

**AGENDA  
BUSINES/COUNCIL MEETING  
DECEMBER 11, 2019**

**140 NORTH BROADWAY  
SOUTH AMBOY, NJ 08879**

**6:00 P.M.**

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1. MEETING CALLED TO ORDER BY COUNCIL PRESIDENT
2. OPENING PRAYER AND SALUTE TO THE FLAG
3. ROLL CALL: DATO\_\_\_\_, McLAUGHLIN\_\_\_\_, NOBLE \_\_\_\_, REILLY \_\_\_\_, GROSS\_\_\_\_
4. CERTIFICATION OF MEETING BY COUNCIL PRESIDENT

**LIST OF BILLS FOR PAYMENT: (Bill list dated December 5, 2019)**

**R- 195-2019  
APPROVING PAYMENT OF BILLS**

**BE IT RESOLVED**, that the City Council of the City of South Amboy does hereby receive and approve the payment of the bills as presented by the Chief Financial Officer.

**BE IT FURTHER RESOLVED**, that the bills list be appended to the official minutes.

**MOVED by:** \_\_\_\_\_ of the Council of the City of South Amboy, that Resolution #195-2019 is hereby approved. **SECONDED by:** \_\_\_\_\_. **ROLL CALL VOTE:**

**MINUTES APPROVAL:**

**R-196-2019  
APPROVAL AND RELEASE OF MINUTES**

**BE IT RESOLVED**, that the City Council of the City of South Amboy does hereby approve and release the Council Minutes of the November 25, 2019 City Council Meeting.

**MOVED by:** \_\_\_\_\_ of the Council of the City of South Amboy, that Resolution #196-2019 is hereby approved. **SECONDED by:** \_\_\_\_\_. **ROLL CALL VOTE:**

**CONSENT AGENDA:**

The following items are considered to be routine by the City Council and will be acted upon in one motion. There will be no separate discussion of these items unless a Council member so requests. In this event, the item will be removed from the Consent Agenda and considered in the normal sequence of the Agenda.

**MOVED by:** \_\_\_\_\_ of the Council of the City of South Amboy, that Resolution #197-2019 through #xxx-2019 are hereby approved. **SECONDED by:** \_\_\_\_\_. **ROLL CALL VOTE:**

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- a.) Resolution 197-2019 Tax refund - Inclan
- b.) Resolution 198-2019 Tax refund- Patel and Shah
- c.) Resolution 199-2019 Transfer Resolution
- d.) Resolution 200-2019 Chapter 150 Body Armor Grant
- e.) Resolution 201-2019 Bond Release Wisnik – 533 Henry Street Opening
- f.) Resolution 202-2019 Change Order – Your Way Const. Bordertown Ave. Rd. Improvement

**DISCUSSION:**

- a.) 5 MPH for alleyways
- b.) Ordinance 27-2019 – Handbills/No Knock

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**ORDINANCES:**

**ADOPTION/SECOND READING:**

- a.) #26-2019 AN ORDINANCE CONCERNING FEES TO THE CITY OF SOUTH AMBOY [NON-RESIDENT SENIOR CITIZEN FEES]

**OPEN PUBLIC  
CLOSE PUBLIC**

**MOVED by:** \_\_\_\_\_, of the Council of the City of South Amboy, that Ordinance #26-2019 is hereby adopted.

**SECONDED by:** \_\_\_\_\_, **ROLL CALL VOTE**

- b.) #28-2019 AN ORDINANCE AMENDING AND SUPPLEMENTING ORDINANCE NO. 1036 ENTITLED "PARKING AND TRAFFICE REGULATIONS FOR THE CITY OF SOUTH AMBOY" IN THE COUNTY OF MIDDLESEX AND STATE OF NEW JERSEY - Hoffmann

**OPEN PUBLIC  
CLOSE PUBLIC**

**MOVED by:** \_\_\_\_\_, of the Council of the City of South Amboy, that Ordinance #28-2019 is hereby adopted.

**SECONDED by:** \_\_\_\_\_, **ROLL CALL VOTE**

- c.) #29-2019 ORDINANCE APPROPRIATING \$200,000 FROM THE CAPITAL IMPROVEMENT FUND, FOR DEMOLITION OF AN UNSAFE STRUCTURE IN AND BY THE CITY OF SOUTH AMBOY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY

**OPEN PUBLIC  
CLOSE PUBLIC**

**MOVED by:** \_\_\_\_\_, of the Council of the City of South Amboy, that Ordinance #29-2019 is hereby adopted.

**SECONDED by:** \_\_\_\_\_, **ROLL CALL VOTE**

- d.) #30-2019 AN ORDINANCE AUTHORIZING ACCEPTANCE OF AN ACCESS AND PARKING EASEMENT THROUGH A PORTION OF BLOCK 10, LOT 1 & 10.01 AS SHOWN ON THE TAX MAP OF THE CITY OF SOUTH AMBOY

**OPEN PUBLIC  
CLOSE PUBLIC**

**MOVED by:** \_\_\_\_\_, of the Council of the City of South Amboy, that Ordinance #30-2019 is hereby adopted.

**SECONDED by:** \_\_\_\_\_, **ROLL CALL VOTE**

e.) #31-2019 AN ORDINANCE VACATING A PORTION OF FLORENCE AVENUE  
LOCATED IN THE CITY OF SOUTH AMBOY, COUNTY OF MIDDLESEX, STATE OF  
NEW JERSEY AND CONVEYING SUCH VACATED LANDS TO THE ADJACENT  
PROPERTY OWNERS

**OPEN PUBLIC**  
**CLOSE PUBLIC**

**MOVED by:** \_\_\_\_\_, of the Council of the City of South Amboy, that  
Ordinance #31-2019 is hereby adopted.

**SECONDED by:** \_\_\_\_\_, **ROLL CALL VOTE**

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**COMMENTS:**

**PUBLIC COMMENTS:**

**ADJOURNMENT OF MEETING:**

CITY OF SOUTH AMBOY  
COUNTY OF MIDDLESEX:

**RESOLUTION NO. 197-2019**

Tax Refund - Inclan

**WHEREAS**, an overpayment was made by Roberto Inclan on 351 Fifth St. in the City of South Amboy, County of Middlesex on Block 125 Lot 9 in the amount of \$1,546.55 on the 4th quarter of 2019; and

**WHEREAS**, the tax collector has certified the above payment has been made and is on file in the tax collector's office; and

**WHEREAS**, Roberto Inclan has requested a refund.

**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 in the amount of \$1,546.55 and the Tax Collector is hereby authorized to adjust the tax records to reflect a refund in the amount of \$1,546.55.

Roberto Inclan  
351 Fifth St.  
South Amboy, NJ 08879

**CITY OF SOUTH AMBOY  
COUNTY OF MIDDLESEX:**

**RESOLUTION NO. 198-2019**

**Tax Refund – Patel/Shah**

**WHEREAS**, an overpayment was made by MEGHAL PATEL & ARTI SHAH due to a refinance on 72 Raritan Reach Road in the City of South Amboy, County of Middlesex on Block 161.02 Lot 20.14 in the amount of \$5,651.64 on the 4th quarter of 2019; and

**WHEREAS**, the tax collector has certified the above payment has been made and is on file in the tax collector's office; and

**WHEREAS**, MEGHAL PATEL & ARTI SHAH have requested a refund.

**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 in the amount of \$5,651.64 and the Tax Collector is hereby authorized to adjust the tax records to reflect a refund in the amount of \$5,651.64.

MEGHAL PATEL & ARTI SHAH  
72 Raritan Reach Rd.  
South Amboy, NJ 08879

**CITY OF SOUTH AMBOY**

**COUNTY OF MIDDLESEX**

**RESOLUTION # 199-2019**

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

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

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of South Amboy, in the County of Middlesex and State of New Jersey, that the Chief Financial Officer be and the same is hereby authorized to make transfers among the 2019 budget appropriations in accordance with the attached schedule of transfers.

Budget		FROM	TO
9-01-20-110-010	Mayor and Council: Salaries and Wages		100.00
9-01-21-180-010	Planning Board: Salaries and Wages		500.00
9-01-25-240-020	Police: Other Expenses		5,000.00
9-01-28-371-010	Senior Citizens: Salaries and Wages		4,000.00
9-01-23-220-020	Employee Group Ins: Other Expenses	22,000.00	
9-01-41-899-020	Matching Funds for Grants: Other Expenses		12,400.00
		<b>\$ 22,000.00</b>	<b>\$ 22,000.00</b>

**CITY OF SOUTH AMBOY  
COUNTY OF MIDDLESEX**

**RESOLUTION #200-2019**

**RESOLUTION PROVIDING FOR THE INSERTION  
OF A SPECIAL ITEM OF REVENUE IN THE BUDGET  
PURSUANT TO N.J.S.A. 40A:4-87 (CH. 159, P.L. 148) –  
PUBLIC AND PRIVATE REVENUES OFFSET BY  
APPROPRIATIONS**

**WHEREAS**, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue to the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of adoption of the budget; and

**WHEREAS**, the Director may also approve the insertion of any item of appropriation for equal amount; and

**WHEREAS**, the City has received a State Body Armor Replacement Grant award from the New Jersey Division of Criminal Justice in the amount of \$2,850.17.

**NOW, THEREFORE, BE IT RESOLVED**, that the City of South Amboy in the County of Middlesex, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2019 in the sum of \$2,850.17, which is now available from a Body Armor Replacement Grant in the amount of \$2,850.17.

**BE IT FURTHER RESOLVED** that a like sum of \$2,850.17 be and the same is hereby appropriated under the caption of:

General Appropriations:

(A) Operations – Excluded from CAPS

County, State and Federal Programs Off-set by Revenues:  
Body Armor Replacement Grant

**CITY OF SOUTH AMBOY  
COUNTY OF MIDDLESEX**

**RESOLUTION NO. 201-2019**

**RESOLUTION AUTHORIZING THE RELEASE OF THE  
PERFORMANCE BOND FOR 533-535 HENRY ST. SAROP 18-572.**

**WHEREAS**, Mr. Wisnik issued a Performance Bond for a Street Opening Permit SAROP-18-572 for 533-535 Henry Street; and

**WHEREAS**, the City Engineer, Mark Rasimowicz, has recommended that the Cash Bond be released, in the full amount of \$9,201.96 (\$9,120.00 + \$81.96 interest).

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

1. The aforesaid Cash Bond shall be released in the amount of \$9,201.96 (\$9,120.00 + \$81.96 interest); and,
2. A certified copy of this Resolution shall be forwarded by the City Clerk to Mark Rasimowicz, City Engineer; Tom Kelly, Construction Official; Dan Balka, Chief Financial Officer and Glenn Skarzynski, Business Administrator.

# CENTER STATE ENGINEERING

481 Spotswood Englishtown Road, Monroe Township, New Jersey 08831

T 732.605.9440 F 732.605.9444

November 27, 2019

**Ms. Deborah Brooks, City Clerk**

**City Hall**

140 North Broadway

South Amboy, NJ 08879

***Re: Street Opening Permit***

***533 Henry Street, Block 78 Lot 1.01***

***535 Henry Street, Block 78 Lot 1.02***

***City of South Amboy***

***Permit SAROP 18-572***

***Bond Release***

Dear Ms. Brooks:

In response to the request from Mr. Wisnik for release of the bond held by the City of South Amboy posted for the subject permit, this office has inspected the site. The work has been completed to the satisfaction of this office in accordance with the requirements of the City of South Amboy.

Following this, it is our recommendation that the City Council release the bond in the amount of \$9120.00 for this project.

At this time, the inspection escrow account for this project shall remain, pending reconciliation of final invoicing, (approximately 60 days). If you have any questions in this regard, please do not hesitate to contact this office.

Very truly yours,



Mark J. Rasimowicz, PE, PP, CME  
City Engineer

Cc:  Glenn Skarzynski, Business Administrator  
Dan Balka, City Chief Financial Officer  
Kristal Manion, Purchasing Agent  
Francis M. Womack III, Esq, City Attorney  
Krzysztof Wisnik, Applicant

Date	Description	Trans Amount	Balance
09/30/19	Municipal Interest Admin Expense Post Ref: E 762 174	12.43	9,120.00
10/31/19	Developer Interest Int. Distribution Post Ref: E 766 165	112.29	9,232.29
10/31/19	Developer Interest Admin Expense Post Ref: E 766 166	37.43-	9,194.86
10/31/19	Municipal Interest Admin Expense Post Ref: E 766 167	37.43	9,194.86
10/31/19	Municipal Interest Int >= 100 Adj Post Ref: E 766 164	99.83-	9,194.86
11/30/19	Developer Interest Admin Expense Post Ref: E 771 163	3.55-	9,191.31
11/30/19	Developer Interest Int. Distribution Post Ref: E 771 162	10.65	9,201.96
11/30/19	Municipal Interest Admin Expense Post Ref: E 771 164	3.55	9,201.96
	Mun. Interest Total:	40.98	



total interest 81.96

**CITY OF SOUTH AMBOY  
COUNTY OF MIDDLESEX**

**RESOLUTION #202-2019**

**RESOLUTION AMENDING THE AWARD OF A CONTRACT  
FOR THE BORDENTOWN AVENUE ROAD IMPROVEMENTS**

**WHEREAS**, the City of South Amboy awarded the Contract to Your Way Construction Inc., for Bordentown Avenue Road Improvements Project; and

**WHEREAS**, the Project Engineer Center State Engineering, Mark Rasmowicz has recommended a Change Order, attached; and

**WHEREAS**, the original amount of the Contract was \$512,367.10; and

**WHEREAS**, it is necessary to remove and/or reduce unnecessary bid items and quantities from the contract; and

**WHEREAS**, the Project Engineer inspected the project and recommends that the total contract price be decreased by \$784.50; and

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

1. Change Order approved by the Project Engineer on December 4, 2019, and attached is hereby approved and the new total contract price is \$511,582.60.
2. The Mayor or Business Administrator is hereby directed to execute Change Order.

# CENTER STATE ENGINEERING

481 Spotswood Englishtown Road, Monroe Township, New Jersey 08831  
T 732.605.9440 F 732.605.9444

December 4, 2019

**City of South Amboy**  
**Glenn Skarzynski, Business Administrator**  
140 North Broadway  
South Amboy, New Jersey 08879

**Re: *City of South Amboy***  
***Bordentown Avenue Road Improvements***  
***NJDOT Municipal Aid – FY2015***  
***CSE No SA15-007-03***  
***Recommendation of Payment No. 5 – FINAL***  
***Recommendation of Change Order No. 1 - FINAL***

Dear Mr. Skarzynski:

Enclosed is an invoice dated October 18, 2019 in the amount of \$67,873.64 prepared by Your Way Construction for the final payment and retainage held for the above noted project. Our office has inspected the work completed and has found same to be satisfactory. Therefore, it is our recommendation that Payment #5- FINAL be processed and payment in the amount of **\$67,873.64** be made to the contractor.

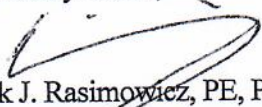
Also enclosed is the original project maintenance bond in the amount of \$51,158.26. Consequently, this office recommends the release of the project Performance Bond.

Additionally, please find Change Order No. 1 – Final, for a contract decrease of (\$784.50), executed by the contractor and this office. This change order is a result of deleted and adjusted contract quantities on the above noted project. It is our recommendation that this change order be issued and request that it be processed at your earliest convenience.

**Once approved, please have all of the change order forms executed in BLUE INK, and return all 4 to this office, along with 4 sealed copies of the resolution for our submission to the NJ DOT.**

If you have any questions regarding this matter, please do not hesitate to contact me

Very Truly Yours,

  
Mark J. Rasimowicz, PE, PP, CME, CPWM  
City Engineer

MJR/dh

CC: Deborah Brooks, City Clerk (w/ enclosures) ✓  
Dan Balka, CFO (w/ enclosures)  
Kristal Manion, City of South Amboy (w/ enclosures)  
Your Way Construction (w/out enclosures)

**CITY OF SOUTH AMBOY  
COUNTY OF MIDDLESEX**

**RESOLUTION NO. 203-2019**

**RESOLUTION FOR ACCEPTANCE OF MAINTENANCE BOND AND  
AUTHORIZING THE RELEASE OF THE  
PERFORMANCE BOND PERFORMANCE BOND FOR THE BORDENTOWN AVENUE ROAD  
IMPROVEMENTS PROJECT**

**WHEREAS**, Nationwide Mutual Insurance Company/Your Way Construction Inc., issued a Maintenance Bond pursuant to the Builders Agreement; and,

**WHEREAS**, the City Engineer, Mark Rasimowicz, PE, PP, CME, Center State Engineering reported on December 4, 2019, that an inspection of the work was completed and all work was completed, and recommends that the Performance Bond # SNN4005653 in the amount of \$512,367.10 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 Bond for Your Way Construction Inc., shall be released;  
and,

2. A certified copy of this Resolution shall be forwarded by the City Clerk to the City Board Consultant, the Construction Official, Your Way Construction Inc., Dan Balka, Chief Financial Officer and to Glenn Skarzynski, Business Administrator.

**CITY OF SOUTH AMBOY  
COUNTY OF MIDDLESEX**

**ORDINANCE NO. 26-2019**

**AN ORDINANCE CONCERNING FEES TO THE CITY OF  
SOUTH AMBOY**

**WHEREAS**, the City of South Amboy Senior Citizen Department (the Department) strives to provide programs at the South Amboy Senior Citizen Center without charge or at reasonable fees for South Amboy residents; and

**WHEREAS**, senior citizen residents of nearby communities who meet age requirements also enjoy participation in the programs and activities at the Senior Citizen Center; and

**WHEREAS**, the City of South Amboy wishes to make programs and activities offered at the South Amboy Senior Citizen Center available to residents of nearby communities without incurring additional costs to the residents of South Amboy;

**NOW THEREFORE BE IT ORDAINED**, by the Council of the City of South Amboy, Middlesex County, that the Code of the City of South Amboy be amended and supplemented as follows:

Chapter 10

Licenses and licensed business

Add: Section 10-6

“Senior Citizen Center Fees”

There shall be an annual fee for participation of senior citizens who are not residents of the City of South Amboy in activities and programs at the South Amboy Senior Citizen Center. Said fee shall be \$50.00 if paid on or before January 31<sup>st</sup>, of the calendar year and shall be \$60.00 if paid on or after January 31<sup>st</sup> of the calendar year.

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Deborah Brooks  
Municipal Clerk

Introduced on First Reading: November 25, 2019  
First Publication:  
Approved on Final Reading:  
Final Publication:

CITY OF SOUTH AMBOY  
COUNTY OF MIDDLESEX

ORDINANCE NO. 28-2019

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

**BE AND IT IS HEREBY ORDAINED** by the Council for the City of South Amboy, Middlesex County, New Jersey, on the Ordinance No. 1036, entitled "Parking and Traffic Regulations for the City of South Amboy" is hereby amended and supplemented as follows:

Add the Following:

ARTICLE V          Handicapped Parking

Section 5-1 Special Parking for Handicapped

Section X Handicapped Parking

Add the Following:

NAME OF STREET

LOCATION

First Street

Sign to be placed 49 feet 2 inches from the curb line of Stockton Street/Church Street on the side of the residence at 239 First Street.

The invalidity of any section or provision of this ordinance shall not invalidate any other section or provision thereof.

All ordinances or parts of ordinances inconsistent herewith are hereby repealed as to such inconsistency only.

This ordinance shall take effect after final passage and publication as provided by law.

The Municipal Clerk shall serve a certified true copy of this Ordinance upon the South Amboy Police Department.

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Deborah Brooks  
Municipal Clerk

Introduced on First Reading: November 25, 2019  
First Publication:  
Approved on Final Reading:  
Final Publication:

**ORDINANCE 29-2019**

**ORDINANCE APPROPRIATING \$200,000 FROM THE CAPITAL IMPROVEMENT FUND FOR THE DEMOLITION OF AN UNSAFE STRUCTURE IN AND BY THE CITY OF SOUTH AMBOY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY.**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SOUTH AMBOY, IN THE COUNTY OF MIDDLESEX, NEW JERSEY AS FOLLOWS:

Section 1. \$200,000 is hereby appropriated from the Capital Improvement Fund of the City of South Amboy, in the County of Middlesex, New Jersey (the "City") for the demolition of a structurally unsafe building located at 131 South Broadway in the City, Block 36, Lot 1 on the official Tax Maps of the City, and including all work and materials necessary therefor and incidental thereto, as more particularly described in a resolution of the City duly adopted on November 25, 2019 authorizing an emergency appropriation for such purpose. Provision for financing such purpose shall be made by this ordinance and shall not be provided for as a deferred charge in the 2020 budget.

Section 2. The City hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the City is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 3. This ordinance shall take effect after final adoption and publication and otherwise as provided by law.

CITY OF SOUTH AMBOY  
COUNTY OF MIDDLESEX, NEW JERSEY

**ORDINANCE #30-2019**

**AN ORDINANCE AUTHORIZING ACCEPTANCE OF AN ACCESS AND PARKING EASEMENT THROUGH A PORTION OF BLOCK 10, LOT 1 & 10.01 AS SHOWN ON THE TAX MAP OF THE CITY OF SOUTH AMBOY**

**WHEREAS**, 611 Bordentown, LLC (611 Bordentown), is the owner of property known as Lot 1 & 10.01 (the Property), and

**WHEREAS**, 611 Bordentown received Preliminary Major Site Plan Approval from the City of South Amboy Planning Board ("Planning Board") for the development of three-story, twenty-six unit apartment building on Block 10, Lot 1 & 10.01 as shown on the Tax Map of the City of South Amboy, and same was memorialized by resolution of the Planning Board on January 23, 2019, and

**WHEREAS**, in connection with the Approval, 611 Bordentown is required to grant to the City of South Amboy an easement providing permanent non-exclusive, uninterrupted open and non-obstructed access for vehicles and pedestrians over and across the public parking lot area of a portion of the Property, and

**WHEREAS**, the City Attorney and City Engineer for the City of South Amboy have reviewed the Access Easement, a copy of which is attached hereto, and have found it to be acceptable.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of South Amboy, in the City of South Amboy, County of Middlesex, State of New Jersey, as follows:

1. The Access Easement from 611 Bordentown, LLC. to the City of South Amboy is hereby accepted.
2. The Mayor and City Clerk are hereby authorized to execute the Access and Parking Easement.

**CITY OF SOUTH AMBOY  
COUNTY OF MIDDLESEX**

**ORDINANCE 31-2019**

**AN ORDINANCE VACATING A PORTION OF FLORENCE AVENUE LOCATED IN THE CITY OF SOUTH AMBOY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY AND CONVEYING SUCH VACATED LANDS TO THE ADJACENT PROPERTY OWNERS**

**WHEREAS**, a portion of Florence Avenue is an unimproved, paper avenue located in the City of South Amboy, Middlesex County, New Jersey; and

**WHEREAS**, 611 Bordentown Avenue, LLC ("611 Bordentown") is the owner of property known as Lot 1 & 10.01, and

**WHEREAS**, 611 Bordentown received Preliminary Major Site Plan Approval from the City of South Amboy Planning Board ("Planning Board") for the development of three-story, twenty-six unit apartment building; Same was memorialized by resolution of the Planning Board on January 23, 2019, and

**WHEREAS**, the Planning Board resolution granting such approval indicated, "The Applicant will request from the Mayor and Council of the City the vacation of Florence Avenue, and if that occurs the Applicant will accept that portion of Florence Avenue vacated and utilized for landscape areas.", and

**WHEREAS**, 611 Bordentown Avenue, LLC has requested that the City Council for the vacate of Florence Avenue at the request of the Planning Board for: (1) the purposes of relieving the City of its maintenance obligations with regard to Florence Avenue; and (2) creating a landscape area to be maintained by 611 Bordentown, LLC adjacent to the apartment building, and

**WHEREAS**, N.J.S.A. 40:67-1(b) authorizes the governing body of every municipality to adopt an ordinance to vacate any public street or any part thereof; and

**WHEREAS**, pursuant to N.J.S.A. 40:67-19, a municipality may vacate a public Avenue where there has been a dedication of lands as a public street and same has not been accepted by the municipality and it shall appear to the governing body of the municipality that the public interest will be better served by releasing those lands or a part thereof from such dedication and the lands or part thereof released from the dedication shall be effectively discharged therefrom as though the dedication had not taken place; and

**WHEREAS**, pursuant to N.J.S.A. 40:49-6, a municipality must publish ordinances

authorizing vacations or dedications of land in the manner required by N.J.S.A. 40:49-2, except that every such ordinance, after being introduced and having passed a first reading, shall be published at least once not less than ten (10) days instead of one week prior to the time fixed for further consideration for final passage, and, at least one week prior to the time fixed for final passage, a copy of such ordinance, together with a notice of the introduction thereof and the time and place when and where the ordinance shall be considered for final passage shall be mailed to every person whose lands may be affected by the ordinance; and

**WHEREAS**, pursuant to N.J.S.A. 40A:12-5, a municipality has the power to acquire or sell any real property for a public purpose through negotiated agreement; and

**WHEREAS**, the City Council of South Amboy, New Jersey has determined that it would fulfill a public purpose to vacate Florence Avenue (as more fully described in Exhibit "A" attached hereto and made a part hereof) as same is not needed nor used as a public street, and to convey the vacated lands to 611 Bordentown, LLC in accordance with law.

**NOW, THEREFORE, BE IT ORDAINED**, by the City Council of South Amboy, County of Middlesex and State of New Jersey, Florence Avenue, as more fully described in the attached Exhibit "A" be and is hereby vacated, and

**BE IT FUTHER ORDAINED**, that the Mayor and the City Clerk are hereby Authorized and directed to execute, and

**BE IT FUTHER ORDAINED**, that the City of South Amboy, pursuant to the provisions of N.J.S.A. 40:67-1(b), hereby expressly reserves and excepts from vacation all rights and privileges currently possessed by public utilities (as defined in N.J.S.A. 48:2-13) and by any cable television company (as defined in the Cable Television Act, N.J.S.A. 48:5-1 et seq.), to maintain, repair and replace their existing facilities in, adjacent to, over or under the street, or any part thereof, to be vacated; and

**BE IT FURTHER ORDAINED**, that pursuant to N.J.S.A. 40:49-6, the City Clerk shall publish this Ordinance in the manner required by N.J.S.A. 40:49-2, except that after same has been introduced and passed a first reading, this Ordinance shall be published at least once not less than ten (10) days prior to the time fixed for further consideration for final passage, and the Clerk shall, at least one week prior to the time fixed for final passage, mail a copy of this Ordinance, together with a notice of the introduction thereof and the time and place when and this Ordinance shall be considered for final passage to every person whose lands may be affected by this Ordinance; and

**BE IT FURTHER ORDAINED**, that within sixty (60) days after this Ordinance becomes effective, the City Clerk shall file a copy thereof, certified by her, under the Seal of the City of South Amboy to be a true copy of such Ordinance, together with a proof of publication thereof, in the office of the Middlesex County Clerk to be recorded in a book with proper index to be provided for this purpose entitled "vacations", in accordance with the provisions of N.J.S.A. 40:67-21, and

**BE IT FURTHER ORDAINED**, that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective; and

**BE IT FURTHER ORDAINED**, that any ordinances, or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict; and

**BE IT FURTHER ORDAINED**, that this Ordinance shall take effect upon passage and publication in accordance with applicable law.

**MINUTES FOR COUNCIL MEETING NOVEMBER 25, 2019**

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

PRESENT: Councilwoman Dato, Councilman Reilly, Councilman McLaughlin, Councilwoman Noble, and Council President Gross.

ALSO PRESENT: Fred A. Henry, Mayor, Glenn Skarzynski, Business Administrator, Deborah Brooks, City Clerk and Francis Womack, Director of Law

Council President Gross 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 December 13, 2018, provided to the Star Ledger, filed with the City Clerk and posted in the City Municipal Building on January 10".

**RESOLUTION: (Peter Lupo)**

Resolution 192-2019 "Veteran Friendly Municipality"

**MOVED by:** Ms. Noble of the Council of the City of South Amboy, that Resolution #192-2019 is hereby approved. **SECONDED by:** Mr. Reilly. **ROLL CALL VOTE: All in favor.**

**CONSENT AGENDA:**

The following items are considered to be routine by the City Council and will be acted upon in one motion. There will be no separate discussion of these items unless a Council member so requests. In this event, the item will be removed from the Consent Agenda and considered in the normal sequence of the Agenda.

**MOVED by:** Ms. Dato of the Council of the City of South Amboy, that Resolution #173-2019 through #182-2019 and #184-2019 through #191-2019 are hereby approved. **SECONDED by:** Ms. Noble. **ROLL CALL VOTE: Ayes: Dato, McLaughlin, Noble, Reilly Abstain: Gross**

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- a.) Resolution 173-2019 – Municipal Alliance Grant 2020-2025
- b.) Resolution 174-2019 – Approving Employee Handbook
- c.) Resolution 175-2019 – Renewal ABC License 1220-44-003-008 (2018-2019)
- d.) Resolution 176-2019 – Renewal ABC License 1220-44-003-008 (2019-2020)
- e.) Resolution 177-2019 – Resolution Expressing Support for Transportation Electrification in the State of New Jersey
- f.) Resolution 178-2019 – CFC/HCFC Subsidy Agreement (Solid Waste)
- g.) Resolution 179-2019 - Ch 159 Solid Waste Clean Communities Grant
- h.) Resolution 180-2019 – CH 159 NJDOT Municipal Aid Grant
- i.) Resolution 181-2019 – CH 159 Emergency Mgmt. Performance Grant Award
- j.) Resolution 182-2019 – Interlocal Agreement for Health Services 2020-2021
- k.) Resolution 183-2019 - Transfer of Funds (pulled from consent agenda)
- l.) Resolution 184-2019 – Fireman – Justin Tresch – Progressive
- m.) Resolution 185-2019 - Cancel Tax Delinquencies
- n.) Resolution 186-2019 – Release Cash Bond for 211 Augusta St.
- o.) Resolution 187-2019 – Tax Refund 4 Raritan Reach Rd.
- p.) Resolution 188-2019 - Resolution authorizing emergency appropriation for demolition
- q.) Resolution 189-2019 – Award Of Contract 131 South Broadway – Tri Con
- r.) Resolution 190-2019 - CH 159 Municipal Alliance
- s.) Resolution 191-2019 – CH 159 Sustainable Jersey Grant

Resolution 183-2019 Transfer of Funds: On motion of Ms. Dato, seconded by Mr. McLaughlin the Council voted to adopt Resolution 183-2019. Ayes: Dato, McLaughlin, Noble, Gross Nays: Reilly

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**LIST OF BILLS FOR PAYMENT: (Bill list dated November 19, 2019)**

**R- 193-2019  
APPROVING PAYMENT OF BILLS**

**BE IT RESOLVED**, that the City Council of the City of South Amboy does hereby approve the payment of the bills as presented by the Chief Financial Officer.

**BE IT FURTHER RESOLVED**, that the bills list be appended to the official minutes.

**MOVED by:** Mr. McLaughlin of the Council of the City of South Amboy, that Resolution #193-2019 is hereby approved. **SECONDED by:** Ms. Noble. **ROLL CALL VOTE: All in favor.**

**MINUTES APPROVAL:**

**R-194-2019  
APPROVAL AND RELEASE OF MINUTES**

**BE IT RESOLVED**, that the City Council of the City of South Amboy does hereby approve and release the Council Minutes of the November 6, 2019 City Council Meeting.

**BE IT FURTHER RESOLVED** that the City Council hereby approves November 6, 2019 Executive Session Meeting Minutes as redacted by the City

**MOVED by:** Mr. Reilly of the Council of the City of South Amboy, that Resolution #194-2019 is hereby approved. **SECONDED by:** Mr. McLaughlin. **ROLL CALL VOTE: All in favor.**

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**ORDINANCES:**

**ADOPTION/SECOND READING:**

- a.) #24-2019 AN ORDINANCE AMENDING AND SUPPLEMENTING ORDINANCE NO. 1036 ENTITLED "PARKING AND TRAFFIC REGULATIONS FOR THE CITY OF SOUTH AMBOY" IN THE COUNTY OF MIDDLESEX AND STATE OF NEW JERSEY

**OPEN PUBLIC – no comment  
CLOSE PUBLIC**

**MOVED by:** Ms. Noble, of the Council of the City of South Amboy, that Ordinance #24-2019 is hereby adopted.

**SECONDED by:** Mr. Reilly, **ROLL CALL VOTE: All in favor.**

- b.) #25-2019 AN ORDINANCE AMENDING SECTION 88-110 OF THE SOUTH AMBOY CODE [MERCANTILE LICENSES; APPLICATION FOR LICENSE]

**OPEN PUBLIC – no comments.  
CLOSE PUBLIC**

**MOVED by:** Ms. Noble, of the Council of the City of South Amboy, that Ordinance #25-2019 is hereby adopted.

**SECONDED by:** Mr. McLaughlin, **ROLL CALL VOTE: All in favor.**

**FIRST READING/INTRODUCTION:**

- a.) #26-2019 AN ORDINANCE CONCERNING FEES TO THE CITY OF SOUTH AMBOY  
[NON-RESIDENT SENIOR CITIZEN FEES]

**MOVED by:** Ms. Noble, that Ordinance #26-2019 be introduced on first reading and advertised for second reading which is scheduled for the December 11, 2019 meeting.  
**SECONDED by:** Mr. McLaughlin, **ROLL CALL VOTE:** All in favor.

- b.) #27-2019 AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 81 "HANDBILLS  
AND SIGNS" OF THE SOUTH AMBOY CITY CODE AND INCLUDING A NO KNOCK  
REGISTRY

**This Ordinance was tabled. The Council requested Attorney Womack revise the language regarding flyer delivery.**

- c.) #28-2019 AN ORDINANCE AMENDING AND SUPPLEMENTING ORDINANCE NO. 1036  
ENTITLED "PARKING AND TRAFFIC REGULATIONS FOR THE CITY OF SOUTH  
AMBOY" IN THE COUNTY OF MIDDLESEX AND STATE OF NEW JERSEY -  
Hoffmann

**MOVED by:** Mr. McLaughlin, that Ordinance #28-2019 be introduced on first reading and advertised for second reading which is scheduled for the December 11, 2019 meeting.  
**SECONDED by:** Mr. Reilly, **ROLL CALL VOTE:** All in favor.

- d.) #29-2019 ORDINANCE APPROPRIATING \$200,000 FROM THE CAPITAL IMPROVEMENT  
FUND, FOR DEMOLITION OF AN UNSAFE STRUCTURE IN AND BY THE CITY OF SOUTH AMBOY, IN THE  
COUNTY OF MIDDLESEX, NEW JERSEY

**MOVED by:** Ms. Dato, that Ordinance #29-2019 be introduced on first reading and advertised for second reading which is scheduled for the December 11, 2019 meeting.  
**SECONDED by:** Mr. Reilly, **ROLL CALL VOTE:** All in favor.

- e.) #30-2019 AN ORDINANCE AUTHORIZING ACCEPTANCE OF AN ACCESS AND PARKING  
EASEMENT THROUGH A PORTION OF BLOCK 10, LOT 1 & 10.01 AS SHOWN ON  
THE TAX MAP OF THE CITY OF SOUTH AMBOY

**MOVED by:** Mr. McLaughlin, that Ordinance #30-2019 be introduced on first reading and advertised for second reading which is scheduled for the December 11, 2019 meeting.  
**SECONDED by:** Mr. Reilly, **ROLL CALL VOTE:** All in favor.

- f.) #31-2019 AN ORDINANCE VACATING A PORTION OF FLORENCE AVENUE  
LOCATED IN THE CITY OF SOUTH AMBOY, COUNTY OF MIDDLESEX, STATE OF  
NEW JERSEY AND CONVEYING SUCH VACATED LANDS TO THE ADJACENT  
PROPERTY OWNERS

**MOVED by:** Ms. Noble, that Ordinance #31-2019 be introduced on first reading and advertised for second reading which is scheduled for the December 11, 2019 meeting.  
**SECONDED by:** Mr. Reilly, **ROLL CALL VOTE:** All in favor.

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**COMMENTS:**

Ms. Noble:

- Wished everyone a Happy Thanksgiving.

Ms. Dato:

- Commended everyone involved with the Veteran's Day events for a job well done.
- Wished everyone a Happy Thanksgiving.

Mr. Reilly:

- Wished everyone a Happy Thanksgiving.
- Sent get well wishes to Dean Kenny
- Reminded everyone to come out for the Friends of South Amboy event on December 21<sup>st</sup> in support of the Leonard Family.
- Requested an APP that people could report potholes on.
- Requested BA Skarzynski send him a copy of the MEUSA contract.

Mr. McLaughlin:

- Wished everyone a Happy Thanksgiving.
- Congratulated the emergency responders, firemen, etc. on the swift containment of the fire last week.
- Requested the Planning Board push off the date of the special meeting to hear the Manhattan Beach Builders to the new year.

Mr. Skarzynski:

- Wished everyone a Happy Thanksgiving.
- Reminded everyone to come out to the Tree Lighting, Friday, December 6<sup>th</sup> at 6pm.

Mr. Womack:

- Will present a draft ordinance to ban the sale of vaping products, etc. to the Council shortly.

Mr. Gross:

- Thanked the men from the Fire department and Emergency Responders for their rapid response to the fire that was across the street from his house.
- Hats off to everyone involved in producing the great Veteran's Day events.
- Wished everyone a Happy Thanksgiving and to keep our armed servicemen and women in our thoughts.

Mayor Henry:

- Thanked everyone for a great Veteran's Day Event.
- Thanked the First responders, Firemen and Police Department for their quick response to the fire last week.
- Reminded everyone of upcoming events such as the Trolley Rides and Vintage Caroling.

**PUBLIC COMMENTS:** No comments

**ADJOURNMENT OF MEETING:**

On motion by Mr. McLaughlin, seconded by Mr. Reilly and carried unanimously, the meeting was adjourned at 7:25 pm.

Respectfully submitted,

Deborah Brooks, RMC  
Municipal Clerk



# South Amboy Police Department

140 North Broadway, South Amboy, NJ 08879

Non-Emergency: 732-721-0111

FAX: 732-721-1504

**Emergencies: DIAL 911**

DARREN C. LAVIGNE  
CHIEF OF POLICE

To: Mayor Fred A. Henry  
Council Members  
From: Ptl. Steven Clark Traffic Safety Division  
Date: November 20, 2019  
Re: Installation of 5 MPH Signs in City Alleyways

This department has received a request to investigate whether or not alleyways within the city should be posted "5mph".

This officer believes that signs should be posted in all city alleyways for public safety reasons, i.e. speeding concerns and being in such small lanes of travel and vehicles that utilize back driveways off of residences a 5-mph sign should be posted for all city alleyways.

Alleyways of concern are located at Second Street/Main Street, First/Second Street, Main Street/Potter Street.

Respectfully Yours,

Ptl. Steven Clark #53

*"The South Amboy Police Department is committed to Protect and Serve in partnership with our Community, and Consistently to maintain Honor, Integrity and Professionalism, while striving to Improve the Quality of Life in South Amboy."*

