

Kearny Town Council

Caucus / Regular Meeting

- Agenda -

Wednesday, November 13, 2012	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. Carolyn Girdwood, President, KHS Baseball Booster Club: requesting permission to hold a canning fundraiser on Saturday, April 6, 2013 for the Freshman Baseball Team and Saturday, May 11, 2013 for JV.

POLICE/DPW/REC

2. Philip Martone, Recreation Superintendent: inviting Mayor Santos and Council to attend their annual Holiday/Santa's Reception at Kearny High School on Saturday, December 15, 2012 from 12:00 noon to 3:00 p.m.

M&C

3. Louis Pandolfi, President, UNICO National, Kearny Chapter: on behalf of the officers and members of the Kearny Chapter, inviting Mayor Santos and Council to be their guests at the Chapter's Christmas Party for mentally and physically challenged individuals of the area. The party will be held on Friday, December 7, 2012 from 6:30 p.m. to 10:00 p.m. at the Lithuanian Catholic Community Center, 6 Davis Avenue.

M&C

4. LICENSES: 1-GARAGE SALE

LICENSES

B. Reports of Department Heads

1. Library Monthly Statistical Report for September 2012
2. Library Director's Report for October 2012
3. Water Department Monthly Operations Report for September 2012
4. Engineer's Report dated November 7, 2012
5. Construction Code Monthly Report for October 2012
6. NEA Construction Management Report of Hours 10/13/12-10/26/12

C. Reports of Council Members

VI. PUBLIC HEARING ON COMCAST CABLE FRANCHISE RENEWAL

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

2012-(O)-64

McCURRIE

Ordinance Establishing Handicapped Parking Zone at 342 Hickory Street

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

2012-(O)-59

McCURRIE

Refunding Bond Ordinance Providing for Payment of Amounts Owing to Others for Taxes Levied In and By the Town of Kearny, in the County of Hudson, New Jersey, Appropriating \$150,000 Therefor and Authorizing the Issuance of \$150,000 Bonds or Notes of the Town for Financing the Cost Thereof

2012-(O)-60

McCURRIE

Ordinance Establishing Handicapped Parking Zone at 54 Windsor Street

2012-(O)-61

McCURRIE

Ordinance Creating the Position of Director of Parks and Recreation

2012-(O)-62

McCURRIE

An Ordinance Amending and Supplementing an Ordinance Entitled "An Ordinance Concerning Civil Service in the Town of Kearny, County of Hudson" adopted June 22, 1938, Pertaining to the Maximum Salary of Department Heads

2012-(O)-63

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 Firefighters-FMBA from July 1, 2012 to December 31, 2016)

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)

***2012-(R)-592**

Bills List Resolution

***2012-(R)-593**

Resolution Authorizing Refund of Tax Overpayments in the Amount of \$144,410.84 for Block 287, Lot 67 for 2008, 2009, 2010 and 2011 Taxes as a result of NJ Tax Court Judgment dated August 31, 2012.

***2012-(R)-594**

Resolution Authorizing Refund of Tax Overpayments for 4th Quarter 2012 in the Amount of \$769.44 for **Block 40, Lot 2**, \$432.81 for **Block 40, Lot 4**, \$480.90 for **Block 49, Lot 45**, \$1,250.34 for **Block 73, Lot 31.01**, \$1,923.60 for **Block 86, Lot 10**, \$961.80 for **Block 123, Lot 7**, \$307.78 for **Block 139, Lot 4**, and \$952.18 for **Block 198, Lot 30** all as a result of Tax Appeals.

***2012-(R)-595**

Resolution Granting Permission to PSE&G for Emergency Road Opening Permit at 80 Elm Street, **Block 249, Lot 7**, in Order to Repair Gas Service.

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***2012-(R)-596**

Resolution Granting Permission to PSE&G for Emergency Road Opening Permit at 95 Elm Street, a/k/a 93 Elm Street, **Block 248, Lot 28**, in Order to Repair Gas Main.

***2012-(R)-597**

Resolution Granting Permission to PSE&G for Emergency Road Opening Permit at 99 Elm Street, **Block 248, Lot 27.01**, in Order to Repair Gas Main and Repair Gas Service.

***2012-(R)-598**

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 and Repair Gas Service.

***2012-(R)-599**

Resolution Granting Permission to PSE&G for Emergency Road Opening Permit at 279 Highland Avenue, **Block 45, Lot 2**, in Order to Install Gas Main.

***2012-(R)-600**

Resolution Granting Permission to PSE&G-Palisades Electric Division for Road Opening Permit at 86 N. Hackensack Avenue and 3rd Street, **Block 298, Lot 10** in Order to Install Two (2) Manholes and Nine (9) Conduits for Electric Service to Kuehne Chemical's New Building.

***2012-(R)-601**

Resolution Authorizing Six (6) Hours Overtime to Dinis Conceicao, MIS Technician, to Perform a Complete Infrastructure Restore due to a Power Failure Caused by Hurricane Sandy on Wednesday, October 31, 2012. (\$325.20)

***2012-(R)-602**

Resolution Authorizing Four (4) Hours Overtime to Omnibus Driver to Transport Seniors to the Polls on Election Day, November 6, 2012. (\$182.65)

***2012-(R)-603**

Resolution Suspending Parking Meter Enforcement for the Holiday Season from December 08, 2012 to December 26, 2012, Inclusive.

***2012-(R)-604**

Consent Agenda Resolution

DOYLE

2012-(R)-605

Resolution Authorizing Thirty-one (31.0) Hours Overtime within the Department of Public Works to Repair a Sewer Break at E. Midland Pump Station, Fix a Flat Tire on the Meals on Wheels Vehicle, Clear a Sewer Backup on Quincy Place, Reinstall a Storm Sewer Plate at West Bennett Avenue & Argyle Place, and Accept Election Materials per Hudson County. (\$1,559.75)

SANTOS

2012-(R)-606

Resolution Authorizing Contract to Montana Construction Co., Inc. for the Schuyler Avenue & Hamilton Street Emergency Sewer Repairs in the Amount of \$414,908.00.

SANTOS

2012-(R)-607

Resolution Pursuant to N.J.S.A. 40A:11-6 Ratifying and Approving the Award of a Contract in the Amount of \$35,780.00 without Public Advertising to Bower & Company, Roofing & Siding to Address the Emergency Which Arose when Part of the Town Hall Roof Blew Off in the Wake of Hurricane Sandy.

SANTOS

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2012-(R)-608

SANTOS

Resolution Approving a Five-Year Easement over Town-Owned Property to PSE&G for Access to the Site of its Power Line Construction.

2012-(R)-609

SANTOS

Resolution Authorizing the Use of Enterprise Zone Assistance Funds for the Kearny Clean Project Year 4 in an Amount of \$113,000 (Includes Local Share of \$5,000) during the Period of January 1, 2013 through December 31, 2013. (*Requires public hearing. Item will be considered after the Public Hearing is held.)

2012-(R)-610

SANTOS

Resolution Approving Expenditure of Funds in an Amount Not to Exceed \$41,720.00 from the New Jersey Urban Enterprise Assistance Funds for the Winter Holiday Celebration Event. (*Requires public hearing. Item will be considered after the Public Hearing is held.)

2012-(R)-611

SANTOS

Resolution Accepting a Grant from the Hazardous Discharge Site Remediation Fund Public Entity Program through the New Jersey Economic Development Authority and the Department of Environmental Protection in the Amount of \$47,528.00 for the Remedial Investigation and Report Preparation of the Service Station Kearny Town a.k.a. 50 Belgrove Drive Property.

2012-(R)-612

SANTOS

Resolution Requesting the Director of Division of Local Government Services to Insert an Item of Revenue and Appropriation (Chapter 159) for 2010 Recycling Tonnage Grant in the Amount of \$64,428.12.

2012-(R)-613

SANTOS

Resolution Requesting the Director of Division of Local Government Services to Insert an Item of Revenue and Appropriation (Chapter 159) for UEZ Business Development Revolving Grant in the Amount of \$250,000.00.

2012-(R)-614

SANTOS

Resolution Requesting the Director of Division of Local Government Services to Insert an Item of Revenue and Appropriation (Chapter 159) for UEZ Clean Project Year 4 Grant in the Amount of \$108,000.00.

2012-(R)-615

SANTOS

Resolution Authorizing Change Order #1 for Sellers Street Area Improvements – Phase III to 4 Clean-Up, Inc., PO Box 5098, North Bergen, NJ (\$14,747.50 Decrease/-4.75%.)

2012-(R)-616

SANTOS

Resolution Authorizing Change Order #10 for 2011 Road Program B with Water Improvements to Reivax Contracting Corp., 46 Washington Street, Harrison, New Jersey (\$2,415.86 Decrease/-0.13%).

2012-(R)-617

SANTOS

Resolution Amending Resolution 2012-254 Authorizing Bib's Auto Parts, Inc. to Apply to the Zoning Board of Adjustment for Variances to Construct a Carport Extension Required by N.J.D.E.P. to Reflect the Correct Reference of the Construction Site to be Lot 1 in Block 216.

2012-(R)-618

SANTOS

Resolution to Enter into Closed Session to Discuss the Following Matter(s): FMBA Contract Issue, Update on PBA/SOA Negotiations.

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2012-(R)-619

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: 4 Park Avenue, **Block 49, Lot 23**, 72 Argyle Place, **Block 174, Lot 5**, 86 Woodland Avenue, **Block 13, Lot 11**, 112-114 Davis Avenue, **Block 251, Lot 10**, 113 Passaic Avenue, **Block 1, Lot 12**, 113 Rutherford Place, **Block 125, Lot 24**, 133 Forest Street, **Block 237, Lot 45**, 227 Chestnut Street, **Block 234, Lot 29**, 333 ½ Forest Street, **Block 210, Lot 41**, 444 Belgrove Drive, **Block 53, Lot 21**, 512 Forest Street, **Block 179, Lot 1**.

2012-(R)-621

PETTIGREW

Resolution Renewing Alcoholic Beverage Plenary Retail Consumption License No. 0907-33-061-003, Royal Drinks Inc., for the 2012-13 License Term.

2012-(R)-622

PETTIGREW

Resolution Requesting the Director of Division of Local Government Services to Insert an Item of Revenue and Appropriation (Chapter 159) for 2012 Body Armor Replacement Grant in the Amount of \$9,519.27.

2012-(R)-623

ECKEL

Resolution Authorizing an Increase in Hours for Part Time Fire Prevention Specialist Andrew Depczek from 19.5 Hours to 24.5 Hours Per Week Effective November 12, 2012 at the Current Hourly Rate of \$29.24.

2012-(R)-624

CARDOSO

Resolution Authorizing Sixteen (16) Hours Overtime for the Municipal Court Staff for Monday Evening Court Session on December 10, 2012. (\$1,200.00)

XI. EXECUTIVE (CLOSED) SESSION

XII. ADJOURNMENT