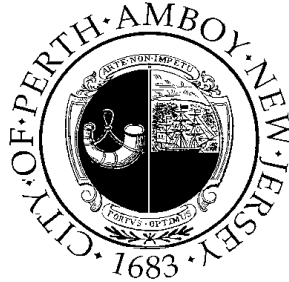


DRAFT RESOLUTIONS ARE AVAILABLE FOR REVIEW IN THE CITY CLERK'S OFFICE BUT ARE SUBJECT TO FINAL AMENDMENTS PRIOR TO THE MEETING.



**DRAFT
CITY COUNCIL AGENDA
JULY 14, 2010
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

None.

TOPICS FOR DISCUSSION

- 1.** Renovations to Parking Deck. (J. Feigenbaum)
- 2.** Amending Date/Time of Caucus Meetings. (K. Balut)
- 3.** Update – Animal Shelter. (K. Gonzalez)
- 4.** Outdoor Dining. (M. Blunda)
- 5.** Amendment of Sanitation Ordinance. (M. Blunda)
- 6.** Appointment of Council Member to Planning Board. (E. Jasko)

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

**Proposed Duarte monument and its placement on
City park land.**

Robert R. Sottilaro
722 Gornik Drive
Perth Amboy

**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

Bids were received on July 2, 2010 for the following:

1. Rebid – Elevator Subcode On Site Inspection Service
 - a. EIC Inspection Agency Corp. 71% of DCA Fees*
 - b. Building Inspection Underwriters Inc. 72% of DCA Fees
 - c. Municipal Inspection Corp. 95% of DCA Fees

*Recommendation of Bid Award

SUPPLEMENTAL DEBT STATEMENT

None.

LIQUOR LICENSE – NOTIFICATION

None.

SOCIAL AFFAIR PERMIT

- 1.** Our Lady of the Rosary of Fatima Church
188 Wayne Street
Location: Church Parking Lot, Wayne Street
Date: August 28, 2010, 5:00 pm to 1:00 am
- 2.** St. Stephen's Roman Catholic Church
490 State Street
Location: Church Hall, 500 State Street
Date: October 23, 2010, 7:00 pm to midnight
- 3.** United Dominicans of Perth Amboy
950 Florida Grove Rd.
Location: St. Demetrios Church Parking Lot, Wisteria St.
and Sadowski Parkway
Date: August 14, 2010, 1:00 pm to 10:00 pm
August 15, 2010, 1:00 pm to 8:00 pm

REPORTS

- 1.** Nancy Martin, Tax Collector – Report of 2010 Tax Sale Held on June 24, 2010.
- 2.** Report of checks prepared and paid during the month of June 2010, totaling \$1,736,364.91.
- 3.** Nancy Martin, Tax Collector – Cash Report for Fiscal Year 2010.

ORDINANCES – FIRST READING (No PUBLIC DISCUSSION)

- 1.** AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "ADMINISTRATION OF GOVERNMENT" (NO. 1-72 AS AMENDED) ADOPTED JULY 28, 1972, ALSO KNOWN AS CHAPTER 4 ET SEQ OF THE CODE OF THE CITY OF PERTH AMBOY.

Re: Dept. of Human Services – Fees
- 2.** BOND ORDINANCE AMENDING BOND ORDINANCE NUMBERED 1006-99, AS SUPPLEMENTED BY BOND ORDINANCE NUMBERED 1194-2003 FOR THE SHORELINE IMPROVEMENT PROJECT OF THE CITY OF PERTH AMBOY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY FINALLY ADOPTED OCTOBER 27, 1999 AND MARCH 26, 2003, RESPECTIVELY IN ORDER TO AMEND THE AMOUNT ALLOCATED TO COSTS OF THE PURPOSE OR IMPROVEMENT UNDER N.J.S.A. 40A:2-20.

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 AUTHORIZING A LEASE AGREEMENT WITH THE NON-PROFIT ORGANIZATION CELEBRATE PERTH AMBOY.
2. AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "SANITATION" (ORDINANCE NO. C-240 AND AMENDMENTS) ADOPTED SEPTEMBER 1, 1937 ALSO KNOWN AS CHAPTER 362-65.1 "FEES CHARGED BY REGISTRAR" OF THE CODE OF THE CITY OF PERTH AMBOY.
3. AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "SANITATION" (ORDINANCE NO. C-240 AND AMENDMENTS) ADOPTED SEPTEMBER 1, 1937 ALSO KNOWN AS CHAPTER 362 ET SEQ OF THE CODE OF THE CITY OF PERTH AMBOY.
4. 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: No Parking Portion of Augustine Place

5. AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "ADMINISTRATION OF GOVERNMENT" (NO. 1-72 AS AMENDED) ADOPTED JULY 28, 1972, ALSO KNOWN AS CHAPTER 4 ET SEQ OF THE CODE OF THE CITY OF PERTH AMBOY.

Re: Fees for Copies and Fees for Reproduction of Documents

RESOLUTIONS

R-323-7/10 Appointing Council Member _____ to the Perth Amboy Planning Board for a one year term expiring on June 30, 2011.

R-324-7/10 Authorizing the 2010-2011 Renewal of certain Plenary Retail Consumption Licenses and Club License, effective July 15, 2010.

R-325-7/10 Approving transfer of SFY 2010 Budget appropriation reserves in the amount of \$5,875.00.

R-326-7/10 Expressing appreciation, compliments and gratitude to Peter J. Jimenez for dedicated public service.

R-327-7/10 Expressing appreciation, compliments and gratitude to Robert R. Sottilaro for dedicated public service.

R-328-7/10 Expressing appreciation, compliments and gratitude to Geraldine Bolanowski for dedicated public service.

R-329-7/10 Consenting to the reappointment of Richard Piatkowski to the Perth Amboy Redevelopment Agency for a term expiring June 30, 2015.

R-330-7/10 Consenting to the appointment of Geraldine M. Bolanowski to the Perth Amboy Redevelopment Agency for a term expiring June 30, 2015.

R-331-7/10 Increasing the bid threshold to \$36,000.00 pursuant to N.J.S.A. 40A:11-3.

R-332-7/10 Authorizing change order no. 2 to the contract with Lancha Construction Corp. for road improvements to Herbert and Silzer Streets in an amount of \$5,204.88.

R-333-7/10 Authorizing an emergency contract with B & W Construction Co. for repairs at the Jefferson Street parking garage in an amount not to exceed \$24,336.39.

R-334-7/10 Authorizing change orders no. 12, 13 and 14 resulting in a net decrease of \$94,265.72 to the contract with Cruz Enterprises, LLC for the High Street/Route 440 extension.

R-335-7/10 Authorizing a contract with Lancha Construction Corporation for paving of the public works yard in an amount not to exceed \$22,000.00.

Consent Agenda R-336-7/10 to R-342-7/10

R-336-7/10 Authorizing the proper City Officials to execute a contract with Concerts By the Bay, Inc., in the amount of \$10,000.00 in accordance with the Thirty-Sixth Year Community Development Block Grant from the U.S. Department of Housing and Urban Development under Title I of the Housing and Community Development Act of 1974, as amended.

R-337-7/10 Authorizing the proper City Officials to execute a contract with the Diocese of Metuchen, Catholic Charities in the amount of \$38,000.00 in accordance with the Thirty-Sixth Year Community Development Block Grant from the U.S. Department of Housing and Urban Development under Title I of the Housing and Community Development Act of 1974, as amended.

R-338-7/10 Authorizing the proper City Officials to execute a contract with Puerto Rican Association for Human Development in the amount of \$44,358.00 in accordance with the Thirty-Sixth Year Community Development Block Grant from the U.S. Department of Housing and Urban Development under Title I of the Housing and Community Development Act of 1974, as amended.

R-339-7/10 Authorizing the proper City Officials to execute a contract with the Perth Amboy Youth Football League in the amount of \$10,000.00 in accordance with the Thirty-Sixth Year Community Development Block Grant from the U.S. Department of Housing and Urban Development under Title I of the Housing and Community Development Act of 1974, as amended.

R-340-7/10 Authorizing the proper City Officials to execute a contract with John E. Toolan Kiddie Keep Well Camp in the amount of \$4,000.00 in accordance with the Thirty-Sixth Year Community Development Block Grant from the U.S. Department of Housing and Urban Development under Title I of the Housing and Community Development Act of 1974, as amended.

R-341-7/10 Authorizing the proper City Officials to execute a contract with Perth Amboy Housing Authority in the amount of \$5,288.00 in accordance with the Thirty-Sixth Year Community Development Block Grant from the U.S. Department of Housing and Urban Development under Title I of the Resolution authorizing the proper City Officials to execute a Housing and Community Development Act of 1974, as amended.

R-342-7/10 Authorizing the proper City Officials to execute a contract with Hogar Crea in the amount of \$18,000.00 in accordance with the Thirty-Sixth Year Community Development Block Grant from the U.S. Department of Housing and Urban Development under Title I of the Housing and Community Development Act of 1974, as amended.

R-343-7/10 Authorizing the filing of an application and agreement for New Jersey Department of Environmental Protection Green Acres Funds for Brighton Avenue Park revitalization project in the amount of \$1,472,400.00.

R-344-7/10 Authorizing a contract with Clarke Caton Hintz for planning consultant services (COAH) in the amount not exceed \$7,931.01.

Consent Agenda R-345-7/10 to R-347-7/10

R-345-7/10 Authorizing the return of maintenance bond to Triple S Investments, LLC for 358 Kirkland Place, Block 106.01, Lots 9 & 10, Docket No. 2809 in the amount of \$742.00.

R-346-7/10 Authorizing the return of maintenance bond to Triple S Investments, LLC for 484 Sayre Avenue, Block 177, Lot 6, Docket No. 2798 in the amount of \$492.00.

R-347-7/10 Authorizing the return of maintenance bond to Frank Caba & Marina Hernandez for 354 Fayette Street, Block 160, Lots 4 & 5, Docket No. 2823 in the amount of \$768.00.

R-348-7/10 Authorizing a contract with the law firm of Hoagland, Longo, Moran, Dunst and Doukas to represent the City and its employees in the matter of Antriz Baez v. City of Perth Amboy et al in an amount not to exceed \$25,000.00.

R-349-7/10 Authorizing a contract with Q.E.S. Construction Management, LLC to oversee remaining construction work at the public safety complex in an amount not to exceed \$21,000.00.

R-350-7/10 Accepting the bid and awarding a contract to EIC Inspection Agency Corp. for elevator sub code on site inspection services for 71% of DCA fees.

R-351-7/10 Authorizing a contract with Joseph Nigro to provide litigation support service in an amount not to exceed \$17,500.00.

R-352-7/10 Authorizing _____ to represent Joseph Vas in the matter of Morejon v. City of Perth Amboy et al in an amount not to exceed \$15,000.00.

R-353-7/10 Approving participation with the State of New Jersey in a Juvenile Justice Commission Program.

R-354-7/10 Approving Special Permit for Public Entertainment to United Dominicans of Perth Amboy for the Dominican Festival 2010 to be held August 14th and 15th, 2010.

R-355-7/10 Resolution of the City of Perth Amboy, in the County of Middlesex, New Jersey declaring its official intent to reimburse expenditures for project costs from proceeds of debt obligation in connection with the city's participation in the 2010 New Jersey Environmental Infrastructure Financing Program in connection with the not exceeding \$2,100,000 general improvement bonds, series 2010.

R-356-7/10 Resolution authorizing the execution and delivery of loan agreements to be executed by the City of Perth Amboy, in the County of Middlesex, New Jersey and each of the New Jersey Environmental Infrastructure Trust and the State of New Jersey, acting by and through the Department of Environmental Protection, and further authorizing the execution and delivery of an escrow agreement, all pursuant to the 2010 New Jersey Environmental Infrastructure Trust Financing Program.

R-357-7/10 Resolution determining the form and other details of not exceeding \$2,100,000 general improvement bonds, Series 2010, of the City of Perth Amboy, in the County of Middlesex, New Jersey, and providing for their sale to the New Jersey Environmental Infrastructure Trust and the State of New Jersey pursuant to the 2010 New Jersey Environmental Infrastructure Trust Financing Program.

R-358-7/10 Authorizing a Closed Session at the July 14, 2010 meeting to discuss the following:

1. PSC Litigation
2. Morejon Litigation
3. Breaker Group

COMMUNICATIONS

1. Jack M. Dudas, Esq., City Historian, advising that effective immediately, he will be taking an extended leave of absence due to his health. Tony Massopust the Assistant City Historian will take over the duties of the Historian. (6/10/10)
2. Jack M. Dudas, Esq., City Historian asking for a status update regarding the lease between the City and the Kearny Cottage Association; the damages at Simpson United Methodist Church and the proposed language for the Historic Preservation Ordinance. (6/16/10)
3. Larry Cattano, submitted a summary of the inventory conducted for the computer and wireless systems provided by Breaker to the Business Administrator, Jane Feigenbaum. (6/17/10)

- 4.** Jane Feigenbaum, BA, advising Larry Cattano that she has requested a great deal of documentation from Breaker and an explanation of the reasons for the change in the original designation of wireless antenna locations. (6/17/10)
- 5.** Mayor Wilda Diaz thanking Rose Marie Sinatra for her years of service as Treasurer of the Perth Amboy Library Board of Trustees. (6/18/10)
- 6.** Jack M. Dudas, Esq., City Historian, submitted the annual report as required by N.J.S.A.40:10A-7(b.). (6/21/10)
- 7.** NJ Council on Affordable Housing advising that at the end of the 45-day objection period, no objections were received on the City's petition for substantive certification filed with COAH on February 18, 2010.(6/21/10)
- 8.** Comcast advising that effective September 1, 2010, Selecto, CableLatino, CableLatino with HBO and CableLatino Plata packages will no longer be available for new subscription. (6/21/10)
- 9.** Edward T. Higgins resigning from the Planning Board effective April 30, 2010. (6/21/10)
- 10.** Mayor Wilda Diaz thanking Patricia Shuller, a resident of Gornik Drive for taking the time to write regarding her experience with Ed Perez from DPW. (6/21/10)
- 11.** Mayor Wilda Diaz thanking Stanley Progacky for serving as an alternate member of the Board of Adjustment. (6/21/10)
- 12.** Mayor Wilda Diaz thanking Kevin Bamford, manager of Wegmans for supplying bags of food to the students at the Wilentz School and the Richardson School on the weekends. (6/21/10)
- 13.** Mayor Wilda Diaz appointing Linda Cruz as Alternate No. 2 on the Board of Adjustment for a two year term expiring June 30, 2012. (6/21/10)
- 14.** Mayor Wilda Diaz appointing Lisa Nanton as Alternate No. 1 on the Board of Adjustment for a two year term expiring June 30, 2012. (6/21/10)

- 15.** Mayor Wilda Diaz reappointing Thomas P. Ward to a full term on the Board of Adjustment to expire June 30, 2014. (6/21/10)
- 16.** Mayor Wilda Diaz reappointing Leslie Dominguez-Rodriguez to a full term on the Board of Adjustment to expire June 30, 2014. (6/21/10)
- 17.** Mayor Wilda Diaz reappointing Pedro Roman to a full term on the Board of Adjustment to expire June 30, 2014. (6/21/10)
- 18.** NJDOT announcing that applications are now being accepted for the NDOT Municipal Aid, Bikeway, Center of Place, Safe Streets to Transit and Transit Village Programs. Separate applications for each project must be completed and submitted on or before August 13, 2010 online. (6/24/10)
- 19.** NJ Transit advising that hearings will be held in the three geographic regions, Freehold, Westampton and Newark during July and August, on Senior Citizen and Disabled Resident Transportation Assistance Programs. (6/24/10)
- 20.** Mayor Wilda Diaz congratulating Kyle Gregory on being the first place winner of the poster contest "Hooked On Books, Not Drugs". (6/24/10)
- 21.** Mayor Wilda Diaz thanking Rabbi Melinda Zalma for serving as a Commissioner on the Redevelopment Agency. (6/24/10)
- 22.** Mayor Wilda Diaz reappointing Christine Dispenziere to the Planning Board for a 4 year term expiring June 30, 2014. (6/24/10)
- 23.** Mayor Wilda Diaz reappointing Richard Piatkowski to the Redevelopment Agency for a 5 year term expiring June 30, 2015. (6/24/10)
- 24.** Mayor Wilda Diaz appointing Geraldine Bolanowski to the Redevelopment Agency for a 5 year term expiring June 30, 2015. (6/24/10)

- 25.** Jack M. Dudas, Esq., City Historian advising he is still waiting to hear the fate of the Simpson United Methodist Church, lease between the City and the Kearny Cottage and the necessary changes to the Historic Preservation Ordinance. (6/25/10)
- 26.** Environ submitted the Remedial Investigation Schedule and Results of Vapor Intrusion Sampling on the former Russell-Stanley Corp. facility at 14 Convery Blvd. to the NJDEP in order to be in compliance with the Technical Requirements for Site Remediation. (6/30/10)
- 27.** Mayor Wilda Diaz advising that as part of the strategic restructuring initiative, Helga vanEckert will now be overseeing both the UEZ & BID offices. (7/6/10)
- 28.** NJDEP submitted a Notice of Deficiency regarding the Remedial Investigation Report, Remedial Action Workplan and Remedial Action Progress Reports submitted for the Hess Service Station at 413-429 Smith Street. (7/7/10)
- 29.** Mayor Wilda Diaz appointing William Terrell to a five year term on the Library Board of Trustees expiring June 30, 2015. (7/7/10)
- 30.** Mayor Wilda Diaz reappointing James A. Woller to a five year term on the Library Board of Trustees expiring June 30, 2015. (7/7/10)

COUNCIL COMMENTS

ADJOURNMENT

Elaine M. Jasko
City Clerk