

# Kearny Town Council

Regular Meeting

- Agenda -

Tuesday, March 26, 2019

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. CAUCUS MEETING
  - A. Communications
    1. Peruvian Civic Association of New Jersey, Inc. (PCANJ): requesting permission to celebrate Peruvian Independence Day with a Peruvian Flag Raising at the site of the future Peruvian Heritage Park, north of 325 Passaic Avenue (between Afton Street and Peden Terrace), on Saturday, July 13, 2019 at 10:00 a.m. In the event that the Peruvian Heritage Park site is not ready, the flag raising will be held at the American Revolutionary Bicentennial Park (Town Hall Park) on July 13 at 10:00 a.m. **M&C/POLICE/DPW/REC**
    2. Peruvian Civic Association of New Jersey, Inc. (PCANJ): requesting permission to hold the Peruvian Cultural Parade along Kearny Avenue on Sunday, July 21, 2019, starting at the corner of South 3<sup>rd</sup> Street and Harrison Avenue in the Town of Harrison at 12:30 p.m., and finishing at Kearny Town Hall. **M&C/POLICE/DPW/REC**
    3. Peruvian Civic Association of New Jersey, Inc. (PCANJ): requesting permission to hold the Peruvian Family Festival at the Frank A. Vincent Marina Park on Sunday, July 21, 2019 from 10:00 a.m. to 10:00 p.m. (music starts at 3 p.m. and ends at 9 p.m.) **M&C/POLICE/DPW/REC/HEALTH**
    4. The Kearny Rotary Club: inviting Mayor Santos and Council to the 2019 Brotherhood Luncheon to be held at The Salvation Army, 443 Chestnut Street, on Wednesday, April 17<sup>th</sup>, 2019 at 12 noon. **M&C**
    5. John Peneda, KUEZ Coordinator: requesting permission to hang a Kearny Town-wide Yard & Sidewalk Sale banner on the Dog Park fence and at Veteran's Field from April 1, 2019 through May 6, 2019 to promote the Town-wide Yard and Sidewalk Sale days of May 4 and May 5, 2019. **M&C/POLICE/DPW/REC**
    6. Jody Hill, KHS Head Girls Basketball Coach: requesting permission to hold a canning fundraiser on Saturday, May 25, 2019 from 9:00 a.m. to 1:00 p.m. **M&C/POLICE/DPW/REC**
    7. The Kearny Prevention Coalition: requesting permission to hang a banner on Kearny Avenue (near the Library) from May 5, 2019 through May 28, 2019 in recognition of National Prevention Week. **M&C/POLICE/DPW/REC**
    8. LICENSES: 1 – CANVASS; 3 – RAFFLE;  
1 – FILMING; 5 – TAXI DRIVER  
**LICENSES**

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B. Reports of Department Heads

1. Library Director's Strategic Plan, 2019-2024
2. Kearny Water Department's Operations Report for February 2019 prepared by SUEZ Water Environmental Services, Inc.
3. Engineer's Report on Gunnell Oval Project dated March 26, 2019
4. Engineer's Report on Dukes, Devon Tappan, Hoyt (DDTH) Pumping Station Project dated March 26, 2019
5. Engineer's Report dated March 26, 2019

C. Presentation of Amendments to the Schuyler Avenue Redevelopment Plan by David Juzmeski, P.E., P.P., of Neglia Engineering Associates

D. Proclamation Recognizing National Prevention Week May 12-18, 2019

D. 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

**2019-O-11**

**McCURRIE**

Ordinance Establishing Handicapped Parking Zone at 154 Chestnut Street

**2019-O-12**

**McCURRIE**

Ordinance Amending Sections 4-2.1 and 4-2A-1 of the Town Code pertaining to Drug-Free Zones Around Schools and Public Properties, by the Approval of Updated Drug-Free Zone Maps

**2019-O-13**

**McCURRIE**

Ordinance Pursuant to N.J.S.A. 40A:12A-7 Approving and Adopting an Amended Schuyler Avenue Redevelopment Plan

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

**2019-O-09**

**McCURRIE**

Ordinance Vacating Handicapped Parking Zones at 133 Windsor Street and 10 Highland Avenue

**2019-O-10**

**McCURRIE**

Ordinance Establishing Handicapped Parking Zones at 136 Hoyt Street and 140 Windsor 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): Regular Meeting March 12, 2019

B. \*Motion to Suspend the Reading of Communications (read by title)

# Kearny Town Council

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**\*2019-(R)-187**

Bills List Resolution

**\*2019-(R)-188**

Resolution Authorizing Tax Overpayment Refund in the Amount of \$3,052.13 to David and Nicole Crenshaw for 2019 Taxes, **Block 86, Lot 1**.

**\*2019-(R)-189**

Resolution Authorizing Tax Overpayment Refund in the Amount of \$2,012.74 to Joseph Leach for 2019 Taxes, **Block 167, Lot 49**.

**\*2019-(R)-190**

Resolution Cancelling 2019 Taxes (Quarter 1-2) in the Amount of \$4,025.48 for **Block 167, Lot 49**, as a Result of Disabled Veterans' Exemption.

**\*2019-(R)-191**

Resolution Authorizing the Return of a Portion of the Escrow Deposit Established in Lieu of Posting a Performance Bond to 113 Passaic Avenue Urban Renewal, LLC in the Amount of \$491,977 Relative to Site Plan Application #541 in the Town of Kearny at 113 Passaic Avenue, **Block 1, Lot 12**.

**\*2019-(R)-192**

Resolution Authorizing Permission to Encroach Upon Town Right of Way at 156 Midland Avenue, Block **197, Lot 21**, for the Purpose of Removing an Underground Storage Tank (UST).

**\*2019-(R)-193**

Resolution Granting Permission to PSE&G for Road / Sidewalk Opening Permit at 261 Kearny Avenue, **Block 38, Lot 30**, in Order to Install New Gas Service.

**\*2019-(R)-194**

Resolution Granting Permission to PSE&G for Road Opening Permit at 360 Highland Avenue, **Block 59, Lot 7**, in Order to Install New Gas Service.

**\*2019-(R)-195**

Resolution Granting Permission to Shauger Property Services, Inc. of East Orange, NJ for Emergency Road Opening Permit at 30 John Street, **Block 9, Lot 7**, and 31 John Street, **Block 8, Lot 22**, in Order to Install Two (2) New 1" Water Service Lines, Two (2) Curb Stops, and Two (2) Curb Boxes.

**\*2019-(R)-196**

Resolution Granting Permission to Shauger Property Services, Inc. of East Orange, NJ for Emergency Road Opening Permit at 146 Hoyt Street, **Block 264, Lot 13**, in Order to Install New Water Service Line from Water Main to Curb Box.

**\*2019-(R)-197**

Resolution Granting Permission to Shauger Property Services, Inc. of East Orange, NJ for Emergency Road Opening Permit at 425 Schuyler Avenue (Quincy Avenue side), **Block 224, Lot 20**, in Order to Replace a 1" Water Service Line.

**\*2019-(R)-198**

Resolution Granting Permission to J. Fletcher Creamer & Son, Inc. of Hackensack, NJ for Road Opening Permit at 126 Grand Place, **Block 121, Lot 5**, in Order to Expose Valve and Replace the Manhole Cover.

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**\*2019-(R)-199**

Resolution Authorizing the Return of Construction Code Enforcement Department (CCED) Building Permit Application Fee to Payless Home Improvement in the Amount of \$120.00 Relative to Siding Work at 1 Tappan Street, **Block 263, Lot 50**.

**\*2019-(R)-200**

Resolution Authorizing Refund of Zoning Certificate of Occupancy Fee to Gel Express, LLC c/o Geosvany Esquijarosa in the Amount of \$60.00 Relative to 654 Devon Street, **Block 177, Lot 6**, because the Property Sale did not Take Place.

**\*2019-(R)-201**

Resolution Authorizing Six (6) Hours Overtime to Omnibus Driver Carmen Valcarcel to Provide Transportation to the Kearny High School Culinary Program Dinner and Show and Back for the Senior Citizens from the Kearny Senior Residences on Tuesday, March 12, 2019. (\$148.92)

**\*2019-(R)-202**

Consent Agenda Resolution

**DOYLE**

**2019-(R)-203**

Resolution Authorizing Five Hundred Ninety-eight (598) Hours Overtime within the Department of Public Works to Brine, Salt and Plow Streets on February 17, 19, 20, 21, 28, 2019 and March 1-4, 2019, Monitor Temporary Pump Operations and Fuel Usage at the Harrison Avenue Pump Station, Clear a Sanitary Sewer Blockage at 526 Kearny Avenue, Assist SUEZ with Emergency Repairs, Repair Police Vehicles, and Catch up on Paperwork/Permits in the DPW Office. (\$26,856.76)

**SANTOS**

**2019-(R)-204**

Resolution Approving Professional Services Agreement with the Law Offices of Wanda Chin Monahan LLC to Provide Special Environmental Legal Services Relating to the Keegan Landfill.

**SANTOS**

**2019-(R)-205**

Resolution Authorizing Further Increase of \$5,000 in the Professional Service Agreement with Mott MacDonald for Consulting Services Related to Litigation Against the Town by John Keegan.

**SANTOS**

**2019-(R)-206**

Resolution Pursuant to Town Code Section 23-7 Approving Curb Cut at 5 Davis Avenue, **Block 266, Lot 32**, to Accommodate a New Driveway.

**SANTOS**

**2019-(R)-207**

Resolution Pursuant to Town Code Section 23-7 Approving Curb Cut at 347 Forest Street, **Block 210, Lot 35.02**, to Accommodate a New Driveway.

**SANTOS**

**2019-(R)-208**

Resolution to Enter into Closed Session to Discuss the Following Matters Relating to Anticipated Litigation, Litigation, Contract Negotiations, and Personnel Matters, to wit: Review of Recommendations from the Police Chief for Reserve and Permanent Crossing Guard Positions

**SANTOS**

**2019-(R)-209**

Resolution Authorizing Transfer of Appropriation Reserves for 2018 from Current Fund.

**DOYLE**

**2019-(R)-210**

Resolution Appointing Janice Pace to the Permanent Position of Crossing Guard at the Current Hourly Rate of \$17.27, Effective April 01, 2019.

**SANTANA**

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**2019-(R)-211**

**SANTANA**

Resolution Appointing Ivonne Grajales, Maria Matos, Ebenice Trindade, and Eusebio Huerta to the Part-time Per Diem Position of Auxiliary Crossing Guard, at the Current Hourly Rate of \$17.16, Effective April 01, 2019.

**2019-(R)-212**

**SANTANA**

Resolution Appointing Anthony Ferrara to the Full-time Position of Parking Enforcement Officer/Meter Collector in the Kearny Police Department, Traffic Division, Effective April 01, 2019.

**2019-(R)-213**

**SANTANA**

Resolution Authorizing the Execution of a Person-to-Person Transfer of Plenary Retail Distribution License No. 0907-44-054-007 from Sevjin Inc, t/a Family Convenience Liquors to 180 Kearny Avenue, LLC, t/a Family Convenience & Liquor Store, 180 Kearny Avenue, Kearny, New Jersey.

**2019-(R)-214**

**SANTANA**

Resolution Authorizing the Police Chief Pursuant to N.J.S.A. 40A:11-36 to Sell Vehicles no Longer Needed for Public Use and Whose Value is Less than the Town's Bid Threshold, at Private Sale Without Advertising for Bids.

- X. EXECUTIVE (CLOSED) SESSION
- XI. ADJOURNMENT