



Kearny Town Council

Caucus / Regular Meeting

~ Minutes ~

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

Admin

Monday, February 2, 2015

8:00 PM

Kearny Town Hall

I. CALL TO ORDER: PUBLIC MEETINGS LAW NOTICE

II. ROLL CALL

Attendee Name	Organization	Title	Status	Arrived
Carol Jean Doyle	Kearny Town Council	Council Member	Present	
Michael Landy	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	
Richard Konopka	Kearny Town Council	Councilman	Present	
Jon Giordano	Kearny Town Council	Councilman	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. Jennifer Esteves, KGC Competition Cheering Team: requesting permission to have a canning fundraiser on Saturday, March 7, 2015 and Saturday, April 11, 2015. **POLICE/RECREATION/DPW**
2. Rev. Joseph A. Mancini, Pastor, St. Stephen's Church: inviting Mayor Santos and Council to join in the annual Mass in honor of Fr. John P. Washington and the Chaplains of the U.S.A.T. Dorchester on Sunday, February 1, 2015. **M&C**
3. Gary Bennett, Esq. of Koch, Koch, Bennett & Buono, LLC: requesting permission to close off an area 4 feet wide from the front of a building into the sidewalk at 341 Kearny Avenue, Block 48, Lot 14, to complete renovations of the building. The closure would be for a period not more than two (2) weeks. The owner of the building is NPC Investments. **POLICE/DPW**

- 4. LICENSES: 3- TOWING - AJACO TOWING INC.
 - ALL TOW TRANSPORT.
 - MORAN AUTOMOTIVE & TOWING, INC.

6- PARKING PERMITS that include:

- 1 - 101 KEARNY AVENUE
- 2 - AMERICAN LEGION/VFW
- 3 - CHESTNUT LOT

LICENSES

B. Reports of Department Heads

- 1. DPW Operations Report for December 2014
- 2. Engineer’s Report dated January 27, 2015

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 2015-4

Ordinance Establishing Handicapped Parking Zone at 14 Highland Avenue

RESULT:	INTRODUCED [UNANIMOUS]	Next: 2/24/2015 7:00 PM
MOVER:	Susan McCurrie, Council Member	
SECONDER:	Albino Cardoso, Council Member	
AYES:	Doyle, Landy, McCurrie, Eckel, Cardoso, Konopka, Giordano, Santos	

Ordinance 2015-5

Ordinance Amending Section 9-12.4 of the Town Code (Ordinance 2014-42) so That Approval to Access an Owner’s Property Shall be Presumed When the Property is Abandoned, Unused or Unoccupied and Reasonable Efforts to Communicate with the Owner Have Been Unsuccessful

RESULT:	INTRODUCED [UNANIMOUS]	Next: 2/24/2015 7:00 PM
MOVER:	Susan McCurrie, Council Member	
SECONDER:	Michael Landy, Council Member	
AYES:	Doyle, Landy, McCurrie, Eckel, Cardoso, Konopka, Giordano, Santos	

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

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

CONSENT AGENDA:

Resolution 2015-65

(*) Bills List Resolution

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Carol Jean Doyle, Council Member
SECONDER:	Alberto G. Santos, Mayor
AYES:	Doyle, Landy, McCurrie, Eckel, Cardoso, Konopka, Giordano, Santos

Resolution 2015-66

(*) Resolution Refunding Overpayment Against Water Account Nos. 0030 3260 000000, 0030 1200 000000, and 0030 1260 000000 in the Amount of \$165,356.05 to APL, c/o John Gibson, 1085 Morris Avenue, Suite 200, Union, NJ 07083-7150 for 123-155 Pennsylvania Avenue, Block 284, Lot 48.

ATTACHMENTS:

- APL Refund Explanation (PDF)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Carol Jean Doyle, Council Member
SECONDER:	Alberto G. Santos, Mayor
AYES:	Doyle, Landy, McCurrie, Eckel, Cardoso, Konopka, Giordano, Santos

Resolution 2015-67

(*) Resolution Authorizing Four (4) Hours Overtime to Cathy Santangelo, Sanitary Inspector in the Health Department, for the Annual Rabies Clinic to be Held at the Kearny Water Department. (\$288.54)

ATTACHMENTS:

- OT - HEALTH for Cathy Santangelo (PDF)

RESULT: ADOPTED [UNANIMOUS]
MOVER: Carol Jean Doyle, Council Member
SECONDER: Alberto G. Santos, Mayor
AYES: Doyle, Landy, McCurrie, Eckel, Cardoso, Konopka, Giordano, Santos

Resolution 2015-68

(*) Resolution Authorizing Five (5) Hours Overtime to William Pettigrew, Public Health Investigator in the Health Department, for the Annual Rabies Clinic to be Held at the Kearny Water Department. (\$371.32)

ATTACHMENTS:

- OT - HEALTH for William J Pettigrew (PDF)

RESULT: ADOPTED [UNANIMOUS]
MOVER: Carol Jean Doyle, Council Member
SECONDER: Alberto G. Santos, Mayor
AYES: Doyle, Landy, McCurrie, Eckel, Cardoso, Konopka, Giordano, Santos

Resolution 2015-69

(*) Resolution Authorizing Six (6) Hours Overtime within the Kearny Water Department for Emergency Shut Off at Curb at 88 Maple Street on January 2, 2015 and Emergency Repair of a Water Main at 19 E. Midland Avenue on January 8, 2015. (\$349.71)

ATTACHMENTS:

- OT - WATER 012715 (PDF)

RESULT: ADOPTED [UNANIMOUS]
MOVER: Carol Jean Doyle, Council Member
SECONDER: Alberto G. Santos, Mayor
AYES: Doyle, Landy, McCurrie, Eckel, Cardoso, Konopka, Giordano, Santos

Resolution 2015-70

(*) Resolution Authorizing Ten (10) Hours Overtime to Susan A. Evanchick, Administrative Clerk in the Construction Code Department, to Process Refunds, Escrow Accounts, and OPRA's. (\$692.40)

ATTACHMENTS:

- OT - CCED for Susan Evanchick (PDF)

RESULT: ADOPTED [UNANIMOUS]
MOVER: Carol Jean Doyle, Council Member
SECONDER: Alberto G. Santos, Mayor
AYES: Doyle, Landy, McCurrie, Eckel, Cardoso, Konopka, Giordano, Santos

Resolution 2015-71

(*) Resolution Granting Permission to Five (5) FMBA Members of the Kearny Fire Department to Attend the Annual FMBA Mid-Year Convention February 3-5, 2015, Pursuant to N.J.S.A. 11A-6-10.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Carol Jean Doyle, Council Member
SECONDER: Alberto G. Santos, Mayor
AYES: Doyle, Landy, McCurrie, Eckel, Cardoso, Konopka, Giordano, Santos

Resolution 2015-72

(*) Consent Agenda Resolution

RESULT: ADOPTED AS AMENDED [UNANIMOUS]
MOVER: Carol Jean Doyle, Council Member
SECONDER: Alberto G. Santos, Mayor
AYES: Doyle, Landy, McCurrie, Eckel, Cardoso, Konopka, Giordano, Santos

Resolution 2015-73

Resolution Authorizing Sixteen and One-half (16.5) Hours Overtime within the Department of Public Works to Clear Sewer Blockages at 88 Bergen Avenue and 14 East Midland Avenue, and to Place Barricades and Salt Street at Midland Avenue and Forest Street due to a Water Main Break. (\$738.87)

ATTACHMENTS:

- OT - DPW 012715 (PDF)

RESULT: ADOPTED [UNANIMOUS]
MOVER: Carol Jean Doyle, Council Member
SECONDER: Alberto G. Santos, Mayor
AYES: Doyle, Landy, McCurrie, Eckel, Cardoso, Konopka, Giordano, Santos

Resolution 2015-74

Resolution Appointing Russo Development LLC as Redeveloper of Properties Located Along Bergen Avenue Designated as Block 242, Lots 1, 2 and 37, and Lots 26, 27, 28 and 29 and Block 252, Lot 3.01.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Carol Jean Doyle, Council Member
SECONDER: Alberto G. Santos, Mayor
AYES: Doyle, Landy, McCurrie, Eckel, Cardoso, Konopka, Giordano, Santos

Resolution 2015-75

Resolution Appointing _____ to Fill Temporarily the Vacancy in the Office of First Ward Council Person.

ATTACHMENTS:

- Resumes of Nominees (PDF)

RESULT: WITHDRAWN

Resolution 2015-76

Resolution Appointing Six Certified Caregivers with Colonies to the TNR Committee.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Carol Jean Doyle, Council Member
SECONDER: Alberto G. Santos, Mayor
AYES: Doyle, Landy, McCurrie, Eckel, Cardoso, Konopka, Giordano, Santos

Resolution 2015-77

Resolution Authorizing the Town Administrator to Advertise for Additional Planner Qualifications by Posting on the Town Website.

ATTACHMENTS:

- LEGAL NOTICE - RFQ for Planners (DOC)

RESULT: ADOPTED [UNANIMOUS]
MOVER: Carol Jean Doyle, Council Member
SECONDER: Alberto G. Santos, Mayor
AYES: Doyle, Landy, McCurrie, Eckel, Cardoso, Konopka, Giordano, Santos

Resolution 2015-78

Resolution Authorizing Contract to Neglia Engineering Associates for Traffic Signal Warrant Analysis Related to the Route 7 & Schuyler Avenue Left Turn Signal Project (T&M Not to Exceed \$6,060.00).

ATTACHMENTS:

- Proposal_Route 7 & Schuyler Ave Left Turn Signal_012214 (PDF)

RESULT: ADOPTED [UNANIMOUS]
MOVER: Carol Jean Doyle, Council Member
SECONDER: Alberto G. Santos, Mayor
AYES: Doyle, Landy, McCurrie, Eckel, Cardoso, Konopka, Giordano, Santos

Resolution 2015-79

Resolution Accepting a \$3,000 Increase in the Contract with the NJDOT for Engineering Costs Associated with the NJDOT's Route 7 Bridge Project and Authorizing an Amended Contract with Neglia Engineering Associates for Services Related Thereto.

ATTACHMENTS:

- AGREEMENT - NEA & TOK re NJDOT (DOC)
- Utility Agreement Modification (PDF)

RESULT: ADOPTED [UNANIMOUS]
MOVER: Carol Jean Doyle, Council Member
SECONDER: Alberto G. Santos, Mayor
AYES: Doyle, Landy, McCurrie, Eckel, Cardoso, Konopka, Giordano, Santos

Resolution 2015-81

Resolution Authorizing Change Order #1 for the 101 Kearny Avenue Parking Lot Project to 4 Clean-Up Inc., P.O. Box 5098, North Bergen, NJ 07047 (\$2,970.00 Increase / 1.69%).

RESULT: ADOPTED [UNANIMOUS]
MOVER: Carol Jean Doyle, Council Member
SECONDER: Alberto G. Santos, Mayor
AYES: Doyle, Landy, McCurrie, Eckel, Cardoso, Konopka, Giordano, Santos

Resolution 2015-82

Resolution Authorizing Change Order #1 for the 2014 Municipal Road Program 'B' to Reivax Contracting Corp., 356 Thomas Street, Newark, NJ (\$6,000.00 Increase / 0.20%).

RESULT: ADOPTED [UNANIMOUS]
MOVER: Carol Jean Doyle, Council Member
SECONDER: Alberto G. Santos, Mayor
AYES: Doyle, Landy, McCurrie, Eckel, Cardoso, Konopka, Giordano, Santos

Resolution 2015-83

Resolution to Enter into Closed Session to Discuss the Following Matter(s): Recreation Director Position, Vacation Carryover Requests, Review of Crossing Guard Recommendations from the Police Department for Reserves and Permanent Positions, Water Department Staffing, Filling the Vacancy in the 1st Ward

RESULT: ADOPTED AS AMENDED [UNANIMOUS]
MOVER: Alberto G. Santos, Mayor
SECONDER: Jon Giordano, Councilman
AYES: Doyle, Landy, McCurrie, Eckel, Cardoso, Konopka, Giordano, Santos

Resolution 2015-87

Resolution Authorizing the Town of Kearny to Apply to the New Jersey Department of Environmental Protection for a Waterfront Development Permit for the Riverbank Park Bike Trail.

ATTACHMENTS:

- NJDEP Application - Riverbank Park Bike Trail (PDF)

RESULT: ADOPTED [UNANIMOUS]
MOVER: Carol Jean Doyle, Council Member
SECONDER: Alberto G. Santos, Mayor
AYES: Doyle, Landy, McCurrie, Eckel, Cardoso, Konopka, Giordano, Santos

Resolution 2015-88

Resolution Accepting the Retirement Application of Fire Captain Peter Nolan from the Kearny Fire Department after Thirty (30) Years of Service, Effective January 31, 2015, Pending Approval of the Police and Firemen's Retirement System (terminal leave pay and unused vacation totaling \$52,968.62 subject to change if additional time is taken).

ATTACHMENTS:

- RETIREMENT - Peter Nolan (PDF)

RESULT: ADOPTED [UNANIMOUS]
MOVER: Carol Jean Doyle, Council Member
SECONDER: Alberto G. Santos, Mayor
AYES: Doyle, Landy, McCurrie, Eckel, Cardoso, Konopka, Giordano, Santos

Resolution 2015-89

Resolution Rescinding Appointment in Resolution No. 2014-529 Because the Appointee Declined the Offer of Employment.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Carol Jean Doyle, Council Member
SECONDER: Alberto G. Santos, Mayor
AYES: Doyle, Landy, McCurrie, Eckel, Cardoso, Konopka, Giordano, Santos

Resolution 2015-90

Resolution Appointing Michael Wallace to the Full time Position of Electrical Subcode Official in the Construction Code Enforcement Department at the Current Annual Salary of \$69,241 Effective February 2, 2015, Pending Approval by the State of NJ Local Government Services (LGS).

RESULT: ADOPTED [UNANIMOUS]
MOVER: Carol Jean Doyle, Council Member
SECONDER: Alberto G. Santos, Mayor
AYES: Doyle, Landy, McCurrie, Eckel, Cardoso, Konopka, Giordano, Santos

Resolution 2015-91

Resolution Accepting the Retirement Application of Richard R. Ferraioli, Water Superintendent and Licensed Officer of the Town of Kearny Public Community Water System, after Twenty-five (25) Years of Service Effective March 01, 2015, Pending Approval of the Public Employees' Retirement System (terminal leave pay and unused vacation totaling \$72,932.10 subject to change if additional time is taken).

ATTACHMENTS:

- RETIREMENT - Richard R. Ferraioli (PDF)

RESULT: ADOPTED [UNANIMOUS]
MOVER: Carol Jean Doyle, Council Member
SECONDER: Alberto G. Santos, Mayor
AYES: Doyle, Landy, McCurrie, Eckel, Cardoso, Konopka, Giordano, Santos

Resolution 2015-92

Resolution Authorizing and Ratifying a One Year Renewal of the Water Services Agreement with United Water Environmental Services, Inc. in the Amount of \$344,132.00.

ATTACHMENTS:

- United Water Letter dtd 121714 (PDF)

RESULT: ADOPTED [UNANIMOUS]
MOVER: Carol Jean Doyle, Council Member
SECONDER: Alberto G. Santos, Mayor
AYES: Doyle, Landy, McCurrie, Eckel, Cardoso, Konopka, Giordano, Santos

Resolution 2015-93

Resolution Appointing Eight (8) Part-Time Per Diem Reserve Crossing Guards at the Current Hourly Rate of \$16.05 Effective Upon Successful Completion of Pre-Employment Processing.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Alberto G. Santos, Mayor
SECONDER: Michael Landy, Council Member
AYES: Doyle, Landy, McCurrie, Eckel, Cardoso, Konopka, Giordano, Santos

Resolution 2015-115

Resolution Appointing Walter Mikulewicz and Joao Pacheco, Reserve Crossing Guards, to the Position of Permanent Crossing Guard Effective March 1, 2015 at the Current Hourly Rate of \$16.15.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Alberto G. Santos, Mayor
SECONDER: Michael Landy, Council Member
AYES: Doyle, Landy, McCurrie, Eckel, Cardoso, Konopka, Giordano, Santos

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