



**AGENDA
SEPTEMBER 13, 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.

PRESENTATION

Annual Update – Housing Authority – Best Practices. (Cruz)

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

1. AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "COURT" (ORDINANCE NO. 635-92 AND AMENDMENTS) ADOPTED SEPTEMBER 15, 1992 ALSO KNOWN AS CHAPTER 27 ET SEQ OF THE CODE OF THE CITY OF PERTH AMBOY.

Re: Appointment of Municipal Prosecutor

2. AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "ADMINISTRATION OF GOVERNMENT" (ORDINANCE NO. 1-72 AND AMENDMENTS) ADOPTED JULY 28, 1972 ALSO KNOWN AS CHAPTER 4 ET SEQ OF THE CODE OF THE CITY OF PERTH AMBOY.

Re: Prosecutor – Department of Law

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

August 7, 2017 – Closed Session
August 9, 2017 – Council

LIQUOR LICENSE TRANSFER (NOTIFICATION)

Person-to-Person Transfer
1216-33-104-003
From: Santo Domingo Invita, Inc.
t/a Santo Domingo Invita Restaurant
223 Market Street
To: Santo Domingo Invita Restaurant, LLC
t/a Santo Domingo Invita Restaurant

REPORTS

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

1. Water/Wastewater Utility Report month of July 2017.
2. Investment Report for the month of July 2017.
3. Budget Status Reports – Revenue Status and Appropriation Status Reports for the following as of July, 2017:
 - a. Current Fund
 - b. Parking Utility Fund
 - c. Water/Wastewater Utility Fund
 - d. Harborside Marina Utility Fund
4. Check register report for the month of July 2017 in the total amount of \$6,935,694.17.

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

1. AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "ORDINANCE FIXING AND ESTABLISHING A SCHEDULE OF SALARIES AND SALARY RANGES AND INCREMENTS FOR OFFICERS AND EMPLOYEES OF THE CITY OF PERTH AMBOY" (ORDINANCE NO. 218-79 AS AMENDED ADOPTED JULY 3, 1979).

Re: Management & Non Union – Additional Titles

2. AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "ZONING AND LAND DEVELOPMENT" (1993 LAND DEVELOPMENT ORDINANCE OF THE CITY OF PERTH AMBOY, NEW JERSEY), ALSO KNOWN AS CHAPTER 430 ET SEQ OF THE CODE OF THE CITY OF PERTH AMBOY.

3. AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "STREETS AND SIDEWALKS" (ORDINANCE NO. 1549-2011 AS AMENDED) ADOPTED MARCH 23, 2011, ALSO KNOWN AS CHAPTER 386 ET SEQ OF THE CODE OF THE CITY OF PERTH AMBOY.

Re: Sidewalk Cafes

4. 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: Adding Stop sign on Maple Street – Intersection of Maple & Fayette Streets

5. 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: Designating Marina Parking Lot As Area For Beer & Wine Garden

RESOLUTIONS

R-322-9/17 Authorizing a refund for the cancellation of a handicapped parking application in the amount of \$100.00 to Wanda Coriano. (Clerk)

R-323-9/17 Authorizing refunds in the total amount of \$600.00 to 6 applicants for handicapped parking spaces due to denial by the police department and/or handicapped parking committee. (Clerk)

R-324-9/17 Authorizing the refund of tax overpayment on Block 127, Lot 35 (340 State Street) in the amount of \$3,725.57 to Wells Fargo Home Mortgage LLC. (Collector)

R-325-9/17 Authorizing the refund of tax overpayments to Corelogic Centralized Refunds on various Block and Lots in the total amount of \$3,448.67. (Collector)

R-326-9/17 Authorizing the insertion of revenue in the CY 2017 Budget pursuant to N.J.S.A. 40A:4-87 (Chapter 159, P.L. 1948) for the Detective Matthew L. Tarentino Community Policing Grant in the amount of \$10,000.00. (Finance)

R-327-9/17 Determining the form and other details of not exceeding \$1,226,000 water utility bonds, of the City of Perth Amboy, in the County of Middlesex, New Jersey and providing for their sale to the New Jersey Environmental Infrastructure Trust and the State of New Jersey and authorizing the execution and delivery of loan agreements to be executed by the City and each of the New Jersey Environmental Infrastructure Trust and the State of New Jersey, acting by and through the Department of Environmental Protection and further authorizing the execution and delivery of an escrow agreement pursuant to the New Jersey Environmental Infrastructure Trust Financing Program. (B.A.)

R-328-9/17 Authorizing designation of area in need of rehabilitation pursuant to the Local Redevelopment and Housing Law designated as Block 3, Lot 11, commonly known as 41-47 Wisteria Place. (B.A.)

R-329-9/17 Authorizing execution of a Master Service Agreement with Remedy Analytics, Inc. for pharmacy benefits management. (B.A.)

R-330-9/17 Authorizing a professional services contract with Robert L. Tarver, Jr. to appeal the ruling of the Superior Court in the matter of Diaz v. City Council in an amount not to exceed \$17,000.00. (Council President)

R-331-9/17 Appointing Roisin Dowling to the Perth Amboy Board of Adjustment as a regular member to fill an unexpired term expiring December 31, 2018. (Clerk)

R-332-9/17 Appointing Maria Garcia to the Zoning Board of Adjustment as Alternate No. 1 for a term expiring December 31, 2018. (Clerk)

R-333-9/17 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. (Assessor)

R-334-9/17 Authorizing a contract with East Coast Emergency Lighting for the purchase of three (3) sets of emergency lighting and equipment plus installation for the new marked police vehicle, the K9 vehicle and the new unmarked police vehicle under State Contract No. A81336 in an amount not to exceed \$49,072.35. (P.D.)

R-335-9/17 Authorizing return of a dumpster permit fee to Pawan Jaisinghani in an amount not to exceed \$100.00 for the placement of a dumpster at 611 Raritan Avenue (Blk. 293, Lot 53). (Code Enforcement)

R-336-9/17 Authorizing return of a dumpster permit fee to Usama Henien, in an amount not to exceed \$100.00 for the placement of a dumpster at 556 Amboy Avenue, (Blk. 272, Lot 27). (Code Enforcement)

R-337-9/17 Authorizing refund of a road opening bond for property located at 308 Neville Street, (Blk. 293, Lot 53) in the amount of \$1,250.00 to Lukasz Grzech. (Code Enforcement)

R-338-9/17 Authorizing refund of a road opening application for property located at 653 New Brunswick Avenue (Blk. 188, Lots 1 & 2) in the amount of \$2,500.00 to Terco Construction. (Code Enforcement)

R-339-9/17 Authorizing refund of two (2) road opening bonds for property located at 300 Eagle Avenue (Blk. 341.01, Lot 34.01) and 322 Smith Street (Blk. 116, Lot 1) in the amount of \$4,000.00 to Leonardo's Construction SVC, LLC. (Code Enforcement)

R-340-9/17 Authorizing refund of deposit for M.A.P.S. Summer Day Camp in the amount of \$400.00 to Jermain Clark. (Recreation)

R-341-9/17 Authorizing a refund in the amount of \$50.00 to Leidy Torres for the cost of the permit fee for the use of Duffy Park. (Recreation)

R-342-9/17 Authorizing a refund in the amount of \$50.00 to Zeneida Espinal for the cost of the permit fee for the use of Duffy Park. (Recreation)

R-343-9/17 Authorizing refund of registration fee for the Youth Soccer Clinic in the amount of \$70.00 to Yaneli Garcia. (Recreation)

R-344-9/17 Authorizing refund of fees paid by fourteen (14) residents for the trip to Point Pleasant sponsored by the Office of Recreation which was cancelled due to inclement weather in the amount of \$953.75. (Recreation)

R-345-9/17 Directing the Tax Collector to place a lien on 503 North Park Drive (Blk. 399.28, Lot 17) in the amount of \$371.00 for charges incurred by the Department of Public Works. (Code Enforcement)

R-346-9/17 Authorizing the Tax Collector to place a lien on 173 First Street (Blk. 35, Lot 21) in the amount of \$161.16 for charges incurred by the Department of Public Works. (Code Enforcement)

R-347-9/17 Authorizing the closure of a portion of Front Street on September 24, 2017 for the 3rd Annual State Wide Paella Festival. (Mayor)

R-348-9/17 Authorizing a contract with Most Dependable Fountains, Inc. for the supply and installation of two (2) water fountains in connection with the Waterfront Park Improvements Project in an amount not to exceed \$22,080.00. (B.A.)

R-349-9/17 Authorizing an agreement between the New Jersey Transit Corporation and City of Perth Amboy for acceptance of the Local Programs and Minibus Support Formula Grant for Enhanced Mobility of Seniors and Individuals with Disabilities Program. (Human Services)

R-350-9/17 Proclaiming November annually as "Lung Cancer Awareness Month" in the City of Perth Amboy. (Mayor)

R-351-9/17 VOID

R-352-9/17 Authorizing a contract with Trius Inc. for parts and repairs for the snow plow, salter equipment and sweeper equipment in an amount not to exceed \$21,000.00. (D.P.W.)

R-353-9/17 Authorizing a contract with B&W Construction Co. of NJ, Inc. for emergency snow plowing for the 2017-2018 snow season in an amount not to exceed \$30,000.00. (B.A.)

R-354-9/17 Awarding a contract for unleaded gasoline to National Fuel Oil, Inc. Co. in accordance with the Somerset County Cooperative Pricing Agreement in an amount not to exceed the sum of \$225,000.00. (D.P.W.)

R-355-9/17 Extending the contract with CDM Smith to provide engineering services for the water/wastewater utility to analyze the report of the Alaimo Group for Woodbridge regarding proportionate responsibility for repairs and rehabilitation of the Woodbridge trunk sewer interceptor not to exceed the amount of \$10,000.00. (B.A.)

R-356-9/17 Authorizing execution of an indemnification agreement with Harbortown Terrace LLC for the use of its property for the City to host a "Harbortown Family Fun Day", a community outreach event. (B.A.)

R-357-9/17 VOID

R-358-9/17 Authorizing an extension to the firm of Hoagland, Longo, Moran, Dunst & Doukas, LLP to cover costs associated with work to be performed for the balance of 2017 in connection with tax appeals before the Tax Court of the State of New Jersey in an amount not to exceed \$60,000.00. (B.A.)

R-359-9/17 Authorizing seven police officer recruits to attend the Basic Course for Police Officers at the Cape May Police Academy in an amount not to exceed \$17,500.00. (P.D.)

R-360-9/17 Authorizing an agreement between Televend Services, Inc. and the City of Perth Amboy to provide FaxScan24, fax & scan services at the Perth Amboy Free Public Library. (Library)

R-361-9/17 Authorizing submission of a grant application and grant acceptance with the NJDOT for NJDOT Local Aid for 2018 for road improvements for Hall Avenue (State Street to railroad bridge) and Rector Street (Smith Street to Washington Street) project. (B.A.)

R-362-9/17 Authorizing the award of a contract for professional architectural and engineering services for a historic review of and repair recommendations for Albert G. Waters Stadium entrance gate to Wise, Janney, Elstner Associates, Inc. in an amount not to exceed \$3,200.00. (B.A.)

R-363-9/17 Adopting the Personnel Policy Manual for the City of Perth Amboy revised as of September 11, 2017. (B.A)

R-364-9/17 VOID

R-365-9/17 Authorizing the 2017-2018 renewal of plenary retail consumption license no. 1216-32-087-008 held in the name of Manjali, Inc. t/a Pay Rite Liquors at 223 Smith Street effective September 14, 2017. (Clerk)

COMMUNICATIONS

1. NJDEP submitted a Suspected Hazardous Substance Discharge Notification regarding #2 heating oil at 337 Thomas Street. (8/5/17)
2. Council President William Petrick requesting Mayor Diaz to provide the Council with information regarding the hiring/employment/compensation of Peter Pelissier. (8/7/17)
3. NJDEP submitted a Suspected Hazardous Substance Discharge Notification regarding oil sheen on the water in the Arthur Kill near 1200 State Street. (8/7/17)
4. BETTS Environmental & Alternative Fuels advising that a Classification Exception Area/Well Restriction Area proposal and Groundwater Remedial Action Permit application were submitted to the NJDEP for M&M Auto Mechanics, Inc. at 410 State Street, Block 233, Lots 1, 2, 3, 4.01 & 4.02. (8/7/17)
5. ch2m submitted Response Action Outcome Letters for Restricted and Unrestricted Use for the Former Mortell Facility at 144 Grant Street, Block 39, Lots 1 & 1.01. (8/7/17)
6. Stephanie Marquez-Villafane, United Messenger of Peace, submitted highlights of her meeting with Business Administrator Adam Cruz concerning creation of guidelines regarding walks and handicapped accessibility within the City. (8/7/17)

7. Elaine M. Jasko, City Clerk advising the following boards they must provide minutes starting January 1, 2017 to the present and for all future meetings: (8/8/17)

Arts Council	Housing Authority
BID/UEZ	Library Bd. Of Trustees
Bd. of Adjustment	Planning Bd.
Historic Preservation Comm.	Redevelopment Agency

8. NJDEP advising that no further action is necessary for the remediation of the 550 gallon #2 heating oil underground storage tank system at 334 Silzer Street, Block 104.02, Lot 35. (8/9/17)
9. Robert Mancini, Project Manager, Refining Business Unit, Chevron Environmental Management Company submitted a copy of the NJDEP Remedial Action Protectiveness/Biennial Certification Form – Soil for the Chevron Perth Amboy West Yard, 1050 Amboy Avenue. (8/9/17)
10. Mayor Wilda Diaz advising that she has appointed Business Administrator Adam Cruz as Acting Mayor from August 14, 2017 until August 27, 2017. (8/9/17)
11. Council President William Petrick requesting Peter J. King, Acting Director of Law to help in providing the Council with information regarding the hiring/employment/compensation of Peter Pelissier requested from Mayor Wilda Diaz. (8/10/17)
12. NJDOT advising that a public hearing will be held on August 17, 2017, 9:30 am to 12:00 pm in the Department's Multi-Purpose Room, Ewing on the proposed amendment to N.J.A.C. 16:41C, Roadside Sign Control and Outdoor Advertising. (8/11/17)
13. Council President William Petrick asking Business Administrator Adam Cruz if the City has received the check from the Freeholders for Concert by the Bay. (8/15/17)
14. Council President William Petrick requesting Business Administrator Adam Cruz to have USAPA check the runoff catch basin behind the homes on Columbus Drive which is overgrown causing the residents concern.(8/15/17)
15. Business Administrator Adam Cruz advising Council President William Petrick that he will have USAPA look into the catch basin and provide an update. (8/15/17)

- 16.** Elizabethtown Gas advising that notice of the scheduled demolition of the former auditorium located near the corner of Wisteria Street and Sadowski Parkway has been given to the residents in the area. (8/16/17)
- 17.** Sovereign Consulting Inc. advising that the final reports for the Rudyk Park extension and Firehouse sites are available. (8/16/17)
- 18.** Stephanie Marquez-Villafane, United Messengers of Peace, advising that although she has noticed some changes to fix the handicapped accessibility problems, she is still waiting for a plan to make the City handicapped accessible. (8/17/17)
- 19.** Business Administrator Adam Cruz advising Council President William Petrick that he is in the process of gathering the information he requested regarding Peter Pelissier. (8/18/17)
- 20.** NJDEP submitted a Suspected Hazardous Discharge Notification regarding fuel oil at the corner of Wisteria Street and Sadowski Parkway. (8/19/17)
- 21.** Middlesex County Department of Community Services, Office of Aging and Disabled Services Division of Transportation advising that a public hearing will be held on September 19, 2017 at 10:00 am at the Transit Office, New Brunswick on the 2018 application for Senior Citizens and Disabled Residents Transportation Assistance Program funded through Casino Revenue Funds. (8/22/17)
- 22.** Council President William Petrick asking Business Administrator Adam Cruz when the repairs to the road at the intersection of Krochmally Avenue and Lee Street will be done. (8/23/17)
- 23.** LSRO Consulting LLC submitted a copy of the NJDEP Remedial Action Protectiveness/Biennial Certification Form – Ground Water for the Nextrom, Inc., a/k/a Syncro Machine Company, site located at 611 Sayre Avenue. (8/25/17)
- 24.** Reinaldo Enrique Aviles resigning from the Perth Amboy Historic Preservation Commission. (8/25/17)
- 25.** Council President William Petrick requesting Business Administrator Adam Cruz to explain the Administration's position regarding the PILOT agreement with UAW – High Street. (8/26/17)

- 26.** PSE&G advising that a public hearing will be held on September 14, 2017 at 1:00 pm in the Middlesex County Administration Building, New Brunswick on the basic generation service charges procured by PSE&G on behalf of its Basic Generation Service customers and proposed recovery through its BGS charges of costs resulting from statewide auction for basic generation service. (8/28/17)
- 27.** NJDEP advising that no further action is necessary for the remediation of one 550 gallon #2 heating oil underground storage tank system at 119-121 Market Street, Blk. 45, Lot 17.01. (8/28/17)
- 28.** NJDEP submitted a Suspected Hazardous Substance Discharge Notification of #2 heating oil at Kinder Morgan Perth Amboy, 920 High Street. (8/27/17)
- 29.** NJDEP submitted a Suspected Hazardous Substance Discharge Notification of #2 heating oil at 146 Market Street. (8/29/17)
- 30.** NJDOT submitted a DC-34 Form advising of a change in the key contact personnel in the Rt. 440 Bridges Over Rt. 9 & GSP Bridge and Roadway Work Project. (8/30/17)
- 31.** NJDOT advising that the Budapest Connector was not among those selected to receive funding from the Transportation Alternative Program. (8/31/17)
- 32.** Walmart advising that Walmart & Walmart Foundation has pledged \$20 million to Harvey Relief. (8/31/17)
- 33.** Tetra Tech submitted a copy of the NJDEP 2017 Biennial Certification for Groundwater for the former Witco Corp. site (a/k/a LANXESS Solutions US Inc. and Chemtura Corp.) at 1000 Convery Boulevard. (8/31/17)
- 34.** NJDEP submitted a Suspected Hazardous Substance Discharge Notification of #2 heating oil at 129 High Street. (9/1/17)

35. Renee Skelton, Vice-Chair of the HPC advising that at a Special Meeting held on August 31st, it was decided that due to the resignation of Chairman Reinaldo Aviles, she would be the Acting Chair until the annual reorganization meeting in January. (9/1/17)
36. Pivotal Utility Holdings, Inc., d/b/a Elizabethtown Gas advising that public hearings on the Petition filed with the BPU to review its Periodic Basic Gas Supply Service rate will be held on September 13, 2017 at 4:30 pm and 5:30 pm in Union and on September 14, 2017 at 4:30 pm & 5:30 pm in Flemington. (9/1/17)
37. Pivotal Utility Holdings, Inc., d/b/a Elizabethtown Gas advising that public hearings on the Petition filed with the BPU to revise its Weather Normalization Clause, its Clean Energy Program and its On-System Margin sharing Credit will be held on September 13, 2017 at 4:30 pm & 5:30 pm in Union and on September 14, 2017 at 4:30 pm & 5:30 pm in Flemington. (9/1/17)
38. Business Administrator Adam Cruz submitted responses to several inquiries made by Council President Petrick. (9/7/17)

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

COUNCIL COMMENTS

ADJOURNMENT

Elaine M. Jasko
City Clerk