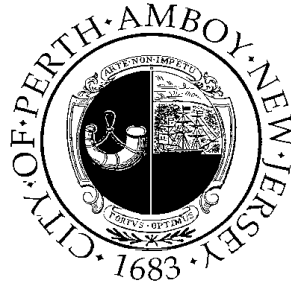


**DRAFT RESOLUTIONS ARE AVAILABLE FOR REVIEW IN THE CITY CLERK'S OFFICE BUT ARE SUBJECT TO FINAL AMENDMENTS PRIOR TO THE MEETING.**



**DRAFT  
CITY COUNCIL AGENDA  
AUGUST 12, 2009  
COUNCIL CHAMBERS**

**NOTICE OF MEETING**

Presiding Officer of the Council \_\_\_\_\_, wishes to advise the audience that notice of these meetings have been filed with the Home News Tribune, The Star Ledger, The Amboy Beacon and posted on the bulletin board in the City Clerk's office and on the City's website, indicating that today's meetings are being held at the YMCA Auditorium, 365 New Brunswick Avenue, at 5:30 p.m. and 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**

None.

**TOPICS FOR DISCUSSION**

1. Pink Ribbon Run. (Mayor Diaz)
2. Report on the results of requests for proposals to provide BLS and EMS services to the City. (Mark Blunda, Esq.)

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

None.

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

**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**

October 22, 2008	-	Regular
October 27, 2008	-	Special
November 12 & 24, 2008	-	Regular
December 10, 2008	-	Regular
December 22, 2008	-	Special
January 14 & 28, 2009	-	Regular
February 11 & 25, 2009	-	Regular
March 11 & 25, 2009	-	Regular
March 24, 2009	-	Special

**BIDS**

None.

**SUPPLEMENTAL DEBT STATEMENT**

None.

**LIQUOR LICENSE – NOTIFICATION**

None.

## **SOCIAL AFFAIR PERMIT**

St. Stephen's Church  
490 State Street  
Perth Amboy  
Date: October 24, 2009, 7:00 p.m. – Midnight  
Location: School Auditorium, State Street

## **REPORTS**

1. Report of checks prepared and paid during the month of July 2009, in the total amount of \$1,982,089.62.
2. Division of Revenue & Tax Collection - Monthly Cash Receipts FY 2009 Year End.
3. Report of Bond Anticipation Note Sale held on July 30, 2009 in the amount of \$7,305,824.00 to mature on July 30, 2010 at an interest rate of 3.5% per annum.

## **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/Deletions

2. 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: Addition of Loading Zones on State Street and King Street

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

1. AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "POLICE DEPARTMENT" (ORDINANCE NO. C-74 AND AMENDMENTS) ADOPTED OCTOBER 17, 1928 ALSO KNOWN AS CHAPTER 95 ET SEQ OF THE CODE OF THE CITY OF PERTH AMBOY.

Re: Off-duty Police Services

**RESOLUTIONS**

**R-365-8/09** Authorizing the 2009-2010 Renewal of certain plenary retail consumption licenses effective August 13, 2009.

**R-366-8/09** Authorizing emergency temporary appropriations to extend SFY 2010 Temporary Budget in the amount of \$92,000.00.

**R-367-8/09** Approving the transfer of SFY 2009 Budget Appropriations in the amount of \$147,927.30.

**R-368-8/09** Authorizing an agreement with Middlesex County for reimbursement of the application fees associated with the State Chiefs of Police Accreditation for Police Department in the amount of \$5,000.00.

**R-369-8/09** Authorizing the closure of City streets for the Celebrate Perth Amboy Susan Komen Race for the Cure on September 26, 2009.

**Consent Agenda – R-370-8/09 to R-403-8/09**

**R-370-8/09** Providing for the refund of overpayments in the amount of \$2,361.28 to Elio Martinez on Block 316, Lot 9.

**R-371-8/09** Providing for the refund of overpayments in the amount of \$514.23 to Carlos Cordova on Block 326, Lot 3.

**R-372-8/09** Providing for the refund of duplicate payment in the amount of \$970.78 to Enid Morales on Block 302, Lot 13.

**R-373-8/09** Providing for the refund of duplicate payment in the amount of \$1,303.57 to Luis & Carmen Restituyo on Block 21, Lot 42.

**R-374-8/09** Providing for the refund of duplicate payment in the amount of \$927.00 to Julio & Marilyn Minaya on Block 295, Lot 45.

**R-375-8/09** Authorizing the cancellation of real estate tax balances in the amount of \$10.00 on Block 115, Lot 25 and \$.72 on Block 374, Lot 13.

**R-376-8/09** Providing for the refund of overpayment/duplicate tax payment in the amount of \$544.34 to Victor Rodriguez and J. Hernandez on Block 113, Lot 15.

**R-377-8/09** Providing for the refund of duplicate payment in the amount of \$1,247.36 to Elizabeth Taveras and Johnny Fabian on Block 201, Lot 19.

**R-378-8/09** Providing for the refund of duplicate payment in the amount of \$1,601.25 to Patrice Vargas on Block 203, Lot 15.

**R-379-8/09** Providing for the refund of duplicate payment in the amount of \$1,178.56 to Rosendo and Erenia C. Martinez on Block 332, Lot 16.

**R-380-8/09** Providing for the refund of duplicate payment in the amount of \$987.84 to Francisco Nunez-Guzman on Block 158, Lot 3.

**R-381-8/09** Providing for the refund of duplicate payment in the amount of \$2,080.74 to Santiago & Manuela Diaz, on Block 382, Lot 9.

**R-382-8/09** Providing for the refund of duplicate payment in the amount of \$1,297.44 to Guardian Title Services, LLC, on Block 347, Lot 28.

**R-383-8/09** Providing for the refund of duplicate payment in the amount of \$1,084.39 to Julio C. and Danelba Miranda on Block 35, Lot 18.

**R-384-8/09** Authorizing the cancellation of real estate tax overpayment in the total amount of \$13,452.85.

**R-385-8/09** Providing for the refund of duplicate payment in the amount of \$236.58 to Francisco and Liz Gutierrez on Block 261, Lot 4.

**R-386-8/09** Providing for the refund of duplicate tax payments in the amount of \$622.39 on Block 48, Lot 22 and \$809.11 on Block 166, Lot 22.01.

**R-387-8/09** Authorizing the cancellation of certain property taxes for tax year 2009 in the amount of \$14,684.12 on Block 76, Lot 1.01.

**R-388-8/09** Providing for the refund of overpayment /duplicate tax payments in the total amount of \$41,694.68.

**R-389-8/009** Providing for the refund of duplicate payment in the amount of \$130.80 to Sacramento Magana on Block 118, Lot 36.

**R-390-8/09** Providing for the refund of duplicate payment in the amount of \$877.15 to Trust Account of Castle Rock Title Agency on Block 196, Lot 9.

**R-391-8/09** Providing for the refund of overpayment in the amount of \$287.71 to Yolanda Herrera on Block 78, Lot 7.02.

**R-392-8/09** Providing for the refund of overpayment in the amount of \$783.48 to Juan C. and Armando Valdez on Block 195, Lot 21.

**R-393-8/09** Providing for the refund of overpayment in the amount of \$96.34 to Jesus and Wanda Crespo on Block 308, Lot 19.

**R-394-8/09** Providing for the refund of overpayment in the amount of \$205.59 to Rafael O. Caba on Block 79, Lot 29.

**R-395-8/09** Providing for the refund of duplicate tax payment in the amount of \$743.21 to Evelyn Estrella on Block 403, Lot 22.

**R-396-8/09** Providing for the refund of duplicate payment in the amount of \$544.34 to the Trust Account of Jose M. Cameron on Block 113, Lot 15.

**R-397-8/09** Providing for the refund of duplicate tax payment in the amount of \$874.27 to Victor and Ana Urena on Block 264, Lot 21.

**R-398-8/09** Providing for the refund of duplicate tax payment in the amount of \$1,100.00 to Juan and Maria Franco on Block 225, Lot 12.

**R-399-8/09** Authorizing the cancellation of real estate tax overpayments in the total amount of \$18,831.93.

**R-400-8/09** Providing for the refund of duplicate tax overpayment in the amount of \$3,272.37 to Saxon Mortgage Company on Block 22, Lot 4.

**R-401-8/09** Providing for the refund of overpayment/duplicate tax payments in the total amount of \$48,849.62.

**R-402-8/09** Authorizing the cancellation of an erroneously sold tax sale certificate #090022 in the amount of \$6,640.88 to Royal Tax Lien Services on Block 43, Lot 1.

**R-403-8/09** Providing for the refund of duplicate payment in the amount of \$1,422.06 to Victor Perera on Block 206, Lot 38.

**R-404-8/09** Authorizing refund of a street opening permit for property located at 430 Keene Street, Block 403, Lot 18.01 in the amount of \$1,000.00 to Luis Armas.

**R-405-8/09** Authorizing refund of a street opening permit for property located at 350 Patterson Street, Block 82, Lot 4.01 in the amount of \$1,000.00 to Carolyn Jackson.

**R-406-8/09** Authorizing a contract with Lanigan Associates for the acquisition of point blank vision body armor under state contract no. A73993 in an amount not to exceed \$21,937.50.

**R-407-8/09** Authorizing a five year lease purchase agreement with Atlantic Tomorrows Office for the lease/purchase of four (4) Savin copiers in monthly installments of \$943.22 (\$715.93 police department and \$227.29 recreation department) in accordance with state contract no. A51464.

**R-408-8/09** Authorizing City of Perth Amboy to make application to the New Jersey Department of Environmental Protection's Hazardous Discharge Site Remediation Fund for a grant to perform preliminary assessments, site investigations and remedial investigation on the former city court, police, emergency services properties located on High St., also known as Block 140, Lots 206, Lots 1.01 through 3.01.

**R-409-8/09** Authorizing an application and agreement with the New Jersey Department of Law and Public Safety for an Over the Limit Under Arrest 2009 Statewide Driving Crackdown Grant in the amount of \$6,000.00.

**R-410-8/09** Authorizing payment of \$1,271.04 from the nutrition trust account to Nu-way Concessionaires for meals provided under the summer food service program.

**R-411-8/09** Authorizing stipulation of settlement resolving the complaint filed by Market Street Apartments, LLC a/k/a East Coast Market Street Apts. LLC for Block 56, Lot 3.

**R-412-8/09** Authorizing stipulation of settlement resolving the complaint filed by Stolthaven Perth Amboy, Inc. for Block 425, Lot 1.01, Block 426, Lot 3.04 and Block 429, Lot 1.

**R-413-8/09** Requesting a sixteen-year extension of the Urban Enterprise Program.

**R-414-8/09** Authorizing settlement of the workers compensation litigation entitled Leonard Stavish v. City of Perth Amboy C.P.no. 2008-18686 for the amount of \$13,800.00.

**R-415-8/09** Authorizing settlement of the workers compensation litigation entitled Heriberto Hernandez v. City of Perth Amboy C.P. no. 2008-5726 for the amount of \$17,151.75.

**R-416-8/09** Authorizing settlement of two workers compensation litigations entitled Miguel Ojeda v. City of Perth Amboy C.P.no. 2008-9300 for the amount of \$14,250.00 and C.P. no. 2008-9313 for the amount of \$5,520.00 for a total settlement of \$19,770.00.

**R-417-8/09** Authorizing refund of a restoration bond in the amount of \$2,000.00 to United Dominicans of Perth Amboy for the festival that was held on August 16th and 17th, 2008.

**R-418-8/09** Authorizing change order no. one to the contract with Lvi/Mazzocchi Wrecking, Inc. for the emergency demolition of 25 Second Street, Block 10, Lots 1 – 12, in an amount not to exceed \$2,700.21.

**R-419-8/09** Authorizing the Tax Assessor to settle tax appeals up to \$5,000.00 and to institute counterclaims on behalf of the City of Perth Amboy.

**R-420-8/09** Authorizing execution of the settlement and release agreement in the matter of Jose Diaz v. City of Perth Amboy OAL docket no. Csvlt 11909-2008n.

**R-421-8/09** Authorizing the City of Perth Amboy to make an application to the Local Finance Board to refinance existing bonds.

**R-422-8/09** Authorizing an extension to the contract with Paul Dennis, AIA, for professional services for the Court-Community Complex, in an amount not to exceed \$200,000.00.

**R-423-8/09** Authorizing extension of contract with Apprussese, McDermott, Mastro & Murphy for labor and employment matters in an amount not to exceed \$50,000.00.

**R-424-8/09** Authorizing extension of contract with Apprussese, McDermott, Mastro & Murphy for legal services beyond the regular duties of the Law Director in an amount not to exceed \$35,000.00.

**R-425-8/09** Authorizing a Closed Session at the meeting of August 12, 2009 to discuss the following:

## COMMUNICATIONS

1. "4 Connections" LLC asking for permission to enter the City for the purposes of providing competitive business telecommunication services to large-scale business customers in the tri-state area. (7/6/09)
2. Comcast submitted a list of channel changes to become effective on or about July 30, 2009. (7/7/09)
3. Middlesex County Chosen Freeholder Board submitted certified copy of a resolution authorizing execution of contract agreement between Middlesex County Dept. of Aging and the City of Perth Amboy for assisted transportation services by extending the original contract by an additional \$5,000 for January 1 – December 31, 2009. (7/7/09)
4. Middlesex County Chosen Freeholder Board submitted copy of participation agreement along with certified copy of the resolution relative to "A Matter of Balance" fall prevention program at the senior center 1/1/09-12/31/09. (7/7/09)

5. Barbara Quilla, a city resident, expressing her concern about the loud and raucous music that many ice cream vendors use in the area around the Caledonia-Roessler Park with adjacent streets of Lewis St., High St., Sadowsky Parkway and Linden St. and asking city officials and law enforcement to more strictly enforce statutes pertaining to the noise and/or the number of vendors permitted. (7/9/09)
6. Cynthia Sabine, a city resident, expressing her continued concerns about the Bungalo Bar, 391 Keene St., and questioning the lack of the off-duty police officer that was to be on the premises. (7/9/09)
7. Township of North Brunswick submitted a copy of a resolution adopted by the Mayor and Council on July 6, 2009, entitled "A Resolution opposing "Fast Track" Legislation issued by the NJ State Legislature." (7/9/09)
8. Mark J. Blunda, Law Director, advising Allen Papp, Esq. that effective September 1, 2009 a new Municipal Prosecutor will be designated for the City of Perth Amboy. (7/13/09)
9. US Bankruptcy Court for the Southern District of Texas advising of the confirmation hearing and objection deadline with respect to plans of reorganization and solicitation and voting procedures for ASARCO LLC, et al. (7/13/09)
10. Woodbridge Township submitted a copy of an ordinance amending Chapter 150 entitled "Land Use and Development Ordinance" of the Township of Woodbridge. Public Hearing is scheduled for August 4, 2009. (7/13/09)
11. Alfred J. Petit-Clair, Jr., Esq. submitted a copy of the reorganization resolution for the Zoning Board of Adjustment adopted on July 9, 2009. (7/13/09)
12. Kenneth Gonzalez, President, PA Board of Education, submitted a list of activities taking place in the schools. (7/14/09)
13. Perth Amboy Redevelopment Agency advising it has submitted a check in the amount of \$70,871.00 to finance the City's acquisition of a phone system. (7/15/09)

**14.** Mayor Wilda Diaz thanking John Dyke and Matt Telliho for the documentary on the Ku Klux Klan visits to Perth Amboy. (7/15/09)

**15.** Mayor Wilda Diaz thanking the following people for their participation in the Fourth of July ceremony at the Proprietary House and City Hall Circle: (7/15/09)

Kurt Epps	Brett & Kacy Epps
Tom Ward	Kerry Dyke
Rev. Wayne Brady	Councilwoman Geri Bolanowski
Kenneth Gonzalez	David Szilagyi

**16.** Day Pitney, LLC, advising that 450 Florida Grove Rd., LLC applied to the NJDEP for a remediation agreement in connection with the pending sale of said property. (7/15/09)

**17.** Mayor Wilda Diaz asking Governor Jon Corzine to prevail on our Senators and Congressmen to extend the economic stimulus package to include inner city adults who are ready and willing to work, but cannot because of outsourcing needle trade and manufacturing jobs, and the loss of other job opportunities that were available to them. (7/20/09)

**18.** Jack M. Dudas, Esq., City Historian, advising Mayor Wilda Diaz that he would like to meet with her to discuss several subjects that he is contemplating. (7/20/09)

**19.** Councilman Robert R. Sottilaro asking Mayor Wilda Diaz to consider adding two members to the Insurance Commission, possibly a member of the Fire Dept. and a member of the Dept. of Public Works, to eliminate meeting quorum problems and conflicts with the Open Public Meetings Act. (7/20/09)

**20.** Middlesex County Board of Chosen Freeholders advising that a public hearing on August 20, 2009 on several proposed projects affecting several municipalities in Middlesex County. (7/20/09)

- 21.** Councilwoman Geraldine Bolanowski asking the Police Dept. to do some undercover surveillance or unmarked car pass-bys in the late night hours at the Bungalo Bar at 391 Keene St., and to report back to the Council on their findings within a 2-3 week period. (7/21/09)
- 22.** Elaine M. Jasko, City Clerk, asking Douglas Dzema, Ex. Dir. of the PA Housing Authority to provide the City Council with Housing Authority minutes for the period of January 1, 2009 to the present. (7/21/09)
- 23.** Elaine M. Jasko, City Clerk, advising John Rodecker, Sup't. of Schools, that the City Council has requested that the Board of Education explore extending the hours of the use of school buildings so that citizens and children can use the facilities for activities. (7/21/09)
- 24.** NJDOT submitted a copy of proposed amendments for Drawbridge Operations rule. Public comment period for this rule ends Sept. 18, 2009. (7/22/09)
- 25.** Richard Piatkowski, a City resident, asking Deputy Police Chief EJ McDonald whether he would need to obtain a permit to hold a demonstration at City Hall Circle on Sept. 5, 2009 in the afternoon. The purpose of the demonstration is to protest the fact that citizens of this State and County are Taxed Enough Already. (7/23/09)
- 26.** Douglas Dzema, Ex. Director, PA Housing Authority, submitted copies of the minutes of the Board of Commissioners of the Housing Authority from January 1 through June of 2009. (7/24/09)
- 27.** Deputy Chief, EJ McDonald, advising Richard Piatkowski that the planned demonstration at City Hall Circle is not impacted by the public entertainment ordinance. However, the people in attendance cannot impede vehicle or pedestrian traffic in the area of City Hall circle. (7/28/09)

- 28.** Mark J. Blunda, Esq. advising Gordon Gemma, Kushner Companies, that the City is willing to discuss the establishment of a mutually agreeable date to close title between the City of Perth Amboy and the Landings at Harborside, LLC. (7/23/09)
- 29.** Michael W. Keller, Director OECD, advising Patricia Gandy, Library Director, that Middlesex County does not have any programs which provides for the construction of a library. There is a possibility that the Historic Carnegie Library may be able to receive financial support. (7/24/09)
- 30.** Elaine M. Jasko, City Clerk, advising Michael Keller, Dir. OECD, that the Council Member Gonzalez is asking that a representative from Catholic Charities attend a future Caucus Meeting to provide the Council with a presentation on the organization and the services they provide to the City, as well as a report on the properties they own and/or maintain in the City, and requesting that he make the arrangements for them to attend. (7/24/09)
- 31.** Deputy Chief EJ McDonald advising that the Police Dept. has been making nightly checks at the Bungalo Bar when tavern patrol is available. Officers have been to the bar eleven times during the past month on checks. The night detectives will be checking the bar for the next three weeks. No police security has been hired. (7/24/09)
- 32.** Middlesex County Board of Chosen Freeholders submitted a fully executed Municipal Alliance Agreement along with a copy of the resolution regarding the continuation of Municipal Alliance Activities Program in the total amount of \$62,230.00 for the period January 1, 2009 to December 31, 2009. (7/27/09)
- 33.** Market St. Apartments, 76 Market St., requesting that the municipality either begin trash pick-up at the community, or reimburse them for trash removal costs. (7/27/09)
- 34.** Mayor Wilda Diaz advising that John J. Cassese, Esq. will serve as Municipal Prosecutor for the City of Perth Amboy effective September 1, 2009. (7/28/09)

- 35.** Mayor Wilda Diaz advising that David R. Spevack, Esq. will serve as Assistant Municipal Prosecutor for the City of Perth Amboy effective September 1, 2009. (7/28/09)
- 36.** Pivotal Utility Holdings, Inc., d/b/a Elizabethtown Gas, provided a notice of public hearings regarding its petition to revise its Basic Gas Supply Service – Periodic rate by decreasing the amount per therm. (7/29/09)
- 37.** Whitman Engineering submitted a final deed notice for 277 Rector Street. The deed notice was approved by the NJDEP on June 9, 2009. (7/30/09)
- 38.** John M. Rodecker, Supt. of Schools, submitted a listing of activities which have taken place in the schools during the previous school year. There are events being conducted on virtually every day of the week from September to June. (7/30/09)
- 39.** PSE&G advising they have received approval of its Solar 4 All Program from the NJ Board of Public Utilities. This program will bring 80 megawatts of solar power to the communities. PSE&G will compensate the selected UEZ host sites via lease payments for the use of their property. (7/30/09)
- 40.** Ronald F. Williams, President, Utility Service Affiliates, advising that in response to Councilman Jimenez's inquiry about the feasibility of reactivating the original water plant at Runyon, the City needs to conduct a feasibility study which must include a number of steps prior to determining whether money is available. (7/31/09)
- 41.** Mayor Wilda Diaz advising Geraldine Barcheski, of the Dept. of Public Works, that she is appointing her to the PA Planning Board for a period of one year ending on June 30, 2010. (7/31/09)
- 42.** Mayor Wilda Diaz expressing her thanks to the men and women of the Fire Dept. and the Police Dept. for their hard work during the storms that struck the City on July 29, 2009. (7/31/09)

43. PSE&G Company submitted a notice of filing and public hearings in the matter of the 2009/2010 annual compliance filing for a change in the statewide electric and gas permanent universal service fund program factors within the electric and gas societal benefits. (8/4/09)

## ADJOURNMENT

Elaine M. Jasko  
City Clerk