of Elizabeth Fire Department), Hose Reel Truck #2 with hose (from City of Kenilworth Fire Department)

By accepting this equipment, you acknowledge and agree to the following terms and conditions:

1. You will properly register your equipment with the manufacturer in the name of your facility / agency and maintain the equipment in a safe / secure / accessible location. You will perform all of the manufacturer's recommended maintenance and keep the equipment in operational condition, 24 hours a day, seven days per week. Your agency will ensure the equipment against any loss, damage or theft.
2. You shall record and maintain fixed asset information to this equipment in accordance with state and federal grant requirements.
3. Equipment received shall be entered into the NJ Office of Emergency Management's Resource Directory Database (RDDDB) per NJ OHSP guidelines. Equipment must be presented in the event of a State or Federal audit.
4. Your agency's personnel designated to operate the equipment must be trained / licensed as required.
5. You must keep the equipment in good working order and maintain it so that it may be used to assist your agency to respond to emergencies, acts of terrorism or other natural disasters.
6. The point of contact for your agency concerning information about the equipment is STEVEN DYK. If the point of contact changes, you will notify the NJ Office of Homeland Security & Preparedness.
7. The equipment given to your agency may not be sold, transferred, leased or given to any other person or entity without written consent of the NJ OHSP. If your agency refuses to respond to a request for aid, or fails to maintain the equipment in a "state of readiness", or fails to follow other procedures that are developed by the NJ UASI of the NJ OHSP for the equipment, the equipment shall be redeployed per the direction of the UASI Executive Committee and NJ OHSP.

I acknowledge receipt of the equipment and agree to the terms and conditions stated above.

For: New Jersey Division of Fire Safety

Richard Mikutsky
Printed Name

[Signature]
Signature

Director
Title

12/19/2022
Date

Vehicle from Peter...

First Regal

4/12/11

CERTIFICATE OF ORIGIN FOR A VEHICLE



DATE 10/08/10

INVOICE NO. J23641

VEHICLE IDENTIFICATION NO. 1FVACXDT9BDAZ8070

YEAR 2011

MAKE FREIGHTLINER

BODY TYPE TRUCK

SHIPPING WEIGHT 10473

H.P. (G.E.T.) 300

G.V.W. 27500

NO. CYLS. 6

SERIES OR MODEL M2106

The undersigned authorized representative of the company, firm or corporation named below, hereby certify that the new vehicle described above is the property of the said company, firm or corporation and is transferred on the above date and under the invoice number indicated to the following distributor or dealer.

NAME OF DISTRIBUTOR, DEALER, ETC.

LONESTAR FREIGHTLINER GROUP, LLC
DBA ALBUQUERQUE FREIGHTLINER
12901 I-40 WEST FRONTAGE RD
ALBUQUERQUE, NM 87121

It is further certified that this was the first transfer of such new motor vehicle in ordinary trade and commerce.

DAIMLER TRUCKS NORTH AMERICA LLC

BY  (AGENT)
(SIGNATURE OF AUTHORIZED REPRESENTATIVE)
4747 NORTH CHANNEL
PORTLAND, OREGON 97217

1100720

CITY STATE

SI 0040 (7/02)

**RESOLUTION
KENILWORTH, NJ**

No. 293

December 21, 2022

Introduced by: _____
CONSENT AGENDA

Seconded by: _____

WHEREAS, the 2022 salary of the Deputy Borough Clerk is currently \$50,865.00; and

WHEREAS, the Deputy Borough Clerk currently receives an annual stipend of \$2,400.00 for acting as the Health Benefits Coordinator; and

WHEREAS, the Governing Body wishes to combine the incorporate the Health Benefits Coordinator stipend into the 2023 salary of the Deputy Borough Clerk for a combined salary of \$53,265.00 effective as of January 1, 2023.

NOW THEREFORE BE IT RESOLVED, by the Borough of Kenilworth, County of Union, New Jersey, that the salary for the Deputy Borough Clerk be set at \$53,265.00, effective January 1, 2023.

Approved: *Linda Karlovitch*
Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David			✓			
Councilman Joseph Finistrella						✓
Councilman Scott Pentz			✓			
Councilman Fred Pugliese			✓			
Councilman John Zimmerman	✓		✓			
Mayor Linda Karlovitch			✓			
ON CONSENT AGENDA		Yes	✓	No		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on December 21, 2022.

Angela Lazzari
Angela Lazzari,
Borough Clerk

**RESOLUTION
KENILWORTH, NJ**

No. 294

December 21, 2022

Introduced by: _____

Seconded by: _____

CONSENT AGENDA

**AUTHORIZING THE HOLDOVER OF EXPIRING APPOINTMENTS UNTIL THE 2023 REORGANIZATION OF
MAYOR AND COUNCIL**

BE IT RESOLVED by the Mayor and Council of the Borough of Kenilworth, County of Union, State of New Jersey that, for reasons of operational necessity, all individuals and entities serving in an appointed position expiring on December 31, 2022 shall continue to serve in their respective capacities until and including the date of the 2023 Reorganization Meeting of the Governing Body.

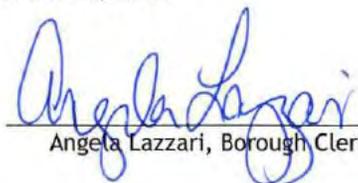
Approved:



Linda Karlovitch, Mayor

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilwoman Kay Ceceri			✓			
Councilman Mark David			✓			
Councilman Joseph Finistrella						✓
Councilman Scott Pentz						✓
Councilman Fred Pugliese		✓	✓	✓		
Councilman John Zimmerman	✓		✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA		Yes	✓	No		

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on December 21, 2022.



Angela Lazzari, Borough Clerk