



Kearny Town Council

Caucus / Regular Meeting

~ Agenda ~

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

Admin

Tuesday, August 7, 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

- Tom Witt, President of Kearny Kardinal Football Booster Club: requesting permission to have a canning fundraiser on Saturday, August 11, 2018 and Saturday, November 3, 2018. **M&C/POLICE/DPW/REC**

- Alvin Cox, Executive Director, Pathways to Independence, Inc.: requesting permission to hang a banner across Kearny Avenue from August 27 through September 29, 2018 to publicize its 17th annual Walk-A-Thon fundraiser on Saturday, September 29, 2018 at West Hudson Park in Kearny.

M&C/POLICE/DPW

- Jennifer M. Long, SGM (Retired), Commander of VFW Post 1302: inviting Mayor Santos & Council to attend the 4th annual 5K Run/Walk on Saturday, August 25th at VFW Post #1302, held in Memory of SSG Jorge Oliveira. The VFW's goal is to raise funds for the Kearny High School scholarship in his memory. Commander Long is also extending an invitation to Mayor Santos to speak at the event. **M&C/POLICE/DPW/REC/FIRE**

- Kelly Logue on behalf of the Terrace Place Block Party Committee: requesting permission to host their 24th Annual Terrace Place Block party on Saturday, September 8, 2018 from 12:00 p.m. until 10:00 p.m. with a rain date of Sunday, September 09, 2018 and that barricades be placed at the entrance to Terrace Place on N. Midland Avenue. **M&C/POLICE/FIRE/DPW**

- Jennifer Esteves, KGC Competition Cheering Team: requesting permission to hold a canning fundraiser on Saturday, November 10, 2018 and Saturday, December 1, 2018. **M&C/POLICE/DPW/REC**

6. LICENSES: 7 - GARAGE SALE;
1 - RAFFLE;
1 - SIDEWALK CAFE

LICENSES**B. Reports of Department Heads**

1. Construction Code Enforcement Department Report for June 2018
2. Library Director's Report for July 2018
3. Engineer's Report dated August 07, 2018
4. Engineer's Report on Gunnell Oval Project dated August 07, 2018
5. Engineer's Report on Dukes, Devon Tappan, Hoyt (DDTH) Pumping Station Project dated August 07, 2018

C. Proclamation Congratulating and Recognizing St. Columcille United Gaelic Pipe

Band on their Grade 3B Category at the 73rd Annual All Ireland Pipe Band Championship in County, Wexford, Ireland on July 7, 2018.

The Columcille United Gaelic Pipe Band will perform in the Town Hall Council Chamber at 7:00 p.m. on Tuesday.

D. Reports of Council Members**VI. PUBLIC HEARING ON RESOLUTION 2018-449**

RESOLUTION OF THE MUNICIPAL COUNCIL OF THE TOWN OF KEARNY AUTHORIZING THE PROPOSAL PREPARED BY THE KEARNY ENTERPRISE ZONE DEVELOPMENT CORPORATION FOR FUNDING OF THE FISCAL YEARS 2019 AND 2020 ADMINISTRATIVE BUDGETS IN THE AMOUNT OF \$190,000.00.

VII. OPPORTUNITY FOR MEMBERS OF THE PUBLIC TO COMMENT ON AGENDA ITEMS AND MATTERS OF THE PUBLIC INTEREST**VIII. BUSINESS OF THE MAYOR AND COUNCIL: ORDINANCES FOR INTRODUCTION****Ordinance 2018-39**

Ordinance Vacating Handicapped Parking Zones at 28 Chestnut Street and 29 John Street

ATTACHMENTS:

- KPD Agenda Item -Vacate HZ 28 Chestnut St (PDF)
- KPD Agenda Item -Vacate HZ 29 John St (PDF)

Ordinance 2018-40

Ordinance Establishing Handicapped Parking Zones at 33 John Street, 53 Tappan Street, and 294 Chestnut Street

ATTACHMENTS:

- KPD Agenda Item -Establish HZ 33 John St (PDF)
- KPD Agenda Item -Establish HZ 53 Tappan St (PDF)
- KPD Agenda Item -Establish HZ 294 Chestnut St (PDF)

Ordinance 2018-41

Ordinance Amending Chapter 5-25 of the Town Code (Garage Sales and Similar Type Sales) to Remove "Flea Market" from the Definition of Garage Sales

IX. BUSINESS OF THE MAYOR AND COUNCIL: ORDINANCES FOR 2ND READING (PUBLIC HEARING)**Ordinance 2018-34**

Ordinance Vacating Handicapped Parking Zones at 46 John Street, 51 Patterson Street, and 94 King Street

ATTACHMENTS:

- KPD Agenda Item -Vacate HZ 46 John Street (PDF)
- KPD Agenda Item -Vacate HZ 51 Patterson Street (PDF)
- KPD Agenda Item -Vacate HZ 94 King Street (PDF)

Ordinance 2018-35

Ordinance Establishing Handicapped Parking Zone at 132 Afton Street

ATTACHMENTS:

- KPD Agenda Item -Establish HZ 132 Afton St (PDF)

Ordinance 2018-36

Ordinance Amending Section 7.12 of the Revised General Ordinances Entitled “Parking Prohibited for Street Cleaning” Regarding Portions of Beech Street and Chestnut Street

X. 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 August 7, 2018

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

Resolution 2018-426

(* Bills List Resolution

ATTACHMENTS:

- August 7 2018 Bill List Schedule (PDF)

Resolution 2018-427

(* Resolution Authorizing Tax Overpayment Refund in the Amount of \$2,340.69 to Khamis Hafez and Nsreen Elmorsy for 2018 Taxes, Block 38, Lot 3.

Resolution 2018-428

(* Resolution Refunding Overpayment Against Water Account 00307003 in the Amount of \$76.37 for 87 Bennett Avenue Ave, Block 136, Lot 11.

Resolution 2018-429

(* Resolution Authorizing the Return of Unused Escrow Deposit to RTC Properties, Inc. in the Amount of \$27,197.53 Relative to Site Plan Application #485 at 100 Central Avenue, a/k/a 120 Central Avenue, Block 288, Lot 10.01.

Resolution 2018-430

(* Resolution Granting Permission to Encroach Upon the Sidewalk within the Town Right of Way at 153 Johnston Avenue, Corner of Devon Street – Block 13, Lot 28, for the Purpose of Removing an Underground Oil Storage Tank.

ATTACHMENTS:

- NEA Report 153 Johnson Avenue Encroachment for UST 08-02-18 (00088066xD43F8) (PDF)

Resolution 2018-431

(* Resolution Granting Permission to SUEZ North America for Road Opening Permit at 80 N. Midland Avenue, Block 75, Lot 26, in Order to Replace Hydrant #198.

ATTACHMENTS:

- NEA Report 80 N Midland Avenue Opening 08-02-18 [SUEZ JFC] (00088072xD43F8) (PDF)

Resolution 2018-432

(* Resolution Granting Permission to SUEZ North America for Road/Sidewalk Opening Permit at 633 Chestnut Street, Block 175, Lot 13, in Order to Repair Leaking Water Service.

ATTACHMENTS:

- NEA Report 633 Chestnut Street Opening 08-02-18 [Protected] [SUEZ JFC] (00088076xD43F8) (PDF)

Resolution 2018-433

(* Resolution Granting Permission to SUEZ North America for Road/Sidewalk Opening Permit at 703 Elm Street, Block 144, Lot 24, in Order to Replace a Hydrant and Lateral.

ATTACHMENTS:

- NEA Report 703 Elm Street Opening 08-02-18 [Protected] [SUEZ JFC] (00088078xD43F8) (PDF)

Resolution 2018-434

(* Resolution Granting Permission to SUEZ North America for Road/Sidewalk Opening Permit at Chestnut and Dukes Streets in Order to Replace Hydrant #450 and Lateral.

ATTACHMENTS:

- NEA Report Dukes Chestnut Opening 08-02-18 [Protected] [SUEZ JFC] (00088080xD43F8) (PDF)

Resolution 2018-435

(* Resolution Granting Permission to SUEZ North America for Road Opening Permit on the West Side of Belgrove Drive between Bergen Avenue and Afton Street in Order to Replace Hydrant #287 and Lateral.

ATTACHMENTS:

- NEA Report Belgrove Drive Vets Field Opening 08-02-18 [SUEZ JFC] (00088082xD43F8) (PDF)

Resolution 2018-436

(* Resolution Granting Permission to PSE&G for Road/Sidewalk Opening Permit at 32 Spruce Street, a/k/a 30-32 Spruce Street, Block 203, Lot 5, in Order to Install Gas Service.

ATTACHMENTS:

- NEA Report 32 Spruce Street Opening 08-02-18 [Protected] [PSEG] (00088087xD43F8) (PDF)

Resolution 2018-437

(* Resolution Granting Permission to PSE&G for Road/Sidewalk Opening Permit at 37 Laurel Avenue, a/k/a 35 Laurel Avenue, Block 93, Lot 35, in Order to Install New Gas Service.

ATTACHMENTS:

- NEA Report 37 Laurel Avenue Opening 08-08-18 [Protected] [PSEG] (00088098xD43F8) (PDF)

Resolution 2018-438

(* Resolution Granting Permission to PSE&G for Sidewalk Opening Permit at 332 Forest Street, a/k/a 330-332 Forest Street, Block 211, Lot 2, in Order to Abandon Gas Service.

ATTACHMENTS:

- NEA Report 332 Forest Street Opening 08-02-18 [Protected] [PSEG] (00088096xD43F8) (PDF)

Resolution 2018-439

(* Resolution Granting Permission to PSE&G for Road Opening Permit at 360 Highland Avenue, Block 59, Lot 7, in Order to Abandon Gas Service.

ATTACHMENTS:

- NEA Report 360 Highland Avenue Opening [PSEG Gas] 08-02-18 (00088089xD43F8) (PDF)

Resolution 2018-440

(* Resolution Granting Permission to PSE&G for Sidewalk Opening Permit at 401 Forest Street, a/k/a 399 Forest Street, Block 198, Lot 35, in Order to Abandon Gas Service.

ATTACHMENTS:

- NEA Report 401 Forest Street Opening 08-02-18 [Protected] [PSEG] (00088091xD43F8) (PDF)

Resolution 2018-441

(* Resolution Granting Permission to PSE&G for Sidewalk Opening Permit at 422 Forest Street, a/k/a 420 Forest Street, Block 199, Lot 17, in Order to Abandon Gas Service.

ATTACHMENTS:

- NEA Report 422 Forest Street Opening 08-02-18 [Protected] [PSEG] (00088094xD43F8) (PDF)

Resolution 2018-443

(* Resolution Refunding Norman A. Doyle Pavilion Rental Fee in the Amount of \$100.00 to Derek Cowley due to Inclement Weather.

Resolution 2018-444

(* Resolution Refunding Kearny Recreation Youth Soccer Program Registration Fees in the Amount of \$70.00 to Danielle Savino-Garzon for Sophia Garzon and Olivia Garzon.

Resolution 2018-445

(* Resolution Authorizing Five (5) Hours Overtime to Kristine Schweitzer Budney, Registered Environmental Health Specialist Public Health in the Health Department, to Conduct Retail Food Inspections during the Peruvian Festival at the Frank A. Vincent Marina on Sunday, July 22, 2018, Pursuant to N.J.A.C. 8:24. (\$223.80)

ATTACHMENTS:

- OVERTIME - HEALTH Kristine Budney (08-07-18) (PDF)

Resolution 2018-446

(* 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 Thursday, August 2, 2018, in the Evening, Serving as Secretary to the Board. (\$103.12)

ATTACHMENTS:

- OVERTIME - CCED Jonathan Szura (08-07-18) (PDF)

Resolution 2018-447

(* Consent Agenda Resolution)

Resolution 2018-448

Resolution Authorizing Forty-six (46) Hours Overtime within the Department of Public Works to Repair Police Vehicles, Clean Town Hall Flooding after Storm, Replace Manhole Covers on Bergen Avenue and Harrison Avenue Dislodged During Storm on July 6th, Clear Sewer Blockage on E. Midland Avenue, Clean and Video Line on E. Midland Avenue, and Monitor Operation of Harrison Avenue Pump Station. (\$2,435.82)

ATTACHMENTS:

- OVERTIME - DPW (08-07-18) (PDF)

Resolution 2018-449

Resolution of the Municipal Council of the Town of Kearny Authorizing the Proposal Prepared by the Kearny Enterprise Zone Development Corporation for Funding of the Fiscal Years 2019 and 2020 Administrative Budgets in the Amount of \$190,000.00.

ATTACHMENTS:

- KEZDC Resolution - KUEZ Admin Budget - FY '19 & '20 - Signed - FINAL (PDF)

Resolution 2018-450

Resolution Awarding a Contract to Renaissance Web Solutions for the Redesign, Hosting and Maintenance of the Town's Website.

ATTACHMENTS:

- AGREEMENT - Renaissance Web Solutions (DOC)

Resolution 2018-451

Resolution Authorizing Change Order #1 for the Midland Avenue Roadway Improvements (NJDOT Funded) and Liberty Street & Boyd Street Roadway Improvements (CDBG Funded) Project to Smith Soudy, Inc., 150 Anderson Avenue, Wallington, NJ 07057 (\$14,400.00 Increase / 1.71%).

Resolution 2018-452

Resolution to Enter into Closed Session to Discuss the Following Matters Relating to Anticipated Litigation, Litigation, Contract Negotiations, and Personnel Matters, to wit: Continued Discussion on Russo Development Payment in Lieu of Taxes Negotiations for 60 Passaic Avenue and Related Road Improvements, Update on John Keegan Litigation

Resolution 2018-453

Resolution Accepting the Annual Audit Report of 2017.

ATTACHMENTS:

- audit_affadavit_res Certification (DOC)

Resolution 2018-454

Resolution Accepting the Corrective Action Plan for 2017 Audit.

ATTACHMENTS:

- Audit Corrective Action Plan 2017 (DOC)

Resolution 2018-455

Resolution Appointing Janice Pace, Monias Andrade, Rosemarie Edwards, Natalie Rivera, Diana Singh, Cheryl Ann Jahera and Donna Kunisch to the Part time Per Diem Position of Auxiliary Crossing Guard, at the Current Hourly Rate of \$17.16, Effective August 13, 2018.

Resolution 2018-456

Resolution Authorizing the Execution of a Person-to-Person Transfer of Plenary Retail Distribution License No. 0907-44-060-005 from ANK Liquors, LLC, t/a Elephant Wine & Liquors to Deep Liquors, LLC, t/a Best Buy Wine & Liquor, 315 Kearny Avenue, Kearny, New Jersey.

Resolution 2018-457

Resolution Authorizing the Police Chief Pursuant to N.J.S.A. 40A:11-36 to Sell Vehicles No Longer Needed for Public Use and Whose Value is Less than the Town's Bid Threshold, at Private Sale Without Advertising for Bids.

ATTACHMENTS:

- CERTIFICATION of KPD Chief King (DOC)

Resolution 2018-458

Resolution Amending the Hourly Rate of Kayla O'Conner, Playleader, from \$11.00 to \$12.00, Previously Authorized by Resolution 2018-(R)-358.

Resolution 2018-459

Resolution Appointing Joan Sebastian Rios-Ruiz and Michael Potter to the Part time Position of Library Monitor in the Kearny Public Library to Work a Maximum of 19.5 Hours per Week at the Current Hourly Rate of \$11.00, Effective August 13, 2018.

Resolution 2018-461

Resolution Further Extending the Contract with Nationwide Consulting Company, Inc. for Appraisal Services Related to the Keegan Landfill.

XI. EXECUTIVE (CLOSED) SESSION**XII. ADJOURNMENT**