



Kearny Town Council

Caucus / Regular Meeting

~ Agenda ~

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

Admin

Tuesday, September 9, 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. Hermandad del Senor de los Milagros de Kearny, NJ: requesting permission to hold their traditional processional march on Sunday, October 5, 2014 beginning at St. Cecilia's Church, 120 Kearny Avenue, at 1:00 p.m. and ending at Holy Cross Church in Harrison, NJ by 8:00 p.m.; they invite the Mayor and Council to the upcoming Mass in honor of Senor de los Milagros on October 4, 2014 at 7:00 p.m.

POLICE/DPW

2. Linda R. Kraus-D'Isa: requesting permission to host the 20th Annual Terrace Place Block party on Saturday, September 20, 2014 from 12:00 p.m. until 9:00 p.m. Rain date is Sunday, September 21, 2014.

POLICE/DPW

3. Stephen Amadeo notifying the Kearny Recreation Commission and the Mayor and Council that he will no longer be on the Recreation Commission as he is moving out of the Town of Kearny.

M&C/REC

4. Alexander Zulewski, KHS Class Advisor, Class of 2015: requesting permission to hold a canning fundraiser on November 8, 2014 and December 6, 2014 for the Class of 2015.

POLICE/DPW/REC

5. Alexander Zulewski, KHS Head Girls Tennis Coach: requesting permission to hold a canning fundraiser on November 15, 2014 and November 29, 2014 for both Varsity and Junior Varsity girls tennis teams.

POLICE/DPW/REC

6. Alexander Zulewski, KHS Head Boys Tennis Coach: requesting permission to hold a canning fundraiser on February 21, 2015 and February 28, 2015 for the boys tennis team. **POLICE/DPW/REC**
7. Kearny PBA Civic Association: requesting permission to host a carnival at the Frank A. Vincent Marina October 2nd-5th, 2014. **POLICE/DPW/REC**
8. Rev. John E. Wassell, Pastor, St. Cecilia Church: requesting permission to hold a procession for Our Lady of Fatima on Sunday, October 12, 2014. The procession will start at Kearny Avenue and Hoyt Street at 7:45 p.m. **POLICE/DPW**
9. Rev. John E. Wassell, Pastor, St. Cecilia Church: requesting permission to hold a procession for the children in the Sunday school program for the Solemnity of All Saints on Sunday, October 26, 2014. The procession will begin at 10:30 a.m. at St. Cecilia School located at Chestnut and Hoyt Streets. **POLICE/DPW**
10. LICENSES: 11-GARAGE SALE; 2-CANVASS;
8-TAXI DRIVERS; 1-RAFFLE **LICENSES**

B. Reports of Department Heads

1. Construction Code Enforcement Monthly Report for July 2014
2. Construction Code Enforcement Monthly Report for August 2014
3. Engineer's Report dated September 9, 2014

C. 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 2014-34

Ordinance Vacating Handicapped Parking Zones at 79 Brighton Avenue, 510 Hickory Street, 169 Brighton Avenue and 442 Elm Street

Ordinance 2014-35

Ordinance Establishing Handicapped Parking Zones at 194 Magnolia Avenue, 21 Fuller Place, 274 Stewart Avenue and 289 Stewart Avenue

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

Ordinance 2014-31

Ordinance Vacating Handicapped Parking Zones at 19 John Street and 166 Chestnut Street

Ordinance 2014-32

Ordinance Establishing Handicapped Parking Zones at 112 Windsor Street, 153 Tappan Street, 296 Highland Avenue, 333 ½ Forest Street, 826 Chestnut Street, 20 John Street, 35 Dukes Street, and 160 Chestnut Street

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

Resolution 2014-538

(*) Bills List Resolution

Resolution 2014-539

(* Resolution Authorizing Tax Overpayment Refund in the Amount of \$16,000.73 to S&R Realty Assoc. for 1st and 2nd Quarter 2014 Taxes, Block 295, Lot 6.

Resolution 2014-540

(* Resolution Authorizing Tax Overpayment Refund in the Amount of \$293.73 to Maria Garcia for 1st Quarter 2014 Taxes, Block 241, Lot 17.03.

Resolution 2014-541

(* Resolution Authorizing Tax Overpayment Refund in the Amount of \$6,895.26 to CLEPO, Inc. for 1st and 2nd Quarter 2014 Taxes, Block 179, Lots 9.01, 9.02, 10.01, 11.01, 12.01.

Resolution 2014-542

(* Resolution Authorizing Tax Overpayment Refund in the Amount of \$77,875.37 to Jeryl Industrial Park for 1st and 2nd Quarter 2014 Taxes, Block 134, Lots 1 and 6.

Resolution 2014-543

(* Resolution Authorizing Refund of Overpaid Taxes in the Amount of \$23,167.19 for Block 128, Lot 13 as a Result of Tax Court Judgment for 2010, 2011 and 2012.

Resolution 2014-544

(* Resolution Authorizing Refund of Overpaid Taxes in the Amount of \$9,420.99 for Block 152, Lot 2 as a Result of Tax Court Judgment for 2010, 2011, 2012 and 2013.

Resolution 2014-545

(* Resolution Authorizing Refund of Overpaid Taxes in the Amount of \$18,713.50 for Block 194, Lot 14 as a Result of Tax Court Judgment for 2010, 2011 and 2012.

Resolution 2014-546

(* Resolution Authorizing Refund of Overpaid Taxes in the Amount of \$24,748.35 for Block 252, Lot 3.01 as a Result of Tax Court Judgment for 2010, 2011 and 2012.

Resolution 2014-547

(* Resolution Authorizing the Return of Unused Escrow Deposit to McCarter & English, Attorneys at Law in the Amount of \$1,641.56.

Resolution 2014-548

(* Resolution Authorizing Permission to Encroach Upon Town Right of Way at 248 Windsor Street, Block 65, Lot 7, to Replace the Front Lawn Chain Link Fence with a 4-Foot Vinyl Picket Fence.

ATTACHMENTS:

- NEA Report 248 Windsor Street_Replace Fence_090514 (PDF)

Resolution 2014-549

(* Resolution Authorizing Permission to Encroach Upon Town Right of Way at 347 Chestnut Street, Block 231, Lot 18, for the Purpose of Removing Fuel Tanks.

ATTACHMENTS:

- NEA Report 347 Chestnut Street_090514 Encroachment (PDF)

Resolution 2014-550

(* Resolution Granting Permission to PSE&G for Emergency Road Opening Permit at 3 Hamilton Avenue, Block 116, Lot 23, in Order to Repair Gas Main/Service.

ATTACHMENTS:

- NEA Report 3 Hamilton Avenue_Emergency_090414 Road Opening Permit (PDF)

Resolution 2014-551

(* Resolution Granting Permission to PSE&G for Road Opening Permit at 8 Bayard Avenue, Block 98, Lot 9, in Order to Cut Off Gas Service.

ATTACHMENTS:

- NRA Report 8 Bayard Avenue_090414 Road Opening Permit (PDF)

Resolution 2014-552

(* Resolution Granting Permission to PSE&G for Road Opening Permit at 61 Second Avenue, a/k/a 53-61 Second Avenue, Block 242, Lot 16, in Order to Install Gas Main Protection.

ATTACHMENTS:

- NEA Report 61 Second Avenue_090414 Road Opening Permit (PDF)

Resolution 2014-553

(* Resolution Granting Permission to PSE&G for a Road Opening Permit at 260 Argyle Place, Block 127, Lot 1, in Order to Install New Gas Service.

ATTACHMENTS:

- NEA Report 260 Argyle Place_090414 Road Opening Permit(PDF)

Resolution 2014-554

(* Resolution Granting Permission to PSE&G for Road Opening Permit at 494 Elm Street, Block 178, Lot 30.02, in Order to Install Gas Main Protection.

ATTACHMENTS:

- NEA Report 494 Elm Street_Protected_090414 Road Opening Permit (PDF)

Resolution 2014-555

(* Resolution Granting Permission to PSE&G for Road Opening Permit at 612 Belgrove Drive, Block 73, Lot 3, in Order to Install New Gas Service.

ATTACHMENTS:

- NEA Report 612 Belgrove Drive_Protected_090414 Road Opening Permit (PDF)

Resolution 2014-556

(* Resolution Granting Permission to PSE&G for a Road Opening Permit at 658 Devon Street, a/k/a 658-660 Devon Street, Block 177, Lot 7, in Order to Install New Gas Service.

ATTACHMENTS:

- NEA Report 658 Devon Street_090414 Road Opening Permit(PDF)

Resolution 2014-557

(* Resolution Authorizing Twenty and One-quarter (20.25) Hours Overtime within the Kearny Water Department for Emergency Water Main Break at 31 Rizzolo Road on July 8, 2014, a Leak in the Street at 2nd Street and also at 192 Devon Terrace on August 6, 2014, a Leak in the Street at 299 Hickory Street on August 9, 2014 and Water Main Break at 570 Elm Street on August 19, 2014. (\$1,051.08)

Resolution 2014-558

(* Resolution Authorizing Six (6) Hours Overtime to William Connolly, Senior Cashier in the Tax Collector's Office, for 3rd and 4th Quarter Late Night Opening for Collection of Taxes on August 27, 2014 and November 6, 2014. (\$393.57)

Resolution 2014-559

(* Resolution Authorizing Three (3) Members of KFSOA FMBA Local 218 and Seven (7) Members of FMBA Local 18 to Attend the Annual New Jersey State FMBA 2014 Convention in Atlantic City, NJ on September 15-18, 2014, and Three (3) Members of the KFD to Attend the New Jersey State Firemen's Convention in Wildwood, NJ on September 11-13, 2014.

Resolution 2014-560

(* Consent Agenda Resolution

CONSENT AGENDA:**Resolution 2014-561**

Resolution Authorizing Eight (8) Hours Overtime within the Department of Public Works to Clear Sewer Blockage at 8 Pine Street, Shut off Electrical Breaker to Light on Lawn at Town Hall and Resolve Restroom Issues at Police Headquarters. (\$402.14)

Resolution 2014-562

Resolution Appointing Brett Mussenden to the Full time Position of Laborer in the Department of Public Works (CDL Required) at the Current Annual Salary of \$32,299 Pending Pre-employment Processing and Approval by the State of NJ Local Government Services (LGS).

Resolution 2014-563

Resolution Authorizing Execution of Corrected Professional Services Agreement with Neglia Engineering Associates as Town Engineer.

ATTACHMENTS:

- Engineer Agreement 08-29-14 (DOC)
- NEA - Exhibit 1 (PDF)
- Engineer Agreement 08-29-14 (DOC)

Resolution 2014-564

Resolution Authorizing Contract with the New Jersey Department of Transportation for Water Main Relocation Associated with the New Jersey Department of Transportation Pulaski Skyway Rehabilitation Project.

ATTACHMENTS:

- Pulaski Skyway Rehabilitation Contract #3 thru 9 (Water) (PDF)

Resolution 2014-565

Resolution Authorizing Contract with the New Jersey Department of Transportation for Potential Sewer Line Relocation Associated with the New Jersey Department of Transportation Pulaski Skyway Rehabilitation Project.

ATTACHMENTS:

- Pulaski Skyway Rehabilitation Contract #3 thru 9 (Sewer) (PDF)

Resolution 2014-566

Resolution Authorizing a Contract with Neglia Engineering Associates for Services Related to (i) Water Main Relocation and (ii) Sewer Line Relocation Associated with the New Jersey Department of Transportation Pulaski Skyway Rehabilitation in the Amount of \$5,000.00 for Water Main Relocation and \$5,000.00 for Sewer Line Relocation.

ATTACHMENTS:

- AGREEMENT - Neglia Engineering Associates DOT (DOC)

Resolution 2014-567

Resolution Declaring Lots 12 and 20 within Block 294, also known as 90 South Hackensack Avenue, as a Redevelopment Area and Directing the Planning Board to Prepare a Redevelopment Plan for the Area.

ATTACHMENTS:

- Planning Board Report dated 08-06-14 to M&C re Block 294, Lots 12 & 20 (PDF)

Resolution 2014-568

Resolution Finding Acceptable the Detailed Detour Plans Prepared by the NJ Department of Transportation for the Route 7 Bridge over Conrail, Subject to the Comments of the Fire Chief.

ATTACHMENTS:

- NJDOT Route 7 Detour Route (PDF)
- NJDOT Traffic Control and Staging Plans (PDF)

Resolution 2014-569

Resolution Authorizing the Execution of an Estoppel Certificate as to Premises Known as Lot 64.02 in Block 150.01 (720 Belleville Turnpike).

ATTACHMENTS:

- Estoppel Certificate (DOC)

Resolution 2014-570

Resolution Approving a Redeveloper Agreement Between the Town and DVL Kearny Holdings L.L.C. for Property in the Passaic Avenue Redevelopment Area Known as 166-194 Passaic Avenue the Major Tenant of Which Will be a B.J.'s Wholesale Club.

Resolution 2014-571

Resolution Approving Easement Agreement with DVL Kearny Holdings LLC in Furtherance Development of Property at 166-194 Passaic Avenue.

ATTACHMENTS:

- Grant of Easement (PDF)

Resolution 2014-572

Resolution Approving a License Agreement Between the Town of Kearny and D&G Landscaping, Inc. for the use a Designated Area on Town-Owned Lot at 325 Passaic Avenue for the Storage of Equipment.

ATTACHMENTS:

- D&G Agreement (DOC)
- Diagram Depicting Block 1, Lot 24 (PDF)
- D&G Agreement (DOC)

Resolution 2014-573

Resolution to Enter into Closed Session to Discuss the Following Matters: Crossing Guard Allocations due to School Redistricting, Recommendation from Police Chief Dowie for Parking Violations Officer (PVO) Position, Crossing Guard Vacancies, Update on the Interstate Outdoor Advertising v. Town of Kearny Billboard Litigation.

Resolution 2014-574

Resolution Pursuant to N.J.S.A. 40:48-2.14 Charging the Costs of Removal of Brush, Weeds, Etc. Against Properties, Which Costs Shall Hereby Become Liens Against Such Properties: 171 Seeley Avenue, Block 130, Lot 36, 512 Forest Street, Block 179, Lot 1, 113 Passaic Avenue, Block 1, Lot 12, 14-16 Harrison Avenue, Block 278, Lot 10, 47 Morgan Place, Block 138, Lot 14, 93 Johnston Avenue, Block 10, Lot 36, 33 Hillside Avenue, Block 41, Lot 15

ATTACHMENTS:

- Schedule A 09-09-14 (DOC)

Resolution 2014-575

Resolution Renewing (Inactive) Alcoholic Beverage Plenary Retail Consumption License No. 0907-33-007-005, DJAL Inc, for the 2014-15 License Term.

ATTACHMENTS:

- Special Ruling DJAL Inc 0907-33-007-005 (PDF)

Resolution 2014-576

Resolution Renewing (Inactive) Alcoholic Beverage Plenary Retail Consumption License No. 0907-33-059-004, 409 Kearny Ave LLC, for the 2014-15 License Term.

ATTACHMENTS:

- Special Ruling 409 Kearny Ave LLC 0907-33-059-004 (PDF)

Resolution 2014-577

Resolution Renewing (Inactive) Alcoholic Beverage Plenary Retail Consumption License No. 0907-33-061-003, Royal Drinks Inc, for the 2014-15 License Term.

ATTACHMENTS:

- Special Ruling Royal Drinks Inc 0907-33-061-003 (PDF)

Resolution 2014-578

Resolution Renewing (Inactive) Alcoholic Beverage Plenary Retail Consumption License No. 0907-33-027-003, El Marinero Bar & Restaurant Inc, for the 2014-15 and 2015-16 License Terms.

ATTACHMENTS:

- Special Ruling El Marinero Bar & Restaurant Inc 0907-33-027-003 (PDF)

Resolution 2014-579

Resolution Approving Four Sisters Winery's Application to Hold a Wine Tasting and Sale at the Farmers' Market on October 2, 9, 16, 23 and 30, Subject to the Issuance of the Appropriate License by the New Jersey Alcoholic Beverage Commission.

Resolution 2014-580

Resolution Appointing John Dilorenzo to the Full time Position of Parking Enforcement Officer/Meter Collector in the Kearny Police Department, Traffic Division, at the Current Annual Salary of \$24,964 Pending Pre-employment Processing and Approval by the State of New Jersey Local Government Services (LGS).

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