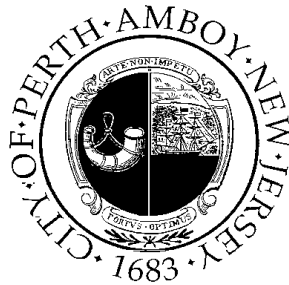


**DRAFT RESOLUTIONS ARE AVAILABLE FOR
REVIEW IN THE CITY CLERK'S OFFICE BUT
ARE SUBJECT TO FINAL AMENDMENTS PRIOR
TO THE MEETING.**



**DRAFT
CITY COUNCIL AGENDA
AUGUST 11, 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

Presentations to former Council Members:
Frank M. Sinatra
David A. Szilagyi

Presentation to Michael W. Keller

TOPICS FOR DISCUSSION

1. Imposing surcharge for storage of hazardous materials on City property. (K. Gonzalez)
2. Clean up of Route 440. (Mayor Diaz/G. Barcheski)
3. FEMA Storm Damage Report and Update. (Mayor Diaz)
4. Bid Threshold Increase. (J. Feigenbaum/G. Muska)
5. Update – Sanitation Ordinance Research/Outdoor Dining Research. (M. Blunda)
6. Concept Plan – Brighton Ave. Community Center & Green Acres Application. (Feigenbaum/Feist/Veisz)

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

April 14, 2010 - Regular
April 28, 2010 - Regular
May 12, 2010 - Regular
May 17, 2010 - Special

BIDS

None.

SUPPLEMENTAL DEBT STATEMENT

None.

LIQUOR LICENSE – NOTIFICATION

None.

SOCIAL AFFAIR PERMIT

None.

REPORTS

- 1.** Steve Jobin, President/CEO of YMCA – 2008 Audit Report.
- 2.** MCIA Annual Report 2009.
- 3.** Jill A. Goldy, CFO/Comptroller – Investment Report for the month of June 2010.
- 4.** Certificate and Report of School Taxes – 2010-2011 School Year.
- 5.** Jill A. Goldy , CFO/Comptroller – SFY 2010 and Restated SFY 2009 Annual Debt Statements.
- 6.** Jill A. Goldy, CFO/Comptroller – Report of Bond Anticipation Note Sale held on July 30, 2010 in the amount of \$9,382,226.00, interest rate of 1.94% payable at maturity date of March 4, 2011.
- 7.** Report of Checks prepared and paid during the month of July 2010 totaling \$1,138,996.85.
- 8.** Paul Wnek, Director Public Works - Parking Utility Monthly Report – July and August 2010.

ORDINANCES – FIRST READING (No PUBLIC DISCUSSION)

- 1.** AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "ADMINISTRATION" (ORDINANCE 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: Caucus Meetings (Dates/Time)

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

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

RESOLUTIONS

R-362-8/10 Introduction of TY 2011 Budget.

R-363-8/10 Authorizing an agreement with Faith Perrin, DVM for rabies vaccination clinic to be held on September 18, 2010 in an amount not to exceed \$300.00.

R-364-8/10 Authorizing the 2010-2011 Renewal of the following Plenary Retail Consumption licenses, effective August 12, 2010:

1216-32-087-006
Manjali Inc.
t/a Pay-Rite Liquors
223 Smith Street

1216-33-007-003
M & M Building Systems, LLC
t/a Bungalo
391 Keene St.

R-365-8/10 Designating August 26, 2010 as Women's Equality Day.

Consent Agenda R-366-8/10 to R-375-8/10

R-366-8/10 Providing for the refund of overpayment to Litton Loan Servicing L.P. in the amount of \$1,627.53 on Block 363, Lot 14.

R-367-8/10 Authorizing the refund of tax overpayments to First American Real Estate Tax Service in the total amount of \$6,733.38.

R-368-8/10 Authorizing the cancellation of real estate tax overpayment checks and authorizing credits in the total amount of \$965.38.

R-369-8/10 Authorizing the cancellation of real estate tax overpayments in the amount of \$2,625.69.

R-370-8/10 Providing for the refund of tax overpayments in the amount of \$3,535.94 for various properties.

R-371-8/10 Authorizing the cancellation of real estate property tax overpayments in the total amount of \$785.74.

R-372-8/10 Authorizing the refund of tax overpayments created by tax appeals on properties owned by Harbortown Terrace, LLC in the total amount of \$964,263.04.

R-373-8/10 Authorizing the cancellation of real estate tax overpayments in the amount of \$123.39 for Block 235, Lot 1.01.

R-374-8/10 Authorizing the cancellation of real estate tax adjustment in the amount of \$1,033.69 for Block 87.01, Lot 10.01.

R-375-8/10 Authorizing the issuance of a duplicate tax sale certificate #080236 on Block 401, Lot 1.01 C0002.

R-376-8/10 Increasing the bid threshold to \$36,000.00 pursuant to N.J.S.A. 40A:11-3.

R-377-8/10 Authorizing Emergency Temporary appropriations to extend TY 2011 Temporary Budget in the amount of \$644,651.00.

R-378-8/10 Approving transfer of SFY 2010 Budget appropriation reserves in the amount of \$6,000.00.

R-379-8/10 Commending and congratulating Michael W. Keller in recognition of thirty-seven years of dedicated service to the City of Perth Amboy.

R-380-8/10 Expressing appreciation, compliments and gratitude to Frank M. Sinatra for dedicated public service.

R-381-8/10 Expressing appreciation, compliments and gratitude to David A. Szilagyi for dedicated public service.

R-382-8/10 Consenting to the appointment of Kenneth L. Gonzalez to the Perth Amboy Redevelopment Agency.

R-383-8/10 Authorization to certify the general fund tax levy for the Perth Amboy Board of Education for the school year 2010-2011.

R-384-8/10 Authorizing release of performance guaranty to Joseph Giordano for 415 Thomas Street, Block 448, Lots 28 – 31, in the amount of \$14,467.09.

R-385-8/10 Granting conditional approval of a special permit for public entertainment to the Mexican Association of Perth Amboy festival to be held on September 18, 2010 at the Robert Wilentz Athletic Field on First St. and Sadowski Pkwy. From 10 am – 10 pm.

R-386-8/10 Authorizing settlement of the workers compensation litigation entitled Robert Wisneski v. City of Perth Amboy C.P. no. 2009-31436 for the amount of \$12,978.00.

R-387-8/10 Authorizing settlement of the workers compensation litigation entitled Ramiz Klobocista v. City of Perth Amboy C.P. no. 2009-32054 for the amount of \$29,523.00.

R-388-8/10 Authorizing a contract with Queues Enforth Development, Inc., for the maintenance of software for the police computer system for the period July 1, 2010 to June 30, 2011, in the amount of \$34,436.00.

R-389-8/10 Awarding a contract for biodegradable leaf bags to Dano Enterprises, Inc., in accordance with the Township of Piscataway cooperative pricing agreement, in an amount not to exceed the sum of \$14,800.00.

R-390-8/10 Authorizing an amendment to a resolution awarding a contract for additional management services by Government Management Advisors, LLC, in an additional amount not to exceed \$17,500.00.

R-391-8/10 Accepting a grant in the amount of \$5,000.00 from the governor's council on alcoholism and drug abuse.

R-392-8/10 Directing the city tax collector to place a lien on 173 First Street (Block 35, Lot 21) in the amount of \$4,554.82 for charges incurred by the Department of Public Works.

R-393-8/10 Authorizing an athletic/social club license to Pepino Athletic Club, 424 State St.

R-394-8/10 Authorizing the proper city officials to execute a contract with Jewish Renaissance Foundation in the amount of \$10,000.00 for the medical core care program 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-395-8/10 Authorizing the proper city officials to execute a contract with Jewish Renaissance Foundation in the amount of \$20,000.00 for the operation grant 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-396-8/10 Resolution authorizing the proper city officials to execute a contract with the Academy for Urban Leadership Charter High School 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-397-8/10 Authorizing the proper city officials to execute a contract with the Boys and Girls Clubs of Perth Amboy in the amount of \$5,000.00 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-398-8/10 Authorizing the proper city officials to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Wilson Street, Goodwin Street, and Grace Street road improvement project.

R-399-8/10 Authorizing the proper city officials to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Safe Streets to Transit, Perth Amboy Train Station Pedestrian safety project.

R-400-8/10 Authorizing the City of Perth Amboy to enter into a stipulation of settlement resolving the complaint filed by San-Rena Corp.

R-401-8/10 Authorizing the city of Perth Amboy to enter into a stipulation of settlement resolving the complaint filed by Cornucopia Cruise Line, Inc.

R-402-8/10 Authorizing the City of Perth Amboy to enter into a stipulation of settlement resolving the complaint filed by Barclay Street Associates.

R-403-8/10 Authorizing the City of Perth Amboy to enter into a stipulation of settlement resolving the complaint filed by Amboy Medical Arts Building Associates.

R-404-8/10 Resolution authorizing the proper city officials to execute a memorandum of understanding between the City of Perth Amboy and the Jewish Renaissance Foundation for the administration of a 2010 summer employment program.

R-405-8/10 Authorizing an extension of injury leave time, in accordance with the Perth Amboy Uniformed Fire Fighters Local 286 contract for Firefighter George Miller.

R-406-8/10 Authorizing a 3-year contract and lease with Perth Amboy Happy Home Animal Shelter to provide animal control services in the City of Perth Amboy.

R-407-8/10 Authorizing a Closed Session at the August 11, 2010 meeting to discuss the following:

- 1) Public Safety Complex litigation.
- 2) Ishekawa v. City of Perth Amboy

COMMUNICATIONS

1. Senovia Robles, P.A. Adult Education Center thanking Kenny Ortiz of the Office of Recreation for his collaboration with Mi Tierra Restaurant in honoring their students on academic achievement. (7/8/10)
2. Comcast advising that effective August 15, 2010 New Spanish-language packages will be offered to customers in the City. (7/8/10)
3. Woodbridge Township Deputy Clerk submitted a copy of an Ordinance amending the Land Use & Development Ordinance introduced on July 6, 2010. The public hearing is scheduled for August 3, 2010. (7/9/10)
4. Mayor Wilda Diaz advising the NJ UEZ that Helga van Eckert has been appointed as the new Director of the UEZ. (7/9/10)

- 5.** Pivotal Utility Holdings, Inc. d/b/a Elizabethtown Gas submitted notice of public hearings on the petition filed with the NJ BPU to review its Basic Gas Supply Service - Periodic rate. The Company has petitioned the BPU to maintain its current BGSS-P rate, resulting in no change to a residential customer's bill. (7/12/10)
- 6.** Joann Jimenez, Tax Assessor submitted a breakdown, by vendor, of expert appraisal services since the revaluation as requested by Council Member Kenneth Balut. (7/13/10)
- 7.** Council Member William Petrick forwarded an e-mail he sent to the City's Law Director Mark Blunda, requesting that he look into several items/Ordinances from surrounding towns for use in Perth Amboy. (7/14/10)
- 8.** Council Member William Petrick thanking DPW Director Paul Wnek for taking care of the pot hole on Columbus Drive. (7/14/10)
- 9.** Mayor Wilda Diaz appointing Kenneth Balut to the Insurance Commission for a two year term expiring June 30, 2010. (7/15/10)
- 10.** Mayor Wilda Diaz appointing the following to the Perth Amboy Police Department effective July 14, 2010: (7/15/10)

John F. Marcinko, III	Jorge L. Arocho
Jose M. Santiago	Ethan S. Boyd
- 11.** Mayor Wilda Diaz thanking Tom Ward and the members of the Proprietary House Association for participating in the July 4th Celebration. (7/15/10)
- 12.** Mayor Wilda Diaz thanking the following for their participation in the July 4th Celebration: (7/15/10)

Kenneth Gonzalez	Rev. Wayne Brady
Kurt Epps	Geri Barcheski
Kerry Dyke	
- 13.** NJDOT advising Mayor Wilda Diaz that at her request, Route 440 has been added to the list of "hotspots" to be cleaned up as part of the NJDOT Road Beautification Program. (7/16/10)

- 14.** Chemtura submitted a copy of a Press Release regarding the filing of its Amended Plan of Reorganization. (7/20/10)
- 15.** Council President Kenneth Balut requesting Deputy Chief EJ McDonald to supply him with details on who ordered the Dell-PowerEdge 2850, S/N: FS94281 computer purchased through the PD, which department used it and the status of the equipment today.(7/20/10)
- 16.** Council Member Joel Pabon advising Mayor Wilda Diaz of the conditions of the City's parks and suggesting they be addressed immediately to avoid any possible injuries to city children. (7/21/10)
- 17.** City Clerk Elaine M. Jasko advising Mark J. Blunda, Dir. Of Law, that Council Member Fernando Gonzalez has asked for a written legal opinion on the restrictions in the deed for Caledonia/Roessler Park. (7/26/10)
- 18.** Jack M. Dudas, Esq., City Historian submitted a copy of a letter he received from a resident in Florida looking to obtain information on a bakery operated in the early 1900's by his grandfather and uncle and how he was able to assist him. (7/26/10)
- 19.** City Clerk Elaine M. Jasko advising Michael Zylka, Port Authority Chairman, that at a Special Council Meeting a resident complained about the excessive amount of garbage that is generated at the Marina and the insufficient pick up of the garbage. In light of the complaint, Council President Balut has asked that he provide an explanation as to the excessive garbage and the Authority's policy regarding pickup. (7/27/10)
- 20.** NJ COAH acknowledging receipt of the Motion to Extend the Conditions of Plainsboro Township's Substantive Certification. (7/28/10)
- 21.** Council Member William Petrick responding to an e-mail inquiry regarding the Duarte memorial. (7/28/10)
- 22.** Acting Chief of Police, EJ McDonald submitted the information available on the Dell-PowerEdge 2850 computer as requested by Council Member Kenneth Balut. (7/29/10)

- 23.** PSE&G advising that it is planning on upgrading existing mercury vapor street lights with Energy Efficient Induction Lamps. (7/29/10)
- 24.** DPW Director Paul Wnek responding to an e-mail inquiry from Gary Muska, Purchasing Agent, regarding the work on Water Street. (7/30/10)
- 25.** NJDOT submitted a 28 day notice regarding the Stage 2 Removal – Bridge Deck Replacement on Amboy Avenue & U-Turn over Rt 440. (7/30/10)
- 26.** NJDOT advising that on or about August 5th, 2010, work will begin on the Long Life Pavement Marking Contract, Central – 2010, project. (7/30/10)
- 27.** Mayor Wilda Diaz granting permission to the Association of Ministers United in Christ of Middlesex County to host the Clamor 2010 at Rudyk Park on September 4, 2010. (8/2/10)
- 28.** Mayor Wilda Diaz advising that she is appointing Council Member Ken Gonzalez to the Perth Amboy Redevelopment Agency for a one year term ending on June 30, 2011. (8/3/10)
- 29.** Michael Zylka, Chairman, PA Port Authority, advising Council President Ken Balut of the schedule of garbage pickup times and advising that the commercial fishing boat "Sea Hawk", the food kiosk, the sailboat "Snow Goose", and the bait shop put their garbage in the same location. (8/5/10)

COUNCIL COMMENTS

ADJOURNMENT

Elaine M. Jasko
City Clerk