



**MINUTES  
PROCEEDINGS OF THE COUNCIL OF  
THE CITY OF PERTH AMBOY  
MAY 26, 2010  
COUNCIL CHAMBERS**

**NOTICE OF MEETING**

Regular Meeting of the Council of the City of Perth Amboy was held on Wednesday, May 26, 2010, in the Council Chambers, City Hall, Perth Amboy, New Jersey at 7:00 p.m.

Presiding Officer of the Council, Peter J. Jimenez advised the audience that notice of these meetings have 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 5:30 p.m. (Caucus) and **7:00 p.m. (Public Voting Session)**.

Council President Peter J. Jimenez: 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.

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

Invocation was given by Council Member Bolanowski.

Meeting was called to order by Council President Peter J. Jimenez with the following Council Members Present: Kenneth Balut, Geraldine M. Bolanowski, Fernandez Gonzalez and Robert R. Sottilaro.

Also present at this meeting were: Jane Feigenbaum, Business Administrator; Mark Blunda, Esq., Director of Law, Jill A. Goldy, CFO/Comptroller and Elaine M. Jasko, City Clerk.

## PROCLAMATIONS/PRESENTATIONS

**None.**

## TOPICS FOR DISCUSSION

- 1. Update on waiver of Chapter 178, Section 12 by Kathleen Donahue and John Donahue at 107 Broad Street, for excess cats. (Jasko)**

Elaine M. Jasko, City Clerk: There has been a recommendation made by Wilma Matey, as requested by the Council, that a waiver be granted.

- 2. Council Health Benefits. (Jimenez)**

Mark J. Blunda, Esq.: I will research whether city action is necessary.

- 3. Re-appointment of Aida L. Molina to the PA Housing Authority. (Jasko)**

Elaine M. Jasko, City Clerk: Ms. Molina is asking to be re-appointed.

## HEARING OF CITIZENS (10 MINUTE MAXIMUM)

**None.**

## PUBLIC PORTION (5 MINUTES MAXIMUM PER SPEAKER)

Wilma Matey, 125 Water St.: I visited the Donahue home and it was clean and the cats were well taken care of. They have all been fixed. I ask that a waiver be granted to the Donahues. Please review everything I sent you about the shelter.

Richard Piatkowski, 142 Gordon St.: Is the Parking Utility making money for the City?

Jane Feigenbaum: There are many items in progress. An ordinance will be submitted to Council for revision of meters and standardizing fees.

Richard Piatkowski: Bureaucracy doesn't allow for decisions to be made in utilities. It needs to be run as a business.

Jane Feigenbaum: If it's an authority it cannot make money for the city. There will be a meeting in June to go over the items.

Richard Piatkowski: Money can be given to the city either way.

Council Member Gonzalez: Does the Port Authority pay the city monies?

Jill A. Goldy: They usually pay us in June.

Stan Sierakowski, Charles St.: I congratulate Mr. Scala and Mr. Marrero for doing their job in enforcing the codes of a used car dealership at 124 Kearny Ave.

Maria Garcia, 124 Kearny Ave.: We have several classic cars and they use QQ plates. There is no business being conducted on our property. Mr. Sierakowski is stalking our house. He is not a neighbor. I would like the Police Dept. to investigate Mr. Sierakowski. Mr. Marrero of the Code Enforcement Office came to my property and found nothing wrong. All my cars are legal and insured.

Frank Marrero, 865 Chamberlain Ave.: I did the inspection at 124 Kearny Ave. There is no evidence of any work being done on the vehicles. There were several vehicles on the property that needed to be removed.

Antonio Abreau, 700 Hanson Ave.: The Duarte statue is of great value to the community.

Ricky Hernandez, 705 Lincoln Dr.: This monument would bring pride to Latinos in Perth Amboy. It will be adding to the history of Perth Amboy.

Carlos Gonzalez, 111 Kearny Ave.: You should put statues of all different nationalities all around the front of City Hall instead of at the park.

Jose Rosario, 699 Penn St.: Juan Pablo Duarte is for Dominicans what George Washington is for the United States. We can use this as a tool to educate our community. He represents motivation to our young children.

Delia Abreu, 537 Kennedy St.: Juan Pablo Duarte helped the Dominican Republic. We should have statues of Latino leaders in the park.

Alan Silber, 244 Rector St.: Many people in Perth Amboy might have the wrong size water meters. My neighbors and other people are ignored. The water rates should be on the bill.

Jane Feigenbaum: I spoke to the water company. Your neighbor's bill will be adjusted. I will follow up on it. I asked the water company to put the meter size and rate on the bills.

Manual Hernandez, 90 Water St.: The Duarte statue can be used as a learning tool and to instruct children. We should please all cultures.

Reinaldo Aviles, 496 McKeon St.: Is the Court still looking into the loitering ordinance?

Mark J. Blunda: This is being reviewed and a report will be done.

## **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-228**

Richard Piatkowski, 142 Gordon St.: What is this for?

Paul Wnek, Director DPW: This is for additional soil removal. It needs to be done before we can sell the property.

### **R-236**

Richard Piatkowski: What is this earmarked for?

Jill A. Goldy: It's for safe and secure and usually for police salaries.

### **R-229**

Richard Piatkowski: I agree this should be rescinded. Originally this was going to be a bust on a pedestal. Now, it's a huge monument. We should be honoring an American hero. It's right to rescind this. A committee should be formed to further review it.

### **R-227**

Richard Piatkowski: How do you describe "professional"?

### **Com#21**

Maria Garcia, 124 Kearny Ave.: Why have the towing licenses not been issued for 2010? There are problems with some of the towing applications. One person is violating the provisions of the ordinance.

### **R-229**

Maria Garcia: Why did the Council pass a resolution and now look to rescind the resolution? Duarte represents freedom.

### **R-229**

Samuel LeBreault, 619 Franklin Dr.: What is the reason for this resolution?

Council Member Sottilaro: It is divisive to the total community. I asked that this be placed on the agenda.

Samuel LeBreault: This is an immigrant community. Whether you like it or not, this statue will be built. You may delay it, but you will not stop it.

Council Member Sottilaro: It has always been an immigrant community. City ordinances were bypassed in the past. This needs to be done properly.

**R-229**

Wilma Matey, 125 Water St., We should have an Avenue of Americas so we can display the statues.

**R-229**

Reinaldo Aviles, 496 McKeon St.: It is logical to have a process for the naming of streets/buildings and construction of statues. The process needs to be opened up. We need to have representatives of the community meet to discuss this. The city historian should have been here tonight to explain his opinion. I think this should be rescinded and worked on to move it forward.

Mark J. Blunda, Esq.: This resolution has nothing to do with the statue. This resolves the process.

**R-229**

Russ, O'Reilly, 315 High St.: Many people have buildings named for them in Perth Amboy that have contributed significantly to Perth Amboy, the State and to this Country. Where does Juan Pablo Duarte fit in this mix? He did nothing for the City of Perth Amboy. Let's keep within the guidelines of this ordinance.

Council Member Sottilaro: When the name of Duarte was added to the park only I my wife and the Mayor were there to celebrate it.

**R-227**

Alan Silber, 244 Rector St.: When will this public safety complex be completed?

Jane Feigenbaum: Not later than September.

**Com #10**

Alan Silber: That's a lot of money.

**R-229**

Alan Silber: We are going backwards. This should be rescinded. It should be sent to a committee for review. This should have been tabled when it was first brought up. There was a Council Member absent at the time of the vote. You need to start this all over again.

Council Member Bolanowski: Has anyone looked at the deed of the Roessler property?

Mark Blunda: I will review the restrictions in the deed.

Council Member Bolanowski: The proposed structure is enormous. The library is the perfect place for education. There needs to be guidelines. Rescinding this resolution will give us time to review this matter.

Milly Abreau, 14 Blue Ridge Circle, Scotch Plains: This was approved and is now being rescinded. This is not just a statue. It is a square. We are working for a vision, not a statue. We should work for community and culture. We want to unite the community.

Mayor Wilda Diaz: Times are changing. I love the history of the City but our City has changed. We have many ethnic backgrounds in the City. We need to follow certain procedures and we need to visit them and review them. The City Engineer downsized the project.

**APPROVAL OF MINUTES**

**None.**

**BIDS**

**None.**

**SUPPLEMENTAL DEBT STATEMENT**

**None.**

**LIQUOR LICENSE – NOTIFICATION**

**None.**

**SOCIAL AFFAIR PERMIT**

**None.**

## **REPORTS**

- 1. Investment Report for the month of April 2010 – submitted by Jill A. Goldy, CFO/Comptroller.**
- 2. Revenue Status Report and Budget Status Report (Appropriations) for Current Fund, Parking Utility, Water/Wastewater Fund, as of April 30, 2010 – submitted by Jill A. Goldy, CFO/Comptroller.**
- 2. Report of Payroll Disbursements/Deductions for the month of April 2010 - submitted by Jill A. Goldy, CFO/Comptroller.**

Motion made by Council Member Sottilaro, seconded by Council Member Balut to accept the reports and was carried by the following vote: Yea—Council Members Balut, Bolanowski, Gonzalez, Sottilaro and Jimenez. 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**

Motion was made by Council Member Sottilaro and seconded by Council Member Bolanowski 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 June 9, 2010 at 7:00 p.m. at the Council Chambers, City Hall, and was carried by the following vote: Yea—Council Members Balut, Bolanowski, Gonzalez, Sottilaro and Jimenez. Nay—none. Absent—None.

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

- 1. AN ORDINANCE AMENDING AN ORDINANCE REQUIRING FAIR AND OPEN COMPETITION AND ACCOUNTABILITY FOR PROFESSIONAL SERVICE CONTRACTS.**

Council Member Sottilaro: Is this your recommendation Mr. Blunda?

Mark J. Blunda, Esq.: Yes.

Motion was made by Council Member Jimenez, seconded by Council Member Gonzalez to open public hearing on the above Ordinance and was carried by the following vote: Yea—Council Members Balut, Bolanowski, Gonzalez, Sottilaro and Jimenez. Nay—None. Absent—None.

Council President asked for comments.

Reinaldo Aviles, 496 McKeon St.: I urge you to vote for this ordinance. This upholds the integrity of our professionals. This is not the ordinance we wanted but it is okay. It is a start.

Mark J. Blunda: Mr. Aviles and Mr. Vargas should be commended for the work in preparing ordinances to make Perth Amboy a better place.

Richard Piatkowski, 142 Gordon St.: I am glad that Mr. Aviles presented this ordinance.

Motion was made by Council Member Jimenez, seconded by Council Member Bolanowski to close public hearing on the above Ordinance and was carried by the following vote: Yea—Council Members Balut, Bolanowski, Gonzalez, Sottilaro and Jimenez. Nay—None. Absent—None.

Motion was made by Council Member Jimenez, seconded by Council Member Bolanowski to adopt the Ordinance on second and final passage and was carried by the following vote: Yea—Council Members Balut, Bolanowski, Gonzalez, Sottilaro and Jimenez. Nay—None. Absent—None.

**2. AN ORDINANCE AUTHORIZING THE CITY OF PERTH AMBOY TO REVERT TO A CALENDAR FISCAL YEAR FROM A STATE FISCAL YEAR.**

Motion was made by Council Member Sottilaro, seconded by Council Member Bolanowski to open public hearing on the above Ordinance and was carried by the following vote: Yea—Council Members Balut, Bolanowski, Gonzalez, Sottilaro and Jimenez. Nay—None. Absent—None.

Council President asked for comments.

Richard Piatkowski, 142 Gordon St.: Do you believe there is no down side to this? If you are not 100% in favor hold this.

Motion was made by Council Member Jimenez, seconded by Council Member Bolanowski to close public hearing on the above Ordinance and was carried by the following vote: Yea—Council Members Balut, Bolanowski, Gonzalez, Sottilaro and Jimenez. Nay—None. Absent—None.

Motion was made by Council Member Jimenez, seconded by Council Member Bolanowski to adopt the Ordinance on second and final passage and was carried by the following vote: Yea—Council Members Balut, Bolanowski, Gonzalez, Sottilaro and Jimenez. Nay—None. Absent—None.

**3. 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**

Motion was made by Council Member Jimenez, seconded by Council Member Balut to open public hearing on the above Ordinance and was carried by the following vote: Yea—Council Members Balut, Bolanowski, Gonzalez, Sottilaro and Jimenez. Nay—None. Absent—None.

Council President asked for comments.

Richard Piatkowski, 142 Gordon St.: How many spaces do we have and are proper procedures followed?

Council Member Balut: Proper procedures are followed.

Motion was made by Council Member Jimenez, seconded by Council Member Bolanowski to close public hearing on the above Ordinance and was carried by the following vote: Yea—Council Members Balut, Bolanowski, Gonzalez, Sottilaro and Jimenez. Nay—None. Absent—None.

Motion was made by Council Member Jimenez, seconded by Council Member Bolanowski to adopt the Ordinance on second and final passage and was carried by the following vote: Yea—Council Members Balut, Bolanowski, Gonzalez, Sottilaro and Jimenez. Nay—None. Absent—None.

## RESOLUTIONS

### **R-215-5/10 Authorizing a Closed Session at the May 26, 2010 meeting to discuss the following:**

- 1. Chevron Tax Appeal.**
- 2. Public Safety Complex litigation.**
- 3. Anticipated Litigation.**
- 4. Negotiations.**

Motion was made by Council Member Sottilaro, seconded by Council Member Balut 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 Balut, Bolanowski, Gonzalez, Sottilaro and Jimenez. Nay--none. Absent—None.

Motion by Council Member Jimenez, seconded by Council Member Bolanowski to recess the regular meeting at 7:05 pm and was carried by the following vote: Yea—Council Members Balut, Bolanowski, Gonzalez, Sottilaro and Jimenez. Nay--none. Absent—None.

Motion by Council Member Jimenez, seconded by Council Member Gonzalez to resume the regular meeting at 8:25 pm and was carried by the following vote: Yea—Council Members Balut, Bolanowski, Gonzalez, Sottilaro and Jimenez. Nay--none. Absent—None.

### **Consent Agenda - R-216-5/10 to R-221-5/10**

**R-216-5/10 Authorizing the refund of duplicate tax payments in the total amount of \$7,711.94 to Wells Fargo Home Mortgage, for various properties.**

**R-217-5/10 Authorizing the refund of duplicate tax payment to BAC Tax Services Corp., on Block 203, Lot 35 in the amount of \$1,522.15.**

**R-218-5/10 Authorizing the refund of duplicate tax payments to BAC Tax Services Corp., on Block 207, Lot 45.02 and Block 72, Lot 31 in the amount of \$3,373.67.**

**R-219-5/10 Authorizing the refund of tax overpayment resulting from an appeal to Gelber & Weiss, Inc. and Zipp & Tannenbaum, on Block 472.04 Lot 3 in the amount of \$3,472.35.**

**R-220-5/10 Authorizing the refund of tax overpayment resulting from an appeal to Lindabury, McCormick, Estabrook & Cooper, P.C. and Custom Distributions, on Block 425 Lot 1.02 in the amount of \$24,293.25.**

**R-221-5/10 Rescinding R-173-4/10 authorizing the refund of tax overpayments on various properties to First American Real Estate Services, in the total amount of \$8,641.57, and authorizing the refunds in the total amount of \$7,575.47.**

Motion was made by Council Member Sottilaro, seconded by Council Member Jimenez to adopt R-216-5/10 TO R-221-5/10.

Council President asked for comments. There were none.

The above Resolutions were adopted and carried by the following vote: Yea—Council Members Balut, Bolanowski, Gonzalez, Sottilaro and Jimenez. Nay--none. Absent—None.

**R-222-5/10 Approving a Special Permit for Public Entertainment to United Dominicans of Perth Amboy for the Dominican Festival 2010 to be held August 14 and 15, 2010 at Robert Wilentz Elementary School Athletic Field.**

**THE ABOVE RESOLUTION WAS REMOVED FROM THE AGENDA.**

**R-223-5/10 Authorizing various professional agreements for engineering, land surveying & construction management services for special projects to vendors who have submitted requests for qualifications for transition year 2011 and fiscal year 2011.**

Motion was made by Council Member Balut, seconded by Council Member Bolanowski 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 Balut, Bolanowski, Gonzalez, Sottilaro and Jimenez. Nay--none. Absent—None.

**R-224-5/10 Extending contracts with Apruzzese, McDermott, Mastro & Murphy, P.C., for extra litigation, real estate matters, labor and employment matters, special investigations and police civil rights actions in an amount not to exceed \$125,000.00.**

Motion was made by Council Member Balut, seconded by Council Member Sottilaro 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 Balut, Bolanowski, Gonzalez, Sottilaro and Jimenez. Nay--none. Absent—None.

**R-225-5/10 Extending the contract for auto supplies with Malouf/Ford Trucks in accordance with the Middlesex County cooperative pricing agreement, in an amount not to exceed the sum of \$10,000.00.**

Motion was made by Council Member Jimenez, seconded by Council Member Balut 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 Balut, Bolanowski, Gonzalez, Sottilaro and Jimenez. Nay--none. Absent—None.

**R-226-5/10 Authorizing change order no. one to the contract with Lanchow Construction Corp. for road improvements to Herbert and Silzer Streets in an amount of \$14,064.00.**

Motion was made by Council Member Balut, seconded by Council Member Bolanowski 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 Balut, Bolanowski, Gonzalez, Sottilaro and Jimenez. Nay--none. Absent—None.

**R-227-5/10 Extending the contract with Imperial Construction Group Inc., for professional construction management services in connection with the construction of the new public safety-court-community complex for the period from June 2010 through October 2010 in an amount not to exceed \$65,000.00.**

**THE ABOVE RESOLUTION TABLED UNTIL NEXT MEETING.**

**R-228-5/10 Authorizing change order no. two to the contract with Independence Constructors, Inc. for removal of six underground storage tanks and three above ground storage tanks at 1027 State Street in the amount of \$17,432.75.**

Motion was made by Council Member Jimenez, seconded by Council Member Bolanowski 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 Balut, Bolanowski, Gonzalez, Sottilaro and Jimenez. Nay--none. Absent—None.

**R-229-5/10 Rescinding resolution 178-4/10 accepting the gift of a Juan Pablo Duarte monument and authorizing its placement in Caledonia/Roessler Park.**

Motion was made by Council Member Sottilaro, seconded by Council Member Bolanowski to adopt the above Resolution.

Council President asked for comments.

Council Member Jimenez: We should table this until a meeting is held with the Mayor, the City Historian and this group.

Council Member Balut: We should not give the gift back. It should be further discussed and further reviewed.

The above Resolution was **DEFEATED** by the following vote: Yea—Council Members Bolanowski, and Sottilaro. Nay—Council Members Gonzalez and Jimenez. Abstain—Council Member Balut Absent—None.

Council Member Balut : I make a motion to accept the gift and discuss the placement of the statue and schedule a meeting with a group to review this, seconded by Council Member Bolanowski and was carried by the following vote: Yea—Council Members Balut, Bolanowski, Gonzalez, and Sottilaro. Nay—Council Member Jimenez. Absent—None.

**R-230-5/10 Authorizing settlement of John F. Kennedy Medical Center v. City of Perth Amboy in an amount not to exceed \$29,000.00.**

Motion was made by Council Member Bolanowski, 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 Balut, Bolanowski, Gonzalez, Sottilaro and Jimenez. Nay--none. Absent—None.

**R-231-5/10 Authorizing settlement of the matters of Lagomarsini v. City of Perth Amboy, et al in an amount not to exceed \$10,000.00 for attorneys' fees and costs.**

Motion was made by Council Member Sottilaro, seconded by Council Member Balut 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 Balut, Bolanowski, Gonzalez, Sottilaro and Jimenez. Nay--none. Absent—None.

**R-232-5/10 Authorizing city officials to file an application for anticipated UEZ assistance in the amount of \$108,402.00 for funding of the FY 2010-2011 UEZ administration temporary budget.**

**THE ABOVE RESOLUTION WAS REMOVED FROM THE AGENDA.**

**R-233-5/10 Approving transfer of SFY 2010 Budget appropriations in the amount of \$238,101.00.**

Motion was made by Councilmember Balut, seconded by Council Member Bolanowski 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 Balut, Bolanowski, Gonzalez, Sottilaro and Jimenez. Nay--none. Absent—None.

**Consent Agenda – R-234-5/10 to R-237-5/10**

**R-234-5/10 Authorizing the insertion of revenue in the SFY 2010 Budget pursuant to N.J.S.A. 40A:4-87 (Chapter 159, P.L. 1948) for recreation for individuals with disabilities in the amount of \$8,000.00.**

**R-235-5/10 Authorizing the insertion of revenue in the SFY 2010 Budget pursuant to N.J.S.A. 40A:4-87 (Chapter 159, P.L. 1948) for Safe and Clean Communities Program in the amount of \$58,048.00.**

**R-236-5/10 Authorizing the insertion of revenue in the SFY 2010 Budget pursuant to N.J.S.A. 40A:4-87 (Chapter 159, P.L. 1948) for the Clean Communities Program in the amount of \$51,638.57.**

**R-237-5/10 Authorizing the insertion of revenue in the SFY 2010 Budget pursuant to N.J.S.A. 40A:4-87 (Chapter 159, P.L. 1948) for the over the limit under arrest program in the amount of \$6,000.00.**

Motion was made by Council Member Balut, seconded by Council Member Bolanowski to adopt R-234-5/10 to R-237-5/10.

Council President asked for comments. There were none.

The above Resolutions were adopted and carried by the following vote:  
Yea—Council Members Balut, Bolanowski, Gonzalez, Sottilaro and Jimenez. Nay--none. Absent—None.

**R-238-5/10 Appointing Aida Molina to the Perth Amboy Housing Authority for a term to expire on May 31, 2015.**

Motion was made by Council Member Balut, seconded by Council Member Bolanowski 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 Balut, Bolanowski, Gonzalez, Sottilaro and Jimenez. Nay--none. Absent—None.

**R-239-5/10 Granting a one-time waiver of the limit of cats permitted at 107 Broad St.**

Council Member Balut: We should make sure that the animal control officers are allowed to inspect the premises.

Council Member Sottilaro: This should be a one time waiver. We should not be setting a precedent.

Motion was made by Council Member Balut, seconded by Council Member Bolanowski 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 Balut, Bolanowski, Gonzalez, Sottilaro and Jimenez. Nay--none. Absent—None.

**COMMUNICATIONS**

- 1. Jack M. Dudas, Esq., requesting that Mayor Wilda Diaz veto the vote of the City Council authorizing a public display in a public park of Juan Pablo Duarte, and erecting something that actually relates to Perth Amboy. (5/10/10)**
- 2. NJDEP submitted a Child Care Facility Approval Letter for Harborview Child Care Center, 45 Market St., and advising this action is based on Harborview Child Care Center's final certified Preliminary Assessment Report. (5/10/10)**
- 3. Woodbridge Township submitted a copy of a Land Use & Development Ordinance amendment regarding minor subdivisions, and advising the public hearing for said amendment is scheduled for May 18, 2010. (5/10/10)**
- 4. NJDEP submitted a Child Care Facility Approval Letter for Hutchins Garrison CDI Head Start, 430 Market St., and advising this action is based on CDI Head Start's final certified Preliminary Assessment Report. (5/10/10)**

- 5. NJDEP submitted a Child Care Facility Approval Letter for Acelero Early Head Start, 430 Market St. Rear, and advising this action is based on Acelero Learning's final certified Preliminary Assessment Report. (5/10/10)**
- 6. E2 Project Management LLC submitted a copy of the Public Notification and Outreach Form and a photographic log of the signs which were posted at the former IGI Petroleum Site - Victory Center LLC, 164 Sheridan St. (5/10/10)**
- 7. Comcast advising that effective July 1, 2010, several services will no longer be available for new subscription and several services will now require a subscription to Digital Starter. (5/11/10)**
- 8. Middlesex County Dept. of Planning, Div. of Solid Waste Management, advising that a public hearing will be held on a Plan Amendment to the County's Solid Waste Management Plan on May 25, 2010 at 6:00 p.m. in the Freeholder Meeting Room, New Brunswick, NJ. (5/11/10)**
- 9. Jane Feigenbaum, BA asking Jill Goldy, CFO to provide the amount of interest paid since 1/08 on the \$4.2M settlement with Middlesex Water. (5/13/10)**
- 10. Jill Goldy, CFO, advising Jane Feigenbaum, BA that the amount paid is \$618,585.63. (5/13/10)**
- 11. Jane Feigenbaum, BA asking Nancy Martin, Tax Collector to provide a status of the clearing of overpayments and other refunds in the tax ledger. (5/13/10)**
- 12. Nancy Martin, Tax Collector, advising Jane Feigenbaum, BA that all overpayments for 2007 have been cleared up with the exception of \$5,157.80. In 2008 there are approximately \$14,529.13 in overpayments. In 2009-2010 the amount of overpayments is \$294,076.00, but more than half is for tax appeals. (5/13/10)**
- 13. Jane Feigenbaum, BA requesting Edward Scala, Dir. Code Enforcement, to investigate the complaint of 384 Stanford Street. (5/13/10)**

- 14. Elaine M. Jasko, City Clerk, advising Jane Feigenbaum, BA, that Councilwoman Bolanowski has requested that she direct Breaker Group, Inc. to provide a comprehensive listing of all systems, including data and voice currently utilized by the City and all related entities and advising that Breaker must also prepare and provide the City with a full inventory of equipment that they have either directly or indirectly installed to support such systems as well as all procedural documentation and related warranties and service records. Information to be provided by June 4, 2010. (5/17/10)**
- 15. Victoria Kupsch, Assistant City Clerk, advising EJ McDonald, Acting Chief of Police, that Councilman Balut requests a time be set up so he can review several items with regard to the Edward Byrne State and Local Law Enforcement Assistance Formula Grant Program. (5/17/10)**
- 16. Elaine M. Jasko, City Clerk, asking Wilma Matey, animal shelter volunteer, to review the request of local residents seeking a waiver for 11 excess cats and asking her to come up with ideas on how to deal with the excess cats. (5/17/10)**
- 17. Jack M. Dudas, City Historian, asking Mayor Wilda Diaz to provide him with information on whether the City would seek redress against the company which damaged the sidewalk and driveway of Simpson United Methodist Church. (5/17/10)**
- 18. Jack M. Dudas, City Historian, asking Mayor Wilda Diaz to have the Landmarks/Historic Preservation Ordinance amended to reflect several provisions of N.J.S.A. 40:55D-107, et al., that are missing from the ordinance. (5/18/10)**
- 19. Reinaldo Aviles asking Council President Peter Jimenez to have the sections removed by Mr. Blunda, from the original proposed ordinance on Professional Accountability be reinstated in the revised proposed ordinance. (5/18/10)**
- 20. Michael W. Keller, Dir. OECD, submitted an inventory of personal property deemed non-restorable which was prepared by the Chubb Group, regarding the fire loss at former Safe Haven/Tennis Courts Building, 56 Brighton Ave. (5/18/10)**

- 21. A.T. Towing & Auto Transport LLC asking Deputy Chief EJ McDonald to review two towing applications which are in violation of city contract ordinance. (5/18/10)**
- 22. Jane Feigenbaum, BA, asking that the Housing Authority provide her with a copy of the Housing Authority Audit for the last 2 fiscal years. (5/18/10)**
- 23. Douglas Dzema, Ex. Director, PA Housing Authority, submitted the Perth Amboy Housing Authority's Financial Statements and Supplemental Information for the years ended March 31, 2009 and 2008. (5/19/10)**
- 24. Councilwoman Geri Bolanowski asking Jane Feigenbaum, BA to have Nancy Martin, Tax Collector, to provide her with a total dollar amount of monies she has refunded on overpayments since coming to work for Perth Amboy. (5/19/10)**
- 25. Derek J. Jess, School BA/Board Secretary, submitted a copy of the district's state aid sheet that details the minimum tax levy calculation, as requested by Councilman Gonzalez. (5/20/10)**
- 26. Wilma Matey of the PA Happy Home Shelter advising that the City Council should grant a waiver to the owners of the excess cats and conditioning the waiver with ongoing monitoring. (5/21/10)**
- 27. Jack M. Dudas, City Historian, advising that N.J.S.A. 40:10A-7(e.) provides that the local historian shall assist in projects of commemoration, including the erection of monuments, historic markers and guides signs. Therefore, anything done about the Duarte statue is null and void until he is asked for his opinion. (5/21/10)**
- 28. Mirian Montalvo, a city resident, submitted a copy of a letter she wrote to the Amboy Beacon, expressing her opposition to the erecting of a monument to Juan Pablo Duarte in Caledonia-Roessler-Duarte Park. (5/24/10)**

**29. Nancy Martin, Tax Collector, advising Councilwoman Bolanowski that when she was hired, she was provided with a list by the prior City Auditor and the amount of overpayments totaled \$709,761.44. To date she has refunded \$513,598.62 and cancelled \$84,731.58. There were many other accounts to which she was able to transfer the overpayment to current taxes. (5/25/10)**

**COUNCIL COMMENTS**

Council Member Balut: We should have Code Enforcement at the next caucus to give us report on day care centers in the City.

**ADJOURNMENT**

There being no further business to come before the Council, Motion was made by Council Member Jimenez, seconded by Council Member Bolanowski to adjourn the meeting at 10:35 pm, and was carried by the following vote: Yea—Council Members Balut, Bolanowski, Gonzalez, Sottilaro and Jimenez. Nay—None. Absent—None.

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Elaine M. Jasko  
City Clerk