



# Kearny Town Council

## Caucus / Regular Meeting

~ Agenda ~

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

Admin

Tuesday, February 19, 2013

7:00 PM

Kearny Town Hall

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

### II. ROLL CALL

Attendee Name	Present	Absent	Late	Arrived
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

1. KHS Boys Volleyball Team: requesting permission to have a canning fundraiser on Saturday, April 27, 2013 from 9:00 a.m. until 12:00 p.m.

**POLICE/DPW/REC**

2. The United Veterans Organization of Kearny: requesting permission to hold the annual Memorial Day Parade on Thursday, May 23, 2013 starting from Locust Avenue and Belgrove Drive at 7:00 pm and ending at the reviewing stand at the VFW/American Legion on Belgrove Drive.

**POLICE/DPW/REC**

3. The United Veterans Organization of Kearny: requesting permission to hang a banner at the intersection of Kearny and Locust Avenues from May 3 through May 23, 2013 in anticipation of the Memorial Day Parade on May 23, 2013.

**POLICE/DPW**

4. Peruvian Civic Association of New Jersey, Inc. (PCANJ): requesting permission for a Peruvian Flag raising ceremony at the American Revolutionary Bicentennial Park on Saturday, July 13, 2013 from 10 a.m. until 12:00 p.m. in celebration of Peruvian Independence Day.

**POLICE/DPW/REC**

5. Peruvian Civic Association of New Jersey, Inc. (PCANJ): requesting permission to hold the Peruvian Cultural Parade along Kearny Avenue on Sunday, July 21, 2013, starting in the Town of Harrison at 12:30 p.m. and finishing at Kearny Town Hall.

**POLICE/DPW**

6. 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, 2013 from 10:00 a.m. to 10:00 p.m. (Music starts at 3 p.m. and ends at 9 p.m.)

**POLICE/DPW/REC**

7. Cissy Gialanella, JC Promotions, Inc.: requesting permission to host a Flea Market at the Frank A. Vincent Marina for UNICO National, Kearny Chapter on Sunday, March 24, 2013. **POLICE/DPW/REC**

8. LICENSES:

6- PARKING PERMITS that include:

3-AMERICAN LEGION/VFW PARKING LOT

1- MANDEE PARKING LOT

1- SOPRANOS PARKING LOT

1- WEST HUDSON HOSPITAL DECK LOT

**LICENSES**

**B. Reports of Department Heads**

1. Library Director's Report for January 2013
2. Engineer's Report dated February 19, 2013

**C. Presentations**

1. 100% Smokefree Parks and Recreational Areas for Kearny by Alan Kantz of GASP (Global Advisors Smokefree Policy)
2. Kearny Community Garden Presentation by Jenny Mach

**D. Proclamations honoring:**

1. James Miller, Grand Marshal of the St. Patrick's Day Parade
2. Daniel Choffo, Deputy Grand Marshal of the St. Patrick's Day Parade
3. Carol Jean Doyle, Honorary Irishwoman of the St. Patrick's Day Parade

**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 2013-8**

Ordinance Revising Chapter XXXII of the Town Code Entitled "Flood Damage Prevention" to Conform with the FEMA Advisory Base Flood Elevations and the NJDEP Statement of Imminent Peril Mandating Flood Hazard Amendments

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

**Ordinance 2013-3**

Ordinance Vacating a Handicapped Parking Zone at 651 Elm Street

**Ordinance 2013-4**

Ordinance Establishing Handicapped Parking Zones at 439 Hickory Street and 19 Liberty Street

**Ordinance 2013-5**

Ordinance Amending Chapter 9 of the Town Code Fixing the License Fee for "Potentially Dangerous Dogs"

**Ordinance 2013-6**

Ordinance Amending Water Charges

**Ordinance 2013-7**

An Ordinance to Further Amend and Supplement An Ordinance Entitled "An Ordinance Concerning Civil Service in the Town of Kearny, County of Hudson", Adopted June 22, 1938. (Salaries for Police Officers and Police Superiors– PBA and PSOA, January 01, 2013 – December 31, 2015)

## ATTACHMENTS:

- Copy of PBA salary 2013 to 2015 (XLS)
- Copy of PBA salary 2013 to 2015 (XLS)

**IX. BUSINESS OF THE MAYOR AND COUNCIL: MOTIONS AND RESOLUTIONS****CONSENT AGENDA:****X. EXECUTIVE (CLOSED) SESSION****XI. ADJOURNMENT****1. Resolution 2013-120**

(\* Bills List Resolution

**2. Resolution 2013-121**

(\* Resolution Authorizing Refund of Overpaid Taxes in the Amount of \$726.44 for Block 36, Lot 27 as a Result of NJ Tax Court Judgment for 2011 and 2012.

**3. Resolution 2013-122**

(\* Resolution Authorizing Refund of Overpaid Taxes in the Amount of \$847.68 for Block 74, Lot 17 as a Result of NJ Tax Court Judgment for 2010, 2011 and 2012.

**4. Resolution 2013-123**

(\* Resolution Authorizing Refund of Overpaid Taxes in the Amount of \$742.85 for Block 99, Lot 7.02 as a Result of NJ Tax Court Judgment for 2010.

**5. Resolution 2013-124**

(\* Resolution Authorizing Refund of Overpaid Taxes in the Amount of \$1,912.28 for Block 157, Lot 1 as a Result of NJ Tax Court Judgment for 2011 and 2012.

**6. Resolution 2013-125**

(\* Resolution Authorizing Refund of Overpaid Taxes in the Amount of \$1,017.98 for Block 168, Lot 10 as a Result of NJ Tax Court Judgment for 2010.

**7. Resolution 2013-126**

(\* Resolution Authorizing Refund of Overpaid Taxes in the Amount of \$6,251.70 for Block 243, Lot 2 as a Result of NJ Tax Court Judgment for 2012.

**8. Resolution 2013-127**

(\* Resolution Authorizing Refund of Overpaid Taxes in the Amount of \$61,939.92 for Block 287, Lot 67 as a Result of NJ Tax Court Judgment for 2012.

**9. Resolution 2013-128**

(\* Resolution Authorizing Permission to Golder Associates, Inc. on behalf of Clepo Inc., to Encroach Upon Town Right of Way at 538 Forest Street for the Purpose of Installing Soil Borings and Monitoring Test Wells.

## ATTACHMENTS:

- Encroachment 539 Forest Avenue Golder Associates 021513 (PDF)

**10. Resolution 2013-129**

(\* Resolution Granting Permission to PSE&G for Road Opening Permit at 41 Kearny Avenue, Block 11, Lot 24, in Order to Abandon Gas Service.

## ATTACHMENTS:

- NEA Reports 41 Kearny Avenue 021213 Road Opening Permit (PDF)

**11. Resolution 2013-130**

(\* Resolution Granting Permission to PSE&G for Road Opening Permit at 81 Forest Street, a/k/a 77-83 Forest Street, Block 249, Lot 28, in Order to Abandon Gas Service.

## ATTACHMENTS:

- NEA Report 81 Forest Street 021213 Road Opening Permit (PDF)

**12. Resolution 2013-131**

(\*) Resolution Granting Permission to PSE&G for Emergency Road Opening Permit at 195 Highland Avenue, Block 29, Lot 31, in Order to Repair Gas Service.

## ATTACHMENTS:

- NEA Reort 195 Highland Avenue 021213 Road Opening Permit (PDF)

**13. Resolution 2013-132**

(\*) Resolution Granting Permission to PSE&G for Emergency Road Opening Permit at 229 Midland Avenue, Block 193, Lot 10, in Order to Install Gas Service.

## ATTACHMENTS:

- NEA Report 229 Midland Avenue 021213 Road Opening Permit (PDF)

**14. Resolution 2013-133**

(\*) Resolution Granting Permission to PSE&G for Emergency Road Opening Permit at 274 Stewart Avenue, Block 169, Lot 16, in Order to Repair Gas Service.

## ATTACHMENTS:

- NEA Report 274 Stewart Avenue 021213 Road Opening Permit (PDF)

**15. Resolution 2013-134**

(\*) Resolution Authorizing Four (4) Hours Overtime in the Clerk's Office for Late Night Voter Registration on May 14, 2013 Pursuant to N.J.S.A. 19:31-2. (\$193.32)

**16. Resolution 2013-135**

(\*) Resolution Authorizing Six (6) Hours Overtime to William Connolly, Senior Cashier in the Tax Collector's Office for 1st and 2nd Quarter 2013 Late Night Opening for Collection of Taxes on February 7, 2013 and May 9, 2013. (\$380.15)

**17. Resolution 2013-136**

(\*) Resolution Authorizing Three (3) Hours Overtime to Diane Turowski, Principal Payroll Clerk Typist in the Payroll Department, for Delay in Payroll Processing Caused by Technical Issues on November 19, 2012 and January 09, 2013. (\$196.80)

**18. Resolution 2013-137**

(\*) Consent Agenda Resolution

**19. Resolution 2013-138**

Resolution Authorizing Seventy-three and One-quarter (73.25) Hours Overtime within the Department of Public Works to Salt and Plow Streets on January 25th, 26th & 28th, Assist Contractors with Repairs to E. Midland Pump Station and Place Barricades over Missing Manhole Cover on Harrison Avenue. (\$3,488.56)

**20. Resolution 2013-139**

Resolution Urging the Department of Transportation to Accelerate its Plan to Remediate State Highway Route 7 Flooding so as to Avoid Closures Which are Tormenting Drivers and Nearby Businesses.

## ATTACHMENTS:

- Businesses along Route 7 and Seller Street 021513 (DOC)

**21. Resolution 2013-140**

Resolution Authorizing a Professional Service Agreement with The Goldstein Partnership for Architectural Services for Temporary Trailers in South Kearny for Police/Fire Facility at a Cost Not to Exceed \$19,000.00.

## ATTACHMENTS:

- Agreement - Goldstein Partnership (DOC)

**22. Resolution 2013-141**

Resolution Awarding a Contract for Professional Services to Excel Environmental Services in the Amount of \$1,714 to Perform LSRP Services Requested by NJDEP at 286-288 Schuyler Avenue.

## ATTACHMENTS:

- EXHIBIT A PDF (PDF)
- EXHIBIT B PDF (PDF)

**23. Resolution 2013-142**

Resolution Approving a Site Access Agreement between the Town of Kearny and Golder Associates, Inc.

## ATTACHMENTS:

- Golder Site Access Agreement (DOC)
- Exhibits A & B re Golder Site Access Agreement (PDF)

**24. Resolution 2013-143**

Resolution Authorizing Change Order #2 & Final for Sellers Street Area Improvements – Phase III to 4 Clean-Up Inc., PO Box 5098, North Bergen, N.J. (\$102,881.09 Decrease/-33.15%).

**25. Resolution 2013-144**

Resolution Authorizing Close Out of Contract for the Sellers Street Area Improvements- Phase III to 4 Clean-Up Inc., PO Box 5098, North Bergen, New Jersey.

**26. Resolution 2013-145**

Resolution to Enter into Closed Session to Discuss the Following Matter(s): Negotiations regarding Purchase of 201 Devon Terrace and 101 Kearny Avenue, Table of Organization in KPD and KFD.

**27. Resolution 2013-146**

Resolution Accepting the Retirement Application of Firefighter Wayne MacConchie from the Kearny Fire Department after Twenty-five (25) Years of Service Effective May 01, 2013 Pending Approval of the Police and Firemen's Retirement System (terminal leave pay and unused vacation totaling \$35,651.07 subject to change if additional time is taken).

## ATTACHMENTS:

- RETIREMENT -FF Wayne MacConchie (PDF)

**28. Resolution 2013-147**

Resolution Authorizing the Contract for the Purchase of Department of Public Works Sweeper to Garden State Sweepers in the Amount of \$185,000.

## ATTACHMENTS:

- Garden State Sweeper Agreement (DOC)

**Resolution 2013-148**

Resolution Amending Resolution 2013-115 Authorizing the Execution of a Person-to-Person Transfer of Plenary Retail Distribution License #0907-44-021-006 to Reflect the Correct Buyer's Name as Kearny Deli & Liquor, Inc.