



# Kearny Town Council

## Caucus / Regular Meeting

~ Agenda ~

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

Admin

Tuesday, October 14, 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. The Salvation Army of Greater Kearny: requesting permission to use the Town Hall on Thursday, November 13, 2014 at 12:00 noon for their annual Kettle Kick-Off and inviting Mayor Santos and Council to be a part of this event. **M&C**

2. Bob Caputo, KHS Baseball Booster Club President: requesting permission to hold a canning fundraiser on Saturday, April 4, 2015 and Saturday, April 18, 2015 for the Freshmen, Junior Varsity, and Varsity Baseball Programs. **POLICE/DPW/REC**

3. Christine Nee, Treasurer, Kearny Kardinal Football Booster Club: requesting permission to hold their Annual Parade, Bon Fire and Pep Rally for the 2014 KHS Football Players, Cheerleaders, and Band on Thursday, October 30, 2014. The parade route will be the same as in previous years. The parade will step off at 6:00 p.m. from the front of Kearny High School, 336 Devon Street, and end up at Gunnell Oval where the Bon Fire and Pep Rally will take place.

**POLICE/FIRE/REC**

4. Wilson-Gugelman Veterans of Foreign Wars (VFW) Post # 1302 in conjunction with the Kearny Fire and Police Departments inviting Mayor Santos and Members of the Town Council to attend Octoberfest, 11:00 a.m. to 6:00 p.m. on Saturday, October 18, 2014 **M&C**

5. LICENSES: 15-GARAGE SALES; 2-RAFFLES; 3-TAXI DRIVERS

**LICENSES**

#### B. Reports of Department Heads

1 Construction Code Enforcement Department for September 2014

2. Library Director's Report for September 2014

3. DPW Operations Report for September 2014
4. Engineer's Report dated October 14, 2014

**C. Presentation by Jerry Fried, (former) Mayor, Township of Montclair and Lead Ambassador of New Jersey Ambassadors in Motion (NJAIM) regarding NJDOT's Complete Streets Initiative**

**D. Presentation of Plaques by Amruta H. More, Hindu Community Center in Appreciation of the Town of Kearny's Cooperation during the Annual Ganesh Festival**

**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 2014-38**

Ordinance Vacating Handicapped Parking Zones at 232 Chestnut Street and 32 Spruce Street

**Ordinance 2014-39**

Ordinance Establishing Handicapped Parking Zones at 210 Sanford Avenue and 19 John Street

**Ordinance 2014-40**

Ordinance Amending Section 4-13 of the Town Code So as to Enhance Enforcement of the Town's Anti-Littering Campaign

**Ordinance 2014-41**

Ordinance Amending Section 9-9 of the Town Code So as to Define the Responsibilities of Domesticated Cat Owners

**Ordinance 2014-42**

Ordinance Adopting a Trap, Neuter, Return (TNR) Program for Feral Cats

**Ordinance 2014-43**

Ordinance Amending Section 3-6.5 A. 3. of the Town Code So as to Raise the Rate of Compensation to be Paid by the Board of Education for Contracting the Services of Off-Duty Law Enforcement Officers from \$40.00 Per Hour to \$55.00 Per Hour

**ATTACHMENTS:**

- Correspondence re KBOE Police Security Jobs (PDF)

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

**Ordinance 2014-36**

Ordinance Vacating Handicapped Parking Zone at 616 Elm Street

**Ordinance 2014-37**

Ordinance Establishing Handicapped Parking Zones at 153 Chestnut Street, 16 Maple Street and 319 Hickory Street

**IX. PUBLIC HEARING ON KUEZ RESOLUTION 2014-(R)-596 APPLICATION FOR THE EXPENDITURE OF AN ADDITIONAL \$40,000.00 OF UEZ FUNDS.**

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

**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): None

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

**Resolution 2014-606**

(\*) Bills List Resolution

**Resolution 2014-607**

(\*) Resolution Authorizing Permission to Encroach Upon Town Right of Way at 87 Kearny Avenue, Block 24, Lot 34, for the Purpose of Installing an Awning Sign.

## ATTACHMENTS:

- Attachment....NEA Report 87 Kearny Avenue\_Awning\_101014 Encroachment (PDF)

**Resolution 2014-608**

(\*) Resolution Authorizing Permission to Encroach Upon Town Right of Way at 292 Kearny Avenue, Block 234, Lot 14.01, for the Purpose of Installing an Awning Sign.

## ATTACHMENTS:

- NEA Report\_292 Kearny Avenue\_Awning\_101014 (PDF)

**Resolution 2014-609**

(\*) Resolution Authorizing Permission to Encroach Upon Town Right of Way at 214 Quincy Avenue, Block 224, Lot 17, for the Purpose of Installing a Fence.

## ATTACHMENTS:

- NEA Report 214 Quincy Avenue\_Construct Fence\_101014 Encroachment (PDF)

**Resolution 2014-610**

(\*) Resolution Authorizing Permission to Encroach Upon Town Right of Way at 51 Kearny Avenue, Block 18, Lot 17, for the Purpose of Removing Two 550 Gallon Underground Storage Tanks.

## ATTACHMENTS:

- NEA Report 51 Kearny Avenue\_Streetscape\_101014\_Oil Tanks\_Encroachment (PDF)

**Resolution 2014-611**

(\*) Resolution Authorizing Permission to Encroach Upon Town Right of Way at 93 Johnston Avenue, Block 10, Lot 36, for the Purpose of Removing Two 550 Gallon Underground Oil Tanks.

## ATTACHMENTS:

- NEA 93 Johnston Avenue\_101014 (PDF)

**Resolution 2014-612**

(\*) Resolution Granting Permission to PSE&amp;G for Emergency Road Opening Permit at 12 Grove Street, Block 59, Lot 15, in Order to Repair Gas Service and Install New Gas Service.

## ATTACHMENTS:

- NEA Report 12 Grove Street\_Emergency\_101014 Road Opening Permit (PDF)

**Resolution 2014-613**

(\*) Resolution Granting Permission to PSE&amp;G for Emergency Road Opening Permit at 33 Laurel Avenue, Block 93, Lot 36, in Order to Repair Gas Main Service and Install New Gas Service.

## ATTACHMENTS:

- NEA Report 33 Laurel Avenue\_Emergency\_101014 Road Opening Permit (PDF)

**Resolution 2014-614**

(\*) Resolution Authorizing Refund of Kearny Recreation Soccer Program Fee in the Amount of \$35.00 to Violet Bell for Dominic Paulozzo.

**Resolution 2014-615**

(\*) Resolution Authorizing Refund of Kearny Recreation to Sandy Teixeira for Karina Teixeira.

**Resolution 2014-616**

(\* Resolution Authorizing Sixteen (16) Hours Overtime for the Municipal Court Staff, Carol Liotti, Ledy More, Cintia Valdez and Catherine Colon, for Monday Evening Court Session on November 17, 2014. (\$1,200.00)

## ATTACHMENTS:

- Attachment=Municipal Court Overtime Request Signed (PDF)

**Resolution 2014-617**

(\* Resolution Authorizing Twelve and One-half (12.5) Hours Overtime within the Kearny Water Department for Emergency Water Service Replacement at 202 Hickory Street, Installation of New Water Tap at 23 Kearny Avenue, Replacement of Broken Fire Hydrant at 36 E. Midland Avenue, Belgrove Drive at Fuller Place Water Main project, Shut Down Main for New Tie In for Fuller Place, 110 Laurel Avenue Emergency Repair of Service and Clark and Marshall Fire Hydrant Repair. (\$798.12)

## ATTACHMENTS:

- Water Department Resolution - Signed Overtime Request (PDF)

**Resolution 2014-618**

(\* Consent Agenda Resolution

**Resolution 2014-596**

Resolution Approving the Application for the Expenditure of an Additional \$40,000.00 of UEZ Funds for the Previously Approved Construction of an Off-Street Public Parking Lot at 101 Kearny Avenue.

**Resolution 2014-619**

Resolution Authorizing Nine and One-Half (9.5) Hours Overtime Within the Department of Public Works to Inspect and Clear a Sewer Back Up at 466 Belgrove Drive and to Monitor Repairs that Were Completed at Windsor and Dowd Playground. (\$466.53)

## ATTACHMENTS:

- DPW Overtime Request Forms Signed (PDF)

**Resolution 2014-620**

Resolution Pursuant to Town Code Section 23-7 Approving Curb Cut at 71-73 Argyle Place, Block 173, Lot 5, to Accommodate a New Driveway.

## ATTACHMENTS:

- NEA Report 71-73 Argyle Place Curb Cut (PDF)

**Resolution 2014-621**

Resolution Authorizing Expenditure of Funds in the Amount Not to Exceed \$56,925.00 from the New Jersey Urban Enterprise Zone Assistance Fund for Kearny UEZ Marketing and Promotion Program IV Projects.

**Resolution 2014-622**

Resolution Authorizing and Ratifying an Application for a Low-Interest Loan from the New Jersey Environmental Infrastructure Trust Financing Program and Authorizing the Execution and Delivery of an Escrow Agreement for Professional Fees and Certain Other Actions to be Taken in Connection Therewith.

## ATTACHMENTS:

- Escrow Agreement (PDF)

**Resolution 2014-624**

Resolution Authorizing an Agreement with Lau Designs for Construction Management Services for the Kearny Library Children's Garden Project at a Cost Not to Exceed \$7,600.00.

**Resolution 2014-625**

Resolution Authorizing Change Order #1 & Final for the Riverbank Park Improvements Magullian Site to Reivax Contracting Corp., 356 Thomas Street, Newark, New Jersey (\$15,502.00 Decrease / -4.97 %).

**Resolution 2014-626**

Resolution Authorizing Close Out of Contract for Riverbank Park Improvements Magullian Site To Reivax Contracting Corp., 356 Thomas Street, Newark, New Jersey 07114.

**Resolution 2014-627**

Resolution Authorizing Change Order #2 & Final for NJDOT Davis Avenue (Section 3) to Montana Construction Corp., 80 Contant Avenue, Lodi, New Jersey (\$50,755.14 Decrease / - 9.55%).

**Resolution 2014-628**

Resolution Authorizing Close Out of Contract for NJDOT Davis Avenue (Section 3) to Montana Construction Corp., 80 Contant Avenue, Lodi, New Jersey.

**Resolution 2014-629**

Resolution Authorizing Change Order #2 for the 2014 Municipal Road Program Phase 'A' to A.J.M. Contractors, Inc., 300 Kuller Road, Clifton, New Jersey 07011 (\$4,882.70 Decrease / - 0.71%).

**Resolution 2014-631**

Resolution to Enter into Closed Session to Discuss the Following Matter(S): Discussion with Town Appraiser Regarding Appraisals of 199 Devon Terrace, Block 252, Lot 4.01 and Passaic Avenue (RR Property) Block 1, Lots 2.03, 2.04, 4, 7 and 10.

**Resolution 2014-632**

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: 206 Sandford Avenue, Block 274, Lot 11, 247-249 Beech Street, Block 165, Lot 18, 478 Schuyler Ave, Block 204, Lot 1, 175 Windsor Street, Block 55, Lot 19, 171 Seeley Avenue, Block 130, Lot 36, 153 Seeley Avenue, Block 129, Lot 34, 133 Forest Street, Block 237, Lot 45, 47 Morgan Place, Block 138, Lot 14, 7 Prospect Place, Block 148, Lot 31.

## ATTACHMENTS:

- Schedule A 10-14-14 (DOC)

**Resolution 2014-633**

Resolution Authorizing the Execution of a Person-To-Person Transfer of Plenary Retail Distribution License No. 0907-44-031-006 from Mauni Food and Liquor, LLC, T/A John's Liquors & Deli, to OM Jay Shiv, LLC, T/A John's Liquors & Deli, 83 Devon Street, Kearny, New Jersey.

## ATTACHMENTS:

- ABC State Approval Pers-To-Pers Transfer PRD License No. 0907-44-31-006 (PDF)

**Resolution 2014-634**

Resolution Awarding to Silva's Mechanical Services, Inc. a Contract for Replacement of the Boiler in the Main Library at 318 Kearny Avenue for \$127,000 as an Emergency Contract pursuant to N.J.S.A. 40A:11-6 Subject to Approval of the Director of Local Government Services in the Department of Community Affairs.

## ATTACHMENTS:

- Certification of Michael Martello, Town Administrator (PDF)

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