

Kearny Town Council

Regular Meeting

- Agenda -

Tuesday, November 9, 2021

7:00 PM

ZOOM Virtual Meeting Service

- 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. David Paszkiewicz: requesting permission to have a canning fundraiser on Saturday, March 20, 2022 and Saturday, April 16, 2022 to raise money for the Kearny High School Girls Crew Booster Club. **POLICE/DPW/REC**
 2. Michael Silpoch & Kevin Mehnert, KHS 2020-2021 Swim Coaches: requesting permission to hold a canning fundraiser on Saturday, November 27, 2021 to raise funds for the Kearny High School Swim Team. **POLICE/DPW/REC**
 3. William Mullins, KHS Varsity Boys Basketball Coach: requesting permission to hold a canning fundraiser on Saturday, January 08, 2022 and Saturday, February 12, 2022. **POLICE/DPW/REC**
 4. LICENSES: 1 – PARKING PERMIT for MANDEE LOT;
3 – GARAGE SALE **LICENSES**
 - B. Reports of Department Heads
 1. Construction Code Enforcement Department Report for October 2021
 2. SUEZ Billing & Collections Month End Report October 2021
 3. Engineer’s Report dated November 9, 2021
 - C. Proclamations
 1. Proclamation Honoring Faith Kennedy on earning the Girl Scout Gold Award
 2. Proclamation Honoring General Thomas M. Felty
 - D. Presentation by CFO Shuaib Firozvi on the Best Practices Inventory Results
 - E. 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

2021-O-36

McCURRIE

Ordinance Authorizing the Sale of Real Property of the Town of Kearny at 369 Forest Street, Block 210, Lot 28, to MLS Investments LLC at the Sale Price of \$221,000

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2021-O-37

McCURRIE

An Ordinance Amending Chapter 7 of the Town Code entitled 'All-Way Stops' to Establish All-Way Traffic Stops at the Intersections of Highland Avenue and Bergen Avenue, Maple Street and Afton Street, and Chestnut Street and Hoyt Street

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

2021-O-33

McCURRIE

An Ordinance to Further Amend and Supplement An Ordinance Entitled "An Ordinance Concerning Civil Service in the Town of Kearny, County of Hudson", Adopted August 4, 2020 and All Various Civil Service Titles in the Town of Kearny. (Exempt Employees Salaries for 2018, 2019, 2020 and 2021)

2021-O-34

McCURRIE

Ordinance Amending Various Sections of Chapter 7 of the Town Code to Correct the Spelling of Garofalo Place

2021-O-35

McCURRIE

Ordinance Re-Adopting Section 35-3.11 of the Town Code Regarding Development in a Redevelopment Area.

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 October 26, 2021

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

2021-(R)-470

Bills List Resolution

***2021-(R)-471**

Resolution Authorizing Tax Overpayment Refunds Totaling \$184,239.61.

***2021-(R)-472**

Resolution Cancelling 2021 Taxes (Quarter 4) in the Amount of \$4,905.20 for **Block 192, Lot 3**, as a Result of Incorrect Added Assessment.

***2021-(R)-473**

Resolution Granting Permission to PSE&G for Road Opening Permit for 157 Midland Avenue, a/k/a 155-159 Midland Avenue, **Block 190, Lot 23**, in Order to Install New Gas Service.

***2021-(R)-474**

Resolution Authorizing Nine and a Half (9.5) Hours Overtime to John Borja, Chief Registered Environmental Health Specialist in the Health Department, to Facilitate the COVID-19 Vaccine Clinic on Election Day, November 02, 2021 and November 04, 2021. (\$593.32)

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***2021-(R)-475**

Resolution Authorizing Five (5) Hours Overtime to Omnibus Operator Carmen Valcarcel to Transport Seniors to the Polls on Election Day, November 02, 2021. (\$158.17)

***2021-(R)-476**

Resolution Authorizing Seven and a Half (7.5) Hours Overtime to Dinis Conceicao, Network Administrator 1, to Provide Virtual Meeting Support for the Mayor and Council Meetings on October 26 and November 09, 2021 and the Zoning Board Meeting on November 04, 2021. (\$524.48)

***2021-(R)-477**

Consent Agenda Resolution

DOYLE

2021-(R)-478

Resolution Authorizing Twenty-seven (27) Hours Overtime within the Department of Public Works to Respond to a Diesel Fuel Spill, Assist KPD Putting Out Barricades, Return a Disabled Truck to DPW, Run Backlogged Containers to the Dump due to Roll-off Truck Breakdown, and Provide Assistance after the Dog Paw-rade at Arlington Depot Park. (\$1,200.53)

SANTOS

2021-(R)-479

Exempt Employees and Mayor Designated Holidays

SANTOS

2021-(R)-480

Resolution Regarding the Scheduling of a Special Meeting to be held on Monday, November 15, 2021 at 7:00 p.m. for the Purpose of Discussing the Request by Russo Development for an Agreement for Payments in Lieu of Taxes for the Proposed Residential Development at 55 Passaic Avenue (Block 1, Lots 2.03, 4, 5, 6.01, 6.02, 7, 8.01, 8.02, 9, 10 and 11).

SANTOS

2021-(R)-481

Resolution Providing Notice of the Resumption of In-Person Meetings at Town Hall of the Mayor and Council of the Town of Kearny, Hudson County, New Jersey.

SANTOS

2021-(R)-482

Resolution Authorizing the Town Clerk to Advertise for 2022 Professional Service Contracts by Posting Notice on the Town Website.

SANTOS

2021-(R)-483

Resolution Further Extending the Date that Outdoor Dining is Permitted Under Chapter 23A of the Town Code until May 31, 2022.

SANTOS

2021-(R)-484

Resolution Referring the Proposed Development at 25 Sanford Avenue (Block 279, Lot 20.01) to the Planning Board.

SANTOS

2021-(R)-485

Resolution Authorizing the Town of Kearny to Enter into an Amendment to Extend for Thirty-Six (36) Months its Agreement with Big Belly Solar, Inc. for Thirteen (13) Solar Powered Trash Receptacle Units.

SANTOS

2021-(R)-486

Resolution Authorizing Change Order #1 for Existing Sanitary Sewer Repairs on Dukes Street and Briederhoft Road, and Tappan Street and Schuyler Avenue for the DDTH Pumping Station Improvements Project to Montana Construction, Inc., 80 Contant Avenue, Lodi, NJ 07644 (\$60,498.57 Increase / 0.61%).

SANTOS

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2021-(R)-487

SANTOS

Resolution Authorizing Change Order #2 for Supplemental Items and Extra/Unused Quantity Adjustments for the Kearny Avenue Roadway Improvements (NJDOT Funded) Project to Smith-Sondy Asphalt Construction Company, Inc., 150 Anderson Avenue, Wallington, NJ 07057 (\$109,181.01 Increase / 14.97%).

2021-(R)-488

SANTOS

Resolution Authorizing Change Order #2 for Highland Avenue Watermain Extra Tie-ins for the 2020 Kearny Avenue Roadway Improvements Project to Your Way Construction, Inc., 404 Coit Street, Irvington, NJ 07111 (\$64,631.88 Increase / 2.43%).

2021-(R)-489

SANTOS

Resolution Authorizing the Issuance of a Violation Notice to Public Service Electric & Gas for an Unpermitted Street Opening in Kearny Avenue.

2021-(R)-490

SANTOS

Resolution Authorizing the Issuance of a Violation Notice to Public Service Electric & Gas for an Unpermitted Street Opening at the Kearny Avenue/New Lawn Avenue Intersection.

2021-(R)-491

SANTOS

Resolution Authorizing the Issuance of a Violation Notice to Public Service Electric & Gas for an Unpermitted Street Opening in Davis Avenue.

2021-(R)-492

SANTOS

Resolution Authorizing and Approving the Tax Appeal Settlement of Walmart #1-5447 Located at 150 Harrison Avenue, **Block 284, Lot 2.02**.

2021-(R)-493

SANTOS

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 Proposed Tax Appeal Settlement for 150 Harrison Avenue, **Block 284, Lot 2.02**, Update on KFSOA FMBA Local 218 and FMBA Local 18 Labor Negotiations

2021-(R)-494

DOYLE

Resolution Accepting the Annual Audit Report of 2020.

2021-(R)-495

DOYLE

Resolution Accepting the Corrective Action Plan for 2020 Audit.

2021-(R)-496

DOYLE

Resolution Requesting the Director of Division of Local Government Services to Insert an Item of Revenue and Appropriation (Chapter 159) for Body Armor Replacement Grant 2020 in the Amount of \$7,374.87.

2021-(R)-497

DOYLE

Resolution Requesting the Director of Division of Local Government Services to Insert an Item of Revenue and Appropriation (Chapter 159) for Clean Communities FY 2021 Grant in the Amount of \$57,622.68.

2021-(R)-498

DOYLE

Resolution Requesting the Director of Division of Local Government Services to Insert an Item of Revenue and Appropriation (Chapter 159) for Click It or Ticket Grant 2021 in the Amount of \$9,000.00.

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2021-(R)-499

DOYLE

Resolution Requesting the Director of Division of Local Government Services to Insert an Item of Revenue and Appropriation (Chapter 159) for Distracted Driving Crackdown Grant 2021 in the Amount of \$10,500.00.

2021-(R)-500

DOYLE

Resolution Requesting the Director of Division of Local Government Services to Insert an Item of Revenue and Appropriation (Chapter 159) for Drunk Driving Enforcement Fund 2020 in the Amount of \$38,087.02.

2021-(R)-501

DOYLE

Resolution Requesting the Director of Division of Local Government Services to Insert an Item of Revenue and Appropriation (Chapter 159) for Drive Sober or Get Pulled Over Labor Day Crackdown Grant 2021 in the Amount of \$6,000.00.

2021-(R)-502

DOYLE

Resolution Requesting the Director of Division of Local Government Services to Insert an Item of Revenue and Appropriation (Chapter 159) for New Jersey Association of County and City Health Officials COVID-19 Additional Grant in the Amount of \$5,240.72.

2021-(R)-503

DOYLE

Resolution Requesting the Director of Division of Local Government Services to Insert an Item of Revenue and Appropriation (Chapter 159) for Office on Aging Grant 2021 in the Amount of \$46,624.00.

2021-(R)-504

DOYLE

Resolution Requesting the Director of Division of Local Government Services to Insert an Item of Revenue and Appropriation (Chapter 159) for Kearny Prevention Coalition Drug-Free Communities Support Project 2021 in the Amount of \$125,000.00.

2021-(R)-505

DOYLE

Resolution Requesting the Director of Division of Local Government Services to Insert an Item of Revenue and Appropriation (Chapter 159) for Recycling Tonnage 2018 Grant in the amount of \$58,553.64.

2021-(R)-454

DE CASTRO

Resolution Authorizing Two Hundred Thirty-seven and a Quarter (237.25) Hours Overtime to Adnelis Albizu, Social Service Tech Bilingual in the Health Department, to Provide COVID-19 and Social Services Support, Assist with a Rabies Clinic, Cover COVID-19 Vaccination Clinics, Assist at the Health Department's 4th of July Fireworks Tent Station and Attend Edmunds Staff Training on July 28, 2021. (\$8,314.02)

2021-(R)-506

DE CASTRO

Resolution Requesting the Director of Division of Local Government Services to Insert an Item of Revenue and Appropriation (Chapter 159) for Municipal Alliance Grant Fiscal Year July 1, 2021 to June 30, 2022 in the Amount of \$12,859.00.

X. EXECUTIVE (CLOSED) SESSION

XI. ADJOURNMENT