

Kearny Town Council

Caucus / Regular Meeting

- Agenda -

Tuesday, December 10, 2013

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. SWEARING IN OF 2ND WARD COUNCILMAN RICHARD P. KONOPKA
- VI. CAUCUS MEETING
 - A. Communications
 1. LICENSES: 1 PEDDLER; 4-RAFFLE; 2-TAXI DRIVERS
LICENSES
 - B. Reports of Department Heads
 1. Library Director's Report for November 2013
 2. Water Department Monthly Operations Report for October 2013
 3. DPW Operations Report for October 2013
 4. Construction Code Monthly Report for October 2013
 5. Construction Code Monthly Report for November 2013
 6. Engineer's Report dated December 10. 2013
 - C.
 1. Presentation by Stephen M. De Luca, Representative of the New Jersey Coalition Against Human Trafficking
 2. Presentation by Christopher Minks, Assistant General Counsel at Russ Development regarding the PILOT Application for Schuyler Crossing
 - D. Reports of Council Members
- 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)-45** **McCURRIE**
An Ordinance Authorizing the Mayor and Council of the Town of Kearny, in the County of Hudson, New Jersey to Enter into a Financial Agreement with Schuyler Crossing Urban Renewal, LLC for Property at 350 Bergen Avenue Designated as Block 252, Lot 2.022
 - 2013-(O)-46** **McCURRIE**
Ordinance Amending and Supplementing Section 7-30 of the Town Code Authorizing a Mid-Block Crosswalk on Belgrove Drive Between Address Numbers 300 and 314
 - 2013-(O)-47** **McCURRIE**
Ordinance Amending and Supplementing Sections 20-1.1 and 20-1.4 of the Town Code Pertaining to the Collection of Garbage

Kearny Town Council

Caucus / Regular Meeting

- Agenda -

Tuesday, December 10, 2013

7:00 PM

Kearny Town Hall

2013-(O)-48

McCURRIE

Ordinance Adopting a Redevelopment Plan in Accordance with N.J.S.A. 40A:12A-7 for Delineated Area (Block 134, Lots 1,6,7,8,9,10,11,12 and 13)

2013-(O)-49

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 and All Various Civil Service Titles in the Town of Kearny. (Exempt Employees Salaries for 2014)

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

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

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)-704**

Bills List Resolution

***2013-(R)-705**

Resolution Authorizing Refund of Overpaid Taxes in the Total Amount of \$26,326.53 for Various Properties (14) as Listed in the Attached Schedule as a Result of Duplicate Payments.

***2013-(R)-706**

Resolution Authorizing Refund of Overpaid Taxes in the Amount of \$22,468.95 for Block 289, Lot 16.01 as a Result of NJ Tax Court Judgment for 2010.

***2013-(R)-707**

Resolution Authorizing Refund of Overpaid Taxes in the Amount of \$13,667.18 for Block 179, Lot 9.01, 9.02, 10.01, 11.01, and 12.01 as a Result of NJ Tax Court Judgment for 2012.

***2013-(R)-708**

Resolution Authorizing Refund of Overpaid Taxes in the Amount of \$1,817.80 for Block 65, Lot 2 as a Result of NJ Tax Court Judgment for 2012.

***2013-(R)-709**

Resolution Authorizing Permission to R. Bakos Consulting of Old Bridge, N.J. to Encroach upon Town Right-of-Way at 461 Kearny Avenue, for the Purpose of Drilling Three (3) Soil Borings.

Kearny Town Council

Caucus / Regular Meeting

- Agenda -

Tuesday, December 10, 2013

7:00 PM

Kearny Town Hall

***2013-(R)-710**

Resolution Authorizing Permission to Abbot O'Reilly, Inc. of Orange, N.J. to Encroach upon Town Right-of-Way at Ross Venture Properties, Ltd., LP, 539-545 Kearny Avenue, for the Purpose of Waterproofing Under the Sidewalk.

***2013-(R)-711**

Resolution Granting Permission to PSE&G Co. for Emergency Road Opening Permit at 50 Howell Place, **Block 171, Lot 29**, in Order to Repair Gas Service.

***2013-(R)-712**

Resolution Granting Permission to 150 Midland Avenue Financial, LLC for Road Opening Permit at 150 Midland Avenue, **Block 196, Lot 22**, in Order to Connect a Pipe to the Water Main for the Purpose of Running a New Water Meter.

***2013-(R)-713**

Resolution Granting Permission to PSE&G Co. for Road Opening Permit at 151 Beech Street, **Block 187, Lot 19**, in Order to Replace Gas Service.

***2013-(R)-714**

Resolution Granting Permission to PSE&G Co. for Emergency Road Opening Permit at 176 Laurel Avenue, **Block 174, Lot 10**, in Order to Repair Gas Service.

***2013-(R)-715**

Resolution Granting Permission to PSE&G for Road Opening Permit at 342 Beech Street, **Block 142, Lot 5**, in Order to Upgrade Gas Service.

***2013-(R)-716**

Resolution Authorizing Twenty-Four (24) Hours Overtime for Library Saturday Hours in January, February and March 2014. (\$1,400.00)

***2013-(R)-717**

Resolution Authorizing Six (6.0) Hours Overtime to Ralph Cattafi, Assistant Supervisor in the Recreation Department, to Manage the Annual Holiday Celebration at Kearny High School on December 14, 2013. (\$329.67)

***2013-(R)-718**

Resolution Authorizing the Return of Fee for Curb Cut Permit No.1929 Issued on October 30, 2013 for a Curb Cut to Carol Puchyr in the Amount of \$75.00.

***2013-(R)-719**

Resolution Authorizing the Town Clerk to Advertise and Receive Bids for Large Dump Truck with Plow.

***2013-(R)- 720**

Resolution Authorizing the Town Clerk to Advertise and Receive Bids for Large Stainless Steel Salter for DPW.

***2013-(R)-721**

Resolution Authorizing the Suspension of Parking Meter Enforcement for the Holiday Season from December 13, 2013 to December 26, 2013, Inclusive.

***2013-(R)-722**

Consent Agenda Resolution

DOYLE

Kearny Town Council

Caucus / Regular Meeting

- Agenda -

Tuesday, December 10, 2013

7:00 PM

Kearny Town Hall

2013-(R)-723

SANTOS

Resolution Authorizing Three (3) Hours Overtime within the Department of Public Works to Protect Rubber Surface at Bell Playground from Vandalism while Surface Dried and to Repair a Broken Sweeper. (\$140.97)

2013-(R)-724

SANTOS

Resolution Authorizing Contract to Neglia Engineering Associates for Engineering Services in Response to USEPA Administrative Compliance Order for Existing CSO Permit (T&M Not to Exceed \$56,090.00).

2013-(R)-725

SANTOS

Resolution Appointing Seabra Brothers, II as Redeveloper of 178-210 Schuyler Avenue.

2013-(R)-726

SANTOS

Resolution Amending the Billboard License Agreement with All Vision, LLC for Lot 2 in Block 285 to Extend the Time within which All Vision Must File Applications for Permits.

2013-(R)-727

SANTOS

Resolution Accepting the Retirement Application of Sharon L. Sterople, Senior Clerk Typist in the Department of Public Works, after Twenty-nine (29) Years, Ten (10) Months of Service Effective February 1, 2014 Pending Approval of the Public Employees' Retirement System (terminal leave pay and unused vacation totaling \$41,583.46 subject to change if additional time is taken and if salary is amended).

2013-(R)-728

SANTOS

Resolution Authorizing the Use of Enterprise Zone Assistance Funds for the Kearny UEZ Marketing and Promotion Program IV Project Amendment in the Amount of Up to \$40,000 during the Period through December 31, 2013.

2013-(R)-729

SANTOS

Resolution Authorizing the Use of Enterprise Zone Assistance Funds for the Kearny UEZ Marketing and Promotion Program V Project in the Amount of Up to \$110,000 during the Period through December 31, 2014.

2013-(R)-730

SANTOS

Resolution Authorizing the Use of Enterprise Zone Assistance Funds for the Kearny Clean Project Year 5 in an Amount of Not to Exceed \$154,000 (includes Local Share of \$10,000) during the Period of January 1, 2014 through December 31, 2014.

2013-(R)-731

SANTOS

Resolution Authorizing the Use of Enterprise Zone Assistance Funds for the Kearny Public Safety Project Year 5 in an Amount of Not to Exceed \$265,172 (includes Local Share of not to exceed \$53,035) during the Period of January 1, 2014 through December 31, 2014.

2013-(R)-732

SANTOS

Resolution Requesting the Director of Division of Local Government Services to Insert an Item of Revenue and Appropriation (Chapter 159) for the 2011 Recycling Tonnage Grant in the Amount of \$59,180.83.

2013-(R)-733

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 in the Amount of \$40,000.00.

Kearny Town Council

Caucus / Regular Meeting

- Agenda -

Tuesday, December 10, 2013

7:00 PM

Kearny Town Hall

2013-(R)-734

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 V in the Amount of \$110,000.00.

2013-(R)-735

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 5 Grant in the Amount of \$144,000.00.

2013-(R)-736

SANTOS

Resolution Requesting the Director of Division of Local Government Services to Insert an Item of Revenue and Appropriation (Chapter 159) for UEZ Public Safety Year 5 Project in the Amount of \$212,137.00.

2013-(R)-737

SANTOS

Resolution Authorizing the Sale at Public Auction of Old DPW Vehicles and Equipment.

2013-(R)-738

SANTOS

Resolution Rescinding Appointment in Resolution No. 2013-466.

2013-(R)-739

SANTOS

Resolution Authorizing and Approving Settlement of a Tax Appeal filed by Heller VII Partnership, LP, for Block 284, Lots 21.04 & 21.05.

2013-(R)-740

SANTOS

Resolution to Enter into Closed Session to Discuss the Following Matter(s):
Review of Tax Appeal filed by Heller VII Partnership, LP, for Block 284, Lots 21.04 & 21.05, Provision of EMT Services to Harrison, Review of Pending Litigation in Tax Court.

2013-(R)-741

DOYLE

Resolution Authorizing Special Emergency Notes 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.

2013-(R)-742

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: 118 Maple Street, **Block 24, Lot 21**, 91 Ivy Street, **Block 240, Lot 55.02**, 133 Forest Street, **Block 237, Lot 45**, 610 Elm Street, **Block 169, Lot 11**, 62 Livingston Ave., **Block 105, Lot 3**, 495 Kearny Ave., **Block 71, Lot 15.02**, 478 Schuyler Ave., **Block 204, Lot 1**, 153 Seeley Ave., **Block 129, Lot 34**, 365 Forest Street, **Block 210, Lot 30.01**, 28 John Street, **Block 9, Lot 6**, 4 Park Ave., **Block 42, Lot 3**, 317 Hickory Street, **Block 212, Lot 36**, 259 Beech Street, **Block 165, Lot 14**

2013-(R)-743

DOYLE

Resolution Authorizing Submission of an Application for Kearny Municipal Alliance Grant for Fiscal Year 2014 in the Amount of \$40,708.00.

2013-(R)-744

DOYLE

Resolution Authorizing Transfer of Appropriations for CY-2013 Municipal Budget in the Amount of \$360,000.00.

Kearny Town Council

Caucus / Regular Meeting

- Agenda -

Tuesday, December 10, 2013

7:00 PM

Kearny Town Hall

2013-(R)-745

PETTIGREW

Resolution Requesting the Director of Division of Local Government Services to Insert an Item of Revenue and Appropriation (Chapter 159) for 2013 Drive Sober or Get Pulled Over Year End Holiday Crackdown Grant in the amount of \$4,400.00.

2013-(R)-746

PETTIGREW

Resolution Requesting the Director of Division of Local Government Services to Insert an Item of Revenue and Appropriation (Chapter 159) for 2013 Body Armor Replacement Grant in the Amount of \$11,688.18.

2013-(R)-747

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 \$58,007.50 subject to change if additional time is taken) and Revoking Resolution 2013-695.

2013-(R)-748

PETTIGREW

Resolution Authorizing the Execution of a Person-To-Person Transfer of Plenary Retail Consumption License No. 0907-33-016-005 from New Jersey Division of Taxation, (Previously t/a "Blue Bar") to Sequoia Systems, Inc. to Remain an In-Pocket License, Nunc Pro Tunc to June 30, 2013 and Revoking Resolutions 2013-655 and 2013-656.

2013-(R)-749

ARCE

Resolution Authorizing Execution of an Agreement with the County of Bergen, Department of Health Services, to Provide New Jersey Registered Environmental Health Specialists Services to the Town Of Kearny at an Annual cost of \$60,000.00 and to Provide Animal Control Services at an Annual Cost of \$91,154.00 for the 2014 and 2015 Calendar Years.

2013-(R)-750

ECKEL

Resolution Rescinding Appointment in Resolution No. 2013-555 Because the Appointee Failed to Respond.

2013-(R)-751

ECKEL

Resolution Appointing Part time Public Safety Telecommunicator Trainees in the Fire Department to Work a Maximum of 24 Hours per Week at the Current Hourly Rate of \$15.25 Pending Pre-employment Processing.

XI. EXECUTIVE (CLOSED) SESSION

XII. ADJOURNMENT