



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

**NOTICE OF MEETING**

Regular Meeting of the Council of the City of Perth Amboy was held on Monday, November 23, 2015 in the Council Chambers, City Hall, Perth Amboy, New Jersey at 7:00 pm.

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.

Council President Lisa 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: Peter Pelissier, Interim Business Administrator, Arlene Quinones Perez, Director of Law, and Elaine M. Jasko, City Clerk.

**MEETING STARTED AT 7:50 PM (Following Closed Session)**

## TOPICS FOR DISCUSSION

### 1. Relocation of School Buses from Train Station. (Pelissier)

TOPICS FOR DISCUSSION WERE DISCUSSED DURING THE CAUCUS MEETING HELD AT 4:30 P.M. ON NOVEMBER 23, 2015.

## 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.

### **R-510**

Ken Balut, 359 Bruck Ave.: We should know the name of the property owners.

### **R-530**

Ken Balut, 359 Bruck Ave.: The law firm is the problem. This firm is disgusting. This firm is taking over the City. We are building a power base for a north Jersey firm. This has got to stop. I want to look at the RFP's. I'm not being allowed to look at them. This law firm should be voted down again.

Stan Sierakowski, 679 Charles St.: This has to do with the Mayor's race and raising money for her campaign. The law director's master is DeCotiis and not the City. Vote "no" on this resolution.

David Caba, 559 Westside Ave.: Why is this resolution back on the agenda? Is it legal to put it back on the agenda? It was voted down at the last meeting.

## LIQUOR LICENSE NOTIFICATION

**Application for a Person-to-Person transfer of Plenary Retail Consumption License No. 1216-33-101-002 as follows:**

<p><b>FROM: Harbor Town Tavern, Inc.</b> t/a Harbor Town Tavern  792 State Street</p>	<p><b>TO: Sangria Lounge &amp; Café, LLC</b> t/a Sangria Lounge &amp; Café, LLC 792 State Street</p>
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**SOCIAL AFFAIR PERMIT**

**United Dominicans of Perth Amboy**  
**352 State Street**  
**Occasion: Dance**  
**Date: December 12, 2015, 10:00 pm to 2:00 am**  
**Location: St. Demetrios Church Hall, 41 Wisteria Street**

Motion was made by Council Member Petrick, seconded by Council Member Pabon to grant the social affair permit and was carried by the following vote: Yea--Council Members Gonzalez, Irizarry, Pabon, Petrick and Nanton. Nay--None. Absent--None.

**REPORTS**

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

- 1. Investment Report for the month of October 2015.**
- 2. Budget Status Reports – YTD October 2015.**
- 3. Water/Wastewater Utility Report – October 2015.**
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- 4. Report of Audit on the Financial Statements of the Perth Amboy Business Improvement District, Inc. for the Transition Year Ended December 31, 2014.**
- 5. Middlesex County Board of Taxation – Middlesex County 2015 Abstract of Added/Omitted Assessments.**

Motion was made by Council Member Petrick, seconded by Council Member Gonzalez to accept reports #1 - #3 and was carried by the following vote: Yea--Council Members Gonzalez, Irizarry, Pabon, Petrick and Nanton. Nay--None. Absent--None.

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

- 1. 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, and 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 December 9, 2015 at 7:00 p.m. at the Council Chambers, City Hall, and was carried by the following vote: Yea--Council Members Gonzalez, Irizarry, Pabon, Petrick and Nanton. Nay--None. Absent--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, and 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 December 9, 2015 at 7:00 p.m. at the Council Chambers, City Hall, and was carried by the following vote: Yea--Council Members Gonzalez, Irizarry, Pabon, Petrick and Nanton. Nay--None. Absent--None.

**3. AN ORDINANCE ADOPTING AN AMENDMENT OF THE FOCUS 2000 REDEVELOPMENT PLAN FOR REDEVELOPMENT AREA 1 IN ACCORDANCE WITH THE LOCAL REDEVELOPMENT AND HOUSING LAW.**

**Re: Minimum 1 Side Yard (feet) SI-A amended to 50 feet**

Motion was made by Council Member Petrick, and 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 December 9, 2015 at 7:00 p.m. at the Council Chambers, City Hall, and was carried by the following vote: Yea--Council Members Gonzalez, Irizarry, Pabon, Petrick and Nanton. Nay--None. Absent--None.

**RESOLUTIONS**

**R-502-11/15 Authorizing a Closed Session at the November 23, 2015 Caucus Meeting to discuss the following:**

- **Contract Negotiations**

RESOLUTION #502-11/15 VOTED UPON DURING THE CAUCUS MEETING  
HELD AT 4:30 PM ON NOVEMBER 23, 2015.

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**Consent Agenda - R-503-11/15 - R-533-11/15 with  
the exception of R-530-11/15.**

Motion was made by Council Member Petrick, seconded by Council  
Member Pabon to adopt Resolutions #503-11/15 thru #533-11/15 **with  
the exception of Resolution #530-11/15.**

Council President asked for comments. There were none.

Resolutions #503-11/15 - #533-11/15, **with the exception of #530-  
11/15,** were adopted and carried by the following vote: Yea--Council  
Members Gonzalez, Irizarry, Pabon, Petrick and Nanton. Nay--none.  
Absent--None.

**R-503-11/15 Authorizing the 2015-2016 Renewal of  
Inactive License No. 1216-33-006-005 held in the  
name of Ambos Restaurant & Lounge LLC, effective  
November 24, 2015.**

**R-504-11/15 Approving transfer of CY 2015 Budget  
Appropriations in the amount of \$30,412.50.**

**R-505-11/15 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 a 2015 Bulletproof Vest  
Partnership Award in the amount of \$6,913.00.**

**R-506-11/15 Authorizing a refund for the denial of a  
handicapped parking application in the amount of  
\$100.00 to Profetisa S. Gimeno.**

**R-507-11/15 Authorizing a refund for the denial of a  
handicapped parking application in the amount of  
\$100.00 to Aide Campos.**

**R-508-11/15 Authorizing the refund of tax  
overpayment on Block 212, Lot 18 (292 Neville  
Street) in the amount of \$2,698.27 and Block 285, Lot  
28.01 (557 Brace Avenue) in the amount of \$37.21 to  
Wells Fargo Home Mortgage.**

**R-509-11/15 Authorizing the refund of tax  
overpayments on Block 65, Lot 1 (295 Market Street)  
and Block 249, Lot 19 (523 State Street) in the total  
amount of \$1,284.19 to Propel Financial Services.**

**R-510-11/15 Authorizing the refund of tax overpayments on various Blocks and Lots in the total amount of \$13,560.00 to Corelogic Tax Services.**

**R-511-11/15 Authorizing the refund of tax overpayments created by tax appeal on property owned by Harbortown Terrace, LLC on Block 353, Lot 1.01 (Riparian Rights) in the amount of \$6,525.00 to Harbortown Terrace LLC.**

**R-512-11/15 Authorizing the refund of tax overpayments created by tax appeals on property owned by Hidden Village Associates known as Block 106.02, Lot 56 (322 McGuire Place) in the amount of \$1,655.10 to Hidden Village Associates.**

**R-513-11/15 Authorizing the refund of tax overpayments created by tax appeals on property owned by Hidden Village Associates known as Block 106.02, Lot 55 (320 McGuire Place) in the amount of \$827.55 to Hidden Village Associates.**

**R-514-11/15 Authorizing the refund of tax overpayments created by tax appeals on property owned by Hidden Village Associates known as Block 106.02, Lot 55.01 (319 McGuire Place) in the amount of \$827.55 to Hidden Village Associates.**

**R-515-11/15 Authorizing the refund of tax overpayments created by tax appeals on property owned by Harbortown Terrace, LLC known as Block 353, Lot 1.06 (High-Buckingham Avenue) in the amount of \$157,784.16 to Harbortown Terrace LLC.**

**R-516-11/15 Authorizing the refund of tax overpayments created by tax appeals on property owned by Harbortown Terrace, LLC known as Block 241, Lot 1 (Buckingham Avenue) in the amount of \$5,036.40 to Harbortown Terrace LLC.**

**R-517-11/15 Authorizing the refund of tax overpayment created by tax appeal on Block 278, Lot 7 (462 Brace Avenue) in the amount of \$998.28 to Jason Lustbader, Esq.**

**R-518-2015 Authorizing the refund of tax overpayment created by tax appeal on Block 152, Lot 18 (183 New Brunswick Avenue) to Peter J. Morales, LLC, in the amount of \$14,247.02.**

**R-519-11/15 Authorizing the refund of tax overpayment created by tax appeal on Block 152, Lot 19.01 (183-185 New Brunswick Avenue) to Peter J. Morales, LLC in the amount of \$2,725.88.**

**R-520-11/15 Authorizing refund of Homestead Rebate Credit in the amount of \$243.19 on Block 439, Lot 21 (341 Ashley Street) to Domingo Vargas.**

**R-521-11/15 Authorizing the cancellation of water/sewer balances with Middlesex Water Company/Utility Service Affiliates-Perth Amboy (USA-PA) for various properties.**

**R-522-11/15 Authorizing settlement of the workers compensation litigation entitled Christopher Croes v. City of Perth Amboy C.P. No. 2011-14227 for the amount of \$104,863.67.**

**R-523-11/15 Authorizing a contract with Hertrich Fleet Services, Inc. for the purchase of a 2016 Victory Red Chevrolet Silverado 1500 4WD Crew Cab Work Truck SSV under State Contract No. A88729 in an amount not to exceed \$31,838.20.**

**R-524-11/15 Authorizing a contract with Winner Ford for the purchase of two (2) 2016 Ford Police Interceptor Utility Vehicles Patrol Options under State Contract No. A88728 in an amount not to exceed \$50,008.00.**

**R-525-11/15 Authorizing a contract with Hertrich Fleet Services for the purchase of one (1) 2016 Chevrolet Impala Vehicle (\$17,899.00) and one (1) 2016 Dodge Journey SE FWD (\$17,999.00) under State Contract No. A86922 in a total amount not to exceed \$35,898.00.**

**R-526-11/15 Authorizing payment of a yearly stipend to Volunteer Firefighters for Compensation for losses while performing volunteer duties in direct proportion to their activity level in an amount not to exceed \$86,985.74.**

**R-527-11/15 Authorizing the donation of Volunteer Firefighter Arnie Roma's annual stipend of \$1,762.50 to the NYC Fire Patrol.**

**R-528-11/15 Authorizing payment of a yearly stipend to the Perth Amboy Auxiliary Police in an amount not to exceed \$31,546.88.**

**R-529-11/15 Rescinding R-447-10/15 which authorized a professional services contract with Crane Associates, P.C. for the Front Street Pump Station replacement/relocation of two variable frequency drives.**

**R-530-11/15. Authorizing a professional services contract with DeCotiis, Fitzpatrick & Cole to provide legal services for labor & employment, real estate, ABC matters, additional litigation and extraordinary services.**

Council Member Petrick: I make a motion to amend the resolution to reflect the time period of November 2015 – March 2016, at an hourly rate of \$150.00 per hour, not to exceed the amount of \$100,000.00 and to remove "extraordinary services" from the resolution.

Council Member Pabon: I second the motion.

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

Council President asked for comments. There were none.

The above Resolution was adopted and carried by the following vote: Yea--Council Members Gonzalez, Pabon, and Petrick. Nay--Council Members Irizarry and Nanton.

**R-531-11/15 Approving the introduction of the Perth Amboy Business Improvement District (BID) 2016 Operating Budget for the period of January 1, 2016 to December 31, 2016 and setting the public hearing date as January 13, 2016.**

**R-532-11/15 Authorizing enabling resolution for the State of New Jersey Department of Environmental Protection Green Acres Program for the Raritan Riverfront Park.**



**R-533-11/15 Authorizing the referral of a proposed amendment to the Focus 2000 Redevelopment Plan for Redevelopment Area 1 to the Planning Board of the City of Perth Amboy for review pursuant to N.J.S.A. 40A:12A-7.**

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Based on conversations held in Closed Session the following resolution was added onto the agenda as a Late Starter for consideration:

**LATE STARTER**

**R-534-11/15 Amending Resolution R-152-3/15 resolution amending Resolution R-110-2/15 authorizing an emergency contract with J. Fletcher Creamer & Sons, Inc. for emergency repairs to the trunk main between the Woodbridge-Carteret Interconnection and the MCUA Meter Station in an amount not to exceed \$91,724.00 for the sum of \$400,000.00 to increase final payment for the sum of \$426,664.00.**

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

**COMMUNICATIONS**

- 1. Middlesex County Utilities Authority submitted copies of the Year 2016 Budgets and Rates for its Wastewater and Solid Waste Division, introduced on October 22, 2015. (11/6/15)**

2. **Vilma E. Novak, City Resident, supporting the idea that the area in the International Park, where the Cairn is would be an appropriate place to create a memorial to Tom Ward, particularly since the Cairn was built by Tom. A public memorial to Tom Ward's memory would long exemplify what one person of good will can accomplish. (11/9/15)**
3. **Mayor Wilda Diaz submitted the executive summary of the Perth Amboy City ID Card Program. (11/9/15)**
4. **NJ Div. ABC submitted a copy of the Order Vacating the Suspension of Plenary Retail Consumption License No. 1216-33-038-009, held in the name of Z and G Associates, Inc. t/a Las Palmeras Restaurant Bar & Lounge at 266-270 Madison Avenue effective November 14, 2015. (11/18/15)**
5. **PSE&G submitted a copy of a Notice of Filing and Notice of Public Hearings in the matter of the Petition of Public Service Electric and Gas Company for approval of electric base rate adjustments pursuant to the Energy Strong Program. Public hearings will be held at various locations during the month of December, 2015. (11/18/15)**
6. **Ransom Environmental submitted an amendment to the original Response Action Outcome designation for AOC R-3 for the Rosengarten Property, 40 and 50 Washington St., Perth Amboy. (11/20/15)**

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

Ken Balut, 359 Bruck Ave.: We need to do something on behalf of Tom Ward. He was a person who really loved Perth Amboy. According to "Politicker", Arlene Quinones Perez has clout because she is the law director of Perth Amboy. Every time I come up to speak, Ms. Perez is smiling at me. The Mayor speaks about double-dippers and yet the Mayor is a panelist at a pension seminar at the League.

Stan Sierakowski, 679 Charles St.: Is the cap a total of \$100,000 for the law department or is it per category in the title of the resolution? The additional firms should have been included in the resolution for additional litigation.

David Caba, 559 Westside Ave.: I thank Fernando Irizarry and Lisa Nanton for voting "no" on the DeCotiis resolution. Fernando Gonzalez's son was not on the vendor list. Mr. Petrick shocked me with his "yes" vote tonight.

Susan Batista, 1074 Truxton Dr.: There have been three law firms, on behalf of the City, that have been part of my case. Arlene Perez is the law director and an employee of the City. Her firm should not have any involvement in my case. Who authorized the hiring of these firms?

Alan Silber, 244 Rector St.: When is the Business Administrator's appointment going to be on the agenda? Have we been advertising the position? You should specify the topics discussed in Closed Session.

#### **BUSINESS ADMINISTRATOR/LAW DIRECTOR/MAYOR COMMENTS**

Peter Pelissier: The PBA valor awards included two Perth Amboy officers. The BA position is advertised on the website and with the League of Municipalities. If anyone wants to submit an application please have them send me their application.

Mayor Wilda Diaz: I thank the Council for the vote on the DeCotiis law firm. The City has great projects in the works. We are working on the budget. The Christmas Parade and the tree lighting are on December 5<sup>th</sup>.

#### **COUNCIL COMMENTS**

Council Member Gonzalez: The \$100,000 amount for the DeCotiis law firm is a total amount. There are items of work that need to be handled immediately. That is why the firm needed to be hired. There are some issues which have been discussed by the Council in private that should be discussed in public. The public has the right to know.

Council Member Irizarry: I thank Eddie Trujillo and Pastor Bernie for the Thanksgiving Dinner they sponsored for our people in town.

Council Member Pabon: Where are we with the list of vacant property?

Peter Pelissier: I will get the answer for you.

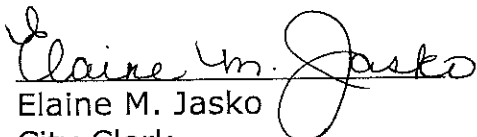
Council Member Pabon: I thank Mr. Pelissier for his words at the recent Memorial Day ceremony. There are a lot of good things going on in the City. I thank the employees of the City for their dedication.

Council Member Petrick: I also want to thank City employees for their dedication.

Council President Nanton: I congratulate the City's Green Team on their recent award.

**ADJOURNMENT**

There being no further business to come before the Council, motion was made by Council Member Petrick, seconded by Council Member Irizarry to adjourn the meeting at 9:00 pm, and was carried by the following vote: Yea--Council Members Gonzalez, Irizarry, Pabon, Petrick and Nanton. Nay--None. Absent--None.

  
Elaine M. Jasko  
City Clerk

  
Lisa Nanton  
Council President