



# Kearny Town Council

## Caucus / Regular Meeting

~ Minutes ~

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

Admin

Tuesday, January 9, 2018

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 DANIEL NEVES, FIRE PREVENTION SPECIALIST UFD, (INSPECTOR-COMBUSTIBLES)

### VI. CAUCUS MEETING

#### A. Communications

1. LICENSES: 146-PARKING PERMITS that include:

22 - 101 KEARNY AVENUE LOT

01 - 101 KEARNY AVENUE LOT (BUSINESS)

34 - AMERICAN LEGION/VFW

10 - BRIGHTON AVENUE PLAYGROUND

18 - CHESTNUT STREET LOT

14 - DOWD PLAYGROUND

05 - MANDEE LOT

07 - MANDEE LOT (BUSINESS)

29 - POLICE SUBSTATION

06 - PROVIDENT BANK

LICENSES

**B. Reports of Department Heads**

- 1. Construction Code Enforcement Department Report for December 2017
- 2. DPW Operations Report for December 2017
- 3. Kearny Water Department’s Operations Report for December 2017  
prepared by SUEZ Water Environmental Services, Inc.
- 4. End of Year Engineer’s Report dated December 26, 2017
- 5. Engineer’s Report dated January 09, 2018
- 3. Engineer’s Report on Gunnell Oval Project dated January 09, 2018
- 4. Engineer’s Report on Dukes Street Pumping Station dated January 09, 2018

**C. In Memoriam Proclamation Recognizing and Honoring Town of Kearny Firefighter Robert Hamilton**

**D. Presentation by Conrail on the Passaic and Harsimus Rail Project**

**E. 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 2018-1**

Ordinance Vacating Handicapped Parking Zones at 19 Howell Place, 58 Dukes Street, 103 Devon Street, 140 Johnston Avenue, and 599 Devon Street

<b>RESULT:</b>	<b>INTRODUCED [UNANIMOUS]</b>	<b>Next: 1/23/2018 7:00 PM</b>
<b>MOVER:</b>	Susan McCurrie, Council Member	
<b>SECONDER:</b>	Michael Landy, Council Member	
<b>AYES:</b>	Doyle, Landy, McCurrie, Eckel, Cardoso, Konopka, DeCastro, Santana, Santos	

**Ordinance 2018-2**

Ordinance Pursuant to N.J.S.A. 40A:12A-7 Approving and Adopting an Amendment to the Passaic Avenue Redevelopment Plan to Permit Coffee Shops with Drive-Through as a Principal Permitted Use

<b>RESULT:</b>	<b>INTRODUCED [UNANIMOUS]</b>	<b>Next: 1/23/2018 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 2018-3

An Ordinance Amending Chapter 38 of the Town Code to Permit Fences or Walls at a Height of 6 Feet on Residential Through Lots that Abut a Non-Residential Use to the Rear of the Building

<b>RESULT:</b>	<b>INTRODUCED [UNANIMOUS]</b>	<b>Next: 1/23/2018 7:00 PM</b>
<b>MOVER:</b>	Susan McCurrie, Council Member	
<b>SECONDER:</b>	Carol Jean Doyle, Council Member	
<b>AYES:</b>	Doyle, Landy, McCurrie, Eckel, Cardoso, Konopka, DeCastro, Santana, Santos	

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

## 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): Special Meeting December 18, 2017

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

### Resolution 2018-34

(\* ) Bills List Resolution

ATTACHMENTS:

- January 9, 2018 Bill List Schedule (PDF)

**RESULT:** ADOPTED [8 TO 0]  
**MOVER:** Carol Jean Doyle, Council Member  
**SECONDER:** Eileen Eckel, Council Member  
**AYES:** Doyle, Landy, McCurrie, Eckel, Konopka, DeCastro, Santana, Santos  
**ABSTAIN:** Albino Cardoso

### Resolution 2018-35

(\*) Resolution Authorizing Permission to Encroach Upon Town Right of Way at 26 Kearny Avenue, Block 12, Lot 10, with Scaffolding in the Front of the Building for a Period Not to Exceed 3-5 Business Days, for the Purpose of Replacing Siding.

**ATTACHMENTS:**

- NEA Report 26 Kearny Avenue Encroachment 01-05-18 (00070866xD43F8) (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 2018-36

(\*) Resolution Authorizing Glenn Springs Holdings, Inc. and its Agent, Brown & Caldwell to Encroach upon the Gypsum Street Right-of-Way near Block 290, Lots 4 thru 9 and 13 for the Purpose of Performing Soil Sampling Activities through 2 Soil Borings.

**ATTACHMENTS:**

- SITE ACCESS AGREEMENT - GLENN SPRINGS HOLDING, INC. (DOC)
- Exhibit A - Ltr from Brown and Caldwell - Gypsum (PDF)
- Exhibit B - Ltr from Neglia Associates - Gypsum (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 2018-37

(\*) Resolution Granting Permission to J. Fletcher Creamer & Son, Inc. of Hackensack, NJ for Road Opening Permit at 16 Pavonia Avenue, Block 68, Lot 8, in Order to Investigate Leaking Service.

**ATTACHMENTS:**

- NEA Report 16 Pavonia Avenue Opening 01-05-18 [SUEZ JFC] (00070881xD43F8) (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 2018-38

(\*) Resolution Granting Permission to J. Fletcher Creamer & Son, Inc. of Hackensack, NJ for Road Opening Permit at 49 O'Brien Road, a/k/a 49-57 O'Brien Road, Block 150, Lot 4.01, in Order to Install a 6" Water Service on a 12" Water Main.

**ATTACHMENTS:**

- NEA Report 49 O'Brien Street Opening 01-05-18 [Protected] [SUEZ JFC] (00070878xD43F8) (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 2018-39

(\*) Resolution Granting Permission to J. Fletcher Creamer & Son, Inc. of Hackensack, NJ for Road Opening Permit at 145 Hoyt Street, Block 261, Lot 57, in Order to Replace Curb Box.

**ATTACHMENTS:**

- NEA Report 145 Hoyt Street Opening 01-05-18 [SUEZ JFC] (00070880xD43F8) (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 2018-40

(\*) Resolution Granting Permission to J. Fletcher Creamer & Son, Inc. of Hackensack, NJ for Road Opening Permit at Marshall Street and Clark Avenue in Order to Perform 10" x 8" Wet Tap for Developer to Run Main Extension.

**ATTACHMENTS:**

- NEA Report Marshall Street Clark Street Opening 01-05-18 [SUEZ JFC] (00070883xD43F8) (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 2018-41

(\*) Resolution Granting Permission to J. Fletcher Creamer & Son, Inc. of Hackensack, NJ for Road Opening Permit at Woodland Avenue and Devon Street in Order to Investigate and Repair Leaking Water Main.

**ATTACHMENTS:**

- NEA Report Woodland Avenue Devon Street Opening 01-05-18 [SUEZ JFC] (00070885xD43F8) (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 2018-42

(\*) Resolution Granting Permission to PSE&G for Road Opening Permit at 267 Maple Street, Block 37, Lot 23, in Order to Abandon Gas Service.

**ATTACHMENTS:**

- NEA Report 267 Maple Street Opening [PSEG Gas] 01-05-18 (00070889xD43F8) (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 2018-43

(\*) Resolution Authorizing Refund of Curb Cut Application Fee to Miranda Segunda in the Amount of \$50.00 for 829 Chestnut Street, Block 128, Lot 22, because the Application was Denied by the Kearny Police Department.

**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 2018-44

(\*) Resolution Authorizing Sixteen (16) Hours Overtime for the Municipal Court Staff, Melissa Murray, Ledy More, Cintia Valdez, and Catherine Colon, for Monday Evening Court Session on January 22, 2018 and Monday Evening Court Session on February 26, 2018. (\$2,400.00)

## ATTACHMENTS:

- OVERTIME - COURT 01-09-18 (JAN2018) (PDF)
- OVERTIME - COURT 01-09-18 (FEB2018) (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 2018-45**

(\*) Resolution Authorizing Thirteen and One-half (13.5) Hours Overtime to Robert Charles, Building Inspector/Code Enforcement Officer in the Construction Code Enforcement Department, to Conduct Additional Building Inspections in the Absence of a Building Subcode Official from November 27, 2017 through December 8, 2017. (\$740.34)

## ATTACHMENTS:

- OVERTIME - CCED (Robert Charles) 01-09-18 (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 2018-46**

(\*) Resolution Authorizing Five (5) Hours Overtime to Dinis Conceicao, MIS Technician, to Install Ram, Update Latest Build of Esx, and Perform Server Upgrade on November 3, 2017. (\$314.40)

## ATTACHMENTS:

- OVERTIME (MIS) - (Dinis Conceicao\_ 01-09-18 (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 2018-47**

(\*) 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

#### Resolution 2018-48

Resolution Authorizing Two Hundred Eighty-eight (288) Hours Overtime within the Department of Public Works to Repair KPD Vehicles and Leaf Equipment, Accept Salt Delivery, Investigate a Sewer Backup at 55 Magnolia Avenue and 33 William Street, Assist KFD with Barricades near Fire Scene, and Plow Snow on December 08, 09, 14, and 15, 2017. (\$16,941.58)

ATTACHMENTS:

- OVERTIME - DPW (01-09-18) (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 2018-49

Resolution Appointing Xavier Colon to the Temporary Position of Laborer in the Department of Public Works at the Current Hourly Rate of \$12.00 for a Period Not to Exceed Six (6) Months.

**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 2018-51

Resolution Authorizing Release of the Maintenance Bond Posted by Schuyler Crossing Urban Renewal, LLC (Block 252, Lot 2.022).

ATTACHMENTS:

- Schuyler Crossing Petition Letter Maintenance Bond Release (PDF)
- Maintenance Bond Release Letter - 320-360 Bergen Avenue (00070924xD43F8) (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 2018-52



Resolution Consenting to the Installation by Mobilitie, LLC of Communication Equipment on an Existing Pole in the Right-of-Way near 100-110 Quincy Avenue.

ATTACHMENTS:

- CONSENT AND INDEMNITY AGREEMENT - MOBILITIE (100-110 Quincy Ave) (DOC)
- Exhibit A - 100-110 Quincy Avenue (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 2018-53**

Resolution Consenting to the Installation by Mobilitie, LLC of Communication Equipment on an Existing Pole in the Right-of-Way near 53 Hackensack Avenue.

ATTACHMENTS:

- CONSENT AND INDEMNITY AGREEMENT - MOBILITIE (53 Hackensack Avenue) (DOC)
- Exhibit A - Mobilitie - 53 Hackensack Avenue (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 2018-54**

Resolution Pursuant to Town Code Section 23-7 Approving Curb Cut at 175 Windsor Street, Block 55, Lot 19, to Accommodate a New Driveway.

ATTACHMENTS:

- CURB CUT BACKUP - 175 Windsor Street (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 2018-55**

Resolution to Enter into Closed Session.

**RESULT:** WITHDRAWN

**Resolution 2018-56**

Resolution Pursuant to N.J.S.A. 40:48-2.14 Charging the Costs of Removal of Brush, Weeds, Etc. against Properties, Which Costs Shall Hereby Become Liens against Such Properties: 512 Forest Street, Block 179, Lot 1, 398 Davis Avenue, Block 200, Lot 1

## ATTACHMENTS:

- Schedule A (01-09-18) [DPW] (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 2018-57**

Resolution Accepting a \$20,000 Donation from Kuehne Chemical Company to be used by the Kearny Fire Department Towards the Purchase of a Fire Department Vehicle.

**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 2018-58**

Resolution Accepting the Donation of Three (3) Surplus Exhaust Fans from the Colonia Fire Department for use by the Kearny Fire Department.

## ATTACHMENTS:

- Letter from Colonia Board of Fire Commissioners (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 2018-59**

Resolution Appointing Six (6) Full time Police Officers in the Kearny Police Department, Effective January 16, 2018 at the Current Annual Salary of \$43,965, Pursuant to NJ Civil Service Certification #OL170370 and Contingent upon Successful Completion of the Pre-employment Process.

**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 2018-60

(\*) Resolution Authorizing One (1) Hour Overtime to Mariela Irizarry, Account Clerk/Deputy Registrar of Vital Statistics in the Health Department, to Assist Residents who were Displaced from the Maple Street Fire on January 5, 2018. (\$28.60)

**ATTACHMENTS:**

- OVERTIME - HEALTH (Mariela Irizarry) 01-09-18 (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 2018-61

(\*) Resolution Authorizing Five (5) Hours Overtime to Adnelis Albizu, Social Service Tech Bilingual in the Health Department, to Assist Residents who were Displaced from the Maple Street Fire on January 5, 2018. (\$141.11)

**ATTACHMENTS:**

- OVERTIME - HEALTH (Adnelis Albizu) 01-09-18 (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 2018-62

(\*) Resolution Authorizing Four and One-half (4.5) Hours Overtime in the Health Department to Omnibus Driver Carmen Valcarcel to Transport Residents on January 5, 2018 who were Displaced from the Maple Street Fire. (\$102.13)

**ATTACHMENTS:**

- OVERTIME - HEALTH (Carmen Valcarcel) 01-09-18 (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

**XI. EXECUTIVE (CLOSED) SESSION**

**XII. ADJOURNMENT**