

# Kearny Town Council

Caucus / Regular Meeting

- Agenda -

Tuesday, February 5, 2013	7:00 PM	Kearny Town Hall
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I. CALL TO ORDER: PUBLIC MEETINGS LAW NOTICE

II. ROLL CALL

III. SALUTE TO THE FLAG

IV. CONDUCT OF MEETING NOTICE

V. CAUCUS MEETING

A. Communications

1. KHS Soccer Booster Club: requesting permission to have a canning fundraiser on Saturday, September 14, 2013. **POLICE/DPW/REC**
2. Roland Buchholz, President, Council 90, Knights of Lithuania, Kearny: requesting permission to commemorate the 95<sup>th</sup> Anniversary of the Declaration of Independence of Lithuania with a Lithuanian Flag raising ceremony at the American Revolution Bicentennial Park on Sunday, February 17, 2013 at 12:00 p.m. **POLICE/DPW/REC**
3. KHS Cross Country Team: requesting permission to solicit donations on Saturday, June 1, 2013 to allow the team to travel to Walt Disney Classic. **POLICE/DPW/REC**
4. West Hudson South Bergen Optimist Club: requesting permission to use the Doyle Pavilion section of Riverbank Park on Sunday, March 24, 2013 for the Annual Spring Egg Hunt scheduled to start at 1:00 p.m. Rain Date is Saturday, March 30, 2013. **POLICE/DPW/REC**
5. Christine Nee, President, Kearny Kardinal Football Booster Club: requesting permission to have a canning fundraiser on Saturday, June 8, 2013 and Saturday, August 10, 2013. **POLICE/FIRE/REC**
6. LICENSES:
  - 8- CANVASS
  - 2- POOL TABLE
  - 1- RAFFLE
  - 4- VIDEO/PINBALL/VENDING MACHINES/JUKE BOX
  - 11- PARKING PERMITS that include:
    - 5- AMERICAN LEGION/VFW PARKING LOT
    - 1- SOPRANOS PARKING LOT
    - 3- PROVIDENT BANK PARKING LOT
    - 1- WEST HUDSON HOSPITAL DECK LOT
    - 1- CHESTNUT STREET PARKING LOT **LICENSES**
    - 2-

B. Reports of Department Heads

1. DPW Operations Report for October 2012
2. Engineer's Report dated February 5, 2013

C. Proclamations

1. Proclamation Recognizing the Retirement of Gerard Pontrelli, Tax Assessor after Twenty-six (26) Years of Service
2. Proclamation Recognizing the Retirement of Philip Martone, Recreation Superintendent after Twenty-five (25) Years of Service

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D. Reports of Council Members

VI. PUBLIC HEARING ON GREEN ACRES APPLICATION FOR A DOG PARK

VII. OPPORTUNITY FOR MEMBERS OF THE PUBLIC TO COMMENT ON AGENDA ITEMS AND MATTERS OF PUBLIC INTEREST

VIII. BUSINESS OF THE MAYOR AND COUNCIL:  
ORDINANCES FOR INTRODUCTION

**2013-(O)-03**

**McCURRIE**

Ordinance Vacating a Handicapped Parking Zone at 651 Elm Street

**2013-(O)-04**

**McCURRIE**

Ordinance Establishing Handicapped Parking Zones at 439 Hickory Street and 19 Liberty Street

**2013-(O)-05**

**McCURRIE**

Ordinance Amending Chapter 9 of the Town Code Fixing the License Fee for “Potentially Dangerous Dogs”

**2013-(O)-06**

**McCURRIE**

Ordinance Amending Water Charges

**2013-(O)-07**

**McCURRIE**

Ordinance Establishing Salaries & Wages for the Police Department, in PBA & SOA, for the period January 1, 2013 to December 31, 2015.

IX. BUSINESS OF THE MAYOR AND COUNCIL:  
ORDINANCES FOR 2<sup>ND</sup> READING (PUBLIC HEARING)

**2013-(O)-01**

**McCURRIE**

Ordinance Establishing Handicapped Parking Zones at 23 John Street, 82 Woodland Avenue, 86 Chestnut Street and 179 Highland Avenue

**2013-(O)-02**

**McCURRIE**

Ordinance Amending Section 11-3.4 of the Town Code and Adding Sections 11-3.4 g and h

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

**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)

**\*2013-(R)-82**

Bills List Resolution

**\*2013-(R)-83**

Resolution Authorizing Refund of Overpayment Against Water Account No. 0103000000 in the Amount of \$22.55 to ATS Title, 71 Bennett Avenue, **Block 136, Lot 14.**

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**\*2013-(R)-84**

Resolution Granting Permission to PSE&G for Road Opening Permit at 178 Kearny Avenue, a/k/a 101 Wilson Avenue, **Block 243, Lot 1**, in Order to Install Gas Service.

**\*2013-(R)-85**

Resolution Granting Permission to PSE&G for Emergency Road Opening Permit at 186 Bergen Avenue, **Block 246, Lot 16**, in Order to Repair Gas Main.

**\*2013-(R)-86**

Resolution Granting Permission to PSE&G for Emergency Road Opening Permit at 224 Seeley Avenue, **Block 146, Lot 13**, in Order to Repair Gas Service.

**\*2013-(R)-87**

Resolution Granting Permission to C. Freitas Plumbing and Heating Corp. for Road Opening Permit at 448 Hickory Street, a/k/a 448-452 Hickory Street, **Block 193, Lot 3.01**, in Order to Connect 1” Water Line and 4” Sewer Line from Home to Street Main.

**\*2013-(R)-88**

Resolution Granting Permission to C. Freitas Plumbing and Heating Corp. for Road Opening Permit at 450 Hickory Street, a/k/a 448-452 Hickory Street, **Block 193, Lot 3.02**, in Order to Connect 4” Sewer Line from Home to Street Main.

**\*2013-(R)-89**

Resolution Granting Permission to PSE&G for Emergency Road Opening Permit at 455 Davis Avenue, a/k/a 463 Davis Avenue, **Block 199, Lot 28**, in Order to Repair Gas Main.

**\*2013-(R)-90**

Resolution Granting Permission to PSE&G for Road Opening Permit at 594 Forest Street, **Block 170, Lot 2**, in Order to Abandon and Install Gas Service.

**\*2013-(R)-91**

Resolution Authorizing Seventeen (17) Hours Overtime in the Health Department for the Annual Rabies Clinic to be Held at the Kearny Water Department on Saturday, January 26, 2013. (\$1,237.54)

**\*2013-(R)-92**

Resolution Authorizing Five (5) Hours Overtime to Susan A. Evanchick, Administrative Clerk in the Construction Code Department, and Five (5) Hours Overtime to Christine Nee, Permit Clerk in the Construction Code Department, to Issue Zoning Permits. (\$608.05)

**\*2013-(R)-93**

Resolution Authorizing the Return of Residential Overnight Parking Permit Fee for Police Substation Parking Lot to Edwin Pelaez in the Amount of \$25.00.

**\*2013-(R)-94**

Resolution Authorizing the Return of Residential Overnight Parking Permit Fee for Police Substation Parking Lot to Josefa J. Garciadelora in the Amount of \$25.00.

**\*2013-(R)-95**

Resolution Authorizing the Return of Residential Overnight Parking Permit Fee to Ernesto Salvador in the Amount of \$25.00.

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**\*2013-(R)-96**

Resolution Authorizing the Town Clerk to Advertise to Receive Bids for Security Services.

**\*2013-(R)-97**

**DOYLE**

Consent Agenda Resolution

**2013-(R)-98**

**SANTOS**

Resolution Authorizing Two-hundred Four and Three-quarter (204.75) Hours of Overtime within the Department of Public Works to: Assist Outside Contractors with Repairs to Seller Street Pump Station, Open Town Hall for Lighting Contractor, Accept Salt Delivery to Spray Brine on Streets, Salt and Plow Streets on December 26<sup>th</sup>, 29<sup>th</sup> and 30<sup>th</sup>, 2012 and January 16<sup>th</sup>, 2013, Clear Sewer Blockages at 26 Patterson Street and 31 E. Midland Avenue, Repair Police Vehicles, Accept Rental Equipment, Reset Alarm and Secure Main Library, Assist Contractors with Repairs to E. Midland Pump Station, Place Barricades near House Fire Site at Hoyt and Devon Streets, Secure Barricades due to High Winds at Hoyt and Devon Streets, and Assist Contractor with Repair of Heaters at DPW Garage. (\$9,590.69)

**2013-(R)-99**

**SANTOS**

Resolution Appointing Frederick T. Danser of Apruzzese, McDermott, Mastro & Murphy as Labor Counsel for the Calendar Year 2013 and Approving a Professional Services Agreement Pursuant to a Fair and Open Process.

**2013-(R)-100**

**SANTOS**

Resolution Approving Professional Services Agreement with Value Research Group, LLC for Appraisal Services for the Calendar Year 2013 Pursuant to a Fair and Open Process.

**2013-(R)-101**

**SANTOS**

Resolution Supporting Senate Bill No. 2378 Authorizing the Seizure and Impoundment of any Dog that Attacks and Seriously Injures or Kills Another Domestic Animal.

**2013-(R)-102**

**SANTOS**

Resolution Authorizing Contract to Neglia Engineering Associates for the Construction Management of the Riverbank Park Improvements at the Magullian Site (T&M Not to Exceed \$19,500.00).

**2013-(R)-103**

**SANTOS**

Resolution Authorizing Extension of Contract for the Receipt and Disposition of Recycling Materials for a Period of Twelve (12) Months Effective January 1, 2013.

**2013-(R)-104**

**SANTOS**

State of New Jersey Department of Environmental Protection Green Acres Enabling Resolution for the Dog Park Construction at Riverbank Park at a Cost of \$231,742.

**2013-(R)-105**

**SANTOS**

Resolution Granting United Federal Data LLC Non-Exclusive Access to Town Rights-of-Way for Purposes Approved by the Board of Public Utilities.

**2013-(R)-106**

**SANTOS**

Resolution Authorizing Renewal of the Delta Dental for the Town of Kearny Effective January 01, 2013 at a Super Composite Rate of \$93.00 per Employee per Month with the Rate Guaranteed for 12 Months.

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**2013-(R)-107**

**SANTOS**

Resolution Authorizing and Approving Settlement of a Tax Appeal filed by Hurricane Assoc., LLC and USPS, tenant-taxpayer, for Block 275, Lot 1.

**2013-(R)-108**

**SANTOS**

Resolution Authorizing and Approving Settlement of a Tax Appeal filed by 855-857 Passaic Avenue LLC, for 851-855 Passaic Avenue, Block 89, Lot 2.

**2013-(R)-109**

**SANTOS**

Resolution Authorizing and Approving Settlement of a Tax Appeal filed by Rose M. Garrido, for 362 Forest Street, Block 211, Lot 14.

**2013-(R)-110**

**SANTOS**

Resolution to Enter into Closed Session to Discuss the Following Matter(s):  
Potential Litigation Regarding Assessment of PSE&G Property, Negotiations  
Regarding Property Acquisition of 201 Devon Terrace, Update on PBA/SOA Contract  
Negotiations and MOA, Tax Appeals.

**2013-(R)-111**

**DOYLE**

Resolution Establishing Delinquent Interest Rates for Property Taxes Effective  
January 1, 2013.

**2013-(R)-112**

**PETTIGREW**

Resolution Accepting the Retirement Application of Maryanne B. Moran, Senior  
Clerk Typist in the Kearny Police Department after Twenty-six (26) Years and Four  
(4) Months of Service Effective March 01, 2013 Pending Approval of the Public  
Employees' Retirement System (unused sick leave, unused vacation and longevity  
totaling \$34,103.51 is subject to change if additional time is taken).

**2013-(R)-113**

**PETTIGREW**

Resolution Authorizing the Sale on PropertyRoom.com of Various Items Not Needed  
for Public Use by the Police Department.

**2013-(R)-114**

**CARDOSO**

Resolution Authorizing Sixteen (16) Hours Overtime for the Municipal Court Staff for  
Monday Evening Court Session on March 11, 2013. (\$1,200.00)

XI. EXECUTIVE (CLOSED) SESSION

XII. ADJOURNMENT