

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
JUNE 9, 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. Code Enforcement - Day Care Centers Rules/Regulations/Enforcement. (Balut)

**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. Report of checks prepared and paid during the month of May 2010 in the amount of \$875,497.57.

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

1. AN ORDINANCE OF THE CITY OF PERTH AMBOY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY AMENDING THE CITY ADMINISTRATIVE CODE IN ORDER TO CHANGE THE RATES AND FEES TO BE CHARGED FOR THE PROVISION OF WATER AND SEWER SERVICES.
2. FLOOD DAMAGE PREVENTION ORDINANCE.
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

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

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

RESOLUTIONS

R-240-6/10 Approving the transfer of SFY 2010 Budget Appropriations in the amount of \$29,138.00.

CONSENT AGENDA - R-241-6/10 - R-243-6/10

R-241-6/10 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 a Municipal Court Alcohol Education, Rehabilitation and Enforcement Grant in the amount of \$2,865.56.

R-242-6/10 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 a Hazardous Discharge Remediation Fund (1027 State St.) Grant in the amount of \$7,624.00.

R-243-6/10 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 a Middlesex County Recycling Program in the amount of \$14,055.00.

R-244-6/10 Authorizing settlement of the workers compensation litigation entitled Stephen Chlebowski v. City of Perth Amboy C.P. No. 2000-33312 for the amount of \$33,277.88.

R-245-6/10 Authorizing settlement of the workers compensation litigation entitled William Rapach v. City of Perth Amboy C.P. No. 2009-8657 for the amount of \$25,000.00.

R-246-6/10 Authorizing settlement of the workers compensation litigation entitled Hugh Montani v. City of Perth Amboy C.P. No. 2006-23515 for the amount of \$49,596.75.

R-247-6/10 Authorizing return of a performance bond to Morris Perth Amboy Associates, LLC for 950 Convery Boulevard and 1051 Amboy Avenue.

R-248-6/10 Authorizing release of a performance guaranty to Jo Jo Construction, Inc. for 366 Thomas Street, Block 453, Lots 1 & 2.01 in the amount of \$5,955.00.

R-249-6/10 Authorizing release of a performance guaranty to Jose Jacinto for 315 Wagner Avenue, Block 433, Lots 23 & 24 in the amount of \$7,595.00.

R-250-6/10 Authorizing release of performance guaranties to Sheridan Realty, LLC, Inc. for 119-223 Sheridan Street, Block 77, Lot 20.01 (formerly lots 20-32, 49-61).

R-251-6/10 Authorizing City Officials to file an application for anticipated UEZ assistance in the amount of \$138,400.00 for funding of the FY 2010-2011 UEZ Administration Temporary Budget.

R-252-6/10 Authorizing the proper City Officials to enter into a host agency agreement with the Puerto Rican Association for Human Development, Inc. to provide funding in the amount of \$36,000.00 for the Senior Community Service Employment Program ("SCSEP") administered by the Easter Seals New Jersey.

R-253-6/10 Authorizing a contract with Birdsall Services Group ("BSG-PMK") for Right to Know Law compliance services in an amount not to exceed \$9,800.00.

R-254-6/10 Authorizing a contract with Lancha Construction Corp. for road improvements to Stockton Street and Bertrand Avenue crosswalk in the amount of \$27,000.00.

R-255-6/10 Authorizing the Person-to-Person transfer of Plenary Retail Consumption License No. 1216-33-030-002, held in the name of Stanislaw Giera, t/a Broadway Inn at 171-173 Broad Street to Passion Night Club & Lounge, Inc. at the same address effective June 10, 2010.

R-256-6/10 Opposing offshore liquefied natural gas (LNG) port facilities in the NJ/NY clean ocean zone.

R-257-6/10 Amending a Resolution granting a one-time waiver of the limit on cast permitted in a household.

R-258-6/10 Authorizing a Closed Session at the June 9, 2010 Meeting to discuss the following:

COMMUNICATIONS

- 1.** NJDOT advising that the new traffic patterns during the Route 440 northbound superstructure replacement work has been rescheduled from June 4, 2010 to June 11, 2010. (5/17/10)
- 2.** NJDEP advising that the results of the Sub-slab Sampling Analyses done on 382 Fayette Street, Block 111, Lots 1-4 does not indicate the presence of site-related contaminants of concern and no further investigation of the vapor intrusion pathway is warranted. (5/19/10)
- 3.** Marilyn S. Anastasio, resident of Silzer Street, commending Paul Wnek, DPW Director and Lancha Construction Corp. on the handling and repaving of Silzer Street. (5/20/10)
- 4.** Shirley M. Bishop, P.P. Housing and Planning Consulting, on behalf of Plainsboro Township requesting that COAH grant a one year extension so that the details can be finalized and additional fees collected to fund the acquisition of Millstone Apartments. (5/25/10)
- 5.** Sayreville Borough Clerk submitted a certified copy of a Resolution adopted on May 24, 2010 urging the federal government and military immediately take over the containment and cleanup of the BP Deepwater Horizon Oil Leak in the Gulf of Mexico from BP. (5/28/10)
- 6.** Jane D. Feigenbaum, B.A., advising Robert J. McCoy, Dir. of UEZ that due to the end of the funding of the City's Urban Enterprise Program the City will be unable to fund administrative costs out of the General Fund Budget, his position will be eliminated effective June 11, 2010. (5/28/10)
- 7.** NJDOT submitted a 14 Day Notice regarding the temporary lane closures for the Stage 2 Bridge Deck Replacement on Route 440. (6/1/10)
- 8.** Edison Township Clerk submitted a certified copy of a Resolution adopted on May 26, 2010 requesting the NJ Legislature and Governor to revise the real estate property tax assessment and appeal procedures and laws. (6/1/10)

- 9.** Jack M. Dudas, City Historian submitted a copy of a letter he sent to the Amboy Beacon regarding the Duarte statue.
- 10.** Jack M. Dudas, City Historian advising that the process regarding the Duarte statue was flawed because the Council did not follow N.J.S.A.40:10A-7(e), which mandates that the Council meet with the Historian from the onset. (6/1/10)
- 11.** Maria Garcia, City resident submitted, a written complaint regarding the towing license issued to Carlos Gonzalez and requesting that an investigation be undertaken into the application and license. (6/3/10)

Elaine M. Jasko
City Clerk