

MINUTES
REGULAR MEETING
MUNICIPAL COUNCIL - CITY OF RAHWAY, NEW JERSEY
FEBRUARY 10, 2014
7 P.M.

1. Council President Brown called the meeting to order at 7:02 p.m. and asked for a Roll Call.

PRESENT: Councilmembers Baker, Farrar, Giacobbe, Mione, Brown

ABSENT: Councilmembers Bresenhan, Cox, Saliga, Wenson Maier

City Clerk Jeffrey J. Jotz announced the meeting had been advertised and posted in accordance with the Open Public Meetings Act of the State of New Jersey.

This meeting of February 10, 2014 was included in a list of meetings notice sent to the *Star-Ledger*, *Home News Tribune* and the Union County *Local Source*, posted on the bulletin board in the Municipal Building on January 2, 2014 and has remained continuously posted as the required notices under the Statute. In addition, a copy of this notice is and has been available to the public and is on file in the office of the Municipal Clerk.

2. PLEDGE OF ALLEGIANCE

Councilmember Bresenhan arrived at 7:03 p.m.

In the absence of a Member of the Clergy, Council President Brown offered an invocation.

3. APPROVAL OF MINUTES

January 6, 2014	7 p.m.	Reorganization Meeting
January 6, 2014	7:30 p.m.	Pre-Meeting Conference
January 13, 2014	7 p.m.	Regular Meeting

Motion was made by Councilmember Farrar and seconded by Councilmember Mione to accept and approve the above listed minutes.

YES: Councilmembers Baker, Bresenhan, Farrar, Giacobbe, Mione, Brown

ABSENT: Councilmembers Cox, Saliga, Wenson Maier

Council President Brown declared the motion carried.

4. PRESENTATIONS

5. COMMUNICATIONS FROM MAYOR, REPORTS OF CITY OFFICERS AND LIST OF PAYMENT OF BILLS FOR JANUARY

6. REPORTS OF COUNCIL COMMITTEES

Council President Brown, Community Development: There will be a Community Development Block Grant meeting in Cranford on February 20 to review the proposed projects for the year.

Councilmember Mione, Veterans Central Committee: The Committee met today and discussed the Memorial Day parade. Council President Brown was invited to attend a future meeting.

Councilmember Farrar moved to remove O-4-14 from the Agenda

The motion was seconded by Councilmember Mione.

YES: Councilmembers Baker, Bresenhan, Farrar, Giacobbe, Mione, Brown

Council President Brown declared the motion carried.

Councilmember Brown moved to place O-5-14 on the Agenda

The motion was seconded by Councilmember Giacobbe.

YES: Councilmembers Baker, Bresenhan, Farrar, Giacobbe, Mione, Brown

Council President Brown declared the motion carried.

Councilmember Bresenhan moved to place AR-46-14 on the Agenda and Consent Agenda.

The motion was seconded by Councilmember Baker.

YES: Councilmembers Baker, Bresenhan, Farrar, Giacobbe, Mione, Brown

Council President Brown declared the motion carried.

Councilmember Giacobbe moved to place AR-47-14 on the Agenda and Consent Agenda.

The motion was seconded by the Entire Council.

YES: Councilmembers Baker, Bresenhan, Farrar, Giacobbe, Mione, Brown

Council President Brown declared the motion carried.

Councilmember Brown moved to place AR-48-14 on the Agenda and Consent Agenda.

The motion was seconded by Councilmember Farrar.

YES: Councilmembers Baker, Bresenhan, Farrar, Giacobbe, Mione, Brown

Council President Brown declared the motion carried.

Councilmember Giacobbe moved to place AR-49-14 on the Agenda and Consent Agenda.

The motion was seconded by Councilmember Bresenhan.

YES: Councilmembers Baker, Bresenhan, Farrar, Giacobbe, Mione, Brown

ABSENT: Councilmembers Cox, Saliga, Wenson Maier

Council President Brown declared the motion carried.

7. HEARING OF CITIZENS Items on Agenda, Except Ordinances on Second Reading

With no one appearing, Council President Brown closed the Public Hearing.

8. CONSENT AGENDA

Motion made by Councilmember Bresenhan seconded by Councilmember Farrar to adopt the Consent Agenda, and was adopted by the following vote:

YES: Councilmembers Baker, Bresenhan, Farrar, Giacobbe, Mione, Brown

ABSENT: Councilmembers Cox, Saliga, Wenson Maier

Council President Brown declared the motion carried.

9. ORDINANCES - First Reading

O-2-14 City Clerk Jotz read AN ORDINANCE AMENDING CHAPTER 401 OF THE CODE OF THE CITY OF RAHWAY (VEHICLES AND TRAFFIC – STOP INTERSECTIONS).

Motion to introduce the above Ordinance on first reading was made by Councilmember Baker, seconded by Councilmember Mione and adopted by the following vote:

YES: Councilmembers Baker, Bresenhan, Farrar, Giacobbe, Mione, Brown

ABSENT: Councilmembers Cox, Saliga, Wenson Maier

Council President Brown: This Ordinance is declared adopted on first reading and the City Clerk is hereby authorized and directed to advertise said notice of its introduction and passage according to law. This Ordinance will come up for Public Hearing and further action at a Council Meeting at Monday, March 10, 2014 at 7 p.m.

O-3-14

City Clerk Jotz read A BOND ORDINANCE PROVIDING FOR VARIOUS HIGH SCHOOL PARK IMPROVEMENTS, BY AND IN THE CITY OF RAHWAY, IN THE COUNTY OF UNION, STATE OF NEW JERSEY; APPROPRIATING \$540,000 (INCLUDING CONTRIBUTIONS/GRANTS FROM THE COUNTY OF UNION AND THE RAHWAY BOARD OF EDUCATION IN THE AGGREGATE AMOUNT OF \$290,000) THEREFOR AND AUTHORIZING THE ISSUANCE OF \$514,000 BONDS OR NOTES OF THE CITY TO FINANCE PART OF THE COST THEREOF.

Motion to introduce the above Ordinance on first reading was made by Councilmember Brown, seconded by Councilmember Farrar and adopted by the following vote:

YES: Councilmembers Baker, Bresenhan, Farrar, Giacobbe, Mione, Brown

ABSENT: Councilmembers Cox, Saliga, Wenson Maier

Council President Brown: This Ordinance is declared adopted on first reading and the City Clerk is hereby authorized and directed to advertise said notice of its introduction and passage according to law. This Ordinance will come up for Public Hearing and further action at a Council Meeting at Monday, March 10, 2014 at 7 p.m.

O-5-14 City Clerk Jotz read AN ORDINANCE OF THE CITY OF RAHWAY, IN THE COUNTY OF UNION, STATE OF NEW JERSEY APPROVING AND AUTHORIZING THE ENTERING INTO, EXECUTION AND DELIVERY OF AN AMENDMENT TO THE USE, OCCUPANCY AND CAPITAL GRANT AGREEMENT WITH THE RAHWAY REDEVELOPMENT AGENCY (THE "AGENCY") RELATING TO THE ISSUANCE OF CITY-SECURED PUBLIC LIBRARY REVENUE REFUNDING BONDS, SERIES 2014 BY THE AGENCY TO REALIZE DEBT SERVICE SAVINGS FOR THE CITY TAXPAYERS.

Motion to introduce the above Ordinance on first reading was made by Council President Brown seconded by Councilmember Giacobbe and adopted by the following vote:

YES: Councilmembers Baker, Bresenhan, Farrar, Giacobbe, Mione, Brown

ABSENT: Councilmembers Cox, Saliga, Wenson Maier

Council President Brown: This Ordinance is declared adopted on first reading and the City Clerk is hereby authorized and directed to advertise said notice of its introduction and passage according to law. This Ordinance will come up for Public Hearing and further action at a Council Meeting at Monday, April 14, 2014 at 7 p.m.

10. RESOLUTIONS

***AR-24-14** Councilmember Brown presented and moved A RESOLUTION AUTHORIZING MUNICIPAL CONSENT TO THE APPLICATION FOR RENEWAL OF MUNICIPAL CONSENT FROM COMCAST OF NEW JERSEY II, LLC..

The motion was seconded by Councilmember Mione.

YES: Councilmembers Baker, Bresenhan, Farrar, Giacobbe, Mione, Brown

ABSENT: Councilmembers Cox, Saliga, Wenson Maier

Council President Brown declared the motion carried.

***AR-25-14** Councilmember Giacobbe presented and moved A RESOLUTION AUTHORIZING THE RETURN OF PERFORMANCE BOND AND FINAL PAYMENT FOR THE “DONALD AVENUE STORM SEWER IMPROVEMENT PLAN” TO JO-MED CONTRACTING CORP.

The motion was seconded by Councilmember Mione.

YES: Councilmembers Baker, Bresenhan, Farrar, Giacobbe, Mione, Brown

ABSENT: Councilmembers Cox, Saliga, Wenson Maier

Council President Brown declared the motion carried.

***AR-26-14** Councilmember Farrar presented and moved A RESOLUTION AUTHORIZING THE RECOMMENDATIONS AND CONDITIONS FOR BOND RELEASES TO REDEVELOPER, CAPODAGLI PROPERTY COMPANY, LLC FOR MERIDIA WATER’S EDGE URBAN RENEWAL RAHWAY, LLC, 4 CITY HALL PLAZA, BLOCK 305, LOT 5.04.

The motion was seconded by Councilmember Giacobbe.

YES: Councilmembers Baker, Bresenhan, Farrar, Giacobbe, Mione, Brown

ABSENT: Councilmembers Cox, Saliga, Wenson Maier

Council President Brown declared the motion carried.

***AR-27-14** Councilmember Farrar presented and moved A RESOLUTION AUTHORIZING THE REDUCTION AND RELEASE OF PERFORMANCE BONDS POSTED BY FAMILY HOSPITALITY, LLC FOR 667 EAST MILTON AVE., BLOCK 338, LOTS 3.01 & 3.02.

The motion was seconded by Councilmember Bresenhan.

YES: Councilmembers Baker, Bresenhan, Farrar, Giacobbe, Mione, Brown

ABSENT: Councilmembers Cox, Saliga, Wenson Maier

Council President Brown declared the motion carried.

***AR-28-14** Councilmember Brown presented and moved A RESOLUTION AUTHORIZING THE RETURN OF ESCROW AND APPLICATION FEES TO PUBLIC EQUIPMENT RENTAL CO., INC. POSTED FOR APPLICATION #09/13, 650 LEESVILLE AVENUE, BLOCK 278, LOT 5, APPLICATION FILED IN ERROR.

The motion was seconded by Councilmember Mione.

YES: Councilmembers Baker, Bresenhan, Farrar, Giacobbe, Mione, Brown

ABSENT: Councilmembers Cox, Saliga, Wenson Maier

Council President Brown declared the motion carried.

***AR-29-14** Councilmember Farrar presented and moved A RESOLUTION AWARDDING A CONTRACT WITH GOLD TYPE BUSINESS MACHINES INC. (GTBM) FOR INFO-COP DEVICE LICENSES.

The motion was seconded by Councilmember Mione.

YES: Councilmembers Baker, Bresenhan, Farrar, Giacobbe, Mione, Brown

ABSENT: Councilmembers Cox, Saliga, Wenson Maier

Council President Brown declared the motion carried.

***AR-30-14** Councilmember Bresenhan presented and moved A RESOLUTION AWARDDING A CONTRACT TO BLUE DIAMOND SOLUTIONS INC. FOR LOCAL AREA NETWORK (LAN) MANAGEMENT.

The motion was seconded by Councilmember Mione.

YES: Councilmembers Baker, Bresenhan, Farrar, Giacobbe, Mione, Brown

ABSENT: Councilmembers Cox, Saliga, Wenson Maier

Council President Brown declared the motion carried.

- *AR-31-14** Councilmember Mione presented and moved A RESOLUTION AWARDDING A CONTRACT WITH LAW SOFT INC. FOR SUPPORT AND MAINTENANCE OF LAWSOFT CAD/RMS SOFTWARE.

The motion was seconded by Councilmember Giacobbe.

YES: Councilmembers Baker, Bresenhan, Farrar, Giacobbe, Mione, Brown

ABSENT: Councilmembers Cox, Saliga, Wenson Maier

Council President Brown declared the motion carried.

- *AR-32-14** Councilmember Brown presented and moved A RESOLUTION AUTHORIZING THE FILING OF A RECYCLING TONNAGE GRANT FOR THE YEAR 2013.

The motion was seconded by Councilmember Mione.

YES: Councilmembers Baker, Bresenhan, Farrar, Giacobbe, Mione, Brown

ABSENT: Councilmembers Cox, Saliga, Wenson Maier

Council President Brown declared the motion carried.

- *AR-33-14** Councilmember Farrar presented and moved A RESOLUTION AUTHORIZING THE REFUND OF BUILDING FEES TO DIVINE MERCY PARISH.

The motion was seconded by Councilmember Mione.

YES: Councilmembers Baker, Bresenhan, Farrar, Giacobbe, Mione, Brown

ABSENT: Councilmembers Cox, Saliga, Wenson Maier

Council President Brown declared the motion carried.

***AR-34-14** Councilmember Farrar presented and moved A RESOLUTION APPROVING THE SETTLEMENT PROPOSAL OF APPEALS FILED BY UNDER WOODBRIDGE PLAZA, LLC/ WOODBRIDGE PLAZA, LLC.

The motion was seconded by Councilmember Bresenhan.

YES: Councilmembers Baker, Bresenhan, Farrar, Giacobbe, Mione, Brown

ABSENT: Councilmembers Cox, Saliga, Wenson Maier

Council President Brown declared the motion carried.

***AR-35-14** Councilmember Brown presented and moved A RESOLUTION AUTHORIZING THE REFUND OF PAYMENT OF TAXES DUE TO THE GRANTING OF SENIOR DEDUCTION FOR C/Y 2013.

The motion was seconded by Councilmember Mione.

YES: Councilmembers Baker, Bresenhan, Farrar, Giacobbe, Mione, Brown

ABSENT: Councilmembers Cox, Saliga, Wenson Maier

Council President Brown declared the motion carried.

***AR-36-14** Councilmember Mione presented and moved A RESOLUTION AUTHORIZING THE REFUND OF PAYMENT OF TAXES DUE TO THE GRANTING OF VETERAN DEDUCTION FOR C/Y 2013.

The motion was seconded by Councilmember Giacobbe.

YES: Councilmembers Baker, Bresenhan, Farrar, Giacobbe, Mione, Brown

ABSENT: Councilmembers Cox, Saliga, Wenson Maier

Council President Brown declared the motion carried.

- *AR-37-14** Councilmember Mione presented and moved A RESOLUTION AUTHORIZING THE REFUND OF PAYMENT OF TAXES DUE TO THE GRANTING OF A WIDOW OF A VETERAN DEDUCTION FOR C/Y 2013.

The motion was seconded by Councilmember Giacobbe.

YES: Councilmembers Baker, Bresenhan, Farrar, Giacobbe, Mione, Brown

ABSENT: Councilmembers Cox, Saliga, Wenson Maier

Council President Brown declared the motion carried.

- *AR-38-14** Councilmember Farrar presented and moved A RESOLUTION AUTHORIZING THE REFUND OF MONEY DUE TO THE REDEMPTION OF TAX SALE CERTIFICATES.

The motion was seconded by Councilmember Farrar.

YES: Councilmembers Baker, Bresenhan, Farrar, Giacobbe, Mione, Brown

ABSENT: Councilmembers Cox, Saliga, Wenson Maier

Council President Brown declared the motion carried.

- *AR-39-14** Councilmember Brown presented and moved A RESOLUTION AUTHORIZING THE REFUND OF OVERPAYMENT OF TAXES FOR THE 2011 FISCAL YEAR AND THE 2012 & 2013 CALENDAR YEARS.

The motion was seconded by Councilmember Bresenhan.

YES: Councilmembers Baker, Bresenhan, Farrar, Giacobbe, Mione, Brown

ABSENT: Councilmembers Cox, Saliga, Wenson Maier

Council President Brown declared the motion carried.

***AR-40-14** Councilmember Giacobbe presented and moved A RESOLUTION AUTHORIZING THE PURCHASE OF A FORD F350 PICKUP TRUCK UNDER STATE CONTRACT FOR THE POLICE DEPARTMENT .

The motion was seconded by Councilmember Bresenhan.

YES: Councilmembers Baker, Bresenhan, Farrar, Giacobbe, Mione, Brown

ABSENT: Councilmembers Cox, Saliga, Wenson Maier

Council President Brown declared the motion carried.

***AR-41-14** Councilmember Farrar presented and moved A RESOLUTION REAPPOINTING A MEMBER OF MUNICIPAL COUNCIL AS THE CLASS III MEMBER OF THE PLANNING BOARD (SALVATORE MIONE).

The motion was seconded by Councilmember Farrar.

YES: Councilmembers Baker, Bresenhan, Farrar, Giacobbe, Mione, Brown

ABSENT: Councilmembers Cox, Saliga, Wenson Maier

Council President Brown declared the motion carried.

***AR-42-14** Councilmember Bresenhan presented and moved A RESOLUTION COMMENDING VINOD GAGLANI AND DARON FASHIONS.

The motion was seconded by Councilmember Farrar.

YES: Councilmembers Baker, Bresenhan, Farrar, Giacobbe, Mione, Brown

ABSENT: Councilmembers Cox, Saliga, Wenson Maier

Council President Brown declared the motion carried.

- *AR-43-14** Councilmember Farrar presented and moved A RESOLUTION AWARDDING A CONTRACT TO DYNAMIC TESTING SERVICES, INC. FOR CONTROLLED SUBSTANCE TESTING OF EMPLOYEES OF THE RAHWAY DEPARTMENT OF PUBLIC WORKS AND THE RAHWAY FIRE DEPARTMENT.

The motion was seconded by Councilmember Bresenhan.

YES: Councilmembers Baker, Bresenhan, Farrar, Giacobbe, Mione, Brown

ABSENT: Councilmembers Cox, Saliga, Wenson Maier

Council President Brown declared the motion carried.

- *AR-44-14** Councilmember Brown presented and moved A RESOLUTION AUTHORIZING THE REFUND OF HEALTH & SENIOR SERVICES FEES.

The motion was seconded by Councilmember Giacobbe.

YES: Councilmembers Baker, Bresenhan, Farrar, Giacobbe, Mione, Brown

ABSENT: Councilmembers Cox, Saliga, Wenson Maier

Council President Brown declared the motion carried.

- *AR-45-14** Councilmember Brown presented and moved A RESOLUTION AUTHORIZING A TEMPORARY CAPITAL BUDGET.

The motion was seconded by Councilmember Mione.

YES: Councilmembers Baker, Bresenhan, Farrar, Giacobbe, Mione, Brown

ABSENT: Councilmembers Cox, Saliga, Wenson Maier

Council President Brown declared the motion carried.

***AR-46-14** Councilmember Bresenhan presented and moved A RESOLUTION AUTHORIZING REFUND OF PARKS & RECREATION FEES.

The motion was seconded by Councilmember Baker.

YES: Councilmembers Baker, Bresenhan, Farrar, Giacobbe, Mione, Brown

ABSENT: Councilmembers Cox, Saliga, Wenson Maier

Council President Brown declared the motion carried.

***AR-47-14** Councilmember Giacobbe presented and moved A RESOLUTION HONORING GEORGE GEDULDIG AS THE OUTSTANDING RAHWAY SENIOR CITIZEN OF THE YEAR FOR 2013.

The motion was seconded by the Entire Council.

YES: Councilmembers Baker, Bresenhan, Farrar, Giacobbe, Mione, Brown

ABSENT: Councilmembers Cox, Saliga, Wenson Maier

Council President Brown declared the motion carried.

***AR-48-14** Councilmember Brown presented and moved A RESOLUTION REJECTING ALL BIDS RECEIVED FOR THE RAHWAY RECREATION CENTER SILICA DUST CLEAN UP PROJECT.

The motion was seconded by Councilmember Farrar.

YES: Councilmembers Baker, Bresenhan, Farrar, Giacobbe, Mione, Brown

ABSENT: Councilmembers Cox, Saliga, Wenson Maier

Council President Brown declared the motion carried.

***AR-49-14** Councilmember Giacobbe presented and moved A RESOLUTION REAPPOINTING A MEMBER OF MUNICIPAL COUNCIL AS A MEMBER OF THE HUMAN SERVICES ADVISORY BOARD (JAMES E. BAKER).

The motion was seconded by Councilmember Bresenhan.

YES: Councilmembers Baker, Bresenhan, Farrar, Giacobbe, Mione, Brown

ABSENT: Councilmembers Cox, Saliga, Wenson Maier

Council President Brown declared the motion carried.

11. ORDINANCES – SECOND READING

O-1-14 Council President Brown: The following Ordinance was adopted on first reading, advertised according to law, and is now before you for a public hearing and final adoption:

AN ORDINANCE AMENDING CHAPTER 401 OF THE CODE OF THE CITY OF RAHWAY (VEHICLES AND TRAFFIC) - HANDICAPPED PARKING

BE IT ORDAINED BY THE MAYOR AND THE MUNICIPAL COUNCIL OF THE CITY OF RAHWAY, THE FOLLOWING CHAPTER BE AMENDED AS FOLLOWS:

401-79 Schedule XXI: Handicapped Parking

Add:

In front of 99 East Emerson Ave

South Side - beginning at a point 145 feet west from the elongation of the curb line of the west side of Pierce St extending 22 feet thereof.

ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT WITH THE PROVISIONS OF THIS ORDINANCE ARE HEREBY REPEALED.

THIS ORDINANCE SHALL TAKE EFFECT UPON FINAL PASSAGE AND PUBLICATION AS PROVIDED BY LAW

Council President Brown opened the Public Hearing on this matter and asked if any citizen wished to be heard, to approach the rail, give his/her name and address and be heard.

With no one appearing, Council President Brown closed the Public Hearing.

Roll Call for O-1-14:

YES: Councilmembers Baker, Bresenhan, Farrar, Giacobbe, Mione, Brown

ABSENT: Councilmembers Cox, Saliga, Wenson Maier

Council President Brown: This Ordinance having been read on two separate days and having achieved the vote required by law is declared adopted. The City Clerk is directed to deliver same to the Mayor for his approval or disapproval.

***12. MISCELLANEOUS**

13. COMMUNICATIONS - Hearing of Citizens

With no one appearing, Council President Brown closed the Public Hearing.

14. COUNCIL COMMENT

Council President Brown: Said he looks forward to continuing his work with the Council. Invited public to attend the Mayor's State of the City Address on Thursday, February 13 at 7:15 p.m. at Hamilton Stage.

15. ADJOURNMENT

Motion to adjourn the meeting at 7:18 p.m. was made by Council President Brown and seconded by Councilmember Baker:

YES: Councilmembers Baker, Bresenhan, Farrar, Giacobbe, Mione, Brown

ABSENT: Councilmembers Cox, Saliga, Wenson Maier

Council President Brown declared the motion carried.