

# Kearny Town Council

Caucus / Regular Meeting

- Agenda -

Tuesday, March 12, 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. SWEARINGS IN OF POLICE SERGEANT MICHAEL RYAN & FIRE CAPTAIN JOHN DEGIOVANNI
- VI. CAUCUS MEETING
  - A. Communications
    1. Our Lady of Sorrows RC Church: requesting permission to conduct a Good Friday Prayer Service on March 29, 2013 at 12 noon at the Lithuanian Wayside Cross at Riverbank Park. (This service will be cancelled in the event of rain or snow). **POLICE/DPW/REC**
    2. Rev. Michael G. Ward, Administrator at Our Lady of Sorrows: inviting Mayor Santos and Council to participate in the Good Friday Prayer Service on March 29, 2013 at 12 noon at the Lithuanian Wayside Cross at Riverbank Park. **M&C**
    3. Nalaevy Ortiz, Program Director of the West Hudson Family Success Center: requesting permission to hold its annual Wellness Fair on May 4, 2013, from 11:00 a.m. until 3:00 p.m. at the American Revolution Bicentennial Park. At the Fair, information will be provided on a number of available services to improve family wellness and community awareness. Snacks, face painting, music (DJ), and a clown will be present to entertain the families. There will also be a raffle and workshops focusing on stress reduction. **POLICE/DPW/REC**
    4. LICENSES: 9-PEDDER; 4-RAFFLE; 2-JUKE BOX;  
1-VIDEO/PINBALL/VENDING MACHINES  
3-PARKING PERMITS that include:
      - 1- AMERICAN LEGION/VFW PARKING LOT
      - 1- MANDEE PARKING LOT
      - 1- WEST HUDSON HOSPITAL DECK LOT**LICENSES**
  - B. Reports of Department Heads
    1. Construction Code Monthly Report for February 2013
    2. DPW Operations Report for November 2012
    3. DPW Operations Report for December 2012
    4. Library Director's Report for February 2013
    2. Fire Department Monthly Report for August-December 2012
    6. Engineer's Report dated March 12, 2013
  - C. Proclamations honoring:
    1. Police Officer of the Year 2012 John Fabula
    2. Fireman of the Year 2012 Thomas Atwell
  - D. Reports of Council Members

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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)-09**

**McCURRIE**

Ordinance Vacating Handicapped Parking Zones at 26 Dukes Street, 179 Highland Avenue and 132 Afton Street

**2013-(O)-10**

**McCURRIE**

Ordinance Establishing Handicapped Parking Zones at 136 Midland Avenue, 261 Highland Avenue, 46-48 Columbia Avenue and 214 Maple Street

**2013-(O)-11**

**McCURRIE**

Ordinance Amending Section 11-1.5 of the Town Code so as to Prohibit Smoking in the Town's Public Parks

**2013-(O)-12**

**McCURRIE**

Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank (N.J.S.A. 40A: 4-45.14)

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

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)-149**

Bills List Resolution

**\*2013-(R)-150**

Resolution Authorizing Refund of Overpaid Taxes in the Amount of \$2,869.20 for **Block 260, Lot 14** as a Result of Duplicate Payment for 2012.

**\*2013-(R)-151**

Resolution Authorizing Refund of Overpaid Taxes in the Amount of \$2,161.02 for **Block 207, Lot 3** as a Result of Tax Court Judgment for 2008 to 2012.

**\*2013-(R)-152**

Resolution Refunding Overpayment Against Water Account No. 9951000000 in the Amount of \$13.44 to Anna Bojanowski, **Block 166, Lot 51**.

**\*2013-(R)-153**

Resolution Authorizing Permission to Encroach Upon Town Right of Way at 174 Sandford Avenue, **Block 274, Lot 2**, for the Purpose of Removing a Fuel Tank.

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**\*2013-(R)-154**

Resolution Authorizing Permission to Encroach Upon Town Right of Way at 200 Kearny Avenue, **Block 243, Lot 6**, for the Purpose of Installing an Awning Sign.

**\*2013-(R)-155**

Resolution Granting Permission to PSE&G for Emergency Road Opening Permit at 101-103 Elm Street, **Block 248, Lot 26**, in Order to Repair Gas Main.

**\*2013-(R)-156**

Resolution Granting Permission to PSE&G for Road Opening Permit at 448 Hickory Street, a/k/a 448-452 Hickory Street, **Block 193, Lot 3.01**, in Order to Install Gas Service.

**\*2013-(R)-157**

Resolution Granting Permission to PSE&G for Road Opening Permit at 450 Hickory Street, a/k/a 448-452 Hickory Street, **Block 193, Lot 3.02**, in Order to Install Gas Service.

**\*2013-(R)-158**

Resolution Authorizing Twenty (20) Hours Overtime for Library Saturday Hours in April, May and June 2013. (\$1,120.00)

**\*2013-(R)-159**

Resolution Authorizing Nine (9) Hours Overtime to Ralph Cattafi, Assistant Supervisor in the Recreation Department for Late Night Opening for Background/Fingerprinting for Volunteer Coaches on March 4, March 11 and April 8, 2013. (\$494.50)

**\*2013-(R)-160**

Resolution Authorizing Ten (10) Hours Overtime to Susan A. Evanchick, Administrative Clerk in the Construction Code Department, to Issue Permits. (\$696.80).

**\*2013-(R)-161**

Resolution Authorizing Ten (10) Hours Overtime to Christine Nee, Permit Clerk in the Construction Code Department, to Issue Permits. (\$519.30).

**\*2013-(R)-162**

Resolution Authorizing the Town Clerk to Advertise to Receive Bids for a Skid Steer Loader.

**\*2013-(R)-163**

Resolution Authorizing the Town Clerk to Advertise to Receive Bids for a Pick-up with Lift Gate.

**\*2013-(R)-164**

Resolution Authorizing the Town Clerk to Advertise to Receive Bids for a Hot Box with Roller, Dual Burner Recycler and 15 Gallon Tack Tank.

**\*2013-(R)-165**

Consent Agenda Resolution

**DOYLE**

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## **2013-(R)-166**

**SANTOS**

Resolution Authorizing Two Hundred Ninety-four and Three-quarters (294.75) Hours Overtime within the Department of Public Works to Repair a Collapsed Storm Sewer at 401 Highland Avenue, Replace a Manhole Cover on Garfield Avenue, Salt and Plow Streets due to Snow Storms on February 3<sup>rd</sup>, 8<sup>th</sup>, 9<sup>th</sup>, and 11<sup>th</sup>, Accept Salt Delivery, Video Sewer Line at Police/Fire HQ in South Kearny, Assist Contractor on Conveyor System at Sellers Street Pump Station, Reset Overhead Garage Doors at KPD, Place Barricades at Roof Collapse at 28 Johnston Avenue, Clear a Sewer Backup at 62 New Lawn Avenue, and Assist Contractor to Remove a Jammed Sewer Jet Hose from a Sewer Line on Kearny Avenue.

## **2013-(R)-167**

**SANTOS**

Resolution Approving a Professional Services Agreement with Thomas McKeon, Esq. as Municipal Public Defender for the Remainder of Calendar Year 2013.

## **2013-(R)-168**

**SANTOS**

Resolution Awarding a Contract for Professional Services to Excel Environmental Resources, Inc. in the Amount of \$11,000.00 to Conduct Surface Soil Sampling on Recreational Fields within the Gunnell Oval Park.

## **2013-(R)-169**

**SANTOS**

Resolution Pursuant to N.J.S.A. 40A:11-6 Authorizing the Award of a Contract Without Public Advertising to Tel-Star Electric to Replace a Generator which was Rendered Inoperable by Hurricane Sandy, the Contract Not to Exceed \$26,500.

## **2013-(R)-170**

**SANTOS**

Resolution Pursuant to N.J.S.A. 40A:11-6 Authorizing the Town Administrator to Solicit and Obtain Quotes from Reliable Contractors for the Rehabilitation of the Apparatus Garage.

## **2013-(R)-171**

**SANTOS**

Resolution Authorizing Execution of the Consent Decree for the Settlement with State Plaintiffs in the Action Entitled *New Jersey Department of Environmental Protection v. Occidental Chemical Corporation, et al.*

## **2013-(R)-172**

**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)-173**

**SANTOS**

Resolution Supporting PSE&G's Energy Strong Program.

## **2013-(R)-174**

**SANTOS**

Resolution Authorizing the Exercise of the Option to Extend the Landscaping Services Contract with Greenleaf Landscaping Systems & Services, Inc. for an Additional One-Year Period from April 1, 2013 thru March 31, 2014 in the Amount of \$68,990.

## **2013-(R)-175**

**SANTOS**

Resolution Authorizing the Submission to NJDEP of a Recycling Tonnage Grant Application by the DPW Director and Directing that the Grant Proceeds be Deposited in a Dedicated Fund.

## **2013-(R)-176**

**SANTOS**

Resolution Authorizing Kearny Community Garden to Establish and Maintain a Community Garden in a Portion of Riverbank Park.

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**2013-(R)-177**

**SANTOS**

Resolution Authorizing Change Order #3 & Final for Brighton Avenue Playground Improvements to Rich Picerno Builders, 500 Hoiles Drive, Kenilworth, N.J. (\$3,793.00 Decrease/-1.50%).

**2013-(R)-178**

**SANTOS**

Resolution Authorizing Close Out of Contract for the Brighton Avenue Playground Improvements to Rich Picerno Builders, 500 Hoiles Drive, Kenilworth, New Jersey.

**2013-(R)-179**

**SANTOS**

Resolution to Enter into Closed Session to Discuss the Following Matter(s): Status of Emergency Dispatch Service.

**2013-(R)-180**

**DOYLE**

Introduction of the Calendar Year 2013 Budget.

**2013-(R)-181**

**DOYLE**

Resolution Authorizing Transfer of Appropriation Reserves 2012 in the Amount of \$72,000.00.

**2013-(R)-182**

**DOYLE**

Resolution Authorizing an Increase in Hours for Part Time Clerk Typist Bilingual Doris Emily Yarleque from 19.50 Hours to 24.50 Hours Per Week, Effective March 12, 2013, for a Period Not to Extend Beyond December 31, 2013 at the Current Hourly Rate of \$13.62.

**2013-(R)-183**

**DOYLE**

Resolution Authorizing Purchase of Two (2) Copiers for Administration and Finance Office in the Amount of \$6,582.00 and \$13,620.00 Respectively from Kyocera/Pro-Copy Inc. under NJ State Contract.

**2013-(R)-184**

**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: 113 Washington Avenue, ***Block 92, Lot 13.***

**2013-(R)-185**

**PETTIGREW**

Resolution Appointing Michael Ryan to the Permanent Position of Police Sergeant in the Kearny Police Department, Pursuant to NJ Civil Service Certification #PL130237, Effective April 1, 2013 at the Current Annual Base Salary of \$107,520 Contingent upon Pre-promotional Processing.

**2013-(R)-186**

**PETTIGREW**

Resolution Awarding Contracts for the Support and Maintenance of Computer and Communication Systems Maintained by the Kearny Police Department for Calendar Year 2013 in the Amount of \$164,621.52.

**2013-(R)-187**

**PETTIGREW**

Resolution Authorizing Agreement with the Borough of North Arlington in the Amount of \$2400.00 for Use of its Pistol Range in 2013 by the Kearny Police Department.

**2013-(R)-188**

**PETTIGREW**

Resolution Authorizing the Sale at Public Auction of One (1) Abandoned and Unclaimed Vehicle: 2005 Jeep VIN#1J4GL58K95W593963.

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**2013-(R)-189**

**ECKEL**

Resolution Appointing John DeGiovanni to the Permanent Position of Fire Captain in the Kearny Fire Department, Pursuant to NJ Civil Service Certification #PL130327, Effective March 16, 2013 at the Current Annual Base Salary of \$103,673 Contingent upon Pre-promotional Processing.

**2013-(R)-190**

**ECKEL**

Resolution Appointing Three (3) Part time Library Monitors in the Kearny Public Library to Work a Minimum of 15 Hours to a Maximum of 19.5 Hours per Week at the Current Hourly Salary of \$7.38 Pending Pre-employment Processing.

**2013-(R)-191**

**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 April 15, 2013. (\$1,200.00)

**2013-(R)-192**

**SANTOS**

Resolution Rescinding Resolution 2012-659.

**2013-(R)-193**

**SANTOS**

Resolution Pursuant to N.J.S.A. 40A:11-6 Authorizing the Award of a Contract Without Public Advertising to William Scotsman, Inc. for Rental of Modular Units to Replace the Structure which in South Kearny Housed the Personnel and Equipment of the Fire Department, Police Department and Other Safety Services which was Rendered Untenantable by Hurricane Sandy; the Contract not to Exceed \$54,963.99.

XI. EXECUTIVE (CLOSED) SESSION

XII. ADJOURNMENT