

**MINUTES
PROCEEDINGS OF THE COUNCIL OF THE
CITY OF PERTH AMBOY
SPECIAL PUBLIC MEETING
DECEMBER 30, 2013
COUNCIL CHAMBERS**

NOTICE OF MEETING

Special Public Meeting of the Council of the City of Perth Amboy was held on Monday, December 30, 2013, in the Council Chambers, City Hall, Perth Amboy, New Jersey at 4:30 p.m.

Presiding Officer of the Council, Joel Pabon, Sr., advised the audience that a Special Public Meeting is being held on Monday, December 30, 2013 at 4:30 P.M., in the Council Chambers, City Hall, Perth Amboy. The notice of this meeting has been filed with the Home News Tribune, The Star Ledger and posted on the bulletin board in the City Clerk's office and on the City's website.

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, pagers 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, and Elaine M. Jasko, City Clerk. Absent was Mark J. Blunda, Director of Law.

Council President Pabon: The sole purpose of this meeting is to consider resolutions as follow:

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-592

Richard Freidman, Raritan Truck Sales: I am here to speak about the refuse trucks. We can meet the specifications for the trucks. However, the bids were written in a manner where only one bidder could bid. Therefore, we did not bid. You are paying \$20,000 extra per truck. We can provide you with the truck you are looking for.

Council Member Irizarry: You claim in your letter that this is proprietary. What do you mean by that?

Richard Friedman: It is written for one vendor. You should get more than one bid.

Council Member Petrick: Is this a low entry cab and is your cab made of aluminum?

Richard Friedman: Ours are. This is not. Our cab is made of steel. It is stronger than the aluminum.

Council Member Petrick: What precluded you from bidding?

Richard Friedman: It was proprietary. The body company would not give me a price. The bid should have been more general.

Greg Fehrenbach: The letter was reviewed by both Mr. Muska and Mr. Dann. The bid was also reviewed by the Law Dept. The bid was a result of an analysis. We have a concern about uniformity of vehicles. If the Council wishes to proceed, you can or you can wait until you hear from Mr. Dann, Mr. Muska and Mr. Blunda at the next meeting. This will cause a delay in getting the truck by approximately 2 weeks.

Council Member Petrick: In the future the bids should not be so specific.

Council President Pabon: We should wait the 2 weeks and not take any action today.

BIDS

Bids were received and opened on December 13, 2013 for Road Rehabilitation and Improvements – Various Streets from the following:

1. S. Brothers	Base Bid	\$ 554,233.00
	Alternate	85,205.00
	Total	639,438.00
2. Black Rock Enterprises	Base Bid	562,593.00
	Alternate	85,825.90
	Total	648,418.90
3. Top Line Construction	Base Bid	575,943.53
	Alternate	74,800.92
	Total	650,744.45
4. L & L Paving	Base Bid	574,946.00
	Alternate	88,732.50
	Total	663,678.50
5. Helios	Base Bid	593,416.00
	Alternate	93,040.00
	Total	686,456.00
6. Mark Paving	Base Bid	635,622.10
	Alternate	92,797.00
	Total	728,419.10
7. De Fino Contracting	Base Bid	657,700.00
	Alternate	100,900.00
	Total	758,600.00
8. Stavola	Base Bid	681,165.00
	Alternate	120,142.45
	Total	801,307.50

All bids rejected due to exceeding the Engineer's estimate of cost, exceeding the Authorized Appropriations for the project and a need to adjust and modify the specification.

Bids were received and opened on December 17, 2013 for the following:

A. One Automated Refuse Collection Systems Cab and Chassis New & Unused 46,000 L.B. GVM Minimum

1. Hunter Jersey Peterbilt \$ 285,790.00*

B. One Automated Refuse Collection Systems Cab and Chassis New & Unused 66,000 L.B. GVM Minimum

1. Hunter Jersey Peterbilt \$ 277,215.00*

Bids were received and opened on December 27, 2013 for City Marina Reconstruction Project from the following:

1. Bird Construction	\$4,943,981.00*
2. Reicon Group, LLC	4,952,585.00
3. JT Cleary, Inc.	5,335,621.00
4. K-T Marine, Inc.	5,873,350.00
5. Trevcon Construction Co., Inc.	5,905,715.00
6. IEW Construction Group, Inc.	6,694,735.00
7. Simpson & Brown	6,980,975.00

(*) Recommendation of Award

RESOLUTIONS

R-588-12/13 Authorizing the City of Perth Amboy to join and execute Public Entity Joint Insurance Fund Joint Trust Agreement for 2014 Property, Casualty, General Comprehensive Liability Insurance Services.

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-589-12/13 Authorizing award of contract to Bird Construction for City Marina Reconstruction Project in the amount of \$4,943,981.00.

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-590-12/13 Rejecting the bids for "Road Rehabilitation and Improvements – Various Streets" received on December 13, 2013 and authorizing the project to be rebid.

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-591-12/13 Authorizing Change Order #5 with Catel Incorporated for Library Rehabilitation Project to provide temporary heat, in an amount not to exceed \$12,996.90.

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 for units that are being brought in?

Greg Fehrenbach: Yes. This is for two months.

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-592-12/13 Authorizing award of a contract to Hunter Jersey Peterbilt for the purchase of two automated solid waste collection compacting vehicles in the amount bid of \$563,005.00 and acknowledging the memorandum of explanation provided by the Director of Public Works, dated December 19, 2013.

COUNCIL AGREED TO HOLD R-592-12/13 UNTIL THE NEXT MEETING.

R-593-12/13 Authorizing Change Order #1 to the contract with Excel Environmental Resources Inc. to provide an analysis and removal of an underground storage tank located under the front sidewalk of the Perth Amboy Public Library in an amount not to exceed \$6,158.25.

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-594-12/13 Authorizing Change Order #1 to the contract with Performance Mechanical regarding the boiler replacement at the Perth Amboy Public Library to provide for a steel structure from which to hang piping and equipment in the boiler room, in an amount not to exceed \$6,672.00.

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

Council President asked for comments.

Council Member Irizarry: Why didn't they see this in the beginning?

Greg Fehrenbach: They were dealing with terracotta. You cannot hang it from terracotta and have it be sturdy.

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-595-12/13 Authorizing modification of plan design of Section 125 Flexible Spending Account in accordance with Internal Revenue Service rules.

Motion was made by Council Member Nanton, 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.

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

COUNCIL COMMENTS

Council Member Irizarry: I would like to get an update on the shooting that recently occurred. I would like to know where the video tape is.

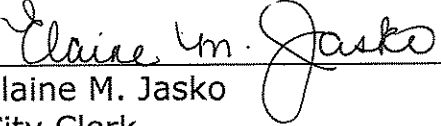
Greg Fehrenbach: The video is in the hands of the Attorney General.

Council Member Petrick: We need to have the area near our marina dredged. We should approach our Freeholders, Senator and Congressman to provide more persuasion. We should not be the stepchild of Middlesex County.

Greg Fehrenbach: We reached out to the NJDEP seeking their assistance on no less than three occasions. They claim that the material was not a result of Storm Sandy and that it was pre-existing. Mike George, the former Chairman of the Port Authority, provided photos that showed the boats from 2-3 years ago. It shows that Sandy was responsible for the extra sediment.

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 5:05 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

