

**MINUTES
PROCEEDINGS OF THE COUNCIL OF THE
CITY OF PERTH AMBOY
MARCH 12, 2014
COUNCIL CHAMBERS**

NOTICE OF MEETING

Regular Meeting of the Council of the City of Perth Amboy was held on Wednesday, March 12, 2014 in the Council Chambers, City Hall, Perth Amboy, New Jersey at 7:00 p.m.

Presiding Officer of the Council, Joel Pabon, Sr. advised the audience that notice of this meeting has been filed with the Home News Tribune, The Star Ledger, The Amboy Guardian 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 7:00 p.m.

Council President Pabon: 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.

Invocation was given by Council Member Petrick who led the audience in the Pledge of Allegiance.

Council President Joel Pabon called the meeting to order with the following Council Members present: Kenneth Gonzalez, Lisa Nanton and William Petrick. Absent--Council Member Fernando Irizarry (death in family).

Also present at this meeting were: Greg Fehrenbach, Business Administrator, and Elaine M. Jasko, City Clerk. Absent was Mark J. Blunda, Director of Law.

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

- 1. BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE CITY OF PERTH AMBOY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING \$4,820,900 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$3,600,000 BONDS OR NOTES OF THE CITY TO FINANCE PART OF THE COST THEREOF.**

SUBJECT TO LOCAL FINANCE BOARD APPROVAL

Greg Fehrenbach: Both this and the next Ordinance were approved by the Local Finance Board today.

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

Council President asked for comments. There were none.

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

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

- 2. BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS TO THE WATER AND WASTE WATER UTILITY IN AND BY THE CITY OF PERTH AMBOY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY, APPROPRIATING \$5,534,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$4,370,000 BONDS OR NOTES OF THE CITY TO FINANCE THE COST THEREOF.**

SUBJECT TO LOCAL FINANCE BOARD APPROVAL

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

Council President asked for comments. There were none.

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

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

3. 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: Adding City Hall Circle (High Street, Market Street) to Snow Emergency Streets

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

Council President asked for comments. There were none.

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

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

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 five (5) minutes.

R-133

Stan Sierakowski, 679 Charles St.: There was a complaint filed about Judge Emery Toth's conduct in the Courtroom. There is an anger issue with him. He treats people like animals. You should think about reappointing him.

R-127

Ken Balut, 359 Bruck Ave.: I would like to thank Sister Rebecca for her years of service.

R-135

Ken Balut: We don't need another motorcycle in the Police Dept.

Council Member Petrick: It would need council approval.

Greg Fehrenbach: The actual cost of only the motorcycle would not have to come before the Council for approval. It's the additional accessories that brought the price up and that is why it is before the Council.

R-142

Ken Balut: How much is the settlement for?

Greg Fehrenbach: It is for appeals and a settlement of PARA escrow accounts in the amount of \$40,000.00. There were also some outstanding pieces of litigation. Mr. Trujillo just recently paid \$190,000 on past due taxes.

R-145

Ken Balut: This is a new building. Why do we need additional equipment?

R-146

Ken Balut: If the Mayor is going to use a police officer to drive her, it should be in her budget not come out of the police budget. There is no need for a police officer to be at Council Meetings.

R-150

Ken Balut: I am in favor of this payment. How much is this building going to cost us?

Greg Fehrenbach: These are billings that the City is required to pay per the judge's orders as a show of good faith. The cost is ongoing. We are still paying.

R-148

Ken Balut: What is the Carr settlement about?

Greg Fehrenbach: This is a settlement with Mr. Carr regarding his civil service rights from the time when he got laid off.

R-134

Reinaldo Aviles, 16 Harbor Terr.: We should not have residency requirements if we are going to continue giving residency waivers.

R-149

Reinaldo Aviles: I am in favor of this resolution, but who is the appointing body in the resolution?

Greg Fehrenbach: The Mayor with Council approval.

APPROVAL OF MINUTES

February 12, 2014 - Regular

Motion was made by Council Member Petrick, seconded by Council Member Nanton to accept the minutes and was carried by the following vote: Yea--Council Members Gonzalez, Nanton, Petrick and Pabon. Nay--none. Abstain--none. Absent--Council Member Irizarry.

BIDS

Bids were received on February 19, 2014 for the following:

Parks & Public Property Maintenance Bid for 2014-2015

1. **Greenleaf Landscape Systems & Services, Inc.**

Base Bid	\$ 61,460.00
Option#1	\$ 18,416.00
Total	\$ 79,876.00*

2. **Donofrio & Son Landscaping**

Base Bid	\$ 96,500.00
Option#1	\$ 19,000.00
Total	\$115,500.00

3. **Pat Scanlon Landscaping**

Base Bid	\$ 67,145.00
Option#1	\$ 13,750.00

(Vendor#3 Bid Package received @ 10:20am-Deemed Unresponsive.)

(*) Recommendation of Bid Award

REPORTS

Jill A. Goldy, CFO/Comptroller submitted the following reports:

- 1. Report of Bond Anticipation Note Sale held on February 28, 2014.**
- 2. Check register report for the month of February, 2014 in the total amount of \$7,531,724.28.**

- 3. Perth Amboy Business Improvement District Audit Report for year ended June 30, 2013.**
- 4. Perth Amboy Business Improvement District Annual Report for 2013.**
- 5. Middlesex County Board of Taxation – Preliminary Equalization Table Tax year 2014.**

Motion was made by Council Member Petrick, seconded by Council Member Nanton to accept reports #1 and #2 and was carried by the following vote: Yea--Council Members Gonzalez, Nanton, Petrick and Pabon. Nay--none. Absent--Council Member Irizarry.

Council Member Gonzalez: I abstain from any items that may be on the bill list that pertain to 1st time homebuyers.

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

- 1. CALENDAR YEAR 2014 CITY OF PERTH AMBOY ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14).**

Motion was made by Council Member Petrick, and seconded by Council Member Gonzalez to adopt the above Ordinance on first reading and public hearing for second and final passage be set down for the meeting of the Council to be held on March 26, 2014 at 7:00 p.m. at the Council Chambers, City Hall, and was carried by the following vote: Yea--Council Members Gonzalez, Nanton, Petrick and Pabon. Nay--none. Absent--Council Member Irizarry.

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

Re: Hours of Sale

Motion was made by Council Member Petrick, and seconded by Council Member Nanton 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 March 26, 2014 at 7:00 p.m. at the Council Chambers, City Hall, and was carried by the following vote: Yea--Council Members Gonzalez, Nanton, Petrick and Pabon. Nay--none. Absent--Council Member Irizarry.

RESOLUTIONS

R-123-3/14 Authorizing application for a loan from the New Jersey Environmental Infrastructure Financing Program for the painting of various major treatment equipment at the Runyon Water Treatment Plant and for the replacement of various four inch water mains throughout the City.

Motion was made by Council Member Petrick, seconded by Council Member Nanton 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 Gonzalez, Nanton, Petrick and Pabon. Nay--none. Absent--Council Member Irizarry.

R-124-3/14 Authorizing application for a loan from the New Jersey Environmental Infrastructure Financing Program for the cleaning and lining of various sewer mains and for the replacement of various catch basins throughout the City.

Motion was made by Council Member Petrick, seconded by Council Member Nanton 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 Gonzalez, Nanton, Petrick and Pabon. Nay--none. Absent--Council Member Irizarry.

R-125-3/14 Determining the form and other details of not exceeding \$2,331,250 general improvement bonds, series 2014, 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 2014 New Jersey Environmental Infrastructure Trust Financing Program.

Motion was made by Council Member Petrick, seconded by Council Member Nanton 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 Gonzalez, Nanton, Petrick and Pabon. Nay--none. Absent--Council Member Irizarry.

R-126-3/14 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 2014 New Jersey Environmental Infrastructure Trust Financing Program.

Motion was made by Council Member Petrick, 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 Gonzalez, Nanton, Petrick and Pabon. Nay--none. Absent--Council Member Irizarry.

R-127-3/14 Recognizing and congratulating Sister Rebecca Piatek for earning the distinction of being the longest serving catholic school principal in the Diocese of Metuchen.

Motion was made by Council Member Petrick, 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 Gonzalez, Nanton, Petrick and Pabon. Nay--none. Absent--Council Member Irizarry.

R-128-3/14 Authorizing a 2014 Athletic/Social Club License to Hispanos Unidos Social Club at 225 New Brunswick Avenue.

Motion was made by Council Member Petrick, 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 Gonzalez, Nanton, Petrick and Pabon. Nay--none. Absent--Council Member Irizarry.

R-129-3/14 Authorizing refund of tax overpayment created by tax appeal on Block 120, Lot 15, 347 Maple Street, in the amount of \$14,743.02 to Peter Zipp, Esq., Attorney for 347 Maple Realty LLC.

Motion was made by Council Member Petrick, 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 Gonzalez, Nanton, Petrick and Pabon. Nay--none. Absent--Council Member Irizarry.

R-130-3/14 Authorizing the refund of tax overpayment created by duplicate payment on Block 177, Lot 15, 427 Augustine Place, in the amount of \$1,000.00 to Francisco Valladares.

Motion was made by Council Member Petrick, seconded by Council Member Nanton 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 Gonzalez, Nanton, Petrick and Pabon. Nay--none. Absent--Council Member Irizarry.

R-131-3/14 Consenting to the reappointment of George M. Boyd as Judge of the Municipal Court of the City of Perth Amboy for a three year term effective retroactive to September 3, 2013.

Motion was made by Council Member Petrick, seconded by Council Member Nanton 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 Gonzalez, Nanton, Petrick and Pabon. Nay--none. Absent--Council Member Irizarry.

R-132-3/14 Consenting to the reappointment of Maria Del Valle-Koch as Judge of the Municipal Court of the City of Perth Amboy for a three year term effective retroactive to January 1, 2014.

Motion was made by Council Member Petrick, 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 Gonzalez, Nanton, Petrick and Pabon. Nay--none. Absent--Council Member Irizarry.

R-133-3/14 Consenting to the reappointment of Emery Z. Toth as Judge of the Municipal Court of the City of Perth Amboy for a three year term effective retroactive to October 22, 2013.

Motion was made by Council Member Petrick, 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 Gonzalez, Nanton, Petrick and Pabon. Nay--none. Absent--Council Member Irizarry.

R-134-3/14 Granting a waiver of residency to Jennifer S. Ingenito as Municipal Court Administrator.

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

Council President asked for comments.

Council President Pabon: We advertised for this position on two occasions. There were no qualified local candidates.

The above Resolution was adopted and carried by the following vote: Yea--Council Members Nanton, Petrick and Pabon. Nay--Council Member Gonzalez. Absent--Council Member Irizarry.

R-135-3/14 Authorizing a contract with Harley Davidson of Long Branch, NJ for a Harley Davidson 2014 HD-FLHP Road King Motorcycle and accessories in an amount not to exceed \$21,500.00 (\$15,799.00 for the motorcycle and \$5,206.00 for the accessories).

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

Council President asked for comments. There were none.

Greg Fehrenbach: The funding for this comes from outside sources and not City funds.

The above Resolution was adopted and carried by the following vote: Yea--Council Members Gonzalez, Nanton, Petrick and Pabon. Nay--none. Absent--Council Member Irizarry.

R-136-3/14 Authorizing change order no. 1 to the contract with Bird Construction for the city marina reconstruction project in an amount not to exceed \$29,900.00 to provide for additional piles as existing piles could not be reused due to damage and wear and tear.

Motion was made by Council Member Petrick, seconded by Council Member Nanton 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 Gonzalez, Nanton, Petrick and Pabon. Nay--none. Absent--Council Member Irizarry.

R-137-3/14 Authorizing settlement of the section 20 portion of the workers compensation litigation entitled Jeffrey Burell v. City of Perth Amboy C.P. No. 2010-12446 in the amount of \$20,000.00.

Motion was made by Council Member Petrick, 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 Gonzalez, Nanton, Petrick and Pabon. Nay--
none. Absent--Council Member Irizarry.

**R-138-3/14 Directing all City of Perth Amboy payroll
to be distributed through direct deposit in accordance
with P.L. 2013, Ch. 38, effective July 1, 2014.**

Motion was made by Council Member Petrick, seconded by Council
Member Nanton 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 Gonzalez, Nanton, Petrick and Pabon. Nay--
none. Absent--Council Member Irizarry.

**R-139-3/14 Approving a memorandum of agreement
between the City of Perth Amboy and VPGS, LLC to
provide payment of \$400,000.00 toward the cost of
construction of Southeast extension of the South
Pier.**

Motion was made by Council Member Petrick, seconded by Council
Member Nanton 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 Gonzalez, Nanton, Petrick and Pabon. Nay--
none. Absent--Council Member Irizarry.

**R-140-3/14 Accepting a grant from the Local
Government Energy Audit Program and awarding a
contract to Dome-Tech to perform an energy audit on
city owned buildings.**

Motion was made by Council Member Petrick, 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 Gonzalez, Nanton, Petrick and Pabon. Nay--
none. Absent--Council Member Irizarry.

R-141-3/14 Accepting the bid and awarding a contract to Greenleaf Landscapes Systems & Services, Inc. for parks and public property maintenance for 2014-2015 in the total amount of \$79,876.00.

Motion was made by Council Member Petrick, seconded by Council Member Nanton 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 Gonzalez, Nanton, Petrick and Pabon. Nay--none. Absent--Council Member Irizarry.

R-142-3/14 Authorizing settlement agreement with Victory Center, LLC regarding tax appeals and Superior Court litigation over Redevelopment Agreement.

Motion was made by Council Member Petrick, 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 Gonzalez, Nanton, Petrick and Pabon. Nay--none. Absent--Council Member Irizarry.

R-143-3/14 Authorizing emergency temporary appropriations to extend CY 2014 Temporary Budget in the amount of \$355,000.00.

Motion was made by Council Member Petrick, seconded by Council Member Nanton 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 Gonzalez, Nanton, Petrick and Pabon. Nay--none. Absent--Council Member Irizarry.

R-144-3/14 Authorizing a "Dedication By Rider" to the CY 2014 Budget for a specific trust fund for Historic Preservation, pursuant to N.J.S.A. 40A:4-39.

Motion was made by Council Member Petrick, seconded by Council Member Nanton 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 Gonzalez, Nanton, Petrick and Pabon. Nay--none. Absent--Council Member Irizarry.

R-145-3/14 Authorizing a contract with L-3 Mobile Vision, for the purchase of equipment that will enhance the interview room recording equipment under state contract No. A81311 in an amount not to exceed \$18,356.09.

Motion was made by Council Member Petrick, seconded by Council Member Nanton 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 Gonzalez, Nanton, Petrick and Pabon. Nay--none. Absent--Council Member Irizarry.

**R-146-3/14 Introduction of CY 2014 Budget.
Public Hearing to be held on April 9, 2014.**

Motion was made by Council Member Petrick, seconded by Council Member Nanton 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 Gonzalez, Nanton, Petrick and Pabon. Nay--none. Absent--Council Member Irizarry.

R-147-314 Authorizing the Director of Operations of the Sanitary Sewer Utility to sign the treatment works approval permit for an application to be submitted by the Perth Amboy Housing Authority.

Motion was made by Council Member Petrick, seconded by Council Member Nanton 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 Gonzalez, Nanton, Petrick and Pabon. Nay--none. Absent--Council Member Irizarry.

R-148-3/14 Approving settlement of Michael Carr v. City of Perth Amboy in the amount of \$6,000.00.

Motion was made by Council Member Petrick, 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 Gonzalez, Nanton, Petrick and Pabon. Nay--none. Absent--Council Member Irizarry.

R-149-3/14 Establishing a Green Team to carry out the Sustainable Jersey Program.

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

Council President asked for comments.

Council Member Nanton: I want to thank everyone that was involved in this.

The above Resolution was adopted and carried by the following vote: Yea--Council Members Gonzalez, Nanton, Petrick and Pabon. Nay--none. Absent--Council Member Irizarry.

LATE STARTER RESOLUTION

R-150-3/14 Authorizing \$857,294.00 contract payment to Safeco Insurance Company of American, surety for Tak Construction Company, and rescinding 2008 deductive change orders consistent with court ruling in public safety complex litigation.

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

The above Resolution was placed on the agenda as a late starter by the following vote: Yea--Council Members Gonzalez, Nanton, Petrick and Pabon. Nay--none. Absent--Council Member Irizarry.

Motion was made by Council Member Petrick, 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 Gonzalez, Nanton, Petrick and Pabon. Nay--none. Absent--Council Member Irizarry.

COMMUNICATIONS

1. **NJDEP submitted a copy of a press release concerning the protection of water and wastewater systems against disasters. (2/24/14)**
2. **NJDEP advising that the Department has completed the review of Chemtura Corporation's January 30, 2014 response to the January 15, 2014 Department review of the November 2013 Annual Ground Water Monitoring Report for the Perth Amboy Facility at 1000 Convery Boulevard. The Department has determined that the submittal is in compliance with the Technical Requirements for Site Remediation. (2/24/14)**
3. **NJDEP advising that FEMA Region II, the Department and Middlesex County will hold a Resilience Meeting with local officials on March 13, 2014 from 9:00 am to 12:00 noon at the Middlesex Fire Academy in Sayreville. The purpose of the meeting is to continue to build local capacity for implementing priority mitigation activities within the County. (2/26/14)**
4. **NJ Division of Local Government Services submitted a Certification of State Aid for Calendar Year 2014 and Fiscal year 2015 Budgets. (2/28/14)**
5. **Thomas P. Ward, former MOPA member, advising that the accusations being made by city resident David Szilagyi against MOPA are nothing more than accusations. (3/3/14)**

PUBLIC PORTION (5 MINUTES MAXIMUM PER SPEAKER)

Stephanie Rodriguez, King St.: I want to thank the Mayor, Council, Police Chief Ruiz, Fire Chief Pitre and the Fire Dept. for pushing me in my wheelchair at the South Amboy St. Patrick's Day parade. By pushing me, they allowed me to march with the high school band. The high school is over-crowded. We need a new high school.

Paul Danielczyk, 204 Raynor St., Iselin, NJ: My mother is 89 years old and lives in town. Her last water bill was \$732.00. Both the water dept. representative and the plumber I hired examined the toilet. I believe there was no problem with the commode. The meter was replaced. There is something wrong. It could be an issue with the water meter reader. Please resolve this bill and this problem.

Greg Fehrenbach: There was a radio read. Following that there was a visual read. There is no evidence that the meter miscounted the amount of water that went through the meter. The Ordinance states that billing can only be changed if there is an error due to a malfunctioning meter. The plumber could not provide a reason why the read was high. There is a pretty constant read on the bills. A payment plan has been suggested.

Council Member Gonzalez to Greg Fehrenbach: This is usage or equipment error (radio read). Can the equipment that was used to read the meter be tested?

Greg Fehrenbach: It was tested.

Council Member Gonzalez: Are daily logs done to make sure the radio is properly operated?

Greg Fehrenbach: I don't know how often calibration is done.

Council Member Gonzalez: Maybe there is a malfunction with the radio.

Greg Fehrenbach: We can have 2 Council people meet with the water personnel and discuss this further.

Council Members Gonzalez and Nanton agreed to be on the committee.

Alan Silber, 244 Rector St.: We need a full time advocate in this city. Can't we get anyone to apply for the Court Administrator's job in Perth Amboy? I can't believe that we can't find anyone.

Council Member Petrick: We can't get qualified local candidates.

Reinaldo Aviles, 16 Harbor Terr.: You need to recruit in the right place for a job such as the Court Administrator. If someone makes a promise that they will be moving into town they should keep the promise. If you are going to continue giving waivers, please eliminate residency. The BID is an advisory board even though they are a non-profit. I am wondering who appoints the BID board members. We need to find out what the process is and how to become a member.

Stan Sierakowski, 679 Charles St.: April 1st is the deadline for tax appeals. The MC Freeholders passed a resolution to pay \$5.1m for the Barry Rosengarten property on High St. The property was appraised as clean property. It is contaminated. This looks like it may be fraud. I'm taking this to the US attorney's office.

Greg Fehrenbach: One of the conditions of the Freeholders is that the money was to be held in escrow until the property was remediated.

Ken Balut, 359 Bruck Ave.: Brownfields monies were given to this property for clean-up. The taxpayers paid for this cleanup. It should have gone to the Seaman St. property. There is illegal housing that is creating overcrowding in schools and it creates dirt in the City. We are negotiating with felons regarding Landings. The YMCA owes the city over \$800,000.00.

Greg Fehrenbach: In 2010, four HDSRF grants were applied for. Three grants were received. We withdrew one. A report was prepared for the General Cable property. Currently Mr. Rosengarten is paying the taxes and it will be tax exempt when the County takes over the property.

David Caba, 139 Lewis St.: Councilman Gonzalez defended Lisa Nanton at the last meeting and came after me. The job of a Councilman is to represent the interest of the citizens and not verbally attack them.

David Szilagyi, 42 Market St.: Getting back to the water issue I had a similar situation. Check your water meter to see if it is moving when all the water is off. If it is, that will indicate whether or not you have a leak.

Mayor Wilda Diaz: The County made it very clear that they would not spend one penny for property that was not remediated. The property on High St. is an eyesore. The City did not have money to build a park. The County is willing to build a state-of-the-art park there. We need to have open space for our residents to enjoy.

COUNCIL COMMENTS

Council Member Petrick: A "Special Two Officer" should be used at Council Meetings. Can we adjust a water bill? A park at the High St. location is wonderful.

Greg Fehrenbach: There's an Ordinance on the books that limits us in adjusting water bills.

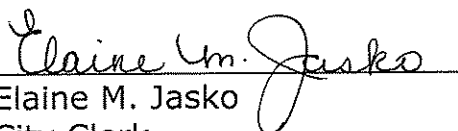
Council Member Gonzalez: Mr. Caba never watched the tape from the last Council Meeting. It's insulting to get attacked by Mr. Caba even though he didn't watch the meeting. Mr. Caba can be classified as a demagogue. I attended the BID meeting yesterday. They are making progress. I will attend a future BID meeting. I would like to get a copy of the BID by-laws. A BID member brought up the Remington Hotel. We should improve the lighting in the area of the hotel. Can we get an update on the Remington Hotel? There may be prostitution and code violations associated with the hotel.

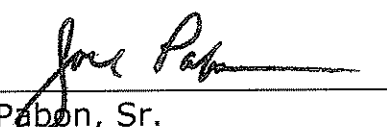
Council Member Nanton: I applaud the administration for working with the County to allow for parkland to come into Perth Amboy. I thank Sustainable New Jersey for working on making Perth Amboy a better place.

Council President Pabon to Greg Fehrenbach, BA: Please get the committee in place to take care of the water meter situation. At the corner of Smith & Front Streets there is a property that was damaged by Sandy. It needs to be looked into. It looks like a dump. Another one of the townhouses at the east side (Water St.) is also an eyesore and should be looked into.

ADJOURNMENT

There being no further business to come before the Council, motion was made by Council Member Petrick, seconded by Council Member Gonzalez to adjourn the meeting at 9:05 pm, and was carried by the following vote: Yea--Council Members Gonzalez, Nanton, Petrick and Pabon. Nay--none. Absent--Council Member Irizarry.


Elaine M. Jasko
City Clerk


Joel Pabon, Sr.
Council President

