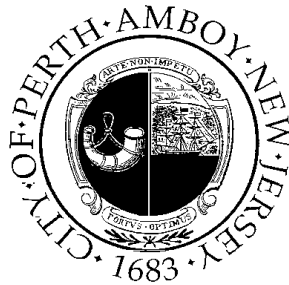


**DRAFT RESOLUTIONS ARE AVAILABLE FOR REVIEW IN THE CITY CLERK'S OFFICE BUT ARE SUBJECT TO FINAL AMENDMENTS PRIOR TO THE MEETING.**



**DRAFT  
CITY COUNCIL AGENDA  
APRIL 14, 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**

Perth Amboy Recreation Travel Basketball Team – Central Jersey Basketball League Champions.

**TOPICS FOR DISCUSSION**

- 1. Port Authority Presentation/Update. (Gonzalez)**

**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**

February 24, 2010	- Regular
March 10, 2010	- Regular
March 24, 2010	- Regular
April 5, 2010	- Special

**BIDS**

None.

**SUPPLEMENTAL DEBT STATEMENT**

None.

**LIQUOR LICENSE – NOTIFICATION**

1. Person-to-Person transfer of Plenary Retail Consumption License No. 1216-33-038-008, held in the name of 266-270 Madison Avenue, LLC at 266-270 Madison Avenue to Z&G Associates, LLC, t/a Las Palmeras Restaurant, Bar & Lounge.

2. Person-to-Person and Place-to-Place transfer of inactive Plenary Retail Consumption License No. 1216-33-045-007, held in the name of Orfilio Chaviano to Market Square Restaurant, LLC at a sited location at 290 King Street, Commercial Unit 2, 3 & 4.

### **SOCIAL AFFAIR PERMIT**

1. St. Demetrios Greek Orthodox Church of Perth Amboy  
41-47 Wisteria Street  
Dates: June 4, 5 & 6, 2010, 11:00 am to 12:00 midnight  
Location: Church Community Center, Wisteria Street
2. St. Stephen's RC Church  
490 State Street  
Date: May 1, 2010, 7:00 pm to 12:00 midnight  
Location: School Auditorium, State Street

### **REPORTS**

1. Ferraioli, Wielkotz, Cerullo & Cuva – Report of SFY 2009 Audit
2. Jill A. Goldy, CFO/Comptroller – Report of Bond Anticipation Notes Sale held on March 5, 2010 in the amount of \$400,000 at an interest rate of 3.25%; the amount of \$4,714,284 at an interest rate of 3.25% and the amount of \$4,484,000 at the interest rate of 1.98% all payable at maturity date of March 4, 2011.
3. Jill A. Goldy, CFO/Comptroller – Investment report for the month of February 2010.
4. Jill A. Goldy, CFO/Comptroller – Report of checks paid during the month of March 2010, in the total amount of \$1,909,252.80.

**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

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

1. AN ORDINANCE AUTHORIZING THE PROPER CITY OFFICIALS TO ENTER INTO A THREE YEAR INTERLOCAL SERVICE AGREEMENT WITH THE TOWNSHIP OF WOODBRIDGE FOR ANIMAL CONTROL SERVICES.
2. BOND ORDINANCE PROVIDING A SUPPLEMENTAL APPROPRIATION OF \$2,100,000 FOR IMPROVEMENTS TO FLORIDA GROVE ROAD RESERVOIR IN AND BY THE CITY OF PERTH AMBOY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$2,100,000 BONDS OR NOTES OF THE CITY FOR FINANCING PART OF THE APPROPRIATION.

**RESOLUTIONS**

**R-133-4/10** Certifying to the Local Finance Board of the State of New Jersey that all members of the Governing Body have reviewed the sections of the annual Audit entitled: General Comments and Recommendations Governing Body Certification of the Annual Audit.

**R-134-4/10** Authorizing a refund to St. Demetrios Greek Orthodox Church of Perth Amboy in the amount of \$80.00 for overpayment of off premise 50/50 raffle fee.

## **Consent Agenda – R-135-4/10 to R-139-4/10**

**R-135-4/10** Providing for the cancellation of premiums for tax sale certificates in the total amount of \$10,200.00.

**R-136-4/10** Providing for the refund of overpayment on Block 80, Lot 26 in the total amount of \$800.00 to Arismendi Rodriguez.

**R-137-4/10** Authorizing the refund of tax overpayment on Block 452, Lot 32 in the amount of \$1,066.10 to First American Real Estate Tax Services.

**R-138-4/10** Authorizing the refund of overpayment of taxes on Block 366 Lot 27 in the amount of \$1,165.85 to Financial Freedom Mortgage Company.

**R-139-4/10** Authorizing the cancellation of erroneously sold tax sale certificates on Block 364, Lot 25.02 and refunding \$26,048.72 to Crusader Lien Services.

**R-140-4/10** Authorizing change order no. 26 to the contract with Davidson and Howard, Inc. for the public safety-court-community complex bid package no. 8 – plumbing/fire protection in the amount of \$2,534.00 to be charged against the contract contingency amount.

**R-141-4/10** Authorizing change order no. 27 to the contract with Davison and Howard, Inc. for the public safety-court-community complex bid package no. 8 – plumbing/fire protection increasing the contract in the amount of \$21,676.00.

**R-142-4/10** Authorizing change order no. 28 to the contract with Davison and Howard, Inc. for the public safety-court-community complex bid package no. 8 – plumbing/fire protection increasing the contract in the amount of \$11,592.00.

**R-143-4/10** Authorizing change order no. 29 to the contract with Davidson and Howard, Inc. for the public safety-court-community complex bid package no. 8 – plumbing/fire protection increasing the contract in the amount of \$21,687.00.

**R-144-4/10** Authorizing change order no. 30 resulting in a decrease of \$7,093.00 to the contract with Davidson and Howard, Inc. for the public safety-court-community complex bid package no. 8 – plumbing/fire protection.

**R-145-4/10** Authorizing settlement of the workers compensation litigation entitled Thomas Gowacki v. City of Perth Amboy C.P. No. 2004-14333 for the amount of \$33,189.00.

**R-146-4/10** Authorizing additional payments to Sockler Realty Services Group, inc. for expert witness and appraisal services in connection with the defense of tax court appeals in an amount not to exceed \$10,000.00.

**R-147-4/10** Authorizing additional payments to the firm of Hoagland, Longo, Moran, Dunst & Doukas, LLP for continued representation of the City in tax appeals before the Tax Court of the State of New Jersey for SFY 2009 & 2010 in an amount not to exceed \$40,000.00.

**R-148-4/10** Authorizing additional payments to Appraisal Systems, Inc. for appraisal services in connection with the defense of tax court appeals in an amount not to exceed \$10,000.00.

**R-149-4/10** Authorizing refund of a permit fee to Catholic Charities in the amount of \$343.00 for work at 380 Smith Street.

**R-150-4/10** Directing the City Tax Collector to place a lien on 529 Mechanic Street (Block 246, Lots 23.02-24.01) in the amount of \$2,174.75 for charges incurred by the department of public works.

**R-151-4/10** Authorizing a contract with Clark, Caton & Hintz for design & construction management services for the Jefferson Street parking garage in an amount not to exceed \$69,000.00.

**R-152-4/10** Authorizing up to one hundred twenty days of paid injury leave to Firefighter George Miller.

**R-153-4/10** Authorizing a refund in the amount of \$100.00 to Angela Rodriguez for the cost of participation in the City's modeling camp program.

**R-154-4/10** Authorizing submission of a recycling tonnage grant application.

**R-155-4/10** Authorizing the City of Perth Amboy to submit an application to the County of Middlesex for an extension grant from the Governor's Council on Alcoholism and Drug Abuse in the amount of \$5,000.00.

**R-156-4/10** Authorizing the return of maintenance bond to Rite Aid Pharmacy for 76 Smith Street, Block 128, Lots 11, 11.01, 12-15 & 23-28 Docket No. 2444 in the amount of \$15,736.56.

**R-157-4/10** Authorizing application for a loan from the New Jersey Environmental Infrastructure Financing Program.

**R-158-4/10** Commending the Perth Amboy Recreation Travel Basketball Team on being the first Perth Amboy team to win the Central Jersey Basketball League Championship.

**R-159-4/10** Authorizing change order no. 16 to the contract with Binsky Snyder for the public safety-court-community complex bid package no. 10 - HVAC/building maintenance service increasing the contract in the amount of \$47,302.00.

**R-160-4/10** Authorizing change order no. 17 to the contract with Binsky Snyder for the public safety-court-community complex bid package no. 10 - HVAC/building maintenance service increasing the contract in the amount of \$19,409.00.

**R-161-4/10** Authorizing change order no. 18 to the contract with Binsky Snyder for the public safety-court-community complex bid package no. 10 - HVAC/building maintenance service increasing the contract in the amount of \$7,144.00.

**R-162-4/10** Authorizing the City of Perth Amboy to submit an application to the Division of Food and Nutrition from the New Jersey Department of Agriculture for the 2010 Summer Lunch Program.

**R-163-4/10** Authorizing a Closed Session at the April 14, 2010 meeting to discuss the following:

1. Chevron Tax Appeal Settlement
2. Public Safety Complex Litigation

## COMMUNICATIONS

1. Middlesex County Improvement Authority submitted the 2010 Capital Equipment and Improvement Financing Program Information Guide. (3/4/10)
2. NJ Transit advising that the FTA is making funding available to the State for the purchase of equipment for the transportation of senior citizens and people with disabilities under the FTA Section 5310 Grant Program. (3/4/10)
3. NJ Transit advising that public hearings on Proposed Changes to Bus, Rail, Light Rail, Access Link and Bus Contract Carriers' Fares, Fare Policies and Service Levels are being held at various locations and dates. (3/5/10)
4. Elaine M. Jasko, City Clerk, advising James Nolan, Esq. that the Council has requested they be provided with a report of all the workers compensation litigation cases handled by his firm for the past 3 years. (3/5/10)

- 5.** Middlesex County Mosquito Extermination Commission submitted NJDEP approved information about the Commission's operations. (3/22/10)
- 6.** Jack M. Dudas, City Historian, advising that if the Statute of Limitations expires before a negligence action is brought the Methodist Church may have a claim for malpractice. (3/22/10)
- 7.** Elaine M. Jasko, City Clerk, advising Business Administrator Jane Feignebaum that Council Member Gonzalez has asked that he be provided with an itemized summary on the activities of the Washington Lobbyist and an accounting of the remaining funds and expiration date of the contract. (3/23/10)
- 8.** Business Administrator Jane Feigenbaum advising Ernest Feist, Engineer, that Council Member Gonzalez has requested a report, itemization and total of the cost to the City to construct the Amboy Avenue/Route 35 connector road. (3/25/10)
- 9.** Helga van Eckert, Executive Director PARA, recommending that two options for lighting be presented to the Council regarding the Amboy Avenue/Route 35 Connector Road. (3/25/10)
- 10.** Ernest Feist, Engineer, submitted a report regarding the cost to the City to construct the Amboy Avenue/Route 35 Connector Road. (3/28/10)
- 11.** Mayor Wilda Diaz advising that she expects to have completed the Business Administrator's annual evaluation conference before the close of this month. (3/26/10)
- 12.** Jack M. Dudas, City Historian, responding to the opinion of Mark Blunda, City Attorney with regard to damages to the Simpson United Methodist Church. (3/26/10)
- 13.** Michael W. Keller, Dir. OECD, submitted an update on the repairs to the Kearny Cottage to Jack Dudas the City Historian. (3/26/10)

- 14.** Jack M. Dudas, City Historian, advising Doug Brown, Principal of Regent Properties of his support of John Dyke's request for an archaeological excavation at Smith Street & Route 35. (3/27/10)
- 15.** NJDEP advising that it has completed and approves the Progress Report for Enviro Feed at 1035-1037 State Street received on March 9, 2010, and has determined that it is in compliance with the Technical Requirements for Site Remediation and other applicable requirements. (3/27/10)
- 16.** NJDEP submitted a No Further Action Letter to State Insulation Corp. for the remediation of the area of concern at 525 Johnstone Street. (3/29/10)
- 17.** Jack M. Dudas, City Historian, advising Mayor Wilda Diaz that he has contacted Doug Brown of Regent Properties regarding the proposed archaeological excavation of the Eaglewood Site near Smith Street and Route 35 by John Dyke. (4/6/10)
- 18.** Mayor Wilda Diaz requesting Congressman Sires' support for Bill HR 4899, which will provide needed funding for the summer youth program. (4/6/10)
- 19.** Mayor Wilda Diaz making the following appointments to the Historic Preservation Commission beginning April 1, 2010: (4/1/10)

William S. Pavlovsky	Reinaldo E. Aviles
Joanne M. Dugas	Filomena Gianfrancesco
Jeff Huber	Erika Moreno
Vilma E. Novak	Russell J. O'Reilly

- 20.** Jack M. Dudas, City Historian, asking Mayor Wilda Diaz to make appointments to the Historic Preservation Commission. (4/7/10)
- 21.** Council Member Geraldine Bolanowski submitted a list of questions to Jane Feigenbaum, BA with regard to the Woodbridge Animal Shelter and the cost associated with the proposed agreement. (4/7/10)

- 22.** NJDOT submitted a briefing regarding the re-decking of Route 440 Ramp V over Boggs Street, West Side Avenue, State Street and NJ Transit. (4/7/10)
- 23.** Middlesex Water Company advising Council President Peter Jimenez that all feasible options to market water have been explored and continue to be explored by the Company. (4/8/10)
- 24.** Jane Feigenbaum, BA, submitted a copy of the Perth Amboy Fiscal Year 2011 Federal Agenda (Appropriations Requests). (3/24/10)
- 25.** Jane Feigenbaum, BA, submitted a response to Council Member Gonzalez's request for information on the Ferguson Group. The contract expires April 21, 2010, the balance in their contract is \$7,500.00. (4/8/10)

Elaine M. Jasko  
City Clerk