



# Kearny Town Council

## Caucus / Regular Meeting

~ Minutes ~

402 Kearny Avenue  
Kearny, NJ 07032  
[www.kearnynj.org](http://www.kearnynj.org)

Admin

Tuesday, February 5, 2019

7:00 PM

Kearny Town Hall

### I. CALL TO ORDER: PUBLIC MEETINGS LAW NOTICE

### II. ROLL CALL

Attendee Name	Organization	Title	Status	Arrived
Carol Jean Doyle	Kearny Town Council	Council Member	Present	
Susan McCurrie	Kearny Town Council	Council Member	Present	
Eileen Eckel	Kearny Town Council	Council Member	Present	
Albino Cardoso	Kearny Town Council	Council Member	Present	
Richard Konopka	Kearny Town Council	Council Member	Present	
Marytrine DeCastro	Kearny Town Council	Council Member	Late	7:26 PM
Peter Santana	Kearny Town Council	Council Member	Present	
Gerald Ficeto	Kearny Town Council	Council Member	Present	
Alberto G. Santos	Kearny Town Council	Mayor	Present	

### III. SALUTE TO THE FLAG

### IV. CONDUCT OF MEETING NOTICE

### V. SWEARING-IN OF 4th WARD COUNCIL MEMBER GERALD FICETO

### VI. CAUCUS MEETING

#### A. Communications

1. Louis Pandolfi, President of UNICO National, Kearny Chapter: requesting permission to sponsor an "Italian" Flea Market on Sunday, July 14, 2019 and Sunday, September 8, 2019, both at the Frank A. Vincent Marina. Monies raised would be used to support UNICO's scholarship fund and other charitable activities of the Chapter such as Thanksgiving baskets for needy families and the Christmas Party for the mentally and physically challenged.

**M&C/POLICE/DPW/REC**

2. Elizabeth SantaCruz, Kearny Resident & Mother of a Lupus Patient: requesting permission to hold a ribbon cutting ceremony at Town Hall on Tuesday, May 7, 2019 at 6:30 p.m. to mark the beginning of Lupus Awareness Month. Mrs. SantaCruz would be honored if Mayor and Council could participate at the ribbon-cutting celebration.

**M&C/POLICE/DPW**

3. Melanie Ryan, Kearny Cares E.A.D.D. Secretary: requesting permission on behalf of the members of EADD/Kearny Cares to hold a candlelight vigil at the American Revolutionary Bicentennial Park on Wednesday, May 15, 2019 at 8:30 p.m. (setup to begin at 6:00 p.m.) in remembrance of those loss to addiction and in support of those fighting addiction. **M&C/POLICE/FIRE/DPW**
- 4 Santos Murillo, Member of the Kearny Board of Health: formally requesting approval to advertise on the Bigbelly smart disposal units around Town as a source of revenue. **KUEZ**
5. Nathaniel H. Jablonski, Boy Scout Troop 305: requesting permission to make a short presentation to the Kearny Town Council on February 19, 2019 to seek approval to begin work on his Eagle Scout Service Project known as the General Philip Kearny Memorial Town Tour. Nathaniel described his project as a 5.1 mile trek around Kearny that will highlight a number of Kearny historical sites. **M&C**
6. Al Perez, KHS Head Track & Field Coach: requesting permission to have canning fundraisers for the following KHS teams:
- Boys & Girls Cross Country
- Saturday, September 14, 2019 and Saturday, October 12, 2019
- Boys & Girls Indoor Track & Field
- Saturday, December 14, 2019 and Saturday, December 28, 2019
- KHS Boys & Girls Outdoor Track & Field
- Saturday, March 07, 2020 and Saturday, March 21, 2020
- M&C/POLICE/DPW/REC**
7. Nicholas J. Coco, Treasurer of the Kearny Lions Club: requesting permission to hold a Flea Market in partnership with JC Promotions, Inc. at the Frank A. Vincent Marina on Sunday, May 12, 2019 and Sunday, October 13, 2019. The proceeds of this event will benefit the fundraising and charitable contributions made by the Lions Club to the blind and needy families of Kearny and the

surrounding community.

**M&C/POLICE/DPW/REC**

8. Gerald Ficeto: submitted his resignation from the Kearny Recreation Commission effective January 30, 2019. **M&C**
  
9. Jenny Ron Chavez, President of Kearny Rowing Association: requesting permission to have a canning fundraiser on Saturday, February 23, 2019 and Saturday, April 20, 2019. **M&C/POLICE/DPW/REC**
  
10. The Metropolitan Youth Speed Order Committee (MYSO): requesting to change the date of their 6<sup>th</sup> annual high school aged rowing regatta to March 23, 2019. The race will begin in North Arlington at 8:00 a.m. and will finish at the boathouse in Kearny no later than 5:00 p.m. **M&C/POLICE/DPW/REC**
  
11. LICENSES: 2 - PARKING PERMITS that include:
  - 1 - MANDEE LOT
  - 1 - MANDEE LOT (BUSINESS)
  - 1 - DISTRIBUTOR
  - 1 - JUKE BOX;
  - 3 - RAFFLE;
  - 1 - VIDEO/PINBALL**LICENSES**

**B. Reports of Department Heads**

1. Engineer's Report dated February 5, 2019

**C. 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****Ordinance 2019-6**

Ordinance Vacating Handicapped Parking Zones at 588 Devon Street and 261 Wilson Avenue

## ATTACHMENTS:

- KPD Agenda Item -Vacate HZ 588 Devon Street Removal Letter (Deceased) (DOC)
- KPD Agenda Item -Vacate HZ 261 Wilson Ave (PDF)

<b>RESULT:</b>	<b>INTRODUCED [UNANIMOUS]</b>	<b>Next: 2/19/2019 7:00 PM</b>
<b>MOVER:</b>	Susan McCurrie, Council Member	
<b>SECONDER:</b>	Carol Jean Doyle, Council Member	
<b>AYES:</b>	Doyle, McCurrie, Eckel, Cardoso, Konopka, DeCastro, Santana, Ficeto, Santos	

**Ordinance 2019-7**

Ordinance Establishing Handicapped Parking Zone at 271 Highland Avenue

## ATTACHMENTS:

- KPD Agenda Item -Establish HZ 271 Highland Ave (PDF)

<b>RESULT:</b>	<b>INTRODUCED [UNANIMOUS]</b>	<b>Next: 2/19/2019 7:00 PM</b>
<b>MOVER:</b>	Susan McCurrie, Council Member	
<b>SECONDER:</b>	Albino Cardoso, Council Member	
<b>AYES:</b>	Doyle, McCurrie, Eckel, Cardoso, Konopka, DeCastro, Santana, Ficeto, Santos	

**IX. BUSINESS OF THE MAYOR AND COUNCIL: ORDINANCES FOR 2ND READING (PUBLIC HEARING)****Ordinance 2019-3**

Ordinance Vacating Handicapped Parking Zones at 94 King Street, 152 Devon Terrace, 169 Forest Street, 209 Devon Street, 217 Seeley Avenue, 258 Bergen Avenue, 339 Highland Avenue, 366 Chestnut Street, and 513 Hickory Street

## ATTACHMENTS:

- KPD Agenda Item -Vacate HZ 94 King St (PDF)
- KPD Agenda Item -Vacate HZ 152 Devon Terrace (PDF)
- KPD Agenda Item -Vacate HZ 169 Forest St (PDF)
- KPD Agenda Item -Vacate HZ 209 Devon St (PDF)
- KPD Agenda Item -Vacate HZ 217 Seeley Ave (PDF)
- KPD Agenda Item -Vacate HZ 339 Highland Ave (PDF)

- KPD Agenda Item -Vacate HZ 366 Chestnut St (PDF)
- KPD Agenda Item -Vacate HZ 513 Hickory St (PDF)

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Susan McCurrie, Council Member  
**SECONDER:** Carol Jean Doyle, Council Member  
**AYES:** Doyle, McCurrie, Eckel, Cardoso, Konopka, DeCastro, Santana, Ficeto, Santos

#### Ordinance 2019-4

Ordinance Establishing Handicapped Parking Zones at 315 Hickory Street, 690 Devon Street and 105 Park Place

##### ATTACHMENTS:

- KPD Agenda Item -Establish HZ 315 Hickory St (PDF)
- KPD Agenda Item -Establish HZ 690 Devon St (PDF)
- KPD Agenda Item -Establish HZ 105 Park Place (PDF)

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Susan McCurrie, Council Member  
**SECONDER:** Gerald Ficeto, Council Member  
**AYES:** Doyle, McCurrie, Eckel, Cardoso, Konopka, DeCastro, Santana, Ficeto, Santos

#### Ordinance 2019-5

An Ordinance Amending the Town's Salary Ordinance for the Positions of Sewer Repairer/Street Repairer and Mechanic

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Susan McCurrie, Council Member  
**SECONDER:** Richard Konopka, Council Member  
**AYES:** Doyle, McCurrie, Eckel, Cardoso, Konopka, DeCastro, Santana, Ficeto, Santos

## 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.

- \*Minutes be Approved (pending any corrections): Regular Meeting February 05, 2019
- \*Motion to Suspend the Reading of Communications (read by title)

**Resolution 2019-96**

(\*) Bills List Resolution

## ATTACHMENTS:

- February 05 2019 Bill List Schedule (PDF)

**RESULT:** ADOPTED [8 TO 0]  
**MOVER:** Carol Jean Doyle, Council Member  
**SECONDER:** Susan McCurrie, Council Member  
**AYES:** Doyle, McCurrie, Eckel, Konopka, DeCastro, Santana, Ficeto, Santos  
**ABSTAIN:** Albino Cardoso

**Resolution 2019-97**

(\*) Resolution Authorizing TRC Drilling to Encroach Upon Town Rights-Of-Way Along Pennsylvania Avenue, Jacobus Avenue, Third Street and Second Street for the Purpose of Performing Pavement Coring Activities.

## ATTACHMENTS:

- SITE ACCESS AGREEMENT - TRC Drilling (DOC)
- Penn Ave\_Jacobus\_Second\_Third Pavement Cores 02-01-19 (00120212xD43F8) (PDF)
- PICs from Penn Ave\_Jacobus\_Second\_Third Pavement Cores 02-01-19 (00120212xD43F8) (PDF)

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Carol Jean Doyle, Council Member  
**SECONDER:** Alberto G. Santos, Mayor  
**AYES:** Doyle, McCurrie, Eckel, Cardoso, Konopka, DeCastro, Santana, Ficeto, Santos

**Resolution 2019-98**

(\*) Resolution Authorizing Permission to Encroach Upon Town Right of Way at 66 Pleasant Place, Block 108, Lot 1, for the Purpose of Replacing a Retaining Wall.

## ATTACHMENTS:

- NEA Report 66 Pleasant Pl - Encroachment 01-31-19 .pdf (00120164xD43F8) (PDF)

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Carol Jean Doyle, Council Member  
**SECONDER:** Alberto G. Santos, Mayor  
**AYES:** Doyle, McCurrie, Eckel, Cardoso, Konopka, DeCastro, Santana, Ficeto, Santos

**Resolution 2019-99**

(\*) Resolution Authorizing Four and One-half (4.5) Hours Overtime to Dinis Conceicao, MIS Technician, for Emergency Repair of the Email Exchange Server on January 26, 2019. (\$296.55)

## ATTACHMENTS:

- OVERTIME - MIS Dinis Conceicao (02-05-19) (PDF)

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Carol Jean Doyle, Council Member  
**SECONDER:** Alberto G. Santos, Mayor  
**AYES:** Doyle, McCurrie, Eckel, Cardoso, Konopka, DeCastro, Santana, Ficeto, Santos

**Resolution 2019-100**

(\* ) Resolution Authorizing Advertisement for Bids for the Televising and Cleaning of the Johnston Avenue Sewer Outfall Project.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Carol Jean Doyle, Council Member  
**SECONDER:** Alberto G. Santos, Mayor  
**AYES:** Doyle, McCurrie, Eckel, Cardoso, Konopka, DeCastro, Santana, Ficeto, Santos

**Resolution 2019-101**

(\* ) Resolution Authorizing Advertisement for Bids for the King Street and Schuyler Avenue Drainage Improvements; John Hay Drainage Channel Wall Improvements; and Harvey Field Parking Lot Improvements Project.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Carol Jean Doyle, Council Member  
**SECONDER:** Alberto G. Santos, Mayor  
**AYES:** Doyle, McCurrie, Eckel, Cardoso, Konopka, DeCastro, Santana, Ficeto, Santos

**Resolution 2019-102**

(\* ) Consent Agenda Resolution

**RESULT:** ADOPTED AS AMENDED [UNANIMOUS]  
**MOVER:** Carol Jean Doyle, Council Member  
**SECONDER:** Alberto G. Santos, Mayor  
**AYES:** Doyle, McCurrie, Eckel, Cardoso, Konopka, DeCastro, Santana, Ficeto, Santos

**Resolution 2019-103**

Resolution Authorizing Eighty-nine (89) Hours Overtime within the Department of Public Works to Monitor Temporary Pump Operation at Harrison Avenue, Respond to a Street Cave-in on E. Midland Avenue, Salt and Plow Streets on January 18, 2019, Clear Sanitary Sewer Blockage on Passaic Avenue, and Catch Up on Paperwork/Permit Backlog. (\$4,436.20)

**ATTACHMENTS:**

- OVERTIME - DPW (02-05-19) (PDF)

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Carol Jean Doyle, Council Member  
**SECONDER:** Alberto G. Santos, Mayor  
**AYES:** Doyle, McCurrie, Eckel, Cardoso, Konopka, DeCastro, Santana, Ficeto, Santos

**Resolution 2019-104**

Resolution Pursuant to Town Code Section 23-7 Approving Curb Cut at 267 Maple Street, Block 37, Lot 23, to Accommodate a New Driveway.

ATTACHMENTS:

- Backup -CURB CUT Approvals for 267 Maple Street(PDF)

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Carol Jean Doyle, Council Member  
**SECONDER:** Alberto G. Santos, Mayor  
**AYES:** Doyle, McCurrie, Eckel, Cardoso, Konopka, DeCastro, Santana, Ficeto, Santos

**Resolution 2019-105**

Resolution Pursuant to Town Code Section 23-7 Approving Curb Cut at 330-332 Forest Street, Block 211, Lot 2, to Accommodate a New Driveway.

ATTACHMENTS:

- Backup -CURB CUT Approvals for 330-332 Maple Street (PDF)

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Carol Jean Doyle, Council Member  
**SECONDER:** Alberto G. Santos, Mayor  
**AYES:** Doyle, McCurrie, Eckel, Cardoso, Konopka, DeCastro, Santana, Ficeto, Santos

**Resolution 2019-106**

Resolution Pursuant to Town Code Section 23-7 Approving Curb Cut At 360 Highland Avenue, Block 59, Lot 7, to Accommodate a New Driveway.

ATTACHMENTS:

- Backup -CURB CUT Approvals for 360 Highland Avenue (PDF)

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Carol Jean Doyle, Council Member  
**SECONDER:** Alberto G. Santos, Mayor  
**AYES:** Doyle, McCurrie, Eckel, Cardoso, Konopka, DeCastro, Santana, Ficeto, Santos

**Resolution 2019-107**



Resolution to Enter into Closed Session to Discuss the Following Matters Relating to Anticipated Litigation, Litigation, Contract Negotiations, and Personnel Matters, to Wit: Discussion of the Keegan Landfill Valuation Potential Appeal, Discussion Regarding NJSEA's Failure to Have an Air Venting Permit at Keegan Landfill

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Alberto G. Santos, Mayor  
**SECONDER:** Peter Santana, Council Member  
**AYES:** Doyle, McCurrie, Eckel, Cardoso, Konopka, DeCastro, Santana, Ficeto, Santos

### Resolution 2019-108

Resolution Authorizing the Town of Kearny to Enter into a Cooperative Purchasing Agreement with The Interlocal Purchasing System for Equity Leasing of Vehicles Needed for Various Town Departments.

ATTACHMENTS:

- TIPS - New\_Jersey\_Interlocal\_Agreement - 2019-1-28 (PDF)

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Carol Jean Doyle, Council Member  
**SECONDER:** Alberto G. Santos, Mayor  
**AYES:** Doyle, McCurrie, Eckel, Cardoso, Konopka, DeCastro, Santana, Ficeto, Santos

### Resolution 2019-109

Resolution Appointing Three (3) Full-Time Firefighters in the Kearny Fire Department, Effective February 19, 2019 at The Current Annual Salary of \$33,000, Pursuant to NJ Civil Service Certification OL#181086.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Eileen Eckel, Council Member  
**SECONDER:** Alberto G. Santos, Mayor  
**AYES:** Doyle, McCurrie, Eckel, Cardoso, Konopka, DeCastro, Santana, Ficeto, Santos

### Resolution 2019-110

Resolution Appointing Peter Zarillo and Sandra DaSilva to the Part-Time Position of Security Guard for the Town of Kearny Recreation Department, Effective February 11, 2019.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Carol Jean Doyle, Council Member  
**SECONDER:** Alberto G. Santos, Mayor  
**AYES:** Doyle, McCurrie, Eckel, Cardoso, Konopka, DeCastro, Santana, Ficeto, Santos

**Resolution 2019-111**

Resolution Appointing Daniela Marquez-Ponce to the Part-Time Position of Registered Environmental Health Specialist for the Town of Kearny Health Department, Effective February 11, 2019.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Carol Jean Doyle, Council Member  
**SECONDER:** Alberto G. Santos, Mayor  
**AYES:** Doyle, McCurrie, Eckel, Cardoso, Konopka, DeCastro, Santana, Ficeto, Santos

**Resolution 2019-112**

Resolution Authorizing the Sale at Public Auction of One (1) Abandoned And Unclaimed Vehicle: 2010 HONDA VIN#5J6RE4H73AL008041

## ATTACHMENTS:

- INTRA MEMO Clerk Auction 2010 HONDA (DOC)

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Carol Jean Doyle, Council Member  
**SECONDER:** Alberto G. Santos, Mayor  
**AYES:** Doyle, McCurrie, Eckel, Cardoso, Konopka, DeCastro, Santana, Ficeto, Santos

**Resolution 2019-113**

Resolution Authorizing the Disposal of a Kearny Police Department 2007 Ford Crown Victoria Car Which is No Longer Serviceable.

## ATTACHMENTS:

- CERTIFICATION - POLICE CHIEF KING (DOC)

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Carol Jean Doyle, Council Member  
**SECONDER:** Alberto G. Santos, Mayor  
**AYES:** Doyle, McCurrie, Eckel, Cardoso, Konopka, DeCastro, Santana, Ficeto, Santos

**Resolution 2019-114**

Resolution Granting the Issuance of a New Alcoholic Beverage Plenary Retail Consumption License No. 0907-33-063-007 for 2018-2019 License Term to Flying T, Inc. Per Special Ruling Pursuant to N.J.S.A. 33:1-12:18.

## ATTACHMENTS:

- ABC License No 0907-33-063-007 Flying T Inc -Special Ruling (PDF)

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Carol Jean Doyle, Council Member
<b>SECONDER:</b>	Alberto G. Santos, Mayor
<b>AYES:</b>	Doyle, McCurrie, Eckel, Cardoso, Konopka, DeCastro, Santana, Ficeto, Santos

**XI. \*CERTIFICATES OF APPOINTMENT BY MAYOR ALBERTO G. SANTOS**

Appointment of Kevin McKenna, 34 Jefferson Avenue, Kearny, N.J., as a Member to the Kearny Recreation Commission to fill the Unexpired Term of Gerald Ficeto through December 31, 2023.

Appointment of Michael Mara, 642 Belgrove Drive, Kearny, N.J., as Alternate No. 1 to the Kearny Recreation Commission to Fill the Unexpired Term of Kevin McKenna through December 31, 2019.

**XII. EXECUTIVE (CLOSED) SESSION****XIII. ADJOURNMENT**