

Kearny Town Council

Caucus / Regular Meeting

- Agenda -

Tuesday, January 15, 2013

7:00 PM

Kearny Town Hall

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. Veterans of Foreign Wars Wilson-Gugelman Post #1302 (VFW): requesting permission to hold their annual fundraiser Festival at the Frank A. Vincent Marina from April 4 through April 14, 2013.

POLICE/RECREATION/DPW

2. Veterans of Foreign Wars Wilson-Gugelman Post #1302 (VFW): requesting permission to hang a banner at Locust and Kearny Avenue from April 1 through April 14, 2013 to promote their annual fundraiser at the Frank A. Vincent Marina.

POLICE/DPW

3. Kevin M. Quinn, President, United Irish Associations of West Hudson, Inc.: requesting permission to conduct the annual West Hudson St. Patrick's Day Parade on Sunday, March 10, 2013 beginning at 2 p.m. in Harrison, proceeding through East Newark and ending in Kearny. United Irish Associations is also requesting permission to place a County band shell in front of the Town Hall on Kearny Avenue, and that side streets along the parade route be closed to traffic.

POLICE/DPW/REC

4. Ralph Cattafi, Assistant Recreation Supervisor: requesting permission to have a canning fundraiser on Saturday, February 16, 2013 and Saturday, February 23, 2013 for the Recreation Department Hockey program.

POLICE/DPW/REC

5. LICENSES: 3-TOWING – AFTON AUTO BODY INC.
– AJACO TOWING INC.
– MORAN AUTOMOTIVE & TOWING, INC.

LICENSES

B. Reports of Department Heads

1. Construction Code Monthly Report for November 2012
2. Construction Code Monthly Report for December 2012
3. Construction Code Annual Report for 2012
4. Water Department Monthly Operations Report for November 2012
5. Water Department Monthly Operations Report for December 2012
6. Engineer's Report dated January 10, 2013
7. NEA Construction Management Annual Report for 2012

C. Proclamation 100th Birthday Celebration of Anthony Dusman

D. Reports of Council Members

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

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

2013-(O)-01 **McCURRIE**
Ordinance Establishing Handicapped Parking Zones at 23 John Street, 82 Woodland Avenue, 86 Chestnut Street and 179 Highland Avenue

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: 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)-36**
Bills List Resolution

***2013-(R)-37**
Resolution Authorizing Refund of Overpaid Taxes in the Amount of \$1,334.01 for **Block 2, Lot 14** as a Result of NJ Tax Court Judgment for 2010, 2011 and 2012.

***2013-(R)-38**
Resolution Authorizing Refund of Overpaid Taxes in the Amount of \$13,421.60 for **Block 24, Lot 20** as a Result of NJ Tax Court Judgment for 2010, 2011 and 2012.

***2013-(R)-39**
Resolution Authorizing Tax Overpayment Refund in the Amount of \$2,801.26 to Najarro, Rolando for 4th Quarter 2012 Taxes, **Block 53, Lot 54**.

***2013-(R)-40**
Resolution Authorizing Refund of Overpaid Taxes in the Amount of \$7,064.00 for **Block 57, Lot 15** as a Result of NJ Tax Court Judgment for 2010, 2011 and 2012.

***2013-(R)-41**
Resolution Authorizing Refund of Overpaid Taxes in the Amount of \$3,052.09 for **Block 78, Lot 1** as a Result of NJ Tax Court Judgment for 2011 and 2012.

***2013-(R)-42**
Resolution Authorizing Refund of Overpaid Taxes in the Amount of \$2,847.95 for **Block 96, Lot 9** as a Result of NJ Tax Court Judgment for 2010, 2011 and 2012.

***2013-(R)-43**
Resolution Authorizing Tax Overpayment Refund in the Amount of \$2,454.46 to LI, Xiaoliu & Chen En for 4th Quarter 2012 Taxes, **Block 97, Lot 38**.

***2013-(R)-44**
Resolution Authorizing Tax Overpayment Refund in the Amount of \$2,478.88 to Matos, Antonio for 4th Quarter 2012 Taxes, **Block 141, Lot 18**.

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***2013-(R)-45**

Resolution Authorizing Refund of Overpaid Taxes in the Amount of \$10,539.49 for **Block 158, Lot 8** as a Result of NJ Tax Court Judgment for 2010, 2011 and 2012.

***2013-(R)-46**

Resolution Authorizing Refund of Overpaid Taxes in the Amount of \$24,322.04 for **Block 186, Lot 4** as a Result of NJ Tax Court Judgment for 2011 and 2012.

***2013-(R)-47**

Resolution Authorizing Refund of Overpaid Taxes in the Amount of \$22,679.40 for **Block 252, Lot 9** as a Result of NJ Tax Court Judgment for 2009, 2010, 2011 and 2012.

***2013-(R)-48**

Resolution Authorizing Permission to Encroach Upon Town Right of Way at 9 Highland Avenue, **Block 9, Lot 38**, for the Purpose of Removing a Fuel Tank.

***2013-(R)-49**

Resolution Granting Permission for Encroachment (Road Opening Permit) at 449 Kearny Avenue, Block 69, Lot 28 and 91 Quincy Avenue in Order to Install Water Service for Sprinkler System.

***2013-(R)-50**

Resolution Granting Permission to PSE&G for Emergency Road Opening Permit at 65 New Lawn Avenue, **Block 73, Lot 20**, in Order to Repair Gas Service.

***2013-(R)-51**

Resolution Granting Permission to PSE&G for Emergency Road Opening Permit at 84 N. Hackensack Avenue, **Block 298, Lot 10**, in Order to Install Gas Service.

***2013-(R)-52**

Resolution Granting Permission to PSE&G for Emergency Road Opening Permit at 100 Bergen Avenue, **Block 29, Lot 23**, in Order to Repair Gas Service.

***2013-(R)-53**

Resolution Granting Permission to PSE&G for Emergency Road Opening Permit at 123-125 Bergen Avenue, **Block 37, Lot 46**, in Order to Enlarge Gas Service.

***2013-(R)-54**

Resolution Granting Permission to PSE&G for Emergency Road Opening Permit at 137 Midland Avenue, a/k/a 139-143 Midland Avenue, **Block 189, Lot 19**, in Order to Repair Joint.

***2013-(R)-55**

Resolution Granting Permission to PSE&G for Emergency Road Opening Permit at 177 Windsor Street, **Block 55, Lot 18**, in Order to Repair Gas Main.

***2013-(R)-56**

Resolution Granting Permission to PSE&G for Road Opening Permit at 187 Brighton Avenue, **Block 53, Lot 48**, in Order to Install Gas Service.

***2013-(R)-57**

Resolution Granting Permission to PSE&G for Emergency Road Opening Permit at 197 Laurel Avenue, **Block 166, Lot 51**, in Order to Repair Gas Service.

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***2013-(R)-58**

Resolution Granting Permission to PSE&G for Emergency Road Opening Permit at 299 Highland Avenue, **Block 45, Lot 17**, in Order to Repair Gas Service.

***2013-(R)-59**

Resolution Granting Permission to PSE&G for Emergency Road Opening Permit at 330 Kearny Avenue, **Block 230, Lot 4**, in Order to Repair Gas Service.

***2013-(R)-60**

Resolution Granting Permission to PSE&G for Emergency Road Opening Permit at 335 Devon Street, **Block 232, Lot 35**, in Order to Repair Gas Main.

***2013-(R)-61**

Resolution Granting Permission to PSE&G for Emergency Road Opening Permit at 511 Davis Avenue, **Block 181.01, Lot 17**, in Order to Install Test Station.

***2013-(R)-62**

Resolution Granting Permission to PSE&G for Emergency Road Opening Permit at 515 Davis Avenue, **Block 181.01, Lot 15**, in Order to Install Test Station.

***2013-(R)-63**

Resolution Authorizing Six and One-half (6.5) Hours Overtime in the Health Department for Health Emergency at 33 McWhirter Road and Subsequent Transport of Employees to Clara Maass Hospital on December 24, 2012. (\$399.85)

***2013-(R)-64**

Resolution Granting Permission to Four (4) FMBA Members of the Kearny Fire Department to Attend the Annual FMBA Mid-Year Convention February 5-7, 2013, Pursuant to N.J.S.A. 11A-6-10.

***2013-(R)-65**

Resolution Authorizing Advertisement for Bids for Sidewalk Replacements and Repairs.

***2013-(R)-66**

DOYLE

Consent Agenda Resolution

2013-(R)-67

SANTOS

Resolution Authorizing Eighty-five and One-half (85.50) Hours Overtime within the Department of Public Works to Salt and Plow Streets on November 27, 2012, Clear Blockages at 1 Kearny Avenue, 12 Jefferson Avenue, 14 Peden Terrace, 57 East Midland Avenue, 59 East Midland Avenue and 231 Stewart Avenue, Assist with the Installation of Cameras, Perform Leaf Collection, Accept a Salt Delivery, Repair P.V.O. Vehicles, Repair Sidewalk Sweeper, Open the Playgrounds, Remove a Bypass Pump at Quincy Place, Assist Contractors at Quincy Place, Sellers Street and Harrison Avenue Pump Stations, and Repair a Street Sign at Davis Avenue and Tappan Street. (\$4,198.52)

2013-(R)-68

SANTOS

Resolution Supporting a Bill to Amend the Definition of Hazardous Substances within the Spill Compensation and Control Act, N.J.S.A. 58:10-23.11(b).

2013-(R)-69

SANTOS

Resolution Authorizing Execution of a Federal Aid Agreement with the New Jersey Department of Transportation for Grant Funding of \$121,567 for Design/Permitting/Surveying Costs Relating to the Riverbank Park Bike Trail.

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2013-(R)-70

SANTOS

Resolution Awarding a Contract to Reivax Contracting in the Amount of \$311,884.00 for Riverbank Park Improvements – Magullian Site.

2013-(R)-71

SANTOS

Resolution Authorizing the Town Clerk to Issue a Supplemental Request for Proposals for the Position of Labor Counsel and Appraiser for Calendar Year 2013.

2013-(R)-72

SANTOS

Resolution Approving the Retention of Cali Carting without Public Advertising to Assist in Abating the Emergent Conditions Caused by Hurricane Sandy and Approving the Payment of \$45,713.55 for the Labor and Services Rendered.

2013-(R)-73

SANTOS

Resolution Pursuant to Town Code Section 23-7 Approving Curb Cut at 266 Laurel Avenue, ***Block 179, Lot 13.01*** to Accommodate a New Driveway.

2013-(R)-74

SANTOS

Resolution to Enter into Closed Session to Discuss the Following Matter(s):
Update on PBA/SOA Negotiations, CS11 Litigation, CS11 Contract, 15 Pending Tax Appeals, Dept. Heads/Asst. Dept. Heads Upcoming Negotiations, Retirement of Tax Assessor.

2013-(R)-75

DOYLE

Resolution Appointing Michael Wallace to the Permanent Part Time Position of Electrical Subcode Official in the Construction Code Office to Work a Maximum of 19.5 Hours at the Current Hourly Rate of \$24.89 Effective January 16, 2013.

2013-(R)-76

PETTIGREW

Resolution Correcting ABC Transfer Resolution.

2013-(R)-77

PETTIGREW

Resolution Authorizing the Police Chief pursuant to N.J.S.A. 40A:11-36(6) to Sell Eight Vehicles Whose Total Value is Less than \$21,000 at Private Sale Without Advertising for Bids.

2013-(R)-78

LANDY

Resolution Rescinding Resolution 2012-492 and Re-Appointing Joseph Gurkas to the Permanent Non-Competitive Part Time Position of Lifeguard in the Recreation Department.

2013-(R)-79

LANDY

Resolution Authorizing an Unpaid Internship in the Recreation Department for Sandy Silva of 342 Forest Street to Fulfill her Practicum Requirements at Kean University.

2013-(R)-80

ECKEL

Resolution Regarding Fire Official-Chief Fire Inspector Donovan.

2013-(R)-81

CARDOSO

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 February 4, 2013. (\$1,200.00)

X. EXECUTIVE (CLOSED) SESSION

XI. ADJOURNMENT