



Kearny Town Council

Caucus / Regular Meeting

~ Minutes ~

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

Admin

Tuesday, October 11, 2016

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	Council Member	Present	
Jon Giordano	Kearny Town Council	Council Member	Absent	
Marytrine DeCastro	Kearny Town Council	Council Member	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. Recreation Commission and Recreation Department: inviting Mayor

Santos and Council to attend the Annual Halloween Parade on Sunday, October 30, 2016. The Parade will step off at 2:00 p.m. on Kearny Avenue between Dukes Street and Woodland Avenue.

M&C

2. Recreation Commission and Recreation Department: requesting permission to hang a Halloween Parade Banner at one of the two Kearny Avenue locations.

M&C/POLICE/DPW/REC

3. Jarlynn Hyde, Broker/Owner, Mid-Realty, Inc: requesting permission to reschedule a Breast Cancer fundraiser at 572 Kearny Avenue (utilizing the sidewalk) on Sunday,

October 23, 2016 from 12-4 p.m.

M&C/POLICE/DPW/REC

4. Jenny Mach: Submitted her resignation from the Kearny Library Board of Trustees effective October 4, 2016.

M&C

5. The Salvation Army to Greater Kearny: requesting permission to use the Town Hall on Thursday, November 17, 2016 at 12:00 noon for their Annual Kettle Kick-Off and inviting Mayor Santos and Council to the part of this event.

M&C

6. Christopher Vasquez, Gardener at Kearny Community Garden (KCG): requesting permission to plant two trees at the Kearny Community Garden.

M&C/DPW/RECREATION COMMISSION

/KEARNY COMMUNITY GARDEN

7. LICENSES: GARAGE SALE 3; RAFFLE LICENSE: 2
TAXI; 1 CANVASS; 5
CHESTNUT PARKING; 1

B. Reports of Department Heads

1. Certified Tree Experts (CTE) Report - September 30, 2016
2. Construction Code Enforcement Department Report for September 2016
3. DPW Property Maintenance Report dated October 2016
4. DPW Bergen Avenue Striping Report dated October 6, 2016.
5. Engineer's Report dated October 6, 2016

C. Reports of Council Members**VI. OPPORTUNITY FOR MEMBERS OF THE PUBLIC TO COMMENT ON AGENDA ITEMS AND MATTERS OF THE PUBLIC INTEREST****VII. Ordinances****VIII. BUSINESS OF THE MAYOR AND COUNCIL: ORDINANCES FOR INTRODUCTION****Ordinance 2016-49**

Ordinance Vacating Handicapped Parking Zones at 295 Elm Street and 458 Chestnut Street.

ATTACHMENTS:

- KPD Agenda Item - Vacate HZ 458 Chestnut St (PDF)
- KPD Agenda Item - Vacate HZ 295 Elm St (PDF)

RESULT:	INTRODUCED [UNANIMOUS]	Next: 10/25/2016 12:00 AM
MOVER:	Susan McCurrie, Council Member	
SECONDER:	Michael Landy, Council Member	
AYES:	Doyle, Landy, McCurrie, Eckel, Cardoso, Konopka, DeCastro, Santos	
ABSENT:	Jon Giordano	

Ordinance 2016-50

Ordinance Establishing Handicapped Parking Zones at 301 Argyle Place and 799 Kearny Avenue.

ATTACHMENTS:

- ORD Est HZ 301 Argyle Place Back up Docs (PDF)
- ORD Est HZ 799 Kearny Ave. Back up Docs (PDF)

RESULT:	INTRODUCED [UNANIMOUS]	Next: 10/25/2016 12:00 AM
MOVER:	Susan McCurrie, Council Member	
SECONDER:	Eileen Eckel, Council Member	
AYES:	Doyle, Landy, McCurrie, Eckel, Cardoso, Konopka, DeCastro, Santos	
ABSENT:	Jon Giordano	

IX. BUSINESS OF THE MAYOR AND COUNCIL: ORDINANCES FOR 2ND READING (PUBLIC HEARING)**Ordinance 2016-43**

Ordinance Vacating Handicapped Parking Zones at 338 Forest Street and 381 Hickory Street

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

Ordinance 2016-44

Ordinance Amending and Supplementing Chapter XII (“Taxation”) to include Article IV, (“Hotel Occupancy Tax”), Section 12-9 Hotel Occupancy Tax

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

Ordinance 2016-45

Ordinance Amending Section 2-4 of the Town Code and Declaring the Audio-Video Recordings of Open Meetings of the Mayor and Council to be the Official Minutes of Those Meetings

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

Ordinance 2016-46

An Ordinance Establishing the Full Time Position of Building Inspector/Code Enforcement Officer (05768) and Amending and Supplementing Ordinance 2013-38 Entitled “An Ordinance Concerning Civil Service in the Town of Kearny, County of Hudson” Adopted October 9, 2013, to Provide the Salary Range Therefor

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

Ordinance 2016-47

An Ordinance Establishing the Full Time Positions of Maintenance Worker 1 Grounds (01940@), Tree Maintenance Worker 3 (06483) and Tree Maintenance Worker 2 (03631) and Amending and Supplementing Ordinance 2016-33 Entitled “An Ordinance Concerning Civil

Service in the Town of Kearny, County of Hudson” Adopted August 15, 2016, to Provide the Salary Range Therefor

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

Ordinance 2016-48

An Ordinance Establishing the Part Time Positions of Registered Environmental Health Specialist Public Health (03096) and Registered Environmental Health Specialist Trainee Public Health (03101) and Amending and Supplementing Ordinance 2015-13 Entitled “An Ordinance Concerning Civil Service in the Town of Kearny, County of Hudson” Adopted April 20, 2015, and to Provide the Salary Range Therefor

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

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

A. Resolutions

Resolution 2016-496

(*) Bills List Resolution

ATTACHMENTS:

- October 11 2016 Bill List Schedule (PDF)
- October 11 2016 Bill List Resolution REvised (DOCX)

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

Resolution 2016-497

(*) Resolution Granting Permission to PSE&G for Road Opening Permit at 685-687 Kearny Avenue, Block 94, Lot 10, in Order to Abandon Gas Service.

ATTACHMENTS:

- Road Opening - PSE&G 685-687 Kearny Avenue (PDF)
- NEA Road Opening 685-687 Kearny Avenue (PDF)

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

Resolution 2016-498

(*) Resolution Authorizing the Return of Unused Escrow Deposit of Performance Bond to Finley Kearny, LLC in the Amount of \$51,814.41, Relative to Subdivision Application #2014.02 in the Town of Kearny at 467-469 Kearny Avenue, Block 69, Lot 23 Now Know as 465 Kearny Avenue, Block 69, Lot 23.01.

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

Resolution 2016-499

(*) Resolution Authorizing the Return of Unused Escrow Deposit to Finley Kearny, LLC in the Amount of \$12,684.40, to Cover the Professional Costs Relative to Site Plan Application #2014.02 in the Town of Kearny at 467-469 Kearny Avenue, Block 69, Lot 23 Now Know as 465 Kearny Avenue, Block 69, Lot 23.01.

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

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): None

B. *Motion to Suspend the Reading of Communications

(read by title.

Resolution 2016-500

(*) Consent Agenda Resolution

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

Resolution 2016-501

Resolution Authorizing Seventy-Four (74.0) Hours of Overtime Within the Department of Public Works to Repair Police Vehicles, to Inspect E. Midland Pump Station, Sewer Back Up at 166 Chestnut St., to Issue Weekend Employee New Big Belly Key Due to Malfunction and to Do Pot Hole Repairs in South Kearny. (\$3,739.48).

ATTACHMENTS:

- DPW Overtime sheets (PDF)

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

Resolution 2016-502

Resolution Pursuant to Town Code Section 23-7 Approving Curb Cut At 278 Argyle Place, Block 127, Lot 5, to Accommodate a New Driveway.

ATTACHMENTS:

- CCED Approval - CURB CUT 278 Argyle Pl (PDF)
- DPW Approval - CURB CUT 278 Argyle Pl (PDF)
- NEA Curb Cut 278 ARGYLE PLACE (PDF)

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

Resolution 2016-503

Resolution Approving Settlement in the Matter of the Beacon Auto & Truck Collision Center Inc., V. Town Of Kearny and Town of Kearny Fire Department

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

Resolution 2016-504

Resolution Awarding a Contract to Reivax Contracting Corp. for 2016-2017 Road Program Phase 'A' In the Amount of \$2,373,870.00

ATTACHMENTS:

- NEA Executive Summary Road Program A (PDF)
- NEA Bid Tabulation Road Program A 2016 2017 (PDF)
- NEA Road Program A Construction Contract Award (PDF)

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

Resolution 2016-505

Resolution Authorizing Contract to Neglia Engineering Associates for Construction Management of the 2016-2017 Road Program Phase 'A' Project (T&M Not to Exceed \$149,500.00).

ATTACHMENTS:

- NEA CM Proposal for 2016 2017 Road Program A (PDF)

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

Resolution 2016-506

Resolution Authorizing the Town of Kearny to Enter into a Cooperative Pricing Agreement

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

Resolution 2016-507

Resolution to Enter into Closed Session to Discuss the Following Matters: Proposed PSEG Utility Conduit at Lower End of Veterans Field and the Keegan Landfill.

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

Resolution 2016-508

(*) Resolution Pursuant to N.J.S.A. 40:48-2.14 Charging the Costs of Removal of Brush, Weeds, Etc. Against Properties, Which Costs Shall Hereby Become Liens Against Such Properties

ATTACHMENTS:

- DPW Property Maintenance Back up with Addresses (PDF)

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

Resolution 2016-509

Resolution Renewing (Inactive) Alcoholic Beverage Plenary Retail Consumption License No. 0907-33-069-010, the Tasty Grill Inc., for the 2016-2017 and 2017-2018 License Terms.

ATTACHMENTS:

- ABC The Tasty Grill Renewal of Inactive Li. No. 0907-33-069-010 (PDF)

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

Resolution 2016-510

Resolution Authorizing the Sale at Public Auction of Two (2) Abandoned and Unclaimed Vehicle: 1993 KAWASKI VIN#JKAEXVA14PA076339, 2003 INTERNATIONAL VIN#1HTMKADN23H550137.

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

Resolution 2016-511

Resolution Appointing Thirteen (13) Full Time Firefighters in the Kearny Fire Department, Effective October 12, 2016 at the Current Annual Salary of \$33,000, Pursuant to NJ Civil Service Certification OL#160674 and Contingent Upon Successful Completion of Pre-Employment Processing.

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

XI. EXECUTIVE (CLOSED) SESSION**XII. ADJOURNMENT****XIII. Minutes Approval**

- A. Minutes be Approved (pending any corrections): None
- B. Motion to Suspend the Reading of Communications (read by title)

XIV. Public Speakers