

MINUTES OF FEBRUARY 1, 2012 COUNCIL MEETING

The Meeting held at South Amboy City Hall, 140 North Broadway, South Amboy, New Jersey, was called to order by Council President Connors at 7:00 P.M. The City Clerk read the Opening Prayer and all recited the Pledge of Allegiance.

PRESENT: Councilman Applegate, Councilman Gross, Councilman Noble, Councilman Schwarick and Council President Connors.

ALSO PRESENT: Mayor Fred A. Henry, Camille Tooker, Business Administrator and John R. Lanza, Director of Law

Council President Connors stated that "The Notice requirements provided in the Open Public Meetings Act have been satisfied. Notice of this Meeting was published in the Home News Tribune on January 8, 2012, provided to the Star Ledger, filed with the City Clerk and posted in the City Municipal Building on January 5, 2012".

CONSENT AGENDA:

A Motion by Councilman Schwarick to adopt the Consent Agenda which included the Minutes of January 18, 2012 Council Meeting and Resolutions 36 through 434-2012, seconded by Councilman Gross.

ROLL CALL: Applegate-Yes, Gross-Yes, Noble-Abstain, Schwarick-Yes, Connors-Yes.

**CITY OF SOUTH AMBOY
COUNTY OF MIDDLESEX**

RESOLUTION NO. 36-2012

WHEREAS, the following Tax Title Lien Certificates have been redeemed;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of South Amboy, Middlesex County, New Jersey that the Chief Financial Officer be and the same is hereby authorized to issue checks to:

<u>LIEN COMPANY</u>	<u>BLOCK</u>	<u>LOT</u>	<u>QUAL</u>	<u>CERTIF. NUMBER</u>	<u>AMOUNT</u>
George B Shrier	128	4		10-00098	230.42
Tower Lien, LLC	46	21	C01	10-00046	12,475.21
Stella Lasher	161.03	20.10	C45	11-00193	245.14
Stella Lasher	172	10	C29	11-00201	172.50
A&D Appel	132	11		11-00164	352.73
FNA Jersey Lien SVC	8	11		11-00009	398.88
FNA Jersey Lien SVC	155	7		11-00181	261.45
US Bank Cust./ Crestar Capital, LLC	77	13		11-00118	6,892.41
Trade Money, LLC	17	6.01		11-00019	285.96
Virgo Municipal Finance	47	20	C06	11-00136	946.52
US Bank Cust./ for Phoenix	30	8		09-00022	47,016.76

SBMuni Cust %
 LBNJ 139 12 11-00166 404.39

JOSEPH E. CONNORS
 Council President

Certified to be a true copy of a Resolution adopted by the Governing Body on February 1, 2012.

KATHLEEN VIGILANTE
 Municipal Clerk

	<i>Moved</i>	<i>Seconded</i>	<i>Ayes</i>	<i>Nays</i>	<i>Absent</i>	<i>Abstain</i>
APPLEGATE			X			
GROSS		X	X			
NOBLE			X			
SCHWARICK	X		X			
CONNORS			X			

**CITY OF SOUTH AMBOY
 COUNTY OF MIDDLESEX**

RESOLUTION NO. 37-2012

**RESOLUTION AUTHORIZING AN INTER-LOCAL AGREEMENT
 BETWEEN THE CITY OF SOUTH AMBOY
 AND THE TOWNSHIP OF OLD BRIDGE
 FOR THE INFOCOP SYSTEM FOR POLICE DEPARTMENT**

WHEREAS, The City of South Amboy is in need of INFOCOP SYSTEM for Mobile data terminals; and

WHEREAS, the Township of Old Bridge is authorized to enter into the Inter-Local Service Agreement with the City of South Amboy pursuant to the provisions of Uniform Shared Services and Consolidation Act N.J.S.A. 40A:65-1 et seq; and

WHEREAS, the above parties are desirous that Old Bridge provide the City of South Amboy with the INFOCOP system for Mobile Data Terminals To Share City of South Amboy PD alerts and messages with other Law Enforcement Agencies Officers and Dispatchers; and

WHEREAS, the Township of Old Bridge has the capabilities to efficiently and economically provide the Services required by the City of South Amboy,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of South Amboy, County of Middlesex and State of New Jersey that the Mayor and Clerk are hereby authorized to enter into the Inter-local Agreement on behalf of the City of South Amboy with the Township of Old Bridge, County of Middlesex, State of New Jersey for shared services in regard to the INFOCOP System.

JOSEPH E. CONNORS
Council President

Certified to be a true copy of a Resolution adopted by the Governing Body on February 1, 2012.

KATHLEEN VIGILANTE
Municipal Clerk

	<i>Moved</i>	<i>Seconded</i>	<i>Ayes</i>	<i>Nays</i>	<i>Absent</i>	<i>Abstain</i>
APPLEGATE			X			
GROSS		X	X			
NOBLE			X			
SCHWARICK	X		X			
CONNORS			X			

**CITY OF SOUTH AMBOY
COUNTY OF MIDDLESEX**

RESOLUTION NO. 38-2012

**RESOLUTION AUTHORIZING THE AWARD
OF A CONTRACT FOR SPECIAL LEGAL COUNSEL**

WHEREAS, the City of South Amboy has, pursuant to a fair and open process, publicly advertised for the solicitation of proposals or qualifications for Special Legal Counsel-Civil Litigation, pursuant to the provision of N.J.S.A. 19:44A-20.7; and,

WHEREAS, the anticipated term of this contract is to December 31, 2012; and,

WHEREAS, John R. Lanza, Esquire of Lanza & Lanza LLP, of Flemington and South Plainfield, New Jersey, has submitted a proposal indicating that he and his firm will provide Special Legal Services at the following rates: \$175.00 per hour in connection with all legal work regarding "Special Projects", including litigation and redevelopment issues; and as the Law Director of the City of South Amboy, performing Special Legal Services for "Special Projects", such as litigation, redevelopment; labor negotiations and related issues; special land use projects, such as condemnations, waterfront redevelopment, tax appeals and other special legal matters; and,

WHEREAS, the maximum amount of the contract for John R. Lanza, Esquire, as Special Legal Counsel is \$125,000.00 and for John R. Lanza, Esquire, as Law Director, is \$66,000.00, pro-rated from January 1, 2012; and funds are available as evidenced by the Certification of Funds;

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED by the Council of the City of South Amboy, County of Middlesex, State of New Jersey, as follows:

1. The Mayor and City Clerk are hereby authorized and directed to enter into a contract with John R. Lanza, Esquire of Lanza & Lanza LLP, as described herein, for Special Legal Counsel; and,

2. The Mayor and City Clerk are hereby authorized and directed to enter into a contract with John R. Lanza, Esquire, as Law Director of the City of South Amboy, as described herein, for Special Legal Counsel-Civil Litigation; and,

3. The City Clerk shall maintain the contract on file for public inspection during normal business hours.

4. This resolution shall take effect immediately.

JOSEPH E. CONNORS
Council President

Certified to be a true copy of a Resolution adopted by the Governing Body on February 1, 2012.

KATHLEEN VIGILANTE
Municipal Clerk

	<i>Moved</i>	<i>Seconded</i>	<i>Ayes</i>	<i>Nays</i>	<i>Absent</i>	<i>Abstain</i>
APPLEGATE			X			
GROSS		X	X			
NOBLE			X			
SCHWARICK	X		X			
CONNORS			X			

**CITY OF SOUTH AMBOY
COUNTY OF MIDDLESEX**

RESOLUTION NO. 39-2012

**RESOLUTION AUTHORIZING THE AWARD OF A
CONTRACT FOR SPECIAL LEGAL COUNSEL, LABOR LAW**

WHEREAS, the City of South Amboy has, pursuant to a fair and open process, publicly advertised for the solicitation of proposals or qualifications for Special Legal Counsel, Labor Law, pursuant to the provisions of N.J.S.A. 19:44A-20.7; and,

WHEREAS, the anticipated term of this contract is to December 31, 2012; and,

WHEREAS, Pursuant to Resolution No. 30-2012, DeCotiis, Fitzpatrick & Cole, LLP, was deemed qualified to perform special legal counsel, labor law services for the City of South Amboy, subject to a formal contract being awarded; and,

WHEREAS, the maximum amount of this contract for Special Legal Counsel, Labor Law is \$15,000.00; and,

WHEREAS, funds are available;

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED by the Council of the City of South Amboy, County of Middlesex, State of New Jersey, as follows:

1. The Contract for Special Legal Counsel, Labor Law, on file with the City Clerk, is hereby approved and the Mayor and City Clerk are hereby authorized and directed to enter into a contract with DeCotiis, Fitzpatrick & Cole, LLP; and,

2. The City Clerk shall maintain the contract on file for public inspection during normal business hours;

3. The City Clerk shall serve a true copy of this Resolution on DeCotiis, Fitzpatrick & Cole, LLP, Glenpointe Centre West, 500 Frank W. Burr Boulevard, Teaneck, N.J. 07666;

4. This resolution shall take effect immediately.

JOSEPH E. CONNORS
Council President

Certified to be a true copy of a Resolution adopted by the Governing Body on February 1, 2012.

KATHLEEN VIGILANTE
Municipal Clerk

	<i>Moved</i>	<i>Seconded</i>	<i>Ayes</i>	<i>Nays</i>	<i>Absent</i>	<i>Abstain</i>
APPLEGATE			X			
GROSS		X	X			
NOBLE			X			
SCHWARICK	X		X			
CONNORS			X			

**CITY OF SOUTH AMBOY
COUNTY OF MIDDLESEX**

RESOLUTION NO. 40-2012

**RESOLUTION AUTHORIZING THE AWARD OF A
CONTRACT FOR BOND COUNSEL**

WHEREAS, the City of South Amboy has, pursuant to a fair and open process, publicly advertised for the solicitations of proposals or qualifications for Bond Counsel Services, pursuant to the provisions of N.J.S.A. 19:44A-20.7; and,

WHEREAS, Wilentz, Goldman & Spitzer, P.A., of Woodbridge, New Jersey, has submitted a proposal indicating that the firm will provide Bond Counsel Services;

WHEREAS, the anticipated term of this contract is to December 31, 2012; and,

WHEREAS, Pursuant to Resolution No. 30-2012, Wilentz, Goldman & Spitzer, P.A., was deemed qualified to perform bond counsel services for the City of South Amboy, subject to a formal contract being awarded; and,

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED by the Council of the City of South Amboy, County of Middlesex, State of New Jersey, as follows:

1. The Mayor and City Clerk are hereby authorized and directed to enter into a contract with Wilentz, Goldman & Spitzer, P.A. for Bond Counsel Services;
2. The City Clerk shall maintain the contract on file for public inspection during normal business hours.
3. This resolution shall take effect immediately.

JOSEPH E. CONNORS
Council President

Certified to be a true copy of a Resolution adopted by the Governing Body on February 1, 2012.

KATHLEEN VIGILANTE
Municipal Clerk

	<i>Moved</i>	<i>Seconded</i>	<i>Ayes</i>	<i>Nays</i>	<i>Absent</i>	<i>Abstain</i>
APPLEGATE			X			
GROSS		X	X			
NOBLE			X			
SCHWARICK	X		X			
CONNORS			X			

**CITY OF SOUTH AMBOY
COUNTY OF MIDDLESEX**

RESOLUTION NO. 41-2012

**RESOLUTION AWARDING A CONTRACT FOR
SPECIAL ENGINEERING SERVICES**

WHEREAS, Mayor Fred A. Henry, appointed and the Council has consented to Mark J. Rasimowicz, P.E., P.P., C.M.E., as the City Engineer; and,

WHEREAS, the City of South Amboy is in need of consulting engineering services, including the services of a City Engineer; and,

WHEREAS, Mark J. Rasimowicz, P.E., P.P., C.M.E. and Feist Engineering, Inc., a New Jersey Corporation, with offices at 481 Spotswood Englishtown Road, Monroe Township, New Jersey 08831, ("Feist Engineering"), have been duly qualified to provide engineering services to the City of South Amboy, pursuant to the City's request for proposals and qualifications for professional services; and,

WHEREAS, Feist Engineering, including Mark J. Rasimowicz, P.E., P.P., C.M.E., a member of the engineering firm, responded to the City's Requests For Proposals/Requests for Qualifications under the Fair Open Public Solicitation Process and the responses were

publically opened on December 13, 2011 at 1:00 P.M. by Camille Tooker, Business Administrator, in the presence of Mary Sue Felice, Qualified Purchasing Agent; and,

WHEREAS, pursuant to Resolution No. 30-2012, Feist Engineering, including Mark J. Rasimowicz, P.E., P.P., C.M.E., were deemed qualified to perform engineering services for the City of South Amboy, subject to a formal contract being awarded; and,

WHEREAS, the contract for special engineering services is on file with the City Clerk and the contract includes the employment of Feist Engineering and Mark J. Rasimowicz, P.E., P.P., C.M.E., as consulting engineers and as to Mr. Rasimowicz, City Engineer; and,

WHEREAS, the aforesaid contract for consulting engineering services shall not exceed \$100,000.00 without prior authorization of the City for the period of January 1, 2012 to December 31, 2012; and,

WHEREAS, funds are available, and

WHEREAS, the contract shall cease and terminate as of December 31, 2012;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of South Amboy, Middlesex County, New Jersey, as follows:

1. The Contract for Special Engineering Services with Feist Engineering, Inc., including the services of Mark J. Rasimowicz, P.E., P.P., C.M.E., as City Engineer, is hereby approved and the Mayor and City Clerk are hereby directed and authorized to execute the same on behalf of the City of South Amboy.
2. The Municipal Clerk shall maintain the contract on file for public inspection during normal business hours.
3. The Municipal Clerk shall serve a true copy of this resolution upon Feist Engineering, Inc., 481 Spotswood Englishtown Road, Monroe Township, N.J. 08831 and Mark J. Rasimowicz, P.E., P.P., C.M.E. c/o Feist Engineering.
4. This resolution shall take effect immediately upon adoption.

JOSEPH E. CONNORS
Council President

Certified to be a true copy of a Resolution adopted by the Governing Body on February 1, 2012.

KATHLEEN VIGILANTE
Municipal Clerk

	<i>Moved</i>	<i>Seconded</i>	<i>Ayes</i>	<i>Nays</i>	<i>Absent</i>	<i>Abstain</i>
APPLEGATE			X			
GROSS		X	X			
NOBLE			X			
SCHWARICK	X		X			
CONNORS			X			

**CITY OF SOUTH AMBOY
COUNTY OF MIDDLESEX**

RESOLLUTIN NO. 42-2012

**RESOLUTION APPROVING CONTRACT FOR RISK MANAGEMENT CONSULTANT/
LIABILITY INSURANCE BROKER AND BROKER OF RECORD SERVICES**

WHEREAS, the City of South Amboy has, pursuant to a fair and open process, publicly advertised for the solicitation of proposals or qualifications for a Risk Management Consultant/Liability Insurance Broker and Broker of Record Services pursuant to the provisions of N.J.S.A. 19:44A-20.7; and,

WHEREAS, the anticipated term of this contract is to December 31, 2012; and,

WHEREAS, Pursuant to Resolution No. 30-2012, Reliance Insurance Group, 1460 Route 9 North, Suite 210, Woodbridge, New Jersey 07095, was deemed qualified to perform Risk Management Consultant/Liability Insurance Broker and Broker of Record services for the City of South Amboy, subject to a formal contract being awarded; and,

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED by the Council of the City of South Amboy, County of Middlesex, State of New Jersey, as follows:

1. The Contract for Risk Management Consultant/Liability Insurance Broker and Broker of Record Services, on file with the City Clerk, is hereby approved and the Mayor and City Clerk are hereby authorized and directed to enter into a contract with Reliance Insurance Group; and,
2. The City Clerk shall maintain the contract on file for public inspection during normal business hours;
3. The City Clerk shall serve a true copy of this Resolution on Reliance Insurance Group, 1460 Route 9 North, Suite 210, Woodbridge, New Jersey 07095.
4. This resolution shall take effect immediately.

JOSEPH E. CONNORS
Council President

Certified to be a true copy of a Resolution adopted by the Governing Body on February 1, 2012.

KATHLEEN VIGILANTE
Municipal Clerk

	<i>Moved</i>	<i>Seconded</i>	<i>Ayes</i>	<i>Nays</i>	<i>Absent</i>	<i>Abstain</i>
APPLEGATE			X			
GROSS		X	X			
NOBLE			X			
SCHWARICK	X		X			
CONNORS			X			

**CITY OF SOUTH AMBOY
COUNTY OF MIDDLESEX**

RESOLUTION NO. 43-2012

**RESOLUTION AUTHORIZING THE AWARD OF A
CONTRACT FOR SPECIAL AUDITING SERVICES.**

WHEREAS, the City of South Amboy has, pursuant to a fair and open process, publicly advertised for the solicitations of proposals or qualifications for Special Auditing Financial Services, pursuant to the provisions of N.J.S.A. 19:44A-20.7; and,

WHEREAS, the anticipated term of this contract is one (1) year; and,

WHEREAS, Pursuant to Resolution No. 30-2012, Lerch, Vinci & Higgins, LLP, 1717 Route 208, Fair Lawn, New Jersey was deemed qualified to perform Auditing services for the City of South Amboy, subject to a formal contract being awarded; and,

WHEREAS, the maximum amount of the contract is \$45,000.00 and funds are available; and

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED by the Council of the City of South Amboy, County of Middlesex, State of New Jersey, as follows:

1. The Mayor and City Clerk are hereby authorized and directed to enter into a contract with Lerch, Vinci & Higgins, LLC, as described herein.
2. The City Clerk shall maintain the contract on file for public inspection during normal business hours.
3. This resolution shall take effect immediately.

JOSEPH E. CONNORS
Council President

Certified to be a true copy of a Resolution adopted by the Governing Body on February 1, 2012.

KATHLEEN VIGILANTE
Municipal Clerk

	<i>Moved</i>	<i>Seconded</i>	<i>Ayes</i>	<i>Nays</i>	<i>Absent</i>	<i>Abstain</i>
APPLEGATE			X			
GROSS		X	X			
NOBLE			X			
SCHWARICK	X		X			
CONNORS			X			

LIST OF BILLS FOR PAYMENT:

A Motion by Councilman Schwarick that the List of Bills for Payment dated January 27, 2012 be received and filed, seconded by Councilman Applegate.

ROLL CALL: Applegate-Yes, Gross-Yes, Noble-Yes, Schwarick-Yes, Connors-Yes.

RESOLUTIONS:

A Motion by Councilman Noble to consider Resolution 44-2012 by title only, seconded by Councilman Schwarick.

ROLL CALL: Applegate-Yes, Gross-Yes, Noble-Yes, Schwarick-Yes, Connors-Yes.

RESOLUTION #44-2012

**RESOLUTION AUTHORIZING BUDGET TRANSFERS
IN ACCORDANCE WITH N.J.S.A. 40A:4-58**

WHEREAS, N.J.S.A. 40A:4-58 provides for appropriation transfers during the last two (2) months of the fiscal year, when it has been determined it is necessary to expend for any of the purposes specified in the budget an amount in excess of the sum appropriated therefore and where it has been further determined that there is an excess in any appropriation over and above the amount deemed to be necessary to fulfill the purpose of such appropriation, the governing body may, by resolution setting forth the facts, adopted by not less than two-thirds vote of the full membership thereof, transfer the amount of such excess to those appropriations deemed to be insufficient;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of South Amboy, in the County of Middlesex and State of New Jersey, that the Chief Financial Officer be and the same is hereby authorized to make transfers among the 2011 budget appropriations in accordance with the attached schedule of transfers.

JOSEPH E. CONNORS
Council President

Certified to be a true copy of a Resolution adopted by the Governing Body on February 1, 2012.

KATHLEEN VIGILANTE
Municipal Clerk

	<i>Moved</i>	<i>Seconded</i>	<i>Ayes</i>	<i>Nays</i>	<i>Absent</i>	<i>Abstain</i>
APPLEGATE	X		X			
GROSS			X			
NOBLE			X			
SCHWARICK		X	X			
CONNORS			X			

	<u>FROM</u>	<u>TO</u>
Police Salaries & Wages	\$35,000.00	
Legal Other Expenses	<u> </u>	<u>\$35,000.00</u>
	<u>\$35,000.00</u>	<u>\$35,000.00</u>

ORDINANCES:

A Motion by Councilman Noble that Ordinance 1-2012 be taken up on First Reading by title only, seconded by Councilman Schwarick.

ROLL CALL: Applegate-Yes, Gross-Yes, Noble-Yes, Schwarick-Yes, Connors-Yes.

**AN ORDINANCE AMENDING ORDINANCE #30-2001
TO AMEND THE TERMS OF OFFICE FOR FIRE DEPARTMENT
SUIOR OFFICERS**

A Motion by Councilman Noble that Ordinance 1-2012 be adopted on First Reading, seconded by Councilman Schwarick.

ROLL CALL: Applegate-Yes, Gross-Yes, Noble-Yes, Schwarick-Yes, Connors-Yes.

A Motion by Councilman Noble, seconded by Councilman Schwarick that Ordinance 1-2012 be taken up on Second Reading and advertised as prescribed by law.

ROLL CALL: Applegate-Yes, Gross-Yes, Noble-Yes, Schwarick-Yes, Connors-Yes.

COMMENTS:

Mayor Henry said that the Minnesota Twins will be retiring Tom Kelly's number at a game on September 8th. Mayor Henry said he was a great player at St. Mary's High School. The Mayor said he played Little League and High School Baseball with Mr. Kelly and Tom Kelly made All-State Baseball in 1968. Mayor Henry said the Twins won two World Series in 1987 and 1991 and the Twins have only retired five other numbers. The Mayor wished Tom well and said he was a great player and manager.

Councilman Gross welcomed everyone.

Councilman Applegate welcomed the public.

Councilman Noble welcomed the public.

Councilman Schwarick welcomed everyone and thanked them for attending.

Council President Connors thanked everyone for coming out.

PUBLIC COMMENTS:

Vince Mackiel, 105 Augusta Street asked if the Mayor will have his official picture placed in the Council Chambers. Mr. Mackiel asked about the contracts awarded for special legal and engineering services. Mrs. Tooker informed him that the City sent out Requests for Qualifications. A committee reviewed the RFQs received, the Council qualified various professionals and tonight Contracts were awarded. He was told that when the year ends professionals are still working on ongoing matters such as redevelopment, tax appeals, tidelands, Amboy Aggregates, etc. Mr. Mackiel asked which one is more important and Mr. Lanza responded Amboy Aggregates as we will be back in March. Mr. Mackiel stated there

is no public input and he hopes the Mayor and Council could go to the public in a respectful way moving forward.

Cheryl Bachonski representing Station Eatery asked whose bright idea it was to install the "15 Minute Parking" signs in front of the plaza. She said she is a business owner and never received any notice. She stated this will not bring people in. Council President Connors explained that Notice of the Ordinance was published. He said we need to give it a try and if it is not working we can move them. Ms. Bachonski said that in the Summer people pull up with kids and go to Dunkin Donuts for ice cream which takes more than 15 minutes. Mr. Connors explained Broadway had signs for one, two and four hour parking and we were trying to make things uniform. Ms. Bachonski told the Council to put in meters.

Tom Seig, 430 George Street asked if the City will be taking care of the fields because Tom Kross isn't. Mark Rasimowicz, City Engineer is working to secure two grants. One from Green Acres and one from the County. He said work is being done to put a bid spec together. Mr. Seig added the league has some new blood who want to rejuvenate the area the best we can.

ADJOURNMENT OF MEETING:

A Motion by Councilman Noble to adjourn the Meeting, seconded by Councilman Schwarick.

ROLL CALL: Applegate-Yes, Gross-Yes, Noble-Yes, Schwarick-Yes, Connors-Yes.

Kathleen Vigilante
Municipal Clerk