



# Kearny Town Council

## Caucus / Regular Meeting

~ Agenda ~

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

Admin

Tuesday, March 11, 2014

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 Jean 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"/>	
Councilman Richard Konopka	<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. 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 12, 2014 from 10 a.m. until 12:00 p.m. in celebration of Peruvian Independence Day. **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 20, 2014, starting in the Town of Harrison at 12:30 p.m. and finishing at Kearny Town Hall. **POLICE/DPW**
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 20, 2014 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**
4. The United Veterans Organization of Kearny: requesting permission to hold the annual Memorial Day Parade on Thursday, May 22, 2014 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**
5. The United Veterans Organization of Kearny: requesting permission to hang a banner at the intersection of Kearny and Locust Avenues from May 2 through May 22, 2014 in anticipation of the Memorial Day Parade on May 22, 2014. **POLICE/DPW**
6. West Hudson South Bergen Optimist Club: requesting permission to use the Doyle Pavilion section of Riverbank Park on Sunday, April 13, 2014 for the annual Easter Egg Hunt. Registration begins at noon and the hunt will kick off at 1:00 p.m. Rain Date: Saturday, April 19, 2014. **POLICE/DPW/REC**

7. West Hudson South Bergen Optimist Club: inviting Mayor and Council to join them at the annual Easter Egg Hunt on Sunday, April 13, 2014. **M&C**

**B. Reports of Department Heads**

1. Library Director's Report for January 2014
2. Library Director's Report for February 2014
3. Water Department Monthly Operations Report for February 2014
4. Engineer's Report dated March 11, 2014

**C. Presentation by Ana Quintela, Executive Director of the Bayonne Economic Opportunity Foundation regarding Sandy funds available to Kearny residents**

**D. Proclamation Proclaiming April 25, 2014 as the 142nd Anniversary Celebration of Arbor Day in the Town of Kearny**

**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 2014-7**

Ordinance Establishing Handicapped Parking Zone at 4 Grove Street and 415 Davis Avenue

**Ordinance 2014-8**

An Ordinance to Amend and Supplement Ordinance 2009-30, Revising the Hourly Salary Scale for Library Monitor, Recreation Playground Leader and Recreation Playground Supervisor

**Ordinance 2014-9**

An Ordinance Amending and Supplementing Entitled "An Ordinance Concerning Civil Service in the Town of Kearny, County of Hudson", Adopted June 22, 1938 and Revising the Hourly Scale for Crossing Guards and Substitute Crossing Guards for 2013 and 2014.

**Ordinance 2014-10**

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 and All Various Civil Service Titles in the Town of Kearny. (Civil Service Council 11 Salaries for 2013 and 2014)

**ATTACHMENTS:**

- Kearny CS11 2013-2014 (Schedule I) (PDF)
- Kearny CS11 2013-2014 (Schedule II) (PDF)
- Kearny CS11 2013-2014 (Schedule III) (PDF)

**Ordinance 2014-11**

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 and All Various Civil Service Titles in the Town of Kearny. (Exempt Employees Salaries for 2012, 2013 and 2014)

**Ordinance 2014-12**

An Ordinance Establishing That a Business Entity Which Makes Political Contributions to Municipal Candidates and Municipal and County Political Parties in Excess of Certain Thresholds Shall Be Limited in its Ability to Receive Public Contracts from the Town of Kearny

**Ordinance 2014-13**

Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank (N.J.S.A. 40A: 4-45.14)

**VIII. BUSINESS OF THE MAYOR AND COUNCIL: ORDINANCES FOR 2ND READING (PUBLIC HEARING)****IX. BUSINESS OF THE MAYOR AND COUNCIL: MOTIONS AND RESOLUTIONS****Resolution 2014-163**

(\* Bills List Resolution

**Resolution 2014-164**

(\* Resolution Authorizing the Return of Unused Escrow Deposit to Angelo Simone in the Amount of \$10,144.18, Block 69, Lot 28.

**Resolution 2014-165**

(\* Resolution Granting Permission to PSE&G for Road Opening Permit at 53 Clinton Avenue, Block 105, Lot 13, in Order to Repair/Install Gas Service.

## ATTACHMENTS:

- NEA Report 53 Clinton Avenue\_030714 Road Opening Permit (PDF)

**Resolution 2014-166**

(\* Resolution Granting Permission to PSE&G for Emergency Road Opening Permit at 119 Stuyvesant Avenue, Block 142, Lot 34, in Order to Repair Gas Service.

## ATTACHMENTS:

- NEA Report 119 Stuyvesant Avenue\_Emergency\_030714 Road Opening Permit (PDF)

**Resolution 2014-167**

(\* Resolution Authorizing Refund of Construction Permit Application Fee to Artistic Fence in the Amount of \$53.00 for 2 Stewart Avenue, Block 97, Lot 1 as a Result of a Duplicate Payment.

**Resolution 2014-168**

(\* Resolution Authorizing the Return of Fee for a Construction Permit Application to All Week Plumbing & Heating in the Amount of \$62.00 for 47 John Street, Block 8, Lot 16 because a Fire Permit was not Required.

**Resolution 2014-169**

(\* Resolution Authorizing Refund of Construction Permit Application Fee to Mundo & Manny in the Amount of \$142.00 for 57 Devon Terrace, Block 258, Lot 28 as a Result of Duplication in Documentation and Fees.

**Resolution 2014-170**

(\* Resolution Authorizing the Return of Fee for Construction Permit Application to AAA Chimney Corp. in the Amount of \$53.00 for 92 Beech Street, Block 195, Lot 7 due to a Change in Contractors.

**Resolution 2014-171**

(\* Resolution Authorizing the Return of Zoning Certificate of Occupancy (ZCO) Fee to Wayne Loihle in the Amount of \$120.00 for 104 Bergen Avenue, Block 29, Lot 25.

**Resolution 2014-172**

(\* Resolution Authorizing Refund of Construction Permit Application Fee to Napolitano Bros., LLC in the Amount of \$51.00 for 105 Park Place, Block 49, Lot 26.02 as a Result of a Duplicate Payment.

**Resolution 2014-173**

(\* Resolution Authorizing Refund of Construction Permit Application Fee to Paese Construction, LLC in the Amount of \$91.00 for 110 Morgan Place, Block 125, Lot 6 because the Contractor was Unable to Obtain a Home Office Certificate of Occupancy (COA).

**Resolution 2014-174**

(\* Resolution Authorizing the Return of Fee for Construction Permit Application for Work Cancelled at 166 Stewart Avenue, Block 161, Lot 11, to Petro Heating & Air Conditioning Services in the Amount of \$60.00.

**Resolution 2014-175**

(\* Resolution Authorizing Refund of Construction Permit Application Fees to Public Service Electric & Gas in the Amount of \$184.00 for 257 Laurel Avenue, Block 171, Lot 48 as a Result of a Miscalculation in Permit Fees.

**Resolution 2014-176**

(\* Resolution Authorizing Refund of Construction Permit Application Fee to Act Technologies in the Amount of \$100.00 for 356 Highland Avenue, Block 59, Lot 5 as a Result of a Duplicate Payment.

**Resolution 2014-177**

(\* Resolution Authorizing the Return of Construction Permit Fee to Sicar Construction in the Amount of \$167.00 for a Renovation at 508 Elm Street, Block 178, Lot 1.02 that was Denied by the Zoning Officer.

**Resolution 2014-178**

(\* Resolution Authorizing the Return of Fee for Construction Permit Application to Petro Jersey Industries in the Amount of \$75.00 for 562 Belgrove Drive, Block 72, Lot 1 due to a Change in Contractors.

**Resolution 2014-179**

(\* Resolution Authorizing the Return of Fee for Construction Permit Application for Work Cancelled at 714 Kearny Avenue, Block 161, Lot 1, to Emad Jacob, MD in the Amount of \$391.00.

**Resolution 2014-180**

(\* Resolution Refunding Towing and Storage Fees of \$100.75 to Ariasnunez Alberto for Charges Incurred on February 14, 2014 when his Car was Towed from Stewart Avenue and Devon Street due to an Emergency Condition (Roof Collapse).

ATTACHMENTS:

- Invoice for Acura MDX Towed on 02-14-14 Emergency Condition (PDF)

**Resolution 2014-181**

(\* Resolution Authorizing Twenty (20) Hours Overtime to Susan A. Evanchick, Administrative Clerk in the Construction Code Department, to Issue Permits, Escrows and to Respond to OPRA Requests. (\$1,397.80)

**Resolution 2014-182**

(\* Resolution Authorizing Twenty (20) Hours Overtime to Christine Nee, Permit Clerk in the Construction Code Department, to Issue Permits. (\$1,038.60)

**Resolution 2014-183**

(\* Resolution Authorizing Four (4) Hours Overtime within the Kearny Water Department for Emergency Mark Out on February 17, 2014. (\$262.80)

**Resolution 2014-184**

(\* Resolution Authorizing Fifty-four and One-quarter (54.25) Hours Overtime in the KPD for Full Time and Reserve School Crossing Guards to Cover Posts on February 3, February 5 and February 18, 2014 due to Delayed School Openings and School Closures. (\$1,356.25)

**Resolution 2014-185**

(\* Resolution Authorizing Twenty (20) Hours Overtime for Library Saturday Hours in April, May and June 2014. (\$1,175.00)

**Resolution 2014-186**

(\* Resolution Granting Permission for Three (3) Firefighters to Attend Texas A&M Foam Firefighting Class April 1 through April 4, 2014 Funded through a Grant Provided to the NJ Urban Area Security Initiative (UASI) Chemical Biological Radiological Nuclear Explosive (CBRNE) Committee.

**Resolution 2014-187**

Resolution Authorizing the Town Clerk to Advertise for Bids for Solid Waste and Recyclable Materials Collection Service.

**Resolution 2014-188**

(\* ) Resolution Authorizing the Town Clerk to Advertise to Receive Bids for Landscaping Services.

**Resolution 2014-189**

(\* ) Consent Agenda Resolution

**CONSENT AGENDA:****Resolution 2014-190**

Resolution Authorizing Three Hundred Fifteen and Three-quarter (315.75) Hours Overtime within the Department of Public Works to Secure Area Around Large Sink Hole on Bergen Avenue, Continue Clearing Snow from Previous Snow Storm, Clear Sewer Blockages at 60 S. Midland Avenue, 408 Schuyler Avenue and E. Midland Avenue, Place Barricades due to Water Main Break at Forest Street and Midland Avenue, Repair and Pick up Snow Plow Equipment Prior to Snow Storm and Brine, Salt And Plow Due to Snow Storm. (\$14,470.54)

**Resolution 2014-191**

Resolution Petitioning NJEDA and the Governor to Approve the Recommendation of NJDEP that the Town be Awarded a HDSRF Grant in the Amount of \$45,947.28 for Remediation Activities at the Jeep Co. of Kearny Site at 9-15 Passaic Avenue.

## ATTACHMENTS:

- NJDEP letter dated 02-12-14 re HDSRF Fund - BDA (PDF)

**Resolution 2014-192**

Resolution Pursuant to Town Code 7-33.1 Regulating the Overnight Parking of Vehicles by Residents on Designated Spaces in the Area Behind and Along Side the Town Hall.

**Resolution 2014-193**

Resolution Correcting Resolution 2014-(R)-11

## ATTACHMENTS:

- AGREEMENT - GRANT SERVICES (PDF)

**Resolution 2014-194**

Resolution Pursuant to Town Code Section 23-7 Approving Curb Cut at 66 Argyle Place, Block 174, Lot 3, to Allow for Widening of the Driveway.

## ATTACHMENTS:

- NEA Report 66 Argyle\_Curb Cut\_030714 (PDF)

**Resolution 2014-195**

Resolution Pursuant to Town Code Section 23-7 Approving Curb Cut at 77 Forest Street, Block 249, Lot 28.02, to Accommodate a New Driveway.

## ATTACHMENTS:

- DPW & KPD Curb Cut Approvals 77 Forest St. (PDF)
- NEA Report 77 Forest Street\_Curb Cut\_031014 (PDF)

**Resolution 2014-196**

Resolution Pursuant to Town Code Section 23-7 Approving Curb Cut at 81 Forest Street, Block 249, Lot 28.01, to Accommodate a New Driveway.

## ATTACHMENTS:

- DPW & KPD Curb Cut Approvals 81 Forest St (PDF)
- NEA Report 81 Forest Street\_Curb Cut\_031014 (PDF)

**Resolution 2014-197**

Resolution to Enter into Closed Session to Discuss the Following Matters: Review of Bid Specs for Solid Waste and Recyclable Materials Collection Service, Review of Pending Litigation Covered by Middlesex County JIF, Discussion of Part time Clerk in DPW and Clerk's Office, Discussion of Applications Received for Public Defender Position.

**Resolution 2014-198**

Resolution Authorizing an Increase in Hours, Effective Immediately, for Part Time Fire Prevention Specialists Andrew Depczek, Robert Dsurney and Vincent Abbott from 24.50 Hours

to 40 Hours per Week until Chief Inspector/Fire Official UFD John Donovan Returns from Sick Leave.

**Resolution 2014-199**

Resolution Appointing Claudia Calderon to the Part time Provisional Position of Social Service Aide in the Health Department, to Work a Maximum of 24.5 Hours per Week at the Current Hourly Rate of \$11.11, Effective March 12, 2014.

**Resolution 2014-200**

Introduction of the Calendar Year 2014 Budget.

**Resolution 2014-201**

Resolution Authorizing the Mayor and Council to Submit an Application for Transitional Aid.

**X. EXECUTIVE (CLOSED) SESSION**

**XI. ADJOURNMENT**