

MINUTES OF APRIL 16, 2014 BUSINESS 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 6:00 P.M. The Deputy City Clerk read the Opening Prayer and all recited the Pledge of Allegiance.

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

ALSO PRESENT: Fred A. Henry, Mayor 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 7, 2014, provided to the Star Ledger, filed with the City Clerk and posted in the City Municipal Building on January 2, 2013".

CONSENT AGENDA:

A Motion by Councilman Applegate to adopt the Consent Agenda which included the Minutes of March 19, 2014 and Resolutions 66-2014 to 73-2014, seconded by Councilwoman Noble.

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

**CITY OF SOUTH AMBOY
COUNTY OF MIDDLESEX**

RESOLUTION #66-2014

WHEREAS, Philip C. Gaito, 217 John Street, in the City of South Amboy County of Middlesex, Block 43, Lot 9 on the tax map applied for a Senior Citizen property tax deductions for the year 2014, and;

WHEREAS, the applicant completed the application and provided the appropriate documentation for the allowance of the deduction and the application is on file in the tax office, and;

WHEREAS, the tax collector recommends that \$250.00 adjust be made for Philip C. Gaito for the Senior Citizen deduction allowed for the 4th quarter in 2014, and;

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 4th quarter for 2014 and the Tax Assessor adjust the tax duplicate for 2015.

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 April 16, 2014.

KATHLEEN VIGILANTE

Municipal Clerk

	_Moved	Seconded	Ayes	Nays	Absent	Abstain
APPLEGATE	x		X			
DATO			X			
GROSS			X			
NOBLE		X	X			
CONNORS			X			

**CITY OF SOUTH AMBOY
COUNTY OF MIDDLESEX**

RESOLUTION #67-2014

WHEREAS, Theresa Reszkowski, 25 Macedulski Terrace, in the City of South Amboy County of Middlesex, Block 159, Lot 2 on the tax map applied for a Senior Citizen property tax deductions for the year 2014, and;

WHEREAS, the applicant completed the application and provided the appropriate documentation for the allowance of the deduction and the application is on file in the tax office, and;

WHEREAS, the tax collector recommends that \$250.00 adjust be made for Theresa Reszkowski for the Senior Citizen deduction allowed for the 4th quarter in 2014, and;

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 4th quarter for 2014 and the Tax Assessor adjust the tax duplicate for 2015.

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

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KATHLEEN VIGILANTE
Municipal Clerk

	Moved	Seconded	Ayes	Nays	Absent	Abstain
APPLEGATE	X		X			
DATO			X			
GROSS			X			
NOBLE		X	X			
CONNORS			X			

**CITY OF SOUTH AMBOY
COUNTY OF MIDDLESEX**

RESOLUTION #68-2014

Whereas, Cannan, Michael & Valerie of 232 Henry Street, Block 45, Lot 39, 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 2013, said appeal was denied; and

Whereas, Cannan, Michael & Valerie 232 Henry Street, filed a further appeal with the Tax Court of New Jersey for the year 2013 ; and

Whereas, the Tax Court of New Jersey considered the appeal and ordered the assessment of the Middlesex County Board of Taxation be affirmed on February 27, 2014, as follows:

Original	Assessment	Judgment Total	Refund
2013	\$225,500	\$14,000	\$349.30

WHEREAS, the Tax Collector has certifies the property taxes for 2013 have been paid; and

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of South Amboy, County of Middlesex, 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, County of Middlesex be instructed to draw a check in the amount of \$349.30 to Cannan, Michael & Valerie.

 JOSEPH E. CONNORS
 Council President

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 KATHLEEN VIGILANTE
 Municipal Clerk

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Applegate	X		X			
Dato			X			
Gross			X			
Noble		X	X			
Connors			X			

**CITY OF SOUTH AMBOY
 COUNTY OF MIDDLESEX**

RESOLUTION NO. 69-2014

**RESOLUTION AUTHORIZING THE RELEASE OF THE
 MAINTENANCE BOND/LOC #1799 ISSUED FOR AB MECHANICSVILLE
 FOR BLOCK 60, LOTS 5, 6 AND 6.01**

WHEREAS, AB Mechanicsville, (“Builder”), issued a Maintenance Bond/LOC #1799 to the City of South Amboy in the amount of \$19,518.84 as described in the Irrevocable Letter of Credit #1799 issued by Amboy Bank; pursuant to the Builders Agreement dated; September 26, 2007; and,

WHEREAS, the City Project Engineer, Angelo J. Valetutto, P.E., (“Valetutto”), has reported that the required site maintenance for the said property has been successfully completed; and,

WHEREAS, Valetutto has recommended that the Maintenance Bond/LOC be released;

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 aforesaid Maintenance Bond for AB Mechanicsville shall be and is hereby released.
2. A certified copy of this Resolution shall be forwarded by the City Clerk to the City Zoning Officer, the City Engineer, the Construction Official, the South Amboy Planning Board, AB Mechanicsville, Amboy Bank, Terance J. O’Neil, Chief Financial Officer and to Camille Tooker, Business Administrator.

 JOSEPH E. CONNORS
 Council President

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 KATHLEEN VIGILANTE
 Municipal Clerk

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Applegate	X		X			
Dato			X			
Gross			X			
Noble		X	X			
Connors			X			

**CITY OF SOUTH AMBOY
 COUNTY OF MIDDLESEX**

RESOLUTION NO. 70-2014

**RESOLUTION APPROVING AGREEMENT BETWEEN
 THE COUNTY OF MIDDLESEX AND THE CITY OF
 SOUTH AMBOY REGARDING THE PROPER RECYCLING
 OF CONSUMER ELECTRONICS**

WHEREAS, Middlesex County (“County”), is proactive in addressing environmental issues such as the proper recycling of consumer electronics; and,

WHEREAS, effective January 1, 2011, recycling of certain consumer electronics is mandatory in the State of New Jersey; and,

WHEREAS, the County has entered into a contract with Sims Recycling Solutions to accept residentially generated consumer electronics; and,

WHEREAS, the County is seeking to provide a financial incentive that will assist municipalities in properly recycling the consumer electronics that they collect curbside or at their drop-off centers; and,

WHEREAS, the County and the City of South Amboy ("City") are authorized to entered into this Agreement pursuant to N.J.S.A. 40A:11-52(2); and,

WHEREAS, it is in the best interest of the City to enter into this Agreement;

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 Agreement between the County of Middlesex and the City of South Amboy regarding the collection, storage and transportation of covered electronics by the City is hereby approved and the Mayor and the City Clerk are hereby authorized and directed to execute the same on behalf of the City of South Amboy;
2. The Mayor and the City Clerk are further authorized to take any further action and sign any additional documents or agreement, necessary to carry out the purpose and terms of the Agreement and to fulfill the City's obligations pursuant to the Agreement;
3. The City Clerk shall forward four executed copies of the Agreement, with official signatures, the City's seal and a certified true copy of this Resolution authorizing the execution of the Agreement, to the Middlesex County Board of Chosen Freeholders, c/o H. James Polos, Freeholder, at the Middlesex County Administration Building, John F. Kennedy Square, New Brunswick, New Jersey 08901;
4. Upon receipt of the fully executed Agreement, the City Clerk shall maintain the same on file for public inspection during normal business hours.

JOSEPH E. CONNORS
Council President

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KATHLEEN VIGILANTE
Municipal Clerk

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Applegate	X		X			
Dato			X			
Gross			X			
Noble		X	X			
Connors			X			

**CITY OF SOUTH AMBOY
COUNTY OF MIDDLESEX**

RESOLUTION NO. 71-2014

**RESOLUTION AUTHORIZING A CONSTRUCTION
CONTRACT WITHOUT PUBLIC ADVERTISING DUE
TO ELECTRICAL EMERGENCY REPAIRS AT INDEPENDENCE FIRE HOUSE**

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 that an emergency existed due to damaged existing pump piping posing a situation where the pump station was not functioning properly; and

WHEREAS, the 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 John Lukie Electrical Contractor, LLC, to provide labor and material to address the aforesaid emergency for a total price of \$6,700.00; 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 John Lukie Electrical Contractor, LLC, for labor and materials provided to correct an emergent situation at the Independence Fire House, South Amboy, New Jersey, for a total price of \$6,700.00.
2. The aforesaid contract between the City of South Amboy and John Lukie Electrical Contractor, LLC, 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

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KATHLEEN VIGILANTE
Municipal Clerk

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Applegate	X		X			
Dato			X			
Gross			X			
Noble		X	X			
Connors			X			

**CITY OF SOUTH AMBOY
COUNTY OF MIDDLESEX**

RESOLUTION NO. 72-2014

**RESOLUTION AUTHORIZING A CONSTRUCTION
CONTRACT WITHOUT PUBLIC ADVERTISING DUE
TO EMERGENCY REPAIRS FOR SOUTH AMBOY WATER PLANT ROOF**

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 that an emergency existed due to damaged existing roof; and

WHEREAS, the 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 R. Kaczor Construction, LLC, 36 Lake Ave., Halmetta, NJ 08828, to provide labor and material to address the aforesaid emergency for a total price of \$40,550.00; 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 R. Kaczor Construction, LLC, for labor and materials provided to correct an emergent situation at the South Amboy Water Plant, South Amboy, New Jersey, for a total price of \$40,550.00.
2. The aforesaid contract between the City of South Amboy and R. Kaczor Construction.

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

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KATHLEEN VIGILANTE
Municipal Clerk

	Moved	Seconded	Ayes	Nays	Abstain	Absent
Applegate	X		X			
Dato			X			
Gross			X			
Noble		X	X			
Connors			X			

**CITY OF SOUTH AMBOY
COUNTY OF MIDDLESEX**

RESOLUTION NO. 73-2014

**RESOLUTION REQUESTING AN EXTENSION OF TIME
FROM THE STATE OF NEW JERSEY, DEPARTMENT
OF TRANSPORTATION FOR THE PUPEK ROAD
REPAIR AND RESTORATION UNDER THE NJDOT
MUNICIPAL AID PROGRAM – FY 2012 FOR THE CITY
OF SOUTH AMBOY, MIDDLESEX COUNTY, NEW JERSEY**

WHEREAS, the New Jersey Department of Transportation has approved the Pupek Road Repair and Restoration Project under the NJDOT Municipal Aid Program – FY 2012 for the City of South Amboy, Middlesex County, New Jersey under NJDOT No. 2205288 and FEI No. SA-11-007-03; and,

WHEREAS, due to engineering requirements for recovery efforts related to Superstorm Sandy and utility company improvements within project limits the City Engineer is still preparing the required design plans, specifications and bid documents required for the project; and,

WHEREAS, the executed Agreement between the City of South Amboy and the Department of Transportation requires that a construction contract for this work be awarded by December 4, 2013; and

WHEREAS, an extension of time to award this project is necessary, due to the unforeseen circumstances set forth above;

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 City of South Amboy approves and requests a six (6) month extension of time from June 5, 2014 to December 5, 2014 from the New Jersey Department of Transportation to award the construction contract for the aforesaid Pupek Road Repair and Restoration Project.

2. The City Clerk shall serve a certified copy of this Resolution with original signatures along with the Municipal Seal to the State of New Jersey, Department of Transportation, Bureau of Local Aid - District III, Attention: Adam Iervolino, Supervising Engineer, P.O. Box 600, Trenton, New Jersey 08625-0600 and a copy of this Resolution upon Mark J. Rasimowicz, PE, PP, CME/South Amboy City Engineer.

JOSEPH E. CONNORS
Council President

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KATHLEEN VIGILANTE
Municipal Clerk

	Moved	Seconded	Ayes	Nays	Abstain	Absent
Applegate	X		X			
Dato			X			
Gross			X			
Noble		X	X			
Connors			X			

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

FIRE DEPARTMENT: (Subject to approval by the NJ State Firemen's Association and South Amboy Police Department)

A Motion by Councilman Gross to accept the Application for Membership to Enterprise by Robert Morales Sr., and seconded of Councilman Applegate.

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

COMMENTS:

Mayor Henry welcomed the public and congratulated the Library Board of Trustees and their Director, Elaine Gaber for celebrating 100 years of service to the City of South Amboy. Mayor Henry further commented on the work on the Waterfront walkway had begun and moving along quite well and was hopeful that it would be complete sometime in the early part of the summer. He further wished everyone a Happy Easter and Passover.

Councilman Gross commented on the budget process. He stated that we need to try to get this done a lot earlier in the future. Councilman Gross further commented that he feels the council needs to sit down as a group. Councilman Gross stated that there needs to be no tax increase, or as little as possible tax increase, for the City of South Amboy.

Councilman Applegate welcomed the public.

Councilwoman Noble welcomed the public and wished everyone a Happy Easter.

Councilwoman Dato congratulated the Library on their 100th Anniversary. She further pointed out that the library is such an asset to the community that it keeps evolving to meet the needs of the City and surrounding areas and she commended her council colleagues and the Mayor for being supportive to the library.

Council President Connors wished everyone a Happy Easter.

PUBLIC COMMENTS:

Luz Libado, 64 South Shore Drive, addressed Mark Rasimowicz, the City Engineer, and asked the status of the City FEMA maps and when we were going to have a public hearing and the town's position on the review of the maps. Mr. Rasimowicz commented that the City does not set a date for a hearing, that date is set by FEMA. He further commented that there is no public hearing. Ms. Libado further commented that she went on the FEMA website and the dates are not in there. Ms. Rasimowicz stated that he reviewed the maps and if there are corrections or changes they were submitted. Ms. Libado asked who the information is to be submitted to. Mr. Rasimowicz stated that it can be provided to him. Mr. Rasimowicz said that the appeal process has not started yet and once the appeal process has started then there is a 90 day time frame to submit. Ms. Libado asked about maintaining the swale and John Lanza, Esq., the City attorney addressed her questions.

Barbara Pasternack, 29 Barkalow St., stated that there were raccoon problems and asked who she would call. Ms. Tooker stated that the City of the County do not take care of wildlife. Ms. Tooker further stated that she would be responsible to take care of it as the property owner. Mr. Gross further commented stated that he is unaware of any community that has a contract for raccoons and it is the responsibility of the homeowner. Ms. Paternack further asked if the medical insurance was going to raise the taxes because of the premiums. Ms. Tooker stated that the medical insurance premium for the year did increase and she is unsure if that is one of the increases in the budget.

John O'Connell, 1 Raritan Reach Rd., wanted to get an idea for the time frame as far as an introduction of the budget and hearing and passing. Ms. Tooker stated that Councilman Gross's remarks were a little off because the budget process started some time ago. She further commented that we are working on a temporary and the Mayor has completed with his team, his budget and it was forwarded to the council for their review. Ms. Tooker said that they will now be in the process of making a meeting or meetings and question the budget. At this point it is up to the Council and how long it takes them to come to terms with the budget. She further stated that the budget has been forwarded to the Council. Mr. O'Connell reiterated what Ms. Tooker already stated. Mr. Gross interrupted by stating that he has not received anything. Ms. Tooker told Mr. Gross to check his e-mail. Ms. Tooker asked the rest of the Council if anyone else did not receive it. Mr. Connors stated that he received everything. Mr. Gross said that he needs numerous workshops to go over what he received. Then Ms. Tooker commented that then Mr. Gross did receive the e-mail that he stated he never received. Mr. Gross said that he did receive the e-mail but could not say if everything was there. Ms. Tooker commented that if he received the e-mail then it is all in the e-mail as an attachment. Ms. O'Connell further commented that there are only two meeting left between now and June. Mr. Connors confirmed that.

ADJOURNMENT OF MEETING:

Council President Connors asked for a Motion to close the Business Meeting which was moved by Councilman Applegate and seconded by Councilwoman Noble.

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

Kathleen Vigilante
Municipal Clerk