

**MINUTES  
PROCEEDINGS OF THE COUNCIL OF THE  
CITY OF PERTH AMBOY  
OCTOBER 22, 2014  
COUNCIL CHAMBERS**

**NOTICE OF MEETING**

Regular Meeting of the Council of the City of Perth Amboy was held on Wednesday, October 22, 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 also 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 one.

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

## PROCLAMATIONS/PRESENTATIONS

### Recognition of members of the Police/Fire/EMS Responders – Exemplary Acts of Heroism. (Mayor Wilda Diaz)

In the absence of Mayor Diaz, Council President Joel Pabon, with the assistance of Fire Chief - Abe Pitre and Police Chief - Ben Ruiz, presented the following individuals with plaques of appreciation:

#### Police

Larry Cattano  
Andy Montalvo  
Roman McKeon

#### Fire

Brian Lopazanski  
Michael Perez  
David Ramos

#### EMS

Mike De Martino  
Frank Toia  
Andrew Bielak  
Kevin Moran

#### Civilian

Bob Dayhill

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

### 1. AN ORDINANCE TO AMEND AN ORDINANCE CREATING AN ARTS COUNCIL.

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.

Stan Sierakowski, 679 Charles St.: Any person that asks to be appointed to this board should be appointed. There should also be alternates appointed.

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.

## 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.

**NO ONE ASKED TO BE HEARD.**

**BIDS**

Bids were received and opened on October 15, 2014 for the following:

- **Basketball Court Installation – Sadowski Parkway Park**
  1. Halecon, Inc. \$82,636.00\*
  2. Petty Construction 88,150.00
  3. All Surface Asphalt Paving 91,845.00
  4. Green Environmental 153,199.00
  
- **Bulkhead Reconstruction Project**
  1. Agate Construction Co., Inc. \$3,999,562.87\*
  2. Marbro General Co., Inc. 4,437,117.00
  3. Carbro Constructors Corp. 4,572,250.00
  4. Albert Marine Construction, Inc. 4,701,752.18
  5. Simpson & Brown 4,704,964.00
  6. R.B. Conway & Sons, Inc. 4,737,800.00
  7. Cruz Contractors, Inc. 4,781,352.00
  8. Flanagan's Contracting Group 4,899,571.00
  9. Bird Construction 4,994,330.00
  10. Trevcon Construction Co., Inc. 5,865,800.00
  11. Lomma Construction Corp. 5,897,000.00

(\* ) Recommendation of Award

**REPORTS**

1. MCIA – 2013 Annual Report.
2. 2014 Director's Table of Equalized Valuations – NJ Dept. of the Treasury, Division of Taxation.

**RESOLUTIONS**

R-504-10/14 Determining the form and other details of not exceeding \$660,932 general improvement bonds, series 2015, of the City of Perth Amboy, in the County of Middlesex, New Jersey, and providing for their sale to the New Jersey Environmental Infrastructure Trust and the State of New Jersey pursuant to the 2015 New Jersey Environmental Infrastructure Trust Financing 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-505-10/14 Determining the form and other details of not exceeding \$600,000 general improvement bonds, series 2015, of the City of Perth Amboy, in the County of Middlesex, New Jersey, and providing for their sale to the New Jersey Environmental Infrastructure Trust and the State of New Jersey pursuant to the 2015 New Jersey Environmental Infrastructure Trust Financing 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-506-10/14 Authorizing the execution and delivery of loan agreements to be executed by the City of Perth Amboy, in the County of Middlesex, New Jersey and each of the New Jersey Environmental Infrastructure Trust and the State of New Jersey, acting by and through the Department of Environmental Protection, and further authorizing the execution and delivery of an escrow agreement, all pursuant to the 2015 New Jersey Environmental Infrastructure Trust Financing 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-507-10/14 Determining the form and other details of not exceeding \$1,500,000 general improvement bonds, series 2015, of the City of Perth Amboy, in the County of Middlesex, New Jersey, and providing for their sale to the New Jersey Environmental Infrastructure Trust and the State of New Jersey pursuant to the 2015 New Jersey Environmental Infrastructure Trust Financing 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-508-10/14 Authorizing the execution and delivery of loan agreements to be executed by the City of Perth Amboy, in the County of Middlesex, New Jersey and each of the New Jersey Environmental Infrastructure Trust and the State of New Jersey, acting by and through the Department of Environmental Protection, and further authorizing the execution and delivery of an escrow agreement, all pursuant to the 2015 New Jersey Environmental Infrastructure Trust Financing 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-509-10/14 Authorizing the execution and delivery of loan agreements to be executed by the City of Perth Amboy, in the County of Middlesex, New Jersey and each of the New Jersey Environmental Infrastructure Trust and the State of New Jersey, acting by and through the Department of Environmental Protection, and further authorizing the execution and delivery of an escrow agreement, all pursuant to the 2015 New Jersey Environmental Infrastructure Trust Financing 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-510-10/14 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 2014 State Body Armor Replacement Fund (BARF) Grant in the amount of \$10,790.86.**

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-511-10/14 Rescinding R-459-9/14 and 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 Recreation Opportunities for Individuals with Disabilities Grant in the amount of \$20,000.00.**

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-512-10/14 Supporting the addition of four proposed bus stops along Rt. 35, by the NJ Dept. of Transportation and rescinding R-577-12/13.**

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-513-10/14 Authorizing a contract with Cruser & Mitchell, insurance-appointed law firm, to defend the City of Perth Amboy in the matter of Petit-Clair v. Perth Amboy et al 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-514-10/14 Authorizing a contract with Hertrich Fleet Services, Inc. for the purchase of three (3) 2015 Chevrolet Impala vehicles under state contract no. A86922 in an amount not to exceed \$53,697.00 for the Dept. of Police.**

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-515-10/14 Authorizing a contract with East Coast Emergency Lighting, for the purchase and installation of four (4) sets of emergency lighting and equipment in new police vehicles under state contract no. A81327 in an amount not to exceed \$32,863.62.**

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-516-10/14 Authorizing a contract with L3-Mobile-Vision for the purchase of four (4) Flashback 3 Mobile Video Systems and four (4) V-One Mobile Data Computer Systems under state contract no. A81311, in an amount not to exceed \$35,077.40.**

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-517-10/14 Authorizing a contract with Hertrich Fleet Services, Inc. for the purchase of one 2015 Dodge Journey 4DR SE FWD under State Contract No. A86922, in an amount not to exceed \$18,224.00, for the Dept. of Police.**

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-518-10/14 Directing the city Tax Collector to place a lien on 217 First Street (Block 42, Lot 14) in the amount of \$190.14 for charges incurred by the Department of Public Works.**

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-519-10/14 Authorizing substantial changes to FY 2014 – 2015 annual plans and City of Perth Amboy authorizing resolutions.**



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-520-10/14 Authorizing a refund of an overpayment of \$25.00 to John F. Kwasnik, Esq. for discovery fees.**

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-521-10/14 Authorizing a refund in the amount of \$25.00 for an application for renewal of handicapped parking, which was filed in error, to Gladys Espinal, 87 Broad St.**

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-522-10/14 Authorizing a refund in the amount of \$25.00 for an application for renewal of handicapped parking, which was filed in error, to Rosalie L. Trabalka, 446 Brace Ave.**

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-523-10/14 Accepting the bid and awarding a contract to Halecon, Inc, for the Basketball Court Installation – Sadowski Parkway Park, in an amount not to exceed \$82,636.00.**

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-524-10/14 Accepting the bid and awarding a contract to Agate Construction Company, Inc. for the bulkhead reconstruction project in an amount not to exceed \$3,999,562.87.**

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-525-10/14 Authorizing the submission of an application to the NJ Dept. of Transportation for the Safe Streets to Transit Grant.**

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-526-10/14 Authorizing the submission of an application to the Dept. of Community Affairs for the Post Sandy Planning Assistance Grant.**

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-527-10/14 Authorizing change order no. 1 to the contract with Hatch Mott MacDonald for the preparation of a storm damage assessment to provide data to FEMA in an amount not to exceed \$5,054.01.**

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-528-10/14 Authorizing a contract with Whirl Construction, Inc. for the installation of playground equipment for Flynn Park in an amount not to exceed \$36,000.00.**

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-529-10/14 Recognizing October 2014 as Domestic Violence Awareness Month in the City of Perth Amboy expressing support for a Domestic Violence Registry in the State of New Jersey.**

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.

#### **COMMUNICATIONS**

1. NJDEP advising that fall trout stocking is set to begin October 7 across NJ. (10/2/14)
2. Jillian C. Barrick, BA advising that the City has received a check in the amount of \$11,443.55 from the NJ Dept. of Treasury, Div. of Unclaimed Properties. (10/7/14)
3. Comcast advising that effective 11/10/14 the SurePrice for new subscriptions will change. (10/7/14)
4. NJDEP submitted a response to the application request for a Waterfront Development Permit, Freshwater Wetlands Transition Area Waiver Modification, and a Freshwater Wetlands Letter of Interpretation Line Verification Reissuance for Harbortown Terrace, (Block 353, Lots 1.01 and 1.06; Block 353.07, Lots 1 and 1.01) (10/8/14)
5. NJDEP submitted an approved construction permit for the installation of a new dock house at Kinder Morgan Terminals (Blocks: 354 & 355, Lots 1 & 1). (10/8/14)
6. NJDEP urging motorists to be extra cautious and on the lookout for deer near roadways particularly during morning and evening commutes due to deer mating season which is underway. (10/8/14)
7. Comcast advising that effective on or after 12/7/14, it will make changes to its billing system. (10/9/14)
8. NJ Division of ABC submitted a Notice of Charges against license no. 1216-32-024-005, held in the name of CAO Liquors Inc., t/a Gast Liquors and Co., 434 State St. (10/10/14)
9. Fernando Gonzalez, Commissioner of the PA Housing Authority, advising that he is resigning from the PA Housing Authority. (10/14/14)
10. NJDEP submitted a copy of a Soil Remedial Action Permit issued to 277 Rector St. (Block 55, Lot 9). (10/14/14)

11. NJDOT submitted a copy of Traffic Regulation Order NPZ 2014-47, Center Line Markings for State Highway Rt. NJ 184 in the Twp. Of Woodbridge and the City of Perth Amboy (10/14/14) and advising that enforcement may begin on the date it was approved by the Comm. Of Transportation – 9/29/14. (10/14/14)
12. NJDEP advising that the DEP is honoring the state's recycling leaders as part of the 34<sup>th</sup> Annual Recycling Symposium and Awards ceremony held on October 15, 2014. (10/15/14)

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

Stan Sierakowski, 679 Charles St.: Perth Amboy has declined under Mayor Diaz. There is no integrity with her or her department heads. The streets are not safe. Mayor Diaz does not attend many council meetings and when she is here, she never answers any questions. Don't forget to vote on November 4<sup>th</sup>. The Mayor claims the Bd. of Ed. is not doing their job with regard to the new high school. Yet she never goes to any Bd. of Ed. meetings. The Board President claims the Mayor has not reached out to her to discuss the new high school.

Leslie Dominguez-Rodriguez, 758 Convery Blvd.: I am asking again that the City Council place a resolution on the agenda making Perth Amboy a partisan community. One of the election tickets (the one using the State Street Office) is using the democratic designation, even though there are no democratic ties. That is misrepresentation. We need to fight for a municipal partisan election. The use of the term "democratic" is against the Hatch Act. Mr. Pabon works for the federal government. He should be careful.

David Caba, 139 Lewis St.: Recently my relative who owns a business in town was pistol whipped and robbed. Did anyone from the Council go visit him? Why is Senator Joe Vitale so involved with our local politics? Is he trying to buy the election? There are numerous acts of crime and the residents are being misinformed. The people of Perth Amboy should decide who should be put in office, not someone from out of town telling voters how to vote.

Iris Rodriguez, 335 Fayette St.: I am disheartened by what is occurring in this city. Our quality of life is going down. We need to take our streets back. You need to look at the parking situation due to the two bars near my home. We have many out of state plates living in my area. Perth Amboy residents cannot use the Woodbridge library. Senator Vitale should look into that.

Alan Silber, 244 Rector St.: Joe Vitale donated monies to three people running for council in this upcoming election. Watch out for him. He just wants to be a big boss in Middlesex County. I still did not get a response with regard to an OPRA request for the permit for the use of Bayview Park.

#### COUNCIL COMMENTS

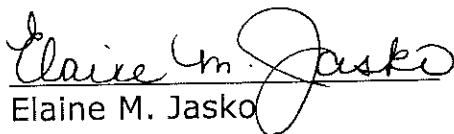
Council Member Petrick: Being non-partisan makes us even more of a democratic community. This allows as many people as want to run for public office.


Council President Pabon: The headquarters says "Perth Amboy Democrats" not "Democratic Organization".

Council Member Nanton: In the past, we were asked to change to a partisan election system. We asked how the change to "partisan" would benefit the residents of Perth Amboy. The info supplied was a copy of the ballot and a copy of the dismal turnout reflected in the primary election results. If the turnout will be lower in partisan elections such as the primary, how will that benefit us here? I am not in favor of turning it partisan. It will eliminate a lot of talent from running for political office. The Green Team received "Bronze Sustainable Jersey Certification". It is a prestigious recognition. The 2014 Beautification Awards have been awarded (Listed the Winners in the commercial/business category).

#### 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 8:10pm, 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