

MINUTES
PROCEEDINGS OF THE COUNCIL OF THE
CITY OF PERTH AMBOY
AUGUST 14, 2013
COUNCIL CHAMBERS

NOTICE OF MEETING

Regular Meeting of the Council of the City of Perth Amboy was held on Wednesday, August 14, 2013 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: Greg Fehrenbach, Business Administrator, Mark J. Blunda, Esq., Director of Law, and Elaine M. Jasko, City Clerk.

MOMENT OF SILENCE

None.

PROCLAMATIONS/PRESENTATIONS

- 1. Raritan Paddler's Club/ROTC Students**
- 2. Royal Garden Club**
- 3. Eagle Scout Award presented to William David Szilagyi**

Mayor Wilda Diaz and members of the City Council made presentations to the above recipients.

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

- 1. AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "POLICE DEPARTMENT" (ORDINANCE NO. C-74 AND AMENDMENTS) ADOPTED OCTOBER 17, 1928 (ALSO KNOWN AS CHAPTER 95 ET SEQ OF THE CODE OF THE CITY OF PERTH AMBOY.**

Re: Off-duty police work

Motion was made by Council Member Gonzalez, 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. There were none.

Motion was made by Council Member Gonzalez, seconded by Council Member Nanton 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 Gonzalez, seconded by Council Member Petrick 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 "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: Non-Union

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.

3. 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: Market St. – City Hall Handicapped Parking Place

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.

Alan Silber, 244 Rector St.: That parking spot has been there for a very long time. The spot was occupied daily by the Mayor's secretary for many years. This Ordinance is now being considered because a person parks in the spot with political signs on his vehicle. I don't have a problem with a time limit, but 30 minutes is not enough time. You should table this, or if you want to restrict it, you should consider 2 hours. Three people refused to sanction a Councilperson misuse of a handicapped spot, but now you are considering this Ordinance.

Stan Sierakowski, 679 Charles St.: Mr. Siberry was abused by the police, the Mayor and the Mayor's husband because of the political signs on his car. That is why this is before you. You should have 2 handicapped parking spaces and limit them to 2 hour maximums each. This should be tabled for the time being until you have researched this further.

Mark Blunda: The intent was to have access to City Hall. There was discussion that 30 minutes is sufficient time. There should be a limitation. This Ordinance can be amended in the future if we feel that we need to increase the time limit. A person with a political sign can park anyplace on the street without any time limitation.

Council President Pabon: It takes a handicapped person quite some time to come up to the second floor of City Hall. I don't think that 30 minutes is enough time. I support a 2 hour limit.

Council Member Gonzalez: The parking in the front of the building is only for 15 minutes. 30 minutes was chosen based on keeping the 15 minutes in mind. 2 hours may be too lengthy a time period.

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 Pabon, seconded by Council Member Nanton to amend the time limit to 2 hours and was carried by the following vote: Yea--Council Members Nanton, Petrick and Pabon. Nay--Council Members Gonzalez and Irizarry. Absent--none.

Motion was made by Council Member Petrick, seconded by Council Member Gonzalez to adopt the Ordinance, as amended, 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.

HEARING OF CITIZENS (10 MINUTE MAXIMUM)

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-369

Stan Sierakowski, 679 Charles St.: Where is this?

Mark Blunda: This is a small parcel on Smith St., near Herbert St.

APPROVAL OF MINUTES

May 22, 2013 - Regular
June 12, 2013 - Regular
June 26, 2013 - Regular
July 10, 2013 - Regular
July 22, 2013 - Special

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. Absent--none.

BIDS

None.

SUPPLEMENTAL DEBT STATEMENT

None.

LIQUOR LICENSE – NOTIFICATION

Person-to-Person Transfer

<p><u>From</u> Costa Azul Night Club, Inc. t/a Costa Azul Night Club, Inc. 954 Amboy Ave.</p>	<p><u>To</u> Arturo Ramirez, LLC t/a Arturo's Cantina & Lounge 954 Amboy Ave.</p>
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Arturo Ramirez – 100% Sole Managing Member

SOCIAL AFFAIR PERMIT

None.

REPORTS

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

1. Water/Wastewater Utility Reports for the month of June 2013.
2. Investment Report for the month of June 2013.
3. Payroll Disbursements/Deductions for the month of June 2013.
4. Budget Status Reports – YTD June 2013.

5. Report of checks prepared and paid during the month of July 2013 totaling \$4,721,230.15.

Motion was made by Council Member Gonzalez, seconded by Council Member Petrick to accept reports #1 through #5 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 "TAXICABS" (ORDINANCE NO. 38-74 AS AMENDED) ALSO KNOWN AS CHAPTER 404 ET SEQ OF THE CODE OF THE CITY OF PERTH AMBOY.

Re: Insurance Requirements – Reduction

Motion was made by Council Member Pabon, and seconded by Council Member Gonzalez to adopt the above Ordinance on first reading and public hearing for second and final passage be set down for the meeting of the Council to be held on September 11, 2013 at 7:00 p.m. at the Council Chambers, City Hall, and was carried by the following vote: Yea--Council Members Gonzalez, Irizarry, Nanton, and Pabon. Nay--Council Member Petrick. 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: Blue Collar

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 September 11, 2013 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.

3. AN ORDINANCE AMENDING "AN ORDINANCE APPROPRIATING FUNDS FOR THE DESIGN AND CONSTRUCTION OF IMPROVEMENTS TO THE CITY OF PERTH AMBOY WATERFRONT TO CORRECT STORM DAMAGE".

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 September 11, 2013 at 7:00 p.m. at the Council Chambers, City Hall, and was carried by the following vote: Yeas--Council Members Gonzalez, Irizarry, Nanton, Petrick and Pabon. Nays--none. Absent--none.

RESOLUTIONS

R-349-8/13 Public hearing and adoption of the operating budget for the Perth Amboy Business Improvement District, Inc. for the fiscal year commencing on July 1, 2013.

(BID Board Members to be present to answer any questions)

Motion was made by Council Member Gonzalez, seconded by Council Member Nanton to open public hearing on the above Resolution.

Council President asked for comments.

Alan Silber, 244 Rector St.: For a very long time, the chair of the BID was being appointed by the Mayor instead of being elected. Oversight is needed on that Board.

Mark Blunda: The new chair has been elected properly.

Virginia Lugo, 316 State St.: We want to bring more to the City even though we have a small budget. This is just an interim budget.

Council Member Irizarry: This budget does not indicate that this is an interim budget.

Greg Fehrenbach: Some members of the BID wanted an interim budget. This is the 8th month of a 12 month budget. This process should have been taken care of in April. Because it is an agency, they will not be able to change the levy. The BID can modify the allocations after they are adopted. The BID cannot change the levy and that is what is being adopted tonight. It is a permanent fiscal year levy but they can change the allocations.

Council Member Irizarry: Which of the allocations can be changed?

Greg Fehrenbach: Any of the allocations.

Barry Rosengarten, 170 Water St.: We will be examining the allocations. We have \$80,000 to operate the BID. There is a shortfall to operate it.

Council Member Gonzalez: What procedures need to take place to reallocate funding?

Greg Fehrenbach: The BID board can make the changes without Council action.

Barry Rosengarten: We invite the Council to attend our meetings. We operate under our by-laws.

Council Member Irizarry: Why does the Council have to take any action on this budget?

Greg Fehrenbach: It's state statute. The budget amount has been the same for about 10 years. If you are not happy with the budget, you can change it next year. The monies come from the property owners in the BID area.

Enrique Hernandez, BID Vice Chair, provided highlights of the budget.

Motion was made by Council Member Petrick, seconded by Council Member Gonzalez to close public hearing on the above Resolution 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 above Resolution.

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-350-8/13 Commending and congratulating William David Szilagyi on achieving the rank of Eagle Scout.

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-351-8/13 Congratulating the Royal Garden Club by the Bay on its 20th anniversary and thanking the members, past and present for the years of dedicated service they have given in beautifying the city's gardens.

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-352-8/13 Authorizing the 2013-2014 renewal of Plenary Retail Consumption Licenses #1216-33-016-003, Amada Pina, t/a Latin Love Lounge, 460 State St., and #1216-32-059-006, Melania Corp., t/a Casanova Lounge, 983 State St. effective August 15, 2013.

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-353-8/13 Approving the application of Luis Fana, t/a El Clasico Restaurant & Billiards, LLC for a license to operate a poolroom at 233 New Brunswick Ave., Perth Amboy.

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-354-8/13 Authorizing a refund in the amount of \$100.00 for the denial of a handicapped parking space application to Carmina Gianfrancesco, 688 Hommann Ave., Perth Amboy.

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.

R-355-8/13 Authorizing a refund in the amount of \$100.00 for the denial of a handicapped parking space application to Nilda Peguero, 132 William Street., Perth Amboy.

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-356-8/13 Authorizing refund of the balance of the performance guarantee to Maritime Alliance Group for 781 State Street in the amount of \$24,219.77.

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-357-8/13 Authorizing release of a performance guaranty in the amount of \$54,864.53 and release of escrow balance in the amount of \$1,222.75 to Andres Rosario for 339 Oak Street, Blk. 117, Lots 26 & 27.

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-358-8/13 Authorizing the release of maintenance bond to Antonio Rosario for 349 Thomas Street, Blk. 452, Lot 25, Docket No. 2304 in the amount of \$299.70.

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-359-8/13 Authorizing the release of maintenance bond in the amount of \$1,808.39 and escrow balance in the amount of \$410.35 to Joseph Giordano for 415 Thomas Street, Blk. 448 Lots 28-31, Docket No. 2882 in the total amount of \$2,218.74.

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-360-8/13 Authorizing settlement of the workers compensation litigation entitled Judith Sandomierski v. City of Perth Amboy C.P. No. 2010-10414 for the amount of \$6,492.00.

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-361-8/13 Authorizing settlement of the workers compensation litigation entitled Rafael Puntiel v. City of Perth Amboy C.P. No. 2012-13009 for the amount of \$16,615.25.

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-362 -8/13 to R-368 -8/13

R-362-8/13 Authorizing the refund of tax overpayment created by disabled veteran deduction to Nathaniel and Brenda Hutchins, in the amount of \$238.89 for Block 397.17, Lot 18 - 1067 Rudyard Dr.

R-363-8/13 Authorizing the refund of tax overpayment created by tax appeal to Katz, Ettin & Levin, as Trustee for Tom James of America, Inc., in the amount of \$13,120.66 for Block 253, Lot 2 - 581 Cortlandt St.

R-364-8/13 Authorizing a refund of tax overpayment created by tax appeal to Archer & Greiner, P.C. as Trustee for Stark Celo-Perth Amboy, LLC, in the amount of \$214.13 for Block 86, Lot 1.02 - Sheridan St. (Rear).

R-365-8/13 Authorizing a refund of tax overpayment created by tax appeal to Archer & Greiner, P.C. as Trustee for Stark Celo - Perth Amboy, LLC, in the amount of \$37,520.00 for Block 90, Lot 4 - 541 Smith St.

R-366-8/13 Authorizing a refund of tax overpayment created by tax appeal to Archer & Greiner, P.C. as Trustee for Stark Celo - Perth Amboy, LLC, in the amount of \$28,684.04 for Block 88, Lot 3.01 - Herbert St.

R-367-8/13 Authorizing a refund of tax overpayment created by tax appeal to Archer & Greiner, P.C. as Trustee for Stark Celo – Perth Amboy, LLC, in the amount of \$67,000.00 for Block 88.02, Lot 1 – Market St.

R-368-8/13 Authorizing a refund of tax overpayment resulting in reduced assessments caused by fire damage to various properties, in the total amount of \$6,798.74.

Motion was made by Council Member Petrick, seconded by Council Member Irizarry to adopt Resolutions #362-8/13 - #368-8/13.

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-369-8/13 Authorizing execution and delivery of a quit claim deed to Block 89, Lot 2.01, formerly Lot 2A.

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.

R-370-8/13 Renewing contract with Benecard for employee group prescription plan services for a three year period from September 1, 2013 through August 31, 2016.

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

Council President asked for comments.

Greg Fehrenbach: The processing of the request for proposals took place over the last 4 months. Benecard was the previous supplier to the City. We are recommending Benecard because their current proposal was better than their previous proposal.

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-371-8/13 Authorizing execution of contract with Perth Amboy Blue Collar Union, Local #1 for the period July 1, 2010 through December 31, 2014.

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

Council President asked for comments.

Greg Fehrenbach: This union recently became a member of the Teamsters. They have been without a contract for a long time. There are several changes to the contract. The major changes include: no increase for 37½ months, holidays reduced by 3 days, health benefits remain the same for in-network coverage, out of network coverage has an increase in co-pay. Longevity has been eliminated for new hires. There has been a reduction to 7 days for workers comp coverage from the previous 90 days allotment.

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-372-8/13 Authorizing a contract with Hertrich Fleet Services, Inc. for the purchase of two 2014 Chevrolet Impala 4 door LS sedans under State Contract No. A83036 (T0099) in a total amount of \$34,812.00 for the police department.

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-373-8/13 Authorizing a contract with Foulke Management, Inc. d/b/a Cherry Hill Dodge for a 2013 Dodge Journey SE FWD under State Contract No. 83037 in an amount not to exceed \$17,806.00 for the department of code enforcement.

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-374-8/13 Authorizing a contract with Day Chevy for the purchase of one 2014 Victory red Chevy Tahoe SSV under State Contract No. A82926 in a total amount not to exceed \$31,871.07.

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-375-8/13 Authorizing a contract with Mall Chevy for the purchase of one 2014 Victory red Chevy Express Van under State Contract No. A82890 in a total amount not to exceed \$19,030.75.

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-376-8/13 Authorizing a contract with East Coast Emergency Lighting for the purchase and installation of lighting and custom cabinetry in new fire vehicles under State Contract Nos. A81336 and A81338 in an amount not to exceed \$26,160.38.

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-377-8/13 Authorizing a contract with Pinnacle Wireless for purchase of radio equipment and charging units under State Contract No. A53804 in an amount not to exceed \$21,848.20.

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-378-8/13 Authorizing the purchase of energy generation services for public use on an online auction website administered by EMEX, LLC.

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

Council President asked for comments.

Greg Fehrenbach: We proceeded with the auction today. It was non-binding. We would like to enter into a 2- year contract for street lighting and for electricity for city facilities. We received favorable numbers. \$80,000 per year is the approximate amount of anticipated savings. We recommend you adopt the resolution.

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-379-8/13 Authorizing the use of Pierce Fire Engine No. 2 in the Wildwood Fire Fighters Convention Parade.

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-380-8/13 Extending the contract with Apruzzese, McDermott, Mastro & Murphy to provide legal services for extra litigation, police defense, labor & employment and real estate matters in an amount not to exceed \$100,000.00.

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-381-8/13 Awarding a contract for engineering services for waterfront damages improvement needs to Hatch Mott MacDonald for the balance of its proposal in the amount of \$364,000.00.

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-382-8/13 Authorizing change order no. 1 to the contract with Allied Environmental Signage for the Wayfinding Signage Program in an amount not to exceed \$15,400.00 to be paid by the NJDOT and Perth Amboy Urban Enterprise Corporation.

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-383-8/13 Authorizing change order no. 1 to the contract with Maser Consulting, P.A. for professional engineering services in connection with the Wayfinding Signage Project in the amount of \$1,500.00.

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-384-8/13 Authorizing an extension for the technical support services contract with Aton Computing for informational technology services for the months of July and August in an amount not to exceed \$33,000.00.

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-385-8/13 Authorizing an agreement with Alfred's Auction for the disposal by Auction of surplus vehicles and IT equipment.

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.

LATE STARTER – RESOLUTION

R-386-8/13 Authorizing a contract with Day Chevy for the purchase of one 2014 Chevrolet Tahoe SSV 4x4 vehicle under State Contract No. A82926 (T-2776) in a total amount not to exceed \$28,762.63 for the police department.

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

Council President asked for comments. There were none.

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

COMMUNICATIONS

- 1. NJ Dept. of Environmental Protection advising communities in Cumberland, Middlesex and Salem Counties to now use "best available data" language in the community's Flood Damage Prevention ordinance. (7/9/13)**
- 2. NJDEP submitted a copy of a press release outlining Governor Christie administration's efforts to raze Sandy battered homes to pave the way for rebuilding safer, more resilient communities. (7/10/13)**
- 3. NJDOT advising that applications will now be accepted for the NJDOT FY2014 State Aid Programs. The deadline for submission is September 20, 2013. (7/12/13)**
- 4. Anchor Consultants, LLC submitted a copy of an application package for a Waterfront Development permit for in-kind rehabilitation of the piperrack and shoreline in the vicinity of the Foamhouse building at the Kinder Morgan Terminal, 920 High St., Perth Amboy, NJ. (7/15/13)**

5. **Anchor Consultants, LLC submitted a copy of an application package for a Waterfront Development permit for rehabilitation of Docks A and B at the Kinder Morgan Terminal, 920 High St., Perth Amboy, NJ. (7/15/13)**
6. **Yvonne Lopez, Executive Director/CEO, Puerto Rican Association for Human Development, Inc. (PRAHD) is requesting the honorary naming of First Street to "Roberto Clemente Way". (7/19/13)**
7. **NJDEP submitted a copy of a press release concerning the call for 2014 Americorps Watershed Volunteers. (7/19/13)**
8. **Benjamin Ruiz, Chief of Police, advising that P.O. Michael Polidura is requesting another 120 day extension of injured on duty leave. The previous two 120 day leaves have expired. (7/22/13)**
9. **PSE&G advising that several public hearings have been scheduled in the matter of the 2013/2014 annual compliance filing for a change in the statewide electric and gas Permanent Universal Service Fund Program factors within the electric and gas societal benefits charges rates. (7/22/13)**
10. **PSE&G advising that several public hearings have been scheduled in the matter of the petition of Public Service Electric and Gas Co. for approval of changes in its electric solar pilot recovery charge (SPRC) for its Solar Loan I Program. (7/25/13)**
11. **PSE&G advising that several public hearings have been scheduled in the matter of the petition of Public Service Electric and Gas Co. for approval of changes in its Electric Green Programs Recovery Charges and its Gas Green Programs Recovery Charges ("2013 PSE&G Green Programs Cost Recovery Filing"). (7/26/13)**
12. **NJDEP advising that the Bureau of Transfer Stations and Recycling Facilities (Bureau) within the DEP is beginning the technical review of an application for a Solid Waste Facility Permit renewal for the City of Perth Amboy Solid Waste Transfer Station, 599 Fayette St., Perth Amboy. (7/26/13)**

13. NJ Dept. of the Treasury, Div. of Taxation, submitted the revised 2013 income guidelines for real property tax deduction for senior citizens, disabled persons and surviving spouses. (7/29/13)
14. Mayor Wilda Diaz advising that she has appointed the following individuals to the Perth Amboy Police Dept., effective August 7, 2013: (7/30/13)

Aneudy A. Alfonso-Peralta Jorge Arocho
Juan Correa, Jr. Christopher J. Miranda1
Steven Morillo-Collado Wilson M. Tavaréz
Matthew W. Vazquez

15. NJDEP submitted a copy of the modification to the permit issued on May 31, 2013 to Buckeye Partners, LP to reflect minor changes in the location of the proposed pipeline from Linden to Perth Amboy. (7/31/13)
16. Mayor Wilda Diaz submitted a copy of the press release advising that the Perth Amboy Housing Authority has been awarded funding in the amount of \$5,000,000 to construct 70 units of affordable family housing on the Delaney Homes site on Convery Blvd., Perth Amboy. (8/2/13)
17. NJDEP advising that the 28th Annual International Coastal Cleanup will take place on September 21 and asking that the city support the International Coastal Cleanup by organizing volunteer cleanups of rivers, lakes, streams and beaches or by simply providing waterfront locations for volunteers to clean. (8/5/13)
18. North Brunswick Township Clerk submitted copy of a resolution opposing New Jersey Legislature Bill S-2114/A-3317 which shall preempt municipal ordinances requiring registration for multifamily dwellings. (8/7/13)
19. Pivotal Utility Holdings, Inc. d/b/a Elizabethtown Gas advising that the following public hearings will be held on the 2013/2014 Annual Compliance Filing for the Universal Service Fund and Lifeline Program Components Within the Societal Benefits Charge Rate and on the petition filed with the NJ BPU to review its Periodic Basic Gas Supply Service rate: (8/7/13)

**August 26, 2013 – 4:30 pm and 5:30 pm
Hunterdon County Route 12 County Complex
Flemington**

**August 28, 2013 – 4:30 pm and 5:30 pm
Rahway Municipal Council, Court Chambers
Rahway**

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

Stan Sierakowski, 679 Charles St.: We should ask the legislature to pass a law that says that if a property owner owes more than \$100,000 in back taxes, they should be held personally liable. The City foreclosed on a property at 400 Lawrie St. This property will be going out to bid. We should make the property owner-occupied. I heard the Housing Authority recently purchased 2 Cadillac Escalades. You should check into this.

Greg Fehrenbach: I researched the property at **440** Lawrie St. The address is not 400 Lawrie St. It is owned by the Housing Authority and not the City. The money will be going to Habitat for Humanities.

Dorothy Carty-Daniel, 277 Water St.: I am the Chairperson of the Housing Authority. No checks have been signed for the purchase of any "Escalades". The Lawrie St. property was purchased by the Housing Authority. A lottery will be held for the property. I want to thank you for the notices provided on Channel 34 for the reconstruction of our streets. We need to have a training session for pedestrians in crossing the street at intersections. The worst area is on Smith St. for crossing in-between cars.

David Caba, 139 Lewis St.: Are 70 units going up at Delaney Homes? I'm an advocate for poor people. What feasible plan did we get for this project? When will the project be completed?

Greg Fehrenbach: Construction would take 9 – 20 months.

David Caba: This housing would create a burden on this City. The taxpayers of this City are poor. Many families are struggling today. Many are losing their homes.

Alan Silber, 244 Rector St.: With regard to the Board of Education, there was a story in the Amboy Guardian this week regarding the Superintendent and the recent case involving the sale of liquor on school property. There were contradictory statements made by both the superintendent and the chief of police. This case has cost us a lot of money between lawyers and people that have been suspended with pay. The Garden Club should be commended for the great job they do for the City.

COUNCIL COMMENTS

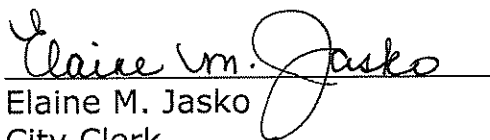
Council Member Nanton: There's been talk about installing meters at the waterfront. I am not in favor of that. The Council has not approved this action.

Greg Fehrenbach: That was an error that Allied Signs created. The signs will be removed. There's no plan to charge in the waterfront area.

Council President Pabon: Linda Cruz, a local resident, asked me to express her thanks to the City and the Department of Public Works for providing the new "smaller" garbage cans. I commend the Royal Garden Club for the work they do throughout the City and for bringing on young people into their group.

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 9:00 pm, 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

