

Kearny Town Council

Regular Meeting

- Agenda -

Tuesday, September 20, 2022

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. David Perez, 871 Devon Street: requesting permission to have Devon Street between Seeley Avenue and the Belleville Turnpike closed to traffic on **Saturday, September 24, 2022** from 2:00 p.m. to 9:00 p.m. for a block party. (Rain date: Sunday, September 25, 2022)
POLICE/FIRE/DPW
2. Kenneth McKenna, President and Founder of the Minette Grosso McKenna Angel Foundation: requesting permission for Kearny resident and Minette's Angels volunteer Emma Quintana to tie pink ribbons on the trees at Town Hall and our downtown area during the month of October, Breast Cancer Awareness month. The Tie A Ribbon Campaign kick-off at Town Hall will be held on **Saturday, October 01, 2022** at 9:00 a.m.
POLICE/DPW
3. Jennifer Esteves on behalf of the KGC Competition Cheering Team: requesting permission to hold a canning fundraiser on **Saturday, October 08, 2022** and **Saturday, October 29, 2022**.
POLICE/DPW/REC
4. Rev. John E. Wassell, Pastor, St. Cecilia Church: requesting permission to hold a procession for Our Lady of Fatima on **Sunday, October 16, 2022**. The procession will start at Kearny Avenue and Hoyt Street at 7:45 p.m.
POLICE/DPW
5. Anna Marie Latushko, President of UNICO National, Kearny Chapter: on behalf of the officers and members of the Kearny Chapter of UNICO National, requesting permission to fly the Italian Flag at American Revolution Bicentennial Park (Town Hall Park) during the **month of October** in honor of Italian Heritage & Culture Month.
POLICE/DPW/REC
6. William Mullins, KHS Varsity Boys Basketball Coach: requesting permission to hold a canning fundraiser on **Saturday, January 28, 2023** and **Saturday, February 04, 2023**.
POLICE/DPW/REC
7. LICENSES: 3 – GARAGE SALES
LICENSES

B. Reports of Department Heads

1. Construction Code Enforcement Department Report for August 2022
2. Veolia Billing & Collections Month End Report August 2022
3. Certified Tree Experts (CTE) Report dated August 31, 2022 including Recommended Tree Removal(s)
4. Engineer's Report dated September 20, 2022

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C. Proclamations

1. Proclamation Designating September as Suicide Prevention Awareness Month
2. Proclamation Proclaiming September 11-17, 2022 as NATIONAL PATRIOTISM WEEK in the Town of Kearny
3. Proclamation Designating October as Breast Cancer Awareness Month
4. Proclamation Congratulating Carol A. Manley on her Retirement
5. Proclamation Designating October 6, 2022 as Knock Out Opioid Abuse Day

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

2022-(O)-25

Ordinance Establishing a No Parking Zone on Sellers Street

2022-(O)-26

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 May 25, 2021. (Salaries for Department Heads and Assistant Department Heads, January 01, 2022 – December 31, 2025)

2022-(O)-27

McCURRIE

Bond Ordinance Providing for Various Capital Improvements In and By the Town of Kearny, in the County of Hudson, New Jersey, Appropriating \$2,500,000 Therefor and Authorizing the Issuance of \$2,375,000 Bonds or Notes of the Town to Finance Part of the Cost Thereof

2022-(O)-28

McCURRIE

Bond Ordinance Providing for Lead Water Service Line Replacements on Various Roads In and By the Town of Kearny, in the County of Hudson, New Jersey, Appropriating \$4,000,000 Therefor and Authorizing the Issuance of \$3,800,000 Bonds or Notes of the Town to Finance Part of the Cost Thereof

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

2022-(O)-21

McCURRIE

Ordinance Establishing New Towing Fees Under Chapter 5-33.2 of the Town Code

2022-(O)-22

McCURRIE

Ordinance Amending Section 2-57.1c. of the Town Code to Enlarge the KMUA Service District to Include a Special Emergency Sewer District So As to Relieve Flooding in that District

2022-(O)-23

McCURRIE

Ordinance Adding a New Section 22-18 to the Town Code Regarding Access to Property for the Identification and Replacement of Lead Service Lines

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2022-(O)-23B

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 (Fire Chief Salary for 2022)

2022-(O)-24

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 November 9, 2021 and All Various Civil Service Titles in the Town of Kearny (Exempt Employees' Salaries for 2022)

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 September 6, 2022

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

***2022-(R)-542**

Bills List Resolution

***2022-(R)-543**

Resolution Authorizing Permission to Encroach Upon Town Right of Way at 62 Pavonia Avenue, **Block 69, Lot 12**, for the Purpose of Installing a Fence.

***2022-(R)-544**

Resolution Granting Permission to PSE&G for Emergency Road Opening Permit at 99 S. Midland Avenue in Order to Repair Gas Service.

***2022-(R)-545**

Resolution Granting Permission to PSE&G for Emergency Road Opening Permit at 99 Washington Avenue, **Block 92, Lot 17**, in Order to Repair Gas Service.

***2022-(R)-546**

Resolution Granting Permission to PSE&G for Road Opening Permit at 348 Elm Street, **Block 210, Lot 8**, in Order to Install Gas Service.

***2022-(R)-547**

Resolution Granting Permission to J. Fletcher Creamer & Son, Inc. of Hackensack, NJ for Road Opening Permit at 381 Kearny Avenue, **Block 61, Lot 18**, in Order to Install a New 4" Fire Line Water Service.

***2022-(R)-548**

Resolution Authorizing Six (6) Hours Overtime to Jonathan Szura, Technical Assistant Land Use in the Construction Code Enforcement Office, to Support the Regular Evening Meeting of the Zoning Board on September 01, 2022 and the Regular Evening Meeting of the Planning Board on September 07, 2022. (\$276.24)

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***2022-(R)-549**

Resolution Authorizing Ten (10) Hours Overtime to Dinis Conceicao, Network Administrator 1, to Provide Support for the Zoning Board Meeting on September 01, 2022, the Mayor and Council Meeting on September 06, 2022, and the Planning Board Meeting on September 07, 2022. (\$735.90)

***2022-(R)-550**

Resolution Authorizing Five (5) Hours Overtime to Adnelis Albizu, Social Service Tech Bilingual in the Health Department, for Homeless Outreach on August 28, 2022 and September 01, 2022. (\$184.50)

***2022-(R)-551**

Consent Agenda Resolution

DOYLE

2022-(R)-552

Resolution Authorizing Sixty-seven (67) Hours of Overtime within the Department of Public Works to Repair Plumbing Issue at KPD, Repair Senior Bus, Respond to Burglar Alarms at the Town Hall Annex and Library, Open and Clean Playgrounds on Labor Day Holiday, Repair Damaged Fuel Pump at DPW, Work Through Lunch to Keep Office Open, and Assist Contractor Sanitizing Health Clinic (COVID Related Expense). (\$3,671.91)

SANTOS

2022-(R)-553

Resolution Appointing Leidy Azcarate to the Full-Time Position of Clerk Typist Bilingual for the Town of Kearny UEZ Department, Effective September 21, 2022.

SANTOS

2022-(R)-554

Resolution Awarding a Contract to Smith-Sondy Asphalt Construction for the Kearny Avenue and Bergen Avenue Roadway Improvements Project (NJDOT Funded) in the Amount of \$1,278,854.25.

SANTOS

2022-(R)-555

Resolution Authorizing Contract to Neglia Group for Construction Management of the Kearny Avenue and Bergen Avenue Roadway Improvements Project (NJDOT Funded) (T&M not to Exceed \$95,920.00).

SANTOS

2022-(R)-556

Resolution Pursuant to Town Code Section 23-7 Approving Curb Cut at 255 Forest Street, **Block 220, Lot 52**, to Accommodate a New Driveway.

SANTOS

2022-(R)-557

Resolution to Enter into Closed Session to Discuss the Following Matters Relating to Anticipated Litigation, Litigation, Contract Negotiations, and Personnel Matters, to wit: Update regarding Contract Negotiations with PBA and PSOA, Update on Contract Negotiations with FMBA Local 18

SANTOS

2022-(R)-558

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: 28 Brighton Avenue, **Block 29, Lot 7**; 89 Johnston Avenue, **Block 10, Lot 38**; 299 Hickory Street, **Block 212, Lot 44**; 305 Bergen Avenue, **Block 242, Lot 37**; 834 Kearny Avenue, **Block 123, Lot 1**; 137 ½ Bergen Avenue, **Block 37, Lot 41**

DOYLE

2022-(R)-559

Resolution Appointing Nicole Sabbagh to the Part-Time Position of Lifeguard in the Recreation Department to Work a Maximum of Nine (9) Hours per Week at the Current Hourly Rate of \$15.00, Effective September 14, 2022 to June 15, 2023.

KONOPKA

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2022-(R)-560

SANTANA

Resolution Accepting the Retirement Application of Carol A. Manley, Parking Enforcement Officer/Meter Collector in the Kearny Police Department, Traffic Division, after Twenty-seven (27) Years and Three (3) Months of Service, Effective October 01, 2022 (unused sick leave and unused vacation totaling \$15,171.23 subject to change if additional time is taken).

2022-(R)-561

SANTANA

Resolution Rescinding the 2022-2023 Alcoholic Beverage License Renewal of Plenary Retail Consumption License No. 0907-33-035-001 from Resolution #2022-415 because Licensee Requires a N.J.S.A. 33:1-12:18 Special Ruling.

2022-(R)-562

SANTANA

Resolution Authorizing the Execution of a Person-to-Person Transfer of Plenary Retail Distribution License No. 0907-44-062-004 from JIN DELI INC, t/a Tony's Deli & Liquor to 361 KEARNY WINE AND LIQUOR INC, t/a Liquor Station, 361 Kearny Avenue, Kearny, New Jersey.

***2022-(R)-563**

Resolution Granting Permission to Daniel Roma of Artek Studio for Road Opening Permit at 199 Tappan Street, **Block 265, Lot 19**, in Order to Install Water Service, Sanitary Service, and a Storm Sewer.

X. EXECUTIVE (CLOSED) SESSION

XI. ADJOURNMENT