

# Kearny Town Council

## Regular Meeting

- Agenda -

Tuesday, July 12, 2022

7:00 PM

Kearny High School

- 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. Dean McGee of the Indian Knights Motorcycle Club, Kearny Chapter: In celebration of its 8<sup>th</sup> year as a Kearny Chapter, the Indian Knights are holding an event at the VFW located at 300 Belgrove Drive on **Sunday, August 28, 2022**. 150+ motorcycles are anticipated. The following accommodations are being requested:
  - a) Closure of Belgrove Drive between Afton Street & Bergen Avenue from 10:00 a.m. to 12 noon
  - b) Assistant of KPD for “*No Parking Signs*” to be installed on both sides of Belgrove Drive between Afton Street and Bergen Avenue to reserve parking spaces
  - c) A police escort is welcomed for the ride.  
**POLICE/DPW/REC**
2. John Peneda, KUEZ Coordinator: requesting the closure of Garfield Avenue between Kearny Avenue and Chestnut Street on **Thursday, July 14, 2022** and **Thursday, August 11, 2022** from 6:00 p.m. to 9:00 p.m., with parking prohibited until 10 p.m., for a Farmers Market Block Party. (This event is an extension of the Kearny Farmers Market). The Department of Public Works has also been requested to assist with cleanup of the area after the event. **POLICE/FIRE/DPW/HEALTH**
3. John Peneda, KUEZ Coordinator and Josh Humphrey, Kearny Public Library Director: inviting Mayor Santos and Council to attend the Kearny Farmers Market Block Party to enjoy the music, food, and atmosphere. **M&C**
4. Juliano Souza, Kearny Resident & Business Owner: requesting permission to honor Brazil’s Independence Day with a Flag Raising of the Brazilian Flag at the American Revolutionary Bicentennial Park (Town Hall Park) on **Wednesday, September 07, 2022** at 7:00 p.m., and also requesting that Kearny Avenue between Liberty Street and Grove Street be closed to traffic for a Brazilian Culture/Dance presentation. **POLICE/DPW**
5. Rev. Manuel Duenas, Vice-Rector, Redemptoris Mater Archdiocesan Missionary Seminary, 672 Passaic Avenue: requesting permission to host a 5K run on **Sunday, September 25, 2022** beginning at 3:00 p.m. at the crossroads of Belgrove Drive and Midland Avenue and finishing at the Seminary on Passaic Avenue. **POLICE/FIRE/DPW**
6. LICENSES: 2 – OVERNIGHT PARKING PERMITS that include:
  - 1 - MANDEE LOT
  - 1 – PROVIDENT BANK
  - 2 – FILMING; 1 – SIDEWALK CAFÉ;
  - 5 – GARAGE SALE; 1 – RAFFLE**LICENSES**

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B. Reports of Department Heads

1. Engineer's Report dated July 12, 2022
2. Veolia Billing & Collections Month End Report June 2022
3. Construction Code Enforcement Department Report for June 2022

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

**2022-(O)-19**

**McCURRIE**

An Ordinance Amending the Town of Kearny Code of Ordinances to Repeal Chapter 32 Flood Damage Prevention; To Adopt a New Ordinance for Adoption of the Floodplain Management Regulations; To Adopt Flood Hazard Maps; To Designate a Floodplain Administrator; And Providing for Severability and an Effective Date

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

**2022-(O)-18**

**McCURRIE**

Ordinance Establishing Handicapped Parking Space at 80 Devon Terrace

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 June 28, 2022
- B. \*Motion to Suspend the Reading of Communications (read by title)

**\*2022-(R)-427**

Bills List Resolution

**\*2022-(R)-428**

Resolution Granting Permission to Mott MacDonald to Install Eight (8) Soil Borings as Part of Remediation of the Kearny First Aide Squad Facility, 352 Maple Street.

**\*2022-(R)-429**

Resolution Granting Permission to Shauger Property Services, Inc. of East Orange, NJ for Emergency Road Opening Permit at 331 Highland Avenue, **Block 54, Lot 17**, in Order to Replace a Water Service Line.

**\*2022-(R)-430**

Resolution Granting Permission to J. Fletcher Creamer & Son, Inc. of Hackensack, NJ for Road Opening Permit at 134 Tappan Street, **Block 267, Lot 24**, in Order to Investigate and Repair Damaged Water Service.

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**\*2022-(R)-431**

Resolution Granting Permission to J. Fletcher Creamer & Son, Inc. of Hackensack, NJ for Road Opening on Breiderhoft Road in Order to Replace Fire Hydrant.

**\*2022-(R)-432**

Resolution Authorizing Alcoholic Beverage Control (ABC) License Fee Overpayment Refund to Fraternal Order of Eagles Kearny AERIE 2214, License #0907-31-071-001, in the Amount of \$50.00 for 2022-2023 License Term.

**\*2022-(R)-433**

Resolution Authorizing Ten (10) Hours Overtime to Dinis Conceicao, Network Administrator 1, to Provide Support for the Mayor and Council ABC Hearing on June 28, the Mayor and Council Regular Meeting on June 28, and Virtual Meeting Support for the Zoning Board Meeting on July 05 and the Planning Board Meeting on July 06, 2022. (\$735.90)

**\*2022-(R)-434**

Consent Agenda Resolution

**DOYLE**

**2022-(R)-435**

Resolution Authorizing One Hundred Seven (107) Hours of Overtime within the Department of Public Works to Repair Parking Meters, Assist KPD at Fire Scene, Assist Contractor Removing Old HVAC at the Health Department, Oversee Repair of a Collapsed Sanitary Sewer Line, Repair Potholes, Respond to and Secure Sinkhole on E. Midland Avenue, Work Through Lunch to Keep Office Open, and Assist Contractor Sanitizing Health Clinic (COVID Related Expense). (\$6,864.60)

**SANTOS**

**2022-(R)-436**

Resolution Authorizing a Placement Agreement with Public Service Electric and Gas Company to Install Utility Monopoles on Logistics Drive. (Supersedes Resolution No. 2021-386)

**SANTOS**

**2022-(R)-437**

Resolution Ratifying the Authorization of the Town of Kearny to Enter into an Amendment to the Sub-Recipient Agreement with the County of Hudson for a Community Development Block Grant for the Maple Street Improvements Project.

**SANTOS**

**2022-(R)-438**

A Resolution Authorizing the Town of Kearny to Enter into a Cooperative Pricing Agreement.

**DOYLE**

**2022-(R)-439**

Resolution Authorizing the Exercise of the Option to Extend the Janitorial Services Contract with Tropical Cleaning Services LLC for an Additional One-Year Period from July 1, 2022 thru June 30, 2023 in the Amount of \$60,906.

**SANTOS**

**2022-(R)-440**

Resolution Approving the Relocation of an Easement with 8 Breiderhoft LLC Over Block 252, Lot 8.01 in Furtherance of the Construction of a Stormwater Pump Station.

**SANTOS**

**2022-(R)-441**

Resolution Authorizing Change Order #1 & Final Resolution (\$85,670.68 Decrease / -17.34%) for the Peden Terrace Sewer Improvements Project to Jo-Med Contracting Corp., 300 So. Second Street, Elizabeth, NJ 07206.

**SANTOS**

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**2022-(R)-442**

**SANTOS**

Resolution Authorizing Close Out of Contract for the Peden Terrace Sewer Improvements Project to Jo-Med Contracting Corp, 300 So. Second Street, Elizabeth, New Jersey.

**2022-(R)-443**

**SANTOS**

Resolution Authoring the Private Sale of a Vehicle no Longer Fit for Public Use and Whose Value is Less than the Town's Bid Threshold.

**2022-(R)-444**

**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 2022 County Tax Appeals for Residential Properties with Tax Assessor, Discussion regarding Fire Chief's Employment Contract

**2022-(R)-445**

**ECKEL**

Resolution Authorizing the Fire Department to Submit an Application for Funding for the Purchase of Personal Protective Equipment Under the FY22 American Rescue Plan Firefighter Grant Program in the Amount of \$75,000 (no Local Match Required).

**2022-(R)-446**

**KONOPKA**

Resolution Appointing Nathan Brito and Victoria Pereyra to the Part-Time Position of Lifeguard in the Recreation Department to Work a Maximum of Forty (40) Hours per Week at the Current Hourly Rate of \$15.00, Effective June 27, 2022.

**2022-(R)-447**

**KONOPKA**

Resolution Changing the Title of Michael Battista from Part-Time Security Guard to Part-Time Playleader for the Town of Kearny Recreation Department, Effective June 27, 2022.

**2022-(R)-448**

**SANTANA**

Resolution Renewing Alcoholic Beverage Licenses Nos. 0907-33-002-006, 0907-33-023-005, and 0907-33-016-009 which have Received Tax Clearance from the Division of Alcoholic Beverage Control.

**2022-(R)-449**

**SANTANA**

Resolution Renewing Inactive Alcoholic Beverage License No. 0907-33-006-005, THE GIN MILL INC, for 2021-2022 License Term Pursuant to ABC Special Ruling. (Supersedes Resolution No. 2021-336)

**2022-(R)-450**

**SANTANA**

Resolution Renewing Inactive Alcoholic Beverage License No. 0907-33-006-005, THE GIN MILL INC, for 2022-2023 License Term Pursuant to ABC Special Ruling. (Supersedes Resolution No. 2021-336)

**2022-(R)-451**

**SANTANA**

Resolution Renewing Inactive Alcoholic Beverage License No. 0907-33-022-004, PABLO W PLACENCIA, for 2021-2022 License Term Pursuant to ABC Special Ruling. (Supersedes Resolution No. 2021-434)

**2022-(R)-452**

**SANTANA**

Resolution Renewing Inactive Alcoholic Beverage License No. 0907-33-022-004, PABLO W PLACENCIA, for 2022-2023 License Term Pursuant to ABC Special Ruling. (Supersedes Resolution No. 2021-434)

**\*2022-(R)-453**

Resolution Appointing Sandra DaSilva to the Part-Time Position of Security Guard for the Town of Kearny Recreation Department, Effective July 18, 2022.

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**2022-(R)-454**

**SANTANA**

Resolution Renewing Inactive Alcoholic Beverage License No. 0907-33-023-005, KPIP CAFÉ LLC, for 2022-2023 License Term Pursuant to ABC Special Ruling.

**2022-(R)-455**

**SANTANA**

Resolution Renewing Inactive Alcoholic Beverage License No. 0907-33-016-009, KPIP CAFÉ III LLC, for 2022-2023 License Term Pursuant to ABC Special Ruling.

X. EXECUTIVE (CLOSED) SESSION

XI. ADJOURNMENT