



**MINUTES
PROCEEDINGS OF THE COUNCIL OF THE
CITY OF PERTH AMBOY
SEPTEMBER 9, 2009
COUNCIL CHAMBERS**

NOTICE OF MEETING

Regular Meeting of the Council of the City of Perth Amboy was held on Wednesday, September 9, 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, indicating that today's meetings are being held in the Council Chambers, City Hall, at 5:30 p.m. and **7:00 p.m.**

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 and then gave the invocation.

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 Victoria Ann Kupsch, Assistant City Clerk.

Jane Feigenbaum: We need to go into closed session before we proceed further with the meeting.

R-426-9/09 Authorizing a Closed Session at the September 9, 2009 meeting to discuss the following:

- 1. Negotiations – Collective Bargaining**
- 2. Pending litigation – public safety complex, Guadalupe Munoz, All Car Towers and Scott's Towing**
- 3. GWP threatened litigation**

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.

Motion was made by Council Member Sottilaro, seconded by Council Member Bolanowski to recess the meeting at 7:10 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.

Motion was made by Council Member Jimenez, seconded by Council Member Gonzalez to resume the meeting at 8:35 p.m. and was carried by the following vote: Yea—Council Members Balut, Bolanowski, Gonzalez, Sottilaro and Jimenez. Nay—none.

Keith Barrett: We are not a cable company. We seek a right of way. There is no cost to the City.

PROCLAMATIONS/PRESENTATIONS

None.

TOPICS FOR DISCUSSION

1. Parking in the City. (Gonzalez)

Council Member Gonzalez: We need to address this issue. There is no enforcement. Businesses are losing money.

Mark Blunda: We had meetings with Robert McCoy, Richard Piatkowski and myself. The Mayor formed an advisory committee. They made recommendations. There is a lack of enforcement. There are many inconsistencies in the Ordinances.

Jane Feigenbaum: The Parking Advisory Committee did an extensive review. There needs to be an overview of rates. A comprehensive plan needs to be put in place. There are 2 full time employees and 1 part time employee to issue tickets. There needs to be more oversight.

Council Member Jimenez: Can we get a report?

Council Member Gonzalez: We need to something, we are losing a tremendous amount of money.

Jane Feigenbaum: We must revise the Ordinances. I hope to have an Ordinance introduced in October. This will move quickly.

Council Member Gonzalez: We should hire a consultant.

2. Updates on Verizon (local access) and IT Services. (Gonzalez)

Council Member Gonzalez: What progress has been made?

Jane Feigenbaum: There has been 1 connection. We are discussing with the Mayor to have an additional connection for public information. FiOS has capabilities in 60% of the City.

Council Member Gonzalez: What is the status of having an in-house IT plan?

Jane Feigenbaum: We met with the BA in Woodbridge to see if they could provide us with IT services. They will come here to see if they could provide this service.

HEARING OF CITIZENS (10 MINUTE MAXIMUM)

None.

PUBLIC PORTION (5 MINUTES MAXIMUM PER SPEAKER)

Danielle Berlingieri, 410 Great Beds Court: We've sent letters about the price gouging of water bills. What is being done? We've been overbilled for years. We shouldn't be charged for fire suppression. We're frustrated that no one is willing to work with us to address this. Perth Amboy made a deal with the devil and we're paying for it. We are now making a formal complaint against the City, Administration and Council.

Council Member Jimenez: This must be addressed by the Administration first.

Danielle Berlingieri: We've done that.

Jane Feigenbaum: I've looked into that. I have a meeting set up with the manager of Harbortown and Ed Scala. There is an issue here the builder must address. The Ordinance is based on the size of the pipes.

Council Member Jimenez: Mr. Blunda needs to look into this.

Council Member Balut: We did have the Water Company here. We are not ignoring you. We are working on it. There are other people in town with the same problem.

Council Member Gonzalez: I've been working on this. I am meeting with Middlesex Water. I will get back to you in 2 weeks. I hope the Business Administrator looks into this to see if the builder did something wrong.

Mayor Wilda Diaz: We need to see if there is some recourse.

Richard Piatkowski, 142 Gordon Street: I met someone who had a 150' Brigantine. They are asking for a place to stay. Mustafa (Cornucopia Cruise Lines) has agreed to let it be moored at his dock for a week or more. The Board of Education will be bringing school kids for a tour. I thank Robert McCoy, Barry Rosengarten and Mustafa Kalic for their efforts.

Richard Piatkowski: As part of the transition team, parking was addressed.

Debra Foley, 213 State Street: I don't know who to address this to, Patton School is very unsafe because of the way it is set up. Three streets go to a dead end. I believe it's a traffic issue. Something needs to be done before someone is hurt.

Council Member Jimenez: We'll have the police department look into it.

John Paff: I'm here to speak about the loitering ordinance. It is illegal. In 2008, I asked the attorney to look into this. I'm looking to the Council to have a time frame of when an analysis will be done.

Council Member Jimenez: Mr. Blunda can you look into this?

Mark Blunda: We have looked into it. Before we repeal it, I want to find out from the police department to see if there is similar law that was not preempted by State Statute. There will be something done by October for the agenda to fill in the gaps of the State Statute. I was told the City was not enforcing it.

Israel Varela, First Street: We are looking to have 30 additional parking spaces at Richardson School. We are doing something about parking.

Council Member Jimenez: Was a liaison appointed from the Board of Education to the Council?

Kenneth Gonzalez, President of the Board: I was.

Reinaldo Aviles, McKeon Street: All of us, committee members, except for Richard Piatkowski are former members of the Parking Authority. Both parking decks were done and not paid for by the City. We have know for 6 years the loitering ordinance is illegal. We don't need a lawsuit over this. The police department should stop enforcing it. A statement should be made.

Jorge Cruz, 149 Kearny Avenue: Jewish Renaissance and Jewish Renaissance foundation are two separate entities. 5% of home in that neighborhood are in foreclosure, it's 1% in the rest of the City. We're talking about 14 properties that are abandoned.

Council Member Sottilaro: What are the criteria to being below market rate?

Jorge Cruz: It's \$80,000 or less for a family of 4. The proceeds from the sale get recycled.

Alan Silber, Rector Street: We have a statewide reputation as the most corrupt. The Board of Education has a nepotism policy. We need one. It should extend to our boards and commissioners. The former BA worked for Breaker. He was hired as a consultant after he worked for the City. City employees should not give donations to political campaigns.

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.**

First Reading Ordinances

Lauren Skowronski, Citizens Campaign: Adopting these will set an example for the rest of the State.

R-452

Israel Varela, First Street: What is this?

Michael W. Keller, Dir. OECD: This is the form Goldberg property. We had an agreement with former owner for remediation. We are hiring them to review all the plans by the former owner's attorney.

Topic #1

Richard Piatkowski, 142 Gordon Street: 3 of the 4 members of the committee were on the Parking Authority. We've met on a weekly basis. We prepared a report. Merchants in town are losing money because people are feeding the meters. We agree that the Parking Authority is a more effective way to manage with proper over-site and enforcement.

R-447 & R-448

Alan Silber, Rector Street: When you get into neighborhoods, you're looking for trouble. What's the Jewish Renaissance expertise that they are going to manage this? They don't fall under the new Ordinances, there is no oversight.

R-453

Alan Silber: These people were indicted yesterday and we're relying on their judgment?

R-457

Alan Silber: Why do we pay them for work when Congress was out?

Louis Vargas: I invite the Council and any member of the public to join us for meetings. There's been a full report of the PAC Plan in the Clerk's Office for at least a year.

APPROVAL OF MINUTES

March 31, 2009	Special
April 8 & 22, 2009	Regular
May 12, 2009	Special
May 13 & 27, 2009	Regular
June 10 & 24, 2009	Regular
July 6, 2009	Special
July 8, 2009	Regular
August 12, 2009	Regular

Motion was made by Council Member Jimenez, seconded by Council Member Balut to approve the above minutes and was carried by the following vote: Yea—Council Members Balut, Bolanowski, Gonzalez, Sottitaro* and Jimenez. Nay—none.

* Council Member Sottitaro abstained on the July 8th minutes.

BIDS

None.

SUPPLEMENTAL DEBT STATEMENT

None.

LIQUOR LICENSE – NOTIFICATION

None.

SOCIAL AFFAIR PERMIT

None.

REPORTS

1. Report of checks prepared and paid during the month of August 2009, totaling \$1,279,726.04.
2. Annual Financial Statement for the SFY Year 2009.
3. Annual Debt Statement for SFY 2009.
4. Board of Adjustment annual report dated July 2008 through June 2009.
5. Tax Assessor - Listing of all tax exempt properties in the City.
6. Middlesex County Improvement Authority 2008 annual report.

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

1. AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED "AN ORDINANCE DESIGNATING RESTRICTED PARKING SPACES FOR USE BY HANDICAPPED PERSONS" (ORDINANCE NO. 380-85 AND AMENDMENTS) ADOPTED JULY 2, 1985 ALSO KNOWN AS CHAPTER 255A ET SEQ OF THE CODE OF THE CITY OF PERTH AMBOY.

Re: Additions

Motion was made by Council Member Jimenez, seconded by Council Member Bolanowski to adopt the above Ordinance on first reading and public hearing for second and final passage be set down for the meeting of the Council to be held on October 14, 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—none. Abstain—Council Member Balut.

2. AN ORDINANCE LIMITING CONTRIBUTIONS BY PUBLIC CONTRACTORS.

Motion was made by Council Member Balut, 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 the Council to be held on October 14, 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.

3. AN ORDINANCE BANNING REDEVELOPER CONTRIBUTIONS.

Motion was made by Council Member Jimenez, 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 the Council to be held on October 14, 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.

4. AN ORDINANCE REQUIRING CONTRIBUTION DISCLOSURES IN ZONING APPLICATIONS.

Motion was made by Council Member Jimenez, 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 the Council to be held on October 14, 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.

5. AN ORDINANCE REQUIRING FAIR AND OPEN COMPETITION FOR PROFESSIONAL SERVICE CONTRACTS.

Motion was made by Council Member Jimenez, 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 the Council to be held on October 14, 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.

**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/Deletions

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

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 Bolanowski, Gonzalez, Sottilaro and Jimenez. Nay—none. Abstain—Council Member Balut.

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

- 2. 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: Addition of Loading Zones on State Street and King Street

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.

Richard Piatkowski, 142 Gordon Street: Where exactly is this? I have a problem with King Street.

Council Member Gonzalez: The trucks must park in the middle of the road.

E.J. McDonald, Deputy Chief: A plan was reviewed by Lt. Kacso and it fits in with the traffic plan for the area.

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.

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

3. BOND ORDINANCE TO ACQUIRE AND REFINANCE A PORTION OF A LEASEHOLD INTEREST FROM THE MIDDLESEX COUNTY IMPROVEMENT AUTHORITY IN CONNECTION WITH THE WATER/WASTEWATER SYSTEM OF, IN AND BY THE CITY OF PERTH AMBOY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING \$20,600,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$20,600,000 BONDS OR NOTES OF THE CITY TO FINANCE PART OF THE COST THEREOF.

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

Jill Goldy: We met today with the Local Finance Board and this has been approved.

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.

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

RESOLUTIONS

R-427-9/09 Determining the form and other details of \$20,445,000 general improvement refunding bonds (federally taxable) (qualified pursuant to the provisions of the Municipal Qualified Bond Act, constituting P.L. 1976 C. 38, as amended), of the City of Perth Amboy, in the County of Middlesex, New Jersey and providing for their sale.

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.

R-428-9/09 Authorizing emergency temporary appropriations to extend SFY 2010 Temporary Budget in the amount of \$918,000.00.

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.

CONSENT AGENDA – R-429-9/09 – R-444-9/09

R-429-9/09 Rescinding R-376-8/09 authorizing a refund in the amount of \$544.34 on Block 113, Lot 15.

R-430-9/09 Providing for the refund of overpayment in the amount of \$716.41 on Block 251, Lot 3 to Cecilio A. Holgiun.

R-431-9/09 Providing for the refund of duplicate payment in the amount of \$638.97 on Block 374, Lot 21 to Slavomir Ondrus.

R-432-9/09 Providing for the refund of overpayment in the amount of \$815.24 on Block 279, Lot 4 to Alfonso C. Ramirez and Blanca Ramirez.

R-433-9/09 Providing for the refund of duplicate payment in the amount of \$1,810.73 on Block 264, Lot 28 to Toshio Fujishima and Jannie Fujishima.

R-434-9/09 Providing for the refund of overpayment in the amount of \$758.02 on Block 204, Lot 20 to Cesar A. and Edita M. Castro.

R-435-9/09 Providing for the refund of duplicate payment in the amount of \$713.78 on Block 279, Lot 15 to Danilvis Hernandez.

R-436-9/09 Providing for the refund of duplicate payment in the amount of \$1,409.50 on Block 378.02, Lot 8 to Edwin Gonzalez.

R-437-9/09 Providing for the refund of overpayments created by tax appeals in the total amount of \$72,248.54 to Brach Eichler LLC and Menpe Corporation.

R-438-9/09 Providing for the refund of overpayment in the amount of \$2,171.73 on Block 318, Lot 11 to Paul Fitzsimmons.

R-439-9/09 Providing for the refund of overpayment in the amount of \$281.58 on Block 179 Lot 5 to Fernando Perez and Ana Ramirez.

R-440-9/09 Providing for the refund of overpayment in the amount of \$372.47 on Block 295, Lot 11 to Michael & Ella Shaykevich.

R-441-9/09 Providing for the cancellation of premiums in the total amount of \$1,200.00 on Block 242, Lot 19 and Block 353.04, Lot 1.

R-442-9/09 Providing for the refund of overpayments in the amount of \$7,449.75 created by tax appeals on Block 155, Lot 23 to Mackevich, Burke & Stanicki.

R-443-9/09 Providing for the refund of duplicate tax payment in the amount of \$1,686.71 on Block 379.10, Lot 9 to Jesus Santiago.

R-444-9/09 Providing for the refund of overpayment/duplicate tax payments for 2005 in the total amount of \$10,244.40.

Motion was made by Council Member Sottilaro, seconded by Council Member Bolanowski to adopt R-429-9/09 through R-444-9/09.

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.

R-445-9/09 Authorizing the City of Perth Amboy to submit an application to the County of Middlesex for a grant from the New Jersey Governor's Council on Alcoholism and Drug Abuse.

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

Council President asked for comments. There were none.

The above Resolution was adopted and carried by the following vote: Yea—Council Members Balut, Bolanowski, Gonzalez, Sottilaro and Jimenez. Nay—none.

R-446-9/09 Authorizing an agreement with the New Jersey Department of Community Affairs for a grant in the amount of \$1,700,000.00 for a Neighborhood Stabilization Program in the greater Budapest area.

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

Council President asked for comments. There were none.

The above Resolution was adopted and carried by the following vote: Yea—Council Members Balut, Bolanowski, Gonzalez, Sottilaro and Jimenez. Nay—none.

R-447-9/09 Authorizing an agreement with the Jewish Renaissance Foundation to Administer a Neighborhood Stabilization Program in the greater Budapest area using HUD/DCA funds in the amount of \$1,672,000.00.

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

Council President asked for comments. There were none.

The above Resolution was adopted and carried by the following vote: Yea—Council Members Balut, Bolanowski, Gonzalez, Sottilaro and Jimenez. Nay—none.

R-448-9/09 Authorizing settlement of the workers compensation litigation entitled Francisco Cruz v. City of Perth Amboy C.P. No. 2008-30383 for the amount of \$29,523.00.

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.

R-449-9/09 Authorizing a refund in the amount of \$20.00 to Jane Butieb for the cost of a City sponsored trip to a Staten Island Yankee Game.

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.

R-450-9/09 Authorizing an agreement with the Middlesex County Improvement Authority for the provision of yard waste recycling and marketing services.

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.

R-451-9/09 Authoring the proper City Officials to execute a contract with the Puerto Rican Association for Human Development to assist the Hispanic senior citizen services program, the multi-service program and building renovations in the amount of \$33,792.00.

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.

R-452-9/09 Authorizing a contract for professional engineering services with the firm of Hatch, Mott, MacDonald in connection with the Second Street park project in an amount not to exceed \$20,000.00.

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.

R-453-9/09 Extending the contract with Imperial Construction Group Inc., for professional construction management services in connection with the construction of the new public safety-court-community complex for the period from September 2009 through November 2009 in an amount not to exceed \$82,000.00.

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 and Sottilaro. Nay—Council Members Gonzalez and Jimenez.

R-454-9/09 Approving memoranda of agreement changes to collective bargaining agreements (blue collar, white collar and white/blue supervisors).

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: There is a clause that an employee must live in town for at least 10 years. If you work here you should live here.

Council Member Jimenez: My issue is the residency.

The above Resolution was adopted and carried by the following vote: Yea—Council Members Balut, Bolanowski and Sottilaro. Nay—Council Members Gonzalez and Jimenez.

R-455-9/09 Authorizing the City of Perth Amboy to enter into a stipulation of settlement resolving the complaint filed by H.W. of Amboy 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.

R-456-9/09 Authorizing change order no. one to the contract with Independence Constructors, Inc., for removal of six underground storage tanks and three above ground storage tanks at 1027 State Street in the amount of \$20,874.80.

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.

R-457-9/09 Rescinding R-189-4/09 authorizing a contract with the Ferguson Group to be paid with grant funds and authorizing payment of its contract from water wastewater professional services and consultants.

Motion was made by Council Member Bolanowski, 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.

R-458-9/09 Rescinding R-410-8/09 authorizing payment to Nu-Way Concessionaires for summer lunch program in the amount of \$1,271.04 .

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

Council President asked for comments.

Mark Blunda: This would exceed the bid threshold.

The above Resolution was adopted and carried by the following vote: Yea—Council Members Balut, Bolanowski, Gonzalez, Sottilaro and Jimenez. Nay—none.

R-459-9/09 Authorizing temporary access to Cablevision through City right-of-way to install fiber optics.

The above Resolution was held to the next meeting.

R-460-9/09 REMOVED

R-461-9/09 Granting approval of a special permit for public entertainment to the Mexican Association of Perth Amboy Festival.

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.

R-462-9/09 Authorizing change order no. two 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 \$19,803.00.

Motion was made by Council Member Bolanowski 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.

R-463-9/09 Authorizing change order no. forty 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 \$11,294.00.

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.

R-464-9/09 Authorizing change order no. 41 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 \$20,798.00

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.

CONSENT AGENDA – R-465-9/09 – R-477-9/09

R-465-9/09 Authorizing change order no. 42 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 \$15,694.00.

R-466-9/09 Authorizing change order no. 43 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 \$9,256.00.

R-467-9/09 Authorizing change order no. 44 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 \$21,612.00.

R-468-9/09 Authorizing change order thirty-eight 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 \$60,080.00.

R-469-9/09 Authorizing change order forty-six 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 \$50,821.00.

R-470-9/09 Authorizing change order forty-seven 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 \$94,308.00.

R-471-9/09 Authorizing change order fifty 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 \$10,000.00.

R-472-9/09 Authorizing change order fifty-one 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 \$8,505.00.

R-473-9/09 Authorizing change order fifty-two 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 \$20,366.52.

R-474-9/09 Authorizing change order fifty-three 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 \$16,240.00.

R-475-9/09 Authorizing change order fifty-four 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 \$42,748.00.

R-476-9/09 Authorizing change order fifty-five 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 \$13,554.00.

R-477-9/09 Authorizing change order fifty-seven 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 \$11,319.00.

Motion was made by Council Member Sottilaro, seconded by Council Member Balut to adopt R-465-9/09 through R-477-9/09.

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.

COMMUNICATIONS

- 1. NJ Dept. of Community Affairs advising that contracts with third party agencies are now subject to the bidding requirements of the Local Public Contracts Law and that contract extensions are not permitted. The office will no longer approve acting appointments of private on-site inspection agencies without evidence of an emergency contract. (8/7/09)**

2. **NJDEP issued Unrestricted Use – No Further Action Letter and Covenant Not to Sue for the remediation of the one 1,500-gallon #2 heating oil underground storage tank system at 168 High Street, Block 25, Lot 28. (8/7/09)**
3. **Woodbridge Township Deputy Clerk submitted a copy of an Ordinance amending the Land Use and Development Ordinance introduced on August 4, 2009. The public hearing was scheduled for September 1, 2009. (8/7/09)**
4. **James T. Skeley, P.G., REA, submitted the Biennial Certification Report for the Deed Notice and the Exception Area for Nextrom, Inc., formerly Syncro Machine Company, at 611 Sayre Avenue. (8/7/09)**
5. **Comcast advising that the delivery of 9 channels on the Expanded Basic lineup will take place in three phases; August 25, 2009 – municipalities located in the central part of the system, September 1, 2009 – municipalities located in the northern part of the system and September 9, 2009 – municipalities located in the southern part of the system. (8/11/09)**
6. **Jack M. Dudas, City Historian expressing his concerns over the response of the Dept. of Public Works handling of the damages to the property of the church which houses the Town Clock. (8/13/09)**

Council Member Gonzalez: Has anything been done to address this?

Mark Blunda: I spoke with Paul Wnek and advised Mr. Dudas we would do a physical inspection.

7. **NJDEP issued Unrestricted Use – No Further Action Letter and Covenant Not to Sue for the remediation of the 500-gallon #2 heating oil underground storage tank system at 735 Lee Street, Block 374.02, Lot 7. (8/13/09)**
8. **Jose Santos, Vice Principal of the Shull School, thanking Recreation Director Kenneth Ortiz, for providing lunch for the 2009 Samuel E. Shull School Summer Program. (8/13/09)**

9. **Getty Petroleum Marketing Inc., advising that they are investigating and remediating environmental contamination at the service station located at 550 Smith Street. (8/19/09)**
10. **NJDEP acknowledging receipt of the Remedial Investigation Report submitted for the Middlesex County Area 1 Garage located at 277 Bertrand Avenue. (8/20/09)**
11. **Highland Park Borough Clerk submitted a certified copy of a Resolution adopted on August 11, 2009, opposing "Fast- Track" Legislation. (8/20/09)**
12. **Jack M. Dudas, City Historian advising that he considers the responsibility of his position is to ensure the integrity of historic sites. A historic site should be treated with respect and be highly prioritized. (8/21/009)**
13. **Public Hearing Notice advising that Middlesex County, Department of Parks and Recreation will hold a public hearing on September 23, 2009 at 10:00 a.m. in the Freeholders Meeting Room, New Brunswick on the proposed granting of an easement concerning approximately 0.2 acres of property used as parkland in Ambros & Doty's Brooks Park in Piscataway. The easement would allow construction of a stormwater outfall structure. (8/26/09)**
14. **Mayor Wilda Diaz reappointing David Szilagyi for a 4 year term on the Planning Board, effective immediately, expiring June 30, 2013. (8/24/09)**
15. **Motiva Enterprises LLC advising that it is investigating environmental conditions at 479 Krochmally Avenue and Albert Street, in order to determine the presence or absence of petroleum-related constituents potentially resulting from gasoline operation. (8/25/09)**
16. **City Clerk Elaine M. Jasko advising Governor Corzine that the Council has asked that consideration be given to providing stimulus monies to local governments in the form of low interest loans. (8/26/09)**

17. City Clerk Elaine M. Jasko advising Richard Pucci, Executive Director of the Middlesex County Improvement Authority that the Council has requested that the MCIA forgive some of the fees associated with the re-financing of the bonds as a result of the financial condition of the City. (8/26/09)
18. Councilman Kenneth Balut requesting the Director of DPW, Paul Wnek, to provide him with anticipated overtime costs for SFY 2010 and an up to date overtime report, by department, for SFY 2009. The report is to include the name of all individuals, the number of hours worked and the amount paid. (8/26/09)
19. Middlesex County Freehold Clerk submitted a certified copy of a Resolution adopted on August 20, 2009, amending the operating procedures for the County Open Space Recreation and Farmland and Historic Preservation Trust Fund to include Open Space Fund allocation Policy for Municipal Requests. (8/26/09)
20. NJDEP advising that after reviewing the last submitted report, additional investigation and cleanup is necessary regarding Mels Clothing Apparel at 199-227 Sheridan Street. However, the large number of cases currently undergoing remediation prevent a detailed review of the submittal. (8/26/09)
21. The Federal Transit Administration and NJ Transit Corporation announcing the availability of the Environmental Assessment for the Pennsauken Junction Transit Center and Park and Ride Project for public review. (8/26/09)
22. Middlesex Water Company advising that an application is being submitted to the NJDEP for a Waterfront Development Individual Permit for the proposed replacement of an existing 24-inch water main with a new 24-inch water main installed by trenchless methods below the Raritan River. (8/26/09)

23. Verizon New Jersey Inc. advising that a petition has been filed with the NJBPU certifying that Verizon is capable of providing FiOS TV service to 60% or more of the households in the City. If approved by the Board, Comcast will be required to pay the City a franchise fee of 3.5% of gross revenues from cable television services each year, and the State Treasurer up to ½% of gross revenues each year for a "CATV Universal Access Fund" to offset the cost of basic cable service for subscribers living in the City who are eligible for the "PAAD" program. (8/27/09)
24. Marine Mammal Stranding Center commending the Office of Emergency Management Coordinator Lt. Larry Cattano, Firefighter Robert Buntan, the crew aboard Fire/Rescue Boat Marine 5 and the Police and Fire Departments for their outstanding services during the sad occurrence of the demise of the Pilot Whale that was stranded on the City's beach. (8/28/09)
25. Mayor Wilda Diaz granting permission for the procession for the Senior de los Milagros Anniversary to be held on September 27, 2009 from 2:00 p.m. to 7:00 p.m. (8/28/09)
26. Mayor Wilda Diaz thanking Dot Aleski for taking the time to write to let her know how courteously she was treated in the Tax Office. (8/28/09)
27. Woodbridge Township Planning Board advising that the Board held a meeting on August 26, 2009 for the purpose of obtaining public comment relative to the Green Building and Environmental Sustainability Plan Element Amendment. (8/31/09)
28. Chevron submitted Public Outreach Fact Sheet for Chevron Perth Amboy Refinery and photographic documentation of posted public notification signs regarding the remediation of the site. (9/2/09)
29. Senior Environmental Consulting, LLC advising that on behalf of PA-PDC Perth Amboy LLC, the City designated redeveloper for the subject property, a sign has been posted at the facility notifying the public of remedial investigation and/or remediation activities being conducted at the site. (9/2/09)

ADJOURNMENT

There being no further business to come before the Council, motion was made by Council Member Jimenez, seconded by Council Member Bolanowski to adjourn the meeting at 11:35 p.m. and was unanimously carried.

Victoria Ann Kupsch
Assistant City Clerk