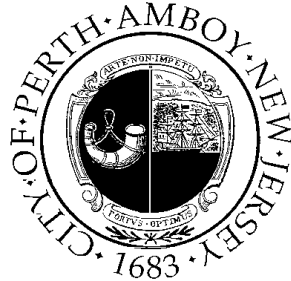


**DRAFT RESOLUTIONS ARE AVAILABLE FOR REVIEW IN THE CITY CLERK'S OFFICE BUT ARE SUBJECT TO FINAL AMENDMENTS PRIOR TO THE MEETING.**



**DRAFT  
CITY COUNCIL AGENDA  
JANUARY 14, 2009  
COUNCIL CHAMBERS**

**NOTICE OF MEETING**

Presiding Officer of the Council, \_\_\_\_\_, wishes to advise the audience that notice of this meeting has been filed with the Home News Tribune, The Star Ledger and posted on the bulletin board in the City Clerk's office, indicating that tonight's meeting is being held at the Council Chambers, City Hall, 260 High Street, at 7:00 p.m.

At this time, as a courtesy to the Governing Body, I would ask all individuals present, including members of the audience, to please turn off all cell phones, pagers and electronic devices. Should you need to make a telephone call, please go out into the hallway and speak in a low voice so as not to disturb the ongoing meeting.

**PROCLAMATIONS/PRESENTATIONS**

Mayor Wilda Diaz proclaiming the following:

1. The month of January 2009 as "Dr. Martin Luther King, Jr. Month".
2. The month of January 2009 as "National Wear Red Day for Women Month".

**TOPICS FOR DISCUSSION**

1. Middlesex Water Annual Report. (Fehrenbach)

## AGENDA

**PUBLIC COMMENT** – Citizens may address the Council on any matter on the agenda which does not have its own scheduled public hearing. **Citizens shall be permitted to speak once for a maximum of ten (10) minutes.**

## APPROVAL OF MINUTES

|                     |                |
|---------------------|----------------|
| February 27, 2008   | Regular        |
| March 12 & 26, 2008 | Regular        |
| April 7 & 17, 2008  | Special        |
| April 9 & 23, 2008  | Regular        |
| May 14 & 28, 2008   | Regular        |
| June 11 & 25, 2008  | Regular        |
| July 1, 2008        | Reorganization |
| July 9, 2008        | Regular        |

## BIDS

None.

## SUPPLEMENTAL DEBT STATEMENT

None.

## LIQUOR LICENSE - NOTIFICATION

None.

## SOCIAL AFFAIR PERMIT

St. Stephens R.C. Church  
490 State Street  
Date: February 14, 2009, 8:00p.m. – 1:00 a.m.  
Location: School Auditorium, State Street

## REPORTS

1. Report of checks prepared and paid during the month of December 2008 in the total amount of \$1,448,012.90.
2. Middlesex County 2008 Abstract of Added/Omitted Assessments.
3. Middlesex County 2008 Abstract of Ratables.
4. Utility Service Affiliates Perth Amboy - Water and Wastewater Systems Annual Report for the contract year ended June 30, 2008.

5. Middlesex County Utilities Authority – Solid Waste Division Budget, Rate Schedule & Service Charges for 2009.

**ORDINANCES – FIRST READING  
(NO PUBLIC DISCUSSION)**

1. AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "AN ORDINANCE DESIGNATING RESTRICTED PARKING SPACES FOR USE BY HANDICAPPED PERSONS" (ORDINANCE NO. 380-85 AND AMENDMENTS) ADOPTED JULY 2, 1985 ALSO KNOWN AS CHAPTER 255A ET SEQ OF THE CODE OF THE CITY OF PERTH AMBOY.

Re: Additions

**ORDINANCES – PUBLIC HEARING  
(5 MINUTE MAXIMUM PER SPEAKER/PER ORDINANCE)**

1. AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "VEHICLES AND TRAFFIC (ORDINANCE NO. 194-78 AS AMENDED)" ADOPTED SEPTEMBER 19, 1978, ALSO KNOWN AS CHAPTER 414 ET SEQ OF THE CODE OF THE CITY OF PERTH AMBOY.

Re: Adding Loading Zone – Amboy Avenue location

2. AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "AN ORDINANCE DESIGNATING RESTRICTED PARKING SPACES FOR USE BY HANDICAPPED PERSONS" (ORDINANCE NO. 380-85 AND AMENDMENTS) ADOPTED JULY 2, 1985 ALSO KNOWN AS CHAPTER 255A ET SEQ OF THE CODE OF THE CITY OF PERTH AMBOY.

Re: Additions

3. AN ORDINANCE ESTABLISHING A CITYWIDE POLICY REGARDING WAIVER OF EMPLOYEE HEALTH INSURANCE COVERAGE UNDER GROUP HEALTH CARE BENEFITS PROGRAM.

**RESOLUTIONS**

**R-1-1/09** Public Hearing and possible adoption of SFY 2009 Budget. **MOTION TO CONTINUE PUBLIC HEARING TO THE MEETING OF JANUARY 28, 2009.**

**R-2-1/09** Authorizing funding of Reserve for Tax Appeals from available fund balance in the amount of \$948,000.00.

**R-3-1/09** Authorizing up to one hundred twenty days of paid injury leave to Officer Matthew Mercurio.

**R-4-1/09** Authorizing the City of Perth Amboy to charge back legal fees incurred in connection with business transactions.

**R-5-1/09** Renewing the lease agreement with Congressman Albio Sires for designated office space in Perth Amboy City Hall commencing January 1, 2009 and ending June 30, 2009.

**R-6-1/09** Confirming the appointment of D&H Alternative Risk Solutions, Inc. as third party administrator of insurance claims.

**R-7-1/09** Rescinding R-43-1/94 authorizing health and hospital benefits coverage to certain retired employees.

**R-8-1/09** Authorizing a contract for professional planning services with the firm of Triad Associates to prepare a Neighborhood Stabilization Program Application in an amount not to exceed \$12,500.00.

Consent Agenda – R-9-1/09 to R-18-1/09

**R-9-1/09** Authorizing the Tax Collector to cancel various credit balances under the \$10.00 threshold.

**R-10-1/09** Authorizing the refund of tax overpayment in the amount of \$3,644.98 on Block 136, Lot 1.04.

**R-11-1/09** Authorizing refund of duplicate tax payments resulting from veteran/senior deductions.

**R-12-1/09** Authorizing the refund of tax overpayment in the amount of \$1,171.52 on Block 30, Lot 27.

**R-13-1/09** Authorizing the refund of tax overpayments to First American Real Estate Tax Services.

**R-14-1/09** Authorizing the refund of tax overpayment in the amount of \$170.18 on Block 353.04, Lot 2.

**R-15-1/09** Authorizing the refund tax overpayment in the amount of \$2,760.33 on Block 135.01, Lot 1.

**R-16-1/09** Authorizing the refund of tax overpayment in the amount of \$6,774.97 on Block 126, Lot 29.01.

**R-17-1/09** Authorizing the refund of tax overpayment in the amount of \$1,256.62 on Block 34, Lot 24.02.

**R-18-1/09** Authorizing the refund of tax overpayments to Countrywide Tax Services Corp.

**R-19-1/09** Authorizing subordination of mortgage between Perth Amboy Urban Enterprise Zone Program and Jewish Renaissance Medical Center, Inc. to New Jersey Economic Development Authority Mortgage.

**R-20-1/09** Retaining iMendez & Co. to provide communication consultant services and public relations to the City of Perth Amboy in an amount not to exceed \$37,500.00 from November 1, 2008 to June 15, 2009.

**R-21-1/09** Authorizing emergency temporary appropriations to extend SFY 2009 Temporary Budget in the amount of \$10,593,028.84.

**R-22-1/09** Authorizing settlement of Hugh Montani vs. City of Perth Amboy Docket No. MID-C-111-08.

**R-23-1/09** Canceling accounts receivable for water and wastewater for Crows Nest due to duplicate payments.

**R-24-1/09** Tax Appeal

**R-25-1/09** Tax Appeal

**R-26-1/09** Tax Appeal

**R-27-1/09** Tax Appeal

**R-28-1/09** Tax Appeal

**R-29-1/09** Authorizing a Closed Session at the January 14, 2009 meeting to discuss:

1. Tax Appeals
2. Pending and Anticipated Litigation – Hugh Montani vs. City of Perth Amboy

## COMMUNICATIONS

1. Middlesex County Dept. of Planning, Land Development and Review Division advising the Old Bridge Township Planning Board that the County's conditions have been fulfilled with regard to Omnipoint Communications, Inc.'s site plan application for work at Runyon Water Treatment Facility. Authorization is given to the local building official to issue a building permit. (12/5/08)
2. NJDEP issued a No Further Action Letter and Covenant Not to Sue for the remediation of the 550 gallon #2 heating oil underground storage tank at 588 Penn Street. (12/8/08)
3. Mayor Wilda Diaz advising David Biagini of the Chamber of Commerce that she has asked her staff to provide her with a current assessment and to prepare a plan to restart the BID Board. (12/8/08)
4. Dianne Roman, Senior Citizen Programs and Services Supervisor thanking Maximo Peguero of Mi Pueblo Cleaners for ironing the senior citizen billiard team shirts. (12/10/08)
5. Michael W. Keller, Dir. of Community Development thanking the DOT for having sidewalks installed along the west side of Route 35 from Lindberg Avenue to Rudyard Drive. (12/10/08)
6. William T. McAllister, resident of Water Street, advising that he supports Slavko's food stand on the waterfront. (12/10/08)
7. Assemblyman John S. Wisniewski advising that the DOT will be installing crisis intervention signs on the Victory Bridge. The signs will be equipped with a hotline phone number. (12/10/08)
8. Michael Kohut, Police Director/Chief, submitted a report from the traffic bureau supporting the return of Park Avenue, between Washington Street and Broad Street, to a two-way street. (12/10/08)

9. Mayor Wilda Diaz thanking the following for their donation of children's books for distribution by Santa Clause at the tree lighting ceremony on December 4<sup>th</sup>: (12/11/08)

John & Lina Gosden, NJ Publishes

Athur Zarzycki, Apple Books

Dan O'Connor & Stan Miller, Perma-Bound

Cliff Herbert, Cliff Education Ent.

Leah Wagner, Books to Keep, Monroe Township Library

10. Elaine M. Jasko, City Clerk, advising Gregory Fehrenbach, Interim B.A., that the Council has asked that the odors emanating from the sewer pumping station in the marina be investigated. (12/12/08)
11. Environmental Liability Management, Inc. submitted a General Information Notice and the Remediation Agreement application for FM Sylvan, Inc. for 1001 State Street. (12/12/08)
12. PSE&G advising that they are launching a state-of-the-art customer service system in early 2009. The transition will begin in January. (12/16/08)
13. Middlesex County Dept. of Planning acknowledging receipt of the resolution adopting an amendment to the 2003 Master Plan Utility Service Plan. (12/16/08)
14. Jack Coughlin, Interim B.A. advising Luis Perez Jimenez, Middlesex Water, that the Council has requested an investigation into the orders emanating from the sewer pumping station. (12/17/08)
15. Gregory Fehrenbach, Interim, B.A. submitted an excerpt from Local Finance Notice which advises that Pending FY 2009 Extraordinary Aid and Special Municipal Aid awards will not be made until the deferred pension obligation initiative is resolved. (12/19/08)
16. Middlesex County Freeholder Clerk submitted a certified copy of a Resolution adopted on November 24, 2008, authorizing execution of an Interlocal Service Agreement for Hazardous Materials Cost Recovery. (12/16/08)

- 17.** Paul D. Wnek, Dir. Public Works advising that as a result of discussions with the Police Chief, arrangements were made on how to handle a snow event at the public safety complex. (12/19/08)
- 18.** South Amboy City Clerk submitted a certified copy of a Resolution adopted on December 17, 2008, approving the Feasibility Grant to Study Sharing of Trunked Radio Services. (12/22/08)
- 19.** Mayor Wilda Diaz advising that effective immediately, Battalion Chief David Volk has been appointed as EMS Program Administrator and Senior EMT Edward Murawski has been designated as the Alternate. (12/24/08)
- 20.** NJ Transit giving notice of its intent to apply for Federal Fiscal Year 2009 Federal Financial Assistance. (12/26/08)
- 21.** NJDOT acknowledging receipt of Ordinance 1446-2008, establishing Penn Street as a one-way roadway and advising that on December 4, 2008 the Governor signed legislation requiring municipalities and counties to establish certain traffic controls without DOT review or involvement. (12/31/08)
- 22.** Woodbridge Township Planning Board Secretary advising that a meeting will be held on January 7, 2009, 7:00 p.m. in the Council Chambers, for the purpose of obtaining public comment relative to the Master Plan. (12/31/08)
- 23.** Robert McCoy, UEZ Chief Administrator advising that parking enforcement officers use portable hand held enforcement devices that record license plate, time and date of vehicles that park in excess of two hour meter parking. Parking enforcement officers have been reminded to be more pro active with regard to enforcement of over time meter parking. (1/2/09)

- 24.** Mayor Wilda Diaz advising that she is proposing to institute a 6 week program where high school students can help beautify the City and earn money. In an effort to fund the project she has contacted the following to help find the resources to implement the program: (1/2/09)

Wilentz, Goldman & Spitzer  
Hess Corporation  
Kinder Morgan Liquids Terminals  
Gerdau Ameristeel

- 25.** Mayor Wilda Diaz expressing her thanks to the following for their efforts in making a difference in the City: (1/2/09)

|                 |                      |
|-----------------|----------------------|
| Maria Cuba      | William Pavlovsky    |
| Anna Daily      | Tom & Betty Ward     |
| Wanda Hernandez | Capt. Ismael Correa  |
| Bob Durso       | Rev. Wayne Brady     |
| Jack Dudas      | George Bonilla       |
| Doug Dzema      | Carolyn Carmon       |
| John Dyke       | Father Michael Rosco |
| Jorge Cruz      | Mary Katz            |
| Luis Vargas     | Geri Barcheski       |
| Millie Abreu    |                      |

- 26.** Bill George, Editor/Publisher Amboy Beacon gave a report on the cost for official advertising since being designated as an official newspaper for the City. (1/5/09)

- 27.** Middlesex County Planning Board advising that the Reorganization Meeting will be held on January 13, 2009, at 4:00 p.m. in the Meeting Center of the Planning Board offices in New Brunswick. (1/5/09)

- 28.** NJDOT advising that they are proposing replacement of the existing bridge deck on Amboy Avenue over Route 440 and the NJDOT believes that there will be no effect on historic properties if they exist. (1/5/09)

- 29.** Mayor Wilda Diaz advising that she has appointed the following to the Zoning Board of Adjustment: (1/8/09)

Susan Batista – 4 yr. term  
Yvonne Evertt – 2 yr. term

30. Mayor Wilda Diaz submitted a list of projects that represent a multitude of capital needs that exist in the City for consideration under the Stimulus Bill to the Middlesex County Planning Board and Congressman Albio Sires. (1/6/09)
31. NJ Department of Community Affairs submitted information that local officials can take to help homeowners that are facing foreclosure or other housing related problems facing residents. (1/6/09)

**HEARING OF CITIZENS  
(10 MINUTE MAXIMUM)**

**PUBLIC PORTION  
(5 MINUTES MAXIMUM PER SPEAKER)**

**ADJOURNMENT**

Elaine M. Jasko  
City Clerk