

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

1. Council President Brown called the meeting to order at 7:03 p.m. and asked for a Roll Call.

PRESENT: Councilmembers Baker, Bresenhan, Farrar, Giacobbe, Mione, Saliga, Wenson
Maier, Brown

ABSENT: Councilmember Cox

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 November 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

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

3. APPROVAL OF MINUTES

October 7, 2014	7 p.m.	Pre-Meeting Conference
October 14, 2014	7 p.m.	Regular Meeting

Motion was made by Councilmember Baker and seconded by Councilmember Wenson Maier to approve the above listed minutes.

YES: Councilmembers Baker, Bresenhan, Farrar, Giacobbe, Mione, Saliga, Wenson
Maier, Brown

ABSENT: Councilmember Cox

Council President Brown declared the motion carried.

4. PRESENTATIONS

Rahway Teen Mural Lab

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

6. REPORTS OF COUNCIL COMMITTEES

Council President Brown reminded everyone that the annual Veterans Day ceremony will be on Nov. 11 at 10:30 a.m. at Veterans Park at the corner of W. Grand and St. Georges Avenues.

Council President Brown made a motion to place AR-226-14 on the agenda.

The motion was seconded by Councilmember Farrar.

Roll call to place AR-226-14 on the agenda:

YES: Councilmembers Baker, Bresenhan, Farrar, Giacobbe, Mione, Saliga, Wenson
Maier, Brown

ABSENT: Councilmember Cox

Council President Brown declared the motion carried.

Councilmember Baker made a motion to place AR-227-14 on the agenda.

The motion was seconded by Councilmember Giacobbe.

Roll call to place AR-227-14 on the agenda:

YES: Councilmembers Baker, Bresenhan, Farrar, Giacobbe, Mione, Saliga, Wenson
Maier, Brown

ABSENT: Councilmember Cox

Council President Brown declared the motion carried.

Councilmember Giacobbe made a motion to remove O-41-14 from the agenda.

The motion was seconded by Councilmember Bresenhan.

Roll call to remove O-41-14 from the agenda:

YES: Councilmembers Baker, Bresenhan, Farrar, Giacobbe, Mione, Saliga, Wenson
Maier, Brown

ABSENT: Councilmember Cox

Council President Brown declared the motion carried.

Council President Brown made a motion to remove AR-224-14 from the agenda.

The motion was seconded by Councilmember Bresenhan.

Roll call to remove AR-224-14 from the agenda:

YES: Councilmembers Baker, Bresenhan, Farrar, Giacobbe, Mione, Saliga, Wenson
Maier, Brown

ABSENT: Councilmember Cox

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 Wenson Maier, seconded by Councilmember Saliga to adopt the Consent Agenda, and was adopted by the following vote:

YES: Councilmembers Baker, Bresenhan, Farrar, Giacobbe, Mione, Saliga, Wenson
Maier, Brown

ABSENT: Councilmember Cox

Council President Brown declared the motion carried.

9. ORDINANCES - First Reading

O-37-14 City Clerk Jotz read AN ORDINANCE AMENDING CHAPTER 421, "ZONING" ARTICLE II, "DEFINITIONS" SECTION 421-4 "TERMS DEFINED" OF THE REVISED GENERAL ORDINANCES OF THE CITY OF RAHWAY TO ADD A NEW DEFINITION.

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

YES: Councilmembers Baker, Bresenhan, Farrar, Giacobbe, Mione, Saliga,
Wenson Maier, Brown

ABSENT: Councilmember Cox

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, December 8, 2014 at 7 p.m.

O-38-14

City Clerk Jotz read AN ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF RAHWAY AMENDING THE CENTRAL BUSINESS DISTRICT REDEVELOPMENT PLAN PURSUANT TO N.J.S.A. 40A:12A-7.

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, Saliga, Wenson Maier, Brown

ABSENT: Councilmember Cox

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, December 8, 2014 at 7 p.m.

O-39-14

City Clerk Jotz read A BOND ORDINANCE AMENDING AND SUPPLEMENTING BOND ORDINANCE NUMBER O-34-13 (WHICH PROVIDES FOR PRELIMINARY COSTS ASSOCIATED WITH AN UPGRADE TO THE WATER TREATMENT PLANT) HERETOFORE FINALLY ADOPTED BY THE CITY COUNCIL OF THE CITY OF RAHWAY, IN THE COUNTY OF UNION, STATE OF NEW JERSEY, ON AUGUST 28, 2013, AS AMENDED AND SUPPLEMENTED, TO AMEND THE DESCRIPTION, TO INCREASE THE APPROPRIATION BY \$1,300,000 AND TO INCREASE THE AUTHORIZATION OF BONDS OR NOTES BY \$1,238,000.

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

YES: Councilmembers Baker, Bresenhan, Farrar, Giacobbe, Mione, Saliga, Wenson Maier, Brown

ABSENT: Councilmember Cox

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, December 8, 2014 at 7 p.m.

O-40-14 City Clerk Jotz read AN ORDINANCE AMENDING CHAPTER 311-2 AND 311-4 OF THE CODE OF THE CITY OF RAHWAY, “FEES, PEDDLING SOLICITING AND VENDING”.

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

YES: Councilmembers Baker, Bresenhan, Farrar, Giacobbe, Mione, Saliga, Wenson Maier, Brown

ABSENT: Councilmember Cox

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, December 8, 2014 at 7 p.m.

O-42-14 City Clerk Jotz read AN ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF RAHWAY AMENDING CHAPTER 97 OF THE CODE OF THE CITY OF RAHWAY ENTITLED “SPECIAL IMPROVEMENT DISTRICTS”.

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

YES: Councilmembers Baker, Bresenhan, Farrar, Giacobbe, Mione, Saliga, Wenson Maier, Brown

ABSENT: Councilmember Cox

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, December 8, 2014 at 7 p.m.

10. RESOLUTIONS

- *AR-207-14** Councilmember Mione presented and moved A RESOLUTION AUTHORIZING PARTICIPATION OF THE CITY OF RAHWAY IN THE “GREENING UNION COUNTY” GRANT PROGRAM.

The motion was seconded by Councilmember Giacobbe.

YES: Councilmembers Baker, Bresenhan, Farrar, Giacobbe, Mione, Saliga, Wenson Maier, Brown

ABSENT: Councilmember Cox

Council President Brown declared the motion carried.

- *AR-208-14** Councilmember Wenson Maier presented and moved A RESOLUTION AUTHORIZING THE PURCHASE OF A 2014 HARLEY- DAVIDSON POLICE MOTORCYCLE FOR THE POLICE DEPARTMENT .

The motion was seconded by Councilmember Baker.

YES: Councilmembers Baker, Bresenhan, Farrar, Giacobbe, Mione, Saliga, Wenson Maier, Brown

ABSENT: Councilmember Cox

Council President Brown declared the motion carried.

- *AR-209-14** Councilmember Mione presented and moved A RESOLUTION AUTHORIZING THE RETURN OF PERFORMANCE BOND AND FINAL PAYMENT FOR THE “LIBRARY ROOF REPLACEMENT PROJECT” TO VMG GROUP.

The motion was seconded by Councilmember Baker.

YES: Councilmembers Baker, Bresenhan, Farrar, Giacobbe, Mione, Saliga, Wenson Maier, Brown

ABSENT: Councilmember Cox

Council President Brown declared the motion carried.

***AR-210-14** Council President Brown presented and moved A RESOLUTION AUTHORIZING THE REFUND OF HEALTH & SENIOR SERVICES FEES.

The motion was seconded by Councilmember Baker.

YES: Councilmembers Baker, Bresenhan, Farrar, Giacobbe, Mione, Saliga, Wenson Maier, Brown

ABSENT: Councilmember Cox

Council President Brown declared the motion carried.

***AR-211-14** Councilmember Wenson Maier presented and moved A RESOLUTION AUTHORIZING THE TAX COLLECTOR TO CREDIT OVERPAYMENT OF TAXES DUE TO A JUDGMENT OF THE TAX COURT OF NEW JERSEY.

The motion was seconded by Councilmember Bresenhan.

YES: Councilmembers Baker, Bresenhan, Farrar, Giacobbe, Mione, Saliga, Wenson Maier, Brown

ABSENT: Councilmember Cox

Council President Brown declared the motion carried.

***AR-212-14** Councilmember Mione presented and moved A RESOLUTION AUTHORIZING THE TAX COLLECTOR TO CREDIT OVERPAYMENT OF CY 2014 TAXES DUE TO A JUDGMENT OF THE UNION COUNTY BOARD OF TAXATION.

The motion was seconded by Councilmember Baker.

YES: Councilmembers Baker, Bresenhan, Farrar, Giacobbe, Mione, Saliga, Wenson Maier, Brown

ABSENT: Councilmember Cox

Council President Brown declared the motion carried.

***AR-213-14** Councilmember Wenson Maier presented and moved A RESOLUTION AUTHORIZING THE REFUND OF MONEY DUE TO THE REDEMPTION OF TAX SALE CERTIFICATES.

The motion was seconded by Councilmember Mione.

YES: Councilmembers Baker, Bresenhan, Farrar, Giacobbe, Mione, Saliga, Wenson Maier, Brown

ABSENT: Councilmember Cox

Council President Brown declared the motion carried.

***AR-214-14** Councilmember Bresenhan presented and moved A RESOLUTION AUTHORIZING THE REFUND OF OVERPAYMENT OF TAXES FOR THE 2009 FISCAL YEAR.

The motion was seconded by Council President Brown.

YES: Councilmembers Baker, Bresenhan, Farrar, Giacobbe, Mione, Saliga, Wenson Maier, Brown

ABSENT: Councilmember Cox

Council President Brown declared the motion carried.

***AR-215-14** Council President Brown presented and moved A RESOLUTION AUTHORIZING REFUND OF OVERPAYMENT OF WATER BILLS.

The motion was seconded by Councilmember Wenson Maier.

YES: Councilmembers Baker, Bresenhan, Farrar, Giacobbe, Mione, Saliga, Wenson Maier, Brown

ABSENT: Councilmember Cox

Council President Brown declared the motion carried.

- *AR-216-14** Councilmember Mione 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, Saliga, Wenson Maier, Brown

ABSENT: Councilmember Cox

Council President Brown declared the motion carried.

- *AR-217-14** Councilmember Baker presented and moved A RESOLUTION AUTHORIZING THE RELEASE OF RIGHTOF WAY CONSTRUCTION BOND FEE GREGORY KUYAT FOR PERMIT# 09-13-802 DATED 09/05/13 &UPDATED ON 10/3/13 FOR DRIVEWAY APRON, SIDEWALK AND CURB AT 385 SEMINARY AVENUE, BLOCK 164, LOT 6.

The motion was seconded by Councilmember Bresenhan.

YES: Councilmembers Baker, Bresenhan, Farrar, Giacobbe, Mione, Saliga, Wenson Maier, Brown

ABSENT: Councilmember Cox

Council President Brown declared the motion carried.

- *AR-218-14** Councilmember Wenson Maier presented and moved A RESOLUTION AUTHORIZING THE FILING OF LIENS AGAINST CERTAIN PROPERTIES TO RECOVER CLEANUP COSTS INCURRED BY THE CITY IN ACCORDANCE WITH THE PROVISIONS OF SECTION 151-4 OF THE CODE OF THE CITY OF RAHWAY AND N.J.S.A. 40:48-2.14.

The motion was seconded by Councilmember Baker.

YES: Councilmembers Baker, Bresenhan, Farrar, Giacobbe, Mione, Saliga, Wenson Maier, Brown

ABSENT: Councilmember Cox

Council President Brown declared the motion carried.

- *AR-219-14** Council President Brown presented and moved A RESOLUTION APPROVING A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE (HIGHWAY SAFETY FUND 2014) PROJECT.

The motion was seconded by Councilmember Giacobbe.

YES: Councilmembers Baker, Bresenhan, Farrar, Giacobbe, Mione, Saliga, Wenson Maier, Brown

ABSENT: Councilmember Cox

Council President Brown declared the motion carried.

- *AR-220-14** Council President Brown presented and moved A RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT TO SPATIAL DATA LOGIC FOR ENTERPRISE SOFTWARE EXPANSION IN THE CITY OF RAHWAY.

The motion was seconded by Councilmember Wenson Maier.

YES: Councilmembers Baker, Bresenhan, Farrar, Giacobbe, Mione, Saliga, Wenson Maier, Brown

ABSENT: Councilmember Cox

Council President Brown declared the motion carried.

- *AR-221-14** Council President Brown presented and moved A RESOLUTION APPROVING THE SETTLEMENT PROPOSAL OF APPEALS FILED BY RUDARD, LLC.

The motion was seconded by Councilmember Bresenhan.

YES: Councilmembers Baker, Bresenhan, Farrar, Giacobbe, Mione, Saliga, Wenson Maier, Brown

ABSENT: Councilmember Cox

Council President Brown declared the motion carried.

***AR-222-14** Councilmember Wenson Maier presented and moved A RESOLUTION AMENDING THE CY 2014 CAPITAL BUDGET.

The motion was seconded by Councilmember Baker.

YES: Councilmembers Baker, Bresenhan, Farrar, Giacobbe, Mione, Saliga, Wenson Maier, Brown

ABSENT: Councilmember Cox

Council President Brown declared the motion carried.

***AR-223-14** Councilmember Bresenhan presented and moved A RESOLUTION ESTABLISHING A NEW PETTY CASH FUND FOR THE DEPARTMENT OF ADMINISTRATION.

The motion was seconded by Council President Brown.

YES: Councilmembers Baker, Bresenhan, Farrar, Giacobbe, Mione, Saliga, Wenson Maier, Brown

ABSENT: Councilmember Cox

Council President Brown declared the motion carried.

AR-225-14 Councilmember Bresenhan presented and moved A RESOLUTION ESTABLISHING A NEW PETTY CASH FUND FOR THE DEPARTMENT OF ADMINISTRATION.

The motion was seconded by Councilmember Wenson Maier.

YES: Councilmembers Baker, Bresenhan, Farrar, Mione, Saliga, Wenson Maier, Brown

ABSTAIN: Councilmember Giacobbe

ABSENT: Councilmember Cox

Council President Brown declared the motion carried.

AR-226-14 Council President Brown presented and moved A RESOLUTION EXTENDING A SERVICE CONTRACT FOR CUTTING AND CONTROL OF VEGETATION ON THE RAHWAY FLOOD CONTROL LEVEE, BETWEEN MONROE STREET AND REGINA AVENUE.

The motion was seconded by Councilmember Farrar.

YES: Councilmembers Baker, Bresenhan, Farrar, Giacobbe, Mione, Saliga, Wenson Maier, Brown

ABSENT: Councilmember Cox

Council President Brown declared the motion carried.

AR-227-14 Councilmember Baker presented and moved A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RAHWAY AUTHORIZING AN AGREEMENT FOR PAYMENT OF WATER AND SEWER CONNECTION FEES FOR BLOCK 320, LOT 1.02 AS SHOWN ON THE OFFICIAL TAX MAPS OF THE CITY OF RAHWAY.

The motion was seconded by Councilmember Giacobbe.

YES: Councilmembers Baker, Bresenhan, Farrar, Giacobbe, Mione, Saliga, Wenson Maier, Brown

ABSENT: Councilmember Cox

Council President Brown declared the motion carried.

11. ORDINANCES – SECOND READING

***12. MISCELLANEOUS**

13. COMMUNICATIONS - Hearing of Citizens

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

14. COUNCIL COMMENT

Councilmember Baker: Thanked everyone who voted in the General Election on Nov. 4.

Councilmember Giacobbe: Thanked everyone who voted in the General Election on Nov. 4. Thanked residents of Sixth Ward for reelecting him.

Councilmember Bresenhan: Commended Teen Mural Lab. Thanked Veterans for their service and reminded everyone to attend the Veterans Day ceremony.

Councilmember Wenson Maier: Agreed with Councilmember Bresenhan. Wished everyone Happy Thanksgiving.

Council President Brown: Said he looks forward to working with Republicans in Rahway.

15. ADJOURNMENT

Motion to adjourn the meeting at 7:28 p.m. was made by Councilmember Mione and seconded by Councilmember Wenson Maier:

YES: Councilmembers Baker, Bresenhan, Farrar, Giacobbe, Mione, Saliga, Wenson Maier, Brown

ABSENT: Councilmember Cox

Council President Brown declared the motion carried.