



**MINUTES**  
**PROCEEDINGS OF THE COUNCIL OF THE**  
**CITY OF PERTH AMBOY**  
**MARCH 26, 2014**  
**COUNCIL CHAMBERS**

**NOTICE OF MEETING**

Regular Meeting of the Council of the City of Perth Amboy was held on Wednesday, March 26, 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 Irizarry 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: Gregory Fehrenbach, BA; Jillian Barrick, Assistant Business Administrator, Neha Patel, Esq. filling in for Mark J. Blunda, Esq., Director of Law, and Elaine M. Jasko, City Clerk. Absent--none.

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

**1. CALENDAR YEAR 2014 CITY OF PERTH AMBOY  
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 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 Gonzalez 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.

**2. AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED  
"ALCOHOLIC BEVERAGES" (ORDINANCE NO. 65-75 AS  
AMENDED) ADOPTED FEBRUARY 18, 1975, ALSO  
KNOWN AS CHAPTER 137 ET SEQ OF THE CODE OF  
THE CITY.**

**Re: Hours of Sale**

Motion was made by Council Member Petrick, seconded by Council Member Nanton 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.

Reinaldo Aviles, 16 Harbor Terr.: Should we extend the hours of liquor sales on Sundays? Sunday is the Christian Sabbath. I don't know that God would want us to extend the hours on Sunday. Did we ask what the populous wanted or did we just listen to the business owners? Did we ask the pastor core if this is what they wanted?

Council Member Gonzalez: In the Catholic Church, wine is part of the Eucharist. We are not qualified to say that God would be against this. The closing of bars earlier was due to eliminating an issue that was part of the Police Dept. concerns. This is just for the sale of package goods. It is not for on premise consumption.

Council Member Irizarry: We have a responsibility to look not only at economic/financial matters. We need to look at spiritual concerns of the residents. We should not be encouraging anyone to consume anymore alcohol in this city. There is enough of that.

Council Member Nanton: There are people of different faiths and atheists in the city. We represent everyone.

Stan Sierakowski, 679 Charles St.: This is a quality of life issue. You should not expand the hours of liquor sales. This has an impact on the city. You should table this.

Alan Silber, 244 Rector St.: Just because Woodbridge does this, doesn't mean Perth Amboy has to do this.

Fernando Gonzalez, 129 High St.: I cannot buy liquor at Costco until 12 noon. Why are we doing this? Who proposed this?

Council Member Petrick: I did.

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 Gonzalez to adopt the Ordinance on second and final passage and was carried by the following vote: Yea--Council Members Gonzalez, Nanton, Petrick and Pabon. Nay--Council Member Irizarry. 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-169**

Stan Sierakowski, 679 Charles St.: Did the City sue Kushner for walking away from the contract with Perth Amboy? He was to build 3 parks and has not done so.

Greg Fehrenbach: The City has taken no action yet.

Fernando Gonzalez, 129 High St.: Are we forcing Kushner to close on the old police department property? We may want to sue them.

Neha Patel: If we are in litigation, we should not be commenting on this matter.

**SOCIAL AFFAIR**

Reinaldo Aviles, 16 Harbor Terrace: Why were the hours on the application changed?

Elaine M. Jasko, City Clerk: I spoke to them and advised them the Council had some concerns about the hours of operation. They voluntarily changed the hours to the hours they have used in the past.

**R-174**

Ken Balut, 359 Bruck Ave.: Why was #174 pulled?

Greg Fehrenbach: Mr. Blunda wants the amount for installation included in the resolution.

**LATE STARTER**

Ken Balut: This should be done. The Chief was given a raise and it was given immediately. These guys only make \$27,000 per year and you should have given it immediately.

Greg Fehrenbach: This is consistent with the new PERC regulations.

Council Member Gonzalez: This was brought to the Council's attention on Monday. This Council supports this.

Council Member Petrick: The Council does not negotiate with the unions. That is the Administration's job.

**APPROVAL OF MINUTES**

**February 26, 2014 - Regular**  
**March 12, 2014 - Regular**

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

### **BIDS**

**Bids were received and opened on February 19, 2014 for the following:**

**E-Ticketing System for Police Department**

- a. GTBM                      0 to 41,676 tickets - @.87\*
- Over 41,676 tickets - @.62

**Bids were received and opened on March 5, 2014 for the following:**

**2014 Road Rehabilitation & Improvements – Various Streets**

- a. Z Brothers Concrete                      \$677,434.40\*
- b. Top Line Construction                      \$723,554.48
- c. Mark Paving Co., Inc.                      \$737,950.12
- d. Black Rock Enterprises                      \$740,982.20
- e. S. Brothers                      \$756,753.00
- f. L&L Paving                      \$794,752.50
- f. DeSantis Construction, Inc.                      \$839,261.10
- g. Stavola Contracting Co., Inc.                      \$853,204.76

**Bids were received and opened on March 18, 2014 for the following:**

**Willow Pond Park Youth League Complex – Field Lighting**

- a. FaiGon Electrical                      \$307,830.00\*
- b. Quality Electric                      \$317,650.00
- c. Facility Solutions Group                      \$339,955.00
- d. Margonis Electrical                      \$364,525.00
- e. M.P. Electrical                      \$453,200.00

\* Recommendation of Bid Award

### **LIQUOR LICENSE NOTIFICATION**

**Person-to-Person Transfer of Plenary Retail Consumption License No. 1216-32-007-003, M&M Building Systems, LLC, 391 Keene Street to Palma Investments, Inc. to be held in inactive status.**

**SOCIAL AFFAIR PERMIT**

**St. Demetrios Greek Orthodox Church**  
**41-47 Wisteria Street**  
**Occasion: Festival**  
**Dates: May 30, 2014, 11:00 am – 12 midnight**  
**May 31, 2014, 11:00 am – 12 midnight**  
**June 1, 2014, 11:00 am – 8:00 pm**  
**Location: Community Center, Wisteria St. & Sadowski**  
**Pkwy.**

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

**REPORTS**

1. **PARA – Report of Audit on the Financial Statements and Supplementary Schedules for years ended June 30, 2013 and 2012.**

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

2. **Investment Report – January and February 2014.**
3. **Payroll Disbursements/Deductions – January and February 2014.**
4. **Water/Wastewater Utility Reports – January and February 2014.**

Motion was made by Council Member Petrick, seconded by Council Member Gonzalez to accept reports #1 through #4 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. **AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "AN ORDINANCE DESIGNATING RESTRICTED PARKING SPACES FOR USE BY HANDICAPPED PERSONS" (ORDINANCE NO. 380-85 AND AMENDMENTS) ADOPTED JULY 2, 1985 ALSO KNOWN AS CHAPTER 255A ET SEQ OF THE CODE OF THE CITY OF PERTH AMBOY.**

**Re: Additions/Deletions**

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 April 9, 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-152-3/14 Commending Ivonne Morillo for the care and concern she displayed on October 26, 2013 to an injured victim.**

Motion was made by Council Member Irizarry, 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-153-3/14 Approving transfer of CY 2013 Budget Appropriation Reserves in the amount of \$1,515.00.**

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-154-3/14 Authorizing emergency temporary appropriations to extend CY 2014 Temporary Budget in the amount of \$153,350.00.**

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.

**Consent Agenda – R-155-3/14 to R-159-3/14**

**R-155-3/14 Authorizing refund of overpayment of OPRA document request fee to Clarkin & Vignuolo, P.C. in the amount of \$10.00.**

**R-156-3/14 Authoring refund of tax overpayment due to Senior Citizen Deduction on Block 68, Lot 4, (345 Market Street) to Rosa Diaz in the amount of \$250.00.**

**R-157-3/14 Authorizing refund of tax overpayment due to Veteran Allowance on Block 449, Lot 13.02, (426 Inslee Street) to Richard Ramos in the amount of \$250.00.**

**R-158-3/14 Authorizing refund of tax overpayment due to Veteran Allowance on Block 438, Lot 31, (361 Wagner Avenue) to Fortunato Aquino in the amount of \$250.00.**

**R-159-3/14 Authorizing refund of tax overpayment due to Senior Citizen Deduction on Block 440, Lot 46, (404 Wagner Avenue) to Maria DaSilva in the amount of \$250.00.**

Motion was made by Council Member Petrick, seconded by Council Member Gonzalez to adopt Resolutions #155-3/14 - #159-3/14.

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-160-3/14 Authorizing a contract with Atlantic Tactical for the purchase of ammunition under State Contract No. A81297, in an amount not to exceed \$24,941.46.**

Motion was made by Council Member Gonzalez, 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-161-3/14 Authorizing a contract with Winner Ford, for the purchase of a 2014 Ford F350 dump truck plus options under State Contract No. A83558, in an amount not to exceed \$38,034.00.**

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-162-3/14 Accepting the bid and awarding a contract to GTBM for e-ticketing system for the Police Department in an amount not to exceed \$35,000.00.**

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-163-3/14 Accepting the bid and awarding a contract to Z Brothers Concrete for rebid 2014 road rehabilitation and improvements – various streets, in an amount not to exceed the sum of \$677,434.40.**

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-164-3/14 Accepting the bid and awarding a contract to FaiGon Electrical for Willow Pond Park/Youth League Complex Field Lighting in an amount not to exceed the sum of \$307,830.00.**

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-165-3/14 Rescinding resolution R-403-9/13 and authorizing a resolution reversing deductive change order number one in the amount of \$30,000.00 to the contract of Motorola Solutions, Inc. and restoring same to its contract balance.**

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-166-3/14 Rescinding resolution R-85-2/14 and re-authorizing submission of a recycling tonnage grant application.**

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-167-3/14 Authorizing the return of maintenance guaranty to Quick Check Food Stores, Inc. for 385 Convery Boulevard, Block 393, Lot 3, Docket No. 2666, in the amount of \$24,189.90.**

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-168-3/14 Authorizing extended paid injury leave to P.O. Rafael Puntiel through July 31, 2014.**

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-169-3/14 Authorizing a contract with McManimon & Scotland to represent the City of Perth Amboy, its City Council and Perth Amboy Redevelopment Agency in the matter of Landings at Harborside, LLC et als vs. City of Perth Amboy et als 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. 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-170-3/14 Authorizing a contract with Edmunds & Associates, Inc. for 2014 software maintenance in an amount not to exceed \$31,290.00.**

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-171-3/14 Authorizing change order no. 3 to the contract with Performance Mechanical Corp. for heating, ventilating & air conditioning work at the Perth Amboy Public Library in an amount not to exceed \$\_\_\_\_\_.**

Resolution #171 was removed from the agenda by the following vote:  
Yea--Council Members Gonzalez, Irizarry, Nanton, Petrick and Pabon.  
Nay--none. Absent--none.

**R-172-3/14 Authorizing change orders nos. 2 – 5 to the contract with Bird Construction for the City Marina Reconstruction Project in an amount not to exceed \$229,453.53.**

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-173-3/14 Authorizing the City of Perth Amboy to submit an application to the Division of Food and Nutrition from the New Jersey Department of Agriculture for the 2014 summer lunch program.**

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-174-3/14 Accepting a gift from the Eddie & Brenda Trujillo Family Foundation, Inc. for a baseball scoreboard to be installed at the Roberto Clemente Baseball Field at Rudyk Park.**

Resolution #174 was removed from the agenda by the following vote:  
Yea--Council Members Gonzalez, Irizarry, Nanton, Petrick and Pabon.  
Nay--none. Absent--none.

**LATE STARTER**  
**RESOLUTION**

**R-175-3/14 Authorizing execution of Memorandum of Agreement with the Policemen's Benevolent Association Local No. 13 regarding police academy graduates salary rates.**

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

The above Resolution 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, 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, Nanton, Petrick and Pabon. Nay--none. Abstain--Irizarry. Absent--none.

#### **COMMUNICATIONS**

- 1. Chief Benjamin Ruiz thanking Ivonne Morillo for the assistance she provided in the incident that occurred at 530 High Street on October 26, 2013 which provided for prompt medical attention to be given to the severely injured victim and the quick apprehension of the suspect. (3/7/14)**
- 2. Peak Environmental Inc. submitted a copy of the Public Notification & Public Outreach form that was supplied to NJDEP Site Remediation Program for J.V. Auto Repairs, 284 Market St., Perth Amboy. (3/19/14)**
- 3. Middlesex County Mosquito Extermination Commission submitted a copy of the 2014 Public Notice for Adult Mosquito Control Treatment. (3/20/14)**

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

Fernando Gonzalez, 129 High St.: I'm concerned about the City. Recently 40-50 parking tickets were issued by the Police Dept. The tickets are being issued improperly under the ordinance. The tickets will be thrown out of court. These people work hard. We need to work with our community.

Greg Fehrenbach: There are commercial vehicles which are being parked in residential neighborhoods. There was a meeting held with the bus owners and the Police Chief. The meeting resulted in an agreement to the storage of the busses in specific areas.

Chief Ben Ruiz: There were issues with companies housed out of Perth Amboy. Some of the owners took advantage of the situation. There was a grace period of 2 weeks to comply with the agreement. No summonses have been issued in that period. We need to enforce across the board. Alternate locations have been provided. There are about 2 dozen outstanding summonses.

Council President Pabon: Is this a result of the Oak St. parking petition that was provided to the Council?

Chief Ben Ruiz: Yes. The only outstanding issues that remain are the summonses that were previously issued. They will be resolved in Court.

Council Member Gonzalez: The Council cannot dismiss any summonses. They need to be resolved in Court.

Stan Sierakowski, 679 Charles St.: Does the City have the 3 environmental reports for the Rosengarten property and the report on the Dupont property? Mr. Rosengarten pays \$35,000 a year in taxes for the property. He needed a bailout. The County gave it to him. I am in favor of the park, but I am against fraud.

Greg Fehrenbach: The reports are available for the Rosengarten property on High St. They can be requested through OPRA. The City was not involved in negotiating the price of the property. We have no jurisdiction over the process.

Ken Balut, 359 Bruck Ave. to Council Member Irizarry: Why did you abstain on the vote for Resolution #175?

Council Member Irizarry: I don't have to provide you with a reason.

Greg Fehrenbach: The City Attorney advised Mr. Irizarry to abstain.

Ken Balut: What is the reason? Was it an ethics issue?

Council Member Irizarry: My abstention is not to be misconstrued that I do not support the Police Dept. I was advised by the City Attorney to abstain from voting on this issue.

Ken Balut: Kushner has not built the parks that he promised to the City. We should sue Kushner.

Alan Silber, 244 Rector St.: The Rosengarten property is the City's problem. The property was assessed at \$1.4m. This will be a County park. The County will be responsible. There will be fields for the Vocational High School. It is not a Perth Amboy park. 10 towns in Middlesex County pay less taxes than we do. A certain liquor store owner donated to certain council candidates in the last campaign.

Neldi Caba, 84 Washington St.: I am an owner of the vans that received 30 tickets. The tickets are illegal according to my attorney. I have 90 people working in Perth Amboy. Large vehicles are not being ticketed but my 7 and 15 passenger vans are being ticketed. I have a parking lot for my vans but other people can park in the streets. You need to change the law to enforce the parking.

Council Member Petrick: I have been advised by individuals that out of town mini busses were ticketed also.

Council President Pabon: There is still a grace period.

David Caba, 139 Lewis St.: Council Member Gonzalez received a \$2000 campaign donation from an individual who is now in prison. He also used a handicapped parking placard illegally. He criticized me for having an American flag in my pocket at the last Council meeting. The best thing Mr. Gonzalez can do is resign.

Reinaldo Aviles, 16 Harbor Terr.: Was Mr. Irizarry advised by the City Attorney not to speak about the reasons why he abstained from Resolution #175?

Council President Pabon: No. The attorney only indicated that he should abstain.

Reinaldo Aviles, 16 Harbor Terr.: Individuals at the microphone should not address individual Council Members. They should address the Council President. City Officials should follow the council rules during public portion, unless they sit at the table. The same rules should apply to everyone.

Council President Pabon: We brought the Chief of Police up because the Council had questions they needed answered.

Council Member Petrick: It is the prerogative of the council at meetings to decide how long city officials speak.

Virginia Lugo, 316 State St.: Only Council Member Gonzalez has contacted me about my allegations about the BID. No other Council Members have contacted me. I'm disappointed. We have just hired an attorney for the BID and I hope the issues get resolved. I have put in OPRA requests and the cost is over \$800. The Council should get copies of those documents.

Council Member Gonzalez: The entire council is interested in the BID. I will attend the next BID meeting. I have just received the BID by-laws and I plan to review them.

#### COUNCIL COMMENTS

Council President Pabon: Most of the BID questions are of a legal nature. I hope the attorney will be able to resolve the issues.

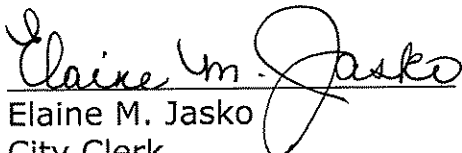
Council Member Petrick: The NOAA map indicates the depth of 23 feet at our marina. We can use that as historical data.

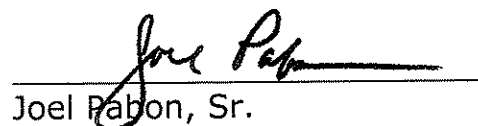
Council Member Gonzalez: The deadline for health insurance registration is March 31. We have individuals that are trained and are available to assist residents at Olive St.

Council Member Nanton: In response to a previous comment made by a speaker, Mr. Gartland stole monies from many municipalities. Councilman Gonzalez was not the only individual on the Board of Education at that time.

#### ADJOURNMENT

There being no further business to come before the Council, motion was made by Council Member Petrick, seconded by Council Member Gonzalez to adjourn the meeting at 9:05pm, 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