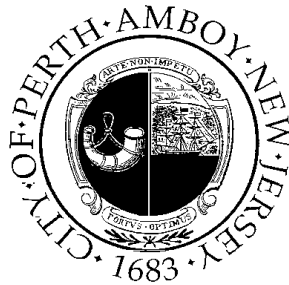


DRAFT RESOLUTIONS ARE AVAILABLE FOR REVIEW IN THE CITY CLERK'S OFFICE BUT ARE SUBJECT TO FINAL AMENDMENTS PRIOR TO THE MEETING.



**DRAFT
CITY COUNCIL AGENDA
MAY 26, 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

None.

TOPICS FOR DISCUSSION

1. Update on waiver of Chapter 178, Section 12 by Kathleen Donahue and John Donahue at 107 Broad Street, for excess cats. (Jasko)
2. Council Health Benefits. (Jimenez)
3. Re-appointment of Aida L. Molina to the PA Housing Authority. (Jasko)

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

None.

BIDS

None.

SUPPLEMENTAL DEBT STATEMENT

None.

LIQUOR LICENSE – NOTIFICATION

None.

SOCIAL AFFAIR PERMIT

None.

REPORTS

- 1.** Investment Report for the month of April 2010 – submitted by Jill A. Goldy, CFO/Comptroller.
- 2.** Revenue Status Report and Budget Status Report (Appropriations) for Current Fund, Parking Utility, Water/Wastewater Fund, as of April 30, 2010 – submitted by Jill A. Goldy, CFO/Comptroller.
- 3.** Report of Payroll Disbursements/Deductions for the month of April 2010 - submitted by Jill A. Goldy, CFO/Comptroller.

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

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

- 1.** AN ORDINANCE AMENDING AN ORDINANCE REQUIRING FAIR AND OPEN COMPETITION AND ACCOUNTABILITY FOR PROFESSIONAL SERVICE CONTRACTS.

2. AN ORDINANCE AUTHORIZING THE CITY OF PERTH AMBOY TO REVERT TO A CALENDAR FISCAL YEAR FROM A STATE FISCAL YEAR.
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

RESOLUTIONS

R-215-5/10 Authorizing a Closed Session at the May 26, 2010 meeting to discuss the following:

1. Chevron Tax Appeal.

Consent Agenda (R-216 to R-221)

R-216-5/10 Authorizing the refund of duplicate tax payments in the total amount of \$7,711.94 to Wells Fargo Home Mortgage, for various properties.

R-217-5/10 Authorizing the refund of duplicate tax payment to BAC Tax Services Corp., on Block 203, Lot 35 in the amount of \$1,522.15.

R-218-5/10 Authorizing the refund of duplicate tax payments to BAC Tax Services Corp., on Block 207, Lot45.02 and Block 72, Lot 31 in the amount of \$3,373.67.

R-219-5/10 Authorizing the refund of tax overpayment resulting from an appeal to Gelber & Weiss, Inc. and Zipp & Tannenbaum, on Block 472.04 Lot 3 in the amount of \$3,472.35.

R-220-5/10 Authorizing the refund of tax overpayment resulting from an appeal to Lindabury, McCormick, Estabrook & Cooper, P.C. and Custom Distributions, on Block 425 Lot 1.02 in the amount of \$24,293.25.

R-221-5/10 Rescinding R-173-4/10 authorizing the refund of tax overpayments on various properties to First American Real Estate Services, in the total amount of \$8,641.57, and authorizing the refunds in the total amount of \$7,575.47.

R-222-5/10 Approving a Special Permit for Public Entertainment to United Dominicans of Perth Amboy for the Dominican Festival 2010 to be held August 14 and 15, 2010 at Robert Wilentz Elementary School Athletic Field.

R-223-5/10 Authorizing various professional agreements for engineering, land surveying & construction management services for special projects to vendors who have submitted requests for qualifications for transition year 2011 and fiscal year 2011.

R-224-5/10 Extending contracts with Apruzzese, McDermott, Mastro & Murphy, P.C., for extra litigation, real estate matters, labor and employment matters, special investigations and police civil rights actions in an amount not to exceed \$125,000.00.

R-225-5/10 Extending the contract for auto supplies with Malouf/Ford Trucks in accordance with the Middlesex County cooperative pricing agreement, in an amount not to exceed the sum of \$10,000.00.

R-226-5/10 Authorizing change order no. one to the contract with Lancha Construction Corp. for road improvements to Herbert and Silzer Streets in an amount of \$14,064.00.

R-227-5/10 Extending the contract with Imperial Construction Group Inc., for professional construction management services in connection with the construction of the new public safety-court-community complex for the period from June 2010 through October 2010 in an amount not to exceed \$65,000.00.

R-228-5/10 Authorizing change order no. two to the contract with Independence Constructors, Inc. for removal of six underground storage tanks and three above ground storage tanks at 1027 State Street in the amount of \$17,432.75.

R-229-5/10 Rescinding resolution 178-4/10 accepting the gift of a Juan Pablo Duarte monument and authorizing its placement in Caledonia/Roessler Park.

R-230-5/10 Authorizing settlement of John F. Kennedy Medical Center v. City of Perth Amboy in an amount not to exceed \$29,000.00.

R-231-5/10 Authorizing settlement of the matters of Lagomarsini v. City of Perth Amboy, et al in an amount not to exceed \$10,000.00 for attorneys' fees and costs.

R-232-5/10 Authorizing city officials to file an application for anticipated UEZ assistance in the amount of \$108,402.00 for funding of the FY 2010-2011 UEZ administration temporary budget.

R-233-5/10 Approving transfer of SFY 2010 Budget appropriations in the amount of \$238,101.00.

Consent Agenda – (R-234 to R-237)

R-234-5/10 Authorizing the insertion of revenue in the SFY 2010 Budget pursuant to N.J.S.A. 40A:4-87 (Chapter 159, P.L. 1948) for recreation for individuals with disabilities in the amount of \$8,000.00.

R-235-5/10 Authorizing the insertion of revenue in the SFY 2010 Budget pursuant to N.J.S.A. 40A:4-87 (Chapter 159, P.L. 1948) for Safe and Clean Communities Program in the amount of \$58,048.00.

R-236-5/10 Authorizing the insertion of revenue in the SFY 2010 Budget pursuant to N.J.S.A. 40A:4-87 (Chapter 159, P.L. 1948) for the Clean Communities Program in the amount of \$51,638.57.

R-237-5/10 Authorizing the insertion of revenue in the SFY 2010 Budget pursuant to N.J.S.A. 40A:4-87 (Chapter 159, P.L. 1948) for the over the limit under arrest program in the amount of \$6,000.00.

R-238-5/10 Appointing Aida Molina to the Perth Amboy Housing Authority for a term to expire on May 31, 2015.

COMMUNICATIONS

1. Jack M. Dudas, Esq., requesting that Mayor Wilda Diaz veto the vote of the City Council authorizing a public display in a public park of Juan Pablo Duarte, and erecting something that actually relates to Perth Amboy. (5/10/10)
2. NJDEP submitted a Child Care Facility Approval Letter for Harborview Child Care Center, 45 Market St., and advising this action is based on Harborview Child Care Center's final certified Preliminary Assessment Report. (5/10/10)
3. Woodbridge Township submitted a copy of a Land Use & Development Ordinance amendment regarding minor subdivisions, and advising the public hearing for said amendment is scheduled for May 18, 2010. (5/10/10)
4. NJDEP submitted a Child Care Facility Approval Letter for Hutchins Garrison CDI Head Start, 430 Market St., and advising this action is based on CDI Head Start's final certified Preliminary Assessment Report. (5/10/10)
5. NJDEP submitted a Child Care Facility Approval Letter for Acelero Early Head Start, 430 Market St. Rear, and advising this action is based on Acelero Learning's final certified Preliminary Assessment Report. (5/10/10)
6. E2 Project Management LLC submitted a copy of the Public Notification and Outreach Form and a photographic log of the signs which were posted at the former IGI Petroleum Site - Victory Center LLC, 164 Sheridan St. (5/10/10)

7. Comcast advising that effective July 1, 2010, several services will no longer be available for new subscription and several services will now require a subscription to Digital Starter. (5/11/10)
8. Middlesex County Dept. of Planning, Div. of Solid Waste Management, advising that a public hearing will be held on a Plan Amendment to the County's Solid Waste Management Plan on May 25, 2010 at 6:00 p.m. in the Freeholder Meeting Room, New Brunswick, NJ. (5/11/10)
9. Jane Feigenbaum, BA asking Jill Goldy, CFO to provide the amount of interest paid since 1/08 on the \$4.2M settlement with Middlesex Water. (5/13/10)
10. Jill Goldy, CFO, advising Jane Feigenbaum, BA that the amount paid is \$618,585.63. (5/13/10)
11. Jane Feigenbaum, BA asking Nancy Martin, Tax Collector to provide a status of the clearing of overpayments and other refunds in the tax ledger. (5/13/10)
12. Nancy Martin, Tax Collector, advising Jane Feigenbaum, BA that all overpayments for 2007 have been cleared up with the exception of \$5,157.80. In 2008 there are approximately \$14,529.13 in overpayments. In 2009-2010 the amount of overpayments is \$294,076.00, but more than half is for tax appeals. (5/13/10)
13. Jane Feigenbaum, BA requesting Edward Scala, Dir. Code Enforcement, to investigate the complaint of 384 Stanford Street. (5/13/10)
14. Elaine M. Jasko, City Clerk, advising Jane Feigenbaum, BA, that Councilwoman Bolanowski has requested that she direct Breaker Group, Inc. to provide a comprehensive listing of all systems, including data and voice currently utilized by the City and all related entities and advising that Breaker must also prepare and provide the City with a full inventory of equipment that they have either directly or indirectly installed to support such systems as well as all procedural documentation and related warranties and service records. Information to be provided by June 4, 2010. (5/17/10)

15. Victoria Kupsch, Assistant City Clerk, advising EJ McDonald, Acting Chief of Police, that Councilman Balut requests a time be set up so he can review several items with regard to the Edward Byrne State and Local Law Enforcement Assistance Formula Grant Program. (5/17/10)
16. Elaine M. Jasko, City Clerk, asking Wilma Matey, animal shelter volunteer, to review the request of local residents seeking a waiver for 11 excess cats and asking her to come up with ideas on how to deal with the excess cats. (5/17/10)
17. Jack M. Dudas, City Historian, asking Mayor Wilda Diaz to provide him with information on whether the City would seek redress against the company which damaged the sidewalk and driveway of Simpson United Methodist Church. (5/17/10)
18. Jack M. Dudas, City Historian, asking Mayor Wilda Diaz to have the Landmarks/Historic Preservation Ordinance amended to reflect several provisions of N.J.S.A. 40:55D-107, et al., that are missing from the ordinance. (5/18/10)
19. Reinaldo Aviles asking Council President Peter Jimenez to have the sections removed by Mr. Blunda, from the original proposed ordinance on Professional Accountability be reinstated in the revised proposed ordinance. (5/18/10)
20. Michael W. Keller, Dir. OECD, submitted an inventory of personal property deemed non-restorable which was prepared by the Chubb Group, regarding the fire loss at former Safe Haven/Tennis Courts Building, 56 Brighton Ave. (5/18/10)
21. A.T. Towing & Auto Transport LLC asking Deputy Chief EJ McDonald to review two towing applications which are in violation of city contract ordinance. (5/18/10)
22. Jane Feigenbaum, BA, asking that the Housing Authority provide her with a copy of the Housing Authority Audit for the last 2 fiscal years. (5/18/10)

23. Douglas Dzema, Ex. Director, PA Housing Authority, submitted the Perth Amboy Housing Authority's Financial Statements and Supplemental Information for the years ended March 31, 2009 and 2008. (5/19/10)
24. Councilwoman Geri Bolanowski asking Jane Feigenbaum, BA to have Nancy Martin, Tax Collector, to provide her with a total dollar amount of monies she has refunded on overpayments since coming to work for Perth Amboy. (5/19/10)
25. Derek J. Jess, School BA/Board Secretary, submitted a copy of the district's state aid sheet that details the minimum tax levy calculation, as requested by Councilman Gonzalez. (5/20/10)

Elaine M. Jasko
City Clerk