



Kearny Town Council

Caucus / Regular Meeting

~ Minutes ~

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

Admin

Tuesday, May 21, 2019

7:00 PM

Kearny Town Hall

I. CALL TO ORDER: PUBLIC MEETINGS LAW NOTICE

II. ROLL CALL

Attendee Name	Organization	Title	Status	Arrived
Carol Jean Doyle	Kearny Town Council	Council Member	Present	
Susan McCurrie	Kearny Town Council	Council Member	Present	
Eileen Eckel	Kearny Town Council	Council Member	Present	
Albino Cardoso	Kearny Town Council	Council Member	Present	
Richard Konopka	Kearny Town Council	Council Member	Present	
Marytrine DeCastro	Kearny Town Council	Council Member	Present	
Peter Santana	Kearny Town Council	Council Member	Present	
Gerald Ficeto	Kearny Town Council	Council Member	Present	
Alberto G. Santos	Kearny Town Council	Mayor	Present	

III. SALUTE TO THE FLAG

IV. CONDUCT OF MEETING NOTICE

V. SWEARING-IN OF DEPUTY CHIEF EDWARD AGNEW

SWEARING-IN OF FIRE CAPTAIN WALTER SZYMANSKI

SWEARING-IN OF FIRE CAPTAIN JED SCHAPPERT

VI. CAUCUS MEETING

A. Communications

- Very Reverend Joseph A. Mancini, VF, KCHS of the Church of Saint Stephen: requesting permission to hold a street procession on Sunday, June 23, 2019 in observance of the Solemnity of Corpus Christi. The Corpus Christi procession will start in the front of St. Stephen's Church at approximately 1:00 p.m. (immediately following the 12 noon Mass) and end at the Sacred Heart Chapel on the property of the Saint John Paul II Retreat Center (at Quincy Avenue and Belgrove Drive) at approximately 2:00 p.m. **M&C/POLICE/DPW/REC**

2. Portuguese Cultural Association of Kearny: requesting permission to celebrate Portugal Day with a Flag Raising at the American Revolutionary Bicentennial Park and a children's folklore dance performance in front of Town Hall on Sunday, June 2, 2019 from 10:30 a.m. to 12:30 p.m.

M&C/POLICE/DPW/REC

3. Portuguese Cultural Association of Kearny: requesting that Kearny Avenue be closed to traffic between Halstead Street and Quincy Avenue on Sunday, June 2, 2019 for approx. two (2) hours, starting at 10:30 a.m. until 12:30 p.m.

M&C/POLICE/DPW/REC

4. Nathaniel Jablonski: requesting to update Mayor and Council on the progress of his Eagle Scout project

5. LICENSES: 1 - PARKING PERMIT - MANDEE LOT;

5 - GARAGE SALE;

1 - JUKE BOX;

1 - LUNCH TRUCK;

1 - SIDEWALK CAFÉ;

2 - PINBALL/VIDEO MACHINE

LICENSES

B. Reports of Department Heads

1. DPW Operations Report for April 2019
2. Construction Code Enforcement Department Report for April 2019
3. Certified Tree Experts (CTE) Report dated May 1, 2019 including Recommended Tree Removal(s)
4. Library Director's Report for May 2019
5. SUEZ Billing & Collections Month End Report April 2019
6. Engineer's Report on Gunnell Oval Project dated May 21, 2019
7. Engineer's Report on Dukes, Devon Tappan, Hoyt (DDTH) Pumping Station Project dated May 21, 2019
8. Engineer's Report dated May 21, 2019

C. Review of Cost Estimate for Health Department Renovations by Bob Smith, Town Administrator

D. Reports of Council Members

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 2019-20

Ordinance Vacating Handicapped Parking Zone at 371 Highland Avenue

ATTACHMENTS:

- KPD Agenda Item - Vacate HZ Removal Letter 371 highland (DOC)

RESULT:	INTRODUCED [UNANIMOUS]	Next: 6/11/2019 7:00 PM
MOVER:	Susan McCurrie, Council Member	
SECONDER:	Albino Cardoso, Council Member	
AYES:	Doyle, McCurrie, Eckel, Cardoso, Konopka, DeCastro, Santana, Ficeto, Santos	

IX. BUSINESS OF THE MAYOR AND COUNCIL: ORDINANCES FOR 2ND READING (PUBLIC HEARING)

Ordinance 2019-17

Ordinance Establishing Handicapped Parking Zones at 32 Rose Street, 714 Elm Street, 50 Rose Street, and 451 Davis Avenue

ATTACHMENTS:

- KPD Agenda Item-Establish HZ 32 Rose Street Request Letter (PDF)
- KPD Agenda Item-Establish HZ 714 Elm Street Request Letter updated (PDF)
- KPD Agenda Item-Establish HZ 50 Rose Street Request Letter (PDF)
- KPD Agenda Item-Establish HZ 451 Davis Avenue Request Letter (PDF)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Susan McCurrie, Council Member
SECONDER:	Gerald Ficeto, Council Member
AYES:	Doyle, McCurrie, Eckel, Cardoso, Konopka, DeCastro, Santana, Ficeto, Santos

Ordinance 2019-18

Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank (N.J.S.A. 40A:4-45.14)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Susan McCurrie, Council Member
SECONDER:	Gerald Ficeto, Council Member
AYES:	Doyle, McCurrie, Eckel, Cardoso, Konopka, DeCastro, Santana, Ficeto, Santos

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 May 7, 2019
- B. *Motion to Suspend the Reading of Communications (read by title)

Resolution 2019-284

(* Bills List Resolution

ATTACHMENTS:

- [May 21 2019 Bill List Schedule](#) (PDF)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Carol Jean Doyle, Council Member
SECONDER:	Alberto G. Santos, Mayor
AYES:	Doyle, McCurrie, Eckel, Cardoso, Konopka, DeCastro, Santana, Ficeto, Santos

Resolution 2019-285

(* Resolution Cancelling 2018 Taxes (Quarter 4) in the Amount of \$316.83 for Block 201, Lot 15, as a Result of Incorrect Added Assessment.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Carol Jean Doyle, Council Member
SECONDER:	Alberto G. Santos, Mayor
AYES:	Doyle, McCurrie, Eckel, Cardoso, Konopka, DeCastro, Santana, Ficeto, Santos

Resolution 2019-286

(*) Resolution Cancelling 2019 Taxes (Quarter 1-2) in the Amount of \$2,809.75 for Block 95, Lot 26, as a Result of Disabled Veterans' Exemption.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Carol Jean Doyle, Council Member
SECONDER: Alberto G. Santos, Mayor
AYES: Doyle, McCurrie, Eckel, Cardoso, Konopka, DeCastro, Santana, Ficeto, Santos

Resolution 2019-287

(*) Resolution Authorizing Permission to Encroach Upon Town Right of Way at 86 Woodland Avenue, Block 13, Lot 11, for the Purpose of Removing an Underground Storage Tank (UST).

ATTACHMENTS:

- NEA Report 86 Woodland Avenue - Encroachment for UST 05-16-19 (00138244xD43F8) (PDF)

RESULT: ADOPTED [UNANIMOUS]
MOVER: Carol Jean Doyle, Council Member
SECONDER: Alberto G. Santos, Mayor
AYES: Doyle, McCurrie, Eckel, Cardoso, Konopka, DeCastro, Santana, Ficeto, Santos

Resolution 2019-288

(*) Resolution Authorizing Permission to Encroach Upon the Sidewalk within the Town Right of Way at 286 Maple Street, Block 48, Lot 3, for the Purpose of Removing an Underground Fuel Tank.

ATTACHMENTS:

- NEA Report 286 Maple Street - Encroachment for UST 05-16-19 (00138220xD43F8) (PDF)

RESULT: ADOPTED [UNANIMOUS]
MOVER: Carol Jean Doyle, Council Member
SECONDER: Alberto G. Santos, Mayor
AYES: Doyle, McCurrie, Eckel, Cardoso, Konopka, DeCastro, Santana, Ficeto, Santos

Resolution 2019-289

(*) Resolution Authorizing Permission to Encroach Upon Town Right of Way at 666-668 Chestnut Street, Block 167, Lot 6, for the Purpose of Installing a Fence.

ATTACHMENTS:

- NEA Report 668 Chestnut Street - Fence Encroachment 05-16-19 (00138288xD43F8) (PDF)

RESULT: ADOPTED [UNANIMOUS]
MOVER: Carol Jean Doyle, Council Member
SECONDER: Alberto G. Santos, Mayor
AYES: Doyle, McCurrie, Eckel, Cardoso, Konopka, DeCastro, Santana, Ficeto, Santos

Resolution 2019-290

(*) Resolution Granting Permission to J. Fletcher Creamer & Son, Inc. of Hackensack, NJ for Road Opening Permit at 47 Clinton Avenue, Block 105, Lot 10, in Order to Repair a Leaking Water Service.

ATTACHMENTS:

- NEA Report 47 Clinton Avenue - Road Opening 05-16-19 [SUEZ JFC] (00138215xD43F8) (PDF)

RESULT: ADOPTED [UNANIMOUS]
MOVER: Carol Jean Doyle, Council Member
SECONDER: Alberto G. Santos, Mayor
AYES: Doyle, McCurrie, Eckel, Cardoso, Konopka, DeCastro, Santana, Ficeto, Santos

Resolution 2019-291

(*) Resolution Granting Permission to J. Fletcher Creamer & Son, Inc. of Hackensack, NJ for Road Opening Permit at 161 Seeley Avenue, a/k/a 161-163 Seeley Avenue, Block 130, Lot 39, in Order to Repair Water Service.

ATTACHMENTS:

- NEA Report 161 Seeley Avenue - Road Opening 05-16-19 [SUEZ JFC] (00138211xD43F8) (PDF)

RESULT: ADOPTED [UNANIMOUS]
MOVER: Carol Jean Doyle, Council Member
SECONDER: Alberto G. Santos, Mayor
AYES: Doyle, McCurrie, Eckel, Cardoso, Konopka, DeCastro, Santana, Ficeto, Santos

Resolution 2019-292

(*) Resolution Granting Permission to J. Fletcher Creamer & Son, Inc. of Hackensack, NJ for Road Opening Permit at Howell Place in Order to Repair Water Main.

ATTACHMENTS:

- NEA Report Howell Place - Road Opening 05-16-19 [SUEZ JFC] (00138213xD43F8) (PDF)

RESULT: ADOPTED [UNANIMOUS]
MOVER: Carol Jean Doyle, Council Member
SECONDER: Alberto G. Santos, Mayor
AYES: Doyle, McCurrie, Eckel, Cardoso, Konopka, DeCastro, Santana, Ficeto, Santos

Resolution 2019-293

(*) Resolution Granting Permission to A-Absolute Construction, Inc. of Roselle, NJ for Emergency Road Opening Permit at 296 Devon Street, Block 236, Lot 24, in Order to Replace a Sewer Line.

ATTACHMENTS:

- NEA Report 296 Devon Street - Road Opening 05-16-19 Protected A-Absolute Construction (00138225xD43F8) (PDF)

RESULT: ADOPTED [UNANIMOUS]
MOVER: Carol Jean Doyle, Council Member
SECONDER: Alberto G. Santos, Mayor
AYES: Doyle, McCurrie, Eckel, Cardoso, Konopka, DeCastro, Santana, Ficeto, Santos

Resolution 2019-294

(*) Resolution Authorizing the Return of Construction Permits (Building & Electrical) Fees to Antonio Garcia in the Amount of \$276.00 for 549 Devon Street, Block 196, Lot 33.02, Relative to the Installation of a Mini-split Heating Air Conditioning System.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Carol Jean Doyle, Council Member
SECONDER: Alberto G. Santos, Mayor
AYES: Doyle, McCurrie, Eckel, Cardoso, Konopka, DeCastro, Santana, Ficeto, Santos

Resolution 2019-295

(*) Resolution Authorizing Payment for Primary Election Employment in an Amount not to Exceed \$2100.00.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Carol Jean Doyle, Council Member
SECONDER: Alberto G. Santos, Mayor
AYES: Doyle, McCurrie, Eckel, Cardoso, Konopka, DeCastro, Santana, Ficeto, Santos

Resolution 2019-296

(*) Resolution Authorizing Six (6) Hours Overtime to Jonathan Szura, Technical Assistant Land Use in the Construction Code Enforcement Office, to Attend the Regular Evening Meeting of the

Zoning Board on April 2, 2019 (3 hrs.) and a Special Evening Meeting of the Zoning Board on May 14, 2019 (3 hrs.), Serving as Secretary to the Board. (\$225.54)

ATTACHMENTS:

- OVERTIME - CCED Jonathan Szura (05-21-19) (PDF)

RESULT: ADOPTED [UNANIMOUS]
MOVER: Carol Jean Doyle, Council Member
SECONDER: Alberto G. Santos, Mayor
AYES: Doyle, McCurrie, Eckel, Cardoso, Konopka, DeCastro, Santana, Ficeto, Santos

Resolution 2019-297

(*) Consent Agenda Resolution

RESULT: ADOPTED AS AMENDED [UNANIMOUS]
MOVER: Carol Jean Doyle, Council Member
SECONDER: Alberto G. Santos, Mayor
AYES: Doyle, McCurrie, Eckel, Cardoso, Konopka, DeCastro, Santana, Ficeto, Santos

Resolution 2019-298

Resolution Authorizing Forty-one (41) Hours Overtime within the Department of Public Works to Monitor Temporary Pump Operations and Fuel Usage at the Harrison Avenue Pump Station, Repair Police Vehicles, Video Sanitary Sewer Line on Peden Terrace, Assist with Emergency Repair of Collapsed Chimney at the Main Library, and Catch up with Paperwork/Permits in the DPW Office. (\$2,199.41)

ATTACHMENTS:

- OVERTIME - DPW (05-21-19) (PDF)

RESULT: ADOPTED [UNANIMOUS]
MOVER: Carol Jean Doyle, Council Member
SECONDER: Alberto G. Santos, Mayor
AYES: Doyle, McCurrie, Eckel, Cardoso, Konopka, DeCastro, Santana, Ficeto, Santos

Resolution 2019-299

Resolution Designating the Town of Kearny a Stigma-Free Zone.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Alberto G. Santos, Mayor
SECONDER: Carol Jean Doyle, Council Member
AYES: Doyle, McCurrie, Eckel, Cardoso, Konopka, DeCastro, Santana, Ficeto, Santos

Resolution 2019-300

Resolution Appointing Robert Josko to the Full-Time Non-Competitive Title of Laborer 1 for the Town of Kearny Department of Public Works, Effective June 1, 2019.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Carol Jean Doyle, Council Member
SECONDER: Alberto G. Santos, Mayor
AYES: Doyle, McCurrie, Eckel, Cardoso, Konopka, DeCastro, Santana, Ficeto, Santos

Resolution 2019-301

Resolution Awarding a Contract to T.R. Weniger, Inc. for the John Hay Channel Wall Reconstruction Project in the Amount of \$47,000.

ATTACHMENTS:

- Recommendation of Construction Contract Award - John Hay Channel Wall Recon Project - 05-16-19 (00138353xD43F8) (PDF)

RESULT: ADOPTED [UNANIMOUS]
MOVER: Carol Jean Doyle, Council Member
SECONDER: Alberto G. Santos, Mayor
AYES: Doyle, McCurrie, Eckel, Cardoso, Konopka, DeCastro, Santana, Ficeto, Santos

Resolution 2019-302

Resolution Awarding a Contract to T.R. Weniger, Inc. for the King Street & Schuyler Avenue Combined Sewer Line Replacement Project in the Amount of \$39,800.

ATTACHMENTS:

- Recommendation of Construction Contract Award - Combined Sewer Line Replacement Project - 05-16-19 (00138352xD43F8) (PDF)

RESULT: ADOPTED [UNANIMOUS]
MOVER: Carol Jean Doyle, Council Member
SECONDER: Alberto G. Santos, Mayor
AYES: Doyle, McCurrie, Eckel, Cardoso, Konopka, DeCastro, Santana, Ficeto, Santos

Resolution 2019-303

Resolution Authorizing the Equity Leasing of Two Ford F-350 Pick-up Trucks through Enterprise FM Trust for Use by the Department of Public Works.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Carol Jean Doyle, Council Member
SECONDER: Alberto G. Santos, Mayor
AYES: Doyle, McCurrie, Eckel, Cardoso, Konopka, DeCastro, Santana, Ficeto, Santos

Resolution 2019-304

Resolution to Enter into Closed Session to Discuss the Following Matters Relating to Anticipated Litigation, Litigation, Contract Negotiations, and Personnel Matters, to wit: Discussion Regarding Payments in Lieu of Taxes Application for 50 Central Avenue; Discussion Regarding Payments in Lieu of Taxes for Property Owned by Ridge Crossing on Belleville Turnpike and Schuyler Avenue; Review of 2019 County Tax Appeals for Residential Properties with Tax Assessor

RESULT: ADOPTED [UNANIMOUS]
MOVER: Alberto G. Santos, Mayor
SECONDER: Carol Jean Doyle, Council Member
AYES: Doyle, McCurrie, Eckel, Cardoso, Konopka, DeCastro, Santana, Ficeto, Santos

Resolution 2019-305

Resolution Appointing Fire Captain Edward Agnew to the Permanent Position of Deputy Fire Chief in the Kearny Fire Department Pursuant to NJCSC Certification #PL190450, Effective June 01, 2019 at the Current Annual Salary of \$146,056.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Eileen Eckel, Council Member
SECONDER: Alberto G. Santos, Mayor
AYES: Doyle, McCurrie, Eckel, Cardoso, Konopka, DeCastro, Santana, Ficeto, Santos

Resolution 2019-306

Resolution Appointing Firefighter Walter Szymanski to the Permanent Position of Fire Captain in the Kearny Fire Department, Effective June 01, 2019 at the Current Annual Salary of \$107,000, Pursuant to NJCSC Certification #PL190451.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Eileen Eckel, Council Member
SECONDER: Alberto G. Santos, Mayor
AYES: Doyle, McCurrie, Eckel, Cardoso, Konopka, DeCastro, Santana, Ficeto, Santos

Resolution 2019-307

Resolution Appointing Firefighter Jed Schappert to the Permanent Position of Fire Captain in the Kearny Fire Department, Effective June 01, 2019 at the Current Annual Salary of \$107,000, Pursuant to NJCSC Certification #PL190451.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Eileen Eckel, Council Member
SECONDER: Alberto G. Santos, Mayor
AYES: Doyle, McCurrie, Eckel, Cardoso, Konopka, DeCastro, Santana, Ficeto, Santos

Resolution 2019-308

Resolution Appointing Joseph Savoia to the Part-Time Position of Public Safety Telecommunicator Trainee for the Town of Kearny Fire Department, Effective May 28, 2019.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Carol Jean Doyle, Council Member
SECONDER: Alberto G. Santos, Mayor
AYES: Doyle, McCurrie, Eckel, Cardoso, Konopka, DeCastro, Santana, Ficeto, Santos

Resolution 2019-309

Resolution Authorizing the Fire Department to Submit an Application for the Fiscal Year (FY) 2019 Port Security Grant Program for Boat Training, Maintenance and Equipment in the Amount of \$25,000 (no cash match).

RESULT: ADOPTED [UNANIMOUS]
MOVER: Carol Jean Doyle, Council Member
SECONDER: Alberto G. Santos, Mayor
AYES: Doyle, McCurrie, Eckel, Cardoso, Konopka, DeCastro, Santana, Ficeto, Santos

XI. EXECUTIVE (CLOSED) SESSION

XII. ADJOURNMENT