



Kearny Town Council

Caucus / Regular Meeting

~ Minutes ~

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

Admin

Tuesday, April 12, 2011

7:00 PM

Kearny Town Hall

I. CALL TO ORDER: PUBLIC MEETINGS LAW NOTICE

II. ROLL CALL

Attendee Name	Organization	Title	Status	Arrived
Carol Doyle	Kearny Town Council	Council Member	Present	
Laura Pettigrew	Kearny Town Council	Council Member	Absent	
Michael Landy	Kearny Town Council	Council Member	Present	
Alexa Arce	Kearny Town Council	Council Member	Present	
Susan McCurrie	Kearny Town Council	Council Member	Present	
Eileen Eckel	Kearny Town Council	Council Member	Present	
Albino Cardoso	Kearny Town Council	Council Member	Present	
Madeline Peyko	Kearny Town Council	Councilwoman	Present	
Alberto G. Santos	Kearny Town Council	Mayor	Present	

III. SALUTE TO THE FLAG

IV. CONDUCT OF MEETING NOTICE

V. CAUCUS MEETING

A. Communications

1. The Optimist Club of West Hudson/South Bergen: requesting permission to hold its annual Easter Egg Hunt on Sunday, April 17, 2011 at the Doyle Pavilion area of Kearny Riverbank Park beginning at 12:00 noon. (rain date: April 23, 2011) **POLICE/DPW/REC**
2. The Optimist Club of West Hudson/South Bergen: inviting Mayor Santos and Council to join in the annual Easter Egg Hunt on Sunday, April 17, 2011 at the Doyle Pavilion area of Kearny Riverbank Park. (rain date: April 23, 2011) **M&C**
3. Kearny Elk Lodge #1050: requesting permission to have a canning fundraiser on Saturday, June 18, 2011 from 9:00 am until 3:00 pm. **POLICE/DPW/REC**
4. KHS Boys Volleyball Team: requesting permission to have a canning fundraiser on Saturday, May 14, 2011 from 9:00 am until 1:00 pm. **POLICE/DPW/REC**

- 5. St. Cecilia’s Church: requesting permission to hold a procession for Holy Thursday on Thursday evening, April 21, 2011, beginning at 8:45 pm.

POLICE/DPW

- 6. St. Cecilia’s Church: requesting permission to hold a procession for Our Lady of Fatima on Sunday, May 8, 2011, beginning at 7:45 pm.

POLICE/DPW

- 7. LICENSES: 3-PARKING PERMITS; 1-DISTRIBUTOR;
1-JUKE BOX; 4-RAFFLE; 6-VIDEO/PINBALL

LICENSES

B. Reports of Department Heads

- 1. Library Director’s Report for March 2011
- 2. Library Monthly Statistical Report for February 2011
- 3. Fire Department Monthly Report for January 2011
- 4. Fire Department Monthly Report for February 2011
- 5. Construction Code Monthly Report for March 2011

C. Presentation by Musial Group, p.a. on the Redesign of the LEEDS Veteran’s Field House

D. Proclamations

- 1. Autism Awareness Month April 2011
- 2. Child Abuse Prevention Month April 2011

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 2011-19

Ordinance Establishing Handicapped Parking Zones at 29 John Street, 217 Beech Street and 78 Stewart Avenue.

RESULT:	INTRODUCED [UNANIMOUS]	Next: 4/26/2011 7:00 PM
MOVER:	Susan McCurrie, Council Member	
SECONDER:	Carol Doyle, Council Member	
AYES:	Doyle, Landy, Arce, McCurrie, Eckel, Cardoso, Peyko, Santos	
ABSENT:	Laura Pettigrew	

Ordinance 2011-20

Ordinance Pursuant to N.J.S.A. 40:12-1.1 Providing for the Appointment of Two Alternate Members to the Board of Recreation Commissioners.

RESULT:	INTRODUCED [UNANIMOUS]	Next: 4/26/2011 7:00 PM
MOVER:	Susan McCurrie, Council Member	
SECONDER:	Michael Landy, Council Member	
AYES:	Doyle, Landy, Arce, McCurrie, Eckel, Cardoso, Peyko, Santos	
ABSENT:	Laura Pettigrew	

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

Ordinance 2011-15

Ordinance Establishing Handicapped Parking Zones at 199 Quincy Avenue and 732 Elm Street.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Susan McCurrie, Council Member
SECONDER:	Carol Doyle, Council Member
AYES:	Doyle, Landy, Arce, McCurrie, Eckel, Cardoso, Peyko, Santos
ABSENT:	Laura Pettigrew

Ordinance 2011-16

Ordinance Vacating and Reestablishing a Handicapped Parking Zone at 360 Highland Avenue.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Susan McCurrie, Council Member
SECONDER:	Carol Doyle, Council Member
AYES:	Doyle, Landy, Arce, McCurrie, Eckel, Cardoso, Peyko, Santos
ABSENT:	Laura Pettigrew

Ordinance 2011-18

Ordinance Amending and Revising Section 7-24 of the Town Code Prohibiting Right Turns on Red at Specified Locations.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Susan McCurrie, Council Member
SECONDER:	Carol Doyle, Council Member
AYES:	Doyle, Landy, Arce, McCurrie, Eckel, Cardoso, Peyko, Santos
ABSENT:	Laura Pettigrew

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

Resolution 2011-185

(*) Resolution Refunding Overpayment Against 2010 Taxes to Rigoberto Rivera & Marisol Nieves in the Amount of \$2,024.62 for Block 49, Lot 52.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Carol Doyle, Council Member
SECONDER: Eileen Eckel, Council Member
AYES: Doyle, Landy, Arce, McCurrie, Eckel, Cardoso, Peyko, Santos
ABSENT: Laura Pettigrew

Resolution 2011-186

(*) Resolution Refunding Overpayment Against 2010 Taxes to Wells Fargo Real Estate Tax Services in the Amount of \$2,494.37 for Block 188, Lot 17.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Carol Doyle, Council Member
SECONDER: Eileen Eckel, Council Member
AYES: Doyle, Landy, Arce, McCurrie, Eckel, Cardoso, Peyko, Santos
ABSENT: Laura Pettigrew

Resolution 2011-187

(*) Resolution Refunding Overpayment Against 2010 Taxes to CoreLogic in the Amount of \$1,655.87 for Block 219, Lot 33.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Carol Doyle, Council Member
SECONDER: Eileen Eckel, Council Member
AYES: Doyle, Landy, Arce, McCurrie, Eckel, Cardoso, Peyko, Santos
ABSENT: Laura Pettigrew

Resolution 2011-188

(*) Resolution Refunding Overpayment Against 2010 Taxes to Antonio Lijo & Manuel Lijo in the Amount of \$1,845.32 for Block 273, Lot 6.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Carol Doyle, Council Member
SECONDER: Eileen Eckel, Council Member
AYES: Doyle, Landy, Arce, McCurrie, Eckel, Cardoso, Peyko, Santos
ABSENT: Laura Pettigrew

Resolution 2011-189

(*) Resolution Authorizing Refund of Tax Overpayments on Property Owned by Sunset Cahuenga Known as Block 284, Lot 48 in the Amount of \$87,037.21 Due to a Reduction in Tax Assessment for Years 2009 and 2010 as Approved by Mayor and Council on January 25, 2011 through Resolution # 2011-74.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Carol Doyle, Council Member
SECONDER: Eileen Eckel, Council Member
AYES: Doyle, Landy, Arce, McCurrie, Eckel, Cardoso, Peyko, Santos
ABSENT: Laura Pettigrew

Resolution 2011-190

(*) Resolution Refunding Overpayment Against Water Account No. 999-971-873 in the Amount of \$2,872.82 to Joaquin Costeira.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Carol Doyle, Council Member
SECONDER: Eileen Eckel, Council Member
AYES: Doyle, Landy, Arce, McCurrie, Eckel, Cardoso, Peyko, Santos
ABSENT: Laura Pettigrew

Resolution 2011-191

(*) Resolution Authorizing the Return of Unused Escrow Deposit to Spectraserv, Inc. in the Amount of \$3,697.47, Block 289, Lot 10.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Carol Doyle, Council Member
SECONDER: Eileen Eckel, Council Member
AYES: Doyle, Landy, Arce, McCurrie, Eckel, Cardoso, Peyko, Santos
ABSENT: Laura Pettigrew

Resolution 2011-192

(*) Resolution Authorizing the Return of Unused Escrow Deposit to Public Service Electric & Gas Co. in the Amount of \$4,626.63, Block 298, Lot 19.01.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Carol Doyle, Council Member
SECONDER: Eileen Eckel, Council Member
AYES: Doyle, Landy, Arce, McCurrie, Eckel, Cardoso, Peyko, Santos
ABSENT: Laura Pettigrew

Resolution 2011-193

(*) Resolution Authorizing Permission to Encroach Upon Town Right of Way at 20 Highland Avenue, Block 10, Lot 5, for the Purpose of Replacing Steps and Rails.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Carol Doyle, Council Member
SECONDER: Eileen Eckel, Council Member
AYES: Doyle, Landy, Arce, McCurrie, Eckel, Cardoso, Peyko, Santos
ABSENT: Laura Pettigrew

Resolution 2011-194

(*) Resolution Authorizing Permission to Encroach Upon Town Right of Way at 224 Laurel Avenue, Block 177, Lot 12, for the Purpose of Replacing a Fence.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Carol Doyle, Council Member
SECONDER: Eileen Eckel, Council Member
AYES: Doyle, Landy, Arce, McCurrie, Eckel, Cardoso, Peyko, Santos
ABSENT: Laura Pettigrew

Resolution 2011-195

(*) Resolution Granting Permission to PSE&G Co. for Road Opening Permit at 460 Chestnut Street, Block 208, Lot 10.

ATTACHMENTS:

- NEA Report 460 Chestnut Street Road Opening Permit (PDF)

RESULT: ADOPTED [UNANIMOUS]
MOVER: Carol Doyle, Council Member
SECONDER: Eileen Eckel, Council Member
AYES: Doyle, Landy, Arce, McCurrie, Eckel, Cardoso, Peyko, Santos
ABSENT: Laura Pettigrew

Resolution 2011-196

(*) Resolution Authorizing Three (3) Hours Overtime to Susan A. Evanchick, Zoning Board Secretary, to Attend Special Zoning Board Meeting on April 13, 2011. (\$194.76)

RESULT: ADOPTED [UNANIMOUS]
MOVER: Carol Doyle, Council Member
SECONDER: Eileen Eckel, Council Member
AYES: Doyle, Landy, Arce, McCurrie, Eckel, Cardoso, Peyko, Santos
ABSENT: Laura Pettigrew

Resolution 2011-197

(*) Resolution Authorizing Advertisement for Bids for Janitorial Services for Twelve (12) Locations.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Carol Doyle, Council Member
SECONDER: Eileen Eckel, Council Member
AYES: Doyle, Landy, Arce, McCurrie, Eckel, Cardoso, Peyko, Santos
ABSENT: Laura Pettigrew

Resolution 2011-198

(*) Consent Agenda Resolution

RESULT: ADOPTED AS AMENDED [UNANIMOUS]
MOVER: Carol Doyle, Council Member
SECONDER: Eileen Eckel, Council Member
AYES: Doyle, Landy, Arce, McCurrie, Eckel, Cardoso, Peyko, Santos
ABSENT: Laura Pettigrew

CONSENT AGENDA:**X. ADJOURNMENT****Resolution 2011-199**

Resolution Authorizing Ninety-four (94) Hours Overtime in the Department of Public Works to Respond to Various Callouts from the KPD and KFD for Sewer Backups at 27 Peden Terrace and 331 Wilson Avenue, Problems with HVAC Units at Town Hall, Flooding Conditions, Icy Conditions on Streets, and to Investigate a Tree that Fell on a House, and Eight (8) Hours Overtime to Prep the Little League Fields for Opening Day. (\$4,260.46)

RESULT: ADOPTED [UNANIMOUS]
MOVER: Carol Doyle, Council Member
SECONDER: Eileen Eckel, Council Member
AYES: Doyle, Landy, Arce, McCurrie, Eckel, Cardoso, Peyko, Santos
ABSENT: Laura Pettigrew

Resolution 2011-200

Resolution Urging Passaic Valley Sewerage Commission to Return Cost Savings to Municipalities Served by the System.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Carol Doyle, Council Member
SECONDER: Eileen Eckel, Council Member
AYES: Doyle, Landy, Arce, McCurrie, Eckel, Cardoso, Peyko, Santos
ABSENT: Laura Pettigrew

Resolution 2011-201

Resolution Awarding a Contract to W. D. Snyder Co., Inc. of Kenilworth, New Jersey for the Construction of the New Rear Stairway at Town Hall in the Amount of \$119,700.00 (funded from CDBG Grant/POAA Trust).

RESULT: ADOPTED [UNANIMOUS]
MOVER: Carol Doyle, Council Member
SECONDER: Eileen Eckel, Council Member
AYES: Doyle, Landy, Arce, McCurrie, Eckel, Cardoso, Peyko, Santos
ABSENT: Laura Pettigrew

Resolution 2011-202

Resolution Awarding a Contract to AJM Contractors, 300 Kuller Avenue, Clifton, New Jersey for the Kearny Avenue Resurfacing in the Amount of \$415,048.60.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Carol Doyle, Council Member
SECONDER: Eileen Eckel, Council Member
AYES: Doyle, Landy, Arce, McCurrie, Eckel, Cardoso, Peyko, Santos
ABSENT: Laura Pettigrew

Resolution 2011-203

Resolution Authorizing the Exercise of the Option to Extend the Landscaping Services Contract with Greenleaf Landscaping Systems & Services, Inc. for an Additional One-Year Period from April 1, 2011 thru March 31, 2012.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Carol Doyle, Council Member
SECONDER: Eileen Eckel, Council Member
AYES: Doyle, Landy, Arce, McCurrie, Eckel, Cardoso, Peyko, Santos
ABSENT: Laura Pettigrew

Resolution 2011-204

Resolution to Enter into Closed Session to Discuss the Following Matters: Discussion of Tax Appeal Procedures, Coulson/Pettigrew Litigation, Municipal Court Staffing, Civil Service Commission's Decision Regarding a Fire Applicant.

RESULT: ADOPTED AS AMENDED [UNANIMOUS]
MOVER: Alberto G. Santos, Mayor
SECONDER: Eileen Eckel, Council Member
AYES: Doyle, Landy, Arce, McCurrie, Eckel, Cardoso, Peyko, Santos
ABSENT: Laura Pettigrew

Resolution 2011-205

Adoption of the Amended 2011 Municipal Budget.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Carol Doyle, Council Member
SECONDER: Albino Cardoso, Council Member
AYES: Doyle, Landy, Arce, McCurrie, Eckel, Cardoso, Peyko, Santos
ABSENT: Laura Pettigrew

Resolution 2011-206

Resolution Authorizing the Filing of Cross Petitions of Appeal with the Hudson County Board of Taxation and Counterclaims with the Tax Court in Certain Tax Appeals Pending There.

RESULT: ADOPTED AS AMENDED [UNANIMOUS]
MOVER: Alberto G. Santos, Mayor
SECONDER: Carol Doyle, Council Member
AYES: Doyle, Landy, Arce, McCurrie, Eckel, Cardoso, Peyko, Santos
ABSENT: Laura Pettigrew

Resolution 2011-207

Resolution Authorizing the Sale at Public Auction of One (1) Abandoned and Unclaimed Vehicle (Utility Trailer): 2008 CAR VIN#4YMUL08168V197094.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Carol Doyle, Council Member
SECONDER: Eileen Eckel, Council Member
AYES: Doyle, Landy, Arce, McCurrie, Eckel, Cardoso, Peyko, Santos
ABSENT: Laura Pettigrew

Resolution 2011-208

Resolution Authorizing the Town of Kearny Fire Department to Submit Applications Under the 2011 Assistance to Firefighters Grant Program for Funding for Breathing Apparatus Equipment and Replacement of Aerial Ladder #1.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Carol Doyle, Council Member
SECONDER: Eileen Eckel, Council Member
AYES: Doyle, Landy, Arce, McCurrie, Eckel, Cardoso, Peyko, Santos
ABSENT: Laura Pettigrew