



Kearny Town Council

Caucus / Regular Meeting

~ Minutes ~

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

Admin

Tuesday, March 26, 2019

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	
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	Late	7:32 PM
Peter Santana	Kearny Town Council	Council Member	Present	
Gerald Ficeto	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

1. Peruvian Civic Association of New Jersey, Inc. (PCANJ): requesting permission to celebrate Peruvian Independence Day with a Peruvian Flag Raising at the site of the future Peruvian Heritage Park, north of 325 Passaic Avenue (between Afton Street and Peden Terrace), on Saturday, July 13, 2019 at 10:00 a.m. In the event that the Peruvian Heritage Park site is not ready, the flag raising will be held at the American Revolutionary Bicentennial Park (Town Hall Park) on July 13 at 10:00 a.m. **M&C/POLICE/DPW/REC**

2. Peruvian Civic Association of New Jersey, Inc. (PCANJ): requesting permission to hold the Peruvian Cultural Parade along Kearny Avenue on Sunday, July 21, 2019, starting at the corner of South 3rd Street and Harrison Avenue in the Town of Harrison at 12:30 p.m., and finishing at Kearny Town Hall. **M&C/POLICE/DPW/REC**

- 3. Peruvian Civic Association of New Jersey, Inc. (PCANJ): requesting permission to hold the Peruvian Family Festival at the Frank A. Vincent Marina Park on Sunday, July 21, 2019 from 10:00 a.m. to 10:00 p.m. (music starts at 3 p.m. and ends at 9 p.m.) **M&C/POLICE/DPW/REC/HEALTH**

- 4. The Kearny Rotary Club: inviting Mayor Santos and Council to the 2019 Brotherhood Luncheon to be held at The Salvation Army, 443 Chestnut Street, on Wednesday, April 17th, 2019 at 12 noon. **M&C**

- 5. John Peneda, KUEZ Coordinator: requesting permission to hang a Kearny Town-wide Yard & Sidewalk Sale banner on the Dog Park fence and at Veteran’s Field from April 1, 2019 through May 6, 2019 to promote the Town-wide Yard and Sidewalk Sale days of May 4 and May 5, 2019. **M&C/POLICE/DPW/REC**

- 6. Jody Hill, KHS Head Girls Basketball Coach: requesting permission to hold a canning fundraiser on Saturday, May 25, 2019 from 9:00 a.m. to 1:00 p.m.

M&C/POLICE/DPW/REC

- 7. The Kearny Prevention Coalition: requesting permission to hang a banner on Kearny Avenue (near the Library) from May 5, 2019 through May 28, 2019 in recognition of National Prevention Week. **M&C/POLICE/DPW/REC**

- 8. Toni Olsen of Visions Dance Studio: requesting permission to hold a canning fundraiser on Saturday, April 13, 2019 and Saturday, June 8, 2019.

ON HOLD

M&C/POLICE/DPW/REC

- 9. LICENSES: 1 - CANVASS; 3 - RAFFLE;
2 - FILMING; 5 - TAXI DRIVER

B. Reports of Department Heads

- 1. Library Director’s Strategic Plan, 2019-2024

2. Kearny Water Department's Operations Report for February 2019
prepared by SUEZ Water Environmental Services, Inc.
3. Engineer's Report on Gunnell Oval Project dated March 26, 2019
4. Engineer's Report on Dukes, Devon Tappan, Hoyt (DDTH) Pumping Station
Project dated March 26, 2019
5. Engineer's Report dated March 26, 2019

C. Presentation of Amendments to the Schuyler Avenue Redevelopment Plan by David Juzmeski, P.E., P.P., of Neglia Engineering Associates

D. Proclamation Recognizing National Prevention Week May 12-18, 2019

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 2019-11

Ordinance Establishing Handicapped Parking Zone at 154 Chestnut Street

ATTACHMENTS:

- KPD Agenda Item -Establish HZ 154 Chestnut St add to ordinance (PDF)

RESULT:	INTRODUCED [UNANIMOUS]	Next: 4/9/2019 7:00 PM
MOVER:	Susan McCurrie, Council Member	
SECONDER:	Alberto G. Santos, Mayor	
AYES:	Doyle, McCurrie, Eckel, Cardoso, Konopka, DeCastro, Santana, Ficeto, Santos	

Ordinance 2019-12

Ordinance Amending Sections 4-2.1 and 4-2A-1 of the Town Code pertaining to Drug-Free Zones Around Schools and Public Properties, by the Approval of Updated Drug-Free Zone Maps

ATTACHMENTS:

- 2019 Drug Free Zone Maps (PDF)

RESULT:	INTRODUCED [UNANIMOUS]	Next: 4/9/2019 7:00 PM
MOVER:	Susan McCurrie, Council Member	
SECONDER:	Carol Jean Doyle, Council Member	
AYES:	Doyle, McCurrie, Eckel, Cardoso, Konopka, DeCastro, Santana, Ficeto, Santos	

Ordinance 2019-13

Ordinance Pursuant to N.J.S.A. 40A:12A-7 Approving and Adopting an Amended Schuyler Avenue Redevelopment Plan

ATTACHMENTS:

- Schuyler Avenue Redevelopment Plan - 02-06-19 (00121606xD43F8) (00124338xD43F8) (DOC)
- Proposed Figure 2 (Version2) (PDF)

RESULT:	INTRODUCED [UNANIMOUS]	Next: 4/9/2019 7:00 PM
MOVER:	Susan McCurrie, Council Member	
SECONDER:	Alberto G. Santos, Mayor	
AYES:	Doyle, McCurrie, Eckel, Cardoso, Konopka, DeCastro, Santana, Ficeto, Santos	

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

Ordinance 2019-9

Ordinance Vacating Handicapped Parking Zones at 133 Windsor Street and 10 Highland Avenue

ATTACHMENTS:

- KPD Agenda Item -Vacate HZ 133 Windsor St. Handicap Ordinance Removal (DOC)
- KPD Agenda Item -Vacate HZ 10 Highland Ave (PDF)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Susan McCurrie, Council Member
SECONDER:	Gerald Ficeto, Council Member
AYES:	Doyle, McCurrie, Eckel, Cardoso, Konopka, DeCastro, Santana, Ficeto, Santos

Ordinance 2019-10

Ordinance Establishing Handicapped Parking Zones at 136 Hoyt Street and 140 Windsor Street

ATTACHMENTS:

- KPD Agenda Item -Establish HZ 136 Hoyt Street (PDF)
- KPD Agenda Item -Establish HZ 140 Windsor Street (PDF)

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

IX. BUSINESS OF THE MAYOR AND COUNCIL: MOTIONS AND RESOLUTIONS**X. 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 March 12, 2019

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

Resolution 2019-187

(*) Bills List Resolution

ATTACHMENTS:

- March 26 2019 Bill List Schedule (PDF)

Resolution 2019-188

(*) Resolution Authorizing Tax Overpayment Refund in the Amount of \$3,052.13 to David and Nicole Crenshaw for 2019 Taxes, Block 86, Lot 1.

Resolution 2019-189

(*) Resolution Authorizing Tax Overpayment Refund in the Amount of \$2,012.74 to Joseph Leach for 2019 Taxes, Block 167, Lot 49.

Resolution 2019-190

(*) Resolution Cancelling 2019 Taxes (Quarter 1-2) in the Amount of \$4,025.48 for Block 167, Lot 49, as a Result of Disabled Veterans' Exemption.

Resolution 2019-191

(*) Resolution Authorizing the Return of a Portion of the Escrow Deposit Established in Lieu of Posting a Performance Bond to 113 Passaic Avenue Urban Renewal, LLC in the Amount of \$491,977 Relative to Site Plan Application #541 in the Town of Kearny at 113 Passaic Avenue, Block 1, Lot 12.

Resolution 2019-192

(*) Resolution Authorizing Permission to Encroach Upon Town Right of Way at 156 Midland Avenue, Block 197, Lot 21, for the Purpose of Removing an Underground Storage Tank (UST).

ATTACHMENTS:

- NEA Report 156 Midland Avenue - Encroachment UST (00126617xD43F8) (PDF)

Resolution 2019-193

(*) Resolution Granting Permission to PSE&G for Road / Sidewalk Opening Permit at 261 Kearny Avenue, Block 38, Lot 30, in Order to Install New Gas Service.

ATTACHMENTS:

- NEA Report 261 Kearny Avenue Opening 03-21-19 [Streetscape] [PSEG] (00126643xD43F8) (PDF)

Resolution 2019-194

(*) Resolution Granting Permission to PSE&G for Road Opening Permit at 360 Highland Avenue, Block 59, Lot 7, in Order to Install New Gas Service.

ATTACHMENTS:

- NEA Report 360 Highland Avenue - Road Opening (00126621xD43F8) (PDF)

Resolution 2019-195

(*) Resolution Granting Permission to Shauger Property Services, Inc. of East Orange, NJ for Emergency Road Opening Permit at 30 John Street, Block 9, Lot 7, and 31 John Street, Block 8, Lot 22, in Order to Install Two (2) New 1" Water Service Lines, Two (2) Curb Stops, and Two (2) Curb Boxes.

ATTACHMENTS:

- NEA Report 30 31 John Street- Road Opening (00126618xD43F8) (PDF)

Resolution 2019-196

(*) Resolution Granting Permission to Shauger Property Services, Inc. of East Orange, NJ for Emergency Road Opening Permit at 146 Hoyt Street, Block 264, Lot 13, in Order to Install New Water Service Line from Water Main to Curb Box.

ATTACHMENTS:

- NEA Report 146 Hoyt Street - Road Opening [SUEZ] (00124844xD43F8) (PDF)

Resolution 2019-197

(*) Resolution Granting Permission to Shauger Property Services, Inc. of East Orange, NJ for Emergency Road Opening Permit at 425 Schuyler Avenue (Quincy Avenue side), Block 224, Lot 20, in Order to Replace a 1" Water Service Line.

ATTACHMENTS:

- NEA Report 425 Schuyler Avenue - Road Opening 03-21-19 [Emergency][Protected] [SUEZ Shauger] (00126650xD43F8) (PDF)

Resolution 2019-198

(*) Resolution Granting Permission to J. Fletcher Creamer & Son, Inc. of Hackensack, NJ for Road Opening Permit at 126 Grand Place, Block 121, Lot 5, in Order to Expose Valve and Replace the Manhole Cover.

ATTACHMENTS:

- NEA Report 126 Grand Place - Road Opening (00126620xD43F8) (PDF)

Resolution 2019-199

(*) Resolution Authorizing the Return of Construction Code Enforcement Department (CCED) Building Permit Application Fee to Payless Home Improvement in the Amount of \$120.00 Relative to Siding Work at 1 Tappan Street, Block 263, Lot 50.

Resolution 2019-200

(*) Resolution Authorizing Refund of Zoning Certificate of Occupancy Fee to Gel Express, LLC c/o Geosvany Esquijarosa in the Amount of \$60.00 Relative to 654 Devon Street, Block 177, Lot 6, because the Property Sale did not Take Place.

Resolution 2019-201

(*) Resolution Authorizing Six (6) Hours Overtime to Omnibus Driver Carmen Valcarcel to Provide Transportation to the Kearny High School Culinary Program Dinner and Show and Back for the Senior Citizens from the Kearny Senior Residences on Tuesday, March 12, 2019. (\$148.92)

ATTACHMENTS:

- OVERTIME - HEALTH (03-26-19) (PDF)

Resolution 2019-202

(*) Consent Agenda Resolution

Resolution 2019-203

Resolution Authorizing Five Hundred Ninety-eight (598) Hours Overtime within the Department of Public Works to Brine, Salt and Plow Streets on February 17, 19, 20, 21, 28, 2019 and March 1-4, 2019, Monitor Temporary Pump Operations and Fuel Usage at the Harrison Avenue Pump Station, Clear a Sanitary Sewer Blockage at 526 Kearny Avenue, Assist SUEZ with Emergency Repairs, Repair Police Vehicles, and Catch up on Paperwork/Permits in the DPW Office. (\$26,856.76)

ATTACHMENTS:

- OVERTIME - DPW (03-26-19) (PDF)

Resolution 2019-204

Resolution Approving Professional Services Agreement with the Law Offices of Wanda Chin Monahan LLC to Provide Special Environmental Legal Services Relating to the Keegan Landfill.

ATTACHMENTS:

- PROF SERVICES AGMT-SPECIAL ENVIRONMENTAL LEGAL SERVICES (DOC)

Resolution 2019-205

Resolution Authorizing Further Increase of \$5,000 in the Professional Service Agreement with Mott MacDonald for Consulting Services Related to Litigation Against the Town by John Keegan.

Resolution 2019-206

Resolution Pursuant to Town Code Section 23-7 Approving Curb Cut at 5 Davis Avenue, Block 266, Lot 32, to Accommodate a New Driveway.

ATTACHMENTS:

- CURB CUT Approvals for 5 Davis Avenue (PDF)

Resolution 2019-207

Resolution Pursuant to Town Code Section 23-7 Approving Curb Cut at 347 Forest Street, Block 210, Lot 35.02, to Accommodate a New Driveway.

ATTACHMENTS:

- Curb Cut Approvals for 347 Forest Street (PDF)

Resolution 2019-208

Resolution to Enter into Closed Session to Discuss the Following Matters Relating to Anticipated Litigation, Litigation, Contract Negotiations, and Personnel Matters, to wit: Review of Recommendations from the Police Chief for Reserve Crossing Guard Positions, Discussion of the Anticipated Litigation regarding the Keegan Landfill with Attorneys Jim Bruno and Wanda Chin Monahan

Resolution 2019-209

Resolution Authorizing Transfer of Appropriation Reserves for 2018 from Current Fund.

Resolution 2019-210

Resolution Appointing Janice Pace to the Permanent Position of Crossing Guard at the Current Hourly Rate of \$17.27, Effective April 01, 2019.

Resolution 2019-211

Resolution Appointing Ivonne Grajales, Maria Matos, Ebenice Trindade, and Eusebio Huerta to the Part-time Per Diem Position of Auxiliary Crossing Guard, at the Current Hourly Rate of \$17.16, Effective April 01, 2019.

Resolution 2019-212

Resolution Appointing Anthony Ferrara to the Full-time Position of Parking Enforcement Officer/Meter Collector in the Kearny Police Department, Traffic Division, Effective April 01, 2019.

Resolution 2019-213

Resolution Authorizing the Execution of a Person-to-Person Transfer of Plenary Retail Distribution License No. 0907-44-054-007 from Sevjin Inc, t/a Family Convenience Liquors to

180 Kearny Avenue, LLC, t/a Family Convenience & Liquor Store, 180 Kearny Avenue, Kearny, New Jersey.

Resolution 2019-214

Resolution Authorizing the Police Chief Pursuant to N.J.S.A. 40A:11-36 to Sell Vehicles no Longer Needed for Public Use and Whose Value is Less than the Town's Bid Threshold, at Private Sale Without Advertising for Bids.

ATTACHMENTS:

- CERTIFICATION of POLICE CHIEF (DOC)

Resolution 2019-215

Resolution Awarding the Contract for Landscaping Services to Greenleaf Landscape Systems & Services, Inc. of Eatontown, New Jersey in the Amount of \$119,840.00 for the Period of April 1, 2019 to March 31, 2020 (with a one year renewal option) per Bids Received on March 26, 2019.

ATTACHMENTS:

- AGREEMENT - LANDSCAPING SERVICES (DOC)

Resolution 2019-216

Resolution Approving an Agreement with Sharon Sterople to Provide Office Management Consulting Services to the Town of Kearny, Department of Public Works.

ATTACHMENTS:

- Memorandum Agreement - Sharon Sterople (PDF)

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