



**MINUTES
PROCEEDINGS OF THE COUNCIL OF
THE CITY OF PERTH AMBOY
SEPTEMBER 8, 2010
COUNCIL CHAMBERS**

NOTICE OF MEETING

Regular Meeting of the Council of the City of Perth Amboy was held on Wednesday, September 8, 2010, in the Council Chambers, City Hall, Perth Amboy, New Jersey at 7:00 p.m.

Presiding Officer of the Council, Kenneth Balut, wishes to advise 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 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 Balut led the audience in the Pledge of Allegiance to the Flag.

Invocation was given by Council Member William Petrick.

Council President Kenneth Balut called the meeting to order with the following Council Members present: Fernando Gonzalez, Kenneth Gonzalez, Joel Pabon and William Petrick.

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

PROCLAMATIONS/PRESENTATIONS

None.

TOPICS FOR DISCUSSION

1. PSE&G/Public Lighting. (Fernando Gonzalez)

Council Member Fernando Gonzalez: I would like Mr. Wnek to inform us of the process for replacing street lights. There are many lights out throughout the City.

Paul Wnek, Director DPW: Once my department gets a complaint, we document the outage with photos and fill out a report and send it to PSE&G. I submit it to them but I can't force them to do the work.

Council Member Fernando Gonzalez: How do we force PSE&G to service us?

Paul Wnek: I've written to the BPU in the past.

Council Member Fernando Gonzalez: Maybe we should escrow our payments to PSE&G. We cannot continue to live in this situation.

Mark Blunda: We should put PSE&G on notice and file a formal complaint. I will meet with Mr. Wnek and come up with a solution.

Council President Balut: What about the lights behind the Yacht Club?

Paul Wnek: We've spoken to the Yacht Club about installing a camera on their property.

Council Member Kenneth Gonzalez: Do we have replacement lights?

Greg Fehrenbach: They exist at the public safety complex. I don't know that they can be borrowed. There should be a detailed inventory of the problem and then we should address it.

Council Member Petrick: We might want to look into alternative lighting for that area.

2. Karl's Appliance. (J. Pabon)

Council Member Pabon: They are one of our largest stores and we should try to hold on to these big stores. I am glad we are hiring a marketing firm to help with the businesses.

Council Member Fernando Gonzalez: Why are they leaving?

Council Member Pabon: The building is theirs and they are leasing it to a 99 cent store.

3. Fees for handicapped parking spaces. (E. Jasko)

Elaine M. Jasko, City Clerk: I discussed this earlier in the evening during the Caucus. I have obtained ordinances from two municipalities that charge fees for handicapped parking spaces. The Council has advised me that it is in agreement with charging a reasonable fee. Mr. Blunda and I will meet to draft an ordinance for the Council's consideration, as per your direction.

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

None.

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

Wilma Matey, 125 Water St.: I don't know why our resolution for the animal shelter proposal keeps getting tabled. We were the only ones that submitted a formal bid. The shelter will not be run by volunteers. We will have 5 paid control officer employees that will work with us. I have been helping with everything that is going on. The animals need to be taken care of.

Council President Balut: There will be a committee of the Council that will meet with you to discuss this.

Council Member Petrick: What about the TNR (trap, neuter, release)?

Wilma Matey: I will try to foster them out, or adopt them out.

Council Member Petrick: There is a meeting set for Friday. Everyone has the best interest of the animals at heart. This should stay in-house but we need to come to an understanding.

Council Member Kenneth Gonzalez: There are some concerns but they are workable. I hope this issue can get resolved. We are setting up a meeting to try to get this matter resolved.

Council Member Pabon: I hope a decision is made very soon.

Dorothy Carty-Daniel, 244 Water St.: The Holiday Inn in South Plainfield changed their décor and got rid of linens for 500 beds. We took them and distributed them to the churches and parishioners throughout the City. I want to thank all the people involved in this matter. The YMCA is having a "Community Build a Playground Day" on Saturday. We ask that you come and work with us on Saturday.

Steve Jobin, Executive Director YMCA: We will also honor those who died on September 11.

Stan Sierakowski, Charles St.: Are there 2 current animal shelter employees getting paid \$80,000 (\$40,000 each)? Are they City employees? Do these people account for their time? Who contacted the County Health Dept. to go against the shelter being run by volunteers? Has anyone done a performance assessment of the \$100,000 for the lobbyist in Washington, DC? I need a report on the manager of the Public Safety Complex.

Council Member Kenneth Gonzalez: There is no reason to speak so antagonistically to the Council. We are neighbors and friends.

Council Member Petrick: I was questioning the TNR program so that the Council and the public are made aware of it.

Diane Sorokac, Fords: I am a volunteer at the shelter and I have not received any help from Mr. Cielez. I have not seen the \$100,000.00 worth of improvements to the shelter.

Donald Vargas: I was employed by the City at one time and I know that Mr. Ed Perez made \$165,000 last year. Pre-salting is phony. Mr. Perez should be taking a test for his job. Tito Polidura also makes a lot of money for doing nothing.

Gregory Pabon, Ashley St.: We would like to thank the Mayor and City for allowing us to use Rudyk Park for a prayer service.

Israel Varela, 210 Lewis St.: One of the biggest problems near my place of business on Bertrand Ave. & Smith St. is street lighting. There is drug activity near the Remington Hotel in that area. If you put additional lighting there, it will help eliminate the problem. I met with the Assistant Police Chief and I'm still waiting for the lights.

EJ McDonald, Deputy Police Chief: I met with Mr. Varela. We have been heavy in that area. We will continue to be out there.

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.

Report #1

Alan Silber, 244 Rector St.: This is regarding the YMCA. The agreement was done right around the time of the election. Can we figure out the actual cost of the YMCA? We should have something in place for future elections that prohibits the signing of agreements.

Council President Balut: I agree.

R-414

Alan Silber: We have to be careful on how we do this. What is his fee?

R-424

Alan Silber: Does the City still own this property? It looks like a junkyard. The property is not being maintained.

R-427

Alan Silber: This took a long time to get resolved.

R-432

Alan Silber: This is our property. There should be respect.

Comm. #22

Alan Silber: Many of these questions are redundant. There should be a resolution to prevent health benefits for elected officials.

R-425

Stan Sierakowski, Charles St.: Who owns this?

Council President Balut: The City. This is DPW property.

R-432

Stan Sierakowski: Who is building and maintaining the property?

Council Member Kenneth: Gonzalez: The YMCA.

Council Member Petrick: This is a free playground to the City.

Stan Sierakowski: The YMCA executives make a lot of money. You might want to consider auditing their books.

APPROVAL OF MINUTES

May 26, 2010	-	Regular
June 9, 2010	-	Regular
June 23, 2010	-	Regular
July 1, 2010	-	Inauguration/Reorganization
July 14, 2010	-	Regular
July 26, 2010	-	Special
August 11, 2010	-	Regular

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

BIDS

None.

SUPPLEMENTAL DEBT STATEMENT

None.

LIQUOR LICENSE – NOTIFICATION

None.

SOCIAL AFFAIR PERMIT

**St. John's Orthodox Church
145 Broad Street
Perth Amboy
Date: November 6, 2010, 5:00 pm to 10:00 pm
Location: Church Hall, 404 Division Street**

Motion was made by Council Member Petrick, seconded by Council Member Kenneth 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. Steve Jobin, President/CEO Raritan Bay Area YMCA - Financial Statements December 31, 2009 and 2008.**
- 2. Jill A. Goldy, Comptroller/CFO – Annual Financial Statement for SFY 2010.**
- 3. Report of checks prepared and paid during the month of August 2010, totaling \$2,481,281.82.**

4. **Jill A. Goldy, Comptroller/CFO – Investment Report for the month of July 2010.**
5. **Jill Goldy, Comptroller/CFO – Payroll Disbursements -Deductions – July 2010.**
6. **Water/Wastewater Utility Reports – July 2010.**

Motion was made by Council Member Balut, seconded by Council Member Petrick to accept reports 1-6 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 "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 Petrick, seconded by Council Member Kenneth 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 September 22, 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. **AN ORDINANCE TO AMEND VARIOUS SALARY ORDINANCES INCLUDING ORDINANCES NO. 1500-2010, NO. 1501-2010, AND NO. 1502-2010 AND TO PROVIDE A SCHEDULE OF SALARIES FOR PUBLIC SAFETY.**

Motion was made by Council Member Petrick, seconded by Council Member Kenneth 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 September 22, 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 "HISTORIC PRESERVATION" (ORDINANCE NO. 691-93 AND AMENDMENTS) ADOPTED NOVEMBER 19, 1993 ALSO KNOWN AS CHAPTER 258 ET SEQ OF THE CODE OF THE CITY OF PERTH AMBOY.

Motion was made by Council Member Petrick, seconded by Council Member Fernando 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 September 22, 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 TO AMEND AN ORDINANCE ENTITLED "ADMINISTRATION" (ORDINANCE NO. 1-72 AS AMENDED) ADOPTED JULY 28, 1972, ALSO KNOWN AS CHAPTER 4 ET SEQ OF THE CODE OF THE CITY OF PERTH AMBOY.

Re: Caucus Meetings (Dates/Time)

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 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.

Elaine M. Jasko: Just a clarification. The new meeting schedule will become effective with the second meeting in October. The Ordinance needs to be advertised and there is a holiday that would prevent the schedule from becoming effective on October 11.

RESOLUTIONS

R-408-9/10 Authorizing the issuance of 2010-2011 Plenary Retail Consumption License No. 1216-33-091-005, Pepino's Pub Inc., t/a Pepino's Pub, 848 Amboy Ave., effective September 9, 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-409-9/10 Authorizing a refund in the amount of \$20.00 to Wilentz, Goldman & Spitzer for overpayment of a 200' property owners list.

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-410-9/10 Authorizing the refund of duplicate tax payment in the amount of \$1,781.95 to BAC Tax Services Corp. on Block 154, Lot 17.

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-411-9/10 Authorizing emergency temporary appropriations to extend TY 2011 Temporary Budget in the amount of \$350,600.00.

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-412-9/10 Approving transfer of SFY 2010 Budget appropriations in the amount of \$45,368.75.

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-413-9/10 Authorizing a contract with Beckerman for Creative Marketing & Public Relations with the Business Improvement District (BID) for the City of Perth Amboy on a month to month basis in an amount not to exceed \$74,100.00.

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.

CONSENT AGENDA – R414 to R417

R-414-9/10 Authorizing the return of maintenance bond to Erinson Febles, Jr. for 264-266 High Street, Block 55, Lot 27, Docket No. 2632 in the amount of \$2,934.00.

R-415-9/10 Authorizing return of a paper performance bond to Nico Home Improvement Co., for Garretson Avenue, Block 457, Lot 3 and Inslee Street, Block 464, Lot 1, Docket No. 2645.

R-416-9/10 Authorizing the return of maintenance bond to Star Car Wash for 611 State Street, Block 228.04, Lot 3.01, Docket No. 2400 in the amount of \$15,141.60.

R-417-9/10 Authorizing a refund in the amount of \$20.00 to Daniel D. Hyman, Esq. for the cost of discovery in the matter of State vs. Coccimeglio.

Motion was made by Council Member Kenneth Gonzalez, seconded by Council Member Petrick to adopt R-414-9/10 to R-417-9/10.

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-418-9/10 Authorizing the City of Perth Amboy to submit an application to the County of Middlesex for a grant from the Governor's Council on Alcoholism and Drug Abuse in the amount of \$42,081.00.

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-419-9/10 Supporting the Library Board of Trustees submission of an application to the New Jersey Historic Trust for the restoration of the Perth Amboy Free Public Library and authorizing the City of Perth Amboy to commit funds designated for library restoration towards the project funding match.

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-420-9/10 Authorizing an agreement with the County of Middlesex accepting an automatic license plate recognition system (ALPRS).

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-421-9/10 Authorizing an additional payment to the firm of Hoagland, Longo, Moran, Dunst & Doukas, LLP for services rendered in connection with tax appeals before the Tax Court of New Jersey in an amount not to exceed \$8,000.00.

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-422-9/10 Authorizing an additional payment to Appraisal Systems, Inc. for appraisal services rendered in connection with the defense of tax court appeals in an amount not to exceed \$21,000.00.

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-423-9/10 Accepting a grant from the Hazardous Discharge Site Remediation Fund Municipal Program through the New Jersey Economic Development Authority and the Department of Environmental Protection for remedial investigation on property located on High Street, Block 238, Lots 1 through 3 in the amount of \$68,712.00.

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-424-9/10 Accepting a grant from the Hazardous Discharge Site Remediation Fund Municipal Program through the New Jersey Economic Development Authority and the Department of Environmental Protection for remedial investigation on property located on High Street, Block 140, Lots 1.01 through 3.01 in the amount of \$25,298.00.

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-425-9/10 Accepting a grant from the Hazardous Discharge Site Remediation Fund Municipal Program through the New Jersey Economic Development Authority and the Department of Environmental Protection for remedial investigation on property located at 599 Fayette Street, Block 93, Lot 1.03, Block 95, Lot 1.0 and Block 96, Lot 1.0 in the amount of \$493,340.00.

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.

R-426-9/10 Accepting a grant from the Hazardous Discharge Site Remediation Fund Municipal Program through the New Jersey Economic Development Authority and the Department of Environmental Protection for remedial investigation on property located on Front and Commerce Streets, Block 138, Lot 1 in the amount of \$128,968.00.

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-427-9/10 Authorizing an emergency contract with B&W Construction Co. of NJ Inc. for the repair of three sinkholes located on Water Street in an amount not to exceed \$45,368.75.

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-428-9/10 Accepting a gift from the Harbor Terrace Tenants Association for the Perth Amboy Public Library, in the sum of \$10,642.71.

Motion was made by Councilmember 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-429-9/10 VOID

R-430-9/10 Authorizing a contract with the law firm of Javerbaum, Wurgaft, Hicks, Kahn, Wikstrom & Sinins to represent the city in the matter of Baron Samson v. City of Perth Amboy in an amount not to exceed \$30,000.00.

Motion was made by Councilmember 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-431-9/10 Authorizing a contract with the law firm of Apruzzese, McDermott, Mastro & Murphy, P.C. to defend the City in labor arbitration, public employment relations commission matters and civil service appeals in an amount not to exceed \$50,000.00.

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-432-9/10 Authorizing an agreement with the Raritan Bay Area YMCA to install and maintain a community playground on city property adjacent to the public safety and community complex.

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-433-9/10 Authorizing a Closed Session at the September 8, 2010 meeting to discuss the following:

- 1. Potential litigation**
- 2. Negotiations**
- 3. Paff v. Perth Amboy**

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.

LATE STARTER

R-434-9/10 Requiring members of the Governing Body to attend training for Elected Municipal Officials.

Motion was made by Council Member Petrick, seconded by Council Member Kenneth Gonzalez to place the above Resolution on the agenda as a late starter 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 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.

COMMUNICATIONS

- 1. Mayor Wilda Diaz reappointing Anna Daily to the Library Board of Trustees for a 5 year term expiring June 30, 2015. (8/9/10)**
- 2. Elaine M. Jasko, City Clerk, advising Mayor Wilda Diaz that the Council would like to have a permanent office in City Hall, in order to meet with their constituents and to store their files. (8/2/10)**

3. Elaine M. Jasko, City Clerk, advising Business Administrator Jane Feigenbaum that Council President Kenneth Balut has requested that she arrange to have John Alleman and Larry Cattano meet in order to provide the Council with an up to date report on the equipment inventory for the wireless project. (8/9/10)
4. NJDEP issued a No Further Action Letter for the remediation for the previously removed unleaded and leaded gasoline Underground Storage Tanks at 550 Smith Street. (8/9/10)
5. PSE&G submitted a public notice advising that public hearings will be held at several locations on its Annual Compliance Filing for changes in the Universal Service Fund and Lifeline components of the electric and gas Societal Benefits Changes. (8/9/10)
6. Jack M. Dudas, Esq., City Historian asking the Council to look into the matter of the damages at the Simpson United Methodist Church. (8/10/10)
7. Rafael Hernandez, Jr., resident of Piscataway, thanking Mayor Wilda Diaz and the workers of the Summer Day Camp M.A.P.S. program in the City. (8/11/10)
8. PSE&G submitted a public notice advising that public hearings will be held at several locations on its Petition filed with the BPU requesting an increase in the cost recovery mechanism for the Solar Loan Program. (8/11/10)
9. Elaine M. Jasko, City Clerk advising Richard Pucci, Executive Director of the MCIA that Council President Kenneth Balut has asked that the MCIA consider the request the Council made in August of 2009 to forgive some of the fees associated with the re-financing of bonds as a result of the financial condition of the City. (8/11/10)
10. Mayor Wilda Diaz giving permission to the Holy Trinity Church of God in Christ to use the Jankowski Community Center for a Thanksgiving Service Program on November 21st from 1:00 pm to 5:00 pm. (8/11/10)

11. Mayor Wilda Diaz granting the Perth Amboy Portuguese Club permission to hold a Street Fair and Cultural Day on September 25th from 11:00 am to 11:00 pm on Pulaski Avenue. (8/11/10)
12. NJDOT advising that that there will be temporary off-peak lane closures on August 27, 2010 to return the bridge to full operation and the final traffic pattern with regard to the Amboy Avenue (CR 653) & U-Turn over Route 440 project. (8/13/10)
13. Mayor Wilda Diaz congratulating Wakefern Foods Corp., on being named the No. 1 privately held company in NJ Biz magazine. (8/16/10)
14. Mayor Wilda Diaz congratulating Hatch Mott McDonald on being named one of the top privately held companies in NJ Biz magazine. (8/16/10)
15. Mayor Wilda Diaz congratulating Quick Check Food Store on being named the 19th privately held company in NJ Biz magazine. (8/16/10)
16. Mayor Wilda Diaz congratulating The Shevell Group on being named one of the top 100 privately held companies in NJ Biz magazine. (8/16/10)
17. Mayor Wilda Diaz congratulating Preferred Freezer Services on being named one of the top 100 privately held companies in NJ Biz magazine. (8/16/10)
18. David A. Papi, Director/Health Officer, Middlesex County Public Health Department offering comments and suggestions to be considered when deciding the management of the Perth Amboy Animal Shelter. (8/20/10)
19. Pivotal Utility Holdings, Inc. d/b/a Elizabethtown Gas submitted a notice of public hearings to be held in the matter of the 2010/2011 Annual Compliance Filing for the Universal Service Fund and Lifeline Program Components Within the Societal Benefits Charge Rate. (8/23/10)

20. **Pivotal Utility Holdings, Inc. d/b/a Elizabethtown Gas submitted a notice of public hearings to be held on the Petition filed with the New Jersey BPU to revise its Weather Normalization Clause, its Societal Benefit Charge and On-System Margin Sharing Credit. (8/23/10)**
21. **Middlesex County Office of the County Counsel submitted a copy of a Legal Notice regarding the proposed sale of the County Engineer's Building at 329 Townsend St. in New Brunswick. (8/23/10)**
22. **NJ DCA submitted a Best Practice checklist, designed to perform a self assessment of municipal operations and advising that each municipality will need to meet an established percentage of the checklist items in order for all or part of the last State Aid payment to be released. (8/25/10)**
23. **PSE&G submitted a notice of Filing and Public Hearing for Basic Generation Service Charges Procured by PSE&G on behalf of its Basic Generation Service Customers and Notice of Proposed Recovery through its BGS Charges of Costs Resulting from Statewide Auction for Basic Generation Service. (8/26/10)**
24. **Middlesex County Division of Solid Waste Management advising that it has received an application from Bayshore Recycling Corp. for inclusion in the County Solid Waste Management Plan as a Class A Recycling Facility. (8/26/10)**
25. **Enviro Trac Ltd., advising that on behalf of Hess has submitted a Biennial Certification Monitoring Report for a Groundwater Classification Exception Area for the Hess Station #30513 at 679 Convery Blvd. (8/26/10)**
26. **Katherine Massopust, City resident, suggesting that garbage cans be placed in front of each of bodegas and restaurants in the City in order to encourage patrons to use them instead of throwing the garbage on the streets. (8/27/10)**

Council Member Petrick: We would like to encourage bodegas to use the garbage cans.

Council President Balut: Garbage cans will be re-assigned.

Geri Barcheski, Recycling Coordinator: We have been doing a community outreach with the bodegas and we will transfer some of the baskets and retrofit some of the cans. They want to work with us.

Council President Balut: Can we get some more recycling cans?

Geri Barcheski: If a resident comes in, we try to accommodate them. We try to keep some on hand. We can also try to sell them at a very minimal cost.

Council Member Pabon: Can we put a temporary can near the bodega on Market St.?

Geri Barcheski: We'll try to reconfigure the cans and put them there.

27. Jack M. Dudas, Esq., advising that he is resigning as City Historian effective immediately. (8/27/10)

Council Member Kenneth Gonzalez: We should have a replacement soon.

Council Member Petrick: We should have a resolution honoring him.

28. NJ ABC advising that charges have been preferred against Plenary Retail Consumption License No. 1216-33-091-005, held in the name of Pepinos Pub, Inc. at 848 Amboy Avenue for violation of ABC regulations. (8/30/10)

29. Kenneth Ortiz, Superintendent of Recreation thanking Mark Carvajal for the donation of Somerset Patriots Baseball tickets to the City's Recreation Office. (8/30/10)

30. Mayor Wilda Diaz advising Catholic Charities, Diocese of Metuchen that she endorses and supports Catholic Charities' shelter programs, and Transitional Housing Program application to NJ DCA, for Shelter Support Grant funding. (8/31/10)

31. Middlesex County Dept. of Public Works advising that the MC Dept. of Highways will be resurfacing New Brunswick Ave. from Convery Blvd. to Smith St., starting Sept. 14, and finishing Sept. 28, 2010. (9/1/10)

COUNCIL COMMENTS

Council Member Kenneth Gonzalez: Our school children performed on stage in New Brunswick in a real theatre. It was very exciting. Rox Troche, a long time city employee, lost her father. We wish her family time to heal in her loss. Sept 11 will have the building of the park at YMCA. I salute the Mayor and police for taking action on the social clubs.

ADJOURNMENT

There being no further business to come before the Council, motion was made by Council Member Balut, seconded by Council Member Pabon to adjourn the meeting at 9:00 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