



**CITY COUNCIL AGENDA
MARCH 9, 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.

**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

January 26, 2011 - Regular
February 9, 2011 - Regular

BIDS

Bids were received on January 26, 2011 for the following:

1. Road Improvements to Center Street
 - a. Lancha Construction Corp. \$106,783.91*
 - b. Z Brothers \$112,729.70
 - c. S. Batata \$113,813.50
 - d. Mark Paving Co., Inc. \$115,831.40
 - e. Fischer Contracting \$116,703.73

Bids were received on February 2, 2011 for the following:

1. New Brunswick Avenue Gateway Enhancement Project
 - a. Helios Construction Inc. \$155,798.58*
 - b. Buckler Associates, Inc. \$147,147.99**
 - c. Berto Construction \$171,573.50
 - d. Lancha Construction Corp. \$192,617.56
 - e. Al Noto Contractors Inc. \$203,242.00
 - f. Z Brothers \$222,753.25
 - g. Black Rock Enterprises \$236,968.00

(*) Recommendation of bid award

(**) Deemed incomplete

SUPPLEMENTAL DEBT STATEMENT

None.

LIQUOR LICENSE – NOTIFICATION

None.

SOCIAL AFFAIR PERMIT

Our Lady of the Rosary of Fatima Church
188 Wayne Street
For: Barbeque/Dance
Dates: April 30, 2011, 12 noon – 12 am
May 1, 2011, 10 am – 8 pm
Location Church parking lot, Wayne Street

REPORTS

1. Middlesex County Health Department – January 2011.

Jill A. Goldy, CFO/Comptroller submitted the following:

2. Investment Report – January 2011.
3. Water/Wastewater Utility Reports – January 2011.
4. Payroll Disbursements/Deductions – January 2011.

5. Check register in the amount of \$3,395,527.26 – February 2011.
6. Report of Bond Anticipation Note Sale held on March 4, 2011.

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

1. AN ORDINANCE TO AUTHORIZE EXCEEDING MUNICIPAL BUDGET APPROPRIATION LIMITATION AND PERMIT "CAP BANKING".

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

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.

RESOLUTIONS

R-93-3/11 Authorizing emergency temporary appropriations to extend CY 2011 temporary budget in the amount of \$1,653,450.00.

R-94-3/11 Authorizing the Tax Collector to cancel any property tax credits or delinquencies of less than \$10.00.

R-95-3/11 Authorizing a refund to Wells Fargo Home Mortgage LLC for tax overpayments on Block 85, Lot 7 (188 Sheridan St.), Block 163, Lot 1 C0503 (503 Hidden Village Dr.) and Block 394.02, Lot 15 (764 May Ave.) in the total amount of \$4,256.04.

R-96-3/11 Authorizing a refund to The Landings at Harborside, LLC for tax overpayment on Block 136.01, Lot 1 CB520 (368 Rector St., Unit 520) in the amount of \$4,882.53.

R-97-3/11 Extending the contract with Hoagland, Longo, Moran, Dunst & Doukas, LLP to represent the City on tax appeals before the Tax Court of the State of New Jersey until June 30, 2011 in an amount not to exceed \$60,000.00.

R-98-3/11 Authorizing a contract with STTC Service Tire Truck Centers formerly known as Perth Amboy Tires & Tubes under State Contract No. A61418 in an amount not to exceed \$53,690.00 and rescinding R-15-1/11 to conform with correct vendor business name.

R-99-3/11 Authorizing the Tax Assessor to settle tax appeals up to \$5,000.00 and to institute counterclaims on behalf of the City of Perth Amboy.

R-100-3/11 Accepting the bid and authorizing a contract with Lancha Corp., for road improvements to Center Street in an amount not to exceed \$106,783.91.

R-101-3/11 Accepting the bid and authorizing a contract with Helios Construction Inc., for the New Brunswick Avenue Gateway Enhancement Project in an amount not to exceed \$155,798.58.

R-102-3/11 Authorizing a contract with Kologi and Simitz, to represent the City of Perth Amboy in the matter of Antriz Baez v. City of Perth Amboy et al in an amount not to exceed \$5,000.00.

R-103-3/11 Authorizing a contract with Mitzy Galis-Menendez of the law firm of Chasen Leyner & Lamparello, to represent individual Perth Amboy Police Officers in the matter of Antriz Baez v. City of Perth Amboy et al in an amount not to exceed \$5,000.00.

R-104-3/11 Authorizing a contract with Melick Tully and Associates for a soils and foundation investigation of the proposed Brighton Avenue community building in an amount not to exceed \$5,200.00.

R-105-3/11 Authorizing Accelerated Tax Sale for 2011 and future years.

R-106-3/11 Approving Local Municipal Budget for Calendar Year 2011 and setting the date of April 13, 2011 as the date for public hearing on the budget (including current fund, capital improvement program, water and waste water utility and parking utility).

R-107-3/11 Authorizing substantial changes to prior years consolidated plans, community planning and development annual plans and City of Perth Amboy authorizing resolutions. (reprogramming CDBG Funds)

COMMUNICATIONS

1. NJDEP submitted a No Further Action Letter and Covenant Not To Sue for the remediation of a 550 gallon #2 heating oil underground storage tank system at 338 Kirkland Place, Block 106.02, Lot 19. (2/22/11)
2. NJ Local Finance Board submitted a resolution adopted on February 18, 2010 and April 23, 2010, approving the City's application and granting the City a waiver from the limitation imposed upon increases in municipal purposes tax levies imposed to address extraordinary costs in the amount of \$11,171,780.00 to be incurred during 2010 fiscal year. (2/24/11)

3. PSE&G submitted a Notice of Public Hearings Concerning the Implementation of a Long-Term Capacity Agreement Pilot Program and Notice of Proposed Recovery through Rates of Costs Resulting from the Long-Term Capacity Agreement Pilot Program. (2/25/11)
4. TRC Environmental Corporation submitted a copy of the Initial Receptor Evaluation and Well Search Results on the Perth Amboy former MGP site. (2/25/11)
5. Mayor Wilda Diaz advising that she has nominated Deputy Chief Benjamin Ruiz as the 2011 Community Diversity Champion. (2/28/11)
6. Harbortown Sail, LLC submitted the results of the inspection of Unit 410 Great Beds Court by Frank H. Lehr Associates, Consulting Civil Engineers and Chester, Ploussas, Lisowsky Partnership, LLC, Architects. (2/28/11)
7. Alan Silber, city resident, asking that the City adopt an Ordinance that would prohibit retired public employees receiving a pension from being hired by the City. (3/2/11)

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

COUNCIL COMMENTS

ADJOURNMENT

Elaine M. Jasko
City Clerk