

Kearny Town Council

Caucus / Regular Meeting

- Agenda -

Tuesday, November 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. CAUCUS MEETING

A. Communications

1. Kearny UEZ: inviting Mayor Santos and Council to attend the annual Holiday Tree Lighting Event on Thursday, December 5, 2013 beginning at 5:30 p.m. on the steps of the Town Hall. **M&C**

2. Kearny UEZ: requesting permission to have Kearny Avenue closed to traffic from Liberty Street to Quincy Avenue on Thursday, December 5, 2013 between 4:30 p.m. and 10:00 p.m. for the annual Holiday Tree Lighting Event. **POLICE/DPW/REC**

3. Donna Pinto, Corresponding Secretary of the Roosevelt School PTA: requesting that Stewart Avenue between Kearny Avenue and Grand Place be closed to traffic on Wednesday, March 12, 2014 from 2:00 p.m. to 7:00 p.m. for a Family Fitness event. **POLICE/DPW**

4. Robert McDonnell, Kearny Boys Basketball Booster Club: requesting permission to conduct canning fundraising events in the Town of Kearny on December 21, 2013, December 28, 2013 and January 4, 2014; all children will be supervised by Coaches and Parents during the Fundraiser, all locations will be with the approval of the business establishments and all canning will be conducted on sidewalks/walkways in a safe manner as not to disturb pedestrian or vehicular traffic. **POLICE/DPW/REC**

5. Bill Mullins, KHS Boys Volleyball Coach: requesting permission to have a canning fundraiser on Saturday, April 12, 2014 and Saturday, May 10, 2014. **POLICE/DPW/REC**

6. Madeline J. Peyko: submitted her resignation as Second Ward Councilwoman effective November 14, 2013. **M&C**

7. Luis A. Solis, Senior Pastor, Calvary Chapel of Kearny: requesting the Town to install a trash receptacle in front of Calvary Chapel church at 156 Oakwood Avenue. **DPW**

8. LICENSES: 4- CANVASS; 2- GARAGE SALE; 1-RAFFLE **LICENSES**

B. Reports of Department Heads

1. Library Director's Report for October 2013
2. Water Department Monthly Operations Report for September 2013
3. KFD Annual Report 2012
4. Bureau of Combustibles Annual Report to Town 2012
5. Engineer's Report dated November 12. 2013

C. Reports of Council Members

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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)-44

McCURRIE

Ordinance Authorizing a Special Emergency Appropriation in the Amount of \$600,000 for the Payment of Contractually Required Severance Obligations and Liabilities, in and by the Town of Kearny, in the County of Hudson, New Jersey

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

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

2013-(O)-43

McCURRIE

Ordinance Amending Chapter VII of the Town Code with Regard to Parking and Turns on Afton Street

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)-658**

Bills List Resolution

***2013-(R)-660**

Resolution Authorizing Refund of Overpaid Taxes in the Amount of \$11,991.93 for **Block 38, Lot 34** as a Result of NJ Tax Court Judgment for 2011 and 2012.

***2013-(R)-661**

Resolution Authorizing Refund of Overpaid Taxes in the Amount of \$192.36 for **Block 116, Lot 20** as a Result of NJ Tax Court Judgment for 2011.

***2013-(R)-662**

Resolution Authorizing Refund of Overpaid Taxes in the Amount of \$24,322.04 for **Block 186, Lot 4** as a Result of NJ Tax Court Judgment for 2012.

***2013-(R)-663**

Resolution Authorizing Refund of Overpaid Taxes in the Amount of \$14,471.97 for **Block 279, Lot 14.01** as a Result of NJ Tax Court Judgment for 2009, 2010, 2011 and 2012.

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***2013-(R)-664**

Resolution Authorizing Refund of Overpaid Taxes in the Amount of \$18,310.63 for **Block 286, Lot 5** as a Result of NJ Tax Court Judgment for 2009, 2010, and 2011.

***2013-(R)-665**

Resolution Authorizing Permission to Groundwater & Environmental Services, Inc. (GES) to Encroach upon Town Right-of-Way at Exxon Service Station #3-0043, 22 Passaic Avenue, (Opening on Belgrove Drive), for the Purpose of Installing a Monitoring Well Subject to the Agreement.

***2013-(R)-666**

Resolution Granting Permission to PSE&G for Emergency Road Opening Permit at 15 Livingston Avenue, **Block 117, Lot 29**, in Order to Repair Gas Leak and Install New Gas Service.

***2013-(R)-667**

Resolution Granting Permission to PSE&G Co. for Emergency Road Opening Permit at 49 Howell Place, **Block 170, Lot 44**, in Order to Repair Gas Service.

***2013-(R)-668**

Resolution Granting Permission to PSE&G for Emergency Road Opening Permit at 101 Linden Avenue, **Block 96, Lot 13**, 102 Linden Avenue, **Block 94, Lot 3**, 105 Linden Avenue, **Block 96, Lot 12**, 110 Linden Avenue, **Block 94, Lot 6**, 114 Linden Avenue, **Block 94, Lot 7**, 115 Linden Avenue, **Block 96, Lot 10**, in Order to Repair a Gas Leak and to Upgrade Gas Services.

***2013-(R)-669**

Resolution Granting Permission to PSE&G for Emergency Road Opening Permit at 214 Quincy Avenue, **Block 224, Lot 17**, in Order to Install New Gas Service.

***2013-(R)-670**

Resolution Granting Permission to PSE&G for Road Opening Permit at 266 Laurel Avenue, **Block 179, Lot 13.01**, in Order to Install New Gas Service.

***2013-(R)-671**

Resolution Granting Permission to PSE&G for Emergency Road Opening Permit at 372 Devon Street, **Block 219, Lot 1**, in Order to Cut Off Gas Service.

***2013-(R)-672**

Resolution Authorizing Six (6) Hours Overtime within the Water Department to Install Water Meters in Order for the Kearny Water Department to achieve the Goal of 100% Remote Automated Meter Reading Capability and to Reduce System-Wide Estimated Meter Reading Percentage. (\$281.79)

***2013-(R)-673**

Resolution Authorizing Sixteen (16) Hours Overtime within the Water Department for Emergency Shut offs and Emergency Repairs on September 11, October 21, October 25 and October 27, 2013. (\$842.20)

***2013-(R)-674**

Resolution Authorizing Fifteen (15) Hours Overtime to Susan A. Evanchick, Administrative Clerk in the Construction Code Department, to Issue Permits. (\$1,048.35)

***2013-(R)-675**

Resolution Authorizing Fifteen (15) Hours Overtime to Christine Nee, Permit Clerk in the Construction Code Department, to Issue Permits. (\$778.95)

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***2013-(R)-676**

Resolution Authorizing Four (4) Hours Overtime to Omnibus Driver to Transport Seniors to the Polls on Election Day, November 5, 2013. (\$182.65)

***2013-(R)-677**

Resolution Authorizing Five (5) Hours Overtime to Ralph Cattafi, Assistant Supervisor in the Recreation Department, to Organize and Run the Halloween Parade. (\$274.88)

***2013-(R)-678**

Resolution Authorizing Two (2) Hours Overtime to William Connolly, Senior Cashier in the Tax Collector's Office, for Late Night Opening for Collection of Taxes on November 7, 2013. (\$190.08)

***2013-(R)-679**

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 November, 2013.

***2013-(R)-680**

Resolution Authorizing Advertisement for Bids for Water Services.

2013-(R)-681

Consent Agenda Resolution

DOYLE

2013-(R)-682

Resolution Authorizing Three (3) Hours of Overtime within the Department of Public Works to Repair Vehicle that Broke Down on the Way to Dump Leaves in South Kearny (\$129.84).

SANTOS

2013-(R)-683

Resolution Awarding Licenses to Construct and Operate Billboards on Town-Owned Vacant Land Known as Lots 2, 11 and 17 in Block 285 to All Vision, LLC.

SANTOS

2013-(R)-684

Resolution Awarding a Contract to Cliffside Body Corp of Fairview, NJ for Purchase of Salt Spreader Equipment for the Department of Public Works in the Amount of \$24,302 per Bids Received November 7, 2013.

SANTOS

2013-(R)-685

Resolution Awarding A Contract to Tennant Sales and Service Company of Minneapolis, Minnesota for Purchase of a Sidewalk Sweeper for the Department of Public Works in the Amount of \$40,022.85 per Bids Received November 7, 2013.

SANTOS

2013-(R)-686

Resolution Awarding a Contract for Tree Removal Services to Downes Tree Service Co., Inc. of Hawthorne, New Jersey in the Base Amount of \$41,230 per Bids Received on November 7, 2013.

SANTOS

2013-(R)-687

Resolution Pursuant to N.J.S.A. 40A:11-6 Ratifying and Approving the Award of Contracts without Public Advertising to Pumping Services, Inc. for Emergency Repairs to Pumping Stations at Sellers Street, Pennsylvania Avenue and Gunnel Oval and Authorizing Payment therefor in the Amount of \$64,309.00.

SANTOS

2013-(R)-688

Resolution Authorizing the Use of Enterprise Zone Assistance Funds for the Distribution of the 2014 Kearny Magazine Digest from the Kearny UEZ Marketing and Promotion Project in the Amount of up to \$15,000.

SANTOS

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2013-(R)-689

SANTOS

Resolution Requesting the Director of Division of Local Government Services to Insert an Item of Revenue and Appropriation (Chapter 159) for UEZ Marketing and Zone Promotion Program IV Grant in the Amount of \$73,750.00.

2013-(R)-690

SANTOS

Resolution Requesting the Director of Division of Local Government Services to Insert an Item of Revenue and Appropriation (Chapter 159) for UEZ Purchase of a Sidewalk Sweeper Grant in the Amount of \$40,000.00.

2013-(R)-691

SANTOS

Resolution Authorizing and Approving Settlement of a Tax Appeal filed by Oliveira, Joao for 710 Elm Street, ***Block 131, Lot 1.***

2013-(R)-692

SANTOS

Resolution to Enter into Closed Session to Discuss the Following Matter(s): Review of Tax Appeal Settlement for 710 Elm Street, ***Block 131, Lot 1,*** Discussion of Staffing within Police and Fire.

2013-(R)-693

DOYLE

Resolution Requesting the Director of Division of Local Government Services to Insert an Item of Revenue and Appropriation (Chapter 159) for FY 2014 Municipal Alliance Grant in the Amount of \$20,354.00.

2013-(R)-694

DOYLE

Resolution Authorizing the Submission of the Grant Extension for the Kearny Municipal Alliance Grant in the Amount of \$20,354.00 for January 1, 2014 to June 30, 2014.

2013-(R)-695

PETTIGREW

Resolution Accepting the Retirement Application of Sergeant Richard R. Brodie from the Kearny Police Department after Twenty-six (26) Years of Service Effective February 1, 2014 Pending Approval of the Police and Firemen's Retirement System (terminal leave pay and unused vacation totaling \$57,460.46 subject to change if additional time is taken).

2013-(R)-696

PETTIGREW

Resolution Accepting the Retirement Application of William J. Reid, Police Officer in the Kearny Police Department Effective February 01, 2014 after Twenty-five (25) Years of Service Pending Approval of the Police and Firemen's Retirement System (unused vacation and terminal leave totaling \$49,367.56 is subject to change if additional time is taken).

2013-(R)-697

PETTIGREW

Resolution Accepting the Retirement Application of Kevin Boggio, Water Repairer in the Water Department Effective February 01, 2014 after Twenty-five (25) Years, Six (6) Months of Service Pending Approval of the Public Employees' Retirement System (unused sick leave, unused vacation and longevity totaling \$41,696.31 is subject to change if additional time is taken).

2013-(R)-698

PETTIGREW

Resolution Authorizing Cancellation of Improvement Authorization Balance in Water Capital Ordinance # 2009-31 (Central Avenue) in the Amount of \$782,292.28, and the Necessary Grants Receivable and Debt Authorized.

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2013-(R)-699

PETTIGREW

Resolution Authorizing the Execution of a Person-to-Person Transfer of Plenary Retail Consumption License No. 0907-33-012-002 from Connolly's Cocktail Lounge, Inc. to Lincoln Highway Industrial Development LLC t/a Re-Bar, 202 Kearny Avenue, Kearny, New Jersey.

2013-(R)-700

PETTIGREW

Resolution Requesting the Director of Division of Local Government Services to Insert an Item of Revenue and Appropriation (Chapter 159) for FY 2012 Emergency Management Assistance Grant in the Amount of \$10,000.00.

2013-(R)-701

ECKEL

Resolution Authorizing the Fire Department to Submit an Application for the Assistance to Firefighters Grant (AFG) for Self Contained Breathing Apparatus (SCBA) in the Amount of \$512,038.00 of which a 10% Match is Required.

2013-(R)-702

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 December 16, 2013, and Sixteen (16) Hours Overtime for Monday Evening Court Session on January 13, 2014. (\$2,400.00)

X. EXECUTIVE (CLOSED) SESSION

XI. ADJOURNMENT