



Kearny Town Council

Caucus / Regular Meeting

~ Minutes ~

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

Admin

Tuesday, June 27, 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	Absent	
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	Absent	
Alberto G. Santos	Kearny Town Council	Mayor	Present	

III. SALUTE TO THE FLAG

IV. CONDUCT OF MEETING NOTICE

V. CAUCUS MEETING

A. Communications

1. Donna Mahler, 21 Shepard Place: requesting permission to close Shepard Place between Forest Street and Schuyler Avenue on Saturday, July 29, 2017 from 12:00 p.m. until 11:00 p.m. for their annual block party. (Rain date: Sunday, July 30, 2017)
M&C/POLICE/FIRE/DPW
2. Sgt. Thomas Pontrella, Kearny PBA Civic Association: requesting permission to hold their annual carnival at the Frank A. Vincent Marina October 5 through October 9, 2017.
M&C/POLICE/FIRE/REC/DPW
3. Miranda Agosto and Kaitlynn Fink: requesting permission to hold the 2nd annual *Walk for Love* march on Saturday, July 1, 2017. Participants will begin assembling at 4:00 p.m. at Town Hall. The *Walk* will begin at 5:30 p.m. along the sidewalks beginning at Kearny Town Hall, passing by East Newark Borough Hall, and ending at Harrison Town Hall.
M&C/POLICE/DPW

4. John Reverendo, Scoutmaster Troop 305, Committee Chair Pack 305, St. Stephen's Church: requesting permission to hang a banner on Kearny Avenue at Locust Avenue from August 14, 2017 to September 8, 2017 announcing the new Scout year and recruitment of new scout members. **M&C/POLICE/DPW**

5. Robert Kelly, Head Boys Tennis Coach & Assistant Ice Hockey Coach: requesting permission to have canning fundraisers for the following KHS teams on the stated dates from 9:00 a.m. to 1:00 p.m.:

KHS Ice Hockey Team - Saturday, October 28, 2017

KHS Boy's Tennis Team - Saturday, November 4, 2017

M&C/POLICE/DPW/REC

6. Al Perez, KHS Head Cross Country and Track & Field Coach: requesting permission to have canning fundraisers for the following KHS teams:

KHS Boy's & Girl's Indoor Track & Field

Saturday, December 16, 2017 and Saturday, December 30, 2017

KHS Boy's & Girl's Outdoor Track & Field

Saturday, March 10, 2018 and Saturday, March 24, 2018

M&C/POLICE/DPW/REC

7. Jennifer M. Long, SGM (Retired), Commander of VFW Post 1302: requesting the closure of various Town streets in Kearny on Saturday, August 26, 2017 from 7:00 a.m. until 11:00 a.m. for a 5K Run, and that Belgrove Drive, from Bergen Avenue to Afton Street, be closed to traffic until 3:00 p.m. A 5K Run/Walk will be held in Memory of SSG Jorge Oliveira to raise funds for a scholarship and veterans' causes. **M&C/POLICE/FIRE/DPW/REC**

8. LICENSES: 2 - PARKING PERMITS that include:

1 - MANDEE LOT

1 - PROVIDENT BANK

5 - GARAGE SALE;

7 - PEDDLER;

3 - LUNCH TRUCK;

1 - USED CAR LOT

LICENSES

B. Reports of Department Heads

- 1. DPW Operations Report for May 2017
- 2. Engineer’s Report dated June 27, 2017
- 3. Engineer’s Report on Gunnell Oval Project dated June 27, 2017
- 4. Steven Houst, Project Manager-SUEZ Water Environmental Services, Inc.: Oral Report on the operations of the Town’s water utility operation and maintenance and significant issues regarding road openings on paved streets

C. 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 2017-39

Ordinance Vacating Handicapped Parking Zones at 61 Johnston Avenue, 19 John Street, and 185 Brighton Avenue

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

Ordinance 2017-40

An Ordinance Establishing the Part time Position of Court Attendant (01430) and Amending and Supplementing Ordinance 2015-13 Entitled “An Ordinance Concerning Civil Service in the Town of Kearny, County of Hudson,” Adopted April 20, 2015, and to Provide the Salary Range Therefor

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

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

Ordinance 2017-32

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

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

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

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

Ordinance 2017-35

Ordinance Vacating Handicapped Parking Zones at 21 Fuller Place, 131 Tappan Street and 659 Elm Street

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

Ordinance 2017-36

Ordinance Revoking only that Portion of Ordinance 2017-28 Establishing a Handicapped Parking Zone in Front of 625 Elm Street

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

Ordinance 2017-37

Ordinance Establishing Handicapped Parking Zones at 28 Chestnut Street, 163 Brighton Avenue and 625 Elm Street

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

Ordinance 2017-38

An Ordinance Establishing the Part time Position of Mail Clerk (20432) and Amending and Supplementing Ordinance 2015-13 Entitled "An Ordinance Concerning Civil Service in the Town of Kearny, County of Hudson," Adopted April 20, 2015, and to Provide the Salary Range Therefor

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

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 June 12, 2017
- B. *Motion to Suspend the Reading of Communications (read by title)

Resolution 2017-293

Bills List Resolution

ATTACHMENTS:

- [June 27 2017 Bills List Schedule](#) (PDF)

RESULT:	ADOPTED [5 TO 0]
MOVER:	Susan McCurrie, Council Member
SECONDER:	Albino Cardoso, Council Member
AYES:	Landy, McCurrie, Cardoso, Konopka, Santos
ABSTAIN:	Carol Jean Doyle, Marytrine DeCastro
ABSENT:	Eileen Eckel, Peter Santana

Resolution 2017-294

(*) Resolution Authorizing Tax Overpayment Refund in the Amount of \$74,402.28 to Lereta Tax Services, Inc. for 2017 Taxes, Block/Lot 17 / 7, 41 / 1, 45 / 9.02, 49 / 78, 65 / 18, 98 / 34, 129 / 10, 179 / 24, 200 / 20, 207 / 15, 220 / 2, 220 / 14, 220 / 43, 223 / 3, 249 / 1.

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

Resolution 2017-295

(*) Resolution Authorizing Tax Overpayment Refund in the Amount of \$644.35 to Claire Reilly for 2017 Taxes, Block 126, Lot 4.

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

Resolution 2017-296

(*) Resolution Authorizing Permission to Encroach Upon Town Right of Way at 116 Rutherford Place, Block 126, Lot 7, for the Purpose of Replacing Front Steps.

ATTACHMENTS:

- NEA Report 116 Rutherford Place Encroachment 06-23-17 (00056919xD43F8) (PDF)

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

Resolution 2017-297

(*) Resolution Granting Permission to PSE&G for Road Opening Permit at 531-533 Kearny Avenue, Block 72 Lot 26, in Order to Install New Gas Service.

ATTACHMENTS:

- NEA Report 531-533 Kearny Avenue Opening 06-23-17 (00056921xD43F8) (PDF)

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

Resolution 2017-298

(*) Resolution Approving the Application of Bryan Ortega for a Refund of the \$176.41 Towing Fee he Incurred because he was not able to hear the Police Siren Warnings from the Polling Place where he was working in Basement of the Kearny Library.

ATTACHMENTS:

- Towing & Storage Refund Backup Bryan Ortega (PDF)

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

Resolution 2017-299

(*) Consent Agenda Resolution

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

Resolution 2017-300

Resolution Authorizing Seventy-four and One-half (74.5) Hours Overtime within the Department of Public Works to Repair KPD Vehicles, Repair Potholes in S. Kearny, and Inspect a Cave-in on Garfield Avenue and Forest Street. (\$3,608.60)

ATTACHMENTS:

- OVERTIME - DPW (06-27-17) (PDF)

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

Resolution 2017-301

Resolution Authorizing Contract to Neglia Engineering Associates for Construction Management of the 2016-2017 Road Program Phase 'B' Project (T&M not to Exceed \$38,000.00). (Funded from Bond Ordinance #2017-06)

ATTACHMENTS:

- Proposal_Kearny 2016 Road Program B - Construction Management_062717 (PDF)

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

Resolution 2017-302

Resolution Awarding a Contract to D & L Paving Contractors for the 2016-2017 Road Program Phase 'B' (NJDOT Funded). (Funded from Bond Ordinance #2017-06)

ATTACHMENTS:

- Bid Recommendation - Kearny Road Program Phase B - 062717 (00057196xD43F8) (PDF)

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

Resolution 2017-303

Resolution Authorizing Contract to Neglia Engineering Associates for Planning and Engineering Services for Amendments to the Passaic Avenue Redevelopment Plan (T&M not to Exceed \$7,800.00).

ATTACHMENTS:

- Passaic Ave Redevelopment Plan Amendments Proposal (PDF)

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

Resolution 2017-304

Resolution Authorizing One (1) Year Extension of the Contract with Cali Carting Inc. for the Collection of Solid Waste and Recyclable Materials from July 1, 2017 through June 30, 2018 at an Annual Cost of \$1,460,000.

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

Resolution 2017-305

Resolution Authorizing Award of Contract to Tropical Cleaning Services LLC for Janitorial Services in the Amount of \$63,983.00 for Period July 1, 2017 to June 30, 2018.

ATTACHMENTS:

- AGREEMENT - TROPICAL CLEANING SERVICES LLC (DOC)

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

Resolution 2017-306

Resolution Extending the Conditional Designation of The Sitex Group, LLC as Redeveloper of the Former Standard Chlorine Site and the Former Diamond Shamrock Site.

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

Resolution 2017-307

Resolution Extending the Term of the Site Access Agreement with ABJ, LLC for Temporary Access over Town Owned Property for the Removal of Boats and Debris on Property owned by ABJ, LLC at 701 Passaic Avenue (Block 1, Lot 40).

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

Resolution 2017-308

Resolution to Enter into Closed Session to Discuss the Following Matters Relating to Anticipated Litigation, Contract Negotiations, and Personnel Matters, to wit: Update on the Meadowlands Intermunicipal Tax Sharing Litigation, Update on Hartz Litigation

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

Resolution 2017-309

Resolution Authorizing the Issuance of Not Exceeding \$10,000,000 Tax Anticipation Notes of 2017 of the Town of Kearny, in the County of Hudson, New Jersey.

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

Resolution 2017-310

Resolution Authorizing Estimated 3rd Quarter Tax Bills.

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

Resolution 2017-311

Resolution Authorizing Emergency Temporary Appropriations for the Calendar Year 2017.

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

Resolution 2017-312

Resolution Appointing Seasonal Playleaders.

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

Resolution 2017-313

Resolution to Renew Alcoholic Beverage Licenses Approved by the Kearny Police Investigative Unit, as the designated Alcoholic Beverage Control Investigative and Enforcement Unit (ABCIEU): 28 Plenary Retail Consumption, 23 Plenary Retail Distribution, and 4 Club Licenses.

ATTACHMENTS:

- Retail Liquor License Renewal Clearance June 27 2017.docx (PDF)

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

Resolution 2017-314

Resolution Authorizing the Execution of an Amendment to the Agreement with Suez Water Environmental Services, Inc.

ATTACHMENTS:

- FIRST AMENDMENT TO THE WATER SYSTEM CONTRACT OPERATIONS (DOC)

RESULT: WITHDRAWN

Resolution 2017-315

Resolution Authorizing an Unpaid Internship in the Health Department for Coleen D. Gurkas to Fulfill her Practicum Requirements at Walden University.

ATTACHMENTS:

- Coleen Gurkas Internship Information (PDF)

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

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