



**AGENDA
JANUARY 26, 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 7:00 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

None.

TOPICS FOR DISCUSSION

None.

ITEMS FOR CONSIDERATION FOR MEETING OF JANUARY 26, 2011

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

December 27, 2010 - Special
January 3, 2011 - Special

BIDS

None.

SUPPLEMENTAL DEBT STATEMENT

None.

LIQUOR LICENSE – NOTIFICATION

1. Person-to-Person Transfer of 1216-32-059-006
FROM: Melania Corporation, t/a Casanova Lounge
983 State Street
TO: Jose Ayala, t/a El Tipico
2. Person-to-Person Transfer of 1216-33-007-003
FROM: M&M Building Systems LLC
391 Keene Street
TO: HMV Nabo LLC, t/a Milly's Lounge

SOCIAL AFFAIR PERMIT

St. Demetrios Greek Orthodox Church
41-47 Wisteria Street
Dates: February 26, 2011, 5:00 pm to Midnight
June 3, 4 & 5, 2011, 11:00 am to Midnight
Location: Community Center, Wisteria Street

REPORTS

- Jill A. Goldy, CFO/Comptroller submitted the following:
1. Investment Report - December 2010.
 2. Water/Wastewater Utility Reports - December 2010.
 3. Payroll Disbursements/Deductions – December 2010.

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

None.

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

1. AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "WRECKERS" NO. 621-92 (AS AMENDED) ADOPTED AUGUST 4, 1992, ALSO KNOWN AS CHAPTER 425 ET SEQ OF THE CODE OF THE CITY OF PERTH AMBOY.
2. 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 TO PROVIDE FOR CAUCUS MEETINGS OF THE COUNCIL.
3. 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: Public Records Duplication Fees

RESOLUTIONS

R-31-1/11 Appointing Michael Zylka to the Perth Amboy Port Authority for a term of five years expiring January 31, 2016.

R-32-1/11 Authorizing emergency temporary appropriations to extend CY 2011 Temporary Budget in the amount of \$352,485.58.

CONSENT AGENDA - R-33-1/11 to R-44-1/11

R-33-1/11 Authorizing the refund of duplicate tax payment to BAC Tax Services Corporation on Block 115, Lot 25, 333 Fayette Street in the amount of \$899.20.

R-34-1/11 Authorizing refund of duplicate tax payment to Core Logic on Block 442, Lot 15, 392 Leon Avenue in the amount of \$1,407.63.

R-35-1/11 Authorizing the refund of duplicate tax payment to Core Logic on Block 148, Lot 16, 373 Division Street in the amount of \$1,529.25.

R-36-1/11 Authorizing the refund of duplicate tax overpayment to Core Logic on Block 301, Lot 45, 702 Carlock Avenue in the amount of \$1,159.44.

R-37-1/11 Authorizing the refund of duplicate tax payment to Wael Nasr on Block 301, Lot 4 C0536, 536 Great Beds Court in the amount of \$1,703.46.

R-38-1/11 Authorizing the refund of duplicate tax payment to Julio Castro on Block 366, Lot 21, 300 Alpine Street in the amount of \$1,729.90.

R-39-1/11 Authorizing the refund of tax overpayment to Moreen D. Saunders on Block 330, Lot 22, 335 Paderewski Avenue in the amount of \$250.00 due to disable person deduction allowance.

R-40-1/11 Authorizing the refund of tax overpayment to Nancy Curil on Block 203, Lot 10, 458 Neville Street in the amount of \$250.00 due to veteran deduction allowance.

R-41-1-/11 Authorizing a refund to Cornucopia Cruise Line, Inc. due to tax overpayment created by tax appeals on Block 15, Lot 2 in the amount of \$98,891.57.

R-42-1/11 Authoring a refund to Howard B. Goldberg, Esq. attorney for Jab Investment Properties, Inc. due to tax overpayment created by tax appeals on Block 116, Lot 45, 314-320 Watson Avenue in the amount of \$9,887.93.

R-43-1/11 Authorizing a refund to Peter Zipp, Esq., attorney for Eduardo Trujillo, Jr. due to tax overpayment created by tax appeals on Block 136, Lot 1.01 C0055, 40 Fayette Street in the amount of \$730.88.

R-44-1/11 Authorizing a refund to Howard B. Goldberg, Esq., attorney for Ishrat H. Jafary due to tax overpayment created by tax appeals on Block 357, Lot 23, 708-720 State Street in the amount of \$12,085.24.

R-45-1/11 Approving participation with the State of New Jersey in a Safe and Secure Communities Program in the amount of \$60,000.00 administered by the Division of Criminal Justice, Department of Law and Public Safety.

R-46-1/11 Authorizing the proper City Officials to execute an agreement between the Middlesex County Department on Aging and the Perth Amboy Senior Center to participate in the 2011 "A Matter of Balance" Fall Prevention Training Program.

R-47-1/11 Authorizing the proper City Officials to enter into a three year inter-local service agreement with the Council of Middlesex for the CFC Recovery Reimbursement Program commencing January 1, 2011 and terminating December 31, 2013.

R-48-1/11 Consenting to the reappointment of Maria del Valle Koch as judge of the Municipal Court for a three year term retroactive to January 1, 2011.

R-49-1/11 Directing the City Tax Collector to place a lien on 406 New Brunswick Avenue, Block 173, Lot 30, in the amount of \$577.60 for charges incurred by the department of public works.

R-50-1/11 Authorizing return of professional escrow review fee to Mohamad Melheess for 428 Fayette Street, Block 106.01, Lots 12 & 13 Docket No. 2926 in the amount of \$1,992.50.

R-51-1/11 Authorizing return of professional escrow review fee to Juan Arias for 236-238 Madison Avenue, Block 44, Lot 20.01 Docket No. 2925 in the amount of \$1,346.50.

R-52-1/11 Authorizing return of professional escrow review fee to Church of Jesus Christ for 271 Maple Street, Block 62, Lots 10 through 14 Docket No. 2147 in the amount of \$2,355.00.

R-53-1/11 Accepting a gift from the National Council on Alcoholism and Drug Dependence of Middlesex County (NCADD) and the Youth Community Leadership Academy (YCLA) for use by the Perth Amboy Recreation Department in the amount of \$5,000.00 for revitalization of Patrick Duffy Park.

R-54-1/11 Approving settlement and dismissal of Delia Yili civil service appeal.

R-55-1/11 Authorizing a contract with Excel Environmental, Inc. for professional services for the remedial investigation and report preparation activities under the NJDEA/DEP Hazardous Discharge Site Remediation Fund Grant on property located at 599 Fayette Street, Block 93, Lot 1.03, Block 95, Lot 1 and Block 96, Lot 1.0 through 16 also known as the DPW facility and former city landfill in an amount not to exceed \$493,340.00.

R-56-1/11 Authorizing a contract with Feist Engineering for professional services for the preparation of the bid specs, contract administration and construction inspection for the UEZ grant funded improvements to New Brunswick Avenue and Smith Street in the amount of \$27,600.00.

R-57-1/11 Authorizing the City to enter into a Stipulation of Settlement resolving the Complaints filed by Camelot at Perth Amboy, LLC , Kaplan at Perth Amboy & K-Land No. 56 also known as filed Federal Hill.

R-58-1/11 Authorizing settlement agreement with Aida Torres and warrant to satisfy judgment re: Block 362, lot 10.

R-59-1/11 Ratifying settlement and dismissal of Barclay Street Associates, LLC v. Mayor and City of Perth Amboy et al.

R-60-1/11 Concurring with the decision of the Administrative Officer regarding change in site plan for Phase 3A of Harbortown Terrace.

R-61-1/11 Authorizing a Closed Session at the January 26, 2011 meeting to discuss the following:

1. Personnel
2. Public Safety Complex litigation
3. Conrail litigation
4. Contract negotiations – Kearny Cottage
5. JJ's Café litigation

COMMUNICATIONS

1. NJDOT advising that it is proposing a superstructure replacement, consisting of new deck, parapets and bridge beams for the Route 35 over Perth Amboy (CR 624) Connector to Route 440. There will be no effect to any eligible or potentially eligible resource. (1/6/11)
2. NJDEP issued a No Further Action Letter to Camelot at Perth Amboy, LLC and Kaplan at Perth Amboy, LLC for the remediation of the former Schott Brothers Property. (1/6/11)
3. Mayor Wilda Diaz thanking the following firefighters for their outstanding job performance during the Harbortown fire of December 19, 2010: (1/6/11)

Shawn Kehoe	Lazlo Longyel
Michael Perez	Lieutenant Scott Bromirski
Ramiz Klobocista	Captain John Breyta

4. Mayor Wilda Diaz thanking Rafael Mendez of Tropical Cheese Industries and Ray Catena of Mercedes Benz for their generous donations to the victims of the Harbortown fire of December 19, 2010. (1/7/11)
5. Mayor Wilda Diaz reappointing Maria del Valle Koch as Municipal Judge retroactive from January 1, 2011 and ending December 31, 2013. (1/7/11)
6. Mayor Wilda Diaz appointing Robert McCoy to the Library Board of Trustees for a term to expire on June 30, 2014. (1/7/11)

7. Fire Chief David J. Volk advising that had it not been for the extraordinary and heroic actions of the initial Fire and Police Department responders, there would have certainly been additional injuries and possible fatalities as a result of the Harbortown fire of December 19, 2011. (1/7/11)
8. NJ DCA, Office of Regulatory Affairs advising that after conducting a site visit of the Harbortown fire of December 19, 2010, review of the available released prototype plans, meeting with current local UCC enforcing agency officials and the design professionals who designed the building, it concludes that the building design would have met the 1993 BOCA National Building Code. (1/13/11)
9. Michael R. Zylka requesting that he be considered for reappointment to the Port Authority. (1/13/11)
10. Senator Lesniak and Assemblyman Green detailing the merits of S-1, Housing Legislation Abolishing COAH, with regard to the City's Mt. Laurel obligation. (1/13/11)
11. Jack M. Dudas, Kearny Cottage Historical Association Trustee detailing the differences between the proposed new lease for the Kearny Cottage submitted by him and the proposed lease written by Mark Blunda, City Attorney. (1/13/11)
12. Greg Fehrenbach, BA forwarded Deputy Chief Ruiz's e-mail providing the hours of operation of the Animal Shelter. (1/14/11)
13. Senator Lesniak and Assemblyman Green submitted a draft resolution urging the Governor to immediately sign S-1 into law. (1/14/11)
14. Mayor Wilda Diaz appointing Greg Fehrenbach, BA as Acting Mayor for January 18, 2011 through January 23, 2011. (1/18/11)
15. Mark Blunda, Law Director suggesting to Jack M. Dudas that a meeting be set up to discuss the lease terms for the Kearny Cottage. (1/18/11)

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

COUNCIL COMMENTS

ADJOURNMENT

Elaine M. Jasko
City Clerk