



**MINUTES  
PROCEEDINGS OF THE COUNCIL OF THE  
CITY OF PERTH AMBOY  
JUNE 24, 2009  
COUNCIL CHAMBERS**

**NOTICE OF MEETING**

Regular Meeting of the Council of the City of Perth Amboy was held on Wednesday, June 24, 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 Jimenez.

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**

**None.**

## TOPICS FOR DISCUSSION

### 1. Billing of Water & Sewer to Previously Exempted Customers. (Feigenbaum)

Jane Feigenbaum: There were originally supposed to have been 55 customers exempted from paying water & sewer. In actuality, it was in excess of 100. Mr. Blunda found it to be illegal to exempt any group for paying for water and sewer. The savings to the city will be \$240,000 annually. The letters will go out soon to all those affected and will become effective August 1.

Council Member Gonzalez: If this was illegal why was this done?

Mark Blunda: I gave the opinion that it was illegal. In 1998 there was an ordinance but it never was enforced. There is no need to amend the water/wastewater ordinance. They will be charged going forward.

## HEARING OF CITIZENS (10 MINUTE MAXIMUM)

None.

## PUBLIC PORTION (5 MINUTES MAXIMUM PER SPEAKER)

Wilfredo Alonso, Pres. of the Continental Soccer League read a prepared statement thanking Peter Jimenez, Mayor Diaz, and Ken Ortiz, Rec. Director for the work done in support of the league.

Council Member Jimenez: They are a community minded group and are willing to work with the City with regard to the census.

Daniel Sabine, Keene Street: We are here about the Bungalo Lounge. The noise and people keep us awake. The bar doesn't belong there. It's a residential area.

Jose DeLeon, 395 Keene Street: The situation at the bar is getting real bad. It's a bad situation for the neighborhood. I wish they could move the bar to a different area. The Police Dept. is called and there is a record of the complaint.

Cindy Sabine, Keene Street: Things are getting worse. The previous bar gave us no problems. What should we have to tolerate? What are their rights and our rights? The neighbors are having problems. Did anyone watch the cd's that were submitted to the City Clerk?

Elaine M. Jasko: Since Ms. Sabine only submitted one copy of the tape, I've made arrangements to have the cd's copied for each of the council members.

Cindy Sabine: Their patrons are going outside and urinating. They have a parking situation. This is a problem for the residential neighborhood.

Council Member Sottilaro: There are other people who share the same problems.

Mariela Middleton: I'm the manager for the Bungalo. My family continues to live there. We have done nothing wrong. We are looking to hire security from 12 midnight to 2 am for Friday and Saturday nights.

Council Member Jimenez: You should have the security on the outside of the premises instead of the inside.

Mariela Middleton: I patrol the outside area and we're trying to be good neighbors. There were about 30 calls and only two were for loud noise.

Council Member Bolanowski: In the past we have had hearings regarding similar issues and the Council imposed suspensions. I suggest the tavern hire the security as the first step before any action is taken.

Emanuel Cardo, 391 Keene Street: I live above the bar. The noise is not that loud. I have two young children and it does not disturb them at night.

Council Member Balut: How did you apply for building permits?

Mariela Middleton: We only painted and put in new floors.

Frank Wild, 435 Baker Place: Why are we being laid off when all the costs pertaining to the employees are being paid for by Middlesex Water?

Jane Feigenbaum: Your salaries and benefits are paid by the City. They are still municipal employees. They were only leased out to Middlesex Water.

Julio Espinosa: I put a bid in for the demolition of the tennis building. The foundation and sidewalks were supposed to stay intact. The work was not done the way we were originally told. The way it was done could have been done at a fee of \$15,000. I could have submitted a bid at a much lower price.

Paul Wnek, Dir. DPW: There was no slab. The sidewalk was removed because it cracked and it was dangerous. There were 4 other people who bid lower than this gentleman.

Council Member Gonzalez: We should get copies of the bids on a timely basis so we can review them before we take action on these matters.

Jane Feigenbaum: This was an emergency job. We are required to respond to the lowest responsible bidder.

Julio Espinosa: The bid should have been clearer.

Paul Wnek: The bids ranged by a \$30,000 difference. Everyone quoted the job as specified in the specs. We had to wait to open the bids until the arson investigation was complete.

Kevin Nascimento, 794 Chamberlain Avenue: Where do complaints go?

Council Member Jimenez: It goes to the administration.

Kevin Nascimento: I'm waiting to get info regarding a payout, as well as COBRA payments. No one is providing us with that info.

Jane Feigenbaum: A letter will be going out to you tomorrow. COBRA will be extended for one month. Once we get the final numbers about payouts you will get the monies in your next pay.

Kevin Nascimento: I hear we will be hiring new fire personnel. We don't have the money to hire these people. The list was certified. I don't get it. The list is only good for 90 days.

Council Member Gonzalez: We need a certified list in case we get funding from the federal government.

Alan Silber, 244 Rector Street: Are we still dealing with Imperial and is the head person indicted?

Mark Blunda: Yes.

Alan Silber: We should not be dealing with someone that's being indicted. The safety complex is killing the city. Stop spending the money. There's no need to finish the YMCA.

Richard Piatkowski, 142 Gordon St.: The caucus is for the public to understand where the info is coming from. It is for government.

Council Member Jimenez: There is plenty of time for the public and Council to question any item on the agenda. The agenda is ready on Thursday.

Orlando Perez, 467 Rathburn Place: Some of our fire equipment is out of service. Are we hiring new firemen?

Mayor Diaz: We asked for the lists for police and fire to be certified in the event we receive stimulus package funds. We have to be ready.

Mrs. Donnelly, 573 Carson Avenue: Are the salaries of the water employees paid out of the city account? Will our taxes be lowered with these layoffs?

Jane Feigenbaum: It's an operating expense. There are expenses that we are not aware of yet.

Reinaldo Aviles, 496 McKeon Street: The Clerk told me that Council Minutes are all up to date. That's great. Has the police dept. done a study on the High St. connector road speed limit?

EJ McDonald, Deputy Chief: Yes, and the report was given to the Council.

Council Member Jimenez: We should look into putting a stop sign on Keene St. near the Bungalo Bar.

Deputy Chief McDdonald: We'll look into it.

Council Member Gonzalez: We should look into some of the streets that need to be made one way.

Reinaldo Aviles: Did we get a response from the State Commissioner of Education regarding the tax levy? What happens if the City does not certify the tax levy?

Peter read the letter from Ms. Davey into the record. There is a \$9 surplus in the Board of Education.

Council Member Gonzalez: We should have a meeting with Ms. Davey to go over the process.

Council Member Jimenez: We should include the Board of Education in this meeting.

Reinaldo Aviles: I don't think Ms. Davey has a right to tell us what to do.

Council Member Sottilaro: Education is a state function.

Council Member Balut: We should go to Ms. Davey and ask the Board to stop raises. The Governor is not asking the Boards of Education to control their spending or asking them to freeze their salaries.

City Clerk was asked to send a letter inviting Ms. Davey and the Board of Education to meet with the Council.

Mayor Wilda Diaz: We are accepting monies from the state and we are part of the lawsuit. We should make the invitation. We should express our protest.

Jane Feigenbaum: There's a \$750,000 increase in the school levy.

Dorothy Carty-Daniel, Water St.: No one was evicted from Delaney Homes. They were relocated. We launched the dental program at Hobart St. (Jewish Renaissance). The property across the street is dirty and should be cleaned.

Reyes Ortega, Smith Street: We can't afford higher taxes.

## **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-306**

Orlando Perez, 467 Rathburn Place: We should have new people on the boards. We should not have council people on boards. You should have professional people on the boards.

Mark Blunda: Statute requires council people to be on certain boards.

### **R-290**

Reinaldo Aviles, 496 McKeon St.: Did we look into it?

Jane Feigenbaum: The schools cannot do it all. They will do a part of the job, and 1, 2, 3 Quick Print will do the other part.

### **R-306**

Richard Piatkowski, 142 Gordon St.: I am in favor of having Councilwoman Bolanowski back on the board.

### **R-284**

Richard Piatkowski: The Board of Education is on a different cycle.

**BIDS**

Richard Piatkowski: There's a 15% difference in the bids.

**R-289**

Richard Piatkowski: Wouldn't it be more feasible to have IT people on the city's payroll?

Jane Feigenbaum: You would have to hire several people who have various fields of expertise. It's significant work. This covers the entire expertise.

**R-301, 302, 303**

Richard Piatkowski: Is this part of the \$2m bond that was recently passed?

Jane Feigenbaum: Yes.

**R-299**

Richard Piatkowski: What is this project?

Michael Keller: Aeration of willow pond, bleachers, sun shelter, dock, rowboat, camera for monitoring water quality, foot bridge.

**R-305**

Alan Silber, 244 Rector Street: What's the difference between authorization and extension of a contract?

Jane Feigenbaum: It's the City's option to decide whether we want to continue a contract with a vendor for an additional year.

**R-311**

Alan Silber: This has got to stop.

**R-301, 302, 303**

Alan Silber: This is outrageous. We should stop this.

**R-313**

Alan Silber: We should have the amount and address of the stipulation listed on the agenda.

**APPROVAL OF MINUTES**

**None.**

## BIDS

Bids were received on May 21, 2009 for the following:

1. Willow Pond Park Project – Community Development
  - a. JA Alexander \$529,094.00\*  
(including alternate)
  - b. Bird Construction \$598,146.00  
(including alternate)
  - c. V&K Construction \$619,156.00  
(including alternate)
  - d. Applied Landscape Tech \$625,054.00  
(including alternate)
  - e. Montone \$711,110.00  
(including alternate)
  - f. B&B Construction Incomplete Bid

Bids were received on June 12, 2009 for the following:

1. Summer Lunch Program - Dept. of Human Services – Recreation
  - a. Karsons Food Services \$ 94,802.40\*  
(\$2.16 Per meal)
  - b. Nu-Way Concessionaires, Inc. \$108,408.30  
(\$2.47 per meal)

\*Recommendation of Bid Award.

## SUPPLEMENTAL DEBT STATEMENT

None.

## LIQUOR LICENSE – NOTIFICATION

None.

## SOCIAL AFFAIR PERMIT

None.

## REPORTS

1. Report of Special Emergency Note Sale held on June 17, 2009 in the amount of \$400,000.00 to mature on March 5, 2010 at an interest rate per annum of 4.80% and \$600,000.00 to mature on March 5, 2010 at 3.50%.

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

**1. AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED WATER/WASTEWATER.**

Mark Blunda: This Ordinance is not necessary and should be removed from the agenda.

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

**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 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. 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.

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

Mark Blunda: This ordinance should be carried to the July 8 meeting.

## RESOLUTIONS

### **R-284-6/09 Approving preliminary State Fiscal Year Tax Levy for third and fourth quarter installment 2009.**

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

Council President asked for comments.

Council Member Jimenez: This is at 100%, correct?

Jane Feigenbaum: Yes

Council Member Sottilaro: What will happen with this?

Jane Feigenbaum: The money will have to be made up in the next quarters.

Council Member Gonzalez: We can't afford additional increases in taxes.

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-285-6/09 Approving transfer of SFY 2009 Budget Appropriations in the amount of \$165,650.00.**

Motion was made by Council Member Gonzalez, 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-286-6/09 Authorizing the temporary budget for municipal debt service for SFY 2010 in the amount of \$11,094,167.00.**

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-287-6/09 Authorizing the SFY 2010 Cash Management Plan for the City of Perth Amboy.**

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-288-6/09 Authorizing the 2009-2010 Renewal of Plenary Retail Consumption Licenses; Club Licenses and Distribution License with certain exceptions.**

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-289-6/09 Authorizing a professional service agreement with Breaker Group, Inc. for IT services for City Hall, Police Department, Fire Department, Public Works, Vital Statistics and Community Development in an amount not to exceed \$184,310.00.**

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

Council President asked for comments.

Council Member Gonzalez: We should table this until we get the data that we requested from other towns. We should look into hiring a person in-house and get info on shared services with another municipality.

Council Member Bolanowski: We should have a one month extension of the Breakers contract to hold us over.

Council Member Jimenez: We should put this on for the next meeting and not act on this today.

Council Member Bolanowski: I withdraw my second to the motion to adopt the Resolution.

No action was taken on the resolution since there was no second to the motion by Council Member Sottilaro.

**R-290-6/09 Authorizing one year extension of the contract for printing of letterhead, envelopes, newsletters, programs, brochures and business cards to 1-2-3 Quick Print in an amount not to exceed the sum of \$22,500.00.**

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.

**Consent Agenda – R-291-6/09-R-298-6/09**

**R-291-6/09 Providing for the refund of tax overpayment on Block 286, Lot 5 in the amount of \$1,040.23.**

**R-292-6/09 Authorizing the refund of tax overpayment on Block 257, Lot 30 in the amount of \$1,325.68.**

**R-293-6/09 Authorizing the refund of tax overpayment on Block 334, Lot 19 in the amount of \$204.64.**

**R-294-6/09 Authorizing the refund of overpayment/duplicate tax payments in the total amount of \$47,685.40.**

**R-295-6/09 Authorizing the cancellation of real estate property tax overpayments in the total amount of \$25,816.34.**

**R-296-6/09 Authorizing the refund of duplicate tax payment on Block 324, Lot 7 in the amount of \$964.31.**

**R-297-6/09 Authorizing the refund of duplicate tax payments on Block 76, Lot 37, Block 76, Lot 10.01 in the total amount of \$3,409.48.**

**R-298-6/09 Authorizing the cancellation of an erroneously sold tax sale certificate on Block 12, Lot 1.01 in the amount of \$27,923.37.**

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

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-299-6/09 Accepting the bid and authorizing a contract with J.A. Alexander, Inc, for the Willow Pond Park project in an amount not to exceed \$529,094.00.**

Mark Blunda: This should be removed until the next meeting. This was not the lowest bidder and we're reviewing it.

**R-300-6/09 Accepting the bid and authorizing a contract with Karson's Food Services for the State of New Jersey 2009 Summer Food Service Program in an amount not exceed \$94,802.40.**

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-301-6/09 Authorizing change order one to the contract with HC Constructors (tender contractor) for the public safety-court-community complex bid package #7-foundations (Rebid #2) increasing the contract in the amount of \$7,625.00.**

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

Council President asked for comments.

Joe Nigro, Imperial Construction: The work on the pool was done in March.

Mark Blunda: This is for the work done by the second contractor.

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-302-6/09 Authorizing change orders thirty-seven through forty-nine to the contract with Safeco (completing surety) for the public safety-court-community complex bid package #11-general construction (Rebid #2) increasing the contract in the amount of \$529,573.00.**

Council Member Balut questioned the work and the catering event that resulted in these change orders.

Joe Nigro tried to explain the series of items in the change orders.

Council Member Jimenez: \$70,000 of the bill was for the grand opening ceremony. We should not be paying for this.

Not moved or seconded by the Council. The Resolution is moot.

**R-303-6/09 Authorizing change orders nos. thirty-six to thirty-nine to the contract with SM Electric for the public safety-court-community complex bid package #9 - rebid electrical & fire alarm, and/or security in the amount of \$138,035.00.**

Joe Nigro explained the work on the gates that were installed.

Council Member Balut: Who authorized the installation of the gate?

Joe Nigro: The entity (city). Mr. Perlee was attending the meetings and making decisions.

Council Member Balut: The expenditure is \$50,000 and it is 2 year old.

Council Member Gonzalez: Were there minutes of those meetings?

Joe Nigro: Yes.

Council Member Balut: Was anyone checking the percentage of the change orders?

Joe Nigro: I'm the person checking it.

Mark Blunda: At the next meeting we will have to take out some of the change orders and we will have to pay the bills as part of the agreement.

Ben Ruiz, Police Dept.: We still have temporary co's.

Council Member Balut: We still have temporary co's in the fire dept.

Jane Feigenbaum: I'm trying to get this project done.

Council Member Balut: These are 2007 bills. We should get a financial audit done.

Not moved or seconded by the Council. The Resolution is moot.

**R-304-6/09 Authorizing transfer of the unexpended balance of an appropriation in the water/wastewater utility.**

Motion was made by Council Member Gonzalez, 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-305-6/09 Extending the contract for gasoline with Allied Oil Co. in an amount not to exceed the sum of \$300,000.00.**

Council Member Balut: Are we paying the same amount as last year? Gas prices were very high last year. We shouldn't extend this contract until we know for sure.

Jane Feigenbaum: I'll check with Gary Muska and have an answer for you.

Resolution was removed from agenda. No action was taken.

**R-306-6/09 Consenting to the reappointment of Geraldine M. Bolanowski to the Perth Amboy Redevelopment Agency for a term to expire June 30, 2010.**

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-307-6/09 Renewing the lease agreement with Congressman Albio Sires for designated office space in Perth Amboy City Hall for a period of 6 months (July 1, 2009 – December 31, 2009).**

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

**R-308-6/09 Authorizing an amendment to the contract between Raritan Bay Medical Center and the City of Perth Amboy and confirming the sale price of ambulances and equipment.**

Motion was made by Council Member Gonzalez, 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--Council Member Balut. Absent--none.

**R-309-6/09 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 the sum of \$15,000.00.**

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-310-6/09 Awarding a contract for collision repair to AI's Auto Body in accordance with the Middlesex County Cooperative Pricing Agreement, in an amount not to exceed the sum of \$37,500.00.**

Council Member Balut: We should check locally.

Jane Feigenbaum: We put out a bid.

Council Member Balut: We should hold this.

Not moved or seconded by the Council. Resolution moot.

**R-311-6/09 Authorizing a contract with MJ's Excavating Inc. for the emergency demolition of 41-56 Brighton Avenue (block 6, lot 1) in an amount not to exceed \$34,850.00.**

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-312-6/09 Authorizing return of a performance bond to Firehouse Plaza for 352 State Street, Block 353.01, Lots 3.01, 3.02, 3.04 and 3.05 in the amount of \$246,305.40.**

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-313-6/09 Authorizing the City of Perth Amboy to enter into a Stipulation of Settlement Resolving the tax appeal filed by J&C Goldstein.**

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-314-6/09 Authorizing up to 120 days of paid injury leave to Officer Jose Colon.**

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-315-6/09 Authorizing a contract with Fayette Motors for auto supplies in an amount not to exceed \$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-316-6/09 Authorizing a contract with Freedom Auto Parts for auto supplies in an amount not to exceed \$5,000.00.**

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.

**CONSENT AGENDA – R-317-6/09 TO R-324-6/09**

**R-317-6/09 Authorizing the proper city officials to execute a contract with the Diocese of Metuchen, Catholic Charities in accordance with the XXXV Year Community Development Block Grant from the U.S. Department of Housing and Urban Development under Title 1 of the Housing and Community Development Act of 1974, as amended in the amount of \$70,000.00.**

**R-318-6/09 Authorizing the proper city officials to execute a contract with Concerts By the Bay, Inc. in accordance with the XXXV Year Community Development Block Grant from the U.S. Department of Housing and Urban Development under Title 1 of the Housing and Community Development Act of 1974, as amended in the amount of \$5,000.00.**

**R-319-6/09 Authorizing the proper city officials to execute a contract with Puerto Rican Association for Human Development in accordance with the XXXV Year Community Development Block Grant from the U.S. Department of Housing and Urban Development under Title 1 of the Housing and Community Development Act of 1974, as amended in the amount of \$50,000.00.**

**R-320-6/09 Authorizing the proper city officials to execute a contract with the Perth Amboy Youth Football League in accordance with the XXXV Year Community Development Block Grant from the U.S. Department of Housing and Urban Development under Title 1 of the Housing and Community Development Act of 1974, as amended in the amount of \$10,000.00.**

**R-321-6/09 Authorizing the proper city officials to execute a contract with the Jewish Renaissance Foundation in accordance with the XXXV Year Community Development Block Grant from the U.S. Department of Housing and Urban Development under Title 1 of the Housing and Community Development Act of 1974, as amended in the amount of \$15,282.00.**

**R-322-6/09 Authorizing the proper city officials to execute a contract with the John E. Toolan Kiddie Keep Well Camp in accordance with the XXXV Year Community Development Block Grant from the U.S. Department of Housing and Urban Development under Title 1 of the Housing and Community Development Act of 1974, as amended in the amount of \$15,000.00.**

**R-323-6/09 Authorizing the proper city officials to execute a contract with the Perth Amboy Housing Authority in accordance with the XXXV Year Community Development Block Grant from the U.S. Department of Housing and Urban Development under Title 1 of the Housing and Community Development Act of 1974, as amended in the amount of \$17,850.00.**

**R-324-6/09 Authorizing the proper city officials to execute a contract with Hogar Crea in accordance with the XXXV Year Community Development Block Grant from the U.S. Department of Housing and Urban Development under Title 1 of the Housing and community Development Act of 1974, as amended in the amount of \$20,000.00.**

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

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-325-6/09 Authorizing the City to submit applications and enter into agreements with the U.S. Department of Housing and Urban Development for 2009-2010 CDBG Funds and HOME Funds in the amount of \$1,211,425.00 and rescinding R-136-3/09.**

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-326-6/09 Authorizing a Closed Session at the June 24, 2009 meeting to discuss pending litigation (tax appeals and public safety complex).**

Mark Blunda: This resolution is not needed. It should be voided.

**R-327-6/09 Authorizing submission of an application for participation in the Local Energy Audit Program of the NJBPU.**

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.

## COMMUNICATIONS

1. **NJ Division of Local Government Services advising that Governor Corzine's appointed task force has completed its study of police suicide in New Jersey and is available in its entirety on their web site. (6/5/09)**
2. **NJDEP issued a No Further Action Letter and Covenant Not to Sue for the 550-gallon #2 heating oil underground storage tank system at 764 Hanson Avenue, Block 379.02, Lot 27. (6/2/09)**
3. **Robert M. Adocio, Esq. requesting an extension of injury leave for Louis Halasz. (6/8/09)**
4. **New Brunswick City Clerk submitted a certified copy of a Resolution adopted on June 3, 2009 supporting the passage of legislation that would permit adopted persons or the adoptive parents of a minor, access to a copy of the adopted person's original birth certificate and related medical and cultural information. (6/12/09)**

5. **Mayor Wilda Diaz appointing Stanley Progacky Alternate No. 1 to the Board of Adjustment to fill an unexpired term ending December 31, 2010. (6/15/09)**
6. **NJDEP advising that the Remedial Investigation Report/Remedial Action Work Plan submitted by the Whitman Companies for 277 Rector Street has been approved. (6/16/09)**
7. **Middlesex County Freeholder Clerk submitted a certified copy of a resolution adopted on May 21, 2009 authorizing an agreement with NJ Transit and the City of Perth Amboy regarding co-sponsorship of installation and operation of bus shelters on New Brunswick Avenue and Amboy Avenue, both County roads. (6/16/09)**
8. **Pivotal Utility Holdings, Inc. d/b/a Elizabethtown Gas submitted a notice of public hearings regarding proposed gas base rate increases and other rate and tariff changes. (6/16/09)**
9. **Acting Police Chief E.J. McDonald advising that the Perth Amboy Police Department has achieved Police Agency Accreditation through the NJSACOP Law Enforcement Accreditation Program. (6/16/09)**

Council Member Bolanowski: I congratulate the Police Dept. for this achievement.

10. **NJDOT advising that work will begin on June 26, 2009 to clean and paint seven existing over/underpasses on Route 440 including ramps and railroad structures. There will be temporary lane and shoulder closures during allowable hours. Work is anticipated to be completed in July 2010. (6/16/09)**
11. **Elaine M. Jasko, City Clerk to Comcast Government Affairs Manager Molly B. Adams advising that the Council has expressed concern that the only reason Comcast switches channels from one group to another is to get the consumers to pay more for the channels they like to watch. The Council would like to know why Movieplex is being switched from expanded basic to digital classic. (6/18/09)**

- 12. Mayor Wilda Diaz reappointing Geraldine M. Bolanowski to the Perth Amboy Redevelopment Agency beginning July 1, 2009 and ending June 30, 2010. (6/18/09)**

**COUNCIL COMMENTS**

Council Member Jimenez: We should try to see if we can sell some water to other towns.

Mayor Wilda Diaz: That plant needs some serious work. There's a large investment that needs to be made.

Council Member Gonzalez: Middlesex Water sells its own water. They are not going to negotiate against themselves. We need to have long range plans for the watershed.

Council Member Sottilaro: We still have a contamination plume. We should be careful on how much water we pull.

**ADJOURNMENT**

There being no further business to come before the Council, motion by Council Member Jimenez, seconded by Council Member Gonzalez 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