



Kearny Town Council

Caucus / Regular Meeting

~ Minutes ~

402 Kearny Avenue
Kearny, NJ 07032
www.kearnynj.org

Admin

Tuesday, February 19, 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	7:17 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 POLICE LIEUTENANT SCOTT TRAYNOR

SWEARING-IN OF POLICE LIEUTENANT BRIAN WISELY

SWEARING-IN OF POLICE SERGEANT PHILIP FINCH

SWEARING-IN OF POLICE SERGEANT PATRICK BECKER

SWEARING-IN OF POLICE SERGEANT KEVIN ARNESMAN

VI. CAUCUS MEETING

A. Communications

1. Rev. John E. Wassell, Our Lady of Sorrows RC Church Administrator: requesting permission to conduct a Good Friday Prayer Service on April 19, 2019 at 12 noon at the Lithuanian Wayside Cross at Riverbank Park. Rev. Wassell also invites Mayor and Council to participate in the service. (In the event of rain or snow, this service will be cancelled.) **M&C/POLICE/DPW/REC**

2. Pathways to Independence, Inc.: requesting permission to use the Frank A. Vincent Marina on Sunday, March 24, 2019 to hold a Flea Market to benefit programs operated by Pathways to Independence, Inc.

M&C/POLICE/DPW/REC

3. LICENSES: 1 - PARKING PERMIT -CHESTNUT STREET LOT;
1 - JUKE BOX;
3 - RAFFLE;
1 - VIDEO/PINBALL

LICENSES

B. Reports of Department Heads

1. DPW Operations Report for January 2019
2. Certified Tree Experts (CTE) Report dated January 30, 2019 including Recommended Tree Removal(s)
3. Construction Code Enforcement Department Report for January 2019
4. Engineer's Report dated February 19, 2019
5. Engineer's Construction Management Report for the Gunnell Oval Improvements Project dated February 19, 2019
6. Engineer's Report for the Dukes, Devon, Tappan, Hoyt ('DDTH') Pumping Station Report dated February 19, 2019
7. Library Director's Report dated January 2019

C. Presentation by Nathaniel H. Jablonski, Boy Scout 305 on his Eagle Scout Service Project known as the General Philip Kearny Memorial Town Tour, a 5.1 Mile Trek around Kearny highlighting a number of Kearny Historical Sites

D. Presentation by Christopher Juchnik of Neves Architecture & Design, LLC regarding the renovation of the Kearny Health Department Building (645 Kearny Avenue)

E. Reports of Council Members

VII. OPPORTUNITY FOR MEMBERS OF THE PUBLIC TO COMMENT ON AGENDA ITEMS AND MATTERS OF THE PUBLIC INTEREST

VIII. BUSINESS OF THE MAYOR AND COUNCIL: ORDINANCES FOR INTRODUCTION

Ordinance 2019-8

Ordinance Establishing Handicapped Parking Zone at 225 Devon Street

ATTACHMENTS:

- KPD Agenda Item -Establish HZ 225 Devon St add space (PDF)

RESULT:	INTRODUCED [UNANIMOUS]	Next: 3/12/2019 7:00 PM
MOVER:	Susan McCurrie, Council Member	
SECONDER:	Carol Jean Doyle, Council Member	
AYES:	Doyle, McCurrie, Eckel, Cardoso, Konopka, DeCastro, Santana, Ficeto, Santos	

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

Ordinance 2019-2

Bond Ordinance Providing for Various Capital Improvements In and By the Town of Kearny, in the County of Hudson, New Jersey, Appropriating \$3,000,000 Therefor and Authorizing the Issuance of \$2,850,000 Bonds or Notes of the Town to Finance Part of the Cost Thereof.

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

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)

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

Ordinance 2019-7

Ordinance Establishing Handicapped Parking Zone at 271 Highland Avenue

ATTACHMENTS:

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

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Susan McCurrie, Council Member
SECONDER:	Albino Cardoso, 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 red 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): Regular Meeting January 22, 2019
- B. *Motion to Suspend the Reading of Communications (read by title)

Resolution 2019-115

(*) Bills List Resolution

ATTACHMENTS:

- Bills List Scheudle 02-19-2019(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 2019-116

(*) Resolution Authorizing Tax Overpayment Refund in the Amount of \$7,259.31 to M&N 206 LLC for 2018 Taxes for 25-27 Wilkinson Terrace, Block 50, Lot 11.

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 2019-117

(*) Resolution Authorizing the Return of Unused Escrow Deposit to Professional Development Corporation in the Amount of \$2,070.40 Relative to Zoning Board of Adjustment (ZBA) Application #2018.03 at 71 Quincy Avenue, Block 69, Lot 35.

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 2019-118

(*) Resolution Authorizing the Return of Unused Escrow Deposit to Schuyler Crossing Urban Renewal, LLC in the Amount of \$2,641.89 Relative to Planning Board Site Plan Application #526 for 311-337 Bergen Avenue, Block 242, Lot 34 (inc. 35 & 36).

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 2019-119

(*) Resolution Authorizing the Return of Unused Escrow Deposit to Schuyler Crossing Urban Renewal, LLC in the Amount of \$205,015.08 Relative to Planning Board Site Plan Application #526 for 311-337 Bergen Avenue, Block 242, Lot 34 (inc. 35 & 36).

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 2019-120

(*) Resolution Authorizing the Return of Unused Escrow Deposit to Schuyler Crossing Urban Renewal, LLC in the Amount of \$19,501.79 to Cover the Professional Costs Relative to the Redeveloper's Agreement (Ordinance #2015-9) for 311-337 Bergen Avenue, Block 242, Lot 34 (inc. 35 & 36).

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 2019-121

(*) Resolution Granting Permission to Carlos and Rita Viana, 353 Jauncey Avenue, Lyndhurst, New Jersey 07071 to Encroach Upon the Sidewalk within the Town Right of Way at 316 Devon Street, Block 233, Lot 2, for the Purpose of Removing an Underground Oil Storage Tank.

ATTACHMENTS:

- 316 Devon Street Encroachment for UST (00122620xD43F8) (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 2019-122

(*) Resolution Granting Permission to J. Fletcher Creamer & Son, Inc. of Hackensack, NJ for Road Opening Permit at 203-205 Devon Street, Block 246, Lot 27, in Order to Cut in New Curb Stop so Customer can Shut Off Water.

ATTACHMENTS:

- NEA Report 203-205 Devon Street Road Opening SUEZ JFC (00122622xD43F8) (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 2019-126

(*) Resolution Authorizing Three (3) Hours Overtime to Jonathan Szura, Technical Assistant Land Use in the Construction Code Enforcement Office, to Attend the Regular Evening Meeting of the Zoning Board of Adjustment on March 5, 2019 Serving as Secretary to the Board. (\$112.77)

ATTACHMENTS:

- OVERTIME - CCED Jonathan Szura (02-19-19) (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 2019-127

(*) 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 2019-128

Resolution Authorizing Two Hundred Seventeen (217) Hours of Overtime within the Department of Public Works to Salt and Plow Streets, and to Respond to No Heat Emergency at Fire Department (\$10,188.14).

ATTACHMENTS:

- OVERTIME - DPW (02-19-19) (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 2019-129

Resolution Pursuant to Town Code Section 23-7 Approving Curb Cut at 12 Stevenson Place, Block 74, Lot 15, to Accommodate a New Driveway.

ATTACHMENTS:

- Backup Approval Documents -CURB CUT - 12 Stevenson Place(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 2019-130

Resolution Adopting the Provisions of Chapter 48 (N.J.S.A. 52:14-17.38) to Implement Continued State Health Benefits Plan Coverage of Certain Retirees as Previously Negotiated.

ATTACHMENTS:

- Chapter 48 Addendum (JPG)

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 2019-131

(*) Resolution Authorizing Advertisement for Bids for the Kearny Avenue Roadway Improvements (NJDOT Funded) and Afton Street, Halstead Street and Chestnut Street Roadway Improvements (CDBG Funded) 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 2019-132

Resolution to Enter into Closed Session.

RESULT: WITHDRAWN

Resolution 2019-133

Resolution Appointing Police Sergeant Scott Traynor to the Permanent Position of Police Lieutenant in the Kearny Police Department, Effective March 01, 2019 at the Current Annual Salary of \$136,315, Pursuant to the NJCSC Certification # PL190993.

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

Resolution 2019-134

Resolution Appointing Police Sergeant Brian Wisely to the Permanent Position of Police Lieutenant in the Kearny Police Department, Effective March 01, 2019 at the Current Annual Salary of \$136,315, Pursuant to the NJCSC Certification # PL190993.

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

Resolution 2019-135

Resolution Appointing Police Officer Philip Finch to the Permanent Position of Police Sergeant in the Kearny Police Department, Effective March 01, 2019 at the Current Annual Salary of \$118,742, Pursuant to the NJCSC Certification # PL190992.

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

Resolution 2019-136

Resolution Appointing Police Officer Patrick Becker to the Permanent Position of Police Sergeant in the Kearny Police Department, Effective March 01, 2019 at the Current Annual Salary of \$118,742, Pursuant to the NJCSC Certification # PL190992

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

Resolution 2019-137

Resolution Appointing Police Officer Kevin Arnesman to the Permanent Position of Police Sergeant in the Kearny Police Department, Effective March 01, 2019 at the Current Annual Salary of \$114,647, Pursuant to the NJCSC Certification # PL190992.

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

Resolution 2019-138

Resolution Amending Resolution # 2018-406 Adopted July 17, 2018 Adjusting Annual Salary of Paul Murray, Sewer Repairer/Street Repairer to \$71,278 effective July 23, 2018 Pursuant to Ordinance # 2019-05 Adopted February 5, 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 2019-139

Resolution Authorizing a Contract to Millennium Communications Group, Inc. of East Hanover, New Jersey for the Installation and Repairs of Private Fiber Optic Network and Security Cameras at Various Locations in South Kearny in the Amount not to Exceed \$47,216.00 under NJ State Contract# T2989/88740.

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 2019-140

Resolution Authorizing an Increase of \$14,760 in the Professional Service Agreement with Mott MacDonald for Consulting Services Related to Litigation Against the Town by John Keegan.

RESULT: ADOPTED [8 TO 0]
MOVER: Alberto G. Santos, Mayor
SECONDER: Carol Jean Doyle, Council Member
AYES: Doyle, McCurrie, Eckel, Cardoso, DeCastro, Santana, Ficeto, Santos
ABSTAIN: Richard Konopka

Resolution 2019-141

Resolution Ratifying and Approving the Issuance of a Notice to the New Jersey Department of Environmental Protection under the Environmental Rights Act Regarding Enforcement Actions at the Keegan Landfill.

ATTACHMENTS:

- Notice of Intent re Keegan Landfill (PDF)

RESULT: ADOPTED [8 TO 0]
MOVER: Alberto G. Santos, Mayor
SECONDER: Susan McCurrie, Council Member
AYES: Doyle, McCurrie, Eckel, Cardoso, DeCastro, Santana, Ficeto, Santos
ABSTAIN: Richard Konopka

XI. *CERTIFICATE OF APPOINTMENT BY MAYOR ALBERTO G. SANTOS

Appointment of Denise L Pais-Sotelo, 98 Stewart Avenue, Kearny, N.J., as Alternate No. 2 to the Kearny Recreation Commission to fill the Unexpired Term of Michael Mara through December 31, 2020.

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