

**MINUTES**  
**REGULAR MEETING**  
**MUNICIPAL COUNCIL - CITY OF RAHWAY, NEW JERSEY**  
**MARCH 12, 2012**  
**7 P.M.**

1. Council President Steinman called the meeting to order at 7:01 p.m. and asked for a Roll Call.

**PRESENT:** Councilmembers Baker, Cox, Brown, Mione, Rachlin, Saliga, Scaturro, Wenson Maier, Steinman

Deputy 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 March 12, 2012 was included in a list of meetings notice sent to the *Star-Ledger*, *Home News Tribune*, *The Progress* and the *Rahway News-Record*, posted on the bulletin board in the Municipal Building on December 30, 2011 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, Councilmember Brown offered an invocation and asked for a moment of silence in memory of Rep. Donald M. Payne.

**3. APPROVAL OF MINUTES**

February 7, 2012	6:30 p.m.	Special Meeting
February 7, 2012	7 p.m.	Pre-Meeting Conference
February 13, 2012	7 p.m.	Regular Meeting
February 29, 2012	6:30 p.m.	Special Meeting

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

**YES:** Councilmembers Baker, Cox, Brown, Mione, Rachlin, Saliga, Scaturro, Wenson Maier, Steinman

Council President Steinman declared the motion carried.

**4. PRESENTATIONS**

Bob Markey – Rahway Chamber of Commerce

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

**6. REPORTS OF COUNCIL COMMITTEES**

Motion was made by Councilmember Mione and seconded by the entire Council to place AR-101-12 on the Agenda and Consent Agenda.

YES: Councilmembers Baker, Cox, Brown, Mione, Rachlin, Saliga, Scaturro, Wenson  
Maier, Steinman

Council President Steinman declared the motion carried.

Motion was made by Councilmember Mione and seconded by the entire Council to place AR-102-12 on the Agenda and Consent Agenda.

YES: Councilmembers Baker, Cox, Brown, Mione, Rachlin, Saliga, Scaturro, Wenson  
Maier, Steinman

Council President Steinman declared the motion carried.

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

Patrick Cassio            1971 Barnett Street            AR-78-12

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

**8. CONSENT AGENDA**

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

YES: Councilmembers Baker, Cox, Brown, Mione, Rachlin, Saliga, Scaturro, Wenson  
Maier, Steinman

Council President Steinman declared the motion carried.

**9. ORDINANCES - First Reading**

## 10. RESOLUTIONS

**AR-78-12** Councilmember Baker presented and moved A RESOLUTION ADOPTING THE CY 2012 MUNICIPAL BUDGET.

The motion was seconded by Councilmember Mione.

Council President Steinman 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.

Robert Linus	416 Sycamore St.
Scott Caffee	765 W. Scott Ave.
Tony Pica	594 W. Inman Ave.
Helen Sweeney	396 Sycamore St.
Patrick Cassio	1971 Barnett St.

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

Councilmember Baker made a motion to table AR-78-12 until such time as the State has finalized its review of the budget.

The motion was seconded by Councilmember Mione.

Roll Call to table AR-78-12:

YES: Councilmembers Baker, Cox, Brown, Mione, Rachlin, Saliga, Scaturro, Wenson Maier, Steinman

Council President Steinman declared the motion carried.

**AR-79-12** Councilmember Rachlin presented and moved A RESOLUTION APPROVING THE CY 2012 SPECIAL ASSESSMENT ROLL FOR THE RAHWAY CENTER SPECIAL IMPROVEMENT DISTRICT (RAHWAY ARTS DISTRICT).

The motion was seconded by Councilmember Cox.

Council President Steinman 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 Steinman closed the Public Hearing.

Roll Call for AR-79-12:

YES: Councilmembers Baker, Cox, Brown, Mione, Rachlin, Saliga, Scaturo,  
Wenson Maier, Steinman

Council President Steinman declared the motion carried.

**AR-80-12** Councilmember Scaturo presented and moved A RESOLUTION ADOPTING THE CITY OF RAHWAY 2012 SPECIAL IMPROVEMENT DISTRICT (RAHWAY ARTS DISTRICT) BUDGET.

The motion was seconded by Councilmember Brown.

Council President Steinman 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 Steinman closed the Public Hearing.

Roll Call for AR-80-12:

YES: Councilmembers Baker, Cox, Brown, Mione, Rachlin, Saliga, Scaturo,  
Wenson Maier, Steinman

Council President Steinman declared the motion carried.

**\*AR-81-12** Councilmember Wenson Maier presented and moved A RESOLUTION AUTHORIZING REFUND OF OVERPAYMENT OF WATER BILLS.

The motion was seconded by Councilmember Mione.

YES: Councilmembers Baker, Cox, Brown, Mione, Rachlin, Saliga, Scaturo,  
Wenson Maier, Steinman

Council President Steinman declared the motion carried.

- \*AR-82-12** Councilmember Rachlin presented and moved A RESOLUTION GRANTING PERMISSION FOR THE RAHWAY ARTS DISTRICT TO HOLD A “TASTE OF SPRING”.

The motion was seconded by Councilmember Cox.

YES: Councilmembers Baker, Cox, Brown, Mione, Rachlin, Saliga, Scaturro, Wenson Maier, Steinman

Council President Steinman declared the motion carried.

- \*AR-83-12** Councilmember Cox presented and moved A RESOLUTION GRANTING PERMISSION FOR THE RAHWAY CENTER PARTNERSHIP TO HOLD THE 10TH ANNIVERSARY HOT RODS AND HARLEYS EVENT.

The motion was seconded by Councilmember Scaturro.

YES: Councilmembers Baker, Cox, Brown, Mione, Rachlin, Saliga, Scaturro, Wenson Maier, Steinman

Council President Steinman declared the motion carried.

- \*AR-84-12** Councilmember Scaturro presented and moved A RESOLUTION AUTHORIZING THE CANCELLATION OF TAX SALE CERTIFICATES.

The motion was seconded by Councilmember Brown.

YES: Councilmembers Baker, Cox, Brown, Mione, Rachlin, Saliga, Scaturro, Wenson Maier, Steinman

Council President Steinman declared the motion carried.

- \*AR-85-12** Councilmember Wenson Maier presented and moved A RESOLUTION AUTHORIZING THE REFUND OF OVERPAYMENT OF TAXES FOR THE 2011 TRANSITIONAL YEAR.

The motion was seconded by Councilmember Mione.

YES: Councilmembers Baker, Cox, Brown, Mione, Rachlin, Saliga, Scaturro, Wenson Maier, Steinman

Council President Steinman declared the motion carried.

**\*AR-86-12** Councilmember Mione presented and moved A RESOLUTION AUTHORIZING THE REFUND OF OVERPAYMENT OF TAXES FOR THE 2012 CALENDAR YEAR.

The motion was seconded by Councilmember Baker.

YES: Councilmembers Baker, Cox, Brown, Mione, Rachlin, Saliga, Scaturro, Wenson Maier, Steinman

Council President Steinman declared the motion carried.

**\*AR-87-12** Councilmember Baker presented and moved A RESOLUTION AUTHORIZING THE REFUND OF MONEY DUE TO THE REDEMPTION OF TAX SALE CERTIFICATES.

The motion was seconded by Councilmember Rachlin.

YES: Councilmembers Baker, Cox, Brown, Mione, Rachlin, Saliga, Scaturro, Wenson Maier, Steinman

Council President Steinman declared the motion carried.

**\*AR-88-12** Councilmember Baker presented and moved A RESOLUTION AUTHORIZING THE REFUND OF MONEY DUE TO THE REDEMPTION OF TAX SALE CERTIFICATES.

The motion was seconded by Councilmember Rachlin.

YES: Councilmembers Baker, Cox, Brown, Mione, Rachlin, Saliga, Scaturro, Wenson Maier, Steinman

Council President Steinman declared the motion carried.

**\*AR-89-12** Councilmember Rachlin presented and moved A RESOLUTION ENTERING INTO AN AGREEMENT WITH UNIVERSITY OF MEDICINE AND DENTISTRY OF NEW JERSEY ON BEHALF OF UNIVERSITY HOSPITAL-LATTIMORE PRACTICE AT UMDNJ.

The motion was seconded by Councilmember Cox.

YES: Councilmembers Baker, Cox, Brown, Mione, Rachlin, Saliga, Scaturro, Wenson Maier, Steinman

Council President Steinman declared the motion carried.

**\*AR-90-12** Councilmember Cox presented and moved A RESOLUTION AUTHORIZING THE REFUND OF A BUILDING PERMIT FEE TO THE MERCHANTS & DROVERS TAVERN MUSEUM ASSOCIATION.

The motion was seconded by Councilmember Scaturro.

YES: Councilmembers Baker, Cox, Brown, Mione, Rachlin, Saliga, Scaturro, Wenson Maier, Steinman

Council President Steinman declared the motion carried.

**\*AR-91-12** Councilmember Scaturro presented and moved A RESOLUTION TO AWARD A PROFESSIONAL SERVICES CONTRACT TO WHITESTONE ASSOCIATES, INC. FOR ENVIRONMENTAL CONSULTING SERVICES RELATIVE TO THE RAHWAY CITY HALL SITE.

The motion was seconded by Councilmember Brown.

YES: Councilmembers Baker, Cox, Brown, Mione, Rachlin, Saliga, Scaturro, Wenson Maier, Steinman

Council President Steinman declared the motion carried.

**\*AR-92-12** Councilmember Brown presented and moved A RESOLUTION TO AWARD A PROFESSIONAL SERVICES CONTRACT TO WHITESTONE ASSOCIATES, INC. FOR ENVIRONMENTAL CONSULTING SERVICES RELATIVE TO THE RAHWAY FIRE HOUSE SITE.

The motion was seconded by Councilmember Wenson Maier.

YES: Councilmembers Baker, Cox, Brown, Mione, Rachlin, Saliga, Scaturro, Wenson Maier, Steinman

Council President Steinman declared the motion carried.

- \*AR-93-12** Councilmember Wenson Maier presented and moved A RESOLUTION TO AWARD A PROFESSIONAL SERVICES CONTRACT TO WHITESTONE ASSOCIATES, INC. FOR ENVIRONMENTAL CONSULTING SERVICES RELATIVE TO THE RAHWAY WATER TREATMENT PLANT SITE.

The motion was seconded by Councilmember Mione.

YES: Councilmembers Baker, Cox, Brown, Mione, Rachlin, Saliga, Scaturro, Wenson Maier, Steinman

Council President Steinman declared the motion carried.

- \*AR-94-12** Councilmember Mione presented and moved A RESOLUTION PROVIDING FOR THE SALE AND ISSUANCE OF NOT TO EXCEED \$6,500,000 AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2012 (THE "REFUNDING BONDS") OF THE CITY OF RAHWAY, IN THE COUNTY OF UNION, STATE OF NEW JERSEY (THE "CITY"), AUTHORIZED BY A REFUNDING BOND ORDINANCE HERETOFORE DULY ADOPTED BY THE CITY COUNCIL ON FEBRUARY 29, 2012, TO REFUND CERTAIN GENERAL OBLIGATION BONDS, SERIES 2004 OF THE CITY, AND PROVIDING FOR THE FORM AND CERTAIN MATTERS WITH RESPECT TO THE SALE AND ISSUANCE OF SAID REFUNDING BONDS.

The motion was seconded by Councilmember Baker.

YES: Councilmembers Baker, Cox, Brown, Mione, Rachlin, Saliga, Scaturro, Wenson Maier, Steinman

Council President Steinman declared the motion carried.

- \*AR-95-12** Councilmember Wenson Maier presented and moved A RESOLUTION CONFIRMING THE MAYOR'S APPOINTMENT OF A MEMBER TO THE RAHWAY REDEVELOPMENT AGENCY (MICHAEL P. STARYAK).

The motion was seconded by Councilmember Steinman.

YES: Councilmembers Baker, Cox, Brown, Mione, Rachlin, Saliga, Scaturro, Wenson Maier, Steinman

Council President Steinman declared the motion carried.

- \*AR-96-12** Councilmember Brown presented and moved A RESOLUTION CONFIRMING THE MAYOR'S APPOINTMENT OF A MEMBER TO THE ZONING BOARD OF ADJUSTMENT (ANDRE H. BRYANT).

The motion was seconded by Councilmember Rachlin.

YES: Councilmembers Baker, Cox, Brown, Mione, Rachlin, Saliga, Scaturro, Wenson Maier, Steinman

Council President Steinman declared the motion carried.

- \*AR-97-12** Councilmember Baker presented and moved A RESOLUTION AUTHORIZING THE CANCELLATION OF OLD OUTSTANDING CHECKS.

The motion was seconded by Councilmember Mione.

YES: Councilmembers Baker, Cox, Brown, Mione, Rachlin, Saliga, Scaturro, Wenson Maier, Steinman

Council President Steinman declared the motion carried.

- \*AR-98-12** Councilmember Wenson Maier presented and moved A RESOLUTION AWARDED THE ACCEPTANCE OF BID FOR REMOVAL AND INSTALLATION OF FUEL CONTAINMENT SUMPS FOR DPW FACILITY.

The motion was seconded by Councilmember Cox.

YES: Councilmembers Baker, Cox, Brown, Mione, Rachlin, Saliga, Scaturro, Wenson Maier, Steinman

Council President Steinman declared the motion carried.

- \*AR-99-12** Councilmember Steinman presented and moved A RESOLUTION CONFIRMING THE MAYOR'S APPOINTMENT OF A MEMBER TO THE BOARD OF ALCOHOLIC BEVERAGE CONTROL (ERIC RICKES).

The motion was seconded by Councilmember Cox.

YES: Councilmembers Baker, Cox, Brown, Mione, Rachlin, Saliga, Scaturro, Wenson Maier, Steinman

Council President Steinman declared the motion carried.

- \*AR-100-12** Councilmember Brown presented and moved A RESOLUTION CONFIRMING THE MAYOR'S APPOINTMENTS OF MEMBERS TO THE CABLE TELEVISION ADVISORY BOARD.

The motion was seconded by Councilmember Rachlin.

YES: Councilmembers Baker, Cox, Brown, Mione, Rachlin, Saliga, Scaturro, Wenson Maier, Steinman

Council President Steinman declared the motion carried.

- \*AR-101-12** Councilmember Mione presented and moved A RESOLUTION HONORING BOB GERING AS THE OUTSTANDING RAHWAY SENIOR CITIZEN OF THE YEAR FOR 2011.

The motion was seconded by the entire Council.

YES: Councilmembers Baker, Cox, Brown, Mione, Rachlin, Saliga, Scaturro, Wenson Maier, Steinman

Council President Steinman declared the motion carried.

- \*AR-102-12** Councilmember Mione presented and moved A RESOLUTION APPOINTING JEFFREY J. JOTZ AS MUNICIPAL CLERK.

The motion was seconded by entire Council.

YES: Councilmembers Baker, Cox, Brown, Mione, Rachlin, Saliga, Scaturro, Wenson Maier, Steinman

Council President Steinman declared the motion carried.

## **11. Ordinances – Second Reading**

- O-6-12** Council President Steinman: 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

DELETE:

In front of 45 W. Albert St.

North Side - beginning at a point 46 feet West of Broad St. extending to a point 22 feet West 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 Steinman 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 Steinman closed the Public Hearing.

Roll Call for O-6-12:

YES: Councilmembers Baker, Cox, Brown, Mione, Rachlin, Saliga, Scaturo, Wenson Maier, Steinman

Council President Steinman: 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.

**O-8-12** Council President Steinman: 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 TO EXCEED THE MUNICIPAL BUDGET  
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK  
(N.J.S.A. 40A: 4-45.14)**

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized

by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

**WHEREAS,** N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

**WHEREAS,** the City Council of the City of Rahway in the County of Union finds it advisable and necessary to increase its CY 2012 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

**WHEREAS,** the City Council hereby determines that a 1.0 % increase in the budget for said year, amounting to \$391,706 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

**WHEREAS,** the City Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW THEREFORE BE IT ORDAINED,** by the City Council of the City of Rahway in the County of Union, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2012 budget year, the final appropriations of the City of Rahway shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by up to 3.5 %, amounting to \$1,370,972, and that the CY 2012 municipal budget for the City of Rahway be approved and adopted in accordance with this ordinance; and

**BE IT FURTHER ORDAINED,** that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and

**BE IT FURTHER ORDAINED,** that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

**BE IT FURTHER ORDAINED,** that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Council President Steinman 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 Steinman closed the Public Hearing.

Roll Call for O-8-12:

YES: Councilmembers Baker, Cox, Brown, Mione, Rachlin, Saliga, Scaturro, Wenson Maier, Steinman

Council President Steinman: 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**

Patrick Cassio 1971 Barnett St.

Questioned comments on the budget and future tax appeals from Merck. Urged Council to plan for these things. Spoke about foreclosed properties on Essex St., tax abatements and Carriage City.

Scott Caffee 756 W. Scott Ave.

Claimed that Council gave itself a raise in the budget. Spoke on tax appeals. Claimed that the City is a mess.

Tony Pica 594 W. Inman Ave.

Spoke on handicapped curbs on W. Inman Ave. Asked how much the City receives from other towns. Commented on Mayor's and Council salaries.

City Engineer James Houston spoke on handicapped curbs and said that federal law mandates the curb replacement and that the work is being done by Union County, not the City.

Business Administrator Peter Pelissier spoke on taxes, the municipal budget, redevelopment and the water utility.

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

#### **14. COUNCIL COMMENT**

*Councilmember Mione:* Commented on tax appeals.

*Councilmember Saliga:* Said that this budget is a solid budget.

*Councilmember Baker:* Said that he agreed with Councilmember Saliga. The budget has a lot of work put into it. The Council will take steps to ensure the best interests of the City are taken into account and that this budget is the third budget in five years to have a zero municipal tax increase. Claimed that Rahway is the fastest-growing municipality in Union County.

*Councilmember Wenson Maier:* Said that Union County offers programs for children and seniors and that when Councilmember Brown approached the Mayor to get funding for these programs, the Mayor refused to help. Claimed that the Mayor violated his responsibility to help children in Rahway.

*Councilmember Rachlin:* Admitted that tax bills are onerous and cited the continuing loss in state aid and that other municipalities are going through the same problems as Rahway.

*Councilmember Cox:* Said that as a homeowner, no one likes to receive their tax bill. Stated that Rahway offers services that no other towns offer and added that if services are cut for natural disasters, the town would face serious trouble. Added that the Council has pledged to give its best.

*Councilmember Brown:* Commented on Councilmember Wenson Maier's statement. Said that he asked the Mayor for his help to get things done in the Fourth Ward and that the Mayor shocked him when he said that he wouldn't do anything to help him or the Fourth Ward because the Council cut his salary. Thanked Councilmembers Steinman, Rachlin, Cox, Mione and Scaturo for joining him at Ebenezer A.M.E. Church to welcome the new minister. Added that he is working with the County Freeholders to get summer jobs for young people.

*Councilmember Steinman:* Agreed with public comments that the budget is a tricky process. Invited public to contact the City Clerk, Mayor or Administration with any questions on the budget.

**ADJOURNMENT**

Motion to adjourn the meeting at 8:16 p.m. was made by Councilmember Mione and seconded by Councilmember Baker.

YES: Councilmembers Baker, Cox, Brown, Mione, Rachlin, Saliga, Scaturro, Wenson  
Maier, Steinman

Council President Steinman declared the motion carried.