



**MINUTES
PROCEEDINGS OF THE COUNCIL OF THE
CITY OF PERTH AMBOY
SEPTEMBER 23, 2015
COUNCIL CHAMBERS**

NOTICE OF MEETING

Regular Meeting of the Council of the City of Perth Amboy was held on Wednesday, September 23, 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 Gonzalez, Fernando Irizarry, Joel Pabon and William Petrick. Absent—none.

Also present at this meeting were: Jillian C. Barrick, Business Administrator, Arlene Quinones Perez, Esq. Acting Director of Law, and Victoria Ann Kupsch, Assistant City Clerk.

PROCLAMATIONS/PRESENTATION

Mayor to present citations to the Traveling Soccer League

Mayor Wilda Diaz and Council President Lisa Nanton presented the citations.

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

- 1. AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "ADMINISTRATION" (ORDINANCE NO. 1-72 AS AMENDED) ADOPTED JULY 28, 1972, ALSO KNOWN AS CHAPTER 4 ET SEQ OF THE CODE OF THE CITY OF PERTH AMBOY TO PROVIDE A REVISED SCHEDULE FOR THE HARBORSIDE MARINA UTILITY RENTALS.**

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 Gonzalez, 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 Pabon to close public hearing on the above Ordinance and was carried by the following vote: Yea—Council Members Gonzalez, Irizarry, Pabon, Petrick and Nanton. Nay—none.

Motion was made by Council Member Petrick seconded by Council Member Pabon to adopt the above Ordinance on second and final passage and was carried by the following vote: yea—Council Members Gonzalez, 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.

Council President Nanton: Although not on the Agenda, I would ask that we hear from the Academy of Urban Leadership Charter School now instead of having them wait until the public portion. The students need to get home to do homework.

Motion was made by Council Member Petrick seconded by seconded by Council Member Irizarry to allow the presentation by the Academy for Urban Leadership Charter School, and was unanimously carried.

Lou Vargas, 107 First Street: I'm on the Board of the AUL Charter School. We sought and obtained variances to convert a building on St. Michaels Property into 4 classrooms and office space. This was completed last spring. The connection for fire suppression was in that building proved to be inadequate. With the opening of classes we've had to house students at other sites, High Street, the cafeteria and on stage. There's a promise of a solution. We're seeking a variance on proposed construction along Amboy Avenue. We're seeking to install a line up Hall Avenue connecting to expanded water lines on Amboy Avenue. We've been told that it is estimated to cost \$61,000.00. The agreement would have the Charter School pay for the installation of the pipe as a benefit to the City. We hope to have it for the next meeting. This is very urgent.

Council Member Petrick: Are you certain that the work will provide you with enough water?

Lou Vargas: Yes.

Arlene Quinones Perez: We got the State to agree to a change order.

Elsa Hernandez, 305 Keene Street, Vice President AUL: We've begun construction to expand. We are done. We need a connection to the water. This is urgent. We're paying rent for other facilities and bussing instead of on student. The children are losing out.

Jillian Barrick: They need to connect to a larger pipe. NJIT project needs state approval. We got that today.

Dominica Morendo, 315 Market Street: I am a senior. We've been waiting years to get out of the cafeteria. It's unfair that the school should pay, some of us don't have textbooks.

Regina Bochio, 110 Jefferson Street: I'm a junior. It's unfair for students to be in places that are not classrooms.

Louis Pena, 713 Catherine Street: I'm a freshman at the High Street location. There are 5 classes in the cafeteria.

Lou Vargas: There was an agreement that was sent to us. It was unacceptable. It said we would be responsible for everything. We couldn't agree with that. We would supply and pay for the line. Our engineers came up with a mixing valve that is cost effective. The building is complete, we just need water.

Council Member Irizarry: Can you get us a copy of the agreement?

Jillian Barrick: Yes.

Communications No. 24 & No. 25

Gregory Pabon: 437 Ashley Street: Isn't the Mayor allowed to appoint a Director according to the Faulkner Act?

Council Member Petrick: Yes.

Council President Nanton: It also says nominations submitted by the Mayor will be considered in a committee of the whole at an Agenda Conference and may be reported to the Council at a regular meeting.

David Caba, Westside Avenue: Yes the Mayor has the authority to appoint but the City Council has to approve it. At the Caucus, the Council had questions not that they don't agree with the Mayor. I respect that you need more time to consider this.

Janice Kovach, Mayor of Clinton: I've known Arlene for 10 years. I challenge anyone who questions her abilities. It's important for the Mayor to have her choice for her to work with. This is about who is best for the job.

Billy Delgado, 216 Kearny Avenue: It's time to move on. The law is clear. The Mayor chooses her attorney. She was never a law director, neither was Mr. Blunda, he did a great job. Are we going to end up in court? Appoint her and monitor her performance.

Albertina Webb: I'm an attorney and partner in Davis, Eastman & Munoz: People who haven't worked with Arlene can't speak about her qualifications. The Mayor did her due diligence.

Linda Ferreira, 394 Bruck Avenue: I've read the recommendations, but I need to see proof. This wasn't done right.

Michael Plata: I'm the current President of the Hispanic Bar Association, I submitted a letter of recommendation. I've worked with her for 7 years. I've seen her move up quicker than most, this is a testament to her abilities. What I've heard here today, is not a question of her abilities. There is no reason not to vote on this.

Daniel Gonzalez: 178 Long Ferry Road: I don't know Ms. Quinones Perez. I did research. The DeCotiis Firm is well respected. You don't t to be a partner without being able. This shouldn't be political. Attorneys are trained to find answers. I challenge you to let us mover forward.

Dorothy Carty Daniel, Water Street: We need to have an attorney. I ask that anyone who works for the City to do right by the City. I believe the Mayor has the right to appoint. Let the person succeed or fail on her own.

Leslie Sulimando: I'm an associate at the DeCotiis firm. Arlene is very well respected in our firm. I see the City moving forward.

Mr. Arcelay, 746 Cortland Street: We the trade masters support the Mayor.

Pastor Bernadette Falcon-Lopez, Thomas Street: I support this choice. There is too much negativity. We need to work together.

Mayor Wilda Diaz: Everyone knows I have said there are to be changes in the Administration. I've known Arlene and Mayor Kovach, we've worked together. She has a passion and love for the law. I trust her. We spoke to the League of Municipalities, some Council Members spoke to the League. The League was forthcoming in what needs to be done. I'm asking the Council to work together and appoint Arlene Quinones Perez. I'm not going to change my mind. She has accomplished a lot in the three weeks she has been here.

Victor Santiago, 368 Rector Street: Give her a chance. Let's support the Mayor's decision and move forward.

MINUTES

September 9, 2015 - Closed Session September 9, 2015 - Council

Motion was made by Council Member Petrick, seconded by Council Member Gonzalez to approve the minutes and was carried by the following vote: Yea—Council Members Gonzalez, Irizarry, Pabon and Petrick. Nay—none. Abstain—Council President Nanton.

REPORTS

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

- 1. Check register report for the month of August 2015 in the total amount of \$8,820,609.15.**
- 2. Investment report for the month of August 2015.**
- 3. Water/Wastewater Utility Report for August 2015.**
- 4. Budget Status Reports - YTD August 2015.**

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

**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: Blue & White Collar Supervisors Local 32, OPEIU –
January 1, 2015 – December 31, 2018**

Motion was made by Council Member Petrick, seconded by Council Member Pabon to adopt the above Ordinance on first reading and public hearing for second and final passage be set down for the meeting of the Council to be held on October 14, 2015 at 7:00 pm in the Council Chambers, City Hall and was carried by the following vote: Yea—Council Members Gonzalez, Irizarry, Pabon, Petrick and Nanton. Nay—none.

2. **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 - January 1, 2015 –
December 31, 2018**

Motion was made by Council Member Petrick, seconded by Council Member Gonzalez to adopt the above Ordinance on first reading and public hearing for second and final passage be set down for the meeting of the Council to be held on October 14, 2015 at 7:00 pm in the Council Chambers, City Hall and was carried by the following vote: Yea—Council Members Gonzalez, Irizarry, Pabon, Petrick and Nanton. Nay—none.

3. **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: Blue Collar

Motion was made by Council Member Petrick, seconded by Council Member Irizarry to adopt the above Ordinance on first reading and public hearing for second and final passage be set down for the meeting of the Council to be held on October 14, 2015 at 7:00 pm in the Council Chambers, City Hall and was carried by the following vote: Yea—Council Members Gonzalez, Irizarry, Pabon, Petrick and Nanton. Nay—none.

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: Stop Sign on Vincent Pl. at McKeon St. & Vincent Pl.

Motion was made by Council Member Petrick, seconded by Council Member Irizarry to adopt the above Ordinance on first reading and public hearing for second and final passage be set down for the meeting of the Council to be held on October 14, 2015 at 7:00 pm in the Council Chambers, City Hall and was carried by the following vote: Yea—Council Members Gonzalez, Irizarry, Pabon, Petrick and Nanton. Nay—none.

RESOLUTIONS

R-407-9/15 VOID

Council Member Gonzalez: Council President I'd like to mover the appointment of Arlene Quinones Perez at today's meeting and I'd like to take a vote on it. We've had enough time to do research on this. We need to move on this. I make a motion that we take a vote on Arlene Quinones Perez as Director of Law.

Council Member Pabon: I second it.

Council President Nanton: At the Agenda Meeting on Monday, this Resolution was tabled.

Arlene Quinones Perez: It was tabled but according to 4-20, a Council Member can made a motion and nominate at any time. It's very clear in the language. This is across the board not specific to Director of Law. Chapter 4-20 Appointments to Office – Nominations submitted by the Mayor will be considered in a committee of the whole at an agenda conference and may be reported to the Council at a regular meeting. Any member of the Council may move a nomination. We have that, Councilman Gonzalez and a second by Councilman Pabon.

Council President Nanton: It also says submitted by the Mayor will be considered by a committee of the whole at an agenda conference. It was tabled at the agenda conference. It was tabled. It needs to be on the agenda in order for any member to move the nomination.

Arlene Quinones Perez: Council President you asked a specific question which was why you were tabling it. I got you the information you requested, an opinion of the General Counsel of the League of Municipalities, William John Kearns. The conversation took place today. It was very clear what he was saying. It could be done by any Councilman at a council meeting. I also have an opinion by Scarinci Hollenbeck. The Mayor has the executive authority to appoint department heads with consent of Council. N.J.S.A. 40:69A-32 (b) states the Mayor exercises all administrative or executive functions. N.J.S.A. 40:69A-40 states the Mayor has statutory authority to supervise, direct and control all departments of the municipal government. The Mayor with the consent of the Council, has the power to appoint department heads and a number of expressly identified municipal officer and employees. N.J.S.A. 40A-43(b). In addition, Perth Amboy Code 4-21 (D) (E), provides (Mayor) appoint all officers and employees for whose election or appointment no other provision is made by charter or ordinance.

Council Member Irizarry: What laws you cited, does it mandate that the Council has to vote?

Arlene Quinones Perez: The Council has to take a vote, you can decide if you want to vote yes or no. The motion was made and seconded to vote on the appointment of Arlene Quinones Perez, a vote needs to be taken.

Council Member Petrick: This was tabled at the Caucus. When something was tabled at our Caucus, it has not appeared on the agenda. We don't vote on it unless it's a late starter. It is void here so for Councilman Gonzalez to move to take a vote, I believe it needs to be re-introduced.

Council President Nanton: It was tabled on Monday, it does not appear on the agenda, also your fact finding was just given to me at the start of this meeting. I have not had the time to read everything. This was tabled at the Caucus, as far as I'm concerned the tabling stands.

Council Member Gonzalez: I requested on Monday that research be done. It has been done.

Council Member Pabon: I understood that on Monday we would table this due to questions, if we got the answer, it would be back on the agenda.

Council President Nanton: It was taken off the agenda on Monday because it was a conflict of interest and it was insisted by her that she had a right to put it on the agenda. That's why I asked for fact finding. I was just given the information tonight. To do due diligence, I must read everything.

Council Member Irizarry: I would like to read the following statement:

I want to provide a statement on the appointment of a new law director for the City of Perth Amboy. Under state law the Mayor, in this form of government has the power to appoint subject to the advice and consent of the Council. Over the past two and a half years I have supported the appointments that the Mayor put before the City Council. I did so because I believed that they were in best interests of the City of Perth Amboy and I recognized her right to select qualified individuals for key positions in her administration.

Tonight, I cannot offer the same support to the Mayor because I do not believe it is in the best interest of the City.

I suspect that some may attempt to portray my decision on this important appointment as anti-woman or sexist. My record of support for the Mayor and other women holding elected office, however, is clear and should not be called into question by my position on this appointment. Both Council President Nanton and I spent hours during a hot summer and chilly fall going door to door campaigning for her. We stood by her when others were questioning her competency. We have stood by the Mayor and her administration when difficult and unpopular decisions had to be made in the best interests of the City of Perth Amboy. We supported her appointees for Business Administrator and Law Director when others were asking for them to be removed. We supported the longevity pay of the Police Chief and the rescinding of the Court Administrator's residency requirement so that she could remain in her position. We also supported the building of low income housing on the Delaney Homes site. In each decision, I evaluated what was in the best interest of the City and do not regret them.

Others may attempt to portray my decision as rubber stamping for county officials. The truth of the matter is that we cannot solve all of our City's challenges by ourselves. Like it or not, sooner or later, on a wide range of issues that affect the City's well-being we will have to work with our county, state, and federal officials. But, that is not the real issue.

The primary issue is what is best for the city. In the movie the Wrath of Khan the character of Spock used the following quote, "the good of the many outweighs the good of the few or the one." As far as I am concerned the issue is about the good of the many, the good of our City. The good of the few or the one, even my own good is secondary. A guiding question for me has been the following: Is the city that well off or out of the woods enough to take a risk with an inexperienced law director and a law firm with questionable billing practices? With respect and humility, my answer is I do not think so.

As I stated before, I recognize, and understand, that the Mayor is completely within her rights to appoint a law director. She has decided to appoint a law director from the law firm of DeCotiis, Fitzpatrick and Cole for ninety days, I, on the other hand, am completely within my rights to show that I disagree with her decision.

Lastly, I want to strongly suggest that instead of using the next ninety days to provide political theater for the rest of the county and state that we use them to carefully evaluate the performance of the Law Director and law firm. Let us use the time to be as informative, and open, as possible.

I respectfully request that this statement be made part of the record.

Council Member Irizarry: I have questions that were not answered by the letters of recommendations:

- What is your longest tenure as counsel to any government entity?
- How many depositions have you taken in your career?
- Have you prosecuted or defended any actions in lieu of prerogative writ against or defending any government entity?
- Have you argued any appeals to a decision as lead counsel?
- Have you tried as lead counsel any bench trials in either state or federal court to final decision?
- Have you tried as lead counsel any jury cases to verdict in either federal or state court?
- Have you litigated any personal injury cases?
- Have you litigated any labor or employment cases?

Council Member Irizarry: The concern is procedure. The concern is that we are not setting precedence for the future of the proceedings of the Council.

Council Member Pabon: I'm hearing questions I haven't heard before.

Arlene Quinones Perez: During the conversation with the General Counsel of the League of Municipalities, Councilman Petrick asked whether this motion concerning it was tabled on Monday would have to be re-introduced. The answer was no. It is a motion from a Councilman and a second. If you want to move forward, it would have to be withdrawn.

Council Member Petrick: I feel he did not fully understand the question I was asking when I asked him. I disagree how he answered it.

Arlene Quinones Petrick: The written opinion is from Scarinci Hollenbeck.

Council Member Irizarry: The written opinion deals with the Mayors authority to appoint, we do not have an issue with that.

Arlene Quinones Perez: The question was procedure. Procedurally you have done this 38 times.

Council Member Petrick: I don't have a problem voting for you, I have a problem with this procedure. This item was tabled, the resolution was void on the agenda. I don't think it's appropriate to act on this other than a late starter.

Arlene Quinones Perez: It is appropriate. The language is very clear, any Councilman may move a motion forward.

Council Member Petrick: This isn't moving something forward, this is a voided item.

Arlene Quinones Perez: There is a motion and a second, if you want it withdrawn, that is something the maker needs to do.

Council President Nanton: Do I have a motion to withdraw that?

Council Member Gonzalez: I will not withdraw it. Let's vote on it.

Council Member Petrick: Moving forward, any item that appears on an agenda as void, we can bring it back up?

Arlene Quinones Perez: Appointments to Office, 4-20 A – nominations submitted by the Mayor will be considered in committee of the whole at an agenda conference and may be reported to the Council at a regular meeting. Any member of the council may make a nomination. It would not be any resolution, Roberts Rules of Order says 2/3 vote. This is a nomination, 4-20 is very clear in its language.

Council President Nanton: You are in conflict. This is your appointment.

Arlene Quinones Perez: This is about any department head. It can be by a motion.

Council Member Petrick: Again, if the resolution is void, how do we bring it back?

Arlene Quinones Perez: A resolution requires a 2/3 vote. This is a motion.

Council Member Petrick: I'm talking procedure. We've never had this before.

Council Member Pabon: What will it take to get a vote.

Council President Nanton: We need the procedure clarified. We can put this on as a resolution at the next meeting. I have a problem getting legal advice from here when this is her job. I move we continue to table this.

Council Member Gonzalez: You have a motion on the table, you need to take a vote.

Council Member Petrick: I don't think your motion is valid.

Council President Nanton: I don't either. Can I have a motion to withdraw so we can continue with this meeting have the resolution placed on the agenda at the next meeting?

Council Member Gonzalez: I will not withdraw my motion.

Council Member Petrick: I move to table the motion.

Council Member Irizarry: I second it.

The motion made by Council Member Gonzalez and seconded by Council Member Pabon was tabled by the following vote: Yea—Council Members Irizarry, Petrick and Nanton. Nay—Council Members Gonzalez and Pabon.

R-408-9/15 Authorizing the City of Perth Amboy Police Department to participate with the City of New Brunswick in an application for the Edward Byrne Memorial Justice Assistance Grant (FY 2015) in an amount of \$22,496.00.

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 Gonzalez, Irizarry, Pabon, Petrick and Nanton. Nay—none.

R-409-9/25 Authorizing the insertion of revenue in the CY 2015 Budget pursuant to N.J.S.A. 40A:4-87 (Chapter 159, P.L. 1948) for an Edward Byrne Memorial Justice Assistance Grant in the amount of \$22,496.00.

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 Gonzalez, Irizarry, Pabon, Petrick and Nanton. Nay—none.

R-410-9/15 Authorizing an agreement with the Boys and Girls Club of Perth Amboy to operate an after school program at the Brighton Avenue Community Center.

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 Gonzalez, Irizarry, Pabon, Petrick and Nanton.
Nay—none.

R-411-9/15 Authorizing an agreement with the Middlesex County Improvement Authority for the provision of yard waste recycling and marketing services commencing September 1, 2015 and terminating July 31, 2017.

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

Council President asked for comments.

Council President Nanton: Did we find out what type of containers are to be used for brush?

Frank Hoffman, DPW: The brush is brought to the yard. We don't pick it up curbside. We don't have the space for composting.

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

R-412-9/15 Authorizing a contract with B&W Construction Co. for emergency snow plowing for the 2015-2016 snow season in an amount not to exceed \$30,000.00.

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 Gonzalez, Irizarry, Pabon, Petrick and Nanton.
Nay—none.

R-413-9/15 Authorizing a reduction to the City's contract with Dell Marketing for the purchase of equipment under State Contract No. WSCA 70256 12/31/2014 in the amount of \$3,628.62.

Motion was made by Council Member Gonzalez, seconded by Council Member Petrick 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 Gonzalez, Irizarry, Pabon, Petrick and Nanton.
Nay—none.

R-414-9/15 Authorizing extension of the contract with Dell Computers for purchase of equipment under State Contract No. WSCA/NASPO 70256 in an amount not to exceed \$3,628.62.

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 Gonzalez, Irizarry, Pabon, Petrick and Nanton.
Nay—none.

R-415-9/15 Authorizing a contract with Hertrich Fleet Services Inc. for the purchase of a 2016 Dodge Journey 4Dr. SE FWD under State Contract No. A86922 (T0099) in an amount not to exceed \$17,999.00.

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 Gonzalez, Irizarry, Pabon, Petrick and Nanton.
Nay—none.

R-416-9/15 Awarding a contract to Ferraioli, Wielkotz, Cerullo and Cuva, P.A. for professional financial services in an amount not to exceed \$84,000.00.

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 Gonzalez, Irizarry, Pabon, Petrick and Nanton.
Nay—none.

R-417-9/15 Authorizing Change Order No. 4 to the contract with Paragon Restoration Corp. for the renovation of the Surveyor General's Office in an amount not to exceed \$1,300.00.

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 Gonzalez, Irizarry, Pabon, Petrick and Nanton.
Nay—none.

R-418-9/15 Extending the professional services contract with Cruser Mitchell & Sanchez to defend lawsuits brought by Alfred Petit-Clair in an amount not to exceed \$50,000.00.

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

Council President asked for comments.

Council Member Gonzalez: Can someone let me know much was spent on defending this case so far?

Arlene Quinones Perez: I've asked for all outstanding matters. I will get this to you.

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

R-419-9/15 Authorizing Stipulation of Settlement resolving the complaint filed by Moorehouse Palma Partnership for 139 & 145 Fayette Street and 164 New Brunswick Avenue.

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 Gonzalez, Irizarry, Pabon, Petrick and Nanton.
Nay—none.

R-420-9/15 Authorizing Stipulation of Settlement resolving the complaint filed by Iron Workers Union 373 for Blk. 87.02, Lot 3.

Motion was made by Council 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 Gonzalez, Irizarry, Pabon, Petrick and Nanton.
Nay—none.

Consent Agenda – R-421-9/15 - R-427-9/15

R-421-9/15 Authorizing a refund to Helen Leonard in the amount of \$60.00 for two curbside pick-ups at 449 New Brunswick Avenue that had to be cancelled.

R-422-9/15 Authorizing refund of fee paid for tickets for the trip to Dorney Park sponsored by the Office of Recreation to S. Lynprecious Flanagan in the amount of \$60.00.

R-423-9/15 Authorizing refund of restoration bond and remainder of the solid waste disposal bond paid by United Dominicans of Perth Amboy (UDOPA) for the Dominican Festival in the amount of \$2,841.44.

R-424-9/15 Authorizing refund of duplicate tax payment on Block 394.03, Lot 19 (881 Barry Avenue) to CoreLogic in the amount of \$2,092.33.

R-425-9/15 Authorizing the refund of tax overpayment on Bk. 17, Lot 24 (117 First Street) to New Millennium Bank in the amount of \$1,245.02.

R-426-9/15 Authorizing the refund of tax over payments on various blocks and lots to CoreLogic in the total amount of \$11,805.88.

R-427-9/15 Authorizing a refund for denial of an application for a handicapped parking space to Sofia Guzman in the amount of \$100.00.

Motion was made by Council Member Petrick, seconded by Council Member Irizarry to adopt R-421-9/15 to R-427-9/15.

Council President asked for comments. There were none.

The above Resolutions were adopted and carried by the following vote:
Yea—Council Members Gonzalez, Irizarry, Pabon, Petrick and Nanton.
Nay—none.

R-428-9/15 Authorizing the 2015-2016 renewal of Plenary Retail Consumption License No. 1216-32-081-004, held in the name of Al Cibelli Enterprises, Inc. at 1096 Convery Boulevard and Plenary Retail Consumption License No. 1216-33-090-006 held in the name of Jose De La Cruz at 176 New Brunswick Avenue effective September 24, 2015.

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 Gonzalez, Irizarry, Pabon, Petrick, and Nanton.
Nay—none.

R-429-9/15 Authorizing the 2015-2016 renewal of Plenary Retail Consumption License No. 1216-33-057-008, held in the name of Aris Lounge, LLC at 462 Amboy Avenue with various conditions effective September 24, 2015.

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 Gonzalez, Irizarry, Pabon, Petrick, and Nanton.
Nay—none.

R-430-9/15 Authorizing the proper City Officials to enter into an installment payment agreement with Julio Hernandez for unpaid water and sewer on 895 State Street (Blk. 431, Lots 9 thru 12).

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 Gonzalez, Irizarry, Pabon, Petrick, and Nanton.
Nay—none.

R-431-9/15 Authorizing execution of MOU with Blue Collar IBT Local 97.

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 Gonzalez, Irizarry, Pabon, Petrick, and Nanton.
Nay—none.

R-432-9/15 Authorizing execution of MOU with Blue & White Collar Supervisors Local 32, OPEIU.

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 Gonzalez, Irizarry, Pabon, Petrick, and Nanton.
Nay—none.

R-433-9/15 Authorizing Stipulation of Settlement resolving the complaint filed by Harbortown Terrace, LLC for Blk. 353, Lot 1.06.

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 Gonzalez, Irizarry, Pabon, Petrick, and Nanton.
Nay—none.

LATE STARTER
ORDINANCE – FIRST READING (No Public Discussion)

Motion was made by Council Member Petrick, seconded by Council Member Pabon to amend the Agenda in order to place the Ordinance on as a Later Starter and was carried by the following vote: Yea—Council Members Gonzalez, Irizarry, Pabon, Petrick and Nanton. Nay—none.

**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 Gonzalez to adopt the above Ordinance on first reading and public hearing for second and final passage be set down for the meeting of the Council to be held on October 14, 2015 at 7:00 pm in the Council Chambers, City Hall and was carried by the following vote: Yea—Council Members Gonzalez, Irizarry, Pabon, Petrick and Nanton. Nay—none.

COMMUNICATIONS

1. **NJ Transit advising that public hearings will be held on various dates and times at several locations, concerning programs developed pursuant to the Senior Citizen and Disabled Resident Transportation Assistance Act. (9/4/15)**
2. **NJDEP submitted a copy of a Ground Water Remedial Action Permit issued to ERETC, LLC for the Nextrom, Inc. site at 607-653 Sayre Avenue. (9/4/15)**
3. **Council Member William Petrick nominating Peter Book as the City's Poet Laureate. (9/5/15)**
4. **Council Member William Petrick advising that constituents have asked for a street light on the pole near 291-293 Laurie Street. (9/6/15)**

5. Daniel Cleaver, Superintendent of Buildings and Grounds advising that the street lamp at 291-293 Lawrie Street has been approved. The service date is before/on or about November 13, 2015. (9/15/15)
6. Gomes & Monteiro, Attorneys at Law advising that Seabra's Armory, Inc., 200 Front Street will submit an application to the NJDEP for a permit to erect an outdoor roofed patio at 200 Front Street. (9/8/15)
7. Council Member William Petrick asking Business Administrator Jillian Barrick for an update on the negotiation with Michael Carr for the sale of the liquor license. (9/8/15)
8. Deputy Chief Lawrence J. Cattano commending and thanking the following police officers fo outstanding performance of their duties: (9/11/15)

Detective David Guzman	Police Office Daniel Mendes
Police Officer Manny Lopez	Detective Ethan Boyd
Police Officer Jennifer Morales	Sergeant William Dillon
Police Officer Billy Lopez	Detective Jessica DeJesus
Police Officer Omar Rivera	Police Officer Jorge L. Arocho
Police Officer Rafael Bengochea	Police Officer Jose Pais
Police Officer Anthony Garcia	
9. Jessica Raphael of CH2M advising that the Public Notification Sign has been replaced at 144 Grant Street. (9/14/15)
10. Kendall Murphy of FEMA advising that with HUD's decision to simplify the process of National Flood Insurance Program policyholders Hurricane Sandy flood insurance claim review, the deadline has been extended until October 15th. (9/16/15)
11. Hatch Mott MacDonald submitted a copy of the NJDEP Land Use Regulation Program permit application for a Waterfront Development Permit for maintenance dredging at Buckeye Perth Amboy Terminal, Blk. 481, Lots 1 & 1.01 and Blk. 484, Lots 1 & 1.01. (9/7/15)
12. Middlesex County Department of Public Works advising that the milling and resurfacing of New Brunswick Avenue is tentatively scheduled to begin September 22, 2015 and finish on September 25, 2015. (9/18/15)

13. **Sayreville Borough Clerk submitted a certified copy of an Ordinance adopting the Amended Sayreville Landfill #3 and Melrose Redevelopment Plan, adopted on September 15, 2015. (9/18/15)**
24. **Arlene Quinones Perez, Esq., Acting Law Director submitted a copy of a letter of reference from Albert G. Kroll of the firm of Kroll Heineman Carton. (9/18/15)**
25. **Arlene Quinones Perez, Esq., Acting Law Director, submitted a copy of a letter of reference from Paul Alexander Sangillo, Esq. (9/18/15)**
26. **Deputy Chief Larry Cattano submitted a copy of a letter from Derek Jess, School BA, regarding towing issues at the Board of Education Properties by AT Towing. (9/18/15)**

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

Stan Sierakowski, 679 Catherine Street: What is the amount of the stipulation in R-433? You must follow procedure to get the resolution on the next agenda.

Council President Nanton: Its \$13,000.00.

Linda Ferreira: 394 Bruck Avenue: The yellow lines are all over. I don't think they were measured correctly. I want to thank you Councilman Petrick for your help in getting the sign for autistic child up. There is a lot of crime. Put thinks on Nixle. Are we getting new street signs? Street signs are missing.

Deputy Chief Cattano: Several street signs have been replaced. We are concentrating on paving crosswalks. The signs are being replaced street by street. The yellow lines are a reminder of the law to park 25' from crosswalk. We reduced the amount for stop signs. Some are shorter due to fire hydrants

Council Member Gonzalez: Can you explain what Nixle is used for?

Deputy Chief Cattano: We use Nixle as an emergency notification system. There are different levels, community notification, alert which is high priority and advisory. It depends on how you signed up to get notifications.

Council President Nanton: Has there been a rise in crime?

Deputy Chief Cattano: I don't have the numbers, I don't know that there is an increase. There is a certain type of crime that is increasing. People who are at bars drinking and then walk home. They are seen to be carrying large amounts of money. They are followed and then robbed.

Steve Nasimento, 422 Great Beds Court: There is a fire access lane, there are cars parked all over due to the lack of parking lots. Cars are parked on High Street and Great Beds Court pretty much all day. The fire access road is on High Street. I find it difficult to believe a fire truck would be able to man an ingress into that fire access lane, plus there is an island barrier there. Also the fire access lane is incomplete. There is still a temporary electric panel.

Reinaldo Aviles, Harbor Terrace: Robert Rules of Order should always apply. This should have happened behind the scenes. You need to maintain integrity.

David Caba, Westside Avenue: I would like to congratulate Mr. Irizarry, Mr. Petrick and Ms. Nanton for standing up for your beliefs.

Sharon Hubbarman, Cornell Street: I recommend a forensic audit of the law department. With regard to procedural matters, if there is a vagueness in the ordinances you many need to look into it. I propose we look only at the qualifications.

Mayor Wilda Díaz: I plan on putting a resolution forth at the next meeting. Is the Council going to continue to table this? None of those questions were asked of Mark. I've made a decision on someone I trust. I have every right as Mayor. I will bring this up at the next meeting. I will go with my choice.

Gregory Pabon, Ashley Street: We have a problem in our area. The trucks go past the school so fast, the houses shake. Could Convery Boulevard be a no truck street?

Jillian Barrick: I'll have my staff look into it.

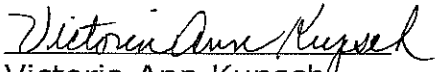
Council Member Pabon: I don't deserve the thanks, the Chief does. As far as the connector road goes, we are working on it. I don't know if they can go around. I asked the Chief to look into it. They are going to monitor it.

COUNCIL COMMENTS

There were none.

ADJOURNMENT

There being no further business to come before the Council, motion was made by Council Member Petrick, seconded by Council Member Pabon to adjourn the meeting at 11:08 pm and was carried by the following vote: Yea—Council Members Gonzalez, Irizarry, Petrick, Pabon and Nanton. Nay—none.


Victoria Ann Kupsch
Assistant City Clerk


Lisa Nanton
Council President

