

Kearny Town Council

Caucus / Regular Meeting

- Agenda -

Tuesday, August 6, 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. Kearny Cub Scouts, Pack 305: requesting permission to host a River Park Cleanup at Riverbank Park (across from Stewarts) on Saturday, September 7, 2013 from 9:00 a.m. until 12:00 p.m. The event is in conjunction with the Passaic Valley Sewerage Commission and is open to all town residents. **POLICE/DPW/REC**

2. Alvin Cox, Executive Director, Pathways to Independence, Inc.: requesting permission to hang a banner across Kearny Avenue from August 26 through October 5, 2013 to publicize their 12th Annual Walk-A-Thon fundraiser on Saturday, October 5, 2013 at West Hudson Park. **POLICE/DPW**

3. Nelson De Oliveira, Pastor, Casa de Oración Nueva Canaán: requesting permission to preach to the public on Saturday, August 17, 2013 and Saturday, August 24, 2013 from 10:00 a.m. until 2:00 p.m. (location to be determined). Biblical literature, preaching and singing will take place using a small microphone and speakers. **POLICE/DPW**

4. LICENSES: -BINGO -JUKE BOX;
-FILMING; -GARAGE SALE; **LICENSES**

B. Reports of Department Heads

1. Library Director's Report for June 2013
2. Water Department Monthly Operations Report for June 2013
3. Engineer's Report dated August 6, 2013

C. Presentation by Robert J. Tessier PP, ACIP Project Manager, General Planning Services, NJ Department of Community Affairs, on the Kearny Redevelopment Assessment Report

D. Reports of Council Members

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

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

2013-(O)-31 **McCURRIE**
Ordinance Vacating Handicapped Parking Zone at 14 Dukes Street

2013-(O)-32 **McCURRIE**
Ordinance amending Section 7-33 of the Town Code Pertaining to Off-Street Overnight Residential Parking Facilities

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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)-436**
Bills List Resolution

***2013-(R)-437-446**
Resolutions Authorizing the Return of Unused Escrow Deposits. (10)

***2013-(R)-447**
Resolution Authorizing Permission to Encroach Upon Town Right of Way at 91 Hoyt Street, Block 260, Lot 35, for the Purpose of Removing a Fuel Tank.

***2013-(R)-448**
Resolution Authorizing Permission to Encroach Upon Town Right of Way at 155 Kearny Avenue, Block 27, Lot 11, for the Purpose of Installing a New Side Door, New Awnings and a New Kitchen Exhaust.

***2013-(R)-449**
Resolution Granting Permission to PSE&G for Road Opening Permit at Clark Avenue, (*behind ShopRite*), in Order to Install Gas Main.

***2013-(R)-450**
Resolution Granting Permission to PSE&G for Road Opening Permit at 55 Linden Avenue, **Block 95, Lot 34**, in Order to Install Gas Service.

***2013-(R)-451**
Resolution Granting Permission to PSE&G for Road Opening Permit at 156 Midland Avenue, **Block 197, Lot 21**, in Order to Install Gas Service.

***2013-(R)-452**
Resolution Granting Permission to PSE&G for Road Opening Permit at 219 Beech Street, **Block 174, Lot 15**, in Order to Install Gas Service.

***2013-(R)-453**
Resolution Granting Permission to PSE&G for Road Opening Permit at 250 Davis Avenue, **Block 239, Lot 34**, in Order to Install Gas Service.

***2013-(R)-454**
Resolution Granting Permission to PSE&G for Road Opening Permit at 271 Bergen Avenue (opening on Ivy Street), **Block 241, Lot 61.02**, in Order to Install Gas Service.

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***2013-(R)-455**

Resolution Granting Permission to PSE&G for Road Opening Permit at 514-518 Kearny Avenue, **Block 194, Lot 1**, in Order to Relocate Gas Service.

***2013-(R)-456**

Resolution Granting Permission to PSE&G for Road Opening Permit at 709 Devon Street, **Block 167, Lot 42**, in Order to Install Gas Service.

***2013-(R)-457**

Resolution Authorizing the Return of Unused Police Escrow to Marcom Visual Creation, Inc. in the Amount of \$.

***2013-(R)-458**

Resolution Authorizing Refund of Recreation All Day Playground Program Fee in the Amount of \$220.00 to Hugo Cardenas-Saenz for Araxiel Cardenas-Saenz.

***2013-(R)-459**

Resolution Authorizing Refund of Recreation All Day Playground Program Fee in the Amount of \$210.00 to Teresa Mejias for Trisan Campos.

***2013-(R)-460**

Resolution Authorizing Payment for Special Primary Election Employment in an Amount Not to Exceed \$2100.00.

***2013-(R)-461**

Resolution Authorizing Thirty-two (32) Hours Overtime for Library Saturday Hours in September, October, November and December 2013. (\$1,820.00)

***2013-(R)-462**

Resolution Authorizing Two (2) Hours Overtime within the Water Department to Repair a Water Leak at 492 Kearny Avenue on July 9, 2013. (\$111.59)

***2013-(R)-463**

Consent Agenda Resolution

DOYLE

2013-(R)-464

Resolution Authorizing Twenty-one and One-half (21.5) Hours Overtime within the Department of Public Works to: Assist Contractor with Sewer Cleaning and Jetting at 309 Kearny Avenue, Reset Gas Pump at DPW, Place Additional Barricades for Peruvian Flag Raising Event, Assist Contractor with Cleaning Wet Well on Harrison Avenue, Assist Resident with Key to Doyle Pavilion, Sweep Parking Lot after Peruvian Festival and Clear a Sewer Blockage at 60 South Midland Avenue. (\$1,031.55)

SANTOS

2013-(R)-465

Resolution Reappointing Patricia Carpenter Town Clerk.

SANTOS

2013-(R)-466

Resolution Appointing the Following to the Seasonal Position of Laborer in the Department of Public Works, at the Current Hourly Rate as Stated, Effective upon Successful Completion of Pre-employment Processing for a Period Not to Extend Beyond Three (3) Months: Brett Mussenden (CDL)-\$12.76 per Hour, Raymond Capps-\$10.38 per Hour, Marco Antonio Gonzalez Suarez-\$10.38 per Hour, John Spressler- \$10.38 per Hour.

SANTOS

2013-(R)-467

Resolution Awarding Contract for Security Services.

SANTOS

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2013-(R)-468

SANTOS

Resolution Supporting the NY/NJ Bay Keeper, the Hackensack River Keeper and the Ironbound Community Corporation in Urging that all of the Proceeds from the Settlement by Third Party Defendants in NJDEP v. Occidental to the Cleanup of the Passaic River be Devoted to Cleanup and Restoration of the River.

2013-(R)-469

SANTOS

Resolution Approving the Use of Enterprise Zone Assistance Funds for the Purchase of a Stage and Authorizing the Submission of an Application for Funding in the Amount of up to \$7,600. (*public hearing required*)

2013-(R)-470

SANTOS

Resolution Authorizing Change Order #1 for the Riverbank Park Improvements Magullian Site to Reivax Contracting Corp., 46 Washington Street, Harrison, NJ (\$643.00 Decrease/-0.21%).

2013-(R)-471

SANTOS

Resolution Authorizing Advertisement for Bids for CDBG Central Avenue Resurfacing.

2013-(R)-472

SANTOS

Resolution Authorizing and Approving Settlement of a Tax Appeal filed by Oscar Rivas, for 4 Jefferson Avenue, Block 116, Lot 20.

2013-(R)-473

SANTOS

Resolution Authorizing and Approving Settlement of a Tax Appeal filed by 700 Belleville Associates, LLC, for 700 Belleville Turnpike, Block 150.01, Lot 64.01.

2013-(R)-474

SANTOS

Resolution Authorizing and Approving Settlement of a Tax Appeal filed by Jose Teixeira, for 537 Davis Avenue, Block 162, Lot 4.01.

2013-(R)-475

SANTOS

Resolution Authorizing and Approving Settlement of a Tax Appeal filed by Provident Savings Bank, for 249 Kearny Avenue, Block 38, Lot 34.

2013-(R)-476

SANTOS

Resolution Authorizing and Approving Settlement of a Tax Appeal filed by Gonzalo Torres, for 232 Windsor Street, Block 65, Lot 2.

2013-(R)-477

SANTOS

Resolution Authorizing and Approving Settlement of a Tax Appeal filed by Supor Family, LLC, for 129 Sanford Avenue, Block 279, Lot 14.01.

2013-(R)-478

SANTOS

Resolution Authorizing and Approving Settlement of a Tax Appeal filed by Power Property, LLC, for 70 Pennsylvania Avenue, Block 289, Lot 16.01.

2013-(R)-479

SANTOS

Resolution to Enter into Closed Session to Discuss the Following Matter(s): Staffing in Bureau of Combustibles, Staffing in DPW, Discussion of Recommendation for Part time Position in Health Department, Discussion of Recommendation for Crossing Guard Vacancy, Update on CS11 Negotiations, Discussion of Compensation-Tax Assessor, Review of Tax Appeal Settlement for 249 Kearny Avenue, 232 Windsor Street, 129 Sanford Avenue and 70 Pennsylvania Avenue.

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2013-(R)-480

DOYLE

Resolution Rescinding Resolutions 2013-387 and 2013-428 Because the Appointee Refused the Two Offers of Employment.

2013-(R)-481A

PETTIGREW

Resolution Appointing Daniel Esteves to the Position of Police Officer in the Kearny Police Department Pursuant to NJ Civil Service Certification #OL130379 at the Current Annual Salary of \$41,282 Effective September 09, 2013.

2013-(R)-481B

PETTIGREW

Resolution Appointing Kevin Arnesman to the Position of Police Officer in the Kearny Police Department Pursuant to NJ Civil Service Certification #OL130379 at the Current Annual Salary of \$41,282 Effective September 09, 2013.

2013-(R)-481C

PETTIGREW

Resolution Appointing Jordenson Jean to the Position of Police Officer in the Kearny Police Department Pursuant to NJ Civil Service Certification #OL130379 at the Current Annual Salary of \$41,282 Effective September 09, 2013.

2013-(R)-482

PETTIGREW

Resolution to Renew Alcoholic Beverage Licenses #0907-44-003-007 & #0907-33-006-004 for 2013-2014 Approved by the Kearny Police Investigative Unit, as the Designated Alcoholic Beverage Control Investigative and Enforcement Unit (ABCIEU) - Final Tax Clearances Received.

2013-(R)-483

PETTIGREW

Resolution Renewing Alcoholic Beverage Retail Consumption License No. 0907-33-023-004, Fine Taste Foods Inc, for the 2013-14 & 2014-15 License Terms.

2013-(R)-484

PETTIGREW

Resolution Authorizing the Sale at Public Auction of One (1) Abandoned and Unclaimed Vehicle: 2008 Volkswagen VIN#3VWRZ71K18M008653.

2013-(R)-485

PETTIGREW

Resolution Authorizing a Contract to Chas S. Winner Inc. of Cherry Hill, New Jersey for the Purchase of Three (3) 2014 Ford Explorers (Police Interceptor) in the Amount Not to Exceed \$79,707.00 under NJ State Contract # 82925 (T-2776). (Funded from Bond Ordinance # 2013-22)

2013-(R)-486

PETTIGREW

Resolution Authorizing Purchase of Equipment for KPD Vehicles.

2013-(R)-487

LANDY

Resolution Authorizing Acceptance of the Green Acres Matching Grant in the Amount of \$396,900 and Green Acres Loan in the Amount of \$168,250 for All Season Surface and Fitness Trail Project.

2013-(R)-488

McCURRIE

Resolution Authorizing Execution of a Business Associate Agreement with Brown & Brown Metro for Purposes of Compliance with the Privacy Protection Requirements of the Federal Health Insurance Portability and Accountability Act of 1996.

2013-(R)-489

McCURRIE

Resolution Authorizing Entry into an Interlocal Agreement with the Kearny Municipal Utilities Authority for Sharing of a Sewer Vacuum Truck for 2013.

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2013-(R)-490

ECKEL

Resolution Accepting the Retirement Application of Fire Captain Michael J. Karlok from the Kearny Fire Department after Twenty-five (25) Years of Service Effective August 01, 2013 Pending Approval of the Police and Firemen's Retirement System (terminal leave pay and unused vacation totaling \$48,319.75 subject to change if additional time is taken).

2013-(R)-491

ECKEL

Resolution Appointing Sean Brady to the Position of Firefighter in the Kearny Fire Department Pursuant to NJ Civil Service Certification #OL130377 at the Current Annual Salary of \$33,000 Effective September 09, 2013.

2013-(R)-492

ECKEL

Resolution Authorizing an Application to the U.S. Department of Homeland Security for Grant Funding for Firefighters.

2013-(R)-493

ECKEL

Resolution Authorizing a Contract to Day Chevrolet Inc. of Monroeville, Pennsylvania for the Purchase of a 2013 Chevrolet Tahoe in the Amount Not to Exceed \$29,828.75 under NJ State Contract # 82926 (T-2776). (Funded from Bond Ordinance # 2013-22)

2013-(R)-494

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 September 16, 2013. (\$1,200.00)

X. EXECUTIVE (CLOSED) SESSION

XI. ADJOURNMENT