

MINUTES OF JUNE 20, 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, Councilwoman 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".

RESOLUTIONS:

A Motion by Councilman Schwarick to consider R-108-2012 by title only, the Waiver of Reading in Full of the Budget for the Calendar Year Ending December 31, 2012, seconded by Councilman Gross.

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

CITY OF SOUTH AMBOY COUNTY OF MIDDLESEX

RESOLUTION #108-2012

Resolution Re: Waiver of Reading in Full of the Budget for the Fiscal Year Ended December 31, 2012

WHEREAS, N.J.S. 40A:4-8 permits that the Budget may be read by its title providing that at least one week prior to the date of the hearing a complete copy of the approved budget shall

- a) Be posted in the City's free public library; and
- b) is made available to each person requesting the same during said week and during the public hearing; and

WHEREAS, the City of South Amboy has complied with the aforesaid requirements.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of South Amboy, County of Middlesex and State of New Jersey, that the City is hereby permitted to waive the reading in full of the Municipal Budget for the fiscal year ending December 31, 2012.

JOSEPH E. CONNORS
Council President

Certified to be a true copy of a Resolution adopted by the Governing Body on June 20, 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			

Public Hearing on 2012 Budget:

Mr. Gary Higgins: Gary Higgins, the City Auditor, wanted to address a few key items as to how we got to where we are. Mr. Higgins stated that the budget was previously introduced and that by law there was to be a public hearing, at which time, the council can either amend the budget or adopt the budget. He said with respect to the budget, the municipal tax rate in 2011 was 88.1 cents per \$100.00 of the assessed valuation and the proposed budget being discussed will reflect the municipal tax rate of 99.4 cents per \$100.00 of the assessed valuation, this being an increase of 6.3 cents per \$100.00 of the assessed valuation. Mr. Higgins explains that a few key areas that caused the 6.3 cent increase are as follows: the assessed valuation of the City dropped approximately \$22 million dollars in 2011 to 2012 as a result of tax appeals. He stated that had the budget been left at the same tax levy as 2011 in 2012, the tax rate would have risen 2.3 cents as a result of the lower assessed valuation. Essentially what happened is that when there are less people to assess as a result of the reduced rateables, so if you spread out that dollars over a smaller group, leaving the tax rate to automatically rise. Therefore, out of the 6.3 cents, 2.3 cents is a result of loss rateables, which is beyond the control of anybody in this room, and anybody in town. Mr. Higgins stated that it is just a matter of the rateable decrease. He stated that equates to \$61.00 increase on the average home. Mr. Higgins continued stating that a second item which is exactly the same amount is the decrease in revenues of approximately \$194,000.00 that the City will be receiving in 2012. He said that this coincidentally equates to 2.3 cents or \$61.00 of the increase. The third piece of the 6.3 cents, which is a remaining 1.7 cents, is the result of increases in appropriations of approximately \$156,000.00. He claimed that that is the bottom line of the appropriation area and that equates to \$46.00. Therefore, the total increase projected on a home assessed at \$266,000.00, being the average home value based upon the latest tax duplicate is \$168.00. Mr Higgins said breaking that out to the three components the \$46.00 is a result of increased appropriations, with the majority of that being made up of contractual, statutory and regulated increases. The \$46.00 divided by 12 is only \$4.00 per month. The average municipal tax bill was \$2,343.00 in 2011 and in 2012 it is projected at \$2,511.00, the difference being \$168.00. Mr. Higgins said this summary of the impact on the tax rate with the budget that is before the council and what the impact would be for municipal only, not including county and school, which this body does not have control of either of those levies with regard to the 2012 budget. At this point Mr. Higgins stated that he would be happy to address any questions.

Nancy McLaughlin of 347 George Street, asked for the percentages of the cap on the budget. Mr. Higgins responded that the State mandated cap is a 2% hard levy cap that we

are within. Ms. McLaughlin asked what that number is and Mr. Higgins responded that the flat 2% increase was \$156,971.00. He said however, the 2% cap that the State permits has many adjustments, there could have been another \$556,000.00 added to that, and the council did not do that, and we are \$360,000.00 beneath what the 2% cap would have permitted. So the council could have gone up another four tax points had they wanted to. Mr. Higgins continued to explain that the levy went up \$351,000.00. The 2% levy cap sounds good state wide but this budget could have gone up 10% under the law but it did not. He continued, that when you hear 2% levy cap there is really not any town in the state that is going up 2%, and he further states that he represents 50 of them and he cannot name one. Ms. McLaughlin stated she has a concern, she had pulled the budget off the South Amboy website and is confused between fiscal year, and it used to be from July 1st to June 30th and then it went from January 1st to December 31st. Mr. Higgins informed her that happened a couple of years ago. Ms. McLaughlin asked why we are approving a budget now, when it started in January. Mr. Higgins explained that she would have to call Governor Christie and ask him why the law is written that way because that is the way the law is written. The school budget was always done before the municipal budget under New Jersey Municipal and County Budget Law. They adopt the budget after the year starts. Ms. McLaughlin says that she does not understand and asked if the City is behind or ahead six months. Mr. Higgins said there was a transition six month budget from June 30th to December 31st. Ms. McLaughlin stated that was in 2008 and Mr. Higgins said that that is off the table right now. He further states that the council is operating under a calendar year budget. Ms. McLaughlin asked if we are doing a "catch-up"? Mr. Higgins replied that we are not doing "catch-up", we operate the first six months out of the year with estimated tax payments for February and May that are based upon one-half of last year's levy, and change in the budget during the year is made up in the August and November tax payments. You act in a tentative mode the first six months out of the year and you true up on August and November tax payments. Ms. McLaughlin said that people have been having their houses reassessed because property values are going down. She asked if the City is taking a big hit? Mr. Higgins stated that it's not a reassessment, it is people appealing. The people that do not appeal have to absorb that. When people appeal and win, it lowers the total net valuation taxable of the town but raising the same amount of money, therefore the remaining people have to pay more.

Vincent Mackiel of Augusta Street asked Mr. Higgins how the City is going to get over the fact that from 2008 to 2012 the City is spending almost on the verge of double collections from us tax payers. He said it went from four million eight hundred thirty six thousand to eight million one hundred and seventy two thousand estimate this year in taxes from tax payers, how is that going to continue, are we going to continue to go in that direction in this town?! Mr. Higgins replied that you have to live within a 2% levy cap and he cannot validate where Mr. Mackiel is getting the four million number from. Mr. Mackiel stated that came right from the internet and right from your estimates and he said that he will give Mr. Higgins a copy. Mr. Higgins stated he will be more than happy to read it. Mr. Mackiel further commented and asked how we are going to continue to keep the police budget off, and claimed he knew we saved three million dollars. He asked how are we going to keep that and possible growing. Mr. Mackiel said he knows Governor Christie supports the police through and through. Mr. Higgins asked Mr. Mackiel if he is aware of the 2% hard cap on police salaries now? Mr. Mackiel claimed he is aware of it. Mr. Higgins stated that is how it will be kept under control. Mr. Mackiel stated that the police are picking up miniature bicycles and riding around town. The reason Mr. Mackiel said he mentioned that is because while that budget is three million dollars, we built developments in this town and we hoped to further develop it. How are we going to keep the 4% in streets and buildings and grounds, four hundred thousand dollars? He mentioned the agenda where we could not accept a contract for the cutting of grass, that's an example of the streets and grounds that

have been put in the background. He continued asked why the City Clerk deserved a \$12,000.00 raise in the budget last year. It was explained to Mr. Mackiel that is the budget line and that is not what the person is actually getting paid. Also, that is the City Clerk's assistant. He further commented and asked how much is foreseen growing the City's revenue with the Venetian care facility? Mr. Higgins reminded him that right now is the open public hearing on the budget. Mr. Mackiel said he had one last question. Are the police and fire retirement and the public employees retirement grew explain that growth. Mr. Higgins replied that it comes directly from Trenton and it has to be paid or we have to pay interest. Mr. Mackiel asked again why it grew and Mr. Higgins replied again that it is the state pension and that Mr. Mackiel would have to call Governor Christie. This is a mandated Bill. Mr. Higgins said this was not made up and the State sends one bill to every town and that is their share. Mr. Mackiel said in 2011 there was a settlement with the retirees concerning medical coverage and asked if that was part of this budget. Mr. Higgins replied the settlement was not part of the 2012 Budget.

Eileen Ryan, Bertram Avenue said that we are all under terrible restraints this year and it applies to everyone and she is hopeful that with the budget the Council will consider a higher increase. She heard that the City has hired a few new people and is unsure if that is true. Council said that is not true. When looking at the budgets last line is it correct that I am looking at 2012 projected? Mr. Higgins stated that he is unsure of what she has in front of her. She approached Mr. Higgins and council and she was told she is looking at the 2011 Budget and it was last year's predicament. Ms. Ryan stated that she is trying to get an understanding of the budget. She claimed the council stated that we are anticipating that the 2012 monies are already in effect from January to June and right now we are already a half year into the budget for 2012. Mr. Higgins replied that is correct. Ms. Ryan said that three weeks ago we had an emergency funding for three million and two months before that was two million. Mr. Higgins informed her that money is incorporated in the budget that is up to be approved. He further explained that those monies, until the budget is approved is temporary appropriations and once approved those monies are now embodied in the 2012 budget.

Council President Connors closed the Public Hearing on the 2012 Budget. Mr. Connors stated that there is not one person happy about raising taxes and they did work shop after work shop and looked at different ways to cut it and without cutting people and services this is the best that they came up with and it is only \$46.00

A Motion by Councilman Schwarick to consider R-109-2012 by title only, Adoption of the 2012 Budget, seconded by Councilman Gross.

ROLL CALL: Applegate-No, Gross-Yes, Noble-Yes, Schwarick-Yes, Connors-Yes.

A Motion by Councilman Gross to consider R-110-2012 by title only, seconded by Councilman Schwarick.

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

John Lanza, Director of Law explained the lawn maintenance program represents a negotiated contract, which means that we had two bidding events and for good cause those bids were rejected. Mr. Lanza stated we negotiated those bids and an opportunity was given to anybody that wanted to appear and comment on the fact that we are going with the lowest bidder and that bid being \$21,000.00, the next lowest was \$29,000.00 and the one after that was in the low \$30's. Mr. Lanza asked if anyone who would like to comment on this resolution before it is presented to the council for approval or disapproval.

Vince Mackiel of Augusta Street stated that he recognizes that it is the last meeting on this Resolution, and thinks it is a good idea that we are keeping it in town. Councilman Connors stated that it was the lowest bid and if someone from out of town bid lower, we would have been obligated to consider that. But it was the Lawn Barber that won the bid for \$21,000.00 being the lowest bid we received.

**CITY OF SOUTH AMBOY
COUNTY OF MIDDLESEX**

RESOLUTION NO. 110-2012

**RESOLUTION ACCEPTING A NEGOTIATED CONTRACT FOR THE
2012 LAWN MAINTENANCE PROGRAM**

WHEREAS, the City of South Amboy, twice, advertised for bids for its 2012 Lawn Maintenance Program and twice, rejected said bids for good cause; and

WHEREAS, pursuant to N.J.S.A. 40A:11-5(3), the City of South Amboy proceeded to negotiate the 2012 Lawn Maintenance Program contract; and,

WHEREAS, the City of South Amboy afforded each bidder a reasonable opportunity to negotiate; and,

WHEREAS, Larry Kasics, d/b/a Lawn Barber, Clintar New Jersey and D'Onofrio & Son, Inc., participated in the contract negotiations; and

WHEREAS, Larry Kasics, d/b/a Lawn Barber, offered the terms most advantageous to the City of South Amboy, with a negotiated price of \$21,000.00 for the material and services, set forth in the City's bids, with the exception of four lawn cuttings, that were unnecessary at the time of the negotiations; and

WHEREAS, the price negotiated between the City of South Amboy and Larry Kasics, d/b/a Lawn Barber, was the lowest negotiated price offered by a responsible vendor and is a reasonable price for such goods and services; and

WHEREAS, the terms, conditions, restrictions and specifications set forth in the negotiated contract are not substantially different from those which were the subject of competitive bidding; and,

WHEREAS, Larry Kasics, d/b/a Lawn Barber, produced the required Certificate of Insurance and the Consent of Surety for the 2012 Lawn Maintenance Program contract;

NOW, THEREFORE, BE AND IT IS, HEREBY, RESOLVED by the Council of the City of South Amboy, Middlesex County, New Jersey, with a two-thirds affirmative vote of the authorized membership of the governing body, as follows:

1. The contract for the 2012 Lawn Maintenance Program be and is hereby awarded to Larry Kasics, d/b/a Lawn Barber, 241 Church Street, South Amboy, New Jersey 08879, on the negotiated price of \$21,000.00;

2. The Mayor and Municipal Clerk are hereby authorized and directed to execute the contract for the same;

3. The Municipal Clerk is hereby authorized and directed to return the certified checks for bid bonds of the following unsuccessful bidders: FTS Landscaping Inc., 6 Gaston Avenue, Raritan, NJ 08869 and D'Onofrio & Son, Inc., 47 Van Ness Terrace, Maplewood, NJ 07040, and the certified checks or bid bonds of the successful vendor and the next lowest vendor, participating in the negotiations: (1) Larry Kasics, d/b/a Lawn Barber, 241 Church Street, South Amboy, NJ 08879 and (2) Clintar New Jersey, P.O. Box 294, Perrineville, NJ 08535, are to be returned upon the receipt of a fully executed contract and other required documents;

4. The Municipal Clerk shall maintain a copy of the fully executed 2012 Lawn Maintenance Program contract, on file, in her office, for public inspection, during normal business hours.

JOSEPH E. CONNORS
Council President

Certified to be a true copy of a Resolution adopted by the Municipal Council on June 20, 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			

CONSENT AGENDA:

A Motion by Councilman Applegate to adopt the Consent Agenda which included the Minutes of June 6, 2012 and Resolutions 111 through 115-2012, seconded by Councilman Gross.

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

**CITY OF SOUTH AMBOY
COUNTY OF MIDDLESEX**

RESOLUTION NO. 111-2012

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:

LIEN COMPANY	BLOCK	LOT	QUAL	CERTIF. NUMBER	AMOUNT
Virgo Municipal Finance Fund LP	28	2		11-00065	3,268.94
Trade Money LLC	121	4		11-00155	998.42
SB Muni Cust % LBNJ	46	34		11-00077	588.98
Mooring Tax Asset Group LLC	46	21	C01	09-00050	25,456.03

JOSEPH E. CONNORS
Council President

Certified to be a true copy of a Resolution adopted by the Governing Body on June 20, 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	X			
NOBLE			X			
SCHWARICK			X			
CONNORS			X			

**CITY OF SOUTH AMBOY
COUNTY OF MIDDLESEX**

RESOLUTION #112-2012

WHEREAS, the applications for the license holders set forth on Schedule A, attached, have been received for renewal of Plenary Retail Consumption Licenses, Plenary Retail Distribution Licenses and Club Licenses for the period July 1, 2012 to June 30, 2013; and

WHEREAS, after published notice, no written objections have been received by the City of South Amboy for the renewal of these licenses; and

WHEREAS, the submitted renewal application forms are complete in all respects, renewal fees have been paid and tax clearance has been received pursuant to P.L. 1995, Chapter 161;

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED by the City Council of the City of South Amboy, New Jersey, that the Class C. Licenses referred to in the attached Schedule A, which is hereby incorporated into this Resolution, be renewed and the City Clerk is hereby directed to issue license certifications to these Licenses for the period July 1, 2012 to June 30, 2013, provided the renewal is in accordance with the Alcoholic Beverage Law, N.J.S.A. 33:1-3.1, et seq., and the rules and regulations issued pursuant to the Act.

JOSEPH E. CONNORS
Council President

Certified to be a true copy of a Resolution adopted by the Governing Body on June 20, 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	X			
NOBLE			X			
SCHWARICK			X			
CONNORS			X			

**SCHEDULE "A"
2012-2013**

PLENARY RETAIL CONSUMPTION LICENSES:

License Number

- 1220-33-004-006
- 1220-33-013-003

Issued To:

147 S. Pine, LLC
t/a Murphy's Shamrock Inn
147 South Pine Avenue

Tom-Pat, Inc.
t/a Mike's Tavern

- 244 Cedar Street
3. 1220-33-016-003 Rayanne, LLC
t/a Lagoda's Saloon
109 South Broadway
 4. 1220-33-032-001 Burdak, Inc.
530, 32, 34, 36 Center Street
 5. 1220-33-042-005 Rick-Ginny, Inc.
t/a The Monaghan House
400 South Pine Avenue
 6. 1220-33-033-008** Sciortino's at Harbor Lights, Inc.
132 S. Broadway
 7. 1220-33-024-005 South Amboy Elks
601 Washington Avenue
 8. 1220-33-020-005 J., Inc.
t/a The Munckee-Bar
113 So. Feltus Street
 9. 1220-33-031-004 114 Broadway Corporation
t/a Blue Moon
114 So. Broadway
 10. 1220-33-025-004* Marullo, Inc.
2909 Washington Road
Parlin, NJ 08859
 11. 1220-33-011-004* Zusette Dato
106 South Shore Drive
South Amboy, NJ 08879
 12. 1220-33-006-007** Martini's Liquor License, LLC
3602-04 Highway 35
South Amboy, NJ 08879

PLENARY RETAIL DISTRIBUTION LICENSES:

License Number

Issued To:

1. 1220-44-001-004 Franelen, Inc.
t/a Foodtown of South Amboy
611 Bordentown Avenue
2. 1220-44-030-003 Desai Liquors, Inc.
t/a Center Deli
250 North Stevens Avenue
3. 1220-44-034-005 ** Amboy Food Liquor & News, Inc.
t/a Krauszlers
101 North Broadway
4. 1220-44-036-005 Arjun, Inc.
t/a Main Liquors
533 Main Street

5. 1220-44-019-004

Krauszers Food and Liquor, Inc.
t/a Krauszers Food and Liquor
717-717A Bordentown Avenue

CLUB LICENSES:

License Number

1. 1220-31-043-001

Issued To:

Columbian Club of South Amboy
308 Fourth Street

2. 1220-31-049-001

Ancient Order of Hibernians in America,
Division I, Middlesex County
271 Second Street

3. 1220-31-047-001

American Legion Post 62
111 David Street

* **INACTIVE LICENSE**

** **SPECIAL CONDITIONS IMPOSED**

**CITY OF SOUTH AMBOY
COUNTY OF MIDDLESEX**

RESOLUTION #113-2012

WHEREAS, the City of South Amboy adopted Resolution No. 178-2011, which awarded the Contract for Retaining Wall and Slope Improvements FEI No. SA-10-001-01 to TL Landscape Construction Group, Inc. 55 Comstock Street, New Brunswick, New Jersey, 08901; and

WHEREAS, the Project Engineer Mark J. Rasimowicz, P.E., P.P., C.M.E. has recommended and approved the removal and/or reduction of unnecessary bid items and quantities and the addition and/or increased specific bid items and quantities, which are set forth in Change Order No. 1, approved by Project Engineer on May 30, 2012, attached; and

WHEREAS, the original amount of the Contract was \$52,802.00; and

WHEREAS, additional labor and material was required as set forth in Change No. 1, attached in the amount of \$2,260.50, for a total amount of \$55,062.50; and

WHEREAS, the Project Engineer has inspected the project and recommends payment to TL Landscape Construction Group, Inc., subject to the advice of the City Law Director;

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

1. Change Order No. 1, approved by the Project Engineer on May 30, 2012, and attached is hereby approved in the total amount of \$2,260.50 resulting in an adjusted amount of \$55,062.50 with a total increase of 4.2% above the amount of the original contract.

2. The Mayor or Business Administrator is hereby directed to execute Change Order No. 1 on behalf of the City of South Amboy and payment in accordance therewith is hereby approved.

 JOSEPH E. CONNORS
 Council President

Certified to be a true copy of a Resolution adopted by the Governing Body on June 20 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	X			
NOBLE			X			
SCHWARICK			X			
CONNORS			X			

CITY OF SOUTH AMBOY

COUNTY OF MIDDLESEX

RESOLUTION #115-2012

**RESOLUTION AUTHORIZING THE PERSON-TO-PERSON
 TRANSFER OF PLENARY RETAIL CONSUMPTION
 LICENSE NO. 1220-33-008-006.**

WHEREAS, an application has been filed by John’s Halfway House, Inc., for the person-to-person transfer of Plenary Retail Consumption License No. 1220-33-008-006, heretofore issued to SYL 1, Inc., 533 Ridgeway Avenue, South Amboy, NJ, 08879; and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid and Sales Tax Clearance has been issued; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the licensed business; and

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED by the Council of the City of South Amboy, Middlesex County, New Jersey, that the Governing Body of the City of

South Amboy does hereby approve, the transfer of the aforesaid Plenary Retail Consumption License to John's Halfway House, Inc., with a mailing address of 153 Main Street, South River, New Jersey, 08882, and does hereby direct that the Municipal Clerk/A.B.C. Secretary endorse the license certificate to the new ownership and include the conditions attached to said license.

JOSEPH E. CONNORS
Council President

Certified to be a true copy of a Resolution adopted by the Governing Body on June 20, 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	X			
NOBLE			X			
SCHWARICK			X			
CONNORS			X			

LIST OF BILLS FOR PAYMENT:

A motion by Councilman Gross to receive and file the List of Bills for payment dated June 15, 2012, seconded by councilman Applegate.

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

ORDINANCES:

A Motion by Councilman Schwarick that Ordinance 7-2012 be continued on Second Reading by title only, seconded by Councilman Applegate.

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

BOND ORDINANCE PROVIDING FOR VARIOUS 2012 CAPITAL IMPROVEMENTS, BY AND IN THE CITY OF SOUTH AMBOY, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY; APPROPRIATING \$900,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$856,000 BONDS OR NOTES OF THE CITY TO FINANCE PART OF THE COSTS THEREOF.

Council President Connors opened the Public Hearing on the Ordinance.

There being no public comments or questions, Council President Connors closed the Public Hearing.

A Motion by Councilman Schwarick, seconded by Councilwoman Noble that Ordinance 7-2012 be adopted, presented to the Mayor for his approval or disapproval, and if approved, be advertised as prescribed by law.

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

A Motion by Councilman Gross that Ordinance 8-2012 be taken up on First Reading by title only, seconded by Councilman Applegate.

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

AN ORDINANCE AMENDEING ORDINANCE NO. 1036 ENTITLED "PARKING AND TRAFFIC REGULATIONS" FOR THE CITY OF SOUTH AMBOY, IN THE COUNTY OF MIDDLESEX AND STATE OF NEW JERSEY.

A Motion by Councilman Gross that Ordinance 8-2012 be adopted on First Reading, seconded by Councilman Applegate.

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

A Motion by Councilman Gross, seconded by Councilman Applegate that Ordinance 8-2012 be taken up on Second Reading and advertised as prescribed by law.

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

A Motion by Councilman Gross that Ordinance 9-2012 be taken up on First Reading by title only, seconded by Councilman Applegate.

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

AN ORDINANCE TO CONVERT A PORTION OF THE RIGHT OF WAY OF CENTER STREET, IN THE CITY OF SOUTH AMBOY, MIDDLESEX COUNTY, NEW JERSEY.

A Motion by Councilman Gross that Ordinance 9-2012 be adopted on First Reading, seconded by Councilman Applegate.

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

A Motion by Councilman Gross, seconded by Councilman Applegate that Ordinance 9-2012 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 extended his condolences to the Chrzaszcz and MacNeil families on the tragic and unfortunate event that took place a couple days prior to the passing of their son. Mr. Henry stated that we all like to think of South Amboy as a small knit family and we lost somebody. He also sent out condolences to the Munck family, Eleanor Munck lost her Husband. Very sad things take place at times. Mayor Henry addressed the budget, stating there are no cuts in any services, the unfortunate thing is that we have mandates from the State which are contractual obligations that we have to meet and that takes up the bulk of what we have to increase. Nobody wants to increase taxes and as previously stated

because of the tax appeals we are losing roughly 22 million dollars which is a lot of revenue lost. Mayor Henry said, unfortunately that is where we are with our budget and we will continue to look for revenues in the future. He stated that as Mr. Mackiel already mentioned Venetian Healthcare and he does not have any figures on that right now but it will be revenue for the City in the future. Mayor Henry thanked everyone.

Councilman Gross stated his heart goes out to the Chrzaszcz family and said that he knew Paul and he was a great kid and everyone in this town is going to miss him.

Councilman Applegate said he wanted to thank a few people. Paul was a firefighter in town. Mr. Applegate thanked the State Police, Engine 10 Mechanicville, Engine 3 out of Melrose, Sayreville Fire Chief, Sayreville Police and the County Officials that were there. They all were very professional. He said these officials handled the family well. Councilman Applegate was there from 5 a.m. until Paul came home and he wanted to thank everyone.

Councilman Connors offered his condolences to the Chrzaszcz and the Munck families.

PUBLIC COMMENTS:

Vince Mackiel of Augusta Street questioned if Radford Ferry Road Phase II has had construction actually taking place concerning that project. Mark Rasimowicz, City Engineer, replied that tonight would be the awarding of the construction of the roadway, so no. Mr. Mackiel asked when was the last time the City actually brought this to the attention of the governor's office or our representatives in Trenton, that what the City actually needs is to grow the City the way it needs to be grown and to draw the economic forces to this town that it deserves. He asked when was the last time attention was brought to that. Councilman Connors said every week it is discussed and further Mr. Mackiel is referring to the Henry Street project and as far as he knows there is still no developer at this point. Mr. Mackiel stated that it is in the vicinity of the Radford Ferry Road and it all draws into the same interest to an interested party with the financial capability. He asked for the council to remind him of the negotiations in terms of the development rights. Councilman Connors was unsure of what Mr. Mackiel was speaking about. Mr. Mackiel continued to explain that there was a resolution earlier in the year where the City dropped the Northern Area Development Corporation. Council President Connors explained that was done to move in a different direction. Someone was designated as the developer and nothing was being done, then we have to move forward. That developer was de-designated so we could negotiate with someone else. Mr. Mackiel asked if the City is utilizing other networks or other abilities to do the same thing, or is it negotiated by you with the Business Administrator? Councilman Connors informed him it is negotiated by the Redevelopment Agency. Mr. Mackiel claimed that everyone he has spoken to says that we have a lot of promise from our Waterfront and the council agrees. Mr. Mackiel stated he is perplexed that we cannot just move forward. Councilman Connors said we have a contract with the developer of the property. Mr. Mackiel said he understands. He said Mr. Henry stated in a meeting earlier in the year that there is going to be a closing in October. Councilman Connors said that is projected. Mr. Mackiel stated he hopes for all of us that need a sense of financial foundation that he hopes it moves. He asked the Council to please communicate and that is what the City should be doing to move ahead. Councilman Connors thanked Mr. Mackiel.

Ms. Lawton, 60 South Shore Drive said that she does not know what happened but it is nice that our community pulls together in hard times, and stated she was sorry for the loss. Ms. Lawton asked about the July 3 fireworks, and what is going to happen with Lighthouse Bay. She was concerned there would be closures of the streets going into the development for the evening. Camille Tooker, Business Administrator said she received a letter from Ben

Block, President of the Association, who will be meeting with the Police Chief, and he will receive an outline of everything that is going to happen that day. Ms. Tooker stated that she is unfamiliar with exactly what it is but she is aware that there will be a meeting. Ms. Lawton said she is supportive and she just wants to make sure they will receive notice. Ms. Lawton said she is aware that taxes are going up every year. She asked the Council to look into shared services or something out of the box, drastic, that will help this situation going forward. She said she understands that some of the things cannot be changed but maybe things should be looked at completely different. She strongly recommended shared services. Councilman Connors says that we do have shared services and we continue to look for more. Ms. Lawton stated that some houses at Lighthouse Bay have apparently had title issues when closing on the sales and asked if anyone is aware of that. John Lanza, Director of Law explained everyone that was there years ago had the same issue from the grant. Mr. Lanza said in 2011, the City and Mayor O'Leary, at the time, and the then Council, and our City Engineer went down and negotiated to get a Sweep Grant for all those properties and that was approved in 2011. The Council adopted a resolution that gave us that approval. Mr. Lanza stated that we have the money to pay but we do not have the grant because it is still being worked on. The City Attorney explained he did get a grant for Shoregate and John T. O'Leary Blvd., which are also approved and none have been finalized and sent back to him. The lawyers Mr. Lanza has dealt with on the issue and the properties that have closed based upon the formal resolution that was passed. He states that he is unaware of anything that has not closed because of that because every house that has been purchased and closed since those houses were built operated under the same issue and it was all fine. Ms. Lawton asked if it is an issue of the grants not getting approved. The City Attorney responded that it was already approved we are just waiting on paperwork. He has contacted the Title Company and has been on them and they claim that they have had a drop in personnel. He claimed that it used to be that the Governor could only sign Riparian Grants. Legislation was passed where a representative of Tidelands can sign these grants so that has sped it up some. Everything has been done and we are just waiting for their Deed from Tidelands. When that grant is received he will need a list of all the owners because if your name is not listed on the grant then your title will be messed up. Mr. Lanza stated he had already addressed that with the Association, because that is a condition of the grant, you must be named at the time of the filing of the grant. Ms. Lawton asked to be kept posted and thanked everyone very much. Ms. Tooker said that no one is losing sales because of the Riparian issues.

Councilman Applegate left the meeting.

George Flugrad, 305 Augusta Street, said he is very concerned with the budget and more so now because of the economy. All the other towns in the State are able to go back to 2000 spending levels and South Amboy just does not get the message. He thanked God for the 2% property tax cap. He addressed shared services. He asked what services currently are we sharing with other towns? Ms. Tooker informed him currently the Board of Health is a shared service with the County, Animal Control is a shared service with Woodbridge, and we have a shared service with Sayreville for Fire Marshall. She stated we are looking into garbage, bulk pick-up, and we are speaking with the Board of Education about our busing. We look at everything that we think is viable. Mr. Flugrad asked if we have reached out to Old Bridge and Sayreville, because he knows they are republican. Ms. Tooker replied that their party affiliation has nothing to do with it and if we could save money and provide the service we need then we will do it. Mr. Flugrad stated for years the property taxes were raised but it was great because the quality of life was fantastic and he believes we still do have the best police force on this side of the Raritan River, if not in the State. He said that there is no end in sight and asked when was the last time we cut taxes. Ms. Tooker said she it's a shame Mr. Flugrad was not present for the budget presentation and public hearing

because he would not be asking these questions. He asked if he is right or wrong that the budget has gone up since last year. Ms. Tooker responded yes. Mr. Flugrad said well then ok, that is not cutting taxes. Ms. Tooker said there are many reasons for that and it was all explained during the budget presentation. He asked where the incentive is for him as a potential business owner to open up. Ms. Tooker replied that we have a beautiful downtown something many other towns do not have. Mr. Flugrad asked how come people are not moving here. Ms. Tooker replied people are moving here. Mr. Flugrad asked Mr. Lanza you have a practice in Flemington right? Mr. Lanza answered yes and South Plainfield. Mr. Flugrad said right in Flemington I read their newspaper cover to cover everyday and they open up a new business every day. Mr. Flugrad stated he just does not believe we are providing the economic base for businesses to come here and it's very disheartening. He continued that South Amboy is living back in the John Corzine days and we need to move forward, we need to be a leader for this County.

Eileen Ryan, Bertram Avenue asked in light of what happened today when we lost power, do we have a cooling area where we take people to. I know there were several first aide calls but she said it is her understanding, and I am not saying I am correct, but no one was currently manning the cooling center on a day like today. Ms. Tooker stated that we do not have anyone there, so in the event that we needed it we would use the Municipal Building because there is no one at the Senior Center. Ms. Ryan asked why we do not ask for volunteers from first aide. Ms. Tooker and Council President Connors agreed that we could reach out to them. Councilman Connors stated that it is a good idea and they have the emergency generator too.

ADJOURNMENT OF MEETING:

A Motion by Councilman Gross to adjourn the meeting, seconded by Councilman Schwarick.

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

Kathleen Vigilante
Municipal Clerk