

# Kearny Town Council

Caucus / Regular Meeting

- Agenda -

Tuesday, September 10, 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. SWEARING IN OF FIRE CAPTAIN GEORGE C. HARRIS

VI. CAUCUS MEETING

A. Communications

1. Erica Legowski, KHS Head Cheerleading Coach: requesting permission to have a canning fundraiser on Saturday, October 12, 2013.

**POLICE/DPW/REC**

2. Ralph Cattafi, Assistant Recreation Supervisor: requesting permission to have canning fundraisers for the following Recreation programs:

Generals Football

Cheerleading

Saturday, November 9, 2013

Saturday, November 23, 2013

Saturday, September 20, 2014

Saturday, October 4, 2014

Saturday, October 18, 2014

Saturday, November 1, 2014

**POLICE/DPW/REC**

3. Donna Pinto, Corresponding Secretary of the Roosevelt School PTA: requesting that Stewart Avenue between Kearny Avenue and Grand Place be closed to traffic on Friday, October 18, 2013 from 3:00 p.m. to 10:00 p.m. for their “Trick or Trunk” event in the school yard (rain date: October 25, 2013).

**POLICE/DPW**

4. Paula Cavalier, KHS Crew Parents Booster Association Secretary: requesting permission to hold a canning fundraiser on Saturday, March 1, 2014 and Saturday, March 15, 2014.

**POLICE/DPW/REC**

5. Hermandad del Senor de los Milagros de Kearny, NJ: requesting permission to hold their traditional processional march on Sunday, October 6, 2013 beginning at St. Cecilia’s Church, 120 Kearny Avenue, at 1:00 p.m. and ending at Holy Cross Church in Harrison, NJ by 7:00 p.m.

**POLICE/DPW**

6. Nancy Dango of Susan G. Komen for the Cure®/North Jersey: requesting permission for Volunteer Emma Quintana to tie pink ribbons on the trees at Town Hall and our downtown area on Saturday, October 5, 2013 at 12 noon to remain throughout the month of October in recognition of National Breast Cancer Awareness Month.

**POLICE/DPW**

7. LICENSES: 5-ABC;  
21-GARAGE SALE  
2-LUNCH TRUCK

1-SIDEWALK SALE;  
1-TAXI DRIVER

**LICENSES**

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B. Reports of Department Heads

1. Water Department Monthly Operations Report for July 2013
2. DPW Operations Report for June 2013
3. DPW Operations Report for July 2013
4. Construction Code Monthly Report for July 2013
5. Construction Code Monthly Report for August 2013
6. Engineer's Report dated September 10, 2013

C. Presentation by Carmine De Falco and Nicholas Campanella from Fincredit Inc. on the Property Tax Reward Program

D. Reports of Council Members

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)-33**

**McCURRIE**

An Ordinance to Further Amend and Supplement an Ordinance Entitled "An Ordinance Concerning Civil Service in the Town of Kearny, County of Hudson," Adopted June 22, 1938. (Salaries for Department Heads and Assistant Department Heads, January 01, 2013 – December 31, 2016)

**2013-(O)-34**

**McCURRIE**

Ordinance Establishing a Four-Way Traffic Stop at the Intersection of Hamilton Avenue and West Bennett Avenue

**2013-(O)-35**

**McCURRIE**

Ordinance Pursuant to N.J.S.A. 40A:21-4 Readopting an Ordinance Enacted on May 25, 1993 and Readopted on May 13, 2013 Establishing Tax Abatements on Residential Improvements under Specified Circumstances

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

**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

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)

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**\*2013-(R)-500**

Bills List Resolution

**\*2013-(R)-501**

Resolution Authorizing Refund of Overpaid Taxes in the Amount of \$2,819.81 for **Block 31, Lot 20** as a Result of Duplicate Payment for 3<sup>rd</sup> Quarter 2013.

**\*2013-(R)-502**

Resolution Authorizing Refund of Overpaid Taxes in the Amount of \$753.30 for **Block 62, Lot 19** as a Result of Overpayment for 3<sup>rd</sup> Quarter 2013.

**\*2013-(R)-503**

Resolution Authorizing Refund of Overpaid Taxes in the Amount of \$2,125.58 for **Block 139, Lot 17** as a Result of Duplicate Payment for 3<sup>rd</sup> Quarter 2013.

**\*2013-(R)-504**

Resolution Authorizing Refund of Overpaid Taxes in the Amount of \$1,360.95 for **Block 181.03, Lot 53** as a Result of Overpayment for 4<sup>th</sup> Quarter 2013.

**\*2013-(R)-505**

Resolution Authorizing Refund of Overpaid Taxes in the Amount of \$2,983.98 for **Block 204, Lot 56** as a Result of Duplicate Payment for 2<sup>nd</sup> Quarter 2013.

**\*2013-(R)-506**

Resolution Authorizing the Return of Unused Escrow Deposit to MetroPCS New York, LLC in the Amount of \$1,656.04, **Block 152, Lot 1**.

**\*2013-(R)-508**

Resolution Authorizing Permission to Encroach Upon Town Right of Way at 208 Kearny Avenue, a/k/a 1 Boyd Street, **Block 244, Lot 1**, for the Purpose of Abandoning a Fuel Tank.

**\*2013-(R)-509**

Resolution Granting Permission to PSE&G for Emergency Road Opening Permit at 57 Terrace Place, **Block 77, Lot 11**, in Order to Repair Gas Main and Service.

**\*2013-(R)-510**

Resolution Granting Permission to PSE&G for Emergency Road Opening Permit at 88 Washington Avenue, **Block 88, Lot 6**, in Order to Install Gas Service.

**\*2013-(R)-511**

Resolution Granting Permission to PSE&G for Emergency Road Opening Permit at 98 Highland Avenue, **Block 22, Lot 5**, in Order to Repair Gas Main on July 31, 2013.

**\*2013-(R)-512**

Resolution Granting Permission to PSE&G for Emergency Road Opening Permit at 98 Highland Avenue, **Block 22, Lot 5**, in Order to Repair Gas Main on August 2, 2013.

**\*2013-(R)-513**

Resolution Granting Permission to PSE&G for Emergency Road Opening Permit at 208 Quincy Avenue, **Block 223, Lot 24**, in Order to Repair Gas Service.

**\*2013-(R)-514**

Resolution Granting Permission to PSE&G for Emergency Road Opening Permit at 211 Quincy Avenue, **Block 213, Lot 41**, in Order to Repair Gas Main and Service.

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**\*2013-(R)-515**

Resolution Granting Permission to PSE&G for Road Opening Permit at 51 Kearny Avenue, **Block 18, Lot 17**, in Order to Install Gas Main Protection.

**\*2013-(R)-516**

Resolution Granting Permission to PSE&G for Road Opening Permit at 77 Forest Street, **Block 249, Lot 28.02**, in Order to Install Gas Service.

**\*2013-(R)-517**

Resolution Granting Permission to C. Freitas Plumbing and Heating Corp. for Road Opening Permit at 77 Forest Street, **Block 249, Lot 28.02**, in Order to Connect New Water and Sewer Line from Home to Street Main.

**\*2013-(R)-518**

Resolution Granting Permission to PSE&G for Road Opening Permit at 81 Forest Street, **Block 249, Lot 28.01**, in Order to Install Gas Service.

**\*2013-(R)-519**

Resolution Granting Permission to C. Freitas Plumbing and Heating Corp. for Road Opening Permit at 81 Forest Street, **Block 249, Lot 28.01**, in Order to Connect New Water and Sewer Line from Home to Street Main.

**\*2013-(R)-520**

Resolution Granting Permission to PSE&G for Road Opening Permit at 83 Kearny Avenue, **Block 24, Lot 36**, in Order to Install Gas Main Protection.

**\*2013-(R)-521**

Resolution Granting Permission to PSE&G for Road Opening Permit at 137 Kearny Avenue, **Block 27, Lot 17**, in Order to Install Gas Main Protection.

**\*2013-(R)-522**

Resolution Granting Permission to PSE&G for Road Opening Permit at 161 Tappan Street, **Block 264, Lot 37**, in Order to Install Gas Main Protection.

**\*2013-(R)-523**

Resolution Granting Permission to PSE&G for Road Opening Permit at 179-181 Kearny Avenue, **Block 32, Lot 38**, in Order to Install Gas Main Protection.

**\*2013-(R)-524**

Resolution Granting Permission to C. Freitas Plumbing and Heating Corp. for Road Opening Permit at 271 Bergen Avenue (opening on Ivy Street), **Block 241, Lot 61.02**, in Order to Connect New Water and Sewer Line from Home to Street Main.

**\*2013-(R)-525**

Resolution Authorizing Eleven and One-half (11.5) Hours Overtime to Dinis Conceicao, MIS Technician, for MPLS Network Migration for Town Facilities – Fire Headquarters and Main Library - on July 13, 2013. (\$664.58)

**\*2013-(R)-526**

Resolution Waiving Fee for the Use of a Dumpster on Monday, August 19, 2013 for St. Stephen's Church Rectory, 141 Washington Avenue.

**\*2013-(R)-527**

Resolution Authorizing Four (4) Members of the Kearny Police Department to Attend the N.J. State PBA 2013 Convention during the Week of September 19 through September 25, 2013, Pursuant to Article 3, Section 3 of the PBA Contract.

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**\*2013-(R)-528**

Resolution Authorizing Three (3) Members of the KFSOA FMBA Local 218 and Seven (7) Members of FMBA Local 18 to Attend the Annual New Jersey State FMBA 2013 Convention September 16-19, 2013, and Three (3) Members of the KFD to Attend the New Jersey State Firemen's Convention September 13-14, 2013.

**\*2013-(R)-529**

**DOYLE**

Consent Agenda Resolution

**2013-(R)-530**

**SANTOS**

Resolution Authorizing Seven (7) Hours Overtime within the Department of Public Works to Assist PSE&G with Gas Leak at DPW Facility and to Investigate Possible Sewer Backup at 125 Pennsylvania Avenue. (\$187.23)

**2013-(R)-531**

**SANTOS**

Resolution Awarding Contract to DLS Contracting of Nutley, N.J. in the Amount of \$477,140.00 for the CDBG Kearny Avenue Resurfacing.

**2013-(R)-532**

**SANTOS**

Resolution Authorizing Contract to Neglia Engineering Associates for the Construction Management of CDBG Kearny Avenue Resurfacing (T&M Not to Exceed \$29,500.00).

**2013-(R)-533**

**SANTOS**

Resolution Authorizing Contract to Neglia Engineering Associates for the Boundary Survey of 101 Kearny Avenue Block 24 / Lots 28 & 29 (T&M Not to Exceed \$2,450.00).

**2013-(R)-534**

**SANTOS**

Resolution Authorizing Contract to Neglia Engineering Associates for the Survey, Design, & Bidding of the 2013 & 2014 Road Program (T&M Not to Exceed \$69,915.00).

**2013-(R)-535**

**SANTOS**

Resolution Accepting the Disability Retirement Application of John Modzelewski, Laborer in the Department of Public Works, after Twenty-three and One-half (23.50) Years of Service Effective September 01, 2013 Pending Approval of the Public Employees Retirement System (terminal leave pay and unused vacation totaling \$1,130.04 subject to change if additional time is taken).

**2013-(R)-536**

**SANTOS**

Resolution Pursuant to Town Code Section 23-7 Approving Curb Cut at 32 Ann Street, **Block 279, Lot 9**, to Accommodate a New Driveway.

**2013-(R)-537**

**SANTOS**

Resolution Authorizing Termination of Agreement Between the Town and All Vision, LLC for the Development of Three Lots Owned by the Town as Sites for the Placement of Billboards.

**2013-(R)-538**

**SANTOS**

Resolution Authorizing and Approving Settlement of a Tax Appeal filed by Joseph Supor for 433 Bergen Avenue, **Block 286, Lot 5 & 6.01**.

**2013-(R)-539**

**SANTOS**

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

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**2013-(R)-540**

**SANTOS**

Resolution to Enter into Closed Session to Discuss the Following Matter(s):  
Review of Tax Appeal Settlement for 433 Bergen Avenue and 232 Windsor Street,  
Discussion of Recommendation for Part time Position in Health and Finance  
Departments.

**2013-(R)-541**

**DOYLE**

Resolution Accepting the Annual Audit Report of 2012.

**2013-(R)-542**

**DOYLE**

Resolution Accepting the Corrective Action Plan for 2012 Audit.

**2013-(R)-543**

**DOYLE**

Resolution Appointing Stephanie Morales to the Part time Position of Clerk Typist  
Bilingual in the Office of Administration to Work a Maximum of 24.5 Hours per  
Week at the Current Hourly Rate of \$11.40.

**2013-(R)-544**

**DOYLE**

Resolution Rescinding Resolution 2013-433 Because the Appointee Declined the  
Position.

**2013-(R)-545**

**DOYLE**

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: 514-516 Hickory Street, **Block 181, Lot 19**, 67 Wilson Avenue,  
**Block 31, Lot 43**, 28 John Street, **Block 9, Lot 6**, 47 Morgan Place, **Block 138, Lot**  
**14**, 190 Oakwood Avenue, **Block 212, Lot 20**, 317 Hickory Street, **Block 212, Lot 36**,  
478 Schuyler Avenue, **Block 204, Lot 1**, 446 Davis Avenue, **Block 200, Lot 20**, 444-  
446 Belgrove Drive, **Block 53, Lot 21**, 347-394 Forest Street, **Block 210, Lot 35**, 365  
Forest Street, **Block 210, Lot 30.01**

**2013-(R)-546**

**PETTIGREW**

Resolution Renewing (Inactive ) Alcoholic Beverage Retail Consumption License No.  
0907-33-046-003, Till the End LLC, for the 2013-14, 2014-15 & 2015-16 License  
Terms.

**2013-(R)-547**

**PETTIGREW**

Resolution Renewing (Inactive) Alcoholic Beverage Retail Consumption License No.  
0907-33-056-010, Osborne Capital LLC, for the 2013-14 and 2013-15 License Terms.

**2013-(R)-548**

**PETTIGREW**

Resolution Renewing (Inactive) Alcoholic Beverage Retail Consumption License No.  
0907-33-059-004, 409 Kearny Ave LLC, for the 2013-14 License Term.

**2013-(R)-549**

**PETTIGREW**

Resolution Renewing (Inactive) Alcoholic Beverage Retail Consumption License No.  
0907-33-061-003, Royal Drinks Inc for the 2013-14 License Term.

**2013-(R)-550**

**PETTIGREW**

Resolution Renewing (Inactive) Alcoholic Beverage Retail Distribution License No.  
0907-44-019-010, The Wine Messenger LLC, for the 2013-14 License Term.

**2013-(R)-551**

**PETTIGREW**

Resolution Authorizing the Sale at Public Auction of Three (3) Abandoned and  
Unclaimed Vehicles: 1998 Chevrolet VIN#1GCCS1944W8208525, 1998 Nissan  
VIN#1N4DL01D7WC146354, 2003Mazda VIN#1YVFP80C435M26385

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**2013-(R)-552**

**PETTIGREW**

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

**2013-(R)-553**

**ECKEL**

Resolution Appointing John Donovan to the Permanent Position of Fire Official UFD (Chief Fire Inspector) in the Fire Department Pursuant to NJCSC Certification #PL130790 at the Current Annual Salary of \$120,000 Effective Immediately.

**2013-(R)-554**

**ECKEL**

Resolution Appointing George C. Harris to the Permanent Position of Fire Captain in the Kearny Fire Department Pursuant to Certification #PL131089 Effective September 11, 2013 at Tier II of the Current Annual Salary Guide of \$103,673 Contingent upon Pre-Promotional Processing.

**2013-(R)-555**

**ECKEL**

Resolution Appointing Edmund McKeown and Jason Bell to the Part time Position of Public Safety Telecommunicator Trainee in the Fire Department to Work a Maximum of 24 Hours per Week at the Current Hourly Rate of \$15.25 Pending Pre-employment Processing.

**2013-(R)-556**

**ECKEL**

Resolution Appointing Mildred Murray to the Part time Position of Clerk Typist Bilingual in the Fire Department to Work a Maximum of 24.5 Hours per Week at the Current Hourly Rate of \$11.40 Pending Pre-employment Processing.

**2013-(R)-557**

**ECKEL**

Resolution Rescinding Three (3) Appointments in Resolutions 2013-425 Because the Appointees Declined the Offer of Employment.

**2013-(R)-558**

**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 October 21, 2013. (\$1,200.00)

**2013-(R)-559**

**PEYKO**

Resolution Appointing Claudia Calderon to the Part time Position of Social Service Aide Bilingual in the Health Department to Work a Maximum of 24.5 Hours per Week at the Current Hourly Rate of \$11.11 Pending Pre-employment Processing.

**\*2013-(R)-560**

Resolution Cancelling 2013 Taxes in the Amount of \$7,196.39 for Block 236, Lot 3 as a Result of Disabled Veterans' Exemption.

**\*2013-(R)-561**

Resolution Cancelling 2013 Taxes in the Amount of \$4,443.49 for Block 175, Lot 2 as a Result of Disabled Veterans' Exemption.

**\*2013-(R)-562**

Resolution Granting Permission to Habitat for Humanity for Road Opening Permit at 41 Kearny Avenue, **Block 11, Lot 14**, in Order to Connect Water, Gas and Electric Utilities.

XI. EXECUTIVE (CLOSED) SESSION

XII. ADJOURNMENT