



**MINUTES  
PROCEEDINGS OF THE COUNCIL OF  
THE CITY OF PERTH AMBOY  
JULY 14, 2010  
COUNCIL CHAMBERS**

**NOTICE OF MEETING**

Regular Meeting of the Council of the City of Perth Amboy was held on Wednesday, July 14, 2010, in the Council Chambers, City Hall, Perth Amboy, New Jersey at 7:00 p.m.

Presiding Officer of the Council, Kenneth Balut, advised the audience that notice of 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 Kenneth Balut: At this time, as a courtesy to the Governing Body, I would ask all individuals present, including members of the audience, to please turn off all cell phones and electronic devices. Should you need to make a telephone call, please go out into the hallway and speak in a low voice so as not to disturb the ongoing meeting.

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

Invocation was given by Council Member Petrick.

Meeting was called to order by Council President Balut with the following Council Members Present: Fernandez Gonzalez, Kenneth Gonzalez, Joel Pabon and William Petrick.

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.

Motion was made by Council Member Kenneth Gonzalez, seconded by Council Member Pabon to change the order of business and consider **R-327** at this time, and carried by the following vote: Yea--Council Members Fernando Gonzalez, Kenneth Gonzalez, Pabon, Petrick and Balut. Nay--none. Absent—none.

Motion by Council Member Kenneth Gonzalez to consider **R-328** at this time, seconded by Council Member Pabon and carried by the following vote: Yea-- Council Members Fernando Gonzalez, Kenneth Gonzalez, Pabon, Petrick and Balut. Nay--none. Absent—none.

## **PROCLAMATIONS/PRESENTATIONS**

### **Presentations to former Council Members: Geraldine M. Bolanowski Robert R. Sottilaro**

Council President Balut presented Resolutions of appreciation and gift clocks to former Council Members Geraldine Bolanowski and Robert R. Sottilaro.

## **TOPICS FOR DISCUSSION**

### **1. Renovations to Parking Deck. (J. Feigenbaum)**

George Hibbs, Architect, Clarke Caton Hintz – Provided a proposal to Jefferson St. Parking Deck.

Michael Nelson, Architect, Clarke Caton Hintz - Outlined existing conditions and provided corrective measures and overview of changes to the deck.

George Hibbs: The changes include (open lighting, elevators). The cost estimate is \$3.24 million.

Council Member Petrick: Is there any testing that needs to be done?

George Hibbs: Structural engineers have witnessed and reviewed the steel & concrete. There are no concerns.

Council Member Petrick: Will there be a sprinkler system?

George Hibbs: The deck is an open deck and does not require a sprinkler.

Council Member Kenneth Gonzalez: What about the sink hole that existed?

George Hibbs: The issue was taken care of. The structure was not impacted.

Council Member Kenneth Gonzalez: There's a pigeon problem. Will that be addressed?

George Hibbs: Yes.

Council President Balut: Will this include cameras, and glass glazing?

George Hibbs: Yes.

Council President Balut: Will the lights be vandal proof?

Michael Nelson: Yes.

Council Member Pabon: What is the timetable for this project?

George Nelson: Approximately 1 year.

Council Member Pabon: Is there a plan to pay for this?

Jane Feigenbaum: We would have to fund this through a bond ordinance.

Council Member Fernando Gonzalez: The Administration should look into funding and come back to the Council with a plan.

Jane Feigenbaum: This money would be in the Parking Utility Budget.

### **1. Amending Date/Time of Caucus Meetings. (K. Balut)**

Council President Balut: We would like to move the Caucus Meetings to the Mondays preceding the Council Meeting at 3:30 pm.

Mark Blunda: I will prepare an Ordinance for the next meeting.

### **2. Update – Animal Shelter. (K. Gonzalez)**

Council Member Kenneth Gonzalez: I'm looking for an update.

Jane Feigenbaum: An RFP has been completed and will be going on the City's Website on Friday and we will see what type of responses we get.

Council Member Fernando Gonzalez: What provoked a change in the current system of the animal shelter?

Jane Feigenbaum: It's been overseen by the Police Dept. It's a question of manpower and oversight. It's taking resources from the police dept. This is an administrative function.

### **3. Outdoor Dining. (M. Blunda)**

Mark Blunda: Is this something the Council is in favor of? If so, you need to determine the months of the year in which it will be allowed and the number of tables allowed.

Council Member Petrick: I would like input from the Police Department, Fire Department and Code Enforcement.

Council Member Pabon: It's a great idea.

Council Member Kenneth Gonzalez: It's a good idea conceptually.

Council Member Fernando Gonzalez: The public has been demanding this for quite awhile.

Council President Balut: I am in full agreement.

Mark Blunda: I will meet with the depts. and discuss the scope, and limitations. I will prepare an ordinance and we can implement this in the fall season.

### **5. Amendment of Sanitation Ordinance. (M. Blunda)**

Mark Blunda: This is for bulk limitations, there are currently no limitations for commercial establishments, the Bd. of Education, and for non-profits. We have a problem with workers compensation cases as a result of this pickup.

Council Member Pabon: Will we lose money if we eliminate our big sources of revenue (recyclables)?

Paul Wnek, Dir. DPW: The Board of Education recycles. We will not lose any revenues because the amounts of pickup get credited to the City.

Council Member Fernando Gonzalez: I think out of towners bring their garbage to the city. That's because we are too lenient. We should have a special meeting to discuss this further.

Council President Balut: I've witnessed the large amounts of garbage. It's costing the City tons of money.

Council Member Petrick: People are putting out entire households. We want to encourage businesses to stay in town. We need to work out something with the Bd. of Education.

Council Member Ken Gonzalez: Residents are abusing. We don't want businesses to be hurt. I want more info on non-profits. The Bd. of Ed. pickup might be a problem. I believe there was a court case where if we charged public schools, the parochial schools would have to be charged also.

Council President Balut: If we charge the Board of Education, it is still our tax dollars.

The City Clerk was instructed to set up a date for a special meeting to discuss sanitation ordinance amendments.

**6. Appointment of Council Member to Planning Board.  
(E. Jasko)**

Council President Balut: This was taken care of at the Caucus.

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

**Proposed Duarte monument and its placement on city park land.**

**Robert R. Sottilaro  
722 Gornik Drive  
Perth Amboy, NJ**

Bob Sottilaro: The monument has violated state statute, city ordinance and the deed for the Roessler Park. I have received many complaints from both Latino and non-Latino citizens. I am in favor of having Caucus Meetings on Mondays. Public Comments should be held before agenda items. Public Portion should be held at the end of the meeting. Extended time should be granted to speakers. No discussion should be held at the time of a vote. There should be council presidency rotation. There should be a decrease in the Council President pay by \$2,000. There should be a 20% reduction for Council Members and there should be no health benefits for any Council Members.

Motion was made by Council Member Kenneth Gonzalez, seconded by Council Member Petrick to adopt R-358-7/10 and was carried by the following vote: Yea—Council Members Fernando Gonzalez, Kenneth Gonzalez, Pabon, Petrick and Balut. Nay—none. Absent—none.

Motion was made by Council Member Kenneth Gonzalez, seconded by Council Member Petrick to recess the meeting to go into Closed Session at 8:20 pm and was carried by the following vote: Yea—Council Members Fernando Gonzalez, Kenneth Gonzalez, Pabon, Petrick and Balut. Nay—none. Absent—none.

Motion was made and seconded by Council Member Kenneth Gonzalez, seconded by Council Member Petrick resume the regular meeting at 8:35 pm and was carried by the following vote: Yea—Council Members Fernando Gonzalez, Kenneth Gonzalez, Pabon, Petrick and Balut. Nay—none. Absent—none.

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

Peter Book, 687 Johnstone St.: The Duarte monument should not be on public property. Thadeus Kosciusko has a monument on St. Stephen's property. I agree with the City Historian, Jack Dudas.

Wilma Matey, 125 Water St.: I've been involved with the animal shelter for many years. I would like to have it open 6 days a week and closed on Mondays for cleaning. We should have dog training for our residents. The shelter is important to our community. We need to inform our community. I am in favor of outside dining. We should have uniform chairs and umbrellas. I congratulate Ken Balut on being selected as Council President.

Stan Sierakowski, Charles St.: We have 70% absentee landlords in town. We should tax these homes as investment properties and increase the amount we charge them for their properties. We need to get the absentee landlords out. The parking deck should consider a solar component.

Billy Delgado, 216 Kearny Ave.: There is a problem with trash in Perth Amboy. There is decadence and deterioration in the city. You can limit and legislate, but we need inspectors for garbage pickup. If you eliminate the secretary at DPW and the supervisor at DPW, you will have enough money to pay for additional inspectors.

Antonio Vega, 492 North Park Dr.: I am an employee of the sanitation dept. who is on layoff. I have been interviewed twice to come back and work for the City. I was told that the prior Council did not want to bring me back. What happened to the salaries of two employees that we lost? What is going on? My time is running out.

Council President Balut: We will be looking into everything when we review the budget.

Mark J. Blunda: This is a personnel matter. There has been litigation filed.

Richard Piatkowski, 142 Gordon St.: A parking authority should be brought back. It is more efficient if it's run by an authority. I like that the Council is moving the Caucus Meetings to another day of the week. I am in favor of outdoor dining.

Tony Massopust, 178 Market St.: I am an archeologist and the Assistant City Historian. The area for the Duarte statue is sensitive. It may cause more problems. The Duarte monument should be placed in the library to avoid future problems.

Maria Garcia, 124 Kearny Ave.: What plan does the City have to keep taxes down and bring personnel into the police, fire and sanitation departments? We should have a change in the organization chart. We should merge departments. If someone retires they should be replaced by existing persons. We need to bring redevelopment to the City.

Steve Jobin, 218 Kearny Ave.: The Chamber of Commerce is in support of outdoor dining. Many towns such as South Amboy have such an ordinance in place.

David Szilagyi, 42 Market St.: I am in favor of Caucus Meetings on separate nights. We are overly generous with garbage pickup. The dumping station should be open more hours. The Duarte monument location should be reconsidered. It will cut into the recreational part of the park.

Mayor Wilda Diaz: I like the recommendations being made by the public. I have been focusing on our police, fire and court. We recently hired 4 new police officers. We're looking at the sanitation department. We have a great abundance of garbage. The business sector is very important. It's good to have outdoor dining.

Mark Blunda: There are pending grievances filed by the blue collar union and a civil service situation that would require us to bring water/sewer employees back before the laid off DPW employees. If you want more information, this can be discussed in closed session.

Motion by Council Member Fernando Gonzalez, seconded by Council Member Ken Gonzalez to amend the closed session Resolution (358-7/10) to include the discussion of personnel matters and was carried by the following vote: Yea-- Council Members Fernando Gonzalez, Kenneth Gonzalez, Pabon, Petrick and Balut. Nay--none. Absent—none.

Reyes Ortega, 108 Madison Ave.: I congratulate the new Council. We should allow the sale of items on sidewalks throughout the city.

Reinaldo Aviles, 496 McKeon St.: Caucus Meetings should be held on a separate day but at a later time. 3:30 pm is not a good time. It should be at a later time. Who will be maintaining the Duarte monument? There are always issues that are not completely addressed.

Fred Soto, 202 Hidden Village: A person who calls for garbage pickup should supply a list of the garbage being placed for pickup.

Bill George, 219 New Brunswick Ave.: I hope that the Council allows me to rebut the matter regarding official newspapers.

## **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.

### **Resolutions 327, 328 and 330**

Richard Piatkowski, 142 Gordon St.: I commend these Resolutions.

### **Rt. 440**

Richard Piatkowski: Is this our cost?

Council President Balut: These are DOT monies.

Michael Keller, Dir. OECD: We are closing out the project. We got reimbursed 95%.

### **R-343**

Richard Piatkowski: What does this cover?

Michael Keller: This is to redo five tennis courts and additional work not associated with the construction of the building.

## **APPROVAL OF MINUTES**

**None.**

## **BIDS**

**Bids were received on July 2, 2010 for the following:**

**1. Elevator Subcode On Site Inspection Service**

**a. EIC Inspection Agency  
Corp.**

**71% of DCA Fees\***

- b. Building Inspection Underwriters Inc. 72% of DCA Fee**
- c. Municipal Inspection Corp. 95% of DCA Fees**

**\*Recommendation of Bid Award**

**SUPPLEMENTAL DEBT STATEMENT**

**None.**

**LIQUOR LICENSE – NOTIFICATION**

**None.**

**SOCIAL AFFAIR PERMIT**

- 1. Our Lady of the Rosary of Fatima Church  
188 Wayne Street  
Location: Church Parking Lot, Wayne Street  
Date: August 28, 2010, 5:00 pm to 1:00 am**
- 2. St. Stephen’s Roman Catholic Church  
490 State Street  
Location: Church Hall, 500 State Street  
Date: October 23, 2010, 7:00 pm to midnight**
- 3. United Dominicans of Perth Amboy  
950 Florida Grove Rd.  
Location: St. Demetrios Church Parking Lot, Wisteria  
St. and Sadowski Parkway  
Date: August 14, 2010, 1:00 pm to 10:00 pm  
August 15, 2010, 1:00 pm to 8:00 pm**

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

**REPORTS**

- 1. Nancy Martin, Tax Collector – Report of 2010 Tax Sale Held on June 24, 2010.**
- 2. Report of checks prepared and paid during the month of June 2010, totaling \$1,736,364.91.**
- 3. Nancy Martin, Tax Collector – Cash Report for Fiscal Year 2010.**

Motion was made by Council Member Fernando Gonzalez, seconded by Council Member Petrick to accept reports 1-3 and was carried by the following vote: Yea-- Council Members Fernando Gonzalez, Kenneth Gonzalez, Pabon, Petrick and Balut. Nay—none. Absent—none.

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

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

**Re: Dept. of Human Services – Fees**

Motion was made by Council Member Petrick and seconded by Council Member Ken Gonzalez to adopt the above Ordinance on first reading and public hearing for second and final passage be set down for the meeting of the Council to be held on August 11, 2010 at 7:00 p.m. at the Council Chambers, City Hall, and was carried by the following vote: Yea—Council Members Fernando Gonzalez, Kenneth Gonzalez, Pabon, Petrick and Balut. Nay—none. Absent—None.

**2. BOND ORDINANCE AMENDING BOND ORDINANCE NUMBERED 1006-99, AS SUPPLEMENTED BY BOND ORDINANCE NUMBERED 1194-2003 FOR THE SHORELINE IMPROVEMENT PROJECT OF THE CITY OF PERTH AMBOY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY FINALLY ADOPTED OCTOBER 27, 1999 AND MARCH 26, 2003, RESPECTIVELY IN ORDER TO AMEND THE AMOUNT ALLOCATED TO COSTS OF THE PURPOSE OR IMPROVEMENT UNDER N.J.S.A. 40A:2-20.**

Motion was made by Council Member Ken Gonzalez, and seconded by Council Member Petrick 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 August 11, 2010 at 7:00 p.m. at the Council Chambers, City Hall, and was carried by the following vote: Yea—Council Members Fernando Gonzalez, Kenneth Gonzalez, Pabon, Petrick and Balut. Nay—none. Absent—none.

**3. AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "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 Balut and seconded by Council Member Petrick 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 August 11, 2010 at 7:00 p.m. at the Council Chambers, City Hall, and was carried by the following vote: Yea— Council Members Fernando Gonzalez, Kenneth Gonzalez, Pabon, Petrick and Balut. Nay—none. Absent—none.

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

**1. AN ORDINANCE AUTHORIZING A LEASE AGREEMENT WITH THE NON-PROFIT ORGANIZATION CELEBRATE PERTH AMBOY.**

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

Council President asked for comments. There were none.

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

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

**2. AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "SANITATION" (ORDINANCE NO. C-240 AND AMENDMENTS) ADOPTED SEPTEMBER 1, 1937 ALSO KNOWN AS CHAPTER 362-65.1 "FEES CHARGED BY REGISTRAR" OF THE CODE OF THE CITY OF PERTH AMBOY.**

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

Council President asked for comments. There were none.

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

Motion was made by Council Member Fernando Gonzalez, seconded by Council Member Petrick to adopt the Ordinance on second and final passage and was carried by the following vote: Yea—Council Members Fernando Gonzalez, Kenneth Gonzalez, Pabon, Petrick and Balut. Nay—none. Absent—none.

**3. AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "SANITATION" (ORDINANCE NO. C-240 AND AMENDMENTS) ADOPTED SEPTEMBER 1, 1937 ALSO KNOWN AS CHAPTER 362 ET SEQ OF THE CODE OF THE CITY OF PERTH AMBOY.**

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

Council President asked for comments. There were none.

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

Motion was made by Council Member Kenneth Gonzalez, seconded by Council Member Petrick to adopt the Ordinance on second and final passage and was carried by the following vote: Yea—Council Members Fernando Gonzalez, Kenneth Gonzalez, Pabon, Petrick and Balut. Nay—none. Absent—none.

**4. AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "VEHICLES AND TRAFFIC (ORDINANCE NO. 194-78 AS AMENDED)" ADOPTED SEPTEMBER 19, 1978, ALSO KNOWN AS CHAPTER 414 ET SEQ OF THE CODE OF THE CITY OF PERTH AMBOY.**

**Re: No Parking Portion of Augustine Place**

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

Council President asked for comments. There were none.

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

Motion was made by Council Member Petrick, seconded by Council Member Pabon to adopt the ordinance on second and final passage and was carried by the following vote: Yea—Council Members Fernando Gonzalez, Kenneth Gonzalez, Pabon, Petrick and Balut. Nay—none. Absent—none.

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

**Re: Fees for Copies and Fees for Reproduction of Documents**

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

Council President asked for comments. There were none.

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

Motion was made by Council Member Petrick, seconded by Council Member Kenneth Gonzalez to adopt the Ordinance on second and final passage and was carried by the following vote: Yea—Council Members Fernando Gonzalez, Kenneth Gonzalez, Pabon, Petrick and Balut. Nay—none. Absent—none.

## **RESOLUTIONS**

### **R-323-7/10 Appointing Council Member Fernando Gonzalez to the Perth Amboy Planning Board for a one year term expiring on June 30, 2011.**

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

Council President asked for comments. There were none.

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

### **R-324-7/10 Authorizing the 2010-2011 Renewal of certain Plenary Retail Consumption Licenses and Club License, effective July 15, 2010.**

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

Council President asked for comments. There were none.

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

### **R-325-7/10 Approving transfer of SFY 2010 Budget appropriation reserves in the amount of \$5,875.00.**

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

Council President asked for comments. There were none.

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

**R-326-7/10 Expressing appreciation, compliments  
and gratitude to Peter J. Jimenez for dedicated public  
service.**

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

Council President asked for comments. There were none.

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

**R-327-7/10 Expressing appreciation, compliments  
and gratitude to Robert R. Sottilaro for dedicated  
public service.**

**VOTE TAKEN EARLIER IN THE MEETING.**

**R-328-7/10 Expressing appreciation, compliments  
and gratitude to Geraldine Bolanowski for dedicated  
public service.**

**VOTE TAKEN EARLIER IN THE MEETING.**

**R-329-7/10 Consenting to the reappointment of  
Richard Piatkowski to the Perth Amboy  
Redevelopment Agency for a term expiring June 30,  
2015.**

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

Council President asked for comments. There were none.

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

**R-330-7/10 Consenting to the appointment of Geraldine M. Bolanowski to the Perth Amboy Redevelopment Agency for a term expiring June 30, 2015.**

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

Council President asked for comments. There were none.

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

**R-331-7/10 Increasing the bid threshold to \$36,000.00 pursuant to N.J.S.A. 40A:11-3.**

**TABLED UNTIL NEXT MEETING.**

**R-332-7/10 Authorizing change order no. 2 to the contract with Lancha Construction Corp. for road improvements to Herbert and Silzer Streets in an amount of \$5,204.88.**

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

Council President asked for comments. There were none.

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

**R-333-7/10 Authorizing an emergency contract with B & W Construction Co. for repairs at the Jefferson Street parking garage in an amount not to exceed \$24,336.39.**

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

Council President asked for comments.

Council Member Fernando Gonzalez: Has the problem been resolved?

Paul Wnek, Dir. DPW: It's been resolved. The sink hole was repaired.

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

**R-334-7/10 Authorizing change orders no. 12, 13  
and 14 resulting in a net decrease of \$94,265.72 to  
the contract with Cruz Enterprises, LLC for the High  
Street/Route 440 extension.**

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

Council President asked for comments. There were none.

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

**R-335-7/10 Authorizing a contract with Lancha  
Construction Corporation for paving of the public  
works yard in an amount not to exceed \$22,000.00.**

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

Council President asked for comments. There were none.

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

**Consent Agenda R-336-7/10 to R-342-7/10**

**R-336-7/10 Authorizing the proper City Officials to  
execute a contract with Concerts By the Bay, Inc., in  
the amount of \$10,000.00 in accordance with the  
Thirty-Sixth Year Community Development Block  
Grant from the U.S. Department of Housing and  
Urban Development under Title I of the Housing and  
Community Development Act of 1974, as amended.**

**R-337-7/10 Authorizing the proper City Officials to execute a contract with the Diocese of Metuchen, Catholic Charities in the amount of \$38,000.00 in accordance with the Thirty-Sixth Year Community Development Block Grant from the U.S. Department of Housing and Urban Development under Title I of the Housing and Community Development Act of 1974, as amended.**

**R-338-7/10 Authorizing the proper City Officials to execute a contract with Puerto Rican Association for Human Development in the amount of \$44,358.00 in accordance with the Thirty-Sixth Year Community Development Block Grant from the U.S. Department of Housing and Urban Development under Title I of the Housing and Community Development Act of 1974, as amended.**

**R-339-7/10 Authorizing the proper City Officials to execute a contract with the Perth Amboy Youth Football League in the amount of \$10,000.00 in accordance with the Thirty-Sixth Year Community Development Block Grant from the U.S. Department of Housing and Urban Development under Title I of the Housing and Community Development Act of 1974, as amended.**

**R-340-7/10 Authorizing the proper City Officials to execute a contract with John E. Toolan Kiddie Keep Well Camp in the amount of \$4,000.00 in accordance with the Thirty-Sixth Year Community Development Block Grant from the U.S. Department of Housing and Urban Development under Title I of the Housing and Community Development Act of 1974, as amended.**

**R-341-7/10 Authorizing the proper City Officials to execute a contract with Perth Amboy Housing Authority in the amount of \$5,288.00 in accordance with the Thirty-Sixth Year Community Development Block Grant from the U.S. Department of Housing and Urban Development under Title I of the Resolution authorizing the proper City Officials to execute a Housing and Community Development Act of 1974, as amended.**

**R-342-7/10 Authorizing the proper City Officials to execute a contract with Hogar Crea in the amount of \$18,000.00 in accordance with the Thirty-Sixth Year Community Development Block Grant from the U.S. Department of Housing and Urban Development under Title I of the Housing and Community Development Act of 1974, as amended.**

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

Council President asked for comments.

Council Member Ken Gonzalez: I need to abstain on Resolution #338.

The above Resolutions were adopted and carried by the following vote: Yea—Council Members Fernando Gonzalez, Kenneth Gonzalez\*, Pabon, Petrick, Balut. Nay--none. Absent—none.

**\*Council Member Kenneth Gonzalez abstained from voting on R-338-7/10**

**R-343-7/10 Authorizing the filing of an application and agreement for New Jersey Department of Environmental Protection Green Acres Funds for Brighton Avenue Park revitalization project in the amount of \$871,536.00.**

Motion was made by Council Member Balut, seconded by Council Member Pabon to adopt the above Resolution.

Council President asked for comments. There were none.

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

**R-344-7/10 Authorizing a contract with Clarke Caton Hintz for planning consultant services (COAH) in the amount not exceed \$7,931.01.**

Motion was made by Council Member Balut, seconded by Council Member Pabon to adopt the above Resolution.

Council President asked for comments. There were none.

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

**Consent Agenda R-345-7/10 to R-347-7/10**

**R-345-7/10 Authorizing the return of maintenance bond to Triple S Investments, LLC for 358 Kirkland Place, Block 106.01, Lots 9 & 10, Docket No. 2809 in the amount of \$742.00.**

**R-346-7/10 Authorizing the return of maintenance bond to Triple S Investments, LLC for 484 Sayre Avenue, Block 177, Lot 6, Docket No. 2798 in the amount of \$492.00.**

**R-347-7/10 Authorizing the return of maintenance bond to Frank Caba & Marina Hernandez for 354 Fayette Street, Block 160, Lots 4 & 5, Docket No. 2823 in the amount of \$768.00.**

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

**R-348-7/10 Authorizing a contract with the law firm of Hoagland, Longo, Moran, Dunst and Doukas to represent the City and its employees in the matter of Antriz Baez v. City of Perth Amboy et al in an amount not to exceed \$25,000.00.**

Motion was made by Council Member Balut, seconded by Council Member Pabon to adopt the above Resolution.

Council President asked for comments. There were none.

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

**R-349-7/10 VOID**

**R-350-7/10 Accepting the bid and awarding a contract to EIC Inspection Agency Corp. for elevator sub code on site inspection services for 71% of DCA fees.**

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

Council President asked for comments. There were none.

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

**R-351-7/10 Authorizing a contract with Joseph Nigro to provide litigation support services in the public safety complex litigation in an amount not to exceed \$17,500.00.**

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

Council President asked for comments. There were none.

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

**R-352-7/10 VOID**

**R-353-7/10 Approving participation with the State of New Jersey in a Juvenile Justice Commission Program.**

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

Council President asked for comments. There were none.

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

**R-354-7/10 Approving Special Permit for Public Entertainment to United Dominicans of Perth Amboy for the Dominican Festival 2010 to be held August 14<sup>th</sup> and 15<sup>th</sup>, 2010.**

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

Council President asked for comments. There were none.

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

**R-355-7/10 Resolution of the City of Perth Amboy, in the County of Middlesex, New Jersey declaring its official intent to reimburse expenditures for project costs from proceeds of debt obligation in connection with the city's participation in the 2010 New Jersey Environmental Infrastructure Financing Program in connection with the not exceeding \$2,100,000 general improvement bonds, series 2010.**

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

Council President asked for comments. There were none.

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

**R-356-7/10 Resolution authorizing the execution and delivery of loan agreements to be executed by the City of Perth Amboy, in the County of Middlesex, New Jersey and each of the New Jersey Environmental Infrastructure Trust and the State of New Jersey, acting by and through the Department of Environmental Protection, and further authorizing the execution and delivery of an escrow agreement, all pursuant to the 2010 New Jersey Environmental Infrastructure Trust Financing Program.**

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

Council President asked for comments. There were none.

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

**R-357-7/10 Resolution determining the form and other details of not exceeding \$2,100,000 general improvement bonds, Series 2010, of the City of Perth Amboy, in the County of Middlesex, New Jersey, and providing for their sale to the New Jersey Environmental Infrastructure Trust and the State of New Jersey pursuant to the 2010 New Jersey Environmental Infrastructure Trust Financing Program.**

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

Council President asked for comments. There were none.

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

**R-358-7/10 Authorizing a Closed Session at the July 14, 2010 meeting to discuss the following:**  
**1. PSC Litigation**  
**2. Morejon Litigation**  
**3. Breaker Group**  
**4. Personnel Matter (employees on layoff)**

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

Council President asked for comments. There were none.

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

**COMMUNICATIONS**

- 1. Jack M. Dudas, Esq., City Historian, advising that effective immediately, he will be taking an extended leave of absence due to his health. Tony Massopuost the Assistant City Historian will take over the duties of the Historian. (6/10/10)**

- 2. Jack M. Dudas, Esq., City Historian asking for a status update regarding the lease between the City and the Kearny Cottage Association; the damages at Simpson United Methodist Church and the proposed language for the Historic Preservation Ordinance. (6/16/10)**

Mark Blunda: The lease was authorized today and the church matter is in litigation.

- 3. Larry Cattano, submitted a summary of the inventory conducted for the computer and wireless systems provided by Breaker to the Business Administrator, Jane Feigenbaum. (6/17/10)**

Council Member Petrick: Where are we with that?

Jane Feigenbaum, BA: We received an inventory list from Breaker.

- 4. Jane Feigenbaum, BA, advising Larry Cattano that she has requested a great deal of documentation from Breaker and an explanation of the reasons for the change in the original designation of wireless antenna locations. (6/17/10)**
- 5. Mayor Wilda Diaz thanking Rose Marie Sinatra for her years of service as Treasurer of the Perth Amboy Library Board of Trustees. (6/18/10)**
- 6. Jack M. Dudas, Esq., City Historian, submitted the annual report as required by N.J.S.A.40:10A-7(b.). (6/21/10)**
- 7. NJ Council on Affordable Housing advising that at the end of the 45-day objection period, no objections were received on the City's petition for substantive certification filed with COAH on February 18, 2010.(6/21/10)**
- 8. Comcast advising that effective September 1, 2010, Selecto, CableLatino, CableLatino with HBO and CableLatino Plata packages will no longer be available for new subscription. (6/21/10)**
- 9. Edward T. Higgins resigning from the Planning Board effective April 30, 2010. (6/21/10)**

- 10. Mayor Wilda Diaz thanking Patricia Shuller, a resident of Gornik Drive for taking the time to write regarding her experience with Ed Perez from DPW. (6/21/10)**
- 11. Mayor Wilda Diaz thanking Stanley Progacky for serving as an alternate member of the Board of Adjustment. (6/21/10)**
- 12. Mayor Wilda Diaz thanking Kevin Bamford, manager of Wegmans for supplying bags of food to the students at the Wilentz School and the Richardson School on the weekends. (6/21/10)**
- 13. Mayor Wilda Diaz appointing Linda Cruz as Alternate No. 2 on the Board of Adjustment for a two year term expiring June 30, 2012. (6/21/10)**
- 14. Mayor Wilda Diaz appointing Lisa Nanton as Alternate No. 1 on the Board of Adjustment for a two year term expiring June 30, 2012. (6/21/10)**
- 15. Mayor Wilda Diaz reappointing Thomas P. Ward to a full term on the Board of Adjustment to expire June 30, 2014. (6/21/10)**
- 16. Mayor Wilda Diaz reappointing Leslie Dominguez-Rodriguez to a full term on the Board of Adjustment to expire June 30, 2014. (6/21/10)**
- 17. Mayor Wilda Diaz reappointing Pedro Roman to a full term on the Board of Adjustment to expire June 30, 2014. (6/21/10)**
- 18. NJDOT announcing that applications are now being accepted for the NDOT Municipal Aid, Bikeway, Center of Place, Safe Streets to Transit and Transit Village Programs. Separate applications for each project must be completed and submitted on or before August 13, 2010 online. (6/24/10)**
- 19. NJ Transit advising that hearings will be held in the three geographic regions, Freehold, Westampton and Newark during July and August, on Senior Citizen and Disabled Resident Transportation Assistance Programs. (6/24/10)**

- 20. Mayor Wilda Diaz congratulating Kyle Gregory on being the first place winner of the poster contest "Hooked On Books, Not Drugs". (6/24/10)**
- 21. Mayor Wilda Diaz thanking Rabbi Melinda Zalma for serving as a Commissioner on the Redevelopment Agency. (6/24/10)**
- 22. Mayor Wilda Diaz reappointing Christine Dispenziere to the Planning Board for a 4 year term expiring June 30, 2014. (6/24/10)**
- 23. Mayor Wilda Diaz reappointing Richard Piatkowski to the Redevelopment Agency for a 5 year term expiring June 30, 2015. (6/24/10)**
- 24. Mayor Wilda Diaz appointing Geraldine Bolanowski to the Redevelopment Agency for a 5 year term expiring June 30, 2015. (6/24/10)**
- 25. Jack M. Dudas, Esq., City Historian advising he is still waiting to hear the fate of the Simpson United Methodist Church, lease between the City and the Kearny Cottage and the necessary changes to the Historic Preservation Ordinance. (6/25/10)**
- 26. Environ submitted the Remedial Investigation Schedule and Results of Vapor Intrusion Sampling on the former Russell-Stanley Corp. facility at 14 Convery Blvd. to the NJDEP in order to be in compliance with the Technical Requirements for Site Remediation. (6/30/10)**
- 27. Mayor Wilda Diaz advising that as part of the strategic restructuring initiative, Helga vanEckert will now be overseeing both the UEZ & BID offices. (7/6/10)**
- 28. NJDEP submitted a Notice of Deficiency regarding the Remedial Investigation Report, Remedial Action Workplan and Remedial Action Progress Reports submitted for the Hess Service Station at 413-429 Smith Street. (7/7/10)**
- 29. Mayor Wilda Diaz appointing William Terrell to a five year term on the Library Board of Trustees expiring June 30, 2015. (7/7/10)**

- 30. Mayor Wilda Diaz reappointing James A. Woller to a five year term on the Library Board of Trustees expiring June 30, 2015. (7/7/10)**
- 31. NJ Transit advising that beginning July 12 and continuing through September 6, 2010 it will perform bridge repair work on Smith St. Bridge over the NJ Coast Line at Perth Amboy Station and will detour buses due to bridge repair work. (7/9/10)**

### **COUNCIL COMMENTS**

Council Member Kenneth Gonzalez: This is the last meeting with Mike Keller on staff. It's been a true pleasure having him work for the City. He will be hard to replace.

### **ADJOURNMENT**

There being no further business to come before the Council, motion by Council Member Balut, seconded by Council Member Pabon to adjourn the meeting at 10:15 pm, and was carried by the following vote: Yea—Council Members Fernando Gonzalez, Kenneth Gonzalez, Pabon, Petrick, Balut. Nay—none. Absent—none.

---

Elaine M. Jasko  
City Clerk