



Kearny Town Council

Caucus / Regular Meeting

~ Minutes ~

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

Admin

Tuesday, May 23, 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	Absent	
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

- Lynn Oelz, President, Arlington Players Club (APC): requesting permission to hang their 105th annual State Championships banner on Kearny Avenue at Locust Avenue from June 4 through June 17, 2017.

M&C/POLICE/DPW

- Vasiliki Zicopoulos, KHS Girls Head Volleyball Coach: requesting permission to have a canning fundraiser on Saturday, August 26, 2017 and Saturday, October 7, 2017 between the hours of 9:00 a.m. and 1:00 p.m. to raise monies for the Kearny Girls Volleyball Team.

M&C/POLICE/DPW/REC

- Joseph P. Sgalia, President of UNICO National, Kearny Chapter: requesting permission to sponsor an "Italian" Flea Market on Sunday, June 18, 2017. The UNICO National Flea Market originally

C. Proclamations

1. Honoring Thomas J. Nash as Veteran of the Year
2. Honoring Elena Nakrosis as Senior Citizen of the Year
3. Recognizing Applebee's of Kearny for their Outstanding Commitment and Service to the Community
4. Recognizing Cynthia Schirm for her Outstanding Commitment and Service to the Community

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 2017-32**

Ordinance Vacating Handicapped Parking Zones at 64 Patterson Street and 106 Devon Street

RESULT:	INTRODUCED [UNANIMOUS]	Next: 6/27/2017 7:00 PM
MOVER:	Susan McCurrie, Council Member	
SECONDER:	Albino Cardoso, Council Member	
AYES:	Doyle, Landy, McCurrie, Eckel, Cardoso, DeCastro, Santana, Santos	
ABSENT:	Richard Konopka	

Ordinance 2017-33

Ordinance Revoking Ordinance 2001-34 Which had Established a Handicapped Parking Space for a Disabled Kearny High School Employee who no Longer Works There

RESULT:	INTRODUCED [UNANIMOUS]	Next: 6/27/2017 7:00 PM
MOVER:	Susan McCurrie, Council Member	
SECONDER:	Carol Jean Doyle, Council Member	
AYES:	Doyle, Landy, McCurrie, Eckel, Cardoso, DeCastro, Santana, Santos	
ABSENT:	Richard Konopka	

Ordinance 2017-34

An Ordinance to Further Amend and Supplement An Ordinance Entitled "An Ordinance Concerning Civil Service in the Town of Kearny, County of Hudson", Adopted March 25, 2014 and All Various Civil Service Titles in the Town of Kearny. (Exempt Employees' Salaries for 2015, 2016 and 2017)

ATTACHMENTS:

- Schedules 2015, 2016 & 2017 (DOC)

RESULT:	INTRODUCED [UNANIMOUS]	Next: 6/27/2017 7:00 PM
MOVER:	Susan McCurrie, Council Member	
SECONDER:	Eileen Eckel, Council Member	
AYES:	Doyle, Landy, McCurrie, Eckel, Cardoso, DeCastro, Santana, Santos	
ABSENT:	Richard Konopka	

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

Ordinance 2017-30

Ordinance Vacating Handicapped Parking Zones at 686 Chestnut Street and 343 Davis Avenue

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

Ordinance 2017-31

Ordinance Supplementing Section 7-14 of the Town Code to Prohibit Parking on Both Sides of Garfield Avenue Between Kearny Avenue and Chestnut Street on Thursdays Between 8:00 a.m. and 7:00 p.m. on Dates to be Designated each Year by Resolution of the Mayor and Council

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

IX. 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 April 25, 2017

Regular Meeting May 11, 2017

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

Resolution 2017-239

(*) Bills List Resolution

ATTACHMENTS:

- May 23 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, DeCastro, Santana, Santos
ABSENT: Richard Konopka

Resolution 2017-240

(*) Resolution Authorizing Tax Overpayment Refund in the Amount of \$2,379.19 to Ronald Pickel for 2017 Taxes, Block 78, Lot 11.

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

Resolution 2017-241

(*) Resolution Authorizing Tax Overpayment Refund in the Amount of \$690.82 to William Archibald for 2017 Taxes, Block 102, Lot 2.02.

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

Resolution 2017-242

(*) Resolution Authorizing Tax Overpayment Refund in the Amount of \$3,539.80 to John Lesny for 2017 Taxes, Block 263, Lot 13.

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

Resolution 2017-243

(*) Resolution Cancelling 2017 Taxes (Quarter 1 and 2) in the Amount of \$3,539.80 for Block 263, Lot 13, as a Result of Disabled Veterans' Exemption.

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

Resolution 2017-244

(*) Resolution Authorizing Permission to Encroach Upon Town Right of Way at 304 Chestnut Street, Block 232, Lot 7 , for the Purpose of Removing an Underground Storage Tank (UST).

ATTACHMENTS:

- NEA Report 304 Chestnut Street Encroachment 051817 (00053941xD43F8) (PDF)

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

Resolution 2017-245

(*) Resolution Authorizing Permission to Encroach Upon Town Right of Way at 405 Kearny Avenue, Block 61, Lot 11, with Scaffolding in the Front of the Building and on Grove Street for a Period Not to Exceed Six (6) Weeks for the Purpose of Replacing Windows and Power Washing and Repointing the Brickwork.

ATTACHMENTS:

- NEA Report 405 Kearny Avenue Encroachment 051817 (00053977xD43F8) (PDF)

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

Resolution 2017-246

(*) Resolution Authorizing Permission to Encroach Upon Town Right of Way at 693 Forest Street, Block 145, Lot 22, for the Purpose of Repairing Front Steps.

ATTACHMENTS:

- NEA Report 693 Forest Street Encroachment 051817 (00053939xD43F8) (PDF)

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

Resolution 2017-247

(*) Resolution Granting Permission to PSE&G for Road Opening Permit at 76 Davis Avenue, Block 251, Lot 3, in Order to Install New Gas Service.

ATTACHMENTS:

- NEA Report 76 Davis Avenue Road Opening 05-19-17 (00053940xD43F8) (PDF)

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

Resolution 2017-248

(*) Resolution Authorizing the Return of 2017 Overnight Parking Permit Fee for the Chestnut Street Lot to Li Jiang in the Amount of \$125.00 as the Applicant Does Not Meet the Requirements for an Overnight Off-Street Parking Permit.

ATTACHMENTS:

- Backup Document Li Jiang Parking Permit Refund (PDF)

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

Resolution 2017-249

(*) Resolution Refunding Towing and Storage Fees of \$139.72 to Paola D. Marcillo for Charges Incurred when her Car was Towed on April 19, 2017 from the VFW Parking Lot.

ATTACHMENTS:

- Backup Documents Paola Marcillo Parking Permit Refund (PDF)

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

Resolution 2017-250

(*) 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, Landy, McCurrie, Eckel, Cardoso, DeCastro, Santana, Santos
ABSENT: Richard Konopka

Resolution 2017-251

(*) Resolution Authorizing Twelve (12) Hours Overtime to Two (2) PVO Officers in the Kearny Police Department for Overnight Parking Enforcement in June, July, and August 2017.

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

Resolution 2017-252

(*) 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, DeCastro, Santana, Santos
ABSENT: Richard Konopka

Resolution 2017-253

Resolution Authorizing Twenty-one and One-half (21.5) Hours Overtime within the Department of Public Works to Repair KPD Vehicles, Investigate Possible Flooding at the Gunnell Oval Bathrooms, Remove a Tree at 583 Chestnut Street, Place Barricades, Replace Manhole Covers, and Maintain Pump Stations due to Heavy Rains, and Assist Contractor with Sewer Backup at 12 Alpine Place. (\$1,150.57)

ATTACHMENTS:

- OVERTIME - DPW (05-23-17) (PDF)

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

Resolution 2017-254

Resolution Consenting to the Partial Assignment by 113 Passaic Avenue Urban Renewal, LLC of its Redeveloper Agreement to Kearny Leasing UE LLC for a Portion of Block 1, Lot 12.01 within the Passaic Avenue Redevelopment Area.

ATTACHMENTS:

- Assignment & Assumption of Redeveloper Designation and Redevelopment Agreement (PDF)

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

Resolution 2017-255

Resolution Authorizing Contract to Neglia Engineering Associates for Supplemental Construction Management of Pettigrew Playground Improvements Project (T&M Not to Exceed \$9,800.00).

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

Resolution 2017-256

Resolution Authorizing a Professional Service Agreement with Tectonic Engineering & Surveying Consultants P.C. for Environmental Services at 80 Belgrove Drive (Washington School Playground) at a Cost Not to Exceed \$7,500.

ATTACHMENTS:

- Tectonic Engineering & Surveying Consultants PC letter (PDF)

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

Resolution 2017-257

Resolution Authorizing the Endorsement and Execution of Applicable Sections of the NJDEP TWA Application for 113 Passaic Avenue by 113 Passaic Avenue Urban Renewal, LLC.

ATTACHMENTS:

- 113 Passaic Avenue TWA Review Letter 05-11-17 (00053403xD43F8) (PDF)

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

Resolution 2017-259

Resolution Authorizing the Town of Kearny to Continue Participation in the County of Hudson Community Development Block Grant Program and to Continue as a Member of the Hudson County Urban County for the Fiscal Years 2018-2020.

ATTACHMENTS:

- Letter Confirming Participation HC CDBG Program (DOC)

RESULT: ADOPTED [7 TO 0]
MOVER: Carol Jean Doyle, Council Member
SECONDER: Alberto G. Santos, Mayor
AYES: Doyle, Landy, Eckel, Cardoso, DeCastro, Santana, Santos
ABSTAIN: Susan McCurrie
ABSENT: Richard Konopka

Resolution 2017-260

Resolution Authorizing Entry into an Interlocal Agreement with the Kearny Municipal Utilities Authority for the Purchase by the Town of a Used Vacuum Truck.

RESULT: TABLED [UNANIMOUS] **Next: 6/12/2017 7:00 PM**
MOVER: Carol Jean Doyle, Council Member
SECONDER: Alberto G. Santos, Mayor
AYES: Doyle, Landy, McCurrie, Eckel, Cardoso, DeCastro, Santana, Santos
ABSENT: Richard Konopka

Resolution 2017-261

Resolution to Enter into Closed Session.

RESULT: WITHDRAWN

Resolution 2017-263

Resolution Authorizing Participation in the New Jersey Council of Farmers & Communities (“NJCFC”) and Execution of the Community Market Membership Application.

ATTACHMENTS:

- Farmer's Market Application (PDF)

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

Resolution 2017-264

Resolution Authorizing Change Order #4 for the Davis Avenue Firehouse Improvements Project.

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

Resolution 2017-265

Resolution Amending Resolution 2017-238 to Ratify the Issuance of a Default Notice to Hartz Mountain Industries by the Town Administrator.

ATTACHMENTS:

- Default Notice (PDF)

RESULT: ADOPTED [7 TO 0]
MOVER: Alberto G. Santos, Mayor
SECONDER: Carol Jean Doyle, Council Member
AYES: Doyle, McCurrie, Eckel, Cardoso, DeCastro, Santana, Santos
ABSTAIN: Michael Landy
ABSENT: Richard Konopka

X. EXECUTIVE (CLOSED) SESSION

XI. ADJOURNMENT