

# Kearny Town Council

## Regular Meeting

- Agenda -

Tuesday, December 15, 2015

7:00 PM

Kearny Town Hall

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. Council Woman Carol Jean Doyle: announcing April 23, 2016 from 8:30 a.m. until noon as the date and time for the annual Passaic River and Town Cleanup.
2. Veterans of Foreign Wars Wilson-Gugelman Post #1302 (VFW): requesting permission to hold their annual fundraiser Festival at the Frank A. Vincent Marina on Passaic Avenue from April 7 through April 17, 2016. **POLICE/RECREATION/DPW**
3. Veterans of Foreign Wars Wilson-Gugelman Post #1302 (VFW): requesting permission to hang a banner at Locust and Kearny Avenue from April 4 through April 17, 2016 to promote their annual fundraiser Festival at the Frank A. Vincent Marina. **POLICE/DPW**
4. LICENSES: 6 – GARAGE SALE; 13 – TAXI DRIVER  
1 – PARKING PERMIT, CHESTNUT LOT;  
1 – PARKING PERMIT, MANDEE LOT;  
3 – TOWING – AJACO TOWING INC.  
– ALL TOW TRANSPORT  
– MORAN AUTOMOTIVE & TOWING, INC. **LICENSES**

B. Reports of Department Heads

1. Construction Code Enforcement Department Report for October 2015
2. Construction Code Enforcement Department Report for November 2015
3. DPW Operations Report for November 2015
4. Library Director's Report for October 2015
5. Library Director's Report for November 2015
6. Kearny Fire Department 2014 Annual Report
7. Engineer's Report dated December 15, 2015

C. 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

**2015-(O)-59**

**McCURRIE**

Ordinance Vacating Handicapped Parking Zones at 180 Brighton Avenue, 74 Oakwood Avenue and 354 Elm Street

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**2015-(O)-60**

**McCURRIE**

Ordinance Establishing Handicapped Parking Zones at 348 Elm Street, 121 Devon Street, 188 Windsor Street, 639 Elm Street, 56 Hoyt Street, 148 Kearny Avenue, and 54 Quincy Avenue

**2015-(O)-61**

**McCURRIE**

An Ordinance Amending Section 7-12 "Parking Prohibited for Street Cleaning" of the Revised General Ordinances of the Town of Kearny

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

**2015-(O)-55**

**McCURRIE**

Ordinance Vacating Handicapped Parking Zone at 245 Beech Street

**2015-(O)-56**

**McCURRIE**

Ordinance Establishing Handicapped Parking Zones at 128 Windsor Street and 7 Hillside Avenue

**2015-(O)-57**

**McCURRIE**

Ordinance Authorizing a Special Emergency Appropriation in the Amount of \$1,500,000 for the Payment of Contractually Required Severance Obligations and Liabilities, In and By the Town of Kearny, in the County of Hudson, New Jersey

**2015-(O)-58**

**McCURRIE**

Ordinance Amending Section 7-25 of the Town Code and Providing for the Establishment of a No Parking Zone in Front of 580 Elm Street to Facilitate Loading at 577 Elm Street

IX. PUBLIC HEARING ON **RESOLUTION 2015-640**  
RESOLUTION AUTHORIZING THE USE OF ENTERPRISE ZONE ASSISTANCE FUNDS FOR THE KEARNY CLEAN PROJECT YEAR 7 IN AN AMOUNT OF NOT TO EXCEED \$109,070 (INCLUDES LOCAL SHARE OF \$21,815) DURING THE PERIOD OF JANUARY 1, 2016 THROUGH DECEMBER 31, 2016.

X. PUBLIC HEARING ON **RESOLUTION 2015-641**  
RESOLUTION AUTHORIZING THE USE OF ENTERPRISE ZONE ASSISTANCE FUNDS FOR THE KEARNY PUBLIC SAFETY PROJECT YEAR 7 IN AN AMOUNT OF NOT TO EXCEED \$219,750 (INCLUDES LOCAL SHARE OF NOT TO EXCEED \$43,950) DURING THE PERIOD OF JANUARY 1, 2016 THROUGH DECEMBER 31, 2016.

XI. 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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**\*2015-(R)-607**

Bills List Resolution

**\*2015-(R)-608**

Resolution Authorizing Tax Overpayment Refund in the Amount of \$435.36 to William O'Connor for 2015 Taxes, **Block 140, Lot 1**.

**\*2015-(R)-609**

Resolution Authorizing Tax Overpayment Refund in the Amount of \$1,600.00 to Christopher and Catherine Pabst for 2015 Taxes, **Block 220, Lot 40**.

**\*2015-(R)-610**

Resolution Authorizing Refund of Overpaid Taxes in the Amount of \$131,131.52 to PMC, Inc. for **Block 226, Lot 3** as a Result of Tax Court Judgment for 2013, 2014 and 2015.

**\*2015-(R)-611**

Resolution Authorizing Cancellation of Taxes for 2015 as a Result of Incorrect Added Assessment Billing for **Block 9, Lot 34** (\$137.65); **Block 70, Lot 21** (\$167.80); **Block 119, Lot 7** (\$516.30)

**\*2015-(R)-612**

Resolution Authorizing the Return of Unused Escrow Deposit to Silvia Couso in the Amount of \$180.01 Relative to Streetscape Application (#SS.62) for 189 Kearny Avenue, **Block 32, Lot 36.02**.

**\*2015-(R)-613**

Resolution Authorizing Permission to Encroach Upon Town Right of Way at 49 Brighton Avenue, **Block 28, Lot 27**, for the Purpose of Replacing Retaining Wall and Steps.

**\*2015-(R)-614**

Resolution Authorizing Permission to Encroach Upon Town Right of Way at 77 Woodland Avenue, **Block 19, Lot 26**, for the Purpose of Rebuilding Retaining Wall and Steps.

**\*2015-(R)-615**

Resolution Authorizing Permission to Encroach Upon Town Right of Way at Oakwood Avenue & Kearny Avenue, **Block 206, Lot 9**, for the Purpose of Widening an Existing Manhole Frame in the Sidewalk, Manhole #132-S.

**\*2015-(R)-616**

Resolution Granting Permission to PSE&G for Road Opening Permit at 33 Argyle Place, **Block 186, Lot 14**, in Order to Install Gas Service.

**\*2015-(R)-617**

Resolution Granting Permission to PSE&G for Road Opening Permit at 89 Kearny Avenue, **Block 24, Lot 33**, in Order to Cut off Gas Service.

**\*2015-(R)-618**

Resolution Granting Permission to PSE&G for Road Opening Permit at 141 Beech Street, **Block 187, Lot 24**, in Order to Install Gas Service.

**\*2015-(R)-619**

Resolution Granting Permission to PSE&G for Road Opening Permit at 203 Highland Avenue, **Block 29, Lot 29**, in Order to Install Gas Service.

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**\*2015-(R)-620**

Resolution Granting Permission to PSE&G for Road Opening Permit at 209 Laurel Avenue, **Block 167, Lot 51**, in Order to Cut off Gas Service.

**\*2015-(R)-621**

Resolution Granting Permission to PSE&G for Road Opening Permit at 541 Elm Street, **Block 177, Lot 18**, in Order to Abandon Gas Service.

**\*2015-(R)-622**

Resolution Granting Permission to PSE&G for Road Opening Permit on Highland Avenue between Woodland Avenue and Rose Street, in the Right-of-Way, in Order to Install New Gas Main.

**\*2015-(R)-623**

Resolution Granting Permission to PSE&G for Emergency Road Opening Permits at the Following Addresses in Order to Repair the Gas Main or the Gas Service: 124 Grand Place, a/k/a 126 Grand Place, **Block 121, Lot 5**, 1 Pine Street, **Block 201, Lot 15**, 29 Howell Place, **Block 170, Lot 26**, and 119 Midland Avenue, **Block 187, Lot 26**

**\*2015-(R)-624**

Resolution Granting Permission to PSE&G for Emergency Road Opening Permits at the Following Addresses in Order to Repair the Gas Main or the Gas Service: 284 Highland Avenue, **Block 46, Lot 4**, 239 Windsor Street, **Block 64, Lot 22**, 278 Ivy Street, **Block 214, Lot 6**, and 407 Belgrove Drive, **Block 50, 11**

**\*2015-(R)-625**

Resolution Granting Permission to PSE&G for Emergency Road Opening Permits at the Following Addresses in Order to Repair the Gas Main or the Gas Service: 275 Devon Street, **Block 235, Lot 26**, 121 Midland Avenue, **Block 187, Lot 25**, and 120 Rutherford Place, a/k/a 122 Rutherford Place, **Block 126, Lot 9**

**\*2015-(R)-626**

Resolution Granting Permission to PSE&G for Emergency Road Opening Permits at the Following Addresses in Order to Repair the Gas Service: 268 Stewart Avenue, **Block 169, Lot 13**, and 279 Stewart Avenue, **Block 159, Lot 19**

**\*2015-(R)-627**

Resolution Granting Permission to PSE&G for Emergency Road Opening Permit at 283 Highland Avenue, **Block 45, Lot 24**, in Order to Repair Gas Service.

**\*2015-(R)-628**

Resolution Authorizing the Return of Department of Public Works Dumpster Fee to Andrienne Knight of Satary Real Estate Investments, LLC in the Amount of \$150.00.

**\*2015-(R)-629**

Resolution Authorizing Twelve (12) Hours Overtime for Joanne Friedman, Senior Children's Librarian in the Kearny Public Library, for Library Saturday Hours on January 30, February 27, and March 26, 2016. (\$750.00)

**\*2015-(R)-630**

Resolution Authorizing Five (5) Hours Overtime to William Pettigrew, Registrar/Public Health Investigator in the Health Department, to Assist at the Annual Rabies Clinic at the Kearny Water Department on January 23, 2016. (\$371.32)

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#### **\*2015-(R)-631**

Resolution Authorizing Four (4) Hours Overtime to Cathy Santangelo, Sanitary Inspector in the Health Department, to Assist at the Annual Rabies Clinic at the Kearny Water Department on January 23, 2016. (\$288.54)

#### **\*2015-(R)-632**

**DOYLE**

Consent Agenda Resolution

#### **2015-(R)-633**

**SANTOS**

Resolution Authorizing Sixty-five and One-half (65.5) Hours Overtime within the Department of Public Works to Respond to Sewer Backups at 15 Webster Avenue, 16 Jefferson Avenue, 44 Clinton Avenue, 1 Pine Street, and 17 Webster Avenue, Accept Election Material at Town Hall, Inspect Fire Engine, Accept and Push Up Salt Pile, Assist HCIA with Household Hazardous Waste (HHW) Day, Repair Police Vehicles, Repair DPW Vehicles, Investigate Electrical Problem in Tax Office at Town Hall, and Assist UEZ with Tree Lighting Event. (\$3,111.66)

#### **2015-(R)-634**

**SANTOS**

Resolution Accepting the Memorandum of Understanding for Transitional Aid.

#### **2015-(R)-635**

**SANTOS**

Resolution Authorizing Contract to Neglia Engineering Associates for Construction Management of the West Bennett Avenue Water Improvements Project (T&M Not to Exceed \$31,100.00).

#### **2015-(R)-636**

**SANTOS**

Resolution Authorizing Contract to Neglia Engineering Associates for Construction Management of the Off-Leash Dog Run at Riverbank Park Project (T&M Not to Exceed \$26,485.00).

#### **2015-(R)-637**

**SANTOS**

Resolution Authorizing Contract to Neglia Engineering Associates for Survey, Design, & Bidding of the Permanent Generator at Schuyler School (T&M Not to Exceed \$19,750.00).

#### **2015-(R)-638**

**SANTOS**

Resolution Awarding a Contract to Deluxe International Trucks, Inc. of Hackensack, NJ for Purchase of a Roll-Off Truck with Accessories/Equipment for the Department of Public Works in the Amount of \$235,968.00 per Bids Received November 10, 2015.

#### **2015-(R)-639**

**SANTOS**

Resolution Authorizing the Town of Kearny to Enter into a Five (5) Year Agreement with Big Belly Solar, Inc. for the Delivery, Installation and Maintenance of Twelve (12) Solar Powered Trash Receptacle Units. (Funded by New Jersey Recycling Grant)

#### **2015-(R)-640**

**SANTOS**

Resolution Authorizing the Use of Enterprise Zone Assistance Funds for the Kearny Clean Project Year 7 in an Amount of Not to Exceed \$109,070 (includes Local Share of \$21,815) during the Period of January 1, 2016 through December 31, 2016.

#### **2015-(R)-641**

**SANTOS**

Resolution Authorizing the Use of Enterprise Zone Assistance Funds for the Kearny Public Safety Project Year 7 in an Amount of Not to Exceed \$219,750 (includes Local Share of not to exceed \$43,950) during the Period of January 1, 2016 through December 31, 2016.

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#### **2015-(R)-642**

**SANTOS**

Resolution Authorizing Submission of an Application for Kearny Municipal Alliance Grant for Fiscal Year 2016 in the Amount of \$35,148.00.

#### **2015-(R)-643**

**SANTOS**

Resolution Authorizing Change Order #9 for the 2014 Municipal Road Program Phase 'B' to Reivax Contracting Corp, 356 Thomas Street, Newark, NJ 07114 (\$14,441,00 Decrease / -0.48%).

#### **2015-(R)-644**

**SANTOS**

Resolution Authorizing Change Order #5 for the NJDOT Midland Avenue (Section 2) to Reivax Contracting Corp, 356 Thomas Street, Newark, NJ 07114 (\$6,341.00 Increase / 0.44%).

#### **2015-(R)-645**

**SANTOS**

Resolution Authorizing Advertisement for Bids for Portable Generator Quick Connect Installations at Various Pumping Stations.

#### **2015-(R)-646**

**SANTOS**

Resolution to Enter into Closed Session.

#### **2015-(R)-647**

**DOYLE**

Resolution Determining the Form and Other Details of \$25,731,000 General Obligation Bonds, Series 2015A (Qualified Pursuant to the Provisions of the Municipal Qualified Bond Act), Consisting of \$17,599,000 General Improvement Bonds, Series 2015A-1 and \$8,132,000 Water Utility Bonds, Series 2015A-2, and \$1,768,000 General Obligation Bonds, Series 2015B (Federally Taxable) (Qualified Pursuant to the Provisions of the Municipal Qualified Bond Act) of the Town of Kearny, in the County of Hudson, New Jersey and Providing for their Sale.

#### **2015-(R)-648**

**DOYLE**

Resolution Providing for the Combination of Certain Issues of Water Utility Bonds, Series 2015A-2 of the Town of Kearny, in the County of Hudson, New Jersey into a Single Issue of Bonds Aggregating \$8,132,000 in Principal Amount.

#### **2015-(R)-649**

**DOYLE**

Resolution Providing for the Combination of Certain Issues of General Improvement Bonds of the Town of Kearny, in the County of Hudson, New Jersey into a Single Issue of Bonds Aggregating \$19,367,000 in Principal Amount.

#### **2015-(R)-650**

**DOYLE**

Resolution Authorizing Cancellation of Unexpended Balances in the Amount of \_\_\_\_\_ from the Current Fund Budget and \_\_\_\_\_ from the Water Utility Budget for Calendar Year 2015.

#### **2015-(R)-651**

**DOYLE**

Resolution Authorizing Transfer of Appropriations for Calendar Year 2015 Municipal Budget in the Amount of \_\_\_\_\_ for Current Fund and \_\_\_\_\_ for Water Utility.

#### **2015-(R)-652**

**DOYLE**

Resolution Authorizing Cancellation of Appropriated Grants and Grants Receivable from the Grant Fund in the Amount of \_\_\_\_\_ for Calendar Year 2015.

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**2015-(R)-653**

**DOYLE**

Resolution Authorizing Cancellation of Tax Balances and Tax Overpayments under \$10.00 from the Current Fund in the Amount of \_\_\_\_\_ for Calendar Year 2015.

**2015-(R)-654**

**DOYLE**

Resolution Authorizing Cancellation of Unexpended Improvement Authorizations from the Capital Fund in the Amount of \_\_\_\_\_ for Calendar Year 2015.

**2015-(R)-655**

**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: 255 Laurel Avenue, **Block 171, Lot 49**, 171 Seeley Avenue, **Block 130, Lot 26**, 279 Forest Street, **Block 220, Lot 44**, 144 Kearny Avenue, **Block 255, Lot 3**, 365 Forest Street, **Block 210, Lot 30.01**, 369 Forest Street, **Block 210, Lot 28**, 478 Schuyler Avenue, **Block 204, Lot 1**

**2015-(R)-656**

**LANDY**

Resolution Authorizing Change Order #1 for the Veteran's Memorial Field Improvements Project to Applied Landscape Technologies, 145 River Road, Montville NJ 07045 (\$20,206.59 Increase / 1.30%).

**2015-(R)-657**

**LANDY**

Resolution Requesting the Director of Division of Local Government Services to Insert an Item of Revenue and Appropriation (Chapter 159) for Drive Sober or Get Pulled Over Year End Holiday Crackdown 2015 Grant in the Amount of \$5,000.00.

**2015-(R)-658**

**ECKEL**

Resolution Appointing John Donovan to the Provisional Part time Position of Fire Prevention Specialist to Work a Maximum of 24.5 Hours per Week at the Currently Hourly Rate of \$28.00, Effective December 17, 2015.

**2015-(R)-659**

**ECKEL**

Resolution Appointing Veronica Baron to the Full time Position of Public Safety Telecommunicator in the Kearny Fire Department at the Current Annual Salary of \$28,534, effective January 1, 2016.

**2015-(R)-660**

**ECKEL**

Resolution Accepting the Federal Emergency Management Agency (FEMA) Fiscal Year 2014 Port Security Grant in the Amount of \$9,576 with No Match to be Paid by the Town for the Purchase of Fire Fighting Foam.

**2015-(R)-661**

**ECKEL**

Resolution Authorizing the Fire Department to Submit an Application for the Fiscal Year (FY) 2015 Assistance to Firefighters Grant (AFG) Program for an Aerial Ladder in the Amount of \$975,000 of which a 10% Match is Required.

**2015-(R)-662**

**ECKEL**

Resolution Authorizing the Fire Department to Submit an Application for the Fiscal Year (FY) 2015 Assistance to Firefighters Grant (AFG) Program for Turnout Gear in the Amount of \$220,000 of which a 10% Match is Required.

**2015-(R)-663**

**ECKEL**

Resolution Authorizing the Fire Department to Submit an Application for the Fiscal Year (FY) 2015 Assistance to Firefighters Grant (AFG) Program for the Replacement of the Fire Attack Hose, Nozzles, and Appliances in the Amount of \$50,000 of which a 10% Match is Required.

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### **2015-(R)-664**

**ECKEL**

Resolution Requesting the Director of Division of Local Government Services to Insert an Item of Revenue and Appropriation (Chapter 159) for PANYNJ Port Security Grant FY 2011 Additional in the Amount of \$370,266.89.

### **2015-(R)-665**

**ECKEL**

Resolution Requesting the Director of Division of Local Government Services to Insert an Item of Revenue and Appropriation (Chapter 159) for Assistance to Firefighters Grant (Self-Contained Breathing Apparatus) 2014 in the Amount of \$242,710.00.

### **2015-(R)-666**

**ECKEL**

Resolution Requesting the Director of Division of Local Government Services to Insert an Item of Revenue and Appropriation (Chapter 159) for Assistance to Firefighters Grant (Fire Prevention) 2014 in the Amount of \$49,316.00.

### **2015-(R)-667**

**ECKEL**

Resolution Requesting the Director of Division of Local Government Services to Insert an Item of Revenue and Appropriation (Chapter 159) for FEMA Port Security Grant 2014 in the Amount of \$9,576.00.

### **2015-(R)-668**

**CARDOSO**

Resolution Appointing Robert Charles to the Permanent Part time Position of Building Inspector/Code Enforcement Officer in the Construction Code Enforcement Department, Effective 12/16/2015.

XII. EXECUTIVE (CLOSED) SESSION

XIII. ADJOURNMENT