



Kearny Town Council

Caucus / Regular Meeting

~ Agenda ~

402 Kearny Avenue
Kearny, NJ 07032
www.kearnynj.org

Admin

Tuesday, March 13, 2018

7:00 PM

Kearny Town Hall

I. CALL TO ORDER: PUBLIC MEETINGS LAW NOTICE

II. ROLL CALL

Attendee Name	Present	Absent	Late	Arrived
Council Member Carol Jean Doyle	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Council Member Michael Landy	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Council Member Susan McCurrie	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Council Member Eileen Eckel	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Council Member Albino Cardoso	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Council Member Richard Konopka	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Council Member Marytrine DeCastro	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Council Member Peter Santana	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Mayor Alberto G. Santos	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

III. SALUTE TO THE FLAG

IV. CONDUCT OF MEETING NOTICE

V. CAUCUS MEETING

A. Communications

- Marybeth Kennedy, Service Unit Cookie Manager/Coordinator for Girl Scouts in Kearny, Harrison and E. Newark: requesting permission to hold a drive thru Girl Scout cookie booth sale on Saturday, April 7, 2018 and Sunday, April 8, 2018 between 9 a.m. and 2 p.m. in the parking lot section of the Norman A. Doyle Pavilion. **M&C/POLICE/DPW/REC**

- Kim Luciano of Kearny Cares E.A.D.D.: requesting permission on behalf of the members of EADD/Kearny Cares to hold a candlelight vigil at the American Revolutionary Bicentennial Park on Thursday, May 10, 2018 at 7:00 p.m. (setup to begin at 6:00 p.m.) in remembrance of those loss to addiction and to show support for those fighting addiction.

M&C/POLICE/FIRE/DPW

- Lucy Guevara, President of the KHS Band Parents Association: requesting permission to have a fundraising Flea Market for the Band at the Frank A. Vincent Marina on Sunday, November 11, 2018.

M&C/POLICE/DPW/REC

- David Paszkiewicz, Head Coach of KHS Girls Crew: requesting permission to have a canning fundraiser on Saturday, June 2, 2018 to raise monies for the Kearny High School Crew Booster Organization.

M&C/POLICE/DPW/REC

- Pathways to Independence, Inc.: requesting permission to use the Frank A. Vincent Marina on Sunday, April 8, 2018 to hold a Flea Market to benefit programs operated by Pathways to Independence, Inc.

M&C/POLICE/DPW/REC

6. Michelle Rodriguez, Kearny resident: requesting permission to hold a candlelight vigil ceremony in honor of Adrian Velazquez, an exceptional and outstanding young Kearny resident and standout soccer star who passed away tragically on March 3, 2018. The candlelight vigil will be held on Thursday, March 15, 2018 at 7:30 p.m. at Harvey Field where Adrian spent his time playing soccer with family, friends, and teammates.

M&C/POLICE/FIRE/DPW

7. LICENSES: 3 - PARKING PERMITS that include:
 - 1 - AMERICAN LEGION/VFW Lot
 - 2 - PARKING PERMIT -MANDEE
 - 2 - JUKE BOX;
 - 1 - PINBALL/VIDEO MACHINE;
 - 2 - RAFFLE;
 - 10 - USED CAR LOT

LICENSES

B. Reports of Department Heads

1. Library Director's Annual Report for 2017
2. Construction Code Enforcement Department Report for February 2018
3. Kearny Water Department's Operations Report for February 2018
prepared by SUEZ Water Environmental Services, Inc.
4. Engineer's Report dated March 13, 2018
5. Engineer's Report on Gunnell Oval Project dated March 13, 2018
6. Engineer's Report on Dukes, Devon Tappan, Hoyt (DDTH) Pumping Station Project dated March 13, 2018

C. Proclamations honoring:

Proclamations honoring:

1. Tom Atwell, Grand Marshal of the St. Patrick's Day Parade
2. John Francis "Jack" Pettigrew, Deputy Grand Marshal of the St. Patrick's Day Parade
3. Christine Myles Nash, Deputy Grand Marshal of the St. Patrick's Day Parade

Proclamation Proclaiming April 27, 2018 as the 146th Anniversary Celebration of Arbor Day in the Town of Kearny

D. Reports of Council Members**VI. OPPORTUNITY FOR MEMBERS OF THE PUBLIC TO COMMENT ON AGENDA ITEMS AND MATTERS OF THE PUBLIC INTEREST****VII. BUSINESS OF THE MAYOR AND COUNCIL: ORDINANCES FOR INTRODUCTION****Ordinance 2018-14**

Ordinance Vacating Handicapped Parking Zones at 435 Davis Avenue, 130 Hoyt Street and 209 Devon Street

Ordinance 2018-15

Ordinance Establishing Handicapped Parking Zone at 683 ½ Chestnut Street

VIII. BUSINESS OF THE MAYOR AND COUNCIL: ORDINANCES FOR 2ND READING (PUBLIC HEARING)**IX. PUBLIC HEARING ON RESOLUTION 2018-179**

RESOLUTION AUTHORIZING THE USE OF ENTERPRISE ZONE ASSISTANCE FUNDS FOR THE KEARNY PUBLIC SAFETY PROJECT YEAR 9 IN AN AMOUNT OF NOT TO EXCEED \$119,410 (INCLUDES LOCAL SHARE OF NOT TO EXCEED \$47,765) DURING THE PERIOD OF JANUARY 1, 2018 THROUGH JUNE 30, 2018.

X. PUBLIC HEARING ON RESOLUTION 2018-180

RESOLUTION AUTHORIZING THE USE OF ENTERPRISE ZONE ASSISTANCE FUNDS FOR THE KEARNY CLEAN PROJECT YEAR 9 IN AN AMOUNT OF NOT TO EXCEED \$30,940 (INCLUDES LOCAL SHARE OF \$12,375) DURING THE PERIOD OF JANUARY 1, 2018 THROUGH JUNE 30, 2018.

XI. BUSINESS OF THE MAYOR AND COUNCIL: MOTIONS AND RESOLUTIONS**CONSENT AGENDA: All matters listed with an asterisk (*) are considered to be**

routine and non-controversial by the Mayor and Council and will be approved by one motion. There will be no separate discussion of these items unless a Council Member or citizen so requests, in which case the item may be removed from the Consent Agenda and considered in its normal sequence on the agenda.

A. *Minutes be Approved (pending any corrections): Regular Meeting February 20, 2018

B. *Motion to Suspend the Reading of Communications (read by title)

Resolution 2018-155

(*) Bills List Resolution

ATTACHMENTS:

- March 13 2018 Bill List Schedule (PDF)
- March 13 2018 Bill List Schedule (PDF)

Resolution 2018-156

(*) Resolution Authorizing Tax Overpayment Refund in the Amount of \$10,437.38 to 3 Grove Realty, LLC for 2017 Taxes, Block 64, Lot 1.

Resolution 2018-157

(*) Resolution Cancelling 2018 Taxes (Quarter 1 and 2) in the Amount of \$3,552.17 for Block 263, Lot 13, as a Result of Disabled Veterans' Exemption.

Resolution 2018-158

(*) Resolution Authorizing the Return of Unused Escrow Deposit to The Hartz Group, Inc. d/b/a Hartz Mt. Ind., Inc., in the Amount of \$238,690.22 Relative to Site Plan Application #534 at 435 Bergen Avenue, Block 286, Lot 4.

Resolution 2018-159

(*) Resolution Authorizing the Return of Unused Escrow Deposit to The Hartz Group, Inc. d/b/a Hartz Mt. Ind., Inc., in the Amount of \$611,275.75 Relative to Site Plan Application #534 at 435 Bergen Avenue, Block 286, Lot 4.

Resolution 2018-160

(*) Resolution Authorizing the Return of Unused Escrow Deposit to RTC Properties, Inc. in the Amount of \$48,956.71 Relative to Site Plan Application #2014.14 at 100 Central Avenue, Block 288, Lot 10.01.

Resolution 2018-161

(*) Resolution Authorizing the Return of Escrow Deposit to Firstech Environmental, Inc. in the Amount of \$1,000.00 Relative to the Environmental Remediation at 164 Seeley Avenue, Block 144, Lot 22 and Pursuant to Resolution No. 2017-517.

Resolution 2018-162

(*) Resolution Authorizing Permission to Encroach Upon Town Right of Way at 417-421 Kearny Avenue, Block 66, Lot 3, for the Purpose of Installing an Awning Sign.

ATTACHMENTS:

- NEA Report 417 Kearny Avneue Awning Encroachment 03-08-18 (00074859xD43F8) (PDF)

Resolution 2018-163

(*) Resolution Granting Permission to PSE&G for Road Opening Permit at 23 John Hay Avenue, Block 228, Lot 22, in Order to Install New Gas Service.

ATTACHMENTS:

- NEA Report 23 John Hay Avenue Opening [Protected] [PSE G] 03-08-18 (00074867xD43F8) (PDF)

Resolution 2018-164

(*) Resolution Granting Permission to PSE&G for Road Opening Permit at 72 Argyle Place, Block 174, Lot 5, in Order to Install New Gas Service.

ATTACHMENTS:

- NEA Report 72 Argyle Place Opening [PSEG Gas] 03-08-18 (00074869xD43F8) (PDF)

Resolution 2018-165

(*) Resolution Granting Permission to PSE&G for Road Opening Permit at 175 Windsor Street, Block 55, Lot 19, in Order to Install New Gas Service.

ATTACHMENTS:

- NEA Report 175 Windsor Street Opening [Protected] [PSE G] 03-08-18 (00074871xD43F8) (PDF)

Resolution 2018-169

(*) Resolution Authorizing a Refund in the Amount of \$10.00 to Price, Meese, Shulman & D'Arminio, P.C. for Overpayment of a 200' Property Owner's List.

Resolution 2018-170

(*) Resolution Authorizing Refund of Construction Permit Application Fee to Hudson Real Estate Partners in the Amount of \$479.00 for 144 Johnston Avenue, Block 4, Lot 11 as a Result of a Duplicate Payment.

Resolution 2018-171

(*) Resolution Authorizing Three (3) Hours Overtime to Jonathan Szura, Technical Assistant Land Use in the Construction Code Enforcement Office, to Attend the Zoning Board Meeting on March 6, 2018 Serving as Secretary to the Board. (\$103.12)

ATTACHMENTS:

- OVERTIME - CCED 03-13-18 (PDF)

Resolution 2018-172

(*) Resolution Authorizing Four (4) Hours Overtime to Kristine Schweitzer Budney, Registered Environmental Health Specialist Public Health in the Health Department, to Conduct Retail Food Inspections during the Religious Festivities Celebrating Holi at the Hindu Community Center on Saturday, March 3, 2018, Pursuant to N.J.A.C. 8:24. (\$179.04)

ATTACHMENTS:

- OVERTIME - HEALTH (Kristine Schweitzer) HOLI Festival 03-13-18 (PDF)

Resolution 2018-173

(*) Resolution Authorizing Six (6) Hours Overtime to Kristine Schweitzer Budney, Registered Environmental Health Specialist Public Health in the Health Department, to Conduct Retail Food Inspections during the Kearny PBA Food Truck & NJ Craft Beer Festival on Saturday, May 19, 2018, Pursuant to N.J.A.C. 8:24. (\$268.56)

ATTACHMENTS:

- OVERTIME - HEALTH (Kristine Schweitzer) PBA Truckfest 03-13-18 (PDF)

Resolution 2018-174

(*) Resolution Authorizing Five (5) Hours Overtime to Omnibus Driver Alexandra Walsh to Transport Senior Citizens from the Kearny Senior Buildings to the Kearny High School Culinary Program Dinner and Play Event, and Back on Tuesday, March 13, 2018. (\$147.00)

ATTACHMENTS:

- OVERTIME - HEALTH (Alexandra Walsh) 03-13-18 (PDF)

Resolution 2018-175

(*) Resolution Authorizing Advertisement for Bids for the East Midland Avenue Pump Station Generator and Various Quick Connects Project.

Resolution 2018-176

(*) Consent Agenda Resolution

Resolution 2018-177

Resolution Authorizing Two hundred Forty-three and Three-quarter Hours (243.75) Overtime within the Department of Public Works to Assist at Fire Scene on Belgrove Drive, Repair a Gutter at Construction Code Building, Salt and Plow Streets, Investigate High Water Alarm at the E. Midland Avenue Pump Station, Repair a Road Cave in at 291 Highland Avenue, Fix Inoperable Garage Door at KPD Headquarters, Repair KPD Vehicles, Catch Up on Office Work due to Short Staffing, Clear a Sanitary Backup on Park Place, and Clear a Storm Sewer Backup, Flooding and Roof Leak from Nor'easter. (\$12,506.13)

ATTACHMENTS:

- OVERTIME - DPW 03-13-18 (PDF)

Resolution 2018-178

Resolution Authorizing Execution of an Escrow Agreement with Glenn Springs Holdings, Inc. for Reimbursement of Town Professional Fees Related to the Remediation of Various Sites in the Town of Kearny.

ATTACHMENTS:

- Escrow Funds Agreement - Glenn Springs Holdings and the Town of Kearny (3.01) (PDF)

Resolution 2018-179

Resolution Authorizing the Use of Enterprise Zone Assistance Funds for the Kearny Public Safety Project Year 9 in an Amount of not to Exceed \$119,410 (includes Local Share of not to Exceed \$47,765) during the Period of January 1, 2018 through June 30, 2018.

ATTACHMENTS:

- Resolution - KEZDC Public Safety Project - Year 9 (2-15-18) - (3 Officers) (\$71,645) (DOC)

Resolution 2018-180

Resolution Authorizing the Use of Enterprise Zone Assistance Funds for the Kearny Clean Project Year 9 in an Amount of not to Exceed \$30,940 (includes Local Share of \$12,375) during the Period of January 1, 2018 through June 30, 2018.

ATTACHMENTS:

- Resolution - KEZDC Clean Project - Year 9 (\$18,565) (DOC)

Resolution 2018-181

Resolution to Enter into Closed Session to Discuss the Following Matters Relating to Anticipated Litigation, Litigation, Contract Negotiations, and Personnel Matters, to wit: Review of Proposed Tax Appeal Settlement for 206 Bergen Avenue, LLC at 194 & 206 Bergen Avenue, Block 248, Lot 44 and Block 249, Lot 39, Status of PSE&G Tax Appeals, Discussion Regarding Extending Redeveloper Designation of former Standard Chlorine/Diamond Shamrock Site, Keegan Landfill Condemnation Litigation

Resolution 2018-182

Resolution Renewing Alcoholic Beverage Licenses #0907-44-005-008 for 2017-2018 which has Received Tax Clearance from the Division of Alcoholic Beverage Control.

ATTACHMENTS:

- ABC Tax Clearance Certificate Lic No 0907-44-005-008 (PDF)

Resolution 2018-183

Resolution Authorizing Award of Contract to Cherry Hill Winner Ford in the Amount not to Exceed \$142,343.00 for the Purchase of Two (2) 2018 Ford Explorer Fire Interceptor SUV, One (1) 2018 Ford F350 XL 4WD Pickup Truck with 8 FT Plow, and One (1) 2018 Ford F150 4x4 Pickup Truck under NJ State Contract # 88728, 88758, and 17-00212 for the Fire Department.

Resolution 2018-184

Resolution Authorizing the Fire Department to Submit an Application for the Fiscal Year (FY) 2017 Assistance to Firefighters Grant (AFG) Program for Carbon Monoxide Detectors for Senior Citizens in the Amount of \$17,000 of which a 5% Match is Required.

Resolution 2018-185

Resolution Rescinding Resolution 2017-619.

XII. EXECUTIVE (CLOSED) SESSION

XIII. ADJOURNMENT