



**PROPOSED AGENDA OF MAY 9, 2011
FOR MEETING OF MAY 11, 2011
COUNCIL CHAMBERS**

NOTICE OF MEETING

Presiding Officer of the Council, Kenneth Balut, wishes to advise the audience that notice of this meeting has 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.

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

Plaque from Triple Threat Ministries to Mayor Wilda Diaz.

TOPICS FOR DISCUSSION

1. DPW capital equipment replacement. (Dann/Fehrenbach)
2. Water/Wastewater Utility rate increase alternatives/consequences. (Fehrenbach)
3. Consideration of proposal to hire consultant regarding the public safety complex HVAC and pool heating systems. (Fehrenbach)

**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

Chevron USA, Inc. Settlement

LIQUOR LICENSE – NOTIFICATION

None.

SOCIAL AFFAIR PERMIT

None.

REPORTS

1. Jill A. Goldy, CFO/Comptroller - Report of checks prepared and paid during the month of April 2011 in the total amount of \$1,579,136.46.

ORDINANCES – FIRST READING (NO PUBLIC DISCUSSION)

1. REFUNDING BOND ORDINANCE PROVIDING FOR PAYMENT OF AMOUNTS OWING TO CHEVRON CORPORATION FOR TAXES LEVIED IN AND BY THE CITY OF PERTH AMBOY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING \$7,950,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$7,950,000 BONDS OR NOTES OF THE CITY FOR FINANCING THE COST THEREOF.

2. AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "PUBLIC ENTERTAINMENT" (ORDINANCE NO. 830-96 AND AMENDMENTS) ADOPTED APRIL 2, 1996, ALSO KNOWN AS CHAPTER 343 ET SEQ OF THE CODE OF THE CITY OF PERTH AMBOY.

Re: Sale, distribution and consumption of alcoholic beverages limited

3. AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "HONORARY NAMING OF STREETS OR PUBLIC AREAS" CHAPTER 53 OF THE PERTH AMBOY MUNICIPAL CODE.
4. ORDINANCE REGARDING PROVISION OF HEALTH INSURANCE BENEFITS TO NON FULL TIME EMPLOYEES.

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

1. AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "PERSONNEL POLICIES" (NO. C-513 AS AMENDED) ADOPTED DECEMBER 15, 1954 ALSO KNOWN AS CHAPTER 85 ET SEQ OF THE CODE OF THE CITY OF PERTH AMBOY.

Re: Limitation on employment of former members of New Jersey Public Pension Funds and Retirement

2. AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "ALCOHOLIC BEVERAGES" (ORDINANCE NO. 65-75 AS AMENDED) ADOPTED FEBRUARY 18, 1975, ALSO KNOWN AS CHAPTER 137 ET SEQ OF THE CODE OF THE CITY.

Re: Consumption on public streets or playgrounds – Exception for Sidewalk Cafés

RESOLUTIONS

R-181-5/11 Considering the application of Carlos A. Santos, t/a Action Billiards & Coffee II Inc., for a license to operate a poolroom at 233 New Brunswick Avenue.

R-182-5/11 Authorizing the 2010-2011 Renewal of inactive plenary retail consumption license no. 1216-33-062-003, held in the name of Sesfer Corp., t/a Barcelona Tavern.

R-183-5/11 Authorizing the insertion of revenue in the CY 2011 Budget pursuant to N.J.S.A. 40A:4-87 (Chapter 159, P.L. 1948) for the FY 2010 Assistance to Firefighters Grant in the amount of \$198,450.00.

R-184-5/11 Authorizing execution of assessment appeal settlement with Chevron USA, Inc.

R-185-5/11 Making application to Local Finance Board pursuant to N.J.S.A. 40A:2-51 and N.J.S.A. 40A:3-1 et seq, regarding assessment appeal settlement with Chevron USA, Inc.

R-186-5/11 Authorizing change orders no. 13 and no. 14 with Woodward Construction Company for code compliance construction at the public safety complex increasing the contract in the amount of \$3,522.00.

R-187-5/11 Authorizing change orders no. 3 through no. 6 with Simplex Grinnel for fire sprinkler construction in an amount not to exceed \$5,720.00.

R-188-5-11 Authorizing a contract with First Recycling Corporation to perform additional asbestos removal services required by the State in an amount not to exceed \$12,760.00.

R-189-5/11 Authorizing Alfred J. Petit-Clair, Jr. to represent the Board of Adjustment in the matter of Maria Fazendeiro v. Board of Adjustment and El Gallo Social Club Docket No. MID-L-1854-11 at a fee not to exceed \$3,000.00.

R-190-5/11 Extending the contract with Hill International, Inc. as expert construction consultants and witnesses in the public safety complex litigation in an amount not to exceed \$75,000.00.

R-191-5/11 Authorizing a lease agreement with the Middlesex County Board of Social Services for designated office space in the Alexander Jankowski Community Center for the monthly rental of \$3,390.66 for the period commencing May 15, 2011 and ending November 30, 2011, with a month to month option thereafter.

R-192-5/11 Approving special permit for public entertainment for the Comite Patriotico Cultural Puertorriqueno of Perth Amboy to be held June 10, 11 & 12, 2011 on Hall Avenue.

R-193-5/11 Authorizing refund of an elevator inspection fee to the Perth Amboy Board of Education in the amount of \$44.00.

R-194-5/11 Rescinding R-159-4/11 to correct the amount of the contract and re-authorizing acceptance of the bid and awarding the FY 2011 annual contract to Montana Construction for emergency repairs to the collection system in an amount not to exceed \$600,000.00.

COMMUNICATIONS

1. Acting Chief of Police Benjamin Ruiz advising that the unveiling of the Perth Amboy Fallen Officers Memorial is tentatively scheduled for June 1, 2011. (4/27/11)
2. Margaret E. Pemberton, Freeholder Clerk submitted a certified copy of a Resolution adopted on April 14, 2011 authorizing agreements with various Municipalities for Chlorofluorocarbons Recovery Reimbursement Program from January 1, 2011, through December 31, 2013. (4/27/11)
3. Greg Fehrenbach, BA, submitted an analysis of the City's ability to sell water to provide added revenue for the water and wastewater utility. (4/29/11)
4. Sayreville Borough Clerk advising that the public hearing on the Amendment to the Land Development Ordinance to Expand the Special Economic District was carried over to May 23, 2011. (5/3/11)
5. NJ Div. of ABC submitted a copy of the Notice of Charges against license no. 1216-33-104-003, held in the name of Santo Domingo Invita, Inc. at 223 Market Street for violation of ABC regulations. The total penalty sought by the Division is 52 days suspension. (5/4/11)

6. Acting Chief of Police Benjamin Ruiz advising that seven police officers have been selected to receive a Valor Award from the 200 Club of Middlesex County for their actions at the State Highway 440 fire on October 22, 2010 and the fire at the Harbortown complex on December 19, 2010. (5/5/11)

CLOSED SESSION RESOLUTION

R-180-5/11 Authorizing a Closed Session at the May 9, 2011 Caucus Meeting to discuss the following:

1. YMCA
2. Personnel
3. Appointment
4. Public safety complex litigation
5. Potential litigation

PUBLIC PORTION (5 MINUTES MAXIMUM PER SPEAKER)

COUNCIL COMMENTS

ADJOURNMENT

Victoria Ann Kupsch
Assistant City Clerk