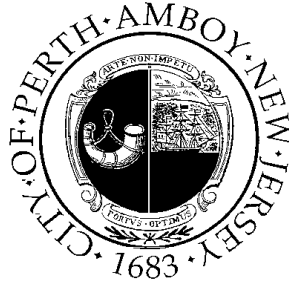


DRAFT RESOLUTIONS ARE AVAILABLE FOR REVIEW IN THE CITY CLERK'S OFFICE BUT ARE SUBJECT TO FINAL AMENDMENTS PRIOR TO THE MEETING.



**DRAFT
CITY COUNCIL AGENDA
FEBRUARY 10, 2010
COUNCIL CHAMBERS**

NOTICE OF MEETING

Presiding Officer of the Council, Peter J. Jimenez, 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 meeting is being held at the Council Chambers, City Hall, at 5:30 p.m. (Caucus) and 7:00 p.m. (Public Voting Session)

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

TOPICS FOR DISCUSSION

1. Port Authority Appointment. (Jasko)
2. Council Meeting Procedures. (Sottilaro)

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

**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

January 27, 2010 - Regular

BIDS

None.

SUPPLEMENTAL DEBT STATEMENT

None.

LIQUOR LICENSE – NOTIFICATION

None.

SOCIAL AFFAIR PERMIT

None.

REPORTS

1. Report of checks prepared and paid during the month of January 2010, in the total amount of \$998,027.58.

**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: Through Streets; Stop and Yield Intersections
- 2.** AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "ORDINANCE FIXING AND ESTABLISHING A SCHEDULE OF SALARIES AND SALARY RANGES AND INCREMENTS FOR OFFICERS AND EMPLOYEES OF THE CITY OF PERTH AMBOY" (ORDINANCE NO. 218-79 AS AMENDED ADOPTED JULY 3, 1979), TO REFLECT SUPERVISOR AND SUPERINTENDENT CONTRACT SETTLEMENTS.
- 3.** AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "ORDINANCE FIXING AND ESTABLISHING A SCHEDULE OF SALARIES AND SALARY RANGES AND INCREMENTS FOR OFFICERS AND EMPLOYEES OF THE CITY OF PERTH AMBOY" (ORDINANCE NO. 218-79 AS AMENDED ADOPTED JULY 3, 1979), TO REFLECT BLUE COLLAR UNION NEGOTIATED CONTRACT SETTLEMENT.
- 4.** AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "ORDINANCE FIXING AND ESTABLISHING A SCHEDULE OF SALARIES AND SALARY RANGES AND INCREMENTS FOR OFFICERS AND EMPLOYEES OF THE CITY OF PERTH AMBOY" (ORDINANCE NO. 218-79 AS AMENDED ADOPTED JULY 3, 1979), TO REFLECT 2009-2012 WHITE COLLAR CONTRACT SETTLEMENT AND NON-UNION, MANAGEMENT SALARIES.

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

- 1.** ORDINANCE RESCINDING ORDINANCE 1367-2007 AND AUTHORIZING CONVEYANCE OF BLOCK 76, LOTS 5 AND 6 TO THE PERTH AMBOY REDEVELOPMENT AGENCY PURSUANT TO THE NEW JERSEY LOCAL REDEVELOPMENT AND HOUSING LAW.

RESOLUTIONS

R-53-2/10 Public hearing and possible adoption of SFY 2010 Budget as amended.

R-54-2/10 Appointing Michael D. George to the Perth Amboy Port Authority for a five year term to expire on February 1, 2015.

R-55-2/10 Authorizing tax sale by Tax Collector.

R-56-2/10 Authorizing Stipulation of Settlement resolving the complaint filed by Harbortown Terrace LLC.

R-57-2/10 Authorizing Stipulation of Settlement resolving the complaint filed by Harbortown Ports, LLC.

R-58-2/10 Authorizing the place-to-place transfer of Plenary Retail Consumption License No. 1216-32-095-009, held in the name of R.C. Liquors, Inc. at 577 Fayette Street to 585 Fayette Street.

R-59-2/10 Recognizing and commending the 100th Anniversary of The Boy Scouts of America.

R-60-2/10 Proclaiming February as Dating Violence Awareness and Prevention Month.

R-61-2/10 Authorizing execution of a letter grant agreement with the State of New Jersey Department of Community Affairs for the 2010 Recreation Opportunities for Individuals With Disabilities grant in the amount of \$8,000.00.

R-62-2/10 Determining the need for a housing project as proposed by the Housing Authority of the City of Perth Amboy pursuant to the provisions of the New Jersey Housing and Mortgage Finance Agency.

R-63-2/10 Authorizing the City of Perth Amboy to enter into an agreement for payment in lieu of taxes for a senior enhanced living facility as proposed by the Housing Authority of the City of Perth Amboy pursuant to the

provisions of the New Jersey Housing and Mortgage Finance Agency.

R-64-2/10 Authorizing collection of interest on delinquent taxes and assessments.

R-65-2/10 Authorizing the donation of surplus turnout equipment to the Fire Rescue Development Program.

R-66-2/10 Authorizing the reduction of the performance bond of Sheridan Realty, LLC for 119-223 Sheridan Street to \$148,591.80.

R-67-2/10 Endorsing the Perth Amboy Planning Board Housing Element and Fair Share Plan and petitioning the New Jersey Council on Affordable Housing for review and certification of same.

R-68-2/10 Authorizing payment to Marks, O'Neill, O'Brien & Courtney, PC, insurance assigned legal counsel in an amount not to exceed \$35,000.00 in connection with towing ordinance litigation.

R-69-2/10 Accepting the bid and authorizing a contract with Lancha Construction Corp. for road improvements to Herbert and Silzer Streets and rescinding R-

R-70-2/10 Requesting change in title, text or amount of appropriation according to N.J.S.A. 40A:4-85 (Chapter 159, P.L. 1948) water/wastewater utility budget.

R-71-2/10 Extending the contract of Daniel J. McCarthy of the law firm of Rogut McCarthy LLC in an amount not to exceed \$30,000.00 for defense of the matter Munoz (II) vs. City of Perth Amboy .

R-72-2/10 Extending the contract of James P. Nolan & Associates in an amount not to exceed \$ for defense of the matter Munoz (II) vs. City of Perth Amboy.

R-73-2/10 Extending the contract of Mitzy Galis-Menendez, Esq. and the law firm of Chasan Leyner & Lamparello, P.C. in an amount not to exceed \$ for defense of the matter Munoz (II) vs. City of Perth Amboy.

R-74-2/10 Authorizing the proper City Officials to execute a right-of-way agreement for a 20' wide water main easement in the City of Perth Amboy with Middlesex Water Company.

R-75-2/10 Approving execution of a contract for the period July 1, 2009 to June 30, 2012 between the City of Perth Amboy and White Collar Union, AFSCME, Local 2270 of Council 73.

R-76-2/10 Extending the contract with the law firm of Baron Samson LLP in connection with the litigation entitled City of Perth Amboy v. Safeco Insurance Company of America and approximately five other pending lawsuits and related matters pertaining to the construction of the public safety-court-community complex in an amount not to exceed \$75,000.00.

R-77-2/10 Opposing Senate Bill S-458 which calls for a referendum to consolidate the municipal tax assessor, municipal tax collector, municipal health services and municipal animal control services at the County level.

R-78-2/10 Authorizing a Closed Session at the February 10, 2010 meeting to discuss the following:

1. GWP v. City of Perth Amboy
2. Anticipated Litigation

COMMUNICATIONS

1. Annette Torres & Benny Gomez submitted a complaint containing 35 signatures of residents of Amboy Avenue regarding tractor trailer traffic. (1/22/10)
2. Jack M. Dudas, City Historian confirming the repairs made at the Kearny Cottage with Michael Keller, Director of OECD in preparation of his Annual Report and inquiring as to the possibility of The Simpson United Methodist Church of obtaining grants through Community Development since the Church is on the State and National Registers of Historic Places and houses the Town Clock. (1/22/10)

- 3.** Jack M. Dudas, City Historian requesting Michael Keller to advise him on the grant process through Community Development and whether it applies to The Simpson United Methodist Church and if not, the name of a private grantsman. (1/25/10)
- 4.** Comcast submitted a check in the amount \$73,739.08 for the use of municipal rights-of-way by Comcast of New Jersey II, LLC during the calendar year 2009. (1/25/10)
- 5.** Verizon advising that effective January 31, 2010, the ION Worship Network located on channel 494 in the FIOS TV lineup will be removed at the programmer's request. (1/25/10)
- 6.** Maser Consulting, advising that the Old Bridge Municipal Utilities Authority is submitting an application for freshwater wetlands permit to the NJDEP for work at Block 7000, Lot 3.11, Block 9000, Lots 41.13, 42.11 and 42.12, in the Township of Old Bridge. (1/25/10)
- 7.** Mayor Wilda Diaz congratulating Rev. Wayne Brady on his appointment to the Perth Amboy Housing Authority. (1/26/10)
- 8.** JoAnn Jimenez, Tax Assessor submitted a sample resolution opposing Senate Bill S-458 which would abolish the office of Municipal Assessor, Collector, Animal Control and Health Department and consolidate the departments into County services, and urging the adoption of such a resolution by the City of Perth Amboy. (1/27/10)
- 9.** Township of Wayne Councilman Schweighardt submitted a copy of a Proclamation honoring The Boy Scouts of America's 100th Anniversary of Scouting in America. (1/27/10)
- 10.** Michael D. George requesting consideration for reappointment to the Perth Amboy Port Authority. (1/28/10)

- 11.** Middlesex County Planning Board Chairman submitted a copy of a Resolution adopted on January 12, 2010, setting the Agenda to be followed at all official meetings. (1/28/10)
- 12.** Middlesex County Planning Board Chairman submitted a copy of a Resolution adopted on January 12, 2010, setting the meeting schedule for the year 2010. (1/28/10)
- 13.** Senator Vitale submitted an e-mail from Senator Lesniak which includes the statement he plans to make in committee when he outlines his goals for Bill S-1, which is legislation dealing with RCA's under COAH. (1/29/10)
- 14.** Mayor Wilda Diaz appointing Fernando Gonzalez and Kenneth Balut as alternate members of the Insurance Fund Commission. (1/29/10)
- 15.** Mayor Wilda Diaz advising Senator Raymond J. Lesniak that she is supportive of the completing of the RCA's that are being held in abeyance. (1/29/10)
- 16.** Mayor Wilda Diaz thanking Richard Hyjack of the United Way of Central Jersey for his e-mail complimenting the Detective Bureau for their assistance in the project Street Outreach. (1/29/10)
- 17.** Mayor Wilda Diaz submitted an application for a Historic County Sustainable Economic Improvement Grant to the Middlesex County Department of Economic & Business Development for window replacement at the Historic Carnegie Library. (1/29/10)
- 18.** Charles A. Richman, Acting Commissioner, Dept. of Community Affairs, appointing Rev. Herbert W. Brady as State Commissioner to the Housing Authority for a term expiring December 12, 2014. (2/1/10)
- 19.** Jack M. Dudas, City Historian, requesting a response from Mark Blunda, Director of Law to his request for the status of the case against Best Rate Construction Inc., who caused damage to the Simpson United Methodist Church. (2/1/10)

- 20.** Maser Consulting advising that Sayreville Seaport Associates L.P. is applying to the NJDEP for permits under the Freshwater Wetlands Act for National Lead Redevelopment Parcel C project in Sayreville. (2/1/10)
- 21.** Middlesex County Board of Taxation submitted an updated 2010 Rate and Ratio card. (2/2/10)
- 22.** Jack M. Dudas, City Historian requesting a response from Michael Keller, Dir. OECD to his request regarding grants and the Simpson United Methodist Church. (2/3/10)
- 23.** Goldman, Beale Associates submitted a status update on the water/wastewater system review. (2/2/10)

Elaine M. Jasko
City Clerk