



**MINUTES  
PROCEEDINGS OF THE COUNCIL OF THE  
CITY OF PERTH AMBOY  
April 8, 2015  
COUNCIL CHAMBERS**

**NOTICE OF MEETING**

Regular Meeting of the Council of the City of Perth Amboy was held on Wednesday, April 8, 2015 in the Council Chambers, City Hall, Perth Amboy, New Jersey at 7:00 p.m.

Presiding Officer of the Council, Lisa Nanton advised 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.

Council President Nanton: 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.

Invocation was given by Council Member Petrick, who also led the audience in the Pledge of Allegiance.

Council President Lisa Nanton called the meeting to order with the following Council Members present: Fernando Irizarry, Joel Pabon and William Petrick. Absent--none.

Also present at this meeting were: Jillian C. Barrick, Business Administrator, Neha Patel, Esq. filling in for Mark J. Blunda, Esq., Director of Law, and Elaine M. Jasko, City Clerk.

**PROCLAMATIONS/PRESENTATIONS**

1. Mayor Wilda Diaz has proclaimed April 2015 as "National Autism Awareness Month" in the City of Perth Amboy.
2. Mayor Wilda Diaz has proclaimed April 2015 as "Sexual Assault Awareness Month" in the City of Perth Amboy.

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 Council President Nanton: The departmental budget hearings will be held on Monday, April 13th at 5:00 pm.

Mayor Wilda Diaz: There was one line item in the budget that was not budgeted for, the Special Election. The cost of the Special Municipal Election is \$76,835.00. I want everyone to be clear about what occurred in court. This money could have been used for our seniors and children.

**MAYOR WILDA DIAZ PLAYED A PART OF THE AUDIO TAPE OF JUDGE HEIDI CURRIER'S DECISION REGARDING THE CHALLENGE OF THE ELECTION RESULTS OF THE NOVEMBER 4, 2014 MUNICIPAL ELECTION.**

Council President Nanton: This is a tragedy.

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

1. **AN ORDINANCE ESTABLISHING THE PERTH AMBOY ABANDONED PROPERTY LIST, DESIGNATING A PUBLIC OFFICER, AND AUTHORIZING THE PUBLIC OFFICER TO DESIGNATE QUALIFIED REHABILITATION ENTITIES.**

Motion was made by Council Member Petrick, seconded by Council Member Pabon to open public hearing on the above Ordinance and was carried by the following vote: Yea--Council Members Irizarry, Pabon, Petrick and Nanton. Nay--none.

Council President asked for comments.

Ken Balut, 359 Bruck Ave.: Will this include commercial properties?

Jillian Barrick: It's mostly for residential. There are a few non-residential properties.

Ken Balut: There's a property on 500 High St. and it's an eyesore. That is abandoned property. There should be a fence around that property.

Council Member Pabon: They are in the process of addressing that. There's a property on Hall Avenue/Atlantic Avenue that also needs to be addressed.

Fernando Gonzalez, 129 High St.: That property on Hall Ave. is still a mess. I brought this up before the first snowfall. Please have someone take care of this situation.

Motion was made by Council Member Petrick, seconded by Council Member Pabon to close public hearing on the above Ordinance and was carried by the following vote: Yea--Council Members Irizarry, Pabon, Petrick and Nanton. Nay--none.

Motion was made by Council Member Petrick, seconded by Council Member Pabon to adopt the Ordinance on second and final passage and was carried by the following vote: Yea--Council Members Irizarry, Pabon, Petrick and Nanton. Nay--none.

**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 and Deletions**

Motion was made by Council Member Petrick, seconded by Council Member Irizarry to open public hearing on the above Ordinance and was carried by the following vote: Yea--Council Members Irizarry, Pabon, Petrick and Nanton. Nay--none.

Council President asked for comments. There were none.

Motion was made by Council Member Irizarry, seconded by Council Member Petrick to close public hearing on the above Ordinance and was carried by the following vote: Yea--Council Members Irizarry, Pabon, Petrick and Nanton. Nay--none.

Motion was made by Council Member Petrick, seconded by Council Member Pabon to adopt the Ordinance on second and final passage and was carried by the following vote: Yea--Council Members Irizarry, Pabon, Petrick and Nanton. Nay--none.

**3. CITY OF PERTH AMBOY 2015 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)**

Motion was made by Council Member Petrick, seconded by Council Member Irizarry to open public hearing on the above Ordinance and was carried by the following vote: Yea--Council Members Irizarry, Pabon, Petrick and Nanton. Nay--none.

Council President asked for comments. There were none.

Motion was made by Council Member Petrick, seconded by Council Member Irizarry to close public hearing on the above Ordinance and was carried by the following vote: Yea--Council Members Irizarry, Pabon, Petrick and Nanton. Nay--none.

Motion was made by Council Member Petrick, seconded by Council Member Pabon to adopt the Ordinance on second and final passage and was carried by the following vote: Yea--Council Members Irizarry, Pabon, Petrick and Nanton. Nay--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 five (5) minutes.

### **Comm#2**

Stan Sierakowski, 679 Charles St.: How much did we ask for and why were we denied?

Jillian Barrick: There was no deficiency in the application. It was a competitive application and there were limited funds.

Stan Sierakowski: Was the Mayor's talk, part of the agenda?

Neha Patel: No, it's not part of the agenda. The Mayor is entitled to speak at any meeting. She does not have to be listed as a topic on the agenda. She was asked to speak by the Council President.

### **R-159**

Ken Balut, 359 Bruck Ave.: We went to Lincoln Collision Center for banners? Was this put out to bid? Is this part of Lincoln Signs?

Jillian Barrick: They completed all required forms with their bid. It did go out to bid. Lincoln Sign is a subsidiary of the "Lincoln Collision Center".

Ken Balut: How many bids were received?

Jillian Barrick: There were 4 bids received. They submitted the lowest bid.

Fernando Gonzalez, 129 High St.: Is Hall Ave. going to be included?

Jillian Barrick: Hall Ave. is part of the UEZ. The light poles on Hall Ave. are also the utility poles. There's a prohibition from hanging banners on utility poles.

Council President Pabon: They are still looking into it.

Virginia Lugo, 316 State St.: The \$36,000 should be used to clean up the city instead of the banners.

### **LATE STARTERS**

Alan Silber, 244 Rector St.: Why did we go with the second lowest bidder originally?

Neha Patel: There was an issue with the awarding of the bids. The bid was awarded to the second lowest bidder due to a problem with the bid of the lowest bidder. The lowest bidder contested the award and after review it was decided that the bid should go to the lowest bidder. There was a difference of \$20,000.00.

### **Comm#3**

Maria Garcia, 124 Kearny Ave.: We need to fix Sunshine Alley. There is going to be an issue with mosquitos because of the condition of the street. Water sits on Sunshine Alley.

Council Member Pabon: We have asked DPW to look at Sunshine Alley. We should look into spraying that area.

## **MINUTES**

**March 23, 2015 – Closed Session**  
**March 25, 2015 – Regular**

Motion was made by Council Member Petrick, seconded by Council Member Pabon to accept the minutes and was carried by the following vote: Yea--Council Members Irizarry, Pabon, Petrick and Nanton. Nay--none.

## **REPORTS**

- 1. Jill A. Goldy, CFO/Comptroller – Check register report for the month of March 2015 in the total amount of \$7,995,855.79.**

Motion was made by Council Member Irizarry, seconded by Council Member Petrick to accept report #1 and was carried by the following vote: Yea--Council Members Irizarry, Pabon, Petrick and Nanton. Nay--none.

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**RESOLUTIONS**

**R-157-4/15 Authorizing Emergency Temporary Appropriations to extend CY 2015 Temporary Budget in the amount of \$1,094,188.00.**

Motion was made by Council Member Petrick, seconded by Council Member Pabon to adopt the above Resolution.

Council President asked for comments. There were none.

The above Resolution was adopted and carried by the following vote: Yea--Council Members Irizarry, Pabon, Petrick and Nanton. Nay--none.

**R-158-4/15 VOID**

**R-159-4/15 Authorizing a contract with Lincoln Collision Center for purchase and installation of double sided street banners and brackets for the UEZ program in an amount not to exceed \$36,000.00.**

Motion was made by Council Member Petrick, seconded by Council Member Irizarry to adopt the above Resolution.

Council President asked for comments. There were none.

The above Resolution was adopted and carried by the following vote: Yea--Council Members Irizarry, Pabon, Petrick and Nanton. Nay--none.

**R-160-4/15 Awarding a contract to Tru-Green for vegetation and weed control on city property in accordance with the Somerset County Cooperative Pricing Agreement in an amount not to exceed the sum of \$28,420.00.**

Motion was made by Council Member Petrick, seconded by Council Member Pabon to adopt the above Resolution.

Council President asked for comments. There were none.

The above Resolution was adopted and carried by the following vote: Yea--Council Members Irizarry, Pabon, Petrick and Nanton. Nay--none.

**R-161-4/15 Authorizing a contract with Hatch, Mott, MacDonald, LLC to inspect work performed by Instituform in connection with the sewer rehabilitation project on Fayette Street between State Street and High Street in an amount not to exceed \$9,520.00.**

Motion was made by Council Member Petrick, seconded by Council Member Irizarry to adopt the above Resolution.

Council President asked for comments. There were none.

The above Resolution was adopted and carried by the following vote: Yea--Council Members Irizarry, Pabon, Petrick and Nanton. Nay--none.

**R-162-4/15 Authorizing change order no. 4 to the contract with Instituform Technologies, LLC, decreasing the contract by \$9,520.00 to fund inspection services to be performed on the sewer lining project beneath Fayette Street.**

Motion was made by Council Member Petrick, seconded by Council Member Pabon to adopt the above Resolution.

Council President asked for comments. There were none.

The above Resolution was adopted and carried by the following vote: Yea--Council Members Irizarry, Pabon, Petrick and Nanton. Nay--none.

**LATE STARTERS**

**R-163-4/15 Accepting the bid and authorizing a contract with Rock Solid Construction, Inc. for the replacement of various Catch Basin Project Contract No. 2014-2 NJDEP Project No. S340435-12 in an amount not to exceed \$252,502.00.**

Motion was made by Council Member Petrick, seconded by Council Member Pabon to place the above Resolution on the agenda as a late starter for consideration and was carried by the following vote: Yea--Council Members Irizarry, Pabon, Petrick and Nanton. Nay--none. Absent--none.

Motion was made by Council Member Petrick, seconded by Council Member Pabon to adopt the above Resolution.

Council President asked for comments. There were none.

The above Resolution was adopted and carried by the following vote:  
Yea--Council Members Irizarry, Pabon, Petrick and Nanton. Nay--none.  
Absent--none.

**R-164-4/15 Rescinding R-115-2/15, which awarded catch basin project contract to Montana Construction Company, the second lowest bidder.**

Motion was made by Council Member Petrick, seconded by Council Member Pabon to place the above Resolution on the agenda as a late starter for consideration and was carried by the following vote: Yea--Council Members Irizarry, Pabon, Petrick and Nanton. Nay--none. Absent--none.

Motion was made by Council Member Petrick, seconded by Council Member Pabon to adopt the above Resolution.

Council President asked for comments. There were none.

The above Resolution was adopted and carried by the following vote:  
Yea--Council Members Irizarry, Pabon, Petrick and Nanton. Nay--none.  
Absent--none.

#### COMMUNICATIONS

1. Middlesex County Board of Taxation submitted a copy of a Resolution adopted on March 12, 2015, establishing 100% as the ratio of assessed to true value of real property as the ration to be used within Middlesex County for the purpose of assessing the taxable values to be used in levying taxes for the CY 2016 and thereafter until changed. (3/17/15)
2. The NJDOT advising that the Perth Amboy Downtown Pedestrian Accessibility Improvements Project was not selected to receive funding under the Transportation Alternative Program. (3/26/15)
3. Middlesex County Mosquito Extermination Commission submitted a copy of the 2015 Public Notice for Adult Mosquito Control Treatment. (3/26/15)
4. Deputy Chief Cattano advising that the City's request for increased funding from FEMA for additional damage to the pier and wave screen was approved in the amount of \$550,510.00. (3/26/15)



5. **NJDEP advising that no further action is necessary for remediation of the 550 gallon #2 heating oil underground storage tank system at 210 Rector Street, Blk. 49, Lot 1.02. (3/27/15)**
6. **Kenneth Ortiz, Director of Human Services advising NJ SNAP-Ed/EFNEP/Nutrition that the city of Perth Amboy plans to provide nutrition education to SNAP-eligible participants for the federal fiscal years 2015 and 2016. (4/1/15)**

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

Virginia Lugo, 316 State St.: The superior court judge's decision is nothing but smoke and mirrors. I question the process of interviewing the voters from the nursing homes. The Mayor uses busses to transport voters to polling places on Election Day. It's odd that Ms. Barrick answers all questions that are asked by the public. All Council Members should know the answers to all questions. I find it odd that the Mayor supports a council ticket. This is an injustice of power.

Stan Sierakowski, 679 Charles St.: The testimony of the people at the senior center needs to be questioned with regard to the identification of both Leslie Dominguez-Rodriguez and Linda Ferreira. It's all in the windmills of the judge's mind. Leslie was railroaded. She has not been indicted. Why did the Council ask Leslie to resign but you didn't ask Senator Menendez to resign? This was a political circus.

Alan Silber, 244 Rector St.: Ken Gonzalez was accused of fraud and was made a judge. Superior Judge Currier was ordered to explain a previous opinion in a different case by the appellate court, but yet Mr. Blunda indicated she was highly qualified.

David Caba, 139 Lewis St.: This judge found fraud. I don't know why she ordered the election for only two candidates. There's a lot of corruption in Middlesex County Court. She has been previously overruled by the appellate court. Many people in Perth Amboy are hypocrites. They were originally republicans that turned democrats for political gain.

Maria Garcia, 124 Kearny Ave.: Many people come up here to slander volunteers that sit on boards because they are unhappy with them expressing their freedom of speech on social media, but yet they will defend Leslie Dominguez-Rodriguez. I question how Mr. Fernando Gonzalez did not know the fraud was occurring since he was a benefactor of her fraud. If Mr. Gonzalez would step down and run the next time instead of running in this election, he would be saving the taxpayers money. The Mayor has supported other slates in the past. Do we have an ordinance that states homeowners must clean their properties?

Council Member Nanton: Yes, Code Enforcement has been handling this.

Ken Balut, 359 Bruck Ave.: The Planning Board Attorney has not been filling out his ethics forms. The County Clerk's office was recently raided by the FBI regarding elections. The Mayor knew what the Chief of Police was doing when he was employed. The Mayor used the Police Dept. to drive her to Brooklyn. This is all about taking over the Democratic Party. The YMCA owes the City about \$1m. Why are you arguing about the \$75,000 for the Municipal Election? There were 29 noise tickets that were dismissed. What happened to them?

Pedro Perez, 733 Franklin Dr.: Mr. Petrick placed 2 requests asking for information regarding "PARTNER's" financial records for the years of 2003-2010. Did he get the records?

Council Member Petrick: Not yet.

Council President Nanton: I just received PARTNER documents that I will be sharing with the Council Members shortly.

Fernando Gonzalez, 129 High St.: Someone lost an election and didn't like it. By going into court, I witnessed that any election could be overturned, if you have \$50,000 to spare. The citizens in the nursing home have been voting for many years. The judge came to a lot of conclusions. I cannot afford to appeal the decision.

Mayor Wilda Diaz: This determination was made by a Superior Court Judge. The opinions of the citizens should be taken before the courts. There was a violation that took place. It's unfortunate that we have to spend \$75,000 for an election. The Council cannot change the judge's ruling. They have the right to challenge the judge's decision. There was fraud that was committed. I will continue to support candidates who have the best interest of the community. These people should focus on the great things that are occurring in the city and not keep dwelling on the negative.

Dorothy Carty-Daniel, Water St.: The Housing Authority and my name have been dragged through the mud. I don't deserve what is being said about me. I have had enough! If it continues, there will be lawsuits. A HUD representative recently attended an event honoring me. They would not have come to the event if there were problems associated with the Housing Authority or with me. Flashing lights at stores affect epileptic children. I have brought this up before. There's an ordinance that prohibits this. The ordinance should be revisited.

**COUNCIL COMMENTS**

Council Member Petrick: I thank the Mayor for addressing the election issue this evening.

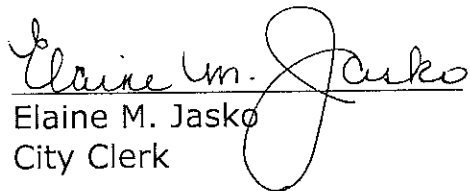
Council Member Pabon: The Business Administrator can explain answers much better than any Council Member, even though we know the answers to the questions. That is why we have her answering the questions. There has never been a fence around the High St. /Washington St. site after the fire that took place years ago. Yet now it's become an issue. We should all take responsibility and clean up in our own neighborhoods. People come up here and complain but they don't volunteer for anything. Now, people are complaining that our taxes are going down. If you can come up with something better than what the YMCA is doing at their site, please let us know. We are following up with the YMCA. There are a lot of good programs going on at the YMCA. Lastly, let the election take its course.

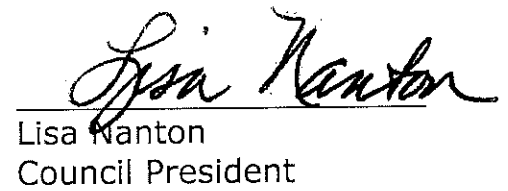
Council Member Irizarry: I am responding to accusations and comments about me at recent meetings. In response to the comment that "I wasted \$1.5m of taxpayer dollars on the purchase of the Seaman St. property", I want everyone to understand that a single school board member cannot act on his own on the purchase of a property. It can only be voted on by an entire board, on the recommendation of the superintendent. I was part of the entire board that chose to purchase the property for \$1.5m. I voted for this property so that the children of our city could benefit. Any comments implying that I benefitted personally or financially from my vote are slanderous and diabolical. I must also address the topic of giving the police chief a longevity increase that he was entitled to. I voted for this because I believed that the police chief deserved to be compensated in the same way that previous police chiefs were compensated. I followed my conscience, and stand by my vote. The last topic that I will address is my fundraiser at Terrazza's. I deny that there was any quid pro quo. The only reason my team and I chose the venue was because it met our goals and needs. There are some people in this community that are not about agreeing to disagree. They are only about "you are wrong and I am right". I am committed to establishing a leadership/partnership that is based on the mutual respect of disagreements. I will not commit to a partnership that is based on manipulation, brow beatings, or control.

Council President Nanton: It's my honor to serve with my fellow council members. There are times when this Council cannot comment on litigation and personnel matters at meetings. Many times, our hands are tied.

**ADJOURNMENT**

Motion was made by Council Member Petrick, seconded by Council Member Pabon to adjourn the meeting at 9:25pm, and was carried by the following vote: Yea--Council Members Irizarry, Pabon, Petrick and Nanton. Nay--none. Absent--none.

  
Elaine M. Jasko  
City Clerk

  
Lisa Nanton  
Council President