



# Kearny Town Council

## Caucus / Regular Meeting

~ Agenda ~

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

Admin

Tuesday, April 24, 2018

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 Michael Landy	<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"/>	
Council Member Richard Konopka	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Council Member Marytrine DeCastro	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Council Member Peter Santana	<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 to celebrate Peruvian Independence Day with a Peruvian Flag Raising at the American Revolutionary Bicentennial Park on Saturday, July 7, 2018 from 10 a.m. to 12 noon. **M&C/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 22, 2018, starting at the corner of South 3<sup>rd</sup> Street and Harrison Avenue in the Town of Harrison at 12:30 p.m., and finishing at Kearny Town Hall. **M&C/POLICE/DPW/REC**

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 22, 2018 from 10:00 a.m. to 9:00 p.m. (music starts at 3 p.m. and ends at 9 p.m.) **M&C/POLICE/DPW/REC/HEALTH**

4. Janice Barton: submitted her resignation from the Zoning Board of Adjustment effective April 10, 2018 **M&C**

5. Daniel McNamara: submitted his resignation from the Planning Board effective April 30, 2018 **M&C**

6. Adam Waldron, Adjutant, United Veterans Organization: requesting the honor of your presence at the Annual Memorial Day Parade on Thursday, May 24, 2018. The parade will commence from Locust Avenue and Belgrove Drive promptly at 7:00 p.m. and will end at the reviewing stand at Bergen Avenue. Assembly time is at 6:15 p.m. at Locust Avenue. **M&C**

7. Al Perez, KHS Head Cross Country and Track & Field Coach: requesting permission to have canning fundraisers for the following KHS teams:

Boys & Girls Cross Country

Saturday, September 15, 2018 and Saturday, October 13, 2018

Boys & Girls Indoor Track & Field

Saturday, December 15, 2018 and Saturday, December 29, 2018

KHS Boys & Girls Outdoor Track & Field

Saturday, March 09, 2019 and Saturday, March 23, 2019

**M&C/POLICE/DPW/REC**

8. Ralph Cattafi, Director, Parks and Recreation: requesting permission to hold a canning fundraiser for the Kearny Generals and Cheerleading Programs on Saturday, September 22, 2018, and Saturday, October 20, 2018.

**M&C/POLICE/DPW/REC**

9. Robert Kelly, Head Boys Tennis Coach & Assistant Ice Hockey Coach: requesting permission to have canning fundraisers for the following KHS teams on the stated dates from 9:00 a.m. to 1:00 p.m.:

KHS Girls Tennis - Saturday, September 8, 2018

KHS Ice Hockey - Saturday, October 27, 2018

**M&C/POLICE/DPW/REC**

10. Jenny Ron-Chavez, President of Kearny Rowing Association: requesting permission to have a canning fundraiser on Saturday, June 2, 2018. (*replaces prior March 3, 2018 canning date*)

**M&C/POLICE/DPW/REC**

11. Jennifer M. Long, SGM (Retired), Commander of VFW Post 1302: inviting Mayor Santos and Council to VFW Post #1302's Annual Awards Night to be held on Friday, May 4, 2018 at 7:30 p.m. at the Post. The VFW will be recognizing Fireman of the Year, Policeman of the Year, EMT of the Year, Citizen of the Year, and their students: this year's Patriot's Pen winners, and the Voice of Democracy winner.

**M&C**

12. Lieutenant Hwang Lim, Corps Commanding Officer of The Salvation Army Kearny Corps: inviting Mayor Santos and Council to their 14<sup>th</sup> Annual Dinner on Thursday, May 10<sup>th</sup>, 2018 at 6:00 p.m. at Michael's Riverside in Lyndhurst. This year the honorees are Mr. Phil Thiele and the VFW Auxiliary.

**M&C**

13. LICENSES: 2 - PARKING PERMIT -MANDEE LOT;  
2 - GARAGE SALE;

**B. Reports of Department Heads**

1. Certified Tree Experts (CTE) Report dated April 6, 2018 including Recommended Tree Removal(s)
2. Engineer's Report dated April 24, 2018
3. Engineer's Report on Gunnell Oval Project dated April 24, 2018
4. Engineer's Report on Dukes, Devon Tappan, Hoyt (DDTH) Pumping Station Project dated April 24, 2018

**C. Proclamation Proclaiming May 6-12, 2018 Municipal Clerk's Week****D. Presentation on Lupus Awareness by Elizabeth Santa Cruz and Brenda Blackman****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 2018-24**

Ordinance Amending Town Code Section 23-20.10 to Add Additional Restoration Requirements Related to Protected Streets that are Opened/Excavated within Four Years of Repaving

**Ordinance 2018-25**

An Ordinance Establishing the Hourly Position of Computer Operator Trainee (01332)

**VIII. BUSINESS OF THE MAYOR AND COUNCIL: ORDINANCES FOR 2ND READING (PUBLIC HEARING)****Ordinance 2018-18**

Ordinance Establishing Handicapped Parking Zones at 31 Tappan Street and 43 Dukes Street

**Ordinance 2018-19**

An Ordinance Establishing the Position of Building Maintenance Worker / Security Guard (06552)

**Ordinance 2018-20**

An Ordinance to Further Amend and Supplement An Ordinance Entitled "An Ordinance Concerning Civil Service in the Town of Kearny, County of Hudson", Adopted April 11, 2017. (Salaries for Department Heads and Assistant Department Heads, January 01, 2017 – December 31, 2020)

**ATTACHMENTS:**

- Exhibit B DH-ADH Salary Ordinance (PDF)

**Ordinance 2018-21**

An Ordinance to Further Amend and Supplement An Ordinance Entitled "An Ordinance Concerning Civil Service in the Town of Kearny, County of Hudson", Adopted March 25, 2014 and all Various Civil Service Titles in the Town of Kearny (Exempt Employees' Salaries for 2015, 2016, 2017)

**IX. 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): Regular Meeting April 10, 2018

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

**Resolution 2018-241**

(\* Bills List Resolution

ATTACHMENTS:

- April 24 2018 Bill List Schedule (PDF)

**Resolution 2018-242**

(\* Resolution Authorizing the Return of Unused Escrow Deposit to 1416 Harrison Avenue, LLC in the Amount of \$2,750.65 Relative to Site Plan Application #2017.14 at 14-16 Harrison Avenue, Block 278, Lot 10, as the Application has been Withdrawn.

**Resolution 2018-243**

(\* Resolution Authorizing Refund of Zoning Permit and Zoning Certificate of Occupancy Fees for a Title Transfer Regarding 38-40 Tappan Street, Block 266, Lot 16, to Manuel Amorim in the Amount of \$105.00 as a Result of a Duplicate Payment.

**Resolution 2018-244**

(\* Resolution Authorizing Refund of Zoning Permit Fee to Maria Castro-Sosa in the Amount of \$25.00 for 323 Forest Street, Block 210, Lot 49, as a Zoning Permit was not Required.

**Resolution 2018-245**

(\* Resolution Authorizing Permission to Encroach Upon Town Right of Way at 153 Johnston Avenue, Block 13, Lot 28, for the Purpose of Removing an Underground Fuel Tank.

**Resolution 2018-246**

(\* Resolution Authorizing ECC Horizon to Encroach upon the Town Right-of-Way near 304 Chestnut Street, Block 232, Lot 7, to Install a Groundwater Monitoring Well.

ATTACHMENTS:

- SITE ACCESS AGREEMENT - ECC HORIZON (DOC)
- Exhibit A (ECC Horizon - 304 Chestnut Street) (PDF)

**Resolution 2018-247**

(\* Resolution Granting Permission to Brown & Caldwell, on behalf of Glenn Springs Holdings, Inc., for Road Opening Permit and Access to the Portion of Gypsum Street Adjacent to COPR Site 60 (Tullo Exxon 57-87 Lincoln Highway, Block 290, Lots 4-9 and 13), to Conduct Remedial Construction Activities.

ATTACHMENTS:

- SITE ACCESS AGREEMENT - Brown & Caldwell (DOC)
- Exhibit A (Brown & Caldwell - Glenn Springs Holdings) (PDF)

**Resolution 2018-248**

(\* Resolution Granting Permission to PSE&G for Road Opening Permit at 4 Park Avenue, Block 49, Lot 23, in Order to Install New Gas Service.

ATTACHMENTS:

- NEA Report 4 Park Avenue Opening [Protected] [PSE G] 04-20-18 (00078686xD43F8) (PDF)

**Resolution 2018-249**

(\* Resolution Granting Permission to PSE&G for Road Opening Permit at 7-9 Tappan Street, Block 263, Lot 48, in Order to Install New Gas Service.

ATTACHMENTS:

- NEA Report 7-9 Tappan Street Opening [Protected] [PSE G] 04-20-18 (00078690xD43F8) (PDF)

**Resolution 2018-250**

(\* Resolution Granting Permission to PSE&G for Road Opening Permit at 122 Park Place, Block 49, Lot 39, in Order to Install Gas Main Protection.

ATTACHMENTS:

- NEA Report 122 Park Place Opening [PSEG Gas] 04-20-18 (00078689xD43F8) (PDF)

**Resolution 2018-251**

(\* Resolution Granting Permission to PSE&G for Road Opening Permit at 286 Devon Street, Block 236, Lot 19, in Order to Install New Gas Service.

## ATTACHMENTS:

- NEA Report 286 Devon Street Opening [Protected] [PSE G] 04-20-18 (00078692xD43F8) (PDF)

**Resolution 2018-252**

(\* Resolution Granting Permission to PSE&G for Road Opening Permit at 634 Belgrove Drive, Block 79, Lot 1, in Order to Install Gas Main Protection.

## ATTACHMENTS:

- NEA Report 634 Belgrove Drive Opening [PSEG Gas] 04-20-18 (00078693xD43F8) (PDF)

**Resolution 2018-253**

(\* Resolution Granting Permission to PSE&G for Road Opening Permit at 678 Belgrove Drive, a/k/a 678-680 Belgrove Drive, Block 83, Lot 2, in Order to Install Gas Main Protection.

## ATTACHMENTS:

- NEA Report 678 Belgrove Drive Opening [PSEG Gas] 04-20-18 (00078695xD43F8) (PDF)

**Resolution 2018-254**

(\* Resolution Granting Permission to PSE&G for Road Opening Permit at the Intersection of Belgrove Drive and Park Avenue in Order to Install Gas Main Protection.

## ATTACHMENTS:

- NEA Report Belgrove Drive Park Ave Opening [PSEG Gas] 04-20-18 (00078697xD43F8) (PDF)

**Resolution 2018-255**

(\* Resolution Granting Permission to SUEZ North America for Road Opening Permit at 89 Chestnut Street, Block 254, Lot 10, in Order to Replace a Curb Box.

## ATTACHMENTS:

- NEA Report 89 Chestnut Street Opening 04-20-18 [SUEZ JFC] (00078764xD43F8)(PDF)

**Resolution 2018-256**

(\* Resolution Granting Permission to SUEZ North America for Road Opening Permit at 593-597 Belgrove Drive, a/k/a 585 Belgrove Drive, Block 67, Lot 31, in Order to Repair/Replace Curb Stop.

## ATTACHMENTS:

- NEA Report 585 Belgrove Drive Opening 04-20-18 [SUEZ JFC] (00078765xD43F8) (PDF)

**Resolution 2018-257**

(\* Resolution Waiving the Permit Fees for The Salvation Army Kearny Corps for the Installation of a Warning/Information Sign and Security Camera at 28 Beech Street for the Amount not to Exceed \$200.

## ATTACHMENTS:

- Salvation Army Letter dated March 29, 2018 (PDF)

**Resolution 2018-258**

(\* Resolution Authorizing Four (4) Hours Overtime to Maria Fatima Martins, Clerk Typist Bilingual in the Clerk's Office, for Late Night Voter Registration on May 15, 2018, Pursuant to N.J.S.A. 19:31-2. (\$236.84)

## ATTACHMENTS:

- OVERTIME - CLERK'S OFFICE 04-24-18 (PDF)

**Resolution 2018-259**

(\* Resolution Authorizing Sixteen (16) Hours Overtime for the Municipal Court Staff, Melissa Murray, Ledy More, Cintia Valdez, and Catherine Colon, for Monday Evening Court Session on May 21, 2018. (\$1,200.00)

## ATTACHMENTS:

- OVERTIME - COURT 04-24-18 (PDF)

**Resolution 2018-260**

(\* Resolution Granting Permission for One (1) Town Employee to Attend the Veterans of Foreign Wars (VFW) State Convention in Wildwood, N.J. from June 13-17, 2018.

## ATTACHMENTS:

- VFW Convention 2018 - Beth Manley, Crossing Guard KPD (PDF)

**Resolution 2018-261**

(\* Consent Agenda Resolution

**Resolution 2018-262**

Resolution Authorizing Seventy (70) Hours Overtime within the Department of Public Works to Plow and Salt Streets on April 2, 2018, Repair Police Vehicles, Manage Opening of Big Belly Town Trash Cans on April 10, 2018, Clear Sewer Blockage at 16 Peden Terrace and 305 Elm Street, Repair Road Cave in, Supervise Oil Spill Clean-up, and Relieve Office Paperwork Backlog. (\$3,732.35)

## ATTACHMENTS:

- OVERTIME - DPW 04-24-18 (PDF)

**Resolution 2018-263**

Resolution Appointing James Miller, 750 Passaic Avenue, Kearny, N.J., to the Zoning Board of Adjustment to Fill the Unexpired Term of Janice Barton through December 31, 2019.

**Resolution 2018-264**

Resolution Appointing Vilma P. Doran, 122 Belgrove Drive, Kearny, N.J., as Alternate No. 1 to the Zoning Board of Adjustment to fill the Unexpired Term of James Miller through December 31, 2019.

**Resolution 2018-265**

Resolution Appointing William J. Pettigrew, 91 King Street, Kearny, N.J., as Alternate No. 2 to the Zoning Board of Adjustment for a One (1) Year Term.

**Resolution 2018-266**

Resolution Approving an Easement Agreement with Schuyler Crossing Urban Renewal, LLC in Furtherance of the Construction of a Stormwater Pump Station (Block 252, Lot 2.021).

## ATTACHMENTS:

- Easement Agreement - Schuyler Crossing Urban Renewal LLC (PDF)

**Resolution 2018-267**

Resolution of Municipal Endorsement for Submission of a Grant Application to the Hudson County Open Space, Recreation, and Historic Preservation Trust Fund for the Gunnell Oval Improvements Project.

**Resolution 2018-268**

Resolution Amending and Replacing Resolution 2018-213 Regarding Consulting Services to be Performed by RCM Ceberio LLC.

## ATTACHMENTS:

- AGREEMENT - RCM Ceberio LLC (DOC)

**Resolution 2018-269**

Resolution Urging the Adoption of the Ghost Army Congressional Gold Medal Act for the Award of a Congressional Gold Medal to the 23rd Headquarters Special Troops and the 3133rd Signal Service Company in Recognition of Their Unique and Distinguishable Service as a "Ghost Army" that Conducted Deception Operations in Europe during World War II.

**Resolution 2018-270**

Resolution Authorizing the Town Attorneys to Institute Court Action as Needed for Interior Access to the Abandoned Properties at 279 Forest Street, 347 Forest Street, 349 Forest Street, 369 Forest Street and 229 Chestnut Street for Valuation Prior to Commencement of Eminent Domain Actions.

**Resolution 2018-271**

Resolution Authorizing the Issuance of a Violation Notice to Public Service Electric & Gas for an Unpermitted Street Opening.

## ATTACHMENTS:

- NOTICE OF VIOLATION to PSE&G (DOC)

**Resolution 2018-272**

Resolution to Enter into Closed Session to Discuss the Following Matters Relating to Anticipated Litigation, Litigation, Contract Negotiations, and Personnel Matters, to wit: Review of County Residential Tax Appeals, Discussion of Potential Litigation regarding Construction Code/Zoning Violations, Contract Negotiations regarding Fire Apparatus that we are Purchasing

**Resolution 2018-273**

BUDGET -Introduction of the Calendar Year 2018 Budget

**Resolution 2018-274**

Resolution Authorizing the Execution of a Person-to-Person and Place-to-Place Transfer of Plenary Retail Consumption License No. 0907-33-056-010 from Osborne Capital, LLC (a “Pocket License”) to UBNJ1, LLC, t/a Urban Bricks Pizza, 190 Passaic Avenue, #5, Kearny, New Jersey.

**Resolution 2018-275**

Resolution Authorizing Participation in the New Jersey Council of Farmers & Communities (“NJCF”) and Execution of the Community Market Membership Application.

ATTACHMENTS:

- Farmers Market Application 2018 (PDF)

**Resolution 2018-276**

Resolution Authorizing an Increase in Hours, Effective March 1, 2018, for Part time Public Safety Telecommunicators in the Kearny Fire Department from 24.5 Hours up 40 Hours per Week for a Period not to Exceed Six Months or September 1, 2018.

**Resolution 2018-277**

Resolution Authorizing the Execution of a Second Amendment to the Agreement with Suez Water Environmental Services, Inc.

ATTACHMENTS:

- SUEZ Second Amendment to Water System Contract (PDF)

**Resolution 2018-278**

Resolution Appointing Kathy Santos to the Part time Temporary Position of Community Service Aide for the Kearny Prevention Coalition Drug-Free Grant for the Town of Kearny, Effective April 25, 2018.

**X. EXECUTIVE (CLOSED) SESSION**

**XI. ADJOURNMENT**