

Kearny Town Council

Regular Meeting

- Agenda -

Tuesday, March 10, 2020

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. Rev. John E. Wassell, Pastor, St. Cecilia Church: requesting permission to hold a procession for the feast of Divine Mercy on Sunday, April 19, 2020 starting at 1:45 p.m. from St. Cecilia's Church at 120 Kearny Avenue. **M&C/POLICE/DPW/REC**
 2. Dean McGee of the Indian Knights Motorcycle Club: requesting the closing of Belgrove Drive from Bergen Avenue to Afton Street on Saturday, April 5, 2020 beginning at 9:30 a.m. to 4:00 p.m. for a motorcycle run charity event followed by a BBQ lunch. Registration for the event begins at 10:00 a.m.; the ride leaves the VFW at 12 noon returning around 1:30 p.m. One-hundred fifty motorcycles plus are expected to participate. **M&C/POLICE/FIRE/DPW/REC/HEALTH**
 3. John Reverendo, Scoutmaster Troop 305, Committee Chair Pack 305, St. Stephen's Church: requesting permission to hang a banner from Troop and Pack 305 at the Kearny and Locust Avenues location during the months of March & April, and at another location during May and June. The banner is to announce recruitment of new scout members **POLICE/DPW**
 4. Pat Sherwen, President of the Woman's Club of Arlington: inviting Mayor Santos and Council to the Brotherhood / Sisterhood Luncheon at The Salvation Army, 443 Chestnut Street, Kearny on Wednesday, April 15, 2020 at noon. The topic to be addressed is "Learn About Helping Children in Foster Care in N.J." **M&C**
 5. William Mullins, KHS Boys Varsity Volleyball Coach: requesting permission to hold a canning fundraiser on May 09, 2020 and May 16, 2020. **POLICE/DPW/REC**
 6. Nicholas J. Coco, Kearny Lions Club Treasurer: requesting permission to hold a Flea Market in partnership with JC Promotions, Inc. at the Frank A. Vincent Marina on Sunday, May 10, 2020 and Sunday, August 09, 2020. **POLICE/DPW/REC**
 7. Sgt. Tom Pontrella of Kearny PBA Civic Association: requesting permission to hold a carnival at the Frank A. Vincent Marina from October 15 through October 18 *and* October 22 through October 25, 2020, both events in support of the 2020 Law Enforcement Torch Run which goes directly to Special Olympics NJ. **POLICE/FIRE/DPW/REC**

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8. Richard Pawlowski of Kearny PBA Local #21: requesting permission to hold a street fair on Kearny Avenue between Bergen Avenue and Quincy Avenue on May 16, 2020 from 10:00 a.m. to 7:00 p.m. with additional time for setup and breakdown.

POLICE/FIRE/DPW/REC/HEALTH

9. John Fabula of Kearny PBA Local #21: requesting to hang a banner on Kearny Avenue during April and May promoting the Kearny PBA Avenue Street Fair on May 16, 2020.

POLICE/DPW

10. LICENSES: 3 – PARKING PERMITS that include:
1 - 101 KEARNY AVENUE LOT
2 - MANDEE LOT
2 – GARAGE SALE;
2 – RAFFLE

LICENSES

B. Reports of Department Heads

1. Certified Tree Experts (CTE) Report dated February 20, 2020 including Recommended Tree Removal(s)
2. SUEZ Billing & Collections Month End Report February 2020
3. Engineer's Report dated March 10, 2020

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

2020-O-11

Ordinance Vacating Handicapped Parking Space at 721 Devon Street

McCURRIE

2020-O-12

An Ordinance Amending Title XXXVIII (Zoning), of the Town Code of the Town of Kearny, by Amending the Definitions and Adopting Zoning Regulations Pertaining to Medical Marijuana Facilities

McCURRIE

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

2020-O-09

Ordinance Amending Section 7-37.1(b) Regarding Public Parking Behind Town Hall

McCURRIE

2020-O-10

Ordinance Amending Chapter XXII (Water) of the Town Code

McCURRIE

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 February 18, 2020
- B. *Motion to Suspend the Reading of Communications (read by title)

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***2020-(R)-139**

Bills List Resolution

***2020-(R)-140**

Resolution Authorizing Tax Overpayment Refund in the Amount of \$3,128.34 to Joaquin Gago and Ana Rodriguez for 2020 Taxes, **Block 68, Lot 30**.

***2020-(R)-141**

Resolution Authorizing Permission to Encroach Upon Town Right of Way at 17 Stuyvesant Avenue, **Block 106, Lot 15**, for the Purpose of Replacing a Retaining Wall.

***2020-(R)-142**

Resolution Authorizing Permission to Encroach Upon Town Right of Way at 65 Elizabeth Avenue, **Block 123, Lot 14**, for the Purpose of Replacing a Retaining Wall.

***2020-(R)-143**

Resolution Granting Permission to E&D Mechanical Contracting, 17 Forest Street, North Arlington, N.J. for Emergency Road Opening Permit at 104 Rutherford Place, a/k/a 102-104 Rutherford Place, **Block 126, Lot 3**, in Order to Replace a Sewer Lateral.

***2020-(R)-144**

Resolution Granting Permission to PSE&G for a Emergency Road Opening Permit at 207 Seeley Avenue, **Block 133, Lot 19**, in Order to Repair Gas Service.

***2020-(R)-145**

Resolution Granting Permission to PSE&G for a Road Opening Permit at 582 Kearny Avenue, (opening on Midland Avenue), **Block 186, Lot 1**, in Order to Install New Gas Service.

***2020-(R)-146**

Resolution Authorizing Nine (9) 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 on February 6 and March 3, 2020 (3 hrs. each), and a Regular Evening Meeting of the Planning Board on March 4, 2020 (3 hrs.). (\$352.89)

***2020-(R)-147**

Resolution Authorizing Advertisement for Bids for the Large Water Meter Replacement Program Project.

***2020-(R)-148**

Consent Agenda Resolution

DOYLE

2020-(R)-149

Resolution Authorizing Forty-two and One-half (42.5) hours Overtime within the Department of Public Works to Monitor Temporary Pump Operations and Fuel Usage at Three Pump Stations, Clear a Sanitary Sewer Blockage on Sanford Avenue, Repair Police Vehicles, Repair Potholes, Retrieve and Secure a Broken Water Fountain at Depot Park, Salt Icy Streets on February 14 and 15, 2020 at Direction of KPD, and Assist Contractor with Emergency Pump Repair at Harrison Avenue. (\$2,548.86)

SANTOS

2020-(R)-150

Resolution Appointing Stephen D. Marks Fund Commissioner for the Garden State Municipal Joint Insurance Fund.

SANTOS

2020-(R)-151

Resolution Appointing Stephen D. Marks as the Public Agency Compliance Officer in Connection with the New Jersey Environmental Infrastructure Financing for the Gunnell Oval Recreational Complex Redevelopment Project.

SANTOS

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2020-(R)-152

SANTOS

Resolution Approving a Professional Services Agreement with Archer & Greiner P.C. as Special Bond Counsel to Represent the Town in Connection with Redevelopment Area Bond Financing for the Water, Sewer and Road Infrastructure Serving the Koppers Peninsula in Kearny.

2020-(R)-153

SANTOS

Resolution Authorizing an Updated 2020 Professional Service Agreement with Excel Environmental for Consulting Services Related to the Gunnell Oval Reconstruction, Pursuant to a Fair and Open Process.

2020-(R)-154

SANTOS

Resolution Authorizing an Updated 2020 Professional Service Agreement with Excel Environmental for Consulting Services Related to the Closure of the Keegan Landfill, Pursuant to a Fair and Open Process.

2020-(R)-155

SANTOS

Resolution Authorizing an Updated 2020 Professional Service Agreement with Maser Consulting P.A. for Consulting Services Related to the Closure of the Keegan Landfill, Pursuant to a Fair and Open Process.

2020-(R)-156

DOYLE

Resolution Authorizing a Contract to Hunter Technologies of Wall Township, New Jersey for Replacing the Phone Systems at 9 Town Facilities throughout the Town in the Amount not to Exceed \$205,395.62 under NJ State Contract A80802.

2020-(R)-157

SANTOS

Resolution Authorizing Change Order #2 (\$3,381.16 Increase / 0.35%) & Final (\$31,379.84 Decrease / 3.16%) for the 2018-2019 NJDOT & CDBG Roadway Improvements Project to American Asphalt and Milling Services, LLC., 96 Midland Avenue, Kearny, NJ 07032.

2020-(R)-158

SANTOS

Resolution Authorizing Close Out of Contract for the 2018-2019 NJDOT & CDBG Roadway Improvements Project to American Asphalt and Milling Services, LLC, 96 Midland Avenue, Kearny, New Jersey.

2020-(R)-159

SANTOS

Resolution Authorizing Change Order #2 (\$111,423.50 Decrease / 13.05%) & Final (\$97,333.10 Decrease / 11.57%) for the Midland Avenue Roadway Improvements (NJDOT Funded) and Liberty Street and Boyd Street Roadway Improvements (CDBG Funded).

2020-(R)-160

SANTOS

Resolution Authorizing Close Out of Contract for the Midland Avenue Roadway Improvements (NJDOT Funded) and Liberty Street and Boyd Street Roadway Improvements (CDBG Funded) Project to Smith Sondy, Inc., 150 Anderson Avenue, Wallington, New Jersey.

2020-(R)-161

SANTOS

Resolution Authorizing the Town of Kearny to Submit an Application for Hudson County Community Development Block Grant (CDBG) Funding for Program Year 2020 in the Amount of \$303,810.00.

2020-(R)-162

SANTOS

Resolution Authorizing the Sale of Roll Off Containers No Longer Fit for Public Use and Whose Value is Less than the Town's Bid Threshold, at Private Sale Without Advertising for Bids.

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2020-(R)-163

SANTOS

Resolution Pursuant to Town Code Section 23-7 Approving Curb Cut at 10 Trinity Place, **Block 63, Lot 1**, to Accommodate a New Driveway.

2020-(R)-164

SANTOS

Resolution Pursuant to Town Code Section 23-7 Approving Curb Cut at 23 Devon Terrace, **Block 258, Lot 40**, to Accommodate a New Driveway.

2020-(R)-165

SANTOS

Resolution Pursuant to Town Code Section 23-7 Approving Curb Cut at 44 Ivy Street, **Block 251, Lot 32**, to Accommodate a New Driveway.

2020-(R)-166

SANTOS

Resolution to Enter into Closed Session.

2020-(R)-167

DOYLE

Resolution of the Town of Kearny, in the County of Hudson, New Jersey Making Application to the Local Finance Board Pursuant to N.J.S.A. 40A:3-1 et seq.

2020-(R)-168

McCURRIE

Resolution Authorizing Participation in the New Jersey Council of Farmers & Communities ("NJCF") and Execution of the Community Market Membership Application for Year 2020.

2020-(R)-169

McCURRIE

Resolution Prohibiting Parking on Both Sides of Garfield Avenue between Kearny Avenue and Chestnut Street for the Farmers Market between 8:00 a.m. and 7:00 p.m. on each Thursday from June 18, 2020 through October 29, 2020.

2020-(R)-170

ECKEL

Resolution Appointing Seven (7) Full Time Firefighters in the Kearny Fire Department, Effective March 21, 2020 at the Current Annual Salary of \$33,000, Pursuant to NJ Civil Service Certification OL#1911185.

2020-(R)-171

ECKEL

Resolution Authorizing the Town of Kearny Fire Department to Submit an Application for Hazardous Materials Emergency Preparedness (HMEP) Grant Funding in the Amount of \$10,200 for Training in Bakken Crude Oil Emergency Response Procedures (No Local Match).

X. EXECUTIVE (CLOSED) SESSION

XI. ADJOURNMENT