



Kearny Town Council

Caucus / Regular Meeting

~ Minutes ~

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

Admin

Tuesday, May 22, 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	Absent	
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. SWEARING-IN OF FIRE CAPTAIN WILLIAM HUHNS

VI. CAUCUS MEETING

A. *Communications*

1. Amelia Pena on behalf of the Committee for the Portuguese Cultural Association of Kearny: requesting that Kearny Avenue be closed to traffic between Halstead Street and Quincy Avenue on Sunday, June 3, 2018 for approx. two (2) hours, starting at 10:30 a.m. until 12:30 p.m. The Portuguese Cultural Association will be celebrating Portugal Day with a flag raising ceremony and children’s folklore dance performance in front of Town Hall. M&C/POLICE/DPW/REC

2. Cissy Gialanella of JC Promotions, Inc., on behalf of Lou Pandolfi, (Acting) President of UNICO National, Kearny Chapter: requesting permission to sponsor an “Italian” Flea Market on Sunday, June 10, 2018 at the Frank A. Vincent Marina. Unico’s Flea Market previously scheduled and approved for May 13, 2018 was cancelled due to inclement weather. M&C/POLICE/DPW/REC

3. Susan McCurrie on behalf of Kearny Awake Organization (Association of Water, Agriculture and Kearny's Environment): requesting permission to plant trees along Passaic Avenue between Bergen Avenue and Afton Street as part of a green infrastructure project. **M&C/DPW/REC**
4. Kelly Logue, Roosevelt School Corresponding Secretary: informing Mayor and Council that Roosevelt School's Spring Luau scheduled for May 17, 2018 was cancelled due to inclement weather and has been rescheduled for Thursday, May 31, 2018 from 4:30 p.m. - 10:00 p.m. Kelly is requesting the closure of Stewart Avenue between Kearny Avenue and Grand Place for the Spring Luau on May 31st. **M&C/POLICE/DPW**
5. LICENSES: 1 - PARKING PERMIT -MANDEE LOT;
 2 - GARAGE SALE;
 1 - LIMOUSINE OWNER;
 2 - RAFFLE;
 2 - SIDEWALK CAFÉ **LICENSES**
6. Alberto G. Santos on behalf of the Hudson County Democratic Organization requesting that on Tuesday, June 12, 2018, the Hudson County Democratic Organization will have a valid Permit from the Kearny School District for use of the High School auditorium for their Annual Meeting at which 900 individuals are invited to attend and that the parking area between Devon and Chestnut Streets in front of the High School be reserved for the permittee's use from the end of the school day at approximately 4:30 p.m. until 9:00 p.m.; that the parking lot behind the Kearny Town Hall also be reserved for the Permittee's use from the end of the Town Hall day, 5:00 p.m. until 9:00 p.m. and that the area in front of the High School on Devon Street on the East side along the front of the High School along the side of King Street and on the South side of King Street from Devon Street to Davis Avenue also be restricted from 5:00 p.m. to 9:00 p.m.; that would be similar to restrictions in place when there is a High School graduation in order to accommodate if there is full attendance and the expectation right now is that it will be highly attended, how close to 900 we do not know that the parking will be a challenge so reserving the two lots around the high school becomes important especially to the extent that members are arriving by bus and those areas will have to be open for the buses Subject to the Permit being issued by the High School.

M&C/POLICE/FIRE/DPW/REC

B. Reports of Department Heads

1. Engineer's Report dated May 22, 2018
2. Engineer's Report on Gunnell Oval Project dated May 22, 2018
3. Engineer's Report on Dukes, Devon Tappan, Hoyt (DDTH) Pumping Station Project dated May 22, 2018

C. Proclamations

1. Presentation/Proclamation recognizing State and National Wrestling Champion Jacob Cardenas - the first Kearny resident to claim a state and national wrestling championship the same year.
2. Proclamation Honoring John Dunrovich as Veteran of the Year
3. Proclamation Honoring Ann Kneer as Senior Citizen of the Year

D. Reports of Council Members**VII. PUBLIC HEARING ON THE 2018 MUNICIPAL BUDGET****VIII. OPPORTUNITY FOR MEMBERS OF THE PUBLIC TO COMMENT ON AGENDA ITEMS AND MATTERS OF THE PUBLIC INTEREST****IX. BUSINESS OF THE MAYOR AND COUNCIL: ORDINANCES FOR INTRODUCTION****Ordinance 2018-29**

An Ordinance Authorizing an Amendment to the Financial Agreement with KPIP Urban Renewal I, LLC for Property at 78 John Miller Way (Block 294, Lot 12)

ATTACHMENTS:

- Amendment to Financial Agreement 5-22-18 (PDF)

RESULT:	INTRODUCED [UNANIMOUS]	Next: 6/13/2018 7:00 PM
MOVER:	Susan McCurrie, Council Member	
SECONDER:	Albino Cardoso, Council Member	
AYES:	Doyle, McCurrie, Eckel, Cardoso, DeCastro, Santana, Santos	
ABSENT:	Michael Landy, Richard Konopka	

Ordinance 2018-30

Ordinance Appropriating \$310,299 from a Grant from the State of New Jersey Department of Transportation for Midland Avenue (Section 4) Road Improvements In and By the Town of Kearny, in the County of Hudson, New Jersey

RESULT:	INTRODUCED [UNANIMOUS]	Next: 6/13/2018 7:00 PM
MOVER:	Susan McCurrie, Council Member	
SECONDER:	Albino Cardoso, Council Member	
AYES:	Doyle, McCurrie, Eckel, Cardoso, DeCastro, Santana, Santos	
ABSENT:	Michael Landy, Richard Konopka	

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

Ordinance 2018-26

Ordinance Vacating Handicapped Parking Zone at 15 Maple Street

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

Ordinance 2018-27

Ordinance Establishing Handicapped Parking Zones at 344 Davis Avenue, 173 Brighton Avenue and 667 Elm Street

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

Ordinance 2018-28

Ordinance Updating the Town Code Regarding Police Department Personnel for Consistency with a Previous Labor Agreement

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

XI. BUSINESS OF THE MAYOR AND COUNCIL: MOTIONS AND RESOLUTIONS

CONSENT AGENDA: All matters listed with an asterisk (*) are considered to be

Resolution 2018-303

(*) Bills List Resolution

ATTACHMENTS:

- May 22 2018 Bill List Schedule (PDF)

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

Resolution 2018-304

(*) Resolution Authorizing the Return of Unused Escrow Deposit to Antonio Mendes in the Amount of \$1,440.00 Relative to Streetscape Application #71 for 61 New Lawn Avenue Avenue, Block 71, Lot 21.02.

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

Resolution 2018-305

(*) Resolution Authorizing Permission to Encroach Upon Town Right of Way at 23 Grove Street, Block 65, Lot 27, for the Purpose of Removing Two (2) Underground Storage Tanks (USTs).

ATTACHMENTS:

- NEA Report 23 Grove Street Encroachment for UST 05-17-18 (00080792xD43F8) (PDF)

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

Resolution 2018-306

(*) Resolution Authorizing Permission to Encroach Upon Town Right of Way at 228 Seeley Avenue, Block 146, Lot 13, for the Purpose of Replacing a Retaining Wall.

ATTACHMENTS:

- NEA Report 228 Seeley Avenue Encroachment for Ret Wall 05-17-18 (00080799xD43F8) (PDF)

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

Resolution 2018-307

(*) Resolution Authorizing EnterSolar, LLC to Encroach upon the Sidewalk within the Town Right of Way at 69-81 Sellers Street, Block 151, Lot 3 for the Purpose of Digging a Trench for the Installation of a PSE&G Utility Pole.

ATTACHMENTS:

- CONSENT AND INDEMNITY AGREEMENT - EnterSolar, LLC (DOC)
- EnterSolar (PDF)

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

Resolution 2018-308

(*) Resolution Authorizing Permission to Encroach Upon Town Right of Way at 242 Kearny Avenue, Block 234, Lot 2, with Scaffolding in the Front of the Building for a Period Not to Exceed Three (3) Weeks from the Time of Installation, for the Purpose of Renovating the Front Façade of the Building.

ATTACHMENTS:

- NEA Report 242 Kearny Avenue Encroachment 05-18-18 (00080813xD43F8) (PDF)

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

Resolution 2018-309

(*) Resolution Granting Permission to PSE&G for Sidewalk Opening Permit at 242 Kearny Avenue, Block 234, Lot 2, in Order to Install New Gas Service.

ATTACHMENTS:

- NEA Report 242 Kearny Avenue Opening 05-18-18 [Streetscape] [PSEG] (00080818xD43F8) (PDF)

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

Resolution 2018-310

(*) Resolution Granting Permission to to PSE&G for Road Opening Permit at 662 Belgrove Drive, Block 79, Lot 7, in Order to Abandon Gas Service.

ATTACHMENTS:

- NEA Report 662 Belgrove Drive Opening [PSEG Gas] 05-18-18 (00080820xD43F8) (PDF)

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

Resolution 2018-311

(*) Resolution Granting Permission to SUEZ North America for Road Opening Permit at 65 Rutherford Place, Block 136, Lot 10, in Order to Repair a Water Leak.

ATTACHMENTS:

- NEA Report 65 Rutherford Place Opening 05-18-18 [SUEZ JFC] (00080822xD43F8) (PDF)

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

Resolution 2018-312

(*) Resolution Granting Permission to SUEZ North America for Road Opening Permit at 3rd Street and Central Avenue in Order to Investigate and Repair a 12” Main.

ATTACHMENTS:

- NEA Report 3rd Street Central Avenue Opening 05-18-18 [SUEZ JFC] (00080826xD43F8) (PDF)

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

Resolution 2018-313

(*) Resolution Granting Permission to SUEZ North America for Road Opening Permit at Ross Lane and Passaic Avenue in Order to Repair Service Leak.

ATTACHMENTS:

- NEA Report Ross Lane & Passaic Avenue Opening 05-18-18 [SUEZ JFC] (00080829xD43F8) (PDF)

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

Resolution 2018-314

(*) Resolution Authorizing Refund of Legal Use Inquiry Fee to Sheila McDade and Michael Solwecki in the Amount of \$25.00 Relative to 180 Maple Street, Block 32, Lot 6.02.

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

Resolution 2018-315

(*) Resolution Authorizing a Refund for the Reproduction of Documents Pertaining to Application #556 & #557 before the Planning Board to Julio Jimenez, on behalf of Super, LLC, in the Amount of \$102.80 due to a Reduction in the Amount of Copies Requested.

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

Resolution 2018-316

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

Resolution 2018-317

(*) Resolution Authorizing Three (3) Hours Overtime to Jonathan Szura, Technical Assistant Land Use in the Construction Code Enforcement Office, to Attend the Zoning Board Meeting on June 5, 2018, in the Evening, Serving as Secretary to the Board. (\$103.12)

ATTACHMENTS:

- OVERTIME - CCED (05-22-18) unsigned (PDF)

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

Resolution 2018-318

(*) Resolution Authorizing Ten (10) Hours Overtime to Omnibus Driver Alexandra Walsh to Cover the Senior Bus Weekend Route on Saturday, May 19, 2018 and Sunday, May 20, 2018 in the Absence of the Part time Weekend Omnibus Driver. (\$536.40)

ATTACHMENTS:

- OVERTIME - HEALTH (05-22-18) unsigned (PDF)

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

Resolution 2018-319

(*) Consent Agenda Resolution

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

Resolution 2018-320

Resolution Authorizing Twenty-seven (27) Hours Overtime within the Department of Public Works to Repair Police Vehicles, Street Sweeper, and Senior Bus, Assist with the Bergen Avenue Storm Sewer Cleaning, Repair a Collapsed Catch Basin, and Open Town Hall Early to Accept Election Materials. (\$1,425.01)

ATTACHMENTS:

- OVERTIME - DPW (05-22-18) unsigned (PDF)

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

Resolution 2018-321

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

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

Resolution 2018-323

Resolution Appointing Sean Gill to the Part time Position of Security Guard in the Recreation Department to Work a Maximum of 24.5 Hours per Week at the Current Hourly Rate of \$12, Effective May 23, 2018.

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

Resolution 2018-324

Resolution Prohibiting 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. from June 21, 2018 to October 25, 2018 for the Annual Farmer's Market.

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

Resolution 2018-325

Resolution Appointing Firefighter William Huhn to the Position of Fire Captain in the Kearny Fire Department, Effective June 01, 2018 at the Current Annual Salary of \$107,000, Pursuant to NJCSC Certification #PL180365.

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

Resolution 2018-326

Resolution Appointing Michael Gaydos to the Full time Non-competitive Title of Building Maintenance Worker/Security Guard for the Kearny Public Library at the Current Annual Salary of \$36,335 Effective May 23, 2018.

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

Resolution 2018-327

Resolution Awarding Contract to East Coast Emergency Lighting of Millstone, New Jersey for the Purchase and Installation of Emergency Lights and Equipment for Fire Department Vehicles under New Jersey State Contract # 81336 in the Amount not to Exceed \$59,189.06.

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

Resolution 2018-328

Resolution Appointing Chester Czerny to the Provisional Position of Building Subcode Official, Effective June 04, 2018 at the Current Annual Salary of \$80,120, and Subject to the Open Competitive Examination Process Conducted by the NJ Civil Service Commission.

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

Resolution 2018-329

Resolution Authorizing Ferreira Tutor Perini to use a Town Fire Hydrant for Construction Activities Located at the Corner of Adams Street and 2nd Avenue with Supporting Document.

ATTACHMENTS:

- Ferreira Tutor Perini Letter dated 04-18-18 (PDF)

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

Resolution 2018-330

Resolution Urging the New Jersey Division of Local Government Services, a State Agency, to Comply with State Law Regarding Meadowlands Intermunicipal Tax Sharing Payments.

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

XII. EXECUTIVE (CLOSED) SESSION**XIII. ADJOURNMENT**