



# Kearny Town Council

## Caucus / Regular Meeting

~ Minutes ~

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

Admin

Tuesday, April 28, 2015

7:00 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	Late	9:30 PM
Susan McCurrie	Kearny Town Council	Council Member	Late	7:27 PM
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	
Marytrine DeCastro	Kearny Town Council	Councilwoman	Present	
Alberto G. Santos	Kearny Town Council	Mayor	Present	

### III. SALUTE TO THE FLAG

### IV. CONDUCT OF MEETING NOTICE

### V. SWEARINGS IN OF FIRE CAPTAINS

David Auerbach

Michael Golon

Edward Ryan

### VI. CAUCUS MEETING

#### A. Communications

1. Rev. John E. Wassell, Pastor, St. Cecilia Church: requesting permission to hold a procession for Our Lady of Fatima on Sunday, May 10, 2015 at 7:45 p.m., starting at Kearny Avenue and Hoyt Street. **POLICE/DPW/REC**
2. Rev. John E. Wassell, Pastor, St. Cecilia Church: requesting permission to hold a procession to celebrate the Solemnity of Corpus Christi on Sunday, June 7, 2015 at 3:15 p.m., starting from Kearny Avenue and Hoyt Street.

POLICE/DPW/REC

- 3. The United Veterans Organization of Kearny: requesting permission to hold the annual Memorial Day Parade on Thursday, May 21, 2015 starting from Locust Avenue and Belgrove Drive at 7:00 p.m. and ending at the reviewing stand at the VFW/American Legion on Belgrove Drive. Assembly time is at 6:15 p.m. at Locust Avenue. POLICE/DPW/REC

- 4. Donna Mahler, 21 Shepard Place: requesting permission to hold a block party on Saturday, June 20, 2015 from 12:00 p.m. until 9:00 p.m., and that Shepard Place, between Forest Street and Schuyler Avenue be closed to traffic.

POLICE/FIRE/DPW

- 5. Bernie Lebofsky, Tournament Director, Arlington Players Club (APC): requesting permission to hang a banner on Kearny Avenue at Locust Avenue from June 1 through June 21, 2015 to promote the annual Men’s and Women’s State Tennis Championships at the Arlington Players Club at 12 Washington Place from June 13-21, 2015. POLICE/DPW

- 6. Russo Development, Owner of Schuyler Crossing I, LLC: informed property owners near Schuyler Crossing I that the repaving of Bergen Avenue will begin on Monday, April 27<sup>th</sup> and take approximately two (2) weeks. Repaving starts at Bergen Avenue to the train trestle. POLICE/DPW

- 7. LICENSES: 1- GARAGE SALE;  
 3- PARKING PERMITS that include:  
 2- CHESTNUT LOT  
 1- MANDEE LOT

LICENSES

**B. Reports of Department Heads**

- 1. Construction Code Enforcement Department Report for March 2015
- 2. DPW Operations Report for March 2015
- 3. Engineer’s Report dated April 28, 2015

**C. Reports of Council Members****VII. PUBLIC HEARING ON ORDINANCE 2015-17**

ORDINANCE PURSUANT TO THE HACKENSACK MEADOWLANDS AGENCY CONSOLIDATION ACT ADOPTING THE MASTER PLAN, ZONING REGULATIONS, CODES AND STANDARD NOW IN EFFECT OR HEREINAFTER ENACTED BY THE MEADOWLANDS REGIONAL COMMISSION

**VIII. OPPORTUNITY FOR MEMBERS OF THE PUBLIC TO COMMENT ON AGENDA ITEMS AND MATTERS OF THE PUBLIC INTEREST****IX. BUSINESS OF THE MAYOR AND COUNCIL: ORDINANCES FOR INTRODUCTION****Ordinance 2015-18**

Ordinance Establishing Handicapped Parking Zones at 21 Maple Street, 30 Howell Place, 189 Highland Avenue, 330 Highland Avenue, 140 Johnston Avenue, 61 Davis Avenue, 307 Davis Avenue and 58 Dukes Street

<b>RESULT:</b>	<b>INTRODUCED [UNANIMOUS]</b>	<b>Next: 5/12/2015 7:00 PM</b>
<b>MOVER:</b>	Susan McCurrie, Council Member	
<b>SECONDER:</b>	Albino Cardoso, Council Member	
<b>AYES:</b>	Doyle, McCurrie, Eckel, Cardoso, Konopka, Giordano, DeCastro, Santos	
<b>ABSENT:</b>	Michael Landy	

**Ordinance 2015-19**

An Ordinance Establishing the Position of Library Assistant Bilingual (07469) and Amending and Supplementing an Ordinance Entitled “An Ordinance Concerning Civil Service in the Town of Kearny, County of Hudson, Adopted, June 22, 1938 to Provide the Salary Range Therefor

<b>RESULT:</b>	<b>INTRODUCED [UNANIMOUS]</b>	<b>Next: 5/12/2015 7:00 PM</b>
<b>MOVER:</b>	Susan McCurrie, Council Member	
<b>SECONDER:</b>	Eileen Eckel, Council Member	
<b>AYES:</b>	Doyle, McCurrie, Eckel, Cardoso, Konopka, Giordano, DeCastro, Santos	
<b>ABSENT:</b>	Michael Landy	

**Ordinance 2015-20**

Ordinance Revoking Section 19-1.9 of the Town Code as Presently Constituted and Replacing it with a New Section 19-1.9 Entitled “Non-Life Hazard Uses; Inspections and Fees”

<b>RESULT:</b>	<b>INTRODUCED [UNANIMOUS]</b>	<b>Next: 5/12/2015 7:00 PM</b>
<b>MOVER:</b>	Susan McCurrie, Council Member	
<b>SECONDER:</b>	Eileen Eckel, Council Member	
<b>AYES:</b>	Doyle, McCurrie, Eckel, Cardoso, Konopka, Giordano, DeCastro, Santos	
<b>ABSENT:</b>	Michael Landy	

**Ordinance 2015-21**

Ordinance Declaring the Members of the Town's Governing Body to be Full-Time Elective Officers of the Town

<b>RESULT:</b>	<b>INTRODUCED [UNANIMOUS]</b>	<b>Next: 5/12/2015 7:00 PM</b>
<b>MOVER:</b>	Susan McCurrie, Council Member	
<b>SECONDER:</b>	Alberto G. Santos, Mayor	
<b>AYES:</b>	Doyle, McCurrie, Eckel, Cardoso, Konopka, Giordano, DeCastro, Santos	
<b>ABSENT:</b>	Michael Landy	

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

**Ordinance 2015-6**

Bond Ordinance Providing for the Acquisition of Property for and the Design/Survey of the Dukes Street Pump Station In and By the Town of Kearny, in the County of Hudson, New Jersey, Appropriating \$1,500,000 Therefor and Authorizing the Issuance of \$1,425,000 Bonds or Notes of the Town to Finance Part of the Cost Thereof

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Susan McCurrie, Council Member
<b>SECONDER:</b>	Carol Jean Doyle, Council Member
<b>AYES:</b>	Doyle, McCurrie, Eckel, Cardoso, Konopka, Giordano, DeCastro, Santos
<b>ABSENT:</b>	Michael Landy

**Ordinance 2015-7**

Bond Ordinance Providing for Water Utility Infrastructure Improvements In and By the Town of Kearny, in the County of Hudson, New Jersey, Appropriating \$600,000 Therefor and Authorizing the Issuance of \$570,000 Bonds or Notes of the Town to Finance the Cost Thereof

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Susan McCurrie, Council Member
<b>SECONDER:</b>	Carol Jean Doyle, Council Member
<b>AYES:</b>	Doyle, McCurrie, Eckel, Cardoso, Konopka, Giordano, DeCastro, Santos
<b>ABSENT:</b>	Michael Landy

**Ordinance 2015-15**

Ordinance Establishing Handicapped Parking Zone at 238 Highland Avenue

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Susan McCurrie, Council Member  
**SECONDER:** Albino Cardoso, Council Member  
**AYES:** Doyle, McCurrie, Eckel, Cardoso, Konopka, Giordano, DeCastro, Santos  
**ABSENT:** Michael Landy

#### Ordinance 2015-16

Ordinance Prohibiting Parking at all Times on a Section of Dukes Street

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Susan McCurrie, Council Member  
**SECONDER:** Jon Giordano, Councilman  
**AYES:** Doyle, McCurrie, Eckel, Cardoso, Konopka, Giordano, DeCastro, Santos  
**ABSENT:** Michael Landy

#### Ordinance 2015-17

Ordinance Pursuant to the Hackensack Meadowlands Agency Consolidation Act Adopting the Master Plan, Zoning Regulations, Codes and Standard Now in Effect or Hereinafter Enacted by The Meadowlands Regional Commission

**RESULT:** TABLED **Next: 5/12/2015 7:00 PM**

## XI. BUSINESS OF THE MAYOR AND COUNCIL: MOTIONS AND RESOLUTIONS

#### Resolution 2015-241

(\*) Bills List Resolution

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

#### Resolution 2015-242

(\*) Resolution Authorizing Tax Overpayment Refund in the Amount of \$333.12 to Harvey and Dale Karp for 2015 Taxes, Block 148, Lot 11.

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

**Resolution 2015-243**

(\*) Resolution Authorizing Tax Overpayment Refund in the Amount of \$904.99 to Selgrove Group, LLC for 2014 Taxes, Block 249, Lot 28.

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

**Resolution 2015-244**

(\*) Resolution Authorizing Permission to Encroach Upon Town Right of Way at 201 Hickory Street, Block 239, Lot 42, for the Purpose of Replacing a Retaining Wall.

## ATTACHMENTS:

- NEA Report 201 Hickory Street\_Replace Wall\_042415 Encroachment (PDF)

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

**Resolution 2015-245**

(\*) Resolution Authorizing Permission to Encroach Upon Town Right of Way at 27 Davis Avenue, Block 263, Lot 23.03, for the Purpose of Removing a Fuel Tank.

## ATTACHMENTS:

- NEA Report 27 Davis Avenue\_Protected\_042415 Encroachment (PDF)

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

**Resolution 2015-246**

(\*) Resolution Authorizing the Town Clerk to Correct a Typographical Error in Resolution 2015-208.

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

**Resolution 2015-247**

(\*) Resolution Authorizing Forty-one and One-half (41.5) Hours Overtime Within the Kearny Water Department for Emergency Water Main Break at Jacobus Avenue and Lincoln Highway, at Keegan Landfill, and at 342 Schuyler Avenue, Emergency Shut Off at Keegan Landfill and at 194 Devon Terrace, Emergency Water Leak in Street at 23 Peden Terrace, Emergency Mark Out at 12 Patterson Street Due to Gas Leak, Emergency Call Out to 80 Hoyt Street for a Broken Pipe in Basement, and Emergency Repair to a 36" Transmission Main at Schuyler and RR Crossings. (\$2,445.26)

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

**Resolution 2015-248**

(\*) Resolution Authorizing Three (3) Hours Overtime in the Health Department to William Pettigrew, Public Health Investigator/Registrar, for the Annual Rabies Clinic to be Held on Wednesday, May 20, 2015 in Compliance with the East Newark Contract. (\$222.80)

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

**Resolution 2015-249**

(\*) Consent Agenda Resolution

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

## CONSENT AGENDA:

### Resolution 2015-250

Resolution Authorizing Twenty-two (22) Hours Overtime Within the Department of Public Works to Repair Meals on Wheels Vehicle, Street Sweeper, and KPD Vehicles, Investigate Sewer Blockage at 43 Kingsland Avenue, Inspect and Reset Fire Alarm at Veterans Field House, Clear Sewer Blockage at 226 Kearny Avenue, and Remove a Tree and Planter Due to a Car Accident. (\$1,057.90)

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

### Resolution 2015-251

Resolution Authorizing the Contractor Constructing a Two-Family House at 261 Kearny Avenue to Reserve Two Curb-Side Metered Parking Spaces in Front of the Construction Site So that He May Have Access for His Vehicles and Equipment.

#### ATTACHMENTS:

- Alfaza Construction LLC Request for No Parking Signs (PDF)

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

### Resolution 2015-252

Resolution to Enter into Closed Session to Discuss the Following Matter(s): Status of Labor Negotiations for CS11 including Crossing Guards, Review of Police Table of Organization, Discussion of Salary Negotiations for Appointment of a Recreation Director, Review of 2015 County Tax Appeals for Residential Properties, Table of Organization for Kearny Fire Department



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

**Resolution 2015-253**

Resolution Changing the Title of Part Time Management Assistant Fatima Oliveira in the Urban Enterprise Zone Office/Finance Department to Clerk Typist Bilingual to Work a Maximum of 24.5 Hours Per Week at the Current Rate of \$15.00 Per Hour, Effective Monday, April 27, 2015.

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

**Resolution 2015-254**

Resolution Increasing Hourly Rate Part Time Employees

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

**Resolution 2015-255**

Resolution Authorizing a Contract to Chas S. Winner Inc. of Cherry Hill, New Jersey for the Purchase of Six (6) 2016 Ford Explorer (Police Interceptor) in the Amount Not to Exceed \$152,958.00 Under NJ State Contract # 88728 (T-2776) (Funded from Bond Ordinance # 2014-51).

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

**Resolution 2015-256**

Resolution Authorizing a Contract to General Sales Administration of Kenvel, New Jersey for the Purchase and Installation of Emergency Vehicle Equipment and Accessories for Twelve (12) 2015 Ford Explorer in the Amount Not to Exceed \$132,141.44 Under NJ State Contract # 81330 (T-0106) (Funded from Bond Ordinance # 2014-51).

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

### Resolution 2015-257

Resolution Accepting the Retirement Application of Detective Sergeant Robert Maguire from the Kearny Police Department After Twenty-five (25) Years of Service, Effective May 01, 2015, Pending Approval of the Police and Firemen's Retirement System (Terminal Leave Pay and Unused Vacation Totaling \$53,277.30 Subject to Change if Additional Time is Taken).

ATTACHMENTS:

- RETIREMENT - Robert Maguire (PDF)

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

### Resolution 2015-258

Resolution Accepting the Retirement Application of Police Captain Thomas C. Osborne from the Kearny Police Department After Twenty-seven (27) Years, Ten (10) Months of Service, Effective June 01, 2015, Pending Approval of the Police and Firemen's Retirement System (Terminal Leave Pay and Unused Vacation Totaling \$69,735.56 Subject to Change if Additional Time is Taken).

ATTACHMENTS:

- RETIREMENT - Thomas C. Osborne (PDF)

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

### Resolution 2015-259

Resolution Accepting the Retirement Application of Fire Captain Michael J. Livolsi from the Kearny Fire Department after Twenty-five (25) Years of Service, Effective June 01, 2015, Pending Approval of the Police and Firemen's Retirement System (Terminal Leave Pay and Unused Vacation Totaling \$ \$53,374.00 Subject to Change if Additional Time is Taken).

ATTACHMENTS:

- RETIREMENT - Michael J. Livolsi (PDF)

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

### Resolution 2015-260

Resolution Accepting the Retirement Application of Chief Inspector / Fire Official UFD John F. Donovan from the Kearny Fire Department after Twenty-four (24) Years of Service, (25 Years of Pensionable Service Credit), Effective June 01, 2015, Pending Approval of the Police and Firemen's Retirement System (Terminal Leave Pay and Unused Vacation Totaling \$44,984.68 Subject to Change if Additional Time is Taken).

ATTACHMENTS:

- RETIREMENT - John F. Donovan (PDF)

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

### Resolution 2015-261

Resolution Appointing Michael Golon, Edward Ryan and David Auerbach to the Position of Fire Captain in the Kearny Fire Department, Effective May 2, 2015 at the Current Annual Salary of \$103,637, Pursuant to NJCSC Certification #PL150445 and Contingent Upon Pre-Promotional Processing.

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

### Resolution 2015-262

Resolution Authorizing a Professional Services Agreement with Hatch Mott MacDonald to Prepare Bid Specifications and to Review and Analyze Bids for a Long-Term Operations and Management Contract for the Kearny Water System at a Cost Not to Exceed \$9,000.

ATTACHMENTS:

- HMM Proposal dated 04-17-15(PDF)
- AGREEMENT -Hatch Mott MacDonald (DOC)

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Carol Jean Doyle, Council Member
<b>SECONDER:</b>	Alberto G. Santos, Mayor
<b>AYES:</b>	Doyle, McCurrie, Eckel, Cardoso, Konopka, Giordano, DeCastro, Santos
<b>ABSENT:</b>	Michael Landy

**XII. EXECUTIVE (CLOSED) SESSION**

**XIII. ADJOURNMENT**