



Kearny Town Council

Caucus / Regular Meeting

~ Minutes ~

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

Admin

Tuesday, April 25, 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	Absent	
Susan McCurrie	Kearny Town Council	Council Member	Absent	
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. CAUCUS MEETING

A. Communications

- Jennifer M. Long, SGM (Retired), Commander of VFW Post 1302: inviting Mayor Santos and Council to VFW Post #1302's Annual Awards Night to be held on Friday, May 5, 2017 at 7:30 p.m. at the Post. The VFW will be recognizing Fireman of the Year, Policeman of the Year, and Teacher of the Year along with Citizen of the Year, their Patriot's Pen winners, and the Voice of Democracy winners. **M&C**

- Jennifer M. Long, SGM (Retired), Commander, VFW Post 1302: requesting the closing of Belgrove Drive from Bergen Avenue to Afton Street on Saturday, June 3, 2017 from 9:00 a.m. to 7:00 p.m. for their 3rd Annual Memorial Motorcycle Run and Pig Roast. This event is in memory of SSG Edward Karolasz and will be held to raise funds for a KHS scholarship in his memory.

M&C/POLICE/FIRE/DPW/REC/HEALTH

3. Jennifer M. Long, SGM (Retired), Commander, VFW Post 1302: requesting permission to hang a banner across Kearny Avenue promoting the VFW's Annual Memorial Motorcycle Run and Pig Roast on June 3, 2017.

M&C/DPW

4. Pastor-President Antonio Leonardo of Igreja O Bom Pastor, 780 Kearny Avenue: requesting permission to reserve two (2) parking spaces at 780 Kearny Avenue on April 29, 2017 from 7:00 a.m. to 6:00 p.m. for the NJ Cancer Education and Early Detection Program (NJCEED) mobile unit.

POLICE/DPW

5. Girl Scout Troop 10648: notifying Mayor and Council of a series of initiatives they are working on to earn their Bronze Award, the highest honor bestowed upon a Junior Girl Scout:

1) art installation at the Kearny Community Garden to increase the garden's visibility in the Community

2) build and donate insect houses to the garden in an effort to address the increased need for bee and butterfly habitats

3) grow their own herbs and vegetables

M&C

6. Kimberly Marchetti, Crisdel Group, Inc.: requesting permission to use fire hydrants for water for the milling and paving work associated with the PSE&G Blanket Paving Project. The water will be metered and will be paid for using the Town's retail rate. There will be approximately 1000 gallons used per day while milling (16 milling days) and approximately 500 gallons used per day while paving (10 paving days).

M&C/POLICE/FIRE/DPW

7. John Reverendo, Scoutmaster Troop 305, St. Stephen's Church: requesting permission for the Scouts from Troop 305 to host an encampment on the lawn of St. Stephen's Church from Friday evening, June 16, 2017 until Saturday afternoon, June 17, 2017 in conjunction with the Town of Kearny's Sesquicentennial celebration. The Scout event will feature a typical campsite and will include demonstrations of how to setup a campsite and campfire. Boy Scouts and Cub scouts will pitch tents, prepare meals, cook food, cleanup, start a fire, create camp gadgets, and sleep overnight. The public is invited to tour the encampment and learn about outdoor skills.

M&C/POLICE/FIRE/DPW/HEALTH

- 8. LICENSES: 1 - PARKING PERMIT for American Legion/VFW Lot;
 1 - GARAGE SALE; 1 - LUNCH TRUCK;
 2 - USED CAR LOTS

LICENSES

B. Reports of Department Heads

- 1. DPW Operations Report for March 2017
- 2. Certified Tree Experts (CTE) Report dated April 8, 2017 and Recommended Tree Removal(s) Listing
- 3. Engineer’s Report dated April 25, 2017
- 4. Engineer’s Report on Gunnell Oval Project dated April 25, 2017

C. Presentation of Medal to Lewis T. Battista, WWII Technical Sergeant in the United States Army by Hudson County Office of Veterans Affairs

D. Proclamations

- 1. Honoring Gerald J. Ficeto as UNICO National, Kearny Chapter,
 Man of the Year
- 2. Honoring Lewis T. Battista, WWII Technical Sergeant in the United States
 Army, for his service to our Country
- 3. Designating May as Lupus Awareness Month in the Town of Kearny

E. 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 2017-27

Ordinance Vacating Handicapped Parking Zones at 215 Wilson Avenue and 545 Davis Avenue

RESULT:	INTRODUCED [UNANIMOUS]	Next: 5/11/2017 7:00 PM
MOVER:	Alberto G. Santos, Mayor	
SECONDER:	Carol Jean Doyle, Council Member	
AYES:	Doyle, Eckel, Cardoso, Konopka, DeCastro, Santana, Santos	
ABSENT:	Michael Landy, Susan McCurrie	

Ordinance 2017-28

Ordinance Establishing Handicapped Parking Zones at 122 Windsor Street, 348 Chestnut Street, 545 Davis Avenue and 625 Elm Street

RESULT:	INTRODUCED [UNANIMOUS]	Next: 5/11/2017 7:00 PM
MOVER:	Alberto G. Santos, Mayor	
SECONDER:	Albino Cardoso, Council Member	
AYES:	Doyle, Eckel, Cardoso, Konopka, DeCastro, Santana, Santos	
ABSENT:	Michael Landy, Susan McCurrie	

Ordinance 2017-29

An Ordinance Authorizing the Mayor and Council of the Town of Kearny, in the County of Hudson, New Jersey to Enter Into a Financial Agreement with 113 Passaic Avenue Urban Renewal, LLC for a Residential Development of Approximately 280 Units on Property at 113 Passaic Avenue (Block 1, Lot 12)

ATTACHMENTS:

- 042117 Tax Abatement Phase II entering into Financial Agreement Schuyler (DOC)

RESULT:	INTRODUCED [UNANIMOUS]	Next: 5/11/2017 7:00 PM
MOVER:	Alberto G. Santos, Mayor	
SECONDER:	Carol Jean Doyle, Council Member	
AYES:	Doyle, Eckel, Cardoso, Konopka, DeCastro, Santana, Santos	
ABSENT:	Michael Landy, Susan McCurrie	

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

Ordinance 2017-24

Ordinance Vacating Handicapped Parking Zones at 332 Chestnut Street, 143 Maple Street, and 38 Maple Street

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

Ordinance 2017-25

Ordinance Establishing Handicapped Parking Zone at 14 John Hay Avenue and 143 Maple Street

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

Ordinance 2017-26

Ordinance Creating Three Head on Parking Spaces on William Street South of Wilkinson Terrace

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

IX. BUSINESS OF THE MAYOR AND COUNCIL: MOTIONS AND RESOLUTIONS**Resolution 2017-203**

(*) Bills List Resolution

ATTACHMENTS:

- Bills List 04-25-2017 (PDF)

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

Resolution 2017-204

(*) Resolution Approving the Minutes of the Mayor and Council Meeting of April 11, 2017.

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

Resolution 2017-205

(*) Resolution Authorizing Six (6) Hours Overtime to Jonathan Szura, Technical Assistant Land Use in the Construction Code Enforcement Office, to Attend the Zoning Board Meeting on May 2, 2017 and the Planning Board Meeting on May 3, 2017 for Training. (\$202.68)

ATTACHMENTS:

- OVERTIME - CCED (PDF)

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

Resolution 2017-206

(*) Consent Agenda Resolution

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

CONSENT AGENDA:

Resolution 2017-207

Resolution Authorizing Eighty-five (85) Hours Overtime Within the Department of Public Works to Repair KPD Vehicles, Inspect Possible Sewer Backup at 400 Bergen Avenue, Replace Cracked Manhole on Harrison Avenue, Oversee Contractor on Sewer Repair on Peden Terrace, Resolve Plumbing Issue at KPD Headquarters, and Repair Streets in South Kearny. (\$4,254.07)

ATTACHMENTS:

- OVERTIME - DPW (PDF)

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

Resolution 2017-208

Resolution Appointing Robert J. Smith Fund Commissioner for the Garden State Municipal Joint Insurance Fund to Fill the Unexpired Term of Michael J. Martello through December 31, 2017.

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

Resolution 2017-209

Resolution Approving an Amendment to the Redevelopment Agreement with Schuyler Crossing Urban Renewal, LLC, an Affiliate of Russo Development, Relating to Phase 1A of the Redevelopment on Bergen Avenue (Block 242, Lots 34, 35 and 36).

ATTACHMENTS:

- SECOND AMENDMENT Schuyler Ave Redevelopment Agreement (DOC)

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

Resolution 2017-210

Resolution Approving the Application of 113 Passaic Avenue Urban Renewal LLC for a Payment-in-Lieu of Taxes Agreement for a Residential Development of Approximately 280 Units at 113 Passaic Avenue (Block 1, Lot 12).

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

Resolution 2017-211

Resolution of Municipal Endorsement for Submission of a Grant Application to the Hudson County Open Space, Recreation, and Historic Preservation Trust Fund for the Gunnell Oval Playground Improvements Project.

ATTACHMENTS:

- Hudson County OSTF Application - PI Project (PDF)

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

Resolution 2017-212

Resolution Authorizing Change Order #4 for the Pettigrew Playground Improvements Project to Reivax Contracting Corp, 356 Thomas Street, Newark, NJ 07114 (\$10,430.00 Increase / 5.12%).

ATTACHMENTS:

- SKonica C4517042111300 (PDF)
- Change Order #4 SKonica C4517042111310 (PDF)

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

Resolution 2017-213

Resolution to Enter into Closed Session to Discuss the Following Matters: Review of 2017 County Tax Appeals for Residential Properties, Discussion of Financial Agreement with Russo Development (Ordinance No. 2017-29, Resolution No. 2017-210), Discussion regarding Hartz Litigation/Development Applications for Block 286, Lot 4, Discussion regarding Ajaco Towing License

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

Resolution 2017-214

Resolution Accepting the Retirement Application of Fire Captain Dennis J. Hyde from the Kearny Fire Department after Twenty-seven and One-half (27½) Years of Service, Effective May 01, 2017, Pending Approval of the Police and Firemen's Retirement System (terminal leave pay and unused vacation totaling \$57,224.41 subject to change if additional time is taken).

ATTACHMENTS:

- RETIREMENT - Dennis J. Hyde (PDF)

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

Resolution 2017-215

Resolution Appointing Firefighter Douglas J. Boyle to the Position of Fire Captain in the Kearny Fire Department, Effective May 6, 2017 at the Current Annual Salary of \$105,137, Pursuant to NJCSC Certification #PL170490 and Contingent Upon Pre-Promotional Processing.

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

Resolution 2017-216

Resolution Appointing James Berko and Michael Cardoso to the Part time Position of Library Monitor in the Kearny Public Library to Work a Minimum of 15 Hours to a Maximum of 19.5 Hours per Week at the Current Hourly Rate of \$10.00, Effective May 8, 2017.

RESULT: ADOPTED [6 TO 0]
MOVER: Eileen Eckel, Council Member
SECONDER: Alberto G. Santos, Mayor
AYES: Doyle, Eckel, Konopka, DeCastro, Santana, Santos
ABSTAIN: Albino Cardoso
ABSENT: Michael Landy, Susan McCurrie

Resolution 2017-217

Resolution Authorizing a Professional Service Agreement with John J. Curley, LLC to Provide Expert Witness Services for the Town Related to the Hartz Litigation at a Cost not to Exceed \$6,000.

ATTACHMENTS:

- Agreement John Curley (003) (DOC)

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

Resolution 2017-218

Resolution Authorizing the Execution of a Person-to-Person and Place-to-Place Transfer of Plenary Retail Consumption License No. 0907-33-016-007 from Sequoia Systems, Inc. (a “Pocket” License) to KPIP Café III, LLC, t/a Craneway Loft, 78 John Miller Way, Kearny, New Jersey.

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

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