



**AGENDA**  
**SEPTEMBER 14, 2016**  
**COUNCIL CHAMBERS**

**NOTICE OF MEETING**

Presiding Officer of the Council, Lisa Nanton 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. 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: Non Union - Assistant Municipal Clerk - January 1, 2016  
– December 31, 2018

**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 8, 2016 – Closed Session  
August 10, 2016 – Council

## REPORTS

1. BFJ Planning – Master Plan Circulation Element dated August 2016.
2. Center State Engineering – Master Plan Reexamination Report dated March 2016.

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

3. Water/Wastewater Utility Report – YTD July 2016.
4. Investment Reports for the month of July 2016.
5. Budget Status Report and Appropriation Status Report for the following as of July 31, 2016:
  - Current Fund
  - Parking Utility Fund
  - Water/Wastewater Utility Fund
  - Harborside Marina Utility Fund
6. Check register report for the month of August 2016 in the total amount of \$6,882,431.56.

## ORDINANCES (FIRST READING) NO PUBLIC DISCUSSION

1. ORDINANCE TO REPEAL ORDINANCE 1645-2012 AUTHORIZING THE LEVY OF A SPECIAL BENEFITS ASSESSMENT WITH RESPECT TO THE LOCAL IMPROVEMENT OF THE WATERFRONT OF THE CITY OF PERTH AMBOY KNOWN AS "WATERFRONT REPAIR PROJECT".
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: Additions/Deletions

3. 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 Loading Zone on Goodwin Street

4. AN ORDINANCE AUTHORIZING THE ACQUISITION BY NEGOTIATED PURCHASE OR EMINENT DOMAIN OF A PORTION OF PROPERTY IDENTIFIED AS BLOCK 399, LOT 3.03, ALSO KNOWN AS 925 AMBOY AVENUE, PERTH AMBOY, NEW JERSEY FOR THE PURPOSE OF WIDENING A PUBLIC STREET TO IMPROVE TRAFFIC SAFETY AND CIRCULATION.
5. AN ORDINANCE AUTHORIZING CODIFICATION OF SIGNATURES.

Re: Contracts, bonds and other instruments

## RESOLUTIONS

**R-361-9/16** Authorizing the 2016-2017 renewal of plenary retail consumption license no. 1216-32-081-004, held in the name of Al Cibelli Enterprises, Inc., t/a Al Cibelli's Restaurant at 1096 Convery Boulevard, effective September 15, 2016.

**R-362-9/16** Authorizing the refund of 8 handicapped parking space application fees due to denial by the Police Department and/or Handicapped Parking Committee in the total amount of \$800.00.

**R-363-9/16** Authorizing the refund of duplicate tax payment on Block 24, Lot 15 (108 High Street) in the amount of \$3,084.51 to Kenneth L. and Jeannette M. Gonzalez.

**R-364-9/16** Authorizing the refund of tax overpayment created by Tax Appeal on Block 360, Lot 15 (739 State Street) in the amount of \$4,048.80 to Steven A. Caputo, Esq., Trust Account.

**R-365-9/16** Authorizing the refund of tax overpayment created by Tax Appeal on Block 459, Lot 53 (1031 State Street) in the amount of \$1,012.59 to 1027 State LLC, Michael Caccavelli, Esq., of Zipp, Tannenbaum & Caccavelli.

**R-366-9/16** Authorizing the refund of tax overpayment created by Tax Appeal on Block 459, Lot 25 (1027 State Street) in the amount of \$932.93 to 1027 State LLC, Michael Caccavelli, Esq., of Zipp, Tannenbaum & Caccavelli.

**R-367-9/16** Authorizing the refund of tax overpayment created by Tax Appeal on Block 431, Lot 36 (945 State Street) in the amount of \$3,438.74 to Daniel G. Keough Trustee, Ventura, Miesowitz, Keough & Warner.

**R-368-9/16** Authorizing the refund of duplicate tax payments on various Blocks and Lots in the total amount of \$10,849.01 to Corelogic.

**R-369-9/16** Authorizing refund of fee paid for three (3) tickets for the trip to Point Pleasant sponsored by the Office of Recreation in the amount of \$60.00 to Zoraida Rios-Vega.

**R-370-9/16** Authorizing a refund of permit fee for the use of Duffy Park in the amount of \$50.00 to Maria Rojas.

**R-371-9/16** Authorizing the release of review and inspection escrow on Block 360, Lots 33, 34 & 35, Docket No. 2924 in the amount of \$2,103.86 to Maritime Alliance Group.

**R-372-9/16** Authorizing the release of performance bond guaranty in the amount of \$57,809.95, and the remaining engineering review escrow balance in the amount of \$880.75 to Paramount Assets for 595 New Brunswick Avenue, Block 185, Lots 15, 16, 17, 18, 22 & 23, Docket No. 2953-ZB.

**R-373-9/16** Authorizing the return of review and inspection escrows to Menpe Corp. for Docket Nos. 2195, 2255, 2390 and 2423/2759 in the total amount of \$11,257.00.

**R-374-9/16** Authorizing return of a demolition bond to Smacy Associates, Inc. in an amount not to exceed \$5,000.00 for demolition of a garage located at 1027 State Street.

**R-375-9/16** Authorizing the release of maintenance bond in the amount of \$504.90 and escrow balance in the amount of \$220.00 to Jerry Tsandiotis for 495 Brace Avenue, Block 281, Lots 13 & 14, Docket No. 2393 in the amount of \$724.90.

**R-376-9/16** Authorizing the refund of Surety Bond paid by United Dominicans of Perth Amboy (UDOPA) for the Dominican Festival in the amount of \$2,000.00.

**R-377-9/16** Authorizing change orders 2 and 3 to the contract with Helios Construction, Inc. for the Bayview Park Reconstruction Project in a total amount not to exceed \$20,964.37.

**R-378-9/16** Authorizing change order no. 2 to the contract with Black Rock Enterprises, LLC for the replacement of 4" diameter water mains with 8" diameter water mains in an amount not to exceed \$23,006.35.

**R-379-9/16** Authorizing a contract with Mall Chevrolet Inc. for the purchase of one 2017 Chevrolet Express 3500 Extended Van with options under State Contract No. A88213 in an amount not to exceed \$28,696.00 for the animal shelter.

**R-380-9/16** Authorizing a contract with Harford Systems, Inc. for the purchase of one ATC9 Animal Transport Conversion with options and accessories in an amount not to exceed \$19,397.34.

**R-381-9/16** Authorizing a contract for the purchase of a Toro Groundmaster Model 360, four wheel drive, all weather enclosed cab to Storr Tractor Company in accordance with the Educational Services Commission of New Jersey #65MCECCPS in an amount not to exceed the sum of \$64,335.51.

**R-382-9/16** Extending the contract with Lifesavers, Inc. for automated external defibrillators and CPR equipment for training under State Contract No. A84689 in an amount not to exceed \$6,000.00.

**R-383-9/16** Authorizing a contract with New Jersey Fire Equipment Co., for the purchase of additional Scott Firefighting PPE and equipment under State Contract No. A80961 in an amount not to exceed \$22,500.00.

**R-384-9/16** Extending the professional services contract with Scarinci Hollenbeck for legal representation of Police Officer Gina Fontan in the matter of the Estate of Dixon Rodriguez v. City of Perth Amboy, et al in an amount not to exceed \$40,000.00.

**R-385-9/16** Authorizing a contract with Winters Solutions for the purchase of security systems with cameras for the Perth Amboy Marina in an amount not to exceed \$25,634.13.

**R-386-9/16** Reallocating funds for the contract with Trius for the purchase of various public works equipment in an amount not to exceed \$25,051.86.

**R-387-9/16** Authorizing a contract with Cummins Power Systems, LLC for supplies, parts and service for the Marine 3 Police Vessel under State Contract No. A86342 in an amount not to exceed \$7,882.52.

**R-388-9/16** Extending the contract with Hertrich Fleet Services, Inc. for the purchase of three 2017 Dodge Journey 4 DR SE FWD under State Contract No. A86922 (T0099) in an amount not to exceed \$56,500.00 for the Department of Code Enforcement.

**R-389-9/16** Authorizing a contract with Sanitation Equipment Corp. for the purchase of additional parts and repairs to automated sanitation trucks in an amount not to exceed \$22,500.00.

**R-390-9/16 VOID**

**R-391-9/16** Authorizing settlement of the matter of Collene Wronko v. City of Perth Amboy, et al Docket No. MID-L-1340-16 in an amount not to exceed \$12,155.07.

**R-392-9/16** Authorizing settlement of the workers compensation litigation entitled Israel Cardona v. City of Perth Amboy, C.P. No. 2015-3429, a Department of Public Works employee, for the amount of \$16,875.00.

**R-393-9/16** Authorizing stipulation of settlement resolving the complaint filed by Amboy Smith Street Assoc., LLC for property located at Smith and Rector Streets, Block 54, Lot 19.

**R-394-9/16** Authorizing stipulation of settlement resolving the complaint filed by Kaplan at Perth Amboy for property located on Lehigh Avenue, Block 110, Lot 1.01.

**R-395-9/16** Authorizing the City of Perth Amoy to submit a grant application to the Middlesex County Cultural & Heritage Commission for a Performing Arts Program.

**R-396-9/16** Authorizing the reduction of assessed value in the amount of \$15,000.00 due to a settlement on Block 399.01, Lot 20, 623 Franklin Drive and authorizing the adjustment to the 4<sup>th</sup> quarter in the amount of \$432.00.

**R-397-9/16** Directing the City Tax Collector to place a lien on 534 High Street, Block 242, Lot 9 in the amount of \$505.85 for charges incurred by the department of public works.

**R-398-9/16** Authorizing the submission of an application to the National Endowment for the Arts (NEA) Our Town Grant in the amount of \$75,000.00.

**R-399-9/16 VOID**

**R-400-9/16 VOID**

**R-401-9/16** Authorizing Sister City relationship between Perth Amboy and Dualla, Ivory Coast.

**LATE STARTER**  
**RESOLUTIONS**

**R-402-9/16** Authorizing action by Robert L. Tarver, Jr., Esq. to recoup any funds identified as improperly paid.

**R-403-9/16** Awarding a contract to Fairview Insurance Agency Associates, Inc. for insurance consultant services commencing October 1, 2016 at an annual fee of \$48,000.00.

**COMMUNICATIONS**

- 1.** Pennjersey Environmental Consulting submitted a copy of the NJDEP Receptor Evaluation Form for the former Delaney Homes Site at Convery Boulevard and Chamberlain Avenue. (7/22/16)
- 2.** Pivotal Utility Holdings, Inc., d/b/a Elizabethtown Gas submitted a notice in the matter of the 2016/2017 Annual Compliance Filings for a Change in the Statewide Electric and Gas Permanent Universal Service Fund Program Factors Within the Electric and Gas Societal Benefits Charge Rates (BPU Docket No. ER16060536). (7/25/16)
- 3.** Pivotal Utility Holdings, Inc., d/b/a/ Elizabethtown Gas submitted a notice regarding the Petition filed with the NJBPU to review its Periodic Basic Gas Supply Service rate. (7/25/16)
- 4.** PSE&G submitted a notice in the matter of the 2016/2017 Annual Compliance Filings for a Change in the Statewide Electric and Gas Permanent Universal Service Fund Program Factors Within the Electric and Gas Societal Benefits Charges. (7/26/16)

- 5.** NJDEP issued a No Further Action Letter and Covenant Not to Sue for the remediation of the one 550 gallon #2 heating oil underground storage tank system at Block 455, Lot 1, 328 Wagner Avenue. (8/9/16)
- 6.** NJDOT advising that applications are being accepted for the 2016 Transportation Alternatives Program. (8/9/16)
- 7.** Envocare, a Licensed Site Remediation Professional, issued a Response Action Outcome for the remediation of the All Star's Academy site, 347 Maple Street, Block 120, Portions of Lots 17, 18 & 19. (8/9/16)
- 8.** NJDEP issued a news release advising that the Department's Artificial Reef Program has resumed deployments. (8/9/16)
- 9.** NJDEP submitted a Suspected Hazardous Substance Discharge Notification of a no. 2 heating oil spill at 504 Lawrie Street. (8/10/16)
- 10.** NJDEP issued a No Further Action Letter and Covenant Not to Sue for the remediation of one 550 gallon #2 heating oil underground storage tank system at Block 189.01, Lot 3, 507 McKeon Street. (8/15/16)
- 11.** NJDEP issued a No Further Action Letter and Covenant Not to Sue for the remediation of one 550 gallon #2 heating oil underground storage tank system at Block 450, Lot 26, 383 Inslee Street. (8/15/16)
- 12.** NJDEP issued a news release regarding the announcement that more than \$1.5 million in State Urban and Community Forestry Grants are being awarded to 32 municipalities across the state. (8/15/16)
- 13.** Perth Amboy Housing Authority advising that it has received approval of \$18,322,178 under the 4% federal tax credit program administered by the NJ Housing and Mortgage Finance Agency in order to help convert its public housing developments to the HUD Rental Assistance Demonstration Program. (8/15/16)
- 14.** Perth Amboy Planning Board submitted a copy of a resolution Adopting Re-examination Report on the Master Plan for the City, memorialized on August 3, 2016. (8/18/16)



- 15.** At the request made at the August 10, 2016 Council Meeting, Business administrator Adam E. Cruz submitted a copy of a letter from Stephen E. Barcan of the Wilentz firm addressed to Jamie Rios, Zoning Officer, dated September 30, 2014, requesting that Maria Garcia and Karen Kubulak be removed from any further consideration of Harbortown applications. (8/19/16)
- 16.** Middlesex County Area Transit, Division of Transportation advising that the 2016 application for the Senior Citizens and Disabled Resident Transportation Assistance Program will be available for review on September 20, 2016 at the Freeholder Clerk's office in New Brunswick. (8/23/16)
- 17.** Woodbridge Township Clerk submitted a certified copy of a Resolution adopted on August 23, 2016 calling on elected officials at all levels of government to work together to regulate the sales of animals from puppy and kitten mills. (8/24/16)
- 18.** NJDEP submitted a Suspected Hazardous Substance Discharge Notification of a diesel oil spill at Tropical Cheese Industry, 452 Fayette Street. (8/25/16)
- 19.** NJDEP submitted a Suspected Hazardous Substance Discharge Notification of a no. 2 heating oil spill at 283 Washington Street. (8/25/16)
- 20.** NJDEP submitted a Suspected Hazardous Substance Discharge Notification of a non-PCB transformer oil spill at 975 High Street. (8/25/16)
- 21.** First Environment submitted a copy of the Perth Amboy 1160, LLC's NJDEP Pollutant Discharge Elimination System Permit Application for the temporary discharge of pond waters to the Arthur Kill at 1160 State Street. (8/26/16)
- 22.** PSE&G submitted a Notice of Filing and Public Hearings for Basic Generation Service Charges procured by PSE&G on behalf of its basic generation service customers and notice of proposed recovery through its BGS charges of cost resulting from statewide auction for basic generation service. The public hearing will be held on September 15, 2016 at 1:00 in the Middlesex County Freeholder's Meeting Room in New Brunswick. (8/26/16)
- 23.** NJDEP submitted a Suspected Hazardous Substance Discharge Notification for a mineral oil spill at Kinder Morgan, 920 High Street. (8/26/16)

- 24.** NJDCA advising that applications are being accepted for the Non-Federal Cost Share ("Match") Program, which provides Sandy impacted municipalities, counties and public school districts financial assistance for eligible disaster recover costs. Deadline for submission is on or before 5:00 pm October 18, 2016. (8/29/16)
- 25.** Jeffrey Rauch of Center State Engineering advising that with regard to the NJDEP Suspected Hazardous Substance Discharge at the Kinder Morgan Site on High Street, the approximately 2.5 gallons of oil which spilled onto the ground has been contained and completely cleaned and closed out by the NJDEP. (8/29/16)
- 26.** Jeffrey Rauch of Center State Engineering advising that with regard to the NJDEP Suspected Hazardous Substance Discharge from a PSE&G transformer on High Street, the approximately 1 gallon of transformer oil has been contained and completely cleaned and closed out by the NJDEP. (8/29/16)
- 27.** NJDOT announcing the immediate closure of the right lane on Route 35 northbound over the P.A. Connector/CR 624 for emergency repairs. (8/30/16)
- 28.** NJDEP submitted a Suspected Hazardous Substance Discharge Notification for a no. 2 heating oil spill at 181 Madison Avenue. (8/31/16)
- 29.** Jewish Renaissance Family of Organizations announced that Perth Amboy native and former NBA star Brian Taylor will serve as spokesperson with a particular focus on the Boys & Girls Clubs of Perth Amboy. (8/31/16)
- 30.** Jeffrey Rauch of Center State Engineering advising that with regard to the NJDEP Suspected Hazardous Substance Discharge, the spillage which occurred during the removal of an underground storage tank at 181 Madison Avenue is being cleaned up and the tank has been removed. (8/31/16)
- 31.** NJDEP issued a No Further Action Letter and Covenant Not to Sue letter regarding the remediation of one 550 gallon #2 Heating Oil Underground Storage Tank System at 504 Lawrie Street, Block 198, Lot 13. (9/1/16)

32. NJ Department of Education advising that on August 18, 2016, Governor Christie signed Senate Bill S2099 in law as PL 2016, c.27 which places a two year moratorium on moving the date of school districts' annual school election from the general election date in November back to the third Tuesday in April. The statute also deemed invalid all resolutions moving the date of the annual school election from November date to the annual school date in April passed after June 1, 2016 and before May 31, 2018. (9/6/16)
33. NJDEP submitted a Suspected Hazardous Substance Discharge Notification for an oil spill from the Kinder Morgan Tank #52, 920 State Street. (9/7/16)
34. NJDEP submitted a Suspected Hazardous Substance Discharge Notification for a gasoline spill in a dyke at Kinder Morgan, 920 High Street. (9/7/16)
35. Arlene Quinones Perez resigning as Director of Law effective immediately. (9/9/16)
36. Mayor Wilda Diaz appointing Louis N. Rainone as Acting Director of Law. (9/9/16)

**HEARING OF CITIZENS  
(10 MINUTES)**

Maria Garcia - Appointments to Planning Board

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

**COUNCIL COMMENTS**

**ADJOURNMENT**

Elaine M. Jasko  
City Clerk