



**MINUTES  
PROCEEDINGS OF THE COUNCIL OF THE  
CITY OF PERTH AMBOY  
MAY 27, 2009  
COUNCIL CHAMBERS**

**NOTICE OF MEETING**

Regular Meeting of the Council of the City of Perth Amboy was held on Wednesday, May 27, 2009, 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 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.

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, Fernando Gonzalez and Robert R. Sottilaro.

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

## PROCLAMATIONS/PRESENTATIONS

### Proclamation:

**Naming Joseph Zanko as Grand Marshall of the 2009 Memorial Day Parade**

## TOPICS FOR DISCUSSION

### **1. Raritan Bay Medical Center & City of Perth Amboy – EMT Transition. (Tom Shanahan and Jane Feigenbaum, BA)**

Jane Feigenbaum: There is a 5 year agreement for the transfer of services to the Raritan Bay Medical Center. This process will be a seamless transition.

Tom Shanahan of Raritan Bay Medical Center provided background about the center. There will be 14 vehicles and 70 employees to respond to citizens' calls. There will be 4 locations where the vehicles will be housed. We are looking to hire 8 EMT employees from the City. We are looking to start the services on July 1, 2009.

Council Member Balut asked about criminal background checks on employees and questioned the training of employees. He also questioned how the calls would be handled.

Tom Shanahan: The calls will still come out of the firehouse. We will also have a backup team via mutual aid. The BLS service will only be in Perth Amboy.

Council Member Balut: Why are you picking this up when the hospital was in dire straits last year?

Tom Shanahan: We are still a thriving business. We rely on the state for charity care. Our financial model shows that we will be making money. He explained the billing for ALS and BLS. The billing will be done internally. We do 11,000 calls per day. Perth Amboy handles 3,200 calls per year.

Council Member Balut: Will the City be billed for any services?

Tom Shanahan: No.

Council Member Balut: What is your response time?

Tom Shanahan: It's 4 minutes.

Jane D. Feigenbaum: The calls will come in through the 911 system.

Council Member Balut: What is the morale like at the hospital?

Tom Shanahan: It is good and getting better in the hospital.

Council Member Balut: Do we need room service and flat screen TV's at the hospital?

Tom Shanahan: Yes, we need to provide a service to our customers.

Council Member Balut: Are you hiring 8 full time employees?

Tom Shanahan: Yes and per diem people. We have transport service so we can pull the people as needed.

Council Member Balut: How about training?

Tom Shanahan explained the training process. We have a low turn over rate. The hospital provides tuition reimbursement.

Council Member Bolanowski: Are you going to keep our employees since they have the experience with the City? Preference should be given to our people.

Tom Shanahan: We'll try.

Council Member Gonzalez: There will be a tremendous savings to the City with this agreement. Can the City come back and reevaluate the program if it's not working?

Tom Shanahan: After 2 years we can terminate the contract with 120 days notice.

Council Member Gonzalez: Are there complaint numbers that can be provided?

Jane Feigenbaum: We will be getting monthly reports and if there are issues they can be addressed.

Dave Volk, Fire Chief: Our response time averages 3 – 3 ½ minutes now.

Motion was made by Council Member Jimenez, seconded by Council Member Balut to recess the meeting at 7:35 p.m. to go into Closed Session, and was carried by the following vote: Yea--Council Members Balut, Bolanowski, Gonzalez, Sottilaro and Jimenez. Nay--none. Absent--none.

**COUNCIL MEETING MOVED FROM CITY HALL TO MCGINNIS SCHOOL AS A RESULT OF THE LARGE NUMBER OF PEOPLE IN THE AUDIENCE.**

Motion was made by Council Member Jimenez, seconded by Council Member Sottilaro to resume the meeting at 8:50 pm, and was carried by the following vote: Yea--Council Members Balut, Bolanowski, Gonzalez, Sottilaro and Jimenez. Nay--none. Absent--none.

**2. Appointment of Edna Dorothy Carty Daniel to the Housing Authority. (Jasko)**

Elaine M. Jasko: The appointment of Edna Dorothy Carty-Daniel expired on May 25, 2009. I have a resolution on tonight's agenda for her re-appointment.

**HEARING OF CITIZENS  
(10 MINUTE MAXIMUM)**

None.

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

Esther Guzman, 742 Charles Street: Mr. Caba should stop making comments and placing negative ads in the newspaper about Mr. Jimenez.

George Borell President, IFFA: What happens if the hospital closes its doors? What's the plan? You should not look into selling assets. Don't take away assets.

Kevin Gallagher, First District Vice President, IFFA: The hiring of the employees by the hospital is a smokescreen. The hospital is willing to pay ½ of their current salary. (Read a prepared statement into the record).

Susan Bodnar, President, EMS: The City administration should have checked with us before the change was made. We answer to the citizens. RBMC will gain money from this deal. Please table this action.

Kevin Nascimento, Chamberlain Avenue: How can we trust this administration after we've seen the millions we've spent on the public safety complex? This Council needs to do something about this.

Orlando Perez, Rathburn Place: The hospital will not give you straight answers. Imperial Construction just got indicted and yet we continue doing business with them.

Richard Piatkowski, 142 Gordon Street: Currently the City pays 15% to the billing service. We pay more than other towns. Next Wednesday is the Planning Board meeting. People should attend. The following Tuesday is the UEZ meeting. Perth Amboy is a non-partisan town. However, at the Primary Elections, the poll workers are hired by the party chairs.

Dorothy Carty Daniel, Water Street: I believe in my Mayor, but I have some questions. My granddaughter and I have used ambulance service many times over the years. There is a comfort level knowing that medical service is a phone call away. What does a citizen do when the insurance company tells us to shop for ambulances? Many people don't have insurance. We should look into that. The hospital CEO should be here tonight.

(Name Inaudible) 14 Harbor Terrace: I'm a teacher at the high school. The EMT's have civil service. Many moved into town. How do we tell our children that they should live here when they can't have jobs in this City?

Mr. Ratajack, Rathburn Place: The council should look into the billing fees. The hospital is in financial trouble. How are they going to make a profit?

Tom Shanahan, Raritan Bay Medical Center: These are two separate bills, in-patient and MICU services.

Bill Dillon, Union Rep. for PA PBA: The current EMS people are very professional. You can't keep cutting down the workforce.

Mayor Wilda Diaz: I have faith in this hospital. I am grateful to the hospital. We are in a serious fiscal crisis in Perth Amboy. The last thing I want to do is lay people off. My family and I live in the City. I would not put my family in jeopardy or put them at risk. The hospital is looking to help the City. This is the best alternative we have.

Michael Turcott, EMS Employee: Raritan Bay Medical Center has the best paramedic team in the state. How long has the hospital been providing 911 BLS service?

Mike Semple, Raritan Bay Medical Center employee: This is the first time RBMC will be doing this.

Michael Turcott: I choose to work here because I like it here. There's a way to cut costs. We should re-negotiate the billing. No one has sat down with us and given us the opportunity to have a say in the matter.

Bob McCore, State FFA of New Jersey: You should talk to the City of Plainfield. Their hospital closed. The hospital was a well known teaching and nursing hospital. It is now gone.

Greg Fehrenbach, Former Interim BA: There was a financial problem in the City last year. There was a 26% tax increase to try to address the fiscal problems. The City is in bad financial shape. The worst has not yet occurred. There were layoffs in the early part of the year. RBMC will be billing the same way the City would have to do in the future. The employees will be brought in commensurate with their experience. We went through the list of employees with RBMC. There was no person they indicated they wouldn't hire. We can maintain the service and try to save money for this organization.

Edward Murawski, EMT: I've worked for the City for many years. The City does third party billing and we've brought in about \$600,000 per year. It costs about \$1m to keep the current service. The \$400,000 savings in a \$72 million budget is change.

## **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-246**

Kevin Nascimento: The Mayor did not sit down with EMS. The Mayor was disrespectful when she spoke this evening. She raised her voice. Is that how Perth Amboy does business?

### **SUPPLEMENTAL DEBT STATEMENT**

Richard Piatkowski, 142 Gordon St.: I don't know why it took so long to build the public safety complex.

### **R-233**

Richard Piatkowski: What is this for?

Jo Ann Jimenez, Tax Assessor: The property has a tax exemption.

## **APPROVAL OF MINUTES**

**None.**

## BIDS

Bids were received and opened on April 21, 2009 for the following:

Internet Protocol Telephone System

- a) Inpath Devices \$70,871.00\*
- b) Empire Technologies, LLC Did not comply with bid specs
- c) CDW Government, Inc. Did not comply with bid specs
- d) Jaydien Network Solutions Did not comply with bid specs

Lease on the Albert Street Water Tower

- a) Metro PCS New York, LLC \$30,000.00\*

Bids were received and opened on May 12, 2009 for the following:

- a) Verizon Wireless \$24,000.00\*

(\* ) Recommendation of Bid Award

## SUPPLEMENTAL DEBT STATEMENT

Public Safety Complex - \$2,000,000.00

Jill Goldy, CFO/Comptroller: We need to make a down payment.

## LIQUOR LICENSE – NOTIFICATION

None.

## SOCIAL AFFAIR PERMIT

None.

## REPORTS

None.

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

- 1. BOND ORDINANCE PROVIDING A SUPPLEMENTAL APPROPRIATION OF \$2,000,000 FOR THE CONSTRUCTION OF A PUBLIC SAFETY-COURT-COMMUNITY CENTER COMPLEX IN AND BY THE CITY OF PERTH AMBOY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$1,904,750 BONDS OR NOTES OF THE CITY FOR FINANCING PART OF THE APPROPRIATION.**

Motion was made by Council Member Jimenez 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 June 10, 2009 at 7:00 p.m. in 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.

- 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 COUNCIL.**

**Re: Wednesday Caucus Meeting – 5:30 p.m.– Prior to regular meeting.**

Motion was made by Council Member Jimenez and seconded by Council Member Balut to adopt the above Ordinance on first reading and public hearing for second and final passage be set down for the meeting of June 10, 2009 at 7:00 p.m. in the Council Chambers, City Hall and was carried by the following vote: Yea--Council Members Balut, Bolanowski, Gonzalez, and Jimenez. Nay--Council Member Sottilaro. Absent--none.

- 3. 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 COUNCIL.**

**Re: Monday Caucus Meeting – 6:00 p.m.**

MOOT – No action taken as a result of the action taken on the previous Ordinance (#2).

**4. 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 Jimenez 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 June 10, 2009 at 7:00 p.m. in 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.

**5. AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "ALCOHOLIC BEVERAGES" (ORDINANCE NO. 65-75 AS AMENDED) ADOPTED FEBRUARY 18, 1975, ALSO KNOWN AS CHAPTER 137 ET SEQ OF THE CODE OF THE CITY.**

**Re: Hours of Sale**

Motion was made by Council Member Jimenez and seconded by Council Member Balut to adopt the above Ordinance on first reading and public hearing for second and final passage be set down for the meeting of June 10, 2009 at 7:00 p.m. in 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.

**6. AN ORDINANCE ESTABLISHING THE LICENSING AND REGULATION OF SOCIAL CLUBS.**

Motion was made by Council Member Jimenez and seconded by Council Member Balut to adopt the above Ordinance on first reading and public hearing for second and final passage be set down for the meeting of June 10, 2009 at 7:00 p.m. in 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.

**7. ORDINANCE AUTHORIZING A 5-YEAR LEASE OF GARAGE AND OFFICE SPACE AND SALE OF AMBULANCES AND EQUIPMENT TO RARITAN BAY MEDICAL CENTER.**

Motion was made by Council Member Bolanowski and seconded by Council Member Jimenez to adopt the above Ordinance on first reading and public hearing for second and final passage be set down for the meeting of June 10, 2009 at 7:00 p.m. in the Council Chambers, City Hall and was carried by the following vote: Yea--Council Members Bolanowski, Gonzalez, Sottilaro and Jimenez. Nay--Council Member Balut. Absent--none.

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

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

**Re: Management & Non-Union – New Titles**

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

Motion was made by Council Member Jimenez, seconded by Council Member Sottilaro 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 and was carried by the following vote: Yea--Council Members Balut, Bolanowski, Gonzalez, Sottilaro and Jimenez. Nay--none. Absent--none.

**2. AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "GRAFFITI" (CHAPTER 250 AS AMENDED) ADOPTED JANUARY 20, 1987 ALSO KNOWN AS CHAPTER 250 ET SEQ OF THE CODE OF THE CITY OF PERTH AMBOY.**

**Re: Violations and Penalties**

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

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 and was carried by the following vote: Yea--Council Members Balut, Bolanowski, Gonzalez, Sottilaro and Jimenez. Nay--none. Absent--none.

**3. AN ORDINANCE AUTHORIZING HEALTH INSURANCE COVERAGE PURSUANT TO N.J.S.A. 40A:10-23 FOR CERTAIN ELIGIBLE RETIREES.**

Motion was made by Council Member Balut, seconded by Council Member Jimenez 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.

Frank Hoffman, Blue Collar Union Pres.: I want to make sure that this Ordinance is the same as the old Ordinance. I want to make sure the coverage is the same.

Mark Blunda: Outlined the provisions of the Ordinance.

Frank Hoffman: Is this for dependents?

Mark Blunda: It's only for employees.

Frank Hoffman: I would like to talk to the Council about insurance (current levels).

Council Member Jimenez: That will have to be done as part of negotiations.

Jo Ann Jimenez, 627 Kelly Ave.: Does this affect dependents or only employees?

Mark Blunda: This is just employee coverage for those employees not covered by a collective bargaining agreement.

Motion was made by Council Member Sottilaro seconded by Council Member Balut 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 and was carried by the following vote: Yea--Council Members Balut, Bolanowski, Gonzalez, Sottilaro and Jimenez. Nay--none. Absent--none.

**4. AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "PUBLIC ENTERTAINMENT" (ORDINANCE NO. 830-96 AND AMENDMENTS) ADOPTED APRIL 2, 1996 ALSO KNOWN AS CHAPTER 343 ET SEQ OF THE CODE OF THE CITY OF PERTH AMBOY.**

Motion was made by Council Member Jimenez, seconded by Council Member Sottilaro 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.: Was the attorney for the Comite Patriotico shown this Ordinance for his input?

Mark Blunda: He drafted it.

Motion was made by Council Member Jimenez, seconded by Council Member Sottilaro 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 and was carried by the following vote: Yea--Council Members Balut, Bolanowski, Gonzalez, Sottilaro and Jimenez. Nay--none. Absent--none.

**5. AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "PRECIOUS METALS AND GEMS" (ORDINANCE NO. 250-80 AND AMENDMENT) ADOPTED MAY 20, 1980 ALSO KNOWN AS CHAPTER 332 ET SEQ OF THE CODE OF THE CITY OF PERTH AMBOY.**

Motion was made by Council Member Sottilaro, seconded by Council Member Jimenez 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. There were none.

Motion was made by Council Member Jimenez, seconded by Council Member Sottilaro 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 Sottilaro to adopt the Ordinance and was carried by the following vote: Yea--Council Members Balut, Bolanowski, Gonzalez, Sottilaro and Jimenez. Nay--none. Absent--none.

## **RESOLUTIONS**

**R-231-5/09 Providing for the refund of overpayment on Block 207, Lot 37 in the amount of \$5,000.00.**

Motion was made by Council Member Sottilaro, 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-232-5/09 Providing for the refund of overpayments created by tax appeals on various properties in the City of Perth Amboy, in the amount of \$13,286.10.**

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-233-5/09 Authorizing the tax collector to cancel all taxes for 2008/2009 on Block 135, Lot 28.01.**

Motion was made by Council Member Bolanowski, 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-234-5/09 Authorizing settlement of the workers compensation litigation entitled Miguel A. Ortiz v. City of Perth Amboy C.P. No. 2008-10764, for the total amount of \$8,489.25.**

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-235-5/09 Authorizing refund of a participation fee in the karate program to Maria C. Arias in the amount of \$80.00.**

Motion was made by Council Member Jimenez, 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-236-5/09 Authorizing the proper city officials to execute a memorandum of agreement with Middlesex County to participate in the Middlesex County Law Enforcement Information Sharing System.**

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-237-5/09 Approving special permit for public entertainment for the Puerto Rican Association for Human Development Roberto Clemente Festival to be held August 21 to August 23, 2009 at the Robert Wilentz Elementary School athletic field.**

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-238-5/09 Approving special permit for public entertainment to Concerts by the Bay, Inc. for concerts to be held on Sunday afternoons from July 5 to September 8, 2009.**

Motion was made by Council Member Sottilaro, 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-239-5/09 Approving a special permit for public entertainment to United Dominicans of Perth Amboy, Inc. Festival Dominicano to be held August 15 & 16, 2009.**

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-240-5/09 Accepting the bid and authorizing an agreement with Verizon Wireless to lease space on the Runyon water tower, in the amount of \$24,000.00.**

Motion was made by Council Member Sottilaro, 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-241-5/09 Accepting the bid and authorizing an agreement to lease antenna space on the Albert Street water tower with Metro PCS New York, LLC, in the amount of \$30,000.00.**

Motion was made by Council Member Balut, 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-242-5/09 Accepting the bid and authorizing a contract with Inpath Devices for a telephone system for city hall in an amount not to exceed \$70,871.00.**

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

Council President asked for comments. There were none.

The above Resolution was **Defeated** by the following vote: Yea--Council Members Gonzalez and Sottilaro. Nay--Council Members Balut and Bolanowski. Abstain--Council Member Jimenez. Absent--none.

Council Member Jimenez: We should carry this to the next agenda. Maybe by that time the Council's questions could be answered.

**R-243-5/09 Authorizing stipulation of settlement resolving the complaint filed by 174 Jefferson LLC.**

Motion was made by Council Member Sottilaro, 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-244-5/09 Authorizing stipulation of settlement resolving the complaint filed by Menpe Corp.**

Motion was made by Council Member Balut, seconded by Council Member Jimenez 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-245-5/09 Authorizing the city of Perth Amboy to enter into a stipulation of settlement resolving the tax appeal filed by Gary S. Daygoo.**

Motion was made by Council Member Sottilaro, seconded by Council Member Balut 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-246-5/09 Authorizing a 5-year contract with Raritan Bay Medical Center to provide basic life support services within the City of Perth Amboy.**

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

**R-247-5/09 Authorizing up to one hundred twenty days of paid injury leave to fire fighter Robert Wisnewski.**

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-248-5/09 Authorizing the insertion of revenue in the SFY 2009 Budget pursuant to N.J.S.A. 40A:4-87 (Chapter 159, P.L. 1948) for Station House Adjustment Grant in the amount of \$64,000.00.**

Motion was made by Council Member Sottilaro, seconded by Council Member Jimenez 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-249-5/09 Authorizing the insertion of revenue in the SFY 2009 Budget pursuant to N.J.S.A. 40A:4-87 (Chapter 159, P.L. 1948) for Office on Aging – Residential Maintenance Grant in the amount of \$5,000.00.**

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-250-5/09 Approving an application to the Local Finance Board pursuant to N.J.S.A. 40A:2-7(d), N.J.S.A. 40A:2-11(c) and N.J.S.A. 40A:3-1 et seq, for approval of a \$2,000,000 bond ordinance providing for the completion of construction of the public safety complex.**

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, Sottilaro and Jimenez. Nay--Council Member Gonzalez. Absent--none.

**R-251-5/09 Appointing Edna Dorothy Carty Daniel to the Perth Amboy Housing Authority for a term to expire on May 25, 2014.**

Motion was made by Council Member Sottilaro, 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-252-5/09 Authorizing a Closed Session at the May 27, 2009 meeting to discuss contract negotiations and pending litigation (tax appeals) new litigation.**

Motion was made by Council Member Jimenez, 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.

## COMMUNICATIONS

1. Thomas J. Buck, Esq., representing Scott's Towing, asking city resident David Caba to cease the slanderous conduct against his client at council meetings. (5/8/09)
2. Middlesex County Board of Chosen Freeholders submitted a contract amendment along with a certified copy of the resolution adopted by the board on April 23, 2009, extending the 2007 contract by an additional \$5,000 (January 1, 2009 – December 31, 2009) for residential maintenance services for the Perth Amboy Senior Center. (5/8/09)
3. Woodbridge Township Clerk submitted a copy of the Land Use & Development Ordinance amendment which was scheduled for a public hearing on May 19, 2009. (5/8/09)
4. US Dept. of Commerce advising that the Address Canvassing Operation for the 2010 Census will begin April 2009 and end June 2009. (5/8/09)
5. Borough of Milltown submitted a copy of Resolution #R09-098 opposing Assembly Bill No. 3686 which proposes the transfer of the Governor's Council on Alcoholism and Drug Abuse to the NJ Dept. of Human Services. (5/8/09)
6. Jack M. Dudas, City Historian, recommending the appointment of Anton Massopust as Assistant City Historian. (5/12/09)
7. NJDEP advising it has completed its review of a certified Preliminary Assessment (PA) Report and issued a Child Care Facility Approval Letter for the child care facility to KLC DBA Champions at St. Mary's Childhood Center, 351 Mechanic St., Perth Amboy. (5/15/09)
8. Middlesex County – Dept. of Highways submitted the 2009 Projected Resurfacing Projects for county roads. (5/15/09)

9. Jack M. Dudas, City Historian, advising Mayor Wilda Diaz that by common consent among those in the historical community, the Kearny Cottage is the City Museum, and asking that the City officially designate it as such. (5/19/09)

### **COUNCIL COMMENTS**

Council Member Gonzalez: I recommend people attend the Planning Bd. meetings.

### **ADJOURNMENT**

There being no further business to come before the Council, motion was made by Council Member Gonzalez, 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