

## **MINUTES OF JULY 17, 2013 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, Councilwoman Dato, Councilwoman Noble and Council President Connors.

ALSO PRESENT: Mayor Fred A. Henry, Camille Tooker, Business Administrator, John 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 6, 2013, provided to the Star Ledger, filed with the City Clerk and posted in the Municipal Building on January 3, 2013.

### **CONSENT AGENDA:**

A Motion by Councilman Applegate that the Consent Agenda which included Resolutions 123 through 132-2013 be adopted, seconded by Councilwoman Dato.

ROLL CALL: Applegate-Yes, Dato-Yes, Noble-Yes, Connors-Yes.

**CITY OF SOUTH AMBOY  
COUNTY OF MIDDLESEX**

### **RESOLUTION NO. 123-2013**

#### **RESOLUTION AUTHORIZING THE TAX COLLECTOR TO EXTEND THE THIRD QUARTER 2013 DUE DATE**

**WHEREAS**, the certified tax rate was not received in time to meet the statutory mailing and due dates, the third quarter 2013 which is usually due August 1<sup>st</sup>, will be extended twenty five days from the date of mailing to meet the statutory requirements as per N.J.S.A. 54:4-66.3d; and

**WHEREAS**, the governing body hereby establishes an extension of the due date for taxes due third quarter 2013; and

**WHEREAS**, upon passage of this resolution the due date for the third quarter taxes will be extended to twenty five days from the date of the mailing after which time interest will accrue from August 1, 2013; and

**NOW THEREFORE BE IT RESOLVED**, the Mayor and City Council of the City of South Amboy authorize the Tax Collector to extend the third quarter due date and charge interest in accordance with normal delinquencies for payments received after the due date.

\_\_\_\_\_  
JOSEPH E. CONNORS  
Council President

Certified to be a true copy of a Resolution adopted by the Governing Body on July 17, 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			
DATO		X	X			
GROSS					X	
NOBLE			X			
CONNORS			X			

**CITY OF SOUTH AMBOY  
COUNTY OF MIDDLESEX**

**RESOLUTION NO. 124-2013**

**WHEREAS**, William & Mary Tucka, 401 Parker Avenue, Block 8, Lot 17, owners of property on the tax map of the City of South Amboy, did file an appeal with the Middlesex County Board of Taxation for the year 2012 ; and

**WHEREAS**, the Middlesex County Board of Taxation has entered Judgment in the appeal and said property was reduced as follows:

	<b>Original Assessment</b>	<b>Judgment</b>	<b>Total</b>	<b>Refund</b>
2012	295,300		285,300	233.60

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the City of South Amboy, County of Middlesex, that the Tax Collector of the City of South Amboy, County of Middlesex be instructed to prepare the documents for a refund and the Chief Financial Officer of the City of South Amboy be instructed to draw a check in the amount of \$233.60 to William and Mary Tucka.

\_\_\_\_\_  
JOSEPH E. CONNORS  
Council President

Certified to be a true copy of a Resolution adopted by the Governing Body on July 17, 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			
DATO		X	X			
GROSS					X	
NOBLE			X			
CONNORS			X			

**CITY OF SOUTH AMBOY  
COUNTY OF MIDDLESEX**

**RESOLUTION NO. 125-2013**

**WHEREAS**, James Coble, Sr., 460 Conover Street, Block 144, Lot 9 has applied for a veteran property tax deduction in the amount of \$250.00 for the year 2013; and

**WHEREAS**, the applicant has completed the application and provided the appropriate documentation for the allowance of the deduction; and

**WHEREAS**, the Tax Collector has certified that the application has been reviewed and approved; and

**WHEREAS**, the Tax Collector recommends that this deduction be approved;

**NOW, THEREFORE, BE IT RESOLVED** by the Council of City of South Amboy, Middlesex County, New Jersey that the Tax Collector is hereby authorized to adjust the 4th quarter of 2013 and the Tax Assessor is authorized to adjust the MOD VI for 2013.

**FURTHER, BE IT RESOLVED** that the City Clerk serve certified copies of this resolution upon the Tax Collector and Tax Assessor.

\_\_\_\_\_  
JOSEPH E. CONNORS  
Council President

Certified to be a true copy of a Resolution adopted by the Governing Body on July 17, 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			
DATO		X	X			
GROSS					X	
NOBLE			X			
CONNORS			X			

**CITY OF SOUTH AMBOY  
COUNTY OF MIDDLESEX**

**RESOLUTION NO. 126-2013**

**WHEREAS**, an overpayment was made by First Source Title Agency on behalf of Robert & Lizbeth Bartlinski, 216 Cedar Street, City of South Amboy, County of Middlesex, Block 131, Lot 15 on the 2<sup>nd</sup> quarter of 2013 in the amount of \$2,015.97; and

**WHEREAS**, Robert & Lizbeth Bartlinski have requested a refund in the amount of \$2,015.97; and

**WHEREAS**, the Tax Collector has certified the above payment has been made;

**NOW, THEREFORE, BE IT RESOLVED**, by the Governing Body of the City of South Amboy, Middlesex County, New Jersey, that the Chief Financial Officer be, and the same is hereby authorized to issue a check to Robert & Lizbeth Bartlinski in the amount of \$2,015.97.

\_\_\_\_\_  
JOSEPH E. CONNORS  
Council President

Certified to be a true copy of a Resolution adopted by the Governing Body on July 17, 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			
DATO		X	X			
GROSS					X	
NOBLE			X			
CONNORS			X			

**CITY OF SOUTH AMBOY  
COUNTY OF MIDDLESEX**

**RESOLUTION NO. 127-2013**

**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 CO.</u>	<u>BLOCK</u>	<u>LOT</u>	<u>QUAL.</u>	<u>CERTIF. NO.</u>	<u>AMT.</u>
US BANK-CUST PRO CAPITAL II, LLC	2	4.01		12-00004	3811.44
US BANK-CUST PRO CAPITAL II, LLC	2	4		Premium	100.00
US BANK-CUST PRO CAPITAL II, LLC	9	16		12-00017	357.91
US BANK-CUST PRO CAPITAL II, LLC	13	13		12-00020	404.09
US BANK-CUST PRO CAPITAL II, LLC	29	11		12-00028	495.23
US BANK-CUST PRO CAPITAL II, LLC	30	22		12-00036	261.59
US BANK-CUST PRO CAPITAL II, LLC	35	25		12-00044	335.93
US BANK-CUST PRO CAPITAL II, LLC	39	26		12-00049	311.33
US BANK-CUST PRO CAPITAL II, LLC	39	30		12-00050	344.35
US BANK-CUST PRO CAPITAL II, LLC	43	27		12-00056	320.75
US BANK-CUST PRO CAPITAL II, LLC	44	19		12-00059	393.27
US BANK-CUST PRO CAPITAL II, LLC	45	46		12-00065	483.70
US BANK-CUST PRO CAPITAL II, LLC	46	4		12-00066	494.08
US BANK-CUST PRO CAPITAL II, LLC	46	7		12-00067	710.39
US BANK-CUST PRO CAPITAL II, LLC	50	10		12-00077	386.79
US BANK-CUST PRO CAPITAL II, LLC	59	5		12-00082	584.04
US BANK-CUST PRO CAPITAL II, LLC	68	8		12-00088	507.74
US BANK-CUST PRO CAPITAL II, LLC	71	9		12-00089	1556.54
US BANK-CUST PRO CAPITAL II, LLC	75	17		12-00091	1750.89
US BANK-CUST PRO CAPITAL II, LLC	84	3		12-00103	327.76

US BANK-CUST PRO CAPITAL II, LLC	86	4		12-00105	679.22
US BANK-CUST PRO CAPITAL II, LLC	88	7		12-00108	284.76
US BANK-CUST PRO CAPITAL II, LLC	92	8		12-00109	440.64
US BANK-CUST PRO CAPITAL II, LLC	111	2		12-00114	452.91
US BANK-CUST PRO CAPITAL II, LLC	117	6		12-00120	330.31
US BANK-CUST PRO CAPITAL II, LLC	121	4		12-00121	1753.19
US BANK-CUST PRO CAPITAL II, LLC	150	5		12-00140	373.26
US BANK-CUST PRO CAPITAL II, LLC	156	4		12-00144	327.76
US BANK-CUST PRO CAPITAL II, LLC	158	22		12-00146	468.65
US BANK-CUST PRO CAPITAL II, LLC	161.03	20.1	C91	12-00153	195.19
US BANK-CUST PRO CAPITAL II, LLC	161.03	20.1	C110	12-00151	218.05
George B Shrier	8	33		12-00014	284.10
George B Shrier	101	2		12-00112	163.56
Ronko Developers, Inc	34	4		12-00037	319.92
Ronko Developers, Inc	34	11		12-00038	526.35
Ronko Developers, Inc	45	43		12-00064	361.44
Ronko Developers, Inc	46	29		12-00068	692.72
Thomas Weinman	93	17		12-00110	400.22
Kimberly Facciponti	29	14		12-00029	322.44
SBMuni Cust % LBNJ	3	17		11-00002	29666.15
MTAG Services	52	11		12-00080	5695.03

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JOSEPH E. CONNORS  
Council President

Certified to be a true copy of a Resolution adopted by the Governing Body on July 17, 2012.

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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			
DATO		X	X			
GROSS					X	
NOBLE			X			
CONNORS			X			

**CITY OF SOUTH AMBOY  
COUNTY OF MIDDLESEX**

**RESOLUTION #128-2013**

**WHEREAS**, the Independence Volunteer Fire Company is planning an antique and classic car show and flea market on Broadway in the City of South Amboy, Middlesex County, New Jersey, on August 4, 2013 (rain date: August 11, 2013); and

**WHEREAS**, in order to accommodate the event and for the general safety and welfare of the public, Broadway, between John Street and First Street, would need to be closed to vehicular traffic; and

**WHEREAS**, pursuant to N.J.S.A. 39:4-8.1.c., a municipality may close streets for periods up to 48 continuous hours; and

**WHEREAS**, it is deemed in the public interest that the aforesaid event take place;

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

1. On August 4, 2013, (rain date: August 11, 2013), between the hours of 8:00 a.m. and 5:00 p.m., Broadway, between John Street and First Street, in the City of South Amboy, shall be closed to vehicular traffic.
2. The City Clerk shall forward certified copies of this Resolution to the South Amboy Police Department and to the Independence Fire Company.

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JOSEPH E. CONNORS  
Council President

Certified to be a true copy of a Resolution adopted by the Governing Body on July 17, 2013.

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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			
DATO		X	X			
GROSS					X	
NOBLE			X			
CONNORS			X			

**CITY OF SOUTH AMBOY  
COUNTY OF MIDDLESEX**

**RESOLUTION #129-2013**

**WHEREAS**, on June 19, 2013 the South Amboy City Council adopted Resolution No. 114-2013 temporarily waiving Construction Permit Fees in the City through December 31, 2013, as a result of Hurricane Sandy damage; and

**WHEREAS**, Peter Ng, 62 South Shore Drive has requested a refund in the amount of One Hundred Twenty-seven (\$127.00) Dollars for permit #013-122 for repairs made necessary as a direct result of Hurricane Sandy; and

**WHEREAS**, the Tax Collector has certified the above payment has been made; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Governing Body of the City of South Amboy, Middlesex County, New Jersey, that the Chief Financial Officer be and the same is hereby authorized to issue a check to Peter Ng, 62 South Shore Drive, South Amboy, NJ 08879, in the amount of \$127.00.

\_\_\_\_\_  
JOSEPH E. CONNORS  
Council President

Certified to be a true copy of a Resolution adopted by the Governing Body on July 17, 2013.

\_\_\_\_\_  
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			
DATO		X	X			
GROSS					X	
NOBLE			X			
CONNORS			X			

**CITY OF SOUTH AMBOY  
COUNTY OF MIDDLESEX**

**RESOLUTION NO. 130-2013**

**RESOLUTION AUTHORIZING A CONSTRUCTION  
CONTRACT WITHOUT PUBLIC ADVERTISING DUE  
TO SANITARY SEWER EMERGENCY – MANHOLE REPLACEMENT  
AT STEVENS AVENUE AND SECOND STREET**

**WHEREAS**, N.J.S.A. 40A:11-6 authorizes a public entity to contract without public advertising for bids, notwithstanding that the contract price will exceed the bid threshold, when an emergency affecting the public health, safety or welfare requires the immediate delivery of goods or the performance of services; and,

**WHEREAS**, Mark J. Rasimowicz, P.E., P.P., C.M.E., Director, Department of Engineering, City of South Amboy, reported, on June 13, 2013, that an emergency existed due to the existing brick manhole at the intersection of Stevens Avenue and Second Street had partially collapsed posing an impediment to the flow of sewerage through the pipe; and

**WHEREAS**, the May 3, 2013 report of the City Engineer is attached to and incorporated into this Resolution; and,

**WHEREAS**, Mark J. Rasimowicz, P.E., P.P., C.M.E., Director, Department of Engineering and Camille Tooker, Business Administrator, declared that an emergency existed and invoked the emergency contract provisions of N.J.S.A. 40A:11-6; and,

**WHEREAS**, City Engineer, Mark J. Rasimowicz, P.E., P.P., C.M.E. and Business Administrator, Camille Tooker, contracted with PM Construction, 1310 Central Avenue, Hillside, New Jersey 07205, to provide labor and material to address the aforesaid emergency for a total price of \$31,621.24; and

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

1. Camille Tooker, the City Business Administrator, and Mark J. Rasimowicz, P.E., P.P., C.M.E., the City Engineer, properly invoked the provisions of N.J.S.A. 40A:11-6 and contracted with PM Construction, for labor and materials provided to correct an emergent situation on South Broadway, South Amboy, New Jersey, for a total price of \$31,621.24.
2. The aforesaid contract between the City of South Amboy and PM Construction is ratified.
3. Upon the furnishing of such labor and materials in accordance with the terms of the contract, the contractor shall be entitled to be paid therefore.

\_\_\_\_\_  
JOSEPH E. CONNORS  
Council President

Certified to be a true copy of a Resolution adopted by the Governing Body on July 17, 2013.

\_\_\_\_\_  
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			
DATO		X	X			
GROSS					X	
NOBLE			X			
CONNORS			X			

**CITY OF SOUTH AMBOY  
COUNTY OF MIDDLESEX**

**RESOLUTION NO. 131-2013**

**RESOLUTION APPROVING THE RELEASE OF THE  
PERFORMANCE BOND POSTED FOR THE STREET  
OPENING PERMIT SAROP-12-315, FOR GORDON  
STREET, SOUTH AMBOY, NEW JERSEY**

**WHEREAS**, the Owner of Block 18.02, Lot 12, South Amboy, New Jersey, applied to the City of South Amboy for a Street Opening Permit; and

**WHEREAS**, the City of South Amboy issued to the Owner, c/o Peak Environmental, Inc., Permit #SAROP-12-315; and

**WHEREAS**, Mark J. Rasimowicz, P.E., the City Engineer, inspected the project and reported that the work has been completed to his satisfaction and in accordance with the requirements of the City of South Amboy and recommended the release of the \$5,000.00 Performance Bond posted for this Street Opening Permit;

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

1. The Performance Bond #4027 posted for the above referred to Street Opening Permit in the amount \$5,000.00 shall be released to Peak Environmental, Inc., in accordance with the recommendation of Mark J. Rasimowicz, P.E., the City Engineer.

2. The City Clerk shall forward a certified copy of this Resolution to Terry O'Neill, the City's Chief Financial Officer, Mark J. Rasimowicz, P.E., and to Peak Environmental, Inc.

\_\_\_\_\_  
JOSEPH E. CONNORS  
Council President

Certified to be a true copy of a Resolution adopted by the Governing Body on July 17, 2013

\_\_\_\_\_  
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			
DATO		X	X			
GROSS					X	
NOBLE			X			
CONNORS			X			

**CITY OF SOUTH AMBOY  
COUNTY OF MIDDLESEX**

**RESOLUTION NO. 132-2013**

**RESOLUTION APPROVING THE RELEASE OF THE  
PERFORMANCE BOND POSTED FOR THE STREET  
OPENING PERMIT SAROP-12-314, FOR CATHERINE  
STREET, SOUTH AMBOY, NEW JERSEY**

**WHEREAS**, the Owner of Block 18.02, Lot 12, South Amboy, New Jersey, applied to the City of South Amboy for a Street Opening Permit; and

**WHEREAS**, the City of South Amboy issued to the Owner, c/o Peak Environmental, Inc., Permit #SAROP-12-314; and

**WHEREAS**, Mark J. Rasimowicz, P.E., the City Engineer, inspected the project and reported that the work has been completed to his satisfaction and in accordance with the requirements of the City of South Amboy and recommended the release of the \$5,000.00 Performance Bond posted for this Street Opening Permit;

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

3. The Performance Bond #4028 posted for the above referred to Street Opening Permit in the amount \$5,000.00 shall be released to Peak Environmental, Inc., in accordance with the recommendation of Mark J. Rasimowicz, P.E., the City Engineer.

4. The City Clerk shall forward a certified copy of this Resolution to Terry O'Neill, the City's Chief Financial Officer, Mark J. Rasimowicz, P.E., and to Peak Environmental, Inc.

\_\_\_\_\_  
 JOSEPH E. CONNORS  
 Council President

Certified to be a true copy of a Resolution adopted by the Governing Body on July 17, 2013

\_\_\_\_\_  
 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			
DATO		X	X			
GROSS					X	
NOBLE			X			
CONNORS			X			

**LIST OF BILLS FOR PAYMENT:** (To Be Received and Filed)

A Motion by Councilwoman Noble that the List of Bills for Payment dated July 12, 2013 be received and filed, seconded by Councilman Applegate.

ROLL CALL: Applegate-Yes, Dato-Yes, Noble-Yes, Connors-Yes.

**RESOLUTIONS:**

A Motion by Councilwoman Noble that Resolution 133-2013 be considered by title only, seconded by Councilman Applegate.

ROLL CALL: Applegate-Yes, Dato-Yes, Noble-Yes, Connors-Yes.

**RESOLUTION 133-2013**

**RESOLUTION OF THE CITY OF SOUTH AMBOY, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE LOCAL FINANCE BOARD PURSUANT TO N.J.S.A. §40A:2-51 AND N.J.S.A. §40A:2-55 IN CONNECTION WITH THE ISSUANCE OF NOT TO EXCEED \$785,000 AGGREGATE PRINCIPAL AMOUNT OF REFUNDING BONDS AND/OR REFUNDING NOTES**

WHEREAS, pursuant to the Local Bond Law, N.J.S.A. 40A:2-1 et seq., as amended and supplemented (the "Local Bond Law"), the City of South Amboy, in the County of Middlesex, State of New Jersey (the "City") has determined to provide for the payment of emergency appropriations for the payment of a judgment and supplemental insurance assessments, plus the costs associated with the issuance of Refunding Bonds (as hereinafter defined), through the issuance by the City of refunding bonds and/or refunding notes in an aggregate principal amount not to exceed \$785,000 (the "Refunding Bonds").

WHEREAS, the City believes that:

- (a) it is in the public interest to accomplish such refunding;
- (b) said refunding is for the health, wealth, convenience or betterment of the inhabitants of the City;
- (c) the amounts to be expended for said refunding are not unreasonable or exorbitant;
- (d) the refunding is an efficient and feasible means of providing services for the needs of the inhabitants of the City and will not create an undue financial burden to be placed upon the City.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOUTH AMBOY, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY as follows:**

Section 1. The submission of an application (the "Application") to the Local Finance Board in the Division of Local Government Services, New Jersey Department of Community Affairs for the purposes referenced in the recitals above is hereby authorized and Wilentz, Goldman & Spitzer, P.A., the City's Bond Counsel ("Bond Counsel") and Lerch, Vinci & Higgins, LLP, the City's auditor (the "Auditor"), along with other officials and representatives of the City are hereby authorized and directed to prepare and submit such Application to the Local Finance Board and to represent the City in such matters pertaining thereto. Any previous actions taken by Bond Counsel and the Auditor along with other officials and representatives of the City related to the preparation and submission of the Application is hereby ratified and confirmed.

Section 2. The City Clerk is hereby directed to prepare and file certified copies of this resolution and the refunding bond ordinance after first reading with the Local Finance Board as part of such Application.

Section 3. The Local Finance Board is hereby respectfully requested to consider such Application and to record its approval as provided by the applicable provisions of the Local Bond Law.

Section 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 July 17, 2013

\_\_\_\_\_  
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			
DATO			X			
GROSS					X	
NOBLE	X		X			
CONNORS			X			

**CERTIFICATION**

I, KATHLEEN VIGILANTE, Clerk of the City of South Amboy, in the County of Middlesex, New Jersey (the "City"), DO HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the City Council of the City duly called and held on July 17, 2013 in full compliance with the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq., at which meeting a quorum was present and acting throughout, and has been compared by me with the original minutes as officially recorded in my office in the Minute Book of such governing body and is a true, complete and correct copy thereof and of the whole of the original minutes so far as they relate to the subject matters referred to in the extract, and such resolution has not been amended, modified or repealed but is in full force and effect on and as of the date hereof.

IN WITNESS WHEREOF, I have hereunto set my hand on behalf of the City and affixed the corporate seal of said City this 17<sup>th</sup> day of July, 2013.

\_\_\_\_\_  
KATHLEEN VIGILANTE, Clerk of the  
City of South Amboy

A Motion by Councilman Applegate that Resolution 134-2013 be considered by title only, seconded by Councilwoman Dato.

ROLL CALL: Applegate-Yes, Dato-Yes, Noble-Yes, Connors-Yes.

**RESOLUTION NO. 134-2013**

**RESOLUTION OF THE CITY OF SOUTH AMBOY, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE LOCAL FINANCE BOARD REQUESTING A WAIVER OF DOWN PAYMENT FOR A BOND ORDINANCE FUNDING THE RECONSTRUCTION OF THE WATERFRONT WALKWAY AND SEAWALL TO REPAIR DAMAGE CAUSED BY SUPER STORM SANDY PURSUANT TO N.J.S.A 40A:2-11(c) AND N.J.S.A 40A:2-7(d)**

WHEREAS, THE CITY COUNCIL OF THE CITY OF SOUTH AMBOY, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY (the "City") desires to submit an application (the "Application") to the Local Finance Board, in the Division of Local Government Services, New Jersey Department of Community Affairs (the "Local Finance Board") for its approval of a request by the City for a waiver of the down payment requirement, pursuant to N.J.S.A. 40A:2-11(c) and N.J.S.A. 40A:2-7(d), related to the proposed adoption of a bond ordinance providing for an appropriation of \$2,000,000 and an authorization of bonds and notes in the amount of \$1,988,000 to fund the reconstruction of the waterfront walkway and seawall to repair damage caused by Super Storm Sandy; and

WHEREAS, the City believes that:

- (a) it is in the public interest to adopt the bond ordinance;
- (b) said bond ordinance is for the health, wealth, convenience or betterment of the inhabitants of the City;
- (c) the amounts to be expended for the issuance of the bond and/or notes in the bond ordinance are not unreasonable or exorbitant; and
- (d) the adoption of the bond ordinance, funding of the appropriation and obligations therein, and the waiver of down payment is an efficient and feasible means of providing services for the needs of the inhabitants of the City and will not create an undue financial burden to be placed upon the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOUTH AMBOY, IN THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, as follows:

Section 1. The Application to the Local Finance Board is hereby approved and Wilentz, Goldman & Spitzer, P.A., Bond Counsel to the City (the “Bond Counsel”), and Lerch, Vinci & Higgins, the Auditor to the City (the “Auditor”), along with other officials and representatives of the City, are hereby authorized and directed to prepare and submit such Application and to represent the City in such matters pertaining thereto.

Section 2. The City Clerk is hereby authorized and directed to prepare and file certified copies of this resolution and the bond ordinance after introduction with the Local Finance Board as part of such Application.

Section 3. The Local Finance Board is hereby respectfully requested to consider such Application and to record its approval as provided by applicable New Jersey Statutes, including the Local Bond Law, N.J.S.A. 40A:2-1 et seq., specifically 40A:2-11(c) and N.J.S.A. 40A:2-7(d).

Section 4. Any prior actions taken by Bond Counsel and the Auditor in consultation with the Director of Revenue and Finance of the City in the preparation and submission of the Application are hereby ratified and confirmed.

Section 5. 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 July 17, 2013

\_\_\_\_\_  
 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			
DATO		X	X			
GROSS					X	
NOBLE			X			
CONNORS			X			

## CERTIFICATION

I, **KATHLEEN VIGILANTE**, City Clerk of the City of South Amboy, in the County of Middlesex, State of New Jersey (the "City"), DO HEREBY CERTIFY that the attached resolution was duly adopted by the City Council of the City at a meeting duly called and held on July 17, 2013 in conformance with the Open Public Meetings Act, N.J.S.A. 10:4-6 et. seq., at which meeting a quorum was present and acting throughout, and that such resolution has been compared by me with the original resolution as officially recorded in my office in the Minute Book of such governing body and is a true, complete and correct copy thereof and of the whole of the resolution, and such resolution has not been amended, modified or repealed but is in full force and effect on and as of the date hereof.

IN WITNESS WHEREOF, I have hereunto set my hand on behalf of the City and affixed the corporate seal of said City this 17<sup>th</sup> day of July, 2013.

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**KATHLEEN VIGILANTE,**  
City Clerk

### **ORDINANCES:**

A Motion by Councilwoman Noble that Ordinance 9-2013 be taken up on Second reading by Title only, seconded by Councilwoman Dato.

ROLL CALL: Applegate-Yes, Dato-Yes, Noble-Yes, Connors-Yes

### **AN ORDINANCE TO PROHIBIT SMOKING IN THE CITY OF SOUTH AMBOY PARKS AND RECREATION AREAS OWNED, LEASED OR OPERATED BY THE CITY OF SOUTH AMBOY**

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

A Motion by Councilwoman Noble that Ordinance 9-2013 be adopted, presented to the Mayor for his approval or disapproval, and if approved be advertised as prescribed by law, seconded by Councilwoman Dato.

ROLL CALL: Applegate-Yes, Dato-Yes, Noble-Yes, Connors-Yes

A Motion by Councilwoman Dato that Ordinance 10-2013 be taken up on Second reading by Title only, seconded by Councilwoman Noble.

ROLL CALL: Applegate-Yes, Dato-Yes, Noble-Yes, Connors-Yes

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

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

A Motion by Councilwoman Dato that Ordinance 10-2013 be adopted, presented to the Mayor for his approval or disapproval, and if approved be advertised as prescribed by law, seconded by Councilwoman Noble.

ROLL CALL: Applegate-Yes, Dato-Yes, Noble-Yes, Connors-Yes

A Motion by Councilman Applegate that Ordinance 11-2013 be taken up on First reading by Title only, seconded by Councilwoman Dato.

ROLL CALL: Applegate-Yes, Dato-Yes, Noble-Yes, Connors-Yes

**AN ORDINANCE AMENDING 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 Applegate that Ordinance 11-2013 be adopted on First Reading, seconded by Councilwoman Dato.

ROLL CALL: Applegate-Yes, Dato-Yes, Noble-Yes, Connors-Yes

A Motion by Councilman Applegate that Ordinance 11-2013 be taken up on Second Reading, and be advertised as prescribed by law, seconded by Councilwoman Dato.

ROLL CALL: Applegate-Yes, Dato-Yes, Noble-Yes, Connors-Yes

A Motion by Councilwoman Noble that Ordinance 12-2013 be taken up on First reading by Title only, seconded by Councilman Applegate.

ROLL CALL: Applegate-Yes, Dato-Yes, Noble-Yes, Connors-Yes

**AN ORDINANCE ESTABLISHING FEES FOR THE  
REDEMPTION OF TAX LIENS**

A Motion by Councilwoman Noble that Ordinance 12-2013 be adopted on First Reading, seconded by Councilman Applegate.

ROLL CALL: Applegate-Yes, Dato-Yes, Noble-Yes, Connors-Yes

A Motion by Councilwoman Noble that Ordinance 12-2013 be taken up on Second Reading, and be advertised as prescribed by law, seconded by Councilwoman Dato.

ROLL CALL: Applegate-Yes, Dato-Yes, Noble-Yes, Connors-Yes

A Motion by Councilwoman Dato that Ordinance 13-2013 be taken up on First reading by Title only, seconded by Councilwoman Noble.

ROLL CALL: Applegate-Yes, Dato-Yes, Noble-Yes, Connors-Yes

**AN ORDINANCE AMENDING AND SUPPLEMENTING  
SOUTH AMBOY CITY CODE, CHAPTER 19, ENTITLED  
"PERSONNEL REGULATIONS" AND ESTABLISHING  
STANDARDS AND PROCEDURES FOR THE EMPLOYMENT  
OF OFF DUTY POLICE OFFICERS (ORD. NO. 13-92)**

A Motion by Councilwoman Dato that Ordinance 13-2013 be adopted on First Reading, seconded by Councilman Applegate.

ROLL CALL: Applegate-Yes, Dato-Yes, Noble-Yes, Connors-Yes

A Motion by Councilwoman Dato that Ordinance 13-2013 be taken up on Second Reading, and be advertised as prescribed by law, seconded by Councilman Applegate.

ROLL CALL: Applegate-Yes, Dato-Yes, Noble-Yes, Connors-Yes

A Motion by Councilman Applegate that Ordinance 14-2013 be taken up on First reading by Title only, seconded by Councilwoman Dato.

ROLL CALL: Applegate-Yes, Dato-Yes, Noble-Yes, Connors-Yes

**AN ORDINANCE AMENDING SOUTH AMBOY CITY CODE  
CHAPTER 124, RENTAL HOUSING (ORD. NO. 31-95)**

A Motion by Councilman Applegate that Ordinance 14-2013 be adopted on First Reading, seconded by Councilwoman Dato.

ROLL CALL: Applegate-Yes, Dato-Yes, Noble-Yes, Connors-Yes

A Motion by Councilman Applegate that Ordinance 14-2013 be taken up on Second Reading, and be advertised as prescribed by law, seconded by Councilwoman Dato.

ROLL CALL: Applegate-Yes, Dato-Yes, Noble-Yes, Connors-Yes

A Motion by Councilwoman Noble that Ordinance 15-2013 be taken up on First reading by Title only, seconded by Councilman Applegate.

ROLL CALL: Applegate-Yes, Dato-Yes, Noble-Yes, Connors-Yes

**REFUNDING BOND ORDINANCE AUTHORIZING THE  
ISSUANCE OF NOT TO EXCEED \$785,000 AGGREGATE  
PRINCIPAL AMOUNT OF REFUNDING BONDS AND/OR  
REFUNDING NOTES BY THE CITY OF SOUTH AMBOY, IN**

**THE COUNTY OF MIDDLESEX, STATE OF NEW JERSEY  
FOR THE PURPOSE OF PAYING EMERGENCY  
APPROPRIATIONS TO FUND A JUDGMENT AND  
SUPPLEMENTAL INSURANCE ASSESSMENTS AND  
APPROPRIATING THE PROCEEDS OF SUCH REFUNDING  
BONDS TO SUCH PURPOSE.**

A Motion by Councilwoman Noble that Ordinance 15-2013 be adopted on First Reading, seconded by Councilman Applegate.

ROLL CALL: Applegate-Yes, Dato-Yes, Noble-Yes, Connors-Yes

A Motion by Councilwoman Noble that Ordinance 15-2013 be taken up on Second Reading, and be advertised as prescribed by law, seconded by Councilman Applegate.

ROLL CALL: Applegate-Yes, Dato-Yes, Noble-Yes, Connors-Yes

A Motion by Councilwoman Dato that Ordinance 16-2013 be taken up on First reading by Title only, seconded by Councilwoman Noble.

ROLL CALL: Applegate-Yes, Dato-Yes, Noble-Yes, Connors-Yes

**BOND ORDINANCE PROVIDING FOR RECONSTRUCTION OF  
THE WATERFRONT WALKWAY AND SEAWALL, BY AND IN  
THE CITY OF SOUTH AMBOY, IN THE COUNTY OF MIDDLESEX,  
STATE OF NEW JERSEY; APPROPRIATING \$2,000,000  
THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,988,000  
BONDS OR NOTES OF THE CITY TO FINANCE PART OF THE  
COSTS THEREOF.**

A Motion by Councilwoman Dato that Ordinance 16-2013 be adopted on First Reading, seconded by Councilwoman Noble.

ROLL CALL: Applegate-Yes, Dato-Yes, Noble-Yes, Connors-Yes

A Motion by Councilwoman Dato that Ordinance 16-2013 be taken up on Second Reading, and be advertised as prescribed by law, seconded by Councilwoman Noble.

ROLL CALL: Applegate-Yes, Dato-Yes, Noble-Yes, Connors-Yes

A Motion by Councilman Applegate that Ordinance 17-2013 be taken up on First reading by Title only, seconded by Councilwoman Dato.

ROLL CALL: Applegate-Yes, Dato-Yes, Noble-Yes, Connors-Yes

**BOND ORDINANCE PROVIDING FOR VARIOUS 2013  
CAPITAL IMPROVEMENTS, BY AND IN THE CITY OF SOUTH  
AMBOY, IN THE COUNTY OF MIDDLESEX, STATE OF NEW  
JERSEY; APPROPRIATING \$2,250,000 THEREFOR AND  
AUTHORIZING THE ISSUANCE OF \$1,988,000 BONDS OR  
NOTES OF THE CITY TO FINANCE PART OF THE COSTS  
THEREOF.**

A Motion by Councilman Applegate that Ordinance 17-2013 be adopted on First Reading, seconded by Councilwoman Dato.

ROLL CALL: Applegate-Yes, Dato-Yes, Noble-Yes, Connors-Yes

A Motion by Councilman Applegate that Ordinance 17-2013 be taken up on Second Reading, and be advertised as prescribed by law, seconded by Councilwoman Dato.

ROLL CALL: Applegate-Yes, Dato-Yes, Noble-Yes, Connors-Yes

**COMMENTS:**

Mayor Henry welcomed Key Foods to South Amboy. He said they had a ribbon cutting last week. Mayor Henry stated this is a great addition to our community and that many former Foodtown employees have been hired. He stated that the Ordinance was introduced this evening to finance the rebuilding of the walkway. He explained we had to bond for this with 90% reimbursement from FEMA after the project is completed.

Councilman Applegate welcomed the public.

Councilwoman Noble said good evening to the public.

Councilwoman Dato wished Key Foods much success. She asked that during this heat wave everyone check on their neighbors, especially the elderly.

Council President welcomed everyone.

**PUBLIC COMMENTS:**

Linda DeLucia, 400 Highland Street stated that the Council had mentioned solar over the last few years and was wondering if they were going to use it. She was told that the roof has been replaced and it is now structurally able to hold the panels. Council President Connors said the City is waiting for the grant. Ms. DeLucia asked if the Rosewell Apartments and the Market will be replaced and when. She was advised that those properties are privately owned. She asked if that area will be bought out by FEMA. Mayor Henry said the City has been meeting with the State and if property is purchased by FEMA it may only then be used as open space.

Mr. Leonardo, 88 Pupek Road stated that the local municipal taxes went up 12%. Ms. Tooker explained that the Council advertised for and held a public hearing regarding the budget. She explained that on the average home there was a \$298.00 increase. Mr. Leonardo asked why so much and Ms. Tooker explained due to the large number of tax appeal judgments, that affects the net value of the town. He asked if Creamer will be finished soon working on the water lines. He was told it was to be August 1<sup>st</sup> but not sure. After it is complete Pupek Road will be repaved.

**ADJOURNMENT OF MEETING:**

A Motion by Councilman Applegate to adjourn the Council Meeting, seconded by Councilwoman Dato.

ROLL CALL: Applegate-Yes, Dato-Yes, Noble-Yes, Connors-Yes

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Kathleen Vigilante, Municipal Clerk