



**CITY COUNCIL AGENDA  
APRIL 25, 2011  
COUNCIL CHAMBERS**

**NOTICE OF MEETING**

Presiding Officer of the Council, Kenneth Balut, 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 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**

1. National Volunteer Month – Perth Amboy Girl Scouts Troops Leaders.
2. BID: Celeste Kelemen & Gregory Franco of Xativa Events & Altus Production, 337 Madison Avenue. (R. Troche)

**TOPICS FOR DISCUSSION**

1. Water and Waste Water Utility Capital Projects (Fehrenbach/Perez-Jimenez).
2. Capital Project - Amboy Ave. Connector. (Helga van Eckert)

**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**

None.

**BIDS**

None.

**SUPPLEMENTAL DEBT STATEMENT**

None.

**LIQUOR LICENSE – NOTIFICATION**

None.

**SOCIAL AFFAIR PERMIT**

None.

**REPORTS**

1. PARA – Report of Audit for the years ended June 30, 2010 and 2009.
2. BID – Report of Audit for the years ended June 30, 2010 and 2009.

**Jill Goldy, CFO/Comptroller submitted the following reports:**

3. Payroll Disbursement/Deductions – March 2011.
4. Investment Report – March 2011.
5. Water/Wastewater Utility Reports – March 2011.

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

1. AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "ALCOHOLIC BEVERAGES" (ORDINANCE NO. 65-75 AS AMENDED) ADOPTED FEBRUARY 18, 1975, ALSO KNOWN AS CHAPTER 137 ET SEQ OF THE CODE OF THE CITY.

Re: Consumption on public streets or playgrounds – Exception for Sidewalk Cafés

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

1. AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "PERSONNEL POLICIES" (NO. C-513 AS AMENDED) ADOPTED DECEMBER 15, 1954 ALSO KNOWN AS CHAPTER 85 ET SEQ OF THE CODE OF THE CITY OF PERTH AMBOY.

Re: Limitation on employment of former members of New Jersey Public Pension Funds and Retirement

2. AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "ALCOHOLIC BEVERAGES" (ORDINANCE NO. 65-75 AS AMENDED) ADOPTED FEBRUARY 18, 1975, ALSO KNOWN AS CHAPTER 137 ET SEQ OF THE CODE OF THE CITY OF PERTH AMBOY.

Re: License and license fees

3. 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: Fee Schedule – Copies of digital photos and/or CD's

4. AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "ZONING AND LAND DEVELOPMENT" (ORDINANCE NO. 683-93 AS AMENDED) ADOPTED SEPTEMBER 21, 1993 ALSO KNOWN AS CHAPTER 430 ET SEQ OF THE CODE OF THE CITY OF PERTH AMBOY.

5. 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.

Re: PBA 2009-2013

6. RIPARIAN BUFFER CONSERVATION ZONE ORDINANCE.
7. STEEP SLOPE MODEL ORDINANCE.

## RESOLUTIONS

### **Consent Agenda – Resolutions R-164 to R-167**

**R-164-4/11** Authorizing a refund to La Asuncion Church of Perth Amboy in the amount of \$40.00 for a 50/50 Off Premises Cash Raffle.

**R-165-4/11** Authorizing a refund of a 2011 peddler application to Vincent Dixon in the amount of \$100.00.

**R-166-4/11** Authorizing refunds of 2011 peddler applications in the total amount of \$100.00.

**R-167-4/11** Authorizing a refund of a 2011 peddler application to Efrain Sanchez in the amount of \$450.00.

**R-168-4/11** Authorizing the insertion of revenue in the CY 2011 budget for the Green Communities Grant for tree planting in the amount of \$3,000.00.

**R-169-4/11** Authorizing an agreement with the Perth Amboy Little League, Inc. for the organization and operation of a youth baseball program in the City of Perth Amboy for the 2011 baseball season.

**R-170-4/11** Authorizing return of professional escrow review fee to Fernando Oliveira for 475 Brace Avenue, Block 281, Lot 4, Docket No. 2908, in the amount of \$3,427.75.

**R-171-4/11** Authorizing return of a demolition bond to Mitchell Nogueras, in an amount not to exceed \$300.00 for demolition of a one family dwelling located at 587 Penn Street.

**R-172-4/11** Authorizing a 2011 athletic/social club license to El Gallo Social Club, 195 Hall Avenue, Perth Amboy.

**R-173-4/11** Extending the contract with Joseph Nigro to provide litigation support services in the public safety complex litigation in an amount not to exceed \$10,000.00.

**R-174-4/11** Authorizing release of retainage to Cruz Enterprises, LLC in connection with the completion of the Route 440 High Street connector project.

**R-175-4/11** Supporting the placement of a purple heart monument in the City of Perth Amboy subject to compliance with a new ordinance on public monuments.

**R-176-4/11** Authorizing submission of a recycling tonnage grant application for 2011 filing year.

**R-177-4/11** Authorizing change order #1 with Faridy Veisz Fraytak, P.C. to break out the design and contract administration for roof replacement of the free public library in the amount of \$6,450.00.

**R-178-4/11** Authorizing the City of Perth Amboy to donate surplus staff lockers remaining at the former Police and Fire Headquarters to the Academy for Urban Leadership, Charter High School, 612 Amboy Avenue, Perth Amboy.

**R-179-4/11** Authorizing a change order for the Second Street demolition.

## COMMUNICATIONS

1. William S. Pavlovsky, Chairman PAHPC, advising that the Historic Preservation Commission's sole concern is that any excavation for the Duarte memorial at Caledonia Park, or for any additional park improvements undertaken by the City, not damage or destroy any existing archaeological resources, such as foundations, artifact deposits or other features. (4/11/11)

2. Garden State environmental, Inc. submitted a copy of the NJDEP completed Remedial action Protectiveness Certification/Biennial Certification and Biennial Certification Report Form – Soil for Federal Hill at Perth Amboy COA, 382 Fayette Street. (4/11/11)
3. Mayor Wilda Diaz thanking city resident, Francine Wierzbinski, for her letter commending Special Officer Idania Vasquez for helping her mother who fell and had to go to the hospital. (4/11/11)
4. Gregory C. Fehrenbach, Business Administrator advising Melvin Ramos, former City Employee, that the Council has requested that he place his allegations regarding current City employees in writing and provide any supporting documentation or data. (4/12/11)
5. Sayreville Borough Clerk submitted a copy of an Ordinance amending the Land Development Ordinance to Expand the Special Economic District (Main Street) introduced on April 11, 2011. Public hearing is scheduled for April 25, 2011. (4/14/11)
6. NJ Div. of ABC advising that the Director has accepted payment of \$50,000.00 on January 5, 2011 in compromise by the licensee in lieu of suspension of license no. 1216-32-039-009, held in the name of Charmi and D Inc. for violation of ABC regulations. (4/14/11)
7. Mayor Wilda Diaz submitted a copy of the Certificate of Renewal for Gary Muska, Registered Purchasing Agent from April 2011 to April 2014, from Rutgers University Continuing Studies. (4/18/11)
8. Mayor Wilda Diaz advising Edward Devish, Chairman, and Walter Kaczmarek, Vice Chairman, of the Military Order of the Purple Heart that she supports their efforts to have an appropriate monument placed at a suitable location in the City to commemorate and honor the men and women who were wounded or gave up their lives in defense of the country. (4/18/11)
9. John M. Yunckes, a city resident, asking for reimbursement for property taxes paid for the year 2010 on his property due to his permanent total disability for wartime service status effective February 1, 2010. (4/19/11)

10. Council President Ken Balut asking Ed Scala, Director of Code Enforcement to provide a report on the placement of neon lights on city business properties. (4/20/11)
11. Council Member Fernando Gonzalez requesting Frank Dann, Director of the Dept. of Public Works to provide the Council with a status report on the bulky waste collection procedures and problems. (4/20/11)
12. Frank Dann, Director DPW, provided Council Member Fernando Gonzalez with the report he requested concerning bulky waste collection procedures and problems. (4/21/11)

### **CLOSED SESSION RESOLUTION**

**R-163-4/11** Authorizing a Closed Session at the April 25, 2011 Caucus Meeting to discuss the following:

1. Imperial Construction – Potential Litigation
2. Tax Appeals.
3. Labor Contract Negotiations.

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

### **COUNCIL COMMENTS**

### **ADJOURNMENT**

Elaine M. Jasko  
City Clerk