

Kearny Town Council

Regular Meeting

- Agenda -

Tuesday, October 11, 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. Sgt. Tom Pontrella, President, Kearny PBA Local #21: requesting to hang a banner across Kearny Avenue at Locust Avenue advertising the upcoming carnival fundraiser at the Frank A. Vincent Marina in October.
POLICE/DPW
 2. Cissy Gialanella, JC Promotions, on behalf of UNICO National, Kearny Chapter: requesting permission to sponsor an “Italian” Flea Market on **Sunday, October 16, 2022**, at the Frank A. Vincent Marina. A previous flea market scheduled and approved for September 11, 2022, was rained out.
POLICE/REC/DPW/HEALTH
 3. Craig Justynski, 16 Madison Avenue: requesting permission for the residents of Madison Avenue to hold their annual Madison Avenue block party on **Saturday, October 15, 2022**, from 11:00 a.m. until 10:00 p.m., and also requesting that Madison Avenue between West Bennett and the Belleville Turnpike be closed to traffic. Rain date: Sunday, October 16th. The Madison Avenue block party previously approved for October 01, 2022, was cancelled.
POLICE/FIRE/DPW
 4. Ralph Cattafi, Director of Parks and Recreation and the Recreation Commission: requesting the closure of Belgrove Drive from Afton Street to Bergen Avenue on **Thursday, October 27, 2022**, from 6:00 p.m. to 10:00 p.m. for the Oktoberfest Concert at Veterans Memorial Park on Belgrove Drive. (Rain date for Thursday, October 13, 2022).
POLICE/FIRE/DPW/HEALTH
 5. Ralph Cattafi, Director of Parks and Recreation and the Recreation Commission: requesting to hold the annual Halloween Parade on **Sunday, October 30, 2022**, beginning at 2:00 p.m. at Woodland & Kearny Avenues. Side streets leading to Kearny Avenue will need to be blocked along the parade route, starting at Johnston Avenue, and heading north to Quincy Avenue.
POLICE/FIRE/DPW/HEALTH
 6. Very Reverend Joseph A. Mancini, VF, Pastor of the Church of Saint Stephen: requesting permission to hold its third annual Eucharistic Procession in Prayer for Our Country on **Sunday, November 06, 2022**, in conjunction with Queen of Peace, North Arlington and Saint Michael’s and Our Lady of Mount Carmel in Lyndhurst. The procession will be conducted in the street with participants walking north on Kearny Avenue to the Belleville Turnpike and continue on the streets in North Arlington and Lyndhurst. It will begin at 3:00 p.m. at St. Stephen’s Church and end at Mount Carmel, stopping at the other churches as well as Holy Cross Cemetery.
POLICE/DPW/REC
 7. Vincent Almeida, KHS Director of Athletics and Student Activities: requesting permission to reschedule the annual Bon Fire / Parade due to inclement weather to new date of **Wednesday, October 12, 2022**. The parade will begin at 7:00 p.m. from the front of Kearny High School, 336

Kearny Town Council

Regular Meeting

- Agenda -

Tuesday, October 11, 2022

7:00 PM

Kearny Town Hall

Devon Street, and end at Bunny Hill for the bonfire.

POLICE/FIRE/REC

8. LICENSES: 1– OVERNIGHT PARKING PERMITS that include:
1 - MANDEE LOT
3 – RAFFLE;
1 – GARAGE SALE LICENSES

B. Reports of Department Heads

1. Construction Code Enforcement Department Report for September 2022
2. Library Director's Report for September 2022
3. Engineer's Report dated October 11, 2022

C. Proclamations

1. Proclamation Honoring Fallen Firefighters
2. Proclamation Recognizing Male Breast Cancer Awareness Week October 16-22, 2022

D. Presentations

1. Presentation by Ano, LLC regarding use of property at 21 Sandford Avenue (Block 279, Lot 21.02), including a request for referral to the Zoning Board for a Use Variance.
2. Presentation by Joshua Humphrey, Library Director related to the Proposed Addition to the Kearny Branch Library at 759 Kearny Avenue

E. Reports of Council Members

VI. OPPORTUNITY FOR MEMBERS OF THE PUBLIC TO COMMENT ON AGENDA ITEMS AND MATTERS OF PUBLIC INTEREST

VII. PUBLIC HEARING ON **RESOLUTION 2022-585** RESOLUTION AUTHORIZING EXPENDITURE OF FUNDS IN THE AMOUNT OF **\$65,087.00** FROM THE NEW JERSEY URBAN ENTERPRISE ZONE ASSISTANCE FUND FOR KEARNY UEZ MARKETING AND PROMOTION PROGRAM VIII PROJECT.

VIII. BUSINESS OF THE MAYOR AND COUNCIL: ORDINANCES FOR INTRODUCTION

2022-(O)-29

McCURRIE

Ordinance Authorizing a Further Term Extension to the Lease Between the Town of Kearny and the Association of Exempt Firemen, for a Period of 25 Years until January 31, 2049

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

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)

Kearny Town Council

Regular Meeting

- Agenda -

Tuesday, October 11, 2022

7:00 PM

Kearny Town Hall

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

X. 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 20, 2022

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

***2022-(R)-564**

Bills List Resolution

***2022-(R)-565**

Resolution Authorizing the Return of Construction Permit Fees to Yoni Home Improvement, LLC in the Amount of \$365.00 for an Addition to the Dwelling at 64 Elm Street, **Block 249, Lot 1**, as the Work has been Cancelled.

***2022-(R)-566**

Resolution Authorizing Permission to Encroach Upon Town Right of Way at 147 Chestnut Street, **Block 243, Lot 17.02**, for the Purpose of Removing an Underground Storage Tank.

***2022-(R)-567**

Resolution Authorizing Permission to Encroach Upon Town Right of Way at 260 Davis Avenue, **Block 222, Lot 50**, for the Purpose of Removing an Underground Fuel Tank.

***2022-(R)-568**

Resolution Authorizing Permission to Encroach Upon Town Right of Way at 317 Davis Avenue, **Block 221, Lot 35**, for the Purpose of Replacing a Fence.

***2022-(R)-569**

Resolution Authorizing Permission to Encroach Upon Town Right of Way at 319 Davis Avenue, **Block 221, Lot 34**, for the Purpose of Replacing a Fence.

***2022-(R)-570**

Resolution Granting Permission to PSE&G for Road Opening Permit at 12 Arlington Avenue, (Left), **Block 228, Lot 7**, in Order to Install Gas Service.

***2022-(R)-571**

Resolution Granting Permission to PSE&G for Road Opening Permit at 12 Arlington Avenue, (Right), **Block 228, Lot 7**, in Order to Install Gas Service.

Kearny Town Council

Regular Meeting

- Agenda -

Tuesday, October 11, 2022

7:00 PM

Kearny Town Hall

***2022-(R)-572**

Resolution Granting Permission to PSE&G for Emergency Road Opening Permit at 30 N. Midland Avenue, **Block 75, Lot 19**, in Order to Repair Gas Service.

***2022-(R)-573**

Resolution Granting Permission to PSE&G for Road Opening Permit at 56 Stewart Avenue, **Block 97, Lot 16**, in Order to Install Gas Service.

***2022-(R)-574**

Resolution Granting Permission to PSE&G for Road Opening Permit at 462-464 Chestnut Street, **Block 208, Lot 11**, in Order to Install Gas Service.

***2022-(R)-575**

Resolution Granting Permission to PSE&G for Road Opening Permit at 549 Elm Street, a/k/a 234-236 Laurel Avenue, **Block 177, Lot 15**, in Order to Install Gas Main Protection/Anodes.

***2022-(R)-576**

Resolution Granting Permission to J. Fletcher Creamer & Son, Inc. of Hackensack, NJ for Road Opening Permit at 221 Hoyt Street, **Block 262, Lot 30**, in Order to Repair a Water Service.

***2022-(R)-577**

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

***2022-(R)-578**

Resolution Granting Permission to J. Fletcher Creamer & Son, Inc. of Hackensack, NJ for Road Opening Permit at 733 Forest Street, **Block 131, Lot 31**, in Order to Repair a Water Service.

***2022-(R)-579**

Resolution Granting Permission to Shauger Property Services, Inc. of East Orange, NJ for Road Opening Permit at the Intersection of Dukes Street and Davis Avenue, in Order to Repair/Replace 6" Gate Valve.

***2022-(R)-580**

Resolution Granting Permission to Shauger Property Services, Inc. of East Orange, NJ for Road Opening Permit at 34-40 Rutherford Place, a/k/a 36 Rutherford Place, **Block 140, Lot 1**, in Order to Repair Water Service Leak.

***2022-(R)-581**

Resolution Authorizing Fifteen (15) Hours Overtime to Dinis Conceicao, Network Administrator 1, to Provide Support for the KEZDC Meeting on September 15, 2022, the Mayor and Council Meeting on September 20, 2022, the Board of Health Meeting on September 22, 2022, the Zoning Board Meeting on October 04, 2022, and the Planning Board Meeting on October 05, 2022. (\$1,103.85)

***2022-(R)-582**

Resolution Authorizing Two (2) Hours Overtime to Adnelis Albizu, Social Service Tech Bilingual in the Health Department and Board Member of the North Hudson Community Action Corporation, to Attend an Evening Meeting of the Board on September 20, 2022. (\$73.80)

***2022-(R)-583**

Consent Agenda Resolution

DOYLE

Kearny Town Council

Regular Meeting

- Agenda -

Tuesday, October 11, 2022

7:00 PM

Kearny Town Hall

2022-(R)-584

SANTOS

Resolution Authorizing Forty-four (44) Hours of Overtime within the Department of Public Works to Remove a Down Tree Limb in the Roadway on Kearny Avenue, Close Health Department after Monkey Pox Clinic, Repair Potholes, Open Health Department for Plumber, Work Through Lunch to Keep Office Open, and Assist Contractor Sanitizing Health Clinic (COVID Related Expense). (\$2,364.21)

2022-(R)-585

SANTOS

Resolution Authorizing Expenditure of Funds in the Amount of \$65,087.00 from the New Jersey Urban Enterprise Zone Assistance Fund for Kearny UEZ Marketing and Promotion Program VIII Project.

2022-(R)-586

SANTOS

Resolution Authorizing a Professional Services Agreement with RSC Architects for Design and Other Services related to the Proposed Addition to the Kearny Branch Library at 759 Kearny Avenue at a cost not to exceed \$47,500.

2022-(R)-587

SANTOS

Resolution Authorizing Award of Contract to Athletica Sports Systems, Inc. in the Amount of \$158,440 for the Purchase and Installation of a Roller Hockey Rink in Riverbank Park through the Sourcewell Cooperative Purchase Agreement #120320 ATH.

2022-(R)-588

SANTOS

Resolution Authorizing Execution of a Memorandum of Agreement with the United States Environmental Protection Agency and the New Jersey Department of Environmental Protection Related to the Syncon Resins Superfund Site.

2022-(R)-589

SANTOS

Resolution Strongly Urging the State Legislature to Adopt Senate Bill S-3131/Assembly Bill A-4686 which Allows the Police to Impound Nuisance Motor Vehicles, Commonly Called 'Boom Cars'.

2022-(R)-590

SANTOS

Resolution Authorizing Reimbursement to Kearny Residential Property Owners who Replaced Lead Water Lines in Compliance with the New Jersey Lead Service Line Replacement Law.

2022-(R)-591

SANTOS

Resolution Authorizing Encroachment Upon Town Property in North Arlington to Replace an Existing Fence.

2022-(R)-592

SANTOS

Resolution Rejecting the Bid for Sale (By Assignment) of Tax Sale Certificate (No. 16-00011) held by the Town Against Property at 701 Passaic Avenue (Block 1, Lot 40) to Ziggy Rozalski at the Sale Price of \$25,000.00.

2022-(R)-593

SANTOS

Resolution Authorizing the Sale (By Assignment) of Tax Sale Certificate (No. 14-020163) held by the Town Against Property at 26-48 Freeman Avenue (Block 226, Lot 8.02) to Tibo Construction LLC at the Sale Price of \$68,686.73.

2022-(R)-594

SANTOS

Resolution Authorizing the Sale (By Assignment) of Tax Sale Certificate (No. 13-00133) held by the Town Against Property at 38-48 Stover Avenue (Block 215, Lot 6) to Tibo Construction LLC at the Sale Price of \$77,376.10.

Kearny Town Council

Regular Meeting

- Agenda -

Tuesday, October 11, 2022

7:00 PM

Kearny Town Hall

2022-(R)-595

SANTOS

Resolution Rescinding Resolution 2022-(R)-543 Which Mistakenly Authorized an Encroachment on the Town of Right of Way to Install a Fence at 62 Pavonia Avenue.

2022-(R)-596

SANTOS

Resolution Acting Upon the Request to Install a Fence at 62 Pavonia Avenue, **Block 69, Lot 12.**

2022-(R)-597

SANTOS

Resolution Acting Upon the Request for a Curb Cut at 437 Highland Avenue, **Block 68, Lot 21.**

2022-(R)-598

SANTOS

Resolution to Enter into Closed Session to Discuss the Following Matters Relating to Anticipated Litigation, Litigation, Contract Negotiations, and Personnel Matters, to wit:

2022-(R)-599

KONOPKA

Resolution Appointing Claydson Passos to the Part-Time Position of Security Guard for the Town of Kearny Recreation Department, Effective October 12, 2022.

2022-(R)-600

SANTANA

Resolution Appointing Nancy Grioli to the Permanent Position of Crossing Guard title code 03125 at the Current Hourly Rate of \$18.19 effective September 6, 2022.

2022-(R)-601

SANTANA

Resolution Appointing/Transferring Barbara McCourt to the Full-Time Position of Parking Enforcement Officer/Meter Collector in the Kearny Police Department, Traffic Division, at the Current Annual Salary of \$39,985, Effective October 3, 2022.

2022-(R)-602

SANTANA

Resolution Appointing Delminda Gomes to the Permanent Position of Crossing Guard title code 03125 at the Current Hourly Rate of \$18.19 effective October 17, 2022.

2022-(R)-603

SANTANA

Resolution Rescinding Resolution #2022-540 Adopted September 6, 2022, Authorizing Transfer of the ABC License 0907-33-066-003.

2022-(R)-604

SANTANA

Resolution Authorizing the Execution of a Person-to-Person Transfer of Plenary Retail Consumption License No. 0907-33-066-003 from WELSHS SNUG HARBOR INC to DELPHIN REGINALD, t/a Snug Harbor Seafood Bar & Grill, 513 Elm Street, Kearny, New Jersey.

XI. EXECUTIVE (CLOSED) SESSION

XII. ADJOURNMENT