



Kearny Town Council

Caucus / Regular Meeting

~ Minutes ~

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

Admin

Tuesday, November 10, 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	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	
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. CAUCUS MEETING

A. *Communications*

1. Review of powers of municipality to order the repair or demolition of buildings unfit for habitation or use

2. LICENSES: 2 - GARAGE SALE

LICENSES

B. *Reports of Department Heads*

1. Fire Department Monthly Report for July-September 2015
2. Engineer's Report dated November 10, 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 2015-55**

Ordinance Vacating Handicapped Parking Zone at 245 Beech Street

RESULT:	INTRODUCED [UNANIMOUS]	Next: 12/15/2015 7:00 PM
MOVER:	Susan McCurrie, Council Member	
SECONDER:	Carol Jean Doyle, Council Member	
AYES:	Doyle, Landy, McCurrie, Eckel, Cardoso, Konopka, Giordano, DeCastro, Santos	

Ordinance 2015-56

Ordinance Establishing Handicapped Parking Zones at 128 Windsor Street and 7 Hillside Avenue

RESULT:	INTRODUCED [UNANIMOUS]	Next: 12/15/2015 7:00 PM
MOVER:	Susan McCurrie, Council Member	
SECONDER:	Albino Cardoso, Council Member	
AYES:	Doyle, Landy, McCurrie, Eckel, Cardoso, Konopka, Giordano, DeCastro, Santos	

Ordinance 2015-57

Ordinance Authorizing a Special Emergency Appropriation in the Amount of \$1,500,000 for the Payment of Contractually Required Severance Obligations and Liabilities, In and By the Town of Kearny, in the County of Hudson, New Jersey

RESULT:	INTRODUCED [UNANIMOUS]	Next: 12/15/2015 7:00 PM
MOVER:	Susan McCurrie, Council Member	
SECONDER:	Carol Jean Doyle, Council Member	
AYES:	Doyle, Landy, McCurrie, Eckel, Cardoso, Konopka, Giordano, DeCastro, Santos	

Ordinance 2015-58

Ordinance Amending Section 7-25 of the Town Code and Providing for the Establishment of a No Parking Zone in Front of 580 Elm Street to Facilitate Loading at 577 Elm Street

RESULT: INTRODUCED [UNANIMOUS] **Next: 12/15/2015 7:00 PM**
MOVER: Susan McCurrie, Council Member
SECONDER: Eileen Eckel, Council Member
AYES: Doyle, Landy, McCurrie, Eckel, Cardoso, Konopka, Giordano, DeCastro, Santos

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

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

Resolution 2015-574

(*) Bills List Resolution

ATTACHMENTS:

- Nov 10 2015 Bill List Schedule (PDF)

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

Resolution 2015-575

(*) Resolution Authorizing Tax Overpayment Refund in the Amount of \$2,389.05 to Vested Land Services, Inc. for 2015 Taxes, Block 31, Lot 8.

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

Resolution 2015-576

(*) Resolution Authorizing the Return of Unused Escrow Deposit to ELRAC, Inc., d/b/a Enterprise Rent-A-Car, in the Amount of \$3,017.83, Relative to Site Plan Application #454 for 78 Central Avenue, Block 288, Lot 5.

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

Resolution 2015-577

(*) Resolution Authorizing Permission to Encroach Upon Town Right of Way at 11 Maple Street, Block 10, Lot 33, for the Purpose of Removing a Fuel Tank.

ATTACHMENTS:

- NEA Report 11 Maple Street_110915 Encroachment (PDF)

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

Resolution 2015-578

(*) Resolution Granting Permission to PSE&G for Road Opening Permit at 287 Laurel Avenue, Block 171, Lot 35, in Order to Replace Gas Service.

ATTACHMENTS:

- NEA Report 287 Laurel Avenue_110915 Road Opening Permit (PDF)

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

Resolution 2015-579

(*) Resolution Granting Permission to PSE&G-Palisades Electric Division for Road Opening Permit at 262 Kearny Avenue, Block 234, Lot 7, in Order to Repair a Broken and Damaged Transformer Manhole Frame, Manhole #53-E.

ATTACHMENTS:

- NEA Report 262 Kearny Avenue_Protected_Electric_110915 Road Opening Permit (PDF)

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

Resolution 2015-580

(*) Resolution Granting Permission to PSE&G for Emergency Road Opening Permits at the Following Addresses in Order to Repair Gas Service: 268 Devon Street, 462 Forest Street, 463 Forest Street, 37 Howell Place, 39 Howell Place, 207 Midland Avenue, 209 Midland Avenue, 111 Midland Avenue, 100 Belgrove Drive

ATTACHMENTS:

- NEA Report 268 Devon Street_Emergency_110915 Road Opening Permit (PDF)
- NEA Report 462 & 463 Forest Street_Emergency_110915 Road Opening Permit (PDF)
- NEA Report 37 & 39 Howell Place_Emergency_110915 Road Opening Permit (PDF)
- NEA Report 207 & 209 Midland Avenue_Emergency_110915 Road Opening Permit (PDF)
- NEA Report 111 Midland Avenue_Emergency_110915 Road Opening Permit (PDF)
- NEA Report 100 Belgrove Drive_Protected_Emergency_110915 Road Opening Permit (PDF)

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

Resolution 2015-581

(*) Resolution Granting Permission to PSE&G for Emergency Road Opening Permits at the Following Addresses in Order to Repair Gas Main: 706 Devon Street, 34 Pavonia Avenue, 107 Belgrove Drive, 133 Windsor Street

ATTACHMENTS:

- NEA Report 706 Devon Street_Emergency_110915 Road Opening Permit (PDF)
- NEA Report 34 Pavonia Avenue_Emergency_110915 Road Opening Permit (PDF)
- NEA Report 107 Belgrove Drive_Protected_Emergency_110915 Road Opening Permit (PDF)
- NEA Report 133 Windsor Street_Emergency_110915 Road Opening Permit (PDF)

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

Resolution 2015-582

(*) 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 23, 2015, and Sixteen (16) Hours Overtime for Monday Evening Court Session on December 14, 2015. (\$2,400.00)

ATTACHMENTS:

- OVERTIME - COURT (PDF)

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

Resolution 2015-583

(*) 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, DeCastro, Santos

CONSENT AGENDA:**Resolution 2015-584**

Resolution Authorizing Nineteen (19) Hours Overtime within the Department of Public Works to Repair KPD Vehicles, Place Barricades at Site of Downed Trees and Wires, Remove a Tree at 46 W. Bennett Avenue, Reset Alarms at Town Hall, and Check for Sewer Blockage at 267 Wilson Avenue. (\$921.41)

ATTACHMENTS:

- OVERTIME - DPW (PDF)

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

Resolution 2015-585

Resolution Approving a Redeveloper Agreement with 113 Passaic Avenue Urban Renewal, LLC an Affiliate of Russo Development, LLC for Redevelopment of Various Properties within Tax Block 1 of the Passaic Avenue Redevelopment Area.

ATTACHMENTS:

- PASSAIC AVE Redeveloper Agmt v8 (RCL) 2015-11-04 (DOC)
- PAR A2 2 (Site Plan) 06-24-15 8.5x11 (PDF)

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

Resolution 2015-586

Resolution Awarding a Contract to Reivax Contracting Corp. for the West Bennett Avenue Water Improvements Project in the Amount of \$451,260.00.

ATTACHMENTS:

- Pages from Award Recommendation Letter_Reivax_110615 (00012791xD43F8) (Brief) (PDF)

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

Resolution 2015-587

Resolution Awarding a Contract to Reivax Contracting Corp. for the Off-Leash Dog Run at Riverbank Park Project in the Amount of \$300,303.00.

ATTACHMENTS:

- Pages from Award Recommendation Letter_Reivax_110615 (00012878xD43F8) (Brief) (PDF)

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

Resolution 2015-588

Resolution Consenting to the Installation by Verizon Wireless of a Node Antenna Atop the Existing Verizon Telephone Pole Within the Elm Street Right-of-Way (Near 577 Elm Street between Stewart Avenue and Laurel Avenue).

ATTACHMENTS:

- CONSENT AND INDEMNITY AGREEMENT - VERIZON WIRELESS (DOC)
- EXHIBITS A & B - VERIZON WIRELESS (PDF)

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

Resolution 2015-589

Resolution Authorizing Contracts to Neglia Engineering Associates and HDR, Inc. for Engineering Services for Kearny's Compliance with the Combined Sewer Overflow Permit Requirements (T&M Not to Exceed \$75,986.54).

ATTACHMENTS:

- NEA Proposal for Engineering Srves Compliance CSO Permit (PDF)

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

Resolution 2015-590

Resolution Urging New Jersey Mayors to Provide Leadership in Ending Human Trafficking at the Local Level.

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

Resolution 2015-591

Resolution Pursuant to Town Code Section 23-7 Approving Curb Cut at 446 Davis Avenue, Block 200, Lot 20, to Accommodate a New Driveway.

ATTACHMENTS:

- CCED Approval -CURB CUT 446 Davis Avenue (PDF)
- NEA Report 446 Davis Avenue_Curb Cut_110915 (PDF)
- DPW Approval -CURB CUT 446 Davis Ave (PDF)
- KPD Approval -CURB CUT 446 Davis Avenue (PDF)

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

Resolution 2015-592

Resolution to Enter into Closed Session to Discuss the Following Matter(s): Status of CS11 Negotiations, Status with Regard to Crossing Guards Memorandum of Agreement, Employee's Request for Additional Vacation Days, Discussion of an Amendment or Restatement of an Existing Lease with Hartz Mountain for Parcel on Bergen Avenue

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

Resolution 2015-593

Resolution of the Mayor and Town Council of the Town of Kearny, in the County of Hudson, New Jersey, Approving a Bond Resolution of the Kearny Municipal Utilities Authority Entitled, "Supplemental Resolution Authorizing the Issuance of Not to Exceed \$7,600,000 Subordinated Revenue Bonds of the Kearny Municipal Utilities Authority through the New Jersey Environmental Infrastructure Trust Program"

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

Resolution 2015-594

Resolution Authorizing a Temporary Increase in Hours for Part Time Clerk Typist Lionita Oliveira from 24.5 Hours to 35 Hours per Week to Work an Additional 10.5 Hours per Week in the Mayor's Office for a Period Not to Extend Beyond December 31, 2015.

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

Resolution 2015-595

Resolution Renewing Alcoholic Beverage License #0907-33-008-006 for 2015-2016 which has Received Tax Clearance from the Division of Alcoholic Beverage Control.

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

Resolution 2015-596

Resolution Requesting the Director of Division of Local Government Services to Insert an Item of Revenue and Appropriation (Chapter 159) for Body Armor Replacement Grant 2015 in the amount of \$9,845.55.

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

Resolution 2015-597

Resolution Authorizing the Sale at Public Auction of One (1) Abandoned and Unclaimed Vehicle: 1999 Chevrolet VIN#1G1JC5240W7300266

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

Resolution 2015-598

Resolution Appointing Daniel Farinhas to the Part time Position of Security Guard in the Recreation Department to Work a Maximum of 24.5 Hours per Week at the Current Hourly Rate of \$12 per Hour, Effective November 13, 2015.

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

Resolution 2015-599

Resolution Requesting the Director of Division of Local Government Services to Insert an Item of Revenue and Appropriation (Chapter 159) for Staffing for Adequate Fire and Emergency Response (SAFER) Grant in the Amount of \$1,595,844.00.

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

Resolution 2015-600

Resolution Requesting the Director of Division of Local Government Services to Insert an Item of Revenue and Appropriation (Chapter 159) for FEMA Port Security Grant 2015 in the Amount of \$13,593.00.

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

Resolution 2015-601

Resolution Appointing Jennifer Alvarado as a Full time Library Assistant Bilingual in the Kearny Public Library at the Current Annual Salary of \$30,153, effective November 23, 2015.

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

Resolution 2015-602

Resolution Appointing Part time Library Monitor Catherine Czeizinger in the Kearny Public Library to Work a Minimum of 15 Hours Up to a Maximum of 19.5 Hours per Week at the Current Hourly Rate of \$10, Effective November 13, 2015.

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

Resolution 2015-603

Resolution Appointing Rolanda West to the Part time Position of Security Guard in the Kearny Public Library to Work a Minimum of 15 Hours Up to a Maximum of 24.5 Hours per Week at the Currently Hourly Rate of \$12 Per Hour, Effective November 16, 2015.

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

Resolution 2015-604

Resolution Authorizing the Execution of a Person-to-Person Transfer of Plenary Retail Distribution License No. 0907-44-060-004 from Elephant Shoe, LLC, t/a Elephant Wine & Liquors to ANK Liquors, LLC, t/a Elephant Discount Wine & Liquor, 315 Kearny Avenue, Kearny, New Jersey.

ATTACHMENTS:

- Retail Licensee Clearance Cert Transfer Elephant Shoe LLC to ANK Liquors LLC (PDF)

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

Resolution 2015-605

Resolution Authorizing the Retention of a Consultant with Specialized Training and Experience in the Operation of a Water Department to Assist the Town in Negotiations with United Water, the Retention not to Exceed 20 Hours and the Compensation not to Exceed \$3,000.

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

X. EXECUTIVE (CLOSED) SESSION

XI. ADJOURNMENT