



# Kearny Town Council

## Caucus / Regular Meeting

~ Minutes ~

402 Kearny Avenue  
Kearny, NJ 07032  
[www.kearnynj.org](http://www.kearnynj.org)

Admin

Tuesday, February 21, 2017

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	
Michael Landy	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	
Alberto G. Santos	Kearny Town Council	Mayor	Present	

### III. SALUTE TO THE FLAG

### IV. CONDUCT OF MEETING NOTICE

### V. SWEARING-IN OF POLICE LIEUTENANT CHARLES A. SMITH

SWEARING-IN OF POLICE SERGEANT JOHN A. PLAUGIC

### VI. CAUCUS MEETING

#### A. Communications

- Ronald Yuhas, President of the Optimist Club of West Hudson/South Bergen: requesting permission to use the Doyle Pavilion section of Riverbank Park on Sunday, April 9, 2017 for the annual Easter Egg Hunt. Registration begins at 11:00 a.m. and the hunt will start at 12:00 noon.

**M&C/POLICE/DPW/REC**

- Kearny High School Band Parents Association: requesting permission, on behalf of the KHS Band, to hold a fundraising Flea Market on Sunday, November 12, 2017 at the Frank A. Vincent Marina.

**M&C/POLICE/DPW/REC**

- 3. LICENSES: 3 - PARKING PERMITS that include:
  - 1 - AMERICAN LEGION/VFW
  - 1 - CHESTNUT LOT
  - 1 - MANDEE LOT
  - 1 - GARAGE SALE;
  - 1 - INSTANT RAFFLE;
  - 1 - JUKE BOX;
  - 1 - RAFFLE;

**LICENSES**

**B. Reports of Department Heads**

- 1. DPW Operations Report for January 2017
- 2. Construction Code Enforcement Department Report for January 2017
- 3. Engineer’s Report dated February 21, 2017
- 4. Engineer’s Report on Gunnell Oval Project dated February 21, 2017
- 5. Engineer’s Report on Dukes Street Pumping Station dated February 21, 2017

**C. 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 2017-11**

Ordinance Vacating Handicapped Parking Zone at 166 Brighton Avenue

<b>RESULT:</b>	<b>INTRODUCED [UNANIMOUS]</b>	<b>Next: 4/11/2017 7:00 PM</b>
<b>MOVER:</b>	Susan McCurrie, Council Member	
<b>SECONDER:</b>	Albino Cardoso, Council Member	
<b>AYES:</b>	Doyle, Landy, McCurrie, Eckel, Cardoso, Konopka, DeCastro, Santana, Santos	

**Ordinance 2017-12**

Ordinance Establishing Handicapped Parking Zones at 43 Highland Avenue and 403 Chestnut Street

**RESULT:** INTRODUCED [UNANIMOUS] **Next: 4/11/2017 7:00 PM**  
**MOVER:** Susan McCurrie, Council Member  
**SECONDER:** Carol Jean Doyle, Council Member  
**AYES:** Doyle, Landy, McCurrie, Eckel, Cardoso, Konopka, DeCastro, Santana, Santos

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

### Ordinance 2017-7

Ordinance Vacating Handicapped Parking Zones at 40 Dukes Street, 153 Tappan Street and 296 Highland Avenue

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

### Ordinance 2017-8

Ordinance Establishing Handicapped Parking Zone at 292 Ivy Street

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Susan McCurrie, Council Member  
**SECONDER:** Carol Jean Doyle, Council Member  
**AYES:** Doyle, Landy, McCurrie, Eckel, Cardoso, Konopka, DeCastro, Santana, Santos

### Ordinance 2017-9

An Ordinance Amending Section 2 of Ordinance 2016-59 Pertaining to the Salary of the Position of Sanitation Inspector

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

### Ordinance 2017-10

An Ordinance to Further Amend and Supplement an Ordinance Entitled "An Ordinance Concerning Civil Service in the Town of Kearny, County of Hudson," Adopted November 13, 2012. (Salaries for Firefighters-FMBA from January 1, 2017 to December 31, 2020)

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

## X. BUSINESS OF THE MAYOR AND COUNCIL: MOTIONS AND RESOLUTIONS

### Resolution 2017-111

(\* ) Bills List Resolution

ATTACHMENTS:

- February 21 2017 Bills List Schedule (PDF)

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

### Resolution 2017-112

(\* ) Resolution Authorizing Tax Overpayment Refund in the Amount of \$29,965.54 to DVL Kearny Holdings for 2015 Taxes, Block 15, Lot 7.02.

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

### Resolution 2017-113

(\* ) Resolution Authorizing Tax Overpayment Refund in the Amount of \$1,841.76 to BSI Financial Services for 2016 Taxes, Block 32, Lot 40.01.

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

### Resolution 2017-114

(\* ) Resolution Authorizing Tax Overpayment Refund in the Amount of \$2,871.58 to Wells Fargo Tax Services for 2016 and 2017 Taxes, Block 237, Lot 3.

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

### Resolution 2017-115

(\*) Resolution Authorizing Permission to Encroach Upon Town Right of Way at 512 Kearny Avenue, Block 206, Lot 9, to Allow for an Electrical Service Conduit.

ATTACHMENTS:

- NEA Report 512 Kearny Avenue\_Encroachment\_021617 (00047121xD43F8) (PDF)

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

### Resolution 2017-116

(\*) Resolution Granting Permission to PSE&G for Road Opening Permit at 35 New Lawn Avenue, Block 73, Lot 28, in Order to Install New Gas Service.

ATTACHMENTS:

- NEA Report 35 New Lawn Avenue\_Road Opening\_021617 (00047117xD43F8) (PDF)

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

### Resolution 2017-117

(\*) Resolution Granting Permission to PSE&G for Road Opening Permit at 61 New Lawn Avenue, Block 73, Lot 21.01, in Order to Install New Gas Service.

ATTACHMENTS:

- NEA Report 61 New Lawn Avenue\_Road Opening\_021617 (00047118xD43F8) (PDF)

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

### Resolution 2017-118

(\*) Resolution Refunding a Street Cleaning Fine of \$35 to Victor J. Muniz because Town Code Section 7-35.7 Provides for an Exemption for Handicapped Parking Spaces.

ATTACHMENTS:

- Street Cleaning Ticket Exempted (PDF)

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

**Resolution 2017-119**

(\*) Consent Agenda Resolution

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

**CONSENT AGENDA:**

**Resolution 2017-120**

Resolution Authorizing Three hundred Thirty-six (336) Hours Overtime within the Department of Public Works to Repair KPD Vehicles and to Brine, Salt, Plow, and Clear Sidewalks due to Snowstorm. (\$15,944.72)

ATTACHMENTS:

- OVERTIME - DPW (02-21-17) (PDF)

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

**Resolution 2017-121**

Resolution Regarding Meadowlands Intermunicipal Tax Sharing Payment Shortfall.

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

#### Resolution 2017-122

Resolution to Enter into Closed Session to Discuss the Following Matters: Discussion of Municipal Court Administrator Appointment, Discussion of Contractual Negotiations of Drug-Free Communities Grant, Negotiations regarding an Estoppel Certificate in Connection with the Hartz Development Financing of their Project on Bergen Avenue

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

#### Resolution 2017-123

Resolution Authorizing Application for FY 2017 Drug-Free Communities (DFC) Support Program Funding.

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

#### Resolution 2017-124

Resolution Accepting the Retirement Application of Police Captain Anthony P. Sylvester from the Kearny Police Department after Twenty-nine (29) Years of Service, Effective April 01, 2017, Pending Approval of the Police and Firemen's Retirement System (terminal leave pay and unused vacation totaling \$89,367.38 subject to change if additional time is taken).

ATTACHMENTS:

- RETIREMENT - Anthony P. Sylvester (PDF)

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

#### Resolution 2017-125

Resolution Appointing Police Sergeant Charles A. Smith to the Position of Police Lieutenant in the Kearny Police Department, Effective March 01, 2017 at the Current Annual Base Salary of 133,971, Pursuant to NJCSC Certification #PL170084 and Contingent upon Pre-promotional Processing.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Michael Landy, Council Member  
**SECONDER:** Albino Cardoso, Council Member  
**AYES:** Doyle, Landy, McCurrie, Eckel, Cardoso, Konopka, DeCastro, Santana, Santos

**Resolution 2017-126**

Resolution Appointing Police Officer John A. Plaugic to the Position of Police Sergeant in the Kearny Police Department, Effective March 01, 2017 at the Current Annual Salary of \$116,700, Pursuant to NJCSC Certification #PL170083 and Contingent Upon Pre-promotional Processing.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Michael Landy, Council Member  
**SECONDER:** Doyle, McCurrie, Eckel, Cardoso, Konopka, DeCastro, Santana, Santos  
**AYES:** Doyle, Landy, McCurrie, Eckel, Cardoso, Konopka, DeCastro, Santana, Santos

**XI. EXECUTIVE (CLOSED) SESSION**

**XII. ADJOURNMENT**