



**MINUTES
PROCEEDINGS OF THE COUNCIL OF THE
CITY OF PERTH AMBOY
DECEMBER 11, 2013
COUNCIL CHAMBERS**

NOTICE OF MEETING

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.

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-568

Fernando Gonzalez, 129 High St.: How much of a reduction is there in the assessment and how does this result in dollars and cents?

Greg Fehrenbach: It is currently an exempt property because it was county property. The valuation was \$1.430m and now it is \$692,000. It is \$41,000 per year while the building is vacant, and will be reassessed when it becomes occupied.

R-560

Fernando Gonzalez: Is this for one year?

Mark Blunda: It is not to exceed 6 months and monthly thereafter.

R-569

Fernando Gonzalez: What is the assessment?

Greg Fehrenbach: This is due to the damage caused by "Storm Sandy". This is for 4 years. The reduction is to \$397,000.00 with a refund of \$10,000.00.

R-560

Reinaldo Aviles, 16 Harbor Terr.: What is the amount of this contract?

Mark Blunda: It is \$125 per hour with a limitation of the number of hours to 133 per month. It also waives all benefits, as in the past.

Reinaldo Aviles: Who keeps track of the hours?

Greg Fehrenbach: I submit it to the City.

R-580

Ken Balut, 359 Bruck Ave.: The Rodgers Group has to do with accreditation. This is a testing program. I would love to see some of the answers to the questions. I don't know if accreditation is part of "best practices" anymore.

APPROVAL OF MINUTES

November 13, 2013 – 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. Absent--none.

BIDS

Bids have been received on November 26, 2013 for Washington Park Site and Drainage from the following:

1. MNC General Contracting	\$108,579.10*
2. Thor Construction	\$110,980.00
3. Zenith Construction Services, Inc.	\$123,580.00
4. Forte Excavating	\$134,953.00
5. Granada Construction	\$137,230.50
6. Wicklow & Laurano Landscaping	\$148,376.69
7. A-Team Concrete	\$142,713.00
8. V & K Construction	\$165,500.00
9. Viviano Construction	\$150,485.00
10. Aquaviva	\$198,584.00
11. Rich Picerno Builders, LLC	\$189,985.50
12. Black Rock Enterprises	\$179,448.50
13. Tony & Son Inc.	\$236,168.00
14. T. Fiotakis	\$216,615.00
15. Top Line Construction	\$263,994.19
16. Montanoa Construction	\$197,870.00

(*) Recommendation of Bid Award

REPORTS

- 1. Perth Amboy Tax Compliance Plan filed for tax year 2014 by Joanne Jimenez, Tax Assessor.**

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

- 2. Check register report for the month of November 2013 in the total amount of \$6,365,190.12.**

Motion was made by Council Member Petrick, seconded by Council Member Gonzalez to accept report #2 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, seconded by Council Member Nanton to adopt the above Ordinance on first reading and public hearing for second and final passage be set down for the meeting of the Council to be held on January 8, 2014 at 7:00 p.m. at the Council Chambers, City Hall, and was carried by the following vote: Yea--Council Members Gonzalez, Irizarry, Nanton, Petrick and Pabon. Nay--none. Absent--none.

- 2. AN ORDINANCE TO RELEASE, VACATE AND EXTINGUISH PUBLIC RIGHTS IN AND TO PORTIONS OF BENTLEY AVENUE, DRAHOS AVENUE AND SOFIELD AVENUE IN THE FORMER DELANEY HOMES SITE.**

Greg Fehrenbach: Please postpone this Ordinance and Ordinance #3 until the first meeting in January.

Motion was made by Council Member Petrick, seconded by Council Member Gonzalez to remove the Ordinance from the agenda and to carry the Ordinance until the Council Meeting of January 8, 2014 and was carried by the following vote: Yea--Council Members Gonzalez, Irizarry, Nanton, Petrick and Pabon. Nay--none. Absent--none.

- 3. AN ORDINANCE TO RELEASE, VACATE AND EXTINGUISH PUBLIC RIGHTS IN AND TO A PORTION OF GARRETSON AVENUE AND A PORTION OF TYRELL'S LANE.**

Motion was made by Council Member Petrick, seconded by Council Member Gonzalez to remove the Ordinance from the agenda and to carry the Ordinance until the Council Meeting of January 8, 2014 and was carried by the following vote: Yea--Council Members Gonzalez, Irizarry, Nanton, Petrick and Pabon. Nay--none. Absent--none.

RESOLUTIONS

R-546-12/13 Authorizing the insertion of revenue in the CY 2013 Budget pursuant to N.J.S.A. 40A:4-87 (Chapter 159, P.L. 1948) for body armor replacement program in the amount of \$14,199.81.

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-547-12/13 Authorizing the insertion of revenue in the CY 2013 Budget pursuant to N.J.S.A. 40A:4-87 (Chapter 159, P.L. 1948) for recycling tonnage grant in the amount of \$52,528.41.

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-548-12/13 Authorizing cancellation of current appropriation balance in the Parking Utility Fund in the amount of \$15,000.00.

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-549-12/13 Authorizing cancellation of current appropriation balance in the Harborside Marina Utility Fund in the amount of \$10,000.00.

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-550-12/13 Authorizing the CY 2014 Cash Management Plan of the City of 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-551-12/13 Authorizing the Temporary Budget for Municipal Debt Service for calendar year 2014 in the amount of \$20,661,092.29.

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

Council President asked for comments. There were none.

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

Consent Agenda – R-552-12/13 - R-559-12/13

R-552-12/13 Authorizing a refund in the amount of \$100.00 to Efren Gonzales, 336 Gifford St., for the denial of a handicap parking application.

R-553-12/13 Authorizing the refund of tax overpayment in the amount of \$250.00 to Jorge L. Irizarry, Block 436, Lot 10.02 (362 Bruck Ave.) due to veteran deduction allowance.

Council Member Irizarry: There is no relation to me.

R-554-12/13 Authorizing the refund of tax overpayments on Block 29, Lot 22 (84 Harrison Pl.) and Block 21, Lot 3 (128 Lewis St.) in the amount of \$4,282.16 due to duplicate tax payments to QBE FIRST.

R-555-12/13 Authorizing the refund of tax overpayments in the total amount of \$20,611.02, to Corelogic on various properties in the City of Perth Amboy due to duplicate tax payments.

R-556-12/13 Authorizing the refund of tax overpayment on Block 207, Lot 29 (375 Barclay St.) in the amount of \$2,067.44 to Lereta LLC due to duplicate tax payment.

R-557-12/13 Authorizing the refund of tax overpayment on Block 378.02, Lot 4 (481 Krochmally Ave.) in the amount of \$672.37 to Metuchen Savings Bank due to duplicate tax payment.

R-558-12/13 Authorizing the refund of tax overpayment on Block 25, Lot 26.01 in the amount of \$250.00 to Judith Lynch, 186 High St. due to disabled person deduction allowance.

R-559-12/13 Authorizing the refund of tax overpayment on Block 394.03, Lot 2 in the amount of \$250.00 to Emanuel Stephens, 864 Florida Grove Rd. due to senior citizen deduction allowance.

Motion was made by Council Member Petrick, seconded by Council Member Gonzalez to adopt Resolutions #552-12/13 - #559-12/13.

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-560-12/13 Authorizing a contract for professional services with Government Management Advisors, LLC, for a business administrator to be held by Gregory C. Fehrenbach.

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-561-12/13 Extending the contract with Appraisal Systems, Inc., for appraisal services in connection with the defense of tax court appeals in an amount not to exceed \$65,000.00.

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-562-12/13 Authorizing an additional payment to the firm of Hoagland, Longo, Moran, Dunst & Doukas, LLP for services rendered in connection with 2013 tax appeals before the tax court of the state of New Jersey in an amount not to exceed \$10,000.00.

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-563-12/13 Awarding a contract for electrical repairs/upgrades to the department of Public Works Transfer Station to Lighton Industries, Inc., in accordance with the Middlesex Regional Educational Services Commission Cooperative pricing agreement, in an amount not to exceed the amount of \$84,000.00.

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-564-12/13 Awarding a contract to Jesco, Inc., for a 2014 John Deere 310K EP backhoe through the Houston-Galveston Area Council cooperative purchasing system in an amount not to exceed the sum of \$84,932.34.

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-565-12/13 Authorizing purchase of equipment from Dell Computers under state contract no. WSCA/NASPO 70256 in an amount not to exceed \$15,299.79.

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-566-12/13 Authorizing a contract with Let's Think Wireless, LLC, for completion of its communications links for its public safety radio system in an amount not to exceed \$26,012.00.

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-567-12/13 Accepting the bid and awarding a contract to MNC General Contracting for the Washington Park site and drainage project in an amount not to exceed the sum of \$108,579.10.

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-568-12/13 Authorizing the City of Perth Amboy to enter into a stipulation of settlement resolving the complaint filed by 252 Madison Realty LLC, concerning Block 59, Lot 1 located at 162 Market St.

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-569-12/13 Authorizing the City of Perth Amboy to enter into a stipulation of settlement resolving the complaints filed by MV Associates East and West, concerning Block 1, Lots 1, 2 & 3 located at 40 High Street and 57 Water Street.

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-570-12/13 Authorizing the City of Perth Amboy to enter into a stipulation of settlement resolving the complaints filed by Crompton/Chemtura Corp., concerning various blocks and lots located on Convery Boulevard and Amboy Avenue.

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-571-12/13 Appointing William Petrick as a Class III member of the Perth Amboy Planning Board for a one year term which will expire December 31, 2014.

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-572-12/13 Authorizing refunds in the total amount of \$3,550.00 to tenants for returned key deposits with the Perth Amboy Harborside Marina.

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-573-12/13 Urging our representatives, while working to reduce our nation's deficits, to create a circle of protection around programs for hungry and poor people.

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-574-12/13 Authorizing the return of \$23,000.00 in escrow to Barry Rosengarten for the project known as General Cable (HDSRF Grant Project).

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-575-12/13 Establishing and adopting a Complete Streets Policy for the City of Perth Amboy.

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-576-12/13 Authorizing the submission of an application to Wells Fargo and the National Fish and Wildlife Foundation for an Environmental Solutions for Communities 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-577-12/13 Supporting the adoption of four proposed bus stops by the NJDOT.

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-578-12/13 Authorizing the submission of an application to the National Endowment for the Humanities for a Museums, Libraries, and Cultural Organizations Implementation 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-579-12/13 Authorizing a two year contract for computer payroll service to ADP, Inc., in an amount not to exceed \$65,200.00.

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-580-12/13 Rescinding R-504-11/13 and re-authorizing a contract with the Rodgers Group LLC for the purchase of the 2014 Subscription of the On-line In-service Training Module Program in an amount not to exceed \$20,672.00.

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

Council President asked for comments.

Council Member Petrick: Is this no longer on the checklist and is this helpful in litigation?

Greg Fehrenbach: I would have to discuss this with our insurance carrier. This results in a reduction in policy premiums. I am not sure if this is still on the state's checklist. The Chief is proposing this.

Chief Ben Ruiz: This has been a productive tool. There is training that needs to be done and we can do it at a rate where we don't have to pull people out. It is self-generating testing. It is self-propelled testing. This falls under best practices. This puts us in a more professional light.

Council Member Gonzalez: What does this provide?

Chief Ben Ruiz: This has every Attorney General guideline to do the testing. There is a paper part to the test. Everyone has a block time to do the testing. It's an on-going system. If an individual does not pass, they have to re-take a different version of the test. I can allow the Council to come in and take a look at the test.

Council Member Irizarry: Has the accreditation cost us \$1m?

Chief Ben Ruiz: It may have cost us that initially, but it is not costing us that now. This has helped us in our litigation.

Mark Blunda: This is to authorize the training for the officers in 2014 and it is the only vendor that provides this training.

Council Member Irizarry: Can this testing be rigged?

Chief Ben Ruiz: No. There are pools of several questions. The tests are different.

Council Member Gonzalez: Is this a common program?

Chief Ben Ruiz: It's very common.

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-581-12/13 Authorizing an Interlocal Service Contract with the County of Middlesex for health department services for a two year period commencing January 1, 2014 (\$220,718.78) and terminating December 31, 2015 (\$225,133.15).

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-582-12/13 Authorizing transfer of unidentified key deposits of the dissolved Port Authority to operations of the Harborside Marina Utility in the amount of \$6,060.00.

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-583-12/13 Authorizing change order no. 4 to the contract with Vespa for library electrical room modifications in the amount of \$4,060.50.

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-584-12/13 Authorizing change order no. 1 to the contract with Performance Mechanical for HVAC work at the Library in an amount not to exceed \$7,288.86.

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-585-12/13 Authorizing the submission of an application for a grant from the New Jersey Governor's Council on Alcoholism and Drug Abuse for the Perth Amboy Municipal Alliance for the Prevention of alcoholism and drug abuse for Fiscal Grant Cycle July 2014 – June 2019.

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 STARTERS

ORDINANCES – First Reading – No Public Discussion

- 1. AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "ORDINANCE FIXING AND ESTABLISHING A SCHEDULE OF SALARY RANGES AND INCREMENTS FOR OFFICERS AND EMPLOYEES OF THE CITY OF PERTH AMBOY" (ORDINANCE NO. 1704-2013 AS AMENDED) ADOPTED NOVEMBER 13, 2013.**

Re: AFSCME Local 2270, Schedule B Seven Step Guide 2012-2016

Motion was made by Council Member Petrick, seconded by Council Member Gonzalez to place the above Ordinance on the agenda as a late starter for consideration 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, 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 January 8, 2014 at 7:00 p.m. at the Council Chambers, City Hall, and was carried by the following vote: Yea--Council Members Gonzalez, Irizarry, Nanton, Petrick and Pabon. Nay--none. Absent--none.

- 2. AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "ORDINANCE FIXING AND ESTABLISHING A SCHEDULE OF SALARY RANGES AND INCREMENTS FOR OFFICERS AND EMPLOYEES OF THE CITY OF PERTH AMBOY" (ORDINANCES NO. 218-79 AS AMENDED-ADOPTED JULY 3, 1979 AND ORDINANCE NO. 1678-2013 ADOPTED MAY 15, 2013).**

Re: Management – Police Chief/Director

Motion was made by Council Member Gonzalez, seconded by Council Member Nanton to place the above Ordinance on the agenda as a late starter for consideration 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, and seconded by Council Member Nanton to adopt the above Ordinance on first reading and public hearing for second and final passage be set down for the meeting of the Council to be held on January 8, 2014 at 7:00 p.m. at the Council Chambers, City Hall, and was carried by the following vote: Yea--Council Members Gonzalez, Irizarry and Nanton. Nay--Council Members Petrick and Pabon. Absent--none.

RESOLUTION

R-586-12/13 Authorizing a closed session at the December 11, 2013 meeting of the Council to discuss contract negotiations.

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

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-587-12/13 Rescinding R-466-10/13 and authorizing the insertion of revenue in the CY 2013 Budget pursuant to N.J.S.A. 40A:4-87 (Chapter 159, P.L. 1948) for a Recreational Opportunities for Individuals With Disabilities Grant in the amount of \$18,801.00.

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

COMMUNICATIONS

1. **Edna Dorothy Carty-Daniel, Chairperson, Perth Amboy Housing Authority submitted a response to Gregory Fehrenbach, BA, regarding his inquiry about the corporate functions of the Housing Authority. (11/19/13)**
2. **Comcast advising of cable channel and price changes effective January 28, 2014. (11/25/13)**
3. **Borough of Sayreville submitted a copy of an ordinance adopting the Sayreville landfill and Melrose Redevelopment Plan and further amending the Zoning map and Land Development ordinance. (11/27/13)**
4. **Residents of Elm Street, between Smith Street and Fayette Street, requesting that 2 hour parking residential area be instituted due to parking difficulties. (12/6/13)**

PUBLIC PORTION (5 MINUTES MAXIMUM PER SPEAKER)

Alan Silber, 244 Rector St.: Mr. Scala, the Director of Code Enforcement, was questioned about Harbortown at Monday's Caucus Meeting, yet this type of questioning did not occur regarding the Landings at the last Council Meeting. The BID/UEZ meetings are no longer being videotaped. Some of the members can't attend so they should have the ability to view the meetings. That should be considered.

David Caba, 139 Lewis St.: A tragedy recently occurred on Hall Avenue. I am disappointed that no one has come out and said anything in support of the community. We are lacking leadership in this community. We want peace in this community. This is not a fair investigation. It is being handled by the Prosecutor's Office. Where were the chaplains on the date of this tragedy? They only come out on sunny days.

Fernando Gonzalez, 129 High St.: No doubt a tragedy occurred. There's something wrong here. This is a learning experience. An OPRA request was submitted by the Latino Organization asking for information. We need to have assurances that this is a safe place. Please don't bury this situation. Let's address it. There are many questions. Weren't there other means of stopping this event? I knew this young man. I never knew him to be aggressive. We need to put together community based information. We need to address this matter and have the police meet with the community.

Ken Balut, 359 Bruck Ave.: We are not filming the BID/UEZ meetings. Why are we trying to hide the votes? The public should know what is going on. \$17m was given to an individual in the past for development. Now we gave him another \$5,000 for a sign. Why are we not taping Planning Board meetings? The ghosts of Joe Vas are still here. Pay to play is a scam in Perth Amboy. A person at the Court made some complaints and now she is being forced to leave her job.

Greg Fehrenbach: The UEZ was a stand-alone authority under the previous administration. The City Council has to vote on any UEZ recommendations. They cannot spend any money without coming to the Council first.

Council Member Petrick: The Planning Bd. meetings are taped.

Pedro Perez, 733 Franklin Dr.: There was a 13 year old girl who wrote an article in the December 4 issue of the Amboy Beacon. Natalia Donia should be recognized by the Council for her positive comments about the City.

Joel Reyes, Chauncy St.: We live in a City where if you call the Police Dept. for an emergency you will die. I am in favor of a professional Police Dept. The Police Dept. personnel stop and frisk people for no reason. I witnessed a police officer who backed up at a high rate of speed to talk to a girl.

Sandra Tobar, 60 Victoria Way, Woodbridge: I am the cousin of the person that was recently killed. I am asking, on behalf of my family, that we get a copy of the video from the Police Dept. We just want to know what happened.

Edna Carty Daniel, 277 Water St.: A Police Officer goes to work to keep the peace. In the past, there were mental health locations that provided help to people in need. They were eliminated. Today we are not taking care of people properly. We should look at all the facts and maybe we should push to get help for these individuals.

Chief Ben Ruiz: This is a tragedy for the whole City. We have a video. The County Prosecutor is the lead agency in this investigation. We are prohibited from giving out any statements. The case is in their hands. They will present the case to the attorney general. The family will be able to view the tape before it becomes available to the media. We met with individuals along with the chaplains. I have met with the Prosecutor and I am prohibited from making any comments. The release date of the video will be given by the Attorney General.

Mayor Wilda Diaz: This is a difficult time. Police officers go to work to do a job. They do not want tragedies to happen. I have met with the families. There is an investigation being done by the County Prosecutor. I give my condolences to both families (victim and police). There is a process and we have no control over the process. We need to respect the process. The Police Dept. just wants to do their jobs and protect us. I am asking the residents of the City to respect the privacy of the family and the City of Perth Amboy.

Motion was made by Council Member Petrick, seconded by Council Member Gonzalez to recess the meeting and to go into Closed Session at this point, 8:30 pm, 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 resume 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.

COUNCIL COMMENTS

Council President Pabon: I want to wish everyone a Merry Christmas.

Council Member Gonzalez: Yesterday, I and Council Member Nanton went to Harbortown with Mr. Scala, Mr. Fehrenbach and a representative of Harbortown. The first item on the list was the melting of the siding. It is aesthetically hideous. There was some discussion over this matter. There are support posts that are not painted and are bowing. We looked at soil erosion situations due to leaders that were missing or damaged. Catch basins should be cleaned more than once a year. Data lines were hanging improperly and should be moved. We also spoke about the lighting at a certain portion of the development. This was due to one section of the units being built under a different code. I want to thank Code Enforcement and Mr. Fehrenbach for going out on this tour. It seems there is ongoing discussion on how these issues will be addressed.

Council President Pabon: Who will follow up to see that this gets corrected?

Greg Fehrenbach: This is a maintenance issue. As soon as they get the release, I will check on this every 2 months to see that Code Enforcement follows up to make sure this gets resolved.

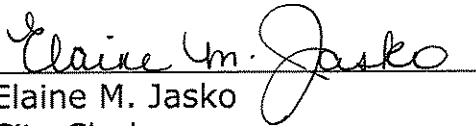
Council Member Gonzalez: There is a regular maintenance schedule to address these issues. Maybe they should increase their scheduled maintenance.

Greg Fehrenbach: Mr. Scala will be putting this in writing so we can follow up on this.

Council Member Petrick: The windows causing the melting should be reviewed because this could create a fire issue. The windows should be replaced entirely and perforated plastic should not be allowed to be installed.

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 9:25pm, 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

