

Kearny Town Council

Caucus / Regular Meeting

- Agenda -

Tuesday, September 11, 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. Kristen Mary Kuczynski, Manager of the Cards Softball Organization and the 18-U Softball Organization: requesting permission to have a canning fundraiser on Saturday, November 17, 2012 and Saturday, December 8, 2012 to help defray the costs of uniforms, equipment, tournament fees, and umpire costs. **POLICE/DPW/REC**

2. Ralph Cattafi, Asst. Supervisor of the Kearny Recreation Department: requesting permission to have a canning fundraiser on Saturday, October 20, 2012 and Saturday, October 27, 2012 for the Generals Football Program, and Saturday, October 6, 2012 and Saturday, November 10, 2012 for the Cheerleading Program. **POLICE/DPW/REC**

3. Hermandad del Senor de los Milagros de Kearny, NJ: requesting permission to hold their traditional processional march on Sunday, October 7, 2012 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**

4. Pathways to Independence, Inc.: requesting permission to hang a banner across Kearny Avenue from August 27 through October 6, 2012 to publicize their 11th Annual Walk-A-Thon fundraiser on Saturday, October 6, 2012 at West Hudson Park. **POLICE/DPW**

5. 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 19, 2012 from 5:30 p.m. to 10:00 p.m. for Trick or Trunk in the school yard (rain date: October 26, 2012). **POLICE/DPW**

6. 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, June 7, 2013 from 6:30 p.m. to 10:30 p.m. for a Picnic in the play yard (rain date: June 14, 2013). **POLICE/DPW**

7. Father Alexander Barbieto, Parochial Vicar of St. Stephen's Parish: requesting permission on behalf of the Filipino Apostolate of St. Stephen's Parish, to hold a yard sale during their summer picnic at the Norman A. Doyle Pavilion on September 30, 2012. **POLICE/DPW/REC**

8. Louis Pandolfi, President, UNICO National, Kearny Chapter: inviting Mayor Santos and Council to their Italian Heritage/Membership Event on Sunday, October 7, 2012 at the Henrietta Benstead Senior Center. The event will be held from 1:30 p.m. to 5:00 p.m. **M&C**

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9. Philip Martone, Recreation Superintendent: requesting permission to hang the Halloween Parade banner across Kearny Avenue from October 01 through October 28, 2012 to promote the 25th Annual Kearny Halloween Parade on Sunday, October 28, 2012 starting at 2:00 pm, rain or shine. **POLICE/DPW**

10. Bill Schoenet, KHS Boys Head Basketball Coach: requesting permission to have a canning fundraiser on Saturday, September 15, 2012 and Saturday, November 3, 2012 to raise funds for a strength and conditioning program and also to participate in off-season tournaments. **POLICE/DPW/REC**

11. Craig Justynski, 16 Madison Avenue: requesting permission for the residents of Madison Avenue to hold a block party on Saturday, October 6, 2012 from 12:00 p.m. until 8:00 p.m. and that Madison Avenue between West Bennett Avenue and Belleville Turnpike be closed to traffic. **POLICE/FIRE/DPW**

12. Tom Witt, President, Kearny Generals: inviting Mayor Santos and Council to their annual Opening Day Ceremonies for the Kearny Generals football and cheerleading squads on Saturday, September 15, 2012 at Veterans Field. Ceremonies will begin at 12:30 p.m. **M&C**

13. LICENSES: 2-ABC; 28-PARKING PERMITS; 2-RAFFLE;
1-USED CAR LOT **LICENSES**

B. Reports of Department Heads

1. Construction Code Monthly Report for July 2012
2. Fire Department Monthly Report for January-June 2012
3. Fire Department Monthly Report for July 2012
4. Water Department Monthly Operations Report for July 2012
5. NEA Construction Management Report of Hours 07/28/12-08/31/12

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

2012-(O)-50 **McCURRIE**
Ordinance Vacating Handicapped Parking Zones at 183 Highland Avenue and 459 Devon Street

2012-(O)-51 **McCURRIE**
Ordinance Establishing Handicapped Parking Zones at 276 Bergen Avenue and 74 Oakwood Avenue

2012-(O)-52 **McCURRIE**
Ordinance Regulating Garage Sales and Similar Type Sales

2012-(O)-53 **McCURRIE**
Ordinance Amending Section 7-13 of the Town Code to Prohibit Parking Along 67-Foot of Curb Line of John Hay Avenue

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

2012-(O)-42 **McCURRIE**
Ordinance Vacating Handicapped Parking Zones at 96 Kearny Avenue and 10 Wilson Avenue

2012-(O)-43 **McCURRIE**
Ordinance Establishing Handicapped Parking Zone at 435 Davis Avenue

2012-(O)-44 **McCURRIE**
Ordinance Designating the Construction Code Office as the “Appropriate Municipal Agency” Pursuant to N.J.S.A. 40:48-2.60 *et seq.* Pertaining to the Regulation of the Placement and Use of Donation Clothing Bins and Providing that no Fee Shall be Required of 501 (c)(3) Entities

2012-(O)-45 **McCURRIE**
Ordinance Amending Town Code Section 11-1.4a Precluding Pets from Town Parks, Playgrounds and Recreation Areas to Include Manor Playground

2012-(O)-46 **McCURRIE**
Ordinance Revoking Ordinances 2000-(O)-2 and 2000-(O)-14 Pertaining to the Regulation and Restriction of Parking on Certain Specified Streets

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)

***2012-(R)-465**
Bills List Resolution

***2012-(R)-466**
Resolution Authorizing Tax Overpayment Refund in the Amount of \$2,019.74 to SA, Carlos & Cristina for 3rd Quarter 2012 Taxes, **Block 45, Lot 17.**

***2012-(R)-467**
Resolution Cancelling 2012 Taxes in the Amount of \$2,315.13 for Block 197, Lot 35, as a Result of Disabled Veterans’ Exemption.

***2012-(R)-468**
Resolution Authorizing the Return of Fee for DPW Permit No. 12633 Issued on July 26, 2012 for Use of a Town Truck to Ron Green in the Amount of \$150.00.

***2012-(R)-469**
Resolution Authorizing Permission to Encroach Upon Town Right of Way at 93 Linden Avenue, a/k/a 89 Linden Avenue, **Block 96, Lot 16**, for the Purpose of Removing a Fuel Tank.

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***2012-(R)-470**

Resolution Authorizing Six (6) Hours Overtime to William Connolly, Senior Cashier in the Tax Collector's Office for 3rd and 4th Quarter 2012 Late Night Opening for Collection of Taxes on August 22, 2012 and November 07, 2012. (\$380.16)

***2012-(R)-471**

Resolution Authorizing Four (4) Hours Overtime in the Clerk's Office for Late Night Voter Registration on October 16, 2012, Pursuant to N.J.S.A. 19:31-2. (\$193.32)

***2012-(R)-472**

Resolution Authorizing Six (6) Hours Overtime to Two (2) PVO Officers in the KPD (3 hours each) for Overnight Parking Enforcement for the Month of September, 2012.

***2012-(R)-473**

Resolution Authorizing Seven (7) Hours Overtime to Dinis Conceicao, MIS Technician, to Move Circuits on Sunday, July 1, 2012 from Paetec to Interglobe Vendors. (\$379.40)

***2012-(R)-474**

Resolution Authorizing Five (5) Members of the Kearny Police Department to be Excused to Attend the N.J. State PBA Convention during the Week of September 14 through September 20, 2012, Pursuant to N.J.S.A. 11A:6-10 and N.J.S.A. 40A:14-177.

***2012-(R)-475**

Resolution Authorizing Advertisement for Bids for DPW Sweeper. (Funded from the Town of Kearny Bond Ordinance #2012-47)

***2012-(R)-476**

DOYLE

Consent Agenda Resolution

2012-(R)-477

SANTOS

Resolution Authorizing Thirty-five and One-half (35.5) Hours Overtime within the Department of Public Works to: Assist with Cleanup of Grease Spill at 330 Kearny Avenue, Assist with Cleanup of Illegally Spilled Paint on Kearny Avenue, Remove Fallen Branch on Highland Avenue, Repair Broken Gate at DPW, Repair Lights at Doyle Pavilion, Attend to Plumbing Issue at South Kearny Police/Fire Facility and Assist Contractor with Repair of Overhead Door at DPW.

2012-(R)-478

SANTOS

Resolution Approving an Agreement with Honeywell International for Implementation of the Energy Savings Program at Various Town Buildings.

2012-(R)-479

SANTOS

Resolution Terminating Agreement by Town to Purchase Property at 941 Passaic Avenue.

2012-(R)-480

SANTOS

Resolution Authorizing the Mayor to Enter into a Memorandum of Agreement for the Meadowlands Adaptive Traffic Signal System for Traffic Reduction.

2012-(R)-481

SANTOS

Resolution Authorizing Change Order #3 for the Town Hall Stairway Project to W.D. Snyder Company, 706 S. Michigan Avenue, Kenilworth, NJ (\$153.00 Increase/0.127%.)

2012-(R)-482

SANTOS

Resolution Authorizing Close Out of Contract for Town Hall Stairway Project to W.D. Snyder Company, Inc., 706 South Michigan Avenue, Kenilworth, New Jersey.

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2012-(R)-483

SANTOS

Resolution Pursuant to Town Code Section 23-7 Approving Curb Cut at 31-41 O'Brien Street, **Block 150, Lot 6** to Accommodate a Driveway/Parking Lot.

2012-(R)-484

SANTOS

Resolution Pursuant to Town Code Section 23-7 Approving Curb Cut at 21-25 O'Brien Street, **Block 151, Lot 1** to Accommodate a Driveway.

2012-(R)-485

SANTOS

Resolution to Enter into Closed Session to Discuss the Following Matters: Update on FMBA Negotiations, Review of Waterfront Redevelopment RFP's, Discussion on Extending Hours for Part time Employees, Review of Reserve Crossing Guards List, Review of Crossing Guard Locations.

2012-(R)-486

DOYLE

Resolution Accepting the Retirement Application of Gerard Pontrelli, Tax Assessor, Effective December 01, 2012 after Twenty-six (26) Years of Service, Pending Approval of the Public Employees' Retirement System (unused sick leave, unused vacation and longevity totaling \$62,244.20 is subject to change if additional time is taken).

2012-(R)-487

DOYLE

Resolution Accepting the CY-2011 Annual Report of Audit as Evidenced by a Group Affidavit to be filed with the Director of Local Government Services.

2011-(R)-488

DOYLE

Resolution Approving the CY-2011 Corrective Action Plan to be filed with the Director of Local Government Services.

2011-(R)-489

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: 7 Prospect Place, **Block 148, Lot 31**, 113 Washington Avenue, **Block 92, Lot 13**, 133 Forest Street, **Block 237, Lot 45**, 216 Stewart Avenue, **Block 166, Lot 17**, 317 Hickory Street, **Block 212, 36**, 266 Laurel Avenue, **Block 179, Lot 13.01**.

2012-(R)-490

PETTIGREW

Resolution Accepting the Retirement Application of Lorraine Schappert, Crossing Guard with the Kearny Police Department after Ten (10) Years of Service Effective October 01, 2012 Pending Approval of the Public Employees' Retirement System.

2012-(R)-491

PETTIGREW

Resolution to Renew Alcoholic Beverage Licenses #0907-44-064-002 for 2012-2013 Approved by the Kearny Police Investigative Unit, as the Designated Alcoholic Beverage Control Investigative and Enforcement Unit (ABCIEU) - Final Tax Clearance Received.

2012-(R)-492

LANDY

Resolution Appointing Joseph Gurkas to the Seasonal Part time Position of Lifeguard in the Recreation Department to Work a Maximum of Nine (9) Hours per Week for the Period September 12, 2012 to December 13, 2012 at the Current Hourly Rate of \$9.56.

2012-(R)-493

ECKEL

Resolution Authorizing Dispatch of Fire and EMS 911 Calls to Dispatch Entity Designated by the Chief of the Kearny Fire Department.

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2012-(R)-494

ECKEL

Resolution Pursuant to N.J.S.A. 40A11-36 (6) Authorizing the Chief of the Fire Department to Sell a 1994 Chevrolet Suburban Vehicle Which is no Longer Safe to Operate to Bibbs Auto Wrecker for \$500.

2012-(R)-495

ECKEL

Resolution Authorizing Administrator of the Town of Kearny to Submit to Public Employment Relations Commission (PERC) an Interest Arbitration Petition with Regards to FMBA Local 18.

2012-(R)-496

ECKEL

Resolution Authorizing an Application to the U.S. Department of Homeland Security for Grant Funding for Eight (8) Firefighters.

2012-(R)-497

CARDOSO

Resolution Authorizing Sixteen (16) Hours Overtime for the Municipal Court Staff for Monday Evening Court Session on September 17, 2012 and Eighteen (18) Hours Overtime for Monday Evening Court Session on October 22, 2012. (\$2,400.00)

2012-(R)-498

PETTIGREW

Resolution Renewing Alcoholic Beverage Retail Consumption License No. 0907-33-069-010 for the 2012-13 & 2013-14 License Terms.

2012-(R)-499

PETTIGREW

Resolution Authorizing the Execution of a Person-to-Person Transfer of Plenary Retail Consumption License #0907-33-059-003 from Theresa Williams to 409 Kearny Ave LLC, t/a Agave Bar & Grill, 409 Kearny Avenue, Kearny, New Jersey.

X. EXECUTIVE (CLOSED) SESSION

XI. ADJOURNMENT