

Kearny Town Council

Regular Meeting

- Agenda -

Tuesday, September 10, 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. John Peneda, KUEZ Coordinator: requesting permission to hang a banner on the Kearny Dog Park fence from September 11 through October 26, 2019 announcing the annual Halloween Dog Paw-rade on Saturday, October 26, 2019 at Arlington Depot Park. **DPW**
 2. Craig Justynski, 16 Madison Avenue: requesting permission for the residents of Madison Avenue to hold their annual Madison Avenue block party on Saturday, September 28, 2019 from 11:00 a.m. until 10:00 p.m., and requesting that Madison Avenue between West Bennett and the Belleville Turnpike be closed to traffic. Rain date: Sunday, September 29th. **POLICE/FIRE/DPW**
 3. Mariela Irizarry, 37 Hamilton Avenue: requesting permission to hold a block party for the residents of Hamilton Avenue on Saturday, September 21, 2019, and requesting that Hamilton Avenue between West Bennett and the Belleville Turnpike be closed to traffic. Rain date: Sunday, September 29th. **POLICE/FIRE/DPW**
 4. Tommy Witt, President of Kearny Kardinal Football Booster Club: requesting permission to have a canning fundraiser on Saturday, Saturday, November 16, 2019. **POLICE/DPW/REC**
 5. Gabriel Benavides, President of Hermandad del Senor de los Milagros de Kearny, NJ: requesting permission to hold their traditional processional march on Sunday, October 6, 2019 beginning at St. Cecilia's Church, 120 Kearny Avenue, at 1:00 p.m. and ending at Holy Cross Church in Harrison, NJ by 7:40 p.m. **POLICE/DPW**
 6. Steven Dyl, KFD Chief: requesting permission to close Midland Avenue between Kearny Avenue and Beech Street from 11:00 a.m. until 5:00 p.m. on Saturday, October 12, 2019 for the Kearny Fire Department's annual Open House. Chief Dyl has also extended an invitation to Mayor and Council to help celebrate at this community event which will run from 12:00 p.m. until 4:00 p.m. **M&C/POLICE/FIRE/DPW**
 7. Steven Dyl, KFD Chief: requesting permission to hang a banner across Kearny Avenue from September 30 to October 14, 2019 to advertise the Fire Department's Open House event on Saturday, October 12, 2019. **POLICE/DPW**
 8. LICENSES: 1 – PARKING PERMIT – MANDEE LOT;
4 – CANVASS;
12 – GARAGE SALE;
3 – RAFFLE;
1 – SIDEWALK CAFÉ **LICENSES**

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B. Reports of Department Heads

1. DPW Operations Report for July 2019
2. Construction Code Enforcement Department Report for July 2019
3. Construction Code Enforcement Department Report for August 2019
4. SUEZ Billing & Collections Month End Report July 2019
5. Engineer's Report dated September 10, 2019

C. 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-29

McCURRIE

Ordinance Vacating Handicapped Parking Zones at 451 Davis Avenue, 124 Maple Street, 16 Maple Street, 105 Park Place and 42 Ivy Street

2019-O-30

McCURRIE

Ordinance Establishing Handicapped Parking Zone at 44 Tappan Street

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

2019-O-28

McCURRIE

Ordinance Establishing Handicapped Parking Zones at 56 Pavonia Avenue, 60 Halstead Street, 244 Wilson Avenue, and 274 Hickory 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 August 6, 2019

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

***2019-(R)-429**

Bills List Resolution

***2019-(R)-430**

Resolution Authorizing Permission to Encroach Upon the Sidewalk within the Town Right of Way at 22 Webster Avenue, **Block 114, Lot 10**, for the Purpose of Removing an Underground Fuel Tank.

***2019-(R)-431**

Resolution Authorizing Permission to Encroach Upon Town Right of Way at 150 Midland Avenue, **Block 196, Lot 22**, for the Purpose of Installing a New Fire Escape.

***2019-(R)-432**

Resolution Authorizing Permission to Encroach Upon the Sidewalk within the Town Right of Way at 195 Chestnut Street, **Block 244, Lot 20**, for the Purpose of Removing an Underground 550 Gallon Fuel Tank.

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***2019-(R)-433**

Resolution Authorizing PMC, Inc. and its Agent, Brennan Environmental Services, to Encroach upon the Town Rights-of-Way to Install One Environmental Groundwater Monitoring Well in (either John Hay ROW, 1st Avenue ROW, or Garfield Avenue ROW) in Connection with the Environmental Remediation of Property at 450 Schuyler Avenue (Block 226, Lots 3,4 and 11).

***2019-(R)-434**

Resolution Granting Permission to J. Fletcher Creamer & Son, Inc. of Hackensack, NJ for Road Opening Permit at 7 Prospect Place, **Block 148, Lot 31**, in Order to Repair Water Service.

***2019-(R)-435**

Resolution Granting Permission to J. Fletcher Creamer & Son, Inc. of Hackensack, NJ for Road Opening Permit at 263 Argyle Place, **Block 126, Lot 29**, in Order to Repair Water Service.

***2019-(R)-436**

Resolution Granting Permission to Shauger Property Services, Inc. of East Orange, NJ for Road Opening Permit at 555 Kearny Avenue, **Block 15300, Lot 19**, in Order to Replace Curb Box.

***2019-(R)-437**

Resolution Granting Permission to Shauger Property Services, Inc. of East Orange, NJ for Emergency Road Opening Permit at 660 Kearny Avenue, a/k/a 129-147 Washington Avenue, **Block 172, Lot 1**, in Order to Install a 1" Water Service Line, Corporation, Curb Stop, and Curb Box.

***2019-(R)-438**

Resolution Granting Permission to Shauger Property Services, Inc. of East Orange, NJ for Emergency Road Opening Permit at 875 Devon Street, **Block 129, Lot 19**, in Order to Repair Water Service Leak.

***2019-(R)-439**

Resolution Refunding Kearny Recreation All-Day Playground Program Fee in the Amount of \$150.00 to Ericka N. Ubilla.

***2019-(R)-440**

Resolution Authorizing Three (3) Hours Overtime to Dinis Conceicao, MIS Technician, to Resolve Phone Issues after Hours on July 17, 2019. (\$197.70)

***2019-(R)-441**

Resolution Authorizing Five (5) Hours Overtime to Susan A. Evanchick, Administrative Clerk and Planning Board Secretary in the Construction Code Enforcement Department, to Prepare for and Attend Special Zoning Board Meeting in the Absence of the Zoning Board Secretary Jonathan Szura on July 30, 2019. (\$440.40)

***2019-(R)-442**

Resolution Authorizing Four (4) Hours Overtime for Adnelis Albizu, Social Service Aide Bilingual in the Health Department and Board Member of the North Hudson Community Action Corporation, to Attend an Evening Meeting of the Board on July 16, 2019. (\$115.92)

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***2019-(R)-443**

Resolution Authorizing Four (4) Hours Overtime to Kristine Schweitzer Budney, Registered Environmental Health Specialist Public Health in the Health Department, to Conduct Retail Food Inspections during the Flea Market at the Frank A. Vincent Marina on Sunday, August 11, 2019, Pursuant to N.J.A.C. 8:24 (\$179.04), and Four (4) Hours Overtime on August 7, 2019 to Allow KPD Access to the Kearny Health Department Building after Hours. (\$179.04).

***2019-(R)-444**

Resolution Authorizing Sixteen (16) Hours Overtime for the Municipal Court Staff, Melissa Murray, Ledy More, Cintia Valdez, and Catherine Colon for each Monday Evening Court Session on September 30, 2019 and October 21, 2019. (\$2,600.00)

***2019-(R)-445**

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

***2019-(R)-446**

Resolution Authorizing Three (3) Members of KFSOA FMBA Local 218 & Seven (7) Members of FMBA Local 18 to Attend the Annual New Jersey State FMBA 2019 Convention in Atlantic City, NJ September 17-20, 2019.

***2019-(R)-447**

Consent Agenda Resolution

DOYLE

2019-(R)-448

Resolution Authorizing Eighty-six and One-half (86.5) Hours Overtime within the Department of Public Works to Monitor Temporary Pump Operations and Fuel Usage at the Harrison Avenue Pump Station, Respond to a Sink Hole at 14 Schuyler Avenue, Cut a Tree Limb off a Car at 30 Clinton Avenue, Resolve Flooding Issues from Storm on August 7th, Respond to KPD Call for Emergency Repairs of A/C System at KPD HQs, Respond to Alarm at the E. Midland Pump Station, Plate Open Hole over Excavation Work at 615 Forest Street per KPD, and Catch Up with Paperwork/Permits in the DPW Office due to Staffing Shortage. (\$4,270.01)

SANTOS

2019-(R)-449

Resolution Consenting to the Installation by Mobilitie, LLC of Communication Equipment on an Existing Pole in the Right-of-Way on Quincy Avenue near Maple Street (Supercedes Resolution 2018-52).

SANTOS

2019-(R)-450

Resolution Authorizing Extenet Systems to Install Fiber Optic Cables on Existing Poles Along the Following Roadways: Kearny Avenue (Harrison Border to Johnston Avenue) and Johnston Avenue (Kearny Avenue to 126 Johnston Avenue) and to Attach an Antenna Bracket to the Fiber Optic Cable at 126 Johnston Avenue.

SANTOS

2019-(R)-451

Resolution Authorizing Cross River Fiber to Install Aerial Fiber Optic Cables on Existing Utility Poles Along the Following Roadways: Bergen Avenue (Schuyler Avenue to Brighton Avenue), Chestnut Street (Bergen Avenue to Dukes Street), Devon Street (Dukes Street to Woodland Avenue), Brighton Avenue (Bergen Avenue to Afton Street), Pennsylvania Avenue (Central Avenue to western terminus), Jacobus Avenue (Pennsylvania Avenue to 2nd Street), and 2nd Street (Jacobus Avenue to Central Avenue).

SANTOS

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2019-(R)-452

SANTOS

Resolution Authorizing a License Agreement with Public Service Electric & Gas Over a Portion of Block 284, Lot 35.01 in Connection with the Proposed Mason Substation Replacement Project.

2019-(R)-453

SANTOS

Resolution Authorizing an Increase of \$3,500 in the Professional Service Agreement with Deborah Barsotti of Wood Environment and Infrastructure Solutions (Wood E&IS) for Expert Services for the Town in the Keegan Landfill Litigation Against the NJSEA.

2019-(R)-454

SANTOS

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

2019-(R)-455

SANTOS

Resolution Authorizing an Additional \$10,000 Increase in the Professional Service Agreement with the Law Offices of Wanda Chin Monahan LLC for Special Environmental Legal Services Related to the Keegan Landfill.

2019-(R)-456

SANTOS

Resolution Authorizing the Equity Leasing of a Chevrolet Sonic through Enterprise FM Trust for Shared Use by the Mail Clerk and Night Recreation Security Guards.

2019-(R)-457

SANTOS

Resolution Correcting Resolution 2019-419 Which Authorized the Department of Public Works Pursuant to N.J.S.A. 40A:11-36 to Trade-in Vehicles no Longer Fit for Public Use.

2019-(R)-458

SANTOS

Resolution to Enter into Closed Session.

2019-(R)-459

DOYLE

Resolution Appointing Maria Quinteros the Permanent Position of Senior Account Clerk Typist in the Construction Code Enforcement Department at the Current Annual Salary of \$40,024.

2019-(R)-460

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: 240 Maple Street, **Block 38, Lot 3**, 113 Washington Avenue, **Block 92, Lot 13**, 626 Schuyler Avenue, **Block 150, Lot 2.01**, 469-477 Passaic Avenue, **Block 1, Lot 26**, 62 Livingston Avenue, **Block 105, Lot 3**, 19 Howell Place, **Block 170, Lot 31**, 9 Prospect Place, **Block 148, Lot 30**

2019-(R)-461

ECKEL

Resolution Appointing John Zairopoulos to the Full-Time Position of Public Safety Telecommunicator Trainee in the Kearny Fire Department Effective September 21, 2019.

2019-(R)-462

ECKEL

Resolution Appointing Mario Piumelli, Jr. to the Part-Time Position of Public Safety Telecommunicator Trainee for the Town of Kearny Fire Department Effective September 21, 2019.

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2019-(R)-463

ECKEL

Resolution Appointing Ashton Yates-Knight to the Part-Time Position of Public Safety Telecommunicator Trainee for the Town of Kearny Fire Department Effective September 21, 2019.

2019-(R)-464

ECKEL

Resolution Accepting an Award under the Emergency Planning and Preparedness Grant Program Administered by the New Jersey Chapter of the Society of Fire Protection Engineers (SFPE-NJ) in the Amount of \$1,000 (with no Local Match Required?) for the Purchase of Emergency Escape Ladders.

2019-(R)-465

SANTANA

Resolution Reappointing Thomas D. McKeon as Municipal Court Judge for a Term of Three Years Beginning on September 27, 2019.

2019-(R)-466

SANTANA

Resolution Rescinding the Appointment of Jennifer Parker as Police Matron in the Kearny Police Department Effective as of September 30, 2019.

X. EXECUTIVE (CLOSED) SESSION

XI. ADJOURNMENT