

# Kearny Town Council

Caucus / Regular Meeting

- Agenda -

Tuesday, October 22, 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. Justine Esteves and Jamie Guedes, Presidents, Kearny Competition Cheering: requesting permission to hold a canning fundraiser on Saturday, December 7, 2013. **POLICE/DPW/REC**

2. JC Promotions, Inc. on behalf of the Kearny Lions Club: requesting to hold a Flea Market at the Frank A. Vincent Marina on Sunday, November 10, 2013. **POLICE/DPW/REC**

3. LICENSES: 5 - GARAGE SALE; 1- PEDDLER  
1 – PARKING PERMIT **LICENSES**

B. Proclamation Celebrating International Alpha Delta Kappa Month

C. Reports of Department Heads

1. DPW Operations Report for September 2013
2. Construction Code Monthly Report for September 2013
3. Fire Department Monthly Report for January-September 2013
4. Engineer's Report dated October 22, 2013
5. Finance Department Discussion of Best Practices Checklist

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)-41** **McCURRIE**  
Ordinance Vacating Handicapped Parking Zone at 103 Johnston Avenue

**2013-(O)-42** **McCURRIE**  
Ordinance Establishing Handicapped Parking Zone at 9 Boyd Street

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

**2013-(O)-39** **McCURRIE**  
An Ordinance Establishing the Position of Tax Assessor – Exempt (04120) and Amending and Supplementing an Ordinance Entitled “An Ordinance Concerning Civil Service in the Town of Kearny, County of Hudson, Adopted June 22, 1938 to Provide the Salary Range Therefor”

**2013-(O)-40** **McCURRIE**  
Ordinance Amending Town Code Re Afton Street

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## 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)-631**

Bills List Resolution

### **\*2013-(R)-632**

Resolution Authorizing Refund of Overpaid Taxes, in the total amount of \$70,656.28, for various properties (70) as listed in the attached schedule as a Result of Duplicate Payments.

### **\*2013-(R)-633**

Resolution Refunding Overpayment Against Water Account No. 2490000000 in the Amount of \$111.42 to Antonia Tierney, **Block 181.03, Lot 47.**

### **\*2013-(R)-634**

Resolution Authorizing Permission to Encroach Upon Town Right of Way at 361 Schuyler Avenue, **Block 225, Lot 2**, for the Purpose of Replacing a Fence on Top of a Public Easement.

### **\*2013-(R)-635**

Resolution Granting Permission to PSE&G for Emergency Road Opening Permit at 146 Beech Street (opening at 141 Beech Street, **Block 187, Lot 24**), in Order to Cut Off Gas Service.

### **\*2013-(R)-636**

Resolution Granting Permission to PSE&G for Road Opening Permit at 133 Ivy Street, **Block 240, Lot 44**, in Order to Install Gas Service.

### **\*2013-(R)-637**

Resolution Authorizing Payment for General Election Employment in an Amount Not to Exceed \$2800.00.

### **\*2013-(R)-638**

Resolution Authorizing the Return of a Basic Filming Permit Fee to Warner Bros. Pictures in the Amount of \$100.00.

### **\*2013-(R)-639**

Consent Agenda Resolution

**DOYLE**

### **2013-(R)-640**

Resolution Authorizing Eleven and One-Half (11.5) Hours of Overtime within the Department of Public Works to Remove Bollard and Secure Building at Kearny and Locust Avenues, to Assist Exterminator at the Annex Building because of Bug Infestation and to Clear a Sewer Blockage at Kearny and Bergen Avenues.

**SANTOS**

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**2013-(R)-641**

**SANTOS**

Resolution Authorizing Contract to Neglia Engineering Associates for Construction Management Services for NJDOT Davis Avenue (Section 3) (T&M Not to Exceed \$45,950.00).

**2013-(R)-642**

**SANTOS**

Resolution Awarding Contract for NJDOT Davis Avenue Section 3 (King Street to Bergen Avenue).

**2013-(R)-643**

**SANTOS**

Resolution Declaring the Proposal of Neglia Engineering Associates to Prepare a New Redevelopment Plan for the Passaic Avenue Redevelopment Area as the Most Advantageous to the Town and Awarding a Contract for Professional Services in an Amount Not to Exceed \$16,360 to Neglia Engineering Associates to Prepare the Plan.

**2013-(R)-644**

**SANTOS**

Resolution Authorizing Contract to Neglia Engineering Associates for Miscellaneous Services Rendered for Various Projects.

**2013-(R)-645**

**SANTOS**

Resolution Appointing Kevin Murphy to the Provisional Position of Assistant Public Works Superintendent Effective October 28, 2013 at the Current Annual Salary of \$78,426 Pending Pre-promotional Processing.

**2013-(R)-646**

**SANTOS**

Resolution Amending the Salary for John Peneda as Municipal Department Head - KUEZ to the Current Annual Salary of \$24,500 effective October 22, 2013.

**2013-(R)-647**

**SANTOS**

Resolution Appointing John Peneda to Full Time Position of Tax Assessor at the Current Annual Salary of \$75,000 effective July 1, 2013.

**2013-(R)-648**

**SANTOS**

Resolution Authorizing Expenditure of Funds in the Amount Not To Exceed \$25,220.00 from the Kearny Urban Enterprise Zone Marketing and Promotion Program IV Funds for the Kearny 2013 Holiday Street Decorations.

**2013-R-649**

**SANTOS**

Resolution Authorizing the Use of Enterprise Zone Assistance Funds for the Purchase of Holiday Wreaths for the Kearny Avenue Streetscape Decorations from the Kearny UEZ Marketing and Promotion Project in the Amount of Up to \$15,000.

**2013-(R)-618**

\*\*\*\**tabled from 10/9/13 meeting*\*\*\*\*

**SANTOS**

Resolution Authorizing and Approving Settlement of a Tax Appeal filed by Gypsum South Corp., for 51 Lincoln Avenue, **Block 290, Lot 3**.

**2013-(R)-650**

**SANTOS**

Resolution to Enter into Closed Session to Discuss the Following Matter(s):  
Review of Tax Appeal Settlement for 51 Lincoln Avenue, **Block 290, Lot 3**,  
Negotiations regarding Pilot Agreement with Russo Development for Schuyler Crossings, Discussion of Billboards RFP.

**2013-(R)-651**

**PETTIGREW**

Resolution Consenting to the Lease by the Kearny Public Library of the Basement Assembly Room at 318 Kearny Avenue to the Kearny Board of Education for Computer Training of its Teachers and Staff.

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**2013-(R)-652**

**PETTIGREW**

Resolution Authorizing the Sale at Public Auction of One (1) Abandoned and Unclaimed Vehicle: 2006 Suzuki VIN#KL5JD66Z06K336154.

**2013-(R)-653**

**PETTIGREW**

Resolution Accepting the Disability Retirement Application of Margaret Fitzgerald, Crossing Guard with the Kearny Police Department after Eighteen (18) Years of Service Effective November 01, 2013 Pending Approval of the Public Employees' Retirement System (Unused Sick Leave, Unused Vacation and Longevity Totaling \$0.00 is Subject to Change If Additional Time is Taken).

**2013-(R)-654**

**PETTIGREW**

Resolution Renewing (Inactive) Alcoholic Beverage Retail Consumption License No. 0907-33-022-002, Barbara Bingham Executrix of Estate of Theodore K. Ferraioli, for the 2013-14 and 2014-15 License Terms.

**2013-(R)-655**

**PETTIGREW**

Resolution Authorizing the Execution of a Person-to-Person Transfer of Plenary Retail Consumption License No. 0907-33-016-005 from New Jersey Division of Taxation, (previously t/a "Blue Bar") to Sequoia Systems, Inc. to Remain an In-Pocket License.

**2013-(R)-656**

**PETTIGREW**

Resolution to Renew Alcoholic Beverage License No. 0907-33-016-006, Sequoia Systems, Inc. Nun Pro Tunc to June 30, 2013 for 2013-2014 License Term Approved by the Kearny Police Investigative Unit, as the Designated Alcoholic Beverage Control Investigative and Enforcement Unit (ABCIEU) - Final Tax Clearance Received.

**2013-(R)-657**

**PETTIGREW**

Resolution Authorizing the Execution of a Person-to-Person and Place-to-Place Transfer of Plenary Retail Distribution License No. 0907-44-014-007 from NJR Corporation, t/a Dee's Deli, to East Coast Group, t/a Buy-Rite Liquors, 200-220 Harrison Avenue, Kearny, New Jersey.

X. EXECUTIVE (CLOSED) SESSION

XI. ADJOURNMENT