



AGENDA
APRIL 12, 2017
COUNCIL CHAMBERS
NOTICE OF MEETING

Presiding Officer of the Council, William A. Petrick, wishes to advise the audience that notice of this meeting has been filed with the Home News Tribune, The Star Ledger, The Amboy Guardian 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.

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

1. ORDINANCE ESTABLISHING A STREET PERFORMER ORDINANCE. (Recreation/Human Resources)
2. ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14). (B.A.)
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. (Clerk)

Re: Addition/Deletions

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 five (5) minutes.

MINUTES

March 20, 2017 – Closed Session
March 22, 2017 – Regular Council

BIDS

Bids were received on March 3, 2017 for the following:

1. Hazard Mitigation Improvements at the Second Street Pump Station Project
 - a. Allied Construction Group, Inc. \$2,396,000.00*
 - b. Shorelands Construction No Bid
 - c. CMD No Bid

(*) Recommendation of Bid Award

LIQUOR LICENSE – SOCIAL AFFAIR PERMIT

Ukrainian Catholic Church of the Assumption
684 Alta Vista Place
Occasion: Festival
Date: June 24, 2017, 12 noon – 9:00 pm
Location: School Hall, Meredith & Jacques Streets

REPORTS

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

1. Check register report for the month of March 2017 in the total amount of \$4,251,404.86.

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

1. ORDINANCE APPROPRIATING \$115,000 FROM THE WATER/WASTEWATER CAPITAL OUTLAY FUND FOR THE CONSTRUCTION OF A STORM WATER MAIN IN AND BY THE CITY OF PERTH AMBOY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY. (Water Utility)

2. 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. (P.D.)

Re: 1. No parking during emergency – delete portions of Brighton Ave., Forbes Ave., Lawrie St. and Oak St.

2. Adding loading zone – 621-625 Brace Avenue

3. AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "PARKING METER ZONES" (ORDINANCE NO. C-531 AS AMENDED) ADOPTED NOVEMBER 2, 1955, ALSO KNOWN AS CHAPTER 312 ET SEQ OF THE CODE OF THE CITY OF PERTH AMBOY. (P.D.)

Re: Certain vehicles prohibited

4. AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "SEWERS" (ORDINANCE NO. 373-85 AND AMENDMENTS ADOPTED MAY 25, 1985) ALSO KNOWN AS CHAPTER 365 ET SEQ OF THE CODE OF THE CITY OF PERTH AMBOY AND AN ORDINANCE ENTITLED "WATER" (ORDINANCE NO. 270-81 AND AMENDMENTS ADOPTED APRIL 7, 1981) ALSO KNOWN AS CHAPTER 418 ET SEQ OF THE CODE OF THE CITY OF PERTH AMBOY. (Water Utility)

Re: Water/sewer rates

RESOLUTIONS

R-147-4/17 Authorizing the 2016-2017 renewal of plenary retail consumption pocket license no. 1216-32-100-007, held in the name of Bay City Liquors, LLC, t/a Bay City Liquors, LLC effective April 13, 2017. (Clerk)

R-148-4/17 Authorizing the place-to-place transfer of plenary retail consumption pocket license no. 1216-32-100-007, held in the name of Bay City Liquors, LLC, t/a Bay City Liquors, LLC to 475 Smith Street, effective April 13, 2017. (Clerk)

R-149-4/17 Authorizing the insertion of a project to constitute the 2017 Temporary Capital Budget. (Water Utility)

R-150-4/17 Opposing attacks on our Health Benefits. (Council)

R-151-4/17 Authorizing emergency temporary appropriations to extend the CY 2017 Temporary Budget in the amount of \$23,000.00. (B.A.)

R-152-4/17 Concurring with the appointment of William J. Fitzpatrick as Tax Assessor and waiving the residency requirement effective April 17, 2017 with a four year term beginning July 1, 2017. (Mayor)

R-153-4/17 VOID

R-154-4/17 Accepting the New Jersey Division of Highway Traffic Safety U Drive, U Text, U Pay Grant in the amount of \$5,500.00. (P.D.)

R-155-4/17 Authorizing change order no. 1 to the contract for professional engineering services to assist the City with achieving compliance with NJDEP CSO permit and long term control plan (LTCP) requirements with the firm of CDM Smith in an amount not to exceed \$82,700.00. (L. Perez Jimenez)

R-156-4/17 Authorizing an extraordinary unspecifiable services contract between the City of Perth Amboy and Pierce Manufacturing, Inc. for repairs to the 2013 Pierce triple combination pumper in an amount not to exceed \$139,696.00. (F.D.)

R-157-4/17 Authorizing return of permit fee to Gold Medal Service, in an amount not to exceed \$10.00 for replacement of a water heater at 702 Hommann Avenue (Blk. 308, Lot 24.02). (Code Enforcement)

R-158-4/17 Authorizing refund of a street opening permit in the amount of \$1,250.00 to Gursky Plumbing & Heating for property located at 187 Front Street (Blk. 27, Lot 23.02). (Code Enforcement)

R-159-4/17 Authorizing refund of code compliance fee for property located at 289 Rector Street, in the amount of \$110.00 to Carlos Herrera. (Code Enforcement)

R-160-4/17 Accepting the bid and awarding a contract to Allied Construction Group for the hazard mitigation improvement at the Second Street pump station project in an amount not to exceed \$2,396,000.00. (B.A.)

R-161-4/17 Authorizing a municipal services agreement with Harbortown Sail Condominium Association, Inc. (B.A.)

R-162-4/17 Authorizing a municipal services agreement with Admiral Condominium Association, Inc. (B.A.)

R-163-4/17 Authorizing the proper City Officials to execute a memorandum of understanding with Rutgers' NJ Supplemental Nutrition Assistance Program-Education (NJ-SNAP-ED) for permission to utilize office space at the Brighton Avenue Community Center at no cost to the program. (Recreation/Human Services)

R-164-4/17 Authorizing the reduction of the performance bond of Bridge Development Partners LLC for Block 425, Lot 1.02 and Block 426, Lot 3.04 and Block 428, Lots 1.01 - 1.03 & 1.05. (Engineer)

R-165-4/17 Appointing Luis A. Lopez as a regular member of the Perth Amboy Arts Council to fill an unexpired term ending December 31, 2018. (Council)

R-166-4/17 Appointing Christopher Mazauskas as Alternate #1 to the Perth Amboy Arts Council to fill an unexpired term ending December 31, 2018. (Council)

COMMUNICATIONS

1. Ramboll Environ submitted a copy of the NJDEP Initial Receptor Evaluation for 466 New Brunswick Avenue, Blk. 100 - Lots 17-20. (3/17/17)

2. Ramboll Environ submitted a copy of the NJDEP Initial Receptor Evaluation for 564 New Brunswick Avenue, Block 199 - Lot 2. (3/17/17)
3. Ramboll Environ submitted a copy of the NJDEP Initial Receptor Evaluation for 471 Lawrie Street, Block 201 - Lot 51. (3/17/17)
4. Joseph M. Wenzel, Planning Board Attorney, advising that the Board reviewed the proposed changes to the zoning ordinance on February 1, 2017 and agreed that such amendments more accurately reflected the current land use status of the various areas of the City. Mr. Wenzel advises that the Board has several comments and concerns and suggests that the Council take all necessary steps to ratify and implement the proposal. (3/17/17)
5. Council President William Petrick requesting Business Administrator Adam Cruz to provide the Council with the monthly crime statistics from January 1, 2016 to date. (3/20/17)
6. Joseph J. Maraziti, Jr., Counsel to the Perth Amboy Redevelopment Agency advising the Council that with the adoption of R-96-3/17, overriding the Mayor's Veto, the purported amendment to Section 99-3 of the Code is contrary to the statutory provisions governing such appointments. As such, it is ultra vires and invalid. (3/22/17)
7. ch2m submitted a copy of Deed Notice and Notices in Lieu of Deed Notice for the former Mortell Facility, 550 High Street, Block 39, Lots 1 and 1.01. (3/22/17)
8. Middlesex County Mosquito Extermination Commission submitted copies of the NJDEP approved information about the Middlesex County Mosquito Extermination Commission's operations. (3/23/17)
9. NJDEP advising that the deadline for submitting applications for the Dam Restoration and Inland Waters Project Loan Program is May 31, 2017. (3/23/17)
10. Members of "NJ Residents Against Puppy Mills" and "Dog Advocacy and Rescue", requesting that the City of Perth Amboy adopt an ordinance to prohibit pet stores selling commercially bred puppy mill dogs from opening in Perth Amboy. (4/2/17)

11. NJDEP submitted a copy of the Waterfront Development Individual Upland Permit – Modification of the design of the stormwater facility to include the replacement of an existing stormwater pipe for Harbortown, LLC (Block 353, Lots 1.01 and 1.06 and Block 353.07, Lots 1 and 1.01). (4/3/17)
12. Mayor Wilda Diaz appointing Peter J. King, Esq. as Acting Law Director for a period of 90 days pending consent of Council. (4/5/17)
13. SESI Consulting Engineers advising that an application will be submitted to the NJDEP for a Classification Exception Area for groundwater on the BridgePort Redevelopment Project – Site A, located on Block 428, Lot 1.01, Block 426, Lot 3.04 & Block 425, Lot 1.02. (4/5/17)
14. NJDEP and FEMA recommending that the City pro-actively communicate with the owners of Superstorm Sandy substantially damaged structures in advance of the October 2018 mitigation deadline. (4/5/17)
15. Langan Engineering and Environmental Services, Inc. submitted a copy of the NJDEP application for a Flood Hazard Area Individual Permit and a Freshwater Wetland General Permit No. 2 for the proposed connection of Buckeye Perth Amboy Terminal to the Raritan Bay Terminal. (4/5/17)

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

COUNCIL COMMENTS

ADJOURNMENT

Elaine M. Jasko
City Clerk