



**PROPOSED AGENDA OF DECEMBER 6, 2010
FOR MEETING OF DECEMBER 8, 2010
COUNCIL CHAMBERS**

NOTICE OF MEETING

Presiding Officer of the Council, Kenneth Balut, wishes to advise the audience that notice of this meeting has 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 meeting is being held at the Council Chambers, City Hall, at 4:30 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 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

Presentation of 2009-2010 Annual Report by USA-PA.

TOPICS FOR DISCUSSION

1. Set date for Special Year End Public Meeting. (E. Jasko/J. Goldy)

ITEMS FOR CONSIDERATION FOR MEETING OF DECEMBER 8, 2010

1. Recommendation to buy fire engine from the Borough of Bound Brook.
2. Issuance of festival permit with conditions per memorandum of November 22, 2010.
3. OGP Architects – added services to reduce chemical storage room at public safety complex.

4. Hatch Mott MacDonald – waterfront storm repairs – past sewers and requested services.

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

None.

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

November 10, 2010 - Regular

BIDS

Bids were received on November 16, 2010 for the following:

1. Annual Fire Engine Maintenance & Repair Contract
 - a. Absolute Fire Protection \$73,500.00*
 - b. OnSite Fleet Services No Bid
 - c. First Priority Emergency Vehicle No Bid

2. Annual Heating Ventilation & Air Conditioning Contract
 - a. Automated Building Control \$3,580.00*
 - b. Croat & Nap \$5,700.00
 - c. Able Mechanical \$6,600.00

(*) Recommendation of Bid award

SUPPLEMENTAL DEBT STATEMENT

None.

LIQUOR LICENSE – NOTIFICATION

None.

SOCIAL AFFAIR PERMIT

St. Demetrios Greek Orthodox Church

41-47 Wisteria Street

Date: December 31, 2010, 9:00 pm to 1:30 am

Location: Community Center, Wisteria Street

REPORTS

1. Middlesex County Public Health Department – City's monthly report for October 2010.
2. Lt. Tibor A. Kacso - Report on the auction of surplus vehicles held on November 11, 2010.
3. Middlesex County Board of Taxation - 2010 Abstract of Ratables
4. Middlesex County Board of Taxation – 2010 Abstract of Added/Omitted Assessments.
5. Jill A. Goldy, CFO/Comptroller – Report of checks prepared and paid during the month of November, 2010 in the total amount of \$2,484,694.81.

ORDINANCES – FIRST READING (NO PUBLIC DISCUSSION)

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 portion of Madison Avenue – Parking By Permit
– Parking Meters

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

1. REFUNDING BOND ORDINANCE OF THE CITY OF PERTH AMBOY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, PROVIDING FOR THE CURRENT REFUNDING OF ALL OR A PORTION OF GENERAL IMPROVEMENT BONDS, SERIES 2001, APPROPRIATING \$5,975,000 THEREFOR AND AUTHORIZING THE ISSUANCE BY THE CITY OF GENERAL IMPROVEMENT REFUNDING BONDS IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT EXCEEDING \$5,975,000 FOR FINANCING THE COST THEREOF.

(Contingent upon LFB Approval)

2. AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "WRECKERS" CHAPTER 425 OF THE MUNICIPAL CODE.
3. 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

RESOLUTIONS

R-558-12/10 Approving transfer of TY 2010 Budget Appropriations in the amount of \$157,193.46.

R-559-12/10 Authorizing continuation of surety bonds of the City of Perth Amboy.

R-560-12/10 Authorizing the CY 2011 Cash Management Plan of the City of Perth Amboy.

R-561-12/10 Authorizing the City to enter into a Stipulation of Settlement resolving the complaint filed by 500 Market Street Associates, LLC.

R-562-12/10 Authorizing the City to enter into a Stipulation of Settlement resolving the complaints filed by Kaplan at Perth Amboy & K-Land No. 56, LLC, also known as Federal Hill & Camelot at Perth Amboy.

R-563-12/10 Authoring payment of a yearly stipend to Volunteer Firefighters compensation for losses while performing volunteer duties in direct proportion to their activity level in an amount not to exceed \$87,518.75.

R-564-12/10 Authorizing a contract with Maser Consulting, P.A. for professional services for the preparation of the bid specs for the Wayfinding Signage Project in the amount of \$2,200.00.

R-565-12/10 Authorizing a contract with Najarian Associates for professional services to conduct a property survey for the Goldberg Property – 2nd Street Project in the amount of \$2,880.00.

R-566-12/10 Extending the contract with Joseph Nigro to provide litigation support services in the public safety complex litigation in an amount not to exceed \$7,500.00.

R-567-12/10 Extending the contract of Mitzy Galis-Menendez, Esq. and the law firm of Chasen Leyner & Lamparello, P.C. in an amount not to exceed \$13,500.00 for defense of the matter of Munoz (II) vs. City of Perth Amboy.

R-568-12/10 Authorizing a professional services contract with KS Engineers, P.C. and George Broberg to perform additional construction administrative and engineering services for the Route 440/High Street Extension Project in an amount not to exceed \$15,000.00.

R-569-12/10 Authorizing change order #1 with Simplex Grinnel for fire sprinkler construction in an amount not to exceed \$4,774.00.

R-570-12/10 Awarding a contract for unleaded gasoline, diesel fuel and heating oil to Allied Oil, Co., in accordance with the Somerset County Cooperative Pricing Agreement in an amount not to exceed \$360,000.00.

R-571-12/10 Accepting the bid and awarding the FY 2011 Annual contract for air/conditioning/heating contract & emergency repairs to Automated Building Control Inc. in an amount not to exceed \$3,580.00.

R-572-12/10 Accepting the bid and awarding the FY 2011 annual contract for fire engine repairs to Absolute Fire Protection in an amount not to exceed \$73,500.00.

R-573-12/10 Authorizing a contract for computer payroll service to ADP, Inc., in an amount not to exceed \$29,142.39.

R-574-12/10 Authorizing a contract with Edmunds & Associates, Inc., for 2011 software maintenance in an amount not to exceed \$31,290.00.

R-575-12/10 Authorizing a contract with Premier Office Supply, Inc., for office supplies (no paper products or toner) in an amount not to exceed \$20,000.00.

R-576-12/10 Consenting to the appointment of Gregory C. Fehrenbach as Business Administrator and waiving the residency requirement.

R-577-12/10 Authorizing a contract with Lindabury, McCormick, Estabrook and Cooper, P.C. to represent the City in construction litigation in an amount not to exceed \$250,000.00.

R-578-12/10 Authorizing an extension of the contract with Apruzzese, McDermott, Mastro & Murphy, P.C. for legal services.

Consent Agenda – R-579-12/10 to R-586-12/10

R-579-12/10 Authorizing the refund of tax overpayment created by tax appeal on Block 344, Lot 4, 673 Cortland St., to Daniel G. Keough Trustee, Ventura, Miesowitz, Keough & Warner in the amount of \$1,580.42.

R-580-12/10 Authorizing the cancellation of property tax overpayment on Block 353.04, Lot 2 C0810, 810 Harbortown Blvd., in the amount of \$261.05.

R-581-12/10 Authorizing the refund of tax overpayment on Block 379.02, Lot 27, 764 Hanson Ave., to Wells Fargo Home Mortgage, in the amount of \$1,637.76.

R-582-12/10 Authorizing refund of tax overpayment on Block 335, Lot 5 & 6, 310 Meredith St., to Core Logic, in the amount of \$1,970.33.

R-583-12/10 Authorizing the refund of tax overpayment on Block 256, Lot 18, 618 Elizabeth St., to Core Logic, in the amount of \$1,462.91.

R-584-12/10 Authorizing refund of tax overpayment on Block 169, Lot 10, 342 Washington St., to Core Logic, in the amount of \$1,485.72 resulting from tax appeal.

R-585-12/10 Authorizing the refund of tax overpayment on Block 269, Lot 16, 327 Hall Ave., to LPS Tax Solutions, in the amount of \$1,642.00.

R-586-12/10 Authorizing the Tax Collector to cancel taxes as a result of tax appeal agreement on properties owned by Gerdau Ameristeel (Raritan River Steel) for 4th quarter 2010 taxes in the amount of \$197,856.86.

R-587-12/10 Authorizing a Closed Session at the December 8, 2010 meeting to discuss the following:
1. Appointment

COMMUNICATIONS

- 1.** PSE&G advising that public hearings have been scheduled at various locations and times on the Petition filed with the NJBPU for a resetting of the Company's Electric and Gas Societal Benefits Charges and its Electric Non-utility Generation Charge. (11/17/10)
- 2.** Comcast advising that effective on or about December 1, 2010, *WPIX This TV* will be added to the Limited Basic level of service and *NEO Cricket* will be available as a Premium Channel. Also, effective on or about December 29, 2010, *CBS College Sports* will be available to customers with Digital Preferred level of service. (11/17/10)
- 3.** Colonial Pipeline Company submitted a map depicting the routes of Colonial Pipeline facilities in the State of New Jersey as part of its commitment to operating the pipeline safely and providing local officials with information about the system. (11/18/10)
- 4.** Millburn Township Clerk submitted a copy of a Resolution adopted on November 9, 2010 in support of the ARC Tunnel project. (11/19/10)

- 5.** US Bankruptcy Court submitted a Notice of Entry of Order Confirming the Joint Chapter 11 Plan of Chemtura Corporation, et al and Notice of (A) the Occurrence of the Effective Date Under the Joint Chapter 11 Plan of Chemtura Corporation, et al; Administrative Claim Bar Date; and (c) Deadline for Professionals to File Final Fee Applications. (11/19/10)
- 6.** Kenneth Ortiz, Recreation Superintendent, thanking Sr. Rebecca Piatek of St. Stephen's for the donation of a Baby Grand Piano. (11/22/10)
- 7.** Greg Fehrenbach, Business Administrator, forwarded an e-mail from EJ McDonald, Acting Police Chief, in which he advised that the policy of police officers reporting street light outages to headquarters, who then notify PSE&G for repair, will continue. (11/23/10)
- 8.** NJDEP advising that the Remedial Investigation Work Plan for the Public Works Department at 599 Fayette Street is in compliance with the Technical Requirements for Site Remediation. (11/24/10)
- 9.** PSE&G advising that public hearing have been scheduled at various locations and times on the Petition filed with the NJBPU requesting the resetting of the Company's Electric and Gas RGGI Recovery Charges. (11/24/10)
- 10.** PSE&G advising that public hearings have been scheduled at various locations and times on the Petition filed with the NJBPU requesting an increase in its Manufactured Gas Plant Remediation charges in its Remediation Adjustment Clause. (11/24/10)
- 11.** PSE&G advising that public hearings have been scheduled at various locations and times on the Petition filed with the NJBPU requesting an increase in the Electric and Gas Capital Adjustment Charges. (11/24/10)
- 12.** Mayor Wilda Diaz thanking the following for their generous donation of turkeys to the Salvation Army: (12/1/10)

John Kennedy – Preferred Freezer Services Inc.
Charles Gannon, Div. Pres. – U.S. Foodservice

- 13.** Mayor Wilda Diaz thanking the following for their generous donation to the Salvation Army: (12/1/10)

Anthony Balewitz, Pres. – IAFF Local 286
Sgt. Robert Gregowicz – FOP, Local 80
Timothy Simon, Pres. – IAFF Local 4070

- 14.** Mayor Wilda Diaz thanking the following for their generous donation of books to be distributed to the City’s children at the Tree Lighting Ceremony: (12/1/10)

Dan O’Connor
John & Linda Gosden
Cliff Herbert
Arthur Zarzycki
Jeff Holzapfel, Pres., - Apple Books
Leah Wagner – Books to Keep, Munroe Township Library

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

COUNCIL COMMENTS

ADJOURNMENT

Elaine M. Jasko
City Clerk