



# Kearny Town Council

## Caucus / Regular Meeting

~ Agenda ~

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

Admin

Tuesday, May 8, 2012

7:00 PM

Kearny Town Hall

### I. CALL TO ORDER: PUBLIC MEETINGS LAW NOTICE

### II. ROLL CALL

Attendee Name	Present	Absent	Late	Arrival
Council Member Carol Doyle	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Council Member Laura Pettigrew	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Council Member Michael Landy	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Council Member Alexa Arce	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Council Member Susan McCurrie	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Council Member Eileen Eckel	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Council Member Albino Cardoso	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Councilwoman Madeline Peyko	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Mayor Alberto G. Santos	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

### III. SALUTE TO THE FLAG

### IV. CONDUCT OF MEETING NOTICE

### V. CAUCUS MEETING

#### A. Communications

- Susan McCurrie, 4th Ward Councilwoman: requesting permission to hang a banner across Kearny Avenue (near the Library) beginning June 1, 2012 through October 2012 to promote the annual Farmer's Market held at the Mandee Parking Lot every Thursday through October. **POLICE/DPW**
- Linda Oelz, President, Arlington Players Club (APC): requesting permission to hang a banner on Kearny Avenue at Locust Avenue from May 20 through June 16, 2012 to promote its Annual Men's and Women's State Tennis Championships June 9-16, 2012. **POLICE/DPW**
- Rozana Brito, Church Secretary: requesting permission on behalf of the "Igreja O Bom Pastor" (The Good Shepherd Church), 780 Kearny Avenue to hang a banner in the north Kearny Avenue section from June 1 through June 10, 2012 announcing the "Portugal Day" festivities on June 10 at the church premises located at 777 Kearny Avenue. **POLICE/DPW/REC**
- Mrs. Amruta H. More and Hitesh Dongre on behalf of the Ganesh Pariwaar of NJ, and the Indian Community in the State of NJ: requesting permission to hold a procession/parade on Saturday, September 29, 2012 beginning at 3:30 pm at the Hindu Community Center, 156 Schuyler Avenue, and proceeding to the Frank A. Vincent Marina via Bergen Avenue in celebration of Ganesh Chaturdashi. The duration of the rituals by the river is four (4) hours. **POLICE/FIRE/REC/DPW**
- Dominick Zinna, Pharmacist-In-Charge, Midtown Pharmacy: requesting to reserve three (3) parking spots in front of Midtown Pharmacy on Kearny Avenue on May 24, 2012 from 9:30 am - 1:00 pm for the Horizon NJ Health Care-A-Van. The NJ Health Care-A-Van is staffed with nurses and professional health educators to offer bilingual information and resources for on-site health education and screenings. **POLICE/DPW/HEALTH**
- Philip Martone, Recreation Superintendent: inviting Mayor Santos and Council to attend their annual Town of Kearny and West Hudson/South Bergen Optimist Club Fishing Derby on Sunday, May 20, 2012 (rain or shine) at the West Hudson Park Fairy Lake, beginning at 1:00 pm until 3:00 pm. Registration for the Derby is held on site at 12:00 noon. **M&C**
- Rev. Michael Ward, Pastor of St. Cecilia Church: requesting permission to have Kearny Avenue closed to traffic in front of Saint Cecilia Church, 120 Kearny Avenue, for ½ hour

beginning at 4 pm on Sunday, May 27, 2012 to allow the Portuguese Folk Dancers to perform as they end a Mass of Thanksgiving for the newly ordained Fr. David Santos of Kearny and St. Cecilia's. They are also requesting "no parking" in front of the church at this time. **POLICE/DPW/REC**

8. Kearny Elks Lodge #1050: requesting permission to have a canning fundraiser on Saturday, June 30, 2012 from 9 am until 3 pm. **POLICE/DPW/REC**
9. LICENSES: 3-PARKING PERMITS; 2-SIDEWALK CAFE; 2-LUNCH TRUCK  
1-JUKE BOX; **LICENSES**

**B. Reports of Department Heads**

1. DPW Operations Report for March 2012
2. Construction Code Monthly Report for April 2012
3. NEA Construction Management Report of Hours 04/14/12-04/27/12

**C. Reports of Council Members**

**D. Presentation on SeeClickFix by Jeff Mooney, Government Partnership Director at SeeClickFix**

**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 2012-23**

An Ordinance Amending Section 10-1 of the Town Code Regarding "Residency Requirements for Employees"

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

**Ordinance 2012-19**

Ordinance Amending and Revising Section 38-5.3b of the Town Code Pertaining to Decks and Brick Paver Patios

**Ordinance 2012-20**

Ordinance Supplementing Article IV of the Town Code to Codify and Clarify the Practice of Requiring Background Checks for All Recreation Employees and Volunteers.

**ATTACHMENTS:**

- Background Check Ordinance (PDF)

**Ordinance 2012-21**

Ordinance Establishing a Handicapped Parking Zone at 209 Devon Street.

**Ordinance 2012-22**

Ordinance Amending and Revising Multiple Sections of the Town Code Pertaining to Municipal Fees

**IX. BUSINESS OF THE MAYOR AND COUNCIL: MOTIONS AND RESOLUTIONS**

**Resolution 2012-268**

(\* ) Bills List Resolution

**Resolution 2012-269**

(\* ) Resolution Authorizing Tax Overpayment Refund in the Amount of \$1,746.66 to Diogo Neto, & Betania Pinto for 2Nd Quarter 2012 Taxes, Block 220, Lot 43.

**Resolution 2012-270**

(\* ) Resolution Authorizing Tax Overpayment Refund in the Amount of \$408.11 to Libby Toth for 3Rd Quarter 2011 Taxes, Block 204, Lot 58.

**Resolution 2012-271**

(\* ) Resolution Refunding Overpayment Against Water Account No. 0428000000 in the Amount of \$733.48 to Michael Lamboy, Block 246, Lot 16.

**Resolution 2012-272**

(\* Resolution Authorizing Permission to Christopher Seib, LSRP, of Whitestone Associates, Inc. to Encroach Upon Town Right of Way at New Jersey Boystown Youth Center Facility, 499 Belgrove Drive, Block 67, Lots 2.02, 61, and 64, for the Purpose of Installing Twelve (12) Soil Borings.

## ATTACHMENTS:

- NEA Report 499 Belgrove Drive 050712 - soil samples (PDF)

**Resolution 2012-273**

(\* Resolution Granting Permission to PSE&G Co. for an Emergency Road Opening Permit at 659 Elm Street, Block 144, Lot 39, to Repair a Gas Service.

**Resolution 2012-274**

(\* Resolution Granting Permission to PSE&G Co. for Road Opening Permit at 219 Beech Street, Block 174, Lot 15, to Cut Off Gas Service.

**Resolution 2012-275**

(\* Resolution Granting Permission for Four (4) Town Employees to Attend the Veterans of Foreign Wars (VFW) State Convention in Wildwood, NJ from June 13-15, 2012.

**Resolution 2012-276**

(\* Consent Agenda Resolution

**CONSENT AGENDA:****Resolution 2012-277**

Resolution Authorizing Thirty-One and One-Half (31.5) Hours of Overtime Within the Department of Public Works to Secure the Fence at Dowd Park, Clear Sewer Blockages at 9-11 Stuyvesant Avenue, 14 Peden Terrace and at the E. Midland Pump Station, Assist Recreation Department with Opening Day Activities, and Jet the Sewer Line on Wilson Avenue.

**Resolution 2012-278**

Resolution Authorizing the Town to Join in a Joint Letter to the Legislature Seeking Relief from the Onerous Financial Impact that the Environmental Lawsuit Entitled NJDEP V. Occidental Chemical Corporation, Et Al. is Having.

## ATTACHMENTS:

- Draft Letter (PDF)

**Resolution 2012-279**

Resolution Adopting Energy Savings Plan Submitted by Honeywell International and Directing Honeywell to Develop a Final Self Funding Contract Document.

**Resolution 2012-280**

Resolution Authorizing the Release of Certain Property, Abandoned by Good Morning Care, Inc. on Town Property, to Former Employees of Good Morning Care, Inc., the Finders of the Property.

## ATTACHMENTS:

- DPW List of Abandoned Property (DOC)

**Resolution 2012-281**

Resolution Authorizing Change Order #4 for 2011 Road Program B with Water Improvements to Reivax Contracting Corp., 46 Washington Street, Harrison, New Jersey. (\$15,220.00 Increase/0.82%).

**Resolution 2012-282**

Resolution Authorizing Change Order #2 for Kearny Avenue & Wilson Avenue Intersection to Foggia Trinity Electric, 1608 E. 2Nd Street – Suite 5, Scotch Plains, New Jersey (\$1,506.56 Decrease/0.77%).

**Resolution 2012-283**

Resolution Authorizing Change Order #1 for Sellers Street Area Improvements – Phase II to English Paving Co., 650 Route 46 West, Clifton, New Jersey (\$21,430.13 Decrease/4.01%).

**Resolution 2012-284**

Resolution to Enter into Closed Session to Discuss the Following Matters: Review of Contract Discussions with SOA, PBA and KFD.

**Resolution 2012-285**

Resolution Authorizing the Execution and Delivery of Loan Agreements to be Executed by the Town of Kearny, in the County of Hudson, New Jersey and Each of the New Jersey Environmental Infrastructure Trust and the State of New Jersey, Acting by and through the Department of Environmental Protection Pursuant to the 2012 New Jersey Environmental Infrastructure Trust Financing Program.

**Resolution 2012-286**

Resolution Determining the Form and Other Details of Not Exceeding \$1,000,000 Water Utility Improvement Bonds, Series 2012, of the Town of Kearny, in the County of Hudson, New Jersey, and Providing for Their Sale to the New Jersey Environmental Infrastructure Trust and the State of New Jersey Pursuant to the 2012 New Jersey Environmental Infrastructure Trust Financing Program.

**Resolution 2012-287**

Resolution Appointing Charles Hill II Temporary Electrical Subcode Official.

**X. EXECUTIVE (CLOSED) SESSION**

**XI. ADJOURNMENT**