



**CITY COUNCIL AGENDA
FEBRUARY 23, 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 4:30 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

None.

**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

Global Reach International
341 Rt. 206
Branchville NJ
Date: May 7, 2011, 12:00 pm to 10:00 pm
Rain Date: May 14, 2011
Date: May 8, 2011, 12:00 pm – 8:00 pm
Rain Date: May 15, 2011
Location: Cornucopia Cruise Line Parking Lot
401 Riverview Drive

REPORTS

1. NJ Div. of Taxation – Table of Equalized Valuations as amended by the Tax Court of NJ.
2. Jill A. Goldy, CFO/Comptroller – Annual Financial Statement for the TY 2010.
3. Ferraioli, Wielkotz, Cerullo & Cuva, P.A. – Report of Audit for year ending June 30, 2010.
4. Middlesex County Board of Taxation – Preliminary Equalization Table Tax Year 2011.

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

1. 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 Ogden Place

2. 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: Deletions

3. AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "INSURANCE FUND" CHAPTER 59 OF THE CITY CODE.
4. AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "STREET AND SIDEWALK OBSTRUCTIONS" ARTICLE II OF CHAPTER 386 OF THE CITY CODE TO ALLOW FOR SIDEWALK CAFES.
5. AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "PEDDLERS, SOLICITORS AND TRANSIENT MERCHANTS" CHAPTER 317 OF THE CITY CODE.

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

1. APPROPRIATING \$521,733.46 FOR THE CONSTRUCTION OF THE BRIGHTON AVENUE COMMUNITY CENTER IN AND BY THE CITY OF PERTH AMBOY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY.

RESOLUTIONS

R-78-2/11 Certifying to the Local Finance Board that all members of the Governing Body have reviewed the sections of the Annual Audit entitled: General Comments and Recommendations Governing Body Certification of the Annual Audit.

R-79-2/11 Authorizing emergency temporary appropriations to extend CY 2011 temporary budget in the amount of \$

R-80-2/11 Authorizing Alfred J. Petit-Clair, Jr., to represent the Board of Adjustment in the matter of Robin Gurin and Emanuel Kallins v. Board of Adjustment, Docket No. Mid-I- at a fee not to exceed \$3,000.00.

R-81-2/11 Authorizing settlement of the workers compensation litigation entitled Joseph Novak v. City of Perth Amboy C.P. No. 2009-17485 for the amount of \$5,700.00.

R-82-2/11 Authorizing settlement of the workers compensation litigation entitled Andy Montalvo v. City of Perth Amboy C.P. No. 2010-3005 for the amount of \$12,474.00.

R-83-2/11 Supporting S2072 legislation that permits publication of legal notices by government and individuals on official government websites instead of newspaper.

R-84-2/11 Accepting an emergency management grant from the State of New Jersey in the amount of \$5,000.00.

R-85-2/11 Authorizing a contract with Peterson Service Company, Medford, NJ for HVAC repairs at the public safety community complex under State Contract No. A64293 in an amount not to exceed \$75,000.00.

R-86-2/11 Authorizing a contract with Aquatic Service, Spotswood, NJ for pool service from 1/1/11 to 12/31/11 in an amount not to exceed \$35,000.00.

R-87-2/11 Authorizing the proper City Officials to execute a right of way use agreement for property under the jurisdiction of the City of Perth Amboy with NextG Networks of NY, Inc.

R-88-2/11 Authorizing change orders #6 through #9 with Woodward Construction Company for code compliance construction at the public safety complex decreasing the contract in the amount of \$26,550.00.

R-89-2/11 Authorizing a professional services contract with Appraisal Systems, Inc. for appraisal services in connection with the defense of tax court appeals in an amount not to exceed \$75,000.00.

R-90-2/11 Approving transfer of TY 2011 Budget appropriation reserves in the amount of \$12,799.10.

R-91-2/11 Consideration of proposal for GeoTechnical Services to be performed for the replacement of Brighton Avenue community building.

COMMUNICATIONS

1. Carteret Borough Clerk submitted a certified copy of a Resolution adopted on January 27, 2011, adopting the Middlesex County Multi-Jurisdictional All Hazards Mitigation Plan. (2/3/11)
2. NJDOT advising that the City has been selected to receive funding from the FY 2011 Municipal Aid Program for Wilson Street, Goodwin Street and Grace Street road improvements in the amount of \$294,017.00. (2/3/11)
3. Milltown Borough Clerk submitted a certified copy of a Resolution adopted on January 10, 2011, adopting the Middlesex County Multi-Jurisdictional All Hazards Mitigation Plan. (2/7/11)
4. Middlesex County Department of Planning advising that a public hearing will be held on a Plan Amendment to the County's Solid Waste Management Plan on March 1, 2011 at 6:00 pm in the Freeholder Meeting Room, New Brunswick. (2/7/11)

5. Thomas P. Ward, Chairman of the Board of Adjustment, advising that Dr. Craig R. Matton has left the City for a career in the U.S. Army. (2/7/10)
6. Kenneth Ortiz, Superintendent of Recreation, thanking the National Council on Alcoholism and Drug Dependence of Middlesex County for the donation of \$5,000.00 worth of Game Time recreational park equipment. (2/7/11)
7. The Federal Communication Commission advised that a new Section 106 filing for a New Tower Submission Packet by T-Mobile Northeast, LLC for 607-609 Sayre Ave. has been filed. (2/7/11)
8. Deputy Chief Benjamin Ruiz submitted copies of letters he received commending police officers and emergency responders. (2/8/11)
9. Council Member William Petrick advising that 35 members, 8 of which were former Volunteer Chiefs, were at the Harbortown fire and should be commended. (2/8/11)
10. Mayor Wilda Diaz requesting the Port Authority of New York and New Jersey to consider providing the Perth Amboy Fire Department with the amount of \$25,000.00 for the purchase of emergency services equipment. (2/9/11)
11. Deputy Chief Benjamin Ruiz commending the work of the Juvenile Aid Bureau, specifically D/Sgt. Denise Sosulski and Counselor Lourdes Soto. (2/9/11)
12. Council Member William Petrick thanking Mayor Wilda Diaz, Helga van Eckert, Director and Barry Rosengarten, Chairman of the UEZ, for the informative UEZ Orientation Workshop. (2/9/11)
13. Council Member William Petrick hoping that a compromise could be reached between the local dentists and the Jewish Renaissance Center. (2/10/11)
14. Deputy Chief Benjamin Ruiz thanking Wendy DeJesus of Daisy's Food Store for the use of her store for the duration of a dangerous incident. (2/10/11)

- 15.** Woodbridge Township Deputy Clerk submitted a copy of an Ordinance amending the Land Use and Development Ordinance introduced on February 8, 2011. The public hearing is scheduled for February 22, 2011. (2/10/11)
- 16.** NJDOT advising that the City has not been awarded funding under the Fiscal Year 2011 Safe Streets to Transit Program. (2/14/11)
- 17.** Pivotal Utility Holdings, Inc., d/b/a Elizabethtown Gas advising that public hearings will be held on its Petition filed with the Board of Public Utilities to extend its Utility Infrastructure Enhancement Program and revise its Utility Infrastructure Enhancement rate on March 8, 2011 in Flemington and on March 9, 2011 in Rahway. (2/14/11)
- 18.** Elaine M. Jasko, City Clerk advising Governor Chris Christie that the City Council would like to express their gratitude for vetoing the gas pipeline which was to pass through the City. (2/15/11)
- 19.** Mayor Wilda Diaz commending the following for their extraordinary services performed during a car fire on October 22, 2010 on State Highway 440: (2/16/11)
P.O. Joseph Sassine Sgt. Eddie Padilla
P.O. Pascal Medina Sgt. Carl Graham
P.O. Gilbert Arocho
- 20.** Mayor Wilda Diaz commending the following for their outstanding police work involving a barricaded suspect on January 2, 2011: (2/16/11)
Sgt. William Tiedgen P.O. Brandon Bucior
Sgt. Carmello Jimenez P.O. David Guzman
r Det. Sgt. Stephen Petrosino P.O. Nicholas Millroy
P.O. . Luis Perez P.O. Ethan Boyd
P.O. Rafael Puntiel P.O. Joseph Novak
P.O. Gilberto Simao P.O. Jesus Martinez
P.O. Joseph Sulikowski
- 21.** Deputy Chief Benjamin Ruiz advising that the Police Department has been selected to receive the Civic Leader of the Year Award from the Perth Amboy Merchant's Association. (2/16/11)

CLOSED SESSION RESOLUTION

R-77-2/11 Authorizing a Closed Session at the February 23, 2011 Caucus Meeting to discuss the following:

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

COUNCIL COMMENTS

ADJOURNMENT

Elaine M. Jasko
City Clerk