No. 2023- 1

RESOLUTION
KENILWORTH, NJ

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

Dept. of Finance
Chairman Pugliese, Councilman Finistrella, Councilman Mauro

Dept. of Public Works
Chairman Finistrella, Councilman Pugliese, Councilman Zimmerman

Dept. of Public Safety
Chairman Zimmerman, Councilman Pentz, Councilman Pugliese

Dept. of Planning, Zoning & Ordinance
Chairman Mauro, Councilman Scorese, Councilman Pentz

Dept. of Recreation & Fire
Chairman Pentz, Councilman Scorese, Councilman Zimmerman

Dept. of Education, Health & Human Services
Chairman Scorese, Councilman Finistrella, Councilman Mauro

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 4, 2023.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro			✓			
Councilman Pentz		✓	✓			
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch			✓			
ON CONSENT AGENDA	Yes ✓			No __		

Committee

No. 2023- 2

RESOLUTION
KENILWORTH, NJ

WHEREAS, the firm DeCotiis, Fitzpatrick, Cole, and Giblin, LLP was responsive to the Request for Proposals (hereinafter, "RFP") due December 8 at 10:00 a.m. for the position of 2023 Borough Attorney; and,

WHEREAS, Mayor Karlovitch has filed her appointment of DeCotiis, Fitzpatrick, Cole, and Giblin, LLP as Borough Attorney of the Borough of Kenilworth (hereinafter, the "Borough") for the year 2023; and,

WHEREAS, the firm DeCotiis, Fitzpatrick, Cole and Giblin, LLP 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 DeCotiis, Fitzpatrick, Cole and Giblin, LLP be and is hereby appointed to the position of Borough Attorney of the Borough effective immediately for a term set to expire December 31, 2023 pursuant to a Fair and Open process under N.J.S.A. 19:44A-20.4 et seq.; and,

BE IT FURTHER RESOLVED that a professional service agreement is hereby authorized so as to include compensation in accordance with the RFP as submitted by the captioned firm for their services as 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.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 4, 2023.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro			✓			
Councilman Pentz		✓	✓			
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 3

RESOLUTION
KENILWORTH, N.J.

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

WHEREAS, Mayor Karlovitch has filed her appointment of Ruderman & Roth LLC as Labor Attorney of the Borough of Kenilworth (hereinafter, the "Borough") for the year 2023; and,

WHEREAS, the firm Ruderman & Roth LLC 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 Ruderman & Roth LLC is hereby appointed to the position of Labor Attorney of the Borough effective immediately for a term set to expire December 31, 2023 pursuant to a Fair and Open process under N.J.S.A. 19:44A-20.4 et seq.; and,

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

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

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 4, 2023.

Angela Lazzari, RMC
Borough Clerk

Mayor Karlovitch nominated Ruderman & Roth LLC for the position of 2023 Labor Attorney.

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella				✓		
Councilman Mauro				✓		
Councilman Pentz				✓		
Councilman Pugliese				✓		
Councilman Scorese				✓		
Councilman Zimmerman				✓		
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes _			No ✓		

No. 2023- 4

RESOLUTION
KENILWORTH, NJ

WHEREAS, the firm Rogut McCarthy, LLC_ was responsive to the Request for Proposals (hereinafter, "RFP") due December 8, 2022 at 10:00 a.m. for the position of 2023 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 2023; 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, 2023 pursuant to a Fair and Open process under N.J.S.A. 19:44A-20.4 et seq.; and,

BE IT FURTHER RESOLVED that a professional service agreement is hereby authorized so as to include compensation in accordance with the RFP as submitted by the captioned firm.

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.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 4, 2023.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro			✓			
Councilman Pentz		✓	✓			
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 5

RESOLUTION
Kenilworth, NJ

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, 2023; 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 8, 2022 at 10:00 a.m. for the position of 2023 Auditor; and,

WHEREAS, Mayor Karlovitch has filed her appointment of Suplee, Clooney & Company CPAs as Auditor of the Borough for the year 2023; 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, 2023 pursuant to a fair and open process under N.J.S.A. 19:44A-20.4 et seq.; and,

BE IT FURTHER RESOLVED that a professional service agreement is hereby authorized so as to include compensation in accordance with the RFP as submitted by the captioned firm for their services

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.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 4, 2023.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro			✓			
Councilman Pentz		✓	✓			
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch				✓		
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 6

RESOLUTION
Kenilworth, NJ

WHEREAS, the firm Harbor Consultants, Inc. was responsive to the Request for Proposals (hereinafter, "RFP") due December 8, 2022 at 10:00 a.m. for the position of 2023 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 2023; and,

WHEREAS, the firm Harbor Consultants, Inc shall perform all services as 2023 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, 2023 pursuant to a Fair and Open process under N.J.S.A. 19:44A-20.4 et seq.; and,

BE IT FURTHER RESOLVED that a professional service agreement is hereby authorized so as to include compensation in accordance with the RFP as submitted by the captioned firm for their services.

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

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 4, 2023.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro			✓			
Councilman Pentz		✓	✓			
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023-7

RESOLUTION
KENILWORTH, NJ

WHEREAS, the Borough of Kenilworth will have a vacancy in the position of Chief Financial Officer; and

WHEREAS, the Borough is required to have a Chief Financial Officer in accordance with N.J.S.A. 40A:9-140.10; and

WHEREAS, it has been determined that Jill Goode, 16 Retford Ave, Cranford, NJ 07016, 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. Jill Goode be appointed as Chief Finance Officer in accordance with N.J.S.A. 40A:9-140.10, effective January 1, 2023 for a four (4) year term at an annual salary of twenty thousand ($20,000.) dollars, to be paid in accordance with the Borough payroll schedule.

2. This part-time position is entitled to paid sick leave pursuant to the NJ Sick Leave Law NJSA 34:11-d-1 and any other benefits required by State Law. Other than those benefits required by law, it is agreed that Ms. Goode is not eligible for and/or declines any other employment benefits.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 4, 2023.

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro			✓			
Councilman Pentz		✓	✓			
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch				✓		
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 8

RESOLUTION
KENILWORTH, NJ

WHEREAS, the Borough of Kenilworth is required to have a Tax Collector in accordance with N.J.S.A. 40A:9-141; and

WHEREAS, Jill Goode was appointed as Certified Tax Collector as of January 17, 2017 and has held the position continuously since that time; and

WHEREAS, the Borough desires to continue Ms. Goode in the position of Tax Collector; and

WHEREAS, the reappointment of Ms. Goode as Certified Tax Collector beyond January 1, 2022 will result in her achieving tenure in the position of Tax Collector pursuant to N.J.S.A. 40A:9-145;

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

1. Jill Goode be reappointed as Tax Collector retroactive to January 1, 2022;

2. Ms. Goode's annual salary for 2023 shall be twenty-four thousand ($24,000.) dollars, to be paid in accordance with the Borough payroll schedule.

2. This part-time position is entitled to paid sick leave pursuant to the NJ Sick Leave Law NJSA 34:11-d-1 and any other benefits required by State Law. Other than those benefits required by law, it is agreed that Ms. Goode is not eligible for and/or declines any other employment benefits.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 4, 2023.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro			✓			
Councilman Pentz		✓	✓			
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch				✓		
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023-

RESOLUTION
KENILWORTH

WHEREAS, the firm DeCotiis, Fitzpatrick, Cole and Giblin, LLP was responsive to the Request for Proposals (hereinafter, "RFP") due December 8, 2022 at 10:00 a.m. for the position of 2023 Tax Appeal Attorney; and,

WHEREAS, Mayor Karlovitch has filed her appointment of DeCotiis, Fitzpatrick, Cole and Giblin, LLP as Tax Appeal Attorney of the Borough of Kenilworth (hereinafter, the "Borough") for the year 2023; and,

WHEREAS, the firm DeCotiis, Fitzpatrick, Cole and Giblin, LLP shall perform all services as 2023 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 DeCotiis, Fitzpatrick, Cole and Giblin, LLP 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, 2023 pursuant to a Fair and Open process under N.J.S.A. 19:44A-20.4 et seq.; and,

BE IT FURTHER RESOLVED that a professional service agreement is hereby authorized so as to include compensation in accordance with the RFP as submitted by the captioned firm for their services 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.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 4, 2023.

Angela Lazzari, RMC
Borough Clerk

Mayor Karlovitch nominated DeCotiis, Fitzpatrick, Cole and Giblin, LLP as Tax Appeal Attorney.

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella				✓		
Councilman Mauro				✓		
Councilman Pentz				✓		
Councilman Pugliese				✓		
Councilman Scorese				✓		
Councilman Zimmerman				✓		
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes _			No ✓		

No. 2023- 10

RESOLUTION
KENILWORTH, N.J.

WHEREAS, the firm DeCotiis, Fitzpatrick, Cole and Giblin, LLP was responsive to the Request for Proposals (hereinafter, "RFP") due December 8, 2022 at 10:00 a.m. for the position of 2023 Redevelopment Attorney; and,

WHEREAS, Mayor Karlovitch has filed her appointment of DeCotiis, Fitzpatrick, Cole and Giblin, LLP as Redevelopment Attorney of the Borough of Kenilworth (hereinafter, the "Borough") for the year 2023; and,

WHEREAS, the firm DeCotiis, Fitzpatrick, Cole and Giblin, LLP shall perform all services as 2023 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 DeCotiis, Fitzpatrick, Cole and Giblin, LLP be and is hereby appointed to the position of Redevelopment Attorney of the Borough effective immediately for a term set to expire December 31, 2023 pursuant to a Fair and Open process under N.J.S.A. 19:44A-20.4 et seq.; and,

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

Service	Hourly Rate
Attorneys (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.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 4, 2023.

Angela Lazzari, RMC
Borough Clerk

Mayor Karlovitch nominated DeCotiis, Fitzpatrick, Cole and Giblin, LLP as Redevelopment Attorney.

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella				✓		
Councilman Mauro				✓		
Councilman Pentz				✓		
Councilman Pugliese				✓		
Councilman Scorese				✓		
Councilman Zimmerman				✓		
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes _			No ✓		

No. 2023- 11

RESOLUTION
KENILWORTH, NJ

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

WHEREAS, Mayor Karlovitch has filed her appointment of Surenian, Edwards & Nolan as Affordable Housing Attorney of the Borough of Kenilworth (hereinafter, the "Borough") for the year 2023; and,

WHEREAS, the firm Surenian, Edwards & Nolan shall perform all services as 2023 Affordable Housing Attorney of the Borough consistent with the response submitted by said firm.

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

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

Service	Hourly Rate
Attorneys - 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.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 4, 2023.

Angela Lazzari, RMC
Borough Clerk

Mayor Karlovitch nominated Surenian, Edwards & Nolan as Affordable Housing Attorney.

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella				✓		
Councilman Mauro				✓		
Councilman Pentz				✓		
Councilman Pugliese				✓		
Councilman Scorese				✓		
Councilman Zimmerman				✓		
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes _			No ✓		

No. 2023- 12

RESOLUTION
KENILWORTH, NJ

WHEREAS, the Borough of Kenilworth has the need for the position of Qualified Purchasing Agent; and

WHEREAS, it has been determined that Martha Lopez of 1055 Woolley Avenue, Union, NJ, 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. Martha is appointed as Qualified Purchasing Agent for one year, from January 1, 2023 through December 31, 2023, with an annual salary of ten thousand ($10,000.) dollars, to be paid in accordance with the regular Borough payroll schedule.

2. This part-time position is entitled to paid sick leave pursuant to the NJ Sick Leave Law NJSA 34:11-d-1 and any other benefits required by State Law. Other than those benefits required by law, it is agreed that Ms. Lopez is not eligible for and/or declines any other employment benefits.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 4, 2023.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro			✓			
Councilman Pentz		✓	✓			
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch				✓		
ON CONSENT AGENDA	Yes _✓			No __		

No. 2023- 13

RESOLUTION
KENILWORTH, NJ

WHEREAS, the Borough of Kenilworth is in need of obtaining information and technology support (IT) services; and

WHEREAS, the Borough of Madison, a municipal corporation, has offered to provide said services in accordance with the Uniform Shared Service and Consolidation Act, P.L. 2007, c.63 (C:40A:65-1, et. seq.); and

WHEREAS, the Borough of Madison and the Borough of Kenilworth have negotiated a favorable agreement for the shared services, as follows:

1. Madison shall provide Kenilworth Borough with up to six (6) hours of IT Support per day, subject to existing work load obligations.
2. The IT Support would be delivered either on site or remotely, depending upon the nature and immediacy of the problem.
3. Kenilworth Borough will be billed on a monthly basis for the IT Support as follows:
   - $585.16 base charge monthly
   - $88.32 an hour for remote access sessions or phone support in excess of 15 minutes taking place between 8:30 AM and 5:00 PM, Monday through Friday.
   - $116.52 an hour with a 1 hour minimum for remote access sessions or phone support taking place between before 8:30 AM and or after 5:00 PM, Monday through Friday, or on Holidays or weekends.
   - $88.32 an hour with a 1 hour minimum for on-site sessions taking place between 8:30 AM and 5:00 PM, Monday through Friday.
   - $116.52 an hour with a 2 hour minimum for on-site sessions taking place between before 8:30 AM and or after 5:00 PM, Monday through Friday, or on Holidays or weekends.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Borough Clerk are authorized to enter into a Shared Information and Technology Service Agreement, with the Borough of Madison.

BE IT FURTHER RESOLVED, that a fully executed copy of the Shared Service Agreement be forwarded to the Department of Community Affairs, Division of Local Government Services, pursuant to NJSA 40A:65-4

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 4, 2023.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro			✓			
Councilman Pentz		✓	✓			
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch			✓			
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 14

RESOLUTION
KENILWORTH, NJ

BE IT HEREBY RESOLVED: That the annexed By-Laws shall constitute the By-Laws of the Governing Body for the year 2023 or until amended.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 4, 2023.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro			✓			
Councilman Pentz		✓	✓			
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch				✓		
ON CONSENT AGENDA	Yes ✓			No __		

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~~ notice can be satisfied by electronic means.

SECTION 4 – ORDER OF BUSINESS

Except at the Annual Reorganization Meeting and any Special 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

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.

~~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 in the Finance Office and, Office of the Clerk and the the Adminstrative Officer of the Borough of Kenilworth unless otherwise preempted by Ordinance or Statute.

5) This Committee shall exercise general supervision of all personnel of the Borough of Kenilworth not otherwise delegated to any other committee.

6) This Committee shall ensure that personnel policies, employee manuals, job descriptions and employee policies are created, followed and enforced.

~~4)~~

~~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)~~7) It shall be the duty of the Chairperson of this Committee to chair all meetings relating to the budget of the Borough of Kenilworth.

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~~Land Use and 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)~~4) 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)~~2)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.

3) 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

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.

No. 2023- 15

RESOLUTION
KENILWORTH, NJ

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.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 4, 2023.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro			✓			
Councilman Pentz		✓	✓			
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

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	4th	18th
February	1st	15th
March	1st	15th
April	5th	19th
May	3rd	17th
June	7th	21st
July	.....	12th
August	.....	16th
September	6th	20th
October	4th	18th
November	1st	.....
December	6th	.....

No. 2023- 16

RESOLUTION
KENILWORTH, NJ

BE IT HEREBY RESOLVED That the Mayor's appointment of ANGELA LAZZARI as ADA Coordinator, Local Improvement Search Office and Public Agency Compliance Officer (P.A.C.O.) for the year 2023, be and the same is hereby confirmed.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 4, 2023.

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro			✓			
Councilman Pentz		✓	✓			
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch				✓		
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 17

RESOLUTION
KENILWORTH, N.J.

BE IT HEREBY RESOLVED That the Mayor's appointment of **KATHLEEN MOSCHITTA** as Deputy Borough Clerk, Benefit Coordinator, Deputy Records Custodian, and Certifying Officer for the year 2023, be and the same is hereby confirmed

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 4, 2023.

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro			✓			
Councilman Pentz		✓	✓			
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch			✓			
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 18

RESOLUTION
KENILWORTH, N.J.

BE IT HEREBY RESOLVED: That the Mayor's appointment of **ANGELA LAZZARI** as Garden State Municipal Joint Insurance Fund Commissioner and **KATHLEEN MOSCHITTA** as Alternate for the year 2023, be and the same is hereby confirmed.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 4, 2023.

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro			✓			
Councilman Pentz		✓	✓			
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch			✓			
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 19

RESOLUTION
KENILWORTH, N.J.

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 2023; 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 2023.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 4, 2023.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro			✓			
Councilman Pentz		✓	✓			
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 20

RESOLUTION
KENILWORTH, NJ

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 2023.

APPROPRIATIONS		SALARIES AND WAGES		OTHER EXPENSES
Mayor and Council	$	984.38	$	2,887.50
Municipal Clerk's Office	$	62,195.96	$	14,148.75
Tax and Finance Office	$	48,532.31	$	30,240.00
Payroll and Human Resources	$	-	$	12,552.75
Audit Services			$	8,400.00
Assessment of Taxes	$	7,661.06	$	1,837.50
Legal Services and Costs			$	53,812.50
Engineering Services and Costs			$	39,375.00
Municipal Land Use - Planning Board	$	1,417.50	$	14,437.50
Other Insurance - Premiums			$	132,956.25
Employee Group Health Insurance			$	700,875.00
Health Benefits Waiver			$	3,937.50
Municipal Court	$	45,287.81	$	4,620.00
Public Defender			$	1,181.25
Police	$	904,656.38	$	61,451.25
Traffic Control & School Guards	$	51,254.44	$	12,757.50
Emergency Management	$	1,147.91	$	4,725.00
First Aid Organization Contribution			$	6,562.50
Fire	$	2,607.94	$	93,579.68
Fire Prevention Bureau	$	24,192.00	$	3,278.89
Municipal Prosecutor			$	4,725.00
Roads Repairs and Maintenance	$	251,876.63	$	35,437.50
Garbage and Trash Removal	$	60,104.63	$	18,060.00
Recycling			$	42,787.50
Buildings and Grounds			$	33,862.50
Sewer System			$	8,400.00
Shade Trees			$	22,312.50
Parks			$	2,100.00
Board of Health	$	20,134.54	$	7,647.94
Dog and Cat Regulation			$	3,483.38
Senior Citizen Transportation	$	5,681.55	$	787.50

APPROPRIATIONS	SALARIES AND WAGES	OTHER EXPENSES
Senior Citizen Director	$ 4,625.25	$ 2,231.25
Parks and Playgrounds	$ 10,530.98	$ 8,163.75
Construction Official	$ 32,202.19	$ 1,955.63
Building Inspector		$ 9,712.50
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		$ 5,315.63
Celebration of Public Events		$ 7,875.00
Beautification		$ 525.00
Utilities		$ 89,250.00
Street Lighting		$ 39,112.50
Fire Hydrant Services		$ 37,275.00
Solid Waste Disposal Costs		$ 105,000.00
Accumulated Leave	$ 26.25	
Public Employees Retirement System		$ 96,341.96
Social Security System		$ 74,746.88
Police and Firemen's Retirement System		$ 257,436.64
Unemployment Compensation Insurance		$ 5,250.00
Defined Contribution Retirement Program		$ 2,100.00
Maintenance of Free Public Library		$ 155,400.79
Rahway Valley Sewerage Authority		$ 337,876.61
Length of Service Award Program		$ 17,062.50
Reserve for Tax Appeals		$ 7,875.00
Special Emergency Authorization		$ 17,225.88
Capital Improvement Fund		$ 15,750.00
Payment of Bond Principal		$ 915,000.00
Interest on Bonds		$ 116,387.50
Interest on Notes		$ 129,980.00
Union County CARES Grant		$ 250,000.00
Reserve for Uncollected Taxes		$ 230,546.40
Total	$ 1,548,507.21	$ 4,318,774.06

ADOPTED: January 4, 2023

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 4, 2023.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro			✓			
Councilman Pentz		✓	✓			
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 21

RESOLUTION
KENILWORTH, NJ

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 2023 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 2023:

Police Department	Total Fund
Fred Soos, Police Chief	$150.00
Tax & Finance	
Lisa Woods Tax & Finance	$100.00

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 4, 2023.

Angela Lazzari

Angela Lazzari RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro			✓			
Councilman Pentz		✓	✓			
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch			✓			
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 22

RESOLUTION
KENILWORTH, N.J.

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.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 4, 2023.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro			✓			
Councilman Pentz		✓	✓			
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 23

RESOLUTION
Kenilworth, NJ

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.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 4, 2023.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro			✓			
Councilman Pentz		✓	✓			
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch			✓			
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023-24

RESOLUTION
KENILWORTH, NJ

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 2023.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 4, 2023.

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro			✓			
Councilman Pentz		✓	✓			
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch			✓			
ON CONSENT AGENDA	Yes ✓			No		

Real Estate Taxes $5 and Under 2023

No. 2023- 25

RESOLUTION
KENILWORTH, NJ

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 2023, be and the same is hereby confirmed.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 4, 2023.

Angela Lazzari

Angela Lazzari RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro			✓			
Councilman Pentz		✓	✓			
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch			✓			
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 26

RESOLUTION
KENILWORTH, N.J.

BE IT HEREBY RESOLVED that the official signers for the Borough of Kenilworth for banking purposes for 2023 are: Mayor Linda Karlovitch, Finance Officer Jill Goode, Assistant Finance Officer Lisa Wood, Assistant Treasurer Tina DeFuria and Angela Lazzari.

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 Jill Goode, Assistant Finance Officer Lisa Wood and Police Chief Fred Soos.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 4, 2023.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro			✓			
Councilman Pentz		✓	✓			
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 27

RESOLUTION
KENILWORTH, NJ

BE IT HEREBY RESOLVED: That the Mayor's designation of the **THE LOCAL SOURCE, STAR LEDGER, HOME NEWS TRIBUNE/COURIER NEWS, KENILWORTH LIFE,** as the Official Newspapers of the Borough of Kenilworth for the year 2023, be and the same is hereby confirmed.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 4, 2023.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro			✓			
Councilman Pentz		✓	✓			
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓		No __			

No. 2023-28

RESOLUTION
KENILWORTH, NJ

BE IT HEREBY RESOLVED That the appointment of Regular School Crossing Guards, as follows: **Robert Wolters, Ugo Capra, John Martins, Kimberly Montiero, Ronald Freidman, Romeo Capra, Mike Moran, Jo Mandaglio-Tomasso, Antonia Laversa, Gail Gross, Charles Zignauskas, Rose Piccinnini.**

BE IT FURTHER RESOLVED that the following be appointed as Alternate School Crossing Guards for the year 2023: **Marianne Ehmann, Sara Fernandez, Victor Smith, Bibi Shahabudeen, John Graichen, Robert Mancini, Michael Otchy, Charles Santiago, Pat Boyle.**

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 4, 2023.

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro			✓			
Councilman Pentz		✓	✓			
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

KENILWORTH POLICE DEPARTMENT

SCHOOL POST

The normal times for school crossing guard post are as follows:

0700 - 0900 hours

Half Day: 11:30A-1P

1400 - 1600 hours

A patrol officer, *when available*, will be assigned to Boulevard & N. 18th Street at the Following times:

0820 – 0835 hours

1445 – 1515 hours

Last Name	First Name	Phone#	Post
PERMANENT			
Wolters,	Robert	908-577-6743/908-325-6177	Blvd & 18th
Capra	Ugo	908-418-5387	Blvd & Coolidge
Martins	John	908-358-9093	Monroe & 14th
Montiero	Kimberly	908-875-4064 908- 245-3630	Monroe & 20th
Freidman	Ronald	908-276-2939/908-612-6013	Blvd & 8th
Capra	Romeo	908-342-7926	Michigan & Clinton
Moran	Mike	908-347-0512	Blvd & N 21st
Mandaglio-Tomasso	Jo	908-272-8947	Monroe & 17th
Laversa, Antonia		908-276-2406 908-463-7822	Blvd & 14th
Gross, Gail		908-770-1404	Blvd & 19th
Zignauskas	Charles	908-499-5801	Washington & 22
Piccinnini	Rose	908-499-3700	Washington & 18th
ALTERNATES			
Ehmann	Marianne	908-966-1006	
Fernandez	Sara	908-327-3961/908-272-4340	
Smith	Victor	908-917-9981	
Shahabudeen	Bibi	551-291-0535	
Graichen	John	908-244-8741	
Mancini	Robert	908-884-3997	
Otchy	Michael	908-342-8295	
Santiago	Charles	201-232-3305	
Boyle	Pat	908-400-2898	

UPDATED DECEMBER 8, 2022

**Given to: Dispatch, Deputy Clerk, Records

No. 2023- 29

RESOLUTION
KENILWORTH, NJ

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 2023.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 4, 2023.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro			✓			
Councilman Pentz		✓	✓			
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 30

RESOLUTION
KENILWORTH, N.J.

BE IT HEREBY RESOLVED: That the Mayor's appointment of **Anthony Miguel Prieto, Esq.** as Municipal Prosecutor for the year 2023, be and the same is hereby confirmed.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 4, 2023.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro			✓			
Councilman Pentz		✓	✓			
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 31

RESOLUTION
KENILWORTH, N.J.

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

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 4, 2023.

Pulled from Agenda

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella						
Councilman Mauro						
Councilman Pentz						
Councilman Pugliese						
Councilman Scorese						
Councilman Zimmerman						
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes _			No __		

No. 2023- 32

RESOLUTION
KENILWORTH, N.J.

BE IT HEREBY RESOLVED: That the Mayor's appointment of **Jared Weiss** as Assistant Public Defender for the year 2023, be and the same is hereby confirmed.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 4, 2023.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro			✓			
Councilman Pentz		✓	✓			
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch			✓			
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 33

RESOLUTION
KENILWORTH, N.J.

BE IT HEREBY RESOLVED: That **MICHAEL SCUDERI**, be and is hereby appointed as Chief of the Kenilworth Volunteer Fire Department, effective January 1, 2023.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 4, 2023.

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro			✓			
Councilman Pentz		✓	✓			
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch			✓			
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 34

RESOLUTION
KENILWORTH, N.J.

BE IT HEREBY RESOLVED: That **CARMEN GIORDINO AND JAMES HANNON, III** be and are hereby appointed Smoke Detector Inspectors for the year 2023: and

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 4, 2023.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro			✓			
Councilman Pentz		✓	✓			
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 35

RESOLUTION
KENILWORTH, N.J.

BE IT HEREBY RESOLVED: That **CARMEN GIORDINO AND JAMES HANNON, III** be and are hereby appointed Fire Prevention Inspectors for the year 2023: and

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 4, 2023.

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro			✓			
Councilman Pentz		✓	✓			
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch			✓			
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 36

RESOLUTION
KENILWORTH, N.J.

BE IT HEREBY RESOLVED: That the Mayor's appointment of **PATRICK BOYLE** as Recreation Director for 2023 at a salary of $6,000 per year, be and the same is hereby confirmed.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 4, 2023.

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella				✓		
Councilman Mauro				✓		
Councilman Pentz				✓		
Councilman Pugliese				✓		
Councilman Scorese				✓		
Councilman Zimmerman				✓		
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes _			No ✓		

No. 2023- 37

RESOLUTION
KENILWORTH, NJ

BE IT HEREBY RESOLVED: That in accordance with Borough Code 41-2 (B) the Mayor's appointments of **Dani Mauro, Amanda Piotrowicz and Tom Piotrowicz** as Regular Members to the Kenilworth Recreation Committee for 3 year terms, are effective 1/1/2023 through 12/31/25, be and the same is hereby confirmed.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 4, 2023.

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro			✓			
Councilman Pentz		✓	✓			
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 38

RESOLUTION
KENILWORTH, NJ

BE IT HEREBY RESOLVED: That the appointment of **MARCONI GAPAS** as Public Health Officer and Right to Know Coordinator for the year 2023 be and the same is hereby confirmed.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 4, 2023.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro			✓			
Councilman Pentz		✓	✓			
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023-39

RESOLUTION
KENILWORTH, NJ

BE IT HEREBY RESOLVED by the Borough Council of the Borough of Kenilworth, County of Union and State of New Jersey, in meeting assembled, that the following be appointed to the Board of Health.

BOARD OF HEALTH

NAME	MEMBER TYPE	TERM	EXPIRATION
Randy Moscaritolo	Regular Member	3-year	12/31/2025
Krystyna Maslenko	Regular Member	3-year	12/31/2025
Jeanine Pentz	Alternate #1	2-year	12/31/2024

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 4, 2023.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro			✓			
Councilman Pentz					✓	
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman		✓	✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes _			No ✓		

No. 2023- 40

RESOLUTION
KENILWORTH, NJ

BE IT HEREBY RESOLVED That in accordance with NJSA 40:54-9, the Mayors appointment of **MARYELLEN HARRIS AND MARIA SIMS** as members of the Library Board of Trustees for a 5-year term, effective 1/4/23 through 12/31/26, be and the same is hereby confirmed.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro			✓			
Councilman Pentz		✓	✓			
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 41

RESOLUTION
KENILWORTH, N.J.

IT HEREBY RESOLVED: That the following AD HOC COMMITTEES be continued for 2023:

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.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 4, 2023.

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro			✓			
Councilman Pentz		✓	✓			
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 42

RESOLUTION
KENILWORTH, NJ

BE IT HEREBY RESOLVED: That the Mayor's appointment of **JOHN ZIMMERMAN** as Municipal Drug Alliance Committee Chairman for the year 2023, 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 2023, be and the same is hereby confirmed.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 4, 2023.

Angela Lazzari

Angela Lazzari RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro			✓			
Councilman Pentz		✓	✓			
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 43

RESOLUTION
KENILWORTH, N.J.

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, 2023 through December 31, 2023, at a cost of $500.00 per month.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 4, 2023.

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro			✓			
Councilman Pentz		✓	✓			
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch				✓		
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 44

RESOLUTION
KENILWORTH, NJ

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, 2023.

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 **62.5 cents** per mile of business travel driven, equivalent to the standard business rate as permitted by the Internal Revenue Service, effective January 1, 2023.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 4, 2023.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro			✓			
Councilman Pentz		✓	✓			
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 45

RESOLUTION
KENILWORTH, N.J.

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 2023 at a rate of $125 per hour (editing fee of $55 per meeting/event), not to exceed $5,000 for the year.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 4, 2023.

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro			✓			
Councilman Pentz		✓	✓			
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 46

RESOLUTION
KENILWORTH, N.J.

BE IT HEREBY RESOLVED: That the following be designated as Official Insurance Agent/Risk Manager for the Borough of Kenilworth for the year 2023: **Pinnacle Risk Solutions,** 4 Becker Farm Rd., Roseland, NJ 07068 973-284-0100, Rich Duthie.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 4, 2023.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro			✓			
Councilman Pentz		✓	✓			
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 47

RESOLUTION
KENILWORTH, NJ

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 2023, 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.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 4, 2023.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro			✓			
Councilman Pentz		✓	✓			
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch			✓			
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 48

RESOLUTION
KENILWORTH, N.J.

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
AUTOMOBI LE. SEDAN
AUTOMOBILE, WAGON
BATON, KINETIC E N E R G Y
BODY SHIELD
BOAT, ZODIAC
BOAT, AVON
BOAT, INFLATABLE
CAPABILITIES SET NON-LETHAL
CAR ARMORED
CAR ARMORED MINE DISPOSAL
CARRIER AMBULANCE
CARRIER CARGO
CARRIRER, COMMAND POST
CARTRIDGE,12 GAGE SHOTGUN
CARTRIDGE, 12 GAGE SHOTGUN, NON-LETHAL
CLUB.SELF-PROTECTI ON
COMMUN, EQUIP, SOMS-B
CUTTER HEAD.HYDRAULIC BREACHING AND EXTRACATION TOOL
DOOR OPENER.HYDRAULIC BREACHING AND EXTRACATION TOOL
FACESHIELD, MILITARY, RIOT C O N T R O L
FACESHIELD, RIOT CONTROL
FACESHIELD, RIOT CONTROL
FORCED ENTRY AND RESCUE EQUIPMENT.AIRCRAFT CRASH
GENERATOR, POWER EQUIPEMT
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

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 4, 2023.

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro			✓			
Councilman Pentz		✓	✓			
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 49

RESOLUTION
KENILWORTH, NJ

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:

Dan Sims 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 Raymond Fuschino	Point of Contact

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 4, 2023.

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro			✓			
Councilman Pentz		✓	✓			
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No ___		

No. 2023-370

RESOLUTION
KENILWORTH, NJ

WHEREAS, the Borough of Kenilworth has the need for the position of Assistant Chief Financial Officer; and

WHEREAS, it has been determined that Kenneth P. Blum, Jr., 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. Kenneth P. Blum, Jr. is appointed as Assistant Chief Finance Officer for one year, January 1, 2023 through December 31, 2023, at an annual salary of thirty thousand ($30,000.) dollars, to be paid in accordance with the regular Borough payroll schedule.

2. This part-time position is entitled to paid sick leave pursuant to the NJ Sick Leave Law NJSA 34:11-d-1 and any other benefits required by State Law. Other than those benefits required by law, it is agreed that Mr. Blum is not eligible for and/or declines any other employment benefits.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 4, 2023.

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro			✓			
Councilman Pentz		✓	✓			
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch			✓			
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 57

RESOLUTION
KENILWORTH, NJ

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 2023 is hereby confirmed.

BE IT FURTHER RESOLVED, that the DOG WARDEN be compensated $750 per annum.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 4, 2023.

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro			✓			
Councilman Pentz		✓	✓			
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023-52

RESOLUTION
KENILWORTH, N.J.

BE IT HEREBY RESOLVED that all individuals and entities serving as attorneys appointed with advice and consent of council in accordance with NJSA 40A:60-5 or by Code which was not appointed at the January 4, 2023 Reorganization meeting shall continue to serve in their respective capacities until a new appointment is made for 2023.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on January 4, 2023.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella	✓		✓			
Councilman Mauro			✓			
Councilman Pentz			✓			
Councilman Pugliese			✓			
Councilman Scorese			✓			
Councilman Zimmerman		✓	✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes _			No ✓		

No. 2023- 53

RESOLUTION
KENILWORTH, NJ

BE IT RESOLVED, by the Borough of Kenilworth, County of Union, New Jersey, that the attached summary of bills in the total amount of $3,099,299.19, having been duly audited and found to be correct, are hereby ordered paid and that warrants be drawn for the necessary obligations by the Chief Finance Officer (CFO) prior to the next regularly scheduled Council Meeting.

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

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

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

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella	✓		✓			
Councilman Mauro			✓			
Councilman Pentz			✓			
Councilman Pugliese		✓	✓			
Councilman Scorese			✓			
Councilman Zimmerman					✓	
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

Totals by Year-Fund Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND	2-01	188,367.09	0.00	0.00	188,367.09
CURRENT FUND	3-01	2,473,672.28	0.00	0.00	2,473,672.28
GENERAL CAPITAL	C-04	206,813.54	0.00	0.00	206,813.54
GRANTS	G-02	3,097.58	0.00	0.00	3,097.58
GENERAL TRUST	T-03	485.00	0.00	0.00	485.00
COMMUNITY DEVELOPMENT	T-06	915.00	0.00	0.00	915.00
Year Total:		1,400.00	0.00	0.00	1,400.00
Total Of All Funds:		2,873,350.49	0.00	0.00	2,873,350.49

Manual Checks - $47,712.02

Wire payments - $178,236.68

Total - $3,099,299.19

No. 2023-54

RESOLUTION
KENILWORTH, N.J.

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

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

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

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

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

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

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

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella	✓		✓			
Councilman Mauro			✓			
Councilman Pentz			✓			
Councilman Pugliese		✓	✓			
Councilman Scorese			✓			
Councilman Zimmerman				✓		
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023-55

RESOLUTION
KENILWORTH, NJ

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

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

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

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

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

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

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

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

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella	✓		✓			
Councilman Mauro			✓			
Councilman Pentz			✓			
Councilman Pugliese		✓	✓			
Councilman Scorese			✓			
Councilman Zimmerman				✓		
Mayor Linda Karlovitch			✓			
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 56

RESOLUTION
KENILWORTH, N.J.

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

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

Angela Lazzari, RMC
Borough Clerk

Mayor Karlovitch appointed Georgina Pallitto, Esq. as Public Defender

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella				✓		
Councilman Mauro				✓		
Councilman Pentz				✓		
Councilman Pugliese				✓		
Councilman Scorese				✓		
Councilman Zimmerman				✓		
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes _			No ✓		

No. 2023-57

RESOLUTION
KENILWORTH, N.J.

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

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

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

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

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

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

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

3. This resolution shall take effect immediately.

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

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella	✓		✓			
Councilman Mauro			✓			
Councilman Pentz			✓			
Councilman Pugliese		✓	✓			
Councilman Scorese			✓			
Councilman Zimmerman				✓		
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 58

RESOLUTION
KENILWORTH, N.J.

WHEREAS, on January 4, 2023, the Borough of Kenilworth Municipal Council adopted Resolution 2023-26, which designated the official signers for the Borough of Kenilworth for banking purposes for 2023 and the official signers for the Borough of Kenilworth Police Department account at PNC Bank, National Association for banking purposes; and

WHEREAS, Resolution 2023-26 was missing the Assistant Chief Financial Officer, Ken Blum; and

WHEREAS, the Borough wishes to amend Resolution 2023-26 to include the Assistant Chief Financial Officer, Ken Blum, as an official signer for the Borough of Kenilworth for banking purposes for 2023, and as an official signer for the Borough of Kenilworth Police Department account at PNC Bank, National Association for banking purposes.

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

1. Resolution 2023-26 is hereby amended to include the Assistant Chief Financial Officer, Ken Blum, as an official signer for the Borough of Kenilworth for banking purposes for 2023.

2. Resolution 2023-26 is also hereby amended to include the Assistant Chief Financial Officer, Ken Blum, as an official signer for the Borough of Kenilworth Police Department account at PNC Bank, National Association for banking purposes

3. This resolution shall take effect immediately.

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

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella	✓		✓			
Councilman Mauro			✓			
Councilman Pentz			✓			
Councilman Pugliese		✓	✓			
Councilman Scorese			✓			
Councilman Zimmerman				✓		
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023-59

RESOLUTION
KENILWORTH, NJ

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

LIBRARY BOARD OF TRUSTEES

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

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

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella	✓		✓			
Councilman Mauro			✓			
Councilman Pentz			✓			
Councilman Pugliese		✓	✓			
Councilman Scorese			✓			
Councilman Zimmerman				✓		
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 60

RESOLUTION
KENILWORTH, NJ

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

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

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella	✓		✓			
Councilman Mauro			✓			
Councilman Pentz			✓			
Councilman Pugliese		✓	✓			
Councilman Scorese			✓			
Councilman Zimmerman				✓		
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 61

RESOLUTION
KENILWORTH, NJ

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

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

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

1. The attached list of Retirees be reimbursed for their payments for Medicare Part B coverage from July 1, 2022 through December 31, 2022 for the total inclusive amount of $1,020.60, as set forth in the list below, in accordance with N.J.S.A. § 52:14-17.38(b), and State of New Jersey having been duly audited and found to be correct, are hereby ordered paid, and that warrants be drawn for the necessary obligations by the Chief Finance Officer (CFO) prior to the next regularly scheduled Council Meeting.

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

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

3. The CFO has certified that sufficient uncommitted funds are available in the 2022 Borough of Kenilworth Budget to fund the payment of the following bills attached hereto and made a part of this resolution.

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

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella	✓		✓			
Councilman Mauro			✓			
Councilman Pentz			✓			
Councilman Pugliese		✓	✓			
Councilman Scorese			✓			
Councilman Zimmerman				✓		
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 62

RESOLUTION
KENILWORTH, NJ

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

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

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

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

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

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

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

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella	✓		✓			
Councilman Mauro			✓			
Councilman Pentz			✓			
Councilman Pugliese		✓	✓			
Councilman Scorese			✓			
Councilman Zimmerman				✓		
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 63

RESOLUTION
KENILWORTH, NJ

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

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

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella	✓		✓			
Councilman Mauro			✓			
Councilman Pentz			✓			
Councilman Pugliese		✓	✓			
Councilman Scorese			✓			
Councilman Zimmerman				✓		
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No		

No. 2023- 64

RESOLUTION
KENILWORTH, NJ

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

Name	Appointment
Christopher Hampala-Gorgoroso	Probationary Fire Fighter / EMT

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

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

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella	✓		✓			
Councilman Mauro			✓			
Councilman Pentz			✓			
Councilman Pugliese		✓	✓			
Councilman Scorese			✓			
Councilman Zimmerman				✓		
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 65

RESOLUTION
KENILWORTH, NJ

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

Name	Term	Expiration
Robert Beiner	5 years	2/1/2028

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

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella	✓		✓			
Councilman Mauro			✓			
Councilman Pentz			✓			
Councilman Pugliese		✓	✓			
Councilman Scorese			✓			
Councilman Zimmerman				✓		
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

****REVISED RESOLUTION NO 2023-66****

No. 2023- 066

RESOLUTION
KENILWORTH, NJ

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

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

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella	✓		✓			
Councilman Mauro			✓			
Councilman Pentz			✓			
Councilman Pugliese		✓	✓			
Councilman Scorese			✓			
Councilman Zimmerman				✓		
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 67

RESOLUTION
KENILWORTH, NJ

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

Name	Term	Expiration
David La Gruth	1 year	1/31/2023

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

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro	✓		✓			
Councilman Pentz			✓			
Councilman Pugliese		✓	✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes _			No ✓		

No. 2023- 68

RESOLUTION
KENILWORTH, N.J.

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

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

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

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

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

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella	✓		✓			
Councilman Mauro			✓			
Councilman Pentz			✓			
Councilman Pugliese		✓	✓			
Councilman Scorese			✓			
Councilman Zimmerman				✓		
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 69

RESOLUTION
KENILWORTH, N.J.

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

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

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro		✓	✓			
Councilman Pentz			✓			
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes _			No ✓		

No. 2023- 70

RESOLUTION
KENILWORTH, NJ

BE IT RESOLVED, by the Borough of Kenilworth, County of Union, New Jersey, that the attached summary of bills in the total amount of $2,239,497.44, having been duly audited and found to be correct, are hereby ordered paid and that warrants be drawn for the necessary obligations by the Chief Finance Officer (CFO) prior to the next regularly scheduled Council Meeting.

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

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

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **February 1, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella						✓
Councilman Mauro		✓	✓			
Councilman Pentz						✓
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch			✓			
ON CONSENT AGENDA	Yes ✓			No __		

Totals by Year-Fund Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND	2-01	59,559.69	0.00	0.00	59,559.69
CURRENT FUND	3-01	2,168,385.10	0.00	0.00	2,168,385.10
GENERAL CAPITAL	C-04	5,567.00	0.00	0.00	5,567.00
GRANTS	G-02	3,690.00	0.00	0.00	3,690.00
GENERAL TRUST	T-03	424.05	0.00	0.00	424.05
COMMUNITY DEVELOPMENT	T-06	851.00	0.00	0.00	851.00
Year Total:		1,275.05	0.00	0.00	1,275.05
Total Of All Funds:		2,238,476.84	0.00	0.00	2,238,476.84

FD Total $2,238,476.84

Manual check $1020.60

Total of All funds $2,239,497.44

No. 2023- 71

RESOLUTION
KENILWORTH, NJ

WHEREAS, Jacqueline Schulz has notified the Borough of Kenilworth of her intention to resign from the Borough of Kenilworth Clerk's Department effective **January 20, 2022**; and

WHEREAS, the Chief Finance Officer has certified that Jacqueline Schulz is entitled to buyout pay as per the Kenilworth Personnel Policy, as follows;

Type	# of days	Daily Rate	Total
Sick	1	$184.62	$184.62
Vacation Days (pro-rated)	1	$184.62	$184.62
Total Due	**2**		**$369.24**

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.

BE IT FURTHER RESOLVED, that the CFO has certified that sufficient uncommitted funds are available in the 2023 Borough of Kenilworth Temporary Budget Account # 3-01-20-701-011.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **February 1, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella						✓
Councilman Mauro		✓	✓			
Councilman Pentz						✓
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 72

RESOLUTION
KENILWORTH, NJ

WHEREAS, Kerry Senica has notified the Borough of Kenilworth of her intention to resign from the Borough of Kenilworth DPW Department effective **January 17, 2022**; and

WHEREAS, the Chief Finance Officer has certified that Kerry Senica is entitled to buyout pay as per the Kenilworth Personnel Policy, as follows;

Type	# of days	Daily Rate	Total
Accumulated	5	$178.07	$890.35
Sick	2.5	$178.07	$445.18
Vacation Days *(pro-rated)*	1.7	$178.07	$302.72
Total Due	**9.2**		**$1,638.25**

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.

BE IT FURTHER RESOLVED, that the CFO has certified that sufficient uncommitted funds are available in the 2023 Borough of Kenilworth Temporary Budget Account # 3-01-26-765-011.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **February 1, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella						✓
Councilman Mauro		✓	✓			
Councilman Pentz						✓
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 73

RESOLUTION
KENILWORTH, NJ

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, the Borough of Kenilworth has been awarded CARES grant funds from the County of Union and has the need on a timely basis to purchase goods or services utilizing State contracts for the purpose to replace the boiler and two (2) Trane split system air conditioners at the Kenilworth Senior Center; 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 THREFORE BE IT RESOLVED, that the Borough of Kenilworth authorizes the award and purchase to replace the boiler and two (2) Trane split system air conditioners at the Kenilworth Senior Center through New Jersey State Cooperative Purchasing Contract #65MCESCCPS for the total amount not to exceed $62,682.00 pursuant to all conditions of the individual State contracts; and

BE IT FURTHER RESOLVED, that the Borough of Kenilworth's Chief Financial Officer has certified that sufficient uncommitted funds are available in the 2023 Borough of Kenilworth Temporary Budget for the purposes set forth herein and the fund to be charged shall be C-02-70-080-006.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **February 1, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella						✓
Councilman Mauro		✓	✓			
Councilman Pentz						✓
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

IN-LINE

Heating & Air Conditioning Company

85 East 21st Street
Bayonne, N.J. 07002
(201) 339-8122 service@inlinenj.com
Master HVAC License #'s 19HC00505500 / 19HC00505600

HVAC PROPOSAL

Proposal #: 0000065319
Proposal Date: 1/24/2023
Tech / IL Rep: Eddie

Borough Of Kenilworth
567 Boulevard
Kenilworth NJ 07033

Client Location:

Senior Citizen Center
526 Boulevard
Kenilworth NJ 07033

	Qty	Price	Amt

Proposal to Replace Two (2) Trane Split Systems at Kenilworth Senior Center

Scope of the Work:
> Lockout/tag out the electrical power going to the existing equipment
> Disconnect the electrical power, control wiring, and safe off for reuse
> Recover the refrigerant from the existing equipment and dispose of per the EPA regulations
> Using a crane, remove existing condensing units from the roof and discard offsite
> Using a crane we shall furnish and install two new condensing units on the existing equipment supports
> Furnish and install two (2) new 5 Ton Trane Split Systems (Indoor Air Handler), mount and wire into place
Note: Customer is responsible for removing and reinstalling the existing drop ceiling in order to replace the existing air handlers
> Furnish and install new refrigerant piping, pressure test and evacuate refrigerant lines
> Reconnect power wiring to both units and provide new electrical disconnect switches for the outdoor units
> Start up unit, charge unit with refrigerant, and check operation

Equipment Furnished by In-Line:
Two (2) Trane 5 Ton Odyssey Split System Cooling Outdoor Unit
Two (2) Trane 5 Ton Odyssey Split System Indoor Unit

Equipment Features:
Indoor Unit
> Air Handler
> 5 Tons
> R-410A
> 208-230/60/3
> Single Circuit
> Generation A (DOE 2018)
> Constant Volume
> Standard Motor
> No Auxiliary Heat
> 1st Year Labor Warranty Whole Unit
Outdoor Unit
> Split System Cooling Outdoor Unit
> 5 Ton Nominal Cooling Capacity
> 200 - 230 Volt 3 Phase 60 Hertz
> 1st Year labor warranty

Please Note: Lead time for equipment is 3 to 4 weeks

NJ State Approved Co-Op #65MCESCCPS
HVAC Bid # ESCNJ 19/20-13
Bid Term 3/18/20- 3/17/23 Extension
Coop@escnj.k12.nj.us
www.escnj.k12.nj.us

< This Proposal May Continue On Next Page >

All work has been quoted in accordance with MRESC Bid # ESCNJ 19/20-13 Bid Term 3/18/2020-3/17/2023. Please provide a copy of an authorized purchase order and sign below to authorize this work. All quotes valid for 30 days. Questions? Please call us.

Signature: _____ PO#: _____

ALL ORDERS REQUIRE AUTHORIZED PO NUMBER TO PROCEED WITH WORK. THANK YOU!

IN-LINE

Heating & Air Conditioning Company

85 East 21st Street
Bayonne, N.J. 07002
(201) 339-8122 service@inlinenj.com
Master HVAC License #'s 19HC00505500 / 19HC00505600

HVAC PROPOSAL

Proposal #: 0000065319
Proposal Date: 1/24/2023
Tech / IL Rep: Eddie

Borough Of Kenilworth
567 Boulevard
Kenilworth NJ 07033

Client Location:

Senior Citizen Center
526 Boulevard
Kenilworth NJ 07033

	Qty	Price	Amt
Project Exclusions			
Total amount includes all labor and materials as specified in our scope of work. Prices quoted are valid for 30 days from the proposal date.			
> Removal and reinstalling of the existing drop ceiling			
> State sales tax, please provide tax exempt certificate			
> Permit Fees, where applicable shall be billed in addition			
> Any work or materials not included in scope above			
> Overtime, all work to be performed during normal hours			
> Any trade work incl. but not limited to fire alarms and alarm tie-ins, plumbing, automatic controls, roofing, and electrical unless noted in scope above.			
> Any remediation work including but not limited to, asbestos, mold, duct cleaning.			
> Any structural or mechanical engineering, including drawings, work that may be required.			
> Cutting, painting , patching, or any general construction work, unless noted.			
ESCNJ Co-Op Breakdown:	**1.00**	**33,472.00**	**33,472.00**
Estimated Labor $14,472.16			
Estimated Materials, Tools, Test eq. & Services.....$19,218.84			

Proposal/Estimate Total Amount **$33,472.00**

NJ State Approved Co-Op #65MCESCCPS
HVAC Bid # ESCNJ 19/20-13
Bid Term 3/16/20- 6/17/23 Extension
Coop@escnj.k12.nj.us
www.escnj.k12.nj.us

< This Proposal May Continue On Next Page >

All work has been quoted in accordance with MRESC Bid # ESCNJ 19/20-13 Bid Term 3/16/2020-3/17/2023. Please provide a copy of an authorized purchase order and sign below to authorize this work. All quotes valid for 30 days. Questions? Please call us.

Signature: _____ PO#: _____

ALL ORDERS REQUIRE AUTHORIZED PO NUMBER TO PROCEED WITH WORK. THANK YOU!

IN-LINE

Heating & Air Conditioning Company

85 East 21st Street
Bayonne, N.J. 07002
(201) 339-8122 service@inlinenj.com
Master HVAC License #'s 19HC00505500 / 19HC00505600

HVAC PROPOSAL

Proposal #: 0000065341
Proposal Date: 1/18/2023
Tech / IL Rep: Eddie

Borough Of Kenilworth
567 Boulevard
Kenilworth NJ 07033

Client Location:
Senior Citizen Center
526 Boulevard
Kenilworth NJ 07033

	Qty	Price	Amt

Proposal to Replace Hot Water Boiler at Senior Citizen Center

Scope of Work:

> Isolate power supply, any water supply lines, and control wiring from existing boiler to prepare for demo and removal.
> Disconnect, dismantle and remove existing hot water boiler and associated accessories and properly dispose of offsite.
> Clean and prepare all surfaces for new boiler. Using rigging equipment, bring boiler into mechanical room and set in place.
> Furnish and install One (1) McLain Boiler.
> Using piping equipment and specialized fittings and materials, reconnect existing hot water supply, return, water make up, and domestic hot water lines.
> Furnish and install new flue pipe to connect to the existing flue stack, provide new draft damper assembly, as needed.
> Furnish and install new low water cut off, hi temperature limit and operating controls and associated piping.
> Reconnect gas lines to new boiler
> Reconnect control wiring and safety interlock wiring and connect with any safety switches and controls.
> Reconnect existing line voltage lines to new boiler, client's licensed electrician to seal any required permits and perform any required modifications to the line voltage power supply.
> Provide start-up of new boiler(s) and adjust using combustion efficiency meter, set all burner adjustments for optimal combustion and efficiency

Equipment Furnished by In-Line:
One (1) Weil-McLain Model #LGB-4
400 Input MBH and 322 Output MBH

Project Exclusions

Total amount includes all labor and materials as specified in our scope of work. Prices quoted are valid for 30 days from the proposal date.

> State sales tax, please provide tax exempt certificate
> Permit Fees, where applicable shall be billed in addition
> Any work or materials not included in scope above
> Overtime, all work to be performed during normal hours
> Any trade work incl. but not limited to fire alarms and alarm tie-ins, plumbing, automatic controls, roofing, and electrical unless noted in scope above.
> Any remediation work including but not limited to, asbestos, mold, duct cleaning.
> Any structural or mechanical engineering, including drawings, work that may be required.

NJ State Approved Co-Op #65MCESCCPS
HVAC Bid # ESCNJ 19/20-13
Bid Term 3/18/20- 3/17/23 Extension
Coop@escnj.k12.nj.us
www.escnj.k12.nj.us

< This Proposal May Continue On Next Page >

All work has been quoted in accordance with MRESC Bid # ESCNJ 19/20-13 Bid Term 3/18/2020-3/17/2023. Please provide a copy of an authorized purchase order and sign below to authorize this work. All quotes valid for 30 days. Questions? Please call us.

Signature: _____ PO#: _____

ALL ORDERS REQUIRE AUTHORIZED PO NUMBER TO PROCEED WITH WORK. THANK YOU!

IN-LINE

Heating & Air Conditioning Company

85 East 21st Street
Bayonne, N.J. 07002
(201) 339-8122 service@inlinenj.com
Master HVAC License #'s 19HC00505500 / 19HC00505600

HVAC PROPOSAL

Proposal #: 0000065341
Proposal Date: 1/18/2023
Tech / IL Rep: Eddie

Borough Of Kenilworth
567 Boulevard
Kenilworth NJ 07033

Client Location:
Senior Citizen Center
526 Boulevard
Kenilworth NJ 07033

	Qty	Price	Amt
> Cutting, painting , patching, or any general construction work, unless noted.			
ESCNJ Co-Op Breakdown:	1.00	29,210.00	29,210.00

Estimated Labor $11,023.44

Estimated Materials, Tools, Test eq. & Services.....$18,186.56

Proposal/Estimate Total Amount **$29,210.00**

NJ State Approved Co-Op #69MCESCCPS
HVAC Bid # ESCNJ 19/20-13
Bid Term 3/18/20-3/17/23 Extension
Coop@escnj.k12.nj.us
www.escnj.k12.nj.us

< This Proposal May Continue On Next Page >

All work has been quoted in accordance with MRESC Bid # ESCNJ 19/20-13 Bid Term 3/18/2020-3/17/2023. Please provide a copy of an authorized purchase order and sign below to authorize this work. All quotes valid for 30 days. Questions? Please call us.

Signature: _____ PO#: _____

ALL ORDERS REQUIRE AUTHORIZED PO NUMBER TO PROCEED WITH WORK. THANK YOU!

No. 2023-74

RESOLUTION
KENILWORTH, NJ

WHEREAS, on January 4, 2023, the Borough of Kenilworth Municipal Council adopted Resolution 2023-49, which authorized 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; and

WHEREAS, the Kenilworth Police Department has requested that Resolution 2023-49 be amended to remove Detective Ryan Kernan and add Detective Anthony Tanes and Officer Robert Rueger as Points of Contact.

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

1. Resolution 2023-49 is hereby amended to remove Detective Ryan Kernan as a point of contact and add Detective Anthony Tanes and Officer Robert Rueger as Points of Contact.

2. Resolution 2023-49 is hereby amended to reflect the Points of Contact as follows:

Captain Dan Sims	Chief Officer and Point of Contact
Detective Anthony Tanes	Point of Contact
Officer Raymond Fuschino	Point of Contact
Officer Robert Rueger	Point of Contact

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

4. This resolution shall take effect immediately.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **February 1, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella						✓
Councilman Mauro		✓	✓			
Councilman Pentz						✓
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 75

RESOLUTION
KENILWORTH, NJ

WHEREAS, the Borough of Kenilworth passed Resolution 286 on December 21, 2022 to authorize a purchase through N Sourcewell National Cooperative Purchasing System Contract 031121-KBA for the acquisition of a Kubota KX033-4R3A Excavator; and

WHEREAS, POWERCO, Inc., 12 State Route 173, Clinton, New Jersey 08809 was awarded the Contract and POWERCO is unable to honor the estimated price.

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Kenilworth, County of Union, State of New Jersey that Resolution 286 is hereby rescinded.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **February 1, 2023**.

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella						✓
Councilman Mauro		✓	✓			
Councilman Pentz						✓
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 76

RESOLUTION
KENILWORTH, NJ

WHEREAS, the Borough of Kenilworth passed Resolution 288 on December 21, 2022 to authorize a purchase through N Sourcewell National Cooperative Purchasing System Contract 031121-KBA for the acquisition of a Kubota R640R43 Front End Loader; and

WHEREAS, POWERCO, Inc., 12 State Route 173, Clinton, New Jersey 08809 was awarded the Contract and POWERCO is unable to honor the estimated price.

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Kenilworth, County of Union, State of New Jersey that Resolution 288 is hereby rescinded.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **February 1, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella						✓
Councilman Mauro		✓	✓			
Councilman Pentz						✓
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023-77

RESOLUTION
KENILWORTH, NJ

WHEREAS, the Borough of Kenilworth Department of Public Works desires and requires to purchase equipment necessary for the acquisition of a Kubota KX033-4R3A Mini 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 Educational Services Commission of New Jersey (ESCNJ) pursuant to statute and Local Finance Notice 2012-10; and,

WHEREAS, the Borough of Kenilworth is a member of Educational Services Commission of New Jersey Cooperative Purchasing Program, Co-op No. 65MCESCCPS; and

WHEREAS, Cherry Valley Tractor Sales, has been awarded Contract Number #ESCNJ 18/19-25 as part of the Educational Services Commission of New Jersey Cooperative for the provision of certain goods and services inclusive of the Kubota KX033-4R3A Excavator; and

NOW THEREFORE, BE IT RESOLVED, that the Borough of the Kenilworth authorizes Chief Financial Officer to enter into a contract with Cherry Valley Tractor Sales of 35 Route 70 West, Marlton, NJ 08053-3099 in an amount not to exceed fifty-three thousand eight-hundred twelve dollars and forty-eight cents ($53,812.48).

BE IT FURTHER RESOLVED, that the Borough of Kenilworth's Chief Financial Officer has certified that sufficient uncommitted funds are available in the 2023 Borough of Kenilworth Temporary Budget for the purposes set forth herein and the fund to be charged shall be C-04-55-205-101, for the amount of $45,309.52, and C-04-55-204-107, for the amount of $8,502.96, with a total charge of $53,812.48.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **February 1, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella						✓
Councilman Mauro		✓	✓			
Councilman Pentz						✓
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch			✓			
ON CONSENT AGENDA	Yes ✓			No __		

CHERRY VALLEY Tractor Sales

35 Route 70 West
Marlton, New Jersey 08053-3099
Tel #856-983-0111 Fax #856-983-7700
Cell #732-320-0452

Quote 23-1923

Date	1/9/2023
Estimated Delivery	From Receipt of Order
Terms	
F.O.B.	Marlton, NJ
To Be Shipped Via	
Salesman	*John Fowler*

To: THE BOROUGH OF KENILWORTH
567 BOULEVARD
KENILWORTH, NJ 07033-1696
Attn: MIKE CALIXTO
Tel: 908-276-5073
Cell: 908-296-8197
Email: SUPERINTENDENT.KDPW@KENILWORTHNJ.ORG

Price on this quote is an estimate and is subject to being increased

Quantity			Total
1	NEW KUBOTA KX033-4R3A 4 TON MINI EXCAVATOR	LIST PRICE	$ 62,859.00
	FACTORY CAB WITH HEAT & AIR CONDITIONING		
	KUBOTA 24.8 HP TIER 4 FINAL DIESEL ENGINE		
	HYDRAULIC ANGLE DOZER BLADE W/FLOAT DETENT		
	RUBBER TRACKS		
	AUTO IDLE		
	ALL STANDARD SPECS		
	K7870A MANUAL QUICK COUPLER		$ 1,386.00
	K7875A 24" QUICK ATTACH TRENCHING BUCKET		$ 1,917.00
	K7910A HYDRAULIC THUMB		$ 3,923.00
	LESS ESCNJ CATALOG DISCOUNT 26.5%		($18,572.52)
	LABOR TO ASSEMBLE		$ 2,300.00
	TOTAL SELL PRICE KX030-4R3A 4 TON MINI EXCAVATOR ***WITH QUICK COUPLER-24"BUCKET-HYDRAULIC THUMB*		$ 53,812.48
	Please note terms and conditions on Page 2		

The Educational Services Commission of New Jersey
New Jersey State Approved Co-Op#: 65MCESCCPS
Bid# ESCNJ 18/19-22 (Snow Equipment)
Bid# ESCNJ 18/19-25 (Grounds Equipment)

Thank you for the opportunity

John Fowler

TERMS AND CONDITIONS

•Sale is not final until this purchase order is signed by Seller and Buyer.
•No Warranties Express or Implied: Seller makes no warranties, express or implied by law, as to the product(s) set forth in this purchase order, and Seller specifically disclaims any implied warranty of merchantability or fitness for a particular purpose and any liability for consequential damages, including loss of income.
•Manufacturer's Price Increase: Manufacturer has reserved the right to change the price of products to Seller without notice. In the event the price to Seller of the product(s) ordered by Buyer is changed by Manufacturer prior to its delivery to Buyer, Seller reserves the right to change the cash delivery price to Buyer. If the cash delivery price is increased by Seller, Buyer may, if dissatisfied with the higher figure, cancel this order.
•Delays in Delivery: Buyer understands and agrees that Seller shall not be held responsible for any loss, damage, detention, delay, or failure to deliver resulting from any cause which is unavoidable or beyond Seller's reasonable control, including, but not limited to, fire, flood, natural disaster, strike or labor disturbance, accident, vandalism, riot or insurrection, war, any order, decree, law, or regulation of any court, government, or governmental
•In the event that this purchase order is canceled by mutual written consent of Seller and Buyer, or if Seller is unable to make delivery of said product(s) for any of the reasons specified herein, Seller shall return and Buyer shall accept any of the monies paid for the product(s) in full discharge of any obligations of Seller to Buyer hereunder.
•No Modification Unless in Writing: Buyer agrees that all previous communications between Seller and Buyer, either verbal or written, with reference to the subject matter of this purchase order, are hereby abrogated. Buyer further agrees that no modification hereof shall be binding upon Seller unless said modification is in writing and agreed to and accepted in writing by an officer or authorized representative of Seller.
•Choice of Law and Forum: In the event that a dispute arises under this purchase order, Buyer and Seller agree that said dispute shall be governed by the law of the State of New Jersey, and Buyer and Seller agree that the dispute will be adjudicated in the State of New Jersey, and Buyer agrees to submit to jurisdiction of said court.
•Attorney's Fees: In the event that Seller turns a dispute arising under this purchase order to an attorney and prevails in said dispute, Buyer understands and agrees that Buyer will be liable for either, at Seller's choice, stipulated attorney's fees in the sum of twenty (20) percent of the unpaid balance of this purchase order, or actual attorney's fees incurred by Seller resolving the dispute to conclusion.

No. 2023- 78

RESOLUTION
KENILWORTH, NJ

WHEREAS, the Borough of Kenilworth Department of Public Works desires and requires to purchase equipment necessary for the acquisition of a Kubota R640R43 Articulated Wheel Loader; and,

WHEREAS, in furtherance of such purchase, the Qualified Purchasing Agent has researched and recommended the procurement of a Kubota R640R43 Articulated Wheel Loader from an authorized vendor under the Educational Services Commission of New Jersey (ESCNJ) pursuant to statute and Local Finance Notice 2012-10; and,

WHEREAS, the Borough of Kenilworth is a member of Educational Services Commission of New Jersey Cooperative Purchasing Program, Co-op No. 65MCESCCPS; and

WHEREAS, Cherry Valley Tractor Sales, has been awarded Contract Number #ESCNJ 18/19-25 as part of the Educational Services Commission of New Jersey Cooperative for the provision of certain goods and services inclusive of the Kubota R640R43 Articulated Wheel Loader; and

NOW THEREFORE, BE IT RESOLVED, that the Borough of the Kenilworth authorizes Chief Financial Officer to enter into a contract with Cherry Valley Tractor Sales of 35 Route 70 West, Marlton, NJ 08053-3099 in an amount not to exceed eighty-three thousand five-hundred ninety-one dollars and seventy-eight cents ($83,591.78).

BE IT FURTHER RESOLVED, that the Borough of Kenilworth's Chief Financial Officer has certified that sufficient uncommitted funds are available in the 2023 Borough of Kenilworth Temporary Budget for the purposes set forth herein and the fund to be charged shall be C-04-55-205-101.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **February 1, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella						✓
Councilman Mauro		✓	✓			
Councilman Pentz						✓
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

CHERRY VALLEY Tractor Sales

Quote 23-11023

35 Route 70 West
Marlton, New Jersey 08053-3099
Tel #856-983-0111 Fax #856-983-7700
Cell #732-320-0452

To: THE BOROUGH OF KENILWORTH
567 BOULEVARD
KENILWORTH, NJ 07033-1696
Attn: MIKE CALIXTO
Tel: 908-276-5073
Cell: 908-296-8197
Email: SUPERINTENDENT.KDPW@KENILWORTHNJ.ORG

Date	1/10/2023
Estimated Delivery	From Receipt of Order
Terms	
F.O.B.	Marlton, NJ
To Be Shipped Via	
Salesman	*John Fowler*

Price on this quote is an estimate and is subject to being increased

Quantity			Total
1	NEW KUBOTA R640R43 ARTICULATED WHEEL LOADER FACTORY CAB WITH HEAT AND AIR CONDITIONING KUBOTA V2607 TIER 4 FINAL KUBOTA DIESEL ENGINE 4 CYLINDER-4 CYCLE TURBOCHARGE 61.1 HP @ 2400 RPM 100% ON DEMAND DIFFERENTIAL LOCK COUNTERWEIGHT W/TOW HOOK	LIST PRICE	$102,816.00
	K7164 UNIVERSAL SKID STEER HYDRAULIC COUPLER		$3,665.00
	K7174 74" 1.0 CU YD GENERAL PURPOSE HD BUCKET		$3,161.00
	K7176 74" STEEL BOLT ON CUTTING EDGE		$344.00
	K7248 RIGHT SIDE INCHING PEDAL		$152.00
	K7246 REAR LED WORKLIGHTS		$327.00
	LESS ESCNJ CATALOG DISCOUNT 26.5%		($29,273.22)
	LABOR TO ASSEMBLE		$2,400.00
	TOTAL SELL PRICE R640R43 1.0 CU YD ARTICULATED WHEEL LOADER		**$83,591.78**
	Please note terms and conditions on Page 2		

The Educational Services Commission of New Jersey
New Jersey State Approved Co-Op#: 65MCESCCPS
Bid# ESCNJ 18/19-22 (Snow Equipment)
Bid# ESCNJ 18/19-25 (Grounds Equipment)

Thank you for the opportunity

John Fowler

TERMS AND CONDITIONS

•Sale is not final until this purchase order is signed by Seller and Buyer.
•No Warranties Express or Implied: Seller makes no warranties, express or implied by law, as to the product(s) set forth in this purchase order, and Seller specifically disclaims any implied warranty of merchantability or fitness for a particular purpose and any liability for consequential damages, including loss of income.
•Manufacturer's Price Increase: Manufacturer has reserved the right to change the price of products to Seller without notice. In the event the price to Seller of the product(s) ordered by Buyer is changed by Manufacturer prior to its delivery to Buyer, Seller reserves the right to change the cash delivery price to Buyer. If the cash delivery price is increased by Seller, Buyer may, if dissatisfied with the higher figure, cancel this order.
•Delays in Delivery: Buyer understands and agrees that Seller shall not be held responsible for any loss, damage, detention, delay, or failure to deliver resulting from any cause which is unavoidable or beyond Seller's reasonable control, including, but not limited to, fire, flood, natural disaster, strike or labor disturbance, accident, vandalism, riot or insurrection, war, any order, decree, law, or regulation of any court, government, or governmental
•In the event that this purchase order is canceled by mutual written consent of Seller and Buyer, or if Seller is unable to make delivery of said product(s) for any of the reasons specified herein, Seller shall return and Buyer shall accept any of the monies paid for the product(s) in full discharge of any obligations of Seller to Buyer hereunder.
•No Modification Unless in Writing: Buyer agrees that all previous communications between Seller and Buyer, either verbal or written, with reference to the subject matter of this purchase order, are hereby abrogated. Buyer further agrees that no modification hereof shall be binding upon Seller unless said modification is in writing and agreed to and accepted in writing by an officer or authorized representative of Seller.
•Choice of Law and Forum: In the event that a dispute arises under this purchase order, Buyer and Seller agree that said dispute shall be governed by the law of the State of New Jersey, and Buyer and Seller agree that the dispute will be adjudicated in the State of New Jersey, and Buyer agrees to submit to jurisdiction of said court.
•Attorney's Fees: In the event that Seller turns a dispute arising under this purchase order to an attorney and prevails in said dispute, Buyer understands and agrees that Buyer will be liable for either, at Seller's choice, stipulated attorney's fees in the sum of twenty (20) percent of the unpaid balance of this purchase order, or actual attorney's fees incurred by Seller resolving the dispute to conclusion.

No. 2023- 70

RESOLUTION
KENILWORTH, NJ

BE IT RESOLVED, by the Borough of Kenilworth, County of Union, New Jersey, that the attached summary of bills in the total amount of $2,424,429.84, having been duly audited and found to be correct, are hereby ordered paid and that warrants be drawn for the necessary obligations by the Chief Finance Officer (CFO) prior to the next regularly scheduled Council Meeting.

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

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

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

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro		✓	✓			
Councilman Pentz			✓			
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

Totals by Year-Fund Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND	2-01	26,998.12	0.00	0.00	26,998.12
CURRENT FUND	3-01	159,031.94	0.00	0.00	159,031.94
GENERAL CAPITAL	C-04	6,563.00	0.00	0.00	6,563.00
GENERAL TRUST	T-03	250.00	0.00	0.00	250.00
COMMUNITY DEVELOPMENT	T-06	390.00	0.00	0.00	390.00
UNEMPLOYMENT TRUST	T-14	3,103.43	0.00	0.00	3,103.43
Year Total:		3,743.43	0.00	0.00	3,743.43
Total Of All Funds:		196,336.49	0.00	0.00	196,336.49

Wires = $2,228,093.35

PO's = $196,336.49

Total of All Funds
$2,424,429.84

No. 2023- 71

RESOLUTION
KENILWORTH, NJ

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

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

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

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

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

1. The Mayor and/or her designee and the Borough Clerk, are hereby authorized to submit an application to Union County CARES grant program requesting grant funding in the amount of $250,000.00 from the Union County CARES Grants to install a 30' by 50' steel pavilion with concrete floor along with lighting and electrical receptacles to be constructed adjacent to existing recreation building and 18 folding picnic tables and hose bib for maintenance.

2. The Borough Council hereby ratifies its authorization of this application from the date of application submission to the date of adoption of this authorizing resolution.

3. Upon notification of the receipt of a grant award in connection with this application, the grant is hereby accepted.

4. Upon notification of the receipt of a grant award in connection with this application, the Mayor and/or her designee and the Borough Clerk are hereby authorized to enter into and execute grant documents with Union County to

receive and expend the grant award for improvements to the Kenilworth Senior Center.

5. Upon notification of the receipt of a grant award in connection with this application, the Borough Clerk shall submit a complete copy of the grant agreement and any associated documents as well as a copy of the Certification of Funds for any required matching funds to both the Borough's Administrative Agent for review, approval, and signature.

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

STATEMENT

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

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

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro		✓	✓			
Councilman Pentz			✓			
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 72

RESOLUTION
KENILWORTH, NJ

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

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

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

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

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

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 $220,000.00 from the Union County CARES Grants to replace the paver sidewalk in front of Borough Hall with new concrete.

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 $220,000.00 from the Union County CARES Grants to replace the paver sidewalk in front of Borough Hall with new concrete.

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

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro		✓	✓			
Councilman Pentz			✓			
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 73

RESOLUTION
KENILWORTH, NJ

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

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

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

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

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

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

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

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro		✓	✓			
Councilman Pentz			✓			
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

North Jersey
FRIENDSHIP HOUSE
BUILDING SKILLS FOR PRODUCTIVE LIVES

December 20, 2022

Mrs. Angela Lazzari
Borough of Kenilworth
Borough Clerk
567 Boulevard
Kenilworth, New Jersey 07033

RE: Janitorial Proposal
Term: January 1, 2023-December 31, 2023

Dear Mrs. Lazzari,

North Jersey Friendship House is pleased to submit the following proposal. All services covered under this proposal are included in the attached specifications entitled "Specifications for janitorial services", Borough of Kenilworth.

Proposal

Yearly Cost: $45,506

As you know, North Jersey Friendship House is a Sheltered Workshop and as such, we are exempt from the Local Public Bid Law per (NJSA 40A:11-5).

Once again, I thank you for considering this proposal, entering partnerships like this with professionals in government has enabled us to achieve our goal by integrating our members into the community increasing their self-worth. We look forward to providing the Borough of Kenilworth with quality and affordable janitorial services.

If you have any questions or concerns, please feel to contact me.

Sincerely,

Dinorah D'Auria
Chief Executive Officer PSY D.

GENERAL CONTRACT FOR SERVICES

This Contract (this "Contract") is made effective as of January 01, 2023, by and between North Jersey Friendship House, of 125 Atlantic Street, Hackensack, New Jersey 07601, (NJFH), and Borough of Kenilworth, of 567 Boulevard, Kenilworth, New Jersey 07033

1. DESCRIPTION OF SERVICES. Beginning on January 01, 2023, NJFH will provide to Borough of Kenilworth the following services (collectively, the "Services"):

Janitorial Services will be provided at the following locations:
Municipal Building/Police Department- Five (5) Days per week
Board of Health Building-Three (3) Days per week Tuesday, Wednesday and Thursday
Recreation Center-Two (2) Days per week, Tuesday and Thursday-Bathrooms Daily
Detective Annex-One (1) Day per week, Wednesday or Friday
Senior Building- Two (2) Days per week, Thursday and Friday, alternating levels Park- Monday, Wednesday and Friday (Seasonal).
DPW One (1) time per week

2. PAYMENT. Payment shall be made to 125 Atlantic Street, Hackensack, New Jersey 07601.

Borough of Kenilworth agrees to pay NJFH as follows:

$3,792.17 per month

In addition to any other right or remedy provided by law, if Borough of Kenilworth fails to pay for the Services when due, NJFH has the option to treat such failure to pay as a material breach of this Contract, and may cancel this Contract and/or seek legal remedies.

Invoices must be paid within 14 days of services provided.

3. WARRANTIES. NJFH shall provide its Services and meet its obligations under this Contract in a timely and workmanlike manner, using knowledge and recommendations for performing the services which meet generally acceptable standards in NJFH's community and region, and will provide a standard of care equal to, or superior to, care used by service providers similar to NJFH on similar projects.

4. TERM. This Contract will terminate automatically on December 31, 2023.

5. DEFAULT. The occurrence of any of the following shall constitute a material default under this Contract:

a. The failure to make a required payment when due.

b. The insolvency or bankruptcy of either party.

c. The subjection of any of either party's property to any levy, seizure, general assignment for the benefit of creditors, application or sale for or by any creditor or government agency.

d. The failure to make available or deliver the Services in the time and manner provided for in this Contract.

6. REMEDIES ON DEFAULT. In addition to any and all other rights a party may have available according to law, if a party defaults by failing to substantially perform any provision, term or condition of this Contract (including without limitation the failure to make a monetary payment when due), the other party may

terminate the Contract by providing written notice to the defaulting party. This notice shall describe with sufficient detail the nature of the default. The party receiving such notice shall have 14 days from the effective date of such notice to cure the default(s). Unless waived by a party providing notice, the failure to cure the default(s) within such time period shall result in the automatic termination of this Contract.

7. FORCE MAJEURE. If performance of this Contract or any obligation under this Contract is prevented, restricted, or interfered with by causes beyond either party's reasonable control ("Force Majeure"), and if the party unable to carry out its obligations gives the other party prompt written notice of such event, then the obligations of the party invoking this provision shall be suspended to the extent necessary by such event. The term Force Majeure shall include, without limitation, acts of God, plague, epidemic, pandemic, outbreaks of infectious disease or any other public health crisis, including quarantine or other employee restrictions, fire, explosion, vandalism, storm or other similar occurrence, orders or acts of military or civil authority, or by national emergencies, insurrections, riots, or wars, or strikes, lock-outs, work stoppages, or other labor disputes, or supplier failures. The excused party shall use reasonable efforts under the circumstances to avoid or remove such causes of non-performance and shall proceed to perform with reasonable dispatch whenever such causes are removed or ceased. An act or omission shall be deemed within the reasonable control of a party if committed, omitted, or caused by such party, or its employees, officers, agents, or affiliates.

8. CONFIDENTIALITY. NJFH, and its employees, agents, or representatives will not at any time or in any manner, either directly or indirectly, use for the personal benefit of NJFH, or divulge, disclose, or communicate in any manner, any information that is proprietary to Borough of Kenilworth. NJFH and its employees, agents, and representatives will protect such information and treat it as strictly confidential. This provision will continue to be effective after the termination of this Contract.

Upon termination of this Contract, NJFH will return to Borough of Kenilworth all records, notes, documentation and other items that were used, created, or controlled by NJFH during the term of this Contract.

9. NOTICE. Any notice or communication required or permitted under this Contract shall be sufficiently given if delivered in person or by certified mail, return receipt requested, to the addresses listed above or to such other address as one party may have furnished to the other in writing. The notice shall be deemed received when delivered or signed for, or on the third day after mailing if not signed for.

10. ENTIRE CONTRACT. This Contract contains the entire agreement of the parties regarding the subject matter of this Contract, and there are no other promises or conditions in any other agreement whether oral or written. This Contract supersedes any prior written or oral agreements between the parties.

11. AMENDMENT. This Contract may be modified or amended if the amendment is made in writing and signed by both parties.

12. SEVERABILITY. If any provision of this Contract shall be held to be invalid or unenforceable for any reason, the remaining provisions shall continue to be valid and enforceable. If a court finds that any provision of this Contract is invalid or unenforceable, but that by limiting such provision it would become valid and enforceable, then such provision shall be deemed to be written, construed, and enforced as so limited.

13. WAIVER OF CONTRACTUAL RIGHT. The failure of either party to enforce any provision of this Contract shall not be construed as a waiver or limitation of that party's right to subsequently enforce and compel strict compliance with every provision of this Contract.

14. APPLICABLE LAW. This Contract shall be governed by the laws of the State of New Jersey.

15. SIGNATORIES. This Contract shall be signed on behalf of Borough of Kenilworth by Angela Lazzari RMC,CMR, Borough Clerk and on behalf of NJFH by Dinorah D'Auria PSY D., CEO and effective as of the date first above written.

Service Recipient:
Borough of Kenilworth

By: Angela Lazzari Date: 2/16/2023
Angela Lazzari RMC,CMR
Borough Clerk

Service Provider:
North Jersey Friendship House

By: _____ Date: _____
Dinorah D'Auria PSY D.
CEO

No. 2023- 74

RESOLUTION
KENILWORTH, NJ

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

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

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

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

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

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

1. The Treasurer be authorized to issue a refund check in the amount of One Hundred Five Dollars and Zero Cents ($105.00) made payable to the order of Matthew May, 633 Clinton Avenue, Kenilworth, NJ 07033.

2. The Treasurer is authorized to make the appropriate entries to reflect that the refund was issued.

3. The Chief Financial Officer has certified that sufficient uncommitted funds are available in the 2023 Borough of Kenilworth Temporary Budget to fund the payment of the refund and the fund to be charged shall be _____.

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

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro		✓	✓			
Councilman Pentz			✓			
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch			✓			
ON CONSENT AGENDA	Yes ✓			No __		

Refund bulk 021523

No. 2023-75

RESOLUTION
KENILWORTH, NJ

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

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

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

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

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro		✓	✓			
Councilman Pentz			✓			
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

HR-105-0120

State Health Benefits Program (SHBP)

Local Government Employers

RETIRED RX RESOLUTION

A Resolution to Terminate Participation Under the SHBP for Retired Prescription Drug Coverage Only.

BE IT RESOLVED:

1. The _____ _____
   Name of Employer *SHBP Employer Location Number*

   hereby resolves to terminate its participation in the State Employee Prescription Drug Plan thereby canceling prescription drug coverage provided by the SHBP (N.J.S.A. 52:14-17.25 et seq.) for all its retired employees.

2. We shall notify all retired employees of the date of their termination of coverage under the Program.
3. We understand that we must notify all participants in the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA).
4. We understand that this resolution shall take effect the first of the month following a 60-day period beginning with the receipt of the resolution by the Health Benefits Bureau.
5. We understand that this plan must be comparable in design, as determined by the Commission, to the State Employee Prescription Drug Plan. All Medicare Part D Plans must be Employer Group Wrap Plans (EGWP).

Please complete and comply with the following:

New Prescription Drug Carrier _____

Reason for termination of the State Employee Prescription Drug Plan _____

_____

_____

_____

In accordance with N.J.S.A. 40A:10-25, you must file a copy of your new contract with the Health Benefits Bureau. Please submit a copy of the new contract with this completed resolution.

I hereby certify that the foregoing is a true and correct copy of a resolution duly adopted by the:

_____ ____/____/____
Corporate Name of Employer *mm dd yyyy*

_____
Street Address *City* *State* *Zip Code*

_____ _____
Area Code *Telephone Number* *Employer's State Employer Identification Number (EIN)*

_____ _____
Signature *Official Title*

Mail Completed Resolution to: **New Jersey Division of Pensions & Benefits**
Health Benefits Bureau
P.O. Box 299
Trenton, NJ 08625-0299

No. 2023- 76

RESOLUTION
KENILWORTH, NJ

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

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

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Kenilworth, County of Union, State of New Jersey that the firm Triarsi, Betancourt, Wukovits & Dugan, LLC be and is hereby appointed to the position of Tax Appeal Attorney of the Borough, effective January 1, 2023, for a term of one (1) year set to expire December 31, 2023; and

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

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

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

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

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro		✓	✓			
Councilman Pentz			✓			
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 77

RESOLUTION
KENILWORTH, NJ

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

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

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

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

1. Effective February 21, 2023 **Christopher Burns** be appointed **Administrative Assistant** at a rate of $45,000 per annum, scheduled to work thirty-five (35) hours per week, 7:30am to 3:30 pm Monday through Friday.
2. As a full-time employee, Christopher Burns be eligible for the Borough full-time employee benefits including medical, dental, vision and prescription plans with employee contributions subject to Chapter 78.
3. As a full-time employee, Christopher Burns will be entitled to two (2) weeks vacation, two (2) personal days, and five (5) sick days per year as well as the observed paid holidays of the Borough.
4. That as of September 1, 2018, full time employees not otherwise covered by a collective bargaining agreement or under the auspices of an autonomous/quasi-autonomous are eligible to receive a $1,000.00 per annum, prorata, deduction from their predetermined annual health care premium contribution and in accordance with New Jersey State Statute, Chapter 2, P.L. 2010 which sets minimum contribution of 1.5% of salary towards the health benefits costs.
5. This offer of employment is contingent upon successful completion of medical release, criminal and background checks. This position is also subject to a six (6) month probationary period which will begin on the first date of employment.

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

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

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro		✓	✓			
Councilman Pentz			✓			
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch			✓			
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023-78

RESOLUTION
KENILWORTH, NJ

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

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

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

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

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

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

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

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro		✓	✓			
Councilman Pentz			✓			
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No ___		

No. 2023-79

RESOLUTION
KENILWORTH, NJ

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

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

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

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

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

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

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

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro		✓	✓			
Councilman Pentz			✓			
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 80

RESOLUTION
KENILWORTH, NJ

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

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

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

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

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

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

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro		✓	✓			
Councilman Pentz			✓			
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 81

RESOLUTION
KENILWORTH, NJ

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

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

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

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

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

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

2. In accordance with N.J.S.A. § 52:14-17.38(b), and State of New Jersey having been duly audited and found to be correct, are hereby ordered paid, and that warrants be drawn for the necessary obligations by the Chief Finance Officer (CFO) prior to the next regularly scheduled Council Meeting.
3. In the event of the CFO's absence, the Governing Body authorizes Assistant Finance Officer Lisa Wood to carry out the duties and responsibilities of the CFO as outlined in Borough Code Chapter 5-4.
4. The CFO has certified that sufficient uncommitted funds are available in the 2023 Borough of Kenilworth Temporary Budget to fund the payment of the following bills attached hereto and made a part of this resolution.

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

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro		✓	✓			
Councilman Pentz			✓			
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch			✓			
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 82

RESOLUTION
KENILWORTH, NJ

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

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

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

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

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

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

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro		✓	✓			
Councilman Pentz			✓			
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 83

RESOLUTION
KENILWORTH, NJ

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

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

WHEREAS, Dave Greenhill is qualified to hold that position; and

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

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

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

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

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

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro		✓	✓			
Councilman Pentz			✓			
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 84

RESOLUTION
KENILWORTH, NJ

BE IT RESOLVED, by the Borough of Kenilworth, County of Union, New Jersey, that the attached summary of bills in the total amount of $2,786,788.86p, having been duly audited and found to be correct, are hereby ordered paid and that warrants be drawn for the necessary obligations by the Chief Finance Officer (CFO) prior to the next regularly scheduled Council Meeting.

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

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

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **March 1, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella		✓	✓			
Councilman Mauro			✓			
Councilman Pentz			✓			
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch			✓			
ON CONSENT AGENDA	Yes ✓			No __		

Totals by Year-Fund Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND	2-01	158,603.70	0.00	0.00	158,603.70
CURRENT FUND	3-01	1,896,486.16	0.00	0.00	1,896,486.16
GENERAL CAPITAL	C-04	240,651.00	0.00	0.00	240,651.00
GENERAL TRUST	T-03	250.00	0.00	0.00	250.00
COMMUNITY DEVELOPMENT	T-06	798.00	0.00	0.00	798.00
Year Total:		1,048.00	0.00	0.00	1,048.00
Total Of All Funds:		2,296,788.86	0.00	0.00	2,296,788.86

Wires $490,000.00

POs $2,296,788.86

TOTAL of ALL FUNDS $2,786,788.86

0.*

POs 2,296,788.86+
Wires 490,000.00+
002
Total 2,786,788.86*+

0.*

No. 2023-85

RESOLUTION
KENILWORTH, NJ

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, the Borough of Kenilworth has been awarded CARES grant funds from the County of Union and has the need on a timely basis to purchase goods or services utilizing State contracts for the purpose of a roof restoration at the Kenilworth Senior Center; and

WHEREAS, the Borough of Kenilworth intends to enter into contracts with: Weatherproofing Technologies, Inc., 3735 Green Road, Beachwood, OH 44122 through this resolution and properly executed contract, which shall be subject to all the conditions applicable to the current State Cooperative Purchasing contracts;

NOW THREFORE BE IT RESOLVED, that the Borough of Kenilworth authorizes the award and purchase of a roof restoration at the Kenilworth Senior Center through New Jersey State Cooperative Purchasing Contract #: Roofing & Envelope Services Bid #ESCNJ/AEPA 21D for the total amount not to exceed $107,000.00 pursuant to all conditions of the individual State contracts; and

BE IT FURTHER RESOLVED, that the Borough of Kenilworth's Chief Financial Officer has certified that sufficient uncommitted funds are available in the 2023 Borough of Kenilworth Temporary Budget for the purposes set forth herein and the fund to be charged shall be _____.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **March 1, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella		✓	✓			
Councilman Mauro			✓			
Councilman Pentz			✓			
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch				✓		
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 86

RESOLUTION
KENILWORTH, NJ

WHEREAS, on January 4, 2023, the Borough of Kenilworth Municipal Council adopted Resolution 2023-45, contracting MARCO ANTONIO STUDIO to videotape and edit two DVD's of the Borough of Kenilworth Council Meetings for the year 2023 at a rate of $125 per hour (editing fee of $55 per meeting/event), not to exceed $5,000 for the year; and

WHEREAS, Resolution 2023-45 incorrectly stated the rate as $125 per hour (editing fee of $55 per meeting/event); and

WHEREAS, the Borough wishes to amend Resolution 2023-45 to correct the rate that would be paid to MARCO ANTONIO STUDIO.

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

1. Resolution 2023-45 is hereby amended to correct the rate for MARCO ANTONIO STUDIO for videotaping services as follows:

   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 2023 at a rate of $150 per hour plus an additional editing fee of $55 per meeting/event, not to exceed $5,000 for the year.

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

3. This resolution shall be ratified back to January 1, 2023.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **March 1, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro			✓			
Councilman Pentz			✓			
Councilman Pugliese			✓			
Councilman Scorese		✓	✓			
Councilman Zimmerman	✓		✓			
Mayor Linda Karlovitch						✓
ON CONSENT AGENDA	Yes _			No ✓		

No. 2023- 87

RESOLUTION
KENILWORTH, NJ

BE IT RESOLVED, by the Borough of Kenilworth, County of Union, New Jersey, that the attached summary of bills in the total amount of $1,077,660.31, 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 2023 Borough of Kenilworth Temporary Budget to fund the payment of the following bills attached hereto and made a part of this resolution.

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

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro	✓		✓			
Councilman Pentz			✓			
Councilman Pugliese			✓			
Councilman Scorese			✓			
Councilman Zimmerman		✓	✓			
Mayor Linda Karlovitch				✓		
ON CONSENT AGENDA	Yes ✓			No __		

Totals by Year-Fund Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND	2-01	28,179.34	0.00	0.00	28,179.34
CURRENT FUND	3-01	744,415.74	0.00	0.00	744,415.74
GENERAL CAPITAL	C-04	111,571.28	0.00	0.00	111,571.28
GRANTS	G-02	2,550.00	0.00	0.00	2,550.00
GENERAL TRUST	T-03	10,335.16	0.00	0.00	10,335.16
COMMUNITY DEVELOPMENT	T-06	18.00	0.00	0.00	18.00
ANIMAL CONTROL TRUST	T-15	242.60	0.00	0.00	242.60
Year Total:		10,595.76	0.00	0.00	10,595.76
Total Of All Funds:		897,312.12	0.00	0.00	897,312.12

POs = $897,312.12

Wires = $180,348.19

TOTAL OF ALL FUNDS = $1,077,660.31

No. 2023- 88

RESOLUTION
KENILWORTH, NJ

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

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

WHEREAS, the governing body now wishes to appoint the firm Dasti & Associates, PC, who submitted a proposal for the position in a timely manner and was deemed qualified, price and other factors considered, as Redevelopment Attorney to the Borough; and

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

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

WHEREAS, the firm Dasti & Associates, PC shall perform all services as 2023 Redevelopment Attorney of the Borough consistent with their response submitted to the Request for Proposals ("RFP").

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Kenilworth, County of Union, State of New Jersey that the firm Dasti & Associates, PC be and is hereby appointed to the position of Redevelopment Attorney of the Borough, effective January 1, 2023, for a term of one (1) year set to expire December 31, 2023; and

BE IT FURTHER RESOLVED, that the Mayor and/or her designee shall be hereby authorized and directed to execute a professional services agreement for the services of Dasti & Associates, PC. Said agreement is awarded in compliance with rules and restrictions of N.J.S.A. 19:44A-20.5; and

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

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

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

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro	✓		✓			
Councilman Pentz			✓			
Councilman Pugliese			✓			
Councilman Scorese			✓			
Councilman Zimmerman		✓	✓			
Mayor Linda Karlovitch			✓			
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 89

RESOLUTION
KENILWORTH, NJ

WHEREAS, the Mayor and Council are planning to hold an event on the Boulevard on Sunday, May 21, 2023; and

WHEREAS, JC Promotions, will supply, contract, coordinate approximately 100+ vendors, provide amusements, live entertainment, obtain the appropriate permits through the Board of Health and Kenilworth Fire Department and provide porta sans; and

WHEREAS, JC Promotions will provide the Borough of Kenilworth a certificate of liability insurance, with the Borough of Kenilworth as additional insured; and

WHEREAS, the Governing Body of the Borough of Kenilworth and Kenilworth Police Chief have approved this event which will necessitate the closing of the Boulevard as follows:

Closing of the Boulevard from 24th Street to 14th Street
Sunday, May 21, 2023 from 7:00 A.M. to 7:00 P.M. for the Kenilworth Street Fair.

THEREFORE, BE IT RESOLVED, that the Mayor and Clerk be authorized to enter into agreement with JC Promotions, Inc. of 117 Prospect Ave., North Arlington, NJ 07031.

BE IT FURTHER RESOLVED, that the Mayor and Council of the Borough of Kenilworth request the approval of the Union County Board of Chosen Freeholders for the closing of the Boulevard for the above event.

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

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro	✓		✓			
Councilman Pentz			✓			
Councilman Pugliese			✓			
Councilman Scorese			✓			
Councilman Zimmerman		✓	✓			
Mayor Linda Karlovitch			✓			
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 90

RESOLUTION
KENILWORTH, NJ

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, the Kenilworth Volunteer Fire Department and Rescue Squad, located at 491 Washington Ave, Kenilworth, NJ wishes to donate a new ping pong table to the Borough for use at the Kenilworth Senior Citizens Center; and

WHEREAS, the ping pong table to be donated has an approximate value of $600.00; 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 donation - as set forth above – which shall be for use at the Kenilworth Senior Citizens Center.

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

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

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro	✓		✓			
Councilman Pentz			✓			
Councilman Pugliese			✓			
Councilman Scorese			✓			
Councilman Zimmerman		✓	✓			
Mayor Linda Karlovitch				✓		
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 91

RESOLUTION
KENILWORTH, NJ

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 cancelled.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Kenilworth as follows:

1. That the Chief Finance Officer be and is hereby directed to take all necessary steps to cancel the following Grant Receivable and Reserve balance:

GRANT NAME	RECEIVABLE AMOUNT	RESERVE AMOUNT
Kids Recreation Grant*	$49,969.25	$49,969.25

*Various balances Grant Years 2015-2021

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

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro	✓		✓			
Councilman Pentz			✓			
Councilman Pugliese			✓			
Councilman Scorese			✓			
Councilman Zimmerman		✓	✓			
Mayor Linda Karlovitch			✓			
ON CONSENT AGENDA	Yes ✓			No __		

#3188573

No. 2023- 92

RESOLUTION
KENILWORTH, NJ

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 reserves over and above the amount deemed necessary to fulfill the purposes of such appropriations, and

WHEREAS, N.J.SA. 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 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:

ACCOUNT NAME	FROM:	TO:
Clerk S/W	16,000.00	
Finance S/W	10,000.00	
Zoning OE	20,000.00	
Construction S/W	20,000.00	
Plumbing Inspector S/W	2,000.00	
Fire Subcode S/W	2,000.00	
Fire Prevention S/W	4,000.00	
Police S/W	21,000.00	
Traffic Police S/W	15,000.00	
Public Works S/W	30,000.00	
Solid Waste S/W	13,000.00	
Sr. Citizen Transport S/W	16,000.00	
Sr. Citizen Programs S/W	9,000.00	
Board of Health S/W	15,000.00	
Utilities OE	40,000.00	
Utilities-Fire Hydrant	8,000.00	
Utilities-Street Lighting	20,000.00	
Utilities-Tipping Fees	50,000.00	
Court S/W	17,000.00	
Social Security	15,000.00	
Planning Board OE	19,000.00	
Animal Control	9,000.00	
Recycling OE	35,000.00	
Sewer OE	5,000.00	

BE IT FURTHER RESOLVED, that a copy of this resolution be filed forthwith with the Chief Financial Officer.

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

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro	✓		✓			
Councilman Pentz			✓			
Councilman Pugliese			✓			
Councilman Scorese			✓			
Councilman Zimmerman		✓	✓			
Mayor Linda Karlovitch				✓		
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 93

RESOLUTION
KENILWORTH, NJ

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 115 L 9.01	40 So. 20th St. Kenilworth, NJ 07033	Corelogic Tax Services Attn: Centralized Refunds P. O. Box 9202 Coppell, TX 75019	3,184.74	2023	2

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

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

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

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro	✓		✓			
Councilman Pentz			✓			
Councilman Pugliese			✓			
Councilman Scorese			✓			
Councilman Zimmerman		✓	✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

has certified that Anthony Almeida has satisfactorily completed his one-year probationary period.

NOW THEREFORE BE IT RESOLVED, that Police Officer Anthony Almeida, having completed his probationary period and upon the recommendation of Police Chief Soos, be appointed a permanent police officer in the Kenilworth Police Department.

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

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro	✓		✓			
Councilman Pentz			✓			
Councilman Pugliese			✓			
Councilman Scorese			✓			
Councilman Zimmerman		✓	✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 95

RESOLUTION
KENILWORTH, NJ

WHEREAS, Kenilworth Police Officer Marcus Trotman was appointed Probationary Police Officer by the Kenilworth governing body effective January 7, 2022; and

WHEREAS, Pursuant to Chapter 39-5 of the Borough Code, Kenilworth Police Chief Soos has certified that Marcus Trotman has satisfactorily completed his one-year probationary period.

NOW THEREFORE BE IT RESOLVED, that Police Officer Marcus Trotman, having completed his probationary period and upon the recommendation of Police Chief Soos, be appointed a permanent police officer in the Kenilworth Police Department.

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

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro	✓		✓			
Councilman Pentz			✓			
Councilman Pugliese			✓			
Councilman Scorese			✓			
Councilman Zimmerman		✓	✓			
Mayor Linda Karlovitch				✓		
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023-96

RESOLUTION
KENILWORTH, NJ

WHEREAS, Kenilworth Police Officer Arturo Gonzales was appointed Probationary Police Officer by the Kenilworth governing body effective January 7, 2022; and

WHEREAS, Pursuant to Chapter 39-5 of the Borough Code, Kenilworth Police Chief Soos has certified that Arturo Gonzales has satisfactorily completed his one-year probationary period.

NOW THEREFORE BE IT RESOLVED, that Police Officer Arturo Gonzales, having completed his probationary period and upon the recommendation of Police Chief Soos, be appointed a permanent police officer in the Kenilworth Police Department.

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

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro	✓		✓			
Councilman Pentz			✓			
Councilman Pugliese			✓			
Councilman Scorese			✓			
Councilman Zimmerman		✓	✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 97

RESOLUTION
KENILWORTH, NJ

WHEREAS, Marcos Alvarado was hired as a part-time seasonal driver/laborer with the Kenilworth Department of Public Works effective October 24, 2022; and

WHEREAS, Marcos Alvarado currently holds his Class A Commercial Driver's License; and

WHEREAS, the Superintendent of Public Works has confirmed that Marcos Alvarado has successfully completed his probationary period; and

WHEREAS, the Superintendent of Public Works has recommended Marcos Alvarado be employed as a full-time Laborer/Driver CDL "A" in the Department of Public Works.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Kenilworth, County of Union, State of New Jersey, that Marcos Alvarado be hired as a LABORER / DRIVER CDL "A" at a rate of $30.00 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 2023 Borough of Kenilworth Temporary Budget.

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

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro	✓		✓			
Councilman Pentz			✓			
Councilman Pugliese			✓			
Councilman Scorese			✓			
Councilman Zimmerman		✓	✓			
Mayor Linda Karlovitch				✓		
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023-98

PULLED

RESOLUTION
KENILWORTH, NJ

BE IT HEREBY RESOLVED: that **Mary Ann Gasper** be appointed to fill the unexpired vacancy as the Mayor's Designee to the Library Board of Trustees for a term expiring 12/31/25, be and the same is hereby confirmed.

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

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella						
Councilman Mauro						
Councilman Pentz						
Councilman Pugliese						
Councilman Scorese						
Councilman Zimmerman						
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes _			No __		

No. 2023- 99

RESOLUTION
KENILWORTH, NJ

WHEREAS, the provisions of the Open Public Meetings Act (N.J.S.A.10:4-1 et seq.) expressly provide that a public body may move into Executive Session and exclude the public from that portion of a meeting at which the public body discusses any of the nine areas set forth in N.J.S.A.10:4-12b; and

WHEREAS, the Borough Council of the Borough of Kenilworth has determined it necessary to move into Executive Session to discuss the following subjects, all of which are included in the aforesaid exceptions:

1. Pending Litigation — Rica v. Borough of Kenilworth

NOW THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Kenilworth that it does hereby move into Executive Session pursuant to N.J.S.A.10:4-12b to discuss the aforesaid matters; and

IT IS FURTHER RESOLVED that the aforesaid discussions shall be made public either at the Public Meeting following said Executive Session or at such time as any litigated or personnel matters are concluded; or upon conclusion of any negotiations or related discussions; or as otherwise specified.

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

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro		✓	✓			
Councilman Pentz			✓			
Councilman Pugliese			✓			
Councilman Scorese			✓			
Councilman Zimmerman	✓		✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes _			No ✓		

No. 2023-100

RESOLUTION
KENILWORTH, NJ

BE IT HEREBY RESOLVED, by the Borough Council of the Borough of Kenilworth in the County of Union, State of New Jersey does hereby accept Mark Semeraro, Esq. to process the Rica v. Kenilworth matter on behalf of the Borough of Kenilworth.

BE IT FURTHER RESOLVED, this representation is subject to a conflict of interest check by Mr. Semeraro's firm as required by law.

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

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro		✓	✓			
Councilman Pentz			✓			
Councilman Pugliese			✓			
Councilman Scorese			✓			
Councilman Zimmerman	✓		✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes _			No ✓		

No. 2023- 101

RESOLUTION
KENILWORTH, NJ

BE IT RESOLVED, by the Borough of Kenilworth, County of Union, New Jersey, that the attached summary of bills in the total amount of $10,611,073.27, 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 2023 Borough of Kenilworth Temporary Budget to fund the payment of the following bills attached hereto and made a part of this resolution.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **April 5, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella	✓		✓			
Councilman Mauro			✓			
Councilman Pentz		✓	✓			
Councilman Pugliese			✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

Totals by Year-Fund Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND	2-01	3,237.40	0.00	0.00	3,237.40
CURRENT FUND	3-01	2,097,889.25	0.00	0.00	2,097,889.25
GENERAL CAPITAL	C-04	126,890.63	0.00	0.00	126,890.63
GRANTS	G-02	38,836.00	0.00	0.00	38,836.00
GENERAL TRUST	T-03	250,000.00	0.00	0.00	250,000.00
COMMUNITY DEVELOPMENT	T-06	1,058.00	0.00	0.00	1,058.00
Year Total:		251,058.00	0.00	0.00	251,058.00
Total Of All Funds:		2,517,911.28	0.00	0.00	2,517,911.28

POs = $2,517,911.28

Wires = $ 8,093,161.99

TOTAL OF ALL FUNDS = $ 10,611,073.27

No. 2023- 102

RESOLUTION
KENILWORTH, NJ

BE IT RESOLVED: That the Mayor's appointment of **SHIRLEY MAXWELL** as Municipal Drug Alliance Coordinator for the year 2023, be and the same is hereby confirmed.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **April 5, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella	✓		✓			
Councilman Mauro			✓			
Councilman Pentz		✓	✓			
Councilman Pugliese			✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch				✓		
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 103

RESOLUTION
KENILWORTH, NJ

BE IT HEREBY RESOLVED: that **Mary Ann Gasper** be appointed to fill the unexpired vacancy as the Mayor's Designee to the Library Board of Trustees for a term expiring 12/31/25, be and the same is hereby confirmed.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **April 5, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella	✓		✓			
Councilman Mauro			✓			
Councilman Pentz		✓	✓			
Councilman Pugliese			✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 104

RESOLUTION
KENILWORTH, NJ

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 Michael Scuderi has submitted a list of Fire Department and Rescue Squad members that qualify for the 2022 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 2022 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.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **April 5, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella	✓		✓			
Councilman Mauro			✓			
Councilman Pentz		✓	✓			
Councilman Pugliese			✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch				✓		
ON CONSENT AGENDA	Yes ✓			No __		

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 13, 2023

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 2022:

Adorno, K
Alvarez, B
Alexander, M
Cantalupo, J
Davies, A
Deluca, A
Fugett, J
Fuquay, C
Giordino, C
Giordino, L
Hannon, Jr. J
Hannon, III J
Howarth, T
Jean, J
Kopyta, C
Krill, D
Kukla, R
Krueger, W
Levchuk, R
Loffa, A
Lotfy, A
Mauro, D
Mauro, J
Mauro, R
McHale, J
Ott, R
Padula, J
Peters, J
Scheper, C
Scuderi, M
Sesselman, C
Smith, J
Soos, B
Spranger, D
Steitz, E
Toro, J
Worst, D
Yosurack, J

Please contact me regarding any member that is not registered and I will notify them.

Regards,

Michael Scuderi
Fire Chief

RECEIVED
MAR 20 2023
BOROUGH OF KENILWORTH
KENILWORTH, NJ 07033

Cc: Jill Goode, CFO
Ken Blum, Assistant CFO
Angela Lazzari, Boro Clerk

No. 2023-105

RESOLUTION
KENILWORTH, NJ

WHEREAS, the Borough of Kenilworth held a tax sale on December 8, 2022 for delinquent 2021 property taxes, and a tax lien was purchased by Pro Cap 8 FBO Firstrust Bank for the property located at 656 No. Michigan Avenue, Kenilworth, NJ, and

WHEREAS, Heritage Abstract Company 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 $250,000 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 #22-00001 by the Collector of Taxes:

Pro Cap 8 FBO Firstrust Bank
P. O. Box 774
Fort Washington, PA 19034-0774

REDEMPTION AMOUNT - $ 137,050.74

PREMIUM TRUST ACCOUNT - $ 250,000.00

Treasurer's Note: 1099 = $10,508.23

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **April 5, 2023.**

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella	✓		✓			
Councilman Mauro			✓			
Councilman Pentz		✓	✓			
Councilman Pugliese			✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch				✓		
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 106

RESOLUTION
KENILWORTH, NJ

WHEREAS, on February 1, 2023, the Borough of Kenilworth Municipal Council adopted Resolution 2023-73, authorizes the award and purchase to replace the boiler and two (2) Trane split system air conditioners at the Kenilworth Senior Center through New Jersey State Cooperative Purchasing Contract #65MCESCCPS for the total amount not to exceed $62,682.00 pursuant to all conditions of the individual State contracts; and

WHEREAS, additional work was necessary to support the HVAC repairs scheduled; and

WHEREAS, the Borough wishes to amend Resolution 2023-73 to include the installation of four (4) air purifiers, as well as additional work to support the new HVAC system.

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

1. Resolution 2023-73 is hereby amended to authorize the award and purchase to replace the boiler and two (2) Trane split system air conditioners, install four (4) air purifiers, and provide additional work to support the new HVAC system at the Kenilworth Senior Center through New Jersey State Cooperative Purchasing Contract #65MCESCCPS for the total amount not to exceed $90,000.00 pursuant to all conditions of the individual State contracts.

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

3. This resolution shall be ratified back to February 1, 2023.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **April 5, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella	✓		✓			
Councilman Mauro			✓			
Councilman Pentz		✓	✓			
Councilman Pugliese			✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 107

RESOLUTION
KENILWORTH, NJ

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

Name	**Appointment**
Kathleen Matier	EMT

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

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **April 5, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella	✓		✓			
Councilman Mauro			✓			
Councilman Pentz		✓	✓			
Councilman Pugliese			✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch				✓		
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 108

RESOLUTION
KENILWORTH, NJ

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 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 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 Council does hereby authorize submission of an application for DMHAS Grant funding for the Kenilworth Municipal Alliance for Grant Term Two (09/01/2023 – 09/30/2025) in the amount of:

   DMHAS Grant Funding$3,403.00

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

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **April 5, 2023**.

Angela Lazzari

Linda Karlovitch, Mayor

Angela Lazzari, Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella	✓		✓			
Councilman Mauro			✓			
Councilman Pentz		✓	✓			
Councilman Pugliese			✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 109

RESOLUTION
KENILWORTH, NJ

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 $9,445.00 for the FY 2024, with a Borough cash match of 25% of the DEDR allocation ($2,361.00) and an in-kind match of 75% of the DEDR allocation ($7,084.00) required; and

WHEREAS, the County of Union has requested that the Borough submit an application Form 1A and strategic plan Form 1B for the Kenilworth Municipal Alliance.

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 DEDR Grant Funds in the amount of $9,445.00 for FY 2024 for the Kenilworth Municipal Alliance, with a Borough cash match of 25% of the DEDR allocation ($2,361.00) and an in-kind match of 75% of the DEDR allocation ($7,084.00) required.

2. The Mayor and/or her designee are hereby authorized to submit an application Form 1A and strategic plan Form 1B 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 ($2,361.00) and an in-kind match of 75% of the DEDR allocation ($7,084.00) 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 2023 Borough of Kenilworth Budget to fund the payment of the cash match portion of the grants.

No. 2023- 109

RESOLUTION
KENILWORTH, NJ

6. The Mayor and/or her designee shall file a fully-executed copy of the grant application Form 1A, strategic plan Form 1B 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

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **April 5, 2023**.

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella	✓		✓			
Councilman Mauro			✓			
Councilman Pentz		✓	✓			
Councilman Pugliese			✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023-110

RESOLUTION
KENILWORTH, NJ

WHEREAS, Kerry Senica has notified the Borough of Kenilworth of her intention to resign from the Borough of Kenilworth DPW Department effective **March 31, 2023**; and

WHEREAS, the Chief Finance Officer has certified that Michael Balka is entitled to buyout pay as per the Kenilworth Personnel Policy, as follows;

Type	# of days	Daily Rate	Total
Accumulated	2.5	$175.51	$438.78
Sick	2	$175.51	$351.02
Vacation Days *(pro-rated)*	4.75	$175.51	$833.67
Total Due	**9.25**		**$1,623.47**

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.

BE IT FURTHER RESOLVED, that the CFO has certified that sufficient uncommitted funds are available in the 2023 Borough of Kenilworth Temporary Budget Account # 3-01-27-785-011.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **April 5, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella	✓		✓			
Councilman Mauro			✓			
Councilman Pentz		✓	✓			
Councilman Pugliese			✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 111

Pulled

RESOLUTION
KENILWORTH, NJ

WHEREAS, upon notice duly provided pursuant to Municipal Land Use Law, pursuant to to N.J.S.A. 40:55D-89, on March 23, 2023, the Planning Board held a special public hearing on the March 2023 Master Plan Reexamination Report, prepared by Kevin O'Brien, Board Planner, and adopted the Master Plan Reexamination Report on that same day; and

WHEREAS, a true copy of the resolution of the Planning Board adopting the Master Plan Reexamination Report is attached hereto and made a part hereof; and

WHEREAS, the Borough Council of the Borough of Kenilworth wishes to endorse the March 2023 Master Plan Reexamination Report.

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

1. That it hereby endorses the March 2023 Master Plan Reexamination Report, which is attached hereto and made a part hereof, as adopted by the Borough of Kenilworth Planning Board.

2. That it hereby authorizes the preparation of any and all required zoning ordinances to implement the developments identified in the Master Plan Reexamination Report.

3. That it authorizes and directs all appropriate Borough representatives to take actions required to implement the terms of the Master Plan Reexamination Report, along with any additional documents deemed necessary or desirable.

4. That it reserves the right to conduct further reexaminations of the Borough Master Plan as may be deemed necessary.

5. That the Borough Clerk is directed to publish and/or provide copies of this Resolution as may be required by law.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **April 5, 2023**.

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella						
Councilman Mauro						
Councilman Pentz						
Councilman Pugliese						
Councilman Scorese						
Councilman Zimmerman						
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes /		No __			

No. 2023- 112

RESOLUTION
KENILWORTH, NJ

WHEREAS, there exists a vacancy in the position of Superintendent of Public Works effective March 21, 2023; and

WHEREAS, the appointment of DPW Lead Foreman Dominick LaTorre as Acting Superintendent of Public Works is in the best interest of the Borough; and

WHEREAS, the Interim Superintendent appointment will not preclude Lead Foreman Dominick LaTorre from returning to the designated position of Lead Foreman.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Kenilworth in the County of Union, State of New Jersey that it hereby ratifies the appointment of Dominick LaTorre as the Borough's Interim Superintendent of Public Works.

BE IT FURTHER RESOLVED, that this appointment shall be effective April 5, but shall expire upon the permanent appointment ratified by the Borough Council.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **April 5, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella	✓		✓			
Councilman Mauro			✓			
Councilman Pentz		✓	✓			
Councilman Pugliese			✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch			✓			
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 113
Pulled

RESOLUTION
KENILWORTH, NJ

WHEREAS, the Borough of Kenilworth operates a Department of Public Works "DPW" serving the citizens of the of Kenilworth for the provision of public works services; and

WHEREAS, the position of Superintendent is vacant and in the best interest of the Borough the Mayor is recommending the appointment of _____ as **Superintendent of the Public Works** Department pursuant to NJSA 40A:9-154.6g7c.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Kenilworth, County of Union, State of New Jersey that the Mayor and Borough Clerk are authorized and directed to execute the contract, which conforms in substance, between the Borough of Kenilworth and _____ as **Superintendent of Public Works** effective _____ at a salary of $_____ per annum (pro-rated).

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

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **April 5, 2023**.

_____
Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella						
Councilman Mauro						
Councilman Pentz						
Councilman Pugliese						
Councilman Scorese						
Councilman Zimmerman						
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes _			No __		

No. 2023- 114

RESOLUTION
KENILWORTH, NJ

WHEREAS, the provisions of the Open Public Meetings Act (N.J.S.A.10:4-1 et seq.) expressly provide that a public body may move into Executive Session and exclude the public from that portion of a meeting at which the public body discusses any of the nine areas set forth in N.J.S.A.10:4-12b; and

WHEREAS, the Borough Council of the Borough of Kenilworth has determined it necessary to move into Executive Session to discuss the following subjects, all of which are included in the aforesaid exceptions:

1. **Personnel Issues — Superintendent of Public Works**
2. **Attorney/Client Communications and Potential Contract Negotiations**

NOW THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Kenilworth that it does hereby move into Executive Session pursuant to N.J.S.A.10:4-12b to discuss the aforesaid matters; and

IT IS FURTHER RESOLVED that the aforesaid discussions shall be made public either at the Public Meeting following said Executive Session or at such time as any litigated or personnel matters are concluded; or upon conclusion of any negotiations or related discussions; or as otherwise specified.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **April 5, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro			✓			
Councilman Pentz		✓	✓			
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes _			No ✓		

No. 2023- 115

RESOLUTION
KENILWORTH, NJ

BE IT HEREBY RESOLVED, that **Steven Dunn** be appointed as Kenilworth's **Alternate** representative to the Union County Transportation Advisory Board for a term to expire on December 31, 2023.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **April 5, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro			✓			
Councilman Pentz			✓			
Councilman Pugliese		✓	✓			
Councilman Scorese			✓			
Councilman Zimmerman	✓		✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes _			No ✓		

No. 2023- 116
Pulled

RESOLUTION
KENILWORTH, NJ

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 2023; 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 2023.

2. The Governing body of the Borough of Kenilworth's approval of the introduction of the attached Budget for the year 2023 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 2023 will be held on May 17, 2023, at 6:00PM 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 2023 shall be published in the Local Source in the issue of April 27, 2023, which constitutes ten days prior to second hearing on May 17, 2023, 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).

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **April 19, 2023**.

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella						
Councilman Mauro						
Councilman Pentz						
Councilman Pugliese						
Councilman Scorese						
Councilman Zimmerman						
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes _			No __		

2023 Municipal Budget

BOROUGH OF KENILWORTH, COUNTY OF UNION
FOR THE CALENDAR YEAR ENDED DECEMBER 31, 2023

Revenue and Appropriation Summaries

Summary of Revenues - Current Fund	Anticipated	
	2023	2022
1. Surplus	2,000,000.00	2,000,000.00
2. Total Miscellaneous Revenues	2,222,509.20	2,300,655.39
3. Receipts from Delinquent Taxes	268,000.00	250,000.00
4. a) Local Tax for Municipal Purposes	14,277,480.68	13,070,165.00
4. b) Minimum Library Tax	711,904.00	592,003.00
Total General Revenues	19,479,893.88	18,212,823.39

Summary of Appropriations - Current Fund	2023 Budget	Final 2022 Budget
1. Operating Expenses: Salaries & Wages	6,101,188.00	5,899,075.00
Other Expenses	9,247,772.98	8,557,738.50
2. Deferred Charges & Other Appropriations	1,854,804.40	1,726,100.40
3. Capital Improvements	60,000.00	60,000.00
4. Debt Service	1,288,337.50	1,091,637.49
5. Reserve for Uncollected Taxes	927,791.00	878,272.00
Total General Appropriations	19,479,893.88	18,212,823.39
Total Number of Employees - Full & Part Time	121	125

Balance of Outstanding Debt	
	General
Bond Principal	4,635,000.00
Bond Interest	366,968.75
Outstanding Balance	5,001,968.75

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 April 19, 2023.

A hearing on the budget and tax resolution will be held at the Municipal Building on May 17, 2023 at 6:00 (PM) at which time and place objections to the Budget and Tax Resolution for the year 2023 may be presented by taxpayers or other interested persons.

Copies of the detailed budget are available in the office of Angela Lazzari, 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.).

No. 2023- 117

Pulled

RESOLUTION
KENILWORTH, NJ

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 APRIL 19, 2023.

WHEREAS on April 19, 2023, the Borough of Kenilworth ("Borough") conducted the sale of municipal property no longer needed by the Township in accordance with Ordinance 2023-4; and

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.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **April 19, 2023**.

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella						
Councilman Mauro						
Councilman Pentz						
Councilman Pugliese						
Councilman Scorese						
Councilman Zimmerman						
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes _			No __		

No. 2023- 118
Pulled

RESOLUTION
KENILWORTH, NJ

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 APRIL 19, 2023.

WHEREAS on April 19, 2023, the Borough of Kenilworth ("Borough") conducted the sale of municipal property no longer needed by the Township in accordance with Ordinance 2023-5; and

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.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **April 19, 2023**.

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella						
Councilman Mauro						
Councilman Pentz						
Councilman Pugliese						
Councilman Scorese						
Councilman Zimmerman						
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes _			No __		

No. 2023- 119

Pulled

RESOLUTION
KENILWORTH, NJ

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 APRIL 19, 2023.

WHEREAS on April 19, 2023, the Borough of Kenilworth ("Borough") conducted the sale of municipal property no longer needed by the Township in accordance with Ordinance 2023-6; and

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.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **April 19, 2023**.

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella						
Councilman Mauro						
Councilman Pentz						
Councilman Pugliese						
Councilman Scorese						
Councilman Zimmerman						
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes _			No __		

No. 2023- 120
Pulled

RESOLUTION
KENILWORTH, NJ

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 APRIL 19, 2023.

WHEREAS on April 19, 2023, the Borough of Kenilworth ("Borough") conducted the sale of municipal property no longer needed by the Township in accordance with Ordinance 2023-7; and

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.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **April 19, 2023**.

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella						
Councilman Mauro						
Councilman Pentz						
Councilman Pugliese						
Councilman Scorese						
Councilman Zimmerman						
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes _			No __		

No. 2023- 121

RESOLUTION
KENILWORTH, NJ

BE IT RESOLVED, by the Borough of Kenilworth, County of Union, New Jersey, that the attached summary of bills in the total amount of $472,847.69, having been duly audited and found to be correct, are hereby ordered paid and that warrants be drawn for the necessary obligations by the Chief Finance Officer (CFO) prior to the next regularly scheduled Council Meeting.

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

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

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **April 19, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro			✓			
Councilman Pentz		✓	✓			
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

Totals by Year-Fund Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND	2-01	571.00	0.00	0.00	571.00
CURRENT FUND	3-01	125,677.76	0.00	0.00	125,677.76
GENERAL CAPITAL	C-04	112,444.44	0.00	0.00	112,444.44
GRANTS	G-02	48,802.89	0.00	0.00	48,802.89
GENERAL TRUST	T-03	250.00	0.00	0.00	250.00
COMMUNITY DEVELOPMENT	T-06	302.00	0.00	0.00	302.00
UNEMPLOYMENT TRUST	T-14	4,462.74	0.00	0.00	4,462.74
ANIMAL CONTROL TRUST	T-15	209.40	0.00	0.00	209.40
Year Total:		5,224.14	0.00	0.00	5,224.14
Total Of All Funds:		292,720.23	0.00	0.00	292,720.23

PO total = $292,720.23

Wire total = $ 180,127.46

Total Funds = $ 472,847.69

No. 2023- 122

RESOLUTION
KENILWORTH, NJ

WHEREAS, the Borough of Kenilworth passed Resolution 2023-110 on April 5, 2023 erroneously authorizing a buyout payment to Kerry Senica; and

WHEREAS, Resolution 2023-110 was meant to authorize a buyout payment to Michael Balka.

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Kenilworth, County of Union, State of New Jersey that Resolution 2023-110 is hereby rescinded.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **April 19, 2023**.

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro			✓			
Councilman Pentz		✓	✓			
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 123

RESOLUTION
KENILWORTH, NJ

WHEREAS, Michael Balka has notified the Borough of Kenilworth of his intention to resign from the Borough of Kenilworth Health Department effective **March 31, 2023**; and

WHEREAS, the Chief Finance Officer has certified that Michael Balka is entitled to buyout pay as per the Kenilworth Personnel Policy, as follows;

Type	# of days	Daily Rate	Total
Accumulated	2.5	$175.51	$438.78
Sick	2	$175.51	$351.02
Vacation Days *(pro-rated)*	4.75	$175.51	$833.67
Total Due	**9.25**		**$1,623.47**

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 his last day.

BE IT FURTHER RESOLVED, that the CFO has certified that sufficient uncommitted funds are available in the 2023 Borough of Kenilworth Temporary Budget Account # 3-01-27-785-011.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **April 19, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro			✓			
Councilman Pentz		✓	✓			
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 124

RESOLUTION
KENILWORTH, NJ

WHEREAS, there exists a vacancy in the position of Superintendent of Public Works effective March 21, 2023; and

WHEREAS, the Governing Body adopted Resolution 2023-112 on April 5, 2023, appointing Dominick LaTorre as Acting Superintendent of Public Works effective as of March 21, 2023; and

WHEREAS, the Governing Body feels that the additional work and added responsibility for Mr. LaTorre warrants an additional stipend of $100.00 per week.

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

1. Effective March 21, 2023, Dominick LaTorre is hereby appointed Interim Superintendent of Public Works while the Borough of Kenilworth seeks applicants to fill the position permanently.

2. Dominick LaTorre's annual salary of $79,536.00 shall remain the same, however he shall receive a temporary stipend in the amount of $100.00 per week only during the time that he serves in the Interim Superintendent of Public Works position and performs the additional duties appurtenant thereto.

3. The Borough of Kenilworth's Chief Financial Officer has certified that sufficient uncommitted funds are available in the 2023 Borough of Kenilworth Budget to fund the payment of the additional stipend to Dominick LaTorre.

4. This resolution is ratified from March 21, 2023, until the date of adoption of this resolution.

5. This resolution shall take effect immediately upon adoption by the Municipal Council.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **April 19, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro			✓			
Councilman Pentz		✓	✓			
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes _			No __		

No. 2023- 125

RESOLUTION
KENILWORTH, NJ

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Kenilworth, County of Union, State of New Jersey that L'Ani Miller be appointed as REGISTRAR OF VITAL STATISTICS for the Borough of Kenilworth.

BE IT FURTHER RESOLVED, that copies of this Resolution be forwarded to L'Ani Miller and the State Registrar's Office.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **April 19, 2023**.

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro			✓			
Councilman Pentz		✓	✓			
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 126

RESOLUTION
KENILWORTH, NJ

WHEREAS, the Borough of Kenilworth (the "Borough") is in need of Legal Tax Appeal Services (the "Professional Legal Services"); and

WHEREAS, the Professional Legal Services are exempt from the requirements of public bidding pursuant to the Local Public Contracts Law, more specifically, N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, the Borough wishes to enter into a Professional Services Contract with Carlin, Ward, Ash & Heiart LLC ("Carlin Ward"), with its offices located at 25B Vreeland Rd. Suite 203, Florham Park, NJ 07932 to provide the Professional Legal Services for a one (1) year term, effective January 1, 2023 through December 31, 2023, at a rate of $225.00 per hour; and

WHEREAS, the Local Public Contracts Law, (N.J.S.A. 40A:11-1 et seq.) requires that notice of the award of contracts for "Professional Services" without competitive bidding must be published in a local newspaper; and

WHEREAS, this contract is for an amount over $17,500.00 and is being awarded pursuant to a "Non-Fair and Open Process" pursuant to N.J.S.A. 19:44A-20.5; and

WHEREAS, Carlin Ward, has completed and submitted a Business Entity Disclosure Certification, which certifies that Carlin Ward has not made any reportable contributions to a political or a candidate committee in the Borough of Kenilworth in the previous one (1) year prior to award, and that the contract will prohibit Carlin Ward from making any reportable contributions through the term of the contract.

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

1. The Mayor is hereby authorized and directed on behalf of the Borough of Kenilworth to enter into and execute a contract with Carlin, Ward, Ash & Heiart LLC ("Carlin Ward"), to provide Professional Legal Tax Appeal Services for the Borough for a one (1) year term, effective January 1, 2023 through December 31, 2023, at a rate of $225.00 per hour.

2. This contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(a)(i) of the Local Public Contracts Law because the performance of the service required will be performed by a Law Firm in the State of New Jersey.

3. This contract is awarded pursuant to the Non-Fair and Open Procedures of the State Pay-to-Play Law, (N.J.S.A. 19:44A-20.5) and pursuant to the provisions of the Local Public Contracts Law, (N.J.S.A. 40A:11-5(1)(a)(i).

4. The CFO has certified that sufficient uncommitted funds are available in the 2023 Borough of Kenilworth Temporary Budget to fund the payment of the bills associated with this professional services contract.

5. A copy of the Determination of Value letter is attached and shall be placed on file with the resolution in the Office of the Borough Clerk.

RESOLUTION
KENILWORTH, NJ

6. Carlin Ward has completed and submitted a Business Entity Disclosure Certificate, which shall be placed on file with the resolution in the Office of the Borough Clerk, certifying that Carlin Ward has not made any reportable contributions to a political or a candidate committee in the Borough of Kenilworth in the previous one (1) year, and the contract will prohibit Carlin Ward from making reportable contributions through the term of the contract.

7. A copy of the fully executed contract herein authorized shall be filed in the Office of the Borough Clerk and shall be made available for public inspection.

8. This contract is hereby ratified from January 1, 2023 to the date of adoption of this resolution.

9. There shall be no advance payments made against this contract in accordance with N.J.S.A. 40A:5-16.

10. A notice of this action shall be published in the newspaper authorized by law to publish a legal advertisement and as required by law within ten (10) days of the adoption of this resolution.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **April 19, 2023**.

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro			✓			
Councilman Pentz		✓	✓			
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

BOROUGH OF
KENILWORTH

BOROUGH HALL
567 BOULEVARD
KENILWORTH, N.J. 07033
(908) 276-9091

To: Members of the Borough Council for the Borough of Kenilworth

From: Linda Karlovitch, Mayor

Date: April 18, 2023

Re: Determination of Value of Contract to be awarded pursuant to non-fair and open provisions of N.J.S.A. 19:44A-20.5

DETERMINATION OF VALUE

I, Linda Karlovitch, Mayor of the Borough of Kenilworth, being of full age, do hereby certify as follows:

The estimated amount of the following non-fair and open Contract exceeds $17,500.00. The determination of the value set forth herein is based on the full contract term.

Entity:	Carlin, Ward, Ash & Heiart LLC, with its offices located at 25B Vreeland Rd. Suite 203, Florham Park, NJ 07932
Period:	One (1) year from the Effective Date of the Contract commencing on January 1, 2023.
Services:	To provide the Borough of Kenilworth with Tax Appeal Legal Professional Services.

Linda Karlovitch, Mayor

No. 2023- 127

Pulled

RESOLUTION
KENILWORTH, NJ

WHEREAS, the Borough of Kenilworth (the "Borough") is in need of Appraisal Services (the "Professional Appraisal Services"); and

WHEREAS, the Professional Appraisal Services are exempt from the requirements of public bidding pursuant to the Local Public Contracts Law, more specifically, N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, the Borough wishes to enter into a Professional Services Contract with Butler Burgher Group ("BBG"), with its offices located at 1262 Headquarters Plaza, West Tower- 6th Floor, Morristown, NJ 07960 to provide the Professional Appraisal Services for a one (1) year term, effective January 1, 2023 through December 31, 2023; and

WHEREAS, the Local Public Contracts Law, (N.J.S.A. 40A:11-1 et seq.) requires that notice of the award of contracts for "Professional Services" without competitive bidding must be published in a local newspaper; and

WHEREAS, this contract is for an amount over $17,500.00 and is being awarded pursuant to a "Non-Fair and Open Process" pursuant to N.J.S.A. 19:44A-20.5; and

WHEREAS, BBG, has completed and submitted a Business Entity Disclosure Certification, which certifies that BBG has not made any reportable contributions to a political or a candidate committee in the Borough of Kenilworth in the previous one (1) year prior to award, and that the contract will prohibit BBG from making any reportable contributions through the term of the contract.

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

1. The Mayor is hereby authorized and directed on behalf of the Borough of Kenilworth to enter into and execute a contract with Butler Burgher Group ("BBG"), to provide Professional Appraisal Services for the Borough for a one (1) year term, effective January 1, 2023 through December 31, 2023.

2. This contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(a)(i) of the Local Public Contracts Law because the performance of the service required will be performed by a Law Firm in the State of New Jersey.

3. This contract is awarded pursuant to the Non-Fair and Open Procedures of the State Pay-to-Play Law, (N.J.S.A. 19:44A-20.5) and pursuant to the provisions of the Local Public Contracts Law, (N.J.S.A. 40A:11-5(1)(a)(i).

4. The CFO has certified that sufficient uncommitted funds are available in the 2023 Borough of Kenilworth Temporary Budget to fund the payment of the bills associated with this professional services contract.

5. A copy of the Determination of Value letter is attached and shall be placed on file with the resolution in the Office of the Borough Clerk.

RESOLUTION
KENILWORTH, NJ

6. BBG has completed and submitted a Business Entity Disclosure Certificate, which shall be placed on file with the resolution in the Office of the Borough Clerk, certifying that BBG has not made any reportable contributions to a political or a candidate committee in the Borough of Kenilworth in the previous one (1) year, and the contract will prohibit BBG from making reportable contributions through the term of the contract.

7. A copy of the fully executed contract herein authorized shall be filed in the Office of the Borough Clerk and shall be made available for public inspection.

8. This contract is hereby ratified from January 1, 2023 to the date of adoption of this resolution.

9. There shall be no advance payments made against this contract in accordance with N.J.S.A. 40A:5-16.

10. A notice of this action shall be published in the newspaper authorized by law to publish a legal advertisement and as required by law within ten (10) days of the adoption of this resolution.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **April 19, 2023**.

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella						
Councilman Mauro						
Councilman Pentz						
Councilman Pugliese						
Councilman Scorese						
Councilman Zimmerman						
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes _			No __		

BOROUGH OF
KENILWORTH

BOROUGH HALL
567 BOULEVARD
KENILWORTH, N.J. 07033
(908) 276-9091

To: Members of the Borough Council for the Borough of Kenilworth

From: Linda Karlovitch, Mayor

Date: April 18, 2023

Re: Determination of Value of Contract to be awarded pursuant to non-fair and open provisions of N.J.S.A. 19:44A-20.5

DETERMINATION OF VALUE

I, Linda Karlovitch, Mayor of the Borough of Kenilworth, being of full age, do hereby certify as follows:

The estimated amount of the following non-fair and open Contract exceeds $17,500.00. The determination of the value set forth herein is based on the full contract term.

Entity:	Butler Burgher Group, with its offices located at 1262 Headquarters Plaza, West Tower- 6th Floor, Morristown, NJ 07960
Period:	One (1) year from the Effective Date of the Contract commencing on January 1, 2023.
Services:	To provide the Borough of Kenilworth with Real Estate Appraisal Professional Services.

Linda Karlovitch, Mayor

No. 2023- 128

RESOLUTION
KENILWORTH, NJ

WHEREAS, the provisions of the Open Public Meetings Act (N.J.S.A.10:4-1 et seq.) expressly provide that a public body may move into Executive Session and exclude the public from that portion of a meeting at which the public body discusses any of the nine areas set forth in N.J.S.A.10:4-12b; and

WHEREAS, the Borough Council of the Borough of Kenilworth has determined it necessary to move into Executive Session to discuss the following subjects, all of which are included in the aforesaid exceptions:

1. **Pending Tax Appeal Litigation**
2. **Personnel Issues – Superintendent of Public Works**

NOW THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Kenilworth that it does hereby move into Executive Session pursuant to N.J.S.A.10:4-12b to discuss the aforesaid matters; and

IT IS FURTHER RESOLVED that the aforesaid discussions shall be made public either at the Public Meeting following said Executive Session or at such time as any litigated or personnel matters are concluded; or upon conclusion of any negotiations or related discussions; or as otherwise specified.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **April 19, 2023**.

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella		✓	✓			
Councilman Mauro			✓			
Councilman Pentz	✓		✓			
Councilman Pugliese			✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes _			No ✓		

No. 2023- 129

RESOLUTION
KENILWORTH, NJ

BE IT RESOLVED, by the Borough of Kenilworth, County of Union, New Jersey, that the attached summary of bills in the total amount of $2,139,485.99, having been duly audited and found to be correct, are hereby ordered paid and that warrants be drawn for the necessary obligations by the Chief Finance Officer (CFO) prior to the next regularly scheduled Council Meeting.

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

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

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **May 3, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro		✓	✓			
Councilman Pentz	✓		✓			
Councilman Pugliese			✓			
Councilman Scorese			✓			
Councilman Zimmerman		✓	✓			
Mayor Linda Karlovitch			✓			
ON CONSENT AGENDA	Yes ✓			No __		

Totals by Year-Fund Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND	2-01	2,831.01	0.00	0.00	2,831.01
CURRENT FUND	3-01	1,914,841.38	0.00	0.00	1,914,841.38
GENERAL CAPITAL	C-04	4,092.98	0.00	0.00	4,092.98
GRANTS	G-02	103,965.85	0.00	0.00	103,965.85
GENERAL TRUST	T-03	113,407.97	0.00	0.00	113,407.97
COMMUNITY DEVELOPMENT	T-06	195.00	0.00	0.00	195.00
ANIMAL CONTROL TRUST	T-15	151.80	0.00	0.00	151.80
Year Total:		113,754.77	0.00	0.00	113,754.77
Total Of All Funds:		2,139,485.99	0.00	0.00	2,139,485.99

Total POs ALL FUNDS $2,139,485.99

No. 2023- 130

RESOLUTION
KENILWORTH, NJ

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 April 20, 2023, for the collection and removal of bulk waste associated with the provision of the **2023 Bulk Waste Collection Services**; and

WHEREAS, the Qualified Purchasing Agent has recommended that the lowest responsible bid be awarded to **Direct Waste Services Inc.,** 217 Poinier Street, Newark, NJ ("Direct Waste Services 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 **2023 Bulk Waste Collection Services**, with the lowest responsible bidder, **Direct Waste Services Inc.** for the Base Bid and Alternate Bid for a total amount not to exceed **$81,000.00**; 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 **2023 Bulk Waste Collection Services**, 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, **Direct Waste Services Inc.,** 217 Poinier Street, Newark, NJ, for the **2023 Bulk Waste Collection Services** for the Base Bid and Alternate Bid in the amount not to exceed **$81,000.00.**

2. The Mayor is authorized to enter into and execute a contract with **Direct Waste Services Inc.** for the **2023 Bulk Waste Collection Services** for the Base Bid and Alternate Bid for a total amount, not to exceed **$81,000.00.**

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 2023 Borough of Kenilworth Budget to fund the payment to **Direct Waste Services Inc.** for the for the **2023 Bulk Waste Collection Services** project to be charged to **3-01-31-827-000** 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.

RESOLUTION
KENILWORTH, NJ

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.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **May 3, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro			✓			
Councilman Pentz	✓		✓			
Councilman Pugliese			✓			
Councilman Scorese			✓			
Councilman Zimmerman		✓	✓			
Mayor Linda Karlovitch			✓			
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 131

RESOLUTION
KENILWORTH, NJ

WHEREAS, the Governing Body wished to have a 2023 Fireworks Display in preparation for the Independence Day; and

WHEREAS, multiple quotes were received, from fireworks display companies for dates leading up to the Independence Day holiday; and

WHEREAS, the Governing Body wishes to execute a contract with **Garden State Fireworks, Inc.** to have the 2023 Fireworks Display on Sunday, June 25, 2023 (rain date, to be determined) after the receipt of an executed Hold Harmless Agreement, proper proof of insurance coverage is provided and upon issuance of the required permit from the Fire Official.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Kenilworth, County of Union, State of New Jersey that the Mayor and/or her designee, the Chief Financial Officer, be authorized to execute a contract with **Garden State Fireworks, Inc.**, 383 Carlton Rd., Millington, NJ 07946, in an amount not to exceed $11,400.00, upon receipt of an executed hold harmless agreement, proof of insurance coverage, and upon issuance of required permit from the Fire Official.

BE IT FURTHER RESOLVED, that copies of this resolution are to be forwarded to the Rescue Squad, Fire Department, Police Department. This resolution is contingent upon the resolution of any concerns or comments raised by the aforementioned departments, as well as the approvals of any necessary permits.

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

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **May 3, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro			✓			
Councilman Pentz	✓		✓			
Councilman Pugliese			✓			
Councilman Scorese			✓			
Councilman Zimmerman		✓	✓			
Mayor Linda Karlovitch			✓			
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 132

RESOLUTION
KENILWORTH, NJ

WHEREAS, there appears an 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-Amt Duplicated in Redemption

Block/Lot	Property Address	Refund To	Refund Amount	Year	Reason
BL 2 L 5	656 No. Michigan Ave Kenilworth, NJ 07033	Heritage Abstract Company c/o Allison Tang 73 Washington Street Morristown, NJ 07960-7129	2,516.34	2023	11

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

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

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **May 3, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro			✓			
Councilman Pentz	✓		✓			
Councilman Pugliese			✓			
Councilman Scorese			✓			
Councilman Zimmerman		✓	✓			
Mayor Linda Karlovitch				✓		
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 133

RESOLUTION
KENILWORTH, NJ

WHEREAS, the Borough of Kenilworth operates a Department of Public Works "DPW" serving the citizens of the of Kenilworth for the provision of public works services; and

WHEREAS, the position of Superintendent is vacant and in the best interest of the Borough the Mayor is recommending the appointment of **Jason R Flade** as **Superintendent of the Public Works** Department pursuant to NJSA 40A:9-154.6g7c.

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

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

1. Effective May 22, 2023, **Jason R. Flade** be appointed Superintendent of Public Works for a period of one year at a salary rate of $95,000.00 per annum.
2. As a full-time employee, effective May 22, 2023, Mr. Flade will be eligible for the Borough full-time employee benefits including medical, dental, vision and prescription plans with employee contributions subject to Chapter 78.
3. Mr. Flade will also be entitled to other benefits including vacation, sick leave, personal days and holidays as set forth in the offer letter and as provided to other Borough employees through the Employee Handbook and Personnel Ordinances.
4. This offer of employment is contingent upon successful completion of medical release, criminal and background checks. This position is also subject to a ninety (90) day probationary period which will begin on the first date of employment, May 22, 2023.

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

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **May 3, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro			✓			
Councilman Pentz	✓		✓			
Councilman Pugliese			✓			
Councilman Scorese			✓			
Councilman Zimmerman		✓	✓			
Mayor Linda Karlovitch				✓		
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 134

RESOLUTION
KENILWORTH, NJ

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 Michael Scuderi, in the aggregate amount of $62,460.00.

BE IT FURTHER RESOLVED, that the Borough of Kenilworth's Chief Financial Officer has certified that sufficient uncommitted funds are available in the 2023 Borough of Kenilworth Budget for the purposes set forth herein and the fund to be charged shall be **3-01-25-749-140**.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **May 3, 2023**.

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro			✓			
Councilman Pentz	✓		✓			
Councilman Pugliese			✓			
Councilman Scorese			✓			
Councilman Zimmerman		✓	✓			
Mayor Linda Karlovitch				✓		
ON CONSENT AGENDA	Yes 7			No __		

No. 2023- 135

RESOLUTION
KENILWORTH, NJ

WHEREAS, the Borough of Kenilworth held a tax sale on December 8, 2022 for delinquent 2021 property taxes, and a tax lien was purchased by Phoenix Funding, Inc., for the property located at 108 No. Michigan Avenue, Kenilworth, NJ, and

WHEREAS, the homeowner 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 $82,000 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 #22-00004 by the Collector of Taxes:

Phoenix Funding, Inc.
1148 Springfield Avenue
Mountainside, NJ 07092

REDEMPTION AMOUNT - $31,157.97

PREMIUM TRUST ACCOUNT - $ 82,000.00

Treasurer's Note: 1099 = $2,412.84

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **May 3, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro			✓			
Councilman Pentz	✓		✓			
Councilman Pugliese			✓			
Councilman Scorese			✓			
Councilman Zimmerman		✓	✓			
Mayor Linda Karlovitch				✓		
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 136

RESOLUTION
KENILWORTH, NJ

WHEREAS, the Borough of Kenilworth passed Resolution 2023-75 on February 15, 2023 authorizing the termination of its participation in the State Employee Prescription Drug Plan thereby canceling prescription drug coverage provided by SHBP for all its retired employees because they are already covered by another plan; and

WHEREAS, the Borough has determined that there are several retired employees that are not currently covered by the Borough's additional prescription plan and will be left without prescription coverage if the State Employee Prescription Plan is terminated; and

WHEREAS, the Borough wishes to rescind Resolution 2023-75 so that the retired employees which are not currently covered by the Borough's additional prescription plan can continue to have prescription coverage.

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Kenilworth, County of Union, State of New Jersey that Resolution 2023-75 is hereby rescinded.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **May 3, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro			✓			
Councilman Pentz	✓		✓			
Councilman Pugliese			✓			
Councilman Scorese			✓			
Councilman Zimmerman		✓	✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 137

RESOLUTION
KENILWORTH, NJ

WHEREAS, the Borough of Kenilworth is desirous in obtaining services from the Township of Union for Registered Environmental Health Specialist (REHS) Services; and

WHEREAS, the Township of Union, Board of Health, is ready, willing and able to furnish said services in accordance with the State minimum standards of performance and licensure; and

WHEREAS, the Registered Environmental Health Specialist (REHS) Services will be for a period of May 15, 2023 through December 31, 2023.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Kenilworth, County of Union, State of New Jersey, that the Mayor is authorized to enter into and execute a shared services agreement with the Township of Union Board of Health, in substantially the form attached hereto, to provide the Borough of Kenilworth with Registered Environmental Health Services, subject to the approval by the Borough of Kenilworth Board of Health.

BE IT FURTHER RESOLVED that the Clerk shall forward a copy of this resolution and the proposed shared services agreement to the Borough of Kenilworth Board of Health for their review, consideration and formal approval at their next meeting.

BE IT FURTHER RESOLVED that in accordance with N.J.S.A. 40A:65-1 et seq., this Agreement shall be filed with the Department of Community Affairs, Division of Local Government Services.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **May 3, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro			✓			
Councilman Pentz	✓		✓			
Councilman Pugliese			✓			
Councilman Scorese			✓			
Councilman Zimmerman		✓	✓			
Mayor Linda Karlovitch			✓			
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 138

RESOLUTION
KENILWORTH, NJ

WHEREAS, the Borough of Kenilworth has remaining CARES grant funds from the County of Union and has received approval from the County to utilize those remaining funds to renovate the kitchen at the Kenilworth Senior Center, including new cabinets, countertop and sink; and

WHEREAS, the Borough of Kenilworth requested 3 quotes for the purpose of renovating the kitchen; and

WHEREAS, the Borough of Kenilworth intends to enter into contracts with: K&D Contractors, LLC, 351 Monroe Avenue, Kenilworth, NJ 07033 that provided a quote.

NOW THREFORE BE IT RESOLVED, that the Borough of Kenilworth authorizes the contract with K&D Contractors, LLC, 351 Monroe Avenue, Kenilworth, NJ 07033 to renovate the kitchen at the Kenilworth Senior Center, including new cabinets, countertop and sink for the total amount not to exceed $43,500.00; and

BE IT FURTHER RESOLVED, that the Borough of Kenilworth's Chief Financial Officer has certified that sufficient uncommitted funds are available in the 2023 Borough of Kenilworth Budget for the purposes set forth herein and the fund to be charged shall be G-02-70-080-006.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **May 3, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro	✓		✓			
Councilman Pentz		✓	✓			
Councilman Pugliese			✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes _			No ✓		

No. 2023- 139

RESOLUTION
KENILWORTH, NJ

WHEREAS, the provisions of the Open Public Meetings Act (N.J.S.A.10:4-1 et seq.) expressly provide that a public body may move into Executive Session and exclude the public from that portion of a meeting at which the public body discusses any of the nine areas set forth in N.J.S.A.10:4-12b; and

WHEREAS, the Borough Council of the Borough of Kenilworth has determined it necessary to move into Executive Session to discuss the following subjects, all of which are included in the aforesaid exceptions:

1. **Attorney/client communications – Potential Liabilities**

NOW THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Kenilworth that it does hereby move into Executive Session pursuant to N.J.S.A.10:4-12b to discuss the aforesaid matters; and

IT IS FURTHER RESOLVED that the aforesaid discussions shall be made public either at the Public Meeting following said Executive Session or at such time as any litigated or personnel matters are concluded; or upon conclusion of any negotiations or related discussions; or as otherwise specified.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **May 3, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella	✓		✓			
Councilman Mauro		✓	✓			
Councilman Pentz			✓			
Councilman Pugliese			✓			
Councilman Scorese						✓
Councilman Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes _			No ✓		

No. 2023- 140

RESOLUTION
KENILWORTH, NJ

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 2023; 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 2023.

2. The Governing body of the Borough of Kenilworth's approval of the introduction of the attached Budget for the year 2023 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 2023 will be held on June 21, 2023, at 6:00PM 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 2023 shall be published in the Local Source in the issue of May 25, 2023, which constitutes ten days prior to second hearing on June 21, 2023, 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).

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

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella		✓	✓			
Councilman Mauro			✓			
Councilman Pentz			✓			
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes _			No ✓		

2023 Municipal Budget

BOROUGH OF KENILWORTH, COUNTY OF UNION
FOR THE CALENDAR YEAR ENDED DECEMBER 31, 2023

Revenue and Appropriation Summaries

Summary of Revenues - Current Fund	Anticipated	
	2023	2022
1. Surplus	2,000,000.00	2,000,000.00
2. Total Miscellaneous Revenues	2,222,509.20	2,300,655.39
3. Receipts from Delinquent Taxes	268,000.00	250,000.00
4. a) Local Tax for Municipal Purposes	14,275,531.68	13,070,165.00
4. b) Minimum Library Tax	711,904.00	592,003.00
Total General Revenues	19,477,944.88	18,212,823.39

Summary of Appropriations - Current Fund	2023 Budget	Final 2022 Budget
1. Operating Expenses: Salaries & Wages	6,101,188.00	5,899,075.00
Other Expenses	9,257,772.98	8,557,738.50
2. Deferred Charges & Other Appropriations	1,854,804.40	1,726,100.40
3. Capital Improvements	60,000.00	60,000.00
4. Debt Service	1,288,337.50	1,091,637.49
5. Reserve for Uncollected Taxes	915,842.00	878,272.00
Total General Appropriations	19,477,944.88	18,212,823.39
Total Number of Employees - Full & Part Time	121	125

Balance of Outstanding Debt	
	General
Bond Principal	4,635,000.00
Bond Interest	366,968.75
Outstanding Balance	5,001,968.75

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 May 17, 2023.

A hearing on the budget and tax resolution will be held at the Municipal Building on June 21, 2023 at 6:00 (PM) at which time and place objections to the Budget and Tax Resolution for the year 2023 may be presented by taxpayers or other interested persons.

Copies of the detailed budget are available in the office of Angela Lazzari, Borough Clerk, at the Municipal Building, 567 Boulevard, Kenilworth, New Jersey 07033, (908) 276-9080, during the hours of 9:00(A.M.) to 4:30(P.M.).

No. 2023- 141

RESOLUTION
KENILWORTH, NJ

BE IT RESOLVED, by the Borough of Kenilworth, County of Union, New Jersey, that the attached summary of bills in the total amount of $2,407,909.07, having been duly audited and found to be correct, are hereby ordered paid and that warrants be drawn for the necessary obligations by the Chief Finance Officer (CFO) prior to the next regularly scheduled Council Meeting.

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

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

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

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro			✓			
Councilman Pentz			✓			
Councilman Pugliese			✓			
Councilman Scorese	✓		✓			
Councilman Zimmerman		✓	✓			
Mayor Linda Karlovitch				✓		
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 142

RESOLUTION
KENILWORTH, NJ

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

Name	Appointment
Jack Toledo	Probationary Firefighter/EMT
Sara Rivera	Probationary Firefighter/EMT

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

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

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro			✓			
Councilman Pentz			✓			
Councilman Pugliese		✓	✓			
Councilman Scorese	✓		✓			
Councilman Zimmerman		✓	✓			
Mayor Linda Karlovitch			✓			
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 143

RESOLUTION
KENILWORTH, NJ

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

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

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

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

1. Resolution 2023-54 is hereby amended to increase the maximum contract amount to $75,000.00.

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

3. This resolution shall be ratified back to January 18, 2023.

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

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro			✓			
Councilman Pentz			✓			
Councilman Pugliese			✓			
Councilman Scorese	✓		✓			
Councilman Zimmerman		✓	✓			
Mayor Linda Karlovitch				✓		
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 144

RESOLUTION
KENILWORTH, NJ

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

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

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

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

1. Resolution 2023-103 is hereby amended to correct the error as follows:

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

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

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

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

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro			✓			
Councilman Pentz			✓			
Councilman Pugliese			✓			
Councilman Scorese	✓		✓			
Councilman Zimmerman		✓	✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

WHEREAS, the Borough Municipal Council has determined there is a need for updated Policies and Procedures for the Borough's Senior Center to ensure the senior residents of the Borough, as well as Borough employees and agents, and invitees of the Borough's Senior Center are treated in a manner that promotes the safety and well-being of all individuals who utilize the building as well as mutual respect for all who utilize the building; and

WHEREAS, the Borough Municipal Council necessary to amend the existing Senior Center Policies and Procedures Manual for the Borough and its people to benefit; and

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 and hereby adopt the amendment to the Senior Center Policies and Procedures Manual, a copy of which is attached hereto.
2. These Policies and Procedures shall apply to any and all individuals and/or groups that use the Senior Center. In the event that there is a conflict between the Senior Center Policies and Procedures Manual and Federal or State law, the Federal or State law shall prevail.
3. The Policies and Procedures Manual may be amended and supplemented from time to time without notice, and at the discretion of the Municipal Council.
4. The within Resolution and subject Policies and Procedures Manual shall be maintained on file and available for public inspection in the office of the Borough Clerk.
5. This Resolution shall take effect immediately.

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

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella						
Councilman Mauro						
Councilman Pentz						
Councilman Pugliese						
Councilman Scorese						
Councilman Zimmerman						
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes _			No __		

No. 2023- 146

RESOLUTION
KENILWORTH, NJ

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

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

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

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

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro			✓			
Councilman Pentz			✓			
Councilman Pugliese			✓			
Councilman Scorese	✓		✓			
Councilman Zimmerman		✓	✓			
Mayor Linda Karlovitch			✓			
ON CONSENT AGENDA	Yes ✓			No __		

BOROUGH OF KENILWORTH
567 Boulevard
Kenilworth, NJ 07033
908-276-9090



Senior & Disabled Handyman Program

Program Summary

The Senior Handyman Program provides non-emergency, minor repairs helping Seniors and Disabled residents to live independently and safely in their homes. *(pursuant to Chapter 5, Article VIII, Item 65 of the Borough Code)*

PLEASE NOTE:

- This program only pays the salary for the handyman.
- Homeowner is responsible for the cost of materials and rental of equipment, if needed.
- This program is in effect while funds exist in the current year budget.

Applicant Eligibility

Eligibility for the program are as follows:

- Must be an owner-occupied resident of Kenilworth.
  - In the case of an owner-occupied multiple-family unit, the approved repairs shall only pertain to the unit in which the owner of the property legally resides.
- Must be age 62 or older OR permanently and totally disabled as defined and awarded by the Social Security Administration.
- Applicant's income must not exceed low-income limits based on the United States Federal Housing and Urban Development (HUD) Income Limits Schedule based on the Newark, New Jersey, HUD Metro Fair Market Rents for Union County for the current calendar year.

PLEASE NOTE: HUD Income Limits for 2023 are listed below.

Number of Persons	Income Limit
1	$ 66,750
2	$ 76,250
3	$ 85,800

Work Request Eligibility

Eligible repairs include, but are not limited to the following:

- Repairs to windows and screens, Repairs to railings, Replace locks and door handles, adjust doors, Install/uninstall window a/c units
- Minor plumbing such as replace washers, repair leaking faucets/toilets, open slow drains
- Repairs to cabinet doors, change light bulbs, smoke detectors or install batteries, flip mattresses, take down curtains, blinds, rehang curtains, blinds, and ground level caulking.

BOROUGH OF KENILWORTH

567 Boulevard
Kenilworth, NJ 07033
908-276-9090

Ineligible repairs include the following:

- Electrical work, major plumbing, painting, ladder climbing.
- Moving furniture, bringing furniture/items to curbside for bulk pickup, install ceiling fans, exterior window washing, gutter cleaning, interior painting, exterior railing painting, waterproofing/painting decks.

How the Program Works:

Any person interested in using this program should complete the Application Form in full. Make sure you have provided all information and meet the eligibility requirements. ***All information is kept confidential.***

Please return all paperwork to:

The Borough Clerk's Office
567 Boulevard
Kenilworth, NJ 07033

Once received, your application and supporting documents will be forwarded to the Handyman Committee who will review application to ensure it meets the program requirements. If you have any questions, please contact the Clerk's Office at (908) 276-9090 (option 4).

Once an application is approved, the Borough will contact a handyman, who will then reach out to the applicant.

APPLICANT INFORMATION

NAME: _____ PHONE NUMBER: _____

ADDRESS: _____

Type of Work Requested

_____

_____

_____

BOROUGH OF KENILWORTH

567 Boulevard
Kenilworth, NJ 07033
908-276-9090

Age/Status Eligibility

I hereby certify that I qualify for the Senior & Disabled Handyman Program because I am:

_____ Age 62 or older

_____ Permanently & totally disabled as defined and awarded by the Social Security Administration

I attest that the information stated above is true and accurate, and understand that the above information, if misrepresented, or incomplete, may be grounds for exclusion from the Senior & Disabled Handyman Program and/or penalties as specified by law.

_____

Signature of Applicant

Income Eligibility

HUD Income Limits for 2023 are as follows.

Number of Persons in Household	Low-Income Limit
1	$ 66,750
2	$ 76,250
3	$ 85,800

I, _____, hereby certify under the penalty of perjury that my household income does NOT exceed the low-income limit based on the HUD Income Limit Chart (provided herein) and I fully understand that any misrepresentation may be grounds for exclusion from the Senior & Disabled Handyman Program and/or penalties under the law.

_____

Signature of Applicant

HANDYMAN OVERSIGHT COMMITTEE:

I Recommend: ( ) Approval ( ) Disapproval

For Reasons Stated:

_____

_____

_____

Signature of Committee Chairperson

No. 2023- 147

RESOLUTION
KENILWORTH, NJ

WHEREAS, the provisions of the Open Public Meetings Act (N.J.S.A.10:4-1 et seq.) expressly provide that a public body may move into Executive Session and exclude the public from that portion of a meeting at which the public body discusses any of the nine areas set forth in N.J.S.A.10:4-12b; and

WHEREAS, the Borough Council of the Borough of Kenilworth has determined it necessary to move into Executive Session to discuss the following subjects, all of which are included in the aforesaid exceptions:

1. **Attorney/Client Privilege - Senior Center Ordinance and Policies**

NOW THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Kenilworth that it does hereby move into Executive Session pursuant to N.J.S.A.10:4-12b to discuss the aforesaid matters; and

IT IS FURTHER RESOLVED that the aforesaid discussions shall be made public either at the Public Meeting following said Executive Session or at such time as any litigated or personnel matters are concluded; or upon conclusion of any negotiations or related discussions; or as otherwise specified.

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

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella	✓		✓			
Councilman Mauro			✓			
Councilman Pentz			✓			
Councilman Pugliese			✓			
Councilman Scorese		✓	✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes _			No ✓		

No. 2023- 148

RESOLUTION
KENILWORTH, NJ

WHEREAS, the provisions of the Open Public Meetings Act (N.J.S.A.10:4-1 et seq.) expressly provide that a public body may move into Executive Session and exclude the public from that portion of a meeting at which the public body discusses any of the nine areas set forth in N.J.S.A.10:4-12b; and

WHEREAS, the Borough Council of the Borough of Kenilworth has determined it necessary to move into Executive Session to discuss the following subjects, all of which are included in the aforesaid exceptions:

1. **Personnel Issues – Superintendent of Public Works**

NOW THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Kenilworth that it does hereby move into Executive Session pursuant to N.J.S.A.10:4-12b to discuss the aforesaid matters; and

IT IS FURTHER RESOLVED that the aforesaid discussions shall be made public either at the Public Meeting following said Executive Session or at such time as any litigated or personnel matters are concluded; or upon conclusion of any negotiations or related discussions; or as otherwise specified.

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

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro	✓		✓			
Councilman Pentz		✓	✓			
Councilman Pugliese			✓			
Councilman Scorese						✓
Councilman Zimmerman						✓
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes _			No _		✓

No. 2023- 149

RESOLUTION
KENILWORTH, NJ

Resolution Appointing a Probationary Police Officer

(This Resolution was pulled from the June 7, 2023 Agenda prior to the meeting)

No. 2023- 150

RESOLUTION
KENILWORTH, NJ

BE IT RESOLVED, by the Borough of Kenilworth, County of Union, New Jersey, that the attached summary of bills in the total amount of $2,845,493.56, having been duly audited and found to be correct, are hereby ordered paid and that warrants be drawn for the necessary obligations by the Chief Finance Officer (CFO) prior to the next regularly scheduled Council Meeting.

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

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

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **June 7, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro			✓			
Councilman Pentz			✓			
Councilman Pugliese			✓			
Councilman Scorese	✓		✓			
Councilman Zimmerman		✓	✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

G-02	29,984.06	0.00	0.00	29,984.06
T-03	11,807.42	0.00	0.00	11,807.42
T-06	837.00	0.00	0.00	837.00
T-15	209.40	0.00	0.00	209.40
otal:	12,853.82	0.00	0.00	12,853.82
unds:	2,801,993.56	0.00	0.00	2,801,993.56

Total $2,801,993.56
+ 43,500.00 (see attached)
$2,845,493.56

Totals by Year-Fund Fund Description	Fund	Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Total
GRANTS	G-02	43,500.00	0.00	43,500.00	0.00	0.00	43,500.00
Total Of All Funds:		43,500.00	0.00	43,500.00	0.00	0.00	43,500.00

No. 2023- 151

RESOLUTION
KENILWORTH, NJ

WHEREAS, in accordance with Chapter 72 PL 1994, the Borough of Kenilworth has the authority to prepare and issue estimated tax bills, and;

WHEREAS, in order for the Borough of Kenilworth to meet financial obligations, maintain the tax collection rate, provide uniformity for tax payments and save the unnecessary cost of interest expenses on borrowing, it would be in our best interest to do so, and;

WHEREAS, the Tax Collector/Chief Financial Officer has reviewed and computed an estimated levy in accordance with N.J.S.A. 54:4-66.3.

NOW, THERFORE BE IT RESOLVED by the Mayor and Council of the Borough of Kenilworth on this 7th day of June, 2023, as follows:

1. The Borough of Kenilworth Tax Collector is hereby authorized and directed to prepare and issue estimated tax bills for the Borough of Kenilworth for the third quarter 2023 taxes in accordance with the provisions of N.J.S.A. 54:4-66.2 et seq in the event that a tax rate is not certified timely.

2. The entire estimated tax levy for 2023 is hereby set at $46,191,880.13.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **June 7, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro			✓			
Councilman Pentz			✓			
Councilman Pugliese			✓			
Councilman Scorese	✓		✓			
Councilman Zimmerman		✓	✓			
Mayor Linda Karlovitch			✓			
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 152

RESOLUTION
KENILWORTH, NJ

GOVERNING BODY CERTIFICATION OF COMPLIANCE WITH THE UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964"

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," *as amended,* 42 U.S.C. § 2000e *et seq.,* (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit's hiring practices as they pertain to the consideration of an individual's criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

NOW, THEREFORE BE IT RESOLVED, that the *Borough Council* of the *Borough of Kenilworth,* hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit's hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF THE RESOLUTION PASSED AT THE MEETING HELD ON JUNE 7, 2023.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro			✓			
Councilman Pentz			✓			
Councilman Pugliese			✓			
Councilman Scorese	✓		✓			
Councilman Zimmerman		✓	✓			
Mayor Linda Karlovitch			✓			
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 153

RESOLUTION
KENILWORTH, NJ

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
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

Block/Lot	Property Address	Refund To	Refund Amount	Year	Reason
B 147 L 40.02	602 Cranford Avenue	Corelogic, Inc. Attn: Centralized Refunds P. O. Box 9202 Coppell, TX 75019-9760	$ 3,160.67	2023	2

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

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

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **June 7, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro			✓			
Councilman Pentz			✓			
Councilman Pugliese			✓			
Councilman Scorese	✓		✓			
Councilman Zimmerman		✓	✓			
Mayor Linda Karlovitch			✓			
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 154

RESOLUTION
KENILWORTH, NJ

WHEREAS, Police Officer Michael Devlin has notified the Borough of Kenilworth of his intention to retire effective June 1, 2023; and

WHEREAS, the governing body of the Borough of Kenilworth hereby accepts the retirement of Police Officer Devlin, with a terminal leave date of June 1, 2023; and

WHEREAS, Officer Devlin is entitled to Terminal Leave pay as per his contract, as follows;

Type	# of days
Terminal Leave 22.5* Years x 2 days =	45
2023 Vacation Days	25
2024 Vacation Days	25
2023 Holidays (pro-rated)	6.6
	101.6

* 22.5 years + 2.5 years military buyback time = 25 years of service.

WHEREAS, Officer Devlin's last day of work was March 8, 2023 and he had 39 scheduled shifts from that date until May 31, 2023. He is using 39 days of his total allotment of 101.6 days to cover those shifts, leaving 62.6 days remaining; and

WHEREAS, Officer Devlin is entitled to Terminal Leave pay for the remaining 62.6 days at a rate of $498.55 per day for a total amount of **$31,209.23**; and

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

WHEREAS, Officer Devlin would like the maximum allowable amount, up to the entire $31,209.23, deposited into his deferred compensation plan.

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.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **June 7, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro			✓			
Councilman Pentz			✓			
Councilman Pugliese			✓			
Councilman Scorese	✓		✓			
Councilman Zimmerman		✓	✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023-155

RESOLUTION
KENILWORTH, NJ

WHEREAS, registration fees were received from Cynthia Avecillas for Kenilworth Recreation Summer Day Camp program for Weeks 1, 3, 4, 5, 6, 7, and 8; and

WHEREAS, the Recreation Program Administrator certifies that due to unforeseen circumstances the registrant will be unable to attend Weeks 1, 3, 4, 5, and 6 and is entitled to a refund of fees collected for Summer Day Camp for Weeks 1, 3, 4, 5, and 6 only.

BE IT RESOLVED, by the Mayor and Council of the Borough of Kenilworth, County of Union, State of New Jersey that Cynthia Avecillas be reimbursed the registration fees paid for Weeks 1, 3, 4, 5, and 6 only, in the amount of $529.00.

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

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

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **June 7, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro			✓			
Councilman Pentz			✓			
Councilman Pugliese			✓			
Councilman Scorese	✓		✓			
Councilman Zimmerman		✓	✓			
Mayor Linda Karlovitch			✓			
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 156

RESOLUTION
KENILWORTH, NJ

WHEREAS, the Borough of Kenilworth Recreation will run a 2023 Summer Camp program which will operate from June 26, 2023 until August 18, 2023, Monday through Friday from 8:00 a.m. until 3:00 p.m. with an After Care option from 3:00 p.m. until 6:30 p.m.; and

WHEREAS, to effectively run the 2023 Summer Camp program, the Recreation Department is recommending hiring one (1) Camp Co-Director, eighteen (18) Camp Counselors, and two (2) After Care Counselors; and

WHEREAS, if there is interest and the Recreation Department can retain the required number of Counselors, the 2023 Summer Camp program will be extended for an additional two (2) weeks, from August 21, 2023 through September 1, 2023, to run at the same schedule as defined above.

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Kenilworth, County of Union authorize the employment of the following list as per the recommendation of the Recreation Department, subject to the successful completion of background check and submission of required payroll documents.

	Name	Title		Pay Rate		Proj. Wks Wkg
1	Dani Mauro	Co-Camp Director	Teacher-Salary	$ 595.00	/week	8
2	Jessica Skwarek	Counselor	College Student	$ 14.50	/hour	8
3	Joe Galati	Counselor	Student	$ 14.50	/hour	8
4	Aiden Samila	Counselor	College Student	$ 14.00	/hour	8
5	Amalia Perez	Counselor	College Student	$ 14.00	/hour	8
6	Jake Zawacki	Counselor	Student	$ 14.00	/hour	8
7	Casey Willis	Counselor	Student	$ 14.00	/hour	8
8	Shannon Williss*	Counselor	College Student	$ 14.25	/hour	8
9	Brianna Bowels	Counselor	Student	$ 14.00	/hour	8
10	Connor Samila	Counselor	Student	$ 13.00	/hour	8
11	Sean Kijewski	Counselor	Student	$ 13.00	/hour	8
12	Joey Pinto	Counselor	Student	$ 13.00	/hour	8
13	Tommy Pugliese	Counselor	Student	$ 13.00	/hour	8
14	Sophia Palmadessa	Counselor	Student	$ 13.00	/hour	8
15	Joel Lopez	Counselor	Student	$ 13.00	/hour	8
16	Alex Barlaam	Counselor	Student	$ 13.00	/hour	8
17	Peter Costa	Counselor	Student	$ 13.00	/hour	8
18	Matthew Scalise	Counselor	College Student	$ 13.00	/hour	8
19	Ricky Martello	Counselor	College Student	$ 13.00	/hour	8
20	Nichole Layden	After Care Counselor	Teacher	$ 15.00	/hour	8
21	Samantha Ayres	After Care Counselor		$ 15.00	/hour	8
This counselors will also work After Care at their normal rate of pay.						

BE IT FUTHER RESOLVED, that Day Camp Counselors may 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.

BE IT FUTHER RESOLVED, that the herein appointed Director and Counselors are not eligible for holiday, sick, or vacation pay.

No. 2023- 156

RESOLUTION
KENILWORTH, NJ

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

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **June 7, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro			✓			
Councilman Pentz			✓			
Councilman Pugliese			✓			
Councilman Scorese	✓		✓			
Councilman Zimmerman		✓	✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 157

RESOLUTION
KENILWORTH, NJ

WHEREAS, the Borough of Kenilworth operates a Department of Public Works "DPW" serving the citizens of the of Kenilworth for the provision of public works services; and

WHEREAS, the position of Superintendent is vacant and in the best interest of the Borough the Mayor is recommending the appointment of **Gregory M. Budesheim** as **Superintendent of the Public Works** Department pursuant to NJSA 40A:9-154.6g7c.

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

1. Effective June 8, 2023, **Gregory M. Budesheim** be appointed Superintendent of Public Works for a period of one year at a salary rate of $85,000.00 per annum.
2. As a full-time employee, effective June 8, 2023, Mr. Budesheim will be eligible for the Borough full-time employee benefits including medical, dental, vision and prescription plans with employee contributions subject to Chapter 78.
3. Mr. Budesheim will also be entitled to other benefits including vacation, sick leave, personal days and holidays as set forth in the offer letter and as provided to other Borough employees through the Employee Handbook and Personnel Ordinances.
4. This position is also subject to a ninety (90) day probationary period which will begin on the first date of employment, June 8, 2023.

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

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **June 7, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro			✓			
Councilman Pentz			✓			
Councilman Pugliese			✓			
Councilman Scorese	✓		✓			
Councilman Zimmerman		✓	✓			
Mayor Linda Karlovitch			✓			
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 158

RESOLUTION
KENILWORTH, NJ

BE IT RESOLVED, by the Borough of Kenilworth, County of Union, New Jersey, that **Robert Beiner**, be and he is hereby employed as a part-time Senior Citizen Bus Driver at a rate of $20.00 per hour, effective June 19, 2023, subject to the successful completion of medical and background check.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **June 7, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro			✓			
Councilman Pentz			✓			
Councilman Pugliese			✓			
Councilman Scorese	✓		✓			
Councilman Zimmerman		✓	✓			
Mayor Linda Karlovitch			✓			
ON CONSENT AGENDA	Yes 7			No __		

No. 2023- 159

RESOLUTION
KENILWORTH, NJ

Resolution Adopting the updated Policies and Procedures Manual for the operation of the Kenilworth Senior Center

(This Resolution was pulled from the June 7, 2023 Agenda prior to the meeting)

No. 2023- 160

RESOLUTION
KENILWORTH, NJ

WHEREAS, the provisions of the Open Public Meetings Act (N.J.S.A.10:4-1 et seq.) expressly provide that a public body may move into Executive Session and exclude the public from that portion of a meeting at which the public body discusses any of the nine areas set forth in N.J.S.A.10:4-12b; and

WHEREAS, the Borough Council of the Borough of Kenilworth has determined it necessary to move into Executive Session to discuss the following subjects, all of which are included in the aforesaid exceptions:

1. **Attorney/Client Communications – Potential Litigation Matter**
2. **Attorney/Client Privilege - Senior Center Policies and Procedures**

NOW THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Kenilworth that it does hereby move into Executive Session pursuant to N.J.S.A.10:4-12b to discuss the aforesaid matters; and

IT IS FURTHER RESOLVED that the aforesaid discussions shall be made public either at the Public Meeting following said Executive Session or at such time as any litigated or personnel matters are concluded; or upon conclusion of any negotiations or related discussions; or as otherwise specified.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **June 7, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro	✓		✓			
Councilman Pentz			✓			
Councilman Pugliese			✓			
Councilman Scorese			✓			
Councilman Zimmerman		✓	✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes _			No ✓		

No. 2023- 161a

RESOLUTION
KENILWORTH, NJ

AUTHORIZING THE 2023 MUNICIPAL BUDGET TO BE READ BY TITLE ONLY

WHEREAS, *N.J.S.A. 40A:4-8*, as amended, provides that the Municipal Budget shall be read in-full at the public hearing, or that it may be read by its title if:

1. At least one week prior to the date of the hearing and at the hearing, a complete copy of the approved Budget:

   (a) shall be made available for public inspection, and;

   (b) shall be made available to each person upon request.

NOW, THEREFORE, BE IT RESOLVED by not less than a majority of the full membership of the Mayor and Council of the Borough of Kenilworth, County of Union, State of New Jersey that it finds and declares that the conditions of *N.J.S.A. 40A:4-8*, as amended, have been met by the municipality and the Municipal Budget for Calendar Year 2023 shall be read by title only.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **June 21, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella						✓
Councilman Mauro			✓			
Councilman Pentz						✓
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman		✓	✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes _			No ✓		

No. 2023- 161b

RESOLUTION
KENILWORTH, NJ

ADOPTING THE 2023 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 June 21, 2023 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:

EXCERPT FROM BUDGET SHEET 41

1.	Gross Revenues SUMMARY OF REVENUES				
	Surplus Anticipated			08-100	$ 2,000,000.00
	Miscellaneous Revenues Anticipated			13-099	$ 2,222,509.20
	Receipts from Delinquent Taxes			15-499	$ 268,000.00
2.	Amount to be raised by Taxes for Municipal Purposes (Item 6(a), Sheet 11)			07-190	$ 14,275,531.68
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	$ 711,904.00
	TOTAL REVENUES			13-299	$ 19,477,944.88

EXCERPT FROM BUDGET SHEET 42

SUMMARY OF APPROPRIATIONS			
5. General Appropriations	xxxxxx	xxxxxxxxxxxxx	
Within "CAPS"	xxxxxx	xxxxxxxxxxxxx	
(a & b) Operations including Contingent	34-201	$ 12,598,472.00	
(e) Deferred Charges and Statutory Expenditures - Municipal	34-209	$ 1,789,182.00	
(g) Cash Deficit	46-885	$ -	
Excluded from "CAPS"	******	XXXXXXXXXXXX	
(a) Operation – Total Operations Excluded from "CAPS"	34-305	$ 2,760,488.98	
(c) Capital Improvements	44-999	$ 60,000.00	
(d) Municipal Debt Service	45-999	$ 1,288,337.50	
(e) Deferred Charges – Municipal	46-999	$ 65,622.40	
(f) Judgments	37-480	$ -	
(n) Transferred to Board of Education for Use of Local Schools (N.J.S.A. 40:48-17.1 & 17.3)	29-405	$ -	
(g) Cash Deficit	46-885	$ -	
(k) For Local District School Purposes	29-410	$ -	
(m) Reserve for Uncollected Taxes	50-899	$ 915,842.00	
6. School Appropriations – Type I School District Only (N.J.S.A. 40A:4-13)	07-195		
Total Appropriations	34-499	$ 19,477,944.88	

No. 2023-

RESOLUTION
KENILWORTH, NJ

BE IT FURTHER RESOLVED that the Borough Clerk is hereby directed to certify a true copy or copies of the Budget finally adopted by the forgoing Resolution of the Governing Body on the 21st, day of June 2023; and,

BE IT FURTHER RESOLVED that the Borough Clerk is hereby further directed to certify that each item of revenue and appropriation is set forth in the same amount and by the same title as appeared in the 2023 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **June 21, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella						✓
Councilman Mauro		✓	✓			
Councilman Pentz						✓
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes _			No ✓		

No. 2023- 162

RESOLUTION

KENILWORTH, NJ

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, independent interviews were conducted by the Mayor and Police Chief, along with the Public Safety Committee; and

WHEREAS, pursuant to the Borough Code of the Borough of Kenilworth, the Mayor is recommending the appointment of **Danny Maganinho** as Probationary Police Officer.

NOW THEREFORE, BE IT RESOLVED, that a conditional offer of employment be conveyed to **Danny Maganinho**; and

BE IT FURTHER RESOLVED, that subject to the successful completion of a background check and medical evaluation, **Danny Maganinho** be appointed as a probationary police officer; and

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

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **June 21, 2023**.

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella						✓
Councilman Mauro				✓		
Councilman Pentz						✓
Councilman Pugliese				✓		
Councilman Scorese					✓	
Councilman Zimmerman				✓		
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes _			No ✓		

No. 2023- 163

RESOLUTION
KENILWORTH, NJ

BE IT RESOLVED, by the Borough of Kenilworth, County of Union, New Jersey, that the attached summary of bills in the total amount of $490,566.97, having been duly audited and found to be correct, are hereby ordered paid and that warrants be drawn for the necessary obligations by the Chief Finance Officer (CFO) prior to the next regularly scheduled Council Meeting.

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

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

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **June 21, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella						✓
Councilman Mauro		✓	✓			
Councilman Pentz						✓
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch			✓			
ON CONSENT AGENDA	Yes ✓			No __		

Totals by Year-Fund Fund Description	Fund	Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND	2-01	15,471.62	0.00	15,471.62	0.00	0.00	15,471.62
CURRENT FUND	3-01	245,338.03	0.00	245,338.03	0.00	0.00	245,338.03
GENERAL CAPITAL	C-04	41,326.77	0.00	41,326.77	0.00	0.00	41,326.77
GRANTS	G-02	3,466.80	0.00	3,466.80	0.00	0.00	3,466.80
GENERAL TRUST	T-03	250.00	0.00	250.00	0.00	0.00	250.00
COMMUNITY DEVELOPMENT	T-06	687.00	0.00	687.00	0.00	0.00	687.00
Year Total:		937.00	0.00	937.00	0.00	0.00	937.00
Total Of All Funds:		306,540.22	0.00	306,540.22	0.00	0.00	306,540.22

PO's = $306,540.22

Wires = $184,026.75

Total of All Funds = $490,566.97

No. 2023- 164

RESOLUTION
KENILWORTH, NJ

WHEREAS, the Borough of Kenilworth ("Borough") owns and operates the municipal building located at 526 Boulevard, Kenilworth, New Jersey, commonly known as the Kenilworth Senior Center ("Senior Center"); and

WHEREAS, the Borough maintains a Policies and Procedures Manual for the operation of the Senior Center, which are intended to provide guidelines covering the use of a municipal building; and

WHEREAS, the Borough Municipal Council has determined there is a need for updated Policies and Procedures for the Borough's Senior Center to ensure the senior residents of the Borough, as well as Borough employees and agents, and invitees of the Borough's Senior Center are treated in a manner that promotes the safety and well-being of all individuals who utilize the building as well as mutual respect for all who utilize the building; and

WHEREAS, the Borough Governing Body has found it necessary to amend the existing Senior Center Policies and Procedures Manual for the Borough and its people to benefit; and

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 Governing Body approve and hereby adopt the amendment to the Senior Center Policies and Procedures Manual, a copy of which is attached hereto.
2. These Policies and Procedures shall apply to any and all individuals and/or groups that use the Senior Center. In the event that there is a conflict between the Senior Center Policies and Procedures Manual and Federal or State law, the Federal or State law shall prevail.
3. The Policies and Procedures Manual may be amended and supplemented from time to time without notice, and at the discretion of the Governing Body.
4. The within Resolution and subject Policies and Procedures Manual shall be maintained on file and available for public inspection in the office of the Borough Clerk.
5. This Resolution shall take effect immediately.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **June 21, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella						✓
Councilman Mauro	✓		✓			
Councilman Pentz						✓
Councilman Pugliese			✓			
Councilman Scorese			✓			
Councilman Zimmerman		✓	✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes _			No ✓		

No. 2023- 165

RESOLUTION
KENILWORTH, NJ

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, 2023 through June 30, 2023; 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, 2023 through June 30, 2020 for the total inclusive amount of $41,588.68, 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.

No. 2023-

RESOLUTION
KENILWORTH, NJ

Retirees	Premium	Months	Adjustments	Total
Michael Ciravolo	164.90	6		$989.40
Mary Ciravolo - Spouse	164.90	6		$989.40
Brent David	164.90	6		$989.40
Carol David (spouse)	164.90	6		$989.40
Marie (spouse) - Charles David (Deceased)x	0.00	6	*Documentation Not Submitted*	$0.00
Mark David	329.70	6	*IRMAA adjustment*	$1,978.20
Mark David (CORRECTION FROM 2022)	272.20	6	*IRMAA adjustment only*	$1,633.20
Richard Dopf -	164.90	6		$989.40
Carleen Dopf - Spouse	164.90	6		$989.40
William Dowd -	164.90	6		$989.40
Bonnie Dowd	164.90	6		$989.40
Kristine Fennes - *Spouse*	164.90	6		*$989.40*
Jeffery Ferguson	160.90	6		$965.40
Kenneth Grady -	164.90	6		$989.40
Susan Grady - *spouse*	164.90	6		$989.40
Patricia Howarth -	164.90	6		$989.40
Robert E. Jeans -	161.43	6		$968.58
Lenore Jeans	164.90	6		$989.40
Ellen Johns	164.90	6		$989.40
Doug Lamont	164.90	5		$824.50
Nancy Moll	164.90	6		$989.40
William OMalley	164.90	6	*IRMAA adjustment*	$989.40
Karen Pavone	164.90	6		$989.40
Joseph Pavone	164.90	6		$989.40
Scott Phillips	527.50	6	*IRMAA adjustment*	$3,165.00
Joseph Rego	527.50	6	*IRMAA adjustment*	$3,165.00
Rose Rego - Spouse	527.50	6	*IRMAA adjustment*	$3,165.00
Victor Smith (Deceased) - Margaret (spouse)	164.90	6		$989.40
Frank Szelinggiewicz – (spouse)	164.90	6		$989.40
Joanne Szelinggiewicz	164.90	6		$989.40
Donald Tisch –	329.70	6	*IRMAA adjustment*	$1,978.20
Louis Vitale -	0.00	6	*Documentation Not Submitted*	$0.00
Debra Weiss	164.90	6		$989.40
Robert Weiss - *spouse*	164.90	6		$989.40
Richard Wood	164.90	6		$989.40
				$41,588.68
IRMAA - Income Related Monthly Adjustment Amount				

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **June 21, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella						✓
Councilman Mauro		✓	✓			
Councilman Pentz						✓
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 1616

RESOLUTION
KENILWORTH, NJ

WHEREAS, the State of New Jersey Department of Transportation (NJDOT), Municipal Aid Grant Program Application for the 2024 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 2024 Municipal Aid Grant Program; and

WHEREAS, on or about July 1, 2023, on behalf of the Borough, the Mayor, the Clerk or the Mayor's designee will submit an application to NJDOT requesting grant funding in the amount of $943,879.96 from the 2024 Municipal Aid Grant Program Application to construct roadway improvements along Monroe Avenue and Faitoute 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; and

WHEREAS, upon notification of the receipt of a grant award in connection with this application, the Mayor of the Borough of Kenilworth's designee 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 Mayor and/or her the Mayor's designee or the Borough Clerk shall submit a copy of the grant agreement to the Borough Counsel for review, approval and signature.

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 $943,879.96 from the 2024 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. 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.

3. 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 2024 Municipal Aid Grant Program, to receive and expend the grant award to construct roadway improvements along Monroe Avenue and Faitoute Avenue.

4. 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

RESOLUTION
KENILWORTH, NJ

grant agreement and any associated documents to the Borough Counsel for review, approval, and signature.

5. No municipal funds are required for receipt or acceptance of this grant award.

6. 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.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **June 21, 2023**.

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella						✓
Councilman Mauro		✓	✓			
Councilman Pentz						✓
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch				✓		
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 167

RESOLUTION
KENILWORTH, NJ

RESOLUTION IN SUPPORT OF PRESERVING THE HISTORIC UNION COUNTY NEW JERSEY SEAL, DEPICTING THE HEINOUS MURDER OF HANNAH CALDWELL AT THE HANDS OF BRITISH SOLDIERS DURING THE REVOLUTIONARY WAR. RESOLUTION IN SUPPORT OF PRESERVING THE HISTORIC UNION COUNTY, NEW JERSEY SEAL

WHEREAS, the Union County, New Jersey seal depicts the heinous murder of Hannah Caldwell, a beloved resident of the county, at the hands of British soldiers during the Revolutionary War; and

WHEREAS, the Union County, New Jersey seal serves as a powerful reminder of the sacrifices made by our ancestors in the struggle for American independence and the importance of preserving our rich historical heritage; and

WHEREAS, attempts have been made to remove or alter the seal in recent years, erasing a significant part of Union County's history and undermining the educational value of the seal for future generations; and

WHEREAS, the preservation of the Union County, New Jersey seal is vital to maintaining the integrity of our history and honoring the memory of those who fought for our freedom.

NOW THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Kenilworth, County of Union, State of New Jersey, stand in strong support of preserving the historic Union County, New Jersey seal and call on all parties involved to respect the importance of this symbol of our shared heritage. We believe that removing or altering the seal would be a disservice to our community and future generations, as it would erase an essential part of our history and deprive us of a valuable tool for educating our citizens about the sacrifices made by our ancestors.

BE IT FURTHER RESOLVED, that the Borough does call on all citizens and leaders of Union County to join us in supporting the preservation of the historic Union County, New Jersey seal and in upholding the values of American independence and historical preservation.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **June 21, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella						✓
Councilman Mauro		✓	✓			
Councilman Pentz						✓
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 168

RESOLUTION
KENILWORTH, NJ

WHEREAS, there is currently pending an unfair practice charge filed by the Teamsters Local No. 11 against the Borough of Kenilworth; and

WHEREAS, the parties have reached an amicable agreement to resolve that charge in its entirety without any additional cost to the Borough; and

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

NOW THEREFORE BE IT RESOLVED this 21st day of June 2023 that the Borough Administrative Officer is hereby authorized to execute the Settlement Agreement (attached hereto as Exhibit A) on behalf of the Borough of Kenilworth.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **June 21, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella						✓
Councilman Mauro		✓	✓			
Councilman Pentz						✓
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch					P	
ON CONSENT AGENDA	Yes ✓			No ___		

No. 2023- 169

RESOLUTION
KENILWORTH, NJ

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 a Communitywide Garage Sale to be held on Saturday, September 30, 2023 and Sunday, October 1, 2023 to be organized and promoted by the Kenilworth Historical Society; and

WHEREAS, the Mayor and Council find it in the best interest of the Borough to hold the Communitywide Garage Sale and wishes to waive any Borough fees associated with hosting a garage sale.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough Kenilworth commend the Kenilworth Historical Society for their work to preserve the history of the Borough of Kenilworth.

BE IT FURTHER RESOLVED, that the Mayor and Council of the Borough Kenilworth express their support of the Historical Society's Communitywide Garage Sale and waive any Borough fees associated with holding a garage sale.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **June 21, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella						✓
Councilman Mauro		✓	✓			
Councilman Pentz						✓
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 170

RESOLUTION
KENILWORTH, NJ

WHEREAS, 2023-2024 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 raised 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, County of Union, State of New Jersey, that the following Alcoholic Beverage Licenses are hereby renewed for a period of one (1) year expiring June 30, 2024:

PLENARY RETAIL CONSUMPTION LICENSE:	**LICENSE NUMBER**
Kenilworth Veterans Center Club, Inc.	2008-33-010-006
Lucky G, Inc. t/a Buffys	2008-33-011-001
CJMK, Inc., t/a La Griglia	2008-33-001-004
Kenilworth Bar LLC	2008-33-008-008
Butternut Café LLC t/a Boulevard Five 72	2008-33-013-011
CQD S INC t/a Taormina Ristorante	2008-33-007-009
Angelo's Restaurant and Steak House LLC	2008-33-003-010
The Backyard Grill LLC	2008-33-005-009
Blak Ops, LLC	2008-33-006-008

PLENARY RETAIL DISTRIBUTION LICENSE:	**LICENSE NUMBER**
R & S Beverage LLC	2008-44-012-006
Lehar Liquor Corp.	2008-44-009-004

CLUB LICENSE:	**LICENSE NUMBER**
American Legion Post No. 470 Kenilworth, t/a American Legion Kenilworth 470	2008-31-015-001
Columbian Club of Kenilworth, t/a Columbian Club	2008-31-016-001

HOTEL/MOTEL LICENSE:	**LICENSE NUMBER**
Kenilworth Hospitality, LLC t/a The Kenilworth	2008-36-004-008

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **June 21, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella						✓
Councilman Mauro		✓	✓			
Councilman Pentz						✓
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA		Yes ✓		No __		

No. 2023- 171

RESOLUTION
KENILWORTH, NJ

A RESOLUTION AUTHORIZING THE MAYOR AND MUNICIPAL CLERK OF THE MUNICIPALITY OF KENILWORTH TO EXECUTE AN AGREEMENT WITH THE COUNTY OF UNION TO MODIFY THE COOPERATIVE AGREEMENT DATED JUNE 2014, AS AMENDED JULY 2017

WHEREAS, certain Federal funds are potentially available to the County of Union under Title I of the Housing and Community Development Block Grant Act of 1974, as amended, commonly known as the Community Development Block Grant Program; and

WHEREAS, certain Federal funds are potentially available to the County of Union under Title II of the National Affordable Housing Act of 1990, commonly known as the HOME Investment Partnership program; and

WHEREAS, substantial Federal funds provided through subtitle B of Title IV of the McKinney-Vento Homeless Assistance Act commonly known as 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 of Union and its people to benefit from this program; and

WHEREAS, it is in the best interest of the Municipality of Kenilworth and the County of Union in cooperation with each other to enter into a modification of the existing Cooperative Agreement pursuant to N.J.S.A. 40A:65-1 et seq;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Governing Body of the Municipality of Kenilworth that 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 2017 for the Purpose of Inserting a Description of Activities for Fiscal Year 2023-2024 of the Union County Community Development Block Grant program, the HOME Investment Partnership program, and the Emergency Shelter Grant program (ESG), a copy of which is attached hereto; be executed by the Mayor and Municipal Clerk in accordance with the provisions of law;

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon its adoption.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **June 21, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella						✓
Councilman Mauro		✓	✓			
Councilman Pentz						✓
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 172

RESOLUTION
KENILWORTH, NJ

WHEREAS, New Jersey legislators have recently introduced Senate Bill S-3906, which would provide $4.32 billion in "Give It Back" property tax relief to every town and county in New Jersey and would allocate money from the New Jersey Debt Defeasance and Prevention Fund for this purpose.; and

WHEREAS, the $4.32 billion would be disbursed to towns and counties on a per capita basis, which means every local government in New Jersey would get a fair share; and

WHEREAS, this money could be used to reduce local debt and property taxes or to pave roads, build parks, or advance other important capital projects that otherwise would have been funded with debt; and

WHEREAS, the proposed Bill would not impact the State Budget since the funds sought have already been slated to be available in the State's debt relief fund and have yet to be allocated for another purpose; and

WHEREAS, when many towns have struggled financially as a result of soaring health benefit premiums, rising pension costs, and inflationary pressures, this bill seeks to provide funding to reduce or stabilize property taxes for years to come.

NOW THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Kenilworth, County of Union, State of New Jersey, stand in strong support of New Jersey Senate Bill S-3906 and urge Governor Murphy, Senate President Scutari, and Assembly Speaker Coughlin to support this Bill and aid in it's passage.

BE IT FURTHER RESOLVED, that copies of this resolution will be forwarded to Governor Murphy, Senate President Scutari, and Assembly Speaker Coughlin to urge them to pass S-3906.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **June 21, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella						✓
Councilman Mauro		✓	✓			
Councilman Pentz						✓
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Kantovitch						
ON CONSENT AGENDA	Yes ✓			No ___		

No. 2023- 173

RESOLUTION
KENILWORTH, NJ

RESOLUTION AUTHORIZING RENEWAL OF INACTIVE PLENARY RETAIL CONSUMPTION LICENSE FOR 2019-2020 LICENSE YEAR

WHEREAS, application has been made to the Borough of Kenilworth for a PLENARY RETAIL CONSUMPTION LICENSE #2008-33-006-008 in a timely manner, for the year beginning July 1, 2019 and ending June 30, 2020 accompanied by a statutory fees and municipal fees; and

WHEREAS, the above application was timely filed and Tax Clearance was obtained on 9/16/21.

NOW, THEREFORE, BE IT RESOLVED PLENARY RETAIL CONSUMPTION LICENSE BLAK OPS License #2008-33-006-008 be ratified and renewed for 2019-2020; and

BE IT FURTHER RESOLVED that the Borough Clerk issue the necessary licenses pursuant to this resolution and take any further actions that may be necessary to effectuate same.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Director of Alcoholic Beverage Control of the State of New Jersey.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **June 21, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella						✓
Councilman Mauro			✓			
Councilman Pentz						✓
Councilman Pugliese	✓		✓			
Councilman Scorese		✓	✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes _			No ✓		

No. 2023- 174

RESOLUTION
KENILWORTH, NJ

RESOLUTION AUTHORIZING RENEWAL OF INACTIVE PLENARY RETAIL CONSUMPTION LICENSE FOR 2020-2021 LICENSE YEAR

WHEREAS, application has been made to the Borough of Kenilworth for a PLENARY RETAIL CONSUMPTION LICENSE #2008-33-006-008; and

WHEREAS, the license holder has submitted a verified petition to the State of NJ Department of Public Safety, Division of Alcoholic Beverage Control for a Special Ruling under NJSA 33:1-12.18 for the 2020-2021 license term and; and

WHEREAS, the Borough has received a copy of the Special Ruling Granted by the Director of the Division of Alcoholic Beverage Control permitting the license be reviewed by the Borough for renewal terms of 2020-2021; and

WHEREAS, the applicant has paid all statutory and municipal fees for the 2020-2021 license term.

NOW, THEREFORE, BE IT RESOLVED PLENARY RETAIL CONSUMPTION LICENSE BLAK OPS License #2008-33-006-008 be ratified and renewed for the 2020-2021 licensing term as all legal formalities have been met; and

BE IT FURTHER RESOLVED that the Borough Clerk issue the necessary licenses pursuant to this resolution and take any further actions that may be necessary to effectuate same.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Director of Alcoholic Beverage Control of the State of New Jersey.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **June 21, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella						✓
Councilman Mauro	✓		✓			
Councilman Pentz						✓
Councilman Pugliese			✓			
Councilman Scorese		✓	✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes _			No ✓		

No. 2023- 175

RESOLUTION
KENILWORTH, NJ

RESOLUTION AUTHORIZING RENEWAL OF INACTIVE PLENARY RETAIL CONSUMPTION LICENSE FOR 2021-2022 LICENSE YEARS

WHEREAS, application has been made to the Borough of Kenilworth for a PLENARY RETAIL CONSUMPTION LICENSE #2008-33-006-008; and

WHEREAS, the license holder has submitted a verified petition to the State of NJ Department of Public Safety, Division of Alcoholic Beverage Control for a Special Ruling under NJSA 33:1-12.18 and under NJSA 33:1-12.39 for the 2021-2022 license term; and

WHEREAS, the Borough has received a copy of the Special Ruling Granted by the Director of the Division of Alcoholic Beverage Control permitting the license be reviewed by the Borough for renewal term of 2021-2022; and

WHEREAS, the applicant has paid all statutory and municipal fees for the 2021-2022 license term.

NOW, THEREFORE, BE IT RESOLVED PLENARY RETAIL CONSUMPTION LICENSE BLAK OPS License #2008-33-006-008 be ratified and renewed for 2021-2022 as all legal formalities have been met; and

BE IT FURTHER RESOLVED that the Borough Clerk issue the necessary licenses pursuant to this resolution and take any further actions that may be necessary to effectuate same.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Director of Alcoholic Beverage Control of the State of New Jersey.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **June 21, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella						✓
Councilman Mauro	✓		✓			
Councilman Pentz						✓
Councilman Pugliese			✓			
Councilman Scorese		✓	✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes _			No ✓		

No. 2023- 176

RESOLUTION
KENILWORTH, NJ

RESOLUTION AUTHORIZING RENEWAL OF INACTIVE PLENARY RETAIL CONSUMPTION LICENSE FOR 2022-2023 LICENSE YEAR

WHEREAS, application has been made to the Borough of Kenilworth for a PLENARY RETAIL CONSUMPTION LICENSE #2008-33-006-008; and

WHEREAS, the license holder has submitted a verified petition to the State of NJ Department of Public Safety, Division of Alcoholic Beverage Control for a Special Ruling under NJSA 33:1-12.39 for the 2022-2023 license term; and

WHEREAS, the Borough has received a copy of the Special Ruling Granted by the Director of the Division of Alcoholic Beverage Control permitting the license be reviewed by the Borough for renewal term of 2022-2023; and

WHEREAS, the applicant has paid all statutory and municipal fees for the 2022-2023 license term.

NOW, THEREFORE, BE IT RESOLVED PLENARY RETAIL CONSUMPTION LICENSE BLAK OPS License #2008-33-006-008 be ratified and renewed for 2022-2023 as all legal formalities have been met; and

BE IT FURTHER RESOLVED that the Borough Clerk issue the necessary licenses pursuant to this resolution and take any further actions that may be necessary to effectuate same.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Director of Alcoholic Beverage Control of the State of New Jersey.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **June 21, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella						✓
Councilman Mauro		✓	✓			
Councilman Pentz						✓
Councilman Pugliese			✓			
Councilman Scorese			✓			
Councilman Zimmerman	✓		✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes _			No 1		

No. 2023- 177

RESOLUTION
KENILWORTH, NJ

RESOLUTION AUTHORIZING RENEWAL OF INACTIVE PLENARY RETAIL CONSUMPTION LICENSE FOR 2023-2024 LICENSE YEAR

WHEREAS, application has been made to the Borough of Kenilworth for a PLENARY RETAIL CONSUMPTION LICENSE #2008-33-006-008 for the 2023-2024 license year beginning July 1, 2023 and ending June 30, 2024 accompanied by all statutory fees and municipal fees.

NOW, THEREFORE, BE IT RESOLVED PLENARY RETAIL CONSUMPTION LICENSE BLAK OPS License #2008-33-006-008 be renewed for the 2023-2024 licensing term as all legal formalities have been met; and

BE IT FURTHER RESOLVED that the Borough Clerk issue the necessary licenses pursuant to this resolution and take any further actions that may be necessary to effectuate same.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Director of Alcoholic Beverage Control of the State of New Jersey.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **June 21, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella						✓
Councilman Mauro	✓		✓			
Councilman Pentz						✓
Councilman Pugliese			✓			
Councilman Scorese			✓			
Councilman Zimmerman		✓	✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes _			No ✓		

No. 2023- 178

RESOLUTION
KENILWORTH, NJ

WHEREAS, the provisions of the Open Public Meetings Act (N.J.S.A.10:4-1 et seq.) expressly provide that a public body may move into Executive Session and exclude the public from that portion of a meeting at which the public body discusses any of the nine areas set forth in N.J.S.A.10:4-12b; and

WHEREAS, the Borough Council of the Borough of Kenilworth has determined it necessary to move into Executive Session to discuss the following subjects, all of which are included in the aforesaid exceptions:

1. **Attorney/Client Privilege - Senior Center Policies and Procedures**
2. **Attorney/Client Communications – Potential Litigation Matter**
3. **Personnel Matters – Appointment of Police Officer**
4. **Attorney/Client Communications Regarding Personnel Related Advice**

NOW THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Kenilworth that it does hereby move into Executive Session pursuant to N.J.S.A.10:4-12b to discuss the aforesaid matters; and

IT IS FURTHER RESOLVED that the aforesaid discussions shall be made public either at the Public Meeting following said Executive Session or at such time as any litigated or personnel matters are concluded; or upon conclusion of any negotiations or related discussions; or as otherwise specified.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **June 21, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella						✓
Councilman Mauro		✓	✓			
Councilman Pentz						✓
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes _			No ✓		

No. 2023- 179

RESOLUTION

KENILWORTH, NJ

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, independent interviews were conducted by the Mayor and Police Chief, along with the Public Safety Committee; and

NOW THEREFORE, BE IT RESOLVED, that a conditional offer of employment be conveyed to **Anthony Scorese**; and

BE IT FURTHER RESOLVED, that subject to the successful completion of a background check and medical evaluation, **Anthony Scorese** be appointed as a probationary police officer; and

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

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **June 21, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella						✓
Councilman Mauro			✓			
Councilman Pentz						✓
Councilman Pugliese	✓		✓			
Councilman Scorese					✓	
Councilman Zimmerman		✓	✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes _			No ✓		

No. 2023- 180

RESOLUTION
KENILWORTH, NJ

BE IT RESOLVED, by the Borough of Kenilworth, County of Union, New Jersey, that the attached summary of bills in the total amount of $2,125,241.30, having been duly audited and found to be correct, are hereby ordered paid and that warrants be drawn for the necessary obligations by the Chief Finance Officer (CFO) prior to the next regularly scheduled Council Meeting.

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

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

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **July 12, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro		✓	✓			
Councilman Pentz			✓			
Councilman Pugliese			✓			
Councilman Scorese			✓			
Councilman Zimmerman	✓		✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

Totals by Year-Fund Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND	2-01	1,150.00	0.00	0.00	1,150.00
CURRENT FUND	3-01	1,297,853.35	0.00	0.00	1,297,853.35
GENERAL CAPITAL	C-04	4,990.00	0.00	0.00	4,990.00
GRANTS	G-02	5,925.00	0.00	0.00	5,925.00
GENERAL TRUST	T-03	250.00	0.00	0.00	250.00
COMMUNITY DEVELOPMENT	T-06	305.00	0.00	0.00	305.00
UNEMPLOYMENT TRUST	T-14	4,527.72	0.00	0.00	4,527.72
Year Total:		5,082.72	0.00	0.00	5,082.72
Total Of All Funds:		1,315,001.07	0.00	0.00	1,315,001.07

PO's- $1,315,001.07
Manual Checks: $ 4,917.00
Wires- $ 805,323.23
Total = $2,125,241.30
ALL FUNDS

No. 2023- 181

RESOLUTION
KENILWORTH, NJ

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.

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 2023 in the sum of $17,462.61 which item is now available as a revenue from the 2023 Clean Communities Grant pursuant to the provisions of statute.

BE IT FURTHER RESOLVED, that the like sum of $17,462.61 is hereby appropriated under the caption of the 2023 Clean Communities Grant.

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.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **July 12, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro		✓	✓			
Councilman Pentz			✓			
Councilman Pugliese			✓			
Councilman Scorese			✓			
Councilman Zimmerman	✓		✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 182

RESOLUTION
KENILWORTH, NJ

Cancelation of Outdated Checks

WHEREAS, there exists various outstanding checks of the Borough of Kenilworth's Current Operating Account; and the Payroll Agency Account; and

WHEREAS, these checks were issued in 2021 and 2022; and

WHEREAS, sound procedures recommended review and cancellation of checks outstanding over a year old.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Kenilworth, County of Union, State of New Jersey that the following outstanding checks are hereby canceled:

CURRENT ACCOUNT:

DATE	CHECK #	AMOUNT
1/13/2022	101112	$100.00
TOTAL CURRENT ACCOUNT		$100.00

PAYROLL ACCOUNT:

DATE	CHECK #	AMOUNT
3/11/2021	120232	$ 90.45
9/16/2021	121030	$ 53.36
1/13/2022	121650	$ 1.09
TOTAL PAYROLL ACCOUNT		$144.90

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a meeting held on **July 12, 2023.**

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro		✓	✓			
Councilman Pentz			✓			
Councilman Pugliese			✓			
Councilman Scorese			✓			
Councilman Zimmerman	✓		✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓		No __			

No. 2023- 183

RESOLUTION
KENILWORTH, NJ

WHEREAS, the governing body of the Borough of Kenilworth has determined that there is a need for a transitional duty policy; and

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Kenilworth that the Transitional Duty Policy attached hereto is hereby adopted and shall be included in the Employee Handbook.

BE IT FURTHER RESOLVED that the attached policy shall apply to all Borough employees not otherwise managed by a quasi-autonomous board (i.e. Library, Bd. of Health, etc.). In the event there is a conflict between these rules and any collective bargaining agreement, personnel services contract or Federal or State law, the terms and conditions of that contract or law shall prevail. In all other cases, these policies and procedures shall prevail.

BE IT FURTHER RESOLVED that the provisions of this policy may be amended and supplemented from time to time without notice and at the sole discretion of the Borough of Kenilworth.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **July 12, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro		✓	✓			
Councilman Pentz			✓			
Councilman Pugliese			✓			
Councilman Scorese			✓			
Councilman Zimmerman	✓		✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No ___		

Kenilworth Borough - Transitional Duty Policy

1. Purposes

The purpose of this Policy is to codify the Borough's guidelines for transitional duty and procedures for providing transitional duty to eligible employees. This policy supersedes any prior policy and/or practice with respect to light duty and/or transitional duty for Borough Employees.

2. Policy

The Borough will endeavor to bring employees with temporary disabilities back on the job as soon as possible and may assign transitional duty to employees who temporarily cannot perform all of the essential functions of their positions because of injury or illness.

3. Duration

Transitional duty is not guaranteed and will normally not exceed 90 workdays, but may exceed 90 workdays at the discretion of the Department Head and/or Administrative Officer.

Transitional duty may be implemented as soon as the temporarily disabled employee is able to return to work with restrictions. Transitional duty will only be assigned if the employee will likely be able to fully perform the essential functions of his or her permanent position after the transitional duty period. The Department Head will consult with Department supervisors to determine if there is any meaningful work that can be performed consistent with the medical restrictions applicable to the employee. The Department Head will decide if it is in the best interest of the Department to assign the employee to transitional duty and will notify the employee of the decision. The Borough reserves the right to terminate the transitional duty assignment at any time without cause.

4. Assignment

Decisions on the assignment of transitional duty shall be made based on the availability of appropriate assignments given the employee's knowledge, skills, and abilities; and the physical limitations imposed on the employee. To the extent there is more than one employee eligible for transitional duty, preference for transitional duty assignments will be given to employees who were injured on the job.

Every effort shall be made to assign employees to duties consistent with their title, rank and/or pay classification. However, where determined to be appropriate, personnel may be assigned to positions designated for personnel of lower rank or pay classification. Employees thus assigned shall:

a. Retain the privileges of their rank or title but shall answer to the supervisory personnel of the unit or division to which they are assigned with regard to work responsibilities and performance; and
b. Retain the pay classification and related benefits of the position held prior to their assignment to transitional duty.

Efforts will be made to keep an employee on the same shift and same work days while working a transitional duty assignment. However, if the available assignment can only be completed during a different shift or on other work days, the employee's hours of work and days of work will be adjusted accordingly.

Employees may not refuse transitional duty assignments that are recommended and approved by the Workers Compensation physician or the Borough 's consulting physician. In such cases, failure to report to work as directed shall constitute immediate grounds for disciplinary action up to and including dismissal.

5. Medical Verification

If an employee believes that the transitional duty assignment is beyond the employee's abilities, the employee may request a meeting with the Administrative Officer who will render a written response after consulting with the Borough's consulting physician. In determining whether the employee is able to return to work on a transitional duty basis, the Borough's consulting physician will consider any report provided by the employee's treating physician. The final decision as to the ability to return to work, however, will be made by the Borough's consulting physician.

If transitional duty is approved, the employee's treating physician and/or the Workers Compensation Physician must keep the Department Head informed of the medical progress.

6. Benefits During Transitional Duty

Employees on transitional duty will receive their regular salaries and are prohibited from engaging in any outside employment of any kind unless they receive prior written approval from their Department Head.

7. Return to Full Duty

It is expected that at the end of the transitional duty period, or sooner, the employee will return to full duty. If at the end of the transitional duty period the employee is not able to return to work without restrictions, the Department Head will meet with the employee to discuss the options available. Depending on the medical prognosis for the employee's return to full duty, the Department Head reserves the right to extend the transitional duty, or take other appropriate actions based on the employee's status and medical prognosis for return to full duty.

8. Other Rights Unaffected

This policy does not affect an employee's rights under the Americans with Disabilities Act, the Family and Medical Leave Act, the Fair Labor Standards Act, or other Federal or State law.

9. Uniforms

Depending on the nature and extent of the disability, an employee on transitional duty may be prohibited or restricted from wearing the departmental uniform as determined by the Department Head.

10. Leaves during Transitional Duty

Any leave time taken while on transitional duty will be charged accordingly (i.e. Vacation, sick leave, personal leave etc.)

No. 2023- 184

RESOLUTION
KENILWORTH, NJ

WHEREAS, on January 4, 2023, the Borough of Kenilworth Municipal Council adopted Resolution 2023-45, contracting Marco Antonio Studio to videotape and edit two DVD's of the Borough of Kenilworth Council Meetings for the year 2023; and

WHEREAS, on March 1, 2023, the Borough of Kenilworth Municipal Council adopted Resolution 2023-86 amending the hourly rate to $150 per hour plus an additional editing fee of $55 per meeting/event, not to exceed $5,000 for the year; and

WHEREAS, the Borough wishes to amend Resolution 2023-86 to increase the not to exceed amount to $6,200.00 for the year.

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

1. Resolution 2023-86 is hereby amended to increase the maximum contract amount to $6,200.00.

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

3. This resolution shall be ratified back to March 1, 2023.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **July 12, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro		✓	✓			
Councilman Pentz			✓			
Councilman Pugliese			✓			
Councilman Scorese			✓			
Councilman Zimmerman	✓		✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 185

RESOLUTION
KENILWORTH, NJ

WHEREAS the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 *et seq.*, permits and provides for a mechanism for contracting between local units by entry into a Shared Services Agreement; and

WHEREAS, the County controls and maintains certain roadways throughout the County which are designated as County Routes within the Municipality; and

WHEREAS, at the request of the Municipality, the County has agreed to supply certain Rectangular Rapid Flashing Beacons (hereinafter the "RRFBs") to the Municipality in exchange for the Municipality agreeing to install the RRFBs at two (2) intersections within the Municipality to improve roadway and pedestrian safety and promote the general welfare; and

WHEREAS, in discharge of its public duties pursuant to N.J.S.A. 39:4-120.1, the Municipality has agreed to install the RRFBs at two (2) intersections within the Municipality to improve roadway and pedestrian safety and promote the general welfare and the Municipality will be responsible for any and all costs or expenses associated with the installation and maintenance of the RRFBs; and

NOW, THEREFORE, BE IT RESOLVED by the Borough of Kenilworth, County of Union, State of New Jersey, that the Mayor and Township Clerk are hereby authorized and directed to execute a Shared Services Agreement between the Borough of Kenilworth and the County of Union for the supply and installation of Rectangular Rapid Flashing Beacons at various intersections within Kenilworth, New Jersey.

BE IT FURTHER RESOLVED, that a copy of this Resolution be forwarded to the Division of Local Government Services pursuant to N.J.S.A. 40A:65-4(b).

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **July 12, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro		✓	✓			
Councilman Pentz			✓			
Councilman Pugliese			✓			
Councilman Scorese			✓			
Councilman Zimmerman	✓		✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

SHARED SERVICES AGREEMENT
BETWEEN
THE COUNTY OF UNION
AND
THE BOROUGH OF KENILWORTH
FOR THE SUPPLY AND INSTALLATION OF RECTANGULAR RAPID FLASHING BEACONS AT VARIOUS INTERSECTIONS WITHIN KENILWORTH, NEW JERSEY

THIS SHARED SERVICES AGREEMENT is made and entered into as of _____, (the "Agreement") between the **COUNTY OF UNION**, a public body corporate and politic of the State of New Jersey (the "County"), located at the Union County Administration Building, 10 Elizabethtown Plaza, Elizabeth, New Jersey 07207 and the **BOROUGH OF KENILWORTH**, a municipal corporation of the State of New Jersey (the "Municipality"), having its principal office at Borough Hall, 567 Boulevard, Kenilworth, New Jersey 07033, collectively referred hereinafter as the "Parties".

WITNESSETH:

WHEREAS the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 *et seq.*, permits and provides for a mechanism for contracting between local units by entry into a Shared Services Agreement; and

WHEREAS, the County controls and maintains certain roadways throughout the County which are designated as County Routes within the Municipality;

WHEREAS, at the request of the Municipality, the County has agreed to supply certain Rectangular Rapid Flashing Beacons (hereinafter the "RRFBs") to the Municipality in exchange for the Municipality agreeing to install the RRFBs at two (2) intersections within the Municipality to improve roadway and pedestrian safety and promote the general welfare (the "Intersections" are listed in Attachment "A" hereto); and

WHEREAS, in discharge of its public duties pursuant to N.J.S.A. 39:4-120.1, the Municipality has agreed to install the RRFBs at two (2) intersections within the Municipality to improve roadway and pedestrian safety and promote the general welfare (the "Intersections" are listed in Attachment "A" hereto) and the Municipality will be responsible for any and all costs or expenses associated with the installation and maintenance of the RRFBs; and

WHEREAS, the County adopted Resolution No. 2023-___ and the Municipality adopted Resolution No. ____ duly authorizing their proper officials to enter into and execute this Agreement; and

WHEREAS, the Parties hereby desire to set forth their rights and responsibilities with respect to the RRFBs under this Agreement.

NOW, THEREFORE, in consideration of the mutual promises, covenants, agreements and other considerations between the Parties, the Parties do hereby mutually covenant and agree as follows:

I. **INCORPORATION OF RECITALS.** The recitals set forth above are incorporated herein by reference.

II. **PARTIES' RESPONSIBILITIES:**

2.01. The County agrees, at its sole cost and expense, to supply the necessary RRFBs to the Municipality for the municipality to install at two (2) intersections within the Municipality, as set forth in Attachment "A".

2.02. The County, in discharge of its public duties, pursuant to N.J.S.A. 39:4-120.1, authorizes the Municipality to install the RRFBs at two (2) Intersections within the Municipality, as set forth in Attachment "A".

2.03. The Municipality will abide by all applicable Federal, State and Local laws and regulations, including, but not limited to, the New Jersey Department of Transportation Standards and Manual on the Uniform Traffic Control Devices ("MUTCD").

2.04. The Municipality will obtain any and all applicable permits and approvals required for the RRFBs.

2.05. Once the RRFBs are installed, the Municipality will notify the County of same.

2.06. The County will have no responsibility whatsoever regarding the installation, ownership, operation, and maintenance of the RRFBs. The Municipality hereby assumes sole responsibility, cost, and expense for same.

2.07. The Municipality shall be responsible to maintain the RRFBs in good working order. The Municipality will provide electricity to the RRFBs, if required, at its sole cost and expense. Once installed, the Municipality will be responsible for any and all costs or expenses associated with the RRFBs. The Municipality will also inspect and perform routine maintenance of the RRFBs at such times, and in such a manner, that is consistent with the Municipality's inspection and routine maintenance of its other traffic signals, other RRFBs and/or warning RRFBs. Routine maintenance will be defined as all repair and maintenance of the RRFBs, including, but not limited to, the replacement of light bulbs or any other equipment necessary and required to operate the RRFBs properly.

2.08. The Municipality must notify the County of any and all changes or modifications to the RRFBs at any time. Said changes or modifications must be approved, in writing, by the County.

III. GENERAL TERMS:

3.01. Formal Approvals. This Agreement and any amendments hereto, shall be subject to the formal approval by the Union County Board of County Commissioners and the Municipality's Council.

3.02. Term. This Agreement shall commence upon execution by the County and the Municipality and remain in effect until same is terminated by the mutual written consent of the Parties or the removal of the RRFBs, after written Notice to the County pursuant to this Agreement.

3.03. Termination. Either party may terminate this Agreement at any time upon giving thirty (30) days' written notice to the other Party, unless the Parties mutually agree to a shorter time period.

3.04. Mutual Indemnification. The Municipality shall indemnify, save, defend, and hold harmless the County, its Board of County Commissioners, officers, agents, employees, contractors, and servants and each and every one of them, against and from all suits, claims, and costs of every kind and description and from all damages to which the County or any of its officials, officers, agents, employees, contractors or servants may be put by reason of injury to person or property resulting from the negligence of the Municipality or any of its officials, officers, agents, employees, contractors or servants in the performance of the Municipality's responsibilities, or through any negligent act or omission on the part of the Municipality or any of its officials, officers, agents, servants or contractors, under this Agreement, to the extent permitted pursuant to the provisions of the New Jersey Tort Claims Act, N.J.S.A. 59:1-1 et. seq. and the New Jersey Contractual Liability Act, N.J.S.A. 50:13-1 et. seq. This section shall survive the termination of this Agreement.

The County its Board of County Commissioners, officers, agents, employees, contractors, servants, successors and assigns shall hold harmless, indemnify, defend, and release the Municipality their successors, and assigns from and against all suits, liabilities, penalties, costs, losses, damages, expenses or claims, including, without limitation, reasonable attorney's fees arising from anyone that is injured due to the County's negligence in the design of the RRFBs, including, but not limited to, any injury to or the death of any person or any damage to any property resulting from any act, omission, condition, or other manner related to this Agreement, regardless of cause, unless due to the negligence of the Borough and their employees, agents, and contractors, successors and assigns related to the installation and maintenance of the RRFBs.

3.05. Insurance Requirements. The Municipality's indemnification and liability hereunder is not limited by, but is in addition to, its insurance obligations to the County. An acceptable Certificate of Insurance evidencing limits and additional insured language acceptable to the County shall be submitted

to same by the Municipality prior to the commencement of any on-site work or activities. This section shall survive the termination of this Agreement.

3.06. Authorizations.

(a) The Parties represent and warrant that:

(i) They are fully authorized to enter into this Agreement;

(ii) They have taken all necessary and internal legal actions to duly approve the making and performance of this Agreement and that no further or other internal approval is necessary;

(iii) The making and performance of this Agreement will not violate any provisions of law or of their respective articles of incorporation, charter, code or bylaws.

(b) The Parties have read this entire Agreement and know the contents hereof, that the terms hereof are contractual and not merely recitals, and that they have signed this Agreement of their own free act; and in making this Agreement, they have obtained the advice of legal counsel. Both Parties to this Agreement acknowledge their respective authority to enter into this Agreement and confirm that each Party has adopted a resolution authorizing entry into this Agreement pursuant to N.J.S.A. 40A:65-5(a).

3.07. Waiver. No term or provision of the Agreement shall be deemed waived and no breach consented to unless such waiver or consent shall be in writing and signed by the party claimed to have waived or consented. The waiver of any such provision shall not be a waiver of the provision itself or a waiver or consent to any subsequent breach.

3.08. Entire Agreement. This Agreement constitutes a single integrated written contract expressing the entire agreement between and among the Parties relating to the subject matter of this Agreement. No promises, inducements or considerations have been offered or accepted except as set forth herein. This Agreement supersedes any prior oral or written agreements, understanding, discussions, negotiations, offers or judgment, or statements concerning the subject matter hereof. No amendment, modification or addendum shall be effective unless in writing dated subsequent to the date hereof and executed by all of the Parties. The requirement for such a writing shall apply to any waiver of the requirement or a written modification pursuant to this Section and this is an essential term of this Agreement.

3.09. Changes and modifications. The Parties may from time to time during the term of the Agreement make changes, extensions of time or other modifications to the Agreement. Such modifications shall only be made in writing and by mutual agreement. Any such changes shall be agreed to by the Director of the Division of Engineering.

3.10. Force Majeure. Neither party shall be liable for any damages for failure to perform its obligations under this Agreement if such failure arises out of causes beyond the control and without the fault or negligence of either party. Such causes may include, but are not restricted to terroristic acts, acts of God, fires, floods, war, riot, insurrection, accidents, epidemics, quarantine restrictions, freight embargoes, industrial disturbances and unusually severe weather. When such a cause arises, either party

shall notify the other immediately in writing of its failure to perform, describing the cause of failure and how it affects performance, and the anticipated duration of the inability to perform.

3.11. **Severability.** If any clause, provision or section of this Agreement shall be ruled invalid by any court of competent jurisdiction, the invalidity of such clause, provision or section shall not affect any of the remaining provisions hereof.

3.12. **Notices.** All notices, requests, demands, and other communications pursuant to this Agreement shall be in writing and shall be deemed to have been duly given if delivered by a nationally recognized overnight courier (e.g., Federal Express, UPS, Airborne Express, etc.) or if mailed simultaneously by regular mail and certified mail, return receipt requested, postage prepaid, to the addresses shown below unless said addresses shall be changed by notice given pursuant to this Agreement, or by fax or email.

(a) Notice(s) to the County shall be given to:

Division of Engineering
2325 South Avenue
Scotch Plains, New Jersey 07076
Attn: County Engineer

with a copy of the notice(s) sent to:

Office of the County Counsel
UC Administration Building – 5th Floor
10 Elizabethtown Plaza
Elizabeth, New Jersey 07207
Attn: County Counsel

(b) Notice(s) to the Municipality shall be given to:

Borough of Kenilworth
Borough Hall
567 Boulevard
Kenilworth, New Jersey 07033
Attn: Borough Clerk

with a copy of the notice(s) sent to:

Borough of Kenilworth Attorney
61 S Paramus Rd Ste 250
Paramus, NJ 07652
Attn: Mark Semeraro

3.13. Construction and Application of Terms. (a) **Headings.** The section headings in this Agreement are inserted only as a matter of convenience and for reference and in no way define, limit or describe the scope or intent of any provision hereof.

(b) **Severability.** If any clause, provision or section of this Agreement shall be ruled invalid by any court of competent jurisdiction, the invalidity of such clause, provision or section shall not affect any of the remaining provisions hereof.

(c) **No Presumption Against Drafting Party.** The Parties agree that any presumption or rule of construction to the effect that any ambiguities are to be resolved against the drafting party shall not be applicable to the interpretation of this Agreement or any amendments, addenda or supplements hereto or any Appendices, Exhibits or Schedules hereto.

(d) **Third-Party Beneficiaries.** This Agreement does not and shall not be construed to itself confer any rights whatsoever upon any person whatsoever, except the Parties, whether upon a theory of third-party beneficiary or otherwise.

3.14. Counterparts. This Agreement may be executed in counterparts each of which shall be deemed an original and all together shall be deemed one and the same. Electronic reproduction of this Agreement and any electronic signatures thereto shall be deemed the same as the original.

3.15. Governing Law/Jurisdiction. This Agreement shall be governed under the laws of the State of New Jersey, including without limitation, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq., the New Jersey Tort Claims Act, N.J.S.A. 59:1-1 et seq., and the New Jersey Contractual Liability Act, N.J.S.A. 59:13-1 et seq. The Parties agree that pursuant to the New Jersey Contractual Liability Act, venue and jurisdiction regarding any matter pertaining to this Agreement shall be in the Superior Court of New Jersey, Law Division of Union County and hereby consent to same.

3.16. Public Inspection. A copy of this Agreement shall be available for public inspection at the offices of all Parties in accordance with N.J.S.A. 40A:65-4b.

3.17. Filing with Department of Community Affairs. Pursuant to N.J.S.A. 40A:65-4b, this Agreement shall be filed, for informational purposes, with the Division of Local Government Services in the Department of Community Affairs.

3.18. Authority. By the signatures below, the Parties execute this Agreement and confirm that they are mutually bound by and fully authorized and empowered to enter into and bind their organization by all provisions contained therein.

IN WITNESS WHEREOF, the Parties hereto have set their hands and seals the day and year first above written.

ATTEST:

COUNTY OF UNION

_____
JAMES E. PELLETTIERE, CLERK
Union County Board of County Commissioners

BY: _____
EDWARD T. OATMAN
County Manager

APPROVED AS TO FORM:

_____
BRUCE H. BERGEN, ESQ.
County Counsel

ATTEST:

BOROUGH OF KENILWORTH

_____
ANGELA LAZZARI
Borough Clerk

BY: _____
LINDA KARLOVITCH
Mayor

APPROVED AS TO FORM:

_____
Mark J. Semeraro, Esq.
Borough Attorney

No. 2023- 186

RESOLUTION
KENILWORTH, NJ

APPLICANT'S RESOLUTION
LEAD GRANT ASSISTANCE PROGRAM

WHEREAS, effective July 22, 2022, the Legislature enacted P.L. 2021, c. 182, "An Act concerning certain lead-based paint hazard, and residential rental property, and establishing lead-based paint hazard programs, supplementing P.L. 2003, c. 311 (C. 52:27D-437.1 et al.) amending various parts of the statutory law, and making an appropriation;" and

WHEREAS, pursuant to N.J.S.A. 52:27D-437.16(b)(1), a municipality that maintains a permanent local agency for the purpose of conducting inspections and enforcing laws, ordinances, and regulations concerning buildings and structures, is required to inspect for lead-based paint hazards in certain specified single-family, two-family, and multiple rental dwellings, at the time periods set forth in the statute; and

WHEREAS, pursuant to N.J.S.A. 52:27D-437.16(b)(2) a municipality that does not maintain such a permanent local agency must hire a lead evaluation contractor, certified to provide lead paint inspection services by DCA, or enter a shared services agreement as permitted by law, for the purpose of conducting the inspections for lead-based paint hazards; and

WHEREAS, Pursuant to Section 9 of P.L. 2021, c. 182, the State of New Jersey has allocated the sum of $3,900,000 to effectuate the purposes of P.L. 2021, c. 182 (C. 52:27D-437.16). Further, pursuant to the FY 2023 Appropriations Act (P.L. 2022, Chapter 49), DCA received a grant-in-aid amount of $3,900,000 for P.L. 2021, c. 182, for a total of $7,800,000 in appropriations to effectuate the purpose of the Act.

WHEREAS, DCA has allocated $7,000,000 of this appropriation to the development of the Lead Grant Assistance Program ("LGAP") for the issuance of grant funds to municipalities for the purpose of assisting in municipal compliance with P.L. 2021, c. 182.

WHEREAS, the Division of Local Government Services (DLGS), within DCA, administers the LGAP; and

WHEREAS, the LGAP exists to provide funding to help off-set the costs to municipalities to provide the required inspections at stipulated times of certain single-family, two-family, and multiple rental dwelling units for lead-based paint hazards, pursuant to P.L. 2021, c. 182; and

WHEREAS, an authorized municipal officer must execute the attached grant agreement in order to receive LGAP funding.

NOW, THEREFORE, BE IT RESOLVED, the Governing Body of, Borough of Kenilworth does hereby authorize Mayor Linda Karlovitch to sign the attached grant agreement, and thus bind Borough of Kenilworth to the grant agreement's terms in order to receive the $17,600.00 grant from the DLGS;

No. 2023-186

RESOLUTION
KENILWORTH, NJ

CERTIFICATION

I, Angela Lazzari, Borough Clerk of the Borough of Kenilworth in the County of Union, and the State of New Jersey do hereby Certify that the foregoing Resolution is a true copy of the Original Resolution duly passed and adopted by a majority of the full membership of the Borough Council at its meeting of **July 12, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro		✓	✓			
Councilman Pentz			✓			
Councilman Pugliese			✓			
Councilman Scorese			✓			
Councilman Zimmerman	✓		✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

State of New Jersey
DEPARTMENT OF COMMUNITY AFFAIRS
101 SOUTH BROAD STREET
PO Box 800
TRENTON, NJ 08625-0800
(609) 292-6420

PHILIP D. MURPHY
Governor

LT. GOVERNOR SHEILA Y. OLIVER
Commissioner

GRANT AGREEMENT

P.L. 2021, CHAPTER 182 LEAD GRANT ASSISTANCE PROGRAM

STATE OF NEW JERSEY

DEPARTMENT OF COMMUNITY AFFAIRS

This grant agreement is entered into between the New Jersey Department of Community Affairs (hereafter referred to as "DCA") and BOROUGH OF KENILWORTH (hereafter referred to as "Grantee"). DCA and BOROUGH OF KENILWORTH may be referred to individually as "Party" and jointly as "Parties."

Grant Number # 2008

GENERAL

I. Grant Agreement Data

II. Compliance with Existing Laws

III. Bonding and Insurance

IV. Indemnification

V. Assignability

VI. Availability of Funds

PRE-AWARD REQUIREMENTS

VII. Special Grant Conditions for "High Risk" Grantees

POST-AWARD REQUIREMENTS

VIII. Financial Management System

IX. Method of Payment

X. Allowable Costs

XI. Period of Availability of Funds

XII. Matching and Cost Sharing

XIII. Program Income

XIV. Audit Requirements

XV. Budget Revision and Modification

XVI. Property Management Standards

XVII. Procurement Standards

XVIII. Monitoring of Program Performance

XIX. Financial and Performance Reporting

XX. Access to Records

XXI. Record Retention

XXII. Enforcement

XXIII. Termination and Suspension

AFTER-THE-GRANT REQUIREMENTS

XXIV. Grant Closeout Procedures

WHEREAS, effective July 22, 2022, the Legislature enacted P.L. 2021, c. 182, "An Act concerning certain lead-based paint hazard, and residential rental property, and establishing lead-based paint hazard programs, supplementing P.L. 2003, c. 311 (C. 52:27D-437.1 et al.) amending various parts of the statutory law, and making an appropriation;" and

WHEREAS, pursuant to N.J.S.A. 52:27D-437.16(b)(1), a municipality that maintains a permanent local agency for the purpose of conducting inspections and enforcing laws, ordinances, and regulations concerning buildings and structures, is required to inspect for lead-based paint hazards certain specified single-family, two-family, and multiple rental dwellings, at the time periods set forth in the statute; and

WHEREAS, pursuant to N.J.S.A. 52:27D-437.16(b)(2) a municipality that does not maintain such a permanent local agency must hire a lead evaluation contractor, certified to provide lead paint inspection services by DCA, or enter a shared services agreement as permitted by law, for the purpose of conducting the inspections for lead-based paint hazards; and

WHEREAS, the inspection may consist of a visual inspection, or in the alternative through dust wipe sampling, depending upon the blood lead level of children six years of age or younger within the municipality; and

WHEREAS, the State of New Jersey, pursuant to Section 9 of P.L. 2021, c. 182, has, "appropriated from the General Fund to [DCA] the sum of $3,900,000 to effectuate the purposes of P.L. 2021, c. 182 (C. 52:27D-437.16)." Further, pursuant to the FY 2023 Appropriations Act (P.L. 2022, Chapter 49), DCA received a grant-in-aid amount of $3,900,000 for P.L. 2021, c. 182, for a total of $7,800,000 in funding to effectuate the purpose of the Act; and

WHEREAS, DCA has allocated $7,000,000 of this appropriation to the development the Lead Grant Assistance Program ("LGAP") for the issuance of grant funds to municipalities for the purpose of assisting in municipal compliance with P.L. 2021, c. 182.

WHEREAS, DCA has determined that Grantee is eligible to receive [$17,600.00] from the LGAP.

NOW, THEREFORE, pursuant to the terms of this grant agreement, DCA hereby grants [$17,600.00] to the Grantee to be used for the purposes described herein.

GENERAL

I. **Grant Agreement Data**

Grantee Information

1. **Grantee's Name:** BOROUGH OF KENILWORTH

2. **Grantee Address:**
567 Boulevard
Kenilworth, NJ 07033

3. **Financial Officer's Name and Title:**
Jill Goode, Chief Financial Officer

Grant Agency Information

1. **Granting Agency Name:**

New Jersey Department of Community Affairs

Division of Local Government Services

2. **Granting Agency Address**

101 South Broad Street

Trenton NJ 08625 -803

3. Grant Officer Name, Email Address and Phone Number Tiziana, Johnston, tiziana.johnston@dca.nj.gov, (609) 913- 4407
Grant Amount **Total amount of grant: $17,600.00** **State Account Number: 23-100-022-8020-304**

I. Compliance with Existing Laws

A. The Grantee, in order to permit DCA to award this grant, agrees to comply with all Federal, State and municipal laws, rules, and regulations generally applicable to the activities in which the Grantee is engaged in the performance of this grant.

B. These laws and regulations include, but are not limited to the following:

1. Federal Office of Management and Budget (OMB) documents: http://www.whitehouse.gov/omb/circulars/
2. New Jersey Department of the Treasury, Office of Management and Budget documents:

i. Circular Letter 15-18-OMB, Single Audit Policy for Recipients of Federal Grants, State Grants and State Aid: http://www.state.nj.us/infobank/circular/cir0404b.htm

ii. State Grant Compliance Supplement: http://www.state.nj.us/treasury/omb/publications/grant/index.shtml

3. State Affirmative Action Legal Citations: The Grantee agrees to require its contractors to comply with the requirements of N.J.A.C. 17:27, applicable provisions of N.J.S.A 10:5, et. al., and P.L. 1975, c.127 and all implementing regulations.

C. Failure to comply with the laws, rules and regulations shall be grounds for termination of this grant.

II. Bonding and Insurance

The Grantee must maintain in force for the term of this grant agreement all levels of minimum liability coverage required by law. The Grantee must provide proof of such coverage to DCA upon request.

III. Indemnification

The Grantee shall be solely responsible for and shall keep, save, and hold the State of New Jersey harmless from all claims, loss, liability, expense, or damage resulting from all mental or physical injuries or disabilities, including death, to its employees or recipients of the Grantee's services or to any other persons, or from any damage to any property sustained in connection with the delivery of the Grantee's services that results from any acts or omissions, including negligence or malpractice, of any of its officers, directors, employees, agents, servants or independent contractors, or from the Grantee's failure to provide for the safety and protection of its employees, whether or not due to negligence, fault, or default of the Grantee. The Grantee's responsibility shall also include all legal fees and costs that may arise from these actions. The Grantee's liability under this agreement shall continue after the termination of this agreement with respect to any liability, loss, expense or damage resulting from acts occurring prior to termination.

IV. Assignability

The Grantee shall not subcontract the administration of this grant, nor shall any interest be assigned or transferred except as may be provided for in this grant agreement or with the express written approval of DCA. This does not prohibit a Grantee from using grant funds to pay for a lead evaluation contractor or enter into a shared services agreement, if permitted to do so under P.L. 2021, c. 182.

V. Availability of Funds

The Grantee shall recognize and agree that the funding under this grant agreement is expressly dependent upon the availability to DCA of funds appropriated by the State Legislature from State and/or Federal revenue or such other funding sources as may be applicable. A failure of DCA to make any payment under this grant agreement or to observe and perform any condition on its part to be performed under this grant agreement as a result of the failure of the Legislature to appropriate shall not in any manner constitute a breach of this grant agreement by DCA or an event of default under this grantagreement and DCA shall not be held liable for any breach of this grant agreement because of the absence of available funding appropriations. In addition, future funding shall not be anticipated from DCA beyond the duration of the award period set forth in this grant agreement and in no event shall the this grant agreement be construed as a commitment by DCA to expend funds beyond the termination date set in this grant agreement.

VI. Special Grant Conditions For "High Risk" Grantees

A. If applicable, a Grantee may be considered "high risk" if DCA determines that a Grantee:
    1. Has a history of unsatisfactory performance.
    2. Is not financially stable.
    3. Has a financial management system which does not meet the standards set forth in Section VIII.
    4. Has not conformed to terms and conditions of previous awards.

5. Is otherwise not responsible; and the DCA determines that an award will be made; special conditions and/or restrictions shall correspond to the high risk condition and shall be included in the award.

B. Special conditions or restrictions may include:
   1. Payment on a reimbursement basis.
   2. Withholding authority to proceed to the next phase until receipt or evidence of acceptable performance within a given funding period.
   3. Requiring additional, more detailed financial reports.
   4. Additional project monitoring.
   5. Requiring the Grantee to obtain technical or management assistance.
   6. Establishing additional prior approvals.

C. If DCA decides to impose such conditions, DCA will notify the Grantee as soon as possible, in writing, of:
   1. The nature of the special conditions/restrictions.
   2. The reason(s) for imposing the special conditions.
   3. The corrective actions that must be taken before the special conditions will be removed by DCA and the time allowed for completing the corrective actions.
   4. The method of requesting reconsideration of the conditions/restrictions imposed.

VII. Financial Management System

A. The Grantee shall be responsible for maintaining an adequate financial management system, as required under N.J.A.C. 5:30, and will immediately notify DCA when the Grantee cannot comply with the requirements established in this Section of the grant agreement.

B. If applicable, the Grantee's financial management system shall provide for:
   1. **Financial Reporting**: Accurate, current, and complete disclosure of the financial results of each grant in conformity with generally accepted principles of accounting, and reporting in a format that is in accordance with the financial reporting requirements of the grant.
   2. **Accounting Records**: Records that adequately identify the source and application of funds for DCA supported activities. These records must contain information pertaining to grant awards and authorizations, obligations, unobligated balances, assets, liabilities, outlays or expenditures and income.
   3. **Internal Control**: Effective internal and accounting controls over all funds, property and other assets. The Grantee shall adequately safeguard all such assets and assure that they are used solely for authorized purposes.
   4. **Budget Control**: Comparison of actual expenditures or outlays with budgeted amounts for each grant. Also, the relationship of the financial information with performance or productivity data, including the development of unit cost information required by DCA.

5. **Allowable Cost**: Procedures for determining reasonableness, allowability, and allocability of costs generally consistent with the provisions of Federal and State requirements.
6. **Source Documentation**: Accounting records that are supported by source documentation.
7. **Cash Management**: Procedures to minimize the time elapsing between the advance of funds from DCA and the disbursement by the Grantee, whenever funds are advanced by the DCA.

C. DCA may review the adequacy of the financial management system of any applicant for financial assistance as part of a pre-award review or at any time subsequent to the award. If DCA determines that the Grantee's accounting system does not meet the standards described in paragraph B above, additional information to monitor the grant may be required by DCA upon written notice to the Grantee, until such time as the system meets with DCA approval.

VIII. Method of Payment

A one-time payment of $17,600.00, will be made to the Grantee upon execution of this grant agreement.

IX. Allowable Costs

A. Limitation on Use of Funds

Grant funds must be used only for the implementation of P.L. 2021, c. 182. **Such costs may include the following:**

1. Hiring and training of municipal personnel who will perform inspections for lead-based paint hazards in rental units subject to Chapter 182 (including Lead Inspector/Risk Assessor training costs).

    a. If permitted under P.L. 2021, c. 182, payment of an appropriate lead evaluation contractor or payment to another municipality in an appropriate shared service agreement.

2. Personnel costs attributable to lead-based paint hazard inspections by existing employees.
3. Materials and supplies required for carrying out such inspections, such as for dust wipe sampling.
4. Communications materials and mailings to known and potential property owners subject to inspection, including those intended to identify owners of single and two-family rental units.

Non-permissible uses of the funding include but are not limited to:

1. Human Resource services for the hiring of lead inspectors.
2. Municipal building operating costs.
3. Municipal finance department staff costs for required reporting activities.
4. Any related professional services such as the hiring of a marketing contractor, consultant or legal services associated with compliance under the Act.

B. Applicable Cost Principles

If applicable, for each type of organization, there is a set of Federal principals for determining allowable costs. Allowable costs will be determined in accordance with applicable Federal cost principles specific to the organization incurring the costs (e.g. Federal OMB Circulars A-87, A-122, A-21, etc.) and State requirements.

X. Period of Availability of Funds

The grantee must expend the funds and provide reporting pursuant to Section XVIII of this grant agreement no later than January 15, 2024.

XI. Matching and Cost Sharing

If applicable, the Grantee shall be required to account to the satisfaction of the DCA for matching and cost sharing requirements of the grant in accordance with Federal and State requirements.

XII. Program

A. If applicable, program income shall be defined as gross income earned by the Grantee from grant-supported activities. Such earnings include, but will not be limited to, income from service fees, sale of commodities, usage or rental fees, and royalties on patents and copyrights.

1. All program income earned during grant period shall be retained by the Grantee.

XIII. Audit Requirements

This grant, if it meets or exceeds the threshold of $750,000.00 in Department of the Treasury Circular Letter 15-08-OMB, Single Audit Policy for Recipients of Federal Grants, State Grants and State Aid is covered by the audit requirements of the Department of the Treasury Circular Letter 15-08-OMB, Single Audit Policy for Recipients of Federal Grants, State Grants and State Aid.

XIV. Revision and Modification

A. Deviations from the allowable costs provided in Section IX shall not be permitted at anytime, nor shall this grant agreement be modified or amended without the express authorization of DCA.

XV. Property Management Standards

Property acquired in whole or in part with Federal or DCAt funds or whose cost was charged to a project supported by Federal or DCA funds shall be utilized and disposed of in a manner generally consistent with State and Federal requirements.

XVI. Procurement Standards

Procurement of supplies, equipment, and other services with funds provided by this grant shall be accomplished in a manner generally consistent with Federal and State requirements. Adherence to the standards contained in the applicable Federal and State laws and regulations does not relieve the Grantee of the contractual responsibilities arising under its procurements. The Grantee is the responsible authority, without recourse to DCA, regarding the settlement and satisfaction of all contractual and administrative issues arising out of procurement entered in support of a grant.

XVII. Monitoring of Program Performance

A. If applicable, the Grantee must assure compliance with applicable Federal requirements and that performance goals are being achieved. Grantee monitoring must cover each program, function or activity to monitor performance under grant supported activities to assure time schedules and objectives are being met, projected work units by time periods are being accomplished, and other performance goals are being achieved as applicable.

B. The Grantee shall inform DCA of the following types of conditions which affect program objectives and performance as soon as they become known:
    1. Problems, delays, or adverse conditions which will materially impair the ability to attain program objectives, prevent meeting time schedules and goals, or preclude the attainment of project work units by established time periods. This disclosure shall be accompanied by a statement of the action taken, or contemplated, and any DCA assistance required to resolve the situation.

C. DCA may, at its discretion, make site visits to:
    1. Review program accomplishments and management control systems.
    2. Provide such technical assistance as may be required.
    3. Perform fiscal reviews to ensure grant funds are being properly expended in a timely manner.

XVIII. Financial and Performance Reporting

A. The grant budget as used in this Section means the financial plan to carry out the purpose of the grant which is to assist municipalities by helping offset the costs of compliance with the obligations imposed on them by P.L. 2021, c. 182.

B. The Grantee is required to submit a final expenditure report at the conclusion of the grant period. The expenditure report file is to include expense supporting documentation that includes: copies of employee cumulative payment registers, copies of PO's, vendor invoices and cancelled checks front & back for period of 1/1/2023 through 12/31/2023 by 1/15/2024.

C. The grantee is required to submit a final progress report detailing the number of household inspections and results undertaken under this grant for the period of 1/1/2023 through 12/31/2023 by 1/15/2024.

D. Extensions to reporting due dates may be granted upon written request to the Department of Community Affairs (DCA), Division of Local Government Services (DLGS).

E. If reports are not submitted as required, the Department may, at its discretion, rescind the grant resulting in the grantee's requirement to reimburse the Department for grant funds awarded. The State of New Jersey may, at its discretion, take such action to withhold payments to the Grantees on any grant with other State agencies until the required reports have been submitted.

XIX. Access to Records

A. The Grantee in accepting this grant agrees to make available to DCA pertinent accounting records, books, documents and papers as may be necessary to monitor and audit Grantee's operations.
B. All visitations, inspections and audits, including visits and requests for documentation in discharge of DCA's responsibilities, shall as a general rule provide for prior notice when reasonable and practical to do so. However, DCA retains the right to make unannounced visitations, inspections, and audits as deemed necessary.
C. DCA reserves the right to have access to records of any Subgrantees and requires the Grantee to provide for DCA access to such records in any grant with the Subgrantee.
D. DCA reserves the right to have access to all work papers produced in connection with audits made by the Grantee or independent certified public accountants, registered municipal accountants or licensed public accountants hired by the Grantee to perform such audits.

XX. Record Retention

A. Except as otherwise provided, financial and programmatic records, supporting documents, statistical records and all other records pertinent to the grant shall be retained for a period of seven years, unless unless directed to extend the retention by DCA.
    1. If any litigation, claim, negotiation, action or audit involving the records is started before the expiration of the seven year period, the records must be retained until completion of the action and resolution of all issues which arise from it, or until the end of the regular seven year period, whichever is later unless otherwise directed by DCA.
    2. Records for nonexpendable property acquired with DCA funds shall be retained for seven years after its final disposition, unless otherwise provided or directed by DCA.
B. For Federal and State purposes (unless otherwise provided):
    1. General - The retention period starts from the date of submission of the final expenditure report, or for grants that are renewed annually, from the date of submission of the annual financial report.
    2. Real Property and Equipment - The retention period for real property and equipment records starts from the date of the disposition, replacement or transfer at the direction of DCA.
C. DCA may request transfer of certain records to its custody from the Grantee when it determines that the records possess long-term retention value and will make

arrangements with the Grantee to retain any records that are continuously needed for joint use.

XXI. Enforcement

A. Remedies for Noncompliance

If the Grantee materially fails to comply with the terms of this grant agreement, , DCA may take one or more of the following actions, as appropriate in the circumstances:

1. Disallow all or part of the cost of the activity or action not in compliance.
2. Request the balance of grant funds to be returned and/or seek reimbursement for funds expended that were not in compliance with the terms and conditions of the grant agreement.
3. Take other remedies that may be legally available.

B. Hearings, Appeals

In taking an enforcement action against the Grantee, DCA may provide the Grantee an opportunity for such hearing, appeal or other administrative proceeding to which the Grantee is entitled under any statute or regulation applicable to the action involved.

XXII. Termination and Suspension

A. The following definitions shall apply for the purposes of this Section:
   1. Termination: The termination of a grant means the cancellation of assistance, in whole or in part, under a grant at any time prior to the date of completion.
   2. Suspension: The suspension of a grant is an action by the Department which temporarily suspends assistance under the grant pending corrective action by the Grantee or pending a decision to terminate the grant by the Department.
   3. Disallowed Costs: Disallowed costs are those charges to the grant which DCA or its representatives shall determine to be beyond the scope of the purpose of the grant, excessive, or otherwise unallowable.

B. DCA may terminate the grant in whole or in part whenever it is determined that the Grantee has failed to comply with the conditions of this grant agreement. DCA shall promptly notify the Grantee in writing of the determination and the reasons for the termination together with the effective date. Payments made to the Grantee or recoveries by DCA under the grant terminated for cause shall be in accord with the legal right and liability of the parties.

C. The Grant Closeout procedures in Section XXIV of the grant shall apply in all cases of termination of the grant.

XXIII. Grant Closeout Procedures

A. The following definitions shall apply for the purpose of this Section:
   1. Grant Closeout: The closeout of a grant is the process by which the DCA determines that all applicable administrative actions and all required work of the grant have been completed by the Grantee.

2. Date of Completion: The date when all grant funding has been expended, and the Grantee has provided the required reporting pursuant to Section XVIII of this grant agreement, to the satisfucation and approval of DCA.

B. The Grantee shall submit reports as prescribed by the timeframes set forth in Sections X and XVIII of this grant agreement upon completion of the grant period or termination of the grant.

C. The Grantee will, together with the submission of the report, refund to DCA any unexpended funds or unobligated (unencumbered) cash advanced, except such sums that have been otherwise authorized in writing by DCA to be retained.

D. If applicable, in the event a final audit has not been performed prior to the closeout of the grant, DCA retains the right to recover any appropriate amount after fully considering the recommendations on disallowed costs resulting from the final audit.

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DCA AND GRANTEE APPROVAL SIGNATURES

EXECUTION SIGNATURES

By the signatures below, the Grantee and DCA (the "parties") execute this agreement and confirm that they are mutually bound by all provisions contained herein and are fully authorized and empowered to enter into and bind their organization to all obligations under this agreement.

For the Grantee:

By:  (signature) (authorized delegate)

_Linda Karlovitch_____ (print name)

__Mayor_____ (print title)

Date: ___July 7, 2023_____

For DCA:

By: _____ (signature)

(Commissioner or authorized delegate)

_____Jacquelyn A. Suárez_____ (print name)

_____Director_____ (print title)

Date: _____

No. 2023- 187

RESOLUTION
KENILWORTH, NJ

WHEREAS, 2023-2024 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 raised 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, County of Union, State of New Jersey, that the following Alcoholic Beverage Licenses are hereby renewed for a period of one (1) year expiring June 30, 2024:

PLENARY RETAIL CONSUMPTION LICENSE:	**LICENSE NUMBER**
M & A Restaurant LLC t/a LaCampanola	2008-33-002-008

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **July 12, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro		✓	✓			
Councilman Pentz			✓			
Councilman Pugliese			✓			
Councilman Scorese			✓			
Councilman Zimmerman	✓		✓			
Mayor Linda Karlowitch						
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 188

RESOLUTION
KENILWORTH, NJ

WHEREAS, the Borough of Kenilworth is in need for a part-time Fire Prevention Official in the Bureau of Fire Prevention; and

WHEREAS, the Fire Chief has recommended **CARMEN GIORDINO** be appointed as Fire Prevention Official, and

WHEREAS, it has been determined that **CARMEN GIORDINO** is qualified to fill all the requirements of the position of Fire Prevention Official;

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Kenilworth that;

1. Carmen Giordino be appointed Fire Prevention Official effective July 26, 2023 on a part-time basis not to exceed 25 hours.
2. Carmen Giordino shall receive an annual salary of $46,818.00 paid on a weekly basis.
3. This part-time position is entitled to benefits as set forth in the Employee Handbook.
4. This resolution shall be ratified back to July 26, 2023.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **July 27, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro		✓	✓			
Councilman Pentz			✓			
Councilman Pugliese						✓
Councilman Scorese	✓		✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes _			No ✓		

No. 2023- 189

RESOLUTION
KENILWORTH, NJ

BE IT RESOLVED, by the Borough of Kenilworth, County of Union, New Jersey, that the attached summary of bills in the total amount of $5,824,591.19, having been duly audited and found to be correct, are hereby ordered paid and that warrants be drawn for the necessary obligations by the Chief Finance Officer (CFO) prior to the next regularly scheduled Council Meeting.

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

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

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

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella						✓
Councilman Mauro			✓			
Councilman Pentz			✓			
Councilman Pugliese			✓			
Councilman Scorese		✓	✓			
Councilman Zimmerman	✓		✓			
Mayor Linda Karlovitch			✓			
ON CONSENT AGENDA	Yes ✓			No __		

Totals by Year-Fund Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND	3-01	2,435,988.71	0.00	0.00	2,435,988.71
GENERAL CAPITAL	C-04	77,759.90	0.00	0.00	77,759.90
GRANTS	G-02	3,657.00	0.00	0.00	3,657.00
GENERAL TRUST	T-03	11,816.75	0.00	0.00	11,816.75
COMMUNITY DEVELOPMENT	T-06	330.00	0.00	0.00	330.00
UNEMPLOYMENT TRUST	T-14	910.31	0.00	0.00	910.31
Year Total:		13,057.06	0.00	0.00	13,057.06
Total Of All Funds:		2,530,462.67	0.00	0.00	2,530,462.67

PO's = $2,530,462.67

Manuals = $ 971,158.73

Wires = $2,322,969.79

Total of All Funds = $5,824,591.19

No. 2023- 190

RESOLUTION
KENILWORTH, NJ

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 2023/2024 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 Education and the Borough entered into a similar shared services agreement for the 2022/2023 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 2023/2024 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, 2023 through August 31, 2024 at a rate of $30.00 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:14-146.14, et seq.

No. 2023-

RESOLUTION
KENILWORTH, NJ

William Hannon, Sr. 46 Dorset Dr. Kenilworth, NJ 07033	Anthony Giacalone 510 Richfield Ave. Kenilworth, NJ 07033

3. The Borough's aforementioned appointment of the above Class III Special Law Enforcement Officers is subject to the rules as set forth by the Police Training Commission (PTC).

4. The within Resolution and subject Agreement shall be maintained on file and available for public inspection in the office of the Borough Clerk.

5. A copy of this Resolution be forwarded to the Division of Local Government Services pursuant to N.J.S.A. 40A:65-4(b).

6. This Resolution shall take effect immediately upon passage and publication in accordance with the law, if required.

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

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella						✓
Councilman Mauro			✓			
Councilman Pentz			✓			
Councilman Pugliese			✓			
Councilman Scorese		✓	✓			
Councilman Zimmerman	✓		✓			
Mayor Linda Karlovitch			✓			
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023-191

RESOLUTION
KENILWORTH, NJ

WHEREAS, the State of New Jersey Department of Military and Veterans Affairs has confirmed that Mi'Kele Long-Rodriguez, a resident of Kenilworth who resides at 205 No. 17th Street (Block 37, Lot 1.02) was granted a determination of 100% total disability by the United States Department of Veterans Affairs, and

WHEREAS, Mi'Kele Long-Rodriguez has made an application to the Tax Assessor for an exemption from property taxes on the above address based on their 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 May 23, 2023 to the tax collector that Mi'Kele Long-Rodriguez be granted full tax exemption from billed property taxes as of May 5, 2023, and this has resulted in an overpayment of 2023 taxes due;

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Kenilworth, County of Union, State of New Jersey that Mi'Kele Long-Rodriguez be granted a full tax exemption from taxes billed to 205 No. 17th Street, Kenilworth, NJ, as of May 5, 2023, and that Mi'Kele Long-Rodriguez be refunded the amount of $515.48 which represents the overpayment of taxes paid.

Refund: Mi'Kele Long-Rodriguez, 205 No. 17th Street, Kenilworth, NJ 07033

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

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella						✓
Councilman Mauro			✓			
Councilman Pentz			✓			
Councilman Pugliese			✓			
Councilman Scorese		✓	✓			
Councilman Zimmerman	✓		✓			
Mayor Linda Karlovitch			✓			
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 192

RESOLUTION
KENILWORTH, NJ

BE IT HEREBY RESOLVED, that the following individuals be appointed on the Kenilworth Volunteer Fire Department based upon the letter from the Fire Chief dated August 3, 2023;

Name	Appointment
Aiden Fernandez	Probationary Firefighter / EMT
Akeise Shadot	Probationary Firefighter / EMT
Daniel Scherquist	Probationary Firefighter / EMT
Felippe Munoz	Probationary Firefighter / EMT
Brennan Quinones	Probationary Firefighter / EMT
David Torres	Probationary Firefighter / EMT
Michelle Villava	Probationary EMT

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

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

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella						✓
Councilman Mauro			✓			
Councilman Pentz			✓			
Councilman Pugliese			✓			
Councilman Scorese		✓	✓			
Councilman Zimmerman	✓		✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 193

RESOLUTION
KENILWORTH, NJ

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 2023 in the sum of $17,600.00 which item is now available as a revenue under the caption of Lead Grant Assistance Program pursuant to the provisions of statute, and

BE IT FURTHER RESOLVED, that the like sum of $17,600.00 is hereby appropriated under the caption of the Lead Grant Assistance Program.

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.

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

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella						✓
Councilman Mauro			✓			
Councilman Pentz			✓			
Councilman Pugliese			✓			
Councilman Scorese		✓	✓			
Councilman Zimmerman	✓		✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No ___		

No. 2023- 194

RESOLUTION
KENILWORTH, NJ

WHEREAS, the Borough of Kenilworth passed Resolution 2023-91 on March 15, 2023 canceling the Grant Receivable and Reserve balance in the amount of $49,969.25 from the Kids Recreation Trust Grant balances for various grant years 2015-2021; and

WHEREAS, the Borough has determined that a Change of Scope was applied for and granted by the County in the amount of $49,969.25; and

WHEREAS, the Borough wishes to rescind Resolution 2023-91 so this remaining grant balance of $49,969.25 can be utilized.

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Kenilworth, County of Union, State of New Jersey that Resolution 2023-91 is hereby rescinded.

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

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella						✓
Councilman Mauro			✓			
Councilman Pentz			✓			
Councilman Pugliese			✓			
Councilman Scorese		✓	✓			
Councilman Zimmerman	✓		✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 195

RESOLUTION
KENILWORTH, NJ

WHEREAS, NJAC 5:30-9A.6 and 5:31-4.1 allows for greater flexibility for location units when implementing requirements for claimant certifications set forth in NJSA 40A:51-6(a); and

WHEREAS, the local units are now given discretion to require a claimant certification as it deems necessary and appropriate; and

WHEREAS, the Chief Financial Officer of the Borough of Kenilworth recommends a claimant signature be required for all purchase orders with the exception of the below list; and

WHEREAS, on September 11, 2019, Resolution 8 authorized an initial list of exempted vendors, and on August 26, 2020, Resolution 5 amended the list.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Kenilworth that the below list of exceptions to the claimant certification requirements be amended as followed.

- Federal Express
- Home Depot
- FP Mailing Solution
- US Postal Service
- Thomson Reuters/West
- Staples
- WB Mason
- Premium/Installment payment to Insurance Co./ Broker. for Borough of Kenilworth Policies
- Payments to local newspapers for advertising
- Payments to Government Agencies – Federal, State, County, Local, BOE, Post Office
- Payments to Utility Companies
- Professional Education courses including but not limited to where continuing education credits and awarded
- Professional Membership Association Dues
- Hotel and registration fees for professional conference or convention
- Website hosting, including registration and maintenance of a domain name
- New Jersey Motor Vehicle Commission
- Delta Dental
- Select Solutions
- Dell Computers
- VSP
- Amazon Business (as of August 26, 2020)
- AllTech (as of August 26, 2020)
- Lien Holders and Tax Overpayment Refunds recommended by the Tax Collector and Authorized by Resolution (August 26, 2020)
- Purchases/contracts authorized by Resolution
- Languageline
- EdmundsGovTech

No. 2023- 195

RESOLUTION
KENILWORTH, NJ

- MGL Printing Solutions
- Memberships for COOPs
- DNS
- Oriental Trading Company Inc.
- CASA Payroll (payroll and ACA reporting)
- RICOH

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

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella						✓
Councilman Mauro			✓			
Councilman Pentz			✓			
Councilman Pugliese			✓			
Councilman Scorese		✓	✓			
Councilman Zimmerman	✓		✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023-196

RESOLUTION
KENILWORTH, NJ

WHEREAS, Union County Commissioners have announced the 2023 Kids Recreation Trust Fund Grant and the 2023 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 behalf of the Borough of Kenilworth, the Superintendent of the Department of Public Works wishes to submit an application to the County of Union requesting grant funding in the amount of ($4,000.00) from the 2023 Greening Union County Grant Program for the planting of trees in the spring of 2023, with $4,000.00 Borough matching funds required; and

WHEREAS, on behalf of the Borough of Kenilworth, the Borough Engineer wishes to submit an application to the County of Union requesting grant funding in the amount of ($75,000.00) from the 2023 Kids Recreation Trust Fund Grant for the continued rehabilitation and improvements of the Borough's parks and facilities, with $75,000.00 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 ($4,000.00) from the 2023 Greening Union County Grant Program for the planting of 30 trees in the spring of 2024 with $4,000.00 Borough matching funds required.

2. The Borough Engineer, 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 ($75,000.00) from the 2023 Kids Recreation Trust Fund Grant for the continued rehabilitation and improvements of the Borough's parks and facilities with $75,000.00 Borough matching funds required.

3. Upon notification of the receipt of the grant awards in connection with these applications, the grants are hereby accepted.

4. 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.

No. 2023-196

RESOLUTION
KENILWORTH, NJ

5. Matching funds based upon the amount of the grant awards shall be provided from the official municipal budget.

6. 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 the Borough Clerk.

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

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella						✓
Councilman Mauro			✓			
Councilman Pentz			✓			
Councilman Pugliese			✓			
Councilman Scorese		✓	✓			
Councilman Zimmerman	✓		✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 197

RESOLUTION
KENILWORTH, NJ

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

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

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

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

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

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

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

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

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

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella						✓
Councilman Mauro			✓			
Councilman Pentz			✓			
Councilman Pugliese			✓			
Councilman Scorese		✓	✓			
Councilman Zimmerman	✓		✓			
Mayor Linda Karlovitch			✓			
ON CONSENT AGENDA	Yes ✓			No __		

Resolution 2023- 197

Donor	Donation
OPA GRILL 550 Boulevard Kenilworth, NJ 07033	Catered lunch consisting of: Baked roasted lemon chicken, baked lemon potatoes, steam veggies, and a Greek Salad
Michelle David of REMAX 600 Boulevard Kenilworth, NJ 07033	Catered Lunch from SubWhere Else (2 days)
Dr. B Jeereddy, MD 66 South 21st street Kenilworth, NJ 07033	$250.00 for the purpose of purchasing lunch for the Senior Center lunch program
Dr. David M Klugman, DDS 475 Boulevard Kenilworth, NJ 07033	$150.00 for the purpose of purchasing lunch for the Senior Center lunch program
Mary Jo Cammarotta, Cammarotta Real Estate 510 Boulevard Kenilworth, NJ 07033	$250.00 for the purpose of purchasing lunch for the Senior Center lunch program
Dr. Sean Kaufman, D.P.M. Innovative Foot & Ankle 528 Boulevard Kenilworth, NJ 07033	Catered Lunch from SubWhere Else (2 days)
Fruchter, Weiss & Associates : ESQ. Harvey Fruchter 535 Boulevard Kenilworth, NJ 07033	Catered lunch from Chat & Griddle consisting of: French toast, fresh fruit, syrup and powder sugar

No. 2023- 198

RESOLUTION
KENILWORTH, NJ

WHEREAS, the provisions of the Open Public Meetings Act (N.J.S.A.10:4-1 et seq.) expressly provide that a public body may move into Executive Session and exclude the public from that portion of a meeting at which the public body discusses any of the nine areas set forth in N.J.S.A.10:4-12b; and

WHEREAS, the Borough Council of the Borough of Kenilworth has determined it necessary to move into Executive Session to discuss the following subjects, all of which are included in the aforesaid exceptions:

1. **Attorney/Client Communication - Recreation Matter**

NOW THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Kenilworth that it does hereby move into Executive Session pursuant to N.J.S.A.10:4-12b to discuss the aforesaid matters; and

IT IS FURTHER RESOLVED that the aforesaid discussions shall be made public either at the Public Meeting following said Executive Session or at such time as any litigated or personnel matters are concluded; or upon conclusion of any negotiations or related discussions; or as otherwise specified.

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

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella						✓
Councilman Mauro			✓			
Councilman Pentz		✓	✓			
Councilman Pugliese			✓			
Councilman Scorese			✓			
Councilman Zimmerman	✓		✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes _			No ✓		

No. 2023- 199

RESOLUTION
KENILWORTH, NJ

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

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

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

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

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella		✓	✓			
Councilman Mauro			✓			
Councilman Pentz			✓			
Councilman Pugliese						✓
Councilman Scorese			✓			
Councilman Zimmerman	✓		✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

Totals by Year-Fund Fund Description	Fund	Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND	2-01	7,148.40	0.00	7,148.40	0.00	0.00	7,148.40
CURRENT FUND	3-01	2,483,668.32	0.00	2,483,668.32	0.00	0.00	2,483,668.32
GENERAL CAPITAL	C-04	79,263.58	0.00	79,263.58	0.00	0.00	79,263.58
GRANTS	G-02	700.00	0.00	700.00	0.00	0.00	700.00
GENERAL TRUST	T-03	12,998.09	0.00	12,998.09	0.00	0.00	12,998.09
COMMUNITY DEVELOPMENT	T-06	28,000.00	0.00	28,000.00	0.00	0.00	28,000.00
UNEMPLOYMENT TRUST	T-14	106.07	0.00	106.07	0.00	0.00	106.07
ANIMAL CONTROL TRUST	T-15	555.00	0.00	555.00	0.00	0.00	555.00
Year Total:		41,659.16	0.00	41,659.16	0.00	0.00	41,659.16
Total Of All Funds:		2,612,439.46	0.00	2,612,439.46	0.00	0.00	2,612,439.46

No. 2023- 200

RESOLUTION
KENILWORTH, NJ

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

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

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of Kenilworth, that the Treasurer after proper notation on the tax account records by the Tax Collector is authorized to refund and pay the 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
B 121, L 15	603 Kingston Ave. Kenilworth, NJ 07033	Attorney Title Services Attn: Dani Sall 6 South Avenue East Cranford, NJ 07016	2,586.48	2023	2
B 143, L 3	513 Quinton Ave. Kenilworth, NJ 07033	Angelica Perez 513 Quinton Ave. Kenilworth, NJ 07033	2,629.46	2023	2

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

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

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

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella		✓	✓			
Councilman Mauro			✓			
Councilman Pentz			✓			
Councilman Pugliese						✓
Councilman Scorese			✓			
Councilman Zimmerman	✓		✓			
Mayor Linda Karlovitch			✓			
ON CONSENT AGENDA	Yes ✓		No __			

No. 2023-201

RESOLUTION
KENILWORTH, NJ

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

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

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

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

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

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

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

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella		✓	✓			
Councilman Mauro			✓			
Councilman Pentz			✓			
Councilman Pugliese						✓
Councilman Scorese			✓			
Councilman Zimmerman	✓		✓			
Mayor Linda Karlovitch				✓		
ON CONSENT AGENDA	Yes ✓			No __		

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

No. 2023- 202

RESOLUTION
KENILWORTH, NJ

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, the Kenilworth Senior Citizens Club, located at 526Boulevard, Kenilworth, NJ wishes to donate their refrigerator to the Borough for use at the Kenilworth Department of Public Works (DPW), 401 Sheridan Avenue, for their kitchen; 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 donation - as set forth above – which shall be for use at the Kenilworth DPW.

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

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

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella		✓	✓			
Councilman Mauro			✓			
Councilman Pentz			✓			
Councilman Pugliese						✓
Councilman Scorese			✓			
Councilman Zimmerman	✓		✓			
Mayor Linda Karlovitch				✓		
ON CONSENT AGENDA	Yes ✓			No		

No. 2023- 203

RESOLUTION
KENILWORTH, NJ

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

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

BE IT RESOLVED, by the Mayor and Council of the Borough of Kenilworth of Union County, New Jersey upon recommendation of the Borough Engineer that 1st and Final Payment for the Contract listed below be and is hereby approved.

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

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

Payment #1 and Final

Original Contract Price (7 Ramps)	$27,650.00
Extra Concrete Ramp	$3,950.00
TOTAL	**$31,600.00**
Balance	$0.00

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

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

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella		✓	✓			
Councilman Mauro			✓			
Councilman Pentz			✓			
Councilman Pugliese						✓
Councilman Scorese			✓			
Councilman Zimmerman	✓		✓			
Mayor Linda Karlovitch				✓		
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 204

RESOLUTION
KENILWORTH, NJ

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

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

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 5th and Final Payment for the Contract listed below be and is hereby approved.

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

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

Payment #5 and Final

TOTAL ORIGINALCONTRACT PRICE	$390,211.00
Change Order Amount	$52,715.88
Contract Sum to date:	$442,926.88
Total Completed and Stored to Date	$442,926.88
Less 5% retainage to date	$0.00
Less previous payment	$403,802.75
Amount Due	**$39,124.33**
Balance to Finish including retainage	$0.00

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

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

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella		✓	✓			
Councilman Mauro			✓			
Councilman Pentz			✓			
Councilman Pugliese						✓
Councilman Scorese			✓			
Councilman Zimmerman	✓		✓			
Mayor Linda Karlovitch			✓			
ON CONSENT AGENDA	Yes ✓			No ___		

No. 2023- 205

RESOLUTION
KENILWORTH, NJ

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

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

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

WHEREAS, the public advertisement, the receipt of public bids and the award of the contract to the lowest responsible bidder, pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq., for the **CDBG Year 49-ADA Curb and Ramp Improvements** project, constitutes a Fair and Open Process pursuant to the Local Pay to Play Law, N.J.S.A. 19:44A:20.5, et seq.

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

1. The Mayor and Council are hereby authorized to accept the bid submitted by the lowest responsible bidder, **AA Berms LLC,** P.O. Box 180, Belleville, NJ, for the **CDBG Year 49-ADA Curb and Ramp Improvements** project in the amount not to exceed **$26,400.00** for Base Bid and Alternative Bids #1, 2, 3 and 4**.**

2. The Mayor is authorized to enter into and execute a contract with **AA Berms LLC** for the for the **CDBG Year 49-ADA Curb and Ramp Improvements** project, in the amount not to exceed **$26,400.00** for Base Bid and Alternative Bids #1, 2, 3 and 4.

3. Pursuant to N.J.A.C. 5:34-5.1 et seq., the Borough's CFO has certified that sufficient uncommitted funds are available in the 2023 Borough of Kenilworth Budget to fund the payment to **AA Berms LLC** for the for the **CDBG Year 49-ADA Curb and Ramp Improvements** project to be charged to T-06-56-850-012 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.

RESOLUTION
KENILWORTH, NJ

6. There shall be no advance payments made against this contract in accordance with N.J.A.C. 40A:5-16.

7. A fully executed copy of the contract shall be filed in the Office of the Borough Clerk.

8. The contract shall commence upon the issuance of a notice to proceed by Harbor Consultants, Inc. and shall be completed within the agreed upon timeline.

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

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella		✓	✓			
Councilman Mauro			✓			
Councilman Pentz			✓			
Councilman Pugliese						✓
Councilman Scorese			✓			
Councilman Zimmerman	✓		✓			
Mayor Linda Karlovitch				✓		
ON CONSENT AGENDA	Yes ✓			No		

No. 2023- 206

RESOLUTION
KENILWORTH, NJ

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

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

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

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

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

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella		✓	✓			
Councilman Mauro			✓			
Councilman Pentz			✓			
Councilman Pugliese						✓
Councilman Scorese			✓			
Councilman Zimmerman	✓		✓			
Mayor Linda Karlovitch				✓		
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023-207

RESOLUTION
KENILWORTH, NJ

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

Angela Lueddeke (reached maximum step 2020)

Christine Castle (reached maximum step 2021)

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

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

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

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

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

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella		✓	✓			
Councilman Mauro			✓			
Councilman Pentz			✓			
Councilman Pugliese						✓
Councilman Scorese			✓			
Councilman Zimmerman	✓		✓			
Mayor Linda Karlovitch				✓		
ON CONSENT AGENDA	Yes ✓			No		

No. 2023-208

RESOLUTION
KENILWORTH, NJ

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

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

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

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

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

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

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

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

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella		✓	✓			
Councilman Mauro			✓			
Councilman Pentz			✓			
Councilman Pugliese						✓
Councilman Scorese			✓			
Councilman Zimmerman	✓		✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

#3320434

No. 2023-209

RESOLUTION
KENILWORTH, NJ

WHEREAS, the provisions of the Open Public Meetings Act (N.J.S.A.10:4-1 et seq.) expressly provide that a public body may move into Executive Session and exclude the public from that portion of a meeting at which the public body discusses any of the nine areas set forth in N.J.S.A.10:4-12b; and

WHEREAS, the Borough Council of the Borough of Kenilworth has determined it necessary to move into Executive Session to discuss the following subjects, all of which are included in the aforesaid exceptions:

1. **Contract Negotiations – Legal Services**

NOW THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Kenilworth that it does hereby move into Executive Session pursuant to N.J.S.A.10:4-12b to discuss the aforesaid matters; and

IT IS FURTHER RESOLVED that the aforesaid discussions shall be made public either at the Public Meeting following said Executive Session or at such time as any litigated or personnel matters are concluded; or upon conclusion of any negotiations or related discussions; or as otherwise specified.

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

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro			✓			
Councilman Pentz		✓	✓			
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes _			No ✓		

No. 2023- 210

RESOLUTION
KENILWORTH, NJ

BE IT RESOLVED, by the Borough Council of the Borough of Kenilworth that DeCotiis, Fitzpatrick, Cole, and Giblin LLP is terminated as Borough Attorney contingent upon the nomination by the Mayor of new council within thirty (30) days or the otherwise failure of the Mayor to nominate within that thirty (30) day period.

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

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro		✓	✓			
Councilman Pentz			✓			
Councilman Pugliese	✓		✓			
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes _			No ✓		

No. 2023-211

RESOLUTION
KENILWORTH, NJ

BE IT RESOLVED, by the Borough of Kenilworth, County of Union, New Jersey, that the attached summary of bills in the total amount of $405,171.04, having been duly audited and found to be correct, are hereby ordered paid and that warrants be drawn for the necessary obligations by the Chief Finance Officer (CFO) prior to the next regularly scheduled Council Meeting.

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

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

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **September 20, 2023**.

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella	✓		✓			
Councilman Mauro			✓			
Councilman Pentz			✓			
Councilman Pugliese						✓
Councilman Scorese			✓			
Councilman Zimmerman		✓	✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

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	2-01	2,310.00	0.00	0.00	2,310.00
CURRENT FUND	3-01	119,869.33	0.00	0.00	119,869.33
GENERAL CAPITAL	C-04	476.00	0.00	0.00	476.00
GRANTS	G-02	76.82	0.00	0.00	76.82
GENERAL TRUST	T-03	75,291.89	0.00	0.00	75,291.89
UNEMPLOYMENT TRUST	T-14	9,956.44	0.00	0.00	9,956.44
Year Total:		85,248.33	0.00	0.00	85,248.33
Total Of All Funds:		207,980.48	0.00	0.00	207,980.48

PO's = $207,980.48
Wires = $197,190.56
Total of All Funds = $405,171.04

No. 2023-212

RESOLUTION
KENILWORTH, NJ

BE IT RESOLVED, by the Mayor and Council of the Borough of Kenilworth that Michael Devlin is hereby appointed as Court Security Officer on a part-time basis.

BE IT FURTHER RESOLVED, that Michael Devlin shall be compensated at a rate of $30.00 per hour.

BE IT FURTHER RESOLVED, that this resolution shall be ratified back to September 6, 2023.

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

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **September 20, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella	✓		✓			
Councilman Mauro			✓			
Councilman Pentz			✓			
Councilman Pugliese				✓		✓
Councilman Scorese			✓			
Councilman Zimmerman		✓	✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023-213

RESOLUTION
KENILWORTH, NJ

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 Police Department that Dave Aspinwall be appointed an Alternate School Crossing Guard; and

WHEREAS, the Borough of Kenilworth Police Department successfully completed a background investigation on Dave Aspinwall.

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Kenilworth hereby appoints Dave Aspinwall an Alternate School Crossing guard.

BE IT FURTHER RESOLVED, that said appointment be compensated at an hourly rate of $19.33 per hour.

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

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **September 20, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella	✓		✓			
Councilman Mauro			✓			
Councilman Pentz			✓			
Councilman Pugliese						✓
Councilman Scorese			✓			
Councilman Zimmerman		✓	✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023-214

RESOLUTION
KENILWORTH, NJ

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 August 10, 2023, for the construction and related activities associated with the provision of the **Various Streets-2023-Kenilworth (Maplewood Avenue, Ashwood Avenue & Monroe Avenue)** project ("**Various Streets 2023 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 **CCM Contracting Inc.,** 336 Route 22, Green Brook, NJ ("CCM Contracting 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 2023 Kenilworth** project, with the lowest responsible bidder, **CCM Contracting Inc.**, in an amount not to exceed **$400,632.30** for Base Bid 1 and Alternate Bids 1 through 7; 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 2023 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, **CCM Contracting Inc.,** 336 Route 22, Green Brook, NJ, for the **Various Streets 2023 Kenilworth** project in the amount not to exceed **$400,632.30** for Base Bid 1 and Alternate Bids 1 through 7**.**

2. The Mayor is authorized to enter into and execute a contract with **S. Brothers Inc.** for the for the **Various Streets 2023 Kenilworth** project, in an amount not to exceed **$400,632.30** for Base Bid 1 and Alternate Bids 1 through 7.

3. Pursuant to N.J.A.C. 5:34-5.1 et seq., the Borough's CFO has certified that sufficient uncommitted funds are available in the 2023 Borough of Kenilworth Budget to fund the payment to **CCM Contracting Inc.** for the for the **Various Streets 2023 Kenilworth** project to be charged to **C-04-55-206-109** 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.

No. 2023-214

RESOLUTION
KENILWORTH, NJ

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.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **September 20, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella	✓		✓			
Councilman Mauro			✓			
Councilman Pentz			✓			
Councilman Pugliese						✓
Councilman Scorese			✓			
Councilman Zimmerman		✓	✓			
Mayor Linda Karlovitch				✓		
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023-215

RESOLUTION
KENILWORTH, NJ

AUTHORIZING THE PURCHASE OF A 2024 MODEL YEAR KENWORTH T480 TANDEM AXLE CHASSIS AND A LEACH 2RIII 29-YARD PACKER FROM GABRIELLI TRUCK SALES PURSUANT TO SOURCEWELL NATIONAL COOPERATIVE PURCHASING SYSTEM CONTRACT NO. 060920-KTC AND CONTRACT NO. 091219-LEG IN AN AMOUNT NOT TO EXCEED $281,455.34

WHEREAS, the Borough of Kenilworth desires and requires to purchase equipment necessary for the acquisition of a 2024 Model Year Kenworth T480 Tandem Axle Chassis and a Leach 2RIII 29-Yard Packer; and,

WHEREAS, in furtherance of such purchase, the Qualified Purchasing Agent has researched and recommended the procurement of a 2024 Model Year Kenworth T480 Tandem Axle Chassis and a Leach 2RIII 29-Yard Packer from an authorized vendor under the National Cooperative Purchasing Alliance pursuant to statute and Local Finance Notice 2012-10; and,

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 2024 Model Year Kenworth T480 Tandem Axle Chassis and a Leach 2RIII 29-Yard Packer be and is hereby authorized from Gabrielli Truck Sales, 239 Bergen Turnpike, Ridgefield Park, 07886, pursuant to Sourcewell National Cooperative Purchasing System Contract No. 060920-KTC and Contract No. 091219-LEG in an amount not to exceed two-hundred eighty-one thousand four-hundred fifty-five dollars and thirty-four cents ($281,455.34).

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

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **September 20, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN		ABSENT
Councilman Finistrella	✓		✓				
Councilman Mauro			✓				
Councilman Pentz			✓				
Councilman Pugliese							✓
Councilman Scorese			✓				
Councilman Zimmerman		✓	✓				
Mayor Linda Karlovitch				✓			
ON CONSENT AGENDA	Yes ✓				No __		

No. 2023-216

RESOLUTION
KENILWORTH, NJ

AUTHORIZING THE SALE OF SURPLUS PERSONAL PROPERTY NO LONGER NEEDED FOR PUBLIC USE ON AN ONLINE AUCTION WEBSITE

WHEREAS, the Borough of Kenilworth has determined that the property described on Schedule A attached hereto and incorporated herein is no longer needed for public use; and

WHEREAS, the Local Unit Technology Pilot Program and Study Act (P.L. 2001, c. 30) authorizes the sale of surplus personal property no longer needed for public use through the use of an online auction service; and

WHEREAS, the Borough intends to utilize the online auction services of Municibid located at www.municibid.com; and

WHEREAS, Borough Council finds it to be in the best interests of the Borough to authorize the sale of the surplus property identified on Schedule A by online public auction.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Kenilworth, 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 the State-approved online auction website of Municibid (www.municibidcom).

BE IT FURTHER RESOLVED that the terms and conditions of the agreement entered into between Municibid and the Borough of Kenilworth are available at www.municibid.com and in the Borough Clerk's office.

BE IT FURTHER RESOLVED that a certified copy of the within Resolution be forwarded by the Borough Clerk to the New Jersey Division of Local Government Services and Municibid.

BE IT FURTHER RESOLVED that this Resolution shall take effect pursuant to law.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **September 20, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella	✓		✓			
Councilman Mauro			✓			
Councilman Pentz			✓			
Councilman Pugliese						✓
Councilman Scorese			✓			
Councilman Zimmerman		✓	✓			
Mayor Linda Karlovitch			✓			
ON CONSENT AGENDA	Yes ✓		No __			

SCHEDULE A

1. 1 - 2022 CAM SUPERLINE Trailer – Model P8CAMH204DO - VIN# 5JWCJ2421NP529791 (DPW)

No. 2023- 217

RESOLUTION
KENILWORTH, NJ

WHEREAS, N.J.S.A. 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 2023 for the below amount sums of which item is now available as a revenue pursuant to the provisions of statute

Public & Private Revenues off-set with Appropriations:
Additional Funding – DMHAS Youth Leadership Grant - $243.00
Additional Funding – Municipal Alliance on Alcoholism & Drug Abuse - $1,221.00

BE IT FURTHER RESOLVED, that the like sum is hereby appropriated under the caption of:

Public & Private Programs off-set by Revenues Excluded from "CAPS"
Additional Funding – DMHAS Youth Leadership Grant - $243.00
Additional Funding – Municipal Alliance on Alcoholism & Drug Abuse - $1,221.00

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.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **September 20, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella	✓		✓			
Councilman Mauro			✓			
Councilman Pentz			✓			
Councilman Pugliese						✓
Councilman Scorese			✓			
Councilman Zimmerman		✓	✓			
Mayor Linda Karlovitch				✓		
ON CONSENT AGENDA	Yes ✓			No		

No. 2023-218

RESOLUTION
KENILWORTH, NJ

WHEREAS, the Borough of Kenilworth held a tax sale on December 8, 2022 for delinquent 2021 property taxes, and a tax lien was purchased by Realty Solutions JV LLC, for the property located at 220 No. 21st Street, Kenilworth, NJ, and

WHEREAS, the homeowner 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 $50,000 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 #22-00003 by the Collector of Taxes:

Realty Solutions JV LLC
c/o John Venutolo
25 Hughes Place
Summit, NJ 07901

REDEMPTION AMOUNT - $23,272.30

PREMIUM TRUST ACCOUNT - $ 50,000.00

Treasurer's Note: 1099 = $2,042.67

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **September 20, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella	✓		✓			
Councilman Mauro			✓			
Councilman Pentz			✓			
Councilman Pugliese						✓
Councilman Scorese			✓			
Councilman Zimmerman		✓	✓			
Mayor Linda Karlovitch			✓			
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023-219

RESOLUTION
KENILWORTH, NJ

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 2022 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.

No. 2023-219

RESOLUTION
KENILWORTH, NJ

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **September 20, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella	✓		✓			
Councilman Mauro			✓			
Councilman Pentz			✓			
Councilman Pugliese						✓
Councilman Scorese			✓			
Councilman Zimmerman		✓	✓			
Mayor Linda Karlovitch				✓		
ON CONSENT AGENDA	Yes ✓			No __		

No. 2023- 220

RESOLUTION
KENILWORTH, NJ

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, 2022; and

WHEREAS, the audit for calendar year ending December 31, 2022 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 2022 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 2022 Corrective Action Plan be sent to the Borough Clerk and the Division of Local Government Services.

2022 AUDIT - CORRECTIVE ACTION PLAN

Recommendation:	None
Corrective Action:	None

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **September 20, 2023**.

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella	✓		✓			
Councilman Mauro			✓			
Councilman Pentz			✓			
Councilman Pugliese						✓
Councilman Scorese			✓			
Councilman Zimmerman		✓	✓			
Mayor Linda Karlovitch				✓		
ON CONSENT AGENDA	Yes ✓			No __		

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

No. 2023-221

RESOLUTION
KENILWORTH, NJ

WHEREAS, the provisions of the Open Public Meetings Act (N.J.S.A.10:4-1 et seq.) expressly provide that a public body may move into Executive Session and exclude the public from that portion of a meeting at which the public body discusses any of the nine areas set forth in N.J.S.A.10:4-12b; and

WHEREAS, the Borough Council of the Borough of Kenilworth has determined it necessary to move into Executive Session to discuss the following subjects, all of which are included in the aforesaid exceptions:

1. **Contract Negotiations – Legal Services**

NOW THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Kenilworth that it does hereby move into Executive Session pursuant to N.J.S.A.10:4-12b to discuss the aforesaid matters; and

IT IS FURTHER RESOLVED that the aforesaid discussions shall be made public either at the Public Meeting following said Executive Session or at such time as any litigated or personnel matters are concluded; or upon conclusion of any negotiations or related discussions; or as otherwise specified.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **September 20, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella		✓	✓			
Councilman Mauro	✓		✓			
Councilman Pentz			✓			
Councilman Pugliese						✓
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes _			No ✓		

No. 2023-222

RESOLUTION
KENILWORTH, NJ

BE IT RESOLVED, by the Borough Council of the Borough of Kenilworth that DeCotiis, Fitzpatrick, Cole, and Giblin LLP is hereby terminated as Borough Attorney effective immediately.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **September 20, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella		✓	✓			
Councilman Mauro	✓		✓			
Councilman Pentz			✓			
Councilman Pugliese						✓
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes _			No ✓		

No. 2023- 223

RESOLUTION
KENILWORTH, NJ

BE IT RESOLVED, by the Borough Council of the Borough of Kenilworth that DeCotiis, Fitzpatrick, Cole, and Giblin LLP is appointed as Temporary Special Counsel until a Borough Attorney is appointed and approved by the Borough Council.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **September 20, 2023**.

Angela Lazzari, RMC
Borough Clerk

	MOVED	SECONDED	AYES	NAYS	ABSTAIN	ABSENT
Councilman Finistrella			✓			
Councilman Mauro		✓	✓			
Councilman Pentz	✓		✓			
Councilman Pugliese						✓
Councilman Scorese			✓			
Councilman Zimmerman			✓			
Mayor Linda Karlovitch						
ON CONSENT AGENDA	Yes _			No ✓		

No. 2023- 224

RESOLUTION
KENILWORTH, NJ

BE IT RESOLVED, by the Borough of Kenilworth, County of Union, New Jersey, that the attached summary of bills in the total amount of $2,207,695.28, 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 2023 Borough of Kenilworth Budget to fund the payment of the following bills attached hereto and made a part of this resolution.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **October 4, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	Moved	Seconded	AYE	NAY	ABSTAIN	ABSENT
FINISTRELLA			✓			
MAURO						✓
PENTZ		✓	✓			
PUGLIESE						✓
SCORESE	✓		✓			
ZIMMERMAN			✓			
MAYOR KARLOVITCH						
ON CONSENT AGENDA:	**YES:**	✓		**NO:**		

Revised 10/4/23 (R)

Totals by Year-Fund Fund Description	Fund	Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND	2-01	15,269.98	0.00	15,269.98	0.00	0.00	15,269.98
CURRENT FUND	3-01	2,106,642.58	0.00	2,106,642.58	0.00	0.00	2,106,642.58
GENERAL CAPITAL	C-04	85,027.72	0.00	85,027.72	0.00	0.00	85,027.72
GRANTS	G-02	505.00	0.00	505.00	0.00	0.00	505.00
GENERAL TRUST	T-03	250.00	0.00	250.00	0.00	0.00	250.00
Total Of All Funds:		2,207,695.28	0.00	2,207,695.28	0.00	0.00	2,207,695.28

Total of All Funds
Previously = $2,207,695.28

No. 2023- 225

RESOLUTION
KENILWORTH, NJ

RESOLUTION AUTHORIZING EXECUTION OF A MEMORANDUM OF UNDERSTANDING TO ESTABLISH JOINT PARTICIPATION IN THE ARRIVE TOGETHER PROGRAM TO ENHANCE AND SUPPORT LAW ENFORCEMENT RESPONSES TO CERTAIN BEHAVIORAL HEALTH CRISIS CALLS

WHEREAS, pursuant to N.J.S.A. 30:4-27.1 et seq. ("Screening Law") and N.J.A.C. 10:31-1.1 et seq. ("Screening Regulations"), it is the policy of the State of New Jersey to provide for a public mental health system that delivers treatment consistent with a person's clinical condition, and that screening services be developed as the public mental health system's entry point in order to provide accessible crisis intervention, evaluation and referral; services to persons with mental illness, to offer persons with mental illness clinically appropriate alternatives to inpatient care, and, when necessary, to provide a means for involuntary commitment to treatment; and

WHEREAS, the Borough of Kenilworth Police Department, along with the entities listed on the attached Memorandum of Understanding, and addendums 1 & 2, and Trinitas Medical Center, a mental health service provider operating in the State of New Jersey, are seeking to jointly participate in the ARRIVE Together program enacted by the State of New Jersey in an effort to enhance and support law enforcement and response to certain behavioral health crisis calls in an effort to advance the goals, directives, and objectives of the Screening Law; and

WHEREAS, the Parties recognize the importance of ensuring the safety of every person involved in civilian-law enforcement interactions, and that many of the negative outcomes that have resulted from such interactions may stem from law enforcement officers responding to situations involving individuals experiencing behavioral health crises; and

WHEREAS, Trinitas Medical Center has been designated by the New Jersey Department of Human Services ("DHS") to provide screening services in accordance with the Screening Law and Regulations within the County of Union; and

WHEREAS, DHS contracts annually with Trinitas Medical Center for the provision of screening services pursuant to N.J.A.C. 10:31-10.1(c), and DHS Contracting Policy; and

WHEREAS, the Screening Law provides officers and mental health specialists with the legal authority to transport or authorize transport of individuals who are experiencing a behavioral health crisis to an emergency department for a full assessment where appropriate; and

WHEREAS, law enforcement officers may request the assistance of mental health specialists when responding to emergency service calls that relate to behavioral health crises and mental health personnel may request assistance from officers when responding to requests for emergency screening; and

WHEREAS, in an effort to improve the outcomes in law enforcement's response to emergency behavioral health crisis calls, to divert individuals for crisis from unnecessary entry into the criminal justice system, and to more efficiently employ the resources of both the above-

RESOLUTION
KENILWORTH, NJ

participating law enforcement entities and Trinitas Medical Center as they respond to calls for service together, the Parties seek to establish a Pilot Program; and

WHEREAS, the Memorandum of Understanding is intended to memorialize the relationship and delineate the responsibilities of the Parties in this cooperative joint effort; and

WHEREAS, the Borough of Kenilworth recognizes the importance of the Screening Law and the Arrive Together Program and fully supports the goals and objectives of same.

NOW THEREFORE, BE IT RESOLVED BY THE BOROUGH OF KENILWORTH THAT: The Mayor and Borough Clerk are hereby authorized to execute a Memorandum of Understanding between the Borough of Kenilworth along with the participating police departments and other entities listed on the attached Memorandum of Understanding, and addendums 1 & 2 and Trinitas Medical Center to enhance and support law enforcement and responses to certain behavioral health crisis calls in an effort to advance the goals, directives, and objectives of the Screening Law.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **October 4, 2023**.

Angela Lazzari, RMC
Borough Clerk

	Moved	Seconded	AYE	NAY	ABSTAIN	ABSENT
FINISTRELLA			✓			
MAURO						✓
PENTZ		✓	✓			
PUGLIESE						✓
SCORESE	✓		✓			
ZIMMERMAN			✓			
MAYOR KARLOVITCH						
ON CONSENT AGENDA:	**YES:** ✓			**NO:**		

No. 2023-226

RESOLUTION
KENILWORTH, NJ

WHEREAS, the County of Union wishes to create a Municipal Task Force to jointly combat crime within Union County; and,

WHEREAS, the Borough of Kenilworth believes it is in the best interest of the Borough to work with the County and it's municipalities in their joint efforts to combat crime.

BE IT RESOLVED, by the Mayor and Council of the Borough of Kenilworth that the Borough of Kenilworth Police Department is hereby authorized to participate in the Union County Municipal Task Force.

BE IT FURTHER RESOLVED, that the Kenilworth Chief of Police is authorized to effectuate what is necessary to effectuate Kenilworth's participation in the joint the Municipal Task Force.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **October 4, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	Moved	Seconded	AYE	NAY	ABSTAIN	ABSENT
FINISTRELLA			✓			
MAURO			✓			✓
PENTZ		✓	✓			
PUGLIESE						✓
SCORESE	✓		✓			
ZIMMERMAN			✓			
MAYOR KARLOVITCH						
ON CONSENT AGENDA:	**YES:**	✓		**NO:**		

No. 2023-227

RESOLUTION
KENILWORTH, NJ

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 28, 2023, for the construction and related activities associated with the provision of the **Veteran of Foreign Wars 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 **S&L Contractors, LLC**, 200 Swenson Drive, Kenilworth, NJ ("S&L Contractors, 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 **Veteran of Foreign Wars Parking Lot Improvements** project, with the lowest responsible bidder, **S&L Contractors, LLC**, in an amount not to exceed **$107,200.00** 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 **Veteran of Foreign Wars 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, **S&L Contractors, LLC,** 200 Swenson Drive, Kenilworth, NJ, for the **Veteran of Foreign Wars Parking Lot Improvements** project in the amount not to exceed **$107,200.00** for Base Bid 1**.**

2. The Mayor is authorized to enter into and execute a contract with **S&L Contractors, LLC** for the **Veteran of Foreign Wars Parking Lot Improvements** project, in an amount not to exceed **$107,200.00** 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 2023 Borough of Kenilworth Budget to fund the payment to **S&L Contractors, LLC** for the **Veteran of Foreign Wars Parking Lot Improvements** project to be charged to C-04-55-206-110 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.

No. 2023- 227

RESOLUTION
KENILWORTH, NJ

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.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **October 4, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	Moved	Seconded	AYE	NAY	ABSTAIN	ABSENT
FINISTRELLA			✓			
MAURO						✓
PENTZ		✓	✓			
PUGLIESE						✓
SCORESE	✓		✓			
ZIMMERMAN			✓			
MAYOR KARLOVITCH						
ON CONSENT AGENDA:	**YES:** ✓			**NO:**		

No. 2023- 228

RESOLUTION
KENILWORTH, NJ

WHEREAS, N.J.S.A. 40:48-2.14 and the Borough of Kenilworth ("Borough") Code Sec. 150-10 authorize the Borough by ordinance to require the owners of property to remove from their property or destroy brush, weeds, including ragweed, dead and dying trees, stumps, roots, obnoxious growths, filth, garbage, trash and debris within ten (10) days after notice to remove or destroy same; and

WHEREAS, N.J.S.A 40:48-2.14 and Sec. 150-10 provide that if owners fail to remove brush, stumps, debris, etc. from the property after receiving such notice, the Borough may do the removal and charge the costs to the owner; and if not paid, the governing body may cause the cost of removal to become a lien against the property; and

WHEREAS, this lien may be enforced by the same officers and in the same manner as taxes; and

WHEREAS, pursuant to Borough Code Sec. 150-10, on August 16, 2023 a Notice and Order was sent to the owners listed herein to remove from their property brush, stumps, debris, etc. within ten (10) days of the date of the Notice and Order; and

WHEREAS, the owners listed herein after receiving the Notice and Order failed to remove brush, weeds, debris, etc. from their property; and

WHEREAS, as a result, on September 8, 2023 the Department of Public Works (DPW) removed the brush, stumps, weeds, etc. from the properties and sent the owners a bill for the removal, which has not been paid; and

WHEREAS, the Superintendent of the DPW has certified the cost of removal to the Borough's Municipal Council; and the Borough's Municipal Council has examined these costs and found them to be correct and reasonable.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Kenilworth, in the County of Union that:

1. The Council authorizes the Tax Collector of the Borough of Kenilworth to cause the cost as shown herein to be charged against said properties as a lien:

231 North 8th Street, Block 24.01, Lot 6; September 11, 2023; $1,237.74

2. As authorized by N.J.S.A. 40:48-2.14, and Borough Code Sec. 150-10, such lien shall become part of the taxes assessed against the property and bear interest at the same rate and may be enforced by the same officers and in the same manner as taxes.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **October 4, 2023**.

	Moved	Seconded	AYE	NAY	ABSTAIN	ABSENT
FINISTRELLA			✓			
MAURO						✓
PENTZ		✓	✓			
PUGLIESE						✓
SCORESE	✓		✓			
ZIMMERMAN			✓			
MAYOR KARLOVITCH						
ON CONSENT AGENDA:	**YES:**	✓		**NO:**		

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

Borough of Kenilworth

Gregory Budesheim, CPWM
Superintendent

Department of Public Works
401 Sheridan Avenue
Kenilworth, NJ 07033

Phone: 908-276-5073
Fax: 908-272-4901
www.kenilworthborough.com
superintendent.kdpw@kenilworthnj.org

September 11, 2023

TO : Angela Lazzari, Borough Clerk
FROM: Greg Budesheim, Superintendent
RE: Property Clean Up on Sept 7, 2023

231 North 8th Street (Next to church)
Block 24.01, Lot 6

Listed below are the costs incurred by the Public Works Department to clean/landscape the above referenced property on September 8, 2023.

Number of employees: 2
Number of hours: 2

Gregory Budesheim @ $40.87 x 2 hours = $81.74
David Kokai @ $38 x 2 hours = $76

Employee costs: $157.74

Equipment/Vehicles:
Loader (3-Yard) @ $200/hr. x 2 hours = $400
Brush chipper @ $150/hr. x 2 hours = $300
Gas blower @ $25/hr. x 2 hours = $50
Weed wacker @$15/hr. x 2 hours = $30
Pickup truck @ $75/hr. x 2 hours = $150
Mason dump truck@ $75/hr. x 2 hours = $150

Equipment/Vehicles cost: $1080

Total cost for property clean up = $ 1237.74

CC: Ed Gruber, Code Enforcement Officer
(Please let me know if I failed to include anyone essential who needs to see this bill.)

GB:cb

No. 2023- 229

RESOLUTION
KENILWORTH, NJ

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the Union County Cooperative Pricing System (8UCCP) has offered voluntary participation in a Cooperative Pricing System for purchase of goods and services; and

WHEREAS, on October 4, 2023, the governing body of the Borough of Kenilworth, County of Union, State of New Jersey duly considered participation in the Union County Cooperative Pricing System (8UCCP) for the provision and performance of goods and services.

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

1. This Resolution shall be known and may be cited as the Union County Cooperative Pricing System (8UCCP) Resolution of the Borough of Kenilworth.

2. Pursuant to the provisions of N.J.S.A. 40A:11-11(5), the Mayor is hereby authorized to enter into a Cooperative Purchasing Agreement with the Union County Cooperative Pricing System (8UCCP).

3. The Union County Cooperative Pricing System (8UCCP) shall be responsible for complying with the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) and all other provisions of the revised statutes of the State of New Jersey.

4. The Resolution shall take effect immediately upon passage.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **October 4, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	Moved	Seconded	AYE	NAY	ABSTAIN	ABSENT
FINISTRELLA			✓			
MAURO						✓
PENTZ		✓	✓			
PUGLIESE						✓
SCORESE	✓		✓			
ZIMMERMAN			✓			
MAYOR KARLOVITCH						
ON CONSENT AGENDA:	**YES:** ✓			**NO:**		

No. 2023- 230

RESOLUTION
KENILWORTH, NJ

WHEREAS, on October 4, 2023, the governing body of the Borough of Kenilworth (the "Borough") introduced Ordinance 2023-24, which seeks to amend the Borough's existing zoning ordinance, Chapter 120 "Land Use," Part 3, "Zoning," Article 24 "Accessory Uses, Buildings and Structures," Section 1, "Requirements for residential accessory uses and structures," Subsection I(4) to allow for direct replacements of heating, ventilation, and air conditioning units by obtaining a building permit as opposed to obtaining planning board approval. In addition, said amendment will require all new units to be placed in the rear of the property; and

WHEREAS, such amendments to the zoning ordinance must be substantively consistent with the land use plan element and housing plan element of the Borough's Master Plan before it may be considered for final passage; and

WHEREAS, pursuant to N.J.S.A. 40:55D-64, prior to the hearing on adoption of a Zoning Ordinance, or any amendments thereto, the Borough's Municipal Council shall refer any such proposed Ordinance or amendment to the Borough's Planning Board for formal review, report, and recommendation as required by N.J.S.A. 40:55D-26; and

WHEREAS, the Borough's Municipal Council, pursuant to N.J.S.A. 40:55D-64, wishes to refer the draft Proposed Amendment to the Borough's Planning Board for formal review, report, and recommendation as required by N.J.S.A. 40:55D-26.

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 Council does hereby refer the proposed amendments to the zoning code through the ordinance attached hereto as Exhibit "A," to the Planning Board, pursuant to N.J.S.A. 40:55D-64, for determination of consistency with the Borough's Master Plan and/or to make any other recommendations that the Planning Board deems appropriate to the Governing Body; and
2. Pursuant to N.J.S.A. 40:55D-26, the Planning Board's review of the proposed revisions to the Borough's existing Land Development Regulations shall be completed within a period of thirty-five (35) days after referral. Failure of the Planning Board to transmit their report within thirty-five (35) days after referral shall relieve the Governing Body of the requirements set forth in N.J.S.A. 40:55D-26.
3. A copy of this Resolution and the draft Proposed Amendment shall be filed with the Office of the Borough Clerk.
4. This Resolution shall take effect immediately.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **October 4, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	Moved	Seconded	AYE	NAY	ABSTAIN	ABSENT
FINISTRELLA			✓			
MAURO			✓			✓
PENTZ		✓	✓			
PUGLIESE						✓
SCORESE	✓		✓			
ZIMMERMAN			✓			
MAYOR KARLOVITCH						
ON CONSENT AGENDA:	**YES:**	✓		**NO:**		

No. 2023- 231

RESOLUTION
KENILWORTH, NJ

WHEREAS, Union County Commissioners have announced the 2024 HEART (History Education Arts Reaching Thousands) Grant focusing on projects related to local history, the arts and humanities for residents of Union County; and

WHEREAS, the Borough of Kenilworth desires to request funding from the HEART program to provide funding for the Carve-it-Out Kenilworth event featuring a pumpkin carving contest; and

WHEREAS, the HEART Grant program allows requests up to $3,000.00 with a 25% match for anything over $1,000.00; and

WHEREAS, the Borough wishes to submit an application to the County of Union requesting grant funding in the amount of ($3,000.00) from the 2024 HEART Grant Program, with matching funds in the amount of 25% of anything over $1,000.00; and,

WHEREAS, upon notification of the receipt of grant awards in connection with these applications, the Mayor and/or her designee 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 Mayor and/or her designee is hereby authorized to submit an application on behalf of the Borough of Kenilworth to the County of Union requesting grant funding in the amount of ($3,000.00) with a 25% match for any funds received over $1,000.00 from the 2024 HEART Grant Program for the Carve-it-Out Kenilworth event featuring a pumpkin carving contest.
2. Upon notification of the receipt of the grant awards in connection with these applications, the grants are hereby accepted.
3. 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.
4. Matching funds based upon the amount of the grant award shall be provided from the official municipal budget.
5. A copy of the fully-executed grant application, the grant award letter, the grant agreement, and a funding certification for any required matching funds shall be placed on filed in the Office of the Borough Clerk.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **October 4, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	Moved	Seconded	AYE	NAY	ABSTAIN	ABSENT
FINISTRELLA			✓			
MAURO						✓
PENTZ		✓	✓			
PUGLIESE						✓
SCORESE	✓		✓			
ZIMMERMAN			✓			
MAYOR KARLOVITCH						
ON CONSENT AGENDA:	**YES:**	✓		**NO:**		

No. 2023- 232

RESOLUTION
KENILWORTH, NJ

WHEREAS, the Kenilworth Police Department is in need of a pursuit vehicle; and

WHEREAS, the Borough of Kenilworth intends to enter into a purchase contract with Koch 33 Ford, Easton, PA for the acquisition of this vehicle; and

WHEREAS, the cost for a 2023 Ford Utility Police Interceptor AWD Vehicle with options is $38,200; and

WHEREAS, the Borough's Financial Officer has certified that the funds are available for this purchase.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Kenilworth, County of Union, State of New Jersey that Koch 33 Ford, 3810 Hecktown Road, Easton, PA 18045, is hereby awarded the contract for the purchase of a new police interceptor utility vehicle.

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

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **October 4, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	Moved	Seconded	AYE	NAY	ABSTAIN	ABSENT
FINISTRELLA			✓			
MAURO						✓
PENTZ		✓	✓			
PUGLIESE						✓
SCORESE	✓		✓			
ZIMMERMAN			✓			
MAYOR KARLOVITCH						
ON CONSENT AGENDA:	**YES:** ✓			**NO:**		

No. 2023- 233

RESOLUTION
KENILWORTH, NJ

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 $75,000.00 PURSUANT TO NEW JERSEY STATE CONTRACT NO. 19-FOOD-01100, FOR THE PERIOD OF JANUARY 1, 2023 THROUGH DECEMBER 31, 2023.

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 Seventy-five Thousand Dollars and Zero Cents ($75,000.00), for the period of January 1, 2023 through December 31, 2023.
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, 2023 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.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **October 4, 2023**.

	Moved	Seconded	AYE	NAY	ABSTAIN	ABSENT
FINISTRELLA			✓			
MAURO						✓
PENTZ		✓	✓			
PUGLIESE						✓
SCORESE	✓		✓			
ZIMMERMAN			✓			
MAYOR KARLOVITCH						
ON CONSENT AGENDA:	**YES:** ✓			**NO:**		

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

No. 2023-234

RESOLUTION
KENILWORTH, NJ

WHEREAS, on September 20, 2023, the Borough of Kenilworth Municipal Council adopted Resolution 2023-214, accepting the bid submitted by CCM Contracting, Inc. for the Various Streets 2023 Kenilworth project and awarding a contract in the amount not to exceed $400,632.30 for Base Bid 1 and Alternate Bids 1 through 7; and

WHEREAS, Resolution 2023-214, should have accepted the bid submitted by CCM Contracting, Inc. for the Various Streets 2023 Kenilworth project and awarded a contract in the amount not to exceed $400,632.30 for Base Bids 1, 2 and Alternate Bids 1 through 6; and

WHEREAS, the Borough wishes to amend Resolution 2023-214 to correct the bid acceptance and award.

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

1. Resolution 2023-214 is hereby amended as follows:

   The Mayor and Council are hereby authorized to accept the bid submitted by the lowest responsible bidder, CCM Contracting Inc., 336 Route 22, Green Brook, NJ, for the Various Streets 2023 Kenilworth project in the amount not to exceed $400,632.30 for Base Bids 1, 2 and Alternate Bids 1 through 6.

   The Mayor is authorized to enter into and execute a contract with CCM Contracting Inc. for the Various Streets 2023 Kenilworth project, in an amount not to exceed $400,632.30 for Base Bids 1, 2 and Alternate Bids 1 through 6.

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

3. This resolution shall be ratified back to September 20, 2023.

BE IT FURTHER RESOLVED, that resolution hereby changes Resolution 2023-214, Paragraph 2, which previously read S. Brothers, Inc. to now read CCM Contracting, Inc.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **October 4, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	Moved	Seconded	AYE	NAY	ABSTAIN	ABSENT
FINISTRELLA			✓			
MAURO						✓
PENTZ		✓	✓			
PUGLIESE						✓
SCORESE	✓		✓			
ZIMMERMAN			✓			
MAYOR KARLOVITCH						
ON CONSENT AGENDA:	**YES:** ✓			**NO:**		

No. 2023- 235

RESOLUTION
KENILWORTH, NJ

BE IT RESOLVED, by the Borough of Kenilworth, County of Union, New Jersey, that the attached summary of bills in the total amount of $409,928.08, having been duly audited and found to be correct, are hereby ordered paid and that warrants be drawn for the necessary obligations by the Chief Finance Officer (CFO) prior to the next regularly scheduled Council Meeting.

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

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

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

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	Moved	Seconded	AYE	NAY	ABSTAIN	ABSENT
FINISTRELLA		✓	✓			
MAURO			✓			
PENTZ						✓
PUGLIESE	✓		✓			
SCORESE			✓			
ZIMMERMAN						✓
MAYOR KARLOVITCH						

Totals by Year-Fund Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND	2-01	252.50	0.00	0.00	252.50
CURRENT FUND	3-01	139,434.83	0.00	0.00	139,434.83
GENERAL CAPITAL	C-04	71,906.72	0.00	0.00	71,906.72
GRANTS	G-02	896.90	0.00	0.00	896.90
GENERAL TRUST	T-03	250.00	0.00	0.00	250.00
COMMUNITY DEVELOPMENT	T-06	470.00	0.00	0.00	470.00
ANIMAL CONTROL TRUST	T-15	2,645.75	0.00	0.00	2,645.75
Year Total:		3,365.75	0.00	0.00	3,365.75
Total Of All Funds:		215,856.70	0.00	0.00	215,856.70

PO's Total = $215,856.70

Wire's Total = $194,071.38

Total of All Funds = $409,928.08

No. 2023- 236

RESOLUTION
KENILWORTH, NJ

WHEREAS, N.J.S.A. 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.

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 2023 for the below amount sums of which item is now available as a revenue pursuant to the provisions of statute.

Public & Private Revenues off-set with Appropriations:
Stormwater Assistance Grant - $25,000

BE IT FURTHER RESOLVED, that the like sum is hereby appropriated under the caption of:

Public & Private Programs off-set by Revenues Excluded from "CAPS"
Stormwater Assistance Grant - $25,000

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.

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

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	Moved	Seconded	AYE	NAY	ABSTAIN	ABSENT
FINISTRELLA		✓	✓			
MAURO			✓			
PENTZ						✓
PUGLIESE	✓		✓			
SCORESE			✓			
ZIMMERMAN						✓
MAYOR KARLOVITCH						

No. 2023- 237

RESOLUTION
KENILWORTH, NJ

WHEREAS, the State of New Jersey Department of Military and Veterans Affairs has confirmed that the resident owner of the property located at 331 Coolidge Drive (Block 101, Lot 8) was granted a determination of 100% total disability by the United States Department of Veterans Affairs, and

WHEREAS, the resident property owner of Block 101, Lot 8 has made an application to the Tax Assessor for an exemption from property taxes on the above address based on their 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 May 23, 2023, to the tax collector that the resident property owner of Block 101, Lot 8 be granted full tax exemption from billed property taxes as of January 4, 2023, and this has resulted in an overpayment of 2023 taxes due.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Kenilworth, County of Union, State of New Jersey that the resident property owner of Block 101, Lot 8 be granted a full tax exemption from taxes billed to 331 Coolidge Drive, Kenilworth, NJ, as of January 4, 2023, and that Corelogic Tax Services be refunded the amount of $ 4,659.89 which represents the overpayment of taxes paid.

BE IT FURTHER RESOLVED that tax break will only be in effect for as long as the disabled veteran owner owns the property. Should the property be sold to someone other than the disabled veteran and/or if the deed is changed removing the disabled veteran owner that the tax break will no longer be in effect and the property will be subject to conventional taxes.

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

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	Moved	Seconded	AYE	NAY	ABSTAIN	ABSENT
FINISTRELLA		✓	✓			
MAURO			✓			
PENTZ						✓
PUGLIESE	✓		✓			
SCORESE			✓			
ZIMMERMAN						✓
MAYOR KARLOVITCH						

No. 2023-238

RESOLUTION
KENILWORTH, NJ

WHEREAS, the State of New Jersey Department of Military and Veterans Affairs has confirmed that the resident owner of the property located at 320 Roosevelt Lane (Block 99, Lot 2) was granted a determination of 100% total disability by the United States Department of Veterans Affairs, and

WHEREAS, the resident property owner of Block 99, Lot 2 has made an application to the Tax Assessor for an exemption from property taxes on the above address based on their 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 October 3, 2023, to the tax collector that the resident property owner of Block 99, Lot 2 be granted full tax exemption from billed property taxes as of January 1, 2023, and this has resulted in an overpayment of 2023 taxes due.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Kenilworth, County of Union, State of New Jersey that the resident property owner of Block 99, Lot 2 be granted a full tax exemption from taxes billed to 320 Roosevelt Lane, Kenilworth, NJ, as of January 1, 2023, and that the resident property owner of Block 99, Lot 2 be refunded the amount of $ 11,656.63 which represents the overpayment of taxes paid.

BE IT FURTHER RESOLVED that tax break will only be in effect for as long as the disabled veteran owner owns the property. Should the property be sold to someone other than the disabled veteran and/or if the deed is changed removing the disabled veteran owner that the tax break will no longer be in effect and the property will be subject to conventional taxes.

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

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	Moved	Seconded	AYE	NAY	ABSTAIN	ABSENT
FINISTRELLA		✓	✓			
MAURO			✓			
PENTZ						✓
PUGLIESE	✓		✓			
SCORESE			✓			
ZIMMERMAN						✓
MAYOR KARLOVITCH						

#3336105

No. 2023- 239

RESOLUTION
KENILWORTH, NJ

BE IT HEREBY RESOLVED, that the following individual(s) be appointed on the Kenilworth Volunteer Fire Department based upon the letter from the Fire Chief dated October 10, 2023;

Name	Appointment
Alex Morales	Probationary Firefighter / EMT

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

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

Angela Lazzari, RMC
Borough Clerk

	Moved	Seconded	AYE	NAY	ABSTAIN	ABSENT
FINISTRELLA		✓	✓			
MAURO			✓			
PENTZ						✓
PUGLIESE	✓		✓			
SCORESE			✓			
ZIMMERMAN						✓
MAYOR KARLOVITCH						

No. 2023- 240

RESOLUTION
KENILWORTH, NJ

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 Police Department that Dave Aspinwall be appointed an Alternate School Crossing Guard; and

WHEREAS, the Borough of Kenilworth Police Department successfully completed a background investigation on Nicholas Petito.

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Kenilworth hereby appoints Nicholas Petito an Alternate School Crossing guard.

BE IT FURTHER RESOLVED, that said appointment be compensated at an hourly rate of $19.33 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 2023 Borough of Kenilworth Budget for the purposes set forth herein.

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

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	Moved	Seconded	AYE	NAY	ABSTAIN	ABSENT
FINISTRELLA		✓	✓			
MAURO			✓			
PENTZ						✓
PUGLIESE	✓		✓			
SCORESE			✓			
ZIMMERMAN						✓
MAYOR KARLOVITCH						

No. 2023- 241

RESOLUTION
KENILWORTH, NJ

AUTHORIZING THE SALE OF SURPLUS PERSONAL PROPERTY NO LONGER NEEDED FOR PUBLIC USE ON AN ONLINE AUCTION WEBSITE

WHEREAS, the Borough of Kenilworth has determined that the property described on Schedule A attached hereto and incorporated herein is no longer needed for public use; and

WHEREAS, the Local Unit Technology Pilot Program and Study Act (P.L. 2001, c. 30) authorizes the sale of surplus personal property no longer needed for public use through the use of an online auction service; and

WHEREAS, the Borough intends to utilize the online auction services of Municibid located at www.municibid.com; and

WHEREAS, Borough Council finds it to be in the best interests of the Borough to authorize the sale of the surplus property identified on Schedule A by online public auction.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Kenilworth, 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 the State-approved online auction website of Municibid (www.municibidcom).

BE IT FURTHER RESOLVED that the terms and conditions of the agreement entered into between Municibid and the Borough of Kenilworth are available at www.municibid.com and in the Borough Clerk's office.

BE IT FURTHER RESOLVED that a certified copy of the within Resolution be forwarded by the Borough Clerk to the New Jersey Division of Local Government Services and Municibid.

BE IT FURTHER RESOLVED that this Resolution shall take effect pursuant to law.

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

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	Moved	Seconded	AYE	NAY	ABSTAIN	ABSENT
FINISTRELLA		✓	✓			
MAURO			✓			
PENTZ						✓
PUGLIESE	✓		✓			
SCORESE			✓			
ZIMMERMAN						✓
MAYOR KARLOVITCH						

SCHEDULE A

1. 1 – FISHER 9'6" Xtreme V-Plow (DPW)
2. 1 – 1985 FIATALLIS FR-7 4 Wheel Loader (DPW)
3. 1 – Full Height Server Rack
4. 1 - Dell PowerEdge R540 Server

No. 2023-242

RESOLUTION
KENILWORTH, NJ

WHEREAS, as of November 1, 2023, a vacancy will exist in the position of Secretary/Discovery Coordinator within the Police Department; and

WHEREAS, it is the recommendation of the Police Chief that **Angela Lueddeke** be appointed Secretary/Discovery Coordinator; and

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

1. Effective November 1, 2023 **Angela Lueddeke** be appointed **Secretary/Discovery Coordinator** at a rate of $53,515.45 per annum, scheduled to work thirty-five (35) hours per week, 8:30am to 4:30 pm Monday through Friday.
2. As a full-time employee, Angela Lueddeke will be eligible for the Borough full-time employee benefits including medical, dental, vision and prescription plans with employee contributions subject to Chapter 78.
3. As a full-time employee, Angela Lueddeke will be entitled to benefits set forth in the Employee Handbook and Borough Ordinance.
4. That as of September 1, 2018, full time employees not otherwise covered by a collective bargaining agreement or under the auspices of an autonomous/quasi-autonomous are eligible to receive a $1,000.00 per annum, prorata, deduction from their predetermined annual health care premium contribution and in accordance with New Jersey State Statute, Chapter 2, P.L. 2010 which sets minimum contribution of 1.5% of salary towards the health benefits costs.
5. This position is also subject to a ninety (90) day probationary period which will begin on the first date of employment in this position.

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

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

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	Moved	Seconded	AYE	NAY	ABSTAIN	ABSENT
FINISTRELLA		✓	✓			
MAURO			✓			
PENTZ						✓
PUGLIESE	✓		✓			
SCORESE			✓			
ZIMMERMAN						✓
MAYOR KARLOVITCH						

No. 2023- 243

RESOLUTION
KENILWORTH, NJ

WHEREAS, the Borough of Kenilworth (the "Borough") is in need of the Services of Borough Attorney (the "Professional Legal Services"); and

WHEREAS, the Professional Legal Services are exempt from the requirements of public bidding pursuant to the Local Public Contracts Law, more specifically, N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, the Borough wishes to enter into a Professional Services Contract with **SEMERARO & FAHRNEY, LLC**, with its offices located at 155 US 46 West, Wayne, New Jersey 07470, to provide the Professional Legal Services for the remainder of 2023 and until it or another firm is appointed for calendar year 2024; and

WHEREAS, the Local Public Contracts Law, (N.J.S.A. 40A:11-1 et seq.) requires that notice of the award of contracts for "Professional Services" without competitive bidding must be published in a local newspaper; and

WHEREAS, this contract is for an amount over $17,500.00 and is being awarded pursuant to a "Non-Fair and Open Process" pursuant to N.J.S.A. 19:44A-20.5; and

WHEREAS SEMERARO & FAHRNEY, LLC, has completed and submitted a Business Entity Disclosure Certification, which certifies that **SEMERARO & FAHRNEY, LLC** has not made any reportable contributions to a political or a candidate committee in the Borough of Kenilworth in the previous one (1) year prior to award, and that the contract will prohibit **SEMERARO & FAHRNEY, LLC** from making any reportable contributions through the term of the contract.

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

1. The Mayor and/or her designee is hereby authorized and directed on behalf of the Borough of Kenilworth to enter into and execute a contract with **SEMERARO & FAHRNEY, LLC**, to provide Professional Services as Borough Attorney for the remainder of 2023 through December 31, 2023, at a rate of $150.00 per hour, with a total amount not to exceed $20,000.00.

2. This contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(a)(i) of the Local Public Contracts Law because the performance of the service required will be performed by a Law Firm in the State of New Jersey.

3. This contract is awarded pursuant to the Non-Fair and Open Procedures of the State Pay-to-Play Law, (N.J.S.A. 19:44A-20.5) and pursuant to the provisions of the Local Public Contracts Law, (N.J.S.A. 40A:11-5(1)(a)(i).

RESOLUTION
KENILWORTH, NJ

4. **SEMERARO & FAHRNEY, LLC** has completed and submitted a Business Entity Disclosure Certificate, which shall be placed on file with the resolution in the Office of the Borough Clerk, certifying that **SEMERARO & FAHRNEY, LLC** has not made any reportable contributions to a political or a candidate committee in the Borough of Kenilworth in the previous one (1) year, and the contract will prohibit **SEMERARO & FAHRNEY, LLC** from making reportable contributions through the term of the contract.

5. A copy of the fully executed contract herein authorized shall be filed in the Office of the Borough Clerk and shall be made available for public inspection.

6. This contract is hereby ratified from the date of adoption of this resolution.

7. A notice of this action shall be published in the newspaper authorized by law to publish a legal advertisement and as required by law within ten (10) days of the adoption of this resolution.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **October 21, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	Moved	Seconded	AYE	NAY	ABSTAIN	ABSENT
FINISTRELLA		✓	✓			
MAURO			✓			
PENTZ			✓			
PUGLIESE			✓			
SCORESE	✓		✓			
ZIMMERMAN			✓			
MAYOR KARLOVITCH						

No. 2023- 244

RESOLUTION
KENILWORTH, NJ

BE IT RESOLVED, by the Borough of Kenilworth, County of Union, New Jersey, that the attached summary of bills in the total amount of $2,068,127.96, having been duly audited and found to be correct, are hereby ordered paid and that warrants be drawn for the necessary obligations by the Chief Finance Officer (CFO) prior to the next regularly scheduled Council Meeting.

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

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

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **November 1, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	Moved	Seconded	AYE	NAY	ABSTAIN	ABSENT
FINISTRELLA			✓			
MAURO			✓			
PENTZ			✓			
PUGLIESE			✓			
SCORESE		✓	✓			
ZIMMERMAN	✓		✓			
MAYOR KARLOVITCH						

Totals by Year-Fund Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND	3-01	2,028,354.44	0.00	0.00	2,028,354.44
GENERAL CAPITAL	C-04	27,704.68	0.00	0.00	27,704.68
GRANTS	G-02	1,235.50	0.00	0.00	1,235.50
GENERAL TRUST	T-03	250.00	0.00	0.00	250.00
COMMUNITY DEVELOPMENT	T-06	430.00	0.00	0.00	430.00
UNEMPLOYMENT TRUST	T-14	10,153.34	0.00	0.00	10,153.34
Year Total:		10,833.34	0.00	0.00	10,833.34
Total Of All Funds:		2,068,127.96	0.00	0.00	2,068,127.96

P&S Only
Total of All Funds = $2,068,127.96

No. 2023- 245

RESOLUTION
KENILWORTH, NJ

WHEREAS, Diane O'Neill has notified the Borough of Kenilworth of her intention to retire from the Borough of Kenilworth Police Department effective **November 1, 2023**; and

WHEREAS, the Chief Finance Officer has certified that Diane O'Neill is entitled to buyout pay as per the Kenilworth Personnel Policy, as follows;

	Time at start of 2023	Used in 2023	Time Remaining	Payout Rate	Payout Amount (Days)
Accrued Bank Days	12.5		12.5	2:1	6.25
Sick Days	5	4	1	2:1	.5
Personal Days	2	2	0	n/a	0
Vacation Days *(pro-rated)*	25*	18	11	1:1	11
Comp Time (hours)	150.25	132.25	18	1:1	2.4
				Total Days Payout	20.15
				Daily Rate of Pay	$230.77
				TOTAL PAYOUT AMOUNT	**$4,650.02**

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.

BE IT FURTHER RESOLVED that the CFO has certified that sufficient uncommitted funds are available in the 2023 Borough of Kenilworth Budget.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **November 1, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	Moved	Seconded	AYE	NAY	ABSTAIN	ABSENT
FINISTRELLA			✓			
MAURO			✓			
PENTZ			✓			
PUGLIESE			✓			
SCORESE		✓	✓			
ZIMMERMAN	✓		✓			
MAYOR KARLOVITCH						

No. 2023- 246

RESOLUTION
KENILWORTH, NJ

WHEREAS, on November 1, 2023, the governing body of the Borough of Kenilworth (the "Borough") introduced Ordinance 2023-26, which seeks to amend the Borough's existing zoning ordinance, Chapter 120 "Land Use," Part 3, "Zoning," Article 24 "Accessory Uses, Buildings and Structures," Section 1, "Requirements for residential accessory uses and structures," Subsection I(4) to allow for direct replacements of heating, ventilation, and air conditioning units by obtaining a building permit as opposed to obtaining planning board approval. In addition, said amendment will require all new units to be placed in the rear of the property; and

WHEREAS, such amendments to the zoning ordinance must be substantively consistent with the land use plan element and housing plan element of the Borough's Master Plan before it may be considered for final passage; and

WHEREAS, pursuant to N.J.S.A. 40:55D-64, prior to the hearing on adoption of a Zoning Ordinance, or any amendments thereto, the Borough's Municipal Council shall refer any such proposed Ordinance or amendment to the Borough's Planning Board for formal review, report, and recommendation as required by N.J.S.A. 40:55D-26; and

WHEREAS, the Borough's Municipal Council, pursuant to N.J.S.A. 40:55D-64, wishes to refer the draft Proposed Amendment to the Borough's Planning Board for formal review, report, and recommendation as required by N.J.S.A. 40:55D-26.

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 Council does hereby refer the proposed amendments to the zoning code through the ordinance attached hereto as Exhibit "A," to the Planning Board, pursuant to N.J.S.A. 40:55D-64, for determination of consistency with the Borough's Master Plan and/or to make any other recommendations that the Planning Board deems appropriate to the Governing Body; and
2. Pursuant to N.J.S.A. 40:55D-26, the Planning Board's review of the proposed revisions to the Borough's existing Land Development Regulations shall be completed within a period of thirty-five (35) days after referral. Failure of the Planning Board to transmit their report within thirty-five (35) days after referral shall relieve the Governing Body of the requirements set forth in N.J.S.A. 40:55D-26.
3. A copy of this Resolution and the draft Proposed Amendment shall be filed with the Office of the Borough Clerk.
4. This Resolution shall take effect immediately.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **November 1, 2023**.

	Moved	Seconded	AYE	NAY	ABSTAIN	ABSENT
FINISTRELLA			✓			
MAURO			✓			
PENTZ			✓			
PUGLIESE			✓			
SCORESE		✓	✓			
ZIMMERMAN	✓		✓			
MAYOR KARLOVITCH						

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

No. 2023- 247

RESOLUTION
KENILWORTH, NJ

RESOLUTION AWARDING A GOODS AND SERVICES CONTRACT TO RACHLES/MICHELE'S OIL CO, FOR THE PURCHASE OF GASOLINE FOR THE BOROUGH IN AN AMOUNT NOT TO EXCEED $64,000.00 PURSUANT TO NEW JERSEY STATE CONTRACT NO. 19-FLEET-00973, FOR THE PERIOD OF JANUARY 1, 2023 THROUGH DECEMBER 31, 2023.

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/Michele's Oil Co. through New Jersey State Contract No. 19-FLEET-00973; and

WHEREAS, the Mayor and Council of the Borough anticipates entering into a contract in excess of $17,500 with Rachles/Michele's Oil Co. 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/Michele's Oil Co. through New Jersey State Contract No. 19-FLEET-00973, which shall be subject to all the conditions applicable to the current State contracts, in an amount not to exceed Sixty-four Thousand Dollars and Zero Cents ($64,000.00), for the period of January 1, 2023 through December 31, 2023.
2. The Borough of Kenilworth's Chief Financial Officer has certified that sufficient uncommitted funds are available in the 2023 Borough of Kenilworth Budget for the purposes set forth herein and the fund to be charged shall be **3-01-31-430-074**.
3. This contract is ratified from January 1, 2023 until the date of adoption of this authorizing resolution.
4. The within Resolution shall be maintained on file and available for public inspection in the office of the Borough Clerk.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **November 1, 2023**.

	Moved	Seconded	AYE	NAY	ABSTAIN	ABSENT
FINISTRELLA			✓			
MAURO			✓			
PENTZ			✓			
PUGLIESE			✓			
SCORESE		✓	✓			
ZIMMERMAN	✓		✓			
MAYOR KARLOVITCH						

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

No. 2023-248

RESOLUTION
KENILWORTH, NJ

WHEREAS, in a report submitted to the Borough Clerk and Chief Financial Officer on October 26, 2023, the Kenilworth Fire Chief, Mike Scudari, has identified the members of the Kenilworth Volunteer Fire Department/Rescue Squad to be granted an expense allowance; and

WHEREAS, the above referenced report itemizes the individuals breakdown of the distributions and has a total aggregate amount of $59,965.00.

NOW THEREFORE BE IT RESOLVED, that the Kenilworth Volunteer Fire Department/Rescue Squad members be granted an expense allowance in accordance with the report submitted by Fire Chief Michael Scuderi, in the aggregate amount of $59,965.00.

BE IT FURTHER RESOLVED, that the Borough of Kenilworth's Chief Financial Officer has certified that sufficient uncommitted funds are available in the 2023 Borough of Kenilworth Budget for the purposes set forth herein and the fund to be charged shall be **3-01-25-749-140**.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **November 1, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	Moved	Seconded	AYE	NAY	ABSTAIN	ABSENT
FINISTRELLA			✓			
MAURO			✓			
PENTZ			✓			
PUGLIESE			✓			
SCORESE		✓	✓			
ZIMMERMAN	✓		✓			
MAYOR KARLOVITCH						

No. 2023- 249

RESOLUTION
KENILWORTH, NJ

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 the acquisition of Self Contained Breathing Apparatus (SCBA), Scott Air Paks; and

WHEREAS, the Borough of Kenilworth intends to enter into contracts with: NJ Fire Equipment Co. 119-131 Rt. 22 E, Green Brook, NJ 08812 through this resolution and properly executed contract, which shall be subject to all the conditions applicable to the current State Cooperative Purchasing contracts;

NOW THREFORE BE IT RESOLVED, that the Borough of Kenilworth authorizes the award and purchase of Self Contained Breathing Apparatus (SCBA), Scott Air Paks and the return of old SCBAs through New Jersey State Cooperative Purchasing Contract #17-FLEET-00819 for the total amount of $53,530.32 pursuant to all conditions of the individual State contracts; and

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

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **November 1, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	Moved	Seconded	AYE	NAY	ABSTAIN	ABSENT
FINISTRELLA			✓			
MAURO			✓			
PENTZ			✓			
PUGLIESE			✓			
SCORESE		✓	✓			
ZIMMERMAN	✓		✓			
MAYOR KARLOVITCH						

No. 2023-250

RESOLUTION
KENILWORTH, NJ

A RESOLUTION AWARDING A PROFESSIONAL SERVICES CONTRACT TO NEWMARK VALUATION & ADVISORY LLC FOR APPRAISAL/CONSULTING SERVICES

WHEREAS, the Borough of Kenilworth is in need of contracting for professional appraisal/consulting services associated with the former Merck Pharmaceutical Site located at 2000 Galloping Hill Road, Kenilworth, NJ tax appeal; and

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

WHEREAS, Newmark Valuation & Advisory, LLC provided a proposal dated May 10, 2023, to provide the professional appraisal/consulting services associated with the former Merck Pharmaceutical Site, located at 2000 Galloping Hill Road, Kenilworth, NJ tax appeal at a rate of $200.00 per hour for a total amount not to exceed $17,500.00; and

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Kenilworth that the Mayor and the Borough Clerk are hereby authorized to execute and attest to an agreement with Newmark Valuation & Advisory, LLC for the professional appraisal/consulting services to support the work of the tax appeal attorney at a rate of $200.00 per hour for a total amount not to exceed $17,500.00, pursuant to a proposal dated May 10, 2023. This contract is awarded without competitive bids as a "professional services contract" in accordance with N.J.S.A. 40A:11-5 (1)(a)(i) of the Local Public Contract Law and pursuant to a Fair and Open process in accordance with the New Jersey Local Unit Pay-to-Play Law, N.J.S.A. 19:44A-20.5, et seq.; and

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

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **November 1, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	Moved	Seconded	AYE	NAY	ABSTAIN	ABSENT
FINISTRELLA			✓			
MAURO			✓			
PENTZ			✓			
PUGLIESE			✓			
SCORESE		✓	✓			
ZIMMERMAN	✓		✓			
MAYOR KARLOVITCH						

No. 2023- 251

RESOLUTION
KENILWORTH, NJ

BE IT HEREBY RESOLVED, that the Governing Body of the Borough of Kenilworth, County of Union, State of New Jersey acknowledges that they discussed the 2023 Best Practices Inventory as prepared by the Chief Financial Officer at their regular meeting of November 1, 2023.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **November 1, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	Moved	Seconded	AYE	NAY	ABSTAIN	ABSENT
FINISTRELLA			✓			
MAURO			✓			
PENTZ			✓			
PUGLIESE			✓			
SCORESE		✓	✓			
ZIMMERMAN	✓		✓			
MAYOR KARLOVITCH						

No. 2023- 252

RESOLUTION
KENILWORTH, NJ

WHEREAS, the Borough of Kenilworth Department of Public Works currently owns a 2022 CAM SUPERLINE Trailer, Model P8CAMH204DO/VIN# 5JWCJ2421NP529791, which no longer supports the department's needs; and

WHEREAS, the Borough is able to trade-in the aforementioned 2022 CAM SUPERLINE Trailer for $9,000.00 which can be used toward the purchase of a similar-weight trailer with a lower center of gravity priced at $7,995.00 and a small utility trailer priced at $2,295.00 which will be used to haul snow removal equipment; and

WHEREAS, the Borough attempted to sell the aforementioned 2022 CAM SUPERLINE Trailer utilizing an online auction service but, after two weeks on auction, the Borough did not receive any bids valued at or over the trade-in amount of $9,000.00; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Kenilworth, County of Union, State of New Jersey, that the Superintendent of the Department of Public Works is hereby authorized to trade-in the 2022 CAM SUPERLINE Trailer, Model P8CAMH204DO/VIN# 5JWCJ2421NP529791, for a value of $9,000.00 to be used toward the purchase of a similar-weight trailer with a lower center of gravity priced at $7,995.00 and a small utility trailer priced at $2,295.00 which will be used to haul snow removal equipment .

BE IT FURTHER RESOLVED that the Borough's Chief Financial Officer has certified that sufficient uncommitted funds are available in the 2023 Borough of Kenilworth Budget for the balance remaining after the trade-in.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **November 1, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	Moved	Seconded	AYE	NAY	ABSTAIN	ABSENT
FINISTRELLA			✓			
MAURO			✓			
PENTZ			✓			
PUGLIESE			✓			
SCORESE		✓	✓			
ZIMMERMAN	✓		✓			
MAYOR KARLOVITCH						

No. 2023- 253

RESOLUTION
KENILWORTH, NJ

BE IT RESOLVED, by the Borough of Kenilworth, County of Union, New Jersey, that the attached summary of bills in the total amount of $4,870,689.52, having been duly audited and found to be correct, are hereby ordered paid and that warrants be drawn for the necessary obligations by the Chief Finance Officer (CFO) prior to the next regularly scheduled Council Meeting.

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

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

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

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	Moved	Seconded	AYE	NAY	ABSTAIN	ABSENT
FINISTRELLA			✓			
MAURO	✓		✓			
PENTZ						✓
PUGLIESE		✓	✓			
SCORESE			✓			
ZIMMERMAN			✓			
MAYOR KARLOVITCH						
ON CONSENT AGENDA:	**YES:**	✓		**NO:**		

Totals by Year-Fund Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND	2-01	800.00	0.00	0.00	800.00
CURRENT FUND	3-01	1,632,716.32	0.00	0.00	1,632,716.32
GENERAL CAPITAL	C-04	444,776.60	0.00	0.00	444,776.60
GRANTS	G-02	18,316.42	0.00	0.00	18,316.42
GENERAL TRUST	T-03	3,595.17	0.00	0.00	3,595.17
COMMUNITY DEVELOPMENT	T-06	26,137.00	0.00	0.00	26,137.00
ANIMAL CONTROL TRUST	T-15	2,702.75	0.00	0.00	2,702.75
Year Total:		32,434.92	0.00	0.00	32,434.92
Total Of All Funds:		2,129,044.26	0.00	0.00	2,129,044.26

[redacted] = $ 2,129,044.26
[redacted] = $ 2,741,645.26
[redacted] = $ 4,870,689.52

No. 2023- 254

RESOLUTION
KENILWORTH, NJ

WHEREAS, it is the interest of the Borough of Kenilworth, County of Union, State of New Jersey, to reimburse retirees for their payments for Part B of Medicare coverage for the period of July 1, 2023 through December 31, 2023; and

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

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

1. The attached list of Retirees be reimbursed for their payments for Medicare Part B coverage from July 1, 2023 through December 31, 2023 for the total inclusive amount of $36,032.18, 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 2023 Borough of Kenilworth Budget to fund the payment of the following bills attached hereto and made a part of this resolution.

No. 2023- 254

RESOLUTION
KENILWORTH, NJ

Retirees	Premium	Months	Adjustments	Total
Michael Ciravolo	164.90	6		$989.40
Mary Ciravolo - Spouse	164.90	6		$989.40
Brent David	164.90	6		$989.40
Carol David (spouse)	164.90	6		$989.40
Marie (spouse) - Charles David (Deceased)x	0.00	6	*Documentation Not Submitted*	$0.00
Mark David	329.70	6	*IRMAA adjustment*	$1,978.20
Richard Dopf -	164.90	6		$989.40
Carleen Dopf - Spouse	164.90	6		$989.40
William Dowd -	164.90	6		$989.40
Bonnie Dowd	164.90	6		$989.40
Kristine Fennes - *Spouse*	164.90	6		*$989.40*
Jeffery Ferguson	160.90	6		$965.40
Kenneth Grady -	164.90	6		$989.40
Susan Grady - *spouse*	164.90	6		$989.40
Patricia Howarth -	164.90	6		$989.40
Robert E. Jeans -	161.43	6		$968.58
Lenore Jeans	164.90	6		$989.40
Ellen Johns	164.90	6		$989.40
Doug Lamont	164.90	6		$989.40
Nancy Moll	164.90	6		$989.40
William OMalley	164.90	6	*IRMAA adjustment*	$989.40
Karen Pavone	164.90	6		$989.40
Joseph Pavone	164.90	6		$989.40
Scott Phillips	527.50	6	*IRMAA adjustment*	$3,165.00
Joseph Rego	527.50	2	*IRMAA adjustment*	$1,055.00
Rose Rego - Spouse	527.50	6	*IRMAA adjustment*	$3,165.00
Victor Smith (Deceased) - Margaret (spouse)	164.90	6		$989.40
Frank Szelinggiewicz – (spouse)	164.90	6		$989.40
Joanne Szelinggiewicz	164.90	6		$989.40
Debra Weiss	164.90	6		$989.40
Robert Weiss - *spouse*	164.90	6		$989.40
Richard Wood	164.90	6		$989.40
				$36,032.18

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

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	Moved	Seconded	AYE	NAY	ABSTAIN	ABSENT
FINISTRELLA			✓			
MAURO	✓		✓			
PENTZ						✓
PUGLIESE		✓	✓			
SCORESE			✓			
ZIMMERMAN			✓			
MAYOR KARLOVITCH						
ON CONSENT AGENDA:	**YES:**	✓		**NO:**		

No. 2023- 255

RESOLUTION
KENILWORTH, NJ

WHEREAS, the Borough salary ordinance addresses the salary range for Borough of Kenilworth Police Dispatchers; and

WHEREAS, the Borough salary ordinance is in the process of being revised; and

WHEREAS, the Borough wishes to increase the Dispatcher Salary Schedule effective January 1, 2024.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Kenilworth, County of Union, State of New Jersey, that effective January 1, 2024, the dispatcher salary schedule be updated as follows:

	Salary
Starting / Beginning Salary	$ 38,195.00
Step 1 / at First Year Anniversary Date	$ 42,288.00
Step 2 / at Year 2 Anniversary Date	$ 46,380.00
Step 3 / at Year 3 Anniversary Date	$ 50,472.00
Step 4 / at Year 4 or More Anniversary Date	$ 54,565.00

BE IT FURTHER RESOLVED, that a Dispatcher uniform allowance of $250.00 per year shall be paid in two (2) installments, with the first installment of $125.00 paid in June and the second installment of $125.00 paid in December of the calendar year.

BE IT FURTHER RESOLVED, that the Borough of Kenilworth's Chief Financial Officer has certified that sufficient uncommitted funds will be available in the 2024 Borough of Kenilworth Temporary Budget for the purposes set forth herein.

BE IT FURTHER RESOLVED, that this resolution is conditional upon the Borough salary ordinance being revised.

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

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	Moved	Seconded	AYE	NAY	ABSTAIN	ABSENT
FINISTRELLA			✓			
MAURO	✓		✓			
PENTZ						✓
PUGLIESE		✓	✓			
SCORESE			✓			
ZIMMERMAN			✓			
MAYOR KARLOVITCH						
ON CONSENT AGENDA:	**YES:** ✓			**NO:**		

No. 2023- 256

RESOLUTION
KENILWORTH, NJ

WHEREAS, the Borough of Kenilworth continuously strives to improve the working conditions for its employees; and

WHEREAS, the Borough continuously strives to improve the level and quality of service provided to the public; and

WHEREAS, in order to accomplish these goals the Borough from time to time adopts and revises its employment policies as contained in it Employment Handbook; and

WHEREAS, it has been determined by the Mayor and Council that revisions and updates are needed with respect to a number of the policies contained in the Borough's Employee Handbook; and

WHEREAS, it has been determined by the Mayor and Council that additional policies are needed to address developments in the law and to address both operational efficiency and the support and protection of Borough employees; and

WHEREAS, the revised Employee Handbook has been reviewed by the Mayor and Council.

IT IS HEREBY RESOLVED this 6th day of December 2023 that the Borough Council of the Borough of Kenilworth hereby adopts the attached revised Employment Handbook.

BE IT FURTHER RESOLVED that the personnel policies and procedures contained in the Handbook shall apply to all Borough officials, appointees, employees, volunteers and independent contractors. In the event there is a conflict between these rules and any collective bargaining agreement, personnel services contract or Federal or State law, the terms and conditions of that contract or law shall prevail. In all other cases, these policies and procedures shall prevail.

BE IT FURTHER RESOLVED that this Handbook is intended to provide guidelines covering public service by Borough employees and is not a contract. The provisions of this handbook may be amended and supplemented from time to time without notice and at the sole discretion of the Borough of Kenilworth Council.

BE IT FURTHER RESOLVED that to the maximum extent permitted by law, employment practices for the Borough shall operate under the legal doctrine known as "employment at will."

BE IT FURTHER RESOLVED that the Borough Administrative Officer and all managerial/ supervisory personnel are responsible for these employment practices. The Borough and/or Labor Attorney shall assist the Borough Administrative Officer in the implementation of the policies and procedures in this handbook.

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

Angela Lazzari, RMC
Borough Clerk

Resolution Tabled

No. 2023- 257

RESOLUTION
KENILWORTH, NJ

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 $11,441,001.50 representing 50% of the 2023-2024 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 2023-2024 local district school tax levy be deferred in the amount of $11,441,001.50.

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.

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

Angela Lazzari, RMC
Borough Clerk

	Moved	Seconded	AYE	NAY	ABSTAIN	ABSENT
FINISTRELLA			✓			
MAURO	✓		✓			
PENTZ						✓
PUGLIESE		✓	✓			
SCORESE			✓			
ZIMMERMAN			✓			
MAYOR KARLOVITCH						
ON CONSENT AGENDA:	**YES:** ✓			**NO:**		

No. 2023- 258

RESOLUTION
KENILWORTH, NJ

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 cancelled.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Kenilworth as follows:

1. That the Chief Finance Officer be and is hereby directed to take all necessary steps to cancel the following Grant Receivable and Reserve balance:

GRANT NAME	RECEIVABLE AMOUNT	RESERVE AMOUNT
Municipal Alliance Grant	$777.21	$777.21

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

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	Moved	Seconded	AYE	NAY	ABSTAIN	ABSENT
FINISTRELLA			✓			
MAURO	✓		✓			
PENTZ		✓				✓
PUGLIESE			✓			
SCORESE			✓			
ZIMMERMAN			✓			
MAYOR KARLOVITCH						
ON CONSENT AGENDA:	**YES:**	✓		**NO:**		

No. 2023- 259

RESOLUTION
KENILWORTH, NJ

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
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

Block/Lot	Property Address	Refund To	Refund Amount	Year	Reason
B 105 L 13	358 Lincoln Drive	Corelogic, Inc. Attn: Centralized Refunds P. O. Box 9202 Coppell, TX 75019-9760	$ 2,385.41	2023	2
B 105 L 14	354 Lincoln Drive	Corelogic, Inc.	$2,463.74	2023	2
B 143 L 4	514 Richfield Avenue	Corelogic, Inc.	$2,292.19	2023	2

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

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

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

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	Moved	Seconded	AYE	NAY	ABSTAIN	ABSENT
FINISTRELLA			✓			
MAURO	✓		✓			
PENTZ						✓
PUGLIESE		✓	✓			
SCORESE			✓			
ZIMMERMAN			✓			
MAYOR KARLOVITCH						
ON CONSENT AGENDA:	**YES:**	✓		**NO:**		

No. 2023-260

RESOLUTION
KENILWORTH, NJ

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

WHEREAS, the Borough Engineer, Harbor Consultants Inc., has certified that the services required for the 1st and Final Payment under said contract in the amount of $26,640.00 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 and Final Payment for the Contract listed below be and is hereby approved.

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

TITLE OF JOB: CDBG Year 49 – ADA Curb and Ramp Improvements
CONTRACTOR: AA Berms LLC
P.O. Box 180
Belleville, NJ 07109

Payment #1 and Final

Original Contract (6 Ramps)	$26,640.00
TOTAL	**$26,640.00**
Balance	$0.00

BE IT FURTHER RESOLVED that the Borough of Kenilworth's Chief Financial Officer has certified that sufficient uncommitted funds are available in the 2023 Borough of Kenilworth Budget for the purposes set forth herein. A portion of the funds have been appropriated by way of a $25,000.00 CDBG grant awarded to the Borough by Union County.

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

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	Moved	Seconded	AYE	NAY	ABSTAIN	ABSENT
FINISTRELLA			✓			
MAURO	✓		✓			
PENTZ			✓			✓
PUGLIESE		✓	✓			
SCORESE			✓			
ZIMMERMAN			✓			
MAYOR KARLOVITCH						
ON CONSENT AGENDA:	**YES:** ✓			**NO:**		

No. 2023- 261

RESOLUTION
KENILWORTH, NJ

WHEREAS, S & L Contractors has been contracted by the Borough of Kenilworth for the Veteran of Foreign Wars Parking Lot Improvements project by way of the public bidding process set forth in the Local Public Contracts Law set forth in N.J.S.A. 40A:11-1 et. seq;

WHEREAS, the Borough Engineer, Harbor Consultants Inc., has certified that the services required for the 1st Payment under said contract in the amount of $106,305.00 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: Veteran of Foreign Wars Parking Lot Improvements
CONTRACTOR: S & L Contractors, LLC
200 Swenson Drive
Kenilworth, NJ

Payment #1

TOTAL ORIGINAL CONTRACT PRICE	$107,200.00
Change Order Amount	$4,700.00
Contract Sum to date:	$111,900.00
Total Completed and Stored to Date	$111,900.00
Less 5% retainage to date	$5,595.00
Less previous payment	$ 0.00
Amount Due	**$106,305.00**
Balance to Finish including retainage	$5,595.00

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

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

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	Moved	Seconded	AYE	NAY	ABSTAIN	ABSENT
FINISTRELLA			✓			
MAURO	✓		✓			
PENTZ						✓
PUGLIESE		✓	✓			
SCORESE			✓			
ZIMMERMAN			✓			
MAYOR KARLOVITCH						
ON CONSENT AGENDA:	**YES:**		✓	**NO:**		

No. 2023-262

RESOLUTION
KENILWORTH, NJ

WHEREAS, AA Berms LLC has been contracted by the Borough of Kenilworth for the Boulevard Sidewalk Replacement Phase 4 project by way of the public bidding process set forth in the Local Public Contracts Law set forth in N.J.S.A. 40A:11-1 et. seq;

WHEREAS, the Borough Engineer, Harbor Consultants Inc., has certified that the services required for the 1st Payment under said contract in the amount of $89,999.00 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 FURTHER RESOLVED that the payment authorized herein is conditioned upon compliance with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 et. seq.; and

TITLE OF JOB: Boulevard Sidewalk Replacement Phase 4
CONTRACTOR: AA Berms LLC
P.O. Box 180
Belleville, NJ 07109

Payment #1

TOTAL ORIGINAL CONTRACT PRICE	$89,999.00
Change Order Amount	$0.00
Contract Sum to date:	$89,999.00
Total Completed and Stored to Date	$89,999.00
Less 5% retainage to date	$0.00
Less previous payment	$ 0.00
Amount Due	**$89,999.00**
Balance to Finish including retainage	$0.00

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

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

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	Moved	Seconded	AYE	NAY	ABSTAIN	ABSENT
FINISTRELLA			✓			
MAURO	✓		✓			
PENTZ						✓
PUGLIESE		✓	✓			
SCORESE			✓			
ZIMMERMAN			✓			
MAYOR KARLOVITCH						
ON CONSENT AGENDA:	**YES:**	✓		**NO:**		

No. 2023- 263

RESOLUTION
KENILWORTH, NJ

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

WHEREAS, the Borough Engineer, Harbor Consultants Inc., has certified that the services required for the 1st Payment under said contract in the amount of $217,030.10 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: 2022 NJDOT Roadway Improvements
CONTRACTOR: S. Brothers, Inc.
PO Box 317
South River, NJ 08882

Payment #1

TOTAL ORIGINAL CONTRACT PRICE	$222,582.87
Change Order Amount	$5,869.87
Contract Sum to date:	$228,452.74
Total Completed and Stored to Date	$228,452.74
Less 5% retainage to date	$11,422.64
Less previous payment	$0.00
Amount Due	**$217,030.10**
Balance to Finish including retainage	$11,422.64

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

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

Angela Lazzari, RMC
Borough Clerk

	Moved	Seconded	AYE	NAY	ABSTAIN	ABSENT
FINISTRELLA			✓			
MAURO	✓		✓			
PENTZ						✓
PUGLIESE		✓	✓			
SCORESE			✓			
ZIMMERMAN			✓			
MAYOR KARLOVITCH						
ON CONSENT AGENDA:	**YES:**	✓		**NO:**		

No. 2023-264

RESOLUTION
KENILWORTH, NJ

AUTHORIZING APPROPRIATION TRANSFERS

WHEREAS, it is the attestation of the Chief Financial Officer that it will become necessary to expend, for some of the purposes specified in the 2023 Municipal Budget, an excess of the respective sums appropriated; and,

WHEREAS, it is the further attestation of the Chief Financial Officer that there is an excess in one or more appropriations over and above the amount deemed necessary to fulfill the purposes of such appropriations; and,

WHEREAS, *N.J.S.A. 40:4-58* permits certain appropriation transfers during the last two (2) months of the fiscal year; and,

WHEREAS, the Governing Body of the Borough of Kenilworth wish to authorize the Chief Financial Officer to effectuate certain appropriation transfers prior to the end of the fiscal year such that excess sums may be transferred to those deemed to be insufficient.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Kenilworth, County of Union, State of New Jersey, with not less the two-thirds of the Governing Body's full membership concurring, that the Chief Financial Officer be authorized and directed, pursuant to *N.J.S.A. 40:4-58*, to transfer certain excess appropriations to those deemed inefficient within the 2023 Municipal Budget without the need for further action of the Governing Body.

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

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	Moved	Seconded	AYE	NAY	ABSTAIN	ABSENT
FINISTRELLA			✓			
MAURO	✓		✓			
PENTZ						✓
PUGLIESE		✓	✓			
SCORESE			✓			
ZIMMERMAN			✓			
MAYOR KARLOVITCH						
ON CONSENT AGENDA:	**YES:** ✓			**NO:**		

No. 2023- 265

RESOLUTION
KENILWORTH, NJ

WHEREAS, certain Federal funding will potentially be available for Union County under Title I of the Housing and Community Development Act of 1974 as amended and supplemented, which Act is commonly known and referred to as the Community Development Block Grant (CDBG); and

WHEREAS, the Borough of Kenilworth has a need and desire for assistance under the Act and Program as aforesaid in order to improve essential services to the residents of areas which qualify for assistance under the Act and Program as aforementioned.

NOW, THEREFORE, BE IT RESOLVED the Mayor and Council of the Borough of Kenilworth, County of Union, State of New Jersey authorizes, on behalf of the Borough of Kenilworth, the submission of applications for funding of the attached list, known as the Community Development Block Grant Program Year 49 list, in the priority order as shown.

Community Development Block Grant Proposals for Year 49

1. Senior Citizens Social Services & Health Program — Request $20,000.00
2. ADA Curb & Ramp Improvements — Request $43,200.00
3. ADA Water Fountains — Request $15,000.00

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

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	Moved	Seconded	AYE	NAY	ABSTAIN	ABSENT
FINISTRELLA			✓			
MAURO	✓		✓			
PENTZ						✓
PUGLIESE		✓	✓			
SCORESE			✓			
ZIMMERMAN			✓			
MAYOR KARLOVITCH						
ON CONSENT AGENDA:	**YES:** ✓			**NO:**		

No. 2023- 266

RESOLUTION
KENILWORTH, NJ

WHEREAS, several families registered for Kenilworth Basketball for the 2023-2024 season not realizing that the program was not open to the general public; and

WHEREAS, the Recreation Program Administrator has requested that the following families be reimbursed the registration costs as listed below since they are not allowed to participate in the program:

Family Name	# of Children Registered	Total Amount Due
Sotto	2	$125.00
Gomes	1	$ 75.00
Picket	1	$ 75.00
Berns	2	$125.00
TOTAL (5)		**$400.00**

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

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

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

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

Angela Lazzari, RMC
Borough Clerk

	Moved	Seconded	AYE	NAY	ABSTAIN	ABSENT
FINISTRELLA			✓			
MAURO	✓		✓			
PENTZ						✓
PUGLIESE		✓	✓			
SCORESE			✓			
ZIMMERMAN			✓			
MAYOR KARLOVITCH						
ON CONSENT AGENDA:	**YES:**	✓		**NO:**		

No. 2023- 267

RESOLUTION
KENILWORTH, NJ

WHEREAS, the Borough of Kenilworth currently has a Fire Subcode Official; and

WHEREAS, the Borough is in need of and desires to appoint a Substitute/Backup Fire Sub Code Official to fill in for the Fire Subcode Official in his absence; and

WHEREAS, Joseph Popola is qualified to hold that position.

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

1. Effective December 7, 2023, **Joseph Popola** be appointed **Substitute Fire Subcode Official** at a rate of $45.00 per hour, not to exceed six (6) hours per week.

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

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

Angela Lazzari, RMC
Borough Clerk

	Moved	Seconded	AYE	NAY	ABSTAIN	ABSENT
FINISTRELLA			✓			
MAURO	✓		✓			
PENTZ			✓			✓
PUGLIESE		✓	✓			
SCORESE			✓			
ZIMMERMAN			✓			
MAYOR KARLOVITCH						
ON CONSENT AGENDA:	**YES:** ✓			**NO:**		

No. 2023-268

RESOLUTION
KENILWORTH, NJ

WHEREAS, New Jersey Department of Community Affairs' (DCA) Division of Local Government Services (DLGS) is administering the FY2024 American Rescue Plan Firefighter Grant Program; and

WHEREAS, the above-mentioned grant program will help local and regional fire departments in New Jersey provide first responders with proper protective and cleaning equipment; and

WHEREAS, the Borough of Kenilworth desires to further the public interest by obtaining funding from the above grant program to assist with the costs of bunker gear, helmets, boots, and fire gloves; and

WHEREAS, on behalf of the Borough of Kenilworth, the Kenilworth Fire Chief wishes to submit an application requesting grant funding in the amount of ($40,000.00) from the FY2024 American Rescue Plan Firefighter Grant Program to assist with the costs of bunker gear, helmets, boots, and fire gloves.

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

1. The Kenilworth Fire Chief, on behalf of the Borough of Kenilworth is hereby authorized to submit an application to the DLGS requesting grant funding in the amount of ($40,000.00) from the FY2024 American Rescue Plan Firefighter Grant Program to assist with the costs of bunker gear, helmets, boots, and fire gloves.

2. Upon notification of the receipt of the grant awards in connection with this application, the grant is hereby accepted.

3. Upon notification of the receipt of the grant awards in connection with these applications, the Mayor and/or her designee is hereby authorized to enter into and execute grant documents with the DLGS to receive and expend the grant awards for the above-referenced purposes.

4. A 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 the Borough Clerk.

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

	Moved	Seconded	AYE	NAY	ABSTAIN	ABSENT
FINISTRELLA			✓			
MAURO	✓		✓			
PENTZ						✓
PUGLIESE		✓	✓			
SCORESE			✓			
ZIMMERMAN			✓			
MAYOR KARLOVITCH						
ON CONSENT AGENDA:	**YES:** ✓			**NO:**		

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

No. 2023- 269

RESOLUTION
KENILWORTH, NJ

WHEREAS, the Borough salary ordinance addresses the salary range for Borough of Kenilworth employees; and

WHEREAS, the Borough salary ordinance is in the process of being revised; and

WHEREAS, the Borough wishes to increase the below employee salaries effective January 1, 2024;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Kenilworth, County of Union, State of New Jersey, that effective January 1, 2024, the salaries be updated as follows:

Title	Salary Effective - 1/1/2024
Borough Clerk/Admin. Officer	$ 109,720.00
Borough Deputy Clerk	$ 55,396.00
Senior Clerk	$ 46,800.00
Chief Financial Officer PT	$ 31,200.00
Tax Collector PT	$ 24,960.00
Tax Assessor PT	$ 30,350.00
Assistant Chief Financial Officer PT	$ 31,200.00
Assistant Finance Officer	$ 77,896.00
Payroll Administrator	$ 54,080.00
AP/Tax Clerk	$ 37,856.00
Police Chief	$ 160,376.00
Police Secretary/Discovery Coordinator	$ 55,656.00
Police Records Secretary PT	$ 18.98
Code Enforcement Officer	$ 12,480.00
Plumbing Inspector	$ 15,510.00
Mechanical Inspector	$ 5,572.00
Electrical Inspector	$ 52.00
Fire SubCode Inspector	$ 14,614.00
Construction Clerk	$ 41,600.00
Planning Boad Admin./Dept. Admin	$ 55,120.00
Public Works Superintendent	$ 88,400.00
Public Works Administrative Assistant	$ 46,800.00
Court Administrator	$ 71,170.00
Deputy Court Administrator	$ 49,772.00
Recreation Administrator	$ 35,481.00
Senior Citizen Director PT	$ 15,600.00
Sr Citizen Lead Bus Driver	$ 21.64
Sr Citizen Bus Driver 2	$ 20.80
Sr Citizen Alternate Bus Driver (subs)	$ 20.56
OEM	$ 4,547.00
Fire Prevention Official	$ 48,691.00
Part Time Clerk – Fire Department and Fire Prevention Bureau	$ 16.56

No. 2023- 269

RESOLUTION
KENILWORTH, NJ

Crossing Guards	$	20.10
Alternate Crossing Guards	$	20.10

BE IT FURTHER RESOLVED, that the Borough of Kenilworth's Chief Financial Officer has certified that sufficient uncommitted funds will be available in the 2024 Borough of Kenilworth's temporary budget for the purposes set forth herein.

BE IT FURTHER RESOLVED, that this resolution is conditional upon the Borough salary ordinance being revised.

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

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	Moved	Seconded	AYE	NAY	ABSTAIN	ABSENT
FINISTRELLA			✓			
MAURO	✓		✓			
PENTZ						✓
PUGLIESE		✓	✓			
SCORESE			✓			
ZIMMERMAN			✓			
MAYOR KARLOVITCH						
ON CONSENT AGENDA:	**YES:**		✓	**NO:**		

No. 2023-270

RESOLUTION
KENILWORTH, NJ

WHEREAS, the provisions of the Open Public Meetings Act (N.J.S.A.10:4-1 et seq.) expressly provide that a public body may move into Executive Session and exclude the public from that portion of a meeting at which the public body discusses any of the nine areas set forth in N.J.S.A.10:4-12b; and

WHEREAS, the Borough Council of the Borough of Kenilworth has determined it necessary to move into Executive Session to discuss the following subjects, all of which are included in the aforesaid exceptions:

1. **Attorney/Client Communication – Employee Handbook**
2. **Attorney/Client Communication – Proposed Ordinance**

NOW THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Kenilworth that it does hereby move into Executive Session pursuant to N.J.S.A.10:4-12b to discuss the aforesaid matters; and

IT IS FURTHER RESOLVED that the aforesaid discussions shall be made public either at the Public Meeting following said Executive Session or at such time as any litigated or personnel matters are concluded; or upon conclusion of any negotiations or related discussions; or as otherwise specified.

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

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	Moved	Seconded	AYE	NAY	ABSTAIN	ABSENT
FINISTRELLA	✓		✓			
MAURO			✓			
PENTZ						✓
PUGLIESE			✓			
SCORESE		✓	✓			
ZIMMERMAN			✓			
MAYOR KARLOVITCH						
ON CONSENT AGENDA:	**YES:**			**NO:**	✓	

No. 2023- 271

RESOLUTION
KENILWORTH, NJ

BE IT RESOLVED, by the Borough of Kenilworth, County of Union, New Jersey, that the attached summary of bills in the total amount of **$498,030.76**, having been duly audited and found to be correct, are hereby ordered paid and that warrants be drawn for the necessary obligations by the Chief Finance Officer (CFO) prior to the next regularly scheduled Council Meeting.

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

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

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **December 27, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	Moved	Seconded	AYE	NAY	ABSTAIN	ABSENT
FINISTRELLA			✓			
MAURO		✓	✓			
PENTZ	✓		✓			
PUGLIESE			✓			
SCORESE			✓			
ZIMMERMAN			✓			
MAYOR KARLOVITCH						
ON CONSENT AGENDA:	YES: ✓			NO:		

Totals by Year-Fund Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND	3-01	182,921.93	0.00	0.00	182,921.93
GENERAL CAPITAL	C-04	92,398.98	0.00	0.00	92,398.98
GRANTS	G-02	19,635.41	0.00	0.00	19,635.41
GENERAL TRUST	T-03	3,466.00	0.00	0.00	3,466.00
Total Of All Funds:		298,422.32	0.00	0.00	298,422.32

~~PO Total~~ = $298,422.32

~~Other Funds~~ = $199,608.44

~~Total of All Funds~~ = $498,030.76

No. 2023-272

RESOLUTION
KENILWORTH, NJ

WHEREAS, Darlene Candarella presently holds the position of Senior Program Director for the Borough of Kenilworth and has been in this position since July 13, 2022; and

WHEREAS, by letter dated December 1, 2023, Darlene Candarella expressed to the Borough of Kenilworth her intention to resign from her position as Senior Program Director, said retirement to be effective December 31, 2023; and

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Kenilworth, County of Union, State of New Jersey, that it hereby accepts the resignation Darlene Candarella, effective December 31, 2023.

BE IT FURTHER RESOLVED, that a copy of this Resolution shall be forwarded to the Borough CFO and Darlene Candarella.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **December 27, 2023**.

Angela Lazzari, RMC
Borough Clerk

	Moved	Seconded	AYE	NAY	ABSTAIN	ABSENT
FINISTRELLA			✓			
MAURO		✓	✓			
PENTZ	✓		✓			
PUGLIESE			✓			
SCORESE			✓			
ZIMMERMAN			✓			
MAYOR KARLOVITCH						
ON CONSENT AGENDA:	**YES:** ✓			**NO:**		

No. 2023- 273

RESOLUTION
KENILWORTH, NJ

WHEREAS, the Gabriele family had registered for Kenilworth Basketball for the 2023-2024 season but will not be participating; and

WHEREAS, the Recreation Program Administrator has requested that the family be reimbursed the registration costs as follows:

Family Name	# of Children Registered	Total Amount Due
Gabriele	1	$75.00
TOTAL REIMBURSEMENT AMOUNT		**$75.00**

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

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

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

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **December 27, 2023**.

Angela Lazzari, RMC
Borough Clerk

	Moved	Seconded	AYE	NAY	ABSTAIN	ABSENT
FINISTRELLA			✓			
MAURO		✓	✓			
PENTZ	✓		✓			
PUGLIESE			✓			
SCORESE			✓			
ZIMMERMAN			✓			
MAYOR KARLOVITCH						
ON CONSENT AGENDA:	**YES:**	✓		**NO:**		

No. 2023- 274

RESOLUTION
KENILWORTH, NJ
RESOLUTION

WHEREAS, Mr. Zambujo paid a the appropriate bulk pickup fee to have a couch picked up and disposed up from his property; and

WHEREAS, the request for pickup was cancelled prior to the couch being picked up and Mr. Zambujo has requested a reimbursement of the fee paid.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Kenilworth, County of Union, State of New Jersey that the Chief Finance Officer is authorized to issue a refund in the amount of eighty-five dollars ($85.00) be issued to: Mr. Zambujo, 29 Hemlock Drive, Lanoka Harbor, NJ 08734.

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

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **December 27, 2023**.

Angela Lazzari, RMC
Borough Clerk

	Moved	Seconded	AYE	NAY	ABSTAIN	ABSENT
FINISTRELLA			✓			
MAURO		✓	✓			
PENTZ	✓		✓			
PUGLIESE			✓			
SCORESE			✓			
ZIMMERMAN			✓			
MAYOR KARLOVITCH						
ON CONSENT AGENDA:	**YES:** ✓			**NO:**		

No. 2023- 275

RESOLUTION
KENILWORTH, NJ

WHEREAS, the Borough of Kenilworth has the need for the position of Qualified Purchasing Agent; and

WHEREAS, it has been determined that Theodore Georgiou 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. Theodore Georgiou is appointed as Qualified Purchasing Agent for one year, from January 1, 2024 through December 31, 2024, with an annual salary of twelve thousand ($12,000.) dollars, to be paid in accordance with the regular Borough payroll schedule.

2. This part-time position is entitled to paid sick leave pursuant to the NJ Sick Leave Law NJSA 34:11-d-1 and any other benefits required by State Law. Other than those benefits required by law, it is agreed that Mr. Georgiou is not eligible for and/or declines any other employment benefits.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **December 27, 2023**.

Angela Lazzari, RMC
Borough Clerk

	Moved	Seconded	AYE	NAY	ABSTAIN	ABSENT
FINISTRELLA			✓			
MAURO		✓	✓			
PENTZ	✓		✓			
PUGLIESE			✓			
SCORESE			✓			
ZIMMERMAN			✓			
MAYOR KARLOVITCH						
ON CONSENT AGENDA:	**YES:** ✓			**NO:**		

No. 2023- 276

RESOLUTION
KENILWORTH, NJ

WHEREAS, the Kenilworth Chief Finance Officer has requested temporary assistance in the finance department to assist with special projects, including but not limited to pension reporting for retroactive payments; and

WHEREAS, the Borough Council wishes to hire a temporary staff member to expedite the completion of this task; and

WHEREAS, it has been determined that Sandra Bruns 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, County of Union, State of New Jersey, as follows:

1. **Sandra Bruns**, CMFO, be appointed as a temporary employee to assist the finance department at an hourly rate of $50.00 per hour, not to exceed ten-thousand dollars ($10,000.00), effective as of January 1, 2024.

2. That this part-time position is entitled to paid sick leave pursuant to the NJ Sick Leave Law NJSA 34:11-d-1 and any other benefits required by State Law. Other than those benefits required by law, it is agreed that Ms. Bruns is not eligible for and/or declines any other employment benefits.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **December 27, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	Moved	Seconded	AYE	NAY	ABSTAIN	ABSENT
FINISTRELLA			✓			
MAURO		✓	✓			
PENTZ	✓		✓			
PUGLIESE			✓			
SCORESE			✓			
ZIMMERMAN			✓			
MAYOR KARLOVITCH						
ON CONSENT AGENDA:	**YES:** ✓			**NO:**		

No. 2023- 277

RESOLUTION
KENILWORTH, NJ

WHEREAS, a vacancy exists in the position of part-time Violations Clerk within the Kenilworth Municipal Court; and

WHEREAS, the Kenilworth Court Administrator has recommended that Debbie Weiss be employed as a part-time Violations Clerk in the Kenilworth Municipal Court at a rate of $24.00 per hour not to exceed 20 hours per week; and

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

1. Effective January 2, 2024, Debbie Weiss be hired as a part-time employee as a Violations Clerk at a rate of $24.00 per hour not to exceed 20 hours per week.
2. This offer of employment is contingent upon successful completion of criminal and background checks.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **December 27, 2023**.

Angela Lazzari, RMC
Borough Clerk

	Moved	Seconded	AYE	NAY	ABSTAIN	ABSENT
FINISTRELLA			✓			
MAURO		✓	✓			
PENTZ	✓		✓			
PUGLIESE			✓			
SCORESE			✓			
ZIMMERMAN			✓			
MAYOR KARLOVITCH						
ON CONSENT AGENDA:	**YES:** ✓			**NO:**		

No. 2023- 278

RESOLUTION
KENILWORTH, NJ

WHEREAS, there currently exists an old reserve in the Other Trust Fund; and

WHEREAS, after consulting with Borough Auditor, said old balance should be cancelled; and

WHEREAS, it is the desire of the Mayor and Council to cancel said Other Trust Fund reserve balance as listed below:

Paving and Sewer Maintenance Escrow	$7,482.50

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Kenilworth, County of Union, State of New Jersey that the above Other Trust Fund reserve balance be cancelled and that said total be transferred to the proper statutory account as Miscellaneous Revenue Not Anticipated.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **December 27, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	Moved	Seconded	AYE	NAY	ABSTAIN	ABSENT
FINISTRELLA			✓			
MAURO		✓	✓			
PENTZ	✓		✓			
PUGLIESE			✓			
SCORESE			✓			
ZIMMERMAN			✓			
MAYOR KARLOVITCH						
ON CONSENT AGENDA:	**YES:** ✓			**NO:**		

No. 2023-279

RESOLUTION
KENILWORTH, NJ

WHEREAS, the local budget law, N.J.S.A. 40A-4:60 permits the cancellation of unexpended appropriation balances during the current fiscal year; and

WHEREAS, the Mayor and Borough Council of the Borough of Kenilworth wishes to cancel unexpended appropriation balances as permitted by NJSA 40A-4:60 and as recommended by the Chief Financial Officer.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Kenilworth, County of Union, State of New Jersey that the below unexpended appropriation balances are hereby canceled:

Clerk – Salary and Wages	$10,000.00
Public Works – Salary and Wages	$60,000.00
Sr. Citizen Transport – Salary and Wages	$15,000.00
Electrical Inspectors – Salary and Wages	$7,000.00
Board of Health – Salary and Wages	$15,000.00
Recycling – Other Expenses	$40,000.00
Finance – Other Expenses	$10,000.00
Utilities – Fire Hydrant Service	$8,000.00
Utilities – Tipping Fees (Solid Waste)	$20,000.00

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **December 27, 2023**.

Angela Lazzari, RMC
Borough Clerk

	Moved	Seconded	AYE	NAY	ABSTAIN	ABSENT
FINISTRELLA			✓			
MAURO		✓	✓			
PENTZ	✓		✓			
PUGLIESE			✓			
SCORESE			✓			
ZIMMERMAN			✓			
MAYOR KARLOVITCH						
ON CONSENT AGENDA:	**YES:** ✓			**NO:**		

No. 2023- 280

RESOLUTION
KENILWORTH, NJ

SUBURBAN MUNICIPAL JOINT INSURANCE FUND
RESOLUTION TO JOIN
SUBJECT TO APPROVAL OF ASSESSMENT

WHEREAS, a number of municipalities in the state of New Jersey have joined together to form a Joint Insurance Fund as permitted by chapter 372 Laws of 1983 (40A:10-36); and

WHEREAS, said Fund was approved to become operational by New Jersey Department of Insurance and the Department of Community Affairs and has been in operation since that date; and

WHEREAS, the statutes and regulations governing the creation and operation of a Joint Insurance Fund contain elaborate restrictions and safeguards concerning the safe and efficient administration of the public interest entrusted to such a Fund.

NOW THEREFORE BE IT RESOLVED that the Governing Body of the Borough of Kenilworth, County of Union, State of New Jersey does hereby agree to join the Fund subject only to the right to approve the initial assessment when the same is received from the Fund following processing of the application, and;

BE IT FURTHER RESOLVED that the Borough of Kenilworth is applying to the Fund for the following types of coverages:

1. Workers' Compensation and Employer's Liability;
2. Liability, other than motor vehicle;
3. Property Damage, other than motor vehicle;
4. Motor Vehicle.
5. Public Officials Liability/Employment Practices Liability
6. Environmental Impairment Liability

BE IT FURTHER RESOLVED that the Governing Body hereby adopts and approves of the bylaws of the Fund; and

BE IT FURTHER RESOLVED that the Mayor and the Borough Clerk are hereby authorized to execute the application for membership and the accompanying certification on behalf of the Governing Body; and

BE IT FURTHER RESOLVED that the Mayor and the Borough Clerk are authorized and directed to execute the Indemnity and Trust Agreement and such other documents signifying membership in the Fund as are required by the Fund's bylaws and to deliver same to the Executive Director of the Fund with the express reservation that said document shall become effective only upon the applicant's admission to the Fund following approval by the Fund, passage by the Governing Body of a Resolution Accepting Assessment and approval by the New Jersey Department of Insurance and the Department of Community Affairs.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **December 27, 2023**.

	Moved	Seconded	AYE	NAY	ABSTAIN	ABSENT
FINISTRELLA			✓			
MAURO		✓	✓			
PENTZ	✓		✓			
PUGLIESE			✓			
SCORESE			✓			
ZIMMERMAN			✓			
MAYOR KARLOVITCH						
ON CONSENT AGENDA:	YES: ✓			NO:		

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

No. 2023-281

RESOLUTION
KENILWORTH, NJ

ACCEPTANCE OF 2024 ASSESSMENT

WHEREAS, the Borough of Kenilworth has previously agreed to join the Suburban Municipal Joint Insurance Fund subject only to the right to approve its assessments following processing and approval of its application; and

WHEREAS, the Fund has certified an annual assessment in the amount of $481,370 for coverage in the Suburban Municipal Joint Insurance Fund; and

WHEREAS, the certified annual assessment will be pro-rated from the effective date of coverage to 12:01 am standard time to January 1, 2025.

NOW THEREFORE BE IT RESOLVED that the Governing Body of the Borough of Kenilworth, County of Union, State of New Jersey does hereby approve of the assessment and ratify its prior agreement to join the Fund which membership shall become effective on January 1, 2024.

Linda Karlovitch

Linda Karlovitch, Mayor
Borough of Kenilworth

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **December 27, 2023**.

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk

	Moved	Seconded	AYE	NAY	ABSTAIN	ABSENT
FINISTRELLA			✓			
MAURO		✓	✓			
PENTZ	✓		✓			
PUGLIESE			✓			
SCORESE			✓			
ZIMMERMAN			✓			
MAYOR KARLOVITCH						

No. 2023-282

RESOLUTION
KENILWORTH, NJ

WHEREAS, the Borough of Kenilworth continuously strives to improve the working conditions for its employees; and

WHEREAS, the Borough continuously strives to improve the level and quality of service provided to the public; and

WHEREAS, in order to accomplish these goals the Borough from time to time adopts and revises its employment policies as contained in it Employment Handbook; and

WHEREAS, it has been determined by the Mayor and Council that revisions and updates are needed with respect to a number of the policies contained in the Borough's Employee Handbook; and

WHEREAS, it has been determined by the Mayor and Council that additional policies are needed to address developments in the law and to address both operational efficiency and the support and protection of Borough employees; and

WHEREAS, the revised Employee Handbook has been reviewed by the Mayor and Council.

IT IS HEREBY RESOLVED this 27th day of December 2023 that the Borough Council of the Borough of Kenilworth hereby adopts the attached revised Employment Handbook.

BE IT FURTHER RESOLVED that the personnel policies and procedures contained in the Handbook shall apply to all Borough officials, appointees, employees, volunteers and independent contractors. In the event there is a conflict between these rules and any collective bargaining agreement, personnel services contract or Federal or State law, the terms and conditions of that contract or law shall prevail. In all other cases, these policies and procedures shall prevail.

BE IT FURTHER RESOLVED that this Handbook is intended to provide guidelines covering public service by Borough employees and is not a contract. The provisions of this handbook may be amended and supplemented from time to time without notice and at the sole discretion of the Borough of Kenilworth Council.

BE IT FURTHER RESOLVED that to the maximum extent permitted by law, employment practices for the Borough shall operate under the legal doctrine known as "employment at will."

BE IT FURTHER RESOLVED that the Borough Administrative Officer and all managerial/ supervisory personnel are responsible for these employment practices. The Borough and/or Labor Attorney shall assist the Borough Administrative Officer in the implementation of the policies and procedures in this handbook.

I hereby certify that the above Resolution was adopted by the Borough Council of the Borough of Kenilworth at a Meeting held on **December 27, 2023**.

	Moved	Seconded	AYE	NAY	ABSTAIN	ABSENT
FINISTRELLA			✓			
MAURO		✓	✓			
PENTZ	✓		✓			
PUGLIESE			✓			
SCORESE			✓			
ZIMMERMAN			✓			
MAYOR KARLOVITCH						
ON CONSENT AGENDA:	YES: ✓			NO:		

Angela Lazzari

Angela Lazzari, RMC
Borough Clerk



Borough of Kenilworth
Employee Handbook

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EMPLOYMENT-AT-WILL: DISCLAIMERS

Generally, in the absence of a written contract to employ an individual for a specific period of time, he is an "employee-at-will" and, with certain exceptions, can be discharged at the discretion of the employer - at any time and for any reason, good or bad.
This handbook, which replaces all previously issued handbooks and policy statements, is provided only as a matter of reference and is not an employment contract. Nothing in this handbook limits any rights employees may have under state or federal law, including the National Labor Relations Act.

THE EMPLOYMENT RELATIONSHIP IS "AT-WILL EMPLOYMENT", WHICH MEANS REGARDLESS OF ANYTHING CONTAINED IN THE HANDBOOK AND REGARDLESS OF ANY CUSTOM OR PRACTICE, THE BOROUGH MAKES NO PROMISES AND REMAINS FREE TO CHANGE POLICIES, BENEFITS, AND ALL OTHER WORKING CONDITIONS WITHOUT HAVING TO CONSULT ANYONE OR OBTAIN ANYONE'S AGREEMENT. JUST AS ANY EMPLOYEE HAS THE RIGHT TO TERMINATE THEIR EMPLOYMENT FOR ANY REASON, THE BOROUGH RETAINS THE ABSOLUTE POWER TO DISCHARGE ANYONE AT ANY TIME, WITH OR WITHOUT CAUSE, AND WITHOUT PRIOR NOTICE.

The at-will relationship can only be changed by a written document that:

1. is signed by both the Borough Administrative Officer upon direction of the governing body and the employee,
2. specifically identifies the employee,
3. expressly states that the employee is not employed at-will, and
4. sets forth a specific duration of employment.

No person other than the Borough Council has the authority to adopt new policies or to change or eliminate existing ones, in writing, and no other person has the authority to make any commitment which modifies or contradicts any provision contained in this handbook.

Scope of Handbook Policies

These policies cover all nonunion employees. Employees who are covered by a Collective Bargaining Agreement with the Borough are subject to the provisions of this Handbook; however, if the subject matter of any section hereof is expressly covered by the employee's Collective Bargaining Agreement, or if an amendment to this manual would affect the terms and conditions of an existing Collective Bargaining Agreement, then the corresponding Collective Bargaining Agreement, provision shall prevail where such provision is in conflict with this Handbook.

Personnel Files and Employment Records

The Borough maintains a personnel file on each employee. Generally, the contents of the file include job applications, salary history, benefits records, reference letters, discipline records, performance evaluations and general correspondence. An employee may review his/her personnel file by appointment with the Administrative Officer during regular business hours. Copies of documents already signed by the employee may be obtained by request.

The Borough endeavors to maintain the privacy of personnel records. There are limited circumstances in which the Borough will release information contained in personnel or medical records to persons outside the Borough.
These circumstances include:

- In response to a valid subpoena, court order or order of an authorized administrative agency;
- To an authorized governmental agency as part of an investigation of the Borough's compliance with applicable law;
- To the Borough's agents and attorneys, when necessary;
- In a lawsuit, administrative proceeding, grievance, or arbitration in which the employee and the Borough are parties;
- In a workers' compensation proceeding;
- To administer benefit plans;
- To an authorized healthcare provider; and
- To first aid or safety personnel, when necessary.

Additionally, all inquiries and written requests for references or employment verification from current or former employees, prospective employers of current or former employees, governmental agencies, or other organizations such as a financial or lending institution, should be directed to the Administrative Officer. In a response to a request for information, the Employer will only verify an employee's name, dates of employment, job title, department, status, and salary. No other data or information will be furnished unless: (i) the Employer is required to release the information by law; or (ii) the employee or former employee authorizes the Employer, in writing, to furnish this information and releases the Employer from liability.

Employee Categories

Definitions

Depending on their hours of work and the nature of their work and responsibilities, employees are classified on the following basis:

- **Regular:** employees (other than temporary) who are assigned to regularly work (35) hours or more per week.
- **Part-time:** employees (other than temporary) who are assigned to regularly work fewer than (25) hours per week.
- **Temporary:** employees who are hired for a specific period of time; or for a short, indeterminate period; or for a specific project or task, usually of limited duration; or hired as interim replacements. The status of an employee who was hired in this category will not necessarily change if the employment continues beyond the period originally contemplated.

Employees in any of these classifications may be further classified as either "exempt" or "non-exempt."

- **"Exempt"** employees are those in certain executive, administrative, professional, or outside sales positions, as defined by law, who are exempt from the overtime pay provisions of State and federal law.
- All other employees are **"non-exempt."**

The status of a regular or part-time employee will not be affected by a change in scheduled hours which are of a temporary or intermittent nature.

Employment of Relatives

In order to avoid potential conflicts of interest, it is the Borough's policy to prohibit employment of close relatives or domestic partners in any supervisor/subordinate relationship. A close relative is defined as a spouse, child, parent, parent-in-law, brother, sister, brother-in-law, sister-in-law, grandchild or grandparent. Close relative also means domestic partner as defined by the NJ Domestic Partnership Act.

If two employees become relatives (whether by marriage or other legal action), both are eligible to keep their jobs if one does not supervise the other, or one is not the supervisor of the other's supervisor. In circumstances where such conflicts arise, efforts will be made to accommodate the transfer of one affected employee, subject to existing business considerations. Where such an accommodation cannot be reached, necessary steps will be taken, up to and including termination of one of the two affected individuals, if necessary, after offering the employees the opportunity for one of them to voluntarily discontinue his/her employment. The Borough retains the right to make the final decision in such a case.

Background Checks

The Borough reserves the discretion to conduct background checks on employees at any time during their employment. In addition, the Borough reserves the right to require credit and motor vehicle background checks, or physicals as a condition of employment dependent upon the specific position for which a candidate applies. Pre-employment screenings will be conducted after a conditional offer of employment is made, but before the employee starts work. A signed authorization from the applicant is required before a background check may be requested from an outside reporting agency.

Protection and Safe Treatment of Minors

The Borough is charged with protecting the health, safety, and welfare of all its citizens, including children under the age of 18. To that end, the Borough is firmly committed to protecting children under the care and supervision of the Borough from all forms of physical, mental, sexual and emotional abuse. The Borough is committed to establishing and implementing safeguards to eliminate opportunities for abuse of children entrusted to the care of the Borough. The procedures outlined below shall apply to ALL officials, employees, and volunteers of the Borough.

Recruitment and Hiring of Employees and Vetting of Individuals Volunteering Their Time

1. All prospective employees and volunteers shall undergo a thorough and complete background check, that may include, but not be limited to, a fingerprint identification check, credit check, motor vehicle record check, reference check (personal and professional), and a check of the Megan's Law directory for New Jersey and any other State where the applicant previously resided. **Written documentation of the background check shall be maintained by the Borough in perpetuity.**

2. Background checks that disclose any negative or questionable results must be reviewed and approved by the Borough **prior to** the individual being hired and/or working with minors. **Provisional hiring is not permitted.**

3. All prospective employees and volunteers must complete the training adopted by the Borough **PRIOR TO** starting employment or volunteer service. **In addition to completing the training course adopted by the Borough,** all volunteer coaches shall complete the Rutgers SAFETY Clinic course (Sports Awareness for Educating Today's Youth ™) which is a three-hour program that meets the "Minimum Standards for Volunteer Coaches Safety Orientation and Training Skills Programs" under (N.J.A.C. 5:52) and provides partial civil immunity protection to volunteer coaches under the "Little League Law" (2A:62A-6 et. seq.)

4. The Borough shall **annually** re-check and document the Megan's Law directory for New Jersey to make certain that current employees are not listed.

5. Once employed, authorized Adults who are employed are required to notify the Administrative Officer of an arrest (charged with a misdemeanor or felony) or conviction for an offense within 72 hours of knowledge of the arrest or conviction.

Program Procedures

The following policies shall apply to **all programs** offered by, sponsored by, or affiliated with the Borough that provide services for and/or involve minors. As an essential element of compliance with the overall objective of protecting and addressing the safe treatment of minors, the Borough shall:

1. Establish a written procedure for the notification of the minor's parent/legal guardian in case of an emergency, including medical or behavioral problem, natural disasters, or other significant program disruptions. Authorized Adults with the program, as well as participants and their parents/legal guardians, must be advised of this procedure in writing prior to the participation of the minors in the program. In addition, the Borough shall provide information to parents or legal guardians detailing the manner in which the participant can be contacted during the program.

2. Make certain that all program participants provide a **Medical Treatment Authorization form** to the Borough.

3. Implement and adopt a **"Code of Conduct"** for volunteer and paid staff members which, **at a minimum**, will include the following:

Code of Conduct

- Staff members shall not transport children in their own vehicles, unless written authorization from the child's parent or guardian has been received.
- Unless there is authorization from a child's parent or guardian, members of the staff shall not be alone with children they meet in the programs outside of the program. This includes babysitting, sleepovers, and inviting children to their home.
- Staff members shall, at all times, be visible to other staff members while supervising minors. Any exceptions require a written explanation before the fact and approval of the Program Director.
- Staff members will refrain from intimate displays of affection towards others in the presence of children, parents and staff.
- Staff members are required to refrain from texting, and posting or checking any of the social media outlets while they are working or volunteering and in the presence of children. The only exception is for texting for the purposes of communicating with another staff member or parent regarding a programmatic issue pertaining to a child or where there is an emergency.
- Staff members are prohibited from buying gifts for program participants.

Procedures for Law Enforcement Officers

Law enforcement officers of the Borough frequently interact with minors in a variety of ways. It is important to establish guidelines to assist law enforcement officers in being aware of how to act and react in these circumstances. To that end, the Chief of Police or their designee of the Borough shall formulate a written policy addressing the safe treatment of minors for consideration and approval by the governing body for law enforcement officers who interact with minors.

Reporting Suspected Child Abuse/Neglect

In light of the importance and priority placed on safeguarding the health and safety of minors, it is critically important that suspected cases of child abuse and neglect are reported as soon as possible. **As a government official, employee or volunteer, you are legally required to report suspected child abuse. This requirement includes all governmental officials, employees, and volunteers.**

It is recommended that, whenever possible, officials, employees and volunteers report the suspected abuse to both the NJ Department of Children and Families and law enforcement at the same time, which is known as "dual reporting."

For Employees or Volunteers of Programs Conducted by the Borough

Immediately report suspected cases to the Program Director in charge.

The Program Director shall immediately notify the Administrative Officer and document the alleged abuse in writing including the following information, as recommended by the New Jersey Department of Children and Families:

1. **Who:** The child and parent/caregiver's name, age and address and the name of the alleged perpetrator and that person's relationship to the child.
2. **What:** Type and frequency of alleged abuse/neglect, current or previous injuries to the child and what caused you to become concerned.
3. **When:** When the alleged abuse/neglect occurred and when you learned of it.
4. **Where:** Where the incident occurred, where the child is now and whether the alleged perpetrator has access to the child.
5. **How:** How urgent the need is for intervention and whether there is a likelihood of imminent danger for the child.

After documenting all of the facts surrounding the alleged abuse, the Program Director shall call the Hotline established by the NJ Department of Children and Families @ 1-877-652-2873. It is not the supervisor's role to make a decision on whether a case should be reported. All cases shall be reported. The information shall also be reported to the Borough Administrative Officer

For Volunteer Coaches or Other Volunteers in Charge of Programs Sponsored by or Affiliated with the Borough.

The Volunteer shall immediately document the alleged abuse in writing including the following information, as recommended by the New Jersey Department of Children and Families:

1. **Who:** The child and parent/caregiver's name, age and address and the name of the alleged perpetrator and that person's relationship to the child.
2. **What:** Type and frequency of alleged abuse/neglect, current or previous injuries to the child and what caused you to become concerned.
3. **When:** When the alleged abuse/neglect occurred and when you learned of it.
4. **Where:** Where the incident occurred, where the child is now and whether the alleged perpetrator has access to the child.
5. **How:** How urgent the need is for intervention and whether there is a likelihood of imminent danger for the child.

After documenting all of the facts surrounding the alleged abuse, the Volunteer shall call the Hotline established by the NJ Department of Children and Families @ 1-877-652-2873. . It is not the volunteer's role to make a decision on whether a case should be reported. All cases shall be reported. The information shall also be reported to the Borough Administrative Officer

For Officials and Department Heads Who Witness or Become Aware of Alleged Cases of Abuse or Neglect

The Officials and Department Heads shall immediately document the alleged abuse in writing including the following information, as recommended by the New Jersey Department of Children and Families:

1. **Who:** The child and parent/caregiver's name, age and address and the name of the alleged perpetrator and that person's relationship to the child.
2. **What:** Type and frequency of alleged abuse/neglect, current or previous injuries to the child and what caused you to become concerned.
3. **When:** When the alleged abuse/neglect occurred and when you learned of it.
4. **Where:** Where the incident occurred, where the child is now and whether the alleged perpetrator has access to the child.
5. **How:** How urgent the need is for intervention and whether there is a likelihood of imminent danger for the child.

After documenting all of the facts surrounding the alleged abuse, the Officials or Department Heads shall call the Hotline established by the NJ Department of Children and Families @ 1-877-652-2873. It is not the Official's role to make a decision on whether a case should be reported. All cases shall be reported. The information shall also be reported to the Borough Administrative Officer.

For Law Enforcement Officers

Immediately report any suspected or alleged cases of abuse or neglect to the County Prosecutor.

Important Information Regarding Reporting Suspected Abuse Under NJ Law

The following guidelines have been established under New Jersey law, for those reporting suspected or alleged cases of abuse or neglect. The Borough encourages all officials, employees, and volunteers in programs operated by the Borough or affiliated programs or activities to report suspected cases of abuse with the following in mind.

i. Any person who, in good faith, makes a report of child abuse or neglect or testifies in a child abuse hearing resulting from such a report is immune from any criminal or civil liability as a result of such action. Calls can be placed to the hotline anonymously.
ii. However, any person who knowingly fails to report suspected abuse or neglect according to the law or to comply with the provisions of the law is a disorderly person.
iii. When a report indicates that a child may be at risk, an investigator from the Division of Child Protection and Permanency (formerly Youth and Family Services) will promptly investigate the allegations of child abuse and neglect within 24 hours of receipt of the report.

Questions about this policy should be directed to the Administrative Officer.

Safety Policy

The Borough desires to provide a safe and healthy work environment and shall comply with the Public Employees Occupational Safety and Health Act (PEOSHA). The Borough is equally concerned about the safety of the public. Consistent with this policy, employees will receive periodic safety training and will be provided with appropriate safety equipment. Employees are responsible for observing safety rules and using available safety devices including personal protective equipment. Failure to do so constitutes grounds for disciplinary action. Any occupational or public unsafe condition, practice, procedure, or act must be immediately reported to the supervisor or Department Head. Any on-the-job accident or accident involving Borough facilities, equipment or motor vehicles must also be immediately reported to the supervisor or Department Head.

The Borough has appointed a Safety Committee that meets on a regular basis to discuss and recommend solutions to safety problems. Employees are encouraged to discuss safety concerns with their Safety Committee representative and/or their Department Head.

Contagious/Life Threatening Illness Policy

The Borough encourages employees with contagious diseases or life-threatening illnesses to

continue their normal pursuits, including work, to the extent allowed by their condition.

If an employee has learned that he or she has a contagious or life-threatening illness, the employee should take all steps to protect further spread of the disease or illness. When appropriate, the employee's Department Head and/or the Administrative Officer should be notified of any illnesses that may affect the health, safety, and welfare of any co-employee or member of the general public. The Borough shall make reasonable accommodations to known physical and mental limitations of all employees, provided that the individual is otherwise qualified to safely perform the essential functions of the job and also provided that the accommodation does not impose an unreasonable hardship on the Borough.

The Borough will take reasonable precautions to protect inappropriate disclosure of any such information shared by employees. Managers and other employees have a responsibility to maintain the confidentiality of employee medical information. Anyone inappropriately disclosing such information shall be subject to disciplinary action.

The Borough retains the right to order any employees with contagious diseases or life-threatening illnesses to take sick leave and/or remove themselves from the workplace in circumstances where their presence in the workplace reasonably poses a threat to the health and safety of others present in the workplace.

In the event of a pandemic, such as Covid-19 and its variants, or any other widespread occurrence of an infectious disease, the Borough reserves its right to implement emergency mitigation policies and actions as may be needed by the circumstances presented at the time.

Equal Employment Opportunity

It is the policy of the Borough to hire well-qualified people to perform the many tasks necessary to provide high quality service. An integral part of this policy is to provide equal employment opportunity for all persons for employment and to recruit and administer hiring, working conditions, benefits and privileges of employment, compensation, training, opportunities for advancement including upgrading and promotion, transfer and terminations of employment including layoffs and recalls for all employees, without discrimination because of race, color, religion, national origin, sex, sexual orientation, age, veteran status, disability, any protected classification under state or federal law or other characteristics unrelated to a person's qualification and/or job performance.

Reporting Changes in Personal Data

It is important that accurate and current personal data be maintained for all employees. For this reason, every employee must promptly inform the Borough Clerk's Office and the Finance Department of any changes in name, address, telephone number, marital status, number and

names of dependents, insurance beneficiary, name of person to be notified in an emergency, military status and any other item which may affect their status.

Reporting Workplace Accidents and Injuries

An employee who sustains any work-related injury or illness, no matter how slight, must report this immediately or as soon thereafter as practicable, to his/her supervisor. Failure to report may adversely affect the right to receive Workers' Compensation benefits, if any.
Any employee who is involved in any accident at work, regardless of how serious or incidental, must report it immediately, or as soon thereafter as possible, to his/her supervisor.
Employees who report any workplace accident, injury or illness will not be retaliated against because of reporting.

Social Security Numbers

The Borough uses a Social Security Number (SSN) as authorized by state and federal law, including for payroll, tax, benefits and for employee verification purposes. Reasonable precautions are taken to prevent the disclosure or misuse of a SSN, including, but not limited to, ensuring that SSNs are not publicly displayed or published.

English in the Workplace

The Borough does not tolerate discrimination or harassment based on employee's birthplace, ancestry, culture or any discernable characteristics common to a specific ethnic group. Should an employee believe that he or she is subject to such treatment, it should be immediately reported to any supervisor or manager or directly to the Administrative Officer.
Due to business necessity, employees are required to use the English language during working time and in work areas except when necessary to conduct business. Further, the Borough reserves the right to require English-only at any time for business reasons. Questions concerning this policy or the consequences for violating it may be directed to the Administrative Officer.

Use of Employee Image

The Borough reserves the right to photograph employees in situations appropriate to the business and to publish likenesses in publications, videos or other promotional materials, which includes, but is not limited to, websites and intranets. However, the Borough will, to the extent feasible, honor requests of employees who do not wish their image photographed or published.

General Anti-Harassment Policy

The Borough will not tolerate harassment in the workplace including harassment motivated by sex, race, creed, color, religion, national origin, ancestry, age, nationality, marital or political status, disability, sexual orientation, or any other protected status under state or federal law. Borough officials, appointees, managers, supervisors, employees, volunteers, and outside contractors alike must comply with this policy and take appropriate measures to ensure that such conduct does not occur. Violations of this policy will result in disciplinary action up to and including discharge or, in the event non-employees are found to be at fault, other appropriate action. Employees who feel they have been subject to harassment must report the harassment to their supervisor, or if they prefer to the Department Head, Administrative Officer or the Finance Committee of the Governing Body.

Definitions of Harassment and Examples

a. Civil Rights laws make it illegal to discriminate against or harass an employee because of sex, creed, race, ancestry, religion, color, national origin, physical or mental disability, marital status, age, gender, genetic testing, blood trait, liability for service in the armed forces, veteran status, gender identity or expression, civil union status, domestic partnership status, affectional or sexual orientation, or any other civil right protected by federal, state or local law. Harassment is the intentional creation of a hostile or intimidating environment based upon any one or more of these areas.

b. Harassment may involve severe and/or pervasive conduct. Severe conduct is conduct sufficient to alter the work environment, even though it may occur only once. Pervasive conduct is a persistent pattern of harassment.

c. Harassment encompasses a broad range of physical, psychological, written or verbal behavior, and includes, but is not limited to, the following:

i. physical or mental abuse
ii. offensive jokes or slurs
iii. offensive and uninvited verbal, graphic (including any electronic or digital display or printout), visual or physical conduct by one individual towards another;

d. obscene messages

e. images or communications obtaining libelous, defamatory or fraudulent materials

f. ethnic or racial slurs

g. anything that may be considered disparaging or harassing of others based on race, national origin, gender, religion, age, disability or other status protected by Civil Rights laws

Definition of Sexual Harassment and Examples

a. Sexual Harassment is a particularly insidious form of workplace harassment. Civil Rights laws make sexual harassment illegal, whether caused by supervisors or co-employees.

b. Sexual Harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, and constitutes harassment when:
   1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment,

   2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting the individual, or

   3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

c. It is not possible to identify each and every act that constitutes or may constitute sexual harassment. However, examples of sexual harassment include, but are not limited to, the following:
   - unwelcome requests for sexual favors
   - lewd or derogatory comments or jokes
   - comments regarding sexual behavior, or about the body of another individual
   - sexual innuendo or other vocal activity such as catcalls or whistles
   - obscene letters, notes, invitations, photographs, cartoons, articles, or other written or pictorial materials (whether documentary, digital or electronic) of a sexual nature
   - continuing to express sexual interest in a person after being informed that that interest is unwelcome
   - retaliating against an individual for refusing a sexual advance or reporting an incident of possible sexual harassment
   - offering or providing favors or employment benefits, such as promotions, favorable evaluations, or favorable assigned duties or shifts, etc. in exchange for sexual favors
   - any unwanted physical touching, assault, or impeding of movement

Prohibition on Workplace Harassment, Including Sexual Harassment

It is the policy of the Borough to provide a work environment that is free of harassment/sexual harassment. As such, harassment will not be tolerated and is strictly prohibited. Any form of workplace harassment/sexual harassment will be treated as a disciplinary matter.

Duty to Report All Instances of Harassment and Sexual Harassment

Employees who are victims of, or witnesses to, workplace harassment/sexual harassment must report it immediately to the Borough Administrative Officer or Borough Clerk. In addition to this formal avenue for reporting harassment/sexual harassment, employees who are victims or witnesses are encouraged to report harassment and sexual harassment to any supervisor. An employee is not obligated to report harassment/sexual harassment to a superior who is engaging in the harassment. In such instance, the employee must report to the superior's supervisor, any other supervisor, and/or to the Borough Administrative Officer or Borough Clerk.

Investigation of Harassment and Sexual Harassment Complaints

All reported complaints of harassment/sexual harassment will be promptly and thoroughly investigated. All reported complaints of harassment/sexual harassment will be dealt with as confidentially as possible, consistent with the obligation to conduct an investigation. Upon conclusion of any investigation, the Borough will take any steps it deems necessary to enforce this policy, correct any issues, and/or prevent future instances of harassment.

Responsibilities of Supervisors and Department Heads

When a report of harassment is made to a supervisor, the supervisor shall provide any factual information he/she has obtained in a written report which shall be forwarded to the Borough Administrative Officer.

The Department Head shall also forward any factual information he/she has about the matter in writing to the Borough Administrative Officer.

Any supervisor or Department Head who witnesses discrimination or violation of this policy *shall* immediately report it to the Borough Administrative Officer.

No Retaliation for Reporting Unlawful Discrimination, Harassment or Sexual Harassment Complaints

No employee shall suffer any job detriment or retaliation at the hands of the employer for reporting unlawful discrimination, harassment or sexual harassment. If a person reporting discrimination, harassment or sexual harassment believes that he/she has been for that reason subjected to retaliation, the person should immediately report the retaliation in the same manner in which he/she reports discrimination, harassment or sexual harassment, but may bypass the person who is retaliating.

Disciplinary Action for Unlawful Discrimination, Harassment and Sexual Harassment

Participating in workplace unlawful discrimination, harassment or sexual harassment by any employee will result in disciplinary action up to and including termination of employment. Employees should also be aware that, under the law, employees may be individually liable, including legally and financially responsible, for unlawful discrimination, harassment or sexual harassment. Furthermore, supervisors, even though not causing discrimination, harassment or

sexual harassment, may be individually liable for failing to receive complaints of unlawful discrimination, harassment or sexual harassment and/or failure to act upon such complaints.

Training on Harassment and Sexual Harassment and Dissemination of Policy

The Borough Administrative Officer or his/her designee is responsible for providing training on unlawful discrimination and training on harassment/sexual harassment. At least annually, the Borough Administrative Officer or his/her designee shall advise supervisors as to their responsibilities to report/prevent unlawful discrimination, harassment and sexual harassment. In addition, at least annually the Borough Administrative Officer or his/her designee shall disseminate to all employees the Borough's policy against unlawful discrimination, harassment or sexual harassment. The Borough Administrative Officer or his/her designee shall also be responsible to check that procedures are in place for reporting unlawful discrimination, harassment or sexual harassment, that such procedures are known by employees, and that they are effective.

The Borough's Authority and Discretion

Please note that while this policy declares the Borough's goal to achieve equal employment opportunity and zero tolerance of harassment, it is not designed or intended to limit the Borough's authority or discretion to make any and all employment decisions, including decisions about discipline, discharge or other corrective action, concerning employee conduct that the Borough deems unacceptable, regardless of whether that conduct constitutes discrimination or harassment.

Use and Disclosure of Health Information

The Borough sponsors certain health benefits plan(s). To the extent that the Borough engages in plan administration functions, the Borough does not use or disclose health information protected by the Heath Insurance Portability and Accountability Act (HIPAA), except as necessary for payment, treatment, health plan operations and plan administration, or for other purposes permitted or required by law.

Employees have certain rights with respect to protected health information, including the right to see and copy the information, receive an accounting of certain disclosures of the information and, under certain circumstances, to amend the information. A complete description of these rights can be found in the Plan's Privacy Notice, which is distributed to employees upon enrollment. Plan documents are also available for inspection during regular working hours. Additionally, all health plans are required to include such notice. As these Notices explain, employees have the right to file a complaint with any health plan or with the Secretary of the U.S. Department of Health and Human Services.

Regardless of whether the Borough engages in plan administration functions, the Borough will not require employees to waive any rights that they may have as a condition of eligibility of benefits, or as a condition of treatment, payment or enrollment in any health plan. Further, the

Borough shall not retaliate against any employee for exercising his/her rights under HIPAA. Questions or concerns can be directed to the Benefits' Coordinator.

Probationary Period

On the first day of work, all new employees, or employees in a new position within the Borough, will begin a probationary period to last at least 90 calendar days. This Probationary Period will be a time for learning about fellow employees, the supervisor and the tasks involved in the job position. The Borough expects new employees to also become familiar with other relevant information about the Borough and its rules or regulations.

During this time, the new employee will be closely monitored. The new employee may be discharged, or demoted, at any time during this period if the Supervisor concludes that the new employee is not progressing or performing satisfactorily. Under appropriate circumstances, the Borough Administrative Officer may extend the *Probationary Period.* Additionally, as is true at all times during an employee's employment with the Borough, employment, unless otherwise specifically noted, is not for any specific time and may be terminated at will, with or without cause and without prior notice.

By completing this introductory period, an employee is not guaranteed continued employment for any term as it is always "at-will" and subject to various conditions.

Sworn law enforcement officers are subject to an initial probationary period of twelve (12) months.

Outside Employment and Activities

Employees, including Borough officials must conduct business according to the highest ethical standards of public service. Employees are expected to devote their best efforts to the interests of the Borough. Violations of this policy will result in appropriate discipline including termination.

The Borough recognizes the right of employees to engage in outside activities that are private in nature and unrelated to Borough business. However, business dealings that appear to create a conflict between the employee and the Borough's interests are unlawful under the New Jersey Local Government Ethics Act. Under the Act, certain employees and officials are required to annually file with the Municipal Clerk and Local Ethics Board (if applicable) a state mandated disclosure form. The Borough Clerk will notify employees and Borough officials subject to the filing requirements of the Act. Such conduct or pursuit may be brought to the employee's attention and the employee may be given a reasonable opportunity to cease his/ her outside conduct or pursuits to the Borough's satisfaction.

A potential or actual conflict of interest occurs whenever an employee including a Borough official is in a position to influence a Borough decision that may result in a personal gain for the employee or an immediate relative including a spouse or domestic partner, child, parent, stepchild, sibling, grandparents, daughter-in-law, son-in-law, grandchildren, niece, nephew, uncle, aunt or any person related by blood or marriage residing in an employee's household. Employees are required to disclose possible conflicts so that the Borough may assess and prevent potential conflicts. If there are any questions about whether an action or proposed course of conduct would create a conflict of interest, immediately contact the Administrative Officer or the Borough Counsel to obtain clarification.

Employees are allowed to hold outside employment as long as it does not interfere with their Borough responsibilities. Employees are prohibited from engaging in outside employment activities while on the job or using Borough time, supplies or equipment in the outside employment activities. The Department Head may request employees to restrict outside employment if the quality of Borough work diminishes. Any employee who holds an interest in, or is employed by, any business doing business with the Borough must submit a written notice of these outside interests to the Administrative Officer.

Employees may not accept donations, gratuities, contributions or gifts that could be interpreted to affect their Borough duties. Under no circumstances accept donations, gratuities, contributions or gifts from a vendor doing business with or seeking to do business with the Borough or any person or firm seeking to influence Borough decisions. Meals and other entertainment valued in excess of $25.00 are also prohibited. Employees are required to report to the Administrative Officer any offer of a donation, gratuity, contribution or gift including meals and entertainment that is in violation of this policy.

Regardless of anything in this policy, the Borough retains the sole right to terminate employment at any time, with or without cause, with or without notice.

Statement on Discipline

In the administration of discipline, the Borough's objective is to be constructive. Ordinarily, the Borough will apply corrective discipline if an employee engages in misconduct or fails to meet Borough requirements as to performance or otherwise. However, this depends upon all of the circumstances, and discipline may or may not be imposed, as determined by the Borough in its discretion. When it is imposed, it may consist of one or more warnings or reprimands, oral or written, and one or more disciplinary suspensions.

An employee may be subject to discipline for all of the following reasons:

- Incompetence, inefficiency or failure to perform duties;
- Conviction of a crime
- Conduct unbecoming a public employee;
- Violation of (local unit type) policies, procedures and regulations;

- Falsification of public records including personnel records;
- Violation of Federal, State or (local unit type) regulations concerning drug and alcohol use and possession;
- Chronic or excessive absenteeism or lateness;
- Misuse of public property, including motor vehicles; and
- Other sufficient cause.

Major disciplinary action includes termination, disciplinary demotion or suspension or fine exceeding five working days. Minor disciplinary action includes termination, disciplinary demotion or suspension or fine exceeding five working days. Minor discipline includes a formal, written reprimand or a suspension or fine of five working days or less. Employees who object to the terms or conditions of the discipline are entitled to a hearing under the applicable grievance procedure.

Employee Termination Policy

An employee may be terminated depending upon the circumstances for any of the following:

- Incompetence, inefficiency or failure to perform duties;
- Conviction of a crime;
- Conduct unbecoming a public employee;
- Violation of Borough policies, procedures and regulations;
- Falsification of public records including personnel records;
- Violation of Federal, State or Borough regulations concerning drug and alcohol use and possession;
- Chronic or excessive absenteeism or lateness;
- Misuse of public property, including motor vehicles; or
- Other sufficient cause.

All discharges will be in accordance with Federal and State laws, as well as applicable collective bargaining agreements.

Grievances

A. A "grievance" is any formal dispute concerning the interpretation, application and enforcement of any personnel policy or procedure of the Borough. Grievances from union employees will be handled pursuant to the terms of the applicable bargaining unit agreement. All grievances from nonunion employees must be presented within five working days after arising and failure to report a grievance within such time shall be deemed as a waiver of the grievance. In the event of a settlement or ruling that results in a determination of monetary liability, such liability shall not exceed more than 30 working days prior to the date the grievance was first presented in writing.
    a. Step 1. Any employee or group of employees with a grievance shall verbally communicate the grievance to the supervisor or department head. The

supervisor or department head will communicate the decision to the employee within two working days.

b. Step 2. If the employee is not satisfied with the decision, the employee must submit a written grievance to the Administrative Officer detailing the facts and the relief requested. The decision in Step 1 will be deemed final if the employee fails to submit a written grievance within five working days of the Step 1 decision. Upon receipt of such written grievance, the Administrative Officer shall schedule a meeting with the governing body, or a committee of the governing body, within 30 days of receipt of the written grievance. The governing body, or its designated committee shall render a decision within 15 working days after such meeting is held, which decision shall be in writing and either hand-delivered or mailed to the employee and the department head. The decision of the governing body shall be final, subject, however, to any other rights or remedies to which the employee may be entitled under state and federal law. The governing body may appoint a hearing officer for the purpose of considering any grievance at Step 2.

B. These limitations do not apply to employee complaints made under the General Anti-Harassment Policy, the Anti-Sexual Harassment Policy or the Whistle-Blower Policy.

Pay and Deductions

Salary and Wages

Salary ranges are established by ordinance, and the salary must fall within the minimum and maximum ranges for the employee's title. Employees are paid every week or as determined by the Governing Body.

The Borough will not accept responsibility for any employee's personal finances. The Borough of Kenilworth will acknowledge judgements against the employee's pay but will not act as a mediator between the employee and creditors.

Any employee who believes they have been improperly paid, should contact the Finance Department. If an inquiry reveals that an employee has been improperly paid, the Borough will take remedial action.

Exempt Employees and Deductions

Employees classified as exempt executives, administrators and professionals shall be paid on a salary basis.

This salary shall not be subject to reduction except in accordance with the following:

1. Deductions may be made for absences of one or more full days on account of personal reasons;

2. Deductions may be made for absences of one or more full days due to sickness or disability when the employee has exhausted all paid time, or is not otherwise eligible for time under such a plan;

3. Deductions may be made as a result of disciplinary suspensions for infractions of safety rules of major significance;

4. Deductions may be made for disciplinary suspensions of one or more full days for infractions of workplace conduct rules; and

5. Deductions may be made in accordance with leave taken pursuant to the Family Medical Leave Act.

If you believe we have made an improper deduction, please contact the Finance Department. If an inquiry reveals that an improper deduction has been made, the employee will be reimbursed, and the Borough will take steps to avoid any such future deductions.

Nonexempt Employees and Deductions

If you believe the Borough has made an improper deduction, please contact the Finance Department. If an inquiry reveals that an improper deduction has been made, the employee will be reimbursed, and the Borough will take steps to avoid any such future deductions.

Requesting Information About Pay

Requests for information about job title, job classifications or categories, pay, benefits or other compensation can be made to the Administrative Officer. Such requests will be considered based on all of the circumstances.

Non-Retaliation

The Borough will not tolerate retaliation against any person making any request or statement in furtherance of, or under, this policy.

Overtime Pay

Department Heads may authorize overtime; subject to the following:

- Total salary costs must be kept within the department's current budget;
- Use of overtime is only for emergencies and for situations where there are unusual and/or compelling circumstances.

Notwithstanding the foregoing the governing body may, by resolution, authorize the use of overtime at any time. For the purposes of this provision, "emergency" is defined as a disaster, civil disturbance, severe storm or other similar occurrence creating conditions which, if unchecked, would endanger lives or property or interrupt essential services.

Under the Federal Fair Labor Standards Act, certain employees in managerial, supervisory, administrative or professional positions are exempt from the provisions of the Act. The Administrative Officer shall notify all exempt employees of their status under the act. Exempt employees are not eligible to receive overtime compensation and are required to work the normal workweek and any additional hours needed to fulfill their responsibilities. Time off consideration for large amounts of additional hours may be provided with the governing body's prior approval and at the sole discretion of the governing body.

All other employees are classified as Non-Exempt and are subject to the provisions of the Act. Depending on work needs, Non-Exempt employees may be required to work overtime. Non-Exempt employees are not permitted to work overtime unless the overtime is budgeted and approved by the Department Head. Non-Exempt employees working overtime without prior approval will be subject to disciplinary action.

Non-Exempt employees will receive overtime compensation for hours worked **in excess of forty (40)** in a weekly period. Employees may choose overtime compensation in the form of compensatory time off. The maximum number of hours that an employee may accrue for future compensatory time off is eighty (80). Accrued and taken overtime compensatory hours must be noted on the employee's time sheet.

Non-Exempt employees will receive one and one-half hours of overtime compensation for each hour worked in excess of forty hours in a weekly period. For purposes of overtime compensation, hours worked are computed to the nearest one-half hour per day. Previously scheduled vacation time and holiday time are considered time worked for purposes of determining overtime compensation, but sick time and personal time are not.

Employees must make a request to their supervisor at least two days in advance when they want to take compensatory time off. The supervisor will approve the request if the absence does not cause undue hardship to the department.

Holidays

All full and part-time employees are entitled to the following paid holidays effective upon commencement of employment and provided that the employee worked at least one day during the week in which the holiday falls, unless an employee has received advance approval from his/her Department Head to take the week in which the holiday falls as a vacation:

- New Year's Day
- Martin Luther King's Birthday
- President's Day
- Good Friday
- Memorial Day
- Independence Day
- Labor Day

- Columbus Day
- Veterans Day
- Election Day*
- Thanksgiving Day
- Day after Thanksgiving
- Christmas Day

A holiday falling on a Saturday will be observed on the preceding Friday, and a holiday falling on a Sunday will be observed on the following Monday.

Holiday pay paid to a part-time hourly employee shall be based on their straight time hourly rate and shall be based on the average number of hours worked by such employee during the immediately preceding 90-days.

Election Day* - Borough Hall staff has by pattern and practice worked on Election Day; the Election Day holiday is then utilized as a "floating holiday". With the Council's consent the involved staff agree on another day in the year as their "floater day".

Police Dispatchers are entitled to Holiday pay based on their straight time hourly rate. In addition, Police Dispatcher shall receive a day's pay for each Borough holiday as compensation in lieu of accumulating deferred Holiday days off.

Payments During Inclement Weather and Emergencies

In the event of unsafe conditions, the Borough Administrative Officer may authorize Department Heads to close operations earlier than the normal working hours. If conditions exist prior to scheduled openings, the Administrative Officer shall notify Department Heads of a delayed opening and a new opening time. Each Department will have a calling system in place.

If the employee chooses not to report to work, a full vacation day or compensatory time will be charged. Sick time will only be charged for a legitimate illness. If work is called off for the day, no time will be charged for the day. This provision does not apply to the Department of Public Works, Police, Fire, Sanitation, Emergency Services or any personnel who may be required to assist in an emergency.

If the Borough offices close during regular business hours, employees may be required to conduct business remotely.

Performance and Compensation Review

The Borough's performance appraisal program is for the purpose of evaluating and documenting employees' strengths and those areas where improvement is needed. Particular

attention is given to quality and quantity of work, dependability, attendance, initiative, effort and attitude.

The Borough normally conducts performance appraisals annually. However, it may conduct them more or less frequently, and it may in its discretion dispense entirely with an appraisal at any particular time.

Whether merit increases are given depends not only on the results of the performance evaluation but also on such factors as the Borough's financial situation and general business conditions. Therefore, no salary adjustments can be guaranteed.

Work Schedules and Timekeeping

The normal schedule of working hours of regular employees consists of five (5) days, eight (8) hours per day and thirty-five (35) hours per week. There is a meal period of one (1) hour. Supervisors will inform their employees about the starting and stopping times of the workday and of these periods. This schedule is subject to change, depending on Borough requirements.

Part-time hourly employees who work five (5) or more hours per day are entitled to a half-hour lunch that is to be arranged by the supervisor. Supervisors will inform their employees about the starting and stopping times of the workday and of these periods. This schedule is subject to change, depending on Borough requirements.

Department of Public Works Employees are responsible for accurately recording their hours worked. The starting and stopping times of the meal period shall be recorded. Any corrections or additions which are needed must be approved by a supervisor. An employee is prohibited from signing or making an entry on or altering the time record of another employee or allowing this to be done to their own record by an employee other than their supervisor.

Lateness of ten (10) minutes or less will be disregarded for payroll purposes. If an employee is late more than ten (10) minutes, they will not be compensated for that time (and may be subject to disciplinary action). It is emphasized, however, that payment for the first ten (10) minutes of lateness is only for the purpose of simplifying payroll procedures, and each occurrence of lateness, regardless of the number of minutes involved, will become part of the employee's attendance/lateness record. Excessive lateness will not be tolerated.

Exempt employees who work partial days shall have this time charged against any paid time off, whether vacation, sick or otherwise. In cases of lateness or early departure from work, the Borough reserves the right to charge an exempt employee's paid time off.

Absenteeism and Tardiness

Absenteeism and lateness are two of the things which are most disturbing to the efficiency and morale of any enterprise. They affect every aspect of job management because planning, organizing, directing, and coordinating must be revised daily and people and jobs shifted. This increases the cost of operation to the Borough and tends to reduce the morale of any group since few people like to carry another's burden in addition to their own. Also, excessive absenteeism and tardiness result in lack of promotion, lack of merit increase or other remedial action, including discipline or discharge.

An employee who anticipates being absent or late must notify their supervisor promptly, prior to the start of the workday, if possible, on each day of absence or lateness. An absence without notification for three (3) consecutive days may be treated as a resignation.

NJ Earned Sick Leave – Advancing Method

All full-time employees working for the Borough will be provided with up to fifteen (15) days earned sick leave each benefit year. Sick time is accrued at a rate of 1.25 days per month. New hires can request use of earned sick leave after completing a waiting period of 30 calendar days from date of hire. An employee may subsequently use earned sick leave as soon as it is accumulated.

All permanent part-time employees working for the Borough will be provided with forty-eight (48) hours earned sick leave each benefit year. Sick time is accrued at a rate of 4 hours per month.

School crossing guards will be entitled to 1 hour of sick leave for every 30 hours worked.

Prior to the return to work from sick leave, the Borough may require an employee to be examined by a physician designated by the Borough to verify fitness to return to normal duties. An employee may not be permitted to return to work until the verification is received.

Reasons for Use of Sick Leave

An employee can use earned sick leave for any of the following reasons:

- For diagnosis, care, or treatment of, or recovery from, an employee's health condition or for preventive medical care for the employee;

- For the employee to aid or care for a covered family member during diagnosis, care, or treatment of, or recovery from, the family member's health condition, or during preventive medical care for the family member;

- Certain absences resulting from the employee or a covered family member's status as a victim of domestic or sexual violence;

- Certain closures of the employee's workplace, or the school or place of care of a child of the employee by order of a public official or public health authority; or

- For time needed by the employee to attend his/her child's school-related conference, meeting, function, or other event.

For the purpose of this section, a family member includes: child; grandchild; sibling; spouse; domestic partner; civil union partner; parent; grandparent; spouse, domestic partner, or civil union partner of a parent or grandparent of the employee; a sibling of a spouse, domestic partner, or civil union partner of the employee; or any other individual related by blood to the employee or whose close association with the employee is the equivalent of a family relationship.

Employee Notice

An employee whose need to use earned sick leave is foreseeable (for example, a scheduled doctor appointment or school conference) should provide advanced notice of at least seven (7) calendar days to their department head and/or immediate supervisor. The notice should include the reason for leave and expected duration. Additionally, the employee should make reasonable efforts to schedule such leave in a manner which is not unduly disruptive to the employer's operations.

If the need for leave is not foreseeable, employees who are unable to report to work due to reasons covered by this policy should notify their department head and/or immediate supervisor as soon as practicable and before the scheduled start of their workday, if possible. The Borough Administrative Officer must also be contacted on each additional day of absence.

Carryover

Employees not covered under a collective bargaining agreement will be permitted to carry over accrued but unused sick leave at the end of the benefit year.

Employees hired prior to May 21, 2010, may be paid for unused and accumulated sick leave upon separation, either through resignation or retirement. These employees shall have the option of selling back unused sick time at the calculation of two (2) days back for one (1) day of pay at their current rate. No payout for unused sick time can exceed 5 days.

Employees hired on or after May 21, 2010, may be paid for unused and accumulated sick leave only at retirement. At retirement, these employees shall have the option of selling back unused sick time at the calculation of two (2) days back for one (1) day of pay at their current rate. No payout for unused sick time can exceed 5 days.

Increments of Use

Earned sick leave can be used in minimum increments of half days. Incremental usage will not be more than the employee's regularly scheduled shift for that day.

Verification of Leave

If an employee is absent for three (3) or more consecutive days, or is absent during a designated blackout period, due to reasons covered by this policy, reasonable documentation must be provided verifying the need for the absence. The employer may seek clarification as necessary.

Reasonable documentation shall include documentation signed by the health care professional treating the employee or the family member which indicates the need for the leave and, if possible, the number of days.
In the case of domestic/sexual violence, reasonable documentation would include medical documentation; a law enforcement agency record or report; a court order; documentation that the perpetrator of the domestic/sexual violence has been convicted of a domestic/sexual violence offense; certification from a certified Domestic Violence Specialist or representative of a designated domestic violence agency or other victim services organization, certification by a social worker, counselor, member of the clergy, shelter worker, health care professional, attorney, or other professional who has assisted the employee or family member in dealing with the domestic/sexual violence.
In case of a closure of the employee's workplace, or the school or place of care of a child of the employee, by a public official, a copy of the order or determination by the health authority shall be considered reasonable documentation. In the case of needing to attend a child's school-related conference, meeting, function or other event, the employee shall provide tangible proof of such a meeting/event/etc.

Any absence which is permissible under this policy will not result in the employee being disciplined, discharged, demoted, suspended, nor result in a loss or reduction of pay or any other adverse employment action. However, the Borough reserves the right to take action to correct the abuse of sick days or paid time off, or to correct excessive absenteeism.

Unused sick leave benefits will be paid upon termination of employment unless employee has not provided notice to the Borough or was terminated as a result of a disciplinary matter.

Employees hired on or after May 21, 2010 may be paid for unused and accumulated sick leave only at retirement and subject to the terms stated in this handbook.

The Borough will not tolerate retaliation against any person for requesting or using earned sick leave, reporting a violation of this policy or providing information in connection with any inquiry made under this policy. If any employee believes that he or she is subject to retaliation, it should be reported immediately to the Borough Administrative Officer.

Personal Leave

All permanent full-time employees (working at least 35 hours per week) who are not subject to a collective bargaining agreement are entitled to four (4) personal days per year, and any unused days are forfeited at the end of each calendar year.

In the first and last calendar years of service, personal days will be prorated based on the number of full months worked.

Employees are not entitled to payment for any unused personal leave.

Bereavement Pay

Employees are entitled to five (5) consecutive calendar days leave of absence for each death of an employee's immediate relative. Bereavement leave shall not extend beyond seven (7) consecutive calendar days immediately following the death of a family member. "Immediate relative" includes spouse or significant other, child, parent, stepchild, sibling, grandparents, and/or grandchildren or any person related by blood or marriage residing in an employee's household.

For the death of any other individual related to the employee by blood or marriage, the employee shall be entitled to two (2) days leave of absence.

Employees are paid for all working days during the bereavement leave.

Jury-Duty Pay

A Borough employee required to render jury service shall be entitled to be absent from work during that service and will be entitled to the employee's regular salary, up to a maximum of eight (8) hours per day. Payment to an hourly employee shall be based on the average number of hours worked in the immediately preceding ninety (90) days. An employee receiving their full salary from the Borough is not eligible for jury duty pay from the County or State.

Vacations

Full Time Employees:

Vacation is an accrued benefit based on the following schedule:

After completion of one (1) year of service through seven (7) years of service:	2 weeks
After completion of seven (7) years of service through fourteen (14) years:	3 weeks
After the completion of fourteen (14) years of service:	4 weeks

Employees covered by a collective bargaining agreement, individual employment contract or offer letter of employment shall be entitled to vacation leave in accordance with that agreement, contract or offer letter.

Except as may be otherwise agreed by the Department Head, during the months of July and August vacations must be taken in one (1) 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.

All employees who qualify for vacation and who quit 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 full months worked. Employees dismissed for cause, or who have not provided notice, shall not be entitled to vacation pay.
In the case of a contest over vacation leave within a department, the employees' length of service will be the determining factor.

If by the end of the year, an employee has unused vacation time remaining, the employee may carry over up to five (5) vacation days which must be used in the following year. Any unused vacation time in excess of five (5) days at the end of the year will be forfeited and the employee shall not be entitled to payment for any such day.

Employees hired prior to January 1, 2024 are eligible for 5 weeks of vacation after the completion of nineteen (19) years of service. This will begin in January of the year following their 19 year anniversary.

Part Time Employees:
All part-time employees hired prior to January 1, 2009, shall be entitled to vacation based on the same schedule as full-time employees.

All part-time employees hired on or after January 1, 2009 shall be entitled to five (5) paid vacation days after the completion of one (1) year of service based on their straight-time hourly rate.

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.

Leaves of absence under the FMLA and NJFLA.

Leaves of absence under the federal Family and Medical Leave Act (FMLA) and New Jersey Family Leave Act (NJFLA).

A leave of absence may be granted in accordance with the provisions and requirements of the federal Family and Medical Leave Act, 29 U.S.C. § 2601, *et seq.* and/or the New Jersey Family Leave Act: N.J.S.A. 34:11B-1, *et seq.*

Employees must use any remaining accrued and unused paid leave concurrent with a leave of absence under FMLA or NJFLA.

The Family and Medical Leave Act of 1993.

The Family and Medical Leave Act ("FMLA") entitles eligible employees to take up to 12 weeks of job-protected unpaid leave in a 12 month period for specified family and medical reasons.[1] The law contains provisions regarding employer coverage; employee eligibility for the law's benefits; entitlement to leave, maintenance of health benefits during leave, and job restoration after leave; notice and certification of the need for FMLA leave; and protection for employees who request or take FMLA leave.

A. EMPLOYEE ELIGIBILITY

To be eligible for FMLA benefits, an employee must:

a. have worked for the Borough during the 12-month period immediately preceding commencement of the leave; and

b. have worked at least 1,250 hours (including overtime, but excluding paid sick, vacation, or personal leave) over the previous 12 months (subject to special rules applicable to returning armed services members pursuant to the Uniformed Services Employment and Reemployment Act).

B. LEAVE ENTITLEMENT

An eligible employee may take up to a total of 12 workweeks[2] of FMLA leave during any 12-month period for one or more of the following reasons:

(a) for the birth and care of the newborn child of the employee; incapacity due to pregnancy, prenatal medical care or childbirth;

(b) for placement with the employee of a son or daughter for adoption or foster care;

(c) to care for an immediate family member (generally spouse, child, or parent) with a serious health condition;

(d) for a serious health condition of the employee, whereby the employee is unable to perform the essential functions of his/her job, including incapacity due to pregnancy, prenatal medical care or childbirth, as well as any period of incapacity or treatment for a chronic serious health condition;

(e) in connection with an employee's spouse, son, daughter or parent on active duty or call to duty status in the National Guard or Reserves in support of a contingency operation in order to address certain qualifying exigencies (including, but not necessarily limited to attending certain military events,

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[1] An eligible employee may utilize up to 26 weeks of FMLA leave for care of a covered armed services member with a serious injury or illness.

[2] 26 weeks in case of a covered armed services member with a serious injury or illness.

arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment briefings); or

(f) to care for a covered service member with a serious illness or injury (up to 26 weeks during a single 12-month period).

The Borough will calculate the 12-month FMLA "leave year" measured forward from the date when the employee's first FMLA leave begins.[3]

When an employee takes leave for a reason covered by the FMLA and the New Jersey Family Leave Act ("NJFLA"), the leave shall be simultaneously counted against an employee's entitlement under both statutes to the extent permitted by law. FMLA leave will also commence and run concurrently with any New Jersey Family Temporary Disability Insurance ("NJFTDI") benefits and any other applicable statutory leave, for instance, the New Jersey Security and Financial Empowerment Act ("N.J. SAFE Act"). Additional information about NJFTDI benefits and N.J. SAFE Act is available from the Administrative Officer.

1. Leave for birth and care, or placement for adoption or foster care must conclude within twelve (12) months of the birth or placement.
2. Under some circumstances, employees may take FMLA leave intermittently — which means taking leave in blocks of time, or by reducing their normal weekly or daily work schedule.

An employee may waive the use of FMLA/FLA and use sick time under appliable New Jersey Law or other accumulated time. Employees waiving the use of FMLA/FLA time must submit a signed FMLA/FLA Agreement (Exhibit 2).

- If FMLA leave is for birth and care of a healthy child or placement for adoption or foster care, use of intermittent leave is subject to the Borough's approval.

- FMLA leave may be taken intermittently whenever medically necessary to care for a serious health condition of oneself, child, parent or covered service member, and for a qualifying exigency relative to deployment of a spouse, son, daughter, or parent.

- Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the Borough's operations.

FMLA leave will be unpaid, unless the employee has available applicable accrued vacation, sick or personal paid leave. In the event the employee has such available earned paid time off, the employee must use it during FMLA leave. Once such applicable paid time off is exhausted, the remainder of the FMLA leave will be unpaid.

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[3] In the case of leave to care for a covered armed services member, the 26 week period will be calculated forward from the first such leave taken.

The Borough is responsible for designating an employee's leave as FMLA leave based on information supplied by the employee and/or the employee's request for leave. The Borough shall advise the employee of the start and end dates of the FMLA leave.

"Serious health condition" for purposes of the FMLA generally means an illness, injury, impairment, or physical or mental condition that involves:

- any period of incapacity or treatment connected with inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical-care facility, and any period of incapacity or subsequent treatment in connection with such inpatient care; or

- Continuing treatment by a health care provider for a condition that prevents the employee from performing the essential functions of the employee's job. Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than three (3) consecutive calendar days combined with at least two (2) treatments by a health care provider or one treatment with a regimen of continuing treatment, or incapacity due to pregnancy or for prenatal care,[4] or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

"Health care provider" for purposes of the FMLA generally means:

- doctors of medicine or osteopathy authorized to practice medicine or surgery by the state in which the doctors practice; or

- podiatrists, dentists, clinical psychologists, optometrists and chiropractors (limited to manual manipulation of the spine to correct a subluxation as demonstrated by X-ray to exist) authorized to practice, and performing within the scope of their practice, under state law; or

- nurse practitioners, nurse-midwives and clinical social workers and physician assistants authorized to practice, and performing within the scope of their practice, as defined under state law; or

- Christian Science practitioners listed with the First Church of Christ, Scientist in Boston, Massachusetts; or

- Any health care provider recognized by the or the Borough's group health plan benefits manager.

C. MAINTENANCE OF HEALTH BENEFITS

During FMLA leave, the employee's health insurance coverage will be maintained under the same terms and conditions as if the employee had continued to work. Employees

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[4] Prenatal care also qualifies as a "serious health condition" under the FMLA.

may be required to pay their share of health insurance premiums while on leave consistent with applicable collective negotiations agreements and/or health insurance plans in effect at the time of leave.

The Borough may recover premiums it paid to maintain health coverage for an employee if the employee fails to return to work from FMLA leave.

D. JOB RESTORATION

Generally, upon return from FMLA leave, the employee will be restored to his/her original job, or to an equivalent job with equivalent pay, benefits, and other terms and conditions of employment. If the Borough should experience a reduction in force or layoff, an employee who would have been affected by such a reduction in force or layoff had he/she not been on FMLA leave is not entitled to be returned to work following exhaustion or completion of FMLA leave; however, the employee retains all rights, if applicable, regarding recall.

Except as otherwise permitted under applicable law, an employee's use of FMLA leave will not result in the loss of any employment benefit that the employee earned or was entitled to before using FMLA leave, and properly utilized FMLA leave will not be considered in discipline related to tardiness and/or attendance.

Under specified and limited circumstances where restoration to employment will cause substantial and grievous economic injury to its operations, the Borough may refuse to reinstate certain highly paid "key" employees after using FMLA leave during which health coverage was maintained. In order to do so, the Borough will:

- notify the employee of his/her status as a "key" employee in response to the employee's notice of intent to take FMLA leave and advise of consequences to job reinstatement and health benefits if employer should determine that substantial and grievous injury will result from reinstatement;

- notify the employee as soon as the Borough decides it will deny job restoration, and explain the reasons for its decision;

- offer the employee a reasonable opportunity to return to work from FMLA leave after giving notice noted immediately above; and

- make a final determination as to whether reinstatement will be denied at the end of the leave period if the employee still requests restoration.

A "key" employee is a salaried "eligible" employee who is among the highest paid ten percent of employees.

E. NOTICE AND CERTIFICATION

Employees seeking to use FMLA leave are required to provide 30-day advance notice of the need to take FMLA leave when the need is foreseeable and such notice is

practicable. When 30 days' notice is not possible, the employee must provide notice as soon as practicable. Employees must generally also comply with the Borough's applicable call-in procedures regarding absences/tardiness.
Employees must provide sufficient information for the Borough to determine if the leave may qualify for FMLA leave and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform essential job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the Borough if the requested leave is for a reason for which FMLA was previously taken for granted. The Borough may also require employees to provide:

- medical certification supporting the need for leave due to a serious health condition affecting the employee or immediate family member;
- certification of qualifying exigency;
- second or third medical opinions (at the Borough's expense) and periodic recertification;
- periodic reports during FMLA leave regarding the employee's status and intent to return to work.

Medical certification of fitness for return to work will be required where an employee's FMLA leave was due to the employee's own serious health condition.

The Borough will notify employees requesting leave whether they are eligible for FMLA leave, and if they are not, the reasons for their ineligibility. Where leave is being designated as FMLA leave, the employee shall be so notified.

F. NO RETALIATION
There shall be no retaliation against any employee for exercising his/her rights under the FMLA and/or for taking FMLA leave, nor will there be interference with the assertion of FMLA rights. Any such concerns should be immediately reported to the Borough Administrative Officer.
NOTE: The FMLA statute supersedes any statement herein to the extent that any statement is contrary to the current FMLA statute.

G. QUESTIONS
Any questions regarding this policy on FMLA leave should be directed to the Finance Department, Benefits Coordinator, or Administrative Officer.

The New Jersey Family Leave Act (NJFLA)
The New Jersey Family Leave Act ("NJFLA") entitles eligible employees to take up to 12 weeks of job-protected unpaid leave in a 24-month period for specified reasons. The law contains

provisions on employer coverage; employee eligibility for the law's benefits; entitlement to leave; notice and certification of the need for NJFLA leave; and protection for employees who request or take NJFLA leave.

A. EMPLOYEE ELIGIBILITY

To be eligible for NJFLA benefits, an employee must:

- have worked for the Borough for a total of 12 months immediately preceding the leave; and
- have worked at least 1,000 hours (including overtime, but excluding paid sick, vacation, or personal leave time) over the previous 12 months.

B. LEAVE ENTITLEMENT

An eligible employee may take up to a total of 12 workweeks of NJFLA leave during any 24-month period for one or more of the following reasons:

- for the birth of a child of the employee;
- for placement with the employee of a child for adoption; or
- to care for the employee's family member (generally child, spouse, civil union partner, or parent, parent-in-law) with a serious health condition.

The Borough will calculate the 24-month period measured forward from the date the employee's first NJFLA leave begins.

When an employee takes leave for a reason also covered by the federal Family and Medical Leave Act ("FMLA"), the leave shall be simultaneously counted against an employee's entitlement under both statutes to the extent applicable and permitted by law. However, taking leave only available under FMLA does not prevent the employee from also taking leave for a reason covered by the NJFLA. NJFLA leave will also run concurrently with any NJFTDI benefits and any other statutory leave, such as the N.J. Security and Financial Empowerment Act ("N.J. SAFE Act").

Leave for birth and care of a child, or placement for adoption, must be commenced within 12 months of the birth or placement.

NJFLA leave taken on account of the serious illness of a family member may, in certain cases, be taken in the form of a reduced leave schedule, or when medically necessary, on an intermittent basis, rather than all at once. In the case of NJFLA leave taken on account of the birth of a child or placement of a child for adoption, an employee may only take NJFLA leave intermittently or on a reduced leave schedule if the Borough expressly agrees.

NJFLA leave will be unpaid unless the employee has available applicable accrued vacation, sick or personal paid leave. In the event the employee has such available earned vacation, sick or personal paid time off, the employee must use it during NJFLA

leave. Once such applicable paid time off is exhausted, the remainder of the NJFLA leave will be unpaid.

The Borough is responsible for designating an employee's leave as NJFLA leave, based upon information and/or the request for leave from the employee.

"Serious Health Condition" for purposes of the NJFLA generally means an illness, injury, impairment, or physical or mental condition which requires:

- inpatient care in a hospital, hospice, or residential medical care facility; **or**
- continuing medical treatment or continuing supervision by a health care provider.

For NJFLA purposes, "continuing medical treatment or continuing supervision by a health care provider" means:

1. A period of incapacity (that is, inability to work, attend school, or perform regular daily activities due to a serious health condition, treatment therefrom or recovery therefrom) of more than three consecutive days, and any subsequent treatment or period of incapacity relating to the same condition that also involves:
    a. Treatment two or more times by a health care provider; or
    b. Treatment by a health care provider on one occasion which results in a regimen of continuing treatment under the supervision of a health care provider;

2. Any period of incapacity due to pregnancy, or for prenatal care;

3. Any period of incapacity or treatment for incapacity due to a chronic serious health condition;

4. Period of incapacity, which is permanent or long-term, due to a condition for which treatment may not be effective (such as Alzheimer's Disease, a severe stroke or the terminal stages of a disease) where the individual is under continuing supervision of, but need not be receiving active treatment by, a health care provider; or

5. Any period of absence to receive multiple treatments (including any period of recovery there from) by a health care provider or by a provider of health care services under orders of or on referral by a health care provider, either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity for more than three (3) consecutive calendar days in the absence of medical intervention or treatment, such as cancer (chemotherapy, radiation, etc.), severe arthritis (physical therapy) or kidney disease (dialysis).

"Health Care Provider" for purposes of the NJFLA means any person licensed under federal, state, or local law, or the laws of a foreign nation, to provide health care services; or any other person who has been authorized to provide health care by a licensed health care provider.

C. MAINTENANCE OF HEALTH BENEFITS

During NJFLA leave, the employee's health insurance coverage will be maintained under the same terms and conditions as if the employee had continued to work. Employees may be required to pay their share of health insurance premiums while on leave, where consistent with applicable collective negotiations agreements and/or health insurance plans in effect at the time of leave.

D. JOB RESTORATION

Generally, upon return from NJFLA leave, the employee will be restored to his/her position, unless the position has been filled, in which case employee will be restored to an equivalent position with like seniority, status, employment benefits, pay, and other terms and conditions of employment.

If the Borough should experience a reduction in force or layoffs, an employee who would have been affected by such reduction in force or layoff had he/she not been on NJFLA leave is not entitled to be returned to work following exhaustion or completion of NJFLA leave. However, the employee retains all rights under any applicable collective negotiations agreement concerning layoff and recall.

The Borough may deny NJFLA leave to certain of its highest paid employees to the extent such denial is necessary to prevent substantial and grievous economic injury to the operations of the Borough. In such case, notice will be provided to the employee.

E. NOTICE AND CERTIFICATION

When NJFLA leave is sought due to the birth or placement of a child for adoption, the employee must provide at least thirty (30) days' notice of the intention to take NJFLA leave, except where emergent circumstances merit shorter notice. When NJFLA leave is sought due to a family member's serious illness, the employee must provide at least thirty (30) days' notice of the intention to take NJFLA leave, except where emergent circumstances warrant shorter notice.

The Borough requires that employee who requests family leave sign a form of certification that the employee is taking family leave for the birth or adoption of a child or to care for a family member because of the family member's serious health condition, whichever is applicable. Any employee who refuses to sign such certification may be denied the requested leave. An employee who provides a false certification will be subject to discipline, up to and including termination. In addition, a certification will be required of a health care provider attesting to the serious health condition of a family member – setting forth the date on which the serious health condition commenced, the

probable duration of the condition and the medical facts within the provider's knowledge regarding the condition. Other certifications may be required as permitted by law.

F. NO RETALIATION
There shall be no interference with nor retaliation against any employee for exercising his/her rights under the NJFLA and/or for taking NJFLA leave. Any such concerns should be immediately reported to the Borough Administrative Officer.

NOTE: The NJFLA statute supersedes any statement herein to the extent that any statement herein is contrary to current NJFLA statute.

Return to Work After a Disability Leave of Absence

As a condition of continued employment, employees must submit medical documentation prior to returning to work certifying that he or she can safely perform the essential functions of the job, with or without reasonable accommodation. Such certification should be limited solely to the disability for which the leave was granted. If an employee requests an accommodation, he or she must notify the Borough at the earliest possible date, in most instances no later than three (3) business days prior to return. Requests may include temporary modified work duties, reassignment, scheduling changes or any other request of a temporary nature, including changes in the work environment. While most accommodations are temporary, the Borough will consider requests for accommodations that are permanent.

In order to evaluate the request, the Borough may require additional medical documentation. Requests for additional medical documentation in most cases will be directed to the employee's health care provider. However, the Borough reserves the right to obtain the opinion of another health care provider, at the Borough's expense. In such a case, the employee will be required to submit to a medical interview and/or examination. In all cases, such medical documentation shall be used for the administering of this policy and will be treated confidentially to the extent required by law.

Requests for accommodation will be evaluated on the basis of reasonableness and effectiveness. When requests are declined as unreasonable or on the basis of an undue hardship, the Borough will use its best efforts to engage the employee in a dialogue to explore alternatives and options. As part of this process, employees may be required to grant the Borough permission to speak or correspond directly with his/her health care provider.

If at any time the Borough has direct evidence that a medical condition or disability is impairing an employee's ability to perform his/her job or poses a direct threat, the employee will be required to submit to a medical interview and/or examination. In cases where competent medical opinion finds that an employee poses a direct threat to him/herself or others, the Borough will use its best efforts to eliminate or reduce the threat.

Under no circumstances shall the Borough request any medical documentation or opinion that includes genetic information, including family medical history.

Failure to report to work at the conclusion of the leave of absence, including any extension of such leave, shall be considered a voluntary termination by the employee.

Personal or Family Leave of Absence

A leave of absence for personal reasons may be granted at the discretion of the Borough. Reasons for a leave include, but are not limited to, bonding with a newborn or newly adopted child, or caring for a family member, including a same-sex domestic or civil union partner.

Ordinarily, the Borough requires thirty (30) days' notice, unless an emergency or unforeseen circumstance warrants otherwise. Whether the leave will be granted, and its duration, will depend upon such factors as the reason for the leave, the need for the employee's services, and the employee's previous record. In no case, however, may the duration of the leave exceed six (6) months, unless a longer period is approved by the employee's department head.

Whether or not a leave is granted, eligible employees may receive Family Leave Insurance for up to six (6) weeks. Please see the Family Leave Insurance Benefits policy. An employee must have been employed for twenty-four (24) months to be entitled to a leave of absence. During the leave the Borough will discontinue all group insurance (subject to COBRA).

All accrued paid leave (such as vacation and medical/sick leave) must be used as part of the personal leave.

The period of an employee's leave of absence will not be credited toward the calculation of length of service.

An employee who engages in employment with another employer or in self-employment during the leave or who overstays the period of the leave will be subject to discipline or termination.

When requesting a leave to care for an ill or disabled family member, the Borough requires written certification from a health care provider stating:

1. the date, if known, on which the illness or disability commenced,
2. the probable duration of the condition,
3. the medical facts within the knowledge of the provider regarding the condition,
4. a statement that the condition warrants the care of the employee,
5. an estimate of the amount of time the employee is needed to care for the family member,
6. a statement of medical necessity, if the request is for time off on an intermittent basis, and

7. the dates of medical treatment, if the request is for time off on an intermittent basis.

The Borough may verify other aspects of the leave, including, but not limited to, marital status, birth, adoption, family relation, or civil union status. All documents required by the Borough, including but not limited to medical certifications, shall be in English.

Military Leave of Absence

A. Leave of absence for active duty in Military Reserve Corp or National Guard of a state other than New Jersey.
    1. A full-time employee of the Borough, who is a member of the organized reserve of the Army of the United States, United States Naval Reserve, United States Air Force Reserve or United States Marine Corps Reserve, or other organization affiliated therewith, including the National Guard of other states, shall be entitled, in addition to pay received, if any, as a member of a reserve component of the Armed Forces of the United States, to leave of absence from his/her employment with the Borough without loss of pay or time on all work days on which he/she shall be engaged in any period of Federal active duty, provided, however, that such leaves of absence shall not exceed 30 work days in any calendar year. Such leave of absence shall be in addition to the regular vacation or other accrued leave allowed such employee. Any leave of absence for such duty in excess of 30 workdays shall be without pay but without loss of time.

    2. Notwithstanding 1 above, an employee who has been employed for less than one year shall receive for the service described above leave without pay but without loss of time.

B. Leave of absence for active duty in NJ National Guard and other state military.
    1. A full-time employee of the Borough who is a member of the National Guard or other organized militia of the State of New Jersey shall be entitled, in addition to pay received , if any, as a member of the National Guard or organized militia, to leave of absence from employment without loss of pay or time on all days during which he/she shall be engaged in any period of State or Federal active duty; provided, however, that the leaves of absence for Federal active duty or active duty for training shall not exceed 90 work days in the aggregate in a calendar year. Any leave of absence for such duty in excess of 90 work days shall be without pay but without loss of time.

    2. Notwithstanding 1 above, an employee who has been employed for less than one year shall receive for the service described above leave without pay but without loss of time.

C. Benefits For Employees on Active Duty

Employees on military leave for active duty as noted in A. and B. above shall continue to accrue seniority, as if they were on the job. Health and other benefits for employees and their eligible dependents will continue for the statutory paid leave period. Thereafter, at the discretion of the Borough Council, health benefits for the employee and his/her eligible dependents may be continued for the same period of time as the additional differential pay period noted above duration of active duty service. Thereafter, employees on military leave may exercise COBRA rights.

D. Military Leave for Borough Employees on Inactive Duty for Training

1. In accordance with State and/or Federal law and regulations, the Borough shall grant a qualifying employee, who is a member of the U.S. military reserves or the New Jersey State militia or the organized militia of another State, a leave of absence, without pay, for Inactive Duty for Training Service. Inactive Duty For Training Service is commonly referred to as weekend drill.

2. A qualifying employee granted Military Leave of Absence, without pay, for Inactive Duty For Training that is less than two (2) consecutive weeks, shall continue to accrue vacation, personal, and sick leave. A qualifying employee granted a Military Leave of Absence for Inactive Duty for Training, without pay, that is more than two (2) consecutive weeks, shall not accrue vacation, personal, and/or sick leave during such leave of absence.

3. A qualifying employee granted a Military Leave of Absence, without pay, for Inactive Duty For Training may, with advance notice, use accrued vacation, personal leave, or floating holidays. Sick Leave shall not be used for Military Leave of Absence for Inactive Duty For Training.

E. Persons Entering Active Military or Naval Service in Time of War of Emergency
In accordance with N.J.S.A. 38:23-4, a Borough employee who enters active military or naval service of the United States or New Jersey in time or war or emergency is entitled to leave of absence for the duration of such service plus three months after discharge. Such leave is without pay. If the person receives anything other than a dishonorable discharge, the person is entitled to his/her position, provided the person applies for the position before the leave expires. If any such person shall be incapacitated by wound or sickness at time of discharge from the military, the leave shall be extended to three months after recovery, or 2 years from date of discharge, whichever shall occur first.

F. Notice of Leave; Verification of Leave
In accordance with law, an employee who requests a leave of absence for military leave of any type must provide notice to his/her department Supervisor and the Borough Administrative Officer. This notice must be provided at least 30 days prior to the employee's departure, unless such notice is precluded by military necessity or, under all relevant circumstances, is otherwise impossible or unreasonable. In addition, in order to receive compensation and /or benefits as noted herein, an employee on military

leave must provide the Borough with a copy of the military orders and, if appropriate, military base pay documentation.

H. Reinstatement Under USERRA
An employee on military leave is entitled to reinstatement as follows:
Except with respect to persons whose disability occurred in or was aggravated by military service, the position into which an employee is reinstated is determined by priority, based on the length of military service.
The rules are:

Service of 1 to 90 days: (a) in the job the person would have held had he or she remained continuously employed (possibly a promoted position), so long as the person is qualified for the job or can become qualified after reasonable efforts by the employer, or (b), if the person cannot become qualified, in the position the person was employed on the date of the commencement of the military service.

Service of 91 or more days: (a) same as for service of 1 to 90 days, or a position of like seniority, status and pay, so long as he or she is qualified, or (b) if the person cannot become qualified in the position the person was employed on the date of the commencement of the military service, or which nearly approximates that position.

Note: The reemployment position with the highest priority reflects the "escalator" principle, which requires that a returning service member steps back onto the seniority escalator at the point the person would have occupied if the person had remained continuously employed. USERRA specifies that returning employees must be "promptly reemployed." What is prompt will depend on individual circumstances. Additionally, depending on the length of service, returning employees must take certain steps in order to be entitled to reemployment. This could include submitting an application for reemployment. If you are a returning employee, please contact the Borough Administrative Officer for more information.

The laws governing leaves of absence for military service are lengthy and complex. As a result, this policy may not address all issues concerning your rights during military leave. If issues arise that are not addressed in this handbook, the Borough will abide by applicable state and federal law. Should you have any questions or require further information, please contact the Borough Administrative Officer.

Domestic Violence Leave (NJ SAFE Act)

Employees may be eligible to receive unpaid leave, for a period not to exceed 20 days in a 12-month period, to address circumstances resulting from domestic violence or a sexually violent offense. To be eligible, the employee must have been employed for at least 12 months for not less than 1,000 hours during the immediately preceding 12-month period.

Leave under the NJ SAFE Act may be taken by an employee who is a victim of domestic violence, as that term is defined in N.J.S.A. 2C:25-19, or a victim of a sexually violent offense, as that term is defined in N.J.S.A. 30:4-27.6. Leave may also be taken by an employee whose child, parent, spouse, domestic partner, or civil union partner is a victim of domestic violence or a sexually violent offense.

Leave under the NJ SAFE Act may be taken intermittently for the purpose of engaging in any of the following activities as they relate to the incident of domestic violence or sexually violent offense:

1. seeking medical attention for, or recovering from, physical or psychological injuries caused by domestic or sexual violence to the employee or the employee's child, parent, spouse, domestic partner or civil union partner;

2. obtaining services from a victim services organization for the employee or the employee's child, parent, spouse, domestic partner or civil union partner;

3. obtaining psychological or other counseling for the employee or the employee's child, parent, spouse, domestic partner or civil union partner;

4. participating in safety planning, temporary or permanently relocating, or taking other actions to increase the safety from future domestic violence or sexual violence or to ensure the economic security of the employee or the employee's child, parent, spouse, domestic partner or civil union partner;

5. seeking legal assistance or remedies to ensure the health and safety of the employee or the employee's child, parent, spouse, domestic partner or civil union partner, including preparing for, or participating in, any civil or criminal legal proceeding related to or derived from domestic or sexual violence; or

6. attending, participating in, or preparing for a criminal or civil court proceeding relating to an incident of domestic or sexual violence of which the employee or the employee's child, parent, spouse, domestic partner or civil union partner was a victim;

An employee is not entitled to more than twenty (20) days of combined N.J. SAFE Act leave in any twelve (12) month period. N.J. SAFE Act leave may be taken intermittently in increments of no less than one (1) day.

When an employee takes leave for a reason also covered by the FMLA and/or NJFLA, the leave shall be simultaneously counted against an employee's leave entitlement under all such statutes to the extent applicable and permitted by law.

N.J. SAFE Act leave will be unpaid unless the employee has available applicable accrued vacation, sick or personal paid leave. In the event the employee has such available accrued vacation, sick or personal paid time off, the employee must use it for N.J. SAFE Act leave. Once such applicable paid time off is exhausted, the remainder of N.J. SAFE Act leave will be unpaid.

Prior to taking the leave, an employee must, if the necessity for the leave is foreseeable, provide the Borough with written notice of the need for the leave. The Borough requires that a period of leave be supported with documentation of domestic violence or sexually violent offense which is the basis for the leave. The law specifies the types of documentation deemed sufficient to support a period of leave. The employee shall be regarded as having provided sufficient documentation if the employee provides one or more of the following:

1. a domestic violence restraining order or other documentation of equitable relief issued by a court of competent jurisdiction;

2. a letter or other written documentation from the county or municipal prosecutor documenting the domestic violence or sexually violent offense;

3. documentation of the conviction of a person for the domestic violence or sexually violent offense;

4. medical documentation of the domestic violence or sexually violent offense;

5. certification from a certified Domestic Violence Specialist or the director of a designated domestic violence agency or Rape Crisis Center, that the employee or employee's child, parent, spouse, domestic partner or civil union partner is a victim of domestic violence or a sexually violent offense; or

6. other documentation or certification of the domestic violence or sexually violent offense provided by a social worker, member of the clergy, shelter worker, or other professional who has assisted the employee or employee's child, parent, spouse, domestic partner or civil union partner in dealing with the domestic violence or sexually violent offenses.

Any information regarding a leave taken pursuant to the provisions of the N.J. SAFE Act and any failure of an employee to return to work will be held in the strictest confidentiality, unless disclosure is voluntarily authorized in writing by the employee or is required by a federal or State law, rule or regulation.

No Retaliation

There shall be no retaliation, harassment, or discrimination with respect to the compensation, terms, conditions or privileges of employment of any employee who takes or requests N.J. SAFE Act leave and/or exercises any right under the N.J. SAFE Act.

Family Leave Insurance Benefits

Eligible employees who are granted time off to bond with a newborn, newly adopted child, newly placed foster child, or to care for a family member with a serious health condition may receive Family Leave Insurance (FLI) for up to six (6) weeks. (Effective July 1, 2020 benefits will be paid for up to 12 weeks) FLI is funded through an employee payroll tax and is provided under a plan administered by the state of New Jersey.

A serious health condition is defined by FLI regulations, which also require employees to provide a medical certification from a health care provider as part of their claim for insurance.

For the purposes of FLI, "family member" means: a child (biological, adopted, foster, step-child, legal ward, or child who becomes the child of a parent pursuant to a valid written agreement between the parent and a gestational carrier) of an employee; or a child of a same-sex domestic partner or civil union partner of an employee; a spouse, same-sex domestic partner, or civil union partner of an employee; or a parent (biological, foster, adoptive, step-parent, parent-in-law, or a person who was legal guardian) of an employee; or sibling, grandparent, grandchild, any other individual related by blood, and any other individual that the employee shows to have a close association with which is the equivalent of a family relationship.

FLI can be paid for up to 6 consecutive weeks (12 weeks, effective 7/1/2020) during a 12-month period (the 365 consecutive days that begin with the first day an employee establishes a valid first claim for FLI). FLI can also be taken in intermittent days for up to 42 days (56 days effective 7/1/2020).

When utilizing intermittent FLI benefits, the employee should make a reasonable effort to schedule time off so as not to disrupt the Borough's operations and, to the extent possible, provide a schedule of anticipated FLI days.

Employee Must Give Notice to the Borough

Unless an emergency or unforeseen circumstances preclude advance notice, an employee must provide no less than thirty (30) days' notice of their intent to utilize FLI benefits in a consecutive manner and no less than fifteen (15) days' notice to utilize FLI benefits in an intermittent manner.

Disability and Pregnancy Accommodation

The Borough complies with the provisions of the Americans with Disabilities Act of 1990, as amended by the ADA Amendments Act (collectively "ADA"), and the New Jersey Law Against Discrimination, as amended by the Pregnant Workers' Fairness Act ("NJLAD"). In compliance with the ADA and NJLAD, the Borough does not discriminate based on disability, pregnancy, pregnancy related medical condition, childbirth, or breastfeeding. The Borough will endeavor to make every work environment handicap accessible and all future construction and

renovation of facilities will be in accordance with applicable barrier-free federal and state regulations and the ADA Accessibility Guidelines, as well as the ADA Amendments Act.

The Borough will not discriminate against any employee or job applicant with respect to any terms, conditions, or privileges of employment based on a known or perceived disability, pregnancy, pregnancy related medical condition, childbirth, or breastfeeding. The Borough will also make reasonable accommodations to known physical or mental limitations of all employees and applicants with disabilities, provided that the individual is otherwise qualified to safely perform the essential functions of the job and provided that the accommodation does not impose undue hardship on the Borough.

An employee or volunteer requiring a reasonable accommodation should contact the Borough Clerk or Borough Administrative Officer. Any Supervisor or Department Head who receives a request for a reasonable accommodation or is on notice of an employee's need for an accommodation under this policy must immediately notify the Borough Administrative Officer. Upon receipt of a request or other notice of a disabled or pregnant employee or prospective employee's need for an accommodation, the Borough Administrative Officer shall engage in an interactive dialogue with the disabled or pregnant employee or prospective employee to identify reasonable accommodations that will not create an undue hardship for the Borough. Such accommodations might include, but are not limited to, modifications to facilities, equipment and work procedures; the provision of auxiliary aides and/or services; and/or permanent reassignment to vacant positions. Employees who are reassigned to a vacant position shall receive the salary of their new position.

In the case of an employee breastfeeding or expressing breast milk, accommodations shall include reasonable break time each day for the employee to breastfeed or express breast milk; and a private room or location, other than a bathroom stall, that is in close proximately to the employee's work area where the employee may breastfeed or express milk.

All decisions with respect to accommodations shall be made by the Borough Administrative Officer or the Governing Body as appropriate.

The ADA and NJLAD do not require the Borough to offer permanent "light duty," eliminate essential job functions, or provide personal use items such as eyeglasses, hearing aids, wheelchairs, etc.

Employees should offer assistance, to the extent possible, to any member of the public who requests or needs an accommodation when visiting Borough facilities. Any questions concerning proper assistance should be directed to the Borough Administrative Officer.

Accommodations for Religious Practices

The Borough will make every effort to accommodate an employee's sincere religious beliefs and/or practices, unless to do so creates an undue hardship, which includes but is not limited to, unreasonable expense or difficulty, unreasonable interference with the safe and efficient operation of the workplace, or a violation of a bona fide seniority system [or collective bargaining agreement.]* Where time off is a reasonable accommodation, the Borough may require the employee to make up the time at some other mutually convenient time, or the time off can be charged as paid time off, other than sick leave. Any absence not made up or charged as paid time off, will be treated as unpaid time off. If, as a reasonable accommodation, a scheduling change results in an employee working a shift that entitles the employee to premium wages or benefits, the Borough will not make such pay or provide such benefits, unless required by law or pursuant to the terms of a collective bargaining agreement.*
*For collective bargaining units only

Workplace Violence

The Borough prohibits violence in the workplace. Violence can take many forms, including hostile or threatening language, assault, property damage, stalking or any conduct that causes physical or mental harm. The purpose of this policy is to make certain that employees are not subject to violent conduct and to maintain a safe workplace. Every employee shares the responsibility to achieve this purpose.

If you believe that this policy has been violated in any way, you should immediately report such conduct to your supervisor. If you feel uncomfortable bringing the matter to your supervisor, or if your supervisor is thought to be involved in violating this policy, you may contact the Administrative Officer. The Borough will treat the matter confidentiality, to the extent possible under the circumstances. Please note that an employee need not be the actual target of violent conduct to bring any matter to the attention of a supervisor or the Administrative Officer.

Employees may voluntarily disclose the existence of a protective or restraining order. However, in cases where a co-worker, or any other person who has a relationship with the Borough, including but not limited to a vendor or customer, is subject to such an order, or where a protective or restraining order lists the workplace as a protected area, employees are required to provide the Borough with a copy of such order.

In determining whether this policy has been violated, the totality of the circumstances, including the nature of the conduct and the context within which the conduct occurred will be considered. However, this policy is not designed or intended to limit the Borough's authority or discretion to make any and all employment decisions, including decisions about discipline, discharge or other corrective action, concerning employee conduct the Borough deems unacceptable, regardless of whether that conduct is violent.

Drug and Alcohol Policy

A. Borough employees are required to report to work in appropriate mental and physical condition. Reporting to work, or working, under the influence of a controlled substance (without a physician's prescription) or alcohol is prohibited. In some instances reporting to work under the influence of a physician's prescription may also be inappropriate and prohibited.

B. The Borough maintains a drug free workplace consistent with the requirements of N.J.S.A. 24:6I-52, *et. seq*. Therefore, the manufacturing, distribution, dispensation, possession, and use of cannabis products, alcohol, or other illegal intoxicating substances on the premises of the Borough or during work hours is strictly prohibited. Premises of the Borough is defined as any place an employee works on Borough-funded activities.

C. Borough employees are required to report any drug-related criminal conviction in accordance with the law. A written report of conviction must be made to the Borough Administrative Officer within five (5) days of the conviction.

D. Borough employees must inform the Borough Administrative Officer if they are prescribed a controlled substance.

E. All Borough employees are subject to a conditional offer, reasonable suspicion and post-accident drug testing.

Drug Testing for Non-CDL Employees

A. An employee may be required to submit to drug testing upon reasonable suspicion of an employee's use of a cannabis item, alcohol or an illegal controlled substance while engaged in the performance of the employee's work responsibilities, or upon finding any observable signs of intoxication related to usage of a cannabis item, alcohol, or other intoxicating substance, or following a work-related accident subject to investigation by the Borough.

B. Examples of the foregoing may include, but are not limited to:
    1. When a Supervisor or Department Head observes that the conduct, reactions, job performance, work habits, physical symptoms, or appearance of the employee are indicative of the use or being under the influence of cannabis, alcohol, or other intoxicating substance while on the premises and/or during working hours.

    2 When a Supervisor or Department Head receives information from a source deemed credible that an employee used or is under the influence of cannabis, alcohol, or other controlled substance while on the premises or during working hours or immediately before reporting to work.

3. When an employee is involved in an accident or incident during working hours which caused or contributed to substantial injury to person or property (or had the potential for doing so), or where there is evidence that the accident may have resulted, in whole or part, from the use of cannabis alcohol or other intoxicating substance.

C. **A scientifically reliable objective testing method that indicates the presence of cannabinoid metabolites in the employee's bodily fluid alone is insufficient to support an adverse employment action. However, such a test combined with evidence-based documentation of physical signs or other evidence of impairment or use during an employee's prescribed work hours may be sufficient to support adverse action.**

Thus, and until such time as the New Jersey Cannabis Regulatory Commission (NJCRC) establishes standards governing Workplace Impairment Recognition Experts (WIRE), who will assist in documenting, detecting and identifying an employee's usage of or impairment from a cannabis item or other intoxicating substance, Department Heads, Supervisors and/or other designated personnel shall document evidence of workplace use and/or physical signs and evidence that support a determination that the employee is reasonably suspected of being under the influence of cannabis, alcohol or an intoxicating substance during the employee's prescribed work hours. Supervisors, Department Heads and/or other designated personnel shall document their findings in a Reasonable Suspicion Observed Behavior Report.

D. Reasonable suspicion of impairment may exist when the employee manifests specific articulable symptoms while working that decrease or lessen the employee's performance of the duties or tasks of the employee's job position.

Specific articulable symptoms of impairment that decrease or lesson the employee's performance of duties or tasks of the employee's job position, include but are not limited to:

- speech,
- physical dexterity,
- agility,
- coordination,
- demeanor,
- irrational or unusual behavior,
- negligence or carelessness in operating equipment or machinery,
- disregard for the safety of the employee or others, or
- involvement in an accident or other carelessness that results in an injury to the employee or others;
- significant deterioration in work performance, absenteeism, or
- an individual's appearance indicating substance abuse.

E. Supervisors, Department Heads and/or designated personnel that observe and document behavior constituting reasonable suspicion are required to initiate testing procedures as set forth above and do not have the option of sending the employee home as an alternative. Refusal to submit to testing when requested may result in immediate disciplinary action, up to and including termination.

F. The Borough may use the results of the drug test when determining the appropriate employment action concerning the employee, including, but not limited to dismissal, suspension, demotion, or other disciplinary action.

G. A drug test may also be conducted randomly by the Borough, or as part of a pre-employment screening, or regular screening of current employees to determine use during an employee's prescribed work hours.

Borough personnel who hold a Commercial Driver's License (CDL) are subject to the provisions of the Commercial Driver's Licenses Drug and Alcohol Testing Policy.

Disciplinary action

A. Borough employees who violate this Section will be subject to disciplinary action.

B. The manufacture or distribution of controlled substances on any Borough work site shall subject the offending employee to immediate dismissal.

C. The use of a controlled substance on any Borough work site (or while conducting any Borough business) may result in suspension or dismissal.

D. The failure of an employee to report that he has been convicted of a drug-related crime will subject the employee to immediate dismissal.

A program to assist employees who may have a drug/alcohol problem is provided through the Borough's Employee Assistance Program.

CDL Drug and Alcohol Testing Policy and Procedures

Alcohol and/or Drug Possession and Use

A. Any CDL Holder required to perform a safety-sensitive function shall not report for or remain on duty while having an alcohol concentration of 0.02 or greater or while being under the influence of a controlled substance. Any supervisor having actual knowledge that a CDL Holder has an alcohol concentration of 0.02 or greater or is under the influence of a controlled substance shall not permit same to perform or continue to perform safety-sensitive functions.

B. Any CDL Holder shall not use alcohol within the four (4) hours preceding the performance of safety-sensitive functions and shall not report for work under the influence of a controlled substance. Any supervisor having actual knowledge that a CDL Holder has used alcohol within four (4) hours, or is under the influence of a controlled substance, shall not permit a CDL Holder to perform or continue to perform safety-sensitive functions.

C. Any CDL Holder who shall be required to take a post-accident test shall not use alcohol for eight (8) hours following the accident or until they undergo the post-accident test, whichever occurs first.

Pre-employment / Pre-Duty

A. Upon making an offer of employment to an applicant who shall be required by law to maintain a CDL, the Borough will inform said potential CDL Holder that the offer is contingent upon successful completion of a test for alcohol and controlled substances use.

B. Prior to the first time a CDL Holder performs safety-sensitive functions for the Borough, the CDL Holder shall undergo testing for alcohol and controlled substances.

C. The applicant shall be available for pre-employment breath alcohol testing. Said testing shall be conducted in accordance with the mandates listed in this Policy and the US Department of Transportation 49 CFR 40.

Post-Accident Controlled Substance and Alcohol Testing

A. Employees shall be required to undergo an alcohol test and test for controlled substances when involved in an accident, which results in the following:
   - human death;
   - bodily injury to a person who immediately receives medical treatment away from the accident;
   - one or more vehicles are disabled and must be towed from the scene;
   - the employee performing the safety-sensitive function is issued a traffic summons for a moving violation as a result of said accident; or
   - when deemed appropriate by Law Enforcement.

B. In the event of an accident occurring as described above, the CDL Holder shall be required to follow reporting requirements, including remain at the scene, and be readily available to undergo alcohol and controlled substance testing. The employee shall be escorted to the testing site by a supervisor, or their designee, and/or any law enforcement official.

C. Any CDL Holder subject to post-accident testing as required by this section, who leaves the scene of an accident before an alcohol/controlled substance test is administered or who fails to remain readily available for testing shall be deemed to have refused to submit to required testing.

D. All alcohol testing required by this Section shall be performed by the Borough or its authorized agent not more than two (2) hours after the time of the accident. A report stating the reasons why the test was not administered shall be filed by a supervisor, or their designee, if the alcohol test is not done within two (2) hours. If an alcohol test cannot be done within eight (8) hours of the accident, then testing must be abandoned. The time of the accident shall be determined by the hour utilized in the New Jersey Police Accident Report.

E. Law Enforcement Agencies with the authority to do so may perform the alcohol and/or controlled substances testing required by this Section provided it is performed in compliance with US DOT requirements.

Random Controlled Substance/Alcohol Testing

A. The Borough will randomly test a minimum of twenty-five percent (25%) of its CDL Holders quarterly, but no less often than annually. The total number of employees subject to this random testing shall be based on the total number of affected CDL Holders. Future percentages shall depend upon the US DOT regulations.

B. Random testing shall be unannounced, and the dates shall be spread reasonably throughout the year.

C. All testing shall be done during normal duty hours. Employees may be escorted to the testing site by a supervisor. The employees, after learning of their selection for testing, may be required to remain in a specified area under the supervisor's observation at all times until being escorted to the testing site.

D. The selection of CDL Holders shall be made by a scientifically valid lottery-type system. Under this selection process, each CDL Holder shall have an equal chance of being tested each time the selections are made. Therefore, a CDL Holder may not be selected at all during the course of the year, or they may be selected multiple times.

E. Upon notification of selection for testing, the selected CDL Holder(s), accompanied by a supervisor, shall report directly to the testing site.

F. In the event that a CDL Holder is off from work, their name shall be skipped and the next person's name on the list shall be selected and tested. The skipped CDL Holder's name shall be returned to the system for the next round of testing.

Reasonable Suspicion Testing

The Borough shall require a CDL Holder to submit to an alcohol/controlled substance test when there is reasonable suspicion that the CDL Holder is under the influence of alcohol or controlled substance. The supervisor's determination that reasonable suspicion exists to require the CDL Holder to undergo an alcohol test must be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech, or body odors of the CDL Holder.

Return to Duty Testing

Prior to returning to a safety-sensitive function, any CDL Holder who was determined to have engaged in alcohol/controlled substance related conduct prohibited by this Policy and the US DOT Mandate shall undergo a return to duty est. The CDL Holder shall be allowed to return to duty only with a result indicating a blood alcohol concentration of less than 0.02 and a negative test result for controlled substances.

Follow-Up Alcohol Testing and Controlled Substance

Any CDL Holder who has required referral, evaluation and/or treatment by a Substance Abuse Professional (SAP) for alcohol use or controlled substance use, shall be subject to unannounced follow-up testing as directed by the SAP.

Controlled Substance Testing Procedure

A. All testing shall be done by urine sample by a certified laboratory with the results being reviewed by a Medical Review Officer (MRO).

B. Testing shall be done for the following controlled substances, as well as any other substances for which testing is required by state or federal law or regulation for CDL holders:
    - Marijuana (THC Metabolite)
    - Cocaine
    - Amphetamines
    - Opiates (including Heroin)
    - Phencyclidine (PCP)

Pre-Employment / Pre-Duty.

A. The Borough, upon making an approved offer of employment to an individual who shall be required by law to maintain a CDL, shall inform said applicant that the offer is contingent upon the successful completion of a test for alcohol and controlled substances use.

B. The applicant shall present himself/herself at the testing site on their scheduled date and time for a post-offer controlled substances urine test. This test shall be conducted with the mandates listed in this Policy and the US DOT 49 CFR, Part 40.1104.15

Quality Assurance of Drug Testing

A. The Borough will take steps in its arrangements for testing to ensure that the laboratory is certified by Substance Abuse and Mental Health Services Administration ("SAMHSA") and meets the requirements of the United States DOT.

B. The chain of custody for any urine sample shall be maintained at all times. If the chain of custody is broken, after the tamper proof seal is applied, the employee(s)shall be retested at the Borough's expense.

C. All drug testing required by the Borough will be performed in accordance with DOT guidelines. Drug testing is by urinalysis using split samples. Split-sample testing requires the specimen be divided into two separate specimen containers during the collection process. These two containers are designated as: the primary specimen, which shall contain no less than thirty (30) milliliters of urine; and the split specimen, which shall contain no less than fifteen (15) milliliters of urine. Upon arrival at the laboratory, the primary specimen will be opened and tested. In the first screening test, immunoassay techniques are used to screen urine specimens forclasses of drugs. In the second or confirmation test, any positive results found in the first screening will be confirmed using the tandem technique of gas chromatography/mass spectrometry (GC/MS), which positively identifies and quantifies the presence of specific drugs. No test result will be reported by the laboratory to the Medical Review Officer, "MRO" as a positive drug test result unless both the initial screening test and the confirmation test are positive. The laboratory shall report the test results to the MRO, who shall evaluate the chain of custody, urine custody form and test results.

D. The MRO will perform the following duties for the Borough:
    1. The MRO will review the results of each drug test before it is reported toThe Borough.

    2. The MRO will review and interpret each confirmed positive test result in the following manner to determine whether or not there is an acceptable medical explanation for the confirmed positive result:
        a. The MRO will conduct a medical interview with the employee,either in person or by telephone.

        b. The MRO will review the employee's medical history and relevant biomedical factors.

        c. The MRO will review medical records made available by the employee to determine if a confirmed positive result could beattributed to the use of legally prescribed medication.

        d. The MRO will require, if it is deemed necessary, that the original

specimen be reanalyzed.

e. The MRO will verify that the laboratory report and assessment are accurate.

f. If the MRO determines that there is a legitimate medical explanation for the confirmed positive result, he/she will take nofurther action other than informing the Borough of his/her determination that the test result is negative.

g. If the MRO verifies that a confirmed positive test result is scientifically sufficient and that there is no legitimate medical explanation for the confirmed positive result, the MRO shall immediately contact the Borough's designated employee representative (DER)(who will instruct the employee's supervisor to immediately suspend the employee pending management review and determination of appropriateaction) and the employee.

h. The MRO will determine whether and when a rehabilitated employee may return to work.

i. The MRO will determine a schedule of post-rehabilitation testing, after consulting with the Borough's designated representative, for an employee returning to work after rehabilitation.

j. The MRO will ensure that an employee is tested in strict compliance with the applicable DOT procedures before an employee may return to work after rehabilitation.

E. Reporting and review of results:

1. Review by MRO.
   The MRO will review all test results prior to the transmission of the results to the Borough to consider possible alternate medical explanations for confirmed test results. The MRO shall have the qualifications and responsibilities, including those pertaining to theinvestigation, confirmation and communication of verified positive and negative test results and the disposition of scientifically insufficient test results, as set forth in the Medical Review Officer section of this Policy.

2. Positive test results.
   a. If, after making all reasonable efforts and documenting them, the MRO is unable to reach the individual directly, theMRO shall contact the Borough's DER who shall direct the individual to contact the MRO as soon

as possible. The Borough 's DER shall employ procedures that ensure, to the maximum extent practicable, the requirement that the employee contact with the MRO is held in confidence.

b. If, after making all reasonable efforts, the Borough 's DER is unable to contact the employee, the MRO may place the employee on temporary, unpaid leave.

c. The MRO may verify a test as positive without having communicated directly with the employee about the test in three circumstances:
   i. The employee expressly declines the opportunity todiscuss the test; or

   ii. The Borough 's DER has successfully made and documented a contact with the employee and instructed the employee to contact the MRO, and more than five (5) calendar days have passed since the date the employee was successfully contacted bythe DER, without the employee contacting the MRO; or

   iii. If neither the DER nor MRO, after making and documenting all reasonable efforts has been able tocontact the employee within 10 days of the date theMRO received the confirmed test from the laboratory.

d. Under the split-test method, and if the employee so chooses the split-test method, such test may be conducted, and if there is a positive result, the provisions/procedures and penalties of this Policy shall apply.

e. Following verification of a positive test result, the MRO shall refer the case to the Borough 's DER for other rehabilitation or administrative action.

F. Verification for opiates
Before verifying a confirmed positive test result for opiates, the MRO shall determine that there is clinical evidence other than, or inaddition to, the urine test of unauthorized use of any opium, opiate or opium derivative, unless confirmation testing for opiates confirmsthe presence of 6-acetylmorphine.

G. Authorized reanalysis
Only the MRO may order a reanalysis of the original primary specimen. The employee may submit a written request for a retest of the original specimen to the MRO for a reanalysis of the specimen within sixty (60) days following the day the employeewas informed by the MRO that he/she tested verified positive for drug use.

The MRO shall then authorize the reanalysis at The Borough 's expense.

Records Retention

The Borough shall retain for a period of not less than five (5) years the following records relating to this Policy:

1. Records of CDL Holder's Alcohol Tests in which said results indicate an alcohol concentration of 0.02 or greater.

2. Records of CDL Holder's verified positive Controlled Substances Tests.

3. Documentation of refusals to submit to required Alcohol and/or Controlled Substances Tests.

4. Breath Testing Equipment calibration documentation.

5. CDL Holder's evaluations and referrals.

6. A copy of each calendar year summary required by the US Department of Transportation and Federal Highway Administration.

Referral to a Substance Abuse Professional (SAP).

A. An employee who has engaged in alcohol use and/or controlled substances use prohibited by this Policy may be advised by the Borough of the resources available to the employee in evaluating and resolving problems associated with the misuse of alcohol and/or the use of controlled substances, including the names, addresses and telephone numbers of substance abuse professionals and counseling and treatment programs. Said employee may be evaluated by an SAP who shall determine what assistance, if any, the employee needs in resolving problems associated with alcohol misuse and/or controlled substances use.

B. The Borough shall designate a SAP for the purpose of rendering services in connection with the anti-drug/alcohol program set forth in this Policy.

   1) The designated SAP shall determine whether an employee who has refused to submit to controlled substances test, has a verified positive controlled substances test result or engages in alcohol use prohibited by this Policy is in need of assistance in resolving problems associated with prohibited drug and/or alcohol use. The SAP shall then recommend a course of action to the employee.

2) The SAP shall determine whether an employee who has refused to submit to a controlled substances test, has a verified positive controlled substances test result or engages in alcohol use prohibited by this Policy has properly followed the SAP's recommendations and/or any rehabilitation program prescribed by the SAP. The SAP shall notify the Borough as to whether the employee has so complied.

C. Upon referral to an SAP, the employee shall be required to abide by their recommendations for return to duty.

D. The employee shall pay for the cost of utilizing the SAP through their own health insurance. The Borough shall not be required to pay for the use of an SAP either directly or indirectly.

E. The requirements of this Section with respect to referral, evaluation and rehabilitation do not apply to applicants who refuse to submit to a pre-employment controlled substances test or who has a pre-employment controlled substances test with a verified positive result.

Employee Assistance Program

A. Goal of policy. The goal of this policy is to balance the Borough's respect for individuals with the need to maintain a safe, productive and alcohol/drug-free environment. The intent of this policy is to offer a helping hand to those who need it, while sending a clear message that the improper consumption of alcohol or illegal use of drugs is incompatible with employment with the Borough.

B. Objective. The Borough recognizes the health implications of alcohol abuse and drug use on its employees and considers it a treatable illness. As with other illnesses, the Borough's primary objective is to assist in the employee's rehabilitation. The Borough designed this policy to encourage employees to voluntarily seek help for any alcohol or substance abuse problem.

C. Rehabilitation program. An employee may voluntarily admit to the Borough that he or she has an alcohol or substance abuse problem without fear of discipline or discharge. Upon admission of an alcohol or substance abuse problem, the employee shall immediately enroll himself or herself in a rehabilitation program at the employee's sole cost and expense. The Borough will not take disciplinary action against an employee who voluntarily admits having an alcohol or substance abuse problem unless that employee refuses to enroll in and complete a rehabilitation program. Employees who test positive in a subsequent drug and/or alcohol test may be subject to disciplinary action, up to and including discharge. Nothing in the foregoing shall preclude the employee from

obtaining coverage and/or reimbursement for payments made for rehabilitation services from any applicable insurance coverage.

Inspections of Property and Lockers

All offices, desks, computer equipment, files, lockers and so forth, are property of the Borough. In order to ensure the safety of persons and property, the Borough may inspect any parcels, purses, handbags, briefcases, lunch boxes, or any other possession or articles carried to and from Borough premises. In addition, the Borough reserves the discretion to inspect any employee's office, desk, files, locker or any other area or article on Borough premises.

Further, any employee may be asked to consent to such inspections, including, but not limited to, emptying the contents of any item or locked container, or opening the trunk or any compartment of an automobile parked on Borough premises. Such consent is a condition of continued employment.

Electronic Communications Policy

"Electronic Communication Systems" or "Systems" means computers, laptops, servers, cell phones, personal assistant or other mobile electronic communications devices, electronic communication networks and software, owned or administered by the Borough.

The Borough provides and maintains Electronic Communication systems. The purpose of these systems is to conduct Borough business and must be used with the utmost care and judgment. The electronic communication systems, including but not limited to all computers and terminals, are Borough property. Accordingly, all messages composed, sent, stored or received on these systems are and remain the property of the Borough. They are not the private property of any employee. The use of Electronic Communication systems is reserved solely for the conduct of Borough business. These systems may not be used for personal reasons.

Employees do not have a personal privacy right to any communication created or sent from the Borough's Electronic Communication System or stored or received by such systems. The Borough, in its discretion expressly reserves the right to access, retrieve, read, audit, or monitor any communication that is stored in the Electronic Communication systems. The contents of electronic mail (e-mail) messages or text messages or any other electronic messages created on or stored in the system or received or sent to the system may be disclosed to individuals deemed appropriate by the Borough, including law enforcement officials and/or government agents, without the permission of the employee, with or without notice. The confidentiality of any message created, stored, received or sent on the E-Mail systems should not be assumed. The use of passwords for security does not change this.

Please note that email sent through the Borough's Electronic Communications Systems are stored on a hard-drive and can be retrieved by the Borough even if such emails are transacted

through a private, password protected account, such as Yahoo, AOL or Gmail. Likewise, any web-based search on the Internet is stored and may be retrieved.

The systems are not to be used to create, store, receive or send any offensive, intimidating, hostile or disruptive messages. Among those which are considered offensive, are any messages which contain sexual implications or innuendo, racial slurs, gender-specific comments, or any other comment that offensively addresses age, sexual orientation, religious or political beliefs, race, national origin, or disability. The Borough's policy against sexual or other harassment applies fully to the Electronic Communication Systems.

Notwithstanding the Borough's right to retrieve and read any email messages, such messages should be treated as confidential by other employees and accessed only by the intended recipient. Employees should only disclose information or messages obtained from the Electronic Communication System to employees authorized to have such information. Employees are not authorized to retrieve or read any email messages that are not addressed to them. Employees shall not use any password or code, access a file, or retrieve any stored information, unless authorized to do so by an appropriate supervisor. Employees should not attempt to gain access to another employee's messages without such employee's permission.

The provisions of the Borough's solicitation and distribution policy apply fully to the Email systems. Email systems cannot be used to solicit others for non-business purposes, including, but not limited to, raffles or lotteries, donations, or for membership in any social, community, fraternal, political or labor organizations. Email systems cannot be used to distribute information or material of a non-business nature, including, but not limited to offensive material, pornography or membership in any organization referenced above.

The Borough may disclose, without notice to employees, any electronic communications to third parties, including law enforcement authorities.

Any employee who violates this policy or uses electronic communication systems for any purpose deemed improper or unreasonable by the Borough will be subject to discipline, up to and including termination.

Internet Use Policy

The Borough provides access to the Internet on its computer systems. It is provided as a business tool to assist employees in accomplishing business goals. Good judgment must be used at all times. Use of the Internet for non-business reasons is limited to incidental personal use that does not interfere with job responsibilities, but the following personal uses are strictly prohibited: playing games of any kind; downloading video or audio; viewing, obtaining or distributing pornography or other sexually related material; engaging in another business; engaging in a crime; or downloading copyrighted software.

Employees do not have a personal privacy right to any Internet search or to any download from an Internet site. At the Borough's discretion, Internet usage will be monitored and/or audited by any feasible means, including but not limited to, maintaining Internet use logs or conducting a search of browsers installed on Borough-owned computers.

The Borough may, without notice to employees, disclose to third parties, including law enforcement officials, any information relating to employee internet use or activity, or specific identifiers, such as name, password or other information, associated with such use or activity. Search results may be disclosed to individuals deemed appropriate by the Borough, including law enforcement officials and/or government agents, without the permission of the employee, with or without notice.

Any employee who is aware of a violation of this policy, or who reasonably suspects that the policy is being violated, must notify the Borough Administrative Officer immediately.

Employee Relations

The Borough's policy is to provide wages and benefits that compare favorably with those at other companies in our region and industry. We also strive to provide the safest and best possible working conditions for you.

One of our primary goals is to successfully meet our responsibilities to you, our employee, both as an individual, and as a contributing member of our team. This is accomplished by managing the Borough in such a way that you will always be treated with respect and dignity. We believe every person deserves to be treated in this manner, in any situation. We also believe this principle helps make the Borough successful. And, in this environment, we can work together to solve any problems that may arise.

Recording Policy

The purpose of this policy is to set forth expectations regarding the recording of meetings or other conversations at the Borough, offsite at Borough organized events, and over the phone between members of our community. The intent of this policy is to strike a balance between the legitimate uses of audio and visual recordings, and concerns including compliance with the law, privacy, and protection of intellectual property. In an effort to comply with New Jersey law, promote the freedom to share ideas and to respect the privacy of community members, secret recording of meetings or other conversations is prohibited. Meetings may be audio-recorded with the prior consent of the parties involved. Video recordings require special handling and consent under this policy.

It is expected that officials, professionals, and staff will respect the privacy of other individuals in the workplace setting. Consequently, secret recording (audio or video) of meetings or other conversations, including telephone calls, is prohibited, as not compatible with the law or the

promotion of an open exchange of ideas. Recordings may serve many legitimate workplace purposes. However, the Borough does not condone recording of any Borough activities when participants are unaware that such recordings are being made. In order to promote an environment of trust and collegiality, recordings may be made only with the prior consent of the parties involved. Covert/secret recording of any in-person or telephone conversation or meeting occurring at the workplace, including any facility or other governmental setting, or conversations or meetings offsite that deal with workplace issues is prohibited. Employees are also prohibited from arranging for others to record conversations, telephone calls or other work activities, unless specifically permitted by the participants. It is also a violation of this policy to download recorded conversations to a computer, upload them to the internet, or otherwise share, transmit or publish such recordings without the prior written consent of all participants (unless the participants have agreed in writing to such action).

Video recordings present additional privacy concerns, and potential concerns with copyright and intellectual property issues. Therefore, video recordings should only be allowed under conditions completely understood and approved in advance in writing. Video recordings shall not be publicly shared, such as on the internet or in public viewings, without the written consent of the Borough and others being recorded.

Surveillance cameras/equipment and software may be placed on Borough property by authorized Borough personnel to prevent or deter crimes and protect public safety and to facilitate official Borough investigations into criminal activities or violations of Borough policy. Violation of New Jersey Law may lead to criminal sanctions and/or exposure to civil liability. Violation of this policy by a Borough official, professional or personnel may lead to disciplinary action. Violation of the policy by an employee may lead to disciplinary action up to possible termination.

Conflict of Interest

Every employee is expected to avoid any investment, interest, association or activity which might interfere or appear to interfere with the exercise of their judgment in the Borough's best interests, or conflict with the loyalty he owes to the Borough. Such interference or conflict can result from actual or potential personal benefit from another source, or from divulging to others confidential information about the Borough's operations and affairs.

Conflicts of interest may arise:

1. When an employee or a member of their household works for or has a significant direct or indirect financial interest in, or obligation to, an actual or potential competitor, supplier, or customer of the Borough.

2. When an employee conducts business on behalf of the Borough with a supplier or customer of which a relative or household member is a principal officer or representative.

3. When an employee accepts gifts or anything of more than token or nominal value from an actual or potential competitor, supplier or customer.

4. When an employee divulges or misuses trade secrets or confidential information concerning such items as the Borough's finances, operations, methods, products, or services.

Employees are expected to consult with their immediate supervisor with respect to the interpretation and implementation of this policy.

New Jersey Conscientious Employee Protection Act

A. New Jersey law prohibits an employer from taking any retaliatory action against an employee because the employee does any of the following:
    1. Discloses, or threatens to disclose, to a supervisor or to a public body an activity, policy or practice of the employer or another employer, with whom there is a business relationship, that the employee reasonably believes is in violation of a law, or a rule or regulation issued under the law, or, in the case of an employee who is a licensed or certified health care professional, reasonably believes constitutes improper quality of patient care;

    2. Provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into any violation of law, or a rule or regulation issued under the law by the employee or another employer, with whom there is a business relationship, or, in the case of an employee who is a licensed or certified health care professional, provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into quality of patient care; or

    3. Provides information involving deception of, or misrepresentation to, any shareholder, investor, client, patient, customer, employee, former employee, retiree or pensioner of the employer or any governmental entity.

    4. Provides information regarding any perceived criminal or fraudulent activity, policy or practice of deception or misrepresentation which the employee reasonably believes may defraud any shareholder, investor, client, patient, customer, employee, former employee, retiree or pensioner of the employer or any governmental entity.

    5. Objects to, or refuses to participate in, any activity, policy or practice which the employee reasonably believes:
        a. is in violation of a law, or a rule or regulation issued under the law or, if the employee is a licensed or certified health care professional,

constitutes improper quality of patient care;

b. is fraudulent or criminal; or

c. is incompatible with a clear mandate of public policy concerning the public health, safety or welfare or protection of the environment. N.J.S.A. 34:19-3.

B. The protection against retaliation, when a disclosure is made to a public body, does not apply unless the employee has brought the activity, policy or practice to the attention of a supervisor of the employee by written notice and given the employer a reasonable opportunity to correct the activity, policy or practice. However, disclosure is not required where the employee reasonably believes that the activity, policy or practice is known to one or more supervisors of the employer or where the employee fears physical harm as a result of the disclosure, provided that the situation is an emergency in nature.

C. Employees with a whistle blower complaint are asked to report it to the Borough Administrative Officer.

The administration of whistle blower complaints is not subject to the limitations of the grievance policy for Borough employees who are also members of a Union. In accordance with the statute, a copy of this policy will be posted in all facilities.

Dating or Fraternization

The Borough does not wish to infringe upon the purely social activities of its employees or to discourage friendships among them. On the other hand, the Borough has an obligation to maintain a work environment that is free from the kind of relationships between employees that may impact adversely on employee morale and productivity, or that may result in favoritism, discrimination or unfair treatment or the perception of such.

Accordingly, the Borough has adopted the following policy on the subject of employee "dating" or fraternization.

1. This policy applies only to employees who are in a supervisor-subordinate status. This includes situations where one employee makes or has the authority or opportunity to make decisions or to take action concerning another employee's compensation, promotion, demotion, or any other terms, conditions or privileges of employment.

2. It is contrary to the Borough's interests for employees who are in a supervisor-subordinate status (as that term has been explained) to be engaged or involved in an intimate, romantic or "dating" relationship with one another, or to encourage or permit such a relationship to exist.

3. If such a relationship exists or develops, both parties involved shall report the fact to management.

4. When the Borough ascertains that such a relationship exists, it may in its discretion attempt to resolve the matter by transferring one of the parties, or it may take any other action which it deems appropriate.

5. Any employee who violates this policy will be subject to disciplinary action, up to and including discharge. The Borough will regard a violation as particularly serious if it has caused or led to favoritism, discrimination, unfair treatment, or impairment of Borough operations.

6. Nothing in this policy alters an employee's at-will status.

Political Activity Policy

Employees have exactly the same rights as any other citizen to join political organizations and participate in political activities, as long as they maintain a clear separation between their official responsibilities and their political affiliations. Employees are prohibited from engaging in political activities while performing their public duties and from using Borough time, supplies or equipment in any political activity. Any violation of this policy must be reported to the supervisor, Department Head, Administrative Officer, or the Borough Attorney.

Use of Borough Vehicles

Borough-owned vehicles are Borough property. As such, employees that use Borough-owned vehicles must do so safely and with the utmost care, which includes strict compliance with all motor vehicle codes and laws.

Employees shall use Borough-owned vehicles for the sole purpose of conducting Borough business. Passengers shall include only Borough employees, customers and vendors. Vehicles may be taken home temporarily only with the advance approval of the Administrative Officer and/or Department Head. When an employee takes home a Borough vehicle, it is to be used only for official Borough business and any other use is not permitted. Any violation of this policy constitutes cause for disciplinary action.

When using Borough-owned vehicles for any reason, employees are prohibited from using hand-held phones while driving or driving while impaired, intoxicated or fatigued. Further, as a condition of using Borough-owned vehicles, employees may be asked to submit evidence of a valid drivers' license and/or comply with a request for a motor vehicle report at the discretion of the Borough. Employees who use Borough-owned vehicles must also notify the Borough

immediately upon the revocation or suspension of his/her drivers' license or upon conviction, or plea of guilty, of any motor vehicle offense, however minor.

Bulletin Board Policy

The bulletin boards located in the Borough administrative buildings and other facilities are intended for official notices regarding policies, procedures, meetings and special events. Only personnel authorized by the Borough Clerk may post, remove, or alter any notice.

Use and Care of Borough Equipment

All equipment provided to an Employee shall be utilized solely for Borough business. Employees shall keep all such equipment in good order and shall immediately notify the Department Head in the event repair to Borough equipment is required.

In the event an employee shall negligently misplace, lose or damage any Borough provided cell phone or radio transmitting equipment, the employee shall be responsible for the payment of the repair or replacement thereof.

Upon termination of employment, all Borough equipment shall be returned to the Borough Administrative Officer.

Educational (Tuition) Refunds

Subject to sufficient funds in the budget and upon approval of the Department Head, employees may apply for reimbursement of tuition expenses incurred for training or college courses directly related to the employee's work. The Borough Administrative Officer will be the sole judge of whether a particular course or program is "directly related" to the employee's work and such course or program must be pre-approved by the Borough Administrative Officer to qualify for reimbursement.

Employees, who receive financial assistance from the Borough to obtain a specific license, certification or degree may, as a condition of such assistance, be required to entre into an agreement with the Borough to require repayment in the event the employee does not remain as an employee for a designated period of time after obtaining the license, certification or degree.

Conference and Seminar Policy:

Requests to attend a conference or seminar must be approved by the Department Head and the Borough Administrative Officer. Requests shall be made sufficiently in advance to take advantage of discounts for early registration and must be submitted to the Department Head at least thirty (30) days before the event. Requests must be in writing including the conference

schedule, registration information and estimated costs. The Department Head is responsible for detailing all training requests during the budget formulation process. Approval of any conference or seminar request is conditioned upon the availability of funds.

Terminal Leave

All full-time permanent employees hired on or before December 31, 1995 who retire with less than twenty-five (25) years of service with the Borough and who qualify for a pension under state law by reason of length of service or service-connected disability, shall be entitled to terminal leave in the amount of one and one-half (1 ½) days for every year of full time service.

All full-time permanent employees hired on or before December 31, 1995 who retire with twenty- five (25) years of service or more with the Borough and who qualify for a pension under state law by reason of length of service or service-connected disability, shall be entitled to terminal leave in the amount of two (2) days for every year of full time service.

Longevity Compensation

Eligibility

All full-time employees hired on or before December 31, 1995 shall be entitled to Longevity compensation in accordance with this Section. Any employee hired on or after January 1, 1996 shall not be eligible for longevity compensation. An employee must work an average of at least thirty-five (35) hours per week in any year of service to be eligible.

Calculation of Amount

In addition to the salaries payable, all eligible employees shall receive a longevity payment calculated with reference to the employee's base salary in effect on December 31 of the calendar year preceding the date of payment. The amount of the longevity payment shall be calculated in accordance with the following schedule:

Years of Service	Additional Compensation (per Annum) (Percentage of Salary)
5	2
10	4
15	6
20	8
25	10

Calculating Years of Service

All periods of employment shall be computed from January 1 of the year of taking office, appointment or employment, unless said date was subsequent to June 30, in which case the calculation shall be computed from January 1 of the year following. Additional compensation of any nature, including overtime, shall not be considered in computing longevity compensation. Eligible Employees shall be credited with all time served with the Borough, whether consecutive or nonconsecutive, and whether served on a full-time or a part-time basis, as defined above. Any interruption of service due to a cause beyond the control of the employee, such as military service, injury in the line of duty or illness, shall be considered as service for the purpose of determining the length of service. Leaves of absence granted at the request of the employee shall not be considered in determining length of service.

Compensation of Employee Expenses

All employees traveling on pre-approved Borough business or using personal assets for Borough purchases shall be compensated for expenses according to the following schedule:

- Lodging and Meals - all reasonable, preapproved expenses;
- Purchases - all verified, preapproved expenses
- Automobile Expenses - in accordance with the Internal Revenue Service standard mileage rates for employees, self-employed individuals, or other taxpayers to use in computing the deductible costs of operating an automobile for business, charitable, medical, or moving expense purposes;

All travel expenses must be itemized and accompanied with receipts. The appropriate Department Head must approve the expenses prior to reimbursement, except that any expense or expenses in excess of one hundred fifty ($150.00) dollars must be approved by the Governing Body.

Resignation of Employment

Employees who voluntarily resign from the Borough are asked to provide at least two (2) weeks' advance notice of their resignation. The notice should be in writing and state the reason for resigning and the anticipated last day of work. The notice shall also request the removal of personal items and set forth a list of such items and their location. If personal items are stored on the Borough computer systems, retrieval must be made in the presence of at least one Borough representative.

If such notice is given, the Borough shall pay the resigning employee the value of any paid time off allotment, excluding sick days and personal leave, with their final paycheck, which shall be in the form of a live check and mailed to the former employee. The notice does not guarantee employment or wages during the notice period and the Borough reserves the right to make a

discharge decision at any time, with or without cause. Final wages shall represent time worked only.

Prior to the last day of work or at the request of the Borough, the resigning employee must return all Borough property, including but not limited to, keys, access card, cell phone, lap top, hardcopy and electronic files, and all proprietary information held or stored in any medium by the employee. The Borough reserves the right to conduct an inspection and/or an investigation to locate or recover Borough property, with or without the resigning employee's permission. Failure to return Borough property may lead to immediate discharge and legal action against the employee to recover Borough property and monetary damages.

The Borough shall determine under its sole discretion whether to provide the resigning employee with an escort from the Borough's premises. Such escort shall not imply any wrongdoing on the part of the resigning employee.

Work Force Reduction

Pursuant to N.J.A.C. 4A: 8-1.1 the Borough may institute layoff actions for economic, efficiency or other related reasons, but will first consider voluntary alternatives.

Employee Records, Confidentiality and the Duty of Confidence

This policy covers persons who have access to employee information and all employee records.

In the context of this policy, "employee" is used to refer to current, former and prospective employees.

"Employee information" is information about an employee, including, but not limited to, mailing address and/or residence address, social security number, telephone number, marital status, health status, disability, sex, age, national origin, number of dependents, beneficiaries, personnel matters and actions, qualifications and compensation. "Employee information" also includes opinions about an employee's job performance and work habits and opinions and other privileged information received from inside or outside legal counsel or other learned experts, including staff.

An "employee record" is anything that contains employee information (in any media) about an employee, including medical records.

Information about employees is private and confidential. Employees who have access to such information have a "duty of confidence" to ensure that such information is kept confidential. Employees who have access to employee information and/or employment records shall not disclose such information to any person within or outside the corporation, except to individuals

known to be authorized to receive such information. Such employees and individuals shall act with due care to avoid the inadvertent disclosure of such information to anyone else.

All employee records shall be kept safe and secure in locked drawers and cabinets, and password protected if stored electronically. Employees may have access to any employee record to which they have previously signed or acknowledged receipt in writing. Requests for employee information from persons outside the organization shall be directed to the Administrative Officer.

When in doubt as to the applicability or interpretation of this policy, employees who have access to employee information and/or employment records shall consult directly with the Borough Administrative Officer.

Employees, based on their job title and responsibilities, may be required to sign a confidentiality agreement.

Respect and Professionalism in the Workplace

Every employee should be treated with dignity and respect and employees are expected to conduct themselves professionally at all times. If, at any time, an employee believes that they are being threatened, badgered, intimidated or bullied in any way, he or she should report it immediately to a supervisor.

The Borough will follow procedures it deems proper under the circumstances and will exercise its discretion to maintain fairness to all parties. The Borough may exercise its discretion to take whatever action it deems necessary, including but not limited to, placing an employee on leave of absence, reassignment, suspension, demotion, or discharge, or any other action. The Borough also reserves the right to require counseling, training and/or monitoring as a condition of continued employment.

Non-Retaliation

The Borough will not tolerate retaliation against any person for reporting a violation of this policy or for providing information in connection with any inquiry made under this policy.

The Borough's Authority and Discretion

Please note that while this policy declares the Borough's goal to maintain a respectful and dignified working environment, it is not designed or intended to limit the Borough's authority or discretion to make any and all employment decisions, including decisions about discipline, discharge or other corrective action, concerning employee conduct that the Borough deems unprofessional.

Social Media Policy

This policy applies to all social networking sites, blogs, electronic boards and forums, videos, photo image and similar sites, including those subjects to personal subscription (herein referred to as "Social Media"). The absence of, or lack of explicit reference to a specific site does not limit the extent of the application of this policy.

1. Keep internal communications and information confidential. Internal communications programs that the Borough uses to provide employees with information about the Borough, including town hall meetings, employee forums, internal e-mails and memos, are designed specifically to inform and engage our colleagues about our Borough. While some of the information discussed as part of these communications may already be public, they are not designed for external audiences and it is important that the information be kept confidential. Employees may not take information that is provided internally and post it to internet message boards or blog sites, nor disclose it in other public forums. Photos of internal-only presentations, slides, designs, prototypes and/or meetings should not be shared on social media.

2. The Borough's image and reputation are important assets. Every employee is personally responsible for conducting themselves consistent with the Borough's mission and values and to refrain from activities and conduct that may harm the Borough's assets.

3. Borough logos, trade names, trademarks and websites may not be used without prior approval.

4. Your online presence should reflect your own views and opinions. Be aware that any images, posts, or comments can be perceived as reflecting that of the Borough. Thus, when making statements relating to work, you should have a clear disclaimer that the views you are expressing are yours alone, and not that of the Borough.

   Twitter or other similar platforms with very restrictive word count allowances – use one of the following options at the end of your bio. (It is not necessary to include this information in actual posts):

   - Tweets my own.
   - Views my own.
   - All thoughts my own.

   For individual posts you may be authoring on other platforms with less restrictive word counts, including comments on blogs and news sites – use one of the following options, appended to the end of your post or comment:

   For individual posts you may be authoring on other platforms with less restrictive word counts, including comments on blogs and news sites – use one of the following options, appended to the end of your post or comment:

- the opinions expressed in this post and in any corresponding comments are the personal opinions of the original authors, not those of [the Borough]. They may not be used for advertising or product endorsement purposes.
- the opinions expressed in this post and in any corresponding comments are the personal opinions of the original authors, not those of [the Borough].

5. Be respectful of the Borough, its employees, customers, suppliers, partners or competitors. It is never appropriate to discuss or post personal information about other colleagues, customers, patients, clients, plan members, or partners unless we have their written consent to do so. It is never appropriate to post protected health information, Social Security numbers, account information, or any other information that constitutes "personal information" Please respect the privacy of others when choosing what you share and post.

6. Do not take or share photos from non-public areas or internal meetings. Photos taken in break rooms, stock rooms, conference rooms, and any other area that is not open to the public should not be shared on social media for any reason. Borough confidential information, like staffing, inventory, Borough goals/strategies and patient information could be compromised. Any photos of Borough presentations/slides, documents, notices or computer screens of any kind are also not allowed on any social media platforms or channels.

7. Statements, photos or videos should not be humiliating, defamatory, slanderous, malicious, harassing, bullying, obscene, threatening or intimidating and should not disparage, embarrass or portray the Borough or anyone else in a false light.

8. Leave employee recommendations to the formal process. Professional Employment recommendations, references or testimonials regarding current and former Employees should not be made in a social media posting. These are matters to be handled by a Borough representative.

9. Use Borough established channels for job-specific issues. The Borough encourages employees to direct complaints or concerns about the job or working environment to their supervisor.

10. Respect copyright laws, and reference or cite sources appropriately. Plagiarism and theft apply online as well.

11. Social Media activities should not interfere with work. Accessing Social Media from the Borough's computer network or electronic communications systems waives any expectation to privacy that an employee may have to any image, post or comment.

12. Social Networking Media may be monitored by the Borough to ensure compliance with this and other Borough policies.

Where no guideline exists, employees should use their best judgment and take the most prudent action possible. Consult with your manager or supervisor if you are uncertain. Nothing in this policy modifies the at-will employment relationship, meaning the Borough reserves the right to terminate employment for any reason, with or without cause, subject to applicable law including the National Labor Relations Act which provides employees the right to use social media to speak about working conditions and wages.

Health Insurance Policy

Employees and their immediate family members are provided health insurance in accordance with plans approved by the Borough which shall include major medical, prescription, dental, and vision subject to any required contributions. The complete benefit plan is on file with the Benefits Coordinator and a Summary Plan Description will be provided to all employees. Benefit levels for non-unionized employees are subject to change at the discretion of the Borough.

Health Insurance Coverage for employees on a Leave of Absence or who cease Borough employment will terminate at the end of the month in which the leave begins or employment is terminated except coverage will continue for up to twelve (12) weeks for employees on leave pursuant to the Family and Medical Leave Act and up to thirty (30) weeks for employees on Military Leave. Upon termination of coverage, employees may extend health insurance coverage for themselves or their dependents by taking advantage of the COBRA provision for a period of up to eighteen (18) months. For more information, consult the Borough Administrative Officer and/or Benefits Coordinator.

Employees who retire under the provisions of the applicable retirement plan for the employees of the Borough with twenty–five (25) years of continuous service credited under such retirement plan and continued in full-time service at the Borough of Kenilworth for 15 or more years when they retire, may continue to receive paid health insurance coverage. Employees receiving retiree health benefits must notify the Benefits Coordinator and/or Borough Administrative Officer in writing, with proof of enrollment, when they become eligible for Medicare Parts A and B.

Employees who retire and are eligible to receive paid retiree health coverage from the Borough are required to pay their portion of the cost as provided for in P.L. 2011, Chapter 78.

For more information, consult the Borough Administrative Officer and/or Benefits Coordinator.

Health Insurance Option to Waive Coverage (added 9/23/09)

Effective as of January 1, 2010, each employee shall have the option of waiving coverage in the Borough's hospitalization insurance program, currently administered by the State Health Benefits Program (SHBP). Such waiver shall be elected during the Open Enrollment Period for 2010 and thereafter. An employee who wishes to waive coverage hereunder shall submit to the Borough and the SHBP sufficient evidence that the employee has other health insurance coverage.

In the event of an approved waiver of coverage, the Borough shall pay to the employee an amount which **shall not exceed 25%, or $5,000, whichever is less**, of the amount saved by the Borough because of the employee's waiver of coverage. Such amount will be paid in equal monthly installments beginning with the last payday in January, or the first full month following the effective date of the waiver, as the case may be. In the event of the employee's termination of employment (for any reason), the payments hereunder shall cease.

An employee shall be permitted to re-enroll in the Borough insurance program at any time such re-enrollment is permitted by the insurance carrier, within 60 days of the loss of the other coverage and after providing proof of loss of the other coverage. Notice must be provided to the Borough and the insurance carrier to initiate re-enrollment. Understanding and complying with the Rules regarding enrollment and re-enrollment of coverage are subject to change and are the sole responsibility of the employee. The Borough assumes no responsibility or obligation if the employee having waived coverage is unable to reinstate their coverage. The employee must sign a waiver provided by the Department of Treasury, Division of Pensions.

Retirement Policy

Under State law, Borough employees, with some limited exceptions, must enroll in the New Jersey Public Retirement System or the Police and Fire Fighters Retirement System as applicable.

The employee's contribution to the Plan will be deducted from the employee's pay. An employee who has completed the required number of years and who has reached the required age under the Plan may retire by notifying the Department Head in writing. The State retirement plans request six months advance notice to process the application. After giving notice of retirement, employees are expected to assist their supervisor and co-employees by providing information concerning their current projects and help in the training of a replacement. The Department Head will prepare an Employee Action form showing any pay or other money owed the employee. The Borough Administrative Officer will conduct a confidential exit interview to discuss benefits including COBRA options, appropriate retirement issues and pay due. A COBRA notification letter will be sent to the employee's home address.

The exit interview will also include an open discussion with the employee. On the last day of work, and prior to receiving the final paycheck, the employee must return the Employee

Identification Card, all keys and equipment. At this time, the employee will sign the termination memo designating all money owed and this memo will be retained in the official personnel file.

Adopted –

January 13, 2021 Resolution #8

Revised –

December 6, 2023 Resolution #2023-___

Acknowledgement and Receipt of Employee Handbook

I have on this day received a copy of the Borough Employee Handbook. I understand that it is my responsibility to read it, and to comply with the policies and procedures described in the Handbook.

I also understand that this handbook, which replaces all previously issued handbooks and policy statements, is provided as a matter of reference and is not an employment contract.

I also understand that my employment relationship with the Borough is "at-will", meaning that regardless of anything contained in this handbook and regardless of any custom or practice, the Borough makes no promises and remains free to change policies, benefits, and all other working conditions without having to consult anyone or obtain anyone's agreement.

I understand that I can terminate my employment at any time and that Borough retains the absolute power to terminate my employment at any time, with or without cause, and without prior notice.

_____

Name

_____

Date

_____

Employee's Signature