



**MINUTES  
PROCEEDINGS OF THE COUNCIL OF  
THE CITY OF PERTH AMBOY  
JANUARY 12, 2011  
COUNCIL CHAMBERS**

**NOTICE OF MEETING**

Regular Meeting of the Council of the City of Perth Amboy was held on Wednesday, January 12, 2011 in the Council Chambers, City Hall, Perth Amboy, New Jersey at 7:00 p.m.

Presiding Officer of the Council, Kenneth Balut, advised the audience that notice of this meeting has been filed with the Home News Tribune, The Star Ledger, The Amboy Beacon 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 Balut: 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.

Council President Balut led the audience in the Pledge of Allegiance to the Flag.

Invocation was given by Council Member William Petrick.

Council President Kenneth Balut called the meeting to order with the following Council Members present: Fernando Gonzalez, Kenneth Gonzalez, Joel Pabon 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.

## PROCLAMATIONS/PRESENTATIONS

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 ten (10) minutes.

### **R-4-1/11**

Stan Sierakowski, 679 Charles St.: What is the \$100,000 per year for?

Greg Fehrenbach: It is for salaries and any other costs they need to use it for.

Stan Sierakowski: Will the current people stay on the payroll?

Greg Fehrenbach: That will be determined by the members of the non-profit. This is a non-profit agency. The Police Dept. will still have over-sight.

### **TOPICS**

Alan Silber, 244 Rector St.: I am unhappy with topics not being discussed at the regular meeting.

### **R-22-1/11**

Alan Silber: How long will he be serving as interim?

Greg Fehrenbach: This is for 90 days or less. We have an advertisement in different publications. Other people can apply for the position.

Alan Silber: What is the salary?

Greg Fehrenbach: \$1800 per week.

Alan Silber: We should have someone from Perth Amboy to take the job. They can work themselves up. Does Mr. Dann need a residency waiver?

Mark Blunda: It's not necessary for a waiver to be given tonight.

Council Member Fernando Gonzalez: By hiring someone on an interim basis, this gives the candidate a step above the other candidates.

#### **APPROVAL OF MINUTES**

**November 22, 2010 - Regular**  
**December 8, 2010 - Regular**

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

#### **BIDS**

**Bids were received on December 22, 2010 for the following:**

- 1. HVAC Preventative Maintenance for the Public Safety Center**
  - a. Ramas Climate & Refrigeration Inc. \$ 16,000.00\*
  - b. Air Systems Maintenance Inc. \$ 22,960.00
  - c. Core Mechanical \$ 29,904.00
  - d. Control Temp, Inc. \$ 37,617.00
  - e. GSH \$ 42,380.00
  - f. Meridian Property Services \$ 45,980.00
  - g. Envirocon, LLC \$ 49,600.00
  - h. Binsky & Snyder \$ 62,000.00
  - i. Automated Building Controls, Inc. \$ 199,475.00

**\* Recommendation of Bid Award**

#### **SUPPLEMENTAL DEBT STATEMENT**

None.

#### **LIQUOR LICENSE – NOTIFICATION**

None.

#### **SOCIAL AFFAIR PERMIT**

**Asociacion Dominicana de Perth Amboy**  
**249 Smith Street**  
**Perth Amboy**  
**Date: February 12, 2011, 8:00 pm to 2:00 am**  
**Location: Our Lady of Fatima, 380 Smith Street**

Motion was made by Council Member Petrick, seconded by Council Member Balut to grant the social affair permit and was carried by the following vote: Yea--Council Members Fernando Gonzalez, Kenneth Gonzalez, Pabon, Petrick and Balut. Nay--none. Absent--none.

## **REPORTS**

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

1. **Payroll disbursements/deductions – November 2010.**
2. **Investment Report – November 2010.**
3. **Water/Wastewater Utility Reports – November 2010.**
4. **Check Register Report for December 2010 in the total amount of \$1,730,942.40.**

Motion was made by Council Member Petrick, seconded by Council Member Kenneth Gonzalez to accept reports #1 through #4 and was carried by the following vote: Yea--Council Members Fernando Gonzalez, Kenneth Gonzalez, Pabon, Petrick and Balut. Nay--none. Absent--none.

## **ORDINANCES – FIRST READING (No PUBLIC DISCUSSION)**

1. **AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED “WRECKERS” NO. 621-92 (AS AMENDED) ADOPTED AUGUST 4, 1992, ALSO KNOWN AS CHAPTER 425 ET SEQ OF THE CODE OF THE CITY OF PERTH AMBOY.**

Motion was made by Council Member Petrick, seconded by Council Member Kenneth 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 26, 2011 at 7:00 p.m. at the Council Chambers, City Hall, and was carried by the following vote: Yea--Council Members Fernando Gonzalez, Kenneth Gonzalez, Pabon, Petrick and Balut. Nay--none. Absent--none.

2. **AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED “ADMINISTRATION” (ORDINANCE NO. 1-72 AS AMENDED) ADOPTED JULY 28, 1972, ALSO KNOWN AS CHAPTER 4 ET SEQ OF THE CODE OF THE CITY OF PERTH AMBOY TO PROVIDE FOR CAUCUS MEETINGS OF THE COUNCIL.**

Motion was made by Council Member Petrick, seconded by Council Member Kenneth 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 26, 2011 at 7:00 p.m. at the Council Chambers, City Hall, and was carried by the following vote: Yea--Council Members Fernando Gonzalez, Kenneth Gonzalez, Pabon, Petrick and Balut. Nay--none. Absent--none.

**3. AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "ADMINISTRATION OF GOVERNMENT" (NO. 1-72 AS AMENDED) ADOPTED JULY 28, 1972, ALSO KNOWN AS CHAPTER 4 ET SEQ OF THE CODE OF THE CITY OF PERTH AMBOY.**

**Re: Public Records Duplication Fees**

Motion was made by Council Member Petrick, seconded by Council Member Kenneth 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 26, 2011 at 7:00 p.m. at the Council Chambers, City Hall, and was carried by the following vote: Yea--Council Members Fernando Gonzalez, Kenneth Gonzalez, Pabon, Petrick and Balut. Nay--none. Absent--none.

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

**1. 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: Adding portion of Madison Avenue – Parking by Permit – Parking Meters**

Motion was made by Council Member Petrick, seconded by Council Member Kenneth Gonzalez to open public hearing on the above Ordinance and was carried by the following vote: Yea--Council Members Fernando Gonzalez, Kenneth Gonzalez, Pabon, Petrick and Balut. Nay--none. Absent--none.

Council President asked for comments. There were none.

Motion was made by Council Member Petrick, seconded by Council Member Kenneth Gonzalez to close public hearing on the above Ordinance and was carried by the following vote: Yea--Council Members Fernando Gonzalez, Kenneth Gonzalez, Pabon, Petrick and Balut. Nay--none. Absent--none.

Motion was made by Council Member Fernando 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 Fernando Gonzalez, Kenneth Gonzalez, Pabon, Petrick and Balut. Nay--none. Absent--none.

## RESOLUTIONS

### **R-2-1/11 Supporting Historic Preservation Tax Credit.**

Motion was made by Council Member Petrick, seconded by Council Member Kenneth 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 Fernando Gonzalez, Kenneth Gonzalez, Pabon, Petrick and Balut. Nay--none. Absent--none.

### **R-3-1/11 Authorizing emergency temporary appropriations to extend CY 2011 Temporary Budget in the amount of \$40,500.00.**

Motion was made by Council Member Petrick, seconded by Council Member Kenneth 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 Fernando Gonzalez, Kenneth Gonzalez, Pabon, Petrick and Balut. Nay--none. Absent--none.

### **R-4-1/11 Accepting the proposal of and awarding a contract to Happy Home Shelter, Inc. for animal control services for a term not to exceed 3 years and in a total amount not to exceed \$293,356.00.**

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

Council President asked for comments.

Mark Blunda: Council Members Petrick and Kenneth Gonzalez should abstain from voting on this matter.

Council Member Pabon: Did this association provide all the documents requested?

Greg Fehrenbach: No. At the last meeting, they indicated they will not be providing any additional documentation.

Council Member Fernando Gonzalez: The resolution should read "the City should not accept this proposal".

Mark Blunda: We can reject it or you can award it. There is a history to this.

Council Member Fernando Gonzalez: I don't know why this went out to bid in the first place.

Mark Blunda: This is a result of the City not entering into an agreement with Woodbridge Township. It went out to bid.

The above Resolution was **defeated** by the following vote: Yea--none. Nay--Council Members Fernando Gonzalez, Pabon and Balut. Abstain--Council Members Kenneth Gonzalez and Petrick. Absent--none.

**R-5-1/11 Authorizing contract settlement with Baron Samson in the amount of \$35,000.00.**

Motion was made by Council Member Petrick, seconded by Council Member Kenneth 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 Fernando Gonzalez, Kenneth Gonzalez, Pabon, Petrick and Balut. Nay--none. Absent--none.

**R-6-1/11 Approving memorandum of agreement and amendment of parking lease with King Plaza, LLC.**

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

Mark Blunda: The Council should adopt this Resolution subject to the memo being provided.

Council President asked for comments. There were none.

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

**R-7-1/11 Authorizing a refund of a street opening bond for property located at 368 Thomas Street, Block 453, Lot1, in the amount of \$1,000.00 to JoJo Construction.**

Motion was made by Council Member Petrick, seconded by Council Member Kenneth 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 Fernando Gonzalez, Kenneth Gonzalez, Pabon,  
Petrick and Balut. Nay--none. Absent--none.

**R-8-1/11 Authorizing a refund of street opening bond for property located at 315 Wagner Avenue, Block 433, Lot 23 in the amount of \$1,000.00 to JoJo Construction.**

Motion was made by Council Member Petrick, seconded by Council Member Kenneth 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 Fernando Gonzalez, Kenneth Gonzalez, Pabon,  
Petrick and Balut. Nay--none. Absent--none.

**R-9-1/11 Authorizing a 2011 Athletic/Social Club License to Pepino Athletic Club.**

Motion was made by Council Member Petrick, seconded by Council Member Kenneth 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 Fernando Gonzalez, Kenneth Gonzalez, Pabon,  
Petrick and Balut. Nay--none. Absent--none.

**R-10-1/11 Authorizing a contract with Autozone for auto supplies under State Contract No. A71188 in an amount not to exceed \$38,250.00.**



Motion was made by Council Member Petrick, seconded by Council Member Kenneth 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 Fernando Gonzalez, Kenneth Gonzalez, Pabon, Petrick and Balut. Nay--none. Absent--none

**R-11/1/11 Awarding a contract for auto supplies to Malouf/Ford Trucks in accordance with the Middlesex County Cooperative Pricing Agreement, in an amount not to exceed \$26,300.00.**

Motion was made by Council Member Petrick, seconded by Council Member Kenneth 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 Fernando Gonzalez, Kenneth Gonzalez, Pabon, Petrick and Balut. Nay--none. Absent--none.

**R-12-1/11 Authorizing a contract with F&C Automotive for the purchase of heavy duty truck parts under State Contract No. A73733 in an amount not to exceed \$20,000.00.**

Motion was made by Council Member Petrick, seconded by Council Member Kenneth 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 Fernando Gonzalez, Kenneth Gonzalez, Pabon, Petrick and Balut. Nay--none. Absent--none.

**R-13-1/11 Authorizing a contract for rock salt to Atlantic Salt Co. in accordance with the Middlesex County Cooperative Pricing Agreement in an amount not to exceed \$80,000.00.**

Motion was made by Council Member Petrick, seconded by Council Member Kenneth 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 Fernando Gonzalez, Kenneth Gonzalez, Pabon,  
Petrick and Balut. Nay--none. Absent--none.

**R-14-1/11 Authorizing a contract for printing of  
letterhead, envelopes, newsletters, programs,  
brochures & business cards to 1-2-3 Quick Print in  
an amount not to exceed \$25,000.00.**

Motion was made by Council Member Petrick, seconded by Council  
Member Kenneth 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 Fernando Gonzalez, Kenneth Gonzalez, Pabon,  
Petrick and Balut. Nay--none. Absent--none.

**R-15-1/11 Authorizing a contract with McCarthy Tire  
Center/Service, formerly known as Perth Amboy Tire  
Co. for tires & tubes under State Contract No.  
A71687 & A71688 in an amount not to exceed  
\$75,720.00.**

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

Council President asked for comments.

Council Member Pabon: Someone from Perth Amboy should ask them  
to come back into town.

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

**R-16-1/11 Authorizing a contract for car and light  
truck repair to Perth Amboy Spring Works in an  
amount not to exceed \$30,000.00**

Motion was made by Council Member Petrick, seconded by Council  
Member Kenneth 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 Fernando Gonzalez, Kenneth Gonzalez, Pabon,  
Petrick and Balut. Nay--none. Absent--none.

**R-17-1/11 Authorizing a contract with Pagecom, LLC and Communications Specialists, Inc. for two-way radio maintenance, antennas and batteries in the amount of \$10,578.72.**

Motion was made by Council Member Petrick, seconded by Council Member Kenneth 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 Fernando Gonzalez, Kenneth Gonzalez, Pabon, Petrick and Balut. Nay--none. Absent--none.

**R-18-1/11 Accepting the bid and authorizing a contract with Ramas Climate for HVAC Preventative Maintenance for the public safety center in the amount of \$16,000.00.**

Motion was made by Council Member Petrick, seconded by Council Member Kenneth 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 Fernando Gonzalez, Kenneth Gonzalez, Pabon, Petrick and Balut. Nay--none. Absent--none.

**R-19-1/11 Authorizing change orders no.1 through no.5 with Woodward Construction Company for code compliance construction at the public safety complex in an amount not to exceed \$18,869.00.**

Motion was made by Council Member Petrick, seconded by Council Member Kenneth 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 Fernando Gonzalez, Kenneth Gonzalez, Pabon, Petrick and Balut. Nay--none. Absent--none.

**R-20-1/11 Authorizing a refund in the amount of \$834.00 to the County of Middlesex for a grant awarded by the Middlesex County Cultural and Heritage Commission to the office of recreation.**

Motion was made by Council Member Petrick, seconded by Council Member Kenneth 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 Fernando Gonzalez, Kenneth Gonzalez, Pabon,  
Petrick and Balut. Nay--none. Absent--none.

**R-21-1/11 Authorizing a contract with Ahera Consultants, Inc. to conduct a pre-demolition asbestos identification survey and sampling on 5 buildings at the 2<sup>nd</sup> street project in the amount of \$4,320.00.**

Motion was made by Council Member Petrick, seconded by Council Member Kenneth 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 Fernando Gonzalez, Kenneth Gonzalez, Pabon,  
Petrick and Balut. Nay--none. Absent--none.

**R-22-1/11 Consenting to the appointment of Frank Dann as Interim Director of the Department of Public Works.**

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

Council President asked for comments.

Council Member Fernando Gonzalez: Is he collecting a pension from his previous position?

Greg Fehrenbach: Yes. He worked for Union County and was able to retire under an early retirement provision. That is allowed on a county level. He started working for a private company. We are in desperate need of leadership in DPW. Mr. Dann was looking to get back into public works. His new job is 5 years after his public employment.

Council Member Fernando Gonzalez: The experience of the previous out-of-towner doesn't sit well with me.

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

**R-23-1/11 Consenting to the reappointment of and approving a contract with Ernest W. Feist, of Feist Engineering, Inc. as Contract City Engineer and Contract Director of Division of Engineering.**

Motion was made by Council Member Petrick, seconded by Council Member Kenneth 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 Fernando Gonzalez, Kenneth Gonzalez, Pabon, Petrick and Balut. Nay--none. Absent--none.

**R-24-1/11 Authorizing change order no. 21 to the contract with Binsky & Snyder for HVAC work at the public safety-court-community complex increasing the contract in the amount of \$13,145.00.**

Motion was made by Council Member Petrick, seconded by Council Member Kenneth 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 Fernando Gonzalez, Kenneth Gonzalez, Pabon, Petrick and Balut. Nay--none. Absent--none.

**R-25-1/11 Rejecting bids for road improvements to Center and Commerce Streets and authorizing advertising for requests for bids on different contract terms.**

Motion was made by Council Member Petrick, seconded by Council Member Kenneth 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 Fernando Gonzalez, Kenneth Gonzalez, Pabon, Petrick and Balut. Nay--none. Absent--none.

**R-26-1/11 Authorizing change orders no. 1 and no. 2 with Hutton Construction, LLC for the Perth Amboy water system repair of Florida Grove Road reservoir in an amount not to exceed \$88,337.76.**

Motion was made by Council Member Petrick, seconded by Council Member Kenneth 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 Fernando Gonzalez, Kenneth Gonzalez, Pabon, Petrick and Balut. Nay--none. Absent--none.

**R-27-1/11 Authorizing the City of Perth Amboy to submit an application and accept a grant from the Middlesex County Cultural & Heritage Commission.**

Motion was made by Council Member Petrick, seconded by Council Member Kenneth 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 Fernando Gonzalez, Kenneth Gonzalez, Pabon, Petrick and Balut. Nay--none. Absent--none.

**R-28-1/11 Authorizing a lease agreement with Congressman Albio Sires for designated office space at the Alexander Jankowski Community Center for a period beginning on January 1, 2011 and ending on December 31, 2011.**

Motion was made by Council Member Petrick, seconded by Council Member Kenneth 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 Fernando Gonzalez, Kenneth Gonzalez, Pabon, Petrick and Balut. Nay--none. Absent--none.

**R-29-1/11 Authorizing a Closed Session at the January 12, 2011 meeting to discuss the following:**

- 1. YMCA – Contract Negotiations**
- 2. Tax Appeals**
- 3. Public Safety Complex Litigation**
- 4. Conrail Litigation**
- 5. Personnel/Appointments**

Motion was made by Council Member Petrick, seconded by Council Member Kenneth 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 Fernando Gonzalez, Kenneth Gonzalez, Pabon, Petrick and Balut. Nay--none. Absent--none.

### **LATE STARTER**

#### **R-30-1/11 Approving transfer of TY 2010 Budget Appropriations Reserves in the amount of \$12,200.00.**

Motion was made by Council Member Petrick, seconded by Council Member Kenneth Gonzalez to place the above Resolution on the Agenda for consideration and was carried by the following vote: Yea--Council Members Fernando Gonzalez, Kenneth Gonzalez, Pabon, Petrick and Balut. Nay--none. Absent--none.

Motion was made by Council Member Petrick, seconded by Council Member Kenneth 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 Fernando Gonzalez, Kenneth Gonzalez, Pabon, Petrick and Balut. Nay--none. Absent--none.

### **COMMUNICATIONS**

- 1. NJDEP submitted the Biennial Certification Monitoring Report for a Ground Water Classification Exception Area for the Shell Service Station at Albert Street and Krochmally Avenue. (12/2/10)**
- 2. NJDEP submitted the Biennial Certification Monitoring Report Form for a Deed Notice & Engineering Control for the Chemtura Corporation property located at 1000 Convery Boulevard. (12/3/10)**
- 3. NJDEP issued a No Further Action Letter and Covenant Not to Sue for the 1 550 gallon #2 heating oil underground storage tank system located at 346 Herbert Street, Block 104.01, Lot 34. (12/2/10)**
- 4. Mayor Wilda Diaz thanking Lt. Larry Cattano and Ptl. Carmelo Jimenez for their handling of the incident on the Victory Bridge regarding a man who attempted to jump. (12/3/10)**

5. Mayor Wilda Diaz thanking Nicole Lastra, Area Director of Boys & Girls Club of America, Jewish Renaissance Foundation for the donation toward the Christmas program for the children in the City. (12/3/10)
6. Santec Consulting Corporation submitted a copy of the Receptor Evaluation Form for the former BP service station located at 640 Amboy Avenue prepared in accordance with the NJDEP initial REF submittal schedule of November 26, 2010. (12/3/10)
7. Pivotal Utility Holdings, Inc. d/b/a Elizabethtown Gas submitted a notice of public hearings on its Petition filed with the NJBPU to revise its Utility Infrastructure Enhancement Rider. (12/6/10)
8. Vincent M. Costantino, Sr. VP, Operations at Raritan Bay Medical Center thanking the Building Department for their expertise and assistance in facilitating the opening of the new MRI service. (12/8/10)
9. NJDEP advising Seabra's Brothers II proposed enlargement of an outdoor bar, repairs to flood damaged pavement in the parking areas and the reinstallation of a metal roof to existing roofed areas at 200 Front Street will require a Waterfront Development Permit. (12/8/10)
10. Middlesex County advising that public hearings will be held on the request filed with the NJDEP, Green Acres Program for diversion of approximately 0.23 acres of County Parkland, known as the Middlesex Greenway, situated within Block 43, Lots 5 & 7 in Metuchen. This would allow for replacement of the Route 27 Bridge, with a new arch structure. (12/8/10)
11. NY/NJ Baykeeper seeking additional operating and maintenance funding to ensure the continuation of the Raritan Bayshore Pumpout Boat, *The Head Mistress*, which offers free pumpouts to the over 4,000 recreational boaters in the Raritan and Sandy Hook Bays. (12/10/10)



12. Mayor Wilda Diaz assigning Captain Benjamin Ruiz to serve as Deputy Chief of Police effective immediately. (12/10/10)
13. Middlesex County Utilities Authority submitted a copy of the Authority's Solid Waste Division Budget, Rate Schedule and Service Charges for the year 2011. (12/13/10)
14. Comcast submitted a schedule of prices effective as of February 1, 2011. (12/15/10)
15. NJDEP advising that it has approved the Remedial Action Report submitted by Chevron USA, Inc., 1200 State Street. (12/20/10)
16. Wilentz, Goldman & Spitzer submitted a copy of the Remediation Certification and the Self Guarantee Application which will allow the transfer of the former State Street terminal from Hess Corporation to Vopak Terminal Perth Amboy LLC that was submitted to the NJDEP, Site Remediation Program. (12/20/10)
17. NJDCA submitted the latest per capita income and maximum eligibility income figures to be used in considering protected tenancy applications for Senior and Disabled Citizens, as required by the Senior Citizen and Disabled Protected Tenancy Act. (12/21/10)
18. Mayor Wilda Diaz thanking the Youth Alliance Members for the outstanding job they did in serving the people of Perth Amboy for the Holiday Dinner at the Jankowski Center. (12/21/10)
19. Mayor Wilda Diaz thanking the members of the Italian Club of Bishop Ahr High School for their attendance at the Abundant Life Christmas Party. (12/21/10)
20. Mayor Wilda Diaz appointing Lisa Nanton as Alternate No. 1 to the Board of Adjustment for a two year term beginning January 1, 2011 and expiring December 31, 2012. (12/21/10)

21. Mayor Wilda Diaz appointing Linda Cruz as Alternate No. 2 to the Board of Adjustment for a two year term beginning January 1, 2011 and expiring December 31, 2012. (12/23/10)
22. Middlesex County Freeholder Clerk submitted a certified copy of a Resolution adopted on December 16, 2010, authorizing execution of Middlesex County Sustainable Economic Growth Improvement Fund Grant Agreement with the City of Perth Amboy in the amount of \$100,000.00. (12/29/10)
23. NJDEP advising Maria Taveras, 754 Donald Avenue that certain mandatory timeframes exist under the Site Remediation Reform Act with which she may be responsible to comply. In addition, the site, 754 Donald Avenue, will remain on the Known Contaminated Sites List until the required investigation and remediation are completed. (12/29/10)
24. Middlesex County Freeholder Clerk submitted a certified copy of a Resolution adopted on December 16, 2010, authorizing execution of an agreement with the City of Perth Amboy for Title V Youth Delinquency Prevention Program in the amount of \$38,619.00. (12/30/10)
25. David Szilagyi, city resident, asking the Council to use its powers of investigation to hold a hearing so that a fair accounting of the events that took place during the fire at Harbortown can be had. (1/4/11)
26. Council Member William Petrick requesting David Szilagyi to pass on any information he may have regarding Harbortown to Greg Fehrenbach, BA; Mark Blunda, City Attorney and the Council President. (1/5/11)
27. David Szilagyi provided an overview of the permitting process for Harbortown. (1/5/11)
28. Woodbridge Township Clerk submitted a certified copy of a Resolution adopted on January 4, 2011 adopting the Middlesex County Multi-Jurisdictional All Hazards Mitigation Plan. (1/5/11)

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

Roger Williams, 410 Great Beds Ct., submitted photos of poor workmanship at one of the units at Harbortown Sail. He also asked that the City plow the High St. section of road near Kinder Morgan and advised that there's also a lot of graffiti on that bridge. He suggested that someone should do something about it. Where does the money go from the licensing fee of animals?

Greg Fehrenbach: It goes into an account called the "dog trust account". The money can only be used for animal control purposes. Animal control fees exceed the funds collected by about 20 times.

Ante Biskupovic, 438 Great Beds Ct.: The pictures that Mr. Williams showed you were pictures of my unit. Who can tell us if the sprinklers were installed properly?

Greg Fehrenbach: All sub-codes needed to sign off on the work. If you have proof it was done improperly, you need to submit that to the Dept. of Code Enforcement.

Stan Sierakowski, 679 Charles St.: The graffiti has resumed on Rt. 440. The State cleaned it up in the past. I called the State and told them that citizens would be happy to volunteer and clean up the graffiti if we are provided with the supplies and safety. We can do this once a month on a Sunday from 1-4 pm. I am asking that someone investigate host cities for pipelines for liquid gas.

Urash Patel, 428 Great Beds Ct.: I also have issues at my unit at Harbortown. The nails are popping out of the sheetrock. I have holes in my attic also.

Steven Nascimento, 422 Great Beds Ct.: I had my water meter changed and no one followed up on it nor has it been re-inspected.

Charles McIntosh, 412 Great Beds Ct.: I also did not have any follow up after my water meter was changed. All the units of Harbortown Sail have problems in the attic.

Alan Silber, 244 Rector St.: We lost 2 years with the two out of town people we hired who didn't have their hearts in the city. They were putting in time. They were collecting their pensions. I don't have problems with interim employees, but we should look into Perth Amboy residents for the full time positions. Council Meetings should be put on the City's website so the public can watch it at their leisure. Our DPW employees do a good job. They picked up my garbage and recyclables during the snowstorms. Do tax exempt organizations get information regarding new ordinances?

Council Member Pabon: The post office delivered the sanitation notice to every unit. People don't read their mail and throw it out as junk mail.

Council Member Petrick: We are looking into streaming our meetings on the website.

David Caba, 151 Lewis St.: Why are we waiving residency for out of town employees? We can't just give out money. What plan does the Council have to move this City forward?

#### **COUNCIL COMMENTS**

**None.**

#### **ADJOURNMENT**

There being no further business to come before the Council, motion was made by Council Member Petrick, seconded by Council Member Kenneth Gonzalez to adjourn the meeting at 8:30 pm, and was carried by the following vote: Yea--Council Members Fernando Gonzalez, Kenneth Gonzalez, Pabon, Petrick and Balut. Nay--none. Absent--none.

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Elaine M. Jasko  
City Clerk