

Kearny Town Council

Regular Meeting

- Agenda -

Tuesday, April 9, 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. Kelly Logue, Roosevelt School Corresponding Secretary: requesting the closure of Stewart Avenue between Kearny Avenue and Grand Place for the Roosevelt School Family Fitness Night on Thursday, April 11, 2019 from 5:30 p.m. – 9:00 p.m. **M&C/POLICE/DPW**
 2. Rev. John E. Wassell, Pastor, St. Cecilia Church: requesting permission to hold a procession for Our Lady of Fatima on Sunday, May 5, 2019. The procession will start at Kearny Avenue and Hoyt Street at 7:45 p.m. **M&C/POLICE/DPW**
 3. Mariola DeMatos, President, KHS Band Parents Association: requesting permission to use the Frank A. Vincent Marina on Saturday, November 9, 2019 to hold a fundraising Flea Market for the Band. **M&C/POLICE/DPW/REC**
 4. LICENSES: 1 – PARKING PERMIT – MANDEE LOT
1 – CANVASS; 1 – RAFFLE;
1 – FILMING; 2 – SIDEWALK CAFE
LICENSES
 - B. Reports of Department Heads
 1. DPW Operations Report for March 2019
 2. Certified Tree Experts (CTE) Report dated March 22, 2019 including Recommended Tree Removal(s)
 3. Engineer’s Report dated April 9, 2019
 - C. Proclamations honoring:
 1. Police Officer of the Year 2018 John Fabula
 2. Fireman of the Year 2018 Juan Barroso
 - 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-14 **McCURRIE**
Ordinance Disbanding the Beautification and Environmental Committee and Establishing in its Place an Advisory Committee on the Environment and Sustainability

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2019-O-15

McCURRIE

Ordinance Amending Section 11-3.4 (e), (f) and (g) of the Town Code Regarding Permit Fees and Charges for Ballfield use at Gunnell Oval, Harvey Field and Michael Branin Memorial Soccer Facility

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

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

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 26, 2019

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

***2019-(R)-217**

Bills List Resolution

***2019-(R)-218**

Resolution Authorizing the Return of Unused Escrow Deposits to Osborne Capital, LLC in the Amount of \$3,455.65 Relative to Planning Board Application #500 for 232-274 Passaic Avenue, **Block 15, Lot 8.02**.

***2019-(R)-219**

Resolution Authorizing the Return of Unused Escrow Deposits to Hartz Mountain Industries, LLC in the Amount of \$505,938.67 Relative to Planning Board Application #542 for 435 Bergen Avenue, **Block 286, Lot 4**.

***2019-(R)-220**

Resolution Authorizing Permission to Encroach Upon Town Right of Way at 10 Brighton Avenue, **Block 29, Lot 1**, for the Purpose of Installing a Fence.

***2019-(R)-221**

Resolution Authorizing Permission to Encroach Upon Town Right of Way at 60 Passaic Avenue (along Marshall Street), **Block 14, Lot 4**, for the Purpose of Removing an Underground Storage Tank (UST).

***2019-(R)-222**

Resolution Granting Permission to Shauger Property Services, Inc. of East Orange, NJ for Road / Sidewalk Opening Permit at 230 Belgrove Drive, a/k/a 232 Belgrove Drive, **Block 28, Lot 9**, in Order to Install a 1" Water Service Line.

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***2019-(R)-223**

Resolution Granting Permission to Shauger Property Services, Inc. of East Orange, NJ for Emergency Road Opening Permit at 471 Devon Street, **Block 208, Lot 32**, in Order to Install New Water Service Line.

***2019-(R)-224**

Resolution Granting Permission to Shauger Property Services, Inc. of East Orange, NJ for Road / Sidewalk Opening Permit at 621 Chestnut Street, **Block 175, Lot 16**, in Order to Replace Curb Box.

***2019-(R)-225**

Resolution Granting Permission to J. Fletcher Creamer & Son, Inc. of Hackensack, NJ for Road / Sidewalk Opening Permit at 570 Elm Street, a/k/a 557-599 Elm Street, **Block 168, Lot 20**, in Order to Repair/Replace a Fire Hydrant.

***2019-(R)-226**

Resolution Granting Permission to J. Fletcher Creamer & Son, Inc. of Hackensack, NJ for Road Opening Permit at 604 Chestnut Street, **Block 176, Lot 1**, in Order to Repair Service Leak.

***2019-(R)-227**

Resolution Granting Permission to J. Fletcher Creamer & Son, Inc. of Hackensack, NJ for Road / Sidewalk Opening Permit at 780 Kearny Avenue, **Block 138, Lot 5**, in Order to Repair Water Service.

***2019-(R)-228**

Resolution Granting Permission to JZRJ Properties, LLC of Kearny, NJ for Road Opening Permit at 207 Seeley Avenue, **Block 133, Lot 19**, in Order to Install a New Sewer Lateral and Water Service Line.

***2019-(R)-229**

Resolution to Waive All Fees for Businesses for Sidewalk Sales Event on Saturday, May 4, 2019 and Sunday, May 5, 2019.

***2019-(R)-230**

Resolution Approving Settlement in the Matter of the Ernest Bozzi v. Town of Kearny, et al.

***2019-(R)-231**

Consent Agenda Resolution

DOYLE

2019-(R)-232

Resolution Authorizing Forty-seven and One-half (47.5) Hours Overtime within the Department of Public Works to Salt and Plow Streets on March 3, 2019, Monitor Temporary Pump Operations and Fuel Usage at the Harrison Avenue Pump Station, Repair Police Vehicles, Respond to Alarms at the Library and Department of Public Works, and Catch up with Paperwork/Permits in the DPW Office. (\$2,637.72)

SANTOS

2019-(R)-233

Resolution Appointing James Neubig to the Provisional Position of Public Works Supervisor in the Kearny Department of Public Works, Effective April 8, 2019 at the Current Annual Salary of \$75,268.

SANTOS

2019-(R)-234

Resolution Appointing Paul Murray to the Provisional Position of Mechanic in the Kearny Department of Public Works, Effective April 15, 2019 at the Current Annual Salary of \$73,817.

SANTOS

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2019-(R)-235

SANTOS

Resolution Awarding a Contract to American Asphalt & Milling Services LLC for the 2018-2019 NJDOT & CDBG Roadway Improvements Project.

2019-(R)-236

SANTOS

Resolution Authorizing Contract to Neglia Engineering Associates for Construction Management of the 2018-2019 NJDOT & CDBG Roadway Improvements Project (T&M not to Exceed \$88,940.00).

2019-(R)-237

SANTOS

Resolution Establishing the Maximum Amount of the Agreement with Heyer, Gruel & Associates for Planning Services in 2019 Related to the Town's Fair Share Housing Plan.

2019-(R)-238

SANTOS

Resolution to Enter into Closed Session to Discuss the Following Matters Relating to Anticipated Litigation, Litigation, Contract Negotiations, and Personnel Matters, to wit: Update on Keegan Landfill Litigation

2019-(R)-239

DOYLE

Resolution Authorizing Emergency Temporary Appropriations for the Calendar Year 2019.

2019-(R)-240

ECKEL

Resolution Appointing Joan Sebastian Rios-Ruiz to the Part-time Position of Computer Operator Trainee for the Town of Kearny Library Effective April 15, 2019.

2019-(R)-241

SANTANA

Resolution Appointing Sergeant Peter Blair Deputy Emergency Management Coordinator for the Town of Kearny.

2019-(R)-242

SANTANA

Resolution Authorizing the Police Chief Pursuant to N.J.S.A. 40A:11-36 to Sell Vehicles no Longer Fit 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