



**MINUTES**  
**PROCEEDINGS OF THE COUNCIL OF THE**  
**CITY OF PERTH AMBOY**  
**JUNE 11, 2014**  
**COUNCIL CHAMBERS**

**NOTICE OF MEETING**

Regular Meeting of the Council of the City of Perth Amboy was held on Wednesday, June 11, 2014 in the Council Chambers, City Hall, Perth Amboy, New Jersey at 7:00 p.m.

Presiding Officer of the Council, Joel Pabon, Sr. 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 Pabon: 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 led the audience in the Pledge of Allegiance.

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

Also present at this meeting were: Jillian Barrick, Assistant Business Administrator, Mark J. Blunda, Esq., Director of Law, and Elaine M. Jasko, City Clerk.

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

**1. BOND ORDINANCE AMENDING SECTION 6(D) OF BOND ORDINANCE NUMBERED 1619-2011 OF THE CITY OF PERTH AMBOY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY FINALLY ADOPTED DECEMBER 14, 2011 IN ORDER TO AMEND THE SECTION 2-20 COSTS.**

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

Council President asked for comments. There were none.

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

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

**R-294**

Stan Sierakowski, 679 Charles St.: Is that the industry standard?

Greg Fehrenbach: It's the best we can get. We went out twice for quotes and this is the only vendor who responded.

Stan Sierakowski: Do you know who the members of the LLC are?

Greg Fehrenbach: I'm sure that info can be supplied to the Council. We are bringing this into compliance with the local finance law.

Alan Silber, 244 Rector St.: How would the public know if there is a conflict between the Council Members and the vendor? It is important to know who the officers of the LLC are.

**Comm. #2**

Alan Silber, 244 Rector St.: Is the gentleman a police chaplain?

Council Member Gonzalez: He is not.

Adrienne Benberry, 846 Harbortown Blvd.: We received the letter that the Council sent. We have not received a response from the Salvation Army yet.

Council President Pabon: We have not received anything yet either. The group may want to reach out to the Police Chaplains for support in this matter.

Adrienne Benberry: The Salvation Army is more than a church. We have over 100 volunteers now. These volunteers and the pastor/administrator are working together.

Council President Pabon: Most of the chaplains are involved in the community. 90-100 letters might work in getting your attention.

Amber Rivera, 709 Holly Dr.: Lt. Santiago is a father figure for us. Hopefully, people are behind us on this. We need stability at the Salvation Army. We need someone that cares and that is Pastor Santiago.

Council Member Gonzalez: I spoke to Major George and advised him that someone from the division should reach out and speak to the group. Major George is willing to come and speak with you. Major Berry is also willing to meet with you. A new pastor and his wife will be coming to Perth Amboy next week. The Council has no direct control of personnel movement at the Salvation Army.

Virginia Lugo, 316 State St.: There is a lot of instability at the Salvation Army. I vouch for Lt. Santiago. I am sad about him leaving. I understand their passion. Many people can hide behind an LLC. You should check out all LLC's.

Harold Nelson, 709 Holly Dr.: I'm here to support Brother Santiago at the Salvation Army. He has brought a lot of people to the Salvation Army. A good leader is a good leader. Santiago is a great man for God.

Amanda Vasquez, 21 Second Ave., Port Reading: We have had other pastors, but this pastor engages the children. We are united in all of this. We were promised that we would have him for 5 years. He reaches out to the community. We have written letters. This is hurting all of us.

Antonio Ferrao, 28 West Pond, Woodbridge: I am here in support of the Pastor of the Salvation Army. This issue is very emotional. This pastor is a great leader and a great man of God.

Council Member Nanton: I hope the Pastor has the opportunity to hear all the testimony. You all love him.

### BIDS

#### **Sale of Public Property**

**457-459 New Brunswick Avenue - Block 175, Lots 25 & 26**

**Michael Libis or entity to be formed    \$ 210,050.00\***  
**c/o Slavin & Morris, LLC.**  
**Attn: Kevin H. Morse, Esq.**  
**234 Main Street**  
**Woodbridge, NJ 07095**

**\* Recommendation of Bid Award**

### REPORTS

- 1. Jill A. Goldy, CFO/Comptroller – Check register report for the month of May 2014 in the total amount of \$8,067,983.50.**

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

### ORDINANCES – FIRST READING (No PUBLIC DISCUSSION)

- 1. 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 - Barry Ave (at the intersection of Harned St. and Barry Ave.)**  
**One Way – Mary St. (between Harrington St. and Krochmally Ave.)**  
**No Parking – Mary St. (east side)**

Motion was made by Council Member Petrick, and seconded by Council Member Nanton 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 June 25, 2014 at 7:00 p.m. at the Council Chambers, City Hall, and was carried by the following vote: Yea--Council Members Gonzalez, Irizarry, Nanton, Petrick and Pabon. Nay--none. Absent--none.

**2. 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: Limiting parking on Amboy Avenue between Hall Avenue and New Brunswick Avenue.**

Motion was made by Council Member Petrick, and 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 June 25, 2014 at 7:00 p.m. at the Council Chambers, City Hall, and was carried by the following vote: Yea--Council Members Gonzalez, Irizarry, Nanton, Petrick and Pabon. Nay--none. Absent--none.

**LATE STARTER - ORDINANCE**

**AN ORDINANCE CREATING AN ARTS COUNCIL.**

Motion was made by Council Member Nanton, seconded by Council Member Gonzalez to place the above Ordinance on the agenda as a late starter for consideration.

The above Ordinance was placed on the agenda as a late starter by the following vote: Yea--Council Members Gonzalez, Irizarry, Nanton, Petrick and Pabon. Nay--none. Absent--none.

Motion was made by Council Member Petrick, and seconded by Council Member Nanton 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 June 25, 2014 at 7:00 p.m. at the Council Chambers, City Hall, and was carried by the following vote: Yea--Council Members Gonzalez, Irizarry, Nanton, Petrick and Pabon. Nay--none. Absent--none.

**RESOLUTIONS**

**R-283-6/14 Authorizing the City of Perth Amboy to accept a grant from the New Jersey Department of Transportation's (NJDOT) Urban Youth Corps "Urban**

**Gateway Enhancements Program" in an amount of \$32,000.00.**

Motion was made by Council Member Petrick, seconded by Council Member Nanton 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, Nanton, Petrick and Pabon. Nay--none. Absent--none.

**R-284-6/14 Authorizing the insertion of revenue in the CY 2014 Budget, pursuant to N.J.S.A. 40A:4-87 (Chapter 159, P.L. 1948) for a Clean Communities Grant in the amount of \$55,785.89.**

Motion was made by Council Member Petrick, seconded by Council Member Nanton 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, Nanton, Petrick and Pabon. Nay--none. Absent--none.

**R-285-6/14 Authorizing the insertion of revenue in the CY 2014 Budget, pursuant to N.J.S.A. 40A:4-87 (Chapter 159, P.L. 1948) for the NJDOT 2014 Youth Corps Urban Gateway Enhancement Grant in the amount of \$32,000.00.**

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

**R-286-6/14 Authorizing the insertion of revenue in the CY 2014 Budget, pursuant to N.J.S.A. 40A:4-87 (Chapter 159, P.L. 1948) for 2014 Sustainable Jersey Small Grant in the amount of \$9,000.00. (To create a fitness trail at Sadowski Park).**

Motion was made by Council Member Irizarry, 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, Nanton, Petrick and Pabon.  
Nay--none. Absent--none.

**Consent Agenda R-287-6/14 – R-290-6/14**

**R-287-6/14 Authorizing the refund of tax overpayment created by tax appeal on Blk. 69, Lot 26, 277 Smith Street, to Peter Zipp, attorney for Mercyland Corp. in the amount of \$996.91.**

**R-288-6/14 Authorizing the refund of tax overpayment created by tax appeal on Blk. 243, Lot 1, 537 High Street, to Peter Zipp, attorney for PSE&G, in the amount of \$1,418.50.**

**R-289-6/14 Authorizing the refund of tax overpayment created by tax appeal on Blk. 231, Lot 8, 451 Mechanic Street, to Thomas L. Murphy, attorney for Kabeeruddin & Amtulaleem Hashmi, in the amount of \$2,172.08.**

**R-290-6/14 Authorizing a refund in the amount of \$100.00 to Rosario Rivera, 524 Cornell St., for denial of a handicapped parking space.**

Motion was made by Council Member Petrick, seconded by Council Member Gonzalez to adopt Resolutions #287-6/14 - #290-6/14.

Council President asked for comments. There were none.

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

**R-291-6/14 Authorizing a contract with Mid Atlantic Truck Center for truck maintenance in an amount not to exceed \$18,489.87.**

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

**R-292-6/14 Authorizing settlement of the workers compensation litigation entitled Javier Caraballo v. City of Perth Amboy C.P. No. 2007-8796 for the net amount of \$77,580.00.**

Motion was made by Council Member Petrick, seconded by Council Member Nanton 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, Nanton, Petrick and Pabon.  
Nay--none. Absent--none.

**R-293-6/14 Extending the contract with the law firm of Hoagland, Longo, Moran, Dunst and Doukas, to defend the City of Perth Amboy and the Municipal Council of the City of Perth Amboy in the matter of James Morejon v. City of Perth Amboy, et al in an amount not to exceed \$35,000.00.**

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, Nanton, Petrick and Pabon.  
Nay--none. Absent--none.

**R-294-6/14 Authorizing a two year contract with Future Key LLC, for the placement of vending machines in City Hall, Jankowski Community Center, Perth Amboy Police Department, Perth Amboy Public Library, Code Enforcement Building and Public Works Building for a commission of twelve and one-half (12.5%) per cent.**

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

Council President asked for comments.

Council Member Petrick: We should have LLC disclosures in the future.



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

**R-295-6/14 Authorizing a contract with Wastequip Manufacturing Company for the purchase of recycling containers in an amount not to exceed \$30,427.00.**

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

**R-296-6/14 Authorizing the return of escrow fee to Dani Mejia for 710 Convery Boulevard, Block 316, Lot 25, Docket No. 2932 in the amount of \$1,080.00 and rescinding R-261-5/14.**

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, Nanton, Petrick and Pabon.  
Nay--none. Absent--none.

**R-297-6/14 VOID**

**R-298-6/14 Authorizing the City of Perth Amboy to submit an application to the United States Department of Justice for the COPS HIRING PROGRAM.**

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

**R-299-6/14 Accepting the bid and entering into a contract with Michael Libis, or entity to be formed, for the sale of city property located at 457-459 New Brunswick Ave. (Block 175, Lots 25 & 26) in the amount of \$210,050.00.**

Motion was made by Council Member Petrick, seconded by Council Member Nanton 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, Nanton, Petrick and Pabon.  
Nay--none. Absent--none.

**R-300-6/14 Authorizing an agreement for solar powered bus shelters with Sun Pacific Power Corp. for various locations within the City.**

Motion was made by Council Member Petrick, seconded by Council Member Nanton 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, Nanton, Petrick and Pabon.  
Nay--none. Absent--none.

**R-301-6/14 Rescinding R-201-4/14 and authorizing change order no. two to the contract with John Garcia Construction, Inc., for the Krochmally Avenue, Grove Street and Amboy Avenue sewer separation project in an amount not to exceed \$985.47.**

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

**R-302-6/14 Authorizing the proper city officials to enter into an installment payment agreement with Anthony Rock for unpaid water and sewer on 734 Vincent Place, (Block 189.01, Lots 28 & 29).**

Motion was made by Council Member Petrick, seconded by Council Member Nanton 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, Nanton, Petrick and Pabon.  
Nay--none. Absent--none.

**R-303-6/14 Authorizing Change Order #6 to the contract with Bird Construction for the city marina reconstruction project in an amount not to exceed \$7,418.00.**

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

#### **COMMUNICATIONS**

1. **Police Chief Benjamin Ruiz congratulating and acknowledging Animal Control Officers Christie Minigiello and Joseph Lipari for all the improvements they have made to the Perth Amboy Animal Shelter. (5/30/14)**
2. **Mayor Wilda Diaz and members of the City Council advising Major George of the Salvation Army, NJ Division, of the strong positive impact that Lt. Jose Santiago, who is the current Pastor of the Salvation Army Church in Perth Amboy, has made in the community. (5/30/14)**
3. **Paul H. Wang, Chairman of the PA Historic Preservation Commission, submitted a copy of a resolution adopted by the Commission on May 1, 2014, entitled "Authorizing referrals to and from the Planning Board and the Zoning Board of Adjustment to the Historic Preservation Commission." (6/3/14)**
4. **EBI Consulting, on behalf of AT&T mobility, LLC provided notice of a proposed telecommunications facility installation at 415 Fayette St. and advising that**

they are seeking comments related to the proposed project's potential effect to historic properties. (6/2/14)

5. **Richard Dunn, VP of Operations – Paramount Assets, LLC, commending Stanley Gorecki, Plumbing Inspector, for his professionalism and commitment to the community that he serves. (6/3/14)**
6. **NJDEP advising that the Christie administration has announced National Trails Day Across NJ and is encouraging residents to explore the natural beauty and wonders of recreational trails in all 21 counties. (6/3/14)**
7. **Edison Twp. provided copy of R.241-052014 which express the Council's desire for the Governor to restore educational funding and for the NJ Legislature to act accordingly during the budget process. (6/4/14)**
8. **Elaine M. Jasko, City Clerk, thanking and commending Luis Perez-Jimenez, director of operations for USA-PA, on behalf of the City Council, for saving the City money by providing professional design and engineering services on numerous water and wastewater projects. (6/4/14)**

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

Stan Sierakowski, 679 Charles St.: Oversight is lacking in Perth Amboy. The BID gave a contract to Mayor Diaz's supporter for the purchase of flowers for the downtown. We have a Royal Garden Club. We should give the money to the volunteers to take care of these plants on Smith St. The "words of wisdom" by the Council at the end of each meeting is getting monotonous. People should read the Beatitudes instead of giving some witticisms.

David Caba, 139 Lewis St.: With regard to Councilman Gonzalez, has he been contacted to serve as a municipal judge? He has been unethical in some of his past actions. I have a cousin who is running for City Council and I discussed many issues with him. If he gets elected, I will question him and treat him as I treat all Councilmen.

Alan Silber, 244 Rector St.: In the Mayor's State of the City she indicated that we are an accredited Police Department. Are we accredited?

Mark Blunda: We are not currently accredited. I am waiting for a written report from the Police Chief. I will have a report for the Council at the next meeting.

Alan Silber: The Council should do research on the police chaplains. We have 90 of them. Is the City exposed to any litigation if they do something wrong? Is there any policy in place? Is a background check done? How many live in Perth Amboy?

Mark Blunda: There is an ordinance or regulation in place. If they are functioning in their capacity as Perth Amboy chaplain they are covered by the City.

Council Member Irizarry: Chaplains go through a training and they get certified.

#### **COUNCIL COMMENTS**

Council Member Irizarry to Greg Fehrenbach: Do we have a status update on Melvi Transport?

Greg Fehrenbach, BA: There are 40 busses parked legally in city facilities at going rates and there are 4 vehicles from a different company that are parked legally in private lots. Last night, 29 summonses were issued for illegally parked vehicles.

Council Member Irizarry: Can we ask for LLC disclosures and reject a bid if they refuse to supply the info?

Mark Blunda: We would have to make an amendment to an Ordinance. We can make that a requirement.

Council President Pabon to Mark Blunda: Please prepare the Ordinance.

Council Member Irizarry: Was the pool where the recent drowning occurred in compliance with city ordinance?

Greg Fehrenbach: They had a fence around the pool, as required, but the gate was left open.

Council President Pabon: Can we provide people that have handicapped placards with info on how to deal with parking meters?

Greg Fehrenbach: The Parking Utility office has documentation and an individual can go there and get a copy of the statute.

Elaine M. Jasko, City Clerk: If I get a supply of the brochures from the Parking Utility, I can insert the flier with the handicapped renewal letter that will be sent out this year.

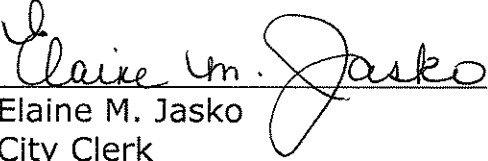
Council President Pabon: Do we have an update on the traffic situation, which was reported to us at the last two meetings, regarding Groom St.?


Greg Fehrenbach: I sent a letter to the woman addressing her issues.

Council Member Nanton: This Friday is the Fado/Tango concert. I invite all to attend.

**ADJOURNMENT**

There being no further business to come before the Council, motion was made by Council Member Petrick, seconded by Council Member Nanton to adjourn the meeting at 8:15pm, and was carried by the following vote: Yea--Council Members Gonzalez, Irizarry, Nanton, Petrick and Pabon. Nay--none. Absent--none.

  
Elaine M. Jasko  
City Clerk

  
Joel Pabon, Sr.  
Council President